

150 female inmates in California coerced into illegal sterilization

Jake Dean
12 July 2013

A new report by the Center for Investigative Reporting (CIR) has found that doctors under contract with the California Department of Corrections and Rehabilitation have sterilized nearly 150 female inmates without state approval from 2006 to 2010. There are also perhaps another 100 women who have undergone the same illegal process from the late 1990s.

Female inmates who were pregnant and had at least one Caesarean section in the past and are deemed most likely to return to prison were targeted for the surgeries by the medical staff of the prisons. Some women were pressured during labor to agree to the operation.

Both federal and state laws ban inmate sterilization. Since 1994, however, state funds can be used for the surgery only if they acquire approval from top medical officials on a case-by-case basis.

All of the female inmates that were sterilized in violation of the law were held at either the California Institution for Women in Corona or Valley State Prison for Women in Chowchilla.

Christina Cordero, a former inmate, explained how Valley State Prison's OB-GYN, Dr. James Heinrich, pressured her into having the surgery, "As soon as he found out I had five kids, he suggested I look into getting it done. The closer I got to my due date, the more he talked about it. He made me feel like a bad mother if I didn't do it."

Now living in Upland, California, Cordero regrets having ever accepted the surgery, an operation that is considered by some doctors to be permanent, having a low success of reversibility. Female sterilization reversal is generally not covered by health insurance and can cost anywhere from \$10,000 to \$15,000.

Crystal Nguyen, a former inmate who worked in the Valley State Prison's infirmary, said that she had repeatedly overheard medical staff asking inmates to

accept the surgery, "I was like, 'Oh my God, that's not right.' Do they think they're animals, and they don't want them to breed anymore?"

In an interview with CIR, Dr. Heinrich declared that he has provided a service to these women who possibly faced health risks because of past C-sections.

Doctors such as Heinrich were paid \$147,460 to perform the surgeries between 1997 and 2010. In an attempt to justify his actions on a budgetary basis, Dr. Heinrich described the payment as being minimal compared to welfare:

"Over a 10-year period, that isn't a huge amount of money, compared to what you save in welfare paying for these unwanted children-as they procreated more."

The surgery can only take place if a formal request is sent to the Californian Prison Health Care Receivership Corp. (CPHCRC), the committee that is ultimately responsible for approving or denying such procedures.

According to Dr. Ricki Barnett, who tracks medical services and costs for CPHCRC, the committee has received no request for tubal ligations.

The CPHCR oversees all medical care of the 33 state's prison when in 2006, the United States District Judge, Thelton Henderson ruled that the state's healthcare violated the constitutional ban on cruel and unusual punishment.

More recently, the state was found in violation of the Bill of Rights' ban on cruel and unusual punishment. In the Supreme Court's 2011 ruling in *Brown v. Plata*, the state was ordered to reduce its prison population by 30,000 inmates from the level of 144,000.

Though no requests were sent before the committee, the CPHCRC was aware that sterilizations were being performed, "Everybody was operating on the fact that this was a perfectly reasonable thing to do," stated Dr. Barnett.

At Valley State Prison, Daun Martin, a licensed psychologist and top prison medical manager from 2005 to 2008, stated that five years ago, after her staff discovered that forced sterilization was illegal, she began to find ways around the restriction.

Both Martin and Heinrich would classify these procedures as “medical emergencies.” According to Heinrich, she would approach Martin and request a tubal ligation by saying: “Mary Smith is having a medical emergency ‘kind of thing,’ and we ought to have a tubal ligation. She’s got six kids. Can we do it?” So long as these procedures were classified as medical emergencies, they would proceed with the surgery.

While serving as top medical manager, Daun denies approving any such surgeries, though according to the state contracts database, at least 60 operations occurred at Valley State while she was medical director.

Heinrich continues to defend himself, claiming that these medical emergencies were only offered to pregnant inmates who have had at least three C-sections, explaining that additional pregnancies would cause scar tissue inside the uterus to possibly tear.

Michelle Anderson, a former inmate at Valley State Prison, was one of those inmates that were harassed by medical staff to be sterilized. Having had only one C-section, she has provided medical files to the CIR showing that on two separate occasions she had rejected such a request for tubal ligation and that at no time was medical reasoning offered.

However, while sedated and strapped to a surgical table for a C-section in 2010 at Valley State Prison, Kimberly Jeffrey was pressured into a tubal ligation.

Kimberly explains her story, “He said, ‘So we’re going to be doing this tubal ligation, right?’ I’m like, ‘Tubal ligation? What are you talking about? I won’t want any procedure. I just want to have my baby.’”

After lawsuits in Alabama and New York, the United States Supreme Court created new requirements in the 1970s requiring doctors to fully inform patients on health risks. Since that decision, it has been illegal for any patient to be sterilized or to be asked to undergo the procedure during childbirth.

These testimonies, as well as the attempts by Dr. Heinrich and Martin to justify their illegal actions, ultimately shows the state’s inability to provide basic social services to women and their children.

Men’s prisons are as well facing horrendous

conditions, and California is in its fourth day of its largest hunger strike. There are currently 30,000 inmates on strike protesting the deteriorating conditions and the state-sanctioned torture of solitary confinement. Those placed in solitary confinement are held indefinitely, and kept alone for 23 hours with only one hour of exercise in a 16 by 25 foot room infamously known as the “dog run.”



To contact the WSWs and the
Socialist Equality Party visit:

wsws.org/contact