

# ACT No. 140

2020 Regular Session

HOUSE BILL NO. 344

BY REPRESENTATIVES LANDRY, BRASS, BRYANT, WILFORD CARTER, COUSSAN, COX, DUPLESSIS, FREEMAN, FREIBERG, HUGHES, JEFFERSON, JENKINS, TRAVIS JOHNSON, JORDAN, LARVADAIN, MAGEE, MARCELLE, DUSTIN MILLER, MOORE, NEWELL, PIERRE, RISER, SELDERS, THOMPSON, WHITE, WILLARD, AND ZERINGUE AND SENATOR BARROW

1 AN ACT

2 To amend and reenact R.S. 15:865, relative to solitary confinement; to prohibit the use of  
3 solitary confinement for certain persons; to provide for exceptions; and to provide  
4 for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 15:865 is hereby amended and reenacted to read as follows:

7 §865. Solitary confinement abolished

8 A. No Except as provided in Subsections B and C of this Section, no prisoner  
9 in the state penitentiary shall be placed in solitary confinement, except in enforcing  
10 obedience to the police regulations of the penitentiary.

11 B. Notwithstanding Subsection A of this Section and except as provided in  
12 Subsection C of this Section, no prisoner in any penal or correctional institution who  
13 is pregnant, or is less than eight weeks post medical release following a pregnancy,  
14 or is caring for a child in a penal or correctional institution shall be placed in solitary  
15 confinement.

16 C. The provisions of this Section prohibiting the placement of prisoners in  
17 solitary confinement does not apply under either of the following circumstances:

18 (1) The prisoner has engaged in an act of violence while incarcerated that  
19 either resulted in or was likely to result in serious bodily injury or death to another.

1                    (2) There is reasonable cause to believe that the use of solitary confinement  
2                    is necessary to reduce a substantial risk of imminent serious bodily injury or death  
3                    to another, as evidenced by the prisoner's recent conduct while incarcerated.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

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PRESIDENT OF THE SENATE

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GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: \_\_\_\_\_