

2021 Regular Session

HOUSE RESOLUTION NO. 127

BY REPRESENTATIVE LANDRY

A RESOLUTION

To create the Safe Alternatives to Segregation Task Force to review and receive information regarding the current regulations and policies of the Department of Public Safety and Corrections on the use of segregation and safe alternatives to segregation, and the current standards of the American Correctional Association on segregation and special management units, and to make recommendations to the legislature no later than February 1, 2023.

WHEREAS, the Department of Public Safety and Corrections joined the national movement to reduce segregation in United States' prisons; and

WHEREAS, the Department of Public Safety and Corrections closed Camp J and solicited technical assistance from the Vera Institute of Justice to aid in the reform of segregation practices; and

WHEREAS, the Department of Public Safety and Corrections remains committed to further reducing its use of segregation and the continued improvement of living conditions in Louisiana prisons; and

WHEREAS, the use of segregation on persons with serious mental illness should be for treatment purposes or otherwise limited to instances where less restrictive measures are not available to address behavioral issues and to protect the health and safety of the entire prison population, including incarcerated persons and prison staff.

THEREFORE, BE IT RESOLVED that the House of Representatives of the Legislature of Louisiana does hereby create the Safe Alternatives to Segregation Task Force to review and receive information regarding current regulations and policies of the Department of Public Safety and Corrections on the use of segregation and safe alternatives to segregation, as well as the current standards of the American Correctional Association on segregation and special management units, and to recommend changes regarding the use of segregation on persons with a serious mental illness housed in Louisiana prisons in ways that protect the safety and well-being of those persons and that also take into account the safety and security of facility staff and other persons housed in Louisiana prisons.

BE IT FURTHER RESOLVED that the task force shall be composed of the following members:

(1) The chairman of the House Committee on Administration of Criminal Justice, or his designee.

(2) The author of House Bill No. 68 from the 2021 Regular Session of the Legislature, or his designee.

(3) The secretary of the Department of Public Safety and Corrections, or his designee.

(4) The chief of operations of the Department of Public Safety and Corrections, or his designee.

(5) The executive counsel of the Department of Public Safety and Corrections, or his designee.

(6) The secretary of the Louisiana Department of Health, or his designee.

(7) The mental health director of the Department of Public Safety and Corrections.

(8) A psychiatrist from the Department of Public Safety and Corrections appointed by the secretary of the department.

(9) A representative from the Louisiana Stop Solitary Confinement Coalition appointed by the speaker of the House of Representatives.

(10) A representative from the Louisiana Mental Health Coalition.

(11) The director of the Mental Health Unit of the Orleans Parish public defender office.

(12) Two formerly incarcerated persons who have experienced solitary confinement or a family member of someone who has experienced solitary confinement.

(13) A mental health professional who has treated formerly incarcerated persons who have experienced solitary confinement or persons with serious mental illnesses.

BE IT FURTHER RESOLVED that a majority of the membership of the task force shall constitute a quorum and shall elect two co-chairs of the task force at the first meeting, one of whom shall be either the chairman of the House Committee on Administration of Criminal Justice, or his designee or the author of House Bill No. 68 of the 2021 Regular Session of the Legislature, or his designee. The task force shall meet at the call of the two chairs, or upon an affirmative vote of a majority of the task force members. All members shall be notified in writing of all meetings at least five days before the date on which a meeting of the task force is scheduled.

BE IT FURTHER RESOLVED that the task force shall meet at least four times prior to December 1, 2022, and that the first meeting of the task force shall take place no later than September 1, 2021.

BE IT FURTHER RESOLVED that meetings of the task force shall take place at the Louisiana State Capitol, the headquarters of the Department of Public Safety and Corrections, or through videoconferencing if available.

BE IT FURTHER RESOLVED that the Department of Public Safety and Corrections or the author of House Bill No. 68 of the 2021 Regular Session of the Legislature, or both shall provide staff support to the commission.

BE IT FURTHER RESOLVED that the duties of the task force shall include but not be limited to all of the following:

(1) Review information on the Department of Public Safety and Corrections' ongoing implementation of safe alternatives to segregation for persons with mental illness, including the current regulations and policies on the use of segregation and safe alternatives to segregation, the American Correctional Association standards on segregation and special management units, relevant department policies, and the Louisiana Administrative Code.

(2) Recommend any legislation for the 2022 Regular Session of the Legislature, 2023 Regular Session of the Legislature, or both regarding the use of segregation on persons housed in Louisiana prisons with a serious mental illness in ways that protect the health and

well-being of such persons and that also take into account the safety and security of staff and other persons housed in Louisiana prisons.

(3) Recommend the funds necessary for alternatives to segregation and staff training to be included in the budget prior to the 2023 Regular Session of the Legislature.

BE IT FURTHER RESOLVED that the task force may request and collect relevant and necessary data as well as any information to accomplish its purposes from state and local governmental agencies.

BE IT FURTHER RESOLVED that the entities from which such information and data is requested may, to the extent feasible, provide such information and data to the task force at no cost.

BE IT FURTHER RESOLVED that the task force shall prepare and submit a report of its findings and policy recommendations to the governor and the House of Representatives of the Legislature of Louisiana no later than prior to the convening of the 2023 Regular Session of the Legislature.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to each of the task force members, the David R. Poynter Legislative Research Library, and the appointing entities provided in this Resolution.

BE IT FURTHER RESOLVED that the Safe Alternatives to Segregation Task Force shall submit one print copy and one electronic copy of any report produced pursuant to this Resolution to the David R. Poynter Legislative Research Library as required by R.S. 24:772.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES