

2022 Regular Session

HOUSE BILL NO. 731

BY REPRESENTATIVE DUPLESSIS

JUVENILES/DETENTION FAC: Provides relative to emergency preparedness plans for juvenile detention facilities

1 AN ACT

2 To enact R.S. 15:912, relative to juvenile facilities; to provide relative to written policies,  
3 procedures, and practices for emergency preparedness within the Department of  
4 Public Safety and Correction; to provide relative to an emergency preparedness  
5 plans; to provide relative to fire drills; to provide relative to an alternate power  
6 source policy; to provide relative to compliance with national fire protection  
7 standards; to provide for exemption from capacity requirements; and to provide for  
8 related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:912 is hereby enacted to read as follows:

11 §912. Emergency preparedness; juvenile facilities

12 A. The Department of Public Safety and Corrections shall have written  
13 policies, procedures, and practices to ensure that every facility and institution is  
14 prepared for evacuations, operational emergencies, or any other disasters which  
15 could impact the operations of the facility or the safety of juveniles, staff, and,  
16 visitors. Quick reference guides shall be accessible and located in a designated area.  
17 These procedures shall be reviewed and revised as necessary and will incorporate  
18 responses to any of the following events:

19 (1) Disturbances and riots.

20 (2) Hostages.

1           (3) Bomb threats.

2           (4) Use of emergency medical services.

3           (5) Gas leaks, spills, or attacks.

4           (6) Power failure.

5           (7) Escapes.

6           (8) Severe weather, including hurricanes, tornadoes, or flooding.

7           (9) Fires and smoke.

8           (10) Chemical leaks.

9           (11) Work stoppage.

10          (12) National security threats.

11          B. The emergency preparedness plan shall cover all of the following:

12          (1) The identification of key personnel and their specific responsibilities  
13          during an emergency or disaster.

14          (2) Reciprocity agreements with other agencies or departments in accordance  
15          with Children's Code Article 822 pertaining to the housing of juveniles from  
16          evacuating facilities.

17          (3) Transportation to pre-determined evacuation sites.

18          (4) Notification to family members of a juvenile's location once he has been  
19          safely evacuated and upon his return to the facility.

20          (5) Needs of juveniles with disabilities in cases of an emergency.

21          (6) Immediate release of juveniles from locked areas in case of an  
22          emergency, with clearly delineated responsibilities for unlocking doors.

23          (7) The evacuation of juveniles to safe or sheltered areas, including  
24          procedures for addressing both planned and unplanned evacuations and to alternate  
25          locations both in close proximity to the facility as well as long distance evacuations.

26          (8) Access to medication and other necessary supplies or equipment.

27          (9) Development of protocols and agreements with local juvenile courts to  
28          release as many juveniles as possible to their families during an evacuation.

1           (10) Assessment of disaster-related mental health needs of juveniles and  
2           plans and protocols to meet these needs.

3           C.(1) The department shall conduct one fire drill per month and one drill per  
4           shift every ninety days at varying times of the day. Documentation of the fire drill  
5           shall include all of the following:

6           (a) Date of the drill.

7           (b) Time of the drill.

8           (c) Number of minutes to evacuate facility.

9           (d) Number of juveniles evacuated.

10          (e) Problems observed during the drill.

11          (f) Noted corrections to any problems observed during the drill.

12          (g) Signatures of staff present during the drill.

13          (2) The department shall make every effort to ensure that staff and juveniles  
14          in every facility recognize the nature and importance of fire drills.

15          D.(1) An alternate power source policy shall be developed. Each facility  
16          shall have an alternate source of electrical power that provides for the simultaneous  
17          operations of life safety systems including all of the following:

18          (a) Emergency lighting.

19          (b) Illuminated emergency exit lights and signs.

20          (c) Emergency audible communication systems and equipment.

21          (d) Fire detection alarms systems.

22          (e) Ventilation and smoke management systems.

23          (f) Refrigeration of medication.

24          (g) Medical devices.

25          (h) Door locking devices.

26          (2)(a) The alternate power source system shall be tested by automatic  
27          self-checks or manual checks to ensure the system is in working condition.

1           (b) Any system malfunctions or maintenance needs that are identified during  
2           a test, or at any other time, shall be immediately submitted to the appropriate  
3           personnel through a written maintenance request by a facility staff member.

4           E.(1) Each facility shall adhere to the applicable rules and regulations  
5           established in the National Fire Protection Association's Life Safety Code Standards.

6           (2) The department will ensure that reliable means are provided to permit the  
7           prompt release of juveniles confined in locked sections, spaces, or rooms in the event  
8           of fire or other emergency.

9           (3) Prompt release from secure areas shall be guaranteed on a twenty-four  
10          hour basis by sufficient personnel with ready access to keys.

11          F. Notwithstanding any other provision of law to the contrary, a facility  
12          shall be exempt from capacity requirements in order to house juveniles from any  
13          affected facility that is under a declared state of emergency due to a natural disaster  
14          or other operational emergency.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 731 Original

2022 Regular Session

Duplessis

**Abstract:** Provides relative to emergency preparedness procedures for juvenile facilities.

Proposed law provides that the DPS&C shall have written policies, procedures, and practices to ensure that every facility and institution is prepared for evacuations, operational emergencies, or any other disasters which could impact the operations of the facility or the safety of juveniles, staff, and, visitors. Provides for quick reference guides shall be accessible and located in a designated area.

Proposed law provides that evacuation, operational emergency, or any other disaster procedures shall be reviewed and revised as necessary and will incorporate responses to any of the following events: Disturbances and riots; hostages; bomb threats; use of emergency medical services; gas leaks, spills, or attacks; power failure; escapes; severe weather, including hurricanes, tornadoes, or flooding; fires and smoke; chemical leaks; work stoppage; or national security threats.

Proposed law provides that emergency preparedness plan shall cover all of the following:

- (1) The identification of key personnel and their specific responsibilities during an emergency or disaster.

- (2) Reciprocity agreements with other agencies or departments in accordance with present law (Ch. C. Art. 822) pertaining to the housing of juveniles from evacuating facilities.
- (3) Transportation to pre-determined evacuation sites.
- (4) Notification to family members of a juvenile's location once he has been safely evacuated and upon his return to the facility.
- (5) Needs of juveniles with disabilities in cases of an emergency.
- (6) Immediate release of juveniles from locked areas in case of an emergency, with clearly delineated responsibilities for unlocking doors.
- (7) The evacuation of juveniles to safe or sheltered areas, including procedures for addressing both planned and unplanned evacuations and to alternate locations both in close proximity to the facility as well as long distance evacuations.
- (8) Access to medication and other necessary supplies or equipment.
- (9) Development of protocols and agreements with local juvenile courts to release as many juveniles as possible to their families during an evacuation.
- (10) Assessment of disaster-related mental health needs of juveniles and plans and protocols to meet these needs.

Proposed law provides that DPS&C shall conduct one fire drill per month and one drill per shift every 90 days at varying times of the day. Provides that documentation of the fire drill shall include all of the following: the date and time of the drill; the number of minutes to evacuate facility; the number of juveniles evacuated; problems observed during the drill and noted corrections to these problems; and signatures of staff present during the drill.

Proposed law provides that the DPS&C shall make every effort to ensure that staff and juveniles in every facility recognize the nature and importance of fire drills.

Proposed law provides for the development of an alternate power source policy. Provides that each facility shall have an alternate source of electrical power that provides for the simultaneous operations of life safety systems including all of the following: Emergency lighting; illuminated emergency exit lights and signs; emergency audible communication systems and equipment; fire detection alarms systems; ventilation and smoke management systems; refrigeration of medication; medical devices; and door locking devices.

Proposed law provides that the alternate power source system shall be tested by automatic self-checks or manual checks to ensure the system is in working condition. Provides that any system malfunctions or maintenance needs that are identified during a test, or at any other time, shall be immediately submitted to the appropriate personnel through a written maintenance request by a facility staff member.

Proposed law provides that each facility shall adhere to the applicable rules and regulations established in the National Fire Protection Association's Life Safety Code Standards.

Proposed law provides that the DPS&C will ensure that reliable means are provided to permit the prompt release of juveniles confined in locked sections, spaces, or rooms in the event of fire or other emergency.

Proposed law provides that prompt release from secure areas shall be guaranteed on a 24 hour basis by sufficient personnel with ready access to keys.

Proposed law provides an exemption from capacity requirements for facilities in order to house juveniles from any affected facility that is under a declared state of emergency due to a natural disaster or other operational emergency.

(Adds R.S. 15:912)