

Regular Session, 2014

HOUSE RESOLUTION NO. 1

BY REPRESENTATIVE MORENO

CRIMINAL/SENTENCING: Directs the legislative auditor to evaluate the use of solitary confinement in La.

1 A RESOLUTION

2 To request the House Committee on Administration of Criminal Justice to evaluate the use
3 of solitary confinement, isolation, closed-cell restriction, and extended lockdown by
4 the Department of Public Safety and Corrections and its effectiveness and impact on
5 housing costs, prison violence, inmate safety, recidivism, and the mental health of
6 the inmate placed in such conditions.

7 WHEREAS, solitary confinement requires substantial isolation of the inmate from
8 other inmates, and while in solitary confinement, an inmate's movements and privileges are
9 more restricted compared to inmates in the general population, including segregation that
10 may be for twenty-three hours a day or more in which the inmate is given limited or no
11 opportunities for social contact with other persons; and

12 WHEREAS, in 2012, the American Bar Association advised that isolated
13 confinement should be "imposed in the most limited manner possible" and further advocated
14 for an "investigation as to how the use of long-term solitary confinement may be restricted
15 so as to promote the safe, efficient, and humane operation of prisons"; and

16 WHEREAS, recent studies have been issued regarding the impact of long-term
17 isolation on the mental health and functioning of an inmate with some studies finding that
18 isolation can be psychologically harmful to any prisoner, with the nature and severity of the
19 impact depending upon the individual, the duration of the isolation, and the particular
20 conditions of the confinement; and

1 WHEREAS, as a result of these findings, a number of states, including Maine,
2 Mississippi, Texas, Illinois, and Washington, are looking to reduce their use of solitary
3 confinement and are searching for alternative strategies and best practices.

4 THEREFORE, BE IT RESOLVED that the House of Representatives of the
5 Legislature of Louisiana does hereby request the House Committee on Administration of
6 Criminal Justice to evaluate the use of solitary confinement, isolation, closed-cell restriction,
7 and extended lockdown by the Department of Public Safety and Corrections and its
8 effectiveness and impact on housing costs, prison violence, inmate safety, recidivism, and
9 the mental health of the inmate placed in such conditions.

10 BE IT FURTHER RESOLVED that the House Committee on Administration of
11 Criminal Justice shall report its findings, including recommendations for improvement of
12 the current system, during a public hearing held no later than January 1, 2016, and shall
13 submit its findings and recommendations to the Department of Public Safety and Corrections
14 and to the governor of the state of Louisiana no later than January 4, 2016.

15 BE IT FURTHER RESOLVED that the evaluation and report issued by the
16 committee shall include but not be limited to information on the following:

17 (1) Classification levels of inmates ordered to the custody of the Department of
18 Public Safety and Corrections.

19 (2) Conditions and privileges associated with each classification including but not
20 limited to information on yard time, visitation, access to books and other reading materials,
21 access to television and radio, and access to phones.

22 (3) The number of inmates within each classification at each facility.

23 (4) A description of each type of solitary confinement, isolation, closed-cell
24 restriction, and extended lockdown used at each facility.

25 (5) The number of placements in solitary confinement, isolation, closed-cell
26 restriction, and extended lockdown, and the duration of each placement.

27 (6) The conditions associated with solitary confinement, isolation, closed-cell
28 restriction, and extended lockdown.

1 (7) Rules and guidelines regulating the use of solitary confinement, isolation, closed-
2 cell restriction, and extended lockdown, including but not limited to information on
3 procedures for release from such placement.

4 (8) Percentage of recidivism within the facility of inmates returning to solitary
5 confinement, isolation, closed-cell restriction, and extended lockdown.

6 (9) Recidivism rate of inmates who have been placed in solitary confinement,
7 isolation, closed-cell restriction, or extended lockdown prior to their release.

8 (10) Cost associated with placement of an inmate in solitary confinement, isolation,
9 closed-cell restriction, or extended lockdown versus the cost associated with placement in
10 the general population.

11 (11) The number of inmates with a mental health condition or illness prior to being
12 placed in solitary confinement, isolation, closed-cell restriction, or extended lockdown.

13 (12) The number of inmates who develop mental health conditions or illnesses while
14 placed in solitary confinement, isolation, closed-cell restriction, or extended lockdown.

15 (13) The number of suicides and attempted suicides committed by persons placed
16 in solitary confinement, isolation, closed-cell restriction, and extended lockdown.

17 (14) The identification of best practices concerning the use of isolated or solitary
18 confinement.

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)]

Moreno

HR No. 1

Requests the House Committee on Administration of Criminal Justice to evaluate the use of solitary confinement, isolation, closed-cell restriction, and extended lockdown by the Dept. of Public Safety and Corrections and its effectiveness and impact on housing costs, prison violence, inmate safety, recidivism, and the mental health of the inmate placed in such conditions; and to report its findings during a public hearing held no later than Jan. 1, 2016, and to submit its findings and recommendations to the Dept. of Public Safety and Corrections and the governor no later than Jan. 4, 2016.

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on House and Governmental Affairs to the original resolution.

1. Changes the study from directing the legislative auditor, through the Louisiana Performance Audit Program, to evaluate the use of solitary and related

confinement to requesting the House Committee on Administration of Criminal Justice to evaluate the use of solitary and related confinement.

2. Specifies that part of the evaluation and report shall include the identification of best practices relative to such confinement.
3. Changes the report from the legislative auditor reporting findings to the Dept. of Public Safety and Corrections and the House Committee on Administration of Criminal Justice by Jan. 1, 2016, to the committee reporting its findings during a public hearing held no later than Jan. 1, 2016, and submitting its findings and recommendations to the Dept. of Public Safety and Corrections and the governor no later than Jan. 4, 2016.