

2020 Regular Session

HOUSE BILL NO. 522

BY REPRESENTATIVE JAMES

CORRECTIONAL FACILITIES: Provides relative to collection and reporting of data regarding jail facilities

1 AN ACT

2 To enact R.S. 15:827.4, relative to the department of corrections; to provide relative to the  
3 collection of data regarding jails facilities; to provide for definitions; to provide  
4 relative to the requirement to keep and maintain a daily record; to provide relative  
5 to the submission of a quarterly report; and to provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:827.4 is hereby enacted to read as follows:

8 §827.4. Quarterly reporting requirements; jail facilities

9 A. As used in this Section:

10 (1) The term "average daily population" means the number of confined  
11 inmates each day for a year, divided by the number of days in the year.

12 (2) The term "case disposition" means the final judgment, adjudication,  
13 adjudication withheld, dismissal, or nolle prosequi of a case.

14 (3) The term "confined inmate" means an inmate under the supervision of  
15 a jail facility, including an inmate who is in transit to or from a facility, appearing  
16 in or in transit to or from court, held for other jurisdictions, in a hospital or other  
17 medical institution for treatment but would otherwise be housed in the jail facility,  
18 in a work release program but returns to jail at night, or in a community-based  
19 program but returns to jail at night. The term shall not include a person who has

1 escaped, is on long-term transfer to other jurisdictions, or is in a community-based  
2 program but does not return to jail at night.

3 (4) The term "hold" means a mechanism preventing a confined inmate's  
4 release from custody on bail, including a hold on behalf of another criminal justice  
5 agency, a parole hold, or a probation hold.

6 (5) The term "jail facility" means any building, structure, enclosure,  
7 institution, or place, whether permanent or temporary, fixed or mobile, where  
8 persons are or may be lawfully held in custody or be confined, that is operated by a  
9 parish or a city and a parish.

10 (6) The term "jail management system" means a software program utilized  
11 by a jail facility to store jail data and to track inmate information and status  
12 beginning at booking and until release.

13 (7) The term "municipal offense" means a violation of, or conduct defined  
14 as unlawful by, any municipal code or ordinance.

15 (8) The term "operational capacity" means the number of inmates who can  
16 be accommodated in a jail facility based on the number of permanent beds that the  
17 facility is designed to hold and the facility's staff, existing programs, and services.

18 (9) The term "sentenced inmate" means an inmate who is confined and  
19 actively serving a sentence requiring a term of imprisonment. An inmate is  
20 considered sentenced even if the inmate is unsentenced in a separate case, and if the  
21 inmate has a hold on his release.

22 (10) The term "unsentenced inmate" means an inmate who is confined and  
23 awaiting case disposition. An inmate is not considered unsentenced if the inmate is  
24 actively serving a sentence requiring a term of imprisonment in a separate case.

25 B. The keeper of each jail facility shall keep and maintain a daily record of  
26 all data specified in Subsection C of this Section. The information contained in the  
27 record must be available to the public at all reasonable hours.

28 C. The keeper of each jail facility shall keep and maintain a daily record of  
29 the following data:

- 1                   (1) For each confined inmate:
- 2                   (a) The date of entrance.
- 3                   (b) Name.
- 4                   (c) Date of birth.
- 5                   (d) Race, ethnicity, and gender.
- 6                   (e) Any criminal charges against the inmate, organized by code section, and
- 7 the jurisdiction charging each offense.
- 8                   (f) Term of sentence, if sentenced.
- 9                   (g) Bond amount, if bond has been set.
- 10                  (h) Release date.
- 11                  (i) If the inmate is in the legal custody of a jurisdiction other than the parish
- 12 where the jail facility is located, the jurisdiction having legal custody of the inmate.
- 13                  (2) The operational capacity of the jail.
- 14                  (3) The name of the jail management system used by the jail facility.
- 15                  (4) The number of confined inmates in the jail facility.
- 16                  (5) Counting each confined inmate only once, the following information
- 17 concerning confined inmates:
- 18                  (a) The number of sentenced inmates.
- 19                  (b) The number of unsentenced inmates with a hold.
- 20                  (c) The number of unsentenced inmates without a hold.
- 21                  (6) Counting each unsentenced inmate without a hold only once, the
- 22 following information concerning unsentenced inmates:
- 23                  (a) The number whose most serious charged offense is a felony.
- 24                  (b) The number whose most serious charged offense is a misdemeanor.
- 25                  (7) The number of confined inmates held only for a municipal offense.
- 26                  (8) The number of confined inmates held in administrative segregation or
- 27 other custody level in which the inmate is allowed outside of his cell for two or fewer
- 28 hours per day.

1           (9) The number of confined inmates awaiting a mental examination, as  
2           provided by Code of Criminal Procedure Article 644, or a determination of mental  
3           capacity or incapacity, as provided by Code of Criminal Procedure Article 648.

4           (10) The average daily population of the jail facility.

5           (11) The average length of stay for each of the following:

6           (a) Confined inmates who were released within the prior twelve months  
7           whose most serious offense is a felony.

8           (b) Confined inmates who were released within the prior twelve months  
9           whose most serious offense is a misdemeanor.

10          (12) The number of deaths of confined inmates.

11          (13) The number of bookings into the jail facility.

12          D.(1) On or before January 15, April 15, July 15, and October 15 of each  
13          year, beginning on January 15, 2021, each jail facility shall submit a quarterly report  
14          of the data collected pursuant to Subsection (C) of this Section as of the first day of  
15          the month in which the report is submitted to the Department of Public Safety and  
16          Corrections through an electronic survey designed by the Department of Public  
17          Safety and Corrections for such purpose. Each quarterly report must include:

18          (a) The data required by Paragraphs (2), (3),(4), and (6) of this Subsection,  
19          organized by race, ethnicity, and gender.

20          (b) Data concerning the number of deaths of confined inmates, collected  
21          pursuant to Paragraph (12) of this Subsection, as the total of all deaths of confined  
22          inmates that occurred since the previous reporting date.

23          (c) Data concerning the number of bookings into the jail facility, collected  
24          pursuant to Paragraph (13) of this Subsection, as the total of all bookings into the jail  
25          facility that occurred since the previous reporting date.

26          (d) A summary of all costs and expenses related to housing sentenced  
27          inmates in the jail facility.

28          (e) A summary of all costs and expenses related to housing unsentenced  
29          inmates in the jail facility.

1           (2) If a jail facility is unable to provide any of the data that it is required to  
2           report pursuant to this Subsection, the jail facility shall include in its report an  
3           explanation of all good faith efforts to collect and submit the data not included in the  
4           report.

5           (3) If a jail facility fails to submit a quarterly report pursuant to this  
6           Subsection within thirty days after a reporting date, the jail facility is considered  
7           noncompliant for the quarterly reporting period. The secretary of the Department of  
8           Public Safety and Corrections shall send a notice to the noncompliant jail facility.

---

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)]

---

HB 522 Original

2020 Regular Session

James

**Abstract:** Provides relative to the quarterly reporting requirements of jail facilities to the Dept. of Public Safety and Corrections.

Proposed law provides for definitions for the following terms: "average daily population", "case disposition", "confined inmate", "hold", "jail facility", "jail management system", "municipal offense", "operational capacity", "sentenced inmate", and "unsentenced inmate".

Proposed law requires the keeper of each jail facility to keep and maintain a daily record of certain data provided for in proposed law.

Proposed law requires each jail facility to submit a quarterly report, beginning Jan. 15, 2021, to the Dept. of Public Safety and Corrections through an electronic survey designed by the department.

Proposed law provides that if a jail facility fails to submit a quarterly report within 30 days after a reporting date, the jail facility is considered noncompliant for the reporting period. Requires the secretary of the Dept. of Public Safety and Corrections to send a notice to the noncompliant jail facility.

(Adds R.S. 15:827.4)