

2026 Regular Session

HOUSE BILL NO. 159

BY REPRESENTATIVE JACKSON

CRIMINAL/SENTENCING: Creates a pretrial incarceration alternative pilot program in Caddo Parish

1 AN ACT

2 To enact R.S. 15:571.35.2, relative to incarceration; to authorize the Caddo Parish Sheriff's
3 Office to establish a pilot program utilizing home incarceration and electronic
4 monitoring; to provide criteria for eligibility for participation in such program; to
5 require the development of rules and regulations for the development,
6 implementation, and administration of such program; to provide for applicability; to
7 require the inclusion of certain conditions within the rules and regulations; to provide
8 for a limitation of liability; to require an evaluation of the program and a report
9 regarding the program to be provided to certain legislative committees; to provide
10 for termination of the program; and to provide for related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. R.S. 15:571.35.2 is hereby enacted to read as follows:

13 §571.35.2. Pilot program; Caddo Parish Pretrial Home Incarceration Program;
14 electronic monitoring

15 A. The Caddo Parish Sheriff's Office may implement a pilot program using
16 active electronic monitoring of defendants who are eligible pursuant to the
17 provisions of this Section as an alternative mode of incarceration to traditional
18 imprisonment. This program shall be referred to as the Caddo Parish Pretrial Home
19 Incarceration Program.

1 B. A defendant may be eligible for participation in the program if he meets
2 all of the following conditions:

3 (1) The defendant has not been charged with a crime of violence as defined
4 in R.S. 14:2(B) or a sex offense as defined in R.S. 15:541.

5 (2) The Caddo Parish Sheriff's Office has determined that the particular
6 defendant is likely to respond in an affirmative manner to participation in the
7 program.

8 (3) The Caddo Parish Sheriff's Office, in coordination with the district
9 attorney and district court, has interviewed the defendant and has made a risk
10 assessment determination that the defendant is eligible for participation in the
11 program. The Caddo Parish Sheriff's Office shall forward the risk assessment to the
12 court for use as the court may deem proper.

13 C.(1) The Caddo Parish Sheriff's Office shall develop, adopt, and implement
14 rules and regulations for the development, implementation, and administration of the
15 program. Such rules and regulations shall include but not be limited to all of the
16 following:

17 (a) Supervision of the defendant and conditions required for participation in
18 the program. The conditions may include any condition reasonably related to the
19 program, including curfew, home visitations by persons designated by the sheriff,
20 and limitations of the activities of the defendant outside of the home.

21 (b) The use of electronic monitoring devices.

22 (c) Requirements that a defendant obtain employment and pay a reasonable
23 supervision fee to the supervising agency to defray the cost of his supervision and
24 the cost of the required electronic monitoring.

25 (d) Participation eligibility of indigent defendants and the sharing of costs
26 for monitoring indigent defendants, in collaboration with the Caddo Parish
27 Commission. Such rules may provide for a sliding scale of payment so that a
28 defendant who is able to pay a portion, but not all, of such costs may be required to
29 pay such portion.

1 (2) The sheriff may require the defendant, as a condition of participation in
2 the program, to participate in periodic behavioral health checks with a licensed
3 mental health provider if the risk assessment conducted pursuant to Subsection B of
4 this Section identifies behavioral health factors that are reasonably related to
5 supervision or compliance risk. For purposes of this Subsection, "compliance" shall
6 consist of verification of attendance. Failure of the defendant to comply with the
7 provisions of this Paragraph may result in termination of participation in the program
8 if the failure is determined to be willful and not the result of lack of service
9 availability.

10 (3) The defendant shall be given notice in writing of the conditions imposed
11 and shall agree in writing to the conditions.

12 (4) Participation in the program does not negate or nullify the bail
13 obligations as set by the court.

14 D.(1) No defendant shall be admitted to the program prior to court approval
15 of the defendant's participation in the program.

16 (2) Notwithstanding any other provision of law to the contrary, the court, at
17 any time on its own motion, may prohibit or terminate the initial or continued
18 participation of a defendant in the program.

19 E.(1) Upon negotiation and agreement with the parish governing authority,
20 the sheriff may collect a sum of not less than the per diem fee authorized by R.S.
21 13:5535(1) to apply to the funding of the program. In lieu of the per diem, the
22 sheriff may establish a fee which is agreed upon by the parish governing authority
23 and the sheriff. Funds obtained pursuant to this Subsection shall not be considered
24 surplus funds.

25 (2) The sheriff may apply for funding and grants from any source he deems
26 appropriate to develop, design, implement, administer, and evaluate the program.

27 (3) The sheriff may engage in cooperative endeavor agreements with other
28 government agencies or departments and with any nonprofit organization whose
29 mission is compatible with the goals and objectives of the program.

1 F. The sheriff may terminate the participation of any defendant in the
2 program who fails to comply with the conditions of the program and require the
3 physical return of the defendant to the parish jail or any other facility as the sheriff
4 deems appropriate for the purpose of continuing the pretrial detention of the
5 defendant.

6 G. The sheriff or the parish governing authority shall not be responsible for
7 any of the following as it relates to a defendant in the program:

8 (a) Medical costs or the provision of medical care.

9 (b) Transportation costs or the provision of transportation.

10 (c) Housing costs or the provision of housing.

11 (d) Food costs or the provision of food.

12 (e) Clothing costs or the provision of clothing.

13 H. The sheriff and his deputies and employees, the parish governing
14 authority or its elected or appointed officials, deputies, or employees, or any party
15 engaged in a cooperative endeavor agreement with the program shall not be liable
16 for any act of a defendant who is admitted to and participating in the program.

17 I.(1) The pilot program established pursuant to the provisions of this Section
18 shall be evaluated with regard to security, beneficial and detrimental effects on the
19 prisoner, projected probable effects on deterrence, costs, labor intensiveness, and
20 other relevant measures of effectiveness. Such evaluation shall provide the required
21 information on a project basis as well as in comparison with traditional
22 imprisonment.

23 (2) A report of the evaluation of the program shall be presented to all of the
24 following:

25 (a) The House Committee on the Administration of Criminal Justice.

26 (b) The Senate Committee on Judiciary B.

27 (c) Members of the North Louisiana Legislative Delegation who represent
28 Caddo Parish.

29 (d) The Caddo Parish Commission.

1 (3) Unless otherwise terminated by appropriate legislative action, the pilot
2 program shall begin a termination process not later than sixty days after the date in
3 which either of the following occur in Caddo Parish:

4 (a) A larger parish jail is constructed, opened, and occupied.
5 (b) A new structure is built or an existing structure is renovated that
6 materially expands capacity of the parish jail.

7 (4) If either of the conditions of Paragraph (3) of this Subsection have been
8 satisfied, no new participants shall be admitted to the program. Except as otherwise
9 provided in this Section, any participants in the program prior to the completion date
10 of the new construction or renovation shall be allowed to continue participation and
11 the program shall be phased out and fully terminated when the number of
12 participants declines to zero.

13 Section 2. The pilot program authorized in R.S. 15:571.35.2, as enacted by Section
14 1 of this Act, may be implemented on or before January 1, 2027.

15 Section 3. The evaluation report of the pilot program, required in R.S.
16 15:571.35.2(I)(2), as enacted by Section 1 of this Act, shall be presented in accordance with
17 this Act no later than 30 days prior to the first day of the 2028 Regular Session of the
18 Legislature of Louisiana and no later than December thirty-first in each year thereafter.

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 159 Draft

2026 Regular Session

Jackson

Abstract: Creates the Caddo Parish Pretrial Home Incarceration Program.

Proposed law authorizes the Caddo Parish Sheriff's Office, not later than Jan. 1, 2027, to implement a pilot program using active electronic monitoring of eligible defendants as an alternative mode of incarceration to traditional imprisonment.

Proposed law provides for eligibility conditions that include the criminal offense that the defendant is charged with along with determinations and risk assessments made by the Caddo Parish Sheriff's Office.

Proposed law requires the Caddo Parish Sheriff's Office to develop, adopt, and implement rules and regulations for the program and provides for criteria to be included in these rules and regulations.

Proposed law permits the sheriff to require the defendant, as a condition of participation in the program, to participate in periodic behavioral health checks with a licensed mental health provider if the risk assessment conducted pursuant to proposed law identifies behavioral health factors that are reasonably related to supervision or compliance risk.

Proposed law further provides what constitutes "compliance" and provides for possibly termination of participation in the program for the defendant's failure to comply.

Proposed law requires that notice be provided to the defendant in writing of the conditions imposed for participation in the program and requires that the defendant agree in writing to the conditions. Further provides that participation in the program does not in any way negate or nullify the bail obligations as set by the court.

Proposed law provides that no defendant shall be admitted to the program prior to court approval of the defendant's participation in the program and permits the court, at any time on its own motion, to prohibit or terminate the initial or continued participation of a defendant in the program.

Proposed law entitles the sheriff to the collection of a sum of not less than the per diem fee authorized by present law (R.S. 13:5535(1)) that is to be applied to the funding of the program upon negotiation and agreement with the parish governing authority.

Proposed law further permits the sheriff to establish a fee which is agreed upon by the parish governing authority and the sheriff and provides that funds obtained pursuant to proposed law shall not be considered surplus funds.

Proposed law permits the sheriff to apply for funding and grants from any source he deems appropriate for administration of the program and to engage in cooperative endeavor agreements with other government agencies or departments and any nonprofit organization whose mission is compatible with the goals and objectives of the program.

Proposed law permits the sheriff to terminate the participation of any defendant in the program for failure to comply with the conditions of the program and requires the physical return of the defendant to the parish jail or any other facility as the sheriff deems appropriate for the purpose of continuing the pretrial detention of the defendant.

Proposed law provides for a list of expenses, relative to the defendant's participation in the program, that are not the responsibility of the sheriff or the parish governing authority.

Proposed law provides for a limitation of liability as it pertains to any act of a defendant who is admitted to and participating in the program.

Proposed law provides for an evaluation of the program, reporting requirements pertaining to the program, recipients of the report, and a termination date for the program that is contingent on the construction or renovation of certain facilities or structures in Caddo Parish.

Proposed law further provides for a phasing out of participants upon termination of the program.

(Adds R.S. 15:571.35.2)