

SENATE RESOLUTION NO. 133

BY SENATOR GATTI

A RESOLUTION

To urge and request the Senate Committee on Judiciary C, the Department of Public Safety and Corrections, the Department of Children and Family Services, division of licensing, and the Louisiana Juvenile Detention Association to study the practices of solitary confinement, isolation and extended lock down of juveniles, and the feasibility of implementing of mental health evaluations for juveniles prior to detention in juvenile facilities.

WHEREAS, Louisiana incarcerates more delinquent youth per capita than any other state; and

WHEREAS, each of Louisiana's secured juvenile facilities exceed national standards for facility size, creating safety and other issues and leaving such facilities ill-prepared to ensure rehabilitation as defined by the American Correctional Association; and

WHEREAS, Louisiana's secured juvenile facilities still practice the use of solitary confinement to control behavior; and

WHEREAS, solitary confinement requires substantial isolation of the delinquent youth from other delinquent youth, and while in solitary confinement the youth's privileges and social contact with others are limited; and

WHEREAS, research shows that experiencing solitary confinement can cause rage and frustration and also lead to depression and anxiety, and thousands of juveniles are subjected to solitary confinement every year; and

WHEREAS, research has further shown that solitary confinement exacerbates mental health problems and may lead to suicide; and

WHEREAS, two laws were passed by Congress in 2018, the First Step Act and the reauthorized Juvenile Justice and Delinquency Prevention Act, to help prohibit solitary confinement in federal youth institutions; and

WHEREAS, on February 7, 2019, and February 9, 2019, two juveniles, ages 13 and 17, committed suicide at the Ware Youth Detention Center within 72 hours while in solitary confinement; and

WHEREAS, both juveniles were constituents of Senate District 36; and

WHEREAS, an investigative report by the Department of Children and Family Services revealed the Ware Youth Detention Center committed several alarming infractions while the juveniles were in solitary confinement, including but not limited to a delay in mandatory mental health assessments, failure to check on residents at required times, and dangerous parts of rooms that could assist a resident in committing suicide.

THEREFORE, BE IT RESOLVED the Senate of the Legislature of Louisiana requests that the Senate Committee on Judiciary C, the Department of Public Safety and Corrections, the Department of Children and Family Services, division of licensing, and the Louisiana Juvenile Detention Association study all aspects of solitary confinement in juvenile facilities, the abolishment of solitary confinement in juvenile facilities, and the implementation of mental health evaluations of a juvenile delinquent prior to solitary confinement.

BE IT FURTHER RESOLVED that the study shall include consideration of input from the affected communities, individuals, state and local agencies, and private entities, as may be determined in the course of the study.

BE IT FURTHER RESOLVED that the study shall include an analysis of the feasibility of housing juveniles in juvenile detention centers exclusively, and not in adult facilities.

BE IT FURTHER RESOLVED that the study provided for by this Resolution shall be completed prior to the convening of the 2020 Regular Session.

BE IT FURTHER RESOLVED that a copy of this Resolution be submitted to the Department of Public Safety and Corrections, the Department of Children and Family Services, and the Louisiana Juvenile Detention Association.

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PRESIDENT OF THE SENATE