

Louisiana Women's Incarceration Task Force

This task force has three resolutions

HCR 27, 2018 RS

HCR 37, 2019 RS

SR 42, 2020 2ND ES

2018 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 27

BY REPRESENTATIVES SMITH AND MARCELLE

A CONCURRENT RESOLUTION

To urge and request the creation of the Louisiana Women's Incarceration Task Force under the jurisdiction of the Louisiana Legislative Women's Caucus and the Department of Public Safety and Corrections; to provide for the membership, powers, and duties of the task force; and to require the task force to report its findings.

WHEREAS, over the last several years, Louisiana has taken steps to implement cost-effective, evidence-based practices and programs that have worked to control the growth in the state's prison population; and

WHEREAS, Louisiana should build upon the success of the justice reinvestment task force while recognizing that incarcerated women face unique challenges and therefore may or may not benefit from reforms that were developed without a gendered analysis and all incarcerated women could benefit from the conducting of a gendered analysis; and

WHEREAS, according to United States Bureau of Justice Statistics, Louisiana has the seventh highest women's incarceration rate in the United States and currently incarcerates more than two thousand women. Louisiana spent over \$50 million on the incarceration of women in 2017, and 62% of incarcerated women are the primary caretaker of a child under the age of eighteen; and

WHEREAS, the most effective changes will be made when all those impacted or involved in the criminal justice system have representation in developing policies and processes related to women's incarceration, and input from all criminal justice stakeholders is essential in the development and implementation of cost-effective changes; and

WHEREAS, it is beneficial to the entire population of the state of Louisiana to develop a broadly diverse and cross disciplinary task force to study state sentencing and correction systems for women with the goal of producing a body of research resulting in

making specific policy recommendations to reduce correctional populations, implement placement and behavioral practices which address and reduce violence and harassment based upon gender, and hold all parties in the correctional system responsible for their actions; and

WHEREAS, it is also beneficial to create a task force to prioritize reinvestment into successful strategies that reduce recidivism and increase both public health and safety; and

WHEREAS, the Sentencing Commission is limited to providing recommendations relating to sentencing and post-conviction relief and is therefore unable to complete a comprehensive assessment of corrections administration, offender supervision, alternatives to incarceration, and sentencing structure specifically as they apply to women.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby urge and request the creation of the Louisiana Women's and Incarceration Task Force.

BE IT FURTHER RESOLVED that the task force is hereby urged and requested to study, evaluate, analyze, and undertake a comprehensive review of the state's criminal justice system as it relates to women. The information gathered shall be used to develop policy recommendations for the legislature to:

(1) Develop practices and processes that avoid placing additional trauma or harm upon women as they navigate the criminal justice system.

(2) Reduce both the correctional population and recidivism of women.

(3) Address the holistic health of women to include access to hormone therapy, prenatal care, reproductive health, access to other medicine to maintain health, consistent health screenings, mental health access, and access to substance use and recovery resources.

(4) Increase and evaluate programming available to women during and after incarceration with the intention of self-determined development.

(5) Increase and ensure the availability of gender responsive resources to support the dignity and quality of life of all women.

(6) Reinvest savings into strategies shown to decrease recidivism, including improved reentry outcomes, diversion programs, and employment opportunities.

BE IT FURTHER RESOLVED that the task force shall be bipartisan and shall be composed of the following at-large members:

(1) Four representatives of criminal justice agencies designated by the governor.

(2) Four community members with significant and relevant experience or expertise designated by the governor.

(3) One member of the House of Representatives appointed by the speaker of the House.

(4) One member of the Senate appointed by the president of the Senate.

(5) One member who is a representative of a faith-based community appointed by Catholic Charities.

The chair of the task force shall be the secretary of the Department of Public Safety and Corrections, or his designee. All other officers, if any, shall be elected by and from the membership of the task force.

BE IT FURTHER RESOLVED that a majority of the membership of the task force shall constitute a quorum and shall meet at predetermined and agreed upon dates by the task force, enforced by the chairman, or upon an affirmative vote of a majority of the task force members. All members must be notified in writing of all meetings at least two weeks before the date on which a meeting of the task force is scheduled.

BE IT FURTHER RESOLVED that the Louisiana Legislative Women's Caucus and the Department of Public Safety and Corrections shall provide the administrative assistance and staffing as may be necessary in order to enable the task force to accomplish its goals.

BE IT FURTHER RESOLVED that this study shall be conducted in collaboration with Operation Restoration and other community organizations and stakeholders.

BE IT FURTHER RESOLVED that the task force may request the Louisiana Legislative Women's Caucus, the Department of Public Safety and Corrections, and the office of the judicial administrator of the Louisiana Supreme Court to provide relevant data and staff expertise upon request.

BE IT FURTHER RESOLVED that the task force shall meet no less than six times per year beginning August 1, 2018, and ending by August 1, 2019, with the option of extending.

BE IT FURTHER RESOLVED that the task force shall prepare and submit a final report that contains a detailed statement of the findings and policy recommendations of the task force to the governor, leadership of the Louisiana Legislature, and the chief justice of the Louisiana Supreme Court. The report shall be made available to the public.

HCR NO. 27

ENROLLED

BE IT FURTHER RESOLVED that a suitable copy of this Resolution be transmitted to the secretary of the Department of Public Safety and Corrections.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

ENROLLED

2019 Regular Session

HOUSE CONCURRENT RESOLUTION NO. 37

BY REPRESENTATIVE SMITH

A CONCURRENT RESOLUTION

To continue the Louisiana Women's Incarceration Task Force that was created pursuant to House Concurrent Resolution No. 27 of the 2018 Regular Session of the Legislature to study, evaluate, analyze, and undertake a comprehensive review of the state's criminal justice system as it relates to women and to report its findings and policy recommendations by January 1, 2020.

WHEREAS, over the last several years, Louisiana has taken steps to implement cost-effective and evidence-based practices and programs that have worked to control the growth in the state's prison population; and

WHEREAS, Louisiana should continue to build upon these successes while recognizing that incarcerated women face unique challenges, and therefore, may or may not benefit from these reform efforts; and

WHEREAS, according to United States Bureau of Justice Statistics in 2017, Louisiana had the seventh highest women's incarceration rate in the United States and incarcerated more than two thousand women at a cost of over \$50 million; and

WHEREAS, the most effective changes will be made when all those who are impacted or involved in the criminal justice system have representation in developing policies and processes related to women's incarceration, and input from all criminal justice stakeholders is essential in the development and implementation of these changes; and

WHEREAS, it is beneficial to the entire population of the state of Louisiana to continue the study of state sentencing and corrections systems for women with the goal of producing a body of research resulting in specific policy recommendations that reduce correctional populations, implement placement and behavioral practices which address and

reduce violence and harassment based upon gender, and hold all parties in the correctional system responsible for their actions; and

WHEREAS, House Concurrent Resolution No. 27 of the 2018 Regular Session of the Legislature created the Louisiana Women's Incarceration Task Force to study, evaluate, analyze, and undertake a comprehensive review of the state's criminal justice system as it relates to women for the purpose of developing policy recommendations that work to accomplish all of the following:

(1) Develop practices and processes that avoid placing additional trauma or harm upon women as they navigate the criminal justice system.

(2) Reduce both the correctional population and recidivism of women.

(3) Address the holistic health of women to include access to hormone therapy, prenatal care, reproductive health, access to other medicine to maintain health, consistent health screenings, mental health access, and access to substance use and recovery resources.

(4) Increase and evaluate programming available to women during and after incarceration with the intention of self-determined development.

(5) Increase and ensure the availability of gender responsive resources to support the dignity and quality of life of all women.

(6) Reinvest savings into strategies shown to decrease recidivism, including improved reentry outcomes, diversion programs, and employment opportunities.

WHEREAS, House Concurrent Resolution No. 27 provided for the membership and chairmanship of the task force; the goals, duties, responsibilities, procedures, and meeting requirements of the task force; for the administrative assistance and staffing of the task force; the authority to collaborate with community organizations and stakeholders; and the authority to request relevant data and staff expertise from the Louisiana Legislative Women's Caucus, the Department of Public Safety and Corrections, and the office of the judicial administrator of the Louisiana Supreme Court.

THEREFORE, BE IT RESOLVED that the Legislature of Louisiana does hereby continue the Louisiana Women's Incarceration Task Force until January 1, 2020, for the purposes set forth in and in accordance with House Concurrent Resolution No. 27 of the 2018 Regular Session.

HCR NO. 37

ENROLLED

BE IT FURTHER RESOLVED that on or before January 1, 2020, the task force shall prepare and submit a final report containing a detailed statement of its findings and policy recommendations to the governor, the speaker of the Louisiana House of Representatives, the president of the Louisiana Senate, and the chief justice of the Louisiana Supreme Court, and shall also make the report available to the public.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the secretary of the Department of Public Safety and Corrections.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

SENATE RESOLUTION NO. 42

BY SENATOR MIZELL

A RESOLUTION

To authorize and direct the re-creation of the Louisiana Women's Incarceration Task Force under the jurisdiction of the Louisiana Legislative Women's Caucus and the Department of Public Safety & Corrections as originally created by HCR 27 of the 2018 Regular Session and continued by HCR 37 of the 2019 Regular Session and grant them new authority to study, evaluate, analyze, and undertake a comprehensive review of the state's and local municipal criminal justice systems as it relates to prenatal and postpartum care of incarcerated pregnant women and the need for babies to bond with their mothers and to report its findings and policy recommendations by February 1, 2021.

WHEREAS, over the last several years, Louisiana has built upon the success of the justice reinvestment task force while recognizing that incarcerated women face unique challenges and therefore may or may not benefit from reform efforts; and

WHEREAS, according to United States Bureau of Justice Statistics in 2017, Louisiana had the seventh highest women's incarceration rate in the United States and incarcerated more than two thousand women at a cost of over \$50 million; and

WHEREAS, the most effective changes will be made when all those impacted or involved in the criminal justice system have representation in developing policies and processes related to women's incarceration, and input from all criminal justice stakeholders is essential in the development and implementation of these changes; and

WHEREAS, it is beneficial to the entire population of the state of Louisiana to develop a broadly diverse and cross-disciplinary task force to study correction systems for women with the goal of producing a body of research resulting in making specific policy recommendations to implement placement and behavioral practices which address prenatal and postpartum care of incarcerated pregnant women and the need for babies to bond with their mothers.

THEREFORE, BE IT RESOLVED that the Senate of the Legislature of Louisiana does hereby authorize and direct the re-creation of the Louisiana Women's Incarceration Task Force.

BE IT FURTHER RESOLVED that the task force is hereby authorized and directed to study, evaluate, analyze, and undertake a comprehensive review of the state's and local municipal criminal justice systems as it relates to prenatal and postpartum care of pregnant incarcerated women and the need for babies to bond with their mothers. The information gathered shall be used to develop policy recommendations for the Senate to:

(1) Develop practices and processes that avoid placing additional trauma or harm upon pregnant women as they navigate the criminal justice system.

(2) Address the holistic health of women to include access to hormone therapy, prenatal care, reproductive health, access to other medicine to maintain health, consistent health screenings, mental health access, and access to substance use and recovery resources.

(3) Increase and evaluate programming available to pregnant women during and after incarceration with the intention of self-determined development.

(4) Ensure the availability of gender responsive resources to support the dignity and quality of life of all women.

BE IT FURTHER RESOLVED that the task force shall be bipartisan and shall be composed of the following members:

(1) Three representatives of criminal justice agencies designated by the governor.

(2) The secretary of the Department of Public Safety & Corrections, or his designee.

(3) The president of the Louisiana Senate, or his designee who shall be a senator.

(4) Chair of the Louisiana Legislative Women's Caucus.

(5) A physician specializing in OB/GYN designated by Our Lady of the Lake Hospital.

(6) A nurse specializing in obstetrics designated by Woman's Hospital.

(7) A representative of the GRACE Program at Woman's Hospital.

(8) The president of the Louisiana Sheriffs' Association, or his designee.

(9) The president of the Louisiana District Attorneys' Association, or his designee.

The chair of the task force shall be the secretary of the Department of Public Safety

& Corrections, or his designee. All other officers, if any, shall be elected by and from the membership of the task force.

BE IT FURTHER RESOLVED that a majority of the membership of the task force shall constitute a quorum and shall meet at predetermined and agreed upon dates by the task force, enforced by the chairman, or upon an affirmative vote of a majority of the task force members. All members must be notified in writing of all meetings at least two weeks before the date on which a meeting of the task force is scheduled.

BE IT FURTHER RESOLVED that the Louisiana Legislative Women's Caucus and the Department of Public Safety & Corrections shall provide the administrative assistance and staffing as may be necessary in order to enable the task force to accomplish its goals.

BE IT FURTHER RESOLVED that the task force may request the Louisiana Legislative Women's Caucus, the Department of Public Safety & Corrections, and the office of the judicial administrator of the Louisiana Supreme Court to provide relevant data and staff expertise upon request.

BE IT FURTHER RESOLVED that the task force shall meet no less than two times prior to the start of the 2021 Regular Legislative Session. The initial meeting of the task force shall be called by the president of the Louisiana Senate. The first meeting shall take place no later than November 15, 2020.

BE IT FURTHER RESOLVED that the task force shall prepare and submit a final report that contains a detailed statement of the findings and policy recommendations of the task force to the governor, president of the Louisiana Senate, and the chief justice of the Louisiana Supreme Court by February 15, 2021. The report shall be made available to the public.

BE IT FURTHER RESOLVED that a copy of this Resolution be transmitted to the governor, the secretary of the Department of Public Safety & Corrections, the chief medical officer of Our Lady of the Lake Regional Medical Center, the chief of nursing at Woman's Hospital, the president of the Louisiana Sheriffs' Association, and the president of the District Attorneys' Association.

PRESIDENT OF THE SENATE