

2026 Regular Session

HOUSE BILL NO. 323

BY REPRESENTATIVE NEWELL

CORRECTIONAL FACILITIES: Provides relative to notification and reporting procedures pertaining to inmate deaths

1 AN ACT

2 To amend and reenact R.S. 40:34.10(introductory paragraph) and to enact Subpart A of Part
3 I of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised
4 of R.S. 15:716 through 716.4, and R.S. 40:34.10(20), relative to inmates; to provide
5 for definitions; to provide relative to reporting and notification procedures for inmate
6 deaths; to provide for duties of the Department of Public Safety and Corrections and
7 the Louisiana Department of Health; to provide for penalties; to provide for
8 exceptions; to provide for the collection of data; to provide for the preparation and
9 submission of reports; to provide relative to death certificates; and to provide for
10 related matters.

11 Be it enacted by the Legislature of Louisiana:

12 Section 1. Subpart A of Part I of Chapter 7 of Title 15 of the Louisiana Revised
13 Statutes of 1950, comprised of R.S. 15:716 through 716.4, is hereby enacted to read as
14 follows:

15 SUBPART A. INMATE DEATHS

16 §716. Definitions

17 As used in this Subpart, the following terms have the following meanings:

18 (1) "Correctional facility" means any jail, prison, penitentiary, juvenile
19 institution, temporary holding center, or detention facility.

20 (2) "Department" means the Department of Public Safety and Corrections.

1 (3) "Immediate family member" means the spouse, parents, children,
2 siblings, grandparents, grandchildren, or legal guardian of a deceased inmate.

3 (4) "Supervisor" means the warden, facility administrator, or designated
4 official at a correctional facility.

5 §716.1. Inmate deaths; notification procedures

6 A.(1) Each supervisor shall do all of the following upon discovery that the
7 death of an inmate has occurred at a correctional facility:

8 (a) Immediately notify the department.

9 (b) Immediately notify the coroner of the parish where the correctional
10 facility is located, thoroughly document any attempts to contact the coroner, and
11 provide the coroner with all known circumstances surrounding the death of the
12 inmate.

13 (c)(i) Promptly notify an immediate family member. Notification shall be
14 provided no later than twelve hours after the confirmed time of death and shall never
15 be provided between the hours of midnight and 6:00 a.m.

16 (ii) Immediately after notification, the supervisor shall share with the
17 immediate family member a written letter of condolence that includes the
18 circumstances of the death and the available information.

19 (d) Investigate the death and make a good faith effort to obtain and include
20 all facts relevant to the death within the comprehensive report that is to be submitted
21 pursuant to Paragraph (2) of this Subsection.

22 (2)(a) A preliminary report for each inmate death shall be issued in
23 accordance with the critical incident reporting requirements of the department and
24 shall be shared with the immediate family member at no cost.

25 (b)(i) A supervisor shall prepare and make publicly available a
26 comprehensive report within thirty days of the death of an inmate. The report shall
27 be submitted to both the attorney general and the division of prison operations within
28 the department and be made available through a link on the applicable website of the
29 department, correctional facility, or sheriff's office.

1 (ii) The report shall include but not be limited to all of the following
2 information:

3 (aa) The name of the deceased inmate.

4 (bb) The age of the deceased inmate.

5 (cc) The race of the deceased inmate.

6 (dd) The gender of the deceased inmate.

7 (ee) The date and time of the inmate's death.

8 (ff) The facility and housing area of the inmate at time of death.

9 (gg) The preliminary cause of the inmate's death.

10 (hh) A brief statement of the circumstances that led to the inmate's death.

11 (ii) An identification of which independent agency is investigating the death.

12 (jj) Any other facts relevant to the death of the inmate.

13 B. No person involved in any act that is connected to the death of an inmate
14 shall participate in notifying or contacting an immediate family member.

15 C. The department shall immediately appoint an independent investigator or
16 investigative entity to examine the circumstances of the death and to pursue any
17 necessary charges or administrative action.

18 D. The division of prison operations within the department shall do all of the
19 following:

20 (1) Review any systemic issues that may have contributed to the death of the
21 inmate and release a public report with recommendations for preventative measures
22 to prevent future deaths.

23 (2) Work in coordination with the Louisiana Department of Health to assess
24 the quality of medical care provided to any inmate who was receiving medical
25 treatment for an issue related to the cause of death.

26 E. The provisions of this Section do not apply if the death of an inmate is
27 caused by any of the following:

28 (1) Natural causes while attended by a physician or a registered nurse.

29 (2) A sentence of death imposed pursuant to R.S. 15:569.

1 F. Whoever intentionally fails to comply with the provisions of Subsection
2 A of this Section shall be imprisoned for not more than six months, fined not more
3 than one thousand dollars, or both.

4 §716.2. Inmate deaths; natural causes

5 A supervisor or the department shall immediately attempt to notify an
6 immediate family member when an inmate dies of natural causes while attended by
7 a physician or a registered nurse. Upon successful notification, a supervisor or the
8 department shall inform the immediate family member of all of the following:

9 (1) That the inmate has died.

10 (2) The time of the inmate's death.

11 (3) That an autopsy will be conducted on the inmate, unless the immediate
12 family member provides an objection to the department within eight hours of the
13 stated time of death.

14 §716.3. Data collection

15 The Louisiana Department of Health shall collect all of the following data for
16 an annual analysis of all inmate deaths:

17 (1) The cause of death.

18 (2) The manner of death.

19 (3) The trial status of the inmate.

20 (4) The race of the inmate.

21 (5) The age of the inmate.

22 (6) The gender of the inmate.

23 (7) The length of incarceration.

24 (8) The type of facility where the inmate was housed.

25 §716.4. Reporting

26 A. The department and the Louisiana Sheriffs' Association shall jointly
27 produce a public report on an annual basis that analyzes and summarizes the
28 aggregate data, categorized by facility, of inmate deaths with all of the following
29 information:

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 323 Original

2026 Regular Session

Newell

Abstract: Provides relative to notification and reporting procedures pertaining to inmate deaths.

Proposed law defines the terms "correctional facility", "department" as the Dept. of Public Safety and Corrections (DPS&C), "immediate family member", and "supervisor".

Proposed law provides for the mandatory duties of a supervisor upon discovery that the death of an inmate has occurred at a correctional facility.

Proposed law provides for the issuance of a preliminary report for each inmate death in accordance with the critical incident reporting requirements of the DPS&C and provides for the sharing of this report with an immediate family member at no cost.

Proposed law provides for the preparation and availability of a comprehensive report within 30 days of the death of an inmate. Further provides for submission of the report to both the attorney general and the division of prison operations within the DPS&C as well as availability through a link on the applicable website of the DPS&C, correctional facility, or sheriff's office.

Proposed law provides for the information to be included within the comprehensive report.

Proposed law prohibits the inclusion of any person involved in any act that is connected to the death of an inmate when notifying or contacting an immediate family member.

Proposed law requires the DPS&C to immediately appoint an independent investigator or investigative entity to examine the circumstances of the death and to pursue any necessary charges or administrative action.

Proposed law provides for duties of the division of prison operations within the DPS&C.

Proposed law provides for exceptions where reporting and notification pursuant to proposed law do not apply.

Proposed law provides a penalty of imprisonment for not more than six months or a fine of \$1,000, or both, for anyone who intentionally fails to comply with the provisions of proposed law.

Proposed law requires that a supervisor or the DPS&C immediately attempt to notify an immediate family member when an inmate dies of natural causes while attended by a physician or a registered nurse. Further provides for particular information that is to be disclosed to the immediate family member.

Proposed law requires the La. Dept. of Health (LDH) to collect certain data for an annual analysis of all inmate deaths.

Proposed law requires the DPS&C and La. Sheriffs' Assoc. to jointly produce a public report on an annual basis that analyzes and summarizes the aggregate data, categorized by facility, of inmate deaths with certain information.

Proposed law provides for the collection of data on inmate deaths in a timely fashion and through standardized instruments. Further provides for the publishing of the report no later than Dec. 31st of each year.

Present law (R.S. 40:34.10) provides for the required items to be contained within a death certificate.

Proposed law retains present law and adds an item for whether the person died while in prison or while serving a sentence, if applicable.

(Amends R.S. 40:34.10(intro. para.); Adds R.S. 15:716-716.4 and R.S. 40:34.10(20))