

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           (5) Any electronic monitoring provider who is chosen or contracted with to  
15           enforce the provisions of this Section shall comply with the provisions of R.S.  
16           15:571.36 and 571.37.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

29           (b) The Senate Committee on Judiciary B.

1           (c) Members of the North Louisiana Legislative Delegation who represent  
2           Caddo Parish.

3           (d) The Caddo Parish Commission.

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

7           (a) A larger parish jail is constructed, opened, and occupied.

8           (b) A new structure is built or an existing structure is renovated that  
9           materially expands capacity of the parish jail.

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

16           Section 2. The pilot program authorized in R.S. 15:571.35.2, as enacted by Section  
17           1 of this Act, may be implemented on or before January 1, 2027.

18           Section 3. The evaluation report of the pilot program, required in R.S.  
19           15:571.35.2(I)(2), as enacted by Section 1 of this Act, shall be presented in accordance with  
20           this Act no later than 30 days prior to the first day of the 2028 Regular Session of the  
21           Legislature of Louisiana and no later than December thirty-first in each year thereafter.

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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)]

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HB 159 Engrossed

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 describes what constitutes "compliance" and provides for termination of participation in the program if the defendant fails 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 requires any electronic monitoring provider who is chosen or contracted with to enforce the provisions of proposed law to comply with the provisions of present law (R.S. 15:571.36 and 571.37).

Proposed law prohibits a defendant from being 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)) 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 are not 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 or nonprofit organizations whose missions are 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)

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Require any electronic monitoring provider who is chosen or contracted with to enforce the provisions of proposed law to comply with the provisions of present law (R.S. 15:571.36 and 571.37).