

Why We Conducted This Audit

We conducted this audit in response to House Concurrent Resolution 104 of the 2023 Regular Session, which requested that the legislative auditor audit whether state and local correctional facilities are following state law regarding the treatment of pregnant incarcerated females, and the general healthcare and treatment of all incarcerated females.

As of July 2024, there were 3,519 females housed in state and local correctional facilities in Louisiana. This includes the females housed who are waiting for trial but did not post bail. Of these females, 3,069 were housed in local jails, while the other 450 were housed at the Department of Corrections' state facility—the Louisiana Correctional Institute for Women.

The Department of Public Safety and Corrections (DPS&C), Division of Correction Services (DOC) oversees the custody and care of females (state offenders) serving a prison sentence for a felony conviction. DOC oversees one female correctional facility—Louisiana Correctional Institute for Women (LCIW). Out of the 64 parishes, 47 have local correctional facilities (local jails) that house females who are pre-trial or are serving sentences for non-felony convictions and usually a term of less than one year. In addition, some local jails house state offenders on behalf of DOC for a daily per diem of \$26.39 per state offender.

What We Found

We identified several issues related to the treatment and care of incarcerated females in Louisiana. Overall, we found that local jails lack sufficient procedures to comply with state laws related to the treatment of incarcerated females in Louisiana. In addition, while the state correctional facility generally provides sufficient access to basic medical and educational services for incarcerated females, this access varies across local jails. We also found that incarcerated males in local jails receive more developmental opportunities than women. Specifically,

DOC's Basic Jail Guidelines in Fully Addressing State Laws As of January 2025		
Legal Source	Tested Criteria	BJG Fully Addresses
ACT 761 of the 2012 Regular Session (R.S. 15:744-744.8)	Limited use of restraints during and following pregnancy and postpartum recovery	✓
	Documentation of the use of restraints for women who are pregnant or in postpartum recovery	✓
	Written advisement of restraint rights	✗
	Right to the presence of medical staff during strip or body cavity searches during or following pregnancy	✗
ACT 392 of the 2018 Regular Session (R.S. 15:892.1)	Access to feminine hygiene products at no cost to incarcerated women	✗
	Limitations on the involvement of male officers when incarcerated women are in states of undress.	✗
	Documentation when a male officer conducts a pat-down or strip search of a female offender or enters female areas in emergency situations.	✗
Source: Prepared by legislative auditor's staff using state law and DOC's BJG.		

- **None of Louisiana's local jails, which house 87.2% of incarcerated females in Louisiana, have sufficient, written procedures that include all requirements in state law regarding female incarceration.** Of the 47 local jails that house women in Louisiana, 40 (85.1%) provided policies and procedures related to female incarceration. However, none fully addressed state laws related to female incarceration. For example, of the 40 jails that provided procedures, 23 (57.5%) did not have procedures sufficiently limiting the use of restraints during pregnancy and postpartum recovery.

Treatment and Care of Incarcerated Females

State and Local Correctional Facilities

What We Found (Cont.)

- **Although prohibited in state law, at least three jails indicated leg irons were used on pregnant or birthing women housed in their facilities.** In addition, local jails did not always sufficiently document the use of restraints for pregnant women and did not always advise pregnant women in writing of their rights related to the use of restraints. While state law generally prohibits the placement of incarcerated women in solitary confinement in state facilities during or following pregnancy, this prohibition does not apply to local jails, and facilities are not required to document when solitary confinement is used.
- **Louisiana's local jails do not sufficiently address the healthcare needs of incarcerated women during and following pregnancy or provide preventative health screenings to all women.** For example, at least two jails stated that pregnant women are only provided access to an obstetrical care provider when issues arise, rather than routinely as recommended by best practices. Of the 44 surveyed women who indicated they had been pregnant while incarcerated, 24, or 54.5%, said they were not offered access to obstetrical care. In addition, state law does not require state and local correctional facilities to test women for pregnancy during intake, and over half (24 of 37) of local jails that responded to this question do not automatically perform this test.
- **Local jails could better protect the dignity of incarcerated women by ensuring sufficient access to hygienic supplies and activities such as showering, as well as increased privacy during different states of undress.** While not specifically required by federal or state law, privacy measures, such as curtains or panels while showering and for bathroom needs, are not always available in local jails. In addition, the extent of controls to prevent male access to camera footage in female areas varies across facilities. Of the 37 local jails that responded to this question, seven (18.9%) indicated that they have not implemented privacy measures.
- **According to the U.S. Department of Justice, educational and vocational programming, recreational time, and visitation during incarceration can improve reentry outcomes. However, access to these opportunities varies across correctional facilities, with female offenders often having less access than male offenders.** For example, 22 (57.9%) of 38 responding local jails indicated women do not always have the same programming opportunities, such as GED or vocational classes, as offered to men, if at all.
- **LCIW is working to complete the construction of a new facility designed to house approximately 950 female state offenders, which is double its current capacity.** According to LCIW, the new facility will include spaces such as vocational areas, child-friendly visitation spaces, and a postpartum wing for eligible offenders. As of April 2025, LCIW expects that the new facility will be operational by the late summer of 2025.

We made eight recommendations and 11 matters for legislative consideration. The agency partially agreed with five of them and disagreed with three. See Appendix A in the report for the agency's full response.

The recommendations to DOC in this report are only applicable to DOC for state offenders housed at LCIW and state offenders housed at local jails. There are multiple matters for legislative consideration that address local jail deficiencies.

View the full report, including management's response, at www.la.gov.