

TREATMENT AND CARE OF INCARCERATED FEMALES

STATE AND LOCAL CORRECTIONAL
FACILITIES

PERFORMANCE AUDIT SERVICES

Performance Audit
Issued May 14, 2025

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May 14, 2025

The Honorable J. Cameron Henry, Jr.,
President of the Senate
The Honorable Phillip R. DeVillier,
Speaker of the House of Representatives

Dear Senator Henry and Representative DeVillier:

The purpose of this audit was to evaluate the treatment and care of incarcerated females in Louisiana.

As of July 2024, 3,519 women were incarcerated in Louisiana. Of this number, 1,582 were state offenders under the supervision of the Department of Public Safety and Corrections (DPS&C), Division of Correction Services (DOC). The remaining 1,937 were local offenders housed in local jails.

DOC oversees the state's only correctional facility for females – the Louisiana Correctional Institute for Women (LCIW). LCIW's capacity currently is 450. As a result, 1,132 female state offenders are housed in local jails on behalf of DOC at a cost of \$26.39 per day per individual.

Overall, we found that local jails lack sufficient procedures to comply with state laws related to the treatment of incarcerated women in Louisiana. Additionally, while LCIW generally provides sufficient access to basic medical and educational services for incarcerated women, similar access in local jails varies. We also found that incarcerated men in local jails receive more developmental opportunities than women.

Specifically, we found that none of Louisiana's local jails, which house 87.2% of incarcerated women in Louisiana, have sufficient, written procedures encompassing all requirements in state law regarding female incarceration.

In addition, although prohibited in state law, at least three jails indicated leg irons were used on pregnant or birthing women housed in their facilities. Local jails also 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.

We found as well that Louisiana's local jails do not sufficiently address the healthcare needs of incarcerated women during and following pregnancy or provide preventive health screenings to all women.

We also found that local jails could better protect the dignity of incarcerated women by ensuring sufficient access to hygiene supplies and activities such as showering, as well as increased privacy during different states of undress.

According to the U.S. Department of Justice, educational and vocational programming, recreational time, and visitation during incarceration can improve reentry outcomes. However, we found that access to these opportunities varies across correctional facilities, with female offenders often having less access than male offenders.

In addition, 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. LCIW expects that the new facility will be operational by late summer of 2025.

The report contains our findings and recommendations. I hope this report will benefit you in your legislative decision-making process.

We would like to express our appreciation to the Louisiana Department of Public Safety and Corrections, Division of Correction Services for its assistance during this audit.

Respectfully submitted,



Michael J. "Mike" Waguespack, CPA
Legislative Auditor

MJW/aa

Louisiana Legislative Auditor

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Treatment and Care of Incarcerated Females State and Local Correctional Facilities

May 2025

Audit Control # 40240010

Introduction

We evaluated the treatment of women incarcerated in Louisiana’s state and local correctional facilities. We conducted this audit in response to House Concurrent Resolution 104 of the 2023 Regular Session,¹ 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. According to a report issued by the National Conference for State Legislatures (NCSL) in 2022,² even though there are still more men than women involved in our nation’s justice systems, the rate of growth of the women’s population has vastly increased, and between 1980 and 2019 the number of incarcerated women (in both jails and prisons) increased by more than 700%. According to this report, state and local government systems and facilities are predominately designed to handle men.

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.

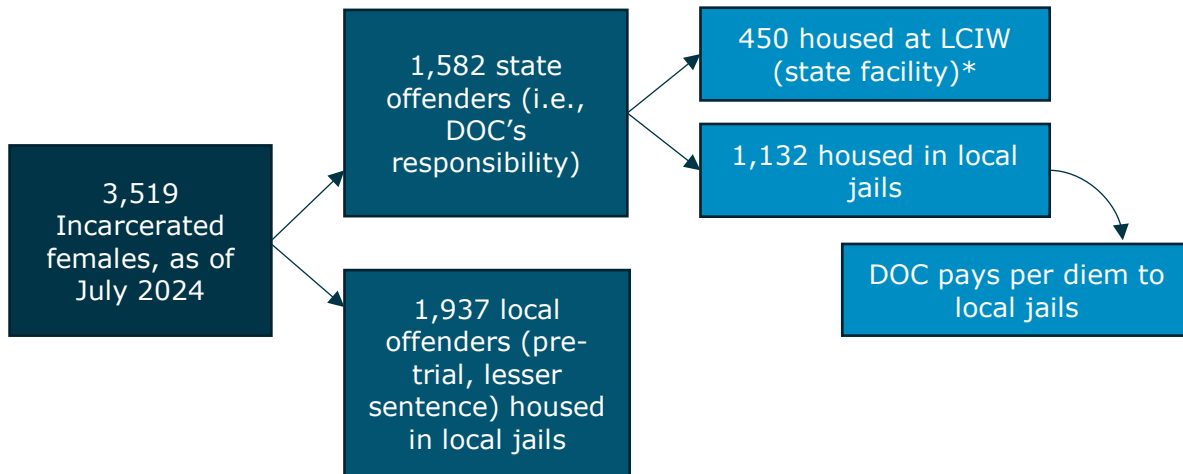
Louisiana’s Incarcerated Female Population. Incarcerated females in Louisiana are housed in both state and local correctional facilities. The Department of Public Safety and Corrections (DPS&C), Division of Correction Services (DOC) oversees the custody and care of females (state offenders) serving a 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. As of July 2024, there were 3,519

¹ The resolution can be viewed here <https://legis.la.gov/legis/ViewDocument.aspx?d=1329296>

² The report can be viewed here <https://www.ncsl.org/civil-and-criminal-justice/conditions-and-rights-for-women-in-jails>

incarcerated females, with 1,582 being state offenders under DOC's supervision. Exhibit 1 demonstrates how incarcerated females are housed in Louisiana.

Exhibit 1
Oversight and Housing Structure for Louisiana Incarcerated Females



*LCIW's new facility, opening in 2025, will be able to house approximately 950 females.

Source: Prepared by legislative auditor's staff using state law and information provided by DOC and local jails.

Legal Requirements. According to NCSL, many states have passed legislation in recent years to address the unique needs of incarcerated women. According to NCSL, at least 17 states, including Louisiana, have passed laws that require correctional facilities to provide women with an adequate amount of feminine hygiene products, and at least 14, also including Louisiana, passed legislation pertaining to the treatment of pregnant and postpartum women who are incarcerated. Exhibit 2 summarizes Louisiana's laws related to the treatment of incarcerated women that state and local correctional facilities must follow.

Exhibit 2 Louisiana Laws Related to Incarcerated Women Fiscal Years 2012 through 2023	
Legislation	Description
ACT 761 of the 2012 Regular Session (Louisiana Revised Statute (R.S.) 15:744-744.8)	<ul style="list-style-type: none"> • Provides stipulations for the use of restraints on incarcerated women who are pregnant or in postpartum recovery. • Requires facilities maintain documentation on the use of restraints for pregnant women. • Requires that pregnant prisoners be advised in writing of these laws. • Allows prisoners have a medical staff present upon request during body cavity or strip searches.
ACT 392 of the 2018 Regular Session (R.S. 15:892.1)	<ul style="list-style-type: none"> • Mandates access to healthcare products at no cost to incarcerated women. • Limits the involvement of male officers when incarcerated women are in states of undress. • Requires documentation when a male officer conducts a pat-down or strip search of a female offender or enters female areas in emergency situations.
ACT 140 of the 2020 Regular Session (R.S. 15:865)	<ul style="list-style-type: none"> • Limits the use of solitary confinement for prisoners in state facilities only who are pregnant, postpartum, or caring for a child in a correctional setting.
Source: Prepared by legislative auditor's staff using state law.	

To conduct this audit, we surveyed female correctional facility staff³, as well as women incarcerated in a selection of these facilities⁴; researched applicable state and federal laws and regulations; reviewed best practices related to female incarceration; conducted stakeholder interviews; and toured female correctional facilities. We also reviewed policies and procedures and other documentation related to the use of restraints from local jails and included general statistics related to incarceration lengths using data received by local jails and DOC.

The objective of this audit was:

To evaluate the treatment and care of Louisiana's incarcerated females.

Our results are summarized on the next page and discussed in detail throughout the remainder of the report. Appendix A contains management's response, Appendix B summarizes our scope and methodology, and Appendix C provides results of our 2024 survey to women incarcerated in a selection of Louisiana's state and local correctional facilities.

³ We sent surveys to the 47 local jails that house women and 38 participated in the survey. However, response counts vary by survey question as participants did not always respond to each survey question.

⁴ While 289 female offenders participated in the survey, response counts vary by survey question as participants did not always respond to each survey question.

Objective: To evaluate the treatment and care of Louisiana's incarcerated females.

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,

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.

- **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.
- **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 who 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 (USDOD), 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, 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.

Our findings and our recommendations are discussed in more detail in the sections below.

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.

According to state regulation,⁵ all Louisiana state correctional facilities and local jails are required to develop a written manual describing institution policies and procedures. However, none of the policies and procedures we reviewed from local jails provide guidance on how to meet all provisions in state law regarding the treatment of incarcerated women. In addition, neither DOC’s Basic Jail Guidelines (BJG), which DOC requires jails to follow when housing state offenders and are sometimes used by jails in the place of formal procedures, nor the Louisiana Commission on Law Enforcement’s (LCLE) Minimum Jail Standards address all requirements in state law regarding female incarceration.

Local jails do not have sufficient procedures that address all state laws related to incarcerated females. Of the 47 local jails that house women in Louisiana, 40 (85.1%) provided policies and procedures related to female incarceration within the time allowed.⁶ However, none fully addressed state laws related to female incarceration. The lack of sufficient procedures may contribute to instances of noncompliance with state laws and regulations mentioned further in this report, and may be due to a lack of awareness of certain state laws. For example, when asked for evidence of a process required by state law, one jail expressed that it was unaware of the requirement and immediately worked to implement the process. While the state-run Louisiana Correctional Institute for Women (LCIW) has more robust policies and procedures, LCIW only houses 450 (12.8%) of the 3,519 total female offenders compared to the local jails, which house 3,069 (87.2%). Exhibit 3 summarizes the number and percent of jails whose policies and procedures did not include all requirements in state law regarding female incarceration.

⁵ Louisiana Administrative Code (LAC) 22.XXVII:101, *et seq.* and LAC 22.XXVII:2701

⁶ This includes four jails that have adopted DOC’s BJG as their formal policies and procedures. Six jails that house women did not provide policies and procedures and one jail provided policies and procedures after this audit work had been completed.

Exhibit 3 Local Jails' Policies and Procedures Not Fully Addressing State Laws Related to Female Incarceration Fiscal Year 2025			
Legal Source	State law Requirement	Number of Jails Not Fully Addressing (Out of 40*)	Percent
ACT 761 of the 2012 Regular Session (R.S. 15:744-744.8)	Limited use of restraints during pregnancy and postpartum recovery.	23	57.5%
	Documentation of the use of restraints for pregnant women.	25	62.5%
	Written advisement of restraint rights.	30	75.0%
	Right to the presence of medical staff during strip or body cavity searches during or following pregnancy.	32	80.0%
ACT 392 of the 2018 Regular Session (R.S. 15:892.1)	Access to feminine hygiene products at no cost to incarcerated women.	26	65.0%
	Limitations on the involvement of male officers when incarcerated women are in states of undress.	32	80.0%
	Documentation when a male officer conducts a pat-down or strip search of a female offender or enters female areas in emergency situations.	37	92.5%
*Based on a review of the policies and procedures received by 40 of 47 facilities housing women. These counts include jails that did not fully address each requirement. For example, jails with policies limiting the use of restraints during and following pregnancy were included in the count if certain requirements on these limitations, such as the requirement to remove restraints upon the request of medical personnel, were left out of the policies. Source: Prepared by legislative auditor's staff using information from state law and local correctional facilities.			

It is also important for local jails that do not formally house females to develop written policies and procedures that address laws related to female incarceration, as females could be temporarily held in these facilities. Of the 17 (26.6%) jails that stated that they do not formally house female offenders, at least three have not established any written policies to address the care of female offenders, citing their status as male-only facilities. However, women may still be temporarily housed at these jails for court appearances or while awaiting transfer to a facility that formally houses women. According to one facility, if the female facility it has contracted with to house is at capacity, the transfer may be delayed. These facilities should still have written policies for housing female offenders as required by state regulation to address all requirements in state law regarding female incarceration. While five male-only facilities did provide policies and procedures that included policies related to female offenders, these policies did not address all requirements in state law. For example, the female-related policy from one jail was simply a paragraph explaining what facilities to transfer female offenders to and what cell to place female offenders if they could not be transferred.

In addition, state regulations⁷ provide minimum jail standards to protect the rights of individuals who are incarcerated; however, these regulations do not provide comprehensive requirements specifically related to housing incarcerated females. The Minimum Jail Standards established by LCLE are the only state guidance for jails that are codified, and applies to local offenders. However, the Minimum Jail Standards have not been updated since 1991 and do not account for updated state laws related to female incarceration. As a result, these regulations lack sufficient guidance. For example, state law generally prohibits the use of certain types of restraints such as electronic restraint belts and leg irons during pregnancy. However, the Minimum Jail Standards do not address prohibitions related to restraint use during pregnancy and do not provide additional guidance which would assist facilities in determining when exceptions are warranted.

DOC's BJG also does not address all requirements in state law related to female incarceration. DOC established the BJG in 1997 to provide minimum guidance that jails are required to follow when housing state offenders. At least five jails⁸ use the BJG in the place of formal policies and procedures for both state and local offenders. However, the BJG, which was last updated in 2023, does not include all requirements in state law related to the incarceration of women. For example, the BJG does not specify that feminine hygiene products should be provided free of charge, as required by state law, or detail requirements for pregnant offenders, such as advising of restraint rights. Without including all requirements, jails that hold state offenders or use the BJG as their internal guidance for both state and local offenders, may not be aware of all relevant laws. This may result in noncompliance with required laws. In addition, DOC's monitoring tools for jails that house state offenders are based on BJG criteria. As a result, DOC may not detect noncompliance with state laws that are not fully addressed by the BJG. Exhibit 4 summarizes the state requirements regarding incarcerated females that the BJG does not address.

⁷ LAC 22.XXV-XXXVII

⁸ This includes four jails that formally house women and one jail that does not formally house women.

Exhibit 4 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.		

Recommendation 1: DOC should ensure local jails that house state offenders develop and maintain written policies and procedures that address all relevant laws and regulations related to females incarcerated with the state.

Summary of Management's Response: DOC partially agreed with this recommendation and stated that the deficiency lies with local jails, not state correctional facilities. DOC also stated that it has updated the Basic Jail Guidelines to include all current laws regulating the care of pregnant females. See Appendix A for DOC's full response.

Recommendation 2: DOC should ensure its Basic Jail Guidelines include all state laws related to the care of female offenders.

Summary of Management's Response: DOC partially agreed with this recommendation and stated that the deficiency lies with local jails, not state correctional facilities. DOC also stated that it has updated the Basic Jail Guidelines to include all current laws regulating the care of pregnant inmates. See Appendix A for DOC's full response.

LLA Additional Comment: Although DOC responded that they have updated the Basic Jail Guidelines to include all laws related to pregnant offenders, DOC should also include all state laws related to the care of women offenders, not only those related to pregnant offenders.

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.

State law⁹ generally prohibits the use of restraints on pregnant incarcerated women in Louisiana, with some exceptions. For example, while pregnant women may be restrained using cuffs in front of the body, state law prohibits the use of leg irons, electronic restraint belts, and cuffs behind the back during the second and third trimesters of pregnancy. All types of restraints are prohibited during labor or childbirth unless ordered by medical staff, in which case therapeutic restraints excluding cuffs or shackles may be applied. All restraints during transport for pregnancy-related distress or postpartum recovery are prohibited absent certain circumstances.

Local jails did not provide sufficient documentation regarding the use of restraints for pregnant women, as required by state law, and at least three jails indicated the use of leg irons (shackles) during the second and third trimesters of pregnancy, with one jail also indicating the use of leg irons during labor and delivery. Correctional facilities are required by state law¹⁰ to document the use of restraints for pregnant women. Although 21 of 38 (55.3%) local jails confirmed the use of restraints during pregnancy or childbirth, none of the facilities provided sufficient documentation required by state law. At least four facilities stated they do not document the use of restraints for pregnant women, and three facilities provided documentation recording the use of restraints but did not always include other important information required by law, such as the type of restraint used, the length of time the restraints were used, or the reason for applying the restraints.

Three of 35 (8.6%) responding local jails indicated that they used prohibited leg irons for women in the second or third trimesters of pregnancy. In addition, while state law only allows the use of therapeutic restraints during labor and delivery if ordered by medical staff, one facility stated that it applies restraints during these times for women with large bond amounts. According to this local jail, in these cases a woman may be cuffed to the bed by a hand and/or leg of the same side of her body. According to responding

One woman stated in the survey, "I had to be restrained to the bed in the hospital before and after giving birth, hand (one) and feet."

Source: LLA 2024 Offender Survey

⁹ R.S. 15:744.2 through 15:744.3

¹⁰ R.S. 15:744.7(A)-(B)

women who indicated a history of pregnancy during incarceration, none reported an experience of being placed in a face-down position during that time.

Restraint policies for some jails do not align with best practices. We found that 15 of 35¹¹ (42.9%) responding local jails indicated that they use front cuffs during the second or third trimesters of pregnancy. While front cuffs are permitted by state law during pregnancy, 16, or 45.7%, of the 35 facilities that responded to this question in the survey, as well as LCIW, stated that they do not use any restraints during the second and third trimesters of pregnancy. According to LCIW, it does not subject pregnant women to any restraints because, even if applied in front of the body, women may still be unable to break falls if their arms and legs are not free.

Pregnant incarcerated women are not always advised of their restraint rights in writing, as required in state law. Although state law¹² requires correctional facilities to advise pregnant offenders in writing of their rights related to the use of restraints during and following pregnancy, at least 20 of 34 (58.8%) responding local jails indicated that they do not provide this advisement in writing, if at all. While 14 (41.2%) local jails, as well as LCIW, stated they do provide written advisement of these restraint rights, only eight (23.5%) stated that women are advised through a form with instruction to sign-off on the advisement which would result in documentation of this process.

While four of the five local jails that submitted supporting documentation demonstrated compliance with the advising requirement, documentation from one jail did not provide complete advisement. For example, the document did not explain which types of restraints were prohibited during pregnancy. Seventeen (50.0%) local jails stated that women are advised verbally of their restraint rights. According to 35 responding women who indicated a history of pregnancy while incarcerated in a state or local correctional facility, 26, or 74.3%, indicated that they had not been informed of their rights regarding the use of restraints during and shortly after pregnancy. Exhibit 5 shows the methods used by jails to inform pregnant women of their restraint rights.

¹¹ Four local jails indicated that they do use front cuffs during the first trimester of pregnancy or within eight weeks of child birth.

¹² R.S. 15:744.6

Exhibit 5 Local Jail Procedures for Advising Pregnant Women of Restraint Rights Fiscal Year 2025		
Advisement Type	Number of Local Jails (out of 34)	Percent of Local Jails
Signed/Initialed Form	8	23.6%
Unsigned/Initialed Form	3	8.8
Posted Sign(s)	3	8.8
Verbal	17	50.0
None	3	8.8
Source: Prepared by legislative auditor's staff using information provided by local jails.		

While state law generally prohibits the placement of incarcerated women in solitary confinement during or following pregnancy in state facilities, this law does not apply to local jails. According to state law,¹³ state correctional facilities are prohibited from placing women in solitary confinement during pregnancy or within eight weeks following medical release after a pregnancy, unless it is determined that the woman has engaged in violence or demonstrated conduct that places herself or others at risk of serious injury or death. However, this law does not apply to local jails. It is unclear whether there are local jails that use solitary confinement for pregnant or postpartum offenders as jails are also not required to document the use of solitary confinement for this population, and only five jails provided policies and procedures that limited or prohibited this practice. At least seven local jails, as well as LCIW, specified they do not use solitary confinement for this population, and another four jails stated that they have had no instances of a pregnant or postpartum woman being placed in solitary confinement during fiscal years 2020 through 2024.¹⁴

In addition, according to DOC and the Louisiana Sheriffs' Association (LSA), the applicability of the prohibition of solitary confinement for pregnant and postpartum offenders is difficult to interpret. For example, DOC stated that solitary confinement, which is not defined within the statute, typically refers to an extreme form of isolation that is not practiced by state prisons. According to DOC, if the legislature intends to reform any practices of offender segregation, it may wish to use updated terminology such as "extended restrictive housing" that would apply to modern practices.

Recommendation 3: DOC should consider expanding guidance for jails on the use of restraints for pregnant and postpartum offenders, including but not limited to appropriately tracking the use of restraints.

¹³ R.S. 15:865 (B)-(C)

¹⁴ Two local jails that house women do not house pregnant offenders. The remaining 34 jails did not clearly communicate whether they use solitary confinement for pregnant or postpartum offenders.

Summary of Management's Response: DOC partially agreed with this recommendation and stated that the deficiency lies with local jails, not state correctional facilities. DOC also stated that it has updated the Basic Jail Guidelines to include all current laws regulating the care of pregnant inmates. See Appendix A for DOC's full response.

Recommendation 4: DOC should consider developing a standard form that complies with state laws regarding the advisement of restraint rights and requires the signature of the advised offender. This form could also be used by jails to ensure compliance with the requirement to inform pregnant and postpartum offenders of their restraint rights.

Summary of Management's Response: DOC partially agreed with this recommendation and stated it plans to implement a signature line on LCIW's current advisement form where the inmate can acknowledge the receipt of the information. In addition, DOC stated it plans to add a standard to the Basic Jail Guidelines referencing the form. See Appendix A for DOC's full response.

Matter for Legislative Consideration 1: The legislature may wish to consider requiring correctional facilities to advise affected offenders of their rights regarding the use of solitary confinement during and after pregnancy.

Matter for Legislative Consideration 2: The legislature may wish to consider amending its law that prohibits placing women in solitary confinement during pregnancy or within eight weeks following medical release after a pregnancy to clearly define what is considered solitary confinement and also make it applicable to local jails.

Matter for Legislative Consideration 3: The legislature may wish to consider requiring correctional facilities to document when solitary confinement is used, for how long, and the reasons it was determined solitary confinement was necessary.

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.

The American College of Obstetrical Gynecology (ACOG)¹⁵ and the National Committee on Correctional Healthcare (NCCH)¹⁶ recommend that correctional facilities provide pregnant and postpartum women with accommodations to address their unique healthcare needs. However, neither state law nor regulation require jails to provide routine obstetrical care during and following pregnancy. While the BJG does require routine obstetrical care or transfer to a capable facility for state offenders, the BJG does not directly apply to pre-trial or non-state incarcerated females housed in local jails. As a result, incarcerated pregnant women may not be receiving the care they need to help ensure the best possible outcome for the mother and baby. In addition, state law does not require state correctional facilities or local jails to provide preventative health screenings as recommended by best practices, and instead requires DOC to establish and prescribe preventative healthcare standards for state offenders.¹⁷ However, the Minimum Jail Standards, which were last updated in 1991, do not specify any preventative screenings that jails must provide or arrange. While LCIW stated that it provides preventative cancer screenings to women housed at LCIW, not all local jails provide these screenings.

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 who responded to this question do not automatically perform this test. As a result, women who are unknowingly pregnant may be unable to receive necessary healthcare, special accommodations, or legal considerations that may be

¹⁵ *Reproductive Health Care for Incarcerated Pregnant, Postpartum, and Nonpregnant Individuals*, (2021), <https://www.acog.org/clinical/clinical-guidance/committee-opinion/articles/2021/07/reproductive-health-care-for-incarcerated-pregnant-postpartum-and-nonpregnant-individuals#:~:text=their>

¹⁶ *Pregnancy and Postpartum Care in Correctional Settings*, (2018), https://www.ncchc.org/wp-content/uploads/Pregnancy-and-Postpartum-Care-2018.pdf?_cf_chl_tk=pQFR0mcTN3qy6f6Uxv9OUfExOVfKfQATuPCnCCQo_Po-1744125288-1.0.1.1-Uzm1no7HHe9v0r_gqyzfYhGOvmxU3NyNfTlpX1SV2RQ

¹⁷ R.S. 15:831

available to incarcerated women who are known to be pregnant. This could result in poor outcomes for the mother and baby. Unlike other facilities that automatically test for pregnancy, these facilities stated they offer pregnancy tests if a woman suspects or claims to be pregnant. According to LCIW, it implemented a policy of testing all incoming offenders for pregnancy in 2006 and began tracking these pregnancies in 2007 after a stillborn was delivered at the facility by a woman who was not known to have been pregnant. According to LCIW, this woman had been dealing with psychiatric issues that may have prevented her from recognizing or reporting her pregnancy. Of the 289 women who responded to the survey, 131, or 45.3%, said they were not offered a pregnancy test when booked into the facility.

One local jail stated in the survey, "None of the local OB clinics want to see offenders. You may see them as a Medicaid patient on the street, then come to jail and they won't see you anymore, then you get out and they will see you again - causing a huge gap in care. We have offered to come early in the morning, late in the evening, wait in the vehicles and no one will see offenders."

Source: LLA 2025 Facility Survey

Of the 44 surveyed women who indicated they had been pregnant while incarcerated, 24,¹⁸ or 54.5%, said they were not offered access to obstetrical care. According to the BJG, all pregnant offenders should have access to obstetrical services by a qualified provider, including prenatal, peripartum, and postpartum care. However, BJG does not apply to non-state offenders in local jails. Of 37 local jails that responded to this question, two (5.4%) indicated they do not offer access to routine obstetrical care to women who are known to be pregnant. Instead, pregnant women are monitored by general healthcare providers and referred for obstetrical care if concerns or emergencies arise. One local jail stated it faced challenges in finding obstetrical providers who are willing to care for women who are incarcerated. Local jails that house state offenders are required by the BJG to notify DOC in the event that a state offender is found to be pregnant. Once notified, DOC can determine whether it is necessary to transfer the offender to LCIW to ensure adequate care. According to DOC, it also accepts transfer requests from jails for local offenders who may not have adequate access to obstetrical care.

Offenders who are pregnant or postpartum do not have sufficient access to special accommodations in all facilities. State law does not have any requirements on accommodations for pregnant and postpartum offenders. As a result, a woman's access to ACOG and NCCH recommended accommodations, such as bottom bunk assignment during pregnancy, depends on where she is incarcerated. Of the 44 respondents who stated that they were currently or had been pregnant in a Louisiana correctional facility, 30 (68.2%) said they were assigned to a bottom bunk while pregnant, while 31 (70.5%) said they were offered prenatal vitamins. Exhibit 6 shows the accommodations offered to pregnant and postpartum women as reported by correctional facilities and female offenders in surveys administered in fiscal year 2025.

¹⁸Gestational age and status of custody (state or local) associated with these responses were not specified by survey participants.

Exhibit 6 Survey Results of Pregnancy and Postpartum Accommodations in Jails Fiscal Year 2025			
Circumstance	Recommended Accommodations	Percent of Jails*	Percent of Offenders**
Pregnancy	Assigned to bottom bunk	82.9%	73.2%
	Offered an additional mattress	54.3	29.3
	Offered prenatal vitamins	80.0	75.6
	Offered additional snacks	68.6	36.6
	Offered access to mental health services	57.1	17.1
Postpartum	Assigned to bottom bunk	97.1	83.3
	Provided pads or sanitary napkins that are sufficient for postpartum bleeding	100	83.3
	Offered supplies to aid in routine cleaning/sanitation necessary for postpartum healing or bleeding	94.1	58.3
	Offered supplies to help with vaginal healing	58.8	33.3
	Offered supplies to help with breast engorgement	73.5	16.7
	Offered nursing/lactation pads	47.1	16.7
	Offered access to mental health services	70.6	25.0
<p>*These percentages are based on answers from 35 jails that responded to pregnancy accommodation questions and 34 jails that responded to questions on postpartum accommodations.</p> <p>**These percentages are based on answers from offenders across 18 facilities who indicated a history of pregnancy or childbirth during incarceration and responded to questions on pregnancy (41) and postpartum (12) accommodations.</p> <p>Source: Prepared by legislative auditor's staff using results from a survey completed by correctional facilities and ACOG and NCCH.</p>			

If a local jail is unable to provide adequate pregnancy care, one alternative could be to utilize Own Recognizance (OR) bonds that allow defendants to be released without paying bond. OR bonds allow defendants to be released without paying bond as long as they are not considered a danger to the community and agree to attend all court appearances. At least 17 of 30 (56.7%) responding facilities indicated that they work with local judges and district attorneys to expedite the release of pregnant women ahead of their trial. For example, Concordia and Bossier Parish jails stated that they work directly with local judges to arrange release of pregnant women on OR bonds. In addition, the medical provider at the St. Tammany Parish Jail, along with the District Court in St. Tammany

Parish, have created a program (Healthy Start Program) to expedite the release of pregnant offenders with medical/substance abuse issues. In the event that OR bonds are not warranted or granted, local jails can request transfer of a pregnant offender to LCIW, despite her status as a pre-trial or lessor sentenced offender if unable to provide adequate care.

Most local jails do not provide preventative cancer screenings (i.e., pap smear, mammograms, annual physical, etc.) to women housed in their facilities, especially women awaiting trial (pre-trial). According to many of these facilities, these screenings are not provided because most women housed in jails are pre-trial and could be released quickly. Although limited data received from nine local jails showed that nearly all female offenders are released or transferred within a year of incarceration, data from each local jail included maximum stays of one to five-and-a-half years for pretrial offenders. According to 34 of 37 (91.9%) local jails that responded to this question, routine screenings are not available to pre-trial women, if to any women at all. Instead, facilities indicated that patients are referred for a medical assessment if they report certain symptoms such as a lump in the breast. The American Cancer Society¹⁹ recommends that women of certain age groups receive routine medical screenings such as mammograms, colonoscopies, and pap smears to ensure that common cancers are detected timely for more effective treatment.

Recommendation 5: DOC should consider establishing guidance on special accommodations that should be offered to pregnant and postpartum offenders.

Summary of Management's Response: DOC disagreed with this recommendation and stated the deficiency lies with local jails, not state correctional facilities. Additionally, DOC stated the Basic Jail Guidelines already include standards mandating access to qualified healthcare providers for pregnant and postpartum inmates. See Appendix A for DOC's full response.

LLA Additional Comment: Although the Basic Jail Guidelines require access to prenatal, perinatal, and postpartum healthcare providers, it does not include any guidance on the special accommodations outlined above which are recommended by best practice. For example, the Basic Jail Guidelines do not require nor encourage bottom bunk assignment for pregnant offenders. In addition, this recommendation to DOC applies to local jails that house state offenders.

Matter for Legislative Consideration 4: The legislature may wish to consider requiring state and local correctional facilities to conduct a pregnancy test during the intake process for all females.

¹⁹ American Cancer Society Guidelines for the Early Detection of Cancer, (2023), <https://www.cancer.org/cancer/screening/american-cancer-society-guidelines-for-the-early-detection-of-cancer.html>

Matter for Legislative Consideration 5: The legislature may wish to consider requiring routine obstetrical care for pregnant incarcerated females for pre-and postpartum care.

Matter for Legislative Consideration 6: The legislature may wish to consider requiring preventative health screenings for incarcerated females in Louisiana if they are incarcerated for longer than one year.

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.

Exhibit 7
Example: Female Restroom Facility
Local Jail



Source: Photo taken by legislative auditor's staff.

State law²⁰ requires that feminine hygiene products be provided to offenders in appropriate quantities and at no cost. While the Minimum Jail Standards require health care items to be replenished "as needed," neither state law nor state regulations specify how many to provide at a time. At least three local jails disclosed that women may ultimately be charged for feminine hygiene products. As a result, it may be more difficult for women at some facilities to have sufficient access to feminine hygiene products, which could lead to unsanitary conditions and unnecessary embarrassment. Further, while state law and federal regulations²¹ aim to limit the visibility of incarcerated women during states of undress, neither require facilities to implement measures such as curtains or panels to provide privacy while showering or using restroom areas. At least 31 facilities, including LCIW, have proactively implemented these privacy measures. Exhibit 7 provides an example of a local jail bathroom.

Local jails are not always providing necessary female hygiene projects in sufficient quantities and at no cost, as required by state law. Of the 38 responding local jails, three (7.9%) indicated that free feminine hygiene products are only made available to indigent women, and at least two of these facilities

²⁰ R.S. 15:892.1 B(2)(a)

²¹ 28 United States Code (U.S.C.) 115.15

stated that payment for the provided products is deducted from the woman's account, should funds become available.²² In addition, 117 of 289 (40.5%) offenders surveyed responded that they are not always provided with sufficient hygiene products. For example, one surveyed offender responded that the facility only provides each woman with 12 feminine hygiene pads per month, while another stated that while the facility provides 20 feminine hygiene pads per month, women have to use two to three pads at a time to avoid leaks, which is often unsuccessful.

In addition, inconsistencies across facilities may limit offenders from receiving feminine hygiene products in a timely manner. For example, while 10 (26.3%) of 38 responding facilities stated that they distribute all allotted hygiene products on a monthly or weekly basis, women in 27 (71.1%) facilities must ask an officer for these supplies as needed. According to survey respondents, some staff are less likely than others to fulfill their requests, which has led to unnecessary embarrassment. Several women described instances of themselves or others being humiliated due to insufficient access to feminine hygiene products. As shown in Exhibit 8, women also reported limited access to other hygiene products such as soap, shampoo, and deodorant.

When asked about experiences in accessing feminine hygiene products, one woman wrote:

"You are only allowed two pads at a time or it's considered contraband."

Source: LLA 2024 Female Offender Survey.

Exhibit 8 Percent of Women Who Stated They Had Limited Access to Hygiene Products Fiscal Year 2025			
Product	State Facility (LCIW) (out of 43)	Local Jails (out of 246)	Overall (out of 289)
Feminine Hygiene Products	14.0%	45.1%	40.5%
Moisturizing Soap	11.6	46.3	41.2
Toothbrush	11.6	35.0	31.5
Toothpaste	9.3	36.6	32.5
Lotion	18.6	52.9	47.8
Deodorant	9.3	48.0	42.2
No issues obtaining products above	67.4	24.8	31.1
Source: Prepared by legislative auditor's staff using results from surveys administered to women incarcerated in state and local facilities.			

²² Friends and family may add funds to an offender's account to enable offenders to place telephone and video calls or purchase items from commissary.

Although the feminine hygiene products provided to women in accordance with state law require adherence to underwear, state law does not require correctional facilities to provide the appropriate underwear at no cost to women who are unable to purchase these items from commissary. Of the 38 local jails²³

that responded to this question, 14 (36.8%) require women to purchase necessary underwear from commissary. If women do not have the funds to purchase necessary underwear, they may experience unsanitary conditions and unnecessary embarrassment. Although the survey administered to women who are incarcerated did not ask about access to underwear, multiple women wrote in that they did not have sufficient access to clean underwear. While some women described limitations in obtaining underwear, one respondent stated that women are not always able to maintain cleanliness of the underwear they do have due to insufficient feminine hygiene supplies and limited access to laundry services, which varies across facilities. Additionally, one woman indicated that they do not have trash receptacles that are needed to dispose of feminine hygiene supplies, leading to unsanitary conditions in facilities.

When asked how improvements could be made to meet hygiene needs during incarceration, one woman wrote:

"Be provided panties for women who can't afford any or just panties offered when you first come in, even if they're paper. Anything is better than nothing to stick a pad to."

Source: LLA 2024 Female Offender Survey

Access to showering varies across facilities for some populations. Correctional facilities are required by the state Minimum Jail Standards²⁴ to provide daily shower access to offenders. However, 12 of 38 responding jails stated that women held in solitary confinement are only permitted to shower a few times a week. In accordance with the Americans with Disabilities Act (ADA),²⁵ correctional facilities constructed or renovated after 2010 are required by federal regulations²⁶ to ensure that each inmate with a disability is housed in a cell with the accessible elements necessary to afford the inmate access to safe, appropriate housing. According to the USDOJ, when the 2010 ADA standards were established, many correctional facilities did not provide sufficient access to cells, toilets, and shower facilities necessary to meet the needs of inmates with mobility disabilities. At least 18 of 37 (48.6%) responding correctional facilities housing women indicated that they do not have at least one shower area that includes a handrail. While most Louisiana jails were constructed prior to the 2010 ADA standards, there are some low-cost accommodations that

According to one woman housed in a local correctional facility, she had not been able to take a shower since she was booked into the facility because she had a prosthetic leg, and it was impossible for her to use the shower. Facility staff confirmed that the facility did not have a shower chair or similar equipment that could allow the woman to safely shower.

Source: LLA 2024 Offender Survey

²³ Twenty-four local jails, as well as LCIW provide varying quantities of underwear to women at no cost.

²⁴ LAC 22.XXIX:2907

²⁵ 42 U.S.C. § 12101 *et. seq.*

²⁶ 28 Code of Federal Regulations (C.F.R.) 35.152

facilities could make, such as offering a shower chair for offenders with mobility issues. However, 13 (35.1%) of 37 responding facilities stated that they do not have a shower chair or similar equipment. As a result, women with mobility issues may not be able to safely shower or may not be able to shower as often as women without mobility issues.

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 in shower areas. In addition, half of the women who responded to the survey – 50.2% – indicated that they did not feel the facility took steps to provide privacy in bathroom areas. While the layout of some facilities could limit the visibility of women showering even if panels or curtains are not in use, at least one facility with no privacy panels or curtains had shower areas that were facing the entry to the dorms. Another facility had privacy panels installed on shower areas that faced dorm entry. However, some of the shower panels are not tall enough to block upper-body views of women showering. Federal Prison Rape Elimination Act (PREA) standards²⁷ require correctional facilities to mitigate offenders' vulnerability to sexual assault through measures such as limiting visibility and searches by members of the opposite sex. However, some women have no privacy among dormmates or facility staff when showering and may have difficulty covering up in the event that the entry of male staff is announced. For example, when asked about experiences where males have been present during states of undress, multiple women mentioned occasions where they were showering or using the restroom during the entry of male staff.²⁸

While 158 of 285 (55.4%) women stated that the presence of male staff in spaces occupied by female offenders is always announced upon entry, some women stated that they were concerned that males could view footage from cameras placed in female facilities. According to facilities, these cameras are often placed in dorms and day rooms and sometimes placed in bathroom or shower areas. Measures to prevent male access to footage of general female spaces varies across facilities. For example, of the 22 facilities with cameras in female sleeping areas, five, or 22.7%, stated that only female staff can access the footage. While six (85.7%) of seven facilities that reported the use of cameras in shower or toilet areas stated that the footage includes digital obstructions of shower and toilet, one (14.3%) responded that it had no measures to prevent male staff from accessing camera footage for these areas. Ten of 38 responding facilities (26.3%) require the presence of female staff in the event that males must review footage involving women in a state of undress.

²⁷ 28 C.F.R. § 115.15

²⁸ According to these women, reasons for male entry include relieving female staff for breaks, accompanying medical staff, or assisting with daily counts.

Recommendation 6: DOC should ensure the BJG provides guidance to jails to clarify appropriate quantities and timely provision of feminine hygiene products.

Summary of Management's Response: DOC partially agreed with this recommendation and stated the deficiency lies with local jails, not state correctional facilities. Additionally, DOC stated it has updated the Basic Jail Guidelines to include all current laws regulating the provision of hygiene and sanitary products for female inmates. Further, DOC stated it has updated the Basic Jail Guidelines to include a standard regarding the provision of undergarments to female inmates. See Appendix A for DOC's full response.

Matter for Legislative Consideration 7: The legislature may wish to work with local jail administrators on how best to meet the feminine hygiene products requirement in state law.

Matter for Legislative Consideration 8: The legislature may wish to consider requiring all correctional facilities to provide indigent women with the undergarments necessary for the use of feminine hygiene pads at no cost and in quantities that are consistent with the offender's access to laundry services.

Matter for Legislative Consideration 9: The legislature may wish to work with local jail administrators on how best to meet ADA requirements, including any additional funding needed.

According to the USDOJ, 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.

According to the USDOJ, a key component of preparing offenders for reentry is providing useful skills through education and vocational training during incarceration.²⁹ Additionally, the Minimum Jail Standards³⁰ require facilities to provide inmates with an hour of active, outdoor recreation at least three days per week. The USDOJ also recognizes the positive impact of visitation on reduced recidivism, successful post-release employment and minimizing the harm

²⁹ *First Step Act: Best Practices for Academic and Vocational Education for Offenders*, (2019), <https://nij.ojp.gov/library/publications/first-step-act-best-practices-academic-and-vocational-education-offenders>

³⁰ LAC 22.XXXI:3111

experienced by families separated by loved ones.³¹ However, while these opportunities are available to women housed at the state's LCIW, these opportunities are not always accessible to women incarcerated in jails.

According to 38 responding local jails, 22 (57.9%) responded that female offenders do not always have the same programming opportunities, such as GED or vocational classes, offered to men, if at all. As a result, women incarcerated in certain facilities may have less opportunities than men to participate in programming such as parenting classes, college programs, welding classes, etc. that could help them develop re-entry skills or allow them to earn "good time."³² For example, one facility indicated it offers high school classes, parenting and anger management classes, rehabilitation programs for substance use, and job or vocational programs to men but not to women. Another facility offers high school classes, parenting classes, and rehabilitation programs to men and women, but offers anger management classes and vocational training to men only. According to local jails and DOC, the discrepancy in available programming is due to various reasons such as a lack of instructors, space needed for separate male and female classes, a lack of interest in programming among women, and funding.

While 38 responding local jails that house men and women indicated they offer trusty positions to offenders, 19 (50.0%) of these facilities only allow trusty positions to be filled by men. Of the 14 (36.8%) facilities that do allow women to serve as trustees, the facilities had less variety in trusty roles for women than for men. For example, while male trustees in one facility may serve in cleaning, kitchen, laundry yard maintenance, and mechanical services, female trustees at the same facility are only allowed to assist with cleaning services. According to one facility, it is difficult to allow women the same opportunities to fulfill trusty roles because men and women must be kept separate. For example, if there is only one kitchen and one laundry space at a facility that houses men and women, only male trustees would be allowed in those spaces.

Two of 38 (5.3%) responding local jails indicated they do not have space to provide any outdoor recreational time to women, and 14 of 38 (36.8%) jails with this space indicated they do not allow women the minimum outdoor recreation time required by the Minimum Jail Standards. Two of 38 (5.3%) responding local jails housing women do not have a functioning, outdoor recreational space for women and are only able to provide indoor recreation. For example, staff at one facility stated women are allowed to walk the halls of the female facility for one hour each day for physical exercise, as the facility did not have an outdoor space designated to recreational time. While 36, or 94.7%, of facilities do have a functioning outdoor recreational space for women, 14, or

³¹ Prison Reform: Reducing Recidivism by Strengthening the Federal Bureau of Prisons, (2023), <https://www.justice.gov/archives/prison-reform>

³²Per R.S. 15.1571.3, incarcerated individuals who were convicted of a crime before August 1, 2024 may earn "good time" (e.g., a diminution of sentence) by demonstrating good behavior and performance of work or self-improvement activities, or both.

36.8%, of these facilities indicated they do not allow women the minimum of recreational time of three one-hour sessions per week as outlined by the Minimum Jail Standards.

According to facilities, availability and access to outdoor space is affected by the age and structure of the facility, as well as efforts to keep male and female offenders from being able view or hear one another. For some incarcerated women, outdoor recreational time is the only opportunity to view natural light. According to 38 responding local jails, seven (18.4%) have no access to natural light within the women's spaces.

Most local jails do not allow in-person visitation, and women at some facilities may have less access to off-site visitations (telephone or video calls, etc.) than women housed at other facilities due to varying costs. These limitations can negatively impact reentry and do not support the needs of children of incarcerated parents.

According to NCSL, most women in jail are single mothers, with studies finding that 79% have young children when they are incarcerated. Most local jails do not allow in-person visitation, which is against the recommendations of best practices. We found that 30 of 37 (81.1%) responding state and local correctional facilities indicated they do not allow in-person visitation. According to a survey of 289 women incarcerated in state and local correctional facilities, 230 (79.6%) had at least one child under 18 years of age. Of the 230 respondents with children under the age of 18, 56 (24.3%) of the respondents indicated they had one or more children under the age of three. According to multiple facilities, limitations in staffing and concerns with contraband have influenced the facilities' decision to no longer allow in-person visitation. At least one facility requires all in-person visitors to be over the age of 18.

"I feel you should be able to have contact visits with your children. A hug goes really far and to be able to just hold their hand and tell them you love and miss them."

Source: LLA 2024
Offender Survey

In addition, while all facilities allow virtual visitation through telephone or video calls, these modes are not typically free like in-person visitation. While rates may vary by facility, the Federal Communications Commission (FCC) adopted maximum rate caps for visual calls and updated the caps on audio calls in July of 2024, decreasing the cost per minute on both forms of communication. Both rate caps and compliance deadlines³³ are based on the size of the facility's average daily population (ADP), with the first new rates requiring compliance by April 1, 2025, for facilities not currently under contract with a communications vendor, and April 1, 2026, for facilities with existing contracts.³⁴

³³ For facilities with ADPs of 1,000 or more inmates, the compliance deadline was January 1, 2025. The compliance deadline for jails with ADPs less than 1,000 inmates, was April 1, 2025.

³⁴ Special provisions may be made for facilities with contracts that existed as of June 27, 2024 with terms and conditions requiring renegotiation to adhere to the new rates. In these cases, the compliance deadline would be the earlier of the contract expiration date or January 1, 2026 for prisons and jails with ADPs of 1,000 or more and the earlier of the contract expiration date or April 1, 2026 for jails with ADPs of 1,000 inmates or less.

Exhibit 9 summarizes interim rate caps for visual visitation services and permanent rate caps for audio visitation services.

Exhibit 9 Rates for Video and Audio Visitation Services				
Tier (ADP)	Audio (Permanent) (Per Minute)		Video (Interim) (Per Minute)	
	Current Caps	New Caps	Current Caps	New Caps
Prisons (any ADP)	\$0.14	\$0.06	N/A	\$0.16
Large Jails (1,000+)	\$0.16	\$0.06	N/A	\$0.11
Med. Jails (350-999)	\$0.21	\$0.07	N/A	\$0.12
Small Jails (100-349)	\$0.21	\$0.09	N/A	\$0.14
Very Small Jails (0-99)	\$0.21	\$0.12	N/A	\$0.25
Source: Prepared by legislative auditor's staff using data from the FCC.				

While rate caps promote greater consistency and affordability across facilities, new charges for visitation services may still present a financial burden for some families.

Before these changes, for example, we found eight facilities charging \$0.50 per minute for video calls, while another was charging \$2.00 per minute. Under the new rate caps, this variation will decrease by 90.7% (\$1.50 to \$0.14). Although rate caps will help to lower the cost and make access to virtual visitation more consistent across facilities, the cost still ultimately falls on families and friends of offenders and may prevent offenders from maintaining bonds with loved ones, including their children, which is important in reducing recidivism. Although facilities are not required to do so, at least two facilities have proactively implemented free options for virtual visitation. One facility allows free 15-minute video calls each week before any charges are levied. Another facility allows free audio calls provided the recipient's number is located in the same parish as the facility.

"It definitely makes it harder for me missing time with my babies and not being able to see them due to video visits/kiosk not working correctly and not being able to afford to pay So much into phone calls."

Source: LLA 2024 Offender Survey

Recommendation 7: DOC should evaluate any department-sponsored jail programming and ensure that each jail is serviced by deployed instructors.

Recommendation 8: DOC should work with jails to reasonably mitigate limitations in offering department-sponsored jail programming to female offenders.

Summary of Management's Response: DOC disagreed with both of these recommendations and stated that most DOC inmates are housed at LCIW or Louisiana's Transitional Center for Women (LTCW) and that local jails mostly

house inmates not classified as DOC inmates. See Appendix A for DOC's full response.

LLA Additional Comment: Given the positive impact of correctional programming, it is important to offer equitable opportunities to state offenders housed in local jails, especially in instances where it provides programming for male offenders but not female offenders in the same facility.

Matter for Legislative Consideration 10: The legislature may wish to consider requiring that male and female offenders have equal access to correctional programming, without limiting male access to correctional programming.

Matter for Legislative Consideration 11: The legislature may wish to consider requiring all correctional facilities to reasonably provide no-cost periodic virtual visitation sessions at least between incarcerated caregivers and their minor children.

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.

Due to the 2016 flooding of LCIW's original facilities in St. Gabriel, Louisiana, LCIW currently operates from the former Jetson Center for Youth, where it is able to hold less than a third of the state's female offenders. In September 2022, LCIW began construction of a new facility at its original site in St. Gabriel. According to LCIW, construction included measures to protect against the catastrophic flooding experienced in 2016. As of April 2025, LCIW expects that the new facility will be operational by the late summer of 2025. Exhibits 10 through 12 provide pictures of the new facility.

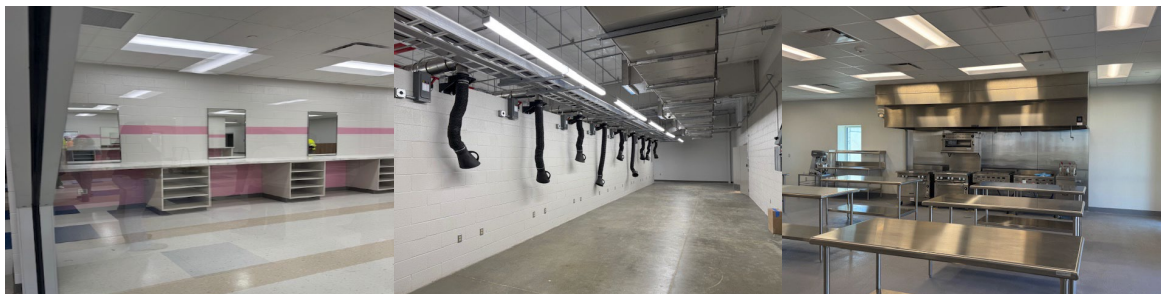
Exhibit 10 Future LCIW Facility



Source: Photo from contractor's website.

With twice as many beds as LCIW's current facility and spaces dedicated to programming, visitation, postpartum recovery and bonding, etc., the issues outlined throughout this report may be mitigated for some state offenders, but not all state offenders, and not pre-trial women or those with a lesser sentence housed in local jails. While programming may still vary across local jails, state offenders who are moved to the new facility will have greater access to educational and vocational services. For example, in addition to classroom areas and partnerships with higher learning institutions, the new LCIW facility has space designated for vocational programs such as welding, culinary arts, and cosmetology. LCIW has also constructed visitation areas with considerations made for children. According to LCIW, it partnered with the University of Louisiana at Lafayette to receive the federal Enhancing Visitation Spaces grant³⁵ that will be used to create child-friendly visitation spaces, including an outdoor playground.

Exhibit 11 Future LCIW Vocational Programing Areas



Source: Photos of the cosmetology, welding and culinary program spaces being completed at LCIW's future facility taken by legislative auditor's staff.

³⁵ According to ULL, this grant was awarded by the USDOJ, Office of Juvenile Justice and Delinquency Programs and totals \$162,709.

Additionally, the new facility includes a postpartum building for eligible mothers and infants. According to LCIW, it has not yet finalized its policies on eligibility for this special housing but anticipates that eligibility will be limited to interested mothers who have shorter sentences and are also determined by medical personnel to be able to care for their infant. According to LCIW, pre-trial mothers may also be eligible if it has any postpartum suites not occupied by state offenders. The postpartum building includes a nurse's station, eight suites with private bathrooms and windows, and a large communal play area.

Exhibit 12
LCIW Postpartum Building



Source: Photo of the LCIW's future postpartum building taken by legislative auditor's staff.

APPENDIX A: MANAGEMENT’S RESPONSE

DEPARTMENT OF PUBLIC SAFETY & CORRECTIONS
STATE OF LOUISIANA

JEFF LANDRY
GOVERNOR



GARY E. WESTCOTT
SECRETARY

May 5, 2025

Via Email: Abrecheen@lla.la.gov

Michael J. "Mike" Waguespack, CPA
Louisiana Legislative Auditor
1600 North Third Street
Baton Rouge, LA 70804-9397

Agency: Louisiana Department of Corrections (DOC)
Audit Title: Treatment and Care of Incarcerated Females
Audit Report #: 40240010

Dear Mr. Waguespack,

This letter will outline the Department of Corrections ("DOC") response to the referenced audit report control number 40240010, titled Treatment and Care of Incarcerated Females, State and Local Correctional Facilities. To be clear, DOC objects to the report in that it does not sufficiently differentiate among state ("hard labor") inmates housed within a DOC correctional facility, state inmates housed within a local jail, and misdemeanor and pre-trial detainees housed within a local jail. DOC has legal authority, control, and responsibility only with regard to state correctional facilities, or the Louisiana Correctional Institute for Women ("LCIW") in this instance. DOC's Basic Jail Guidelines, which provide the minimum standards necessary for a safe, secure, and efficient local jail, are only applicable to local jails that house state inmates. The Basic Jail Guidelines are not applicable to local jails that do not house state inmates, nor are they applicable to misdemeanor inmates or pre-trial detainees. Having emphasized these critical distinctions, DOC submits the following reply to the audit:

Finding 1:

Recommendation 1

DOC agrees in part. The cited deficiency lies with local jails, not state correctional facilities. Notwithstanding that fact, the Basic Jail Guidelines have been updated to include all current laws regulating the care of pregnant females. As noted above, the Basic Jail Guidelines are applicable only to local jails housing state inmates. DOC has no legal authority with regard to misdemeanor inmates or pretrial detainees.

Recommendation 2

DOC agrees in part. The cited deficiency lies with local jails, not state correctional facilities. Notwithstanding that fact, the Basic Jail Guidelines have been updated to include all current laws regulating the care of pregnant females. As noted above, the Basic Jail Guidelines are applicable only to local jails housing state inmates. DOC has no legal authority with regard to misdemeanor inmates or pretrial detainees.

Finding 2:

Recommendation 3

DOC agrees in part. The cited deficiency lies with local jails, not state correctional facilities. Notwithstanding that fact, the Basic Jail Guidelines have been updated to include all current laws regulating the care of pregnant females. As noted above, the Basic Jail Guidelines are applicable only to local jails housing state inmates. DOC has no legal authority with regard to misdemeanor inmates or pretrial detainees.

Recommendation 4

DOC agrees in part. LCIW already has a dedicated form used during intake to inform pregnant and postpartum female inmates of their rights with respect to being restrained during pregnancy. DOC intends to implement a signature line where the inmate can acknowledge receipt of this information. Although not mandated by statute, DOC intends to add a standard to the Basic Jail Guidelines regarding the referenced form. As noted above, the Basic Jail Guidelines are applicable only to local jails housing state inmates. DOC has no legal authority with regard to misdemeanor inmates or pretrial detainees.

Finding 3:

Recommendation 5

DOC disagrees. The cited deficiency lies with local jails, not state correctional facilities. Additionally, the Basic Jail Guidelines already include standards mandating access to qualified healthcare providers for pregnant inmates, including prenatal, peripartum, and postpartum care. As noted above, the Basic Jail Guidelines are applicable only to local jails housing state inmates. DOC has no legal authority with regard to misdemeanor inmates or pretrial detainees.

Finding 4:

Recommendation 6

DOC agrees in part. The cited deficiency lies with local jails, not state correctional facilities. Notwithstanding that fact, the Basic Jail Guidelines have been updated to include all current laws regulating the provision of hygiene and sanitary products for female inmates. Although not mandated by statute, DOC further added a standard regarding the provision of undergarments to female inmates. As noted above, the Basic Jail Guidelines are applicable only to local jails housing

state inmates. DOC has no legal authority with regard to misdemeanor inmates or pretrial detainees.

Finding 5:

Recommendation 7

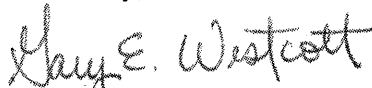
DOC disagrees. The Department of Corrections (DOC) oversees approved, DOC-sponsored training programs conducted at local facilities. Most female DOC inmates are housed at LCIW or the Louisiana Transitional Center for Women (LTCW). Those held in local facilities are usually awaiting court proceedings or serving parish jail sentences, and are not classified as DOC inmates. Local jails are not required to obtain DOC approval to implement their own programs

Recommendation 8

DOC disagrees. See agency response to Recommendation 7.

If I can be of additional assistance in this matter, please contact me at your convenience.

Sincerely,



Gary Westcott

Secretary

APPENDIX B: SCOPE AND METHODOLOGY

This report provides the results of our performance audit of state and local correctional facilities housing females. We conducted this performance audit under the provisions of Title 24 of the Louisiana Revised Statutes of 1950, as amended. This audit covered July 1, 2019 through June 30, 2024. Our audit objective was:

To evaluate the treatment and care of Louisiana’s incarcerated females.

We conducted this performance audit in accordance with generally-accepted *Government Auditing Standards* issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objective. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objective.

We obtained an understanding of internal control that is significant to the audit objective and assessed the design and implementation of such internal control to the extent necessary to address our audit objective. We also obtained an understanding of legal provisions that are significant within the context of the audit objective, and we assessed the risk that illegal acts, including fraud, and violations of applicable contract, grant agreement, or other legal provisions could occur. Based on that risk assessment, we designed and performed procedures to provide reasonable assurance of detecting instances of noncompliance significant to those provisions.

To answer our objective, we performed the following audit steps:

- Reviewed applicable state and federal laws and regulations, including the resolution asking for this audit.
- Reviewed best practices related to female incarceration.
- Conducted stakeholder interviews.
- Reviewed policies and procedures from state and local correctional facilities:
 - We requested policies and procedures from all 64 parishes, as well as LCIW.
 - LCIW and 45 local jails³⁶ provided policies and procedures as requested, one local jail provided policies and procedures after

³⁶ This includes 40 female jails and five jails that do not formally house women.

our reviews were completed, and 18 did not submit any policies and procedures.³⁷

- Toured LCIW and a selection of local jails:
 - We selected 19 jails for tours based on geography and the population of female inmates, which represented 40.4% of total jails that house incarcerated females.
 - Tours covered at least one jail in seven of eight GOHSEP regions.
- Surveyed a selection of women incarcerated at LCIW and a selection of local jails:³⁸
 - For the selection of potential participants, we obtained rosters for each facility and categorized potential participants by the following age groups for random selection:
 - 18-25
 - 26-35
 - 36-45
 - 46-59
 - 60+
 - While we aimed to survey at least 10% of the female population at each selected facility, this varied due to time and space constraints, especially for larger facilities and the optional nature of survey participation.
 - For jails with a smaller female population (<20), we offered survey participation to all women if space allowed.
 - In total, we surveyed 289 (8.2%) of the 3,519 females housed in state and local correctional facilities as of July 2024.
- Surveyed LCIW and local jails that house female offenders:
 - LCIW and 38 of 47 (80.9%) local jails that house women participated in this survey. However, completion rates varied which has resulted in statistics for some survey items being based on fewer than 38 responses.
- Reviewed documentation related to the use of restraints from local jails and LCIW:
 - We reviewed restraint documentation from jails that use restraints for pregnant women.

³⁷ We requested policies and procedures in June of 2024 and reviewed policies and procedures received by February 1, 2025.

³⁸ This survey was administered by LLA staff. Responses were not shared with corresponding facilities and are only available in aggregate within this report to protect the confidentiality of participants.

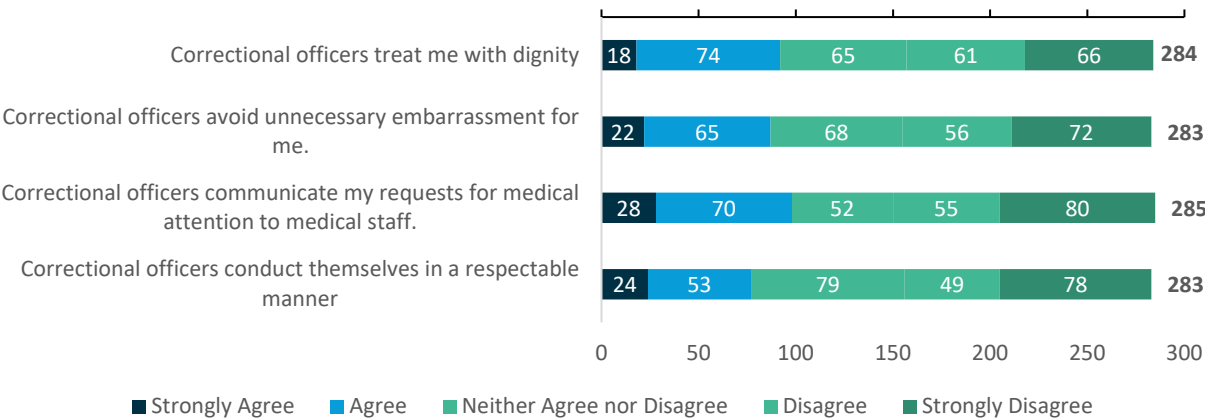
- We reviewed restraint advisement documentation from jails that have a process for written advisement of restraints.
- Reviewed incarceration length data received by the nine local jails that submitted sufficient data. According to several local jails, factors such as staffing and data system capabilities heavily impacted their ability to provide the requested information.
- Met with DOC and LSA to discuss our results and made applicable edits.

APPENDIX C: SURVEY OF INCARCERATED WOMEN

The following provides additional results of our survey to women incarcerated in a selection of Louisiana’s state and local correctional facilities. While a total of 289 women participated in the survey, some women did not respond to every survey item. As a result, response counts may vary by survey item.

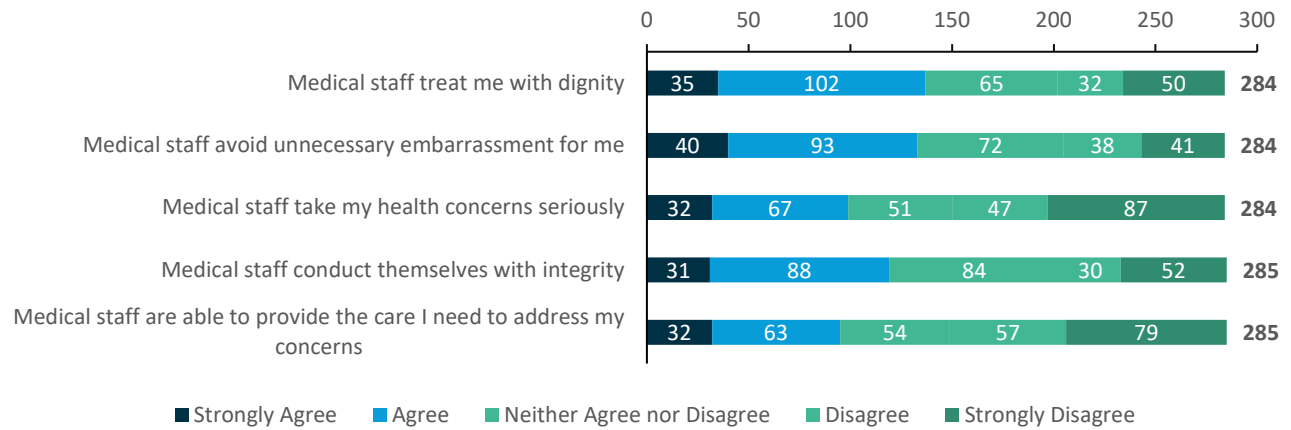
Table C.1 Incarceration Status 2024 Survey of Incarcerated Women		
Legal Situation	Count	Percent
Pre-Trial	105	36.33%
Sentenced	143	49.48%
Unclear/Blank	41	14.19%
Total	289	100.00%
Source: 2024 Survey of Incarcerated Women		

Table C.2
Offender Perception of Correctional Officers
2024 Survey of Incarcerated Women



Source: 2024 Survey of Incarcerated Women

Table C.3
Offender Perception of Medical Staff
2024 Survey of Incarcerated Women



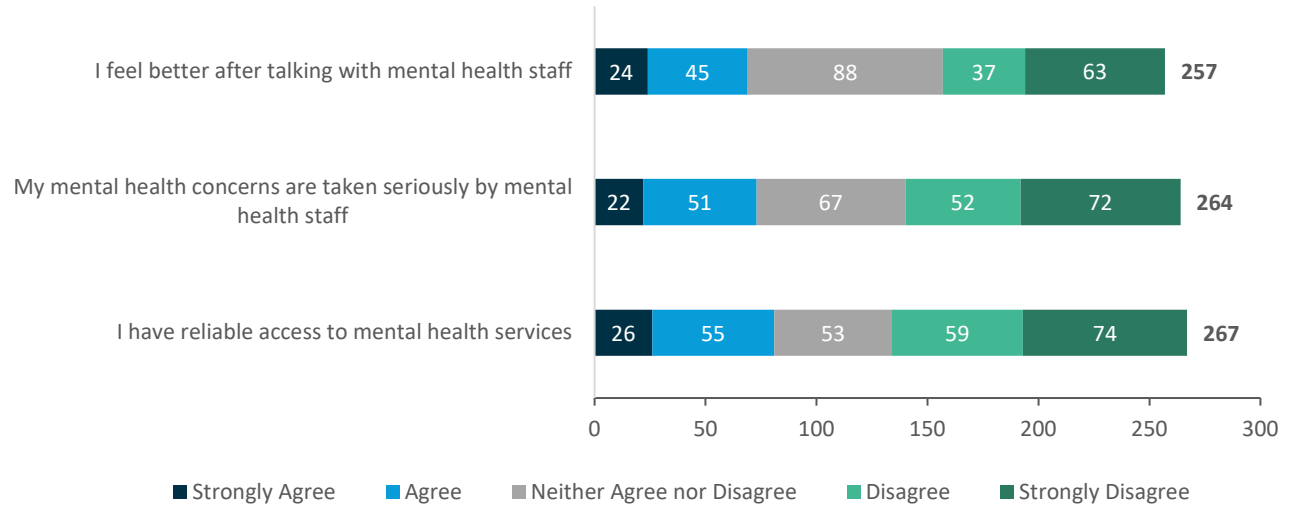
Source: 2024 Survey of Incarcerated Women

Table C.4
Self-Rating of Mental Health Before Incarceration and Since Incarceration
2024 Survey of Incarcerated Women



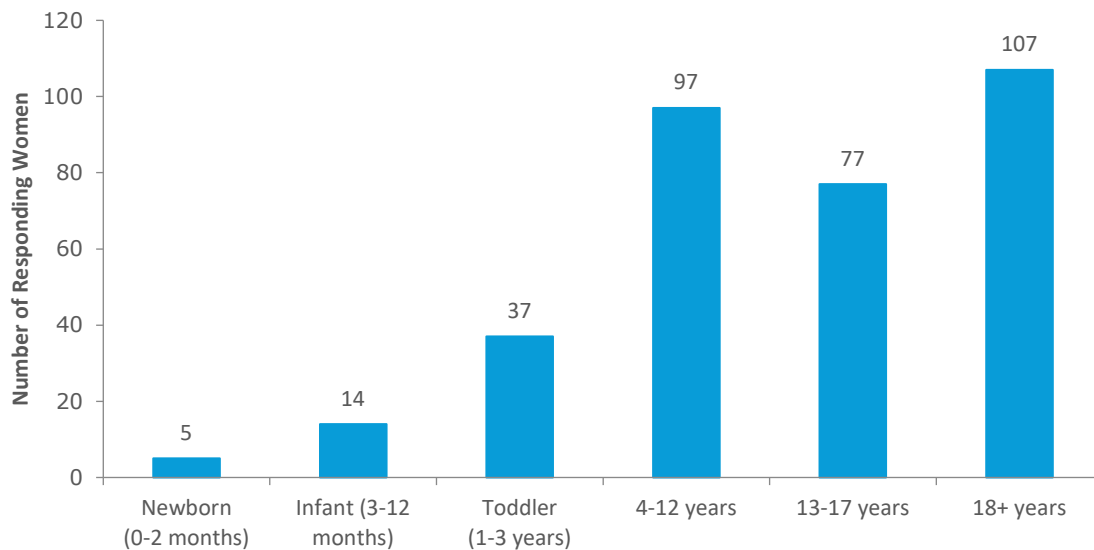
Source: 2024 Survey of Incarcerated Women

Table C.5
Offender Perception of Facility-Provided Mental Health Service
2024 Survey of Incarcerated Women



Source: 2024 Survey of Incarcerated Women

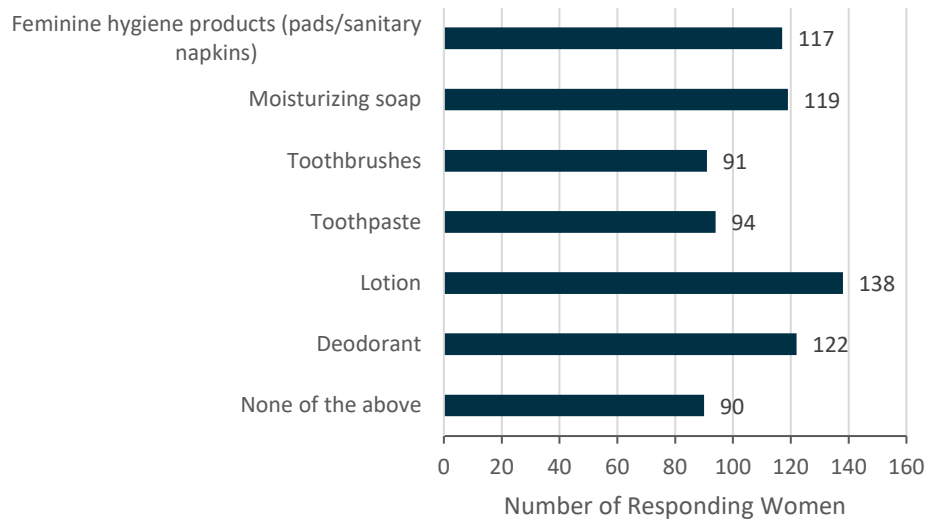
Table C.6
Ages of Children*
2024 Survey of Incarcerated Women



*Some women have children in multiple age groups

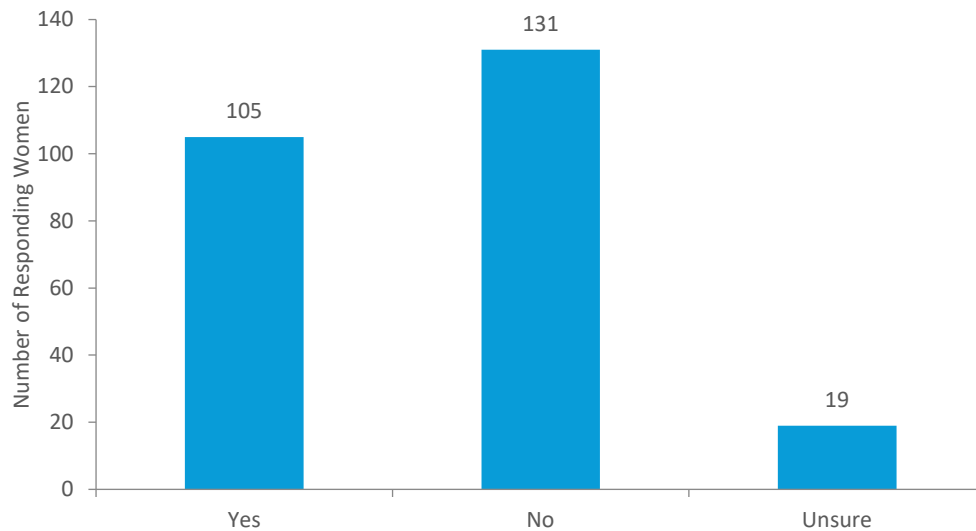
Source: 2024 Survey of Incarcerated Women

Table C.7
“Have you had any difficulty obtaining any of the following hygiene products during incarceration?”
2024 Survey of Incarcerated Women



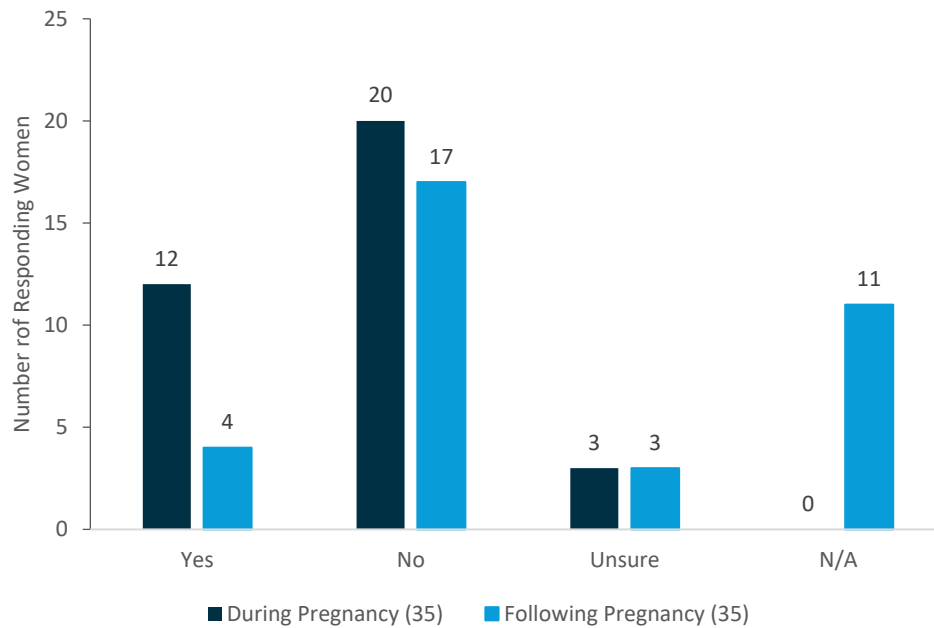
Source: 2024 Survey of Incarcerated Women

Table C.8
“Were you offered a pregnancy test upon intake?”
2024 Survey of Incarcerated Women



Source: Prepared by legislative auditor’s staff using results from a survey administered to women incarcerated in state and local correctional facilities.

Table C.9
“Have you ever been placed in solitary confinement while pregnant or within 8 weeks following a pregnancy?”
2024 Survey of Incarcerated Women



Source: 2024 Survey of Incarcerated Women