

2022 Regular Session

HOUSE BILL NO. 731

BY REPRESENTATIVE DUPLESSIS

JUVENILES/DETENTION FAC: Provides relative to emergency preparedness plans for juvenile detention facilities

1 AN ACT

2 To enact R.S. 15:912, relative to juvenile facilities; to provide relative to written policies,
3 procedures, and practices for emergency preparedness within the Department of
4 Children and Family Services and Office of Juvenile Justice; to provide relative to
5 an emergency preparedness plans; to provide relative to fire drills; to provide relative
6 to an alternate power source policy; to provide relative to compliance with national
7 fire protection standards; to provide for exemption from capacity requirements; and
8 to provide for related matters.

9 Be it enacted by the Legislature of Louisiana:

10 Section 1. R.S. 15:912 is hereby enacted to read as follows:

11 §912. Emergency preparedness; juvenile facilities

12 A. The Department of Children and Family Services and Office of Juvenile
13 Justice shall have written policies, procedures, and practices to ensure that every
14 juvenile detention center and institution is prepared for evacuations, operational
15 emergencies, or any other disasters which could impact the operations of the facility
16 or the safety of juveniles, staff, and, visitors. Quick reference guides shall be
17 accessible and located in a designated area. These procedures shall be reviewed and
18 revised as necessary and will incorporate responses to any of the following events:

19 (1) Disturbances and riots.

20 (2) Hostages.

- 1 (3) Bomb threats.
- 2 (4) Use of emergency medical services.
- 3 (5) Gas leaks, spills, or attacks.
- 4 (6) Power failure.
- 5 (7) Escapes.
- 6 (8) Severe weather, including hurricanes, tornadoes, or flooding.
- 7 (9) Fires and smoke.
- 8 (10) Chemical leaks.
- 9 (11) Work stoppage.
- 10 (12) National security threats.
- 11 B. The emergency preparedness plan shall cover all of the following:
- 12 (1) The identification of key personnel and their specific responsibilities
13 during an emergency or disaster.
- 14 (2) Reciprocity agreements with other agencies or departments in accordance
15 with Children's Code Article 822 pertaining to the housing of juveniles from
16 evacuating facilities.
- 17 (3) Transportation to pre-determined evacuation sites.
- 18 (4) Notification to family members of a juvenile's location once he has been
19 safely evacuated and upon his return to the facility.
- 20 (5) Needs of juveniles with disabilities in cases of an emergency.
- 21 (6) Immediate release of juveniles from locked areas in case of an
22 emergency, with clearly delineated responsibilities for unlocking doors.
- 23 (7) The evacuation of juveniles to safe or sheltered areas, including
24 procedures for addressing both planned and unplanned evacuations and to alternate
25 locations both in close proximity to the facility as well as long distance evacuations.
- 26 (8) Access to medication and other necessary supplies or equipment.
- 27 (9) Development of protocols and agreements with local juvenile courts to
28 release as many juveniles as possible to their families during an evacuation.

1 (10) Assessment of disaster-related mental health needs of juveniles and
2 plans and protocols to meet these needs.

3 C.(1) The department and office shall conduct one fire drill per month and
4 one drill per shift every ninety days at varying times of the day. Documentation of
5 the fire drill shall include all of the following:

6 (a) Date of the drill.

7 (b) Time of the drill.

8 (c) Number of minutes to evacuate facility.

9 (d) Number of juveniles evacuated.

10 (e) Problems observed during the drill.

11 (f) Noted corrections to any problems observed during the drill.

12 (g) Signatures of staff present during the drill.

13 (2) The department and office shall make every effort to ensure that staff and
14 juveniles in every facility recognize the nature and importance of fire drills.

15 D.(1) An alternate power source policy shall be developed. Each facility
16 shall have an alternate source of electrical power that provides for the simultaneous
17 operations of life safety systems including all of the following:

18 (a) Emergency lighting.

19 (b) Illuminated emergency exit lights and signs.

20 (c) Emergency audible communication systems and equipment.

21 (d) Fire detection alarms systems.

22 (e) Ventilation and smoke management systems.

23 (f) Refrigeration of medication.

24 (g) Medical devices.

25 (h) Door locking devices.

26 (2)(a) The alternate power source system shall be tested by automatic
27 self-checks or manual checks to ensure the system is in working condition.

1 (b) Any system malfunctions or maintenance needs that are identified during
2 a test, or at any other time, shall be immediately submitted to the appropriate
3 personnel through a written maintenance request by a facility staff member.

4 E.(1) Each facility shall adhere to the applicable rules and regulations
5 established in the National Fire Protection Association's Life Safety Code Standards.

6 (2) The department and office shall ensure that reliable means are provided
7 to permit the prompt release of juveniles confined in locked sections, spaces, or
8 rooms in the event of fire or other emergency.

9 (3) Prompt release from secure areas shall be guaranteed on a twenty-four
10 hour basis by sufficient personnel with ready access to keys.

11 F. Notwithstanding any other provision of law to the contrary, a facility
12 shall be exempt from capacity requirements in order to house juveniles from any
13 affected facility that is under a declared state of emergency due to a natural disaster
14 or other operational emergency.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 731 Engrossed

2022 Regular Session

Duplessis

Abstract: Provides relative to emergency preparedness procedures for juvenile facilities.

Proposed law provides that the Dept. of Children and Family Services and the Office of Juvenile Justice shall have written policies, procedures, and practices to ensure that every facility and institution is prepared for evacuations, operational emergencies, or any other disasters which could impact the operations of the facility or the safety of juveniles, staff, and, visitors. Provides that quick reference guides shall be accessible and located in a designated area.

Proposed law provides that evacuation, operational emergency, or any other disaster procedures shall be reviewed and revised as necessary and shall incorporate responses to any of the following events: disturbances and riots; hostages; bomb threats; use of emergency medical services; gas leaks, spills, or attacks; power failures; escapes; severe weather, including hurricanes, tornadoes, or flooding; fires and smoke; chemical leaks; work stoppages; or national security threats.

Proposed law provides that emergency preparedness plan shall cover all of the following:

- (1) The identification of key personnel and their specific responsibilities during an emergency or disaster.

- (2) Reciprocity agreements with other agencies or departments in accordance with present law (Ch.C. Art. 822) pertaining to the housing of juveniles from evacuating facilities.
- (3) Transportation to pre-determined evacuation sites.
- (4) Notification to family members of a juvenile's location once he has been safely evacuated and upon his return to the facility.
- (5) Needs of juveniles with disabilities in cases of an emergency.
- (6) Immediate release of juveniles from locked areas in case of an emergency, with clearly delineated responsibilities for unlocking doors.
- (7) The evacuation of juveniles to safe or sheltered areas, including procedures for addressing both planned and unplanned evacuations and to alternate locations both in close proximity to the facility as well as long distance evacuations.
- (8) Access to medication and other necessary supplies or equipment.
- (9) Development of protocols and agreements with local juvenile courts to release as many juveniles as possible to their families during an evacuation.
- (10) Assessment of disaster-related mental health needs of juveniles and plans and protocols to meet these needs.

Proposed law provides that the Dept. of Children and Family Services and the Office of Juvenile Justice shall conduct one fire drill per month and one drill per shift every 90 days at varying times of the day. Provides that documentation of the fire drill shall include all of the following: the date and time of the drill; the number of minutes to evacuate facility; the number of juveniles evacuated; problems observed during the drill and noted corrections to these problems; and signatures of staff present during the drill.

Proposed law provides that the Dept. of Children and Family Services and the Office of Juvenile Justice shall make every effort to ensure that staff and juveniles in every facility recognize the nature and importance of fire drills.

Proposed law provides for the development of an alternate power source policy. Provides that each facility shall have an alternate source of electrical power that provides for the simultaneous operations of life safety systems including all of the following: emergency lighting; illuminated emergency exit lights and signs; emergency audible communication systems and equipment; fire detection alarms systems; ventilation and smoke management systems; refrigeration of medication; medical devices; and door locking devices.

Proposed law provides that the alternate power source system shall be tested by automatic self-checks or manual checks to ensure the system is in working condition. Provides that any system malfunctions or maintenance needs that are identified during a test, or at any other time, shall be immediately submitted to the appropriate personnel through a written maintenance request by a facility staff member.

Proposed law provides that each facility shall adhere to the applicable rules and regulations established in the National Fire Protection Association's Life Safety Code Standards.

Proposed law provides that the Dept. of Children and Family Services and the Office of Juvenile Justice shall ensure that reliable means are provided to permit the prompt release of juveniles confined in locked sections, spaces, or rooms in the event of fire or other emergency.

Proposed law provides that prompt release from secure areas shall be guaranteed on a 24 hour basis by sufficient personnel with ready access to keys.

Proposed law provides an exemption from capacity requirements for facilities in order to house juveniles from any affected facility that is under a declared state of emergency due to a natural disaster or other operational emergency.

(Adds R.S. 15:912)

Summary of Amendments Adopted by House

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

1. Replace references to the Dept. of Public Safety and Corrections with the Dept. of Children and Family Services and Office of Juvenile Justice.
2. Make written policies, procedures, and practices applicable to juvenile detention centers.