

House Bill 179

By: Representatives Hutchinson of the 106th, Kennard of the 101st, Cannon of the 58th, Evans of the 89th, Mitchell of the 88th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 2 of Chapter 4 of Title 42 of the Official Code of Georgia Annotated,
2 relating to conditions of detention, so as to provide for limitations on the use of solitary
3 confinement and seclusion in correctional facilities; to provide a short title; to provide for
4 definitions; to provide for responsibilities of the department; to provide for reporting
5 requirements; to provide for related matters; to repeal conflicting laws; and for other
6 purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 4 of Title 42 of the Official Code of Georgia Annotated, relating to
10 conditions of detention, is amended by adding a new Code section to read as follows:

11 "42-4-32.1.

12 (a) This Code section shall be known and may be cited as the 'Solitary Confinement
13 Limitation Act.'

14 (b) As used in this Code section, the term 'solitary confinement' or 'confinement' means
15 any form of physical separation or seclusion from the general population of a correctional
16 facility during which an inmate is placed alone in a locked room or cell for 22 hours or

17 more out of a 24 hour period or has interpersonal contact less than three times per 24 hour
18 period. Such term shall include administrative segregation.

19 (c) When an inmate is subjected to confinement in a correctional facility the department
20 shall:

21 (1) Ensure that any such confinement is imposed only within the medical units of the
22 facility;

23 (2) Digitally record each incident from the initiation of the confinement for the duration
24 of any such incident; and

25 (3) Document any de-escalation efforts implemented, the reason or reasons for which the
26 use of confinement was implemented, and the duration of the confinement.

27 (d) The warden or facility administrator of each correctional facility shall furnish monthly
28 reports to the department. Each report shall include quantified data accurately providing
29 the number of instances of solitary confinement within such facility."

30

SECTION 2.

31 All laws and parts of laws in conflict with this Act are repealed.