

1 State of Arkansas  
2 92nd General Assembly  
3 Regular Session, 2019  
4

# A Bill

HOUSE BILL 1755

5 By: Representatives Scott, Gazaway  
6 By: Senators Elliott, A. Clark  
7

## For An Act To Be Entitled

9 AN ACT CONCERNING THE SOLITARY CONFINEMENT OF  
10 INDIVIDUALS WHO ARE UNDER EIGHTEEN (18) YEARS OF AGE;  
11 AND FOR OTHER PURPOSES.  
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## Subtitle

15 CONCERNING THE SOLITARY CONFINEMENT OF  
16 INDIVIDUALS WHO ARE UNDER EIGHTEEN (18)  
17 YEARS OF AGE.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. Arkansas Code Title 9, Chapter 27, Subchapter 3, is amended  
23 to add an additional section to read as follows:

24 9-27-371. Solitary confinement of juveniles.

25 A juvenile who has been placed or detained in a juvenile detention  
26 facility shall not be placed in solitary confinement as a disciplinary  
27 measure for more than twenty-four (24) hours unless the:

28 (1) Placement of the juvenile in solitary confinement is due to:

29 (A) A physical or sexual assault committed by the juvenile  
30 while in the juvenile detention facility;

31 (B) Conduct of the juvenile that poses an imminent threat  
32 of harm to the safety or well-being of the juvenile, the staff, or other  
33 juveniles in the juvenile detention facility; or

34 (C) The juvenile escaping or attempting to escape from the  
35 juvenile detention facility; and

36 (2)(A) Director of the juvenile detention facility provides



1 written authorization to place the juvenile in solitary confinement for more  
2 than twenty-four (24) hours.

3 (B) The director of the juvenile detention facility shall  
4 provide the written authorization described in subdivision (2)(A) of this  
5 section for every twenty-four-hour period during which the juvenile remains  
6 in solitary confinement after the initial twenty-four (24) hours.

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8 SECTION 2. Arkansas Code Title 12, Chapter 29, is amended to add an  
9 additional section to read as follows:

10 12-29-117. Solitary confinement of inmates who are minors.

11 (a) As used in this section, "minor" means a person who is under  
12 eighteen (18) years of age.

13 (b) A minor who is an inmate at a state correctional facility shall  
14 not be placed in solitary confinement as a disciplinary measure for more than  
15 twenty-four (24) hours unless the:

16 (1) Placement of the minor in solitary confinement is due to:

17 (A) A physical or sexual assault committed by the minor  
18 while in the state correctional facility;

19 (B) Conduct of the minor that poses an imminent threat of  
20 harm to the safety or well-being of the minor, the staff, or other inmates in  
21 the state correctional facility; or

22 (C) The minor escaping or attempting to escape from the  
23 state correctional facility; and

24 (2)(A) Director of the state correctional facility provides  
25 written authorization to place the minor in solitary confinement for more  
26 than twenty-four (24) hours.

27 (B) The director of the state correctional facility shall  
28 provide the written authorization described in subdivision (b)(2)(A) of this  
29 section for every twenty-four-hour period during which the minor remains in  
30 solitary confinement after the initial twenty-four (24) hours.

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