1	State of Arkansas A D:11	
2	93rd General Assembly A Bill	
3	Regular Session, 2021 HOUSE BILL 1	.887
4		
5	By: Representative Gazaway	
6		
7	For An Act To Be Entitled	
8	AN ACT TO COLLECT DATA REGARDING THE USE OF SOLITARY	
9	CONFINEMENT IN ARKANSAS PRISONS AND JAILS; AND FOR	
10	OTHER PURPOSES.	
11		
12		
13	Subtitle	
14	TO COLLECT DATA REGARDING THE USE OF	
15	SOLITARY CONFINEMENT IN ARKANSAS PRISONS	
16	AND JAILS.	
17		
18	DE IM ENACHED DY MUE CENEDAL ACCEMBLY OF MUE CHAME OF ADVANCAC.	
19	BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:	
20 21	SECTION 1. Arkansas Code Title 12, Chapter 1, is amended to add an	
22	additional section to read as follows:	
23	12-1-103. Inmate segregation data collection — Definitions.	
24	(a) As used in this section:	
25	(1) "Segregation" means a type of detention that involves the	
26	removal of a person from the general inmate population, including solitary	
27	confinement, whether voluntary or involuntary, in which the person is place	ed
28	in a locked room or cell for approximately twenty-two (22) hours or more or	
29	of a twenty-four-hour period;	
30	(2) "Serious mental illness" means one (1) or more of the	
31	following disorders as classified in the American Psychiatric Association's	<u>3</u>
32	Diagnostic and Statistical Manual of Mental Disorders, as it existed on	
33	<u>January 1, 2021:</u>	
34	(A) A disorder categorized under the schizophrenia	
35	spectrum and other psychotic disorders;	
36	(B) Bipolar disorder;	

1	(C) Major depressive disorder;
2	(D) Delusional disorder;
3	(E) Post-traumatic stress disorder; and
4	(F) Traumatic brain injury; and
5	(3) "Suicide" means the act or an instance of taking one's own
6	life voluntarily and intentionally.
7	(b) In addition to any other report required by law, the Department of
8	Corrections, the Division of Youth Services, and all local and regional
9	detention facilities shall submit a quarterly report to the Legislative
10	Council showing the number of persons disciplined or transferred to
11	segregation during the prior quarter, including the following information
12	<pre>concerning those persons:</pre>
13	(1) Racial composition;
14	(2) Gender;
15	(3) The number of persons:
16	(A) Who are in protective custody;
17	(B) Who are twenty-one (21) years of age or younger;
18	(C) Who are fifty-five (55) years of age or older; and
19	(D) With a serious mental illness;
20	(4) The number of:
21	(A) Suicides; and
22	(B) Suicides attempted by persons housed in segregation;
23	(5) The number of persons who died while in segregation;
24	(6) The number of persons who are in segregation for:
25	(A) Fifteen (15) to thirty (30) days;
26	(B) Thirty-one (31) to ninety (90) days;
27	(C) Ninety-one (91) to one hundred eighty (180) days;
28	(D) One hundred eighty-one (181) days to three hundred
29	sixty-five (365) days;
30	(E) One (1) to three (3) years;
31	(F) Three (3) to six (6) years; and
32	(G) More than six (6) years;
33	(7) The number of persons in segregation due to a disciplinary
34	infraction; and
35	(8) The number of persons in segregation due to a disciplinary
36	infraction, categorized by type of disciplinary infraction as follows:

1	(A) Violence to self;
2	(B) Violence to others;
3	(C) Possession of drug-related contraband;
4	(D) Masturbation or indecent exposure;
5	(E) Sex with another person;
6	(F) Failure to obey order of staff;
7	(G) Refusing a direct verbal order;
8	(H) Verbal or written assault or threat;
9	(I) Insolence to a staff member;
10	(J) Use of force on an inmate;
11	(K) Creating unnecessary noise;
12	(L) Out of place of assignment;
13	(M) Refusal to submit to testing;
14	(N) Possession or introduction of drugs;
15	(0) Unauthorized use of state property;
16	(P) Keep person or quarters with regulation;
17	(Q) Possession, introduction, or use of a cell phone;
18	(R) Possession or introduction of fireworks;
19	(S) Use of drugs, alcohol, or chemicals;
20	(T) Unexcused absence from work or school;
21	(U) Banding together or demonstration;
22	(V) Provoking or agitating a fight;
23	(W) Possession or introduction of prohibited clothing;
24	(X) Lying to a staff member;
25	(Y) Destruction of property;
26	(Z) Use of force on staff;
27	(AA) Throwing or ejecting of bodily fluids or excrement;
28	(BB) Purchase of unauthorized articles; or
29	(CC) Other disciplinary infractions not set out under this
30	subdivision (b)(8).
31	
32	SECTION 2. DO NOT CODIFY. TEMPORARY LANGUAGE.
33	The first report required under Section 1 of this act shall be
34	completed on or before October 1, 2021.
35	
36	

4/6/2021 4:06:13 PM BPG505