

Summary

Trends in Corrections Data and Transparency

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Related Topic: [Civil and Criminal Justice](#)

Prisons are generally under the control and jurisdiction of state departments of correction; jails are run by localities. However, it is not uncommon for state legislatures to put in place certain statutory requirements that these facilities must follow.

Increasingly, legislatures are taking steps to improve the understanding of what is happening behind prison walls. While states take a variety of approaches to corrections oversight, they tend to share common themes of improved data collection and increased transparency. States have also created new oversight bodies and made changes to existing bodies.

Data and Transparency

Many of the bills enacted by states in recent years addressing corrections have created reporting requirements for correctional facilities. These reports cover a variety of topics, such as whether a facility is in compliance with mandated standards or funding-related data.

Over the last few years, however, states have shown particular interest in data related to the deaths of individuals in correctional facilities. Arizona, California, Hawaii, Louisiana, Maryland and Virginia have enacted legislation in this space in recent years.

Arizona [Senate Bill 1629 \(2024\)](#) requires the director of the Department of Corrections to submit annual reports on the number of individuals who have died, committed suicide, or attempted suicide while in custody. This bill requires the report to be submitted to specified legislative leaders, including judiciary committee chairs in both chambers. In other states, reports may be required to be submitted to different entities or people, such as the governor or attorney general.

Where some legislation requires that correctional facilities submit reports to certain people in state government, some states have taken it a step further by requiring certain information be made available to the public.

California [Senate Bill 519 \(2023\)](#) makes any records related to investigations of deaths within local correctional facilities available to the public. Maryland, Hawaii and Virginia enacted similar legislation requiring different departments to make information available for public viewing on the relevant department's website.

Oversight Bodies

State legislative action also increasingly focuses on oversight bodies. In some cases, states have created entirely new entities that are tasked with overseeing correctional facilities, such as an office of the ombudsman or a committee. The responsibilities and powers of these entities vary among states.

Virginia [Senate Bill 456 \(2024\)](#) created the Office of the Department of Corrections Ombudsman, which has the power to create policy, carry out investigations and inspections, and is granted access to all department facilities without prior notice.

While some states create new oversight bodies, in some instances already existing entities are granted additional responsibilities and powers. In Colorado, [House Bill 1054 \(2024\)](#) requires the attorney general to conduct assessments of jails to ensure that the jails are in compliance with [state standards](#).

Similarly, [legislation in California](#) grants the Office of the Inspector General investigative authority over all cases of staff misconduct that involve sexual conduct with an incarcerated person.

In some cases, states [such as Florida](#) will grant certain individuals who are not specifically part of a dedicated oversight body the ability to visit correctional facilities whenever they choose. Learn more about legislative approaches to prison oversight [in this snapshot](#).