



Written by [Veronika Kyrylenko](#) on June 25, 2024

Louisiana Becomes First State to Mandate Surgical Castration of Child Rapists

Louisiana has made history by becoming the first state in the United States in which judges may order offenders guilty of specific sex crimes against children to undergo surgical castration. [Senate Bill 371](#), introduced by State Senator Regina Barrow, was signed into law by Republican Governor Jeff Landry on June 18.

The new law allows Louisiana judges to impose surgical castration on offenders aged 17 and older who are convicted of aggravated sex crimes against victims under the age of 13. The procedure will be overseen by the Department of Public Safety and Corrections, but will only be performed if deemed medically appropriate. This punishment is in addition to any other sentence the offenders will receive, such as a prison sentence.

A court-appointed medical expert will be required to determine within 60 days whether the offender is a suitable candidate for surgical castration. If the offender is sentenced to a period of incarceration, the procedure must be performed no later than one week prior to his release.

Failure to comply with a court order for surgical castration could result in additional charges, with offenders facing three to five years in prison without the possibility of probation, parole, or suspension of sentence.

The legislation received bipartisan support in the state legislature. During an April committee hearing, Republican State Senator Valarie Hodges described the measure as a necessary consequence for those guilty of sex crimes against children.

“It’s a step beyond just going to jail and getting out,” Hodges said, according to [The Associated Press](#).

The report highlights that Senator Barrow, a Democrat from Baton Rouge, emphasized the severity of the crimes targeted by the law, stating, “We are talking about babies who are being violated by somebody. That is inexcusable.”

“For me, when I think about a child, one time is too many,” Barrow said in response to critics arguing that the punishment was too harsh for someone who may have committed a single offense.

Barrow’s legislation would also be applicable to female sex offenders.

The bill initially mandated the procedure for all convicted sex offenders, but was later amended to allow judges the discretion to order it on a case-by-case basis.

Louisiana has permitted voluntary chemical castration for individuals convicted of rape since 2008.



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Under the existing law, offenders could opt for physical castration as an alternative to treatment with medroxyprogesterone acetate (MPA), provided they filed a written motion with the court giving their voluntary consent.

The introduction of Senate Bill 371 marks a significant expansion of the state's punitive measures. While chemical castration uses medications to block testosterone production and reduce sex drive, surgical castration involves the removal of testicles or ovaries, making it a much more invasive procedure.

Supporters of the new law hope it will serve as a powerful deterrent against committing sex crimes against children. As reported by [Fox News](#), Democratic Representative Delisha Boyd emphasized the urgency of the legislation by highlighting a recent case involving a 51-year-old Baton Rouge man who allegedly raped a 12-year-old girl while already on the sex offender registry for a prior offense in 2007. Boyd believes the bill could serve as a deterrent to potential repeat offenders.

Louisiana Attorney General Liz Murrill took on X to celebrate the new law and thanked Barrow for "a new tool against those who hurt our kids."

Despite its passage, the bill is expected to face significant legal challenges. Critics argue that surgical castration constitutes "cruel and unusual" punishment, potentially violating the Eighth Amendment to the U.S. Constitution and raising significant ethical and legal concerns.

Democratic State Senator Edmond Jordan highlighted the financial implications of defending the statute in court, estimating the cost at least \$100,000, per a Fox News report.

Jordan also raised concerns about the historical context of such punishments, drawing parallels to the lynching and castration of black men during the Jim Crow era, suggesting the law could disproportionately affect black men. "I know [the law is] race neutral. I know we say it can apply to anybody, but we all know who it affects," he said.

Civil-rights advocates, including Bruce Reilly of Voice of the Experienced, have also voiced strong opposition to the bill. Reilly argued that the legislation crosses ethical boundaries, stating, "There's not supposed to be any mutilation of people's bodies" in crime and punishment, according to Fox News. He further emphasized that Louisiana has one of the highest wrongful conviction rates in the country, suggesting that innocent individuals could be subjected to irreversible punishment.

Katrina Sifferd, a philosophy professor at Elmhurst University, highlighted the broader implications, noting that the United States has historically deemed retributive punishments such as "an eye for an eye" as cruel and unusual. "We don't rape rapists. We don't cut off the hands of thieves," she [told the AP](#).

The new law would not be applied to 2,224 individuals currently incarcerated in the state for sex crimes against children, as it is set to take effect on August 1.

Louisiana is making national headlines as Governor Jeff Landry signs several groundbreaking bills passed during the state's legislative session. One notable [new law mandates](#) the display of the Ten Commandments in public-school classrooms, marking Louisiana as the first state to implement such a requirement. Additionally, Louisiana will [become the first state](#) to classify drugs used for abortions, mifepristone and misoprostol, as controlled substances.



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