

By: Guillen

H.B. No. 1266

Substitute the following for H.B. No. 1266:

By: Parker

C.S.H.B. No. 1266

A BILL TO BE ENTITLED

1 AN ACT

2 relating to a review of and report regarding the use of adult and
3 juvenile administrative segregation in facilities in this state.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. DEFINITION. In this Act, "facility" means:

6 (1) a facility operated by or under contract with the
7 Texas Department of Criminal Justice;

8 (2) a facility operated by a municipality, or a
9 private vendor on behalf of a municipality, for the confinement of a
10 person arrested for, charged with, or convicted of a criminal
11 offense; or

12 (3) a public or private juvenile secure detention
13 facility.

14 SECTION 2. REVIEW OF ADMINISTRATIVE SEGREGATION POLICIES.

15 The Criminal Justice Legislative Oversight Committee shall appoint
16 an independent third party to conduct a review of facilities in this
17 state regarding the facilities' use of adult and juvenile
18 administrative segregation and related statistics, including:

19 (1) classification to administrative segregation and
20 release from administrative segregation;

21 (2) security threat group classification;

22 (3) notification of release and release procedures;

23 (4) access of adults and juveniles confined in
24 administrative segregation to:

- 1 (A) mental health services;
- 2 (B) health care services;
- 3 (C) substance abuse programs and services;
- 4 (D) reentry resources and transitional programs
- 5 and services; and
- 6 (E) other programs and services that are
- 7 available to the general adult and juvenile population;
- 8 (5) access of adults confined in administrative
- 9 segregation to programs and services for adults who are veterans;
- 10 (6) the number of adults and juveniles confined in
- 11 administrative segregation who were referred to mental health
- 12 professionals;
- 13 (7) the average length of time adults and juveniles
- 14 were continuously confined in administrative segregation; and
- 15 (8) the rate of recidivism among adults and juveniles
- 16 who were confined in administrative segregation at any time.

17 SECTION 3. REPORT. Not later than December 31, 2014, the
18 independent third party shall provide a report of the third party's
19 findings and recommendations to the governor, the lieutenant
20 governor, the speaker of the house of representatives, and the
21 standing legislative committees with primary jurisdiction over
22 criminal justice matters. At a minimum, the report must contain
23 detailed recommendations to:

- 24 (1) reduce the administrative segregation population
- 25 in facilities in this state;
- 26 (2) divert adults and juveniles with mental illness
- 27 from administrative segregation; and

1 (3) decrease the length of time adults and juveniles
2 are confined in administrative segregation in facilities in this
3 state.

4 SECTION 4. PUBLIC INFORMATION. Chapter 552, Government
5 Code, applies to:

6 (1) the review conducted by the independent third
7 party under this Act and all information gathered and analyzed for
8 that review, including background research and any report or
9 summary; and

10 (2) the report submitted by the independent third
11 party under Section 3 of this Act.

12 SECTION 5. EXPIRATION. This Act expires February 1, 2015.

13 SECTION 6. EFFECTIVE DATE. This Act takes effect September
14 1, 2013.