

By: Carona, et al.  
(Guillen)

S.B. No. 1003

Substitute the following for S.B. No. 1003:

By: White

C.S.S.B. No. 1003

A BILL TO BE ENTITLED

AN ACT

1  
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 Subject to the availability of funds from gifts, grants, and  
16 donations accepted under Section 3 of this Act, the Criminal  
17 Justice Legislative Oversight Committee shall appoint an  
18 independent third party to conduct a review of facilities in this  
19 state regarding the facilities' use of adult and juvenile  
20 administrative segregation and related statistics, including:

21 (1) classification to administrative segregation and  
22 release from administrative segregation;

23 (2) security threat group classification;

24 (3) notification of release and release procedures;

1           (4) access of adults and juveniles confined in  
2 administrative segregation to:

3                   (A) mental health services;

4                   (B) health care services;

5                   (C) substance abuse programs and services;

6                   (D) reentry resources and transitional programs  
7 and services; and

8                   (E) other programs and services that are  
9 available to the general adult and juvenile population;

10           (5) access of adults confined in administrative  
11 segregation to programs and services for adults who are veterans;

12           (6) the number of adults and juveniles confined in  
13 administrative segregation who were referred to mental health  
14 professionals;

15           (7) the average length of time adults and juveniles  
16 were continuously confined in administrative segregation; and

17           (8) the rate of recidivism among adults and juveniles  
18 who were confined in administrative segregation at any time.

19           SECTION 3. ACCEPTANCE OF GIFTS, GRANTS, AND DONATIONS. (a)  
20 For the purpose of funding the third-party review under Section 2 of  
21 this Act, the Criminal Justice Legislative Oversight Committee may:

22                   (1) apply for and accept:

23                           (A) gifts, grants, and donations from any  
24 organization described in Section 501(c)(3) or (4) of the Internal  
25 Revenue Code of 1986; and

26                           (B) federal grants; and

27                   (2) accept donations from an individual or a private

1 entity.

2 (b) All gifts, grants, and donations must be reported in the  
3 public records of the Criminal Justice Legislative Oversight  
4 Committee with the name of the donor and purpose of the gift, grant,  
5 or donation accepted.

6 SECTION 4. REPORT. Not later than December 31, 2014, the  
7 independent third party shall provide a report of the third party's  
8 findings and recommendations to the governor, the lieutenant  
9 governor, the speaker of the house of representatives, and the  
10 standing legislative committees with primary jurisdiction over  
11 criminal justice matters. At a minimum, the report must contain  
12 detailed recommendations to:

13 (1) reduce the administrative segregation population  
14 in facilities in this state;

15 (2) divert adults and juveniles with mental illness  
16 from administrative segregation; and

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

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

22 (1) the review conducted by the independent third  
23 party under this Act and all information gathered and analyzed for  
24 that review, including background research and any report or  
25 summary; and

26 (2) the report submitted by the independent third  
27 party under Section 4 of this Act.

1 SECTION 6. EXPIRATION. This Act expires February 1, 2015.

2 SECTION 7. EFFECTIVE DATE. This Act takes effect September  
3 1, 2013.