

BILL ANALYSIS

Senate Research Center
83R21328 JRR-D

C.S.S.B. 1003
By: Carona
Criminal Justice
4/18/2013
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

In 2011, the Texas Department of Criminal Justice (TDCJ) housed 8,784 prisoners in administrative segregation, also known as solitary confinement. While the current administrative segregation population in Texas is over five percent of the total prison population, the national average is under two percent. Of the 8,784 Texans in administrative segregation, TDCJ reported that 2,060 were identified with a serious mental health or mental retardation diagnosis.

C.S.S.B. 1003 amends current law relating to a review of and report regarding the use of adult and juvenile administrative segregation in facilities in this state.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. DEFINITION. Defines "facility" in this Act.

SECTION 2. REVIEW OF ADMINISTRATIVE SEGREGATION POLICIES. Requires the governor to appoint an independent third party to conduct a review of facilities in this state regarding the facilities' use of adult and juvenile administrative segregation and certain related statistics.

SECTION 3. REPORT. Requires the independent third party, not later than December 1, 2014, to provide a report of the third party's findings and recommendations to the governor, the lieutenant governor, the speaker of the house of representatives, and the standing legislative committees with primary jurisdiction over criminal justice matters. Requires that the report, at a minimum, contain detailed recommendations to:

- (1) reduce the administrative segregation population in facilities in this state;
- (2) divert adults and juveniles with mental illness from administrative segregation; and
- (3) decrease the length of time adults and juveniles are confined in administrative segregation in facilities in this state.

SECTION 4. PUBLIC INFORMATION. Provides that Chapter 552 (Public Information), Government Code, applies to the review conducted by the independent third party under this Act and all information gathered and analyzed for that review, including background research and any report or summary, and the report submitted by the independent third party under Section 3 of this Act.

SECTION 5. EXPIRATION. Provides that this Act expires February 1, 2015.

SECTION 6. EFFECTIVE DATE. Effective date: September 1, 2013.