

BILL ANALYSIS

Senate Research Center
87R3065 JRR-D

S.B. 807
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Everyone deserves to be treated with respect, regardless of who they are. This idea of equal treatment is not often thought about when referring to the prison population. They are often stereotyped to be bad people. This is untrue for most who have acted out of desperation or ignorance. Despite this, they should still be treated as human beings. That means the facilities they stay in should meet standards to house them so. The Texas Commission on Jail Standards (TCJS) has to conduct yearly inspections of the 241 county jails in our state. As of 2020, 21 county jails failed the inspection. That is alarming because inmates could be without essentials. For instance, many women in jail experience hygiene product insecurity. This can be due to contracts being up or not being able to afford it. This can cause bad feminine hygiene and further affect the minds and spaces of women and jail.

S.B. 807 allows for surprise inspections of county jails. This is important to consider because jails are given time to try to make it seem as though they are in regulation just during the inspection and continue to have inmates suffer.

As proposed, S.B. 807 amends current law relating to certain inspections of county jails by the Commission on Jail Standards.

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. Amends Chapter 511, Government Code, by adding Section 511.0107, as follows:

Sec. 511.0107. UNANNOUNCED ANNUAL INSPECTIONS OF COUNTY JAILS. (a)
Requires the Texas Commission on Jail Standards (TCJS) to annually conduct an unannounced inspection of each county jail. Requires that the inspection evaluate:

- (1) the jail's treatment of and policies regarding pregnant prisoners, including the jail's compliance with the minimum requirements established under Section 511.009(a)(18)(relating to the adoption of rules for county jails regarding care requirements for pregnant prisoners), and

the rules and procedures established under Section 511.0104 (Electronic Submission of Forms, Data, and Documents), as added by Chapter 1074 (H.B. 1651), Acts of the 86th Legislature, Regular Session, 2019; and

(2) the living conditions and general welfare of all prisoners.

(b) Authorizes TCJS to conduct the inspection required under this section in conjunction with an inspection conducted under Section 511.009(a)(9)(relating to the inspection of county jails to ensure compliance with state law, commission orders, and rules and procedures) or (15)(relating to announced and unannounced inspections of jails under TCJS's jurisdiction using the risk assessment plan).

(c) Requires TCJS to:

(1) annually hold a public meeting on TCJS's findings concerning the inspections conducted under this section during the preceding year; and

(2) include in the annual report submitted under Section 511.015 (Annual Reports) the findings described by Subdivision (1), and any recommendations for legislative or other action.

(d) Requires TCJS, in developing recommendations under Subsection (c)(2), to solicit and consider stakeholder input.

SECTION 2. Effective date: January 1, 2022.