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HOUSE OF REPRESENTATIVES

Marise Marquay

FLOOR AMENDMENT NO. _____

BY: _____

1 Amend C.S.^S.B. No. ²¹³~~2289~~ (house committee printing) as
2 follows:

3 (1) On page 1, line 15, strike "Section 493.031" and
4 substitute "Sections 493.031, 493.032, and 493.033".

5 (2) On page 2, between lines 20 and 21, insert the
6 following:

7 Sec. 493.032. ANNUAL REPORT. (a) Not later than January 1
8 of each year, the department shall submit a written report
9 containing the information described by Subsection (b) to:

- 10 (1) the governor;
- 11 (2) the lieutenant governor;
- 12 (3) the speaker of the house of representatives; and
- 13 (4) each standing committee of the senate and house of
14 representatives having primary jurisdiction over the department.

15 (b) The report must include the following information for
16 the preceding fiscal year:

- 17 (1) the number of inmates in the general prison
18 population who were referred to mental health professionals and the
19 reasons for the referrals;
- 20 (2) the number of inmates confined in administrative
21 segregation who were referred to mental health professionals and
22 the reasons for the referrals;
- 23 (3) a summary of the types of offenses for which each
24 inmate was imprisoned;
- 25 (4) the number of documented suicide attempts by
26 inmates in the general prison population;
- 27 (5) the number of documented suicide attempts by
28 inmates confined in administrative segregation;
- 29 (6) the number of inmates who were confined in

1 administrative segregation immediately before the inmates'
2 discharge from the department;

3 (7) the number of inmates who were confined in
4 administrative segregation immediately before the inmates' release
5 on parole or to mandatory supervision;

6 (8) the rate of recidivism among:

7 (A) inmates who were never confined in
8 administrative segregation before the inmates' release or
9 discharge from the department;

10 (B) inmates who were confined in administrative
11 segregation immediately before the inmates' release or discharge
12 from the department; and

13 (C) inmates who were confined in administrative
14 segregation at any time prior to the inmates' release or discharge
15 from the department and who are not described by Paragraph (B);

16 (9) for inmates confined in administrative
17 segregation at any time during the fiscal year:

18 (A) the average length of time an inmate was
19 continuously confined in administrative segregation;

20 (B) the longest and shortest length of time an
21 inmate was continuously confined in administrative segregation;

22 (C) a summary of the offenses for which inmates
23 confined in administrative segregation were imprisoned; and

24 (D) a summary of the reasons for which inmates
25 were placed in administrative segregation;

26 (10) the number of inmates discharged or released
27 directly from the general prison population who have obtained
28 regular employment on or before the 180th day after the inmates'
29 release or discharge, to the extent that information is available;

30 (11) the number of inmates discharged or released
31 directly from confinement in administrative segregation who have

1 obtained regular employment on or before the 180th day after the
2 inmates' release or discharge, to the extent that information is
3 available;

4 (12) the number of reviews conducted by the department
5 concerning an inmate's placement in administrative segregation and
6 the number of those reviews that resulted in the inmate being
7 transferred to the general prison population;

8 (13) the number of inmates who were transferred from
9 administrative segregation to the general prison population as a
10 result of successfully completing a program designed to facilitate
11 the return of an inmate to the general prison population; and

12 (14) information regarding the operations and
13 activity of gangs, identified security threat groups, or other
14 disruptive groups within each facility operated by or under
15 contract with the department.

16 Sec. 493.033. INFORMATION CONCERNING COST OF CONFINEMENT IN
17 ADMINISTRATIVE SEGREGATION. The Legislative Budget Board shall
18 include in its Criminal Justice Uniform Cost Report the cost per day
19 calculation of confining an inmate in administrative segregation.

20 (3) Add the following appropriately numbered SECTIONS to
21 the bill and renumber subsequent SECTIONS of the bill accordingly:

22 SECTION ____ . Subchapter A, Chapter 501, Government Code, is
23 amended by adding Section 501.023 to read as follows:

24 Sec. 501.023. USE OF ADMINISTRATIVE SEGREGATION. (a) The
25 department shall conduct a review of the department's policies
26 regarding the use of administrative segregation. The review must
27 examine methods to reduce the number of inmates housed in
28 administrative segregation, including alternatives to
29 administrative segregation. Based on the review, the department
30 shall develop a plan to reduce the department's use of
31 administrative segregation.

1 (b) The plan must provide an inmate confined in
2 administrative segregation with the following, based on the
3 inmate's assessed risks and needs and the personal safety of the
4 inmate or another person:

5 (1) the opportunity to participate in programs and
6 services in the inmate's cell that are similar to the educational
7 courses, work-related training, or other technical or vocational
8 programs that are available to the general inmate population;

9 (2) increases in the amount of time the inmate is
10 allowed out of the inmate's cell based on the length of the inmate's
11 period of confinement in administrative segregation;

12 (3) the opportunity to exercise with inmates in the
13 general prison population;

14 (4) daily contact with prison staff; and

15 (5) access to audio and visual media that provide the
16 inmate with appropriate mental stimulation.

17 (c) In addition to the requirements of Subsection (b), for
18 an inmate confined in administrative segregation for reasons other
19 than the inmate's misconduct or disciplinary record or membership
20 in a gang or identified security threat group, the plan must allow
21 the inmate:

22 (1) adequate and regular access to mental health
23 services; and

24 (2) if the inmate will be confined in administrative
25 segregation immediately before the inmate's release or discharge
26 from the department, access to services and programs that assist
27 inmates in developing:

28 (A) the ability to obtain and maintain long-term
29 employment and stable housing; and

30 (B) social skills and life skills, including
31 building and maintaining parenting skills, anger management

1 techniques, positive family interactions, and law-abiding
2 behavior.

3 (d) The department shall develop and include in the plan a
4 program that provides an opportunity for an inmate who is confined
5 in administrative segregation based on the inmate's membership in a
6 gang or security threat group to return to the general prison
7 population. The program may not exceed eight months in length and
8 must be available to an inmate who:

9 (1) has renounced the inmate's membership in the gang
10 or security threat group; and

11 (2) during the one-year period preceding the inmate's
12 application to the program has not:

13 (A) committed assault against another inmate or a
14 member of the prison staff;

15 (B) been the subject of major disciplinary
16 action; or

17 (C) participated in any gang-related or security
18 threat group-related activity.

19 (e) The plan may not result in increased danger to inmates
20 imprisoned in, or employees employed at, any facility operated by
21 or under contract with the department.

22 SECTION _____. (a) The Texas Department of Criminal Justice
23 shall submit the first report required under Section 493.032,
24 Government Code, as added by this Act, not later than January 1,
25 2014.

26 (b) Not later than June 1, 2014, the Texas Department of
27 Criminal Justice shall submit for review and comment the plan
28 developed under Section 501.023, Government Code, as added by this
29 Act, to:

30 (1) the governor;

31 (2) the lieutenant governor;

- 1 (3) the speaker of the house of representatives;
- 2 (4) each standing committee of the senate and house of
- 3 representatives having primary jurisdiction over the department;
- 4 and
- 5 (5) the Legislative Budget Board.