

## **BILL ANALYSIS**

H.B. 1084  
By: Márquez  
Corrections  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

In the Texas corrections system, many inmates are housed in several categories of solitary confinement, known officially as administrative segregation. Interested parties note that some inmates are placed in administrative segregation due to gang membership regardless of whether they have committed an institutional offense on behalf of the gang. It is further noted that inmates in administrative segregation are denied many privileges, including contact visits, participation in educational or vocational programs, good-time credits, and other freedoms granted to the general population.

H.B. 1084 aims to reduce the number of inmates housed in administrative segregation, lessen harmful psychological impacts of prolonged solitary confinement, cut costs, and promote the rehabilitation of inmates.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1084 amends the Government Code to require the Texas Department of Criminal Justice (TDCJ), not later than January 1 of each year beginning with January 1, 2016, to submit to the governor, the lieutenant governor, the speaker of the house of representatives, and each standing committee of the senate and house of representatives having primary jurisdiction over TDCJ a written report containing certain information for the preceding fiscal year regarding inmates in the general prison population and inmates confined in administrative segregation and information regarding the operations and activity of gangs, identified security threat groups, or other disruptive groups within each facility operated by or under contract with TDCJ. The bill specifies the information required to be included in this report. The bill requires the Legislative Budget Board (LBB) to include in its Criminal Justice Uniform Cost Report the cost per day calculation of confining an inmate in administrative segregation.

H.B. 1084 requires TDCJ to conduct a review of TDCJ policies regarding the use of administrative segregation and requires the review to examine methods for reducing the number of inmates housed in administrative segregation, including alternatives to administrative segregation. The bill requires TDCJ, based on the review, to develop a plan to reduce TDCJ's use of administrative segregation. The bill requires the plan to provide an inmate confined in administrative segregation with specified services and opportunities based on the inmate's

assessed risks and needs and the personal safety of the inmate or another person and to provide an inmate confined in administrative segregation for reasons other than the inmate's misconduct or disciplinary record or membership in a gang or identified security threat group with additional specified services and programs. The bill requires TDCJ to develop and include in the plan a program that provides an opportunity for an inmate who is confined in administrative segregation based on the inmate's membership in a gang or identified security threat group to return to the general prison population and sets out provisions applicable to such a program. The bill prohibits the plan from resulting in increased danger to inmates imprisoned in, or employees employed at, any facility operated by or under contract with TDCJ. The bill requires TDCJ, not later than June 1, 2016, to submit the plan for review and comment to the governor, the lieutenant governor, the speaker of the house of representatives, each standing committee of the senate and house of representatives having primary jurisdiction over TDCJ, and the LBB.

**EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.