

By: Rodríguez

S.B. No. 890

A BILL TO BE ENTITLED

AN ACT

relating to restricting the use of administrative segregation by the Texas Department of Criminal Justice for certain inmates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 501, Government Code, is amended by adding Section 501.068 to read as follows:

Sec. 501.068. PROGRAM FOR CERTAIN INMATES WITH SERIOUS MENTAL ILLNESS. (a) In this section, "inmate with a serious mental illness" means an inmate confined by the department who has a substantial disorder of thought or mood that significantly impairs the inmate's judgment, behavior, capacity to recognize reality, or ability to cope with the ordinary demands of life. The term includes an inmate who has current symptoms of or is receiving treatment for:

(1) any of the following Axis I diagnoses as defined by the American Psychiatric Association in the Diagnostic and Statistical Manual of Mental Disorders, fourth edition:

(A) schizophrenia, including any schizophrenia subtype;

(B) delusional disorder;

(C) schizophreniform disorder;

(D) schizoaffective disorder;

(E) brief psychotic disorder;

(F) substance-induced psychotic disorder, other

1 than intoxication or withdrawal;

2 (G) bipolar disorder I or II;

3 (H) major depressive disorder; or

4 (I) any other psychotic disorder;

5 (2) a mental disorder that includes being actively
6 suicidal;

7 (3) a mental illness that is frequently characterized
8 by breaks with reality or perceptions of reality that lead to
9 significant functional impairment;

10 (4) an organic brain syndrome that results in
11 significant functional impairment if not treated;

12 (5) a severe personality disorder that is manifested
13 by frequent episodes of psychosis or depression and results in
14 significant functional impairment; or

15 (6) an intellectual disability with significant
16 functional impairment.

17 (b) The department, in conjunction with each managed health
18 care provider network established under Section 501.147, shall
19 establish a diversion program that is designed to:

20 (1) remove inmates with a serious mental illness from
21 administrative segregation; and

22 (2) prevent the initial placement of inmates with a
23 serious mental illness in administrative segregation.

24 (c) Each program established under this section must:

25 (1) focus on stabilizing inmates with a serious mental
26 illness by placing the inmates in less restrictive housing; and

27 (2) include policies and practices, scaled over a

1 three-year period, that will divert not less than 90 percent of
2 inmates with a serious mental illness from administrative
3 segregation to less restrictive housing.

4 (d) The department shall report to the legislature not later
5 than January 15 of each odd-numbered year the results of each
6 program, including:

7 (1) the number of program participants that
8 successfully integrate into a less restrictive housing placement;

9 (2) the recidivism rates for inmates with a serious
10 mental illness, including those that participate in each program;
11 and

12 (3) any additional data or information the legislature
13 or the department considers relevant to assessing the program.

14 SECTION 2. Subchapter C, Chapter 501, Government Code, is
15 amended by adding Section 501.0961 to read as follows:

16 Sec. 501.0961. REENTRY STEP-DOWN PROGRAM FOR CERTAIN
17 INMATES IN ADMINISTRATIVE SEGREGATION. (a) The department, in
18 conjunction with each managed health care provider network
19 established under Section 501.147, shall establish a program for
20 inmates who:

21 (1) are projected to be released or discharged from
22 the department in 180 days or less; and

23 (2) have been confined in administrative segregation
24 for at least 180 consecutive days and would otherwise remain in
25 administrative segregation until release or discharge.

26 (b) Each program established under this section must:

27 (1) house inmates described by Subsection (a) in a

1 residential, therapeutic housing unit within a correctional
2 facility in lieu of confinement in administrative segregation;

3 (2) provide clinically appropriate and habilitative
4 programs and services to the inmates with the goal of ensuring
5 successful reentry; and

6 (3) focus on building prosocial behaviors and reducing
7 the likelihood of recidivism.

8 (c) The department shall report to the legislature not later
9 than January 15 of each odd-numbered year the results of each
10 program, including the recidivism rates of inmates who participate
11 in each program.

12 SECTION 3. This Act takes effect September 1, 2015.