

[2019 Session] Improve Safety, Conditions, and Efficiency in Adult Corrections Facilities by Establishing an Independent Ombudsman

Policy Background

The Texas Department of Criminal Justice (TDCJ) has a variety of *internal* accountability mechanisms, including the offender grievance process, the Ombudsman office (which handles inquiries from the public), and the Office of the Inspector General (which conducts investigations and policy monitoring). However, those mechanisms do not and cannot serve the same role or offer the same benefits as external oversight, which promotes transparency, accountability, and good government, and reduces the likelihood of expensive litigation against the agency.

In light of recent scandals, it is especially timely and important for TDCJ to implement independent oversight. Media reports have revealed a quota system for disciplinary measures, which led to four indictments; allegations that guards have ignored inmates' claims of physical and sexual abuse; denial of medical care; and ongoing in-custody deaths and suicide attempts.¹ The state must take action to protect the 145,000 people on hand in its facilities.²

Proposed Solution

Create an independent, external oversight body that can: (1) review and analyze pertinent data from TDCJ, proactively assess the efficacy of existing programs and services, and determine long-range needs, providing preventive rather than reactive assistance; and (2) conduct routine monitoring of prisons, oversee and investigate complaints against TDCJ, and focus on how and where improvements can be made to secure the rights and safety of inmates and prison staff.

Relevant Bills

- **Bill Number:** [HB 363](#) [Jarvis Johnson; Allen; Miller; Wu; Sherman, Sr.]
Bill Caption: Relating to the creation of the office of independent oversight ombudsman for the Texas Department of Criminal Justice.
TCJE Materials: [Fact Sheet](#) | [Infographic](#)

House Hearing Notice: [Corrections, March 14, 2019](#)

TCJE House Action: [Testimony in support](#)

House Hearing Video: [Corrections, 3/14/19](#)

- **Bill Number:** [SB 188](#) [Miles]

Bill Caption: Relating to the creation of the office of independent oversight ombudsman for the Texas Department of Criminal Justice.

Other Bills Related to Prison Conditions

- **Bill Number:** [HB 936](#) [Canales]

Bill Caption: Relating to a study on reducing the level at which the air temperature in facilities operated by the Texas Department of Criminal Justice is regulated.

House Hearing Notice: [Corrections, March 21, 2019](#)

TCJE House Action: [Testimony in support](#)

House Hearing Video: [Corrections, 3/21/19](#)

- **Bill Number:** [HB 2873](#) [Yvonne Davis]

Bill Caption: Relating to the room placement of individuals with Alzheimer's disease or dementia in health care facilities and correctional facilities.

House Hearing Notice: [Public Health, April 3, 2019](#)

TCJE House Action: [Card in support](#)

House Hearing Video: [Public Health, 4/3/19](#)

- **Bill Number:** [HB 3720](#) [Neave; Allen; Sherman, Sr.; Stephenson]

Bill Caption: Relating to minimum compensation for inmates participating in certain work programs.

House Hearing Notice: [Corrections, April 18, 2019](#)

TCJE House Action: [Card in support](#)

House Hearing Video: [Correction, 4/18/19](#)

- **Bill Number:** [HB 3920](#) [Dutton]

Bill Caption: Relating to the establishment of the inmate legal services office and to the appointment and compensation of certain legal counsel for certain indigent inmates and other persons in secure correctional facilities.

House Hearing Notice: [Criminal Jurisprudence, April 29, 2019](#)

TCJE House Action: [Testimony in support](#)

House Hearing Video: [Criminal Jurisprudence, 4/29/19](#)

- **Bill Number:** **SB 321** [Menéndez]

Bill Caption: Relating to the temperature at which a facility operated by the Texas Department of Criminal Justice is maintained.

¹ Hannah Wiley, “[Advocates say the timing is right for independent oversight of Texas prisons](#),” *Texas Tribune*, November 26, 2018.

² Texas Department of Criminal Justice, *FY 2017 Statistical Report*, 1.