



Douglas Smith, MSSW, Policy Analyst

Work: (512) 441-8123, ext. 102

Cell: (512) 960-0534

dsmith@TexasCJC.org

www.TexasCJC.org

FACT SHEET 2015

HB 1084

Allow the Texas Department of Criminal Justice to Document and Review Its Policies Regarding Confinement in Administrative Segregation

Documenting statistics regarding the mental health of incarcerated individuals, and conducting a review of the use of solitary confinement, will allow the Department to begin to reduce its use

Texas has the second-largest population of incarcerated individuals in solitary confinement (administrative segregation) in the country, housing more than 7,500 individuals.¹ According to the Texas Department of Criminal Justice (TDCJ), administrative segregation is intended to be used for individuals “who must be separated from the general population because they are dangerous...or they are in danger from other offenders.”² These criteria are very broad, allowing for all manner of individuals to be kept in solitary confinement, with an average length-of-stay of almost four years.³ **This is alarming: Keeping incarcerated individuals in solitary confinement is not only incredibly expensive, but it also can cause or exacerbate existing mental health disturbances.**⁴

More specifically, administrative segregation can add to mental health deterioration, including suicide, depression, paranoia, psychosis, and other antisocial behaviors, but it also breaks down a person’s ability to interact with other human beings, erodes their family relationships, and deprives them of educational, rehabilitative, and religious programming that would give them the tools to be successful upon release.⁵ According to research done by the University of Texas at Houston, formerly incarcerated individuals who have been diagnosed with a mental illness are 70 percent more likely to recidivate.⁶ Additionally, those who are released from solitary confinement are more likely to commit violent crimes.⁷

KEY FINDINGS

- **TDCJ spends \$46 million a year housing inmates in administrative segregation**, spending \$19.17 more on each person per day than it would spend housing a person in general population.⁸
- Altogether, TDCJ confines 4.4 percent of its prison population in administrative segregation. If TDCJ dropped its use of solitary confinement to 1.4 percent of its population, it could **save taxpayers \$31 million per year.**⁹
- On average, **a person incarcerated in Texas spends 3.7 years in solitary confinement.**¹⁰
- In 2013, TDCJ released 1,243 people directly from administrative segregation to the community. Those individuals lived for years with little human contact and had extremely limited access to education and rehabilitative programming.¹¹
- More than 60 percent of people released directly from solitary confinement were **rearrested within three years.**¹²

Continued on reverse.

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT HB 1084 BY REPRESENTATIVES MÁRQUEZ, GUILLEN, AND JAMES WHITE

- **HB 1084 will require the Texas Department of Criminal Justice (TDCJ) to document the number of inmates in administrative segregation who were referred to mental health professionals, have attempted suicide, and were confined immediately before release, as well as document the recidivism rate among individuals who were confined immediately before release.** This critical data will shine a light on the mental health of individuals being placed in administrative segregation, and will ultimately allow TDCJ to formulate more effective strategies for the use of administrative segregation. Reducing the rate at which administrative segregation is used will save money, ensure greater access to programming options, and correspondingly reduce recidivism.
- **HB 1084 will require TDCJ to document the number of discharged individuals released directly from administrative segregation who have obtained regular employment within 180 days of release.** Research suggests that administrative segregation erodes the social skills required to maintain stable employment.¹³ Collecting data related to employment outcomes of those who were released directly from administrative segregation will help track the progress of this population post-release, and will provide a roadmap for developing effective in-prison programming to ensure that these individuals are better able to become productive members of their communities upon release.
- **HB 1084 will require TDCJ to review its policies regarding the use of administrative segregation and examine alternatives and methods to reduce the number of individuals housed in administrative segregation.** This data will help the Department examine its programs and initiate a plan to improve and reduce the use of administrative segregation. It is important to move toward a new institutional attitude that views solitary confinement as a rare practice to be used in exceptional circumstances and for short periods of time.¹⁴ This is a reform directly in line with the “smart on crime” approach favored by a majority of Texans.¹⁵

Citations

¹ *Solitary Confinement in Texas Prisons*, Texas Civil Rights Project, February 25, 2014, <http://solitarywatch.com/wp-content/uploads/2014/02/Texas-Civil-Rights-Project-Solitary-Confinement-in-Texas-Prisons.pdf>.

² *Offender Orientation Handbook*, Texas Department of Criminal Justice, January 2015, 6, http://www.tdcj.state.tx.us/documents/Offender_Orientation_Handbook_English.pdf.

³ Elisa Mosler, “Texas Lockdown: Solitary Confinement in the Lone Star State,” *Solitary Watch*, July 6, 2011.

⁴ Shelby Sementelli, “Advocates Urge Prison Officials to Reconsider Death Row Isolation,” *The Texas Tribune*, January 29, 2014, <http://www.kbtx.com/home/headlines/Advocates-Urge-Prison-Officials-to-Reconsider-Death-Row-Isolation-242676051.html>.

⁵ Butler, Burke, Arthur Liman, and Matthew Simpson, *A Solitary Failure: The Waste, Cost and Harm of Solitary Confinement in Texas*, American Civil Liberties Union of Texas, February 2015, 6.

⁶ Hannah Rhodes, *UTHealth Research: Mental Health Care Lacking in State and Federal Prisons*, January 9, 2015, <https://www.uth.edu/media/story.htm?id=3a2b7eb8-093a-46bf-aa3a-629688c47022>.

⁷ Butler, Burke, Arthur Liman, and Matthew Simpson, *A Solitary Failure*.

⁸ *Ibid*, 9.

⁹ *Ibid*.

¹⁰ *Ibid*.

¹¹ *Ibid*, 2.

¹² *Ibid*, 8.

¹³ *Ibid*, 31.

¹⁴ *Ibid*, 11.

¹⁵ Nik Rajkovic, *Poll: Texans Support Criminal Justice Reform*, Texas Public Policy Foundation, March 12, 2015, http://www.texaspolicy.com/press_release/detail/poll-texans-support-criminal-justice-reform.