



Lindsey Linder, Senior Policy Attorney

Work: (512) 441-8123, ext. 110

LLinder@TexasCJC.org

[www.TexasCJC.org](http://www.TexasCJC.org)

2019 FACT SHEET

CSHB 650

## Dignity for Incarcerated Women

*CSHB 650 will improve the treatment of women incarcerated in Texas' state corrections facilities, and increase the likelihood that women can successfully rejoin their families and communities*

The number of women in Texas prisons has grown by nearly 1,000 percent since 1980 (more than twice the rate of men).<sup>1</sup> Texas now incarcerates more women by sheer number than any other state in the nation.<sup>2</sup> However, because women comprise only a small portion of the overall incarcerated population, their needs have been largely disregarded in larger criminal justice reform conversations.

The Texas Criminal Justice Coalition conducted a survey of women incarcerated in Texas prisons and received more than 430 responses. The survey found that a staggering 81 percent of these women are mothers (compared to 68 percent of men). More than half of the responding women were physically or sexually abused prior to their incarceration (with 58 percent having been sexually abused as a child), and 82 percent were survivors of domestic violence. Along with, and perhaps as a result of, these significant trauma histories, these women also reported high rates of mental health problems and attempts to self-medicate. Sadly, the Texas Department of Criminal Justice (TDCJ) reports that the majority (64 percent) of women are incarcerated for nonviolent (predominately drug-related) offenses.<sup>3</sup>

### KEY FINDINGS

- Research shows that women who receive gender-specific, trauma-informed care while incarcerated are 360 percent more likely to complete voluntary community-based treatment upon release and are 67 percent less likely to return to prison.<sup>4</sup>
- **In 2016, 196 women gave birth in Texas prisons – a number that does not begin to account for births in state and county jails.**<sup>5</sup> Pregnant women in Texas prisons and jails are a distinct group that deserves particular attention because many of the challenges they face with respect to reentry, mental illness, substance use, and past trauma are intensified by maternal health challenges in correctional settings.
- Maintaining connection with family has been shown to reduce recidivism in parents, and many of the negative effects of parental incarceration on the children themselves can be nullified when they are considered in family unity policies<sup>6</sup> – which is why other states have begun implementing family sentencing alternative programs.<sup>7</sup>

### COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT CSHB 650 BY REPRESENTATIVES WHITE, KLICK, HOWARD, NEAVE, AND MEZA

**CSHB 650 takes various steps to improve outcomes for justice system-involved women**, including requiring TDCJ to implement the following:

- **Correctional officer training** related to medical and mental health care for pregnant women, pregnancy and parenting classes, and additional nutritional support for pregnant women;
- Limits on **invasive searches** of pregnant women;

*Continued on reverse.*

- A prohibition of **shackling** of women while pregnant or within a month afterwards;
- A prohibition of the use of **solitary confinement** for pregnant women and those who gave birth within the previous month;
- A prohibition on beds for pregnant women that are higher than 3 feet above the floor;
- 72-hour **post-delivery care**, where an infant can remain with his or her mother (unless it would pose a health or safety risk to either);
- **Expanded visitation** to twice weekly with children under 18 years of age, with restrictions only for security concerns;
- A requirement that searches of women be conducted only by female correctional officers;
- Expanded access to **feminine hygiene products**, including free products for women who are indigent; and
- One-time **trauma screenings** upon intake to identify significant trauma and refer those inmates to the proper health care professional for treatment.

CSHB 650 addresses many of the unique issues facing women incarcerated in TDCJ, including pregnant women. **Ultimately, this bill will require TDCJ to better treat these women with dignity and will increase the likelihood that women can successfully rejoin their families and communities.**

## Citations

---

<sup>1</sup> Texas Department of Criminal Justice, data request, 2017.

<sup>2</sup> Aleks Kajstura, Prison Policy Initiative, in a call with TCJC Policy Attorney Lindsey Linder on September 5, 2017. This refers to all incarcerated women, including immigrant detainees, and is based on 2010 U.S. Census Bureau data.

<sup>3</sup> Lindsey Linder, *A Growing Population: The Surge of Women into the Texas Criminal Justice System*, March 2018, <https://www.texascjc.org/womens-justice>.

<sup>4</sup> Avinash Singh Bhati, John K. Roman, and Aaron Chalfin, *To Treat or Not to Treat: Evidence on the Prospects of Expanding Treatment to Drug-Involved Offenders*, April 2008, xvi, [http://www.urban.org/UploadedPDF/411645\\_treatment\\_offenders.pdf](http://www.urban.org/UploadedPDF/411645_treatment_offenders.pdf).

<sup>5</sup> Linder, *A Growing Population*.

<sup>6</sup> See generally, Prison Legal News: Lowering Recidivism Through Family Communication, April 2014, <https://www.prisonlegalnews.org/news/2014/apr/15/lowering-recidivism-through-family-communication/>.

<sup>7</sup> Oregon Department of Corrections and Oregon Department of Human Services, *Family Sentencing Alternative Pilot Program: Report to the Senate and House Committees on Judiciary*, January 2018, [https://www.oregon.gov/cjc/documents/doc\\_fsap\\_report.pdf](https://www.oregon.gov/cjc/documents/doc_fsap_report.pdf).