

Tuesday, August 24, 2010
FOR IMMEDIATE RELEASE

For more information:
Janis Monger, Communications Director
TEXAS APPLESEED
512/ 296-8043, jmonger@texasappleseed.net

U.S. Department of Justice Urged to Investigate Health & Safety Problems, Education Deficiencies in Texas Youth Commission Facilities

Austin, TX – Four advocacy groups, two of them based in Texas, today called on the U.S. Department of Justice to investigate accounts of widespread unsafe conditions and serious programming deficiencies in 10 secure lockdown facilities operated by the **Texas Youth Commission (TYC)** – conditions violating the Constitutional rights of incarcerated youth and jeopardizing their rehabilitation.

Incidents of violence creating a climate of fear, improper use of restraints, inadequate mental health care, lack of educational programming with inadequate provision for special education students, and poor conditions in security (segregation) are among the issues raised in a letter to the Justice Department’s Chief of Special Litigation Judy Preston signed by representatives of Texas-based **Advocacy, Inc.** and public interest law center **Texas Appleseed**; the **Center for Public Representation** in Northampton, MA; and the **National Center for Youth Law** in Oakland, CA.

Attorneys with these groups have interviewed youth in almost every secure TYC unit in the state. Most of these facilities, which together house about 2,000 youth, are located far away from urban centers, making staffing the facilities and recruiting teachers difficult.

Chief among the complaints raised by the advocates is a breach of 14th Amendment rights caused by undue restraint or inappropriate excessive force used against incarcerated youth. Teens interviewed at the Corsicana Residential Treatment Center and at the Al Price State Juvenile Correctional Facility in Beaumont repeatedly told advocates that they “do not feel safe,” said Texas Appleseed **Legal Director Deborah Fowler**.

“These facilities have two of the highest rates for reports of assault by youth and by staff, according to data kept by the TYC Office of Inspector General. Only one other secure facility –

Crockett State School – is consistently linked to a higher number of reports of assault,” said Fowler. “One youth, whose broken jaw was still wired shut from a fight a month before, told us he had been in security ‘with nothing to do’ since returning from the hospital because staff were afraid to return him to the dorm.”

Gross deficiencies in educational programming are a widespread problem in these youth facilities, said **Assistant Director Robert Fleischner** with the Center for Public Representation.

“Data received from TYC in response to an open records request document a high number of school days cancelled or shortened, either due to a shortage of staff or youth misbehavior in five facilities – Al Price, Crockett, Gainesville, Mart II, and Ron Jackson I in Brownwood,” Fleischner said. “We heard that the school work provided these youth is little more than worksheets in many cases, which undermines rehabilitation efforts.”

While 37 percent of youth in TYC have “serious mental health problems,” a much higher percentage of youth – 48 percent – had some need for mental health treatment in TYC in 2009. As an example, the advocates’ letter cites a culture of self-injurious behavior at the Corsicana facility, in particular “serious and dangerous cutting.” Corsicana typically serves about 130 youth with perceived serious mental health issues but, as of August 6, 2010, there were only two unlicensed PhD psychologists, two licensed associate psychologists, and two unlicensed psychologist interns on staff – with one psychiatrist providing services 17 hours per week on average, according to data supplied in response to the advocates’ open records requests.

Managing Attorney Beth Mitchell of Advocacy Inc., said, “One of our clients at Corsicana, who is diagnosed with schizoaffective disorder, hears voices telling her to harm herself, but because mental health staffing is so inadequate, she is only able to see a different psychiatrist each month via televideo. Her meds are constantly changing and, in one instance, she was prescribed two contraindicated anti-psychotic medications that led to a dramatic increase in her self-harming behavior.”

Senior Attorney Pat Arthur with the National Center for Youth Law said the problems at TYC underscore “the urgent need for community-based services, which can prevent youth from becoming incarcerated in the first place.”

For interviews or more information, contact one of the following persons listed below:

Deborah Fowler
Legal Director
Texas Appleseed
(512) 473-2800 x. 105

Beth Mitchell
Managing Attorney
Advocacy Inc.
(512) 454-4816

Pat Arthur
Senior Attorney
National Center for Youth Law
Oakland, CA 94612
(206) 409-0027

Robert Fleischner
Assistant Director
Center for Public Representation
Northampton, MA
(413) 587-6265