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Re: Ongoing Lockdowns Initiated in August

Director Carter,

The Texas Juvenile Justice Department announced at its August 21st Board Meeting that the agency initiated a systemwide lockdown on all five youth prisons starting on August 14th. [Last time](#) an extended system-wide lockdown occurred, children imprisoned in TJJD were forced to defecate and urinate on their lunch trays, missed out on weeks of required educational services, and faced the trauma and psychological impacts associated with solitary confinement. The recent round of lockdowns have led to similar effects with documentation of self-harm by youth, delayed responses from staff to youth harming themselves, delays in giving youth bathroom breaks, and an escalation in the use of force by staff.¹

TJJD's cited reason for the lockdowns is the reported injury of a correctional officer from a youth incarcerated at the Gainesville unit. The agency claims many pods have moved away from "full lockdown" to staggered lockdown or "slow-downs." After more than one month, the agency has still not publicly shared the protocols of the various lockdown stages, but accounts we have received indicate that even the mildest lockdown phase remained alarmingly restrictive. At the most restrictive stage, one youth reported that no one was allowed out of their cell to shower for more than seven minutes and that during this time, the youth were handcuffed and shackled. He also had to choose between taking a shower or making a phone call home to his family.

[At the August TJJD Board meeting](#), you said "this is not a punishment, and it's not a violation of youth rights." And yet, hundreds of youth in the agency's care were denied access to programming and subjected to inadequate supervision, both of which contributed to numerous instances of self-harm, all because of an isolated incident that they were not involved in.

¹ Satija, Neena and Toluwani Osibamowo, *Texas youth prison lockdown records detail self-harm, delayed care, and escalating use of force*, KERA News (Sept. 22, 2026), available at <https://www.keranews.org/criminal-justice/2026-09-22/texas-juvenile-justice-department-youth-prison-lockdown-records-self-harm-delayed-care-use-of-force>.

We, the undersigned organizations, strongly disagree with your stance. Holding youth in confinement for days at a time with no relief from their cells or access to their loved ones or rehabilitative services can only be described as punitive. We vehemently oppose the practice of using group punishment to control behavioral concerns of one or a few youth, and condemn any ongoing reset, lockdown, shutdown, and slow-down practices.

Constitutional and Statutory Violations

We believe this unnecessary and harmful lockdown violates numerous constitutional and civil rights protections designed to safeguard the dignity of incarcerated young people.

First, the Fourteenth Amendment to the United States Constitution prohibits excessive periods of isolation, particularly where that isolation is compounded with other harmful conditions like deficient bathroom access. *See Hope v. Harris*, 861 F. App'x 571, 582–83 (5th Cir. 2021); *Cleveland v. Bell*, 938 F.3d 672, 676 (5th Cir. 2019). As to young people, courts have recognized “the unique harms that are inflicted on juveniles when they are placed in solitary confinement,” *J.H. v. Williamson Cnty.*, 951 F.3d 709, 718 (6th Cir. 2020), including that many incarcerated youth have pre-existing traumatic backgrounds and mental health issues that make them more susceptible to the harms of isolation, *C.P.X. v. Garcia*, 450 F. Supp. 3d 854, 909 (S.D. Iowa 2020). As one court in the Fifth Circuit put it, “[t]here is no dispute that solitary confinement has a very negative affect [sic] on the developing brain of adolescents; it exacerbates already existing mental health problems, it can exacerbate or cause the onset of mental illness and depression, and it causes an increased risk of suicide.” *Alex A. v. Edwards*, No. 22-cv-573, 2023 WL 5984280, at *18 (M.D. La. Sept. 14, 2023) (procedural history omitted).

Likewise, TJJD’s own *Rules and Consequences for Residential Facilities* clearly confer due process rights on youth in its custody. Youth are entitled to a hearing before TJJD imposes consequences that materially alter their living conditions,² and the *Rules* state that “consequences shall be established in writing in TJJD’s procedural manuals.”³ While the *Rules* are silent on the use of lockdowns or shutdowns as a consequence for rule violations, it explicitly prohibits interference with functions of daily living⁴ and isolation as a disciplinary consequence.⁵ These protections do not turn on why TJJD restricts youth. Whether the lockdown is called discipline, a security measure, or a staffing accommodation, youth confined to their rooms and cut off from daily functions experience the same deprivation, and it is not possible that TJJD provided a hearing or any individualized process before imposing it on each of them.

TJJD has offered no evidence of systemwide security issues that could justify a systemwide response. The more likely explanation is operational: a system that cannot safely staff its facilities is managing that shortfall by confining the children in its care. Staffing shortages, however serious, are not an exception to the *Rules*’ prohibition on interfering with daily living, and TJJD cannot absorb the cost of understaffing

² Tex. Juv. Justice Dep’t, GENERAL ADMINISTRATIVE POLICY MANUAL § 380.9503(e)(4), at 2 (Sept. 1, 2025), <https://www.tjjd.texas.gov/wp-content/uploads/2024/03/gap3809503.pdf>.

³ *Id.* at (e)(1).

⁴ *Id.* at (e)(3)(E).

⁵ *Id.* at (e)(3)(H).

by suspending youths' protections. If widespread security concerns did exist, the public would need to know about them, and TJJD should be providing regular communications about youth well-being and conditions. Whichever explanation is true, the lack of transparency is itself a problem.

A Path Forward: Immediate Assessment, Release, and Halt New Builds

The Department's lockdowns are not only psychologically and emotionally harmful to the youth to whom it owes a duty of care, it likely violates the Constitution, civil rights laws, and the agency's own policy. At the very least, to reduce its legal liability, TJJD should end the lockdown, partial or otherwise, immediately and refrain from using lockdowns or "resets" as a form of collective behavior management. Additionally, TJJD should ensure that quarterly lockdown drills do not disrupt the delivery of mental health care, educational instruction, and other crucial programming youth need to rehabilitate, or subject them to hours of isolation in their cells.

Further, to reduce strain on staff, address security concerns, and attempt to regain a semblance of the agency's statutorial obligation to rehabilitate the youth in its custody, TJJD should immediately conduct an assessment of all youth in its facilities and release as many of those youth as possible to their families. It should also connect them with local, community-based services that meet their needs without violating their rights and dignity. Doing so will reduce the population and ensure TJJD has sufficient staff to maintain safety and allow youth to return to their usual programming.

Given the weeks of operational disruptions, we demand that TJJD halt the upcoming facility groundbreakings set for October 1st and 7th. The agency has continuously proven an inability to safely staff and operate its existing youth prisons and deliver the rehabilitative services and care it is tasked to provide. It would be negligent for TJJD to continue the process of opening more facilities while systemwide operational challenges and staffing issues persist. The utilization of these overly punitive lockdowns is indicative of a defective system that needs to be rightsized before any expansion projects continue.

Respectfully,

/s/ Sarah Beebe

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/s/ Alirma Davis

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