Project Background

Since early 2008, Texas Appleseed has worked with pro bono partner **Weil, Gosthal & Manges LLP** to end TYC's practice of confining youth in isolation cells for up to 23 hours a day for up to a year to manage aggression. TYC has ended isolation and confinement to manage aggression and reduced its use to manage other behavior problems to a maximum of three months. Texas Appleseed is continuing to negotiate with TYC to scale back the use of isolation and confinement even further.

A year earlier, Texas Appleseed and Advocacy, Inc. sued the TYC to block a dramatic increase in the use of pepper spray to maintain order in youth facilities. The suit alleged that a directive to increase pepper spray use, issued by the then Executive Director, circumvented rule-making procedures required under the Administrative Procedure Act. Texas Appleseed's suit was filed on behalf of three plaintiffs, each of whom had a disability or mental illness and suffered injury after exposure to pepper spray. After TYC settled the suit, reports that the agency was using pepper spray in violation of the settlement agreement led the parties back into court. TYC again entered into a settlement agreement, and has subsequently reported a dramatic drop in the use of pepper spray. These documents are related to this suit:

Compromise Agreement on Use of Force at TYC (11/27/07)
Agreement Addendum (11/27/07)
Motion to Enforce

Original Petition (Filed)

That same year (2007), the TYC was placed under conservatorship in response to allegations of system-wide physical and sexual abuse of youth. That conservatorship ended in late 2008.