

February 20,2020

Chairman Patrick O'Daniel
Texas Board of Criminal Justice
PO Box 13084
Austin, Texas 78711

Dear Chairman O'Daniel,

This letter is in regards to the new "Inspect 2 Protect" program policies that will be voted on by TDCJ Board on February 25, 2020, and set to go into effect March 1, 2020. As advocates and nonprofit organizations, we assist and represent both incarcerated individuals and thousands of family members. We are united in our deep concern that some of the Inspect 2 Protect program policies are detrimental and counterproductive to the rehabilitation efforts of incarcerated individuals. Furthermore, they may place additional financial and emotional burdens on both the incarcerated individuals and their community of supporters in free society. Although TDCJ has stated that "These policy revisions are not punitive but are needed to allow for detection and interdiction of easy-to-conceal drugs and technology," the reality of the situation is that for us (families, advocates, nonprofits, and incarcerated individuals), they are punitive. Although we realize the necessity to keep both those incarcerated and TDCJ staff safe, these new policies work against our shared interest in "promoting positive change in offender behavior and reintegrating offenders into society." We believe these proposed changes are in need of serious re-evaluation. Below we have outlined our concerns and possible solutions:

1) Written mail coming into the unit: "Offenders may not receive greeting cards of any kind."

Concerns: Many family members and TDCJ volunteer organizations send greeting cards throughout the year to inspire and encourage those who are incarcerated. TDCJ's current policy already limits the types of cards. Eliminating all cards is extreme and detrimental to family and community connection, which is a large part of rehabilitation. Studies over the past 40 years from institutions like the American Correctional Association have consistently found that incarcerated individuals who maintain close contact with their family members while incarcerated have better post-release outcomes and lower recidivism rates. Greeting cards are one of the few sources of cheer and color in an otherwise dull and depressing atmosphere.

"TDCJ encourages electronic messaging to reduce the entrance of contraband."

Concerns: Electronic messaging is sometimes a helpful option. Unfortunately, it is often a more expensive option as it costs more than sending things through regular mail. Also, many family members are unable to use this option as they are computer illiterate.

Suggestion: Limit this greeting card policy exclusively to individuals with cases within the past year related to bringing in contraband through the mail. TDCJ could also invest in developing its own electronic mail system that is free to use rather than directing families to the costly for-profit companies that currently offer this service. Also, we suggest shifting the focus to the root cause of this problem, which is prevalent substance abuse issues among incarcerated men and women. We suggest that TDCJ train and certify incarcerated individuals as certified peer support to increase peer-to-peer substance abuse treatment and recovery programs.

2) Money being sent into the units: “Only persons on an offender’s visitation or OTS call lists may deposit funds or make Ecomm transactions.”

Concerns: This is a punitive action for individuals who have been following the rules. Many people who may never be on a person’s visitation or phone list send money to support their incarcerated loved ones. Moreover, the unfortunate reality is that many incarcerated individuals are indigent or have no one to call or visit them. This commissary restriction would create a barrier to vital support networks for those who don't have close friends/family. Also, there are individuals who are disabled or unable to travel who are providing funding for people in TDCJ. Adding these individuals to the list would take up space for someone who may be able to visit in person, and those lists are limited.

3) Visitation K-9 searches: “Certified narcotic canines will be used strategically to detect narcotics and synthetic marijuana on visitors entering facilities.”

Concerns: Family members often travel hundreds or thousands of miles to see their loved ones. Many will rent cars or use rideshare services for the trip. Moreover, there are agencies that provide van services and carpooling to ensure family members can see their incarcerated loved ones. In all of these instances, the individuals riding in these vehicles have limited to no control over the condition of the vehicle and what previous riders might have brought into the vehicle. Therefore, these individuals could be turned away from visits or be removed from the visitation list entirely through no fault of their own.

There are legal uses of marijuana for medical purposes in Texas. Hemp, which was recently legalized, has an indistinguishable scent from marijuana. Studies have found that drug-sniffing dogs have very low accuracy levels, and the results of false positive hits would be detrimental for families trying to visit loved ones in TDCJ.

Lastly, visiting a prison can be inherently traumatic for family members, especially for children. Dog searches have real potential to contribute to that trauma.

This new policy would severely reduce visitation, while research shows that visitation helps to reduce the risk of recidivism and facilitate better mental health. Incarcerated individuals with regular contact from loved ones and a strong support system are more likely to have success upon release.

Suggestion: If those incarcerated are searched before and after visitation, there is no need to search visiting families or use K-9 drug detection. If any contraband comes in through visitation, it would be found in the search of the incarcerated person after the visit. If staff shortages are the reason for discouraging visitation, a more effective solution would be to close understaffed and unsafe units. It would also be beneficial for family connection and rehabilitation if TDCJ created child-friendly visitation (toys, carpet, ability to get on the floor), free phone calls to help kids with homework, and longer and more frequent family day events. Again, we suggest TDCJ develop peer-to-peer assistance programs to address substance use issues.

These concerns are very important to us. Advocates across the state want to make sure that these new policies are adjusted as we suggest here. Please consider the serious implications that these policy changes would have on a person’s successful reentry after incarceration. We ask that the Texas Board of Criminal Justice delay the upcoming vote and that TDCJ refrain from implementing these new policies, considering our suggestions here instead. We honor, support, and applaud all TDCJ efforts that focus on the successful rehabilitation and reintegration of the individuals under your charge.

Sincerely,

Texas Prisons Air Conditioning Advocates (TPAA)

ACLU of Texas

Richard Andrew Thomas National Organizer the Campaign to Fight Toxic Prisons

Jordan Edward Mazurek National Organizer the Campaign to Fight Toxic Prisons

End Prison Slavery in Texas Movement

Big Homie Street Mentoring

National BROWN Berets Carnalismo Chapter Lulac Council # 22342

Reverend Ron Stief, Executive Director, National Religious Campaign Against Torture

Families and Incarcerated Together Healing (FAITH)

Goodwill of Central Texas

Girls Embracing Mothers

Trans Pride Initiative

Just Liberty

Youth Rise Texas

Restorer of City Streets

TIFA

Grassroots Leadership

New Beginnings Big Country

LatinoJustice.Org

Texas Criminal Justice Coalition (TCJC)

The V.O.I.C.E.S. of Our Veterans

New York Campaign for Alternatives to Isolated Confinement

Texas Advocate for Justice

Path to Freedom Reentry Ministry " A faith based approach to reentry, and reducing recidivism." Danny Sneed (Program Director)

Texas Civil Rights Project (TCRP)

Ladies of Valor Empowerment (LOVE)

The Prison Show

Syndeo Ministries

Grits for Breakfast

Be Frank, Inc.

F.B.I.(Faith Beyond Incarceration) Ministries

Texas Appleseed

Truth Be Told

Free Battered Texas Women

Reentry Advocacy Project

Measure Austin

Hearts 2 Heal

Austin Justice Coalition

