



Texas Prisons Must be Better Prepared for Declared Disasters

The Texas Department of Criminal Justice (TDCJ) operates not only the largest prison system in any state, but also one of the largest in the world, with more than 122,000 people in custody,¹ 101 facilities,² and an annual budget exceeding \$3.4 billion.³ Preparing such a large system for an emergency requires constant attention and forethought, including adequate planning mechanisms not currently in place.

After Hurricane Harvey hit Texas in 2017, lack of proper planning caused TDCJ to violate a federal order and place incarcerated individuals with heat sensitivities in a prison declared unsafe due to dangerous sustained heat levels.⁴ Reports from Winter Storm Uri in February 2021 reveal a similar picture: incarcerated people secured in their cells with as little as one small bottle of drinking water per day, and plumbing outages that caused bodily waste to build up.⁵ Furthermore, as temperatures stayed below freezing for multiple days, many individuals resorted to burning paper and hygiene supplies to stay warm when extra blankets were not made available. Correctional staff also report being told by their leadership that they could not leave their facilities without being terminated, even as the disaster continued and items like medical supplies, soap, and other hygiene products disappeared. Two female officers with TDCJ reported being forced to work while they bled through their clothing.⁶ **It is in these stories of forced suffering that we see the separation between prison conditions and the grief that other Texans suffered during this disaster.**

SOLUTION: SUPPORT HB 2331 BY REPRESENTATIVE CORTEZ

Texas must ensure that TDCJ has a proper emergency management plan in place before another disaster strikes.

- **HB 2331 creates an advisory board that can help safeguard against issues like insufficient hygiene and protective equipment, extended lockdowns, and gaps in proper healthcare for incarcerated individuals and correctional staff during disasters.** The advisory board – which will include representatives of TDCJ, the Texas Parole Board, the Department of State Health Services, previously system-impacted people, and other experts – will provide TDCJ and the Texas Parole Board with recommendations to inform an emergency response plan.
- **HB 2331 will create procedures governing the release of individuals on parole during declared disasters.** The emergency response plan will specify criteria to be considered by a parole panel in release decisions, including age, pregnancy status, assigned programming completion, and the ability to complete programming once released. The plan will also specify procedures for parole officers and community providers to provide classes and programming, as well as procedures authorizing the use of funds to provide housing vouchers or payments for alternative housing providers to ensure temporary post-release housing. During any declared disaster, the Parole Board will be required to implement an expedited parole approval process.

Releasing parole-eligible people during disasters will save lives and countless dollars that could instead be used to bolster the emergency preparedness of all TDCJ facilities.

Citations on reverse.

Citations

- ¹ Texas Department of Criminal Justice, *Statistical Report FY 2019*, 1, https://www.tdcj.texas.gov/documents/Statistical_Report_FY2019.pdf.
- ² Texas Department of Criminal Justice, Unit Directory, https://www.tdcj.texas.gov/unit_directory/.
- ³ Legislative Budget Board, General Appropriations Act for the FY 2020-21 Biennium, https://www.lbb.state.tx.us/Documents/GAA/General_Appropriations_Act_2020_2021.pdf.
- ⁴ Gabrielle Banks, "Texas prisons take hit from Harvey, complaints of water, sewage problems surface," *Houston Chronicle*, September 4, 2017, <https://www.chron.com/news/houston-texas/article/Texas-prisons-take-hit-from-Harvey-complaints-of-12172438.php#taboola-2>.
- ⁵ Madison Pauly, "'It's Terrifying, It's Almost Crippling'": Texas Jails and Prisons Are Freezing Over," *Mother Jones*, February 19, 2021, <https://www.motherjones.com/crime-justice/2021/02/its-terrifying-its-almost-crippling-texas-jails-and-prisons-are-freezing-over/>.
- ⁶ Arya Sundaram, "Clogged Toilets, Snow inside: How the Winter Storm Exacerbated Problems in Texas Lock-Ups," *Texas Observer*, February 25, 2021, <https://www.texasobserver.org/clogged-toilets-snow-inside-how-the-winter-storm-exacerbated-problems-in-texas-lock-ups/>.