



**TEXAS CRIMINAL
JUSTICE COALITION**

Celebrating 20 Years

Building stronger families,
safer communities, and a
brighter future for Texas.

RESPONSE TO INTERIM CHARGE 1

TEXAS HOUSE COMMITTEE ON APPROPRIATIONS S/C ON ARTICLES I, IV, AND V

SUBMITTED BY

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Dear Chairman Longoria and S/C Members:

On behalf of the Texas Criminal Justice Coalition, I am grateful for this opportunity to provide written testimony with respect to Interim Charge 1:

Monitor the agencies and programs under Articles I, IV, and V, and oversee the implementation of relevant legislation and riders passed by the 86th Legislature.

I also appreciate your work to conduct important oversight of state agencies during the COVID-19 crisis. This testimony and our recommendations are grounded in research and informed by the ongoing COVID-19 response within Texas prisons, as well as by impending revenue issues that will likely impact the incarcerated population.

The Texas Criminal Justice Coalition is a nonprofit, nonpartisan organization dedicated to researching and advancing policies to safely decrease prison populations while building more effective community-based services to prevent incarceration.

The Need for Independent Prison Oversight

The COVID-19 crisis has demonstrated how difficult it is to conduct oversight functions related to state prisons. Unlike the Texas Juvenile Justice Department, the Texas Department of Criminal Justice (TDCJ) is not subject to independent oversight. Since March 2020, the Texas Criminal Justice Coalition and other advocacy organizations have received countless letters, emails, and calls pleading for assistance on behalf of loved ones inside of state prisons. Family members have raised grave concerns about conditions, access to health care, extended lockdowns with inadequate food, and halted programming that has delayed parole release. We continue to receive requests for help as of today.

While TDCJ has conducted weekly meetings with advocates and families to listen to concerns, there is little way of knowing what is happening day to day inside prisons. No mechanism exists to conduct independent review of issues related to health care access, quarantine, and access to food and programming. The result is a dangerous lack of transparency that impacts not only incarcerated individuals and their family members, but the Legislature, which is denied an independent monitor of prison operations.

The American Bar Association has long recommended that prison systems be monitored through independent oversight.¹ An independent monitor allows for the identification and resolution of various problems, resulting in facilities that are safer (both for people who work there and people who are housed there), protective of constitutional rights, and better equipped to help incarcerated individuals prepare for reintegration into our communities. In addition, external

¹ American Bar Association, *Resolution 104B: Prison Oversight and Monitoring of Juvenile and Adult Facilities*, 2008, p. 2; <http://www.abanet.org/crimjust/policy/am08104b.pdf>.

oversight detects overlooked problems, is cost-effective, and can help legislators and the general public make informed decisions regarding sentencing and correctional policies.

Recommendation: No allocation to the Texas Department of Criminal Justice should be made absent an independent prison monitor to promote safety, transparency, and responsible use of state dollars. Especially given the budgetary challenges facing Texas now and over the coming biennium, it is critical to ensure fiscal accountability in one the country's largest prison systems.