

PUBLIC COMMENTS

HB 1971

HOUSE COMMITTEE ON CORRECTIONS

Hearing Date: April 21, 2021 8:00 AM

Eileen Russo

TPAA

LIVINGSTON, TX

Please purchase and install climate control systems at the TDCJ Prisons. Our loved ones are developing health problems from inhumane living conditions during the summer months. 146 degrees is killing people.

Michele Deitch

Self (Occupation: Distinguished Senior Lecturer, Lyndon B. Johnson School of Public Affairs, Univ. of Texas at Austin)

Austin, TX

I support HB 1971.

More than 30 years ago, I served as a federal court-appointed monitor of the Texas prison system in the Ruiz v. Estelle litigation, so I am familiar with the challenges that arise for an agency when a court exercises oversight due to unconstitutional conditions. Based on the ongoing Cole v. Collier litigation, in which a federal judge threatened to hold TDCJ in contempt for its failure to follow through on its promise to air condition the Pack Unit, I believe it is entirely possible that there could be future litigation that finds TDCJ liable for its failure to protect incarcerated individuals from the extreme heat throughout the entire prison system. At hearings in 2019, Judge Ellison raised concerns about the lack of air conditioning in prisons other than the Pack Unit, and said that "TDCJ should on its own be moving to air condition all prisons."

The extreme temperatures place incarcerated people and staff at extreme risk of death, heat stroke, and other ailments. Extreme heat also increases tension among the population and can lead to violence. It also makes it difficult for incarcerated people to focus on rehabilitative programs and educational services, which can compromise their preparation for re-entry.

The heat issue is also extremely important to staff, since it contributes to a work environment that is unhealthy, unsafe, and unpleasant. That affects staff turnover and makes it harder for the agency to recruit staff, which is especially problematic when the agency is facing such dire understaffing.

Texas law requires all JAILS to be maintained between 65 degrees and 85 degrees in occupied areas. That same standard should be applied to Texas prisons. It is a standard that has worked effectively to protect incarcerated people's health and safety; it has made for better working conditions for staff; and it has also helped protect jail agencies from litigation.

leslie lee

self

Victoria, TX

TDCJ continued blatant disregard for the health risks to inmates and staff due to inhumanely high temperatures within their facilities should constitute violations of the 8th amendment. to ensure their swine operation was provided climate controlled facilities before that of human beings is atrocious. Please please get this bill passed and TDCJ held accountable.

Antoinette Magana

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Myself

Austin, TX

In 2014, the Human Rights Clinic of the University of Texas School of Law released a report stating that the temperatures in many TDCJ units are too high over the summer and that at least 14 inmates had been killed by the heat since 2007. It is 2021 now and triple digit temperatures are starting earlier and lasting longer. Acquiring air conditioning, ventilation and installation of this equipment immediately for ALL Texas prisons must finally be a top priority and anything less is unacceptable, inhumane and unlawful. Please do the right thing this time and pass HB1971!

Antoinette Magana

Myself

Austin, TX

My brother has a deviated septum from a broken nose when he was young. This naturally makes it hard for him to breathe. He has been unsuccessful in getting the surgery he needs to make breathing easier. With the Texas prison heat he is gasping for air! He wets his tshirt and underwear and lies on the concrete floor, never able to get a breath of fresh air, never able to get a good nights sleep after a long hard day at work. This is inhumane!

Our loved ones cannot go one more dangerous and miserable summer in inhumane and lethal conditions! Please visit TPAA's mock cell and stay for awhile! The dangerous and lethal Texas heat is not going to 'miraculously disappear' and neither are we. It is time to do the right thing and pass HB1971

Thank you for taking this matter as seriously as we do!

Yolanda Hernandez

Self

Alvarado, TX

I would like to thank you, Mr. Chairman and all members of Corrections Committee to allow me time to give testimony. My name is Yolanda Hernandez, I represent myself and I support HB342, HB357, and HB1971 for humane temperatures inside TDCJ. I urge your consideration, support, & most importantly take action adopting temperature standards of 65°-85°F inside TDCJ, like that already in place for county jails. High three-digit summer temperatures native to Texas are right around the corner. Will you please join the cause, save lives, and deliver staff & inmates humanely relief from the exposure of extreme heat. Record high temperature inside TDCJ on the record 149°F. Did you know 70 of 99 units operated by TDCJ either have NO a/c or partial a/c?(meaning only certain areas are air condition e.i. warden's office, chaplain office, medical care housing) Did you also know TDCJ spent \$750,000 on 6 a/c barn upgrades in their swine production plants? As a contributing taxpayer I absolutely don't support the dime I contribute goes to a/c relief for the pigs. I'm just asking you to do what's only morally & humanely right. Not to mention I'd like my brother to be treated better than pigs! If I may have a say where and for what my dime supports. It's a very disturbing thought and image present in my mind. Especially more vivid daily during the summertime. My heart breaks and I am left with a great feeling of helplessness and an overwhelming sorrow that there's nothing I can do to help my brother, other inmates, and staff get relief from the scorching heat inside those concrete metal roofed buildings. Imagine basically an oven that reaches high temperatures it's like we are cooking human beings alive! I am my brother's big sister, I'm supposed to protect and help him. How do I live or what can I say to myself to not feel guilty I failed my big sister duty when he wrote me his 1st summer spent in confinement describing there is no a/c and it's so hot he can't stand it. Goes on saying mostly all day long he feels he is going to pass out, and he's scared. If that happens and he collapses on the ground. What if he never wakes up again. He also shared with me about the time he learned how to cool down at night, he was grateful he got some sleep finally. He'd get water to wet the concrete floor in his cell and his clothes. Then he lay on the floor in his wet clothes which provided some relief to make it bearable enough to sleep a few hours before the start of his day. I hope you will consider helping me comply with my big sister duty to deliver my little brother, relief from exposure to extreme heat. Inmates are human beings someone's son/daughter, mother/father, brother/sister, husband/wife. Im not asking for luxury amenities a/c is a need in 2021. If I was to expose my dog to similar living conditions like TDCJ inmates. I would get charged with animal cruelty. So why are we allowing human beings to be treated like this.

Raquel Pacheco

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Self

San Antonio, TX

For the Bill

Zulema Alvarez

Self

Houston, TX

As a former inmate I spent three years incarcerated. When I entered the gates of TDCJ it was in the beginning of the summer, the temperatures were extremely high making the POD where I was living an oven. My first 79 days of my incarceration I lost over 60 pounds from the heat exhausting itself. I was 29 years old at the time and I felt I was sentenced to HELL Vs prison. My heart ached for all the elders who were among me because they suffer the most. Living in those types of conditions is inhumane and if TDC can provide AC for their animals why not the inmates. Too many lives are taken each and every summer from the extreme heat, something needs to be done. AC is not a privilege in prisons and a need to save LIVES

Lauren Byrd-moreno

Self

Silsbee, TX

Temperature regulation in units should be a basic human right and I think that it falls under cruel and unusual punishment to have health conditions that are caused by the extreme heat. This bill is extremely important and could help save lives.

Lisa Garza

Self

Garland, TX

I am in support of this bill. TDCJ must provide humane conditions for the staff and offenders. The heat in Texas can reach over 100 degrees and it is irresponsible and inhumane to house people with no air. No one deserves to have to live in these conditions. No one deserves to be cooked alive! They are paying their debt to society and this is cruel to subject them to further torment.

Katharine Harris

Baker Institute for Public Policy, Rice University

Houston, TX

I am writing to express my support for HB 1971. Current climate conditions in Texas state correctional facilities are inhumane, subjecting people who are incarcerated and staff to extreme and unhealthy temperatures. This bill is a reasonable proposal to address these unacceptable and harmful conditions.

Respectfully submitted,

Katharine Neill Harris

Rice University's Baker Institute for Public Policy

London Harris

Self

little river academy, TX

Every Human deserves to be treated humanely. Tdcj takes better care of their animals than the people they house. Texas can do

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better!

Jennifer Alexander

none

San Antonio, TX

Please consider more humane treatment in the custody of the state, most particularly if they are confined to private prisons, that data indicate have the worst records of prisoner treatment.

Brenda Sontag

Self

New Braunfels, TX

I support this bill. It is cruel to make inmates endure extreme temperatures. It not only take a toll on their bodies but it also affects their health. Men and women die when exposed to these high temperatures for months during the long Texas summers.

Dianne Taylor

Self

Waco, TX

Texas deaths and suffering at TDCJ from heat are preventable. Please get the air conditioned!

Kirsten Ricketts

Restorer Of City Streets

Onalaska, TX

I support this bill on behalf of all incarcerated Texans.

Becky Gardner, Mrs

Self

Victoria, TX

When the temperature gets to be 140* that is cruel and unusual treatment.

This is the Christian thing to do.

This has to be done. Ppl are dying every year. 75% of ppl sent to prison is for not violent crimes. Therefore should not mean it a death sentence.

If any of you have any doubts I Challenge you to sit in the hot box for 5 minutes!

Thank you

Becky Gardner

Olga Dickinson

Self

Houston, TX

In Texas A/C is essential

Vickie McCormack

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Self

McKinney, TX

For this bill

Karen Page

Myself and my Family

San Angelo, TX

I ask that you support HB 1971. The state of Texas is allowing its staff and incarcerated individuals to be tortured by suffering in dangerous levels of humidity and heat every summer. I am asking for the same humane temperature standards utilized by the Texas County jails, 65° to 85° degrees, to be implemented in all the state-run prison facilities. This issue has cost the taxpayers millions of dollars in lawsuits, is hazardous, inhumane, and has been allowed to continue for too long. Thank you for your service to the State of Texas.

Amy Martinez

Self Nurse

Riesel, TX

I am in full support of humane treatment of all persons including prisoners. I think of the conditions they have to endure as torture and certainly cruel. Please vote in support of this bill

Veronica Morales

Self

Dallas, TX

I want to express my concern about the extreme heat in Texas prison cells. If it is hot (as it always is during Texas summers), the humidity plus inadequate ventilation can make temperatures reach over 125 degrees. It should go without saying that this is inhumane, in fact, it is cruel & unusual punishment. Texas paid a lawsuit settlement of \$7,000 (far higher than the \$3,987,000 it cost to install air conditioning) in the Pack lawsuit. That is just one of the many the state has settled. There have been over \$12,000,000 in settlements. My son has been incarcerated in Texas & says that the guards often deny requests for cold water for hours on end. Only when a Major comes around do they start to give it out. Prison is not easy, & I am sure it's not meant to be, but to beg for hours to get a simple cup of cold water is beyond punishment. I am asking for your support House Bill 1971 on behalf of humanity and Christian values. This bill will be heard before the Corrections Committee on April 21st & I urge you to support it favorably.

Nancy Messex

Self/Molecular Biologist

San Antonio, TX

Climate controlled system in the TDCJ facilities are not only humane but also necessary.

Sherri Curtis

Self mother of inmate

Richland Hills, TX

Please remember although incarcerated these people are also humans their lives matter many have health conditions that restricted a/c could cause fatalities which we are all aware continue to happen and can be prevented

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Every inmate isn't guilty every inmate isn't serving time equal to offense allegedly committed
It is disheartening and disturbing at the lack of concern for these people's lives
Thank you for your time

Misty Denney

Self

Dallas, TX

The heat inside Tx prisons is inhumane and it impacts us, their loved ones, to suffer with them as well. The temperatures inside the cells are 10 degrees higher than outside, and metal beds that are like touching the hood of a hot car causing them to soak their sheets and cement floors with water in order to lay in the the floor to try and get relief from the heat. This is unacceptable, tx prison pigs, have temperature controlled environments so why don't the inmates and employees have that? This torture must end now. . I support this bill and all bills related to temperature control in the Texas prison system.

Gregory Kadair

TIFA

Leander, TX

yes much needed

Linda Louden

TPAA

Lakewood Village, TX

My son has been in TDCj for 8 years. When your only child said mom it's so hot in here you can't think. We don't get cold water. We don't get showers. We are locked in our cells as guards don't show up as it's too hot. We have to hang our pillow cases up so rats mice and cockroaches don't eat the food. Mom I can't even write. Mom No guards show up so the food is little. I am going to die in here mom. I said no your not going to DIE God has you. It breaks my heart the only thing I can do is pray and help with the bills. It's time we stop murdering inmates due to no heat ans ac. My son is not going to be one of Them

Please pass this bill. A MOM

Liberty Lopez

Self

Pearland, TX

I can only hope that you support this bill because it's scorching hot in the summer month at the units. My son says he can hardly breath since the air hit the temperatures reaching beyond 112 to 115 degrees Fahrenheit. It's terrible that the state does nothing to protect the lives of so many that die of heat stroke. Please support and pass this bill.

CAROL DEMUTH

individual

GOODRICH, TX

Climate control systems should be implemented keeping prisoners at humane temperatures the same as they were ordered at the Pack Unit by the federal judge. To do otherwise is inhumane and torture. Shame on those who think otherwise. They are not Christian or humane.

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R G
TPAA
Channelview, TX

Inmates are dying from heat in Texas Prison

R G
TPAA
Channelview, TX

Inmates are dying due to the heat in Texas Prisons

Sheryl Ballard
Self - college professor
Deer Park, TX

I would like to stress that the heat in Texas has gotten worse over the years and while prisons are not day camps, they should also not be brick ovens where people are cooked. I beg of you to please vote to add humane temperatures to TDCJ facilities.

Thank you and may God bless you all.

Gloria Becker
Self/Librarian
Cleveland, TX

Please vote Yes for HB 1971 relating and installation of climate control systems at TDCJ facilities for ALL inmates, so they aren't in unhuman conditions as they currently are. In the summer, the heat is so bad, it is easy to have a heat stroke and in the winter, they almost freeze to death. While the TDCJ offices are air conditioned in the summer and heated in the winter, the inmates are treated like animals to suffer the consequences. This is wrong on so many levels.

Jessica Dickerson
Texas Prison Air Conditioning Advocates
San Antonio, TX

Poem written by a Texas inmate:

It's HOT!
Don't tell me it's not.
My hair's on fire
Or that's how it seems.
The situation is dire,
More nightmare than dream.

It's HOT!
Like a stove and a pot.
My arms feel longer.
My legs feel shaky.
The sun feels stronger.

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My body feels achy.

It's HOT!

My guts in a knot.

My skin feels greasy.

My hairs gone flat.

My tummy is queasy.

Someone get me a hat.

I'm starting to melt

Right here on this spot.

When they asked you what happened,

Just tell them

IT'S HOT!!!

Humane temperatures are not just for inmates. Staff also endure the same extreme temperatures. Every year Texas spends money fighting lawsuits, paying extreme electricity bills, and paying workmans comp claims. There are not enough CO's and no one wants the job. Maybe the heat is the reason. I support HB 1971 and SB 820 and ask you to as well. Thank you

Laura Clark, Mrs.

Wise County Veterans Office

Decatur, TX

Punishment for crimes committed should not include sweltering heat within TDCJ facilities. Texas summers are brutal with air condition, without could qualify for inhumane treatment. I feel if the prisoners are conforming and following the laws within the prison they should be granted some sort of comforts.

R Allen

Self. Occupation: Education

Austin, TX

I support legislation that addresses the issue of sweltering and inhumane heat in Texas prisons. It is cruel. Most Texans don't realize that most of the prisons don't have air conditioning and are shocked when they hear this. The heat in Texas is unbearable. Thank you for addressing this harsh and unhealthy situation. Inmates have lost their freedom, and that is their punishment. They deserve a humane living environment.

Kimberlee Henager

Family of incarcerated individual. Restaurant manager

Rowlett, TX

My brother is incarcerated in Abilene, TX. Over the last 17 years, he has told me of the lack of air conditioning and the lack of heat for this unit. In February 2021, the statewide freeze that came in caused several units to not have water or electric. When electric did come back, the ONE heater in the building he is in didn't heat the entire building. The second heater has been broken for at least 5 years. This is highly unacceptable. Yes, they are incarcerated. No, that doesn't make them unfit for humane treatment.

SAVANNAH ELDRIGE, RN

BE FRANK 4 JUSTICE/NATIONAL FREEDOM MOVEMENT

THE WOODLANDS, TX

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I support the implementation of AC in the prisons, because protection from the sweltering heat is an investment of the health and safety of the incarcerated population as well as the staff. The agency has toggled back and forth with advocates about the need for AC, and countered with inflated figures that do not accurately reflect fiscal tags. I have 2 loved ones in TDCJ one of which is heat sensitive due to medication. When TDCJ were unsuccessful in their lawsuit at PACK unit, and invested millions of dollars in countering requests to protect the lives of incarcerated citizens. Our loved ones need relief. Offering respite, has not been proven to counter the fatal effects of long term heat exposure. The state should be responsible for climate control in these residential facilities.