

**HOUSE OF REPRESENTATIVES
COMPILATION OF PUBLIC COMMENTS**

Submitted to the Committee on Corrections
For HB 2805

Compiled on: Monday, April 24, 2023 10:38 PM

Note: Comments received by the committee reflect only the view of the individual(s) submitting the comment, who retain sole responsibility for the content of the comment. Neither the committee nor the Texas House of Representatives takes a position on the views expressed in any comment. The committee compiles the comments received for informational purposes only and does not exercise any editorial control over comments.

Hearing Date: April 24, 2023 11:00 AM

Jessica Dickerson
Myself Author and Advocate
San Antonio, TX

I am AGAINST this bill. I have many questions about the purpose of continuing to handicap those returning to society and jeopardizing their success, making their punishment perpetual. But first I would like to ask, who is paying for this? Who is funding these continual advertisements in local papers? Who is researching the counties on a repetitive basis each time a prisoner gets a set-off? Are you funding a new branch of parole to get the records from the Windham school district? They already don't have enough teachers, so please don't tell me the state would burden them with these records searches. And what is the purpose or the justice of allowing the public to retry a person for crimes they have already been tried for and already been sentenced for by juries of their peers? At least during the original trial, there were rules to follow. This bill is a terrible idea and opens up the potential for citizens with vigilante mentalities to harass, abuse, and endanger those who have according to the law made restitution with society by living out their prison sentences. What danger are you suggesting their families, their children should have to endure if a vigilante decided to follow up on each notice to see if these people are granted parole? This is a dangerous, costly idea that should NOT be considered. The best way to protect society from crime is to promote true rehabilitation, which is the mission of TDCJ. It seems that Rep. Leo-Wilson, based on this bill, has no faith in the state's prison system or parole system if he feels that the public needs to oversee their decisions and weigh in with their opinions on things they have no information, data, or knowledge about. These decisions should be made by professionals who have the training, information, and the statements of victims whose feelings DO matter in these instances. This bill would create modern-day witch hunts. Please say NO to this bill.

Kelley Hanks
self
CENTER POINT, TX

opposed

PATSY Hanks
SELF
CENTER POINT, TX

against

Blair Wooten
Self- educator
Dallas, TX

I oppose this bill. There is no reason, given our current system, that this information be made so public.

Joy Davis
Pure Justice Action Fund
Houston, TX

My name is Joy Davis and we oppose this bill. Social media posts can lead to an unfair and unjust decision in a parole review hearing. This could also lead to discrimination based on race, gender, sexual orientation, or religion. The use of social media in a parole review hearing could raise privacy concerns, as the content posted on social media is often personal and private. The use of such information without consent could violate an individual's privacy rights. Social media content is often taken out of context, which can lead to misinterpretation and misunderstanding. This could result in an unfair and unjust decision in a parole review hearing. Posting parole hearings publicly can compromise the privacy and safety of both the person up for parole and the victim, and may also affect the overall effectiveness of the parole system.

Taylor Trevino
self
Austin, TX

I urge legislators to oppose this bill.

Sarah Phillips
Self
Plano, TX

I oppose this bill.

Scott Daigle
Texas Council for Developmental Disabilities
Austin, TX

Chair Herrero & Committee Members,

Thank you for the opportunity to provide comments on HB 2805. My name is Scott Daigle, and I am writing on behalf of the Texas Council for Developmental Disabilities (TCDD), registering on the bill.

TCDD is established by state and federal law and is governed by 27 board members, appointed by the Governor, 60% of whom are individuals with developmental disabilities or family members of individuals with disabilities. The Council's purpose in law is to encourage policy change so that people with disabilities have opportunities to be fully included in their communities and exercise control over their own lives.

The Council has adopted the following position statement in regard to Criminal Justice:

TCDD supports the position that people with developmental disabilities – whether as victims, suspects, or witnesses of a crime – have the right to impartial justice, fair treatment, and reasonable accommodations in all areas of the criminal justice system.

HB 2805 would require a parole panel considering an inmate for release on parole to issue a subpoena for the production of disciplinary records relating to the inmate that are maintained by the Texas Education Agency (TEA). Setting aside the question of whether TEA maintains and could provide the records in question, it is not entirely clear what materials fall under the category of “disciplinary records.”

A definition or list of responsive documents is necessary to understand the scope of the bill.

Additionally, the bill does not seem to take into account the disproportionate use of school disciplinary actions against students with disabilities. Students receiving special education services face discipline at significantly higher rates than general education students. The numbers are even more striking for students of color with disabilities. And students who face more frequent instances of school discipline are more likely to end up in the criminal justice system. (<https://njcommonground.org/students-with-disabilities-caught-in-the-school-to-prison-pipeline/>) The issue is so prevalent that the U.S. Department of Education released guidance last year to help avoid the discriminatory use of student discipline. (<https://www.ed.gov/news/press-releases/new-guidance-helps-schools-support-students-disabilities-and-avoid-discriminatory-use-discipline>)

If students with disabilities are disciplined at higher rates, it stands to reason that their disciplinary records would be provided to parole boards at higher rates in response to the language of HB 2805. Students with disabilities would be disproportionately impacted and penalized by the bill. As such, TCDD finds the aims of HB 2805 to be inconsistent with our mission, guiding principles, and position statements.

Please feel free to contact us for additional information or if we can be of additional service.

Respectfully submitted,
Scott Daigle
Public Policy Director
Texas Council for Developmental Disabilities

Misty Lockhart
Self
Nixon, TX

I oppose this bill.

This seems to only consider evidence on or before the original crime they committed and not who the inmate has become over time after conviction. This also leaves open for any and everyone who lives in county of crime rather they know them or not to troll them preventing them from making parole on who they are now.

Jolene Sanders

Coalition of Texans with Disabilities (CTD)

Austin, TX

The Coalition of Texans with Disabilities (CTD) strongly opposes HB 2805.

Iliana Smith

Self/Admin

San Antonio, TX

I am for this bill.

Marci Marie Simmons

Self, Lioness: Justice Impacted Women's Alliance, Statewide Leadership Council

Weatherford, TX

I am against HB 2805. First of all it's not reasonable for the parole board to get school records for every inmate that come up for parole. There are plenty of incarcerated individuals that didn't even go to school in Texas. So only those that did go to school here would be penalized. Furthermore TEA doesn't even have a master school record of every past student. There are people going into parole review whom have been incarcerated for 20, 30 or 40 years. It's not reasonable to believe that school records would be available.

Lauren Winn

Self

Fort Worth, TX

I am AGAINST HB 2805. What does school behavior have to do 20 plus years after someone has graduated? Let's look at what people do while they're in prison.

Jake Winn

Self

Fort Worth, TX

I'm against this bill. It's ridiculous to think that school records would be available for every person locked up that comes up for parole.

Patsy Hanks

self

Center Point, TX

Opposed

Becky Haigler

TIFA Texas Incarcerated Families Association

Dallas, TX

Despite Rep. Leo Wilson's sad story of persons who might have been able to give relevant input on parole decisions, her bill would open the door to parole comments being made by ANY person who decided to monitor the public notices required by her bill and allow any nosey, maliciously motivated person to comment that they did not want a felon living in their area. This over policing by persons with no TRUE knowledge of a convicted person's character, and certainly not of his or her progress in rehabilitation, would result in registered protests which would mushroom the Texas prison population. Rep. Leo-Wilson knows a sad story. Does she know any currently or recently incarcerated persons and their families? NO to HB 2805

whitlee poole, mrs

self

temple, TX

i support easier release of inmates

Jennifer Troell

Self, Company Administrator

New Braunfels, TX

Dear Committee Members,

I do not support the public publication of an inmate's parole eligibility for the purpose of soliciting statements by the public. Those individuals with a vested interest in the inmates and/or the instant offense will already be advised of the inmate's parole eligibility and will be able to submit statements. Statements by community members with no specific knowledge of the inmate, the offense in question, or the inmate's efforts toward (or lack thereof) rehabilitation would not be likely to contain information of value to the parole board. Instead, I believe it would slow down the parole review process and "muddy the waters" for the parole voters who need to be able to make informed decisions.

Thank you,

Jennifer Troell

Jodi Smith

Self

Covington, TX

I want to know why the parole board can use a juvenile case against an inmate and deny parole on something that happened when the inmate was a child? The inmate is in incarcerated for drugs not for his juvenile record!

Kassandra Staley

Self

Temple, TX

I do not support this bill. As I am understanding, making a publication of an offenders past charges and reasons of conviction creates a barrier for success. When an offender rehabilitates themselves, their past is already going to create challenges, when the desire to be successful and do better things with their lives, why create more hinderance? They are already having to deal with the consequences and ramifications of their actions and life choices. If they are wanting to move past their past and create a more sustainable future for themselves then the haunting of their past is not needed.

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Maegan Curry
Self account specialist
Crosby, TX

My fiance hasn't gotten in any trouble, minor or major, in 5 years. They keep giving him the same denial reason. He has paid for his crime and deserves to get out. There are guidelines they are supposed to follow in granting and denying parole but don't have to follow them.

Kenee Chapa
Mark Stiles Unit
Orange, TX

In reference to inmate Thomas W Walker TDCJ#2112975

Several letter of support have been submitted to parole board. I truly hope these letters will be taken into consideration. He has been incarcerated since he was 17 and he is now 25. He has an incredible support system and is eager to work to begin a successful career. He is wanting to be enrolled in any education program as well as any trade offered. He has put in I60 forms to request to be accepted. He is currently G5 since he was moved from Gib Lewis to Stiles. He has been on his best behavior to get out of G5 so he can take advantage of the educational programs and benefits. Thank you for taking the time to read this far and all I'm asking is for a fair chance at him making parole and coming home to his twin brothers who he hasn't saw in 7 years. Thank you and God Bless you all.

Kenee Chapa ~ Mother of Thomas Walker