TIFA CONTACT



THE OFFICIAL NEWSLETTER OF TEXAS INMATE FAMILIES ASSOCIATION Vol. 19 No. 2 April 2014

The Sentencing Project Came to Texas

.....there is growing momentum on bipartisan criminal justice reform.....and Texas lawmakers have been central to the discussion.

Nicole D. Porter of the Sentencing Project visited Austin last month as a guest of Grassroots Leadership; she co-chairs the organization's board. A native Texan, Nicole worked at the Texas ACLU several years ago. She came to Austin to discuss mass incarceration and racial disparity in the criminal justice system.

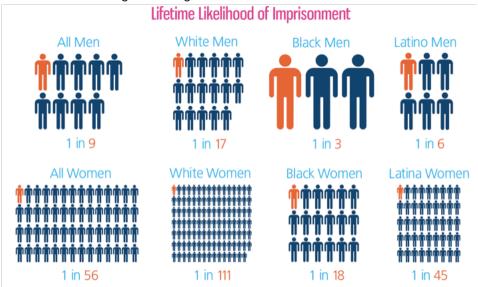
In her remarks, Nicole mentioned that there is growing momentum on bipartisan criminal justice reform. She highlighted that Texas lawmakers have been central to the discussion. For example, Texas' senior senator - John Cornyn - is championing legislation that would authorize early release for low risk federal prisoners that have completed rehabilitative programs. Senator Ted Cruz recently presided as ranking minority member in a senate subcommittee hearing that addressed solitary confinement. And Governor Rick Perry participated in a dialogue at this year's Conservative Political Action Conference (CPAC), where he discussed why conservatives should lead on criminal justice reform and emphasized why Texas is exceptional in this area.

Nicole mentioned that much of the architecture for the national movement started in Texas more than ten years ago where issue campaigns were underway to expand alternatives to incarceration using moral and fiscal arguments. That advocacy helped to raise awareness of mass incarceration and resulted in regular state legislative activity that Austin based advocacy organizations celebrate as a demonstration of change. She also highlighted litigation victories including Tulia that raised the profile of drug task forces and created the context for a campaign to defund them in the state.

However, she cautioned that Texas still has a mass incarceration problem. While it is commendable that groups with a reform analysis work to celebrate regular changes in policy, the Lone Star state incarcerates more people today than the states of California and New York. In fact among states - Texas has the largest prison population. And while the national reform narrative may hold Texas as the model, California and New York experienced a 20 percent reduction in their prison population over the past decade, while the Texas prison population increased by 2.6 percent although there has been a modest decline over the last 3 years mirroring national state trends; the state's prison population has declined by a little under 3 percent since 2009. Texas continues to rank in the top 5 among states with the highest rate of incarceration - all of which are in the South. Other high incarceration states include Louisiana, Mississippi, Alabama, and Oklahoma.

Nationally, 7 million persons are under some form of supervision in this

Continued on page 4



Source: Bonczar, T. (2003). Prevalence of Imprisonment in the U.S. Population, 1974–2001. Washington, D.C.: Bureau of Justice Statistics



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Organizing a Local TIFA Chapter

TIFA strongly encourages members to form local Chapters because we believe that the local Chapters are an extremely important part of TIFA for many reasons:

- · Mutual support among members
- · Sharing information
- · Expanding membership
- · Educating the public

TIFA's bylaws impose very few requirements for obtaining official recognition of a local Chapter. The Chapter should be organized by three TIFA members in good standing; it must meet in a public place; and it must meet at least once a month. Two of three requirements should be simple enough; the only one that may seem difficult is finding an appropriate place to meet.

By far, the most important activity of a local Chapter is meeting. Your regular meetings allow members to share their experiences and information, to support one another through the good times and the bad. If you never do anything else, you will have accomplished a very great deal.

We are currently working on forming new chapters in **Tyler, Denton** and the **Rio Grande Valley**. Contact us if you are interested in supporting or attending one of these chapters. If you are interested in starting a chapter near you, let us know and we will help you find other TIFA members in your area.



Message from the Executive Director, Jennifer Erschabek

t's hard to believe but there is already a lot of energy and work going on to get ready for the next legislative session in 2015. Advocacy groups are working



on a variety of issues including mass incarceration, employment barriers for ex-offenders, sentencing issues, and perhaps closing another private prison. In April, I will be meeting with Larance Coleman, Chief of Staff for Senator Whitmire and Donna Zuniga, Dean of Lee Community College to discuss education in TDCJ. But there are other issues we will also be focusing on including independent oversight, administrative segregation and the Board of Pardons and Parole to name a few.

With the TIFA mission statement of support, educate and advocate in mind, one of the things that TIFA will be doing this year is joining forces with Texas Voices and Texas Cure to build a families' coalition to strengthen our voices and advocacy efforts. Our groups provide different services but we all have similar concerns. Over the next year we will be organizing our families to educate policy makers, practitioners, service providers, and community organizations on the ripple effects the criminal justice policies have on our communities and families and exploring opportunities for more systematic and coordinated efforts to reduce the harms so broadly experienced by the incarceration of our family members and make a change. n



"Go Back and Get It" -The Legacy of Convict Leasing

by David Collingsworth (Houston Chapter Chair)

"The Old Imperial Farm Cemetery near US 90A and Highway 6 is one of the sole few visual reminders of the role played in the Sugar Land area's early history by convict leasing, a system where prisoners — most of whom where African-American, many of whom were convicted on trumped up charges — were "leased" out to private planters to labor under atrocious conditions." - The Sugar Land Sun

"After the Civil War, the 13th, 14th, and 15th Constitutional amendments were passed which aided newly freed slaves in being equally treated under the law, or so the story goes. The fact of the matter is that slavery was, and still is, completely legal in the United States and not only that, but it took on a much different form. The institution of slavery, as we've come to understand it, changed. Instead of having the direct enslavement of blacks through an accepted system used to keep slaves in their condition, certain elements of the state system were piecemealed together over time to enslave blacks, namely the legal and prison systems. Hence, the act of enslavement itself changed as black convicts were no longer slaves to individual masters, but rather they were enslaved to the companies which they were leased out to. To create this system, there not only had to be the involvement of the Southern judicial system and individual Northern and Southern elites, but also the involvement and reinstitution of slavery within a corporate context."

I really want to thank Texas Interfaith Center for Public Policy Caitlin Dunklee and Cindy Eigler for inviting TIFA to "Go Back and Get It -the Legacy of Convict Leasing." Reginald Moore of the Texas Slave Descendants Society, Dr. Fred McGhee of Fidelitas Publishing, M. Waddy-Thibodeaux of Flying Geese Productions, Cherry Steinwender of the Center for the Healing of Racism shared with us the reality of the transition from slavery to prisons. A sad but true story of men freed from slavery just to be incarcerated, exploited, and returned to a life of hard labor and understated atrocities.

The presentation allowed us to walk through various stations that showed the original prison and housing for the convicts, the culture of songs sung by the field workers, the reality of the deaths of many unknown men for foolish causes, and gave us a chance to ponder the sins, ask for forgive-

ness and morn the harsh realities that ended at the cemetery. Here we could see the known graves and the only recently recognized unmarked graves which are also an important part of the history. TIFA felt welcomed and shared information about our meetings so they would know that we are there to lend our support to the families of the Sugarland area.



TX-CURE Fan Project



It's once again time to remember those in prison who are indigent and have no way to escape the summer heat. Please consider sending a \$20.00 donation to the Texas C.U.R.E. Free Fan Project. This project makes sure that indigent inmates in TDCJ are provided a chance to apply for a free fan. The summer months are almost here and we all know what a difference a fan can make in the terrible heat of the summer in the hot Texas prisons.

Please remember, it takes everyone's help to ensure the Free Fan Project continues to be a success.

Send your \$20.00 donation to: Texas CURE Fan Program PO Box 38381 Dallas, TX 75238-038 n

Cont. from page 1 (The Sentencing Project)

country – 2.2 million incarcerated in prison or jail and 5 million living in the community under release. And by some accounts more than 19 million persons have a felony conviction. While there has been a modest decline in state prison populations since 2010, The Sentencing Project found that if the country continues its prison population downsizing at the current rate, it will take 87 years to get to the nation's 1980s incarceration levels.

And yet even modest decline has created the opportunity to downsize state prison capacity which is a nice shift from earlier periods of prison expansion. In her research, Nicole found that since 2011, at least 17 states have closed or announced their intention to close several prisons, taking 35,000 prison beds off line. Some of those closures happened in Texas with the closure of the Sugarland prison in 2011 and the defunding of two private prisons – Dallas' Dawson State Jail and the Mineral Wells Prison in 2013.



Nicole Porter from the Sentencing Project and Christopher Petrella, a doctoral candidate in African American Studies at the University of CA, Berkeley.

According to Nicole's remarks, there are a few trends to account for this decline. In California, a policy of "realignment" – initiated by federal court order – has shifted supervision of persons with non-violent convictions and parole violators to the local level. In New York, reduced prosecutions of lower-level drug defendants and a scaling back of the state's "Rockefeller drug laws" has lowered prison populations by diverting persons who before would have been bound for prison. And other states have passed a range of reforms in recent years too.

She emphasized that while these trends are encouraging, they still represent only a modest approach from the "get tough" policies of an earlier era that led to a ballooning prison population. Nicole called on advocates seeking to enhance public safety to focus on more comprehensive reform. This strategy must focus on eliminating mandatory sentencing policies that require a "one-size-fits-all" approach to many criminal offenses rather than permitting judges to make an individualized determination of punishment and rehabilitation and shifting resources from a bloated prison system to investments in community-based prevention.

Nicole closed her comments emphasizing that the nation's public safety approach has been focused on reactive strategies rather than proactive interventions. To change that approach, she hopes that advocates will organize around strategies focused on investing in communities that will result in reduced contact with the criminal justice system.

TIFA Advocacy Workshops: Finding Our Voice

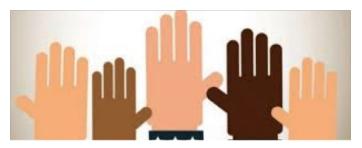
Texas Inmate Families Association is very happy to announce the launch of a new project that allows the voices of those most affected by criminal justice policies to be at the forefront of the movement for reform. TIFA will

be partnering with the Texas Interfaith Center for Public Policy to develop a leadership institute that will train formerly incarcerated individuals, families with a loved one in prison, and members of the faith community in advocacy and organizing strategies aimed at reducing barriers to reentry.

Texas is increasingly considered a model of reform in national conversations around criminal justice, but those impacted by the system see a different reality. Texas remains the state with the most people living behind bars, and has the fourth highest incarceration rate in the nation—first among large states. Individuals returning home from prison face major challenges to find jobs and safe, affordable housing. These barriers make successful reentry incredibly difficult and add to a cycle of poverty and incarceration in many of our communities.

Policy-makers often explain to frustrated advocates and families that without the political cover that comes from public pressure among people in their districts, they are unable to provide much leadership on prison reform. A focus on saving money has also narrowed the discussion about mass incarceration, making it more difficult to talk about important issues such as the conditions that lead to crime, the treatment people receive while incarcerated, and the challenges they face when they get out.

Our project will address these limitations by creating a meaningful role for directly affected communities, forming new connections with faith



communities, and increasing outside pressure and organizing capacity throughout the state. The eight-week advocacy course will first pilot in the Houston area in the late summer/early fall. We will also be holding shorter weekend trainings in three other cities throughout the state.

Trainings will include topics like Storytelling: Transforming the Personal into the Political, Advocacy Thru Bars, and Building Power: Transforming Stigma and Shame. For more information or to find out how you can get involved, please contact Cindy Eigler at cindy@texasinterfaith.org or 512-472-3903.



(Submitted by the Office of the Attorney General's CSD)

As the state's child support enforcement agency, the Office of the Attorney General's Child Support Division (CSD) serves parents who wish to obtain or provide support for their children. Children need financial and emotional support from both parents, and the CSD works with government and community groups to provide a broad range of services that help families.

Every month, the CSD receives hundreds of letters from parents who have questions about paternity, child support and parenting time (custody/visitation). Many of these parents are seeking relief from a monthly child support obligation they are unable to pay.

Losing one's job does not automatically stop court-ordered child support,

and the duty to pay child support does not end when a noncustodial parent goes to prison. The only way to change court-ordered child support is to ask the court to modify the order. CSD has simplified the process for noncustodial parents in TDCJ facilities who wish to modify their orders.

How does an incarcerated noncustodial parent request a modification of his or her child support order? A parent can ask CSD to review his or her case to see if it qualifies for a modification. Requests for reviews are made on the "Inquiry Form for Incarcerated Parents" that is available from any TDCJ law librarian. If a case qualifies for modification consideration, CSD will send the parent an "Incarcerated Noncustodial Parent Affidavit of Income/Assets" form to complete, sign and notarize (by a law librarian). When the fully completed form is returned, CSD will notify the parent in writing that the local child support office is reviewing the case.

Some parents in TDCJ facilities may receive letters from CSD offering to review their cases for modification. Because the process differs slightly for these parents, they should follow the step-by-step instructions in the letter.

After conducting a thorough review, if the CSD determines a modification request is appropriate, the office will ask the court with jurisdiction in the case to consider modifying the child support order. Based on the facts and circumstances of the case, the court may decide to reduce the child support payment to zero, adjust the support payment to a minimum amount (dollar amount varies by court), or deny the request to change the order. If the support amount is changed, a copy of the court's final order will be sent to the parent.

How does an incarcerated parent who receives child support get his or her

payments to the child's caregiver?

There are two ways to redirect child support to a child's caregiver. One way is by completing an "Authorization for Release of Information or Payments" form (1A004) and returning it to the OAG. Include the name of the person who is to receive the payments on the form. Forms are available upon request or by visiting the child support website at www.texasattorneygeneral. gov.

A second way to redirect payments is for the person with physical custody of the children to apply for child support services. Then, the CSD will ask the court to redirect the child support payments to that person. The caregiver must provide proof of possession of the children before the CSD can file a legal motion to redirect child support. Examples of proof of possession include children's school or daycare records, or an affidavit of possession.

Family members of incarcerated parents can learn more about CSD services by reading the "Incarcerated Parents and Child Support" brochure. To access the brochure, go to the child support section of the Office of the Attorney General website at www. texasattorneygeneral.gov and select Publications or write: OIG CSD, PO Box 12548 Austin, TX 78711-2548

Editor's note: Family Initiatives works with the Federal Bureau of Prisons, TDCJ, and county jails to deliver education and resources to incarcerated parents about paternity and child support issues that impact their lives while incarcerated and upon release. The OAG distributes thousands of the "Incarcerated Parents and Child Support Handbook" each year. The handbook covers the basics of paternity and child support and provides an inquiry form for incarcerated parents to receive information regarding case status, paternity establishment, and communication with their children. n



The New Taylor TIFA Chapter

by Amy Moore

Next Taylor Meeting: Last Sat. of the month, 7:00 pm 3114 North Main, Suite 108 Taylor, Tx

The first meeting of the TIFA Taylor Chapter was a wonderful success. The meeting was based on the needs of the people in Taylor and children were allowed to attend the meeting. We now have volunteers who are willing to provide childcare once a month for the meetings.

An ex-offender who was first convicted at age 17, and has been in and out of prison for over a decade of his life, was the speaker. He shared his story and gave the guests a real sense of what it was like inside TDCJ. He is now a successful entrepreneur who owns a landscaping and cleaning business, not to mention he's happily married with 5 children! He encouraged the youth by giving a powerful speech that had some of them in tears. The children had time to ask questions about how to stay positive, stay away from drugs and be a good influence for their peers. Our other quests were able to ask questions about TIFA and TDCJ. I gave our speaker a gift and merit award for Community Leadership.

After the meeting we had a meal that was provided by three awesome food sponsors. Applebee's provided appetizers, Golden Chick provided chicken and Little Caesars gave us four deep dish pizzas!!!! These

restaurants and a few more are willing to provide food for our meetings.

We are looking forward to our next TIFA meeting on Saturday, April 26 at 7:00 pm. The address is 3114 North Main, Suite 108 in Taylor, Tx. For more information you can call the TIFA number 512-371-0900 or 619-779-1171.

March Killeen - Harker Heights TIFA Chapter Meeting



Killeen Chapter Chair Janice Harris and Parole Board Member David Gutierrez

In March, the Killeen TIFA Chapter was excited to have Mr. David Gutierrez, parole board member as the guest speaker. Before becoming a board member, Mr. Gutierrez served 33 years in Criminal Justice and Law Enforcement, including 11 years as Sheriff of Lubbock County and as the former chair of the Texas Commission on Jail Standards and the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) Advisory Board.

We had a great attendance and everyone was anxious and prepared to ask Mr. Gutierrez questions. Here are some of the questions and answers from the meeting.

How does the Board weigh protests?

The board takes protests into consideration but give them the same weight that they give support letters. Prosecutors will also protest and this can be considered. However, if prosecutors or victims protest 'all the time' the board becomes familiar with that and knows that they will always be protesting. The board realizes that the offender can earn the chance to be paroled so all the factors have to be weighed. They cannot predict the chances of an individuals parole because each case is unique and different and the type of offense plays an important role in the decision. You can go to the Board of Pardons and Paroles website, click on the Publications tab and on that page you will find a table that gives you the statistics on how each voter votes.

Can a family member get a personal interview? There are very few instances when family members get personal interviews. What usually happens is there is a phone interview but you must request this. TIFA recommends a letter to the board office after your loved one has had an interview with the IPO and then follow it up with a phone call to make sure they made the note of the interview request in the file. Of course, even the phone interview is up to the discretion of the board.

Can someone get parole on the first review? Yes, but it depends on several factors including the nature of the crime. (Our experience in TIFA indicates that usually, but not always, when it's an aggravated case the first review results in a 1-3 year set-off.)

Why is the Huntsville office taking so long to do reviews? Mr. Gutierrez did

not know anything about the Huntsville office but did say that Ms. Owens is creating another board office to be located in Austin. Mr. Gutierrez said that Troy Fox and Elvis Hightower will be moving to the Austin office and that he will be getting two new commissioners. The new commissioners, Lee Ann Eck- Massingill, a former Gatesville IPO, and Roel Tejada, are currently in training.

Can you submit a parole packet in Spanish? Yes, the packet will be forwarded to a board office that can provide a translation.

Next Killeen Chapter Meeting: 2nd Tues of the month, 7:00 pm Trinity Baptist Church 403 East FM 2410 Rd. Harker Heights, TX 76548 n

TIFA Announces the Parole Packet Workshop Schedule for 2014



TIFA has scheduled our Parole Packet Workshops for the rest of 2014. For registration and more information visit our website at TIFA.org or you can call the TIFA

phone line at 512-371-0900 and leave a message. The cost to attend is \$50 for members and \$85 for nonmembers (which includes a membership).

Pearland (Manvel),TX

Sat Apr 26, 12-4 pm Sacred Heart Catholic Church 6502 County Road 48 Manvel, Tx 77578

San Antonio, TX

Sat July 12th, 8-12 am
St Marks Evangelist Catholic Church
1602 Thousand Oaks Dr.
San Antonio, TX

Lytle, TX

Sat July 12th, 1-5 pm The Gathering Church 14670 Main Street Lytle, TX 78052

Dallas, TX

Sat Sept 13th, 12-4 pm Lover's Lane Methodist Church 9200 Inwood Rd. Dallas, TX 75220

These workshops are for family members and friends who have loved ones in TDCJ and would like to learn more about the parole process and how to put together a parole packet. The workshop provides information about the parole process and the Texas Board of Pardons and Parole, a workbook and parole packet example. A question and answer session will follow the presentation.

Grief: The Silenced Emotion (Part 2)

(adapted from The Houses of Healing by Robin Casarjian)

Dr. William Worden, a specialist on grief counseling, identified four "tasks of mourning" to deal with loss. In our last newsletter we discussed the first two tasks, **Accepting** and **Mourning**. Now consider the next two tasks and how each fits into your life.

Third Task: Adjusting to the New Situation

If we can acknowledge our losses and meet our true feelings about these

losses with greater honesty and compassion, we clear the way to adjusting to the new situation as best we can. We can for instance, establish new roles and a new identity as a way of healing. You can look to the future and see more of the possibilities that are there.

Fourth Task: Investing Your Energy in Something New

After healing through some of your loss, the fourth task is to withdraw your investment in the people, roles, and things you have lost or given up and reinvest your energy in new things. Some people may decide that as a result of coming to prison the possibility of a meaningful life is over and, as a results, not invest their energy in healing and or anything positive and new. You may feel like you don't deserve a fulfilling and decent life if you have left a mess behind you. Or you may feel it's easier or less painful to keep yourself from caring. It's hard to begin to put any value in life and faith in yourself when you never learned to before. But don't give up. Give yourself permission to invest your energy into something positive.

As painful as the losses dictated by a prison term may be, for many people they represent an important step towards reclaiming a meaningful life. Without certain losses many people would not re-direct their lives in positive ways. Prison can be the most painful and difficult thing to endure but it can also be the biggest gift.

Consciously dealing with the loss enables you to unblock your heart so that the energy of compassion and wisdom can be more available to transform any situation you are in.



Strengthening families through support, education, and advocacy

TIFA PO Box 300220 Austin, TX 78703-0004

CONTACT Vol. 19 No. 2 April 2014

TIFA Chapters

Amarillo

1st Friday, 7:00 pm Buchanan Street United Methodist Church 617 N. Buchanan Amarillo, TX 79107 (806) 626-7728

Austin-South

1st Monday, 6:30 pm Sunrise Community Church 4430 Manchaca Road (just south of Ben White Blvd.) Austin, Texas 78745 (512) 371-0900

Austin - North

3rd Monday, 6:30 pm Lord of Life Lutheran Church 9700 Neenah Avenue Austin, TX 78717 (512) 371-0900

Beaumont

1st Tuesday, 6:30 pm St. Jude Thaddeus Catholic Church Family Life Center 6825 Gladys Beaumont, Texas 77726 (409) 246-8146

Conro

4th Monday, 6:30 pm Montgomery County Library 104 IH-45 N Conroe, TX 77301 (214) 766-5603

Corpus Christi

1st Monday, 7:00 pm Molina Neighborhood Center 614 Horne Road Corpus Christi, TX 78416 (361) 461-4954

Dallas

3rd Wednesday, 6:30 pm Lover's Lane Methodist Church 9200 Inwood Rd Oxford Rm #200 Dallas, TX 75220 Phone: (817) 798-9010 or (817) 219-1628

Ft. Worth

1st Monday, 6:30 p.m Ol' South Pancake House 1507 S. University Drive Fort Worth, TX 76107 (817) 798-9010

Houston

2nd Tuesday, 6:30 pm C.O.O.L. Ministries 5005 W. 34th Street Suite 103-C Houston, TX 77092 (903) 360-4697

Killeen - Harker Heights

2nd Tuesday, 7:00 pm Trinity Baptist Church 403 East FM 2410 Rd. Harker Heights, TX 76548 (254) 449-5050

Pearland - South Houston

3rd Tuesday, 6:30 pm Pearland Library 3522 Liberty Dr. Pearland, TX 77584 (832) 748-8990

Rio Grande Valley (San Benito) No regular meeting, but materials are available at: START Center 743 N. Sam Houston San Benito, Texas 78586 (956) 399-7818

San Antonio

2nd Tuesday, 7:00 pm St. Vincent De Paul Catholic Church Parish Hall 4222 Southwest Loop 410 San Antonio, Texas (210) 680-3505

San Antonio - North

3rd Thursday, 7:00 pm St Marks Evangelist Catholic Church 1602 Thousand Oaks Dr. San Antonio, TX Phone: 210-387-1558

Taylor

Last Saturday, 7:00 pm 3114 N. Main Suite. 108 Taylor, TX 76574 (619)779-1171

If you are interested in starting a TIFA chapter in your area, please contact the TIFA office. (512) 371-0900