Although people who are incarcerated have been deprived of their right to liberty, they still retain most of their fundamental human rights, most notably the rights to dignity, life, security of person, the right to protection of human rights, most notably the rights to liberty and personal security, and the right to protection of their human rights. Most notably, the rights to protection of their human rights, most notably the rights to liberty and personal security, and the right to protection of human rights. The Constitution does not mandate comfortable prisons, but neither does it permit inhumane ones,” Judge Edith Jones wrote for the three-judge appellate panel.

The ruling by the 5th Circuit, which also has jurisdiction over Texas, could prove important for similar legal challenges in the Texas — particularly a lawsuit that claims at least 12 inmates have died from heat stroke since 2011, while hundreds of others experienced heat-related illnesses. The lawsuit was filed on behalf of seven inmates in the Pack Unit near Navasota.

In June of 2016, a Texas district court judge in Houston ruled that the TDCJ must provide safe drinking water to inmates at the Pack Unit. In a lawsuit over that unit’s super-heated conditions, the inmates were demanding cooler conditions and safe water. The inmates alleged that the water officials gave them to cool off was contaminated with hazardous levels of arsenic. The Texas Commission on Environmental Quality (TCEQ) has issued a notice of violation to the Pack Unit every year for the past 10 years for unacceptable levels of arsenic in the water.

The federal judge ordered TDCJ to find an immediate alternative to arsenic-laden drinking water that “violates contemporary standards of decency.” He also wrote that TDCJ knows that heat is a risk and is “deliberately indifferent to that risk.”

The judge, who has yet to decide on the question of heat in the Pack Unit, has agreed to allow other inmates at the prison to join the lawsuit as a class action. “He has not yet heard the case on the constitutionality of the heat but may have tipped his hand by indicating the potentially cancer-causing water and unmitigated heat are unacceptable,” said Jeff Edwards, one of the attorneys representing the Pack Unit inmates.

A ruling in that case would only directly affect the Pack Unit, but Scott Medlock, another attorney for the inmates, said he hoped a decision favoring the prisoners would send a message to the TDCJ.

Texas prison officials insist that ice, fans and cold showers are enough to protect inmates from dangerous heat and humidity. But as the number of deaths due to heat in Texas continue to rise, there are still no questions as to the effectiveness of the prison’s current heat-control measures.

There have been many complaints from inmates and family members that cool water is not being provided, water dispensers are running dry, showers are not working, and exhaust fans are broken. Inside the brick and metal buildings, the indoor heat index is reaching almost 150 degrees and temperatures are not cooling below 80 degrees until the early morning hours making sleep impossible.

TDCJ can no longer afford to be indifferent and must take action to stop violating the human rights of prisoners. This legal process and independent oversight has to be provided so that Texas can be assured that TDCJ is treating all inmates humanely and with dignity.

To sign TIFA’s Heat Petition go to www.tifa.org and click on the link.

A Second Chance and the Pell Grant

In June, the Obama administration announced the 67 colleges and universities that were selected for a pilot program that will offer Pell Grants to nearly 12,000 incarcerated students. The institutions that were selected in Texas include Alvin, Clarendon, Lamar State, Lee, Lone Star College, and the University of Houston – Clear Lake.

John King Jr., the education secretary, said that the institutions “were reviewed holistically: student recruitment, student success and compliance with student aid programs all played a role in the decision.” King stated “The belief in second chances is fundamental to who we are as Americans.” But the Education Department’s argument is also financial: “Investing in prisoner education saves money in incarceration costs.” King cited a study from the RAND Corporation that prisoner education advocates emphasize: “for every dollar invested in prisoner education, four to five dollars are saved on reincarceration costs.” And education gives the graduates a better chance to obtain good jobs.

The program is geared toward prisoners likely to be released within the next five years. Students or their family members will have to submit a FAFSA (Free Application for Federal Student Aid) application that can be printed, completed and submitted by mail or completed and submitted on line. There will be other restrictions to the aid that will be shared when more information is available.
TIFA Contact

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TIFA News

From Board Chair

Patti Kassel

How Labels Hurt

HAPPY SUMMER TO ALL! This newsletter includes an article by Mary Sue Molnar, Executive Director of Texas Voices, de- scribing the effects a label they have on a person charged as a “sex offender.” So- ciety in general has put labels on various categories of people. As family members and friends of the incarcerated, we might be more sensitive to this topic because of the stereotypes or “labels” that are put on offenders, ex-offenders and their families.

Rachel Naomi Remen, M.D. writes: “Labels... set up an expectation of life that is often so compelling we can no longer see things as they really are. The expectation often gives us a false sense of familiarity toward something that is really new and unprecedented. We are in relationship with our expectations and not with life itself. …a label is an attempt to assert control and manage uncertainty. It may allow us the security and comfort of a mental closure and encourage us not to think about things again. But life is known only by those who have found a way to be comfortable with change and the unknown. Given the nature of life, there may be no security, but only adventure.”

How many times have we been labeled “slow”, “fat”, “bad”, “selfish”, “lazy”, “incompetent”? How has it helped us, kept us down? Have those labels – and countless more – made us feel restricted, inauthentic, imprisoned? In the article by Mary Sue Molnar, she explains that labeling all convicted “sex offenders,” no matter the story behind the offense, can cause destruction to all, not just the few that are truly incapable of re- habilitation and are dangerous to society. Can we remove the labels and discover the real person in front of us? It starts with you and me.

From the Executive Director

Jennifer Erschabek

Seize the Moments!

When talking to one of our criminal justice allies, she had a message for me to share. Her message was, “Tell your family members and friends who are inside the prison system to be ready; we are going to change things and they need to be ready to come home.”

TIFA also needs to be ready as things happen. The right opportunities occur and we must be ready and encourage them to build our own organizational power and have support for too long.

While fighting for criminal justice reform, we need to reach out to more families who struggle to work their way through the criminal justice system. We need to continue to build supportive alliances to help our members as they struggle to organize chapters, but also to care for our own families. But the scale of what we do and the pace at which we do it will also allow us to have a voice in legislative votes, we will need legislative allies from rural, mostly Republican districts. Our grassroots mobilization needs to counter the rhetoric of “them” with our own people with power who have power have supported for too long.

This is where the important work of our chapters will come in. It will be our chapters holding meetings, talking to the media in their area elevating their neighbors and meeting with their Representatives and Senators all across the State that will make the difference.

Success will require continued pressure for public policy change at all levels, elevating public officials who do not support us but are warriors for Texas families. Officials who are quick to place into the necessary rehabilitative resources and skill training for our returning family members, portraying them when they are ready and eliminating the barriers so our families can thrive.

Now we have opportunities to educate Texas through our work on the work time credit petition and through our heat campaign. What this work will do is educate, activate and build our base in continued from page 6 (Head)

- When using fans, air should be drawn through the structure and exhausted outside. Take full advantage of the fresh air exchange system or prevailing winds to assist in the movement of air.
- Increase air flow by using blowers, normally used to move hot air in the winter, when appropriate. Attach ribbons to vents to ensure blowers are used appropriately. Make sure this is accounted for and screens are clean so air flow is not restricted.
- Posters must be placed in housing areas reminding offenders of heat precautions and the importance of water intake.

PRECAUTIONS AND ACTIONS RELATED TO OFFENDER FANS:

- Offender fans must not be confiscated due to property restriction during this time.
- Fans may only be confiscated if they are altered or stolen.
- Offenders may purchase a fan if they do not already have one.
- Fans are allowed to all custody levels, to include administrative segregation and disciplinary status. Offenders with fans stored based on these restrictions must have their fans re-issued for the time period that they are allowed.
- Ensure the fan programs are in place, allowing the permanent issue of a fan to an offender on a first to provide, first to receive basis. An offender who has a significant medical need, based on a condition or medication that is negatively impacted by heat, must be given priority.

TX-CURE Fan Project

Please remember those in prison who are indigent and have no way to escape the summer heat. Consider sending a $20 donation to the Texas C.U.R.E. Free Fan Project. This project makes sure that indigent inmates in TDCJ are provided with fans to help them cool off. The rates would apply to both interstate and local calls; the current interim rates are not allowed higher rates based on their specific phone rate service basis. An offender who has a signif- icant medical need, based on a condition or medication that is negatively impacted by heat, must be given priority.

Phone Rate Update: July 2016

The FCC is proposing a new set of caps for the rates prison phone companies can charge. The former cap on phone calls set last fall was at 11 cents per minute. The new cap will be 13 cents/minute for debit/ prepaid calls, inmate, or federal prisons. The rates would apply to both interstate and local calls; the current interim rates apply only to interstate calls. County jails will be allowed higher rates based on the size.

The FCC’s new decision is a compromise, to account for jails’ and prisoners’ legitimate ICS costs and it gets the caps finally set in place after years of struggle.

FCC representatives said that the new proposal comes up for a vote by the FCC at an open meeting on August 4, 2016. If the changes are voted in, it will take about 3 months for the laws to take effect.

“Choose This Day”

By Karen Keith
Austin Radio Advocacy Project Member

In 2013 when I stepped into Plane State, I was terrified. Age 56, my first time in and I just knew that this place was filled with really bad people – or at least that is what I had always been told, so I believed that to be true. Yet, here I was standing at intake and I knew that I wasn’t a bad person; I was a person who had made a bad choice.

How many of us have made bad choices over the years? Purchased a lemon of a car, bought into that fast diet that failed miserably, acquired those too-tight jeans and no one told you how bad you looked? How about that hair color that turned your hair a color you just weren’t looking for or worse, burned your hair so it broke off? Cooked a meal that sounded so good in the recipe, but definitely wasn’t when you made it? Ignored the quiet ones, the ones you think are the most successful person you’ve ever met? Done it all, you’ve done it all – made it safely, but what if you hadn’t?

Choices are a daily occurrence – gala or granny smith apples? Ketchup or mustard? Coffee or tea? Drive or call a cab? Walk or sit on the couch? Meth or sobriety? Leave an abusive relationship or stay? Buy that bottle or buy my kids dinners? Be proactive and give back or sit in the day room and do nothing?

While incarcerated, I chose to be a teacher’s aide and wound up teaching GED math at my unit. I chose to get up each day, whether I really wanted to crawl out of bed at 4am and not go do something, anything. While I was in prison, was a lot of laughter, smiles that lit up a room when they “got it” and graduated. Yes, there were those individuals that jumped hard and often on my last nerve, but they were there, they showed up and tried to help. All helpful for that small gift. I learned that real people, people who were innately good, had made some bad choices and they were now in prison.

After 3 years inside, I was released on December 15, 2015 – YAY for freedom! I had to make a lot of choices then, how to get around a brand new city, to cope with meeting all these new people, deal with the loss of my children and grandchildren, the reality of the death of my best friend while I was incarcerated, face my shame and guilt, and find a job.

Each day I choose to get along, get up and keep trying. I choose to get involved in organizations that are working hard on reentry issues. I choose to find like-minded individuals who want to affect a change, not only in society, but in those we left behind.

Today, choose to do what is right, just, fair, kind. Choose to look someone in the eye and smile.
HIGH TIDE: TDCJ’s 2016 Heat Directive

Excerpts from TDCJ’s 2016 Heat Directive

“Due to the potential for extreme heat conditions in the coming months, it is imperative that everyone take precautions to help prevent or reduce heat-related illnesses.” Loree Davis, Director CID.

HEALTH WELLNESS CHECKS AND RESPIRE AREAS:
- TDCJ staff and medical providers must work closely together to identify each offender who may be susceptible to heat
- A list of offenders identified as heat sensitive must be provided to officers assigned to housing areas.
- During normal security checks, officers must conduct wellness checks and seek assistance for offenders as needed.
- During the extreme temperature months, offenders must be allowed access to respite areas in late afternoon and early evening hours or, if necessary, more frequently.

PRECAUTIONS AND ACTIONS RELATED TO OFFENDER HOUSING:
- Allow offenders access to cold water showers.
- A list of offenders identified as heat sensitive must be provided to officers assigned to housing areas.
- During normal security checks, officers must conduct wellness checks and seek assistance for offenders as needed.
- During the extreme temperature months, offenders must be allowed access to respite areas in late afternoon and early evening hours or, if necessary, more frequently.

PRECAUTIONS AND ACTIONS RELATED TO OFFENDER HOUSING AREAS:
- Medical staff must ensure that all HSM-18 medical restrictions on the IMF Medical Screen or HSIN Sensitive Medical Restrictions, are in place and available when needed.

PRECAUTIONS AND ACTIONS RELATED TO OFFENDER HOUSING ASSIGNMENTS:
- Inmate education and housing areas in late afternoon and early evening hours or, if necessary, more frequently.

PRECAUTIONS AND ACTIONS RELATED TO OFFENDER HOUSING TRANSFER:
- Transport offenders during the coolest hours of the day, when possible.
- Only transport psychiatric inpatient offenders to another facility via air conditioned transfer vehicles.
- Prioritize the use of air conditioned buses for transporting offenders with medical conditions.
- Ensure transfer officers are provided a list of offenders with heat sensitivity. Transfer officers must monitor those offenders for signs of heat-related illness.
- Allow offenders to take fans when being transported off the unit for a medical appointment. Transfer vehicles without functional fans, ranked for more than 15 minutes, must place a previously purchased fan on the vehicle. Units must ensure fans, extension cords, etc., are in place and available when needed.
- Load and unload transfer vehicles as quickly as possible.

SECURITY IS THE FIRST PRIORITY AT EVERY BACKGATE;
- Security is the first priority at every backgate; however, heat-related issues may arise when buses occupied by offenders are stalled at various times during the trip to ensure water remains at the appropriate temperature (transportation).
- Cups must be available to offenders on buses.
- Store paper towels that may be saturated with water and used during emergency situations when transporting offenders.
- Do not let their excuses form a barrier to success. Ask. Probe. Be a (gentle) nag.

“A Quote from Theodore Roosevelt:
“It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who actually strives to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause, who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat.”

The Relationship Between Reading and Inmate Education Impression:
By Terri LeClercq, Ph.D.

You are of course familiar with studies that reveal the national reading level of inmates. How can we hope and expect our Loved ones to lead productive life in the Real World if they have low literacy? And what can we, as their Reded, do to help those Loved Ones emerge better prepared, better able to meet the world’s new expectations of not only reading/researching literacy, but also computer literacy?

Sometimes, inmates sign up for GED classes and improve on their own. In my experience, many, many people are reluctant to admit they don’t know how to read, or have number dyslexia. Others have severe learning disabilities that poor old Wyndham School District is not equipped to overcome. Others are quite simply lazy! As their outside advocate, you need to step in, and soon. As their support system, you have a huge stake in getting them ready to achieve.

1. Be realistic about the Loved One’s current literacy level. Where did he/she stop paying attention in school? (This answers differs significantly from where the person left school, right? Usually students leave because they fail behind, or are bored, or have life problems outside the classroom that interfere with the learning process.)
2. Go to a library, or browse the ACT/SAT section of a nearby book store. What should students at that level know? What will they learn by buying this study guide? What area might your Loved one have earned the worse grades in, have the more negative attitude about, fears about? Should you begin there or first offer to help with something easier, more associated with better grades or experiences?
3. Stop and concentrate on that topic, or a different one. As their support system, you have a huge stake in helping inmates to take a step toward mastery of that area? Occasionally you can find, on line, some fun lessons that you can send inside. Send Inside maybe 4-5 pages, and say you’ll send the answers to any quiz or open-ended questions the next time you write. This has such a terrific double benefit, doesn’t it? Your Loved one knows you care enough to supply what he/she needs right now. Plus there’s the marvelous connection over a topic that is not needy children, unpaid bills, your anxieties in life—rather, it is a positive communication about a step toward a goal. Oh, and plus it’s a promise for another letter from you soon: a triple benefit.
4. In a perfect world, these constant little lessons will give your Loved One the motivation to sign up for that GED class.

If you meet resistance at first, why not find a novel that matches the approximate reading level? Or a book about his/her favorite topic. At Inside Books, we get numerous requests for how-to books: how to repair toilets and sinks, how to begin computer training, how to become a chef. We are always excited by these requests—the person is looking forward, preparing for release. So if your Loved One repairs motorcycles, or ties fishing lures, or cuts meat but wants to be certified as a master butcher...you might send a book about that specific topic through Amazon or other recognized book sellers.

This month on KPFT’s The Prison Show, we recommended that listeners find a copy of Boys in the Boat: Nine Americans and Their Epic Quest for Gold at the 1936 Olympic Games and Their Story of Adventure and Hope. The remarkable story of nine young American athletes who, against all odds, challenged the Nazi juggernaut of the world’s largest sporting event. All of them had a unique path to overcoming so many obstacles. Yes, and your Loved One should enjoy both the read and the engaging conversation. Please let other TIFA members know what happens!

Here’s the plot: 9 kids from the West Coast struggle to win the American slot at the 1936 Olympics (they do) then beat Hitler’s Nazi team (they do!). Here’s the theme: overcoming pain, fear of failure, loneliness, personal struggles, and even The All-Nazi winning machine of rowers. This book is a fabulous read, perhaps you can send one copy inside and read one yourself also. This is an area of study. Send copies Inside and read one yourself also. This is an area of study. This book is a fabulous read, perhaps you can send one copy Inside and read one yourself also. This is an area of study. This book is a fabulous read, perhaps you can send one copy Inside and read one yourself also. This is an area of study. This book is a fabulous read, perhaps you can send one copy Inside and read one yourself also. This is an area of study. This book is a fabulous read, perhaps you can send one copy Inside and read one yourself also. This is an area of study. 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**Visits Humble Chapter**

A brief overview of the phone system was given, which only started back in 2008 and was limited to US landlines and calls could only be made to numbers on the same line. Now offenders are able to call up to 20 registered US numbers and they can be to US cell phones as well. It was also explained that CenturyLink is the company that manages the offender phone system; they are contracted by TDCJ. Century Link provides the services, equipment and contracts with Securus to provide the service for it all to work. In order for all companies to be held accountable for their services, they are bound to an agreement with TDCJ, basically meaning when proper services are not provided they will be penalized in funds that will be collected back. It is up to the offender to inform his or her family on how to go about setting up a phone account. When it comes to registering a phone, family and friends need to call 866-806-7804 or visit www.texasprisonphone.com. To add funds to a phone account, an offender can buy minutes at a commissary, or family and friends can add money to a Securus account. Registration for calls but having your loved one inside TDCJ purchase the minutes is the cheapest route.

Many people have asked why there is only one company, Securus via CenturyLink, contracted to provide these services. When there is a possibility others could offer families a cheaper call rate. Mr. Miles stated that CenturyLink is the only provider because they won the investor contract with TDCJ and have invested the majority of the funds to install, set up and provide service to all the unit. CenturyLink provided the network they work with Securus, who provided the phone service. It was also stated that TDCJ does not receive a profit from these companies since they do not run the system for the phones. If TDCJ wanted to, they could switch investors if the current one, CenturyLink, fails to follow through on their contract agreement. A phone call requires some specific things for CenturyLink to follow: one phone per 30 inmates; offenders are to be registered within 20 days after becoming eligible to use the phone; a person is required to rotate to each unit to physically register inmates in a timely manner; and all calls are recorded and saved for 3 years, with the exception of attorney calls.

The phone system runs by voice biometrics to recognize each person using it, and there are currently 49,000 offenders on phones to use the phone. Year to date, June 2016, a total of 12 million and 197 calls have been made, and a total of 141 million minutes used to talk to loved ones.

Mr. Joe Miles believes the phone system is important to TDCJ offenders to help keep them in contact with family and friends; it can be healthy and therapeutic for them. He encourages family members whose phone issues are not resolved by Securus or CenturyLink to contact by email at Joe.Miles@tdcj.texas.gov.

**Speakers Explain Grievances at the Fort Worth Chapter**

**By Darlene Mathis**

Pat Proffitt, Fort Worth Chapter Chair, introduced Carol Gene Monroe, Deputy Director, Administrative Review and Risk Management (ARRM); Kelli Ward, Program Supervisor Offender Grievances; Misti Sorenson, Resolution Support Manager. They spoke and answered questions at the TDCJ Fort Worth July meeting with 24 attendees.

Members presented questions that LOS had shared:
- It is a waste of time to file a grievance.
- The guard does not return the grievance back to the inmate.
- The guard confronts the inmate about the grievance.
- The grievances are not handled through the proper channels and time frame.
- Refusal to return the inmate for filing grievances.
- It is a joke—nothing happens.

I also want to note that there is a profit made to the State from CenturyLink or a "kickback", about 40%. The majority goes to Crime Victims Services and the rest goes into the General Revenue. Mr. Miles wanted to point out that the contract requires some specific things for CenturyLink to follow: one phone per 30 inmates; offenders are to be registered within 20 days after becoming eligible to use the phone; a person is required to rotate to each unit to physically register inmates in a timely manner; and all calls are recorded and saved for 3 years, with the exception of attorney calls.

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