

# **Censorship!**

By Dr. Terri LeClercq

Prison officials can and do censor publications in many ways and for many reasons.

Federal regulations state that publications can be rejected only if they are found to be "detrimental to the security, good order, or discipline of the institution or if it might facilitate a criminal activity." Each prison governor or warden has discretion to ban reading materials if the content "presents a threat to good order or discipline" or possession of that material is likely to "have an adverse effect on the prisoner's physical or mental condition."

But something is happening out there, state by state, encouraged by the new, aggressive federal approach to criminal justice. Who would have imagined a new federal policy for the Bureau of Prisons that would eliminate an inmate's receipt of ANY books or publications from even Amazon and Barnes & Noble? The BOP began implementing its new policy in April 2018, and apparently assumes no one will notice or care. We better! Having to go through a private prison vendor will jack up prices beyond an inmate's reach. At one BOP prison, for instance, an inmate could previously order an Amazon book for \$11.76, but now it would be more than \$26. Privatization.

These changes subtly overturn the Supreme Court language and sentiment of the '80s:

"Prison walls do not form a barrier separating prison inmates from the protections of the Constitution," the U.S. Supreme Court found in its 1987 *Turner v. Safley* decision. While inmates are not entitled to full First Amendment rights, any encroachment on their freedom of speech must be "reasonably related to legitimate penological objectives." Somehow, even the Eighth Circuit overlooked the Supreme Court's decision. They allowed a Missouri prison to throw away a <u>Newsweek</u> magazine, because it described drug cartels fighting against the Mexican government. (Is any inmate not aware of this 'news'?) The Court pointed to the article's description of "disorder, violence, and the violation of law." (Have they read the Old Testament lately?) They actually bought into the prison officials' theory that "prolonged exposure to violent acts ... reinforces socially irresponsible behavior inside prisons," so the censorship was acceptable.

When my book, Prison Grievances: when to write, how to write was published in 2014, TDCJ banned it. Their own Grievance Office had helped me develop it--yet the Classification and Records Division wouldn't allow it inside. Why? Could anyone envision that an educational book, written as a graphic novel, was "detrimental to the security, good order, or discipline of the institution or if it might facilitate a criminal activity"? Of course not, yet we were able to send it into the libraries and through Amazon only when Sen. John Whitmire raised the issue. How many excellent books won't have a senator arguing for them?

The TDCJ units' unorganized and capricious censorship of books is a disgrace. Texas' banned book list is a laughing stock: renaissance art? (naked cupids) portrait photography? (exposed limbs) Monty Python Live? (language, bad attitude). I hate to bring them up in case TDCJ just closes all their libraries, but prison libraries' most-read books are from Stephen King and John Sanford both authors depict sex, racial violence, gangs, drugs, 'bent' officers, blood and gore—you name it.

On the other hand, TDCJ mailroom clerks destroy biographies of inmates. Yes, the formerly incarcerated authors describe their past deeds—but then explain how religion or self-awareness and education has changed their lives. They are redemption literature. TDCJ destroyed Hole in My Life by Jack Gantos, a Robert Sibert award-winner for young adult fiction (the inmate narrator watched a prison dentist open his shoe heel and sell drugs). TDCJ mailroom clerks threw away Sherman Alexie's Flight, a National Book Award for Young People's Literature, maybe because the Native Americans cursed? Because the time-traveling narrator described slaughtered "whites"? Their strict and narrow policy keeps those on the Inside from learning about redemption, keeps them from learning how someone broke through and became a productive citizen. The policy is counterproductive and punitive.

TDCJ does not return the books to the publisher, saying instead that they "destroy" them—even though, for instance, Amazon pays for returns. Those of us who pay for the books aren't re-credited. We lose. And somewhere out there a mail clerk either "destroys" stacks of books or .. resells them?

What can we do instead? What would offer a better balance? No one wants prison authorities to allow books on bomb making. But redemption biographies? Unclothed angels?

### A Modest Proposal:

1. The Classification and Review Committee needs to operate with a presumption of acceptance. That is, if the books will be available to the inmates upon release anyway, why deny the books now unless it promotes criminal behavior behind bars?

2. Choose educators and librarians for the review committee.

3. Educate the mailroom clerks twice a year. Require them to pass a simple yes/ no test of titles and perhaps content. If they can't pass it, replace them.

4. If a book or publication is denied, inform the person who ordered it and allow it to be returned to the vendor or the

### **TIFA Contact**

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And you can find us on Facebook.

**Note:** We read all mail that is received but cannot answer every letter. Our mission is strengthening families through support, education and advocacy.





From Board Chair Jaymi Furniss-Jones

### Maintaining Mental Wellness

As members of TIFA, the large overlap of mental health and chemical dependency with criminal prosecution comes as no surprise to us. Many of our loved ones at TDCJ have struggled with one or both of these issues without the appropriate intervention long before we experienced the criminal justice system. Now, coping with the separation from a loved one and the second-hand trauma that comes from supporting our loved ones while inside creates a level of stress that often leads to symptoms of depression and anxiety for us. TIFA provides reliable information that allows each member to advocate on behalf of their incarcerated loved one, but we also want to promote self-care and establish a community that offers the kind of comradery and compassion that enables all of us to survive this together.

For your incarcerated loved ones. Dr. Joseph V Penn described symptoms that all individuals are likely to experience in a TDCJ setting. He also outlined how inmates may access care in his overview of mental health services in 2016.\* Since then, Texas has taken a step in the right direction when The Sandra Bland Act was passed and took effect on September 1, 2017. Despite the final bill's limitations, it does mandate that local county jails divert individuals with current mental health and substance abuse problems into treatment. It also requires independent investigations when an individual dies in custody.

For you and your family supporting from the outside, maintaining hope and providing stability to your family can be incredibly difficult during your time with TDCJ. Texas requires each county to have a mental health provider to serve every resident, regardless of health insurance access and financial circumstance. Please continue to find love and support among your TIFA family, and know if you or your loved one are struggling with symptoms of mental illness or chemical dependency, you can contact your local Mental Health Authority to determine how they can help: https://dshs.texas.gov/mhsa/Imha-list/

\*Penn, Joseph V. (2016) "Overview of TDCJ Mental Health Services" Retrieved from https://capitol.texas.gov/tlodocs/84R/ handouts/C3822016060210001/11f0b93f-46d1-4dad-bb0b-8c390c491fe8.PDF n

### From Executive Director Jennifer Erschabek



### April is Second Chance Month

On Friday, March 30th, 2018 President Trump designated April as Second Chance Month and emphasized the need "to provide opportunities for people with criminal records to earn an honest second chance."

The proclamation is part of the Safe Streets and Second Chances initiative, whose mission is to enhance public safety, inspire a culture of respect for every individual, and remove barriers to personal and societal transformation. Denying jobs and housing to people with criminal records denies them the opportunity to work hard, support their families, and rebuild their lives.

Removing barriers upon re-entry into society after prison is desperately needed. But second chances should start earlier. Some suggestions include using more mental health and drug diversion courts, looking at how harshly people are being prosecuted and harshly sentenced and insulating the criminal justice system from political influences.

For those who are incarcerated, removing barriers means rehabilitation and mental health services should be required to start the first day someone steps into a prison, no matter the conviction or sentence length.

And when looking at parole solutions, we should not take the easy path and only seek the extremely attractive political arguments based on "low-hanging fruit" by emphasizing degrees of guilt by looking at non-violent vs violent crimes. They would sow divisions among advocates and threaten to undermine more universal arguments about redemption, rehabilitation, mercy, and aging out of crime that would encompass more individuals serving longer sentences.

A 2014 study from the Bureau of Justice Statistics found people who have committed violent crimes were less likely than property, drug, and public order offenders to commit another crime within five years of their release. The data also shows that people who committed the most serious offenses are actually less likely to recidivate than nonviolent offenders and even less likely to commit another violent offense.

When it comes to parole, we must look at at the rehabilitative efforts of everyone and the Texas Legislature needs to return to the policy of giving all individuals work time credit for rehabilitation efforts towards eligibility of parole and the opportunity of a second chance.

And on the outside, we need to talk about 'fear' and how it invades our political process. We must do more to educate the public that inmates who are released after serving lengthy sentences for violent crimes are unlikely to commit another violent offense.

We should continue to have conversations regarding retribution vs rehabilitation for ALL crimes that are committed. We must focus on the total population of our prison system, all 145,000+ people who are currently incarcerated. We must recognize ALL have value and dignity; ALL citizens are capable of change.

Rehabilitation needs to start the first day of prison and everyone should be given work time credit for his or her efforts towards parole eligibility. Let's give everyone a fair chance at a second chance. n

### Introducing TIFA's New Staff Members

### Lauren Oertel- Director of

Organizational Strategies. Lauren is a

passionate criminal iustice advocate who believes that our system needs a complete transformation, led by



the people who have been directly impacted by it. She has experience in criminal and racial justice advocacy, organizing, mobilizing, policy, research, communication, fundraising, and event planning. She collaborates with many organizations, including: the Austin Justice Coalition, Decarcerate ATX, Fair Chance Texas. Texas Advocates for Justice (under Grassroots Leadership). Truth Be Told. Inside Books Project, and Undoing Racism in Austin. Lauren is inspired by TIFA's commitment to Texas families and is looking forward to supporting the growth of the organization.

### Susannah Bannon – Director of Communications

Susie is a 37 year old formerly incarcerated woman currently pursing her doctoral degree at UT Austin, where she studies the rhetorics of criminality and other oppressive discourses. Susie's

motivation to pursue her Ph.D. comes directly from her own experiences with stigma and discrimination due to having a felony criminal record. She served just under one year in Texas prisons between 2009 and 2010; in total, she has spent about a decade of her life under one form or another of state supervision. Susie understands where families and their loved ones are/ have been! She has been an activist and organizer with several formerly incarceratedled organizations and is honored to now be a part of TIFA!

### Paula Hudson - Executive Assistant

Paula is a native Austinite, proud UT grad, and published fiction author. She as a mom. found TIFA like most of us. at that dark moment few of us expect. Her gratitude

knows no bounds for TIFA and all the amazing people comprising TIFA. She's delighted to join the team in an executive assistant capacity. n



person.

All of us know that "reading is

fundamental." All of us know that reading and learning can change the lives of those Inside. TIFA members should remind their state representatives, each chance they get (or take!) that when an inmate attends classes, it improves the social climate and communications in the prison population. and reduces problems with disciplinarv infractions, according to the Institute of Higher Education Policy (IHEP). Once your own legislator is aware, then other legislators and prison officials need to talk about that in the state-wide and national conferences.

We all know that reading will help our Loved Ones when they return to the Real World. Legislators also need educating about the cost of illiteracy and the cost of no or little education. A 2013 RAND Corporation study showed that participation in prison education, including both academic and vocational programming, was associated with an over 40 percent reduction in recidivism—saving \$4 to \$5 for each dollar spent. Destroying or banning a book meant for inmates to read, because of a word or picture, destroys that opportunity.

Our Own TIFA Modest Proposal is that we have to educate ourselves about censorship and then pass that information to legislators and prison officials.

It's up to us. n

### -Congratulations-To Dr. Terri LeClercq!

Just announced! Dr. Terri LeClercq is the recipient of the 2018 Golden Pen Award. The Golden Pen Award honors those who make significant contributions to advance the cause of better legal writing. LeClercq is the former Writing Specialist at The University of Texas at Austin School of Law. She is an author. And she is an advocate. In 2013, she published Prison

Grievances: When to Write, How to Write, a graphic novel that instructs criminal defendants and prisoners on how to write more effective grievances. You can order it through AmazonSmile. n





# **TIFA Chapter News**

Austin Chapter Welcomes Debra Gibbs, TDCJ Classification By Paula Hudson - Austin

IFA-Austin was pleased to have Debra Gibbs - Classification and Records - as our guest speaker on April 10th. She covered the basics of intake and some basic statistics.

In the first ten days, TDCJ completes intensive information collection such as biographical information, noting scars and tattoos, getting photo identification cards and completing an iris scan which is held in an FBI repository and is checked at release. The next week continues with a full medical and IQ evaluation, addiction assessment, sociological interview, full profile, and initial classification done by the Initial Classification Committee.

Seventy percent start as a G2 level. Most unit assignments are decided by age first (under 26 and over 26), medical and psychological needs, and security and educational programming.

The TDCJ moves 12,000 inmates a week for any number of reasons -- unit reassignment, medical needs, to release units, and more.

It's important to have TDCJ officials visit our TIFA chapter meetings to help our members understand TDCJ policy and procedures. These visits and presentations allow our members to learn how TDCJ operates and how to solve some of the issues their incarcerated families members may have. The time and effort of these visitors is truly appreciated. n



Debra Gibbs, TDCJ Classification and Records

## New Braunfels Hosts Parole Board Member Fred Solis

By Jessica Piña - New Braunfels

Hello everyone from TIFA New Braunfels! We have had a great year so far. The chapter is increasing in numbers and that means an increase in support, advocacy and education.

At our last chapter meeting the guest speaker was Mr. Fred Solis, San Antonio Office of Texas Board of Pardon and Paroles (BPP).

Some key bullet points discussed were:

- The TDCJ Parole office vs Texas BPP are two separate entities. Although they work together they are not the same.
- TDCJ and the BPP is currently working on a paperless system and are about 40 percent completed. This means all records for every inmate are scanned in and are immediately accessible upon request in order to determine/ review for parole as well as being able to correct administrative errors.
- The process for parole can begin six months before their "Parole date/ month".
- You can find a list of units in each BPP region at www.tdcj.state.tc.us/bpp.

There was so much information shared at this meeting. Subjects: special reviews, types of release/programs, parole packets and the effectiveness or ineffectiveness, importance of family support, employment, classification/orientation recommendations, SB45, as well as factors considered when voting.

I, on behalf of TIFA NB, would like to thank Mr. Solis for taking the time and having the patience to thoroughly explain the information.

Thank you to everyone who works so hard to keep TIFA strong. Many blessings to you all.  $\ensuremath{\mathsf{n}}$ 



### New Survey Shows TX GOP Voters Support Key Criminal Justice Reforms

he Texas Smart-On-Crime Coalition released the results of new 2018 Texas Republican Primary Voter Survey poll showing strong Texas voter support for key criminal justice reforms ahead of Texas' 86th Legislative Session. This information is from a survey conducted March 7 - 11, 2018 and included surveys from 600 GOP primary voters in Texas.

**75%** of Republican primary voters favor providing a path to redemption and allowing a second look for parole for those youth who can prove they merit a second chance. Youth under the age of 18 who commit certain, serious crimes are routinely sentenced to a life sentence with an opportunity for parole after 40 years. The U.S. Supreme Court has recognized that it is wrong to deny youth who commit a crime the opportunity to demonstrate rehabilitation through parole. n

### Be sure to check out the JULY TIFA Contact Newsletter for the rest of the survey results!

# TIFA 2018 Parole Packet Workshops!

IFA has two more **Parole Packet Workshops scheduled for 2018**. For registration and more information visit our website at www.TIFA.org/events. The cost to attend is \$50 for members and \$85 for nonmembers (which includes a membership).

Sat. Aug 18th, 2018 Houston 10am - 2pm CrossWalk Center 2103 N Main Houston, TX 77009

Sat Sept 15th, 2018 Dallas 10am - 2pm Lover's Lane Methodist Church (tentative) n



### TIFA Support for Legislative Change and the State Counsel for Offenders

By William T. Habern

### Dear TIFA members,

I am writing to you as Co-Chairman of the Texas Criminal Defense Lawyer's Committee on Corrections and Parole to enlist your association's support in our attempts to convince the Texas Legislature to enact changes to the public defender's office that provides legal services to indigent offenders incarcerated in the Texas Department of Criminal Justice (TDCJ). The office that provides those services, State Counsel for Offenders (SCFO), is a division of Texas Board of Criminal Justice.

In December 2017, the Texas Criminal Defense Lawyer's Association published a Review of the Operations of State Counsel for Offenders (hereafter "the Review"), which concluded that SCFO not only lacks the independence expected of a public defender service, it also fails to adhere to many of the other principles found in the American Bar Association's Ten Principles of a Public Defense System. As a result, indigent inmates in TDCJ have been ill-served by SCFO. As the Review notes, SCFO provides legal services to inmates on a variety of matters related to, among other things: immigration; criminal trial and post-trial matters; civil commitment of sexually violent predators; appellate criminal defense; time credit issues; and, to a limited extent, miscellaneous civil matters. SCFO is specifically precluded from assisting offenders with issues related to TDCJ policy or procedures with civil rights issues. This prevents SCFO attorneys from engaging in litigation to address the most critical problems identified in the attached Review. In addition, further limits have been placed upon SCFO attorneys by supervisors within SCFO, TDCJ, and the TBCJ. Some of these directly interfere with attempts by individual SCFO attorneys to comply with their ethical obligations to their clients.

The Review was based upon responses from 31 current and former employees of SCFO and defense attorneys familiar with SCFO. The questions focused on the principles set out in the ABA's Ten Principles of a Public Defense System. Some of the more shocking results of the survey include:

**83.9%** believed SCFO is not adequately independent from the influence of TDCJ management.

**77.4%** believed SCFO policies and office rules hamper zealous representation of SCFO clients.

**70.0%** believe SCFO attorneys lack sufficient independent discretion to adequately represent their clients.

**90.3%** do not believe, as a whole, that SCFO receives equal resources or pay as their prosecutor counterparts, or that SCFO is treated as an equal partner with prosecutors in the justice system.



The results are not surprising considering that SCFO is a division of TDCJ, and does not have independent budgetary authority (it comes under TDCJ's budget). Perhaps the most telling evidence of the mindset that pervades the operation of SCFO is the Review's citation to TDCJ's 2016 budget where SCFO is listed under Goal C, "Incarcerate Felons," Strategy C.1.4, "Offender Services." SCFO must compete for funding with those TDCJ divisions whose mission it is to incarcerate their clients. They must even compete for funds with the TDCJ's Office of Inspector General - the office that investigates their client's and recommends their prosecution to the Special Prosecution Unit (SPU) for felonies alleged to have been committed while in TDCJ.

This is in stark contrast to the SPU that cooperates with and supports prosecuting attorneys in prosecuting those cases in which SCFO attorneys provide defense services. The SPU is not affiliated with TDCJ, but is governed by a Board of Directors composed of prosecutors from counties that house TDCJ correctional facilities or Texas Juvenile Justice Department properties. SPU even has a separate line item under the Comptroller's Judiciary Section budget.

The numerous problems precipitated by SCFO's lack of independence include many that appear repeatedly in comments from those who provided responses to the Review survey. Some of the most egregious practices that appear repeatedly in survey comments refer to direct interference by SCFO supervisors in the trial tactics and strategies of SCFO attorneys. SCFO attorneys note policies prohibiting them from subpoenaing TDCJ employees as witnesses as well as a policy requiring a supervisor's permission to file certain motions deemed essential and routinely being denied that permission. Survey responses also mentioned policies prohibiting contact with certain TDCJ personnel, even where the SCFO attorney deemed such contact necessary to effective representation of their client. The limitations imposed on SCFO attorneys and direct interference in their representation of their clients are clearly driven by an institutional mindset that is often in direct conflict with the best interest of the client. Private attorneys representing TDCJ offenders are not bound by these limitations.

As a result of these longstanding practices at SCFO, in 2014, TCDLA passed the "Resolution For TCDLA To Support An Independent State Counsel For Offenders Established Pursuant To ABA," which is included as Appendix B to the Review. A similar resolution was passed nearly two decades earlier; however, as the conditions at SCFO continued, and even worsened, the 2014 resolution was considered necessary.

It is our hope that members of the Texas Inmate Families Association will contact their State Representatives and State Senators to address this matter with the Texas Legislature. Hopefully we can work together in an effort to "Promote competence, ethical conduct and professionalism," "Work for...a fair legal process," and "Assure meaningful access to justice for all persons."

William T. Habern n



# Grits for Breakfast

### Levin: Rural Counties Need to Get on Justice-Reform Train

The following blog by Scott Henson, Grits for Breakfast was originally published on Tuesday, April 24, 2018 and is reprinted with his permission.

he Texas Public Policy Foundation's newsletter arrived in my Inbox this morning and their top story related to over-incarceration in rural counties, focusing on pretrial detention:

# What to Know: Criminal justice reforms are decreasing jail populations and recidivism rates.

"The American criminal justice system's gradual realization that too many people are in jail needlessly just got a large, visible boost from the city of Philadel-phia," the Washington Post reports. "The city announced last week that it would close its notorious 91-year-old House of Correction jail because reforms begun two years ago have dropped the city's jail population by 33 percent, without causing any increase in crime or chaos.

Defense attorneys are working harder to get defendants released quickly with no bail or low bail, prosecutors typically don't oppose that, and the city's judges are releasing them. Philadelphia police are taking more defendants to treatment rather than jail. More petitions for early parole from longer sentences are being granted. More space is now available in the city's six jails for rehabilitation programs, and less overtime pay is needed for jail guards."

The TPPF Take: Such reforms are making a real difference in many urban areas like Philadelphia, but some rural areas are lagging behind.

"Rural jail populations are continuing to explode even while the last five years have seen sharp declines in urban areas and modest drops in suburban areas," says TPPF's Marc Levin, who heads the Right on Crime project. "The largest contributor to these jail populations are defendants awaiting trial. Fortunately, there is light at the end of the tunnel. As we highlight in a report to be released at the end of the month, many jurisdictions are stepping up to stem the tide of pretrial incarceration in rural areas."

They then linked to a recent column in *The Hill* by TPPF's Marc Levin arguing that rural over-incarceration risks those areas being "left behind as the criminal justice reform train leaves the station."

Wrote Levin, "rural jail populations are continuing to explode even while the last five years have seen sharp declines in urban areas and modest drops in suburban areas. The largest contributor to these jail populations are defendants awaiting trial."

He could (and perhaps should) have also added, as the New York Times reported last fall, that rural counties are sending people for incarceration in state prisons at vastly greater rates than their urban counterparts. And of course, since people who can't make bail are sentenced to incarceration more often than those who are released pretrial, there's a strong correlation between excessive pretrial detention and over-incarceration at TDCJ.

These are choices being made by local officials in rural counties - it's not just them being left behind by the criminal-justice-reform train because they don't have the internet, or a ticket, or whatever. Not in 2018.

The fact that the the tuff-on-crime ideology of rural over-incarcerators remains intractable has political consequences, explaining a great deal of the opposition to criminal-justice reform at the Texas Legislature.

The Texas Sheriff's Association, for example, is politically dominated by rural Sheriffs because they far outnumber their urban counterparts with the result that they're among the most regressive anti-reform advocates at the capitol. Same goes for the Texas District and County Attorneys Association. The big city DAs get more press, but as far as the Association's internal politics goes, they're outnumbered by their rural counterparts. That's why the group retains an essentially regressive agenda, even though the big-city DA offices who pay most of their bills are moving in a more moderate direction. (Related: From *In Justice Today* on state prosecutor associations: "*Prosecutors aren't just enforcing the law, they're making it.*")

Grits is glad to see TPPF focusing on rural over-incarceration; there's no other organization in Texas taking up the banner, and the conservative think tank is well-positioned to address the topic.

At some point, reformers must also address rural law enforcement's regressive impact on both the state-prison population and its political culture. But journeys of a thousand miles begin with first steps. n



### High Prison Phone Commissions at the Expense of

By Lauren Oertel

DCJ receives significant kickbacks from prison phone service providers, while families struggle with the high costs of communicating with their loved ones. The recent contract with Embarque Payphone Services, Inc. provides a commission of 40% of gross revenues. These commissions give the contractors exclusive, monopolistic contracts for prison phone services.

In State Fiscal Year 2017 the prison phone system collected \$46 million for phone services and almost \$2 million in e-messaging in gross revenues. The commission rate of 40% in this agreement amounted to over \$19 million in commission revenues for TDCJ.

- \$14.5 million of it went to the Victims of Crime fund
- The remaining \$4.5 million went to the State General Revenue fund

In 2016 the Federal Communications Commission (FCC) set a cap on **interstate** rates on prepaid calls as the

### Phones (Cont. from page 6)

#### following:

- State or federal prisons: \$0.13 per minute
- Jails with 1,000 or more inmates: \$0.19 per minute
- Jails with 350-999 inmates: \$0.21 per minute
- Jails of up to 349 inmates: \$0.31 per minute

This does not help **intrastate** calls however, and the prices for prepaid calls in the TDCJ-Embarque contract, not including taxes and fees are:

- \$0.234 per minute for local and intrastate calls
- \$0.26 per minute for local and intrastate prepaid collect calls

This system is effectively a regressive tax on incarcerated persons and their families, who are already known to have lower incomes than families who don't have justice involvement. Data from the Bureau of Justice Statistics show that incarcerated people had a median annual income of \$15,109 prior to their incarceration, which is less than half (48%) of the median for non-incarcerated people of similar ages, and many justice-involved families fall below the poverty line.

Criminological research undeniably demonstrates that increased communication with family during incarceration reduces the risk of recidivism. A recent survey found phone and visitation costs to be the top barrier for families trying to stay in touch during incarceration. More than 1 in 3 people surveyed went into debt to cover phone and visitation costs. n

### TDCJ Offender Orientation Handbook – Part 2 By Becky Haigler - Dallas

n the last newsletter families and inmates were reminded of the wealth of information that is provided in the TDCJ Offender Orientation Handbook. This Handbook is available online for families, and inmates may request a copy of the latest version. Michelle Lewis of TDCJ Plans and Operations Office michelle. lewis@tdcj.texas.gov, 936-437-6280, graciously invited families and inmates to contact her if they have any problems securing a copy of the current Handbook for the inmate. It became very clear, after that article appeared, that the procedures for distributing the Handbook are not always consistent within the system, and that there is a fair amount of confusion about the Handbook, from inmates up to wardens.

As the Handbook itself states, "Upon entering the TDCJ, offenders shall be provided with the latest revised copy of the Offender Orientation Handbook. Offenders currently incarcerated within the TDCJ shall have access to revised copies when revisions to the Offender Orientation Handbook are made. Handbooks written in Spanish shall be given to offenders whose primary language is Spanish. Rules shall be explained to offenders whose primary language is neither English nor Spanish."



However, it was discovered that only units which deal with intake into TDCJ maintain any significant inventory of the Handbook, so an inmate requesting a copy of "the handbook" is often assured that he has received it, but unit personnel may be referring to an individual "unit handbook" and may not even be familiar themselves with the larger, more extensive TDCJ Offender Orientation Handbook.

It was discovered that not all offenders move through the intake process in the same way, and this may be part of the confusion. For example, a female offender with a 3G crime starts but does not complete the intake process at Plane State Jail where most female inmates go through intake. Consequently, they arrive at their home unit without having received a copy of the Handbook. Some inmates were told they could look at a copy of the TDCJ Offender Orientation Handbook in the Law Library of their unit but would not be able to obtain a copy. However Ms. Lewis was able to facilitate distribution of the full Handbook.

If you have any doubt whether you or your inmate family member has a copy of the current TDCJ Offender Orientation

Handbook, it would be worth comparing any "handbook" they have with the copy of the Handbook which is available online. Most unit handbooks are less than 50 pages in length. The full Handbook has 134 numbered pages, which come after some unnumbered pages of introductory material and seven pages of Table of Contents, numbered in Roman numerals. Knowledge is power. Be sure your loved one is well-armed with the important information in the TDCJ Offender Orientation Handbook. n



DCJ Commissary Chief Eric Johnston says this is the time of year when they are submitting items for bid by suppliers.

If you have requests for changes or new merchandise, contact eric.johnston@tdcj. texas.gov or have your loved one submit an I-60 to Mr. Johnston, so the requests can be considered for this year's bidding cycle.

For example, a recent request by an inmate resulted in Mr. Johnston requesting that suppliers offer a coffee option in a reclosable container.

It could happen! Keep your fingers crossed.  $\ensuremath{n}$ 



Y ou can help TIFA by connecting your purchases with the programs below. Also, ask your family and friends to connect with these companies.

**AmazonSmile** – Go to smile.amazon.com and sign in. You can then select TIFA as your charity.

**Randall's/Tom Thumb** – Take your Randall's card to the customer service counter and fill out an application for the Good Neighbor Program. All you need is your card number and the charity number for TIFA is **13339**.

**Kroger** – Go to Kroger.com and register or go to the store for a card. If you register on line, you can choose you own ID. The number to use for Kroger's rewards program for TIFA is **82117**. n



### Need Some Help From the Subject Matter Experts at TDCJ?

Offender Grievance Procedure: If your LO has issues they may be formally addressed through the Offender Grievance Procedure if informal contact (verbally or I-60) with unit staff does not address the concerns. A Step 1 grievance should be submitted to the Grievance Department at your LO's unit. Ample time should be allowed for the Grievance Department to investigate the complaint and return a reply. If an appeal to the decision to the next level is needed, a Step 2 grievance must be submitted along with the original answered Step 1 grievance to the Grievance Department at the unit. The Step 2 grievances are reviewed by the regional authority or the Central Grievance Office. Directing grievances to unrelated offices may result in expiration of the grievable time period.

If your LO wishes to comment on the effectiveness and credibility of the grievance procedure, write a letter or send an I-60 request form to the grievance investigator at the unit or forward to the Central Grievance Office at PO Box 99, Huntsville, Tx 77342-0099.

If you have already pursued the issue through the Offender Grievance Procedure at Step 1 and Step 2, no other administrative remedies are available to your LO regarding the issue. You or your LO may pursue the matter in any manner they choose outside of the agency.

Offender Locator/General Information: - Huntsville, (936) 295-6371, or (800) 535-0283.

**Offender Protection Issues (OPI):** If your LO feels that his or her life is in danger,immediately contact a security supervisor; warden; assistant; or the Classification Department at the unit.

**Medical Care:** The unit physician is the primary care provider at the unit level and is responsible for the determination of medical treatments, medications, medical restrictions, and scheduling of services. Your LO should attempt to resolve a medical problem at the unit level first by contacting the unit medical administrator in writing (sick call request or I-60 request form). Subsequently, if your LO is not in agreement with the provider's response they may utilize the grievance process. Your LO will not be transferred for medical reasons without the approval and recommendation of unit health care providers. The TDCJ Patient Liaison Program (PLP) Family/Public PO Box 99, Huntsville, Tx 77342-0099. Hotline number is (936) 437-4271. (Your LO will have had to have signed a medical release for someone to talk to you about their medical issues and this form will need to be updated every six months.)

**Mental Health:** Treatment programs are provided for offenders with mental health needs. Mental Health Services Monitoring & Liaison (936) 437-3092.

Office of Inspector General (OIG) Investigations: Complaints or allegations relating to excessive or unreported use of force, physical harm by staff, or any crime committed by an offender or employee on state property should be directed to the Office of Inspector General Investigation Division at PO Box 4003, Huntsville, TX 77342. (512) 671-2480. Full details must be provided in order to initiate an investigation in the manner.

**Classification:** Issues related to time disputes; time calculations, sentencing; concurrent time and stacked time, jail time, forfeited good conduct time, back dated good conduct time, class promotions, cell assignment, or information on various programs should be directed to the Classification Chief at your unit or the Classification & Records Department at PO Box 99, Huntsville, TX 77342-0099. (936) 437-6231.

**Transfer:** Offenders are not at liberty to choose their unit of assignment. Notify the Classification Department at the unit if you have a reason that warrants a transfer. A request for a hardship transfer may be made if an immediate family member, listed on the approved visitation list, is unable to travel long distances. To be considered, your LO must be at least L1/G3, with no major

disciplinary cases for 1 year and more than 200 miles from home. A family member may submit their request along with a letter from their doctor to verify the medical disability to TDCJ Classifications & Records Department at PO Box 99, Huntsville, TX 77342-0099. (936) 437-6231. A transfer is not guaranteed, but the request will be reviewed for consideration.

**Religion:** Any issue related to religious programs, services, holidays, or activities should be directed through the Chaplain at your unit or the TDCJ Chaplaincy Department at PO Box 99, Huntsville, TX, 77342-0099. (938) 437-6319.

**Parole review status:** (prior to being voted by the BPP to be released) - Board of Pardons and Paroles status line at (844) 512-046. PO Box 13401, Capitol Station, Austin, TX 78711. Or check through the 'Offender Search' function on the TDCJ website and click on the <u>Parole Review Information</u> link on your loved one's information page. https://offender.tdcj.texas.gov/OffenderSearch/ index.jsp

**Parole release status:** (after being voted by the BPP to be released) - Parole Division status line in Austin (512) 406-5202.

**Education:** Issues related to education should be directed to the education counselor at your unit. Continuing Education issues should be directed to Windham School at PO Box 40, Huntsville, Tx, 77342. (936) 291-5303. The counselor can also assist with college applications.

**Trust Fund & Commissary:** Issues related to a commissary account should be directed to Inmate Trust Fund at PO Box 629 Huntsville, TX 77342. (936) 437-4700. Issues related to commissary purchase, items stocked, or special requests should be directed to the commissary supervisory at the unit. For trust fund deposit slips, send a self-addressed, stamped envelope to Inmate Trust Fund, PO Box 60, Huntsville, Texas 77342-0060 or request them after your unit visit. (936) 438-8990.

**Offender Telephone System:** For problems with the phone system, contact in writing: TDCJ – Information Technology Division Offender Telephone System Contract Manager P.O. Box 4016 Huntsville, TX 77342-4016 Email: offenderphones@tdcj.texas.gov (936) 437-1437. For help with your Securus account visit their website at securustech.net

**Food Service:** Issues related to meals, sack lunches, or special diet menus should be sent to the food service manager for resolution at your unit. If the issue is not resolved at the unit level, then contact the Director of Food Service at PO Box 99, Huntsville, TX 77342-0099 (936) 437-8310 or your LO can utilize the Grievance Procedure.

**Legal Assistance:** Issues such as conviction appeal, detainers, divorce, or child support should be directed to an inmate's attorney or State Counsel for Offenders, Legal Services Section at PO Box 4005, Huntsville, TX, 77342-4005. (936) 437-5203.

Law Library: All offender legal issues related to unit operations such as, access to courts, legal visits with other offenders, free world attorney visits, indigent, legal or correspondence supplies, postage, policy, and state law information requests should be directed to the law library. Access to Courts (936) 437-4822. If your LO disagrees with a response from the law library staff, they may utilize the Grievance Procedure.

**Security Threat Group (STG):** If your LO feels they have been incorrectly identified as a member of a security threat group, or wants to begin the disassociation process, they should contact the Security Threat Group Office (STGO) at their unit. The STGO will know the proper procedure to follow to have their STG status reviewed. They may also write to the Security Threat Group Management Office (STGMO) at PO Box 99, Huntsville, TX, 77342-0099. (936) 437-8924. However, the STG Management Office relies more on requests and information submitted to them by the Unit STGO than from inmates.

Lockdown & Shakedowns: Unfortunately inmates who had nothing to do with a disturbance are often included in a lockdown, and all offenders at a unit are affected by a semi-annual shakedown. The procedures for implementing a lockdown or shakedown are well established and have proven effective in restoring order and ensuring the security of the unit, as well as the safety of offenders and staff. That does not mean the process is pleasant for offenders or staff. If your LO feels procedures violate policies, they may utilize the Grievance Procedure.

For a complete list of phone numbers, visit: http://www.tdcj.texas.gov/directory/ index.html n

### Anxious? Things You Can Do Daily That Will Help

Some people have anxiety and have probably been living with it their entire life. If you do, here are some things you can do each day to help stay calm. Try them, what do you have to lose?

1. When you wake up in the morning and your mind starts rattling off a "to-do" list,

take a deep breath. Focus your awareness on the moment. Using your five senses, identify what's going on around you. This can help soften obsessiveness, and remove the sense of dread you might be feeling.

2. Find some quick humor. The idea is to laugh and get out of your head.

3. Practice gratitude by finding something to be grateful for. It could be a friendship, your health or simply having an extra can of soup in the cupboard. This will help to focus your mind on the positive instead of the negative.

4. Do one task at a time. Don't allow yourself to play the game of multi-tasking. Not only will it make your anxiety worse, research tells us most of us aren't good at it.

5. Lean into your anxiety by doing something productive. This could be scrubbing out the sink or mopping the floor. Trying to pretend you aren't feeling anxious only makes things worse. Do something constructive with that energy that benefits you in the long run.

6. Carry apples with you. The hard truth about living with anxiety is nervous eating. In many cases, this means reaching for whatever is in front of us (even when it's unhealthy). If you are going to snack, why not consume something healthy? Apples are great because they give your mouth something crunchy to munch on while delivering fiber and vitamin C to your body.

7. Put money in your piggy bank each day. This can help you feel like you are doing something about financial stress; a common source of anxiety. It could be \$1.00 or \$10.00. The amount doesn't matter. What does matter is the peace of mind you will gain by knowing you are saving.

8. Move your body. This could be something simple, such as a walk around



the block or doing some quick jumping jacks. You don't have to start a gym routine (although that doesn't hurt). By becoming more physically active, you give all that energy you

are carrying a place to discharge.

9. If you drink coffee, try having just one cup. Better yet, switch to 50/50. Sure, you could move over to decaf but that could feel like punishment. The point is to reduce the number of stimulants you put into your body. Think about it. You are already wound up – do you really need to amplify that?

10. Don't be ashamed of your anxiety – instead, learn to accept it. Shame does nothing but make you feel worse. Additionally, it makes anxiety stronger. By accepting that this is something you live with, anxiety's grip lessens.

Yes, it's difficult living with anxiety but try to find the joy in your day, and do what you can to manage in healthy ways. n



# Tracking Property During Unit Transfers

IFA receives a lot of questions concerning property during a transfer. The number one issue is the time it takes for property to catch up with an owner when they are transfered. Thanks to TIFA member Inez C. for this research.

When a person is transferred, they are allowed to take one bag of property with them on the bus. The rest of their property is packed, inventoried, and the inmate will sign and be given a copy of everything in his or her inventory.

The packaged property will sit at the unit waiting for a truck going to HUNTSVILLE

-- the Transportation Department receives it there. Depending on the location of the unit [like Robertson in Abilene], a truck going to Huntsville can actually be few and far between.

The property will be stored in Huntsville until a mail truck goes to the particular unit to drop off property. However, it takes the TEXAS TOUR just like our family members do.

If your family member's property has not reached them in 6 weeks, FIRST, you should contact the unit property officer at the unit they transferred from and obtain a MST number. All property officers should be able to track the shipment. If the unit property officer says they cannot track the shipment, contact the Warden at either the prior unit or the current unit for further assistance.

Families CANNOT contact the Transportation office directly, the Wardens will do that.

Please allow at least 6 weeks for transfer. Property is seldom lost, but if it is, your family member will have to fill out a 9177 Grievance and request reimbursement and replacement of the property. <sup>n</sup>

### A Special Offer for those who are currently incarcerated in the TDCJ

I would like a \$10.00 (one year/4 issues) subscription to the TIFA Contact Newsletter I would like a \$20.00 (two year/8 issues) subscription to the TIFA Contact Newsletter

I understand that this is not a TIFA membership. My \$10 or \$20 includes four(4) or eight(8) issues of a yearly subscription. TIFA is not responsible for any lost issues that are not provided because of a change in unit OR TDCJ failure to deliver. The subscriber is responsible for notifying TIFA of ALL address changes at least 45 days prior to the next issue. Issues will be delivered in the middle of Feb, May, Aug, and Nov of each year. Please notify TIFA if your unit changes or you are released.

\$\_\_\_\_\_ Donations are always cheerfully accepted!

Inmate Name (please print clearly)

**TDCJ Number** 

TDCJ Unit

 Signature
 Date

 Please mail your TDCJ Trust Fund money order to:
 TIFA
 PO Box 300220
 Austin, TX 78703

# Camp Good News is Taking Applications for the 2018 Summer!!

Camp Good News is once again taking applications for their 2018 summer camp Aug 5-9, 2018 and it's **FREE**!

Camp Good News is situated 10 miles south of beautiful Navasota, Texas, and each year they host 30 male and 30 female campers for a session of hope, love, and fun. The camp is open to children ages 10-15 who have a parent incarcerated in Texas.

For the campers and their families, it costs nothing! Support for the camp comes mostly from Episcopal churches throughout the state.

"At Camp Good News, we're all about blessing the children of incarcerated parents" says camp director Ed Davis. "We believe that every person on earth needs to know Jesus. We know that children who have an incarcerated parent are 6-8 times more likely to get into the system themselves, and so these kids need our help more than anyone. This will be our 17th year offering this free camp and it will be especially great because we are doing African drumming again and the kids absolutely love it!!"

Feel free to check out the camp information on their website at http://www. campgoodnews4kids.org/. Then, when you're ready, click "How to apply."





# Tarra Simmons Is An Inspiration To Those In Need of A Second Chance

By Lauren Johnson

Last November, I flew to Washington state to support Tarra Simmons; a woman who I'd only known through Facebook and mutual friends. She and I have many things in common, not the least of which is having spent time in prison.

In 2010, after the death of her father, Tarra relapsed into drug use and was subsequently arrested. Upon her release, she began to cobble her life back together and eventually enrolled at Seattle University Law School.

Tarra graduated Magna Cum Laude with a Dean's Medal and received the coveted Skadden Fellowship, which is only rewarded to a handful of law students each year and provides recipients who plan to do public interest work a full-time salary and benefits. Upon graduating, Tarra began preparing for the bar exam.

The character and fitness board of the Washington state bar denied Tarra access to take the test. Other law students with criminal histories have taken the bar in Washington. With all of her hard-earned achievements, Tarra had no reason to believe she'd be rejected. She asked the Supreme Court of Washington to reverse the decision.

I sat in the audience that day in November anxious and hopeful. As both sides argued the case before the Supreme Court justices, my emotions ran the full gamut. I listened as one of the members of the character and fitness board presented on the reasons for the decision and heard echoes of my own experiences. As she detailed the initial hearing, she brought up the number of times that Tarra had mentioned her Skadden Fellowship, versus how many times she had apologized for her past transgressions.

The testimony instantly struck me. It took me back to all of the employment trainings that taught us to accentuate the positive and turn the negative into a positive. It reinforced an idea that maybe we can never say sorry enough, or do enough to prove our worth. I was so thankful that one of the justices pointed out that anyone who had been through so much might be excited to talk about an achievement like receiving the Skadden Fellowship.

The justices did something that day that they hadn't done in decades. They returned a same day decision, unanimously opining that Tarra Simmons would indeed get to sit for the bar exam.

April has been designated "Second Chance Month," and it is fitting that we found out on April 13th that Tarra Simmons passed her bar exam. I am celebrating the idea of second chances with the hope that we can make policy changes to transform the lives of the millions of people swept up into our justice system—some of whom never really had a first chance.

I share this to bring you hope, that we can be and do more than exist and get by once we come home. We may have to work harder, there may be rejections along the way, everyone has to deal with those things and every no is just one step closer to the yes. There are people out here breaking down barriers that will open up pathways for your journey. These paths are narrow and not well worn, but who better to travel them than us? n



Daily I often walk alone throughout the corridors of Coffield Unit's administration segregation tiers, talking with its one thousand plus residents who I often think of as the "forgotten ones." Some of these men have very violent pasts, others are misunderstood, a few are only suspected of having done things, and many are societie's *best kept little secret,* the mentally ill. However, all of them have one thing in common with each other, you, and me – they are human.

It's often said that a dog is a man's best friend. This may or may not be the case; however, no one would ever dare think of keeping man's best friend caged for a long period of time, even if he kept misbehaving. Even with a history of misbehavior, I'm sure he would get another chance. Likewise, it is disheartening to see men caged for 23 hours a day, 7 days a week, society's lowest of the low in the "land of the free." This is no time to assign blame, there is a lot of that to go around on all sides. We as a society fail to realize that somewhere between 95-98% of all offenders in Texas, including these men will be set free at some point in time. They'll be citizens, someone's neighbor, and employees. The question I often ask myself and you should too—"What state of man will they be when they return to society?" So, as I encounter each man, I keep in mind what the Scriptures say, "mercy triumphs over judgment," Truly if mercy does triumph over judgment, then we must not fail to realize and help the citizens of this state see that men and women deserve another chance. especially those who have been incarcerated for decades at a time.

This upcoming legislative session there is an opportunity "to dynamically change the narrative" by crafting stories of your incarcerated loved ones' humanity. Change from the top down and on all sides is indicative of what state of men we are returning to society. Thomas Jefferson once said, "Equal and exact justice to all men, of whatever state or persuasion." Our common humanity unites us all and is the message that we must utilize to help society remember why this country is still great. There are no throwawys in this state. Until every human in this state is restored back to society "whole," then we have a broken society which does not fulfill the core principles of "we the people."

We have a part to play—therefore, "Don't grow weary in well doing, for you will reap if you don't faint." You may grow tired of the setbacks, desire to give up hope, and not see the fruit of your labor, however, prisoner's lives matter because "we" too are made in the image of God, truly, "mercy triumphs over judgment." n



TIFA PO Box 300220 Austin, TX 78703-0004

### CONTACT Vol.23 No. 2 April 2018

# **TIFA Chapters**

#### Amarillo

Currently Reorganizing Check our website www.tifa.org for meeting information

### Austin- Central

2nd Tuesday, 7:00 pm AGE Center 3710 Cedar Street Austin, Tx 78703 (512) 576-4687

#### Beaumont

1st Tuesday, 6:30 pm St. Jude Thaddeus Catholic Church Family Life Center 6825 Gladys Beaumont, TX 77726 (409) 617-8395

#### Conroe

Last Monday, 7:00 pm Eagle's Nest Ministries 1450 Blake Road Conroe, TX 77304 (281) 435-9908

#### Corpus Christi

2nd Tuesday, 7:00 pm New Life Behavior Ministries 3833 S. Staples, Suite S-103 Corpus Christi, TX 78411 (361) 813-7106

### Dallas

3rd Wednesday, 6:30 pm Lover's Lane Methodist Church 9200 Inwood Rd Oxford Rm #103/105 Dallas, TX 75220 214-792-0649

### Ft. Worth

1st Monday, 6:30 pm St. Christopher Episcopal Church 3550 S.W. Loop 820 Fort Worth, TX 76133 (817) 798-9010

#### Houston

2nd Tuesday, 7:00 pm CrossWalk Center 2103 N Main (N Main at Marie, entrance on the Keene Street side) Houston, TX 77009 (281) 435-4143

#### Humble

2nd Thursday, 7:00 pm First United Methodist Church 800 E Main St Humble, Texas 77355 (936) 442-0859

Killeen - Harker Heights 2nd Thursday, 6:00 pm VFW (Ladies Auxiliary) 201 VFW Dr Harker Heights, TX 76548 (254) 289-9429 McAllen 3rd Tuesday, 6:00 Calvary Baptist Church Slayton Building 2nd Floor 1600 Harvey Drive McAllen, Texas 78501 (956) 280-0951

#### Nacogdoches/Lufkin

3rd Saturday 10:00 am First Baptist Church 411 North Street Nacogdoches, TX 65961 (936) 634-2181

#### New Braunfels

1st Thursday, 7:00 pm Peace Lutheran Church-Cafe 1147 South Walnut New Braunfels, TX 78132 (210) 606-8584

### Paris

2nd Saturday at 2:00 pm Christ Community Church (in building with Nautilus fitness) 116 S Collegiate Dr Paris, TX 75460 (903) 495-0018

#### Pearland - South Houston 3rd Tuesday, 6:30 pm (exc Nov & Dec)

& Dec) Manvel Bible Chapel 4230 FM 1128 Pearland, TX 77584 (281) 300-7275

### San Angelo

2nd Thursday at 6:00 pm Immanuel Baptist Church 90 E 14th St San Angelo, TX 76903 (512) 371-0900

### San Antonio

2nd Tuesday, 7:00 pm St. Vincent De Paul Catholic Church Parish Hall 4222 Southwest Loop 410 San Antonio, TX (512) 371-0900

#### Tyler

2nd Thursday, 6:30 pm Freedom Fellowship 2915 SSE Loop 323 Tyler, Texas 75701 (903) 504-9771

#### Waco

3rd Thursday, 6:30 pm Waco Hispanic Chamber of Commerce 915 La Salle Ave Waco, TX 76706

Check our website and calendar for new TIFA Chapters starting near you. www.tifa.org If you are interested in starting a TIFA chapter in your area, please contact the TIFA office. (512) 371-0900 or send an email to tifa@tifa.org