



July 12, 2022

To the Texas Legislators:

For decades, by means of extreme temperatures, Texas has allowed the cruel and unusual torture of Texas citizens to persist, within their prisons. The summers are getting longer and hotter with temperatures regularly reaching **triple digits for extended periods of time**. According to sweltering heat history and rigorous predictions, a HEAT ADVISORY will sustain with no end in sight. Seventy percent (70%) of TDCJ units are NOT fully air-conditioned; and as we are all well aware, HOT inside is MUCH hotter than outside: an UNBEARABLE 107 degrees temperature outside will roast at 125 degrees or higher inside many units across the state of Texas. EVERYONE inside is in danger of possible suffocation, heat stroke, and other health risks. Officers, incarcerated individuals, and staff are suffering daily in persistent high temperatures and humidity. Incarcerated citizens succumb daily to conditions of heat exhaustion and heat stroke. The media has cited and has perpetually reported, the heat issue *as an ongoing hazard*. **This is no moot matter. It warrants immediate, radical adjustments bringing over-heated conditions up to par with humane and appropriate quality of life standards for these TEXAS CITIZENS/HUMAN BEINGS!**

As an advocacy group that works with thousands of affected family members and incarcerated individuals, we deal with the abuse and trauma inflicted on these Texas Citizens daily. However, during this latest summer with such extreme temperatures, what is the typically inhumane deliberate difference has risen to catastrophe, as we are receiving not only DAILY or HOURLY but, MINUTE by MINUTE, concerns and complaints due to the lack of adequate temperature control. Adherence to health policies is life support and saves a life. Constitutional rights continue to be violated and I am sure that Lawsuits will be increasing.

Humane treatment is not a suggestion but a MANDATE.

AIR CONDITIONING saves lives. **As things currently stand, people are literally being cooked alive!** Real people...HUMAN BEINGS are dying; and of those who died due to heat-related injuries, some had an internal body temperature of 110 degrees. These valuable Texas citizens are family to someone, and their family members are suffering with them and crying out for them. We beckon you to hear their plea for mercy and respite in accordance with humane policy. Others have suffered from hyperthermia, seizures, renal failure, and even death due to the extreme, torturous heat. The state, by simply installing air conditioning in all Texas prisons, can prevent the overwhelming agony, yet, it utterly refuses. To stand by and ignore or casually address the severity of this pressing matter is negligence, and the ramifications are deadly -- the malignant fate of many. **The budget for medical and mental health services for incarcerated Texans has risen from \$9.33 to \$15.35 per prisoner per day, according to TDCJ's Annual Operating Budgets.**

TDCJ has implemented AD 10.64 as a way to mitigate some of the heat, however, **this approach of putting a bandaid on a gaping wound only leaves blood on their hands**. The same issues that were presented in our 2022 report with Dr. Purdum, Dr. Dixon, and I, which contains surveys from 2018 - 2020, still continue today and conditions have declined dramatically since COVID. As demonstrated by our report on mitigating factors AND current information, **AD**



10.64 IS INEFFECTIVE AND LOGISTICALLY IMPOSSIBLE!! Due to a substantial burden on the limited amount of officers that are already overwhelmed, depleted, and suffering, protocol simply cannot be confidently and entirely adhered to which is inexcusable and totally unacceptable. Over the last ten years (2011-2021), 409 state employees have succumbed to heat-related illnesses. In just the months of June, July, and August, these financial costs as well as, the detrimental costs related to the physical health and well-being of incarcerated Texans and officers, could be easily reduced by installing AC in all prison units. Over the last ten years, the turnover employment rate for corrections officers has steadily risen, from 22.40% in 2011 to 40.54% in 2021. One of those reasons is the inhumane working conditions further exacerbated by Covid-19. Covid-19 is another prison condition causing the exodus of corrections officers from TDCJ, with the most recent death of a staff member happening on May 20, 2022. As of July 2022, there have been 236 confirmed incarcerated citizens' deaths from Covid-19, eight presumed inmate deaths also related to Covid-19, and 63 inmate deaths with cause pending but listed on the TDCJ website's Covid-19 dashboard and, additionally, 86 employee deaths. That is more Covid-19 deaths than any other state and more than the Federal Bureau of Prisons. **Is this really the number one trophy that you want for the state of Texas under your watch? Most of these deaths could have been avoided if the air conditioning with purification systems THAT WE REQUESTED LAST SESSION, were present in Texas prisons.**

Currently, the conditions have become so dire that Officers have been reaching out to us. Prison employees go home every night exhausted both from the extreme heat as well as the long overtime hours they are mandated to work due to officer shortages. ***Historically, TDCJ has NEVER been fully staffed however, the situation has now become dire as they are operating at 67.69 % (short 7613) corrections officers contributing to the excess amount of monies being spent on officer overtime to the tune of 20-24 million a month in overtime*** (see Joint Committee Correction & State Affairs hearing Director Brian Collier's testimony). As officers tend to utilize PTO time during summer months, leave the position, get sick and die from COVID, and new job opportunities arise in their communities (jobs that pay better, have better working conditions, and air conditioning) these trends will continue and become more exasperated. Given these concerns, it becomes easy to extrapolate the rationale for the demonstrated dismal recruitment of new officers. **This shortage increases the risks of violence within the prison for both incarcerated citizens and employees, as well as impact community safety. These are Texas citizens and state employees.**

TPCA receives communication from the incarcerated, family members, ***and most recently more officers.*** The quotes in the written statement only scratch the surface of this dire situation. **The prisons are understaffed and officers are passing out and dangerously exhausted. They are reaching out to our family members, incarcerated individuals, and our organization. Along with a broken system, ice machines are breaking down at several units, and in many units, water and ice are not available. Wellness checks are not consistently being conducted, respites are being denied with intimidation and threats of punishment, rack ups and lockdowns have dramatically increased.**

The following excerpts are just a small sampling of what we have been receiving :



"In accordance with our Comprehensive Searches Policy, showers are afforded 3 times a week." Ms. Teresa Martinez, Assistant Warden, Bill Clements Unit. This maneuver is in direct violation of AD 10.64 which states "Allow additional showers for inmates when possible."

Staggering heat waves qualify for additional showers and dictate making it possible.

"My husband just called telling me they're baking them in there, refusing water, ice, and respite showers. He had to go to the infirmary because he can't breathe. He said Ross and Corbin are the ones denying these things stating, of course, they are understaffed."

This again is a direct violation of AD 10.64 which states additional water should be made available.

"My husband called he is in building 3 A pod; the whole pod is having problems with Captain Ramirez and Officer Lachance who is harassing them and cussing them out. They are denying them cool-down showers and making them stay in their hot cells."

Per AD 10.64 offenders should have access to respite 24 hours a day.

"My loved one passed out due to heat. He asked for help and medical for hours, and no one wanted to help him. They said use your sink water and stand by your window."

"I have a son who is in TDCJ for 19 years. My son has asthma. Yesterday he said he was seeing black. It was so scary."

"On 6.21.22, 2 inmates and Officer David passed out due to "heat exhaustion" on the Ramsey Unit. There are no wellness checks."

AD 10.64 states that wellness checks should be conducted during each security round.

As Legislators of Texas, you all have been entrusted by and given the authority by the citizens of Texas to protect and serve. That position and authority allow you to rectify this situation **NOT** continue to sit back and watch nor practice indifference, inhumane maltreatment, and cruel and unusual torture (as punishment) as those who have gone before you. Is it punishment or revenge? The fact that this situation still remains unchanged speaks volumes to your constituents. **To sit back, and accept, this situation IS criminal and the State- Governor Abbott, Lt. Governor, TDCJ, and TBCJ are accountable and culpable in the sight of God!**

Just as air-conditioning was immediately installed in the commandeered prison units for Operation Lone Star, IMMEDIATELY (in the manner you might utilize if it was YOUR family member or beloved pet family member), air-conditioning and a standard of maintaining 65 to 85 degrees, should be placed in EVERY area of EVERY TDCJ-owned facility FOR THESE TEXAS CITIZENS. Permanent air conditioning is what we are calling for **NOT just** the temporary air conditioning as in the case of Operation Lone star, that is currently costing Texas taxpayers hundreds of thousands of dollars and yet not benefiting its citizens. **If you fail again TPCA will return during the regular season to inform you of the death toll, how much money is being taken from Texas citizens, and wasted towards defending legal actions towards TDCJ due to decades worth of indifference by the state. By omission or commission, the State is guilty as charged!**



Since the state insists on continuing to maintain the rhetoric of “not enough money for AC” and cannot properly manage nor take care of the individuals under their authority and care, we have listed just a few areas/alternatives for potential funding which of course is not exhaustive, and we would be open to discuss and provide insight as to other options that may be utilized as well. 1. Closing units -with costly maintenance such as those which are over 100 years old and millions of dollars’ worth of deferred maintenance. 2. Re-evaluate and revitalize the compassionate release/MRIS program. 3. Re-evaluate, revitalize, and utilize the parole system more effectively 4. Address the need for alternative methods to mass incarceration, as this system has clearly become too large for effective management.

God Hears the Cries of the prisoners and their families!
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