

Fair changes

RESTRICTIVE  
HOUSING  
PROPOSAL

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**76367-6568**

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## RESTRICTIVE HOUSING PROPOSAL

In attempt to align the Restrictive Housing (RH) environment with the stated mission of the Texas Department of Criminal Justice (TDCJ), We, the offenders of the TDCJ, do hereby suggest and recommend the following proposed changes be seriously considered, and that upon determination by a select committee of these changes "serving penological interests" that the policies be furthered developed and implemented by the TDCJ immediately. We request that the Texas Board of Criminal Justice (TBCJ) review this and adjust TDCJ Policy accordingly.

### 1. Indefinite Restrictive Housing Confinement

For too long the TDCJ has had loose policies associated with this issue, and it has been statistically proven that the past and present practices work against the stated mission of the TDCJ. Thus, the following need be considered and implemented.

A. Review Process - All reviews by the Restrictive Housing Committee (RHC) and Unit Classification Committee (UCC) need be done with the offender present. Offender should receive prior notification of impending hearing and be allowed to present a written and verbal statement, along with any documentary evidence in support of any requests the offenders may have ;

B. Release - A dedicated release plan should be clearly outlined to the offenders upon entrance, or maintaining on a monthly basis, in order to allow an offender to transition back into the general population (GP) environment after a determinate length of time. The determinate RH sentence should begin from the last Major disciplinary infraction, restarting when an offender receives said disciplinary. Mental Health patients shall be governed by other criteria already in place.

**C. Individualized Treatment Plan (ITP) -** Each offender entering RH or currently housed in RH should receive documentation outlining their ITP goals, and Counselors/CaseWorkers should explain the purpose of the plan. All ITP's should be able to be completed within the release timeline in order to be released from RH to the GP environment. Counselors/CaseWorkers will work with certain offenders on their caseload, and all RH offenders should be distributed evenly amongst Counselors/CaseWorkers. For those offenders who refuse to work their ITP, they should either be prolonged long enough for ITP completion, or placed in the Close Custody G5 status/environment for further development once their determinate time has elapsed in RH provided no disciplinary infractions have been committed by the offender. ITP noncompletion should NOT be penalized with a disciplinary case under any circumstances. The ITP should have criteria for completion, such as cognitive thinking skills, narcotics and alcoholics anonymous (for qualifying offenders only), value and character-building, self-esteem building, anger management, coping mechanisms, stress, etc depending upon assessed needs as determined by qualified mental health care professionals or the counselors/caseworkers. ITP needs-assessment should be based upon current needs, past and present behaviors, and mental health input. The ITP should have an educational component to it. Upon entrance into RH, or directly upon implementation of these proposed policies, the offender should be provided with packets or modules one at a time, with each being reviewed WITH the offender for determination of understanding of the content, for assessment of internalization, or to ascertain whether follow-up is necessary. ITP status should be reviewed by the RHC monthly as part of the monthly RHC review already instituted.

**D. Disciplinary Infractions Timelines -** All disciplinary infractions which are serious enough to warrant RH placement should have rigid timelines attached to them. For instance, all Level 3 offenses should result in no more than six months RH confinement, all Level 2 offenses can result in up to two years RH confinement, and all Level 1 offenses can result in no more than five years RH confinement.

Whatever the time limit, it should be rigidly adhered to on the upward maximum level, but not strictly limited to that mandatory time. That is, for the worst offenses-Level 1 infractions-the time limit can be anywhere from six months to five years, but never more than that five years, with time limits being a factor in ITP requirements as determined immediately upon entrance (remainder) to the RH environment by the Counselor/CaseWorker whom the offender is assigned to. Possibly release time line can be accelerated as a result of positive program participation.

**E. Groups / In-Cell Training** - Possibly the RH offenders, if maintaining their Level 1 A, can participate in 'Group Therapy', said group therapy participation being in accordance with the offender's ITP, done in a designated groupin area (like the inside recreation yards on 12 building units), with ALL offenders earning 'Group Time' as a new Time-Earning category, as explained later herein. The Counselor/CaseWorker would have a chair or desk that can be utilized during 'Group'. Group would consist on focusing on ITP objectives in a more hands-on way, which could provide the Counselor/CaseWorker with a greater ability to monitor and assess the needs of offenders on their caseload. For those offenders ineligible for a group setting, such as safekeeping status, in-cell interaction could be provided in the form of at-door consultations. For facilitation of the group therapy, group eligible offenders should be housed together. Safekeeping offenders should also be housed together in order to prevent mix-ups and mistakes. The same goes for confirmed STG members. Everyone else would be determined by disciplinary status, current level and ITP needs. Gang members of the same gang would be eligible for grouping with each other automatically.

**F. Security Threat Groups (STG)** - The classification of ALL confirmed STG members and groups should be equal. Eliminate the 'Type 1' and 'Type 2' STG classifications which currently confine some entire

groups in RH while allowing other entire groups to freely remain in GP. This violates the Equal Protection Clause and Due Process Clause of the Fourteenth Amendment to the United States Constitution, which clearly states, in part: "...[N]or shall any State deprive any person of life, LIBERTY, or property, without due process of Law; nor deny to any person within its jurisdiction the equal protection of the laws." Because TDCJ allows SOME STG's to remain in GP, a liberty interest is created who solely by their confirmed affiliation are separated and relegated to the RH environment, despite many of them having perfect disciplinary records while their 'free' counterparts often continually engage in disruptive behaviors. The Type 1 and Type 2 STG classification is an arbitrary classification system, and only serves to deny the rights of some while affording other offenders who are similarly classified liberty interest rights and prevent universal application of the law. ALL STG's should be treated equally. ALL need to be consigned to the RH environment, or ALL need to be allowed to be released to GP. STG should NOT be a factor in housing some in RH, and the housing criteria should rather be determined solely by disciplinary infractions as they occur. Because Parole is largely determined by behaviors and current classifications, and many confirmed STG members in RH are denied parole as a result of refusal to go through the Gang Renunciation And Disassociation process, a liberty interest is created here, since STG confirmation and G.R.A.D. refusal are determining factors in granting parole, and only this one 'Type' of STG is so affected by this classification and these factors. G.R.A.D. is required by some and not for others. This is an unfair and unreasonable application of policy and Law. All current STG members in RH should be immediately reviewed for release from RH.

G. Security Precaution Designators (SPD) - SPD's need to be appropriately placed on offenders engaging in those behaviors of Hostage Taking (HS), Escape (ES), Staff Assault (SA), Security Restraints (SR),

Life Without Parole (LWOP, Contraband (CB), and Self Harm (SH)). No more arbitrary or retaliatory SPD placements, simply for justification of continued and indefinite RH confinement. SPD's, once placed, should be reviewed by a panel consisting of the TDCJ-CID Director, the Regional Director, and the Classification Chairperson in Huntsville, Texas. All SPD time-limitations need to be strictly adhered to, with exception of those offenders who engage in that SAME risky behavior, in which case the SPD time-~~limit~~ limit should be started over from the date of the last SPD-related incident. The Security Precaution Designator Review Committee (SPDRC) will continue to review the SPD placements on a yearly basis, with computer software automatically updating relevant offices to pending annual review needs. SPD's of SR, LWOP, CB, or SH should not be determining factors in custody or classification, since these SPD's are permanent. The policies governing deactivation of SPD's need to be strictly abided by, with HS going to HZ ten years after the incident, ES going to EZ ten years after the incident, and SA going to SZ ten years after the incident. No more prolonging SPD's for arbitrary reasons unrelated to the ~~SPD~~ SPD's themselves. Placement of one or more SPD's should not result in the offender being confined to RH indefinitely, nor should any SPD automatically require ten years in RH. SPD holders should be able ~~to~~ to progress in accordance with their ITP and be released from RH within the time limit as elaborated on in Section 1.D. Disciplinary Infractions Timelines.

## 2. Classification

A. State Classification Committee (SCC) Review must be meaningful. Current SCC review is rote, meaningless, ineffective, and is in many ways violative of the U.S. Constitutional rights to Due Process. The SCC Review has over the years come to be no more than a perfunctory charade informally designed to subject offenders to de facto indefinite confinement in the RH by virtue of their plenary powers. This is evidenced by the fact that they have held

offenders under false pretenses (a nonexistent Hostage), and despite biannual reviews where offenders requested removal of the SPD and the SCC has refused to remove the SPD—prompting Texas Governor Rick Perry's Office to COMPEL TDCJ to DELETE a falsely placed Hostage (HS) on one occasion which the TDCJ did but it was TWELVE YEARS after the false placement of this SPD and the supposed incident date, and two years beyond the ten-year activation time-frame [See TDCJ-CID Offender Rickey Pearson, #1115020, history]. This is but one example of their abuses of power that the SCC regularly engages in. Other examples are how when STG members are annually reviewed by the SCC there is never anyone from the STG Office present, and how when mental health caseload offenders are reviewed there is never anyone from the mental health department present. Because offenders are RH-placed as a 'disciplinary measure', Counsel Substitute should be present to represent offenders and argue for their release from RH. These are due process hearings/reviews and we are and should be entitled to the same due process protections as in a disciplinary hearing. That is, offenders are entitled to Counsel Substitute representation in a disciplinary hearing that gets offenders SENT TO RH; Offenders should also be entitled to Counsel Substitute representation in a State Classification Committee hearing/review that gets offenders OUT OF RH.

1. B. Anyone in RH currently who has been there for five years or more needs to have an in-depth psychiatric evaluation, with written and verbal testing, and a personal interview, and the mental health interviewer should be a neutral team of non-TDCJ doctors and mental health care specialists, such as psychiatrists, psychologists, psychotherapists, therapists, counselors, caseworkers, etc. The evaluation results should be compiled and presented to the Patient Health Liaison Office in Huntsville or to an office in Austin created just for this purpose. This information, barring personal identifying offender information, should be made publicly available for statistical analysis. These evaluations would aid in identifying those with acute mental health needs that are a result of the lengthy RH confinement and would be for better intervention and specification of an ITP.



- C. Anyone who is NON-STG who has been in RH FIVE years or more needs to have SPECIAL SCC REVIEW with a panel consisting of One TBCJ Board Member, Patient Health Liaison Office Director, and one SCC Member. This panel should determine whether the offender can be immediately released to GP.
- D. Anyone who is NON-STG who has been in RH TEN years or more needs to have SPECIAL SCC REVIEW with a panel consisting of the TBCJ Chairperson, the TDCJ-CID Director, Patient Health Liaison Office Director, and the State Classification Chairperson. This panel should determine whether the offender can be immediately released to GP.
- E. STG members need to have SPECIAL SCC REVIEW with a panel consisting of ALL members of the SPDRC and the Director over the Security Threat Group Management Office. There should also be a qualified mental health professional on this panel. This panel should determine whether offender is truly an STG threat and make a determination as to eligibility for immediate release to GP. Disciplinary History SHOULD be taken into consideration.
- F. If not IMMEDIATELY released from RH to GP, then ITP's should be created delineating RH release criteria.
- G. ALL SPD placements need to be reviewed at next SCC hearing for discontinuation, deactivation, deletion and 'appropriateness' determinations. Original reports should be created at this review, and these reports should be forwarded to ALL members of the SPDRC for review, with SPDRC members having the ability to make suggestions or recommendations based solely on related incidents since SPD placement. These reports should also be forwarded to or made available to organizations such as the Prison Policy Initiative for statistical analysis. In so doing, the level of 'transparency' can be ascertained.

H. New time-earning classification of 'School Time' should be created to incentivize educational participation while in TDCJ. BH offenders can receive 'School Time' by completing in-cell educational materials provided by Unit Windham School District officials and in conjunction with materials provided by the Rehabilitation Programs Division (RPD). ALL offenders - even 3(g) offenders - should be eligible for 'School Time'. This would ultimately work to rehabilitate the participating offender. [Time-Credit calculations to be determined by the State Legislature]

I. New time-earning classification of 'Group Time' should be created to incentivize group participation while in prison. BH offenders can receive 'Group Time' by participating in 'Group' activities such as cognitive skills group, anger management, values, independent-living, etc, either in a classroom-type situation with group-recreation eligible offenders or in-cell, with materials provided by the Rehabilitation Programs Division and disseminated by the Counselor/Case Worker assigned to the several offenders. ALL offenders - even 3(g) offenders - should be eligible for 'Group Time'. This would incentivize rehabilitation. [Time-credit calculations to be determined by the State Legislature.]

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J. To be clear, time-earning classifications, upon implementation of 2.B. and 2.I., would be ALL of the following :

- A. Good Time;
- B. Work Time;
- C. C. School Time;
- D. Group Time

### 3. Education

RH offenders should NOT be excluded from educational activities. For those 'grouping-eligible', they could either gather in an approved classroom area, or in the pod/section dayroom (for those units with separated inside recreation yards), with an approved teacher or offender-teacher's aid/tutor either teaching or just distributing educational materials in packets or modules and explaining it for in-cell working. It has been shown that the more educated an offender is, the less likely the chance of recidivizing. It has also been shown that the higher educated an offender is, the ~~the~~ odds of them recidivizing decrease in proportion to the degree obtained. Thus, societal interests are better served by educating the offenders. Because currently most RH offenders are released directly to society after years and even decades of stagnation and mental degradation, that contributes to a more dangerous society overall as a result of those offenders being forbidden from engaging in educational activities. In addition, because of this, offenders get out no more educated than when they went in, meaning obtainable life-skills have been denied the offender, directly resulting in increased level of recidivization-again, further destabilizing society. The State, then, and State organizations like TDCJ, has every reason to educate ALL offenders, and for many offenders the only way to compel educational participation (and subsequent increased rehabilitation) is to INCENTIVIZE it. In this instance, that incentive, as 2.H. reflects, is to create a time-earning classification of 'School Time', to work just like 'Good Time' and 'Work Time' currently do, in allowing the offender to decrease real prison time on a scale proportionate to similar time-earning statuses. ALL offenders -even 3(g) offenders - shall be eligible for 'School Time'. It is clear after decades upon decades of 'warehousing' offenders on a strictly disciplinary level that this method does NOT work. In fact, it measurably works against society ultimately. TDCJ, therefore, should place much greater emphasis on rehabilitation, and one means to that end is incentivizing offender education. This would include GED/Diploma, Higher Education, and even trades. For RH offenders, this would include in-cell educational materials and formal course education, with a WSD official proctoring any final exams for certification and/or degrees.

In furtherance of this educational/rehabilitative goal, 37 Texas Administrative Code §271.1 (c) should be relied upon as the authority, and as such the offender's ITP should ~~be~~ include a "Needs Assessment Instrument" for assessment of needs and qualifications of offenders for participation in "Vocational" and "Educational" "Treatment or work programs."

#### 4. Recreation

Physical activity for RH-confined offenders is ~~is~~ important for physical and mental health, and should be provided on a regular basis in accordance with law. With the advent of Covid and subsequent high staff turnover rates and shortage of staff, recreation has been rare, with offenders on more days than not remaining confined to their cells for the full 24 hours, in contravention of 37 Texas Administrative Code §271.1 (11) and ~~§§~~ (12) and the policies outlined in the RH Plan. The RH Plan specifically provides for alternate recreation schedules of : 1) One hour per day for seven days ; 2) Two hours per day for five days ; and, ~~§§~~ 3) Group~~s~~ Recreation. Due to chronic staff shortage and inability to fulfill alternate schedules 1) and 2), I propose that 3) Group Recreation be considered more fully now as a legitimate alternate schedule for RH offenders.

A. Non STC RH Offenders - These offenders, if on level 1A and not classified as 'safekeeping Status', should be able to engage in group recreation. Four-person group recreation would be a suitable group size, and all recreation participants must submit to a strip ~~§§§§~~ search prior to going to the dayroom. Each offender who desires to participate in group recreation must agree to terms outlined on paper as indicated by their voluntary signature on a group recreation agreement form. This form will clearly delineate the group recreation rules as well as disciplinary measures that can and will be taken as a result of violation of these rules, to include a disciplinary case, loss of level, loss of time-earning status (S3, S4, L1, L2, etc), and loss of future group recreation privileges for a determinate amount of time. If the violation is from a sexual assault or an assault with a weapon (whether injury was caused or not) then the offender should be and shall be permanently

banned from group recreation participation. If at any time a group recreation results in a use of force by staff (ie, an offender refusing to exit the dayroom area and return to their cell), then this should also result in permanent banning from the group recreation participation, as well as constitute a violation of group recreation rules and thus subject to further disciplinary measures. By the force of their signature the offender agrees to not horse-play, fight, engage in sexual activity, climb any bars, or any other requirements as promulgated by group recreation policies and Recreation Staff. In this way, with two hours or even one hour per day, it would take fewer hours to completion of all recreation activities. All offenders ineligible for group recreation MUST STILL be provided an opportunity for single-man recreation for the approved time limit.

B. STG RH Offenders - These offenders shall be grouped in accordance with level status (1A) and housed by each other. This would facilitate STG group recreation, up to seven offenders of the same STG group at one time, for two hours, daily, for completion of recreation activities on a fourteen-man section (12 Bldg. units) in no more than four hours. There shall be NO mixing of STG offenders for purposes of this group recreation with other STG organizations. This will prevent internicine conflict, and facilitate safe group recreation activities. These STG offenders shall also agree by the force of their signature to all terms delineated on the Group Recreation Agreement Form, and shall for violations of any rules be subject to group recreation suspension or further disciplinary measures in accordance with the TDCJ Offender Disciplinary Handbook. There shall be NO exceptions. STG organizations are 'self-policing', and I foresee no problems in this area. These offenders must also submit to a strip search only when going from the cell to the dayroom. These offenders should also be able to 'opt out' and enjoy single-man recreation for the approved time-limit if so desired.

- C. Dayroom Games - Offenders participating in group recreation shall be allowed to bring table games to the dayroom, such as dominoes and chess.
- D. Television - A protected elevated mounted television in the dayroom would be beneficial as it would serve to keep offenders at recreation occupied. Only RECREATION STAFF shall control the television remote control, and television would only remain on so long as there are offenders in the dayrooms.
- E. Telephones - Offender Telephone System (OTS) telephones (at least two phones, spaced sufficiently apart) should be mounted in the dayrooms for offender use while at recreation. These facilitate family relationships, which are important for mental health stability of offenders and enable support systems which are important to offender's rehabilitation and release. Families and friends almost always are supportive of offenders maintaining positive behaviors in order to be released quicker, and this should be exploited for rehabilitation and reentry purposes.
- F. Designated Recreation Officer(s) - One or more officers should be in control of recreation activities. These officers should be specifically hired ONLY for recreation activities, and 'Recreation Officer' or 'Recreation Specialist' should be their official employment title and position. This officer would be in charge of Group Recreation Agreement Forms and determinations of who can and cannot group recreate. The duties of this official can be elaborated on in official administrative directives. All violations of group recreation rules would be immediately referred to this official. This official, upon determination of rule violations by offenders, would confer with the Counselor/Case Worker the offender is assigned to for ITP considerations. This official would be assigned to RH only, and would have office space with file storage and computer access for facilitation of all recreation duties.

## 5. Housing Of Offenders

STG offenders shall be housed together to facilitate self-policing of members. Non-STG offenders should be organized and situated/housed to facilitate group recreation. All offenders who sign the Group Recreation Agreement Form shall be housed together for facilitation of group recreation activities. Those offenders ineligible for group recreation -whether voluntarily or involuntarily- shall likewise be housed together. Otherwise, all current housing criteria should continue to be considered.

## 6. Offender Telephone Access

A. In-dayroom telephones should be provided, as previously stated in 4.E.

B. A mobile roll-around telephone should be provided for offender access/use, to be moved from call to call;

C. Securus JPS Tablet Telephone capabilities

RR offenders should be allowed to access the telephone capabilities on the Securus Tablets, provided said offender is on Level 1A and is maintaining good behavior. The Securus telephone system has advanced algorithms to restrict illegal communications and so that should not be a factor at all in determining RR offender Tablet phone accessibility.

D. Time-Limits and Call Frequency

Calling time limits should be increased as should call frequency. Currently RR offenders either get a five-minute phone call every ninety days (level 1A only), or a five-minute phone call once per week, depending on the unit, and at the discretion of -and subject to- Warden approval. Five minutes is not enough time to communicate beyond a greeting and a parting word, whether the five minutes be per ninety days or weekly. Time-limits should be increased to at the very least ten minutes if on a TDCJ-owned cordless phone, and/or said calls provided daily. Offender phone access via OTS or Tablets removes the cost from TDCJ and places it on the offender and their families/friends, and TDCJ gets a percentage of the call-per-minute fee. Thus, TDCJ has a huge financial incentive to allow greater telephone access.

## **E, Telephone Fees**

Telephone fees should be consistent across TDCJ, with \$0.06 ¢ per minute being a starting standard. This will prevent profiteering off of offenders and their families/friends, which does nothing more than disincentivizes communication.

## **7. JP6S Securus Tablets**

These Tablets should be made available to ALL offenders, including Level 1A RH offenders, and all offenders should have access to ALL content available, to include Telephone, Jpay Messaging, Pando Religious App, Podcasts, Magazines, Newspapers, News Site/streaming, movies, games, streaming music, FM radio, commissary, educational, rehabilitative, pre-release, ebooks, audiobooks-and any and all other content not specified herein. These Tablets have unlimited possibilities and potential for rehabilitating offenders, for educating, entertaining, facilitating communication, and much more. As a result of the rigors of the RH environment, RH offenders need these Tablets the most, and they will benefit the most. No Tablets shall be taken out of the cell.

## **8. Showers**

**A. Activities** - Showers must be provided daily in accordance with the RH Plan. For offenders on Level 1A, shower access should be provided freely, one at a time. An officer rover can supervise from the D-Space area or a place near the pickets and dictate which cells are opened and which offenders go shower, and immediately record same. Doors are electronic and can be controlled by the picket. Offenders can be instructed that not going directly to the shower from the cell (and returning to the cell after the shower) and loitering can result in removal of freedom of movement shower privileges. If a use of force occurs in such an instance, freedom of movement shower privileges will be permanently restricted for that offender. In that case, the offender will be charged with a disciplinary case appropriately, moved to appropriate housing, and only thereafter be provided with a shower with handcuffs and an officer escort only.



Only one offender out of the cell at a time. Documentation must be filled out by the Picket Officer or the rover officer supervising the freedom of movement shower. Offenders will get no more than ten minutes total in the shower, with the time limit being strictly abided by.

B. Water Temperature - Water temperature needs to be set at a reasonable temperature. Not too hot, not too cold. 85° may be sufficient. Showers have no active ventilation, so temperature should not be so high as to cause extreme steam in the small shower. Temperature can be tweaked according to seasonal temperatures, or reconfiguration of shower knobs for offender temperature control of hot and cold buttons or knobs.

## 9. Visitation

Currently RR offenders get two hours per visit, with exception of special extended visits when certain criteria are met (ie, 250 miles distance) upon approval by and at the discretion of the Warden. Due to the out of the way rural locations of units it puts undue burden on many families and thus disincentivizes visits. Current policies make visits so prohibitively expensive for such a short time, that many would-be visitors simply never visit. The longer a loved one goes without seeing their loved prisoner the greater the relationship void, and the greater that void is the less support the prisoner has and as a result the more isolated and unloved the prisoner may feel. Visitation, therefore, should be reconsidered.

A. Extend Visitation Time - Extend regular visitation time from 2 to 3 hours per visit;

B. Special Extended Visits - The qualifying distance to gain approval for a special extended visit should be reduced from 250 miles distance to 100 miles distance. Texas is a very large State, and ~~#####~~ MOST potential visitors live between 100 to 200 miles away, which currently makes them ineligible for special extended visits. This change would promote more visitation.

C. Vending Machines - Vending machines prices need to be reasonable and in line with standard vending machine prices. The current prices are extremely expensive, marked up to over 200%, and this is because TDCJ wants to get their 'cut'. Because TDCJ allows no independent vendors to sell prisoners items, they more or less have monopolized the vending machine system, much the way it has monopolized every other aspect of TDCJ. These steep vending machine prices are robbery to the lower class families who can scarcely afford the gas to come see their loved one. Fair prices need to be established, with no more than the actual costs of the products factored into the prices. Visitation should NOT be a for-profit enterprise.

D. Contact Visits - Currently no RH offenders can have contact visits with their loved ones. If certain criteria are met (Family and friend/Visitor agreement, hostage waiver, Level 1A, State Classification Custody of S4 or better) then offenders should be eligible for contact visits with approved visitors. A visitation area would need to be created for this, even if in a standard visitation booth that has been altered for this purpose, to enable visitors to kiss and hug. This would need to be developed more. All contact visits like this would need to be Warden-approved well in advance for suitable notice for prearrangement of a supervising officer.

## 10. Commissary

A. Safe items need to be sold to offenders. Nothing suspected of causing or known to cause cancer, reproductive harm, or other health problems should be contracted for or sold to offenders. Currently there are at least TWO items sold on commissary which are suspect and even clearly labeled - Sriracha Mackerel ('Reproductive Harm'), and OBM Adaptors ('May Cause Cancer'). Meat products are so prohibitively expensive that most people buy the cheapest meat product available, which is this Sriracha Mackerel. Offenders should not have to choose between their physical health and affordability of items.

B. RH offenders should be able to purchase the same items as all other offenders, with the single exception of the padlocks. Currently units differ on what they allow RH offenders to purchase, such as razors, boxer underwear, gym shorts, thermal pants, socks, hotpots, multi-outlets, mirror, nail clippers, and a few other items. There is NO penological interest being served by denying purchase of these items, and the restriction of same only seems to serve to be a further effort to dehumanize offenders. Razors and nail clippers are hygiene items and needed for personal upkeep, and denial of purchase of both forces offenders to resort to other means to meet their hygiene needs—that is, to buy 'contraband razors' and 'contraband nail clippers' from Support Service Inmates (SSI's) and such at extremely elevated 'prison black market' prices.

C. Toothbrushes are currently three INCHES long. The handle area is one-and-one-quarter-inch long. There is then three-quarters of an inch to reach the brush area, and the brush area is one inch long. This means that in order to brush our back teeth we must literally stick our hand into our mouths to brush. This is ~~is~~ unacceptable for adults. It is such a hassle to brush our teeth with these \$0.20 ~~¢~~ toothbrushes that many forego the practice altogether. While selling these tiny 'Security Toothbrushes' (ostensibly to prevent 'Shankings'), they sell us typewriters with over a foot long solid steel bar, radios with solid and sharp pieces inside of it, and numerous other 'dangerous' things. This makes it clear that these toothbrushes are not for security, but for further dehumanization of offenders. This same commissary sells spoons that are solid hard plastic that are five inches in length. They don't sell 'Security Spoons'. There is NO rational purpose for selling these tiny toothbrushes. IDOJ needs to immediately END all contracts with the Bob Barker Company which sells substandard and dehumanizing items while simultaneously profiting off of the offender population. Christmas on Alford Unit in 2021 all offenders on this unit were 'gifted' full size toothbrushes, thus proving that offenders can have these and be responsible—and I bet

there are NO disciplinary cases revolving around a stabbing with a toothbrush. This isn't 1970 anymore. NO ONE uses toothbrushes to 'shank' anyone. Treat ALL offenders with respect, and give them proper ability to upkeep their personal hygiene by discontinuing the selling of substandard items and ~~and~~ by discontinuing arbitrary denials of certain items, like the full-size toothbrushes.

D. Commissary should sell fresh and packaged fruits and vegetables. There is also emphasis on buying healthy items from commissary, but of the over 100 items sold on commissary roughly only five of them can be considered 'healthy'. If health is important, then there should be greater availability of healthy items. Many offenders are overweight and even morbidly obese because they are trying to stretch their dollars as far as they can, and that entails buying mostly unhealthy items. Healthy items should also NOT be prohibitively expensive.

## 11. Air-Conditioning

Air-Conditioning should be available in every area throughout the prison system, with the RH areas and all service areas having A/C installed first, and then spreading to every area thereafter. Texas summers and the heat waves that cause extreme ~~heat~~ heat risks cause real issues with offenders and officers alike, with offenders in RH being unable to get relief from their heated cells and heated atmosphere and lacking access to ice or ice ~~water~~ water, and the officers having to wear heavy cloth uniforms as well as thick 'thrusts vests' with internal protective plates covering the vital areas. It is in EVERYONE'S interest to air-condition the prisons. It will stop heat-related deaths, stroke and exhaustion and result in a safer environment. ~~The~~ The TDCJ officers Union could participate in this issue on a lobbying level, since it will benefit officers.

## 12. Officers

A. RH officers need to be better trained to deal with the high-stress environment. They need to be rotated as policy dictates to provide

relief from the higher-stress areas like Level 3 pods, or their pay needs to be increased. They also need to be educated on personal stress coping mechanisms, and possibly need to be evaluated biannually for possible mental health issues as a result of the constant stress.

B. RH officers need to be of a good quality and the focus should not be on quantity. They should be trained in conflict resolution and deescalation as part of their employment. If necessary, a monetary incentive should be offered for voluntary special training in these areas and others. The TDCJ Officer's Union should have a part in this, and the Union should identify the quality officers and put them in strict supervisory positions.

C. RH officers ideally would be trained in social work or other mental health-related fields, and training in these areas should be a mandatory part of promotion to supervisory positions. With constant focus on this, eventually the system will reach a saturation point which effectively would create a much safer environment and facilitate a more rehabilitative atmosphere.

### 13. Independent Ombudsman

RH offenders should have direct access to an independent Ombudsman who is appointed by the Texas Governor. The address should be provided and made available through the law library, and the mail sealed special mail. Offenders would be required to provide Grievance numbers so the independent ombudsman can access the grievances filed to ensure PLRA compliance, review the responses, review the issue, review any evidence data the offender may provide that the Unit Grievance Office normally excludes or refuses to allow attachment of, and after ascertaining the validity of the claim have authority to override any UGO and Signature Authority decisions in the interest of fairness, impartiality, and conflict resolution, in order to foster a better relationship between offenders and prison personnel and to decrease

the likelihood of litigation. This office would be overseen directly by the Governor's Office "Constituent Communications Division" Deputy Director, and this person should be able to convene with members of the Texas Board of Criminal Justice regularly in order to propose policy changes that make the Texas Department of Criminal Justice a more equitable place.

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This packet with proposed changes to TDCJ offices and policies is composed by Offender Rickey Pearson #1115020, located as of June 17, 2022 at the James V. Allred Unit, 2101 FM 369 North, Iowa Park, Texas 76367-6568. I have been continually confined to the ad. seg. /Restrictive Housing environment for over 21 years and am qualified to speak on these changes, having personally experienced this.



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Rickey Pearson

cc: Texas Prison Reform , Fair Changes , Texas C.U.R.E./file