



Researching Human Rights in Texas Prisons

Rosenfield Program in Public Affairs,
International Relations and Human Rights

Dana Lindenberg

*Prison Justice League
Austin, Texas*



About the Organization

The Prison Justice League, or PJJ, is a non-profit organization in Austin, Texas that works to address human rights abuses and injustice within the Texas prison system. PJJ tried to accomplish its goals through policy/lobbying efforts, litigation and community organizing. Much like a union, PJJ encourages people incarcerated throughout Texas to become a "member". After joining, PJJ is able to use its members to get a first-hand account of the issues within the Texas criminal justice system from the people who know best. In addition to this, its members provide invaluable empirical data on the prison system, something that is sorely lacking throughout the United States. Though PJJ was only established in 2013, in the last few years it has had several major victories. Mainly, publishing several important reports detailing the abuses and horrendous conditions in the prison system, as well as winning some important legal cases.



The Prison Justice staff in the summer of 2015

About Texas Prisons

Quick Facts

- Texas has roughly 160,962 currently incarcerated in its prison system (Prison Policy Initiative, 2014)
- Texas houses approximately 10% of the total U.S. prison population
- Texas has the third highest incarceration rate per 100,000
- Like the U.S. itself, people of color are over represented in the Texas prison system
 - While only 12% of the state population is Black/African American nearly 33% of the prison population is system (Prison Policy Initiative, 2014)
 - Similarly, 45% of the state population is white while only 33% of the prison population is system (Prison Policy Initiative, 2014)
- The national incarceration rate is slightly less than 800 per 100,000 people
 - Texas has a state incarceration of slightly more than 600 per 100,000 system (Prison Policy Initiative, 2014)
 - However that number is 768 per 100,000 for white residents system (Prison Policy Initiative, 2014)
 - It is 972 per 100,000 for Hispanic/Latino residents (Prison Policy Initiative, 2014)
 - And 2,855 per 100,000 for Black/African American residents system (Prison Policy Initiative, 2014)
 - That is nearly 3/100 people.

What I Did

My primary focus this summer was writing a draft of a legal complaint PJJ planned to submit to the Department of Justice asking them to investigate the practices of the Texas Department of Criminal Justice. The complaint focused specifically on the use of excessive force by staff and the high rate of sexual assaults at Texas prisons. In addition to working with another student to draft this complaint, I read, responded to and catalogued correspondence from hundreds of inmates throughout Texas (see picture below). I also helped compile data on the rampant denial of medical care for Texas inmates and wrote several blog entries for the organizations social media outreach campaign.

Summary

- Drafting a complaint for the Department of Justice on the use of excessive force and sexual assaults within the Texas Prison system.
- Read, respond and catalogue correspondence from inmates.
- Compile data on the denial of medical care in Texas Prisons.
- Write blog posts to support outreach campaigns.



Staff at PJJ reading and cataloguing correspondence from Texas inmates, affectionately called "jail mail"

Acknowledgments

I would like to thank both PJJ and Grinnell College for giving me the opportunity to pursue my passion this past summer. Without help from both entities my summer in Austin would not be possible. In particular, I would like to thank both the CLS and the Rosenfield Program at Grinnell College for giving me the funding in order to make living in Austin, Texas a reality. I would also like to thank Erica Gammill and Jason Phillips, my supervisors at PJJ, and all of the other interns for all their wisdom, support and hard work. I know it was not easy trying to corral 12 interns in a tiny office space. I would lastly like to thank my family and friends for putting up with me as I adjusted to life in Austin.

Future Plans

After graduation I hope to continue working in prison reform. Particularly I would like to use my background in psychology and work with mental health and the prison system. I hope to work with this issue at an organization like PJJ that allows me to work one-on-one directly with inmates and do larger, research and analysis to inform policy. Not only because I enjoy the balance, but also because I believe that the best way to enact reform is to employ both a top down and bottom up approach.

Right: Cover of a report on the excessive use of force used at a particular prison in Texas. Much of the data contained in this report was used in the complaint for the D.O.J.

Map detailing each prison in Texas.



CRUEL & USUAL PUNISHMENT
EXCESSIVE USE OF FORCE AT THE ESTELLE UNIT

The D.O.J. Report

Main Issues Presented

Sexual Assault

- In 2008 five Texas Prisons had sexual assault victimization rates of more than twice the national average. Most notably,
 - At the Estelle unit (prison) 15.7% of inmates were assaulted once or more
 - At the Clements unit (prison) 13.9% were
- Four years later, 25% of the prisons nationally identified as having unusually high inmate on inmate sexual violent were in prison. Most notably the
 - Montford Psychiatric Facility at 8.4%
- Texas was also found to be operating two of the worst facilities for staff sexual misconduct rates. In fact, the Clements unit was the highest in the nation at 9.4%.
- Equally troubling is the rate of sexual victimization at the Clements Unit where 8.1% of inmates reported sexual victimization by staff involving force or threat of force
- Multiple inmate's accusations of sexual assault were ignored by officials. In violation of both national and state legislation.
- In addition there were hundreds of inmates, or more, denied legally mandated "safe keeping" status because of previous victimization or demographic characteristics making it more likely that they would experience sexual violence in the future.

Excessive Force

- The problem of excessive force within Texas prisons has gotten worse over the past decade
 - In the last eight years, prison's in Texas saw a 17% reported increase in "use of major force incidents"
 - 7,151 incidents occurred in 2013 alone (this was the last complete year where data was available)
 - There were nearly 60,000 "major use of force" incidents from 2005 to February
 - In between that period of time, the use of force in TDCJ prisons increased by nearly 20%
- In 2014, PJJ published a report on the abuses that have occurred at the Estelle Unit in Huntsville, Texas (picture above)
 - They reported that 65% of all inmates surveyed at the Estelle unit had been victim to excessive use of force
 - The remaining 35% had witnessed an assault by staff on another inmate
 - One of the major issues within the prison system is that use of force allegation are often investigated by staff within the prison whereby it becomes an officers word against an inmate
 - This also means that retaliation is a widespread problem
 - 24% of prisoners who were physically assaulted by a staff member did not file a grievance at Estelle
 - 31% did not file a grievance because they indicated they did not believe the grievance system worked 69% of those that did not file a grievance did not do so because they feared retaliation for filing
 - Inmates with physical or cognitive disabilities as well as those with mental health problems are particularly vulnerable
 - Of those surveyed at Estelle, 90% had witnessed a blind, deaf, or elderly prisoner physically assaulted
 - The Human Rights Watch published a similar report that found that people with disabilities or mental health problems were overrepresented in excessive use of force incidents