



Testimony of Molly Gill
Vice President of Policy, FAMM
Hearing on HB 936
March 21, 2019
House Committee on Corrections

I want to thank Chair White, Vice Chair Allen, and members of the House Committee on Corrections for the opportunity to submit testimony on behalf of FAMM. If passed, HB 936 would require the Texas Department of Criminal Justice (TDCJ) to maintain reasonable and humane temperatures between 65 and 85 degrees Fahrenheit within all Texas prison facilities. **FAMM supports HB 936 because we believe that all corrections facilities should be safe, humane, and conducive to rehabilitation, and conditions that threaten the lives of prisoners and staff should be addressed swiftly.**

FAMM is a nonpartisan, nonprofit criminal justice reform advocacy group founded in Washington, D.C. in 1991. FAMM's mission is to protect public safety and promote efficiency in the criminal justice system by advocating individualized, proportional sentencing and prison policies that preserve families, encourage rehabilitation, and assist with reentry.

A majority of TDCJ facilities currently lack air conditioning. This means Texas prisoners and staff endure extreme heat and humidity in closed facilities, without proper air ventilation, for months on end every year. These conditions make prisoners and staff susceptible to heat stroke, heat exhaustion, or even death. Since 1998, 23 prisoners have died because of extreme heat—14 of these deaths occurred after 2007.¹ Prisoners with health conditions, those that are elderly, and prisoners on medication are at a greater risk of heat-related illnesses. With the growing number of prisoners serving long prison sentences, and the consequent increase in elderly prisoners, the number of prisoners susceptible to heat-related injuries will only grow.

HB 936 would ensure that TDCJ facilities follow reasonable temperature standards and that prisoners and staff are not exposed to extreme heat conditions that threaten their lives. **HB 936 proposes a reasonable solution. Texas jails already adhere to the temperature standards proposed in this bill.** Under Texas Administrative Code § 260.154, all Texas county jails are maintained between 65 and 85 degrees Fahrenheit. HB 936 would simply bring TDCJ facilities in line with the temperature standards of Texas jails and ensure that prisoners and staff in county jails and state prisons are living and working in the same conditions.

Air conditioning is not cheap, but neither is the status quo. In recent years, Texas has spent valuable taxpayer dollars on lawsuits brought by families of prisoners over the extreme heat conditions and has also compensated prison staff for heat-related injuries. According to a recent report, Texas paid more than half a million dollars in workers compensation to prison staff for

¹ [“Litigation Heats Up Over Extreme Temperatures in Prisons, Jails”](#), *Prison Legal News*, July 29, 2018.



heat-related illnesses and injuries over 11 years.² This is money that is better spent providing air conditioning in TDCJ facilities, which will prevent future heat-related injuries and illnesses. If Texas does not find a permanent remedy to improve the temperature conditions in TDCJ facilities by passing HB 936, the state will continue to waste taxpayer dollars defending inhumane temperature conditions and compensating those who have been injured.

The unbearable heat conditions of TDCJ prison facilities pose serious risks to the health of prisoners and staff. Prisons should be safe, humane, and conducive to rehabilitation. Therefore, **we urge you to support HB 936.**

Thank you for the opportunity to submit testimony and for considering our views. FAMM is happy to assist you as you consider this important issue.

² ["Cooking Them to Death: The Lethal Toll of Hot Prisons."](#) The Marshall Project, October 11, 2017.