

SUBJECT: Limiting access to television and weight lifting for certain inmates

COMMITTEE: Corrections — committee substitute recommended

VOTE: 8 ayes — Haggerty, Staples, Allen, Ellis, Farrar, Gray, Lengefeld, Longoria
0 nays
1 absent — Culberson

WITNESSES: For — Linda Reeves, Texas Inmate Families Association
Against — None
On — Wayne Scott, Texas Department of Criminal Justice

DIGEST: CSHB 275 would prohibit inmates subject to close custody or administrative segregation from having access to weight-lifting equipment or television. Exceptions would be made for inmates in administrative segregation for protective custody, inmates using weights for physical therapy, and inmates using television in connection to work, educational, or vocational activity.

CSHB 275 would allow the Texas Department of Criminal Justice (TDCJ) to pay for such recreational equipment only if the money came from receipts from the education and recreation fund or the equipment was used exclusively for physical therapy recommended by a doctor, or a work, educational, or vocational program.

This bill would take effect September 1, 1999.

SUPPORTERS SAY: CSHB 275 simply would put into statute what already is prison system policy. It would clarify current statutory requirements about these recreational amenities and would codify TDCJ policies on funding sources. This legislation also would clear up a public misconception that all inmates have free access to TV and weight equipment at taxpayer expense. The policies currently in effect make sense and should be adopted as state law rather than being open to future changes by TDCJ. It would only be fair that recreational equipment be purchased and maintained

from the education and recreation fund that is generated from the proceeds of the prison commissary. Unless it is used exclusively for physical therapy or an education or vocational purpose, such equipment is purely for the recreational use of the inmates, who should cover the cost rather than the taxpayers.

OPPONENTS
SAY:

CSHB 275 could reduce the flexibility of TDCJ to manage its recreation programs. As a major agency with diverse needs, TDCJ should be given broad guidelines and allowed to develop its own specific policies. Changing the law would be cumbersome and time-consuming. It is better to let the TDCJ board change the agency policies.

NOTES:

The original bill would have included radio as a recreational amenity that could be limited.

A similar bill, HB 405 by West, passed the House on the Local and Consent Calendar in 1997, but died in the Senate Committee on Criminal Justice.