

Governor Mark Tippetts (L)

1. Many states acknowledge that incarcerating large numbers of people, especially for lengthy sentences, sometimes called “mass incarceration,” is a phenomenon which inequitably impacts persons of color and persons from lower socio-economic groups. Do you agree that Texas should take steps to reduce the number of persons it sends to TDCJ yearly? *

Yes

No

2. Regarding reducing the number of people Texas SENDS to prison, which of the following would you support? *

Promote the use of drug courts in Texas counties as a means of dealing with non-violent crimes related to drugs.

Prioritize better access to mental health care for all Texans as a way to prevent state prisons from being our largest mental health institutions.

Promote sentencing reforms to allow judges and juries to assign more just penalties based on individual records and circumstances.

Encourage counties to implement penalties other than incarceration for non-violent crimes

None of the above.

3. Do you agree that Texas should make efforts to reduce the number of persons incarcerated at the present time? *

Yes

No

4. Regarding reducing the number of persons currently incarcerated, which of the following would you support? (Check all which apply.) *

- Increase the rate of release to parole for inmates who have met minimum requirements and have a good record.
- Increase the use of compassionate release for aged and/or critically ill inmates.
- Allow sentencing reviews for inmates who were incarcerated under laws which have since changed.
- Allow sentencing reviews for inmates who were sentenced for crimes which have a much different perception in public opinion now than when the person was sentenced...i.e. victims of spousal abuse whose response to abuse led to murder or assault charges.
- None of the above.

5. TDCJ has operated with severe and increasing shortages of full-time employees for over two years. In November 2021, the agency cited a number greater than 7300, nearly one third the total number budgeted for. Most of those positions are the COs, correctional officers who have the most direct interaction with and responsibility for incarcerated Texans. These shortages impede the delivery of basic services to inmates, such as showers and standard meals. Staff shortages make the workplace less safe for correctional officers and the whole environment less safe for inmates. As some options to deal with effects of these shortages, which of these strategies would you favor? (Check all which apply.) *

- Better pay and training for COs.
- Closing of some prisons and centralization of remaining prisons to minimize costs of transportation and supply logistics.
- Increasing the rate of release to parole for inmates who have met minimum requirements and have a good record.
- None of the above.

6. Currently in Texas the governor has the sole power to extend pardon, clemency, or commutation of sentences. Recent governors have frequently overridden the recommendations of the Board of Pardons and Paroles in exercising this power, leading to charges from the public that governors use this power as an action to reward political supporters or to rebuke political foes. Would you favor the creation of a civilian review board for requests for clemency and commutation of sentences in order to take those actions away from persons whose decisions on those matters might have some element of political motivation or pressure? *

Yes

No

7. In the 87th Texas legislature a bi-partisan package of 12 criminal justice and prison reform bills was championed by House Speaker Dade Phelan, Speaker Pro-Tem Joe Moody and many other lawmakers. Here is a list of those bills by number with a very brief description. Check the box beside all the bills you would favor if they came to your desk for ratification. *

- HB 20 by Rep. Andrew Murr (R-Junction) – Changes to the Texas bail system
- HJR 4 by Rep. Kyle Kacal (R-Bryan) – Constitutional amendment to allow for more detention without bail proposed in HB 20
- HB 8 by Rep. Leo Pacheco (D-San Antonio) – Requiring electronic law enforcement agencies to make officer employment records available electronically
- HB 830 by Rep. Senfronia Thompson (D-Houston) – Ending arrests for non-violent offenses
- HB 1938 by Rep. Jacey Jetton (R-Sugar Land) – Reducing costs of body camera data storage
- HB 3712 by Rep. Ed Thompson (R-Pearland) – Enhanced training for law enforcement
- HB 1441 by Rep. Matt Schaefer (R-Tyler) – Shifting burden of proof to the state in civil asset forfeiture cases where owner of the property says they were not involved in the crime
- HB 1002 by Rep. Eddie Lucio III (D-Brownsville) – Stopping hypnosis use in investigations
- HB 1340 by Rep. Jeff Leach (R-Plano) – Changes to “law of parties” to narrow use of death penalty
- HB 252 by Rep. Joe Moody (D-El Paso) – Changes to jury instructions for capital felony cases
- HB 1717 by Rep. Senfronia Thompson (D-Houston) – Requiring turnover of exculpatory evidence if discovered post-conviction
- HB 1293 by Rep. John Smithee (R-Amarillo) – Creating pathway to seek new trials
- HB 686 by Rep. Joe Moody (D-El Paso) – Changing parole eligibility for people tried as adults before they were 18
- HB 385 by Rep. Leo Pacheco (D-San Antonio) – Removing barriers to probation
- HB 569 by Rep. Scott Sanford (R-McKinney) – Requiring judges to give formerly incarcerated people credit for time served on misdemeanor fines that were acquired before incarceration
- HB 859 by Rep. Nicole Collier (D-Fort Worth) – Expunging decriminalized offenses

8. Here is another short list of bills presented in the 87th legislature which prison families are very interested in. Please check all which you would favor if they came to your desk for ratification. *

- HB 121 by Rep. James White (R-Woodville) – Relating to the modernization of correctional facilities operated by the Texas Department of Criminal Justice
- HB 688 by Rep. Harold Dutton (D-Houston) – Relating to the extent of a defendant's criminal responsibility for the conduct of a co-conspirator in a capital murder case.
- HB 1598 by Rep. Jarvis Johnson (D-Houston) – Relating to the creation of the office of independent oversight ombudsman for the Texas Department of Criminal Justice
- HB 1805 by Rep. Joe Moody (D-El Paso) – relating to the awarding of earned time credits to certain inmates; changing parole eligibility
- HB 1971/SB820 by Rep. Terry Canales (D-Edinburg) and Sen. Jose Menendez (D-San Antonio) – Relating to the purchase and installation of climate control systems at facilities operated by the Texas Department of Criminal Justice.
- HB 2793 by Rep. Jarvis Johnson (D-Houston) – Relating to parole determinations and individual treatment plans for inmates.
- HJR 51/SB 66 by Rep. Alma Allen (D-Houston) and Sen. Borris Miles (D-Houston) – Proposing a constitutional amendment prohibiting slavery and involuntary servitude.
- SB 1632 by Sen. Borris Miles (D-Houston) and HBs 45, 309, 2542, 3547...among other "clean slate bills" – Relating to non-disclosure of criminal history in certain employment processes.

9. What are other initiatives you would like to see in a package of criminal justice and prison reform bills? *

Decriminalize and legalize marijuana. End the war on drugs.
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10. Add any clarifying comments on questions above and/or anything else you would like to convey to your constituents regarding your positions on criminal justice reform.

The bills you listed above are numerous. I might support many more of them, but the descriptions were vague and we do not have the resources to review them all. In general, Libertarians like me (Mark Tippetts) want to abolish victimless crimes like drug abuse. We want to reduce to amount of taxes spend on the criminal justice system. We favor punishment of real crimes with victims like theft, assault, rape, and murder.

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