

1 me to address the Committee today.

2 CHAIRMAN WALTON: Thank you.

3 Director, you had some --

4 MR. NATHANIEL QUARTERMAN: Yes. I have
5 some closing remarks.

6 Texas is very aggressive and we're very
7 open. One of the things we do, we meet once a month
8 with our regional directors, they come in once a month
9 in Huntsville, and one of the things we talk about is
10 our sexual assaults allegations. And that is the
11 major discussion of a meeting, and Ralph is there to
12 give us our stats and talk about what is going on.

13 The regional director is required to,
14 once a year, sit down with his wardens, each unit, and
15 talk about all alleged and sexual assaults to detail
16 and get ideas of what we can do to be proactive and
17 reduce the amount of allegations and investigations
18 and all the others.

19 I personally sit down once a year in
20 every region, go through all of the stats with my
21 regional director on strictly PREA. So we are very
22 aggressive.

23 The other thing is, Ralph mentioned
24 about the -- the cell door modifications in some of
25 our maximum security units. What that gave us is an

1 opportunity to -- to bring aggressive perpetrators to
2 our attention, that we can keep an eye on them, put
3 them in the right place.

4 Another thing you see was the 23
5 sergeant that we have in the field that are on the
6 units, the larger units, they have mapping systems in
7 place where they look at the victims and where the
8 victims are and where the predators are, and try to
9 manage. I know earlier, in previous panels, they
10 talked a little bit about grievance systems and things
11 like that. We do have a step one and step two
12 grievance. The step one, the grievance is at a unit
13 level. Step two, a grievance is at a regional level.

14 We also have another tool that is in
15 our box that's called life endangerment, where we do
16 life endangerments. We try to do -- if the person
17 alleged a life endangerment situation, we try to
18 process with them, if we put them in a transit status,
19 in 72 hours. If we believe it's an emergency, we try
20 to respond within 12 hours. That is in our policy.
21 So we have a lot of things in place, but we still are
22 looking for more things, and we're still out there
23 trying to -- to make safe prisons. It's a culture.

24 I can remember some years ago when I
25 was a kid, my grandmother used to tell me, you don't

1 want to go to prison, you know what they do to you.
2 Now I'm the director over the prison, and I'm a Texan,
3 and I can tell you, I have a large family and some of
4 my family has done time. So I have a lot more
5 commitment, total commitment. They talked about the
6 Council. To me, a council is going to be a good
7 opportunity for us to be at -- bring in better
8 information, be transparent to allowing other outside
9 resources to sit at the table to talk about issues,
10 the issues that some of the audience talked about.
11 We're open to listen and see what we need to do to get
12 to the bottom of it.

13 I've talked to the -- Mr. John and
14 Jane, about the incident. I was very upset about it
15 when I heard it. It's something that will be resolved
16 and -- so this is the reason why the Council will be a
17 good platform that we would like to look at having the
18 Committee there.

19 But basically, that's a quick snapshot.
20 It's not really quick, but it's a snapshot of what
21 we -- where we are. We're very aggressive and we
22 count a lot of things. And you might have visited a
23 lot of states that they don't count their sexual
24 assaults and allegations like we do. But we do. And
25 we will continue counting everything and investigating

1 everything and acting on everything.

2 Thank you.

3 CHAIRMAN WALTON: Thank you for your
4 testimony.

5 One question I would like to ask. The
6 reality is that working in the prison environment,
7 especially working in the prison environment at the
8 line level, it's a tough job. While I deplore people
9 being subjected to sexual assault, in any setting,
10 including prisons, the reality is that it's a tough
11 environment and, as a result of that, sometimes the
12 people who work there themselves become, in a sense,
13 institutionalized and a result of that can become
14 hardened and insensitive, and that can then contribute
15 to otherwise good people doing bad things or
16 overlooking bad things.

17 What do you do to try and make sure
18 that you keep your work force from falling into those
19 mind sets that conceivably can contribute to these
20 type of problems?

21 MR. NATHANIEL QUARTERMAN: I'm going to
22 attempt to answer that, but I'm also going to allow
23 David to talk a little bit about his training
24 department.

25 But one of the things that I believe

1 in, what gets checked gets done. Keeping it at a high
2 level. That is important for us. Constantly,
3 consistently, putting it in front of our employees.
4 We do have a lot of employees, we have over 30,000,
5 and we do have an awesome responsibility every day.
6 But just communications, constant communications. I
7 talked about contacts. Being on the unit, contact,
8 talking about it. Don't allow it to fall away and get
9 weakened. That's what we have been encouraging
10 through our academies, through our contacts every day,
11 is staying on top of that. It only takes a few to
12 make it bad. It doesn't take a lot, and we just want
13 to get the few.

14 MR. DAVID STACKS: Chairman Walton, you
15 make a good point. It's very easy to become callous,
16 working in the environment in which we choose to work.
17 And one of the things that -- being a past warden for
18 16 years, one of the things that I always did was get
19 down to the level where the line officer is and let
20 them know that this prison is not their life. That
21 they have a life outside that fence, they have a
22 family, they have children that depend on them, and
23 they need to get involved and stay involved in their
24 communities, particularly their faith-based programs
25 in their churches. To me, that's what keeps us from

1 becoming the hardened person that we don't need to
2 become.

3 I think one of the things that the
4 training department is doing, I can certainly tell
5 you, in our presentation of our sexual assault classes
6 and discussions, is that we try to have our student
7 be, I guess, empathic in that they can put themselves
8 in that shoe. You know, what -- can you imagine you
9 having to live through something like that. And we,
10 being entrusted by the taxpayers of this state, we are
11 here to make sure that that doesn't happen, because we
12 all -- that person is going to come out of the prison
13 and he might be your neighbor, and we don't want that
14 person to come out of that prison more angry, more
15 upset, more broken-spirited than when he came, or her.

16 So we educate our staff in that regard,
17 letting them know that it's just not a physical thing,
18 it is a spiritual thing. It is a mental breakdown
19 when someone has to go through that. And we certainly
20 don't want that to happen.

21 Also, we talk to our staff at the unit
22 level, we want to make sure that our unit staff
23 understand the importance of duty. To make sure that
24 if you send the message out to the offender or whoever
25 you're responsible for in custody that you don't care

1 for them, and you're responsible for them, then
2 they're going to do whatever they have to do to
3 respond to protect themselves, and that's not what any
4 of us here in Texas want.

5 The bottom line is, we have to provide
6 the inmates and our staff the understanding that there
7 is hope in our prisons, that you can become a better
8 person, that the programs are there to make you a
9 better person, and we're here to help you -- help you
10 get back into society and be the positive person that
11 you need to be.

12 CHAIRMAN WALTON: Mr. Puryear.

13 COMMISSIONER PURYEAR: We've heard
14 quite extensively about a lot of what you're doing
15 under the Safe Prisons Program grants and other
16 activities that you've undertaken here, education for
17 inmates, staff training, cell door window
18 configuration changes, digital video surveillance, I
19 think it's cameras with digital video recording
20 devices equipped with it.

21 What is working and how do we know what
22 is working? Because that's what we've got to figure
23 out is, what should be the national standards, what
24 should other systems try to do, and how do we know
25 which one of these approaches might be working?

1 MR. NATHANIEL QUARTERMAN: That's a --
2 I think all the above helps. If I focus on anything,
3 I would probably focus on the peer, the peer
4 education. It's just something about an inmate
5 explaining life to other inmates when they come in,
6 about, you don't have to put up with this. Don't make
7 these mistakes. I think our inmate population is very
8 knowledgeable of the issue. And I have to get my hat
9 off to my peer educators throughout Texas. They --
10 they volunteer to do that. And sometimes their
11 testimonies are life their experiences. And to get in
12 front of a group of guys and ladies and say, hey, this
13 happened to me, I just get my hat off to them. And
14 they do it -- they do it for nothing. And I think
15 that is the most powerful -- and I think you'll get an
16 opportunity, some of you will get an opportunity to
17 visit that, I hope, in the next couple of days. It is
18 very -- and it doesn't get enough fame as it should,
19 but it -- to me, it's the most effective.

20 On the technology side, the doors help
21 correctional officers. And it -- actually, it's more
22 of a deterrent to the aggressive inmate. You know, it
23 spots them out a little bit. They get more attention.
24 And we hope that will reduce the amount of victims
25 that they won't reoffend. I think the best technology

1 now is just the mapping. Mapping out these
2 individuals and, let's keep an eye on them. I mean,
3 we do well with the victim, we get the victim out of
4 the way, in a safe place, in a safe environment as
5 quick as we can, but where do the victims -- I mean,
6 where does the aggressive one go. So we're focusing
7 on -- a lot of attention on our aggressive inmates or
8 our predators and tracking them, keeping up with them.
9 I think that's been a good impact, knowing who they
10 are. I mean, a sergeant on a unit will inform his
11 shift about the predators to keep our eye on, and they
12 keep an eye on them. I think that alone will reduce.
13 I know it's high maintenance and it's a lot of work,
14 but it's the only thing that we have that we think is
15 effective.

16 COMMISSIONER PURYEAR: Have you tried
17 the different approaches in different facilities and
18 seen any change in the reporting of allegations of
19 instances of sexual assault? In other words, that you
20 can say, okay, in this facility we were doing -- we
21 were doing the peer education component and we saw the
22 reports decline after we unveiled this. Or in this
23 unit we did surveillance technology and we saw the
24 reports decline. Has there been any attempt to
25 control for the different approaches that are being

1 taken to see what works and -- instinctively, they
2 would all seem to work, but to figure out, is there
3 one that's a more effective means than any other,
4 given scarce resources, to try to prevent this sort of
5 thing from occurring in the first place?

6 MR. RALPH BALES: Well, if I can
7 address that. One of the things I would share with
8 you is, we visited earlier and the testimony is that
9 the peer education has only been in place a very --
10 you know, few months. And so even though we're
11 beginning to collect data on that, there is -- it
12 would be hard at this point to really identify any
13 correlations on -- you know, at this point and
14 everything.

15 What we will continue to do is look
16 at -- as we're bringing more and more units on, we can
17 take a look at those units on where the peer education
18 is not -- okay -- in place and see what happens after
19 they come on place and begin to, you know, make the
20 comparison on that, and take a more -- you know, a
21 more research type of look on that and see exactly
22 what we've got.

23 At this point, it's still a little
24 early to be able to determine that. As far as the --
25 again, the doors and the cameras as well, we just

1 finalized some of the completion of the installation
2 of the cameras in the latter part of '06, and so we're
3 still beginning to assimilate some of that data. So
4 I'm not trying to say, you know, yes, no, that
5 there -- this is the answer or not. I'm just saying,
6 at this point we need to continue to collect some of
7 that data and be able to look at what the impact is
8 going to be in those areas.

9 CHAIRMAN WALTON: Commissioner Kaneb.

10 COMMISSIONER KANEB: When you used the
11 term "mapping," do you mean you radio frequency
12 identification, or do you mean something else?

13 MR. NATHANIEL QUARTERMAN: It's a
14 little bit more primitive than that. We don't have
15 all the technology that we need. But what we have
16 established is a unit grid and, basically, what the
17 sergeants will do is look at alleged concerns, and
18 they will have a map and they will look at areas that
19 you have a lot of these concerns at this particular
20 area. And what we might do is, at that particular
21 time, that particular area, if they have a lot of
22 problems there, we'll put additional staff there to
23 try to eliminate the problem. Or we will focus on a
24 certain individual that's been alleged of doing a lot
25 of things and profile them throughout the shift. Most

1 of it's done in the manual way. Some of our sergeants
2 have computers and they have went electronic with
3 their systems.

4 COMMISSIONER KANEB: Excuse me. You
5 said it's --

6 MR. NATHANIEL QUARTERMAN: So it's no
7 electronic system that we purchase. It's -- it's
8 pretty manual.

9 MR. DAVID STACKS: Basically, what it
10 is, sir, is it is a -- maybe a blueprint of a
11 particular area of the prison, and as incidents have
12 been reported, the staff map in point, designate on
13 there what type of activity was alleged to have
14 occurred, and what we do is try to strategize, and
15 what we've done with some of our technology, our
16 cameras and things, is strategize and get rid of these
17 areas. Put pressure on those areas and get those
18 isolated areas more to the forefront where staff is
19 more in their roving areas, you might say. But it's
20 very primitive but it's effective.

21 COMMISSIONER KANEB: Well, fine. I --
22 I -- anything that works is desirable. However, I
23 guess I'm trying to zero in on question -- do you have
24 any experience with the RFID?

25 MR. NATHANIEL QUARTERMAN: Yeah, we've

1 been presented -- we have a technology review
2 committee that we have -- we have knowledge of the
3 different systems, monitoring systems, and they're
4 great. And we have submitted a grant to pilot some of
5 that technology. We have not received the grant yet.

6 COMMISSIONER KANEB: To -- for funds
7 under the Act or -- or local -- or state funds --

8 MR. NATHANIEL QUARTERMAN: It's a
9 separate grant, and I have --

10 COMMISSIONER KANEB: Because we're very
11 interested in -- in trying to figure out whether this
12 or other technology is -- you know, is really a
13 potential breakthrough. Our report is obviously going
14 to deal with technology. The matter of funding is, no
15 doubt, a problem, but the hope is that as more of this
16 equipment is in the field, the costs will become --
17 start to come down.

18 MR. NATHANIEL QUARTERMAN: Right.

19 COMMISSIONER KANEB: Well, I guess
20 maybe we would like to talk with you offline about
21 this a bit. Before I wind up, and I know your time is
22 running out and so is mine. I've got to leave. But I
23 don't know if you heard what I said to the previous
24 panel about how impressive your apparent progress is,
25 and certainly you have got a -- what looks like a very

1 effective game plan.

2 I will say that -- that there is some
3 evidence that comes to us that the game plan may not
4 be working quite as well yet as you hope. What I want
5 to drop in your lap, in case you don't have it, is the
6 latest incidents report from Stop Prison Rape. I'm
7 sure it gets to you, their directors are out in the
8 audience, but I want to just take this opportunity
9 while you can't escape looking at this, just to give
10 it to you. And I will ask somebody here to --
11 somebody come up and -- I'm not asking you to read it
12 now, but, hopefully, just take a look, and I'll leave
13 it with you guys.

14 CHAIRMAN WALTON: Commissioner Fellner.

15 COMMISSIONER FELLNER: First of all,
16 the Safe Prison Act, I'm assuming from the nature of
17 what you have provided and said, that this only
18 applies to inmate-on-inmate sexual violence or does it
19 also include measures to prevent and respond to staff
20 violence -- sexual violence on inmates? It just
21 wasn't clear to me from anything that has been said
22 whether you are looking also to prevent staff sexual
23 abuse of inmates.

24 MR. NATHANIEL QUARTERMAN: Yes. We
25 have -- you know, we have the policies and procedures

1 that are in place for staff. And we are very
2 aggressive and we have a history of being very
3 aggressive with allegations. And usually when we get
4 information on that, it's forwarded over to our
5 Inspector General's Office.

6 COMMISSIONER FELLNER: But this Safe
7 Prisons Program as you describe it is really just
8 targeting inmate on inmate?

9 MR. NATHANIEL QUARTERMAN: Safe Prisons
10 basically is -- an element of Safe Prisons, PREA. We
11 also have our Safe Prisons Program that was
12 legislative -- some legislative periods ago before
13 PREA where we do a lot of safety and quality of life
14 issues. So -- and talking about preventive measures
15 for correctional officers, is basically supervision
16 and teaching our leadership signs and things to look
17 at. That is in -- is in our whole training regimen.

18 COMMISSIONER FELLNER: It would be
19 great if you could provide us some of the material,
20 because what we have is only -- that we have, at least
21 in our -- what I have got in my folder in front of me
22 is all about the Safe Prison Act targeted -- program
23 targeted at inmates. So I would just -- if you could.

24 You mentioned evidence-based policies,
25 and I know you commissioned -- or this might have been

1 commissioned Jim Austin to do a study. I think that
2 probably was commissioned before you all were in
3 place. But one of the things that struck me is that
4 he talked to staff, he reviewed reports that were
5 made, but I'm wondering, does anybody -- have you done
6 any surveys of inmates so that you are getting the
7 inmate view as to, are they reporting? Are they, in
8 fact, coming forward? How is -- I mean, a lot of your
9 material talks about how you get inmate information
10 from staff. And his survey was also information in
11 the files. But how do you get information from -- do
12 you have a formal way for trying to get information
13 from inmates?

14 MR. NATHANIEL QUARTERMAN: Yeah. We
15 have several elements of getting information of
16 alleged -- of alleged assaults you're talking about?

17 COMMISSIONER FELLNER: Excuse me?

18 MR. NATHANIEL QUARTERMAN: For alleged
19 complaints from inmates?

20 COMMISSIONER FELLNER: To find out, for
21 example, whether inmates are, in fact, reporting
22 things or making -- making it known, or are they still
23 feeling that the staff is indifferent? We have heard
24 over the years, for example, and I'm sure you're
25 familiar with Human Rights Watch's report, which

1 focused heavily on Texas, of staff indifference. And,
2 in fact, the piece of paper that Mr. Kaneb just gave
3 you has some more examples, where staff just -- you
4 know, they're not responding. So I'm wondering if
5 part of your quality control, let's say, for the Safe
6 Prisons Program involves surveying inmates in some way
7 to find out whether they feel staff are being
8 responsive, whether they are reporting, et cetera?

9 MR. NATHANIEL QUARTERMAN: Yeah. We
10 failed to tell you about our ICP, and that's our Unit
11 Character Profile, where we go out and we survey staff
12 and offenders about are they safe and all the
13 questions that you just imagine -- you just mentioned.
14 We have used that -- that tool -- how many units so
15 far?

16 MR. RALPH BALES: We have three pilot
17 units and six -- six ongoing units.

18 MR. NATHANIEL QUARTERMAN: We have six
19 ongoing --

20 COMMISSIONER FELLNER: And what did you
21 find out in the pilot? What did the inmates say?

22 MR. NATHANIEL QUARTERMAN: Well, it's
23 different from unit to unit. In some units in certain
24 areas -- I don't want to talk in details -- but
25 certain areas of Texas, we could find apparent

1 concern. In some areas of Texas, we feel pretty
2 confident that things were getting done -- I mean,
3 getting done. It was a good survey of the culture,
4 the communications between the staff and the inmate,
5 the inmate communications among themselves. All that
6 was good information. We do have the reports and I
7 could submit the reports to you.

8 COMMISSIONER FELLNER: We would welcome
9 seeing them.

10 MR. NATHANIEL QUARTERMAN: Yes. I'm
11 sorry I didn't catch you. I mean --

12 COMMISSIONER FELLNER: And I have one
13 quick final question.

14 As I read Mr. Austin's report, and it's
15 certainly consistent with what we hear, most of the
16 sexual abuse, inmate-on-inmate abuse, seems to occur
17 in cells. And I wonder if you have a sense of what
18 percentage of those alleged abuses occur in double
19 cell contexts? In other words, is double celling
20 itself a problem if we're trying to stop
21 inmate-on-inmate abuse?

22 Do you have a percentage or can you get
23 that?

24 MR. NATHANIEL QUARTERMAN: I think we
25 have that stat.

1 MR. RALPH BALES: I don't have that
2 readily available. We can certainly get that for you.

3 COMMISSIONER FELLNER: That would be
4 very useful information.

5 MR. NATHANIEL QUARTERMAN: We could
6 also give you the number of double cells we have,
7 capacity we have.

8 COMMISSIONER FELLNER: Okay. That
9 would be great. Thank you very much, and good luck.

10 CHAIRMAN WALTON: Commissioner Aiken.

11 COMMISSIONER AIKEN: Thank you for
12 appearing today. I will make a brief comment and ask
13 a question.

14 I know that you're just starting a long
15 process. And, you know, the thing that I'm kind of
16 picking up on, and I want to have subsequent
17 discussions with you if this is amenable to you, is
18 just this issue of routine and complacency and what
19 are you doing to address that? I used to cringe when
20 I see incident reports and it says, during a routine
21 shakedown, during normal operations. Prisons are
22 abnormal societies. There is nothing review, and if
23 you don't address that very aggressively and stay on
24 top of it, you know, you will go back to zero very
25 quickly, with critical incidents, critical events.

1 And a lot of times we put our faith into one program
2 or two programs, but we don't have the empirical
3 evidence to make sure that we are reading the right
4 indicators. And maybe we are looking at something
5 that we think will work or is working, where in
6 actuality it's not addressing those issues.

7 I remember, we trained a lot of people,
8 and we trained them well, but that training did not
9 transform into behavior in those cellblocks. So I'm
10 very interested to see what kind of ideas you have.
11 You may give one or two now, but I would like to have
12 subsequent discussions with you. What are you doing
13 and what do you have planned to fight this issue of
14 routine and complacency? To keep from going back to
15 zero? And what are you doing to measure your level of
16 performance in relationship to this issue?

17 MR. NATHANIEL QUARTERMAN: Okay. I
18 would like to follow that up with further discussions
19 with you, but in Texas we do mandate our correctional
20 staff to rotate our officers. Our correctional
21 officers are rotated. Our supervisors, they don't
22 rotate as much. They do it every now and then, but
23 not as much as correctional officers. Our wardens,
24 within the fifth year to sixth year, a warden is
25 moved. And that's a mandate -- that's a practice.

1 It's been long practice through several directors.

2 And that has been very effective with us.

3 COMMISSIONER AIKEN: I'm -- I don't
4 want to waste too much of your time. But I'm talking
5 about something even more specific than that and
6 fundamental than that. I'm talking about, what are
7 the safeguards you've got, for example, in
8 relationship to making bed assignments for inmates?
9 You've got two to a cell. Who makes that decision for
10 that inmate to go into that cell? Who is running the
11 telephone? Who is running the laundry? Who is
12 running the hustles? You know what I'm talking about.

13 MR. NATHANIEL QUARTERMAN: We can talk
14 about that, because we're talking about almost an
15 all-day discussion, because we have policies and
16 procedures, who does that and all that. So I would be
17 delighted to --

18 COMMISSIONER AIKEN: And how do we know
19 that those things are in behavior? And those are the
20 questions I want to follow up with.

21 CHAIRMAN WALTON: Okay.

22 COMMISSIONER FELLNER: I have to ask, I
23 noticed in the Safe Program that you say that an
24 inmate can basically report to anybody if they've been
25 abused. Does that report to anybody, let's say to a

1 lieutenant, I think you mentioned specifically, count
2 as a formal grievance for purposes of having complied
3 with the grievance procedure, one; two, would you
4 please get to us, if you can, I would be interested in
5 knowing how many complaints, let's say in the last, I
6 don't know, three years, two years, whatever, have
7 been where you have sought to dismiss them, the
8 department or the attorney has sought to dismiss them
9 either because -- of a sexual abuse because the inmate
10 had not complied with -- exhausted an administrative
11 grievance procedure, and how many where they couldn't
12 pursue damages because, even though they alleged a
13 sexual -- problem of a sexual nature, because the
14 physical injury requirement of the appeal wasn't
15 satisfied?

16 MR. NATHANIEL QUARTERMAN: Would you
17 like to have -- you know, sometimes when you get a
18 denial, would you like to know -- like, we don't have
19 physical evidence, but we believe it to be a problem,
20 and we make action. We may deny the complaint, but we
21 moved the inmate or did some safety precautions.
22 Would you like that information, too?

23 COMMISSIONER FELLNER: No. What I
24 was -- one, was just asking whether or not making a
25 complaint to a lieutenant, let's say, satisfies, for

1 grievance procedure purposes, does that count as the
2 first step of the grievance process? Second, I would
3 welcome knowing from the department how many cases
4 have they sought to have a civil suit dismissed
5 that -- in which the inmate had alleged a failure to
6 protect or violence -- sexual violence in which the
7 basis for the department's move to dismiss was failure
8 to comply with the exhaustion -- you know, failure to
9 exhaust administration remedies.

10 MR. RALPH BALES: If I understand
11 correctly, then, you're talking mostly about the new
12 grievance procedures and the process. That's what
13 you're asking?

14 COMMISSIONER FELLNER: That's for the
15 failure to dismiss. But I want -- let me put it this
16 way. In many systems, inmates make a complaint to
17 someone, I've been abused. They think they have now
18 done whatever they're supposed to for the formal
19 grievance process because they made a complaint. And
20 then it turns out the administration says, no, no, no.
21 That wasn't a process so you get -- you can't proceed
22 with your civil suit because you didn't do the proper
23 steps.

24 And I was reading your material which
25 you sent and it lays out the grievance process, but it

1 also says, you can make a complaint to anyone. So I
2 want to know, if you make a complaint to someone, if I
3 go to you and say, X, does that constitute a formal
4 grievance for purposes of complying with TDCJ's
5 grievance procedure?

6 MR. DAVID STACKS: One of the
7 requirements with our offender grievance procedure, it
8 asks the offender, whom did you seek out in formal
9 resolution prior to entering into the grievance
10 process. Okay?

11 To answer your question, they can go
12 anyone and seek out informal resolution. Okay? Once
13 they do that, then they can enter into the grievance
14 process.

15 COMMISSIONER FELLNER: So the first
16 step does not count with -- count as filing a
17 grievance?

18 MR. DAVID STACKS: We will still
19 entertain their grievance. Okay? What I'm saying is,
20 if I'm the lieutenant and you come to me and you say
21 you have this issue, and I do or do not respond to
22 that, you can still enter into the grievance process.
23 Does that -- still not answering your question here?

24 COMMISSIONER FELLNER: No.

25 CHAIRMAN WALTON: Why don't we try and

1 communicate maybe in writing and try and get some
2 additional information from you.

3 COMMISSIONER FELLNER: Okay. Thank
4 you.

5 CHAIRMAN WALTON: We appreciate your
6 testimony. We have one final panel. And we'll start
7 that at -- hopefully everybody will be here at 3:00
8 o'clock and we can get started, because some of us
9 have to get planes out of here tonight.

10 Thank you.

11 (RECESS.)

12 CHAIRMAN WALTON: We have talked to top
13 prison officials about the Texas Safe Prisons Program,
14 and now we will hear from our final panel, which is an
15 external perspective on the program that we heard
16 about. And we have four witnesses to testify on this
17 subject, three of you are here now. I'll swear them
18 in, have them identify themselves and proceed with
19 their testimony, and then we'll introduce the fourth
20 person when she arrives.

21 If the three of you could take the
22 oath, please.

23 (Witnesses sworn.)

24 CHAIRMAN WALTON: Thank you.

25 Sir, if you could start, and we'll move