



City of Houston Testimony on House Bill 954
Senate Committee on Criminal Justice
May 18, 2021

Thank you for the opportunity to express the City of Houston's support of House Bill 954.

This bill provides for transparency of information between the state and local jurisdictions. State law authorizes the board of the Texas Department of Criminal Justice (TDCJ) to contract for temporary or permanent housing of inmates for public or private jails or operators of alternative housing facilities. TDCJ authorizes alternative housing facilities for housing of parolees throughout the state.

Some history within the City of Houston: In March 2017, a fire in a boarding home and a separate fire in an unlicensed lodging facility, resulted in three deaths and the emergency evacuation of 29 elderly and disabled residents. The Mayor formed an internal working group of City departments to review and revise relevant ordinances to incorporate safety measures to prevent the recurrence of such a tragedy. The working group identified three different types of group homes that exist in Houston: 1) Boarding Homes, 2) Lodging Facilities and 3) Alternative Housing/Correctional Facilities. As these facilities were reviewed, it was determined that they required stronger building safety regulations because no other regulatory body at the state or federal level regulates building safety issues for these types of facilities.

The working group researched the process by which TDCJ authorizes alternative housing facilities to be placed on its resource listing. The TDCJ application approval process in 2018 incorporated a basic checklist by a district parole office. The checklist covered items such as: living space per parolee, meal planning, clothing, access to public transportation and child safety zones. The checklist did not address building safety, such as observance of unpermitted additions/conversions, or access to fire extinguishers and smoke and carbon monoxide alarms. Since the City of Houston's enactment of Alternate Housing/Correctional Facilities safety regulations, TDCJ has added an additional step to the process – requiring the City of Houston permit to be submitted with the TDCJ application.

At the time the ordinance was approved by Houston City Council (March 2018), Houston had 99 approved alternative housing facilities within its corporate limits compared to: Austin (31); Dallas (27); and Fort Worth (12). In the absence of zoning restrictions, the TDCJ has approved the lion's share of these facilities to be located in Houston. Based on the most recent TDCJ data available (February 2021), there are currently 89 TDCJ-approved locations in Houston.

Under current law, local governments can only obtain location and occupancy data through a cumbersome public information request process, making it difficult for local government to address concerns from citizens regarding unsafe living conditions and overcrowded facilities that may be housing parolees. Building safety for those living in and around these facilities is important and warrants a change in state law to facilitate access to information from the State rather than through the public information request process. HB 954 would eliminate this barrier, allowing the information to be provided to a local jurisdiction with a population of over 3.3 million. After an initial request, the data would be provided by the 10th business day of each month. In addition, this bill would require the TDCJ to ensure – through affirmative response from the local jurisdiction – that all local requirements are met prior to their approving alternative housing facilities for state parolees, whether they be permitting or zoning requirements.

Thank you for your consideration of this bill.