

INHUMANE FEEDING PRACTICES  
IN THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE  
[AGGRAVATED BY CURRENT ECONOMIC CRISIS  
AND PENDING GLOBAL FOOD SCARCITY]

This petition to the Human Rights Council is submitted by the National Lawyers Guild - Prison Chapter on behalf of all present and future prisoners incarcerated within the Texas Department of Criminal Justice (TDCJ), in the State of Texas, United States of America.

This petition asserts that TDCJ is in violation of the United Nations Standard Minimum Rules for the Treatment of Prisoners, Rule 22.1 (and any related human rights standard) in that the TDCJ has continuously neglected to provide it's prisoners with food of nutritional value adequate for health and strength, and in wholesome quality. The petition further asserts that, although prison food has never been of high quality, such neglect is becoming perpetually compounded by the fallout of the world-wide economic crisis and the pending global food scarcity/shortages. Conditions have become so serious as to deprive Texas prisoners of the minimal civilized measures of life's necessities. This issue is present in all Texas prisons in varying degrees, and as the economic crisis becomes increasingly worse, prisoners are at substantial risk of serious and irreparable harm. The issues that Texas prisoners face are:

- \* Meals that fall far short of the daily required caloric content (to the degree that prisoner's caloric intake is on par with 3rd World standards)
- \* Meals consist predominately of starch and carbohydrates, and are void of meaningful protein and fresh fruit and vegetables.
- \* Meals are frequently watered down to increase their volume.
- \* Prisoners are forced to supplement caloric deficiencies with commissary purchases, however this option has become extremely difficult with new TDCJ-implemented spend limits, product shortages, and irregular commissary access. This option is not available to the large number of indigent prisoners who have no ability to supplement caloric deficiencies and rely entirely on the meals provided by TDCJ.
- \* "Sacked meals" consist of a sandwich diet that are becoming increasingly used by TDCJ to substitute hot meals when the unit is not on lockdown. These sacked meals do not meet the caloric requirement and are absolutely void of nutritional value.
- \* Prisoners are not afforded adequate time to eat their meals - which forces prisoners to throw away the majority of their food. This further deprives them of required caloric intake and the speed at which they must ingest their food can contribute to serious health issues.

- \* The common practice of kitchen service managers is to falsify the documentation recording what is fed in an attempt to cover-up caloric and nutritional deficiencies in the meals. What policy mandates has no similarity to what is actually fed to prisoners.
- \* Food is regularly prepared in an unsanitary manner without masks and gloves; fail to ensure food is kept at proper temperatures; utensils are insufficiently cleaned or sanitized; and failure to ensure that pests and vermin are separated from the food.
- \* Some food given to prisoners is not fit for human consumption without further processing.

TDCJ may have sufficient dietary policy in place, however in practice that policy is not actually applied.

For example, the TDCJ "Correctional Managed Health Care and Therapeutic Dietary Policy and Procedures Manual" (September 2020) allows for at least 2400-2700 calories per prisoner, per day. The truth on the ground is very different. The maximum calorie count per prisoner, per day, is actually closer to 1600 calories, and at times as low as 1100-1200 calories (3rd World standards). An average hot-meal consists of:

|               |                                     |
|---------------|-------------------------------------|
| Lunch/Dinner: | Chicken Pattie (190 cal)            |
|               | 4oz Beans (160 cal)                 |
|               | 4oz Carrots (20 cal)                |
|               | 4oz Mixed Vegetables (40 cal)       |
|               | 4oz Canned Sweet Potatoes (124 cal) |
|               | [TOTAL CALORIE COUNT = <u>534</u> ] |

This level of caloric intake is insufficient to maintain a full grown adult. Prolonged systemic practices of underfeeding will result in malnutrition, susceptibility to illness (including COVID) and demoralization (resulting in mental health issues). This underfeeding is not only an insufficiency in caloric value being served, it is also effected by the lack of time a prisoner has to ingest their meal. TDCJ policy mandates that a prisoner be allowed 20 minutes from the time they enter the dinning room to eat their meal. Like alot in TDCJ, this policy is not followed and prisoners are given an average of 8 mins 51 sec in the dinning room, with an average of 5 mins 30 sec of actual eating time. It is extremely rare that a prisoner is able to finish the entire meal before an officer orders the prisoner to throw away what food they have left and leave. The result is an incredible amount of wasted food and prisoners are denied the ability to eat what little they are given. Over the years of this, the motto among prisoners is: "Eat now, taste later".

A significant number of caloric intake is from sacked meals. On the Robertson Unit, for example, in the month of January 2022 there were 23 out of 31 days where the prison population was fed at least one sacked meal. Out of a total of 93 meals that month, 42 of them were sacked meals. The justification for this substitution of sacked meals for hot meals was staff shortages.

According to the "Correctional Managed Health Care Therapeutic Dietary Policy and Procedures Manual" the following is an example of one day of FY20 Lockdown Menu:

BREAKFAST: 2 boiled eggs; 2 slices bread; 2tbs raisins; 3/4 cup dry cereal; 1tbs margarine; 2pkt diet jelly; 8oz milk.

LUNCH: 1 chicken pattie sandwich on white bread with 1tbs salad dressing; 1 beef pattie sandwich on white bread with 1tbs salas dressing; plus 1/2 cup fruit.

DINNER: Fried fish sandwich on white bread with 1tbs tartar sauce; 1 chicken pattie sandwich on white bread with 1tbs salad dressing; plus 1/2 cupo fruit.

In reality, what commonly constitutes one days lockdown sacked meal is as follows:

BREAKFAST: 1 peanut butter and jelly sandwich (269 cal); 1 boiled egg (75 cal)  
[TOTAL: 344 cal]

LUNCH: 1 peanut butter and jelly sandwich (269 cal); 1 chicken patty sandwich on white bread (330 cal) [TOTAL: 599 cal]

DINNER: 1 peanut butter and jelly sandwich (269 cal); 1 bologna sandwich on white bread (200 cal) [TOTAL: 469 cal]

Nowhere in the FY20 Lockdown Menus is there a single peanut butter and jelly sandwich. Yet in TDCJ, peanut butter and jelly sandwiches are given as a staple. The average sacked meal ALWAYS contains a peanut butter and jelly sandwich. TDCJ counts suchas 580 calories. However in actuality a peanut butter and jelly sandwich is only 269 calories. This is because each sandwich only has one ounce mix of peanut butter and jelly (1/2oz peanut butter and 1/2oz jelly) which equates to 129 calories (peanut butter = 5.625 calories per gram; jelly = 2.5 calories per gram). The two slices of bread adds an additional 140 calories. Using simple math, it is obvious that a peanut butter and jelly sandwich in TDCJ is only 269 calories. TDCJ over estimates such by 311 calories.

Attached at EXHIBIT A is the label of a "meat" being served by TDCJ since November 2020. The first thing that should catch the eye on the label is the "FOR FURTHER PROCESSING ONLY" warning. This stongly suggests that it isn't meant to be consumed

by humans without further processing. This so-called "Boneless Skinless Ground Chicken Meat" comes in a large frozen block which is a deep blood red (which is unusual for ground chicken). As it defrosts it turns into a slime which has a putrid, rotten smell. To cook it, TDCJ boils it, after which it takes on a gray color and is then either combined with mayonnaise to create "chicken salad" or mixed with pasta or rice before being served to prisoners. Often it is difficult to determine the difference between the chicken and the pork/beef. Prisoners have been complaining that they experience diarrhea after eating it. It is reasonable to suspect that this "meat" is actually some kind of byproduct and is being fed to prisoners by TDCJ because it is cheap.

The United Nations is currently warning of Global Food Scarcity and Shortages by 2023. It is reasonable to assume that the inadequacies and issues presented in this document will only be aggravated because of this, and rather than reduce it's bloated prison population, TDCJ will continue to deliberately underfeed it's prisoners. TDCJ's population averages 140,000 and to neglect to provide such a large population with adequate food of nutritional value for health and strength is cruel and inhumane punishment. This is a human rights violation of such a magnitude as to warrant serious consideration by the UN Human Rights Council. Such international scrutiny may prove to be the impetus to correct this gross violation of the most fundamental human right - the right to adequate food.

Respectfully Submitted,

NATIONAL LAWYERS GUILD - PRISON CHAPTER