



From the Executive Director's Desk

BY DEBORAH FOWLER

Worldwide, we will remember 2020 as an agonizingly difficult year. In the United States and in Texas, in addition to the toll taken by the pandemic, we grappled with tragedies that called on our nation and our state to address racial injustices sewn into the very fabric of our institutions. Peaceful protests were, in some cities, met with anger and violence, deepening divisions between citizens that the very contentious election season did nothing to help heal.

Amid these crises, Texas Appleseed found hope, working across ideological and racial divides to unite Texans in the fight for justice. We know that no matter where we come from or what our color, Texans work hard for their families and want similar things. While some sow division to preserve self-interest, we know that the vast majority of our neighbors and community members want our state to be one in which all people have access to opportunity. Whether white, Black, or brown, working Texans are united in their desire for fairness and equity.

As the pandemic raged and divisions appeared to increase, Texas Appleseed's staff, board, and supporters found solidarity in policy solutions that met the crises of 2020:

- Working with a team of organizations that pushed for and negotiated three Texas Supreme Court orders responding to the pandemic, including protecting CARES Act stimulus

payments from garnishment or seizure and placing a hold on default judgments.

- Collaborating with partner organizations to publish a toolkit outlining specific steps county officials should take to reduce the number of people in jail and keep people who remain in jail safe.
- Surveying Texas independent school district homeless liaisons to understand what was happening with homeless students during remote learning, resulting in a letter to TEA, joined by other organizations asking TEA to release guidance. TEA responded by issuing updated guidance specific to homeless students.
- Collecting and analyzing TEA data showing the impact of the "digital divide" on K-12 education and working toward a white paper with numbers from the current school year to inform legislative advocacy.
- Working with a coalition of Austin organizations to call for a reallocation of \$21 million from the police department into the Emergency Medical System, permanent supportive housing for the unhoused, protective shelter for domestic abuse survivors, public health, including substance use treatment and harm reduction, and a new Office of Violence Prevention. These are all research-based methods of preventing and addressing crime.

I am so proud of Texas Appleseed's work this year and look forward to working together in 2021 to stand up for policies that protect opportunity for all of us.

87th Legislative Session

As of the writing of this newsletter, bill filing has already begun for the upcoming legislative session, which starts in January. It's anticipated that legislators will file thousands of bills. Texas Appleseed will advocate for bills that will help families, children and other vulnerable populations in Texas. Please visit our website, www.TexasAppleseed.org, to find our legislative priorities on each of our project areas. Throughout session, we will keep you informed with bill updates, blog posts, fact sheets, advocacy opportunities and more. Be sure you're on our email list or that you're following us on your preferred social media platform for the latest updates.

M.D. vs Abbott Monitoring Team

Texas Appleseed has a long history of working to protect children from harm and advocating for at-risk children, including those in foster care. A lawsuit brought by another nonprofit on behalf of foster children in Texas spurred court-ordered reforms due to violations of children's constitutional rights. The *M.D. vs Abbott* monitoring team comprises children's law and policy experts, child welfare specialists, data and policy analysts, social workers and former foster youth. Deborah Fowler serves as Co-Monitor. The Monitors are charged with reporting to the judge on progress or inaction of court-ordered reforms through extensive research, site visits and interviews. The Monitors' first report can be found by visiting "**Foster Care**" under our "**Projects**" tab at www.TexasAppleseed.org.

N. Scott Fletcher, *Chair*
Scott Fletcher Law*

Layne Kruse, *Immediate Past Chair*
Norton Rose Fulbright*

Patrick H. Cantilo, *Secretary-Treasurer*
Cantilo & Bennett, L.L.P.*

Hesha Abrams
Hesha Abrams Mediation, LLC*

Christopher Benoit
The Law Office of Lynn Coyle PLLC*

Doug Bland
Vinson & Elkins LLP*

Keri Brown
Baker Botts LLP*

George Butts
George Butts Law*

Kent Caperton
Kent Caperton, PC*

Carlos Cárdenas
Law Office of Carlos Eduardo Cárdenas, P.C.*

E. Leon Carter
Carter Arnett PLLC*

Ricardo G. Cedillo
Davis, Cedillo & Mendoza, Inc.*

Dawn Estes
Estes Thorne & Carr PLLC*

Allene D. Evans
The University of Texas System*

Craig Florence
Foley & Lardner LLP*

R. James George, Jr.
George Brothers Kincaid & Horton LLP*

Judge Amber Givens-Davis

Sean Gorman
Bracewell*

Susan Hartman
BVA Group*

Tommy Jacks
Fish & Richardson P.C.*

Joe Jaworski
Jaworski Law Firm*

Susan Karamanian

Charles Kelley
Mayer Brown LLP*

Justice Peter M. Kelly

Michael Lowenberg

Elizabeth Mack
Locke Lord LLP*

Jadd Masso
Clark Hill PLC*

Keri McKenzie
Deloitte Financial Advisory Services LLP*

Gina DeBottis Metts
Retired Executive Director, Special Prosecution Unit*

Ann Marie Painter
Perkins Cole*

Hon. Thomas R. Phillips
Baker Botts LLP*

Michael Rodriguez
Atlas, Hall & Rodriguez LLP*

David Sharp
Law Offices of David E. Sharp P.L.L.C.*

Ann Hebert Stephens
Shell*

Eric Taube
Waller Lansden Dortch & Davis, LLP*

Leslie Thorne
Haynes & Boone, LLP*

Allan Van Fleet
Van Fleet LP*

Mark Wawro
Susman Godfrey L.L.P.*

Phyllis Young
McGuireWoods*

Angela C. Zambrano
Sidley Austin LLP*

**Affiliations listed for identification only*

Complaint to DOJ Regarding Juvenile State Secure Facilities

Texas Appleseed and Disability Rights Texas filed a complaint in October with the U.S. Department of Justice, formally requesting an investigation into Texas' five state secure juvenile facilities run by the Texas Juvenile Justice Department (TJJD). We filed the complaint based on unconstitutional conditions and grievous violations of children's constitutional rights.

TJJD is legally charged with the safety and rehabilitation of youth in their care, along with their wellbeing and education. Documented reports of problems date back over a decade and continue through today.

Our complaint includes data on physical abuse, sexual victimization, severe staffing shortages, unnecessary and excessive use of force, inadequate mental health care, as well as other alarming issues. The data came from TJJD itself, the Office of the Inspector General, and the Office of the Independent Ombudsman. We also included personal accounts by family and youth.

Find the press release and complaint by visiting “**Juvenile Justice**” under our “**Projects**” tab at www.TexasAppleseed.org.

Austin's Public Safety Briefing

In the midst of historic protests nationally following the murder of George Floyd by a police officer and after public meetings featuring countless hours of near-uniform calls by residents to divest from policing, the Austin City Council passed a revised budget on August 13 that reduced spending on the Austin Police Department.

The City of Austin reinvested \$21.5 million of police funding into alternative public safety needs, including EMS; housing for victims and the unhoused; and public health, including COVID-19 response.

To combat misinformation and confusion, Texas Appleseed and Just Liberty hosted a virtual event September 29 to dispel myths and explain what the Council vote would mean for public safety. Beneficiaries of the funds — Austin EMS, the Ending Community Homelessness Coalition, Community Justice Action Fund, and Texas Harm Reduction Alliance — joined the conversation describing how it would benefit Austin overall and vulnerable Austinites.

Visit our “**Videos**” tab on Facebook to watch an archived video of the event, *Austin's Public Safety Budget: A Community Briefing*.

Payday & Auto Title Loans: Market Trends & Overall Costs

Each year, Texas Appleseed conducts detailed analyses to determine payday and auto title lending market trends. We also report on how much these loans cost statewide and in 16 areas across Texas. The 2019 figures are the latest full year of data available. We obtained data from the Texas Office of Consumer Credit Commissioner's (OCCC) Credit Access Business (CAB) quarterly and annual data reports. Store location data is based on the OCCC's CAB licensing data and includes only active licensed locations in Texas. Learn more about fee charges, refinances, vehicle repossessions, annual percentage rates and more. Find the data sheets by visiting “**Payday & Auto Title Lending Reform**” under our “**Projects**” tab at www.TexasAppleseed.org.

The state facilities
are not just failing
the youth in them,
they are hurting them.

-Brett Merfish

Director of Youth Justice

TEXAS APPLESEED



Good Apple Celebration

On November 12, we were pleased to honor **Senator Kirk Watson** as our 2020 Good Apple for his exemplary leadership, public service, and commitment to improving the lives of Texans. Senator Watson's remarkable career could be felt by the heartwarming tributes from friends and colleagues across Texas.



Senator Kirk Watson holding the Good Apple award

While we missed seeing everyone in person, it still was an exciting virtual celebration. The night kicked off with an engaging and thoughtful conversation between Senator Watson and Texas Appleseed's Board Chair, N. Scott Fletcher. Local musicians performed throughout the event, and we heard firsthand from a mom and an educator about the impacts of unbending laws and policies, as well as the pandemic, on people's lives.

Texas Appleseed was also pleased to present the 2020 Pro Bono Leadership Awards to two outstanding law firms — **Davis, Cedillo & Mendoza, Inc.** and **Fish & Richardson P.C.** — for partnering with us to spur positive change.



Senator Kirk Watson at the University of Houston campus where he is Founding Dean of the Hobby School of Public Affairs



Counselors Not Cops Campaign Launches in Houston

On November 17, the Safe & Supportive Schools Collaborative of Houston, of which Texas Appleseed is a member, launched its *Counselors Not Cops* campaign. *Counselors Not Cops* is a collective effort to reform school discipline policy, reduce exclusionary school discipline practices, and eliminate the criminalization of student behavior that disrupts a student's learning and educational environment.

With a new website at www.counselorsnotcops.com, the campaign includes a comprehensive report on the impact of

school policing on the most vulnerable students and a series of videos highlighting the stories of parents and young people. Our new report has data on school-based arrests, complaints (citations), use of force and school staffing. One finding shows that Black students are consistently and disproportionately arrested across the districts studied. Collectively amongst those districts, the rate of arrests among Black youth was nearly twice as high as the rate of arrests among white youth, even though research shows Black youth exhibit the same behaviors as their white peers.



Toolkit to Help Victims of Coerced Debt Now Available in Spanish

The coronavirus pandemic has given rise to an increase in domestic abuse, and victims are further isolated from their usual safety networks. During Domestic Violence Awareness Month this past October, the Texas Coalition on Coerced Debt, of which Texas Appleseed is a member, launched its Coerced Debt toolkit in Spanish. Previously available in English, the toolkit offers information and help to victims of domestic violence regarding coerced debt.

Coerced debt is debt that an abusive partner has taken out in a victim's name without the victim's knowledge or consent. It is a form of identity theft that exists where there is domestic abuse.

"The toolkit provides a pathway to address and overcome the financial damage created by an abuser," said Ann Baddour, Director of Fair Financial Services at Texas Appleseed. "Physical safety is essential and should be considered at every step of the process."

The new toolkit is available at www.financialabusehelp.org/espanol.

We're celebrating 25 years next year! Stay tuned!

TEXAS APPEASEED
1609 Shoal Creek
Suite 201
Austin, Texas 78701-1022

