

DECLARATION OF KATHRYN THEUNE

I. Overview

1. I am over eighteen years old and a resident of the State of Texas. I make this declaration pursuant to Title 6, Section 132.001(d) of the Texas Civil Practice and Remedies Code.

2. I am currently incarcerated in TDCJ's Halbert Unit, and my TDCJ Number is # 02360949.

3. I was approved for parole on or about October 27, 2022. In the Halbert Unit I am participating in the Female Cognitive Pre-Release Program (FCPRP).

4. Most of the people in the program have been approved for parole but must complete the program before their release. I began the program while in parole review on the understanding that, now that I have been granted parole, I will have credit for completing the program and be released sooner than I would if I had to take the program after my parole vote.

5. At Halbert there are two dorms of women in the Pre-Release Cognitive Program and six dorms in which women are in the Substance Abuse Felony Punishment Facility (SAFPF) program.

6. The program in which I am participating is operated by Management and Training Corporation..

II. The Programs are Not Providing Minimal Treatment Standards

7. I arrived at Halbert in mid-July of 2022. I was interviewed by a counselor for approximately fifteen minutes and told my programming would begin when I received my Individual Treatment Plan, which I was told would happen within two weeks.

8. I received my treatment plan on September 27, 2022, two and a half months later.

9. In Halbert, I am housed in a bunk room with sixty-seven other women. We are scheduled to participate in programming, but the programming is led by women in the program—MTC staff are not present and do not actively participate in programming.

10. Programming takes place in the afternoon in the day room of the unit. All sixty-eight women go to the day room at or about 12:15. We are all required to sign in on a sign in sheet to show we are present for that day's programming.

11. In the programming, all sixty-eight of us are in one room with no counselor. Each hour is designated as a different group therapy session. We get a short break between each hour. We have no counselor present for any of the four hours. The programming is led by program participants.

12. No MTC counselors or staff are in the room during most of the group time. MTC counselors come in for the last ten minutes of each hour to complete paperwork

13. I have not had any individual therapy sessions since my initial intake interview.

14. The person I am told is my counselor, Ms. Morrison, has not been at Halbert at all since I arrived.

15. We are also given paperwork packets to complete during group. These assignments are passed around in a manilla envelope and require that we write short essays on a topic such as anger. We are told that each assignment should take one hour of group therapy. Most people do not complete the assignments.

16. In addition, we are often brought to the day room early in the morning to have an hour of "programming" in which no counselor is present. We are not allowed to leave the day room during this hour, and instead we sit in silence for an hour after documenting that we were present for this hour of so-called "programming."

III. Women Who Complete the Programming Are Being Kept Incarcerated for Months

17. Most of the women in the program in Halbert have already been approved for parole, and completing the program is their “answer”—they must complete the program to be released.

18. However, a number of women in Halbert have completed the program and have waited months to receive a release date.

19. I know of one woman who waited six additional months from the time her program was completed until she was released.

20. We have asked the counselors why there are delays in releasing women who have completed the program. None of them have any answers.

21. In addition, a number of women have been transferred to other units—including the Hiltop unit—after completing the programs, instead of being released.

22. Lafawn Cantu, TDCJ Number 01796203, completed the program on July 2. She was moved to the Hiltop unit in September.

23. Abreiska Spurlock, TDCJ No. 02364837, completed the program on August 9, 2022, and moved to Hiltop in September.

24. Pamela Alberts, TDCJ No. 02247373, completed the program and was transferred to Hiltop in late September even though she had a release date of October 6. She was not allowed to bring any personal property when she was transferred to Hiltop.

25. I have flied information requests seeking to be told when I will meet with my counselor and have not received any response.

My name is Kathryn Theune, my date of birth is 4/27/90, and I am currently incarcerated in the Halbert Unit. I declare under penalty of perjury that the foregoing is true and correct.

Executed in Burnet County, State of Texas, on the 18 day of October, 2022.

/s/ Andrew Case for Kathryn Theune

Kathryn Theune