

RACE/ GENDER/ LENGTH OF HAIR
AND NATURAL HAIRSTYLES IN T.D.C.J.

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Texas Department of Criminal Justice (T.D.C.J.) has and continues to practice a policy, A.D. 03.83 (grooming policy), that forbids African American male prisoners from displaying hairstyles that represent a direct connection to cultured identity, such as twists, braids, dreadlocks and afros that have length beyond the shoulder, not limited to these styles exclusively.

There are a number of justifications that have customarily been offered by T.D.C.J. officials for their prohibition against these hairstyles, such as (1) weapons can be concealed within the coarse texture of these hairstyles, (2) these hairstyles will impede the identification process, (3) these hairstyles will cause hygiene problems, (4) these hairstyles would take too much time to search. These same claims were asserted and debated with the introduction of religious beards and debunked.

The transparent contradiction within T.D.C.J.'s grooming policy, A.D.03.83, is a form of reverse gender discrimination. This policy supports an entire class of persons, female inmates to grow head hair to lengths that their male counterparts are forbidden from. Both classes of prisoner were convicted by a gender neutral Texas penal code.

T.D.C.J.'s grooming policy is a uniform policy that doesn't differentiate based on the sex of a prisoner, or cultural affiliation. The explanation for the underinclusive exemption for female prisoner is flimsy at best, and absurd at worst.

There has not been any hard statistical data showing that length of hair, and or style has contributed in any significant way to the overall introduction of contraband into the institutional setting. Bear in mind that any level of contraband introduced in a secure correctional facility is unacceptable, whether it be lipstick, eyeliner, or marijuana, k-2, or cell-phones.

Many States along with the U.S. Congress have enacted what is known as "The Crown Act". This act protects individuals as well as employee's from discrimination based on hairstyle, and or texture. This particular act was created to ensure African Americans were not discriminated against based on their unique hairstyles, and to recognize the cultural significance of these hairstyles. The vast majority of states, and Federal Prison System elect not to make hairstyle or length an operational issue of contention.

Texas on the other hand has elected to ignore the cultural significance that hair plays in distinguishing cultural identity and its value to each individual in asserting individuality through hairstyle. Prison officials are hand pressed to reconcile the incongruent nature of this policy.

The prohibition against braids, dreadlocks, and twists, length of hair, has always been based out of an exaggerated supposition. This supposition touches on a systemic bias that has never completely been eradicated out of the system.

Because of that fact, we have arrived at this moment seeking to have this prohibition against twist braids, dreadlocks, as well as length of hair lifted in the spirit of fairness and equality.

Texas prisons are burdened by a history of racial and gender injustice that shapes the underinclusive nature of today's grooming policy. Officials

exempt females based on biology, despite T.D.C.J. grooming policy being a uniform policy that is gender neutral in language.

The perceived nuances of inferiority allows prison officials to ignore the cultural significance that hairstyle plays in African American identity and individuality. The evolving standard of who we say are collectively provides a genuine opportunity to celebrate this diversity by changing this policy to allow twists, braids, dreadlocks and length of hair beyond the shoulder. After all T.D.C.J. female prisoners have proven that length of hair isn't a significant operational impediment or hinderance for years.

Sincerely
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P.S.

A question, why does this archaic policy continue to exist, This policy serves no legitimate Penological Interest.