

## Advocating for Texas' Most Vulnerable During the COVID-19 Pandemic

We hope this newsletter finds you safe and healthy. As we leave summer and approach a fall school semester that will be unlike any we have ever seen before, we wanted to share an update on what Texas Appleseed has been doing to address the effects of the coronavirus pandemic.

When the first COVID-19 cases began appearing in Texas, Texas Appleseed's staff attorneys and policy experts sprang into action. Within weeks, we had released a number of resources advocating for the most vulnerable Texans, including students, low-income people, and the thousands of individuals sitting in jail without having been convicted of a crime. Some of those resources include:

- A letter to the Texas Education Agency encouraging the State to direct resources from the CARES Act toward Texas' most vulnerable students,
- A toolkit for county officials to mitigate the spread of COVID-19 in jails,
- A letter urging Governor Abbott to take action to protect youth in juvenile detention centers,
- A letter to Texas Insurance Commissioner Kent Sullivan to ensure fair pricing and rebates in auto insurance given a drastic reduction in driving during the pandemic, and

- A blog post about how COVID-19 is affecting youth experiencing homelessness.

As of the writing of this newsletter, we have also been doing advocacy to shed light on a looming evictions crisis. With unemployment rising and supplemental federal unemployment



benefits expiring, people will struggle to pay rent — from people living in apartment complexes to those renting other single-family dwellings. In Texas, 1.7 million people are at risk of eviction, and nationally, 20 million to 30 million families. Congress' next COVID-19 stimulus bill must include \$100 billion in rental assistance for all renters and a uniform eviction moratorium. Our homelessness crisis will only grow worse with an evictions crisis, and unstable housing has long-term negative effects on health and child development. Evictions will only make it harder to limit the spread of COVID-19.

For more information about these and related resources, please visit [www.texasappleseed.org/resource-page-coronavirus](http://www.texasappleseed.org/resource-page-coronavirus).

## Recent Statements

During this emotionally charged time of a pandemic, police violence against Black people, rising unemployment, and other stresses in our society, we remember the things that are essential: food, shelter, health, education, love — and justice. If you have not had the chance to read our Black Lives Matter statement or Recognizing the Essential Nature of Justice, a blog from our Executive Director, Deborah Fowler, please find them here: <https://bit.ly/2Q3gBU5> and <https://bit.ly/EssenNatJus>.

## Thank You

How can I help? We have heard these four words countless times in recent weeks. We want to thank our pro bono partners for reaching out and seeing how they can be of service to their fellow Texans by volunteering their time and skills to our nonprofit. This support — from people who have donated and pro bono partners — reflects the critical nature of this work to ensure social, economic, and racial justice for all. We could not do this without you. If you are interested in pro bono contributions, email Gabriella McDonald at [gmcdonald@texasappleseed.net](mailto:gmcdonald@texasappleseed.net).

- 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\*

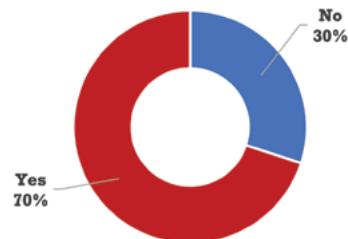
\*Affiliations listed for identification only

## Fair Financial Services

### A Look at Auto Insurance During COVID-19

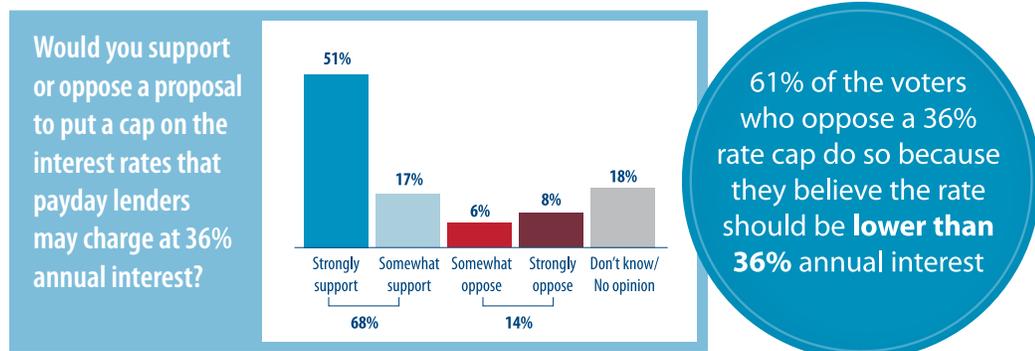
On June 23, we released a policy report, *COVID-19 Pandemic Should Not Be Profit Boon for Texas Auto Insurers*, detailing how many auto insurance carriers have fallen short on refunds and credits as Texans continue to drive less during the pandemic. Nearly 1 in 3 of the top 40 auto insurers offered no credit or refund to customers despite a drop in travel and accidents. Moreover, among the insurers offering rebates, amounts varied substantially, lacking any consistency within the industry. Auto insurers in Texas are required by law to base pricing on risk. We have called on the Texas Department of Insurance to intervene. Find the report here: [www.texasappleseed.org/insurance](http://www.texasappleseed.org/insurance).

Percent of Top 40 Texas Auto Insurers Offering Credit or Refund



### Texans' Thoughts on Payday Loans

In partnership with the Center for Responsible Lending, we released a polling report about attitudes of Texans regarding payday and auto title lending. One finding is that Texas voters overwhelmingly support a 36% rate cap. In Texas, there are no limits on fees charged for payday and auto title loans. The result is average APRs that often exceed 500%. In 2019, payday and auto title lenders drained over \$2.03 billion in fees from Texans through exorbitant loan charges. View all poll results in this infographic: <https://bit.ly/CRLratecap>.



### Austin's Response to AG Opinion

Good news! In July, the Austin City Council revised its payday and auto title loan ordinance, which offers basic protections for borrowers using these loans. The changes closed a harmful loophole created by a Texas Attorney General opinion last fall that led to the creation of unregulated loan products and unclear and optional protections, where protections existed. Forty-five other Texas cities have similar ordinances, and we plan to work with these cities on this basic, but powerful revision. Learn about the harmful AG Opinion here: <https://bit.ly/AGopin>.



## Charitable Giving

### Have a Donor Advised Fund?

You can significantly impact our work with a grant from your Donor Advised Fund. Your gift helps Texans suffering from social and economic injustices — injustices amplified by the coronavirus pandemic. Please contact your fund today and make a grant recommendation to Texas Appleseed (tax I.D. number 74-2804268).

# Criminal Justice Reform

## City of Austin & Harris County End OmniBase Contracts

The OmniBase Program allows courts to place holds on people's driver's licenses for unpaid fines and fees related to minor offenses, such as traffic tickets. Holds don't lift even when someone begins making payments or starts community service, only after everything is paid in full. Driving with an invalid license can result in additional punishments — more fines, warrants, and arrests — yet many Texans continue driving for basic reasons, such as getting to work, the doctor, and the grocery. Data also shows that there is no apparent relationship between collection rates and participation in OmniBase.



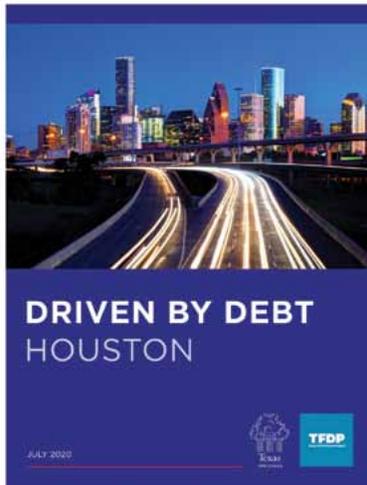
Jurisdictions can discontinue participation at any time. Supported by our advocacy, both Austin and Harris County made those strides. The Austin City Council voted unanimously on May 21 to end its OmniBase

contract. On July 14, the Harris County Commissioners Court voted to end its contract — another step against punishing poverty.

## Driven by Debt: Houston

We co-authored *Driven by Debt: Houston* with the Texas Fair Defense Project (TFDP) to show the detrimental effects of driver's license holds on Texans' lives and offer policy recommendations. Some findings include:

- There are nearly 550,000 OmniBase holds from Houston-area courts preventing people from renewing their licenses until their tickets are paid in full, most of which are from the Houston Municipal Court.
- The odds of being arrested for driving with an invalid license are more than 5x higher for Black individuals than White individuals in Houston.
- Last year, the Houston Police Department arrested more than 6,000 people solely related to fine-driven Class C warrants and no more serious offense.



Find more at <https://bitly.com/DrivenByDebtHouston>.

## New Self-Help Resource, Ticket Help Texas

In partnership with TFDP, we launched [www.tickethelptexas.org](http://www.tickethelptexas.org) on June 30 to help Texans who are struggling with unpaid tickets and cannot afford to hire a lawyer.

With information and a video about how to restore your driver's license, the toolkit covers topics such as advice for appearing in court, how to show inability to pay fines, alternative sentences like community service, and how to clear OmniBase holds. The site also features a list of organizations that may be able to provide legal help, and documents and forms people may need.

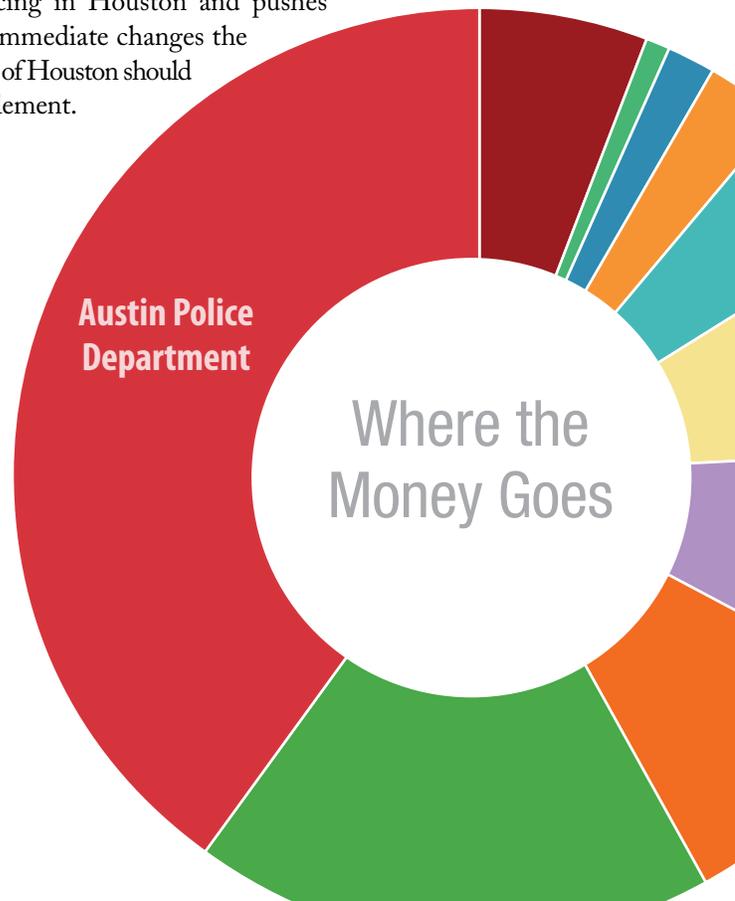


## Police Divestment & City Resources

We have hosted webinars featuring local organizers in several cities from San Antonio to Fort Worth to Houston to discuss city budgets, local police divestment efforts, and how we reimagine public safety.

In June, we joined Austin advocacy organizations on the #WeFund Austin tool, available in English and Spanish. Find it at <https://bit.ly/2PurSN5>. It allows people to view the existing Austin City budget allocations and craft a new budget by adding/removing money from City departments funded by discretionary funds. We hope to replicate #WeFund for other cities.

On July 4, we also joined 17 other organizations in the release of *Justice Can't Wait: Independence Day Agenda for Houston Policing*, a report that documents the ongoing practice of discriminatory policing in Houston and pushes for immediate changes the City of Houston should implement.





# Education Justice

Our Education Justice Project is an expansion of our longstanding focus on the K-12 school system, including our work to dismantle the school-to-prison pipeline. We are excited to enter new areas to help students succeed. Some of the issues we plan to turn our advocacy to include examining racially discriminatory school closures; charter school expansion; overuse of standardized testing; and advocating for trauma-informed care for students, especially in this time of COVID-19.

As a member of the Safe & Supportive Schools Collaborative, we sent letters to several Texas school districts urging them to divest from school policing and make schools safe for all learners. We also addressed military equipment, like tear gas and rubber bullets, which are purchased by districts. We urged districts to allocate any available resources to hire and train mental health counselors and social workers to handle nonviolent incidents that may need a treatment or restorative justice approach rather than a law enforcement response.

We also joined TOP and TCJC on a letter to the Dallas ISD Board of Trustees in support of the district's proposed K-12 suspension ban. We applaud the school board for opening this discussion; our letter offered policy recommendations for the board to consider as alternatives to exclusionary discipline.

Find more here: [www.texasappleseed.org/education-justice](http://www.texasappleseed.org/education-justice).

**INSIDE:** Justice & COVID-19 | Our Thanks | Fair Financial Services | Criminal Justice Reform

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

