

Immigrant workers taking Texas prison guard jobs

Some lawmakers question the practice, despite chronic staffing shortages.

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At least 32 guards in the short-staffed Texas prison system are on work visas — immigrant workers from Nigeria and Mexico, officials said Wednesday.

Prison officials confirmed the use of visa workers after an East Texas lawmaker inquired about the hiring of several Nigerian visa workers at the Michael Unit near Palestine and after other correctional officers at the Eastham Unit near Huntsville raised questions about the issue.

Michelle Lyons, a spokeswoman for the Texas Department of Criminal Justice, said the hiring of visa workers has been long-standing policy — and legal — in the 112-prison system, which has been chronically short of correctional officers. Currently, the system has 23,700 correctional officers and is about 2,600 officers short of its authorized strength.

One key lawmaker said he finds the hires "highly unacceptable" and plans to investigate.

"What this shows me is that (the department) is so desperate in their hiring that they're taking these folks," said Senate Criminal Justice Committee Chairman John Whitmire, D-Houston. "It raises all kinds of questions. I believe I can speak for most Texans in saying this is not what we had in mind when we discuss a proper public safety policy."

Other states' prison systems vary in their requirements. Oklahoma and Louisiana have no rules requiring guards to be U.S. citizens, though a spokesman in Oklahoma could not provide numbers on so-called green card holders.

New Mexico and Arkansas require their guards to be U.S. citizens, as do many large police agencies in Texas, including Austin, Dallas, Houston and the Department of Public Safety. DPS spokesman Tom Vinger said state law requires that the agency's law enforcement and noncommissioned employees be U.S. citizens.

Of the 156,000 convicts serving sentences in Texas prisons, more than 13,000 are from other countries.

"Those with work visas work mostly as correctional officers, but also in food service and transportation," Lyons said. "Traditionally, they've mostly worked in the Houston area, but they're now working in Huntsville and Palestine."

Lyons said all workers are on proper work visas, as legal immigrants. "We track them because we want to make sure they keep current on their visas," she said.

Sen. Robert Nichols, R-Jacksonville, said he received a question from constituents concerning green card workers at prisons in his district and was surprised to find out the reports were true.

"It's legal," Nichols said. "But it doesn't appear to be a very good policy. ... It concerns some of my constituents. They think there's something wrong when we hire foreign workers like this."

Citing chronic staffing shortages, he added: "It's a good example of how we're not paying our correctional officers enough."

Whitmire said he has other issues with the practice. "With all due respect to those people who are legal workers, I don't think we should have foreign nationals guarding our prisoners," he said. "I've been around the prison system for years and years, and this is the first I've ever heard that the state is doing this."

"It's not what I know about the system that worries me, it's what I don't know — and this is an example of that."