Executive Order
WPC 89-5

WHEREAS, the Texas Department of Corrections has notified the Texas Attorney General in writing that the inmate population of the Texas Department of Corrections has reached 95% of capacity, as defined by statute and as imposed by the agreed order in Rulz v. McCotter; and

WHEREAS, the Attorney General has certified, in writing, that the inmate population has reached 95% of the capacity, as defined above, of the Texas Department of Corrections; and

WHEREAS, the Board of Pardons and Paroles has recommended, in writing, an award of 30 days of administrative good conduct time to alleviate the overcrowded condition of the Texas Department of Corrections; and

WHEREAS, by S.B. 215, 70th Legislature, Regular Session, amending the Texas Prison Management Act, Article 6184o, Texas Revised Civil Statutes, the Legislature has required that under these circumstances the Governor shall immediately certify that an emergency overcrowding situation exists and shall order the director of the Texas Department of Corrections to credit administrative good conduct time to all eligible inmates.

NOW, THEREFORE, I, William P. Clements, Jr., Governor of Texas, under the authority vested in me, do hereby order the Director of the Texas Department of Corrections to credit to all eligible inmates, as defined by S.B. 215, 30 total days of administrative good conduct time.

This Executive Order shall be effective immediately and shall apply to all inmates in the Texas Department of Corrections population as of the midnight population count on Friday, March 24, 1989, and shall be binding as authorized by law. This Executive Order may be modified or amended from time to time, as required to carry out the intent of the Legislature, until the emergency overcrowding condition no longer exists.

This executive order shall be effective immediately and shall remain in full force and effect until modified, amended, or rescinded by me.

Issued in Austin, Texas on January 9, 1989.

William P. Clements, Jr.
Governor of Texas

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* The Governor   April 7, 1989   14 TexReg1699