

**Texas Board of Criminal Justice**  
*168th Meeting*



**Minutes**

**August 23, 2013**  
**Austin, Texas**

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**TEXAS BOARD OF CRIMINAL JUSTICE**

**Wyndham Garden Hotel – Highland Lakes Ballroom  
3401 South IH-35  
Austin, Texas 78741**

**August 23, 2013  
12:45 – 1:45 PM**

**ORDER OF BUSINESS**

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*Call to Order*

*Convene Texas Board of Criminal Justice (TBCJ)*

I. Regular Session

A. Recognitions

B. Consideration of Approval of Consent Items (*pages 1-7*)

1. Hazardous Duty Pay Authorization Requests
2. Personal Property Donations
3. Sale or Disposal of Surplus Agricultural Goods and Agricultural Personal Property
4. 167th TBCJ Meeting Minutes
5. Excused Absences

C. Report from the Executive Director, Texas Department of Criminal Justice (TDCJ)

D. Report from the Chairman, TBCJ

E. Discussion, Consideration, and Possible Action Regarding the Proposed Fiscal Year 2014 Annual Audit Plan

F. Discussion, Consideration, and Possible Action Regarding Purchases and Contracts Over \$1 Million (*page 8*)

G. Discussion, Consideration, and Possible Action Regarding the TDCJ Fiscal Year 2014 Proposed Operating Budget

H. Discussion, Consideration, and Possible Action Regarding the Resolution Authorizing a Request for Financing with the Texas Public Finance Authority, Authorizing a Financing Agreement and Other Matters (*pages 9-14*)

I. Discussion, Consideration, and Possible Action Regarding the Salary for the TDCJ Executive Director

- J. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policies (*pages 15-35*)
  - 1. BP-02.43, “Equal Employment Opportunity”
  - 2. BP-03.91, “Uniform Offender Correspondence Rules”
  
- K. Discussion, Consideration, and Possible Action Regarding Proposed Amendments to Board Rules Title 37 Texas Administrative Code (*pages 36-52*)
  - 1. 159.19, Continuity of Care and Service Program for Offenders with Physical Disabilities, the Elderly, the Significantly or Terminally Ill and the Mentally Retarded
  - 2. 195.51, Sex Offender Supervision
  
- L. Discussion, Consideration, and Possible Action Regarding Proposed Land Transactions (*pages 53-56*)
  - 1. Sale of 183.174 Acres at the Scott Unit, Brazoria County, Angleton, Texas
  - 2. Transfer of 78.823 Acres at the Wynne Unit in Walker County, Huntsville, Texas
  
- M. Discussion, Consideration, and Possible Action Regarding Facilities Division Construction Projects (*pages 57-60*)
  - 1. Request to Replace HVAC System at the Estelle Unit in Walker County, Huntsville, Texas
  - 2. Request to Replace Roofs at the Darrington Unit in Brazoria County, Rosharon, Texas
  
- N. Public Comments

*Recess TBCJ*

*The TBCJ may discuss and/or take action on any of the items posted on this meeting agenda. The TBCJ may also convene into Executive Session on any of these matters when attorney-client privilege is warranted.*



# MINUTES OF THE TEXAS BOARD OF CRIMINAL JUSTICE

## Meeting No. 168

The Texas Board of Criminal Justice (TBCJ or board) convened in regular session on Friday, August 23, at 1:11 p.m. The meeting was held at the Wyndham Garden Hotel, Austin, Texas.

### TBCJ MEMBERS PRESENT:

Oliver Bell, Chairman  
Tom Mechler, Vice Chairman  
Leopoldo (Leo) Vasquez, III, Secretary  
Eric Gambrell  
Judge Larry Gist  
Janice Harris Lord  
Terrell McCombs  
Carmen Villanueva-Hiles  
Thomas Wingate

### TDCJ STAFF PRESENT:

Brad Livingston, Executive Director  
Bryan Collier, Deputy Executive Director  
Jeff Baldwin  
Ralph Bales  
Mike Bell  
Rudolph Brothers  
Matt Demny  
Scott Hornung  
Sharon Howell  
Frank Inmon  
Stuart Jenkins  
Sherry Koenig  
Bobby Lumpkin  
Angie McCown  
Jerry McGinty  
Susan McHenry  
Oscar Mendoza  
Ron Steffa  
William Stephens  
Bruce Toney  
Carey Welebob  
April Zamora

### OTHERS PRESENT:

Jared Staples, Office of the Governor; Kyle Kamrath, Office of the Governor; Kimberly Schmid, Office of the Lt. Governor; John Newton, Legislative Budget Board (LBB); Alma Johnson, Office of Representative Toni Rose; Lesley French, House Corrections Committee; Meagan Smith, Office of Representative Tan Parker; Rahul Sreenivasan, Office of Representative Armando Walle; Terry Franks, Office of Senator Charles Schwertner; The Honorable Mary Ann Bramblett, Judicial Advisory Council; Rissie Owens, Presiding Officer, Texas Board of Pardons and Paroles (TBPP); Romulo Chavez, (TBPP); Juanita Gonzalez, Board Member (TBPP); David Gutierrez, Board Member (TBPP); James LaFavers, Board Member (TBPP); Michelle Skyrme, Board Member (TBPP); Cynthia Tauss, Board Member (TBPP); Timothy McDonnell, Administrator, (TBPP); Bettie Wells, General Counsel, (TBPP).

## **Convene the Texas Board of Criminal Justice**

Chairman Oliver Bell convened the 168th meeting of the TBCJ on Friday, August 23, at 1:11 p.m., noted that a quorum was present, and declared the meeting open in accordance with Texas Government Code Chapter 551, the *Open Meetings Act*. He stated that the TBCJ would conduct business from the agenda posted in the Texas Register.

Chairman Bell requested that cell phones or pagers be placed on the silent or vibrate mode. He recognized the special guests in the audience: Jared Staples, Office of the Governor; Kyle Kamrath, Office of the Governor; Kimberly Schmid, Office of the Lt. Governor; John Newton, Legislative Budget Board (LBB); Alma Johnson, Office of Representative Toni Rose; Lesley French, House Corrections Committee; Meagan Smith, Office of Representative Tan Parker; Rahul Sreenivasan, Office of Representative Armando Walle; Terry Franks, Office of Senator Charles Schwertner.

Chairman Bell stated that the TBCJ is committed to providing the opportunity for public presentations on topics posted on the meeting agenda or public comments on topics within its jurisdiction in accordance with Board Rule 151.4, "Public Presentations and Comments to the Texas Board of Criminal Justice." He postponed further explanation of requirements for speaker registration, until the end of the meeting, noting that several cards had been submitted for public presentation; however, only for the public comment period.

### **Recognitions**

Chairman Bell recognized members of the Texas Board of Pardons and Paroles, inviting the chair and presiding officer, Rissie Owens, to introduce the members of the board. Ms. Owens introduced Mr. Romulo Chavez, Board Member, Huntsville Board Office; Ms. Juanita Gonzalez, Board Member, San Antonio Board Office; Mr. David Gutierrez, Board Member, Gatesville Board Office; Mr. James LaFavers, Board Member, Amarillo Board Office; Ms. Michelle Skyrme, Board Member, Palestine Board Office; and Ms. Cynthia Taus, Board Member, Angleton Board Office. She also introduced Mr. Timothy McDonnell, Board Administrator, Austin, and Ms. Bettie Wells, Board General Counsel, Austin. Chairman Bell expressed appreciation for their loyalty and dedication and presented each member with a Chairman's coin. Ms. Owens thanked Chairman Bell and the TBCJ.

Brad Livingston, Texas Department of Criminal Justice Executive Director, recognized William Stephens, Correctional Institutions Division Director, as this year's recipient of the American Correctional Association (ACA) "Best of the Business" Award. He congratulated Mr. Stephens and noted that Mr. Stephens possesses the qualities most valued by the ACA. Mr. Stephens thanked the board and Mr. Livingston.

Mr. Stephens presented to the board Robert J. Eason, the Correctional Institutions Division Deputy Director of Prison and Jail Operations. Mr. Eason thanked the board for the opportunity to serve.

Chairman Bell recognized the TDCJ employees who have achieved 25, 30, 35, and 40 or more years of service with the State of Texas during the months of June and July, 2013. He cited 54 employees with 25 years of service, 22 employees with 30 years of service, 4 employees with 35 years of service, 2 employees with 40 years of service, and one employee with 45 years of service. The TBCJ, along with Mr. Livingston, expressed their deepest gratitude for the continued service of these employees who represent the commitment of the TDCJ's staff. To each of these employees, the TBCJ offered congratulations and thanks for their unwavering loyalty and dedication to the citizens of Texas. As a symbol of appreciation, these individuals will receive a TBCJ certificate along with a personal letter of gratitude.

*(Attachment A – Employee Names)*

### **Discussion, Consideration, and Possible Action Regarding Consent Items**

- 1. Hazardous Duty Pay Authorization Requests**
- 2. Personal Property Donations**
- 3. Sale or Disposal of Surplus Agricultural Goods and Agricultural Personal Property**
- 4. 167th TBCJ Meeting Minutes**
- 5. Excused Absences**

Chairman Bell noted that the proposed consent items include the excused absences for himself, for the April meeting, as well as for Judge Larry Gist and Janice Harris Lord from the June 2013 meeting, as they were unable to attend due to personal business. He asked if there were any amendments or objections to the proposed consent items. Eric Gambrell stated that his firm represents Walmart, and does pro bono work for the San Antonio Food Bank, and as there are personal property donations from both entities brought before the TBCJ for approval, he would abstain from voting on the consent items. Seeing no further objections, Chairman Bell stated the consent items stand approved, noting for the record that Mr. Gambrell abstained from voting on the items.

### **Report from the Executive Director, Texas Department of Criminal Justice (TDCJ) – Employee Wellness**

Brad Livingston, TDCJ Executive Director, discussed new initiatives regarding employee wellness. He thanked Mr. Mechler and Chairman Bell for their leadership and vision on this issue. An initiative to enhance staff and supervisor training will add to training already in place, specifically, how employees and supervisors recognize signs of employee stress, including post traumatic stress disorder, and take appropriate steps to assist in time of need. Mr. Livingston discussed plans to strengthen employee peer support, namely, the Crisis Response Intervention Support Program (CRISP). The CRISP curriculum is being updated, with plans for new classes to begin this fall. New trainees will join the ranks of more than 1,800 employees to assist in time of need. The wellness initiatives will also promote healthy habits, and share strategies for managing stress.

Mr. Livingston asked if there were any questions. Mr. Mechler thanked Mr. Livingston and the senior staff for their work. Chairman Bell asked for further questions or comments. Seeing none, he thanked the staff for their help.

## **Report from the Chairman, TBCJ**

### **1. National Preparedness Month**

Chairman Bell announced September 2013 marks the 10th National Preparedness Month, when activities across the country will raise awareness and educate the public about preparing for emergencies, including natural disasters. He stated that with hurricane season upon us, readiness for potential disasters is essential to our operations and for safety of the individuals we supervise. He reviewed the schedule of preparedness activities, including administrative command center exercises, meetings and preparedness activities conducted with the State of Texas Emergency Management Council, staff trainings, and orientation. He described the command center's technology for hurricane tracking, noting that keeping people informed will save lives.

### **2. Fiscal Management and Good Stewardship**

Chairman Bell discussed fiscal management and good stewardship, stating that over the last couple of weeks, each board member spent time with the agency's finance leaders, reviewing the details of the fiscal year 2014 budget. He mentioned the past legislative session's increase in agency funding for vehicles and personal computers, a much needed provision. He acknowledged Jerry McGinty and the Business and Finance Division staff for their focused stewardship, and a job well done.

### **3. Chairman's Fitness Challenge**

Chairman Bell reported the fourth quarter results for the 2013 Chairman's Fitness Challenge. Participating employees earned over 18.4 million points during the quarter. He noted that this year, staff members far exceeded the goal of 13 million points in 2013 by reporting 18.4 million points during the quarter, and about 60 million points in 2013. He congratulated all those who participated.

The divisional top three placements for this quarter are as follows:

Division 1	1st Place:	Internal Audit Division
	2nd Place:	Parole Division Central Headquarters
	3rd Place:	Board Office and Austin Executive Administration
Division 2	1st Place:	Office of the General Counsel
	2nd Place:	Reentry and Integration Division
	3rd Place:	Parole Region III

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|---|------------|--|
| Division 3  | 1st Place: | Houston 7 Parole Office  |
|   | 2nd Place: | Administrative Review and Risk Management Division                         |
|   | 3rd Place: | Huntsville Institutional Parole Office                                     |
| Division 4  | 1st Place: | Correctional Training Administration                                       |
|   | 2nd Place: | Glossbrenner Unit  |
|   | 3rd Place: | Sayle Unit   |
| Division 5  | 1st Place: | Hobby Unit   |
|   | 2nd Place: | LeBlanc Unit   |
|   | 3rd Place: | Travis County State Jail   |
| Division 6  | 1st Place: | Manufacturing & Logistics Division<br>(Most overall points – over 734,000) |
|   | 2nd Place: | Huntsville Unit  |
|   | 3rd Place: | Jester IV Unit   |
| Division 7 (dedicated to the Windham School District) | 1st Place: | West Texas Region.   |

For the Chairman’s Special Platinum Challenge, 112 employees earned at least 2,500 points for each week of the quarter. 169 individuals completed the gold challenge, earning at least 1,000 points per week. He congratulated all those who participated.

**Discussion, Consideration, and Possible Action Regarding the Proposed Fiscal Year 2014 Annual Audit Plan**

Scott Hornung, Director for the Internal Audit Division, presented the proposed annual audit plan to the board, which was discussed in detail during the Audit and Review Committee meeting. Chairman Bell asked for questions, and seeing none, he asked for a motion and a second.

*Mr. Vasquez made a motion that the Texas Board of Criminal Justice approve the Internal Audit Plan for Fiscal Year 2014 and authorize the internal audit director to perform audit work outside of the audit plan if the director deems deviations are warranted, documented as required by the Texas Internal Auditing Act, and presented to the board at its next scheduled meeting.*

*Mr. McCombs seconded the motion, which prevailed unanimously when put to a vote.*

*(Attachment B – Internal Audit Division Fiscal Years 2012 through 2013 Status Report as of 07/19/13)*

**Discussion, Consideration, and Possible Action Regarding  
Purchases and Contracts Over \$1 Million**

Jerry McGinty, Chief Financial Officer, presented the purchases, identifying increases to the current contracts related to services, and new FY 2014-15 purchases which were based on funding decisions by the legislature. Chairman Bell asked if there were questions. Mr. McCombs commended Mr. McGinty for a job well done on this year's budget, noting the increase per legislative decision for vehicles. He noted that, while there was an increase in funding for Correctional Managed Health Care, this did not include funding for Correctional Health Care Committee staff. While the committee will continue to function, roles and responsibilities intact, their support will come from TDCJ staff.

Chairman Bell asked if there were any questions. Mr. McCombs expressed approval of the increase for correctional health care services, stating he favors more private sector care in the future. Chairman Bell asked if there were any further comments or questions. Seeing none, he voiced his gratitude to the legislature for the pay increase for correctional staff. Seeing no further questions, he called for a motion and a second. Mr. Mechler, before making the motion, applauded the funding for the data center consolidation services.

*Mr. Mechler made a motion that the Texas Board of Criminal Justice approve the purchases and contracts over \$1 million, as presented.*

*Ms. Hiles seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding  
The TDCJ Fiscal Year 2014 Proposed Operating Budget**

Mr. McGinty presented the proposed operating budget, as discussed in the Business and Financial Operations Committee meeting. Chairman Bell asked if there were questions. Seeing none, he commented on the evolution of health care management over the last year or so, stating that the increases will help the agency to accomplish what is expected.

*Mr. McCombs made a motion that the Texas Board of Criminal Justice approve the Texas Department of Criminal Justice Fiscal Year 2014 Operating Budget as presented, and authorize the executive director of the Texas Department of Criminal Justice to make transfers as necessary and as authorized through the General Appropriations Act and other applicable laws.*

*Mr. Wingate seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding the Resolution  
Authorizing a Request for Financing with the Texas Public Finance  
Authority, Authorizing a Financing Agreement and Other Matters**

Jerry McGinty presented the resolution to the board for \$50 million in general obligation bonds for the FY 2014-15 biennium. He explained the approval process and mentioned that the LBB has already provided their approval. Chairman Bell asked if there were questions. Seeing none, he asked for a motion and a second.

*Mr. Gambrell made a motion that the Texas Board of Criminal Justice approve the resolution ratifying a request for financing with the Texas Public Finance Authority, as presented.*

*Mr. Vasquez seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding the Salary for the  
TDCJ Executive Director**

Mr. McGinty explained that this item is in line with the 83rd legislative session's General Appropriations Act, authorizing a new amount of \$260,000 for the salary of the Executive Director of the TDCJ.

*Mr. Mechler made a motion that the Texas Board of Criminal Justice approve the salary of the Executive Director of the Texas Department of Criminal Justice, as provided by the 83rd Legislature, in the amount of \$260,000.00, with an effective date of September 1, 2013.*

*Judge Gist seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding Proposed  
Revisions to Board Policy, 02.43, "Equal Employment Opportunity"**

Sharon Howell, TDCJ General Counsel, presented revisions to Board Policy 02.43, "Equal Employment Opportunity." Chairman Bell asked if there were any questions. Seeing none, he called for a motion and a second.

*Ms. Hiles made a motion that the Texas Board of Criminal Justice approve the revisions to Board Policy 02.43, "Equal Employment Opportunity," as presented.*

*Mr. Mechler seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, 03.91, “Uniform Offender Correspondence Rules”**

Sharon Howell reviewed the proposed revisions to Board Policy 03.91 “Uniform Offender Correspondence Rules.” She highlighted the following three revisions: the definition for ‘altered photo’ was revised, which will help prevent the introduction of pornographic images into prison units; the required time to process mail was changed from 24 hours to two business days, the ACA standard, which will relieve pressure from the mail room staff, allowing them to perform their duties in a timely fashion; and offenders will be required to obtain stationery supplies from the commissary rather than through the mail, which will prevent the introduction of contraband. Mr. Mechler, referring to the policy, asked for the definition of ‘e-message.’ Ms. Howell explained that family members can pay to send an email to an offender. Emails are printed, processed through the mail room security, and delivered to the offender. Mr. Bell asked for further questions. Seeing none, he asked for a motion and second.

*Ms. Lord made a motion that the Texas Board of Criminal Justice approve the revisions to Board Policy 03.91, “Uniform Offender Correspondence Rules,” and with respect to the new stationery provisions, and further move that they become effective February 2014, as presented.*

*Mr. McCombs seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding Proposed Amendments to Board Rule Title 37 Texas Administrative Code Section 159.19, Continuity of Care and Service Program for Offenders with Physical Disabilities, the Elderly, the Significantly or Terminally Ill and the Mentally Retarded**

Sharon Howell presented the proposed amendments to Board Rule 159.19 “Continuity of Care and Service Program for Offenders with Physical Disabilities, the Elderly, the Significantly or Terminally Ill and the Mentally Retarded.” She explained the revisions were necessary to make statutory confirmations and to attach the new proposed Memorandum of Understanding (MOU), which has been signed by all parties except the TDCJ. Upon TBCJ approval, TDCJ can execute the MOU. Mr. Bell asked if there were any questions. Seeing none, he asked for a motion and second.

*Mr. Wingate made a motion that the Texas Board of Criminal Justice approve for publication in the Texas Register, the proposed amendments to Title 37 Texas Administrative Code section 159.19, regarding continuity of care and service program for offenders with physical disabilities, the elderly, the significantly or terminally ill and the mentally retarded, to receive public comment, as presented.*

*Ms. Hiles seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding  
Proposed Amendments to Board Rule Title 37 Texas Administrative Code  
Section 195.51, Sex Offender Supervision**

Sharon Howell presented Board Rule 195.51 “Sex Offender Supervision,” noting minor grammatical revisions. Mr. Bell asked if there were any questions. Seeing none, he asked for a motion and second.

*Judge Gist made a motion that the Texas Board of Criminal Justice approve for publication in the Texas Register, the proposed amendments to Title 37 Texas Administrative Code section 195.51, regarding sex offender supervision, to receive public comment, as presented.*

*Ms. Lord seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding  
Proposed Land Transaction for the sale of 183.174 Acres  
at the Scott Unit, Brazoria County, Angleton, Texas**

Matt Demny, Director of Agribusiness, Land, and Minerals Department, presented the legislative directive to sell 183.174 acres at the Scott Unit, as discussed in the Business and Financial Operations Committee. Chairman Bell asked if there were any questions. Seeing none, he asked for a motion and second.

*Mr. McCombs made a motion that the Texas Board of Criminal Justice approve the sale of 183.174 acres at the Scott Unit, Brazoria County, Angleton, Texas, as presented.*

*Mr. Wingate seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding  
Proposed Land Transaction for the transfer of 78.823 Acres  
at the Wynne Unit, Walker County, Huntsville, Texas**

Mr. Demny presented the proposed land transaction for the transfer of 78.823 acres at the Wynne Unit, as discussed during the Business and Financial Operations Committee Meeting. Chairman Bell asked if there were any questions. Seeing none, he asked for a motion and second.

*Mr. Gambrell made a motion that the Texas Board of Criminal Justice approve the transfer of 78.823 acres at the Wynne Unit, Walker County, Huntsville, Texas, as presented.*

*Judge Gist seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding a  
Facilities Division Construction Project to replace HVAC System  
at the Estelle Unit, Walker County, Huntsville, Texas**

Frank Inmon, Director of the Facilities Division, presented the construction project to replace the HVAC system at the Estelle Unit, as discussed in the Business and Financial Operations Committee Meeting. Chairman Bell asked if there were any questions. Seeing none, he asked for a motion and second.

*Mr. Vazquez made a motion that the Texas Board of Criminal Justice approve a not to exceed budget of \$1,936,500 to replace HVAC System at the Estelle Unit in Walker County, Huntsville, Texas, as presented.*

*Mr. McCombs seconded the motion, which prevailed unanimously when put to a vote.*

**Discussion, Consideration, and Possible Action Regarding a  
Facilities Division Construction Project to replace roofs at the  
Darrington Unit, Brazoria County, Rosharon, Texas**

Frank Inmon presented the construction project to replace roofs at the Darrington Unit, as discussed in the Business and Financial Operations Committee Meeting. Chairman Bell asked for questions, and seeing none, he asked for a motion and second.

*Mr. Wingate made a motion that the Texas Board of Criminal Justice approve a not to exceed budget of \$6,064,200 to replace roofs at the Darrington Unit, Brazoria County, Rosharon, Texas, as presented.*

*Judge Gist seconded the motion, which prevailed unanimously when put to a vote.*

**Public Comments**

Chairman Bell stated that the TBCJ is committed to providing the opportunity for public comments in accordance with Board Rule 151.4, "Public Presentations and Comments to the Texas Board of Criminal Justice." He reviewed the requirements for speaker registration in accordance with the *Open Meetings Act*. Each speaker was allowed three minutes for remarks.

Dana Fearn spoke on behalf of her cousin, Bob Leach, an offender who was moved to a unit located eight hours away from Ms. Fern. She stated that she is the only family member who visits him. She had been visiting three times per month, but now is able to visit him only once a month. Due to her juvenile diabetes, her doctor advised her not to travel. She asked the board to reconsider the hardship request which was denied by the Ombudsman. The Ombudsman told her that since he is not an immediate family member, and because of his classification in Administrative Segregation, the request did not meet the criteria for approval. She noted that the

Coffield and the Allred unit staff were professional and kind to her. She submitted documentation to the board. Chairman Bell thanked her.

Donna Jackson, Dana Fearn's mother, also spoke on behalf of Bob Leach. She stated that the stress related to Bob Leach's move to a different unit has caused Ms. Fearn's condition to get worse. Due to Ms. Fearn's limitations, Ms. Jackson asked the board to reconsider the hardship request. Mr. Bell thanked Ms. Jackson.

Gloria Rubac spoke on behalf of death row offenders and offenders in solitary confinement. She told the board that several offenders she visited on death row questioned when suspended programming will be reinstated, such as piddling, the work program, and religious programs. She spoke against the requirement for offenders to purchase their stationery supplies from the commissary, saying the prices are notably higher than office supply store prices. Ms. Rubac expressed concern regarding the conditions of death row and solitary confinement, claiming offenders are being isolated, which is torture. She spoke in favor of group recreation, programs with human interaction, and ways for the offenders to apologize to their victims and spend time with their families. She stated that research has shown solitary confinement to cause physical and psychological problems. She quoted an ex-warden from San Quentin Prison in California, in favor of using solitary confinement only if the offender's behavior is severe. Mr. Bell thanked her for coming.

Joanne Gavin spoke against offenders being housed in long term solitary confinement. She read a description of the experience of being in solitary confinement, written by an offender serving time in a New York state prison facility. She left the description with the board. Mr. Bell thanked her for coming.

Cheryl Tripp spoke on behalf of her son, an offender assigned to the Estelle Unit. She reported there was no air conditioning, and that her son was inappropriately classified to share a cell with a person charged with murder, whereas her son's charge was burglary of an empty habitat. She stated the Estelle staff was unprofessional and condescending, and asked for additional offender programming, to help them succeed once released. She said TDCJ needs a facelift. Mr. Bell thanked her for coming and asked her to leave her documentation with the board, so they could provide her a written response.

Sandrine Ageorges Skinner spoke about lack of offender family access to medical information and medical staff when an offender is transferred to Galveston hospital. She stated that her husband, an offender on death row, was transferred from death row to Galveston hospital three weeks ago. The unit did not inform her when it happened. When she arrived for visitation, she was told very little, despite having a medical release on file. She said it took more than 5 days to get a return call from the unit, and then, the unit staff told her only the condition which required hospitalization. The family has a liaison number for relaying information using voice mail. Instead of the return call within 24-48 hours, it took three attempts every other day to get a return call. Since then, she has been trying to contact the doctor, without success. She offered to mail a detailed account of these events, with suggestions for improvement on sharing offenders' medical information with family members. Mr. Bell encouraged her to send the documents.

Chairman Bell thanked all the speakers for taking the time to give their comments.

### **Adjournment**

There being no further business, Chairman Bell adjourned the regular session of the Texas Board of Criminal Justice at 2:22 p.m.

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Chairman

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Secretary

\*Signature on file

*Note: Attachment to the minutes are available upon written request from the Office of Record, Executive Services.*