

# TEXAS BOARD OF PARDONS AND PAROLES

## MINUTES

*Board Workshop No. 19-0718*



**July 18, 2019**

**Austin, Texas**



# **TEXAS BOARD OF PARDONS AND PAROLES**

## ***WORKSHOP***

4616 West Howard Lane, Suite 200  
CJAD Training Room  
Austin, Texas

July 18, 2019

9:30 AM

### **Order of Business**

1. Call Workshop to Order
2. BPP-POL. 145.205 Designation of Standardized Distance for Child Safety Zones
3. Policies
  - A. BPP-POL. 141.300 Handgun Policy (HB 1791)
  - B. BPP-POL. 145.256 Sex Offender Registration (HB 1899)
4. Directives
  - A. BPP-DIR. 141.316 Continuity of Operations Plan (HB 2340)
  - B. BPP-DIR. 141.352 Public Information Office Policy (SB 494)
5. Legislation
  - A. Female Offenders Access to Programs (HB 3227)
  - B. Open Records – Contracts (SB 943)
  - C. Open Records – Temporary Custodian (SB 944)
  - D. Open Meetings (SB 1640)
  - E. Clemency (HB 3078)
6. Operational Review
7. Adjourn



**MINUTES OF THE  
TEXAS BOARD OF PARDONS AND PAROLES  
BOARD WORKSHOP  
THURSDAY JULY 18, 2019**

**REGULAR SESSION**

The Texas Board of Pardons and Paroles (Board) met in open session on Thursday, July 18, 2019 at 9:30 a.m., West Howard Lane, Suite 200, Austin, Texas.

**BOARD MEMBERS PRESENT**

David Gutiérrez  
D'Wayne Jernigan  
Carmella Jones  
James LaFavers  
Brian Long  
Ed Robertson  
Fred Solis

**OTHERS PRESENT**

Bettie Wells, General Counsel  
Jessica Dillard, Board Administrator  
Raymond Estrada, Director, Public Information  
Rachel Alderete, Director, Hearing Operations  
Veronica Muraira, Director, Administrative Support  
Kelsey Stratton, Director, Staff Development  
Tracy Long, Director, Institutional Parole Operations  
Robin Biscamp, Deputy Director, Institutional Parole Operations  
Libby Hamilton, Board Victim Services Liaison  
Mike Adams, Regional Operations Supervisor  
Terence Hall, Systems Analyst  
Estela DeHoyos, Program Supervisor  
Matthew Schlosser, Multimedia Technician  
Tammy Stockton, Manager, TDCJ-Victim Services

**CONVENED – TEXAS BOARD OF PARDONS AND PAROLES**

Presiding Officer (Chairman) David Gutiérrez convened the Board Workshop of July 18, 2019 at 9:30 a.m. in accordance with Chapter 551, Texas Government Code, Open Meetings Act. After roll call, the Chairman stated a quorum was present and declared the meeting open.

**BPP-POL.145.205 DESIGNATION OF STANDARDIZED DISTANCE FOR CHILD SAFETY ZONES  
(ATTACHMENT A)**

Chairman Gutiérrez yielded the floor to Bettie Wells, General Counsel to discuss agenda item #2 Board Policy BPP-POL. 145.205 Designation of Standardized Distance for Child Safety Zones.

Ms. Wells discussed the recommended revisions to Board Policy 145.205, which included grammatical revisions; additional language in the PURPOSE section of the policy; update to the statutory authority; and addition of a PROCEDURE section to identify criteria for the process of imposing and modifying special conditions.

**POLICIES (ATTACHMENT B)**

Chairman Gutiérrez yielded the floor to Bettie Wells to discuss the Board Policies listed in agenda item #3 Policies.

Ms. Wells discussed the recommended revisions to the Board Policies listed in agenda item #3, including:

- **BPP-POL.141.300 Handgun Policy (HB 1791)** – House Bill 1791 ensures no state agency prohibits a person who has a license to carry from entering their facility. The recommended revisions to Board Policy, BPP-POL. 141.300 include added language “by the statute” in the policy statement and a non-substantive change to page 2 the policy.
- **BPP-POL. 145.256 Sex Offender Registration (HB 1899)** – The substantive change to Board Policy, BPP-POL. 145.256, found on page 3 of the policy, includes language directly from House Bill 1899, which relates to the revocation or denial of healthcare license. There will be further discussion on how the parole panel will obtain offender healthcare license information and the procedure for notifying the Department of Public Safety.

**DIRECTIVES (ATTACHMENT C)**

Chairman Gutiérrez yielded the floor to Bettie Wells to discuss agenda item #4, Directives.

Ms. Wells discussed the recommended revisions to the Board Directives listed in agenda item #4, including:

- **BPP-DIR. 141.316 Continuity of Operations Plan (HB 2340)** – House Bill 2340 encourages state agencies to adopt the goals and strategic plan of the Federal Emergency Management Agency (FEMA) for responding to, preparing and recovering from a disaster. In accordance with the new bill, the recommended revisions to Board Directive, BPP-DIR. 141.316 include

added language in the PROCEDURE section to support all efforts by every entity as it relates to disasters.

- **BPP-DIR.1413.352 Public Information Policy (SB 494)** – In accordance with Senate Bill 494, the recommended revisions to Board Directive, BPP-DIR.141.352 consist of added language on page 4 of the Directive, which relates to the temporary suspension of the open records requirements resulting from a catastrophe on the agency's operations.

#### LEGISLATION (*ATTACHMENT D*)

Chairman Gutiérrez yielded the floor to Bettie Wells to discuss agenda item #5, Legislation.

Ms. Wells discussed the items listed in agenda item #5, noting the bills listed did not require amendments or revisions to the Board's Rules, Policies or Directives; bills included:

- **Female Offenders Access to Programs (HB 3227)** – House Bill 3227 relates to a female inmate's access to programs offered to inmates of the Texas Department of Criminal Justice. The bill requires TDCJ to develop and implement policies that increase and promote female offenders' access to programs offered to male offenders in the custody of TDCJ, including educational, vocation, substance abuse treatment, rehabilitation, life skills training, and pre-release programs.
- **Open Records – Contract (SB 943)** – Senate Bill 943, relating to the Public Information Act, states that contracting information is public and must be released.
- **Open Records (SB 944)** – Senate Bill 944, relating to the Public Information Act, defines an officer or employee of a governmental body as a temporary custodian of public information. The bill also discusses the responsibility of a current or former officer or employee, specifically referencing privately owned devices and how public information maintained on a privately owned device should be handled.
- **Open Meetings (SB 1640)** – Senate Bill 1640, relating to Open Meetings, prohibits a governmental body from having communications outside an open meeting concerning public business where a quorum of the members are present, whether the member knowingly engages in the communication or knew at the time the member engaged in the series of communications that involved or would have involved a quorum.
- **Clemency (HB 3078)** – House Bill 3078, relating to Clemency, created a Clemency Review Panel for certain offenses, domestic violence and human trafficking. The panel's role would be to advise the Board on making a recommendation to the Governor whether to grant clemency. Chairman Gutiérrez stated HB 3078 was vetoed by the Governor.

Mr. Gutiérrez thanked Ms. Wells for her presentation.

#### OPERATIONAL REVIEW

Chairman Gutiérrez introduced Jessica Dillard, Board Administrator, to provide an Operational Review.

Ms. Dillard stated upon Chairman Gutiérrez's appointment in 2015, he identified the need for agency wide consistency and training, which resulted in the creation of a Staff Development position. In May 2019 Kelsey Stratton was appointed Director of Staff Development. In standardizing the modules for the agency, the Chairman recognized the additional need for Operational Review to identify the standard measure to determine compliance, which expanded the Operational Review to include Board offices.

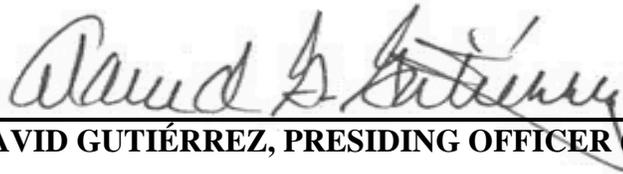
Kelsey Stratton discussed the Operational Review, stating currently, they are focused on Board Assistant processes, but will soon be expanding to other areas of the agency. Reviews are conducted, which encompass the Board Assistant processes outlined in the four Administrative Directives, as well as the Board Assistant Training Manual. The reviews can be initiated at the request of a Board Member and the scope of the review is specific to that request. The goal of the review is to ensure compliance with designated processes at the Board office and identify measures that can be taken at the department level to improve overall efficiency. At the conclusion of the review, a report of findings is provided to the Board Member, Chairman, and Board Administrator. The report can be utilized by the Board Member to identify strengths and weaknesses and to determine if any adjustments should be made to promote agency wide consistency. Ms. Stratton stated the findings report does not make recommendations. In addition to evaluating compliance, at the Board Office level, the review also identifies measures that can be taken at the department level to improve overall efficiency.

Mr. Gutiérrez thanked Ms. Dillard and Ms. Stratton for her presentations.

**ADJOURNMENT**

Having completed all posted items on the agenda, Chairman Gutiérrez adjourned the Board Workshop at 10:28 a.m.

**ADOPTED BY UNANIMOUS CONSENT OF THE BOARD ON THE 24<sup>TH</sup> DAY OF OCTOBER, 2019.**



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**DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)**