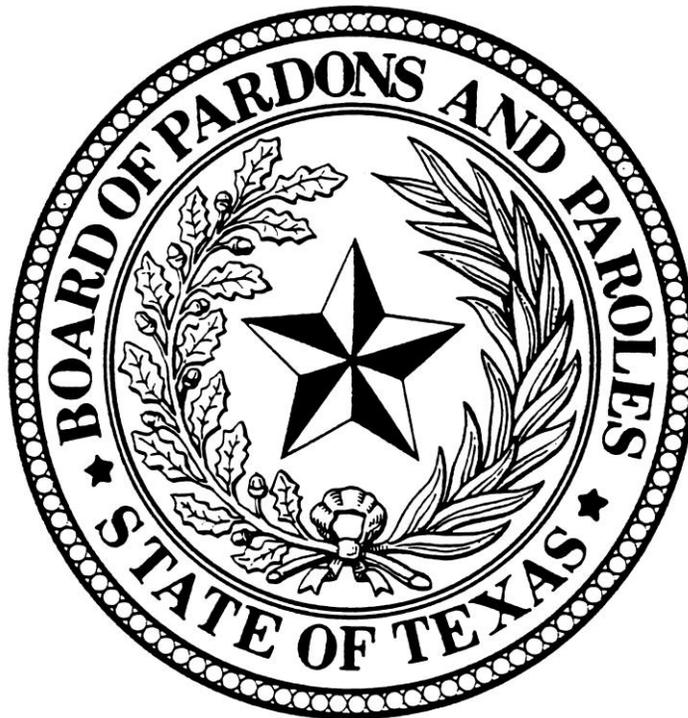


TEXAS BOARD OF PARDONS AND PAROLES

MINUTES

Board Workshop No. 19-1023



October 23, 2019

Austin, Texas

TEXAS BOARD OF PARDONS AND PAROLES

WORKSHOP

Hilton Austin Airport
Bergstrom B Room
9515 Hotel Drive
Austin, Texas 78719

October 23, 2019

1:00 PM

Order of Business

1. Call Workshop to Order
2. TDCJ Rehabilitations Programs
3. Digitization Process
4. Special Condition Workgroup Report
5. Administrative Support Director Report
6. Parole Guidelines Review Update
7. Board Designee Manual
8. Human Trafficking and Domestic Violence Initiative
9. Adjourn



**MINUTES OF THE
TEXAS BOARD OF PARDONS AND PAROLES
BOARD WORKSHOP
WEDNESDAY OCTOBER 23, 2019**

REGULAR SESSION

The Texas Board of Pardons and Paroles (Board) met in open session on Wednesday, October 23, 2019 at 1:00 p.m., Hilton Austin Airport, 9515 Hotel Drive, 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
Clinton Gunnels, Director, Institutional Parole Operations
Robin Biscamp, Deputy Director, Institutional Parole Operations
Libby Hamilton, Board Victim Services Liaison
Terence Hall, Systems Analyst
Estela DeHoyos, Program Supervisor
Matthew Schlosser, Multimedia Technician
Amanda Gage, Manager, TDCJ-Victim Services
Roel Benavides, House Corrections Committee Clerk
David O'Neil, Attorney at Law
Bill Haburn, Attorney at Law

Board Workshop No. 19-1023

CONVENED – TEXAS BOARD OF PARDONS AND PAROLES

Presiding Officer (Chairman) David Gutiérrez convened the Board Workshop of October 23, 2019 at 1:00 p.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.

TDCJ REHABILITATION PROGRAMS (ATTACHMENT A)

Chairman Gutiérrez introduced Dr. Michael Rutledge, Deputy Director, Pam Carey, Manager and Ms. Lisa Gaines, Program Supervisor for TDCJ-Rehabilitation Programs Division.

Dr. Rutledge discussed Rehabilitation Programs Division's role and provided an overview of the Division, which included the Chaplaincy Program; Volunteer Services and Special Populations (*Restrictive Housing Diversion Programs, Youthful Offender Program, Volunteer Services*); Sex Offender Rehabilitation Programs (*Sex Offender Education Program, Sex Offender Treatment Program, Female Cognitive Pre-Release Program & Requirements*); Roadway to Freedom; Baby and Mother Bonding Initiative (BAMBI), Substance Abuse Treatment Programs; Operations and Evidence Based Practices (*Post-Secondary Education Academic/Vocational Programs, Rehabilitation Tier Tracking & Placement, and Individualized Treatment Plan (ITP)*).

Chairman Gutiérrez thanked Dr. Rutledge for his presentation.

DIGITIZATION PROCESS (ATTACHMENT B)

Chairman Gutiérrez yielded the floor to Parole Commissioner Paul Kiel to discuss agenda item #2, Digitization Process.

Mr. Kiel stated the Digitization Process project was tested using the SB 45 and HB 1914 (legacy) cases. He reported no issues were encountered when opening regular/large digitized files; files open up quick and are very clear and easy to read. As it relates to case summaries, the digitized files are now going to be in Onbase. Further testing of the application used to route voters to Onbase to retrieve the case summary is needed. Voting will be done in OIMS. Mr. Kiel discussed the nine file sections, stating items will be grouped newest to oldest date order. TDCJ will be conducting the imaging and indexers will ensure the imaging accuracy. There are some priority items that need to be addressed. So, currently there is no start date.

Chairman Gutiérrez thanked Mr. Kiel for his presentation.

SPECIAL CONDITION WORKGROUP REPORT (ATTACHMENT C)

Chairman Gutiérrez yielded the floor to Board Member Ed Robertson to provide a Special Condition Workgroup Report.

Mr. Robertson stated the Special Condition Workgroup is responsible for reviewing and making recommendations where appropriate to the Board's Special Condition policies as well as proposing new policies and reviewing other conditions that are not identified by policy. The Workgroup met August 21, 2019 and reviewed four policies along with the OIMS Special Conditions. He discussed the recommended revisions to the Board Policies, including:

- **BPP-POL.145.266 Gang Affiliation** – The proposed revisions to the policy include non-substantive protocol and sentence structure updates as well as substantive changes as it specifically relates to the renunciation programs.
- **BPP-POL. 145.240 Special Condition “C” (Prohibited Financial Activities)** – Special Condition “C” was previously reviewed by the Workgroup, September 2017, but the condition was not considered by the Board until October 2019, between acting Board Meetings due to the delay in programming OIMS for the changes recommended by the Workgroup. The Workgroup discussed the need to change the policy due to modern technologies for financial transactions to include applications that can be utilized on any cell phone.
- **BPP-POL. 145.258 Special Condition “R” (Restitution)** – The proposed revisions include non-substantive protocol updates and clarification of the Division’s responsibility related to specific amounts of restitution.
- **BPP-POL. 145.265 Special Condition “N” (Prohibition on Internet Access for Certain Sex Offenders)** – The proposed revisions include non-substantive protocol updates acknowledging the Supreme Court’s decision as it relates to the offender’s first amendment rights, clarifying the criteria to impose the condition. Special Condition “N” is a mandatory condition for those required to register as a sex offender.

Ms. Wells discussed the OIMS Special Conditions List, stating there were no changes to any of the conditions on the list. She proposed Special Condition “C” be further reviewed to determine how restrictive the condition should be. Currently, there are offenders on supervision for all the conditions identified as duplicate or questionable. Therefore, no conditions can be deleted at this time.

ADMINISTRATIVE SUPPORT DIRECTOR REPORT

Chairman Gutiérrez stated agenda item #5 will not be discussed; may re-visit item at a later date.

PAROLE GUIDELINES UPDATE (ATTACHMENT D)

Chairman Gutiérrez stated the Board statutorily reviews the Parole Guidelines on an annual basis. In the last legislative session the Board recommended to add an exceptional item in the LAR to have an outside expert consultant look and re-validate the Parole Guidelines. The Board was declined the exceptional item. As a result, the Board applied for a grant which was received. Chairman Gutiérrez yielded the floor to Lee Ann Massingill to provide an update on Parole Guidelines, agenda item #6.

Ms. Massingill stated a committee was organized by Chairman Gutiérrez to discuss the items that need to be addressed with Parole Guidelines. This resulted in a letter of agreement between the Chairman and Dr. Austin, effective June of 2019. Ms. Massingill discussed some of Dr. Austin’s recommended changes, indicating Dr. Austin will submit a report of findings to the Board within the next 30 days. Dr. Austin’s findings are expected to assist in dictating the Board’s next course of action. Once it’s determined all items within the proposed work scope have been addressed, Dr. Austin is expected to conduct a presentation for the Board membership. Any adjustments to the Board instrument will be subject to Board approval.

Chairman Gutiérrez thanked Ms. Massingill for her presentation.

BOARD DESIGNEE MANUAL (*ATTACHMENT E*)

Chairman Gutiérrez introduced Rachel Alderete, Director of Hearing Operations to discuss the Board Designee Manual, agenda item #7.

Ms. Alderete stated pursuant to Government Code 508.041, every few years the Board is required to update the Board Designee Hearing Manual. She provided the Board a summary of the proposed updates made to the 2019 Board Designee Manual, which mainly include non-substantive updates, grammatical, formatting and sentence structure. She also discussed the substantive updates made to Chapter 3, Chapter 5, Chapter 6, Chapter 10, the Table of Contents and Appendix.

Chairman Gutiérrez thanked Ms. Alderete for her presentation.

HUMAN TRAFFICKING AND DOMESTIC VIOLENCE INITIATIVE

Chairman Gutiérrez introduced Carmela Jones to discuss agenda item #8, Human Trafficking and Domestic Violence Initiative.

Ms. Jones discussed the TDCJ Rehabilitation Program, Roadway to Freedom, stating the program targets women offenders with a history of prostitution. The goal of the program is to assist the offenders in exiting their lifestyle of prostitution, reintegrating into the community in a safe and healthy environment and ending the generational cycle that often accompanies this lifestyle. The Roadway to Freedom satisfies the FI-1, FI-3R tier program vote. Ms. Jones encouraged Board Members and Commissioners to schedule a visit to see the program.

Chairman Gutiérrez noted part of the Board’s responsibility is to make recommendations on Clemency matters to the Governor. This past legislative session there was a direct focus on human trafficking and domestic violence issues. There was a bill filed that gave specific direction on the process the Board should use to review Clemency applications on human trafficking. Although the bill did not pass, the Board is very sensitive to the direction the legislature is taking. The initiative being considered is developing a procedure in the Clemency application where the Board will be able to guide individuals through a streamline process for Clemency applications and as they are received be able to identify them as human trafficking.

Chairman Gutiérrez thanked Ms. Jones for her presentation.

ADJOURNMENT

Having completed all posted items on the agenda, Chairman Gutiérrez adjourned the Board Workshop at 4:10 p.m.

ADOPTED BY UNANIMOUS CONSENT OF THE BOARD ON THE 16TH DAY OF JANUARY, 2020.



DAVID GUTIÉRREZ, PRESIDING OFFICER (CHAIR)