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**TEXAS BOARD OF CRIMINAL JUSTICE**  
**Hilton Austin Hotel**  
**Austin, Texas**

**January 23, 2008**

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**MINUTES OF THE  
TEXAS BOARD OF CRIMINAL JUSTICE**

**Meeting No. 135**

The Texas Board of Criminal Justice (TBCJ or Board) convened into regular session at 11:15 a.m., adjourned into executive session on Wednesday, January 23, 2008, and reconvened into regular session at 1:04 p.m. on Wednesday, January 23, 2008, at the Hilton Austin, Austin, Texas.

Chairman Crain stated that the Board is committed to providing the opportunity for public presentations on topics within its jurisdiction as well as public comments on topics posted on the meeting agenda in accordance with Board Rule 151.4, Public Presentations and Comments to the Texas Board of Criminal Justice. She reviewed the requirements for speaker registration. Two (2) speaker registration cards were received by Board staff by the required deadline. As the presentations were germane to an agenda item, they would be heard prior to the Board taking action on that topic. The presentation time was set at three (3) minutes per individual. Any documentation submitted by the presenter would be handled in accordance with guidelines set forth in Board Rule 151.4. Chairman Crain also reviewed the guidelines for conduct and decorum for the presenters while addressing the Board.

**Recognitions**

Chairman Crain acknowledged and praised the efforts of the correctional officers who are involved in the daily operation of the prisons. Their jobs are not easy and are not always safe. These individuals are the backbone of the operation of Texas prisons. Their dedication to the operation of the prisons, while protecting the offenders, their fellow employees and the citizens of Texas is an inspiration. Chairman Crain recognized Susan Canfield, who gave the ultimate sacrifice while carrying out her duties as a correctional officer assigned to the Wynne Unit field squad. She then read a Resolution of Commendation honoring Ms. Canfield and presented it to her family, Charles Canfield (spouse), Kara Holub (daughter) and Allen Holub (son-in-law). Applause and standing ovation followed. Chairman Crain thanked Mr. Canfield and Mr. and Ms. Holub for attending the meeting, noting that individuals such as Ms. Canfield make the Texas Department of Criminal Justice (TDCJ or Agency) a system of which to be proud. She assured them that Ms. Canfield would not be forgotten.

Brad Livingston, Executive Director for the TDCJ, recognized Dr. Lannette Linthicum, Health Services Division Director, as the recipient of the American Correctional Association (ACA) 2007 Walter Dunbar Award, which is granted to an individual who is extraordinarily active in the organization. Mr. Livingston praised Dr. Linthicum's incomparable career and achievements, stating the Agency was fortunate to have a person of her caliber working in the correctional managed health care field. Dr. Linthicum thanked the Board and Mr. Livingston for the recognition of her work. She stated that it has been a pleasure to represent the Agency and the State of Texas in all ACA activities.

Chairman Crain recognized Dee Wilson, Director of the Texas Correctional Office on Offenders with Medical or Mental Impairment (TCOOMMI), and Stuart Jenkins, Director of the Parole Division, on their election to the Board of Directors of the Texas Corrections Association.

Debbie Liles, Director of the Administrative Review and Risk Management Division, recognized the following individuals on their recent promotions: Keith Clendennen, Deputy Director for Review and Standards; Sandra Murphy, Program Administrator for Offender Grievance; and David Scholwinski, Deputy Director for Risk Management.

Mr. Jenkins and Jay Patzke, Deputy Director, Field Operation, Parole Division, recognized Milton David Johnson, as the Parole Division's Regional Director in Tyler.

Chairman Crain recognized the TDCJ employees, who have achieved 25, 30 and 35 years of service with the State of Texas during the months of December 2007 and January 2008. The Board, along with Mr. Livingston, expressed their deepest gratitude for the continued service of these employees who represent the commitment of the Agency's staff. To each of these employees, the Board 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 board certificate along with a personal letter of gratitude.

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

Chairman Crain asked if there were any comments, objections or amendments to the Consent Items as proposed. Eric Gambrell voiced his objection to the inclusion of the personal property donation from Patty Ricard, in care of Wal-Mart, in the Consent Items and requested that this item be placed in line for consideration on the regular agenda. This objection is due to a potential conflict of interest on Mr. Gambrell's part, as his firm does work for Wal-Mart. Chairman Crain asked if there were any other comments, objections or amendments. Seeing none, the Consent Items posted for this meeting's agenda with the exception of the personal property donation from Patty Ricard, in care of Wal-Mart, stand approved.

1. Hazardous Duty Pay Authorization Requests
2. Multiple Employment Authorizations
3. Personal Property Donations
4. Sale or Disposal of Surplus Agricultural Goods and Agricultural Personal Property
5. 134<sup>th</sup> TBCJ Meeting Minutes
6. Excused Absences

### **Personal Property Donation from Patty Ricard, in care of Wal-Mart**

***APPROVED***

Chairman Crain called for a motion and second regarding the personal property donation from Patty Ricard, in care of Wal-Mart. Mr. Gambrell stated he would abstain from voting on this motion.

### **Election of Board Officers**

Chairman Crain noted that with the recent change of Board membership, the Board must select a Vice Chairman and Secretary. She reviewed the duties of each office. Chairman Crain called for a motion and a second for the election of Vice Chairman and Secretary. By unanimous vote, Oliver Bell was selected to serve as Vice Chairman and Greg Coleman was selected to serve as Secretary. Chairman Crain offered congratulations to Mr. Bell and Mr. Coleman.

### **Report from the Presiding Officer, Texas Board of Pardons and Paroles (BPP)**

Rissie Owens, Presiding Officer of the BPP, had no report

### **Report from the Chairman, Judicial Advisory Council (JAC)**

Judge Larry Gist, Chairman of the JAC, welcomed the new Board members, stating that the members of the JAC look forward to working with them. He noted that District Judge Lee Gabriel has resigned from the JAC. Judge Gist reported on the new resources approved during the last legislative session. He noted probation caseload size was down and the revocation rate was down, most notably in technical violations. The early terminations have demonstrated an upward trend. Judge Gist expressed his optimism that the new measures are making a positive difference in the criminal justice system.

JAC member Bill Turner, District Attorney of the Bryan-College Station area, is the incoming President of the Texas District and County Attorneys Association. Mr. Turner has expressed his desire to become active in involving the prosecutors in the training process. With regard to the legislative interim committees, Judge Gist further reported that all components including professional corrections associations have come together to give the legislators the best information possible.

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

Mr. Livingston provided an update on the correctional officer staffing challenges. He stated that he considers this area to be the Agency's most urgent operational challenge. There are roughly 3,750 vacant correctional officer positions, which is about 15% of the correctional officer position staffing level. Mr. Livingston noted several areas that affect the vacancy challenge to include a strong Texas economy, the remote locations of some prison units and the price of gasoline. The location of several units in one (1) area also contributes to this challenge. He assured the Board that staff were committed to tackling this challenge on several fronts through recruitment, retention and other initiatives, such as closing some dorms on units that are very short on security staff.

Mr. Livingston stated that in November 2007, a Board approved policy (PD-72, "Employee Salary Administration") was implemented changing the correctional officer career ladder in significant ways. The policy created a higher starting salary for correctional officer applicants who had a college degree or honorably discharged with two (2) or more years of military service. A more favorable career ladder for former employees was also initiated. Over 9,000 letters were mailed to former correctional officers advising them of this change. The timeframes for the TDCJ Training Academy were compressed in hopes that more individuals will show up for the Academy start date. Mr. Livingston commented that current results show that promoting and training of front line supervisors is working successfully. He advised the Board that an executive staff committee works with the Human Resources Division to explore innovative measures to attract and retain correctional officers. He praised the security staff on the units for their commitment and vigilance in protecting the public's safety. Mr. Livingston emphasized the executive staff's commitment to working with the state's leadership and the legislature to manage this challenge.

**Report from the Chairman, Correctional Managed Health Care Committee (CMHCC)**

Dr. Griffin, Chairman of the Correctional Managed Health Care Committee, had no report.

**Report from the Chairman, Advisory Committee on Offenders with Medical or Mental Impairments (ACOOMMI)**

Ms. Judy Briscoe, Chairman of ACOOMMI, had no report. Chairman Crain noted that the Board would receive public testimony from the individuals who turned in registration cards. She reviewed the public presentation procedures.

Chairman Crain called on Rhonda Taylor who spoke to issues concerning the Medically Recommended Intensive Supervision (MRIS) program. Ms. Taylor alleged that procedures under the MRIS program allow the mistreatment of mentally impaired offenders. Ms. Taylor stated that on August 8, 2006, she received a letter from TCOOMMI, which denied the eligibility of Ms. Taylor's son based on a reportable conviction. Ms. Taylor alleged that according to the documentation regarding her son, TCOOMMI knowingly and willingly failed to follow the MRIS procedures in its entirety, which identifies mentally impaired offenders specifically, thereby denying these offenders the ability to qualify for the program. TCOOMMI has harmed offenders by being inconsistent with the Agency's policies and procedures. TCOOMMI is engaging in illegal discrimination by failing to follow all applicable policies, rules and procedures for identifying these offenders. Ms. Taylor protested the confinement of her son in segregation for the past two (2) years, noting that one (1) day he would be released without treatment, which could lead to problems that are more acute. Ms. Taylor said that the policies and procedures were sound, noting the problem was with the staff enforcing these procedures as the Agency had intended.

Chairman Crain called upon Larry Vader who stated he came to provide testimony regarding mentally impaired offenders. Mr. Vader related that he was a former offender, who had been in and out of the Texas prison system from 1975 through 2001. He alleged that there is gross discrimination against mentally impaired offenders in addition to mistreatment. Mr. Vader further related that he was mentally impaired and suffered from a bi-polar disorder. He stated that while incarcerated he was not treated, but was punished for being mentally impaired. Mr. Vader expressed his hope that TDCJ could treat mentally impaired offenders appropriately and not deny them programs they are entitled to under the law.

Chairman Crain thanked the presenters for their comments and directed them to the Board staff if they were interested in obtaining responses to their comments.

## Internal Audit Status Report for Fiscal Year 2007 and Fiscal Year 2008

Raymond Pyeatt, Director of the Internal Audit Division, presented the Internal Audit Status Report for Fiscal Year 2007 and Fiscal Year 2008. The following are highlights from his update:

### FY 2007 Internal Audit Plan

- **0704 – Parole Division, Interstate Compact:** The proposed final report with accompanying staff responses were sent to the Chief of Staff.
- **0705 – Board of Pardons and Paroles, Hearings:** Staff responses to the proposed final report are due on February 1, 2008.
- **0712 – Facilities Division, Resources Management:** The final report was issued on January 8, 2008.
- **0713 – Office of the General Counsel, Claims Administration:** The draft report was released and an exit conference was held on January 26, 2008.
- **0715 – Correctional Institutions Division, State Ready Intake Processing, Offender Mail System:** The proposed final report was issued on December 21, 2007.
- **0716 – Information Technology, Offender Information Management System:** The draft report is being revised.
- **0718 – Business and Finance Division, Agribusiness, Land and Minerals, Maintenance:** The responses to the final proposed report have been received. An exit conference with the Chief Financial Officers will be held February 5, 2008.
- **0722 – Business and Finance Division, Anti-Fraud Coordination:** The audit has moved back to fieldwork. It is anticipated that the report will be written in the near future.

### FY 2008 Internal Audit Plan

- **0801 – Correctional Institutions Division, Correctional Officer Training:** The audit has been delayed by the work being done on Audit 0722, which has the same lead auditor. The draft report is anticipated to be completed by mid-February.
- **0805 – Human Resources Division, Employee Grievance Procedures:** The audit is in fieldwork. The audit is behind schedule and delays the work on Audit 0811.
- **0809 – Correctional Institutions Division, Security Threat Group Management Office:** The audit was assigned on November 6<sup>th</sup> and is currently in the background phase.
- **0810 – Parole Division, Specialized Programs:** The audit has moved into control assessment and remains on schedule.
- **0812 – Health Services Division, Office of Mental Health Monitoring and Liaison:** The draft report was released on January 22, 2008. The exit conference is pending.
- **0815 – Community Justice Assistance Division, Accounting Unit:** The audit is in fieldwork. An interim exit conference is scheduled for February 25, 2008.
- **0816 – Rehabilitation and Reentry Programs Division, Volunteer Services Program:** The draft report is being written and should be released in a few weeks.
- **0819 – Manufacturing and Logistics Division, Warehousing and Supply:** This audit is in background. It was assigned December 15, 2007, and remains on schedule.
- **0823 – Administrative Review and Risk Management Division, Offender Grievance Program:** The audit has been delayed by the work on Audit 0801. The audit will not be assigned until mid-February.
- **0824 – Administrative Review and Risk Management Division, Ombudsman Program:** The audit is in fieldwork.

Mr. Pyeatt stated he would be pleased to answer any questions. There were none.

### Discussion, Consideration and Possible Action Regarding Purchases and Contracts over One (1) Million Dollars

**APPROVED**

Charles Marsh, Chief Financial Officer, reviewed the contract over one (1) million dollars to secure services for the Agency wide computer related hardware maintenance and software support for the balance of Fiscal Year 2008 through Fiscal Year 2010. The annual cost is approximately \$1.8 million.

**Discussion, Consideration and Possible Action to Modify the Correctional Managed Health Care Contract**

**APPROVED**

Mr. Marsh stated that the TDCJ currently has an agreement with Correctional Managed Health Care to provide health services for offenders. The agreement requires a modification to include the San Saba and Marlin Units for an estimated increase of \$2.9 million for the biennium.

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

**APPROVED**

Jerry McGinty, Deputy Chief Financial Officer, explained that during the last legislative session, the Legislature gave the TDCJ two (2) \$40 million appropriations, totaling \$80 million for the 2008-09 biennium for repair and renovation projects. Last summer the Board approved in conjunction with the FY 2008 operating budget, the resolution authorizing a request for financing with the Texas Public Finance Authority for \$40 million. These documents would authorize the request for financing and begin the process to receive the second \$40 million appropriation.

**Discussion, Consideration and Possible Action Regarding Proposed New Executive Directive 03.32, "Offender Access to Telephones"**

**APPROVED**

Melinda Bozarth, General Counsel, reviewed the proposed new Executive Directive (ED) 03.32 concerning offender access to telephones. In the last legislative session, Senate Bill 1580 authorized the Agency to solicit proposals for a pay telephone system for offender use. Under the legislation, the TDCJ shall adopt policy governing phone use and the policy shall be subject to Board approval. Under the current policy, eligible offenders receive one (1) phone call every 90 days. This policy keeps the eligibility criteria essentially the same as under current policy. Frequency of phone calling due to the offender's access to these phones will be increased under the new policy. The law provided that an offender should have an average of eight (8) calls per month and up to an average of ten (10) minutes in duration. The policy provides that offenders shall be able to make an unlimited number of telephone calls up to a maximum of 120 minutes per month. Each call length shall not exceed 15 minutes. The phones will be placed in the day rooms and other select areas of the unit to facilitate offender use. These areas shall be open for a set period each day. Offenders shall be allowed to call people on their approved visitors list. In addition, they shall be allowed to call any attorney that currently provides legal services to them. The law specifies that there shall be one (1) phone installed for each 30 eligible offenders. The calls shall be monitored and recorded except those calls to an offender's attorney, which shall be subject to the attorney-client privilege.

**Discussion, Consideration and Possible Action Regarding Proposed New Board Policy 15.01, "Public Interaction with the Texas Department of Criminal Justice on the Internet"**

**APPROVED**

Ms. Bozarth reviewed the proposed new Board Policy (BP) 15.01, "Public Interaction with the Texas Department of Criminal Justice on the Internet." During the recent legislative session, Senate Bill 909, Section 15 added a new provision to state law requiring the Board to implement a policy for the TDCJ to use appropriate technology to improve the Agency's ability to perform its functions and to interact with the public on the Internet. The policy designates an email liaison as a point of contact for public inquiries in each division. It also requires departments and divisions to provide the Webmaster with updated information and links that might be helpful to the public.

**Discussion, Consideration and Possible Action Regarding Proposed Revisions to Board Policies**

**APPROVED**

**1. BP-01.07, "Inspector General Policy Statement"**

Ms. Bozarth stated during the past legislative session, House Bill 434 revised Texas Government Code 493.019 to authorize the Inspector General instead of the Executive Director, to appoint criminal investigators. This change in state law has been incorporated in Section II of the policy. Other substantive revisions to the policy occur in Section II.X.B that allow the Chairman to appoint an interim Inspector General until the next regular session of the Board. Section II.X.I stipulates that the Inspector General shall notify the Board Chairman in the event the Inspector General discovered something that would cause someone in the Agency to be unable to continue to serve and that the Chairman immediately advise the Board should this happen.

**2. BP-14.02, “Internal Audit Division Policy Statement”**

**APPROVED**

Ms. Bozarth noted that this policy was updated pursuant to the Agency’s two (2) year review cycle. A few provisions were added to provide consistency to policies governing staff who report to the Board. In Section I, a provision was added to clarify that any records sought by the Internal Audit Division (IAD) regarding attorney-client privilege would not be turned over to the Internal Auditor without the Office of the General Counsel and the Board Chairman being consulted. Section II.G. provides that if the IAD Director becomes aware of any violation of state law, agreements or official misconduct, the IAD Director shall bring that information immediately to the Board Chairman, who shall inform the Board. Section II.I has an allowance for the development of the budget for the IAD, which should be done in consultation with the Chairman, Executive Director and the Chief Financial Officer. Section IV.C. allows the Chairman to appoint an interim IAD Director if for some reason that person could not serve until the next regular session of the Board.

**Discussion, Consideration and Possible Action Regarding Designation of a Person to Coordinate Implementation of Negotiated Rule Making and Alternative Dispute Resolution**

**APPROVED**

Ms. Bozarth stated that Section 15 of Senate Bill 909 requires the Board to designate a person to coordinate the implementation of a policy regarding negotiated rule making and alternative dispute resolution to assist in resolving both external and internal disputes. Ms. Bozarth recommended that the Board meet the statutory requirements and appoint a designee to serve in this capacity. Mr. Livingston was designated to coordinate implementation of negotiated rule making and alternative dispute resolution.

**Discussion, Consideration and Possible Action Regarding Adoption of New Board Rule, §152.37, Addition to Capacity (37 TAC §152.37)**

**APPROVED**

Ms. Bozarth stated that Board Rule, §152.37, Addition to Capacity, was published in the December 14, 2007, issue of the Texas Register. As no comments were received, Ms. Bozarth recommended that the Board adopt the rule.

**Discussion, Consideration and Possible Action Regarding Adoption of Amendments to Board Rules Concerning Community Justice Assistance Division Standards**

**APPROVED**

1. §163.31, Sanctions, Programs, and Services (37 TAC §163.31)
2. §163.36, Mentally Impaired Offender Supervision (37 TAC §163.36)

Ms. Bozarth noted that the amendments to these rules were either not substantive in nature or were added to clarify rule language. Both rules were published in the Texas Register on December 14, 2007. As no comments to either rule were received, Ms. Bozarth recommended that the Board adopt the amended rules.

**3. §163.39, Residential Services (37 TAC §163.39)**

**APPROVED**

Ms. Bozarth stated that the amendments to this rule were published in the December 14, 2007, issue of in the Texas Register. She noted that comments were received from the Executive Director for the Coalition for Nurses in Advanced Practice. The recommendations were reviewed by Mike Kelley, M.D., TDCJ Health Services Division, for applicability to the rule. Ms. Bozarth reviewed the recommended amendments to subsection (m) paragraph (1); subsection (n) paragraph (2)(A)(v); subsection (n) paragraph (3)(A)(v); subsection (n) paragraph (7)(E) and subsection (9) paragraph (C)(vii). In addition to these comments, the General Counsel recommended that subsection (i) be amended for clarification of the district judge’s role in relation to the community supervision and corrections departments. Ms. Bozarth recommended that the rule be adopted as presented.

**Discussion Consideration and Possible Action Regarding Proposed Amendments to Board Rules**

**1. §151.6, Petition for the Adoption of a Rule (37 TAC §151.6)**

**APPROVED**

Ms. Bozarth noted that Senate Bill 909, Section 15, included an across the Board recommendation for all state agencies' governing boards to develop and implement a policy to require the use of negotiated rule making. The amendments allow the public the opportunity to participate in rulemaking, thereby the Board encourages citizens to petition that the negotiated rule process be used. Additionally, other amendments include an economic impact statement and a regulatory flexibility analysis if the rule is going to impact small businesses. Ms. Bozarth requested that the rule and its amendments be posted in the Texas Register for purposes of public comment.

**2. §159.13, Educational Services to Released Offenders/Memorandum of Understanding (37 TAC §159.13)**

**APPROVED**

Ms. Bozarth explained that the amendments to the rule were a result of the required four (4) year review process. The proposed amendments are necessary to add clarity and expand the locations where the memorandum of understanding between the Texas Education Agency and the TDCJ can be filed. Ms. Bozarth requested that the rule and its amendments be posted in the Texas Register for purposes of public comment.

**Discussion, Consideration and Possible Action Regarding Proposed Amendments to Board Rules Concerning Community Justice Assistance Division (CJAD) Standards**

**1. §163.5, Waiver to Standards (37 TAC §163.5)**

**APPROVED**

Ms. Bozarth stated the rule was being amended to add clarity throughout the document, noting there are no substantive amendments. She requested that the proposed amendments to the rule be published in the Texas Register for public comment.

**2. §163.33, Community Supervision Officers (37 TAC §163.33)**

**APPROVED**

Ms. Bozarth stated that there were some substantive proposed amendments to this rule. One (1) amendment decreases the number of training hours that community supervision officers need to obtain each year if they have over four (4) years of experience. The decrease is from 80 to 40 hours. Another amendment stipulates that the Director of the Community Justice Assistance Division (CJAD) is not going to approve the training hours per se but will retain auditing of the CSCDs to ensure professional based skills training is occurring. Another amendment pertains to an update of the "grandfather" clause that stipulates anyone who had become a community supervision officer prior to September 2, 1989, did not require certification. Ms. Bozarth requested that the proposed amendments to the rule be published in the Texas Register for public comment.

**3. §163.38, CJAD Sex Offender Supervision (37 TAC §163.38)**

**APPROVED**

Ms. Bozarth stated that during the recent legislative session, a definition of a sex offender was added to state law and was incorporated into the rule in subsection (a) paragraphs (3) (A), (B) and (C). She requested that the proposed amendments to the rule be published in the Texas Register for public comment.

**4. §163.41, Medical and Psychological Information (37 TAC §163.41)**

**APPROVED**

Ms. Bozarth related that the proposed amendments to this rule are not substantive, e.g. the defining of acronyms and clarification of language. She requested that the proposed amendments to the rule be published in the Texas Register for public comment.

**5. §163.43, CJAD Funding and Financial Management (37 TAC §163.43)**

**APPROVED**

Ms. Bozarth stated that amendments clarify rule language and conform the rule to state law. She requested that the proposed amendments to the rule be published in the Texas Register for public comment.

**Discussion, Consideration and Possible Action Regarding Land Transactions**

- 1. Amendment of Existing Easement with Enbridge Pipelines (East Texas) L.P. on the Coffield, Beto and Powledge Units in Anderson County, Tennessee Colony, Texas**

*APPROVED*

C.F. Hazlewood, Director for Agribusiness, Land and Minerals, noted that the amendment before the Board regarding an existing easement with Enbridge Pipeline (East Texas) L.P. was discussed in detail at the Business and Financial Operations Committee. The amendments to the existing easement include the name change of the company and allow the construction of four (4) all-weather crossings.

- 2. Drainage Easement with the City of Huntsville on the Huntsville Unit in Walker County, Huntsville, Texas**

*APPROVED*

Mr. Hazlewood reviewed the request for drainage easement on the Huntsville Unit in Walker County, allowing the City of Huntsville to clear the brush from that area.

**Discussion, Consideration and Possible Action Regarding a Construction Project to Replace Window Frames at the Stringfellow Unit in Brazoria County, Rosharon, Texas**

*APPROVED*

Frank Inmon, Director of the Facilities Division, noted that he had updated the Board earlier during the Business and Financial Operations Committee on the proposed construction project to replace window frames at the Stringfellow Unit. He requested that the Board approve the project for a total estimated project cost of \$1,667,700.

Chairman Crain thanked all attendees for their interest and stated that the next meeting of the Board will be March 26-27, 2008, at the Hilton Austin.

**Adjournment**

There being no further business, Chairman Crain adjourned the regular session of the 135<sup>th</sup> meeting of the Board at 2:20 p.m.