Texas Board of Criminal Justice
211th Meeting

Minutes

August 14, 2020
Austin, Texas
TEXAS BOARD OF CRIMINAL JUSTICE

Via Zoom Video Conference

August 14, 2020
10:15 AM – 12:15 PM

ORDER OF BUSINESS

Call to Order

Convene Texas Board of Criminal Justice (TBCJ) Meeting – Recess to Executive Session

I. Executive Session

   A. The TBCJ may convene into Executive Session.

   B. Discussion of personnel matters relating to the Board of Criminal Justice, the Executive Director, the Inspector General, the Director of the Internal Audit Division, the Director of the State Counsel for Offenders, and the Prison Rape Elimination Act Ombudsman or to hear a complaint or charge against an employee (closed in accordance with Section 551.074, Government Code).

   C. Discussion regarding deployment of security personnel, devices, or security audits (closed in accordance with Section 551.076, Government Code).

   D. Discussion regarding security assessments or deployments relating to information resources technology, confidential network security information, or the deployment, or specific occasions for implementation, of security personnel, critical infrastructure, or security devices (closed in accordance with Section 551.089, Government Code).

   E. Consultation with legal counsel regarding pending or contemplated litigation or settlement offers; to receive legal advice on items posted on this agenda; or consultation on a matter where the TBCJ seeks the advice of its attorney as privileged communications under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas (closed in accordance with Section 551.071, Government Code).

Reconvene Texas Board of Criminal Justice (TBCJ)

II. Regular Session

   A. Recognitions

   B. Consideration of Approval of Consent Items
      1. Hazardous Duty Pay Authorization Requests
      2. Personal Property Donations
      3. 210th TBCJ Meeting Minutes
C. Report from the Executive Director, Texas Department of Criminal Justice (TDCJ)

D. Report from the Chairman, TBCJ

E. Report from the Presiding Officer, Judicial Advisory Council

F. Discussion, Consideration, and Possible Action Regarding the Selection of the Prison Rape Elimination Act Ombudsman

G. Discussion, Consideration, and Possible Action Regarding the Proposed Fiscal Year 2021 Annual Audit Plan

H. Discussion, Consideration, and Possible Action Regarding Purchases and Contracts Over $1 Million

I. Discussion, Consideration, and Possible Action Regarding the TDCJ Fiscal Year 2021 Proposed Operating Budget

J. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policies
   1. 01.01, “Texas Board of Criminal Justice Responsibilities”
   2. 01.03, “Delegation of Authority to Manage the Texas Department of Criminal Justice”
   3. 01.04, “Standards of Conduct for the Texas Board of Criminal Justice and the Executive Director of the Texas Department of Criminal Justice”
   4. 01.10, “Texas Board of Criminal Justice Recognition Program”

K. Discussion, Consideration, and Possible Action Regarding Land Transactions
   1. Request for Right of Way Easement at the Stiles Unit in Jefferson County, Beaumont, Texas
   2. Request for Electrical Transmission Line Easement at the Montford Unit in Lubbock County, Lubbock, Texas

L. Public Comments

Adjourn

The TBCJ may discuss and/or take action on any of the items posted on this meeting agenda.
Convene the Texas Board of Criminal Justice

Chairman Patrick O'Daniel convened the 211th meeting of the Texas Board of Criminal Justice (TBCJ) on Friday, August 14, 2020, at 10:15 a.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 the TBCJ would be conducting business from the agenda posted in the Texas Register.

Chairman O’Daniel stated that the TBCJ is committed to providing the opportunity for public presentations on posted agenda topics as provided in accordance with Board Rule 151.4, “Public
Presentations and Comments to the Texas Board of Criminal Justice.” No speaker registration cards were received for public comments prior to the deadline.

**Recognitions**

Chairman O’Daniel recognized TDCJ Executive Director Bryan Collier for 35 years of service, and highlighted his background.

Mr. Collier recognized Jerry McGinty, former TDCJ Chief Financial Officer (CFO), for promoting to the Director of the Legislative Budget Board (LBB), and highlighted his background.

Jason Clark, Chief of Staff, recognized Malika Te, former TDCJ Governmental Affairs Director, for taking on a new role at the LBB, and highlighted her background.

Mr. Collier introduced Ron Steffa as the new TDCJ CFO, and highlighted his background.

Mr. Collier recognized Melvin Neely, former Information Technology Division Director, on his retirement, and highlighted his background.

Mr. Steffa introduced Jennifer Gonzales as the new Deputy CFO, and highlighted her background.

Mr. Collier recognized Frank Inmon, former Facilities Division Director, on his retirement, and highlighted his background.

Mr. Collier introduced Cody Ginsel as the new Facilities Division Director, and highlighted his background.

Mr. Clark introduced Kate Blifford as the new Governmental Affairs Director, and highlighted her background.

Mr. Collier recognized Pam Thielke, former TDCJ Parole Division Director, for her retirement, and highlighted her background.

Mr. Collier introduced Rene Hinojosa as the new Parole Division Director, and highlighted his background.

Mr. Collier introduced Allison Dunbar as the new Private Facility Contract Monitoring/Oversight Division Director, and highlighted her background.

Mr. Collier introduced Christopher Carter as the new Rehabilitation Programs Division Director, and highlighted his background.

Mr. Carter introduced Michael Rutledge as the new Deputy Director of the Rehabilitation Programs Division, and highlighted his background.
Chairman O'Daniel recognized the TDCJ employees who have dedicated 25, 30, 35, 40, and 45 years of service to the state of Texas during the months of July and August 2020. During this time, 89 employees attained 25 years of service, 31 employees attained 30 years of service, 22 employees attained 35 years of service, three employees attained 40 years of service, and one employee attained 45 years of service. He stated these individuals represent the strong commitment of the TDCJ staff systemwide. On behalf of the TBCJ and Mr. Collier, he expressed deepest gratitude for the continued service of these employees.

(Attachment A – Employee Names)

Consideration of Approval of Consent Items

1. Hazardous Duty Pay Authorization Requests
2. Personal Property Donations
3. 210th TBCJ Meeting Minutes

Chairman O'Daniel asked if there were any amendments, abstentions, or objections to the proposed consent items. Hearing none, the consent items were approved.

Report from the Executive Director, Texas Department of Criminal Justice

COVID-19

Mr. Collier stated at the time of the June TBCJ meeting, and continuing to the present, we have felt the full effects of COVID-19 as we focus our efforts to prevent, mitigate, and address the virus to the best of our ability. Over the past two months, we have seen an average of nearly 200 new positive cases per day in our system. However, as we identify many of those cases through mass testing, we have seen that over 75% of our positive cases are asymptomatic. We have performed more COVID-19 testing than any correctional system in the Unites States - over 225,000 total tests. Testing has allowed us to make steps toward returning some operations to normal. Since June, we have resumed the intake of offenders from county jails, bringing more than 2,500 offenders into the system. Prior to allowing the intake of an offender, TDCJ staff works closely with county officials to screen each offender to help ensure we do not bring any offender into our system who is COVID-19 positive or who has been recently exposed. Additionally, all newly received offenders are placed in quarantine for 14 days. There are currently about 6,000 offenders within county jails that are waiting on intake into the TDCJ and we are continuing to work closely with county officials to bring those offenders into our system as safely as possible. We have also placed more than 3,000 offenders into programming based on parole approvals by the Board of Pardons and Paroles, which will allow those offenders to meet their program requirements for release. In late June, we established compliance assessment teams to visit TDCJ units and offices to help review our compliance with the protective protocols related to COVID-19. These teams have visited 158 TDCJ locations and are working closely with wardens, regional directors, division directors, office managers, and staff to help ensure that all are taking the proper precautions in all areas, to include employee screening, disinfecting, and wearing the correct type of masks and other personal protective equipment. These teams will continue to audit TDCJ locations on a 60-day rotation for the foreseeable future. We are also modifying our mass testing process to provide more focused testing on our units that house the

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most vulnerable offenders. To help return some things to normal within our prisons, we are working to bring video visitation to our units and will have video visitation capability on a small number of units later this month. The plan is to put temporary measures in place to offer widespread video visitation to our offenders until a more long-term solution can be deployed. Additionally, the Manufacturing, Agribusiness and Logistics Division has been producing insulated tray lids that can be used in combination with our food trays to allow hot meals to be delivered to offenders in their housing areas for those on medical restriction or on precautionary lockdown. As of this week, over 14,000 insulated tray lids have been manufactured and distributed.

Sadly, COVID-19 has continued to attack our staff and offenders. Since the last meeting, COVID-19 has taken the lives of 10 staff members: Kenneth Harbin, Correctional Officer IV at the Daniel Unit; Jerry Esparza, Correctional Officer V at the Jester III Unit; Jackson Pongay, Correctional Officer IV at the Lychnor Unit; Sandra Rivera, Inventory Specialist at the Torres Unit; Ruben Martinez, Correctional Officer IV at the Lopez Unit; Eric Johnson, Correctional Officer V at the Byrd Unit; Richard Holley, Sergeant at the Goodman Unit; Charles Chacon, Industrial Specialist at the McConnell Unit; Lebouath Boua, Correctional Officer IV at the Coffield Unit; and Walterio Rodriguez, Chaplain at the Segovia Unit. We have lost a total of 18 employees thus far due to the pandemic. Each of these employees lost their battle with COVID-19; however, they will never be forgotten for their bravery and commitment to public safety and for the ultimate sacrifice they paid. We pray for their families and co-workers who still mourn each of these losses and we will honor each of them later this year in our fallen officer service.

Mr. Collier publicly commended the thousands of TDCJ men and women who have continued to be heroes throughout this event. The daily sacrifice to the state of Texas that allows the TDCJ to meet the mission of delivering public safety does not go unnoticed. They all are truly heroes.

Additionally, Mr. Collier thanked the TBCJ chairman and each board member for taking the time to allow Ron Steffa, Jennifer Gonzales, and Rebecca Waltz to present the 2021 operational budget to them over the past few days. He commended Mr. Steffa and the finance team for their hard work preparing the budget. As discussed in the budget briefings, the instructions for the Legislative Appropriations Request (LAR) has not been received yet. Upon receipt of the instructions, an updated briefing on the work to prepare the LAR will be provided to each board member.

Report from the Chairman, TBCJ

Employee Tributes

Chairman O’Daniel stated the entire world continues to battle COVID-19 and this is certainly true here in the Lone Star state and within the TDCJ. It has presented a challenge like no other. Yet, each day, the men and women of this agency muster the strength to continue on, determined to make a difference. He stated he is incredibly proud of the bravery displayed each and every day. Today we honor those who are no longer able to carry on the good fight. During reflection on their lives, he was reminded that God did not promise us an easy life, and did not promise us happiness. Instead, He said we will have suffering and heartache, but also promised us that He will be with us, to comfort us and one day reunite with us. In the words of Psalm 23, “Yea, though I walk through the valley of the shadow of death, I will fear no evil: for thou art with
me.” Though these individuals may be gone, they are not forgotten because their memories live on.

Robert Armstrong was a dedicated and committed professional at his job and the epitome of someone who went beyond service in their skills and duties as nurse practitioner at the Sanchez State Jail in El Paso. He was known as “Bob” to his co-workers at the Texas Tech University Health Sciences Center and was a hero in every sense of the word. They say he was intelligent, articulate, and skilled while fulfilling his daily tasks. Bob was the Director of Nursing and Facility Health Administrator for the Sanchez State Jail from 1998 to 2002 and was then a nurse practitioner there from 2013 until his death. He died from the coronavirus on June 16, 2020, at age 56.

Joe Lange was a 25-year veteran of the BPP and there was not a job that he could not do. He began working as a clerk in 1994 and then meticulously worked his way up to Clerical Supervisor, Program Administrator, Parole Officer V, Clemency Director, and Staff Development Manager. His colleagues at the BPP described him as dedicated, committed, and a friendly team player. He was admired and respected by his co-workers, not only in Austin but statewide. His contributions to the BPP have been immense and he will be greatly missed. He died from the coronavirus on July 1, 2020, at the age of 56.

Dr. Gary Wright dedicated his life to his patients, his family, and his friends. Since 2009, he has been a stellar physician within the Palestine area of cluster units. He had a passion for life, which fueled his purpose and commitment to provide exemplary medical care to his patients. Dr. Wright was a friend to many and a loving family man. He enjoyed spending time with his friends and family at his second home on Catalina Island. If you were blessed enough to know him, you respected and admired him for his knowledge, candor, quick wit, and most of all his generous and loving heart. He will be greatly missed. He died from the coronavirus on July 1, 2020.

Kenneth Harbin was a correctional officer at the Daniel Unit and 30-year veteran of the TDCJ. He is described by his peers as a selfless person who gave it his all, whether on the job or with his family and friends. He found a way to uplift anyone who was around him, whether it was with a joke or just a simple pat on the back to keep you going on a tough day. Many of his co-workers said he was a great correctional officer but an even better friend. He especially enjoyed training new officers who were assigned to visitation. When not at work, he surrounded himself with his family, especially his beloved children and grandchildren. He began his TDCJ career in September 1989 and retired in February 2012. However, he could not stay away and re-hired in November 2012. He was diagnosed with the coronavirus on June 28, 2020, and was being treated at a Lubbock hospital where he was showing signs of improvement. Unfortunately, he took an unexpected turn for the worse and died from the coronavirus on July 4, 2020, at the age of 60.

Jerry Esparza was a correctional officer at the Jester III Unit and was known as the backbone of the third shift, lighting up a room with his presence. A dedicated family man, he was also committed to his work, with more than 25 years of service to the TDCJ. Darrington Unit Senior Warden L.E. Townsend described Jerry as an amazing father and husband whose absence will leave a void that nobody can fill. He began his TDCJ career at the McConnell Unit in May 1995. In March 1996, he transferred to Hospital Galveston and in September 1997, he moved on to the Jester III Unit where he provided guidance and leadership to all who would listen. He never turned down assistance to anyone. He was a lifelong Dallas Cowboys fan and supported them.
through the good and bad times. On June 17, 2020, he began treatment after testing positive for COVID-19 and died from the coronavirus on July 15, 2020, at age 45.

Jackson Pongay was a correctional officer at the Lychner State Jail. He came to the United States from Liberia, West Africa to pursue a better life for himself and his family. When he arrived, he saw an advertisement to work for the TDCJ. He applied, was accepted, and began his first assignment at the Atascocita State Jail which later became the Pam Lychner State Jail. Shift supervisors at the jail knew that he could be depended upon to complete every task he was assigned, regardless of its difficulty. He gave every assignment his best effort. His colleagues have stated that he was always there for everyone. If anyone was having a problem, he was there to help. Most of all, he was part of the TDCJ family. He befriended almost everyone he met and loved to show off his cooking skills for them, especially with cuisine from his native country. His other hobby was buying, refurbishing, and selling cars from local auction centers. He leaves behind a wife of 11 years and three children. He died from the coronavirus on July 19, 2020, at the age of 56.

Sandra Rivera was an inventory specialist at the Torres Unit and always came to work with a smile on her face and enthusiasm for her duties in the commissary. A tremendous asset to the TDCJ, her energy and vitality will be missed by all who worked closely with her. When she came into the room, it was like turning on a light. She absolutely had a positive effect on everyone around her. She truly had a servant’s heart and was fond of Romans 8:28, “In all things God works for the good of those who love Him, who have been called according to His purpose.” She will truly be missed. She worked for the agency for more than seven years. She died from the coronavirus on July 21, 2020, at the age of 50.

Ruben Martinez was a correctional officer at the Lopez State Jail. After only two years on the job, he had already established himself as an employee who exhibited unwavering service. He was a family man and, according to Senior Warden Juan Garcia, “he was a man of faith.” He not only believed in himself, but was one that would place Jesus first as he faced new challenges. He always had a positive attitude and was willing to lend a hand at any time to a fellow co-worker, whether on or off the job. He tested positive for COVID-19 on July 13, 2020, and was admitted to the hospital several days later when he began having complications. He died from the coronavirus on July 26, 2020, at the age of 48.

Sgt. Richard Holley at the Goodman Unit was described as a well-liked and respected employee who loved his community. He had 24 years of service with the TDCJ and brought experience and wisdom to the job every day. Warden Bradley Hutchison stated, “he was a great mentor to our staff and a great friend, as well.” He was always ready with an encouraging word and would help get the job done no matter what it took. Outside of his dedication to the staff at the Goodman Unit, he is most remembered for playing Santa Claus in the annual Jasper Christmas parade and decorating his house with lights that danced to Christmas music. He never met a stranger and made everyone feel welcome, no matter where he met them. Sgt. Holley died from the coronavirus on August 4, 2020, at the age of 62.

Charles Chacon, Jr. began his career with the TDCJ 23 years ago as the laundry manager at the Garza West Unit in Beeville. During this time, he also worked for Facilities Maintenance at the Garza Units and the McConnell Unit. Seven years ago, he became an industrial specialist at the McConnell Unit Garment Factory. His sense of duty and hard work was instilled in him from his
service to our country in Vietnam and as a 20-year veteran of the United States Navy. He retired from the Navy and continued serving our country as a civil service employee before joining the TDCJ. When he was away from the McConnell Unit, he enjoyed spending time with his family, which includes his wife Adelfa, daughter Becky, son Charlie, and five grandchildren. He died from the coronavirus on August 11, 2020, at the age of 77.

Lebouath Boua was a correctional officer at the Coffield Unit and was well-known among his fellow employees. He had an easy-going manner and a big heart that matched his smile. He began his employment with the TDCJ in August 2016. He made it a point to speak to everyone on his shift and would always ask how their day was going. His positive attitude about work and life was contagious and genuine. He tested positive for COVID-19 on July 18, 2020, and was admitted to the hospital on July 29, 2020. He died from the coronavirus on August 12, 2020, at the age of 61.

Chaplain Walterio Rodriguez loved the Lord and this was evident to all those that knew him, including staff and offenders at the Segovia Unit in Edinburg. He began his career with the TDCJ in 2009. Prior to that, he had a career as a lineman for a local electric company. When he was not ministering at the facility, he was active in his local church, serving as the director of children’s church and youth group. Warden Juan Garcia stated “Chaplain Rodriguez was such a great person, man of faith, man of believing, and a man who bent over backwards to help someone in need. I will never forget all the times he prayed over me and my unit during those hard times. I have lost a wonderful friend and not just a chaplain.” He died from the coronavirus on August 13, 2020.

Chairman O’Daniel stated it is very important to take a moment to remember the others associated with the TDCJ who have died. The pain of loss and suffering is not exclusive to employees. Individuals incarcerated within the TDCJ and on supervision within our communities have also succumbed to this virus. Indeed, it has been particularly hard on them as visitation had to be suspended due to the infectious nature of the virus. We grieve for them as well. They leave behind spouses, children, parents, and friends. Their lives matter. In the words of Hebrews 13:3, “Remember those who are in prison, as though in prison with them.” Psalm 34:18, “The Lord is near to the broken-hearted and saves the crushed in spirit.” He asked for everyone to take a moment of silence to lift up those that are broken-hearted that they may find comfort during this dark time.

Chairman O’Daniel closed by saying it is unknown how far we are into the midst of this storm; however, the TDCJ team will continue to adjust the sails as seas change and with patience, perseverance, and prayer we will get through this together.

Report from the Presiding Officer, Judicial Advisory Council

Judge Rebecca Palomo, Judicial Advisory Council (JAC) member, stated the JAC was statutorily created 31 years ago, in 1989, under legislation that created the TDCJ. The JAC is composed of 12 members; six appointed by the Chief Justice of the Texas Supreme Court, and the other six appointed by the presiding judge of the Texas Court of Criminal Appeals. The JAC brings to the table various stakeholders with diverse and relevant backgrounds across the criminal justice system, including district court judges; a director of a community supervision department; prosecutors; defense attorneys; and members of the public. Each member serves a six-year term.

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The JAC meets quarterly, generally following the Probation Advisory Council (PAC) schedule. The PAC meeting brings together all the adult probation directors from across the state of Texas. The JAC is responsible for advising the TBCJ and the director of the Community Justice Assistance Division (CJAD) on matters of interest in the judiciary, particularly those matters affecting the administration of Community Supervision and Corrections Departments (CSCDs). The CJAD oversees local probation departments by setting minimum standards for their programs, facilities, and services, as well as certifying and funding their work. CJAD staff provides a wealth of information, statistics, and reports that provide the JAC insight to the effectiveness of programs to meet the shared goal to reduce recidivism while protecting the public. Currently, the JAC’s focus is to prepare for the next legislative session and its impact on probation in the trial courts. The JAC will provide resource information to the legislature and to the various stakeholders within the criminal justice system. She expressed gratitude for the Chair of the JAC, Judge Rose Renya, for steering the council through challenging times.

Judge Palomo thanked the board for the opportunity to participate in the meeting and for recognizing the many people that have invested many years of professional service to criminal justice.

**Discussion, Consideration, and Possible Action Regarding the Selection of the Prison Rape Elimination Act Ombudsman**

Chairman O’Daniel stated the PREA Ombudsman serves as an independent office to review or conduct administrative investigations of allegations of sexual abuse and sexual harassment, as well as provide a point of contact for elected officials, the public, and offenders to report allegations of sexual abuse and sexual harassment or inquiries related to PREA. The PREA Ombudsman, Lynne Sharp, notified the board of her intent to retire effective July 21, 2020. The position was posted on June 29, 2020, for 10 days, and the PREA search committee composed of Vice-Chairman Derrelynn Perryman, Secretary Pastor Larry Miles, Judge Molly Francis, and Judge Faith Johnson selected qualified candidates to interview. The search committee interviewed the candidates in late July and, earlier today, the committee presented their recommendation to the full board for discussion in executive session. Vice-Chairman Derrelynn Perryman emphasized that the selection of the new PREA Ombudsman would not occur until the regular session of this meeting.

Chairman O’Daniel asked if there were any questions from the board. Hearing none, he called for a nomination.

*Derrelynn Perryman moved that the Texas Board of Criminal Justice approve the selection of Cassandra McGilbra as the PREA Ombudsman to be effective August 15, 2020.*

*Judge Faith Johnson seconded the motion, which unanimously passed when called to a vote.*
Discussion, Consideration, and Possible Action Regarding the Proposed Fiscal Year 2021 Annual Audit Plan

Chris Cirrito, Internal Audit Division Director, requested approval for the proposed fiscal year 2021 Annual Audit Plan, as presented at the Audit and Review Committee meeting.

Chairman O’Daniel asked if there were any questions. There were none.

Judge Molly Francis moved that the Texas Board of Criminal Justice approve the proposed fiscal year 2021 Annual Audit Plan, as presented, and authorize the Internal Audit Division Director to perform audit work outside of the audit plan if the director deems deviations are warranted, documented as required by the Texas Auditing Act, and presented to the board at its next scheduled meeting.

Derrelynn Perryman seconded the motion, which unanimously passed when called to a vote.

(Attachment B – Proposed Fiscal Year 2021 Annual Audit Plan)

Discussion, Consideration, and Possible Action Regarding Purchases and Contracts over $1 Million

Chairman O’Daniel abstained from taking action on this item.

Ron Steffa, Chief Financial Officer, reviewed the purchases and contracts over $1 million. Item 1 is an increase to existing contracts for use of copiers statewide. Item 2 is an increase for cellular usage with AT&T. Item 3 is a replacement contract for electronic monitoring services. Items 4 through 10 are replacement contracts for residential reentry centers.

Chairman O’Daniel asked for any questions, comments, or other abstentions. Hearing none, he called for a motion and a second.

Dr. Rodney Burrow moved that the Texas Board of Criminal Justice approve the purchases and contracts over $1 million, as presented.

Eric Nichols seconded the motion, which unanimously passed when called to a vote.

Discussion, Consideration, and Possible Action Regarding the TDCJ Fiscal Year 2021 Proposed Operating Budget

Mr. Steffa again thanked the TBCJ members for taking time out of their busy schedules for the individual briefings and, as discussed in the committee meeting, reminded the board that the Legislative Appropriations Request (LAR) instructions have not been issued and the LAR will be brought before the board at a later date. He presented the proposed Agency Operating Budget for FY 2021, which is based on the amounts appropriated by the 86th Legislature and also reflects the TDCJ’s 5% reduction plan as requested by state leadership with specific exceptions.
related to critical government functions. For the TDCJ, exemptions include correctional security, Correctional Managed Health Care (CMHC), and behavioral health programs. Significant items of the 5% reduction plan include the closure of the two prison units, Garza East in Beeville and Jester I in Richmond, the idling of the Bradshaw State Jail in Henderson, as well as not moving forward with the Corrections Information Technology System (CITS). For the biennium, the reductions total $122.9 million and after the appropriate reductions are made to the budget, the FY 2021 Annual Operating Budget totals $3.38 billion. Mr. Steffa stated that the TDCJ will continue to closely monitor operational requirements and reduce costs where possible. The TDCJ looks forward to continuing to work with state leadership as it continues to provide public safety during these challenging times.

Chairman O’Daniel thanked Mr. Steffa for his hard work on preparing the budget.

Mr. DeAyala also thanked Mr. Steffa and his team for finding areas to make reductions, especially during these hard times.

Judge Faith Johnson thanked Mr. Steffa for making cuts and not impacting staff reductions.

E.F. “Mano” DeAyala moved that the Texas Board of Criminal Justice approve the TDCJ Fiscal Year 2021 Proposed Operating Budget, as presented, and authorize the executive director of the TDCJ to make transfers as necessary and as authorized through the General Appropriations Act and other applicable laws.

Larry Miles seconded the motion, which unanimously passed when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, BP-01.01, “Texas Board of Criminal Justice Responsibilities”

Kristen Worman, TDCJ General Counsel, presented the proposed revisions to BP-01.01, “Texas Board of Criminal Justice Responsibilities.” She stated revisions to the policy removed language from Section II.B.1.k requiring the Parole Division to supervise sex offenders under the supervision of a community supervision and corrections department, as the governing administrative code was repealed. Other revisions include an updated signature authority, and grammatical and formatting updates. She recommended the TBCJ approve the revision.

Chairman O’Daniel asked if there were any questions or comments. Hearing none, he called for a motion and a second.

Judge Faith Johnson moved that the Texas Board of Criminal Justice approve revisions to board policy BP-01.01, “Texas Board of Criminal Justice Responsibilities,” as presented.

Judge Molly Francis seconded the motion, which unanimously passed when called to a vote.
Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, BP-01.03, “Delegation of Authority to Manage the Texas Department of Criminal Justice”

Kristen Worman, TDCJ General Counsel, presented the proposed revisions to BP-01.03, “Delegation of Authority to Manage the Texas Department of Criminal Justice.” She stated the revisions to the policy include an updated signature authority, and grammatical and formatting updates. She recommended the TBCJ approve the revision.

Chairman O’Daniel asked if there were any questions or comments. Hearing none, he called for a motion and a second.

Sichan Siv moved that the Texas Board of Criminal Justice approve revisions to board policy BP-01.03, “Delegation of Authority to Manage the Texas Department of Criminal Justice,” as presented.

Dr. Rodney Burrow seconded the motion, which unanimously passed when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, BP-01.04, “Standards of Conduct for the Texas Board of Criminal Justice and the Executive Director of the Texas Department of Criminal Justice”

Kristen Worman, TDCJ General Counsel, presented the proposed revisions to BP-01.04, “Standards of Conduct for the Texas Board of Criminal Justice and the Executive Director of the Texas Department of Criminal Justice.” She stated the revisions to the policy include an updated signature authority and citations, and grammatical and formatting updates. She recommended the TBCJ approve the revision.

Chairman O’Daniel asked if there were any questions or comments. Hearing none, he called for a motion and a second.

Dr. Rodney Burrow moved that the Texas Board of Criminal Justice approve revisions to board policy BP-01.04, “Standards of Conduct for the Texas Board of Criminal Justice and the Executive Director of the Texas Department of Criminal Justice,” as presented.

E.F. “Mano” DeAyala seconded the motion, which unanimously passed when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy, BP-01.10, “Texas Board of Criminal Justice Recognition Program”

Kristen Worman, TDCJ General Counsel, presented the proposed revisions to BP-01.10, “Texas Board of Criminal Justice Recognition Program.” She stated the revisions to the policy include
an updated signature authority, and grammatical and formatting updates. She recommended the TBCJ approve the revision.

Chairman O’Daniel asked if there were any questions or comments. Hearing none, he called for a motion and a second.

Eric Nichols moved that the Texas Board of Criminal Justice approve revisions to board policy BP-01.10, “Texas Board of Criminal Justice Recognition Program,” as presented.

Sichan Siv seconded the motion, which unanimously passed when called to a vote.

Discussion, Consideration, and Possible Action Regarding Proposed Land Transactions

1. Request for Right-of-Way Easement at the Stiles Unit, in Jefferson County, Beaumont, Texas

Chairman Patrick O’Daniel abstained from taking action on this agenda item.

Bobby Lumpkin, Director of the Manufacturing, Agribusiness and Logistics Division, stated the request includes indemnification language and the most-favored nation clause. He presented the request for a right-of-way easement at the Stiles Unit, in Jefferson County, Beaumont, Texas, and stated that Jefferson County is requesting an easement consisting of an area of 0.4884 of an acre of land. Jefferson County has agreed to pay $5,000 for this easement with a 10-year term. Mr. Lumpkin recommended the TBCJ approve the request.

Chairman O’Daniel asked if there were any questions or comments. Hearing none, he called for a motion and a second.

Larry Miles moved that the Texas Board of Criminal Justice approve the request for a right-of-way easement at the Stiles Unit in Jefferson County, Beaumont, Texas, as presented.

Judge Faith Johnson seconded the motion, which unanimously passed when called to a vote.

2. Request for Electrical Transmission Line Easement at the Montford Unit, in Lubbock County, Lubbock, Texas

Mr. Lumpkin stated the request includes indemnification language, the most-favored nation clause, and additional insurance in the amount of at least $2,000,000. He presented the request for an electrical transmission line easement at the Montford Unit, in Lubbock County, Lubbock, Texas, and stated that Oncor Electric Delivery Company, LLC is requesting an easement consisting of an area of approximately 18.999 acres of land being 7,389.46 feet long by variable width for two electrical transmission lines. This request includes a temporary workspace totaling 1.985 acres of land. Oncor Electric Delivery Company, LLC has agreed to pay $117,894.00 for this easement with a 10-year term.
Chairman O'Daniel asked if there were any questions or comments. Hearing none, he called for a motion and a second.

E.F. “Mano” DeAyala moved that the Texas Board of Criminal Justice approve the request for an electrical transmission line easement at the Montford Unit in Lubbock County, Lubbock, Texas, as presented.

Sichan Siv seconded the motion, which unanimously passed when called to a vote.

Chairman O’Daniel thanked everyone for attending the meeting today and announced that the next meeting of the Texas Board of Criminal Justice will be Friday, October 30, 2020, at the DoubleTree Hotel in Austin-Northwest Arboretum.

**Adjournment**

There being no further business, Chairman O’Daniel recessed the 211th meeting of the Texas Board of Criminal Justice at 12:16 p.m.