TEXAS BOARD OF CRIMINAL JUSTICE

Via Zoom Video Conference

June 25, 2021
9:30 – 10:30 AM

ORDER OF BUSINESS

Call to Order

Convene Texas Board of Criminal Justice (TBCJ) Meeting

I. Regular Session

   A. Recognitions
   
   B. Consideration of Approval of Consent Items (Pages 1-5)
      1. Hazardous Duty Pay Authorization Requests
      2. Personal Property Donations
      3. 216th 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. Report from the Presiding Officer, Correctional Managed Health Care Committee
   
   G. Internal Audit Status Report for Fiscal Years 2020-2021
   
   H. Discussion, Consideration, and Possible Action Regarding Purchases and Contracts Over $1 Million (Pages 6-15)
   
   I. Discussion, Consideration, and Possible Action Regarding Proposed Renaming of TDCJ Facilities
   
   J. Discussion, Consideration, and Possible Action Regarding Proposed Land Transaction (Pages 16-17)
      Request for Renewal of Electrical and Cathodic Protection Easements, Ramsey Unit, Brazoria County, Rosharon, Texas
K. Discussion, Consideration, and Possible Action Regarding Facilities Division
Construction Projects (Pages 18-31)
1. Replace Structural Floor and Plumbing System at the Clemens Unit in Brazoria
County, Brazoria, Texas
2. Install New Sludge Dewatering Press for the Wastewater Treatment Plant at the
Coffield Unit in Anderson County, Tennessee Colony, Texas
3. Replace Roof on the Reception Satellite Building at the Crain Unit, Coryell County,
Gatesville, Texas
4. Repair and Replace Building Structures for the Boiler Room at the Darrington Unit,
Brazoria County, Rosharon, Texas
5. Construct Water Well and Transmission Line at the Ferguson Unit, Madison County,
Midway, Texas
6. Replace Locking System in Multiple Locations at the Gist Unit, Jefferson County,
Beaumont, Texas
7. Resurface Perimeter Road at the Henley Unit, Liberty County, Dayton, Texas

L. Discussion, Consideration, and Possible Action Regarding Proposed Amendments to
Board Rule Title 37 Texas Administrative Code Section 151.55, “Disposal of Surplus
Agricultural Goods and Agricultural Personal Property”

M. Discussion, Consideration, and Possible Action Regarding Adoption of Amendments to
Board Rule Title 37 Texas Administrative Code Sections 154.1-.2, and 154.4-.9, “Private
Sector Prison Industries Programs”

N. Discussion, Consideration, and Possible Action Regarding Proposed New Board Policy
01.08, “Independent Ombudsman Policy Statement”

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

Recess
II. 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, the Director of the Office of the Ombudsman, 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).

Adjourn
The Texas Board of Criminal Justice (TBCJ) convened on Friday, June 25, 2021, in regular session at 9:31 a.m. via Zoom and adjourned at 11:23 a.m.

TBCJ MEMBERS PRESENT: Patrick O’Daniel, Chairman
Derrelynn Perryman, Vice-Chairman
Larry Miles, Secretary
E.F. “Mano” DeAyala
Judge Molly Francis
Judge Faith Johnson
Eric Nichols
Sichan Siv
Rodney Burrow, M.D.

TEXAS DEPARTMENT OF CRIMINAL JUSTICE STAFF PRESENT:
Bryan Collier, Executive Director
Joe Ballez
Jason Clark
Tina Clark
Patty Garcia
Cody Ginsel

TBCJ STAFF PRESENT:
Chris Cirrito
Jill Durst
Cris Love
Cassandra McGilbra

Convene the Texas Board of Criminal Justice

Chairman Patrick O’Daniel convened the 217th meeting of the Texas Board of Criminal Justice (TBCJ) on Friday, June 25, 2021, at 9:31 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 and public comments on issues within its jurisdiction in accordance with Board Rule 151.4, “Public Presentations and Comments to the Texas Board of Criminal Justice.” One speaker registration card was received for public comment prior to the deadline.
**Recognitions**

Rene Hinojosa, Texas Department of Criminal Justice (TDCJ) Parole Division Director, introduced Joe Ballez as the new Parole Region IV Director, and highlighted his background.

Bryan Collier, TDCJ Executive Director, recognized Patty Garcia, Human Resources Director, on her attainment of 25 years of service to the agency, and highlighted her background.

Chairman O’Daniel recognized Cassandra McGilbra, PREA Ombudsman, on her attainment of 30 years of service to the agency, and highlighted her background.

Chairman O’Daniel recognized the TDCJ employees who have dedicated 25, 30, 35, and 40 years of service to the state of Texas. He stated these individuals represent the strong commitment of this agency’s staff systemwide. On behalf of the TBCJ and Mr. Collier, he expressed deepest gratitude for the continued service of these employees. During the months of May and June 2021, 77 employees attained 25 years of service, 24 employees attained 30 years of service, 13 employees attained 35 years of service, and two employees attained 40 years of service. The chairman stated he would like to individually recognize the two employees that have attained 40 years for their dedication and service.

Chairman O’Daniel recognized Officer Clifford Owens and outlined his career that began in 1980 at the Beto Unit.


Chairman O’Daniel stated that the names of these two individuals would be submitted for inclusion the official board meeting minutes. As a symbol of appreciation, both individuals will receive a board certificate along with a personal letter of gratitude.

*(Attachment A – Employee Names)*

**Consideration of Approval of Consent Items**

1. Hazardous Duty Pay Authorization Requests
2. Personal Property Donations
3. 216th 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.
Correctional Officer Staffing

Bryan Collier, TDCJ Executive Director, stated correctional officer staffing continues to be the agency’s number one operational challenge. In April and May, we suffered low application numbers; however, we have seen a sharp increase in applications this month and are hoping it will continue as we enter July. We successfully completed two hiring blitzes in College Station and Huntsville in recent weeks and have one scheduled early next month in Lufkin. We have a new online Correctional Officer Referral Link where anyone can make a referral of a prospect and we will contact the prospect the same or next business day to bring them to the application process. We have several marketing and advertising campaigns in play and are using a variety of social media platforms to get the word out about our opportunities. Earlier this month, we had the privilege of sitting down with our Executive Director Retention Task Force and discussed several initiatives related to hiring and retention — many of which will be implemented this summer. Those initiatives include ending our hiring bonus and utilizing those funds to reshape the front end of our career ladder to focus on retention steps, as our research shows us that the hiring bonus has not significantly impacted our retention. We will begin a pilot at several units to allow officers to choose between 8- or 12-hour shifts, based on their preference. We are expanding a program to allow units to directly hire officers pre-academy and allow them to receive a unit-based orientation prior to attending the academy. We have piloted this model and it has been shown to be effective at reducing our academy no-show rates. We will remain focused on correctional officer recruiting and retention as our top priority and will continue to provide you with updates as we make progress.

Legislative Update

Mr. Collier stated the 87th legislative session was adjourned on Memorial Day. The process began last August with the board’s approval of our legislative appropriations request, which included a 5% percent budget reduction for the fiscal year (FY) 2022–23 biennium as required. The legislative session began in January and since then agency staff attended many hearings, provided considerable testimony, and met with legislators and staff on a variety of issues related to our agency budget and proposed legislation. In reflecting on the 87th legislative session, we had a very successful session, both in areas of appropriations and as it relates to legislation that impacts our agency. From a budget perspective, we had great starting point with the partial restoration of the 5% funding reduction ($179 million) in base funding, thus eliminating one of our exceptional items. The agency received funding levels consistent with the Legislative Budget Board population projections for probation, incarceration, and parole supervision. We received $38 million dollars to fund a 3% percent pay raise for correctional officers working in our 23 maximum security units. We were allocated $105.5 million dollars in funding for major repair and renovation projects - the most we have ever received. We received $24.2 million in requested funding to continue our Corrections Information Technology System project to replace our aging mainframe computer system. There was $1.9 million in funding restored to the agency for inmate college programs. In Correctional Managed Healthcare we received an additional $60.0 million in additional base funding and $21.5 million to enhance medical IT systems. Lastly, we received our requested FY 2021 supplemental funding of $86 million dollars for correctional officer overtime and $123 million for correctional managed healthcare.
Although much legislation was passed, bills that are related to the agency do not present any significant operational challenges and several will have a positive impact.

Mr. Collier relayed that our team did an awesome job this session and recognized one new player on the team, Kate Blifford, Director of Governmental Affairs, who did an outstanding job of working with legislative offices, preparing agency staff, and tracking legislation; he also recognized Chief Financial Officer Ron Steffia and his team, as well as Chief of Staff Jason Clark and his team for all their work to make the session successful. Mr. Collier thanked the rotating support staff, Britteny Skains, Terri Putnam, Shannon Deveney, Cherie Miller, and Tina Rodriguez for their assistance each week, as well as the division directors for their attendance and testimony as required during this session.

As the 87th special legislative session begins next month, we do not anticipate significant agency activity related to the special session, but will remain prepared in the event we need to engage.

**COVID-19 Response**

Mr. Collier stated we continue to see declines in the overall inmate and employee positive COVID-19 cases, with inmate cases well below 100 and employee cases below 200. The sample testing models are continuing to test all units every three weeks, with weekly testing still occurring on the five units with the highest concentration of geriatric inmates. Beginning in July and based on the new CDC guidelines, we will remove mask requirements on our facilities that have a 70% or higher vaccination rate. We officially held our last COVID command call on June 17th, closing our command center after a historic 466 days. We initiated inmate visitation on March 15th and have successfully facilitated more than 66,000 visits since that time. On May 1st, we increased the number of visitors to two, allowing one of the visitors to be a child 13 years or older; beginning July 1st we will allow contact visitation with family for eligible, vaccinated inmates.

Mr. Collier stated sadly, since the last meeting, we lost three staff members to COVID-19: Shantee Brunson-Barnes, certified medication aide for the Crain Unit, passed away on May 20, 2021; Billy Shane Ball, inventory and store specialist at the Wynne Unit, passed away on May 24, 2021; and Mary Martinez, administrative assistant at the Middleton Unit, passed away on May 31, 2021. 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 each paid. We continue to pray for their families and co-workers who still mourn each of these losses and we will honor each of them in our fallen officer service. Additionally, we lost one inmate since the last meeting due to complications from COVID-19. We offer our prayers to the family during this time. Mr. Collier publicly thanked all agency and partner employees and stated each of them has been a true hero throughout this event. As Texans, we are very blessed to have such dedicated servants who, despite the challenges we have seen, still push through and get the job done. We have made good progress on vaccinations; more than 13,000 TDCJ staff members and nearly 66,000 inmates have been vaccinated. We continue to offer the vaccine to any staff member or inmate, and just this week offered vaccines to employee families.
Operation Lone Star

Lastly, Mr. Collier provided an update on Operation Lone Star, launched on March 6, 2021, by Governor Abbott, an initiative aimed at combating the smuggling of drugs and people at the Mexico border. On May 31st, Governor Abbott issued a disaster declaration along the Texas southern border in the response to the border crisis, providing more resources and strategies to combat the ongoing influx of illegal immigrants. The Governor has also directed the Texas Department of Public Safety to enforce all federal and state criminal laws, including criminal trespassing, smuggling, and human trafficking. On June 16th, the governor announced further developments with Operation Lone Star that involve our agency. The TDCJ will assist with the operation in two ways, the first being a financial transaction that moves $250 million dollars from our FY 2023 correctional budget to the governor’s disaster fund. This funding will provide emergency funding to the disaster fund. The TDCJ has been assured in writing that the funding will be restored before it could become an operational issue. Secondly, we have vacated 1,000 beds at our Briscoe Unit in Dilley, Texas, and relocated those inmates to existing vacancies around the system. Staff members and the facility are currently preparing to house up to 1,000 individuals who would be arrested by the Texas Department of Public Safety.

Judge Faith Johnson asked Mr. Collier what percentage of our staff have been vaccinated, to which Mr. Collier replied a little more than one-third.

Mr. Eric Nichols recognized the legislative team for their approach to issues during the legislative session and, on behalf of all the board members, commended all the brave men and women of the TDCJ.

Report from the Chairman, TBCJ

Employee Tributes

Chairman O’Daniel stated that, although the pandemic is coming to an end for many of us, there are still those in hospitals battling the disease, and today we remember three individuals who fought hard, but did not win this earthly battle.

Not many people know their true professional calling early on, but that was not the case for Shantee Brunson-Barnes. Helping others was what she was meant to do, and she embraced it every day as a certified medication aide for UTMB at the Crain Unit. A native of Jackson, Mississippi, Shantee began her career working as a nursing assistant in retirement homes around the area. But she knew there was more that she was capable of, so she studied and received her certification as a pharmacy technician. In 2006, Shantee and her husband Rod moved to Texas. She continued assisting the elderly. Then she got her position as a certified medication aide with UTMB in May 2013 and worked exclusively at the Crain Unit. Her supervisor said that Shantee loved the profession that she chose and was a true advocate for the inmates. She would go leaps and bounds to ensure that they had what they needed. Shantee’s favorite pastime was shopping, and she also loved to show off her beautiful fingernails! She collected angel figurines and was a big fan of the New England Patriots football team. But her true passion was her career and her love for people, which made her a natural for the job she had at the Crain Unit. Shantee Brunson-Barnes, age 41, died from the coronavirus on May 20, 2021.
Billy Shane Ball was a big man with a soft heart for his co-workers and the inmates at the Wynne Unit. One of his co-workers described him as “a teddy bear.” Billy had worked for the TDCJ for only a short time, 16 months as an inventory and store specialist in the food warehouse at the Wynne Unit. But during this time, he had already made friends with many of his co-workers and, if you were lucky enough, you were the recipient of his sarcastic wit. Another co-worker said that Billy truly cared about the people he worked with and the inmates. When he was not at work, Billy competed in powerlifting competitions around the state of Texas where he won several awards. He was also interested in outdoor activities like hunting and fishing and enjoyed reading magazines like Field & Stream and Outdoor Life. Billy was married to his wife Danielle, who also works for the agency, and they have two daughters, Levi and Varra. Their family was looking forward to moving into a new house in June. Billy Shane Ball, age 34, died from the coronavirus on May 24, 2021.

Mary Martinez has been described as a reserved, serious, and dedicated employee of the TDCJ, but she also had a ‘hidden side’ that not many people knew about. It involves a sports car! A 17-year employee of the agency, Mary left an impression on everyone she ever came in contact with over the years. She was an administrative assistant at the Middleton Unit in Abilene. Warden Benny Bundy said, “She was always willing to help out and give an extra hand, if needed.” He added that she had an amazing attitude and didn’t know the meaning of the word “quit.” Prior to her employment with the state, she worked at a children’s nursery in Abilene where one of her former co-workers said, “You didn’t expect to see someone her age and with her demeanor driving a red Pontiac Trans-Am. But there she was, driving a fast car complete with a T-top. She just epitomized the word ‘cool’ when she was behind the wheel.” Mary was a lifelong resident of Abilene and a devout Christian. She attended the Fountain Gate Fellowship Church and rarely missed a service. She loved cooking and spending time with her family. She has a daughter named Melissa and three sons, Ray, Tony, and George. She also has several grandchildren and great-grandchildren. Mary was one of 13 children in her family. Mary Martinez, age 74, died from the coronavirus on May 31, 2021.

While we are getting closer to winning this fight with COVID-19, the virus remains a force to be reckoned with. I ask that you continue to keep the family and friends of those lost to the deadly disease in your thoughts and prayers - and those include the families and friends of inmates who lost a loved one in prison. May all take comfort in the words of 1 Corinthians 2:9, “What no eye has seen, nor ear heard, nor the heart of man imagined, what God has prepared for those who love him.”

The Texas Department of Criminal Justice is in the business of changing lives. As proclaimed in 2 Corinthians 5:17: “The new creation has come: The old has gone, the new is here.” Thousands of employees go to work each day striving to help individuals chart a new course and bring the new self the better self, here. Much of their work is done outside of the public eye. In fact, most people don’t give a second thought to the efforts going on behind the walls and in our communities. My remarks today will highlight four individuals who go above and beyond and are making a difference.

In 1996, a tragedy propelled Delores Billman into action with a higher purpose in her life. Since then, she has healed herself and mentored countless others through the Braille program at the Mountain View Unit in Gatesville. Ms. Billman began working for the Texas Department of Corrections in 1981 as a correctional officer at the Mountain View Unit. Two years later she...
transitioned to work for industry in the Braille program. At that time, Braille was only being reproduced. The inmates were not doing any transcription or tactile. The facility was going through a lot of changes performing other functions besides Braille and it was unknown what would happen to the program’s future. Around this time, Ms. Billman’s son was tragically killed in a vehicle accident. It was then that she turned to the Braille program as a way of finding a higher purpose for her life. She also saw an opportunity to foster a desire in the inmates to help the blind. She began researching and learning how to operate a prison Braille facility, and in January 2000 with the support of the Manufacturing, Agribusiness and Logistics Division, the Braille program began its operations with inmates now actually transcribing books and creating tactile graphics. The facility currently operates with six supervisory positions and 100 inmate positions. Braille has allowed Ms. Billman the opportunity to travel around the country attending conferences, presenting workshops, and networking with the respect to what is now the country’s premiere prison Braille program still located at the Mountain View Unit. One of her greatest sources of pride is attending conferences with transcribers after their release. She gets to hear how these women are able to support themselves, as well as their families, and several of them have gone on to have very successful careers in the Braille profession. With 44 years of dedicated service to the agency, Delores Billman goes to work daily with a joyous heart, changing lives one Braille cell at a time by putting books in the hands of children and adults who are visually impaired.

Some folks make do with what they have while others make do with much less! Montrae Chretien is a prime example of the latter. Montrae began her TDCJ career as a grievance clerk in January 2017, moved to the Human Resources Department in February 2018 as a clerk I, and then promoted to a clerk II in June 2018. In March 2020, she became a human resources assistant and in January of this year, she was promoted to human resources specialist IV. When the COVID-19 pandemic was at its worst, Montrae’s supervisor took a leave of absence for several months to care for her ill husband and that is when she stepped up to run the office without missing a beat! Stiles Unit warden Bryan Williams said, “Mrs. Chretien goes above and beyond to ensure that the Human Resources Department is successful especially during the pandemic. She has worked countless hours to ensure the needs of the staff were taken care of. She is a true asset to the facility.” Montrae continues to shine. Despite being short three employees, she comes to work each day determined to make the next better. And she does this with a smile and positive attitude. Outside of her duties with TDCJ, she’s a very active member of Eastern Star Baptist Church in Port Arthur. She’s on the praise team, helps with the youth department and is also the president of the Women’s Ministry. Unfortunately, because of the pandemic, many of the church’s activities are not in person but through Zoom meetings and text messages. She oversees the church’s ministering to the sick and homebound with meals, water and toiletries delivered to their doorsteps which has been a blessing during the pandemic. Montrae just received her associate degree from a local theology school where she’s been studying the last couple of years and is now working towards her bachelor’s degree. She is married and has a son, Joseph, Jr., who is studying at a local college and a daughter, Markel, who just graduated from high school. She says she loves her job at TDCJ and appreciates the opportunity to help other employees every day through her position in the Human Resources Department.

Correctional officers are known to have their heads on a swivel. This is certainly true for correctional officer Sharon O’Leary. On May 12th, her alertness led to the capture of a wanted fugitive. Officer O’Leary was processing four TDCJ inmates who were being released when she noticed that there was a fifth man sitting nearby on the bench at the Gateway Plaza bus station in
Vidor. Although he had his head down, Officer O’Leary quickly recognized him as Drew Paul, who had been profiled on television newscasts the night before. He had escaped Orange County authorities the day before while being transported from the courthouse to the jail. Officer O’Leary did not bring any attention to herself. Instead, she went on with her business of getting the releasees onto their bus. But she did ask the attendant to call 9-1-1 and tell them there was an escapee at the station. The attentive officer remained nearby making sure that Paul did not get out of her sight. About two minutes later, numerous police and sheriff’s deputies arrived to take Paul into custody, but he ran upstairs to avoid being captured. It was there that he was taken into custody. He’s now back in the Orange County Jail. Officer O’Leary, a 16-year TDCJ employee who started her career at the Clemens Unit, says she doesn’t want any recognition or publicity about what she did because “I was just doing my job” to help. Well, she’s still an inspiration to us all.

Growing up, Mike Jones was the youngest of four children. The age difference between him and his siblings was almost 15 years. So, when the opportunity arose for him to be a “big brother” to young people who have endured severe trauma, physical abuse, homelessness, or being orphaned, he knew it was his opportunity to make a difference. Mike is a technical writer in the Parole Division with more than 26 years of service to the state of Texas. In 2016, he decided he wanted to give back something to his fellow Texans. That is when he enrolled as a Guardian Ad Litem with the Court Appointed Service Advocates (CASA) in Travis County. After undergoing an extensive 12-week training program, Mike became certified and was assigned cases. Mike plays an integral role in helping teenagers who are behind in school or who have learning disabilities. He works diligently to obtain their school records and medical information to help the judicial system better gauge the true status and needs of these children. He also helps them prepare for life as an adult by assisting them in obtaining a Social Security number, a Texas driver license or ID and even birth certificates. These are documents they will need to pursue vocational training and jobs. Mike also volunteers with the Tragedy Assistance Program for Survivors (TAPS) as a photographer for veterans and surviving families of those who have lost a loved one while serving our country in the Armed Services. He attends memorial services for our fallen military personnel, where he photographs the color guard and those in attendance for the families to keep as remembrances of the day. He is also a member of Patriot Guard, a group of motorcyclists who serve as honor guards for our fallen military personnel and first responders who have died in the line of duty. And lastly, while it is not an “official” volunteer function, Mike and his wife, Karen, have adopted several abused rescue horses. They have nursed them back to health and have provided them with a “forever home” on their property near Austin. Mike Jones is a true testament to selflessness and giving back to his community any way he can!

Thank you to these employees and the thousands of others who are on the front lines each and every day. Your service matters and is appreciated.

Report from the Presiding Officer, Judicial Advisory Council

Judge Rebecca Palomo presented on behalf of Judge Rose Guerra Reyna, Judicial Advisory Council (JAC) chair. Judge Palomo stated that the JAC would like to acknowledge the hard work of the 87th Texas legislature and the governor as they allocated the base funding for probation. The past year has been difficult, but it would have been even more difficult moving forward with a 5% reduction to our base. Judge Palomo thanked Mr. Collier, the TBCJ, and the TDCJ.
executive team for their support and work the last several months. Judge Palomo shared that the JAC received a presentation regarding the evolution of discretionary grant funding and learned of the collaborative improvements the agency has made for this process. Due to poor performance, a number of facilities and programs have closed, but those that remain show strong and promising outcomes for the population. Additionally, as a result of evaluations related to COVID-19, creative strategies for supervision have been identified to enhance the system as we move out of the pandemic. The JAC is also monitoring the influx of cases as courts address their backlogs. The JAC stands ready to assist the TBCJ in any way possible. Judge Palomo encouraged the TBCJ and TDCJ to reach out to any member of the JAC for questions and discussions.

**Report from the Presiding Officer,**
**Correctional Managed Health Care Committee**

Dr. Robert Greenberg, MD, an emergency physician for 27 years at Baylor Scott and White Medical Center, presented an overview of the Correctional Managed Health Care Committee. Dr. Greenberg shared that, in the early 1990s, a need was recognized for an improved system of inmate care, both from coordination of care and financial stances, and from that came what is now the Correctional Managed Health Care (CMHC) system for the state of Texas, which is a combination of the TDCJ, UTMB, and Texas Tech. Dr. Greenberg outlined the mission of CMHC, its geographical areas of responsibility, the roles and responsibilities of the different components, organizational relationships, statutory authority and history, current members, a meeting schedule and typical standing agenda items, and a list of joint committees and working groups. He further provided an example of COVID-19 statistics from UTMB, which showed how effectively the medical restriction and isolation process worked during the pandemic, and how Texas and the TDCJ compare to other large correctional systems. Dr. Greenberg thanked everyone for their great job and encouraged everyone to get vaccinated.

**Internal Audit Status Report for Fiscal Years 2020–21**

Chris Cirrito, Internal Audit Division Director, presented three updates to the handout of the June 10, 2021, Internal Audit Division Status Report for Fiscal Years (FY) 2020–21:

- **2105 – License Plate Factory:** Audit is in draft report.
- **2107 – Texas Risk Assessment System Scoring:** Audit is now complete.
- **2114-04 – State Council for Offenders:** Audit is now complete.

Mr. Cirrito also presented one additional project that has been assigned:

- **2104 – Workforce Diversity:** Audit is in background phase.

*(Attachment B – Internal Audit Division Status Report, June 10, 2021)*
Discussion, Consideration, and Possible Action
Regarding Purchases and Contracts over $1 Million

Chairman O’Daniel abstained from taking action on this agenda item due to his firm representing several entities listed.

Ron Steffa, Chief Financial Officer, reviewed the purchases and contracts over $1 million, which had 81 items for consideration and approval. Item 1 is an increase to the FY 2021 contract for outpatient substance abuse services at five locations with Substance Abuse Guidance and Education, LLC. Item 2 is an increase to the FY 2021 contract with the General Land Office for natural gas at 42 units. Items 3 and 4 are increases to the FY 2021 contracts with UTMB and Texas Tech University Health Science Center to provide inmate healthcare. These amounts are consistent with the supplemental funding provided by the legislature during session. Items 5, 6, and 7 are FY 2021 purchases for semi-trucks, buses, and desktop computers. Item 8 is for FY 2022 items for sale in the unit commissaries. Item 9 is an FY 2022 renewal for bulk fuel. Item 10 is for FY 2022 food items for inmate meals. Item 11 is a FY 2022 purchase for cellular telephone equipment and services with AT&T. Item 12 is for FYs 2022–23 and is a renewal of hospital services with Huntsville Memorial Hospital. Item 13 is an FY 2022–23 contract renewal with the Texas General Land Office for delivery of the natural gas. Items 14-20 are FY 2022–23 renewals for the operations and management of our seven privately operated correctional centers. Items 21-35 are renewals to the contracts with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI), which provides statewide mental health services for parolees with special needs. Item 36 is an FY 2022–23 renewal with the Texas Health and Human Services Commission, and is a transfer of funds for the state Medicaid match for the services they provide through the TCOOMMI for these releasees. Item 37 is an FY 2022–23 contract renewal with the Texas Health and Human Services Commission that covers reimbursement for the medications provided to the inmates post-release. Items 38-49 are FY 2022–23 contract renewals to provide substance abuse treatment services on 12 units. Items 50-73 are FY 2022–23 renewals for residential and outpatient substance abuse treatment services statewide for services to inmates released from the substance abuse felony punishment facility in the prison therapeutic community and also referrals to the substance abuse counseling program. Item 74 is an FY 2022–23 renewal for the operations and management of the Lindsey State Jail with the Management & Training Corporation. Item 75 is an FY 2022–23 renewal for the operations and management of the Willacy State Jail with LaSalle Corrections. Items 76-79 are FY 2022–23 renewals for the state jail substance abuse and DWI programs at four locations. Item 80 is the FY 2022–23 renewal for the DWI program at the Hamilton Unit. Item 81 is the FY 2022–23 renewal for substance abuse treatment and aftercare services with the Dallas community supervision and corrections department.

Derrelynn Perryman noted how impressive it is to see the investment the TDCJ makes in substance abuse treatment.

Chairman O’Daniel asked for any questions, comments, or abstentions. Hearing none, he called for a motion and a second.
Derrelynn Perryman moved that the Texas Board of Criminal Justice approve the purchases and contracts over $1 million as presented.

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

Discussion, Consideration, and Possible Action
Regarding Proposed Renaming of TDCJ Facilities

Chairman O’Daniel proposed the following regarding the renaming of three facilities: the Eastham Unit to the J. Dale Wainwright Unit, in recognition of the former chairman of the Texas Board of Criminal Justice; the Tulia Unit to the Thomas R. Mechler Unit, in recognition of the former TBCJ board member; and the Beauford H. Jester IV Unit to the Wayne Scott Unit, named for the former executive director of the Texas Department of Criminal Justice.

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

Pastor Larry Miles moved that the Texas Board of Criminal Justice approve the recommendation to rename the Eastham Unit in Houston County, Lovelady, Texas, the J. Dale Wainwright Unit; the Tulia Unit in Swisher County, Tulia, Texas to the Thomas R. Mechler Unit; and the Beauford H. Jester IV Unit in Fort Bend County, Richmond, Texas to the Wayne Scott Unit.

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

Discussion, Consideration, and Possible Action
Regarding Proposed Land Transaction

Request for Renewal of Electrical and Cathodic Protection Easements at the Ramsey Unit, in Brazoria County, Rosharon, Texas

Billy Hirsch, Director of the Manufacturing, Agribusiness and Logistics Division, presented the request for renewal of electrical and cathodic protection easements at the Ramsey Unit in Brazoria County, Rosharon, Texas. Phillips 66 Carrier LLC is requesting a second renewal of the two easements. One is an electrical easement, which is 35.27 feet long by 20 feet wide; the other is a cathodic protection easement, which includes an area of approximately 375 square feet. Mr. Hirsch noted that the easements are in the central eastern portion of the property where the Ramsey, Terrell, and Stringfellow units are co-located. Phillips 66 Carrier LLC has agreed to pay $1,000 and $2,000 respectively for the easement renewals with a 10-year term. These easements were originally granted in 2001, and renewed in 2011. He stated the request includes indemnification language as the grantee’s responsibility, the most-favored nation clause, and additional insurance in the amount of $3,000,000. Mr. Hirsch recommended the TBCJ approve the request.
Chairman O’Daniel abstained from taking action on this agenda item.

E.F. “Mano” DeAyala moved that the Texas Board of Criminal Justice approve the request for renewal of electrical and cathodic protection easements at the Ramsey Unit in Brazoria County, Rosharon, Texas, as presented.

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

**Discussion, Consideration, and Possible Action**  
**Regarding Facilities Division Construction Projects**

1. **Request to Replace Structural Floor & Plumbing System of B Building at the Clemens Unit in Brazoria County, Brazoria, Texas**

Cody Ginsel, Director of the Facilities Division, presented a new project for consideration requesting board approval to replace the structural floor and plumbing system in B building, wings C and D, at the Clemens Unit located in Brazoria County, Brazoria, Texas. Mr. Ginsel asked that the board approve the total cost of $3,841,400.

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

Judge Molly Francis moved that the Texas Board of Criminal Justice approve the request to replace the structural floor and plumbing system at the Clemens Unit located in Brazoria County, Brazoria, Texas, as presented.

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

2. **Request to Install New Sludge Dewatering Press at the Coffield Unit in Anderson County, Tennessee Colony, Texas**

Mr. Ginsel presented a new project for consideration requesting board approval to install a new sludge dewatering press for the wastewater treatment plant at the Coffield Unit located in Anderson County, Tennessee Colony, Texas. Mr. Ginsel asked that the board approve the total cost of $1,033,800.

Chairman O’Daniel asked if there were any abstentions, 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 the request to install a new sludge dewatering press for the wastewater treatment plant at the Coffield Unit in Anderson County, Tennessee Colony, Texas, as presented.

Eric Nichols seconded the motion, which unanimously passed when called to a vote.
3. Request for Roof Replacement of the Reception Building at the Crain Unit in Coryell County, Gatesville, Texas

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

Mr. Ginsel presented a new project for consideration requesting board approval to replace the roof of the reception building at the Crain Unit located in Coryell County, Gatesville, Texas. Mr. Ginsel asked that the board approve the total cost of $4,158,400.

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

Sichan Siv moved that the Texas Board of Criminal Justice approve the request to replace the roof of the reception building at the Crain Unit located in Coryell County, Gatesville, Texas, as presented.

Judge Molly Francis seconded the motion, which unanimously passed when called to a vote.

4. Request to Repair and Replace the Building Structure of the Boiler Room at the Darrington Unit in Brazoria County, Rosharon, Texas

Mr. Ginsel presented a new project for consideration requesting board approval to repair and replace the building structure of the boiler room at the Darrington Unit located in Brazoria County, Rosharon, Texas. Mr. Ginsel asked that the board approve the total cost of $3,649,200.

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

Eric Nichols moved that the Texas Board of Criminal Justice approve the request to repair and replace the building structure of the boiler room at the Darrington Unit located in Brazoria County, Rosharon, Texas, as presented.

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

5. Request to Construct a Water Well and Transmission Line at the Ferguson Unit in Madison County, Midway, Texas

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

Mr. Ginsel presented a new project for consideration requesting board approval to construct a water well and transmission line at the Ferguson Unit located in Madison County, Midway, Texas. Mr. Ginsel asked that the board approve the total cost of $2,693,700.

Chairman O’Daniel asked if there were any abstentions, 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 the request to construct a water well and transmission line at the Ferguson Unit located in Madison County, Midway, Texas, as presented.

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

6. Request to Replace Locking System at the Gist Unit in Jefferson County, Beaumont, Texas

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

Mr. Ginsel presented a new project for consideration requesting board approval to replace the locking system in multiple locations at the Gist Unit located in Jefferson County, Beaumont, Texas. Mr. Ginsel asked that the board approve the total cost of $2,011,500.

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

Derrelynn Perryman moved that the Texas Board of Criminal Justice approve the request to replace the locking system in multiple locations at the Gist Unit located in Jefferson County, Beaumont, Texas, as presented.

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

7. Request to Resurface Perimeter Road at the Henley Unit in Liberty County, Dayton, Texas

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

Mr. Ginsel presented the final new project for consideration requesting board approval to resurface the perimeter road at the Henley Unit located in Liberty County, Dayton, Texas. Mr. Ginsel asked that the board approve the total cost of $1,795,100.

Chairman O’Daniel asked if there were any abstentions, 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 the request to resurface the perimeter road at the Henley Unit located in Liberty County, Dayton, Texas, as presented.

Derrelynn Perryman seconded the motion, which unanimously passed when called to a vote.
Discussion, Consideration, and Possible Action Regarding Proposed Amendments to Board Rule Title 37 Texas Administrative Code

Section 151.55, “Disposal of Surplus Agricultural Goods and Agricultural Personal Property”

Kristen Worman, TDCJ General Counsel, presented the proposed amendments to Board Rule 151.55, “Disposal of Surplus Agricultural Goods and Agricultural Personal Property.” She stated the proposed amendments include updating the division name to Manufacturing, Agribusiness and Logistics, and grammatical and formatting updates.

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

Pastor Larry Miles moved that the Texas Board of Criminal Justice approve for publication in the Texas Register the proposed amendments to Board Rule Title 37 Texas Administrative Code section 151.55, regarding Disposal of Surplus Agricultural Goods and Agricultural Personal Property, to receive public comment, as presented.

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

Discussion, Consideration, and Possible Action Regarding Adoption of Amendments to Board Rule Title 37 Texas Administrative Code

Sections 154.1-.2 and 154.4-.9, “Private Sector Prison Industries Programs”

Ms. Worman requested the adoption of amendments to Board Rule 154.1-.2 and 154.4-.9, “Private Sector Prison Industries Programs.” The amendments include minor word changes, clarifications, and organizational changes; no public comments were received. Ms. Worman asked the board to move forward with final adoption of the rule.

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

Chairman O’Daniel moved that the Texas Board of Criminal Justice adopt amendments to Board Rule Title 37 Texas Administrative Code Sections 154.1-.2 and 154.4-.9, regarding Private Sector Prison Industries Programs, as published in the Texas Register, and stated that he would sign the order to this effect.

Dr. Burrow seconded the motion, which unanimously passed when called to a vote.
Discussion, Consideration, and Possible Action Regarding Proposed New Board Policy 01.08, “Independent Ombudsman Policy Statement”

Ms. Worman brought before the board a new board policy that will govern the Office of the Independent Ombudsman (OIO). One speaker registration card was received on this subject; at this time, the chairman recognized Ms. Jennifer Erschabek.

Ms. Erschabek introduced herself as the executive director of the Texas Inmate Families Association and stated that she has been involved with the TDCJ through her organization for almost 20 years. Ms. Erschabek expressed concern that the OIO is not sufficiently independent of the TDCJ. She further stated that the requirement that incarcerated people must exhaust the grievance process is not workable, as it can take months and does not provide the OIO the ability to consider emergency issues. She recommended a review of the American Bar Association’s policy on correctional oversight as a tool to further develop the new board policy. She respectfully requested a delay in the adoption of the policy and the development of a working group that would provide input.

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

*Judge Faith Johnson made a motion that the TBCJ approve the proposed new Board Policy 01.08, Independent Ombudsman Policy Statement, as presented.*

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

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

Ms. Worman presented the proposed revisions to BP-03.91, “Uniform Offender Correspondence Rules.” She stated the revisions to the policy include revised definitions of media correspondent, sexually explicit image, and special correspondence; Section I.B.4 has also been revised to add language that an inmate serving a sentence for which registration as a sex offender is required is prohibited from placing an advertisement soliciting a pen pal on an Internet website operated for that purpose, regardless of whether another person submits or pays for the advertisement for the inmate; Section I.C has been revised to add language that the mailroom supervisor, in coordination with the unit warden, may approve more than 10 photos per envelope; Section I.C.4 has been revised to add language that would allow greeting cards from general correspondents if postmarked during specific timeframes throughout the year, cards are not required to be of a certain theme, and only one card per envelope is permitted; and Section 11 was revised to add language that any correspondence containing a photo that conceals or hides the face of the individual photographed in a manner that prevents identification of that individual will be denied. She recommended the TBCJ approve the revisions.

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 03.91, “Uniform Offender Correspondence Rules,” as presented.

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

Chairman O’Daniel thanked everyone for attending the meeting and announced that the next meeting of the Texas Board of Criminal Justice will be Friday, August 27, 2021, in Austin, Texas.

Adjournment

There being no further business, Chairman O’Daniel adjourned the 217th meeting of the Texas Board of Criminal Justice at 11:23 a.m.