Texas Board of Criminal Justice
218th Meeting

Minutes

August 27, 2021
Austin, Texas
Call to Order

Convene Texas Board of Criminal Justice (TBCJ) Meeting

I. Regular Session- Capitol Ballroom D

A. Recognitions

B. Consideration of Approval of Consent Items (Pages 1–5)
   1. Hazardous Duty Pay Authorization Requests
   2. Personal Property Donations
   3. 217th 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, Texas Correctional Office on Offenders with Medical or Mental Impairments

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

H. Discussion, Consideration, and Possible Action Regarding the Proposed Fiscal Year 2022 Annual Audit Plan

I. Discussion, Consideration, and Possible Action Regarding Purchases and Contracts Over $1 Million (Page 6)

J. Discussion, Consideration, and Possible Action Regarding the TDCJ Fiscal Year 2022 Proposed Operating Budget
K. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policies (Pages 7–30)
   1. 03.81, “Rules Governing Offender Access to the Courts, Counsel, and Public Officials”
   2. 13.69, “State Counsel for Offenders”

L. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Personnel Directives (Pages 31–105)
   1. PD-13, “Sexual Harassment and Discourteous Conduct of a Sexual Nature”
   2. PD-29, “Sexual Misconduct with Offenders”
   3. PD-31, “Discrimination in the Workplace”
   4. PD-72, “Employee Salary Administration”

M. Discussion, Consideration, and Possible Action Regarding Proposed Amendments to Board Rule Title 37 Texas Administrative Code Section 151.3, “TBCJ Operating Policies” (Pages 106–110)

N. Discussion, Consideration, and Possible Action Regarding Proposed New Board Rule Title 37 Texas Administrative Code Section 151.53, “Family Leave Pool” (Pages 111–112)

O. Discussion, Consideration, and Possible Action Regarding Land Transactions (Pages 113–122)
   1. Request to Transfer 28.157 acres at the Halbert Unit in Burnet County, Burnet, Texas
   2. Request to Transfer 288.8 acres at the Sayle Unit in Stephens County, Breckenridge, Texas
   3. Request for Renewal of a Surface Lease at the Wainwright Unit in Houston County, Lovelady, Texas
   4. Request for Renewal of a Pipeline Easement at the Stiles Unit in Jefferson County, Beaumont, Texas
   5. Request for Renewal of Surface Lease at the Wallace Unit in Mitchell County, Colorado City, Texas

P. Public Comments

Recess

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

II. Executive Session – Bonnell Room

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 TBCJ may discuss and/or take action on any of the items posted on this meeting agenda.
The Texas Board of Criminal Justice convened on Friday, August 27, 2021, in regular session at 11:07 a.m. in Capitol Ballroom D at the Sheraton Austin Hotel at the Capitol, Austin, Texas, recessed at 1:09 p.m., reconvened in executive session at 1:39 p.m., and adjourned at 2:58 p.m.

**TBCJ MEMBERS PRESENT:**
- Patrick L. 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
- Oscar Mendoza, Deputy Executive Director
- Jason Clark, Chief of Staff
- Andy Barbee
- Kate Blifford
- Chris Carter
- Jeremy Desel
- Patty Garcia
- Cody Ginsel
- Jennifer Gonzales

**TBCJ STAFF PRESENT:**
- Chris Cirrito
- Jill Durst
- Cris Love
- Cassandra McGilbra
- Brian Patrick

**OTHERS PRESENT:**
- Hon. Robb Catalano
- Stephanie Coleman
- Hon. Rebecca Palomo
- Chase Coleman
- Hon. Dale Wainwright

Convene the Texas Board of Criminal Justice

Chairman Patrick L. O’Daniel convened the 218th meeting of the Texas Board of Criminal Justice (TBCJ) on Friday, August 27, 2021, at 11:07 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.” No speaker registration cards were received for public comment prior to the deadline.

**Recognitions**

Chairman O’Daniel recognized Justice Dale Wainwright, who was appointed Board Chairman by Governor Greg Abbott in August 2015. Chairman O’Daniel highlighted the education and career background of Justice Wainwright and the achievements made by the agency during Justice Wainwright’s tenure as Board Chairman. Chairman O’Daniel thanked Justice Wainwright for his service and gave him an opportunity to speak.

Justice Wainwright stated that it was an honor to work with the men and women of the Department and Windham School District and he was proud of all that was accomplished for the state of Texas, specifically referencing safety, rehabilitation, education, and vocational training. He relayed that he is incredibly proud of the leadership of executive directors Brad Livingston and Bryan Collier for their vision and mission, which is outstanding public service. He expressed appreciation for the opportunity to work with superintendents Dr. Clint Carpenter and Kristina Hartman, and all the Windham staff. He thanked the Board for their service, for recognizing his contributions to the Department’s history, and for naming the former Eastham Unit the J. Dale Wainwright Unit.

Following photos and gift presentations, Chairman O’Daniel allowed time for additional comments. Pastor Miles stated it was an honor to serve under him and noted that his legacy will include that he initiated the practice of opening board meetings with a word of prayer. Judge Johnson expressed her appreciation for Justice Wainwright. Mr. DeAyala thanked him for his service, which he provided not only to this agency, but to the state of Texas, and thanked Justice Wainwright for being the example he is. Ms. Perryman stated it was an honor to work with him and to continue to see the great things he is doing. Mr. Collier, on behalf of the Texas Department of Criminal Justice (TDCJ), the employees, and the leadership team, expressed that it was an honor and thanked Justice Wainwright for his leadership and friendship. Justice Wainwright responded that it was his privilege and thanked the Board for inviting him back and for the humble recognition.

April Zamora, TDCJ Reentry and Integration Division Director, introduced Angela Shepherd as the new Reentry and Integration Deputy Division Director, and highlighted her background.

Chairman O’Daniel recognized the TDCJ employees who have dedicated 25, 30, 35, 40, 45, and 50 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 July and August 2021, 75 employees attained 25 years of service, 27 employees attained 30 years of service, eight employees attained 35 years of service, two employees attained 40 years of service, two employees attained 45 years of service, and two employees attained 50 years of service. The chairman stated he would like to individually recognize the employees that have attained over 40 years of service for their dedication.
Chairman O’Daniel recognized Roach Unit Warehouse Supervisor Jerrell Woodson and outlined his career that began in 1976 at the Ramsey Unit.

Chairman O’Daniel recognized Wynne Freight Transportation Equipment Operator Elvin Young and outlined his career that began in 1980 at the Central Unit.

Chairman O’Daniel recognized Huntsville Unit Correctional Officer Doris Cooper and outlined her career that began in 1973 at the Goree Unit.

Chairman O’Daniel recognized Powledge Unit Correctional Officer Charles Slater and outlined his career that began in 1978 at the Coffield Unit.

Chairman O’Daniel recognized Region V Director’s Office Program Supervisor Leroy Hinton and outlined his career that began in 1971.

Chairman O’Daniel recognized Wynne Unit Correctional Officer Willie Adamson and outlined his career that began in 1970.

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

Consideration of Approval of Consent Items

1. Hazardous Duty Pay Authorization Requests
2. Personal Property Donations
3. 217th 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

Correctional Officer Staffing

Bryan Collier, TDCJ Executive Director, stated correctional officer staffing remains the agency’s most significant operational issue. The agency has continued to maintain and enhance advertising campaigns and the number of correctional officer applications has increased in the past 60 days. The monthly average number of applications from June to August increased to 1,369, up from 833 in May. A new initiative is the warden’s direct-hire program, which allows unit-based hiring to be facilitated through unit wardens. This empowers the warden to identify, interview, and offer the candidate the job. Once hired, the employee can immediately begin an orientation at the unit while they await their academy start date. Beginning September 1st, the maximum-security unit pay differential, which provides a 3% increase for officers working on a maximum-security unit, will be implemented. The correctional officer hiring bonus will be
eliminated, as research indicates it is not resulting in higher retention outcomes. In addition to the 3% maximum-security unit pay differential, steps have been added to the correctional officer career ladder that will increase pay upon academy graduation, after the first six months, and again after the first 12 months. These increases are expected to have a more direct impact on staff retention than the hiring bonus provided.

A new mobile team concept is being piloted which will allow each region to hire teams of officers that can be deployed to any location to assist understaffed units. After serving on the mobile team for one year, the officer can have their choice of unit assignment. A retention specialist pilot is also being implemented, placing non-uniformed retention specialists on 12 units with the highest turnover rates. These staff will work closely with unit wardens and central recruiting and retention staff to improve retention on the pilot units. Mr. Collier stated the agency will remain focused on correctional officer recruiting and retention as the top priority, and will continue to provide updates on the progress.

**Operation Lone Star**

TDCJ staff continue to support Operation Lone Star in three primary areas. The Briscoe Unit now houses nearly 500 confinees. The agency has assisted in facilitating Zoom court proceedings; Zoom, live, and telephonic attorney visits; and other services to meet the needs of this population. The Segovia Unit in Edinburg is being prepared to serve as a second confinee housing unit, as the current volume would indicate that beds beyond those at the Briscoe Unit will be needed. TDCJ staff are also assisting Operation Lone Star in the processing center in Del Rio, Texas at the Val Verde County Jail where individuals arrested by the Texas Department of Public Safety in Operation Lone Star are seen before a magistrate and processed prior to being transferred to the Briscoe Unit. Lastly, TDCJ transportation staff are providing the transportation resources for daily transfers from the Val Verde County Jail to the Briscoe Unit. Mr. Collier thanked Jason Clark, Bobby Lumpkin, Cody Ginsel, and Marvin Dunbar for the work of their teams on Operation Lone Star.

**COVID-19 Response**

Mr. Collier stated that although there has been an uptick in COVID-19 cases over the past few weeks, agency numbers continue to reflect low rates as compared to local community numbers. Unit testing protocols are being continued, and administrative locations are being tested weekly. There are now 16 units with 70% or higher vaccination rates and protocols have been relaxed at those locations without issues. Vaccination campaigns for staff and inmates have continued. Over 14,000 staff and nearly 80,000 inmates have received the vaccine. The agency will begin offering the booster vaccine for populations with compromised immune systems.

Mr. Collier reported the loss of five employees to COVID-19 since the last board meeting. Daniel Giorgi, Correctional Officer at the Dominguez Unit; Suchada Nordell, Dental Assistant at the Robertson Unit; Whitney Poindexter, Count Room Clerk at the Duncan Unit; VaShunna Jefferson, Employment Manager at Human Resources Headquarters; and Joe Olivares, Sergeant of Correctional Officers at the Connally Unit. Mr. Collier stated 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. We have also lost two inmates since the last board meeting due
to COVID-19. We offer our prayers to their families during this time. He thanked Chairman O’Daniel and the board members for their continued support of the agency and staff during these times.

**Report from the Chairman, TBCJ**

**Employee Tributes**

Chairman O’Daniel stated it is with a heavy heart that he is again paying tribute to those lost to this terrible virus. Though it appeared we were on the downward trajectory, unfortunately the virus and its new strains continue to impact communities across this state. Today we will honor five individuals who played important roles in the agency. They were truly selfless and cared deeply about those around them. Each was unique; each will leave a void that is hard to fill.

Daniel Giorgi began his TDCJ career as a Chaplain at the Retrieve Unit in 2018 after retiring from the United States Air Force as a Chaplain for 21 years. Daniel was a man of deep faith; he felt the calling to serve as a correctional officer and was assigned to the Dominguez Unit in San Antonio. He was a true professional and embodied what it meant to be a public servant, was proud to wear the uniform, and spoke with high regard for the agency. Region IV Director Joel Gauna stated that Daniel loved helping people and was the example of a servant leader. He met each challenge with a smile and always had encouraging words for his coworkers and those he encountered. He was willing to help anyone who asked for help and was instrumental in guiding the newly assigned officers to the unit. Daniel displayed a willingness to support anyone in need, whether emotionally or spiritually. He was compassionate and understanding to the inmate population and a true role model to them. Daniel was a devoted family man and father; he met his wife, Karen, when he was 23 years old and the two have been happily married ever since. He and Karen have three children, Elijah, Johnathan, and Angelina. Officer Giorgi’s absence will be felt on many facilities, and we will always remember his smile and his laugh. He will be greatly missed. Daniel Giorgi, age 55, died from the coronavirus on July 25, 2021.

Suchada Nordell, known to her friends as Sue, had been a Dental Assistant at the French Robertson Unit since May 2013. Sue loved what she did. She always had a smile on her face and was willing to help anyone she could. Her Thailand roots afforded her some pretty incredible recipes that were enjoyed by her co-workers during birthday celebrations. She loved to travel and, as a wife of a military man, she traveled all over the world. She was quick to share her adventures with anyone and offer advice on the best place to eat. She loved gardening and would swap plants with other garden enthusiasts. Co-worker Virginia Simmons said, “For nine years she filled the Robertson dental clinic with singing, beautiful plants, amazing Thai food, colorful décor, and laughter. Words cannot fully express how much she will be missed. She was lovely.” Sue was married to her husband, Larry Nordell, and was the proud fur momma of two shih tzu and treated them like royalty. She will be greatly missed by her co-workers, friends, and family. Suchada Nordell, age 62, died from the coronavirus on August 1, 2021.

Whitney Poindexter had been a Count Room Clerk at the Duncan Unit in Diboll since November 2019. She enjoyed reading, writing poetry, and photography. She loved being at the lake and beach and enjoyed collecting sea glass and seashells. She loved her family and her fur babies. “Whitney or ‘Whit’ as known to her friends,” said Region II Director Garth Parker, “was an
amazing individual and always had a smile on her face. She was a friend to all and had a huge heart to help anyone she could. Whit had a great personality and was a dedicated employee of the TDCJ and the Rufus Duncan Unit. Whit will be greatly missed by all who knew her. My thoughts and prayers go out to her family and the Duncan Unit family.” Whitney Poindexter, age 46, died from the coronavirus on August 17, 2021.

VaShunna Jefferson began her career with the TDCJ in September 1993. She spent her entire career in the Human Resources (HR) Division, promoting through the years to a Manager II. “To her TDCJ family we knew VaShunna Jefferson as simply V,” said TDCJ Executive Director Bryan Collier. “V was a leader, mentor, light in the dark in people’s times of need, but most of all she was a friend. She had a heart of gold and would do anything for someone in need. The TDCJ family mourns with her husband and two children. V will always be remembered.”

“VaShunna was a one-of-a-kind true leader within the HR Division,” said Human Resources Division Director Patty Garcia. “V worked closely with so many agency officials, including division directors, on so many HR matters. Many times, the requests were urgent and would seem impossible to get done, but to VaShunna nothing was impossible. This agency will not be the same without her; I just hope we can keep her memory alive and follow in her footsteps to be the type of person she was to so many.” VaShunna was married to her husband, Wilber, and they have two children, son, Bryce, and daughter, Niara. She will be greatly missed by her co-workers, friends, and family. VaShunna Jefferson, age 48, died from the coronavirus on August 17, 2021.

With over seven years of service to the agency, Sergeant Joe Olivares was an officer whom everyone at the Connally Unit knew they could depend on in either a time of crisis or during the easier times. He was the epitome of a team player. Sergeant Olivares was highly respected by everyone at the Connally Unit. Warden Phonso Rayford said, “He was a hard worker, respected by all and always had something positive to say.” He added that Sergeant Olivares was a valuable member of the Connally team and that he had provided unwavering service. Any conversation with Sergeant Olivares seldom did not include him mentioning his children. Angela, age 18; Xavier, age 14; and Kamila, age 11, were the loves of his life. When he wasn’t spending time with his family, Sergeant Olivares enjoyed playing his guitar and singing. He also loved to barbecue for his family and friends, and fishing was another one of his favorite activities. Sergeant Olivares, age 50, died from the coronavirus on August 18, 2021.

Let us keep these agency staff in our thoughts and prayers, along with their families and the families of both TDCJ employees and inmates who have also lost a loved one.

It is that time in the meeting when I get to highlight some of the hard-working men and women in TDCJ who make the organization outstanding. These individuals exemplify the agency’s core values of courage, commitment, perseverance, and integrity. It is my honor to spend a few minutes telling you about them.

Our children are our most precious resource and Yessica Nunez has done and continues to do so much for them, both as an agency employee and a volunteer in her community. Yessica is a Research Specialist V in the Community Justice Assistance Division and is based in Austin. She assists with the Battering Intervention and Prevention Program which teaches batterers how to recognize abuse, become accountable, and change their violent behaviors. A graduate of the University of Houston in biochemistry and biology, Yessica felt a calling to serve and help her community with her research skills through the criminal justice system. She says being raised by
a single parent gave her the opportunities she’s had in life to pursue her own dreams and aspirations. One of four children, Yessica and her family lived in Nuevo Laredo, Mexico before moving to Laredo, Texas when she was 11 years old. Yessica has also volunteered for the past three years with Court Appointed Special Advocates for Children as a voice for youngsters in the foster care system. Her bilingual skills in English and Spanish have helped numerous children. But it’s her 15 years of volunteerism with the Make-A-Wish Foundation that has given her the greatest satisfaction over the years. She previously volunteered with the Gulf Coast chapter while working at M.D. Anderson Cancer Center where she brought smiles to the faces of many terminally ill patients. As a bilingual volunteer, she sometimes assisted with more than 50 cases in one week! She now volunteers with the Austin chapter of Make-A-Wish in granting the wishes of youngsters who might not otherwise have the chance to see their dreams come true. As a result of her efforts, over 200 children with leukemia, juvenile pancreatic cancer, and other critical illnesses have seen their wishes come true.

Our TDCJ family has been dramatically impacted by COVID-19 this past year. Families have been robbed of loved ones and this agency has lost outstanding employees. Each loss has been painful for those carrying their memories. Many times, those dealing with grief just need a person to listen. For TDCJ, that person is Janice Sager. A program specialist in the Victim Services Division, Janice came to work for the agency in April 2008 in a position where she would review Penitentiary Packets for Victim Impact Statements. She transitioned to her current position in 2011. She currently assists crime victims in death penalty and execution cases. She helps all crime victims with services that they may need including updates on an inmate’s status and provides assistance in crime victim compensation. She also accompanies crime victims to Parole Board meetings, although this past year it has been via Zoom meetings. Janice also reviews the daily Emergency Action Center reports for any information about staff assaults. When she sees one, she contacts that unit to get the employee’s name and contact information. Then she sends them a letter with information about the Crime Victims’ Compensation Program and offers them any assistance they may need and also includes a brochure called “Victims’ Rights and Services for TDCJ Staff.”

By way of personal experience, Janice became involved in crime victim advocacy in 1991. She began volunteering with Parents of Murdered Children and founded the non-profit advocacy group Texans for Equal Justice. This group speaks for crime victims and provides educational scholarships for survivors of homicide victims. This past year, the coronavirus pandemic presented new challenges for Janice. She was tasked with reaching out to the next of kin of agency employees who died from COVID-19 to let them know that the agency is there to help during their time of grief. She let the families know that grief resources are available to both adults and children. And she also provided them with materials to help them recognize the physical and emotional trauma of losing a loved one. Victim Services Deputy Director Mary McCaffity said, “It is our honor and privilege at the Victim Services Division to assist the surviving family members of line of duty and employee deaths due to COVID-19.” She added, “Janice Sager has been instrumental in coordinating the response efforts by our team, ensuring that each family is connected to resources and is supported through their loss. We greatly appreciate her dedication and service to her colleagues and the agency.” Janice says this past year has set a precedent. In her line of her work, she says she’s used to dealing with people who have lost a loved one. But it’s so sad to know that so many of our co-workers and their families have been impacted by the virus. By helping others through their time of grief, she says it helps her, too.

This past year’s pandemic has seen some incredible examples of the human spirit around the agency, as we fought to fend off this deadly disease. One of those cases is Peyton Randolph, a
Systems Administrator in the agency’s Information Technology Department in Huntsville. Peyton is a volunteer with the Walker County Emergency Reaction Team, a group that assists our first responders in times of crisis. He has worked with similar teams around the state as a member of the Texas State Guard. During the pandemic, many of the team’s older volunteers had to step aside for their health and well-being. That’s when Peyton and other volunteers stepped in to fill the void. One of his duties with the team involved coordinating the drive-through COVID-19 testing and vaccinations at the Walker County Fairgrounds. During one event, nearly 300 cars came through and Peyton says his Fitbit recorded him walking eight miles through the fairground parking lot! In September 2017, Peyton helped with emergency housing for Hurricane Harvey refugees at the George R. Brown Convention Center in Houston. Nearly 11,000 people were housed in the facility for almost a month. As a volunteer, Peyton made sure that each person was cared for each day with food, water, bedding, and sanitation needs. During the arctic blast that enveloped Texas in February of this year, Peyton volunteered with Operation Barbecue Relief. The volunteer group made sure that thousands of Houstonians were fed when their power went out and they were unable to cook or find open restaurants. Peyton and other volunteers served over 3,000 meals to folks who drove up in their cars at Northwest Mall. One of about 200 volunteers, Peyton made sure that each styrofoam container had a healthy serving of food in it. One other duty that Peyton took upon himself is the daily raising and lowering of the American and Texas flags at the Information Technology building in Huntsville, across the street from the Huntsville Unit. He arrives each weekday morning around 7:15 and then finds a co-worker to help him with unfurling the flags to raise. And at the end of the day, he does the same thing except he meticulously folds each flag correctly. Peyton is a sixth generation Texan who can trace his family lineage to a cousin who fought at the Alamo! He and his wife moved to Huntsville after he had served in the United States Army. Peyton says he gets a great deal of satisfaction helping out in the community whenever he can, but he doesn’t seek any special recognition for what he does.

Perseverance is one of the agency’s core values and this past year has seen many employees faced with challenges that have tested it. One of them is Wayne Ruschel, who is an Engineer V in the Facilities Division. In February 2021, Wayne had dinner with a friend. Several days later, Wayne began having flu-like symptoms. He had a tele-visit with his doctor who urged him to go to the Emergency Room because he had pre-existing conditions that made him more susceptible to the coronavirus. Once there, he tested positive for the coronavirus and was admitted. His symptoms then got worse. He was placed in the Intensive Care Unit and was put on life-support; he then lapsed into a coma for 11 days. The hospital staff told his family that he probably would not survive. A relative would call at the beginning of each shift to get an update on his condition so that they could notify their ‘prayer warriors’ of Wayne’s condition. Wayne persevered and survived COVID-19, but not without some challenges. He lost 40 pounds. He went to a rehab facility where he learned to walk again. He also had to regain the ability to eat. Despite the long odds, Wayne beat the virus. When the doctors gave him the go ahead, Wayne wanted to get back to work. Facilities Deputy Director David Sweetin said, “The Facilities Division is extremely proud of our staff and their accomplishments, and Mr. Ruschel is another addition to the pride of our team.” He added this about Wayne: “His perseverance through adversity and determined spirit is exemplary of the integrity of a true professional.” Wayne attributes his perseverance over COVID-19 to his faith in God. He said he had to overcome the physical and mental challenges the virus presented to him but that it wasn’t difficult because of his faith. Wayne says he also feels that he has a stronger purpose in life to use his time on the right priorities. He stresses that he’s “working to live, not living to work.” Wayne has two grown daughters and a
grandson. He enjoys cooking and building things. He’s also a member of University Heights Baptist Church in Huntsville where he leads a Bible study class.

These four individuals are just a small snapshot of the thousands of employees who are out there making a difference not only in their workplace but also their community. Thank you for allowing me to highlight some of them today.

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 courts across the state have increased the workflow of their dockets. As more courts are increasing dockets, more probation placements, early terminations, and dismissals can be expected. The JAC will continue to monitor these trends and assist the community supervision and corrections departments (CSCDs) as needed.

Judge Palomo indicated that a current area of concern centers around bond cases. Not all probation departments supervise bond cases; however, for the majority that do, these cases have significantly increased around the state. The surge of bond cases has created a situation where some departments are supervising more bond cases than felony and misdemeanor cases. Bond cases are not funded by the state, and most often are not funded by the counties. This puts a huge strain on the probation department because when a personal recognizance bond is revoked to a surety bond, the case goes to the probation department. Probation departments must rely on fee collections to sustain bond cases and this will not remain a viable option moving forward. With the increasing bond numbers across the state, departments are not able to manage this responsibility with existing resources. The JAC supports legislative change which recognizes the counties’ responsibilities for these cases and their support of the probation departments, which in turn supervise these types of cases.

At the most recent JAC meeting, the TDCJ Community Justice Assistance Division (CJAD) provided an orientation to the JAC members. The presentation by CJAD included grant funding awarded for the probation departments for the upcoming fiscal year. Judge Palomo stated it will be rewarding to see the work the probation departments do with these grants and the positive outcome this has on the defendants and communities.

In September, the JAC will meet with the Probation Advisory Committee and CSCD directors from across the state in conjunction with the Chiefs’ Leadership Conference. 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,
Texas Correctional Office on Offenders with Medical or Mental Impairments

Judge Robb Catalano, presiding judge of Criminal District Court No. 3 in Tarrant County and chair of the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) Advisory Committee, presented a brief historical overview of the committee and
recent accomplishments. He stated the mission is to provide a formal structure for criminal justice entities, health and human service providers, and other organizations to communicate and coordinate on policy, legislative and programming issues affecting people involved in the criminal justice system with special needs. The committee members provide technical assistance to the advisory committee on their field of expertise and work together to promote and disseminate information about advisory committee activities to people and organizations that would benefit from the information.

The TCOOMMI Advisory Committee receives quarterly updates on activities and implementation plans related to MOUs and cross-agency coordination to assess progress and barriers faced by agencies in the continuity of care process. The committee comprises gubernatorial appointees as well as heads of various agencies throughout the state.

Judge Catalano stated the advisory committee is proud of accomplishments, such as the 15% recidivism rate of probation and parole clients who are enrolled in the case management system for at least one year, which is much lower than the average recidivism rate of the same population that is not enrolled in the case management program. Rural services have been expanded, accessibility of services increased in rural communities, and staff in the local mental health authorities have expanded. Additionally, intake and telehealth opportunities have been expanded, allowing access to care closer to justice-involved individuals residing in these rural communities. Benefits include increases to psychiatrist time, medication monitoring, and other counseling services to this population.

Data sharing has improved, with enhancements to the online database for the TCOOMMI programs, which has facilitated the continuity of care between agencies and increased tracking of service usage. The Texas Uniform Health Status form has been updated, which is critical in exchanging both medical and mental health information when a person is transferring between the county jail and the TDCJ. This form provides critical information on mental health and intellectual disability diagnoses when people are being arrested and brought into county jail. It is given to the appropriate magistrate to assist in critical and timely decisions during the early stages of the criminal justice process.

Judge Catalano stated education efforts have continued, to include participation in the TDCJ parole unit supervisor training and parole special needs program officer training, presentations at the CJAD community supervisor trainings, and participation in the JAC meetings. The juvenile stakeholder committee has been revived and committee members actively participate with the Texas System of Care, the Children and Youth Behavioral Subcommittee, and the Alliance for Adolescent Recovery and Treatment in Texas. These groups work to break down barriers, identify service gaps in ways to improve service delivery systems for children, youth, and their families, identify and reduce the duplication of services, and increase interagency collaboration for justice-involved youth.

Ongoing goals and objectives include continuing to monitor the sharing of information among juvenile and adult criminal justice and health and human service agencies, evaluating changes to the case management strategies and the adult needs and strength clinical assessment instrument, and promotion of co-location opportunities between the TCOOMMI programs and supervision partners when feasible. Judge Catalano emphasized the high priority placed on the increased use of telemedicine in rural, medium, and large urban jurisdictions to increase service provision and access to care in the ever-changing landscape of the pandemic. The committee will continue to
pursue and implement grant resources for justice-involved individuals to increase early identification and effective continuity of care planning for community based mental health services.

Judge Catalano expressed appreciation to April Zamora and her staff and thanked the Board for the opportunity to speak.

Chairman O’Daniel thanked Judge Catalano and asked if there were comments from the Board. Mr. Nichols expressed his appreciation for the work of the office in the area of addressing medical concerns and mental health issues that underlie so much of what is going on in today’s criminal justice system. He requested that the Judge carry back thanks to everyone he works with. Judge Johnson complimented Judge Catalano on the low recidivism rate.

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

Chairman O’Daniel proposed the following regarding the renaming of two correctional facilities and an administrative complex: the Darrington Unit to the Memorial Unit, in recognition of the agency staff who are dedicated to fulfilling the agency’s mission and who are critical to managing the challenges of maintaining safe and orderly operations, and in somber remembrance of those we have lost over the years; the Lockhart Correctional Facility to the Gregory S. Coleman Unit, in honor of the late former TBCJ board member and former trustee of the Windham School District; and the TDCJ Administrative Headquarters Complex to the TDCJ Brad Livingston Administrative Headquarters, in recognition of the former executive director of the Texas Department of Criminal Justice.

Chairman O’Daniel asked if there were any questions. 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 Darrington Unit in Brazoria County, Rosharon, Texas, the Memorial Unit; the Lockhart Correctional Facility in Caldwell County, Lockhart, Texas to the Gregory S. Coleman Unit; and the TDCJ Administrative Headquarters Complex in Walker County, Huntsville, Texas to the TDCJ Brad Livingston Administrative Headquarters.*

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

Chairman O’Daniel then recognized Mr. Coleman’s widow, Stephanie, and son, Chase, and presented them with a resolution and gifts of appreciation.
Discussion, Consideration, and Possible Action Regarding the Proposed Fiscal Year 2022 Annual Audit Plan

Chris Cirrito, Internal Audit Division Director, thanked the Board for ensuring that Internal Audit has adequate resources to carry out their mission, and thanked Mr. Collier and his staff for always ensuring that Internal Audit has access to all areas of the agency. Mr. Cirrito requested that the Board approve the proposed Fiscal Year 2022 Annual Audit Plan and grant the authority to change that plan if necessary.

Chairman O’Daniel thanked Mr. Cirrito for the presentation asked if there were any questions. Hearing none, he called for a motion and a second.

Judge Molly Francis moved that the Texas Board of Criminal Justice approve the Internal Audit Plan for Fiscal Year 2022 and authorize the Internal Audit Director to perform audit work outside of the Audit Plan if the Director deems deviations are warranted, documented, and required by the Texas Internal Auditing Act and present to the Board at the next meeting.

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

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 13 items for consideration and approval. Item 1 is an increase to the copier equipment and maintenance contract for FY 2017-21, due to increased utilization and the contract services copier needs throughout the agency. Items 2, 3, and 4 are increases to the current biennial contracts that we have with local mental health authorities to provide community-based treatment programs for offenders with special needs. Item 5 is an increase in services provided for the FY 2021 contract for telephone equipment and services. Item 6 is FY 2022-23 renewal for the operation of the Bradshaw State Jail. This unit was idled and currently does not have inmates and will remain idled until such a time that the inmate population dictates the need to reopen that facility. Expenditures against this contract would not occur until when and if that unit is opened and again housing inmates. Items 7 and 8 are FY 2022-23 interagency contracts for the delivery of healthcare services for the inmate population. The first contract is with the University of Texas Medical Branch, which provides healthcare services for approximately 80% of the inmate population. The second is with Texas Tech University Health Sciences Center, which provides healthcare services for the remaining 20% of the inmate population. Items 9 and 10 are FY 2022-23 interlocal contracts with the cities of Houston and Dallas to provide community-based reentry services for inmates releasing to their respective areas. Item 11 is an interagency contract with the Department of Information Resources to provide data services to the agency for FY 2022-23. Item 12 is a FY 2022-23 contract for the Corrections Information Technology
Systems project. This project is to replace the 40-year-old mainframe-based inmate management system with a modern, off the shelf, customized system. This item was previously presented to the Board, but the funding was subsequently offered as part of our 5% reduction. The funding has been restored by the Legislature, a pricing refresh, and best and final offers were requested from all the vendors that bid, and if approved, this contract would be awarded to Microsoft Corporation. Item 13 is a FY 2022-26 contract for copier and equipment maintenance for use throughout the agency. If approved, it would be awarded to Ricoh USA.

Chairman O’Daniel asked for any questions, comments, or abstentions. Eric Nichols abstained from taking action due to his firm representing entities listed. Chairman O’Daniel 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 the TDCJ Fiscal Year 2022 Proposed Operating Budget**

Mr. Steffa thanked the board members for their time previously meeting with the Business and Finance team regarding the proposed operating budget. Summarizing some of the highlights, Mr. Steffa stated the agency received the request of a partial restoration of the 5%, which will continue the core correctional services at the current levels, and an additional $34 million to provide a 3% unit pay differential for officers assigned to a maximum-security facility. Both the parole and probation populations were funded in line with the Legislative Budget Board’s projections. The agency received $105 million for major repair projects at facilities, correctional managed health care received an additional $60 million for the biennium to maintain health care delivery services for the inmate population, and an additional $21.5 million to replace the electronic health record used by the universities for the inmate population. We also received $1 million to expand reentry programs with the cities of Houston and Dallas, $1.9 million to expand academic and vocational programs provided through contacts with colleges throughout the state, and $24.2 million to restore the funding for the Corrections Information Technology Systems projects. Mr. Steffa stated the budget totals $3.56 billion for the upcoming year.

Chairman O’Daniel asked for any questions from the Board. Eric Nichols expressed appreciation on behalf of all the board members by thanking not only Mr. Steffa and his staff, but all of the women and men across the TDCJ who provide information necessary for the budget process; the women and men of the Legislative Budget Board, as well as the members of the Texas Legislature and their staff who spend so much time reviewing these legislative appropriation items, as well as the committees within the Legislature; the Lt. Governor and his staff who are very much involved in that process; and our Governor and his staff, who are so critically involved. It takes a village to go through the legislative process, and we appreciate the work of all participants. Chairman O’Daniel called for a motion and a second.
E.F. “Mano” DeAyala moved that the Texas Board of Criminal Justice approve the
Texas Department of Criminal Justice Fiscal Year 2022 Operating Budget as presented
and authorize the executive director of the Texas Department of Criminal Justice to make
transfers as necessary and authorized in the General Appropriations Act and other
applicable laws.

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

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

1. **BP-03.81, “Rules Governing Offender Access to the Courts, Counsel, and Public
   Officials”**

Kristen Worman, TDCJ General Counsel, presented the proposed revisions to BP-03.81, “Rules
Governing Offender Access to the Courts, Counsel, and Public Officials.” She stated the
proposed revisions include a revised policy statement; revise or add language regarding offender
access to research materials and clarify authority for temporary suspension of such access;
clarify procedures for attorney visits and phone calls, as well as court hearings and requests for
video conference court hearings; and give the executive director the authority to suspend the
policy for exigent circumstances.

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 03.81, “Rules Governing Offender Access to the Courts, Counsel, and
Public Officials,” as presented.*

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

2. **BP-13.69, “State Counsel for Offenders”**

Ms. Worman presented the proposed revisions to BP-13.69, “State Counsel for Offenders.” The
proposed revisions include updates to the policy statement, replacing “offender” with “inmate”
throughout the policy, and update the types of cases the State Counsel for Offenders provides
legal services for.

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

*Ambassador Sichan Siv moved that the Texas Board of Criminal Justice approve revisions
to Board Policy 13.69, “State Counsel for Offenders,” as presented.*

*Eric Nichols seconded the motion, which unanimously passed when called to a vote.*
Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Personnel Directives

1. PD-13, “Sexual Harassment and Discourteous Conduct of a Sexual Nature”

Ms. Worman presented the proposed revisions to PD-13, “Sexual Harassment and Discourteous Conduct of a Sexual Nature.” The revisions add language to specify the deadlines for filing a complaint of sexual harassment, which are being changed pursuant to the requirements in HB 21, which was adopted and passed by the 87th Legislature.

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 PD-13, “Sexual Harassment and Discourteous Conduct of a Sexual Nature,” as presented.*

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

2. PD-29, “Sexual Misconduct with Offenders”

Ms. Worman presented the proposed revisions to PD-29, “Sexual Misconduct with Offenders.” The proposed revisions replace “offender” with “inmate” throughout the policy, clarify reporting procedures, revise procedures on the notification practices, and clarify the notification and training requirements regarding vendors.

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 PD-29, “Sexual Misconduct with Offenders,” as presented.*

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

3. PD-31, “Discrimination in the Workplace”

Ms. Worman presented the proposed revisions to PD-31, “Discrimination in the Workplace.” The proposed revisions include all references of “witnessed” being replaced with “observed” throughout the policy, definitions are revised, and revisions are made to clarify the deadlines for filing complaints; additional language is added to require respondents to complete disciplinary compliance training; attachments are updated.

Chairman O’Daniel asked if there were any questions or comments. Hearing none, he called for a motion and a second.
Derrelynn Perryman moved that the Texas Board of Criminal Justice approve revisions to PD-31, “Discrimination in the Workplace,” as presented.

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

4. PD-72, “Employee Salary Administration”

Ms. Worman presented the proposed revisions to PD-72, “Employee Salary Administration.” She stated the proposed revisions add definitions for Maximum Security Differential Pay, and revise definitions of Correctional Career Position and Series, reflect changes to the established salary rates, and add language regarding retirees and applicants who hold an associates degree, those with prior correctional custody, or law enforcement experience.

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 revisions to PD-72, “Employee Salary Administration,” as presented.

Pastor Larry Miles 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 151.3, “TBCJ Operating Procedures”

Ms. Worman presented the proposed revisions to BR-151.3, “TBCJ Operating Procedures.” She stated the revisions would allow meetings of the TBCJ to be held at a location in Texas as determined by the TBCJ chairman.

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 for publication in the Texas Register the proposed amendments to Board Rule, Title 37, Texas Administrative Code Section 151.3, “TBCJ Operating Procedures,” to receive public comment as presented.

Judge Molly Francis seconded the motion, which unanimously passed when called to a vote.
Discussion, Consideration, and Possible Action Regarding Proposed New Board Rule Title 37 Texas Administrative Code Section 151.53, “Family Leave Pool”

Ms. Worman brought before the Board a proposed new Board Rule, BR-151.53, “Family Leave Pool.” In this proposed new rule, the Board would establish a family leave pool in compliance with HB 2063 that was passed by the 87th Legislature, Regular Session.

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 for publication in the Texas Register the proposed new Board Rule, Title 37, Texas Administrative Code Section 151.53, “Family Leave Pool,” to receive public comment as presented.

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

Discussion, Consideration, and Possible Action Regarding Proposed Land Transactions

1. Request to Transfer 28.157 acres at the Halbert Unit in Burnet County, Burnet, Texas

Chairman O’Daniel abstained from taking action on this agenda item due to his firm representing Burnet County.

Jennifer Gonzales, Deputy Chief Financial Officer, presented the request to transfer 28.157 acres at the Halbert Unit in Burnet County, Burnet, Texas. In accordance with HB 954, as passed by the 87th Legislature, the TBCJ shall transfer 28.157 acres of land located at the Halbert Unit in Burnet County to the City of Burnet. The acreage to be transferred is located in the southeast corner of the property. The City of Burnet shall only use the property for a purpose that benefits the public. If the city fails to use the property for this purpose, the property will automatically revert to the TBCJ. Ms. Gonzales recommended the TBCJ approve the transfer of land to the City of Burnet.

Chairman O’Daniel asked if there were any 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 transfer 28.157 acres at the Halbert Unit in Burnet County, Burnet, Texas as presented.

Judge Faith Johnson seconded the motion, which unanimously passed when called to a vote.
2. Request to Transfer 288.8 acres at the Sayle Unit in Stephens County, Breckenridge, Texas

Ms. Gonzales presented the request to transfer 288.8 acres at the Sayle Unit in Stephens County, Breckenridge, Texas. In accordance with SB 510, as passed by the 87th Legislature, the TBCJ shall transfer 288.8 acres of land located at the Sayle Unit in Breckenridge, Texas, to Stephens County. The acreage is a combination of two tracts of land located to the south and east of the Sayle Unit. Stephens County shall only use the property for a purpose that benefits the public. If the county fails to use the property for this purpose, the property will automatically revert to the TBCJ. Ms. Gonzales recommended the TBCJ approve the transfer of land to the Stephens County.

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 the request to transfer 288.8 acres at the Sayle Unit in Stephens County, Breckenridge, Texas as presented.*

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

3. Request for Renewal of a Surface Lease at the Wainwright Unit in Houston County, Lovelady, Texas

Ms. Gonzales presented the request for renewal of a surface lease at the Wainwright Unit in Houston County, Lovelady, Texas. Regard Resources, LLC is requesting the renewal of a surface lease at the Wainwright Unit in Houston County, Lovelady, Texas, to include an area of approximately two acres, to operate a compressor site to collect natural gas from both state and offsite sources. The compressor site is located southwest of County Road 3510. Regard Resources, LLC has agreed to pay $8,000 annually for a term of 10 years. The original lease was granted in June 2011. Ms. Gonzales pointed out that the surface lease includes language requiring indemnification as the lessee’s responsibility and general liability insurance coverage for a minimum of $1 million. Ms. Gonzales recommended the TBCJ approve the request for renewal of a surface lease to Regard Resources, LLC.

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

*Ambassador Sichan Siv moved that the Texas Board of Criminal Justice approve the request for renewal of a surface lease at the Wainwright Unit in Houston County, Lovelady, Texas as presented.*

*Judge Faith Johnson seconded the motion, which unanimously passed when called to a vote.*
4. Request for Renewal of a Pipeline Easement at the Stiles Unit in Jefferson County, Beaumont, Texas

Chairman O’Daniel abstained from taking action on this agenda item due to his firm representing Air Products, LLC.

Ms. Gonzales presented the request for renewal of a pipeline easement at the Stiles Unit in Jefferson County, Beaumont, Texas. Air Products, LLC is requesting renewal of a pipeline easement in Jefferson County, Beaumont, Texas, to include an area of approximately 1.22 acres of land being 214.45 rods or 3,538.51 feet long by 15 feet wide to transport industrial gas. The line runs diagonally on the southwest corner of the property. The pipeline crosses property that does not belong to the TDCJ. There is a utility corridor owned by Entergy that separates the two properties. Air Products, LLC has agreed to pay $214,450 with a 10-year term. This is the first renewal. The original easement was granted on October 27, 2011. Ms. Gonzales pointed out that the easement includes language requiring indemnification as the grantee’s responsibility, the most favored nation clause, and general liability insurance coverage for a minimum of $3 million. Ms. Gonzales recommended the TBCJ approve the request for renewal of the pipeline easement to Air Products, LLC.

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 the request for renewal of a pipeline easement at the Stiles Unit in Jefferson County, Beaumont, Texas as presented.

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

5. Request for Renewal of Surface Lease at the Wallace Unit in Mitchell County, Colorado City, Texas

Ms. Gonzales presented the request for renewal of a surface lease at the Wallace Unit in Mitchell County, Colorado City, Texas. Ingram Concrete, LLC is exercising their right for a first extension for a surface lease at the Wallace Unit in Mitchell County, Colorado City, Texas, to include an area of approximately 2.038 acres that serves as a site for a cement plant. The surface lease adjoins the Region V Warehouse. Ingram Concrete, LLC had a surface lease agreement with the TDCJ that expired July 9, 2021. Ingram Concrete, LLC has agreed to pay $3,732.48 annually for the next five years with an option for two additional five-year renewal terms. Ms. Gonzales pointed out that the surface lease includes language requiring indemnification as the lessee’s responsibility and general liability insurance coverage for a minimum of $1 million. Ms. Gonzales recommended the TBCJ approve the request for extension of the surface lease to Ingram Concrete, LLC.

Chairman O’Daniel asked if there were any 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 for renewal of a surface lease at the Wallace Unit in Mitchell County, Colorado City, Texas as presented.

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

**Public Comments**

Chairman O’Daniel stated that the TBCJ is committed to providing the opportunity for public presentations on posted agenda topics as well as public comments on issues within its jurisdiction 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.

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, October 29, 2021, in Austin, Texas.

The 218th meeting of the Texas Board of Criminal Justice recessed at 1:09 p.m.

**Executive Session**

The meeting reconvened into Executive Session at 1:39 p.m.

**Adjournment**

There being no further business following the Executive Session, Chairman O’Daniel adjourned the 218th meeting of the Texas Board of Criminal Justice at 2:58 p.m.

Chairman

Secretary