TEXAS BOARD OF CRIMINAL JUSTICE

Sheraton Austin Hotel at the Capitol
701 E 11th Street
Austin, Texas 78701

April 22, 2022
11:00 AM – 3:00 PM

ORDER OF BUSINESS

Call to Order

Convene Texas Board of Criminal Justice (TBCJ) Meeting

I. Regular Session – Capitol Ballroom D-E

   A. 27th Annual Governor’s Criminal Justice Volunteer Services Awards Ceremony

Recess

Reconvene TBCJ

II. Executive Session – Creekside 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 Independent 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).
Recess

Reconvene TBCJ – Regular Session

I. (continued) Regular Session – Capitol Ballroom D-E

B. Recognitions

C. Consideration of Approval of Consent Items
   1. Hazardous Duty Pay Authorization Requests
   2. Personal Property Donations
   3. 221st TBCJ Meeting Minutes
   4. Excused Absences

D. Report from the Executive Director, Texas Department of Criminal Justice (TDCJ)

E. Report from the Chairman, TBCJ

F. Report from the Presiding Officer, Judicial Advisory Council

G. Internal Audit Status Report

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

I. Discussion, Consideration, and Possible Action Regarding Proposed Land Transactions
   1. Request for Renewal of a Pipeline Easement at the Clemens Unit, Brazoria County, Brazoria, Texas
   2. Request for Renewal of a Pipeline Easement at the Clemens Unit, Brazoria County, Brazoria, Texas and at the Clemens Trusty Camp II (former TDCJ Scott Unit), Brazoria County, Angleton, Texas
   3. Request for Renewal of a Pipeline and Meter Site Easement at the Clemens Unit, Brazoria County, Brazoria, Texas
   4. Request for Renewal of a Valve Site Easement at the Montford Unit, Lubbock County, Lubbock, Texas

J. Discussion, Consideration, and Possible Action Regarding Facilities Division Construction Projects
   1. Request to Replace and Relocate Steam Line Behind Maintenance at the Estelle Unit, Walker County, Huntsville, Texas
   2. Request to Install Emergency Power in Multiple Locations at the Johnston Unit, Wood County, Winnsboro, Texas
   3. Request to Repair and Replace Fire Line at Restrictive Housing 12 Building at the Michael Unit, Anderson County, Tennessee Colony, Texas
   4. Request to Replace Hot Water and Steam Piping at the Telford Unit, Bowie County, New Boston, Texas

The TBCJ may discuss and/or take action on any of the items posted on this meeting agenda.
K. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy BP-03.46 (rev. 10), “Standards for Behavioral Intervention”

L. Discussion, Consideration, and Possible Action Regarding Proposed Revisions of the “Behavioral Intervention Plan”

M. Public Comments

Adjourn

The TBCJ may discuss and/or take action on any of the items posted on this meeting agenda.
MINUTES OF THE
TEXAS BOARD OF CRIMINAL JUSTICE
Meeting No. 222

The Texas Board of Criminal Justice convened on Friday, April 22, 2022, in regular session at 11:04 a.m. at the Sheraton Austin Hotel at the Capitol, Austin, Texas, recessed at 1:00 p.m., reconvened in regular session at 2:56 p.m., and adjourned at 4:13 p.m.

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

TEXAS DEPARTMENT OF CRIMINAL JUSTICE STAFF PRESENT:  Bryan Collier, Executive Director
Oscar Mendoza, Deputy Executive Director
Jason Clark, Chief of Staff
Chris Carter  Troy Johnson
Tina Clark  Bobby Lumpkin
Allison Dunbar  Angie McCown
Tikela Gage  Tracy Russell
Patty Garcia  Ron Steffa
Cody Ginsel  Rebecca Waltz
Jennifer Gonzales  Kristen Worman
Carey Green  David Yebra
Rene Hinojosa  April Zamora
Billy Hirsch

TBCJ STAFF PRESENT:  Chris Cirrito  Cassandra McGilbra
Cris Love  Brian Patrick

OTHERS PRESENT:  Cecilia Abbott, First Lady of Texas
Kelsey Vela, Legislative Budget Board

Convene the Texas Board of Criminal Justice

Chairman Patrick L. O’Daniel convened the 222nd meeting of the Texas Board of Criminal Justice (TBCJ or board) on Friday, April 22, 2022, at 11:04 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 welcomed all honored guests joining the TBCJ for the 27th Annual Governor’s Criminal Justice Volunteer Service Awards Ceremony. He opened the ceremony with scripture from 1 Peter 4:10, which encourages all to use whatever gifts they have received to serve others as faithful stewards of God’s grace. Chairman O’Daniel said the scripture rings true for all the gifts each of the volunteers bring to the agency, and that it was a privilege to be surrounded by so many selfless servants who step forward to accomplish extraordinary things together. He stated that the individuals being recognized represent the dedication and commitment of thousands of volunteers who are making the state of Texas a better and safer place to live for generations to come. Chairman O’Daniel recognized that volunteering, particularly in a correctional environment, is no easy task, and extended thanks on behalf of the Board and himself for the actions and service of the volunteers.

Bryan Collier, TDCJ Executive Director, stated it was an honor and privilege to recognize the significant work of volunteers who give of themselves to help make an impact on our great state. The mission of the Texas Department of Criminal Justice is to provide public safety, promote positive change in inmate behavior, reintegrate inmates into society, and assist victims of crime. Through the combined efforts of thousands of employees and volunteers, TDCJ can achieve the mission of delivering public safety. The agency provides public safety each day by incarcerating those that pose a risk, yet through a wide array of rehabilitative, educational, and faith-based programming, TDCJ helps achieve public safety by returning people to society who can contribute and become productive citizens.

Mr. Collier reported that during 2021, over 21,000 volunteers gave more than 47,000 hours of their time to help change the lives of the TDCJ population. He stated that TDCJ is grateful for the service of volunteers, and reiterated that their work is making a difference, which is evident in the continued decline of the population and recidivism rates that serve as an indication that Texas is safer due to volunteers’ efforts.

Mr. Collier recognized the board members, who volunteer their time and talent to serve on the Board. He thanked the board members for their service to the agency and this state. Mr. Collier said, “On behalf of the over 30,000 employees of the Texas Department of Criminal Justice, I want to say thank you to all our volunteers for your contributions, may God bless each of you and may God continue to bless the great state of Texas.”

Chairman O’Daniel thanked Mr. Collier and introduced keynote speaker, the First Lady of Texas, Ms. Cecilia Abbott. Ms. Abbott stated that she believes each one of us is called to service. The first call may be to our families, and the next call may be to serve our schools, churches, communities, even our country. That service may simply be sharing a warm smile, a warm meal, or a warm coat from our closets, and may be giving just an hour of our time, a few dollars at a time, or even our entire lifetime like the men and women who serve in uniform. Ms. Abbott said it really doesn’t take much to make a difference, but we all can. She further stated that volunteerism isn’t just about completing a task or fulfilling a need, it connects us to the people and places around us. Texans are generous by nature and that compassion is the foundation of our success. Ms. Abbott indicated it was her pleasure to highlight the countless individuals and organizations who are making a difference in their communities, like the amazing volunteers that
are being honored. The TDCJ understands just how important volunteers are in our community, and volunteers from across the state have answered the agency’s call to service. Ms. Abbott stated the hard work, empathy, and commitment of volunteers to fellow Texans demonstrates that the true strength of the Lone Star State is found in our people, and she thanked the volunteers for their commitment to building a better tomorrow.

Chairman O’Daniel welcomed Board Member Judge Faith Johnson as the master of ceremonies. Judge Johnson announced awards to the following individuals and organizations:

- Joelle Cannon, Chaplaincy Department
- Stephen Wolf, Correctional Institutions Division
- Mannie Jefferson, Nancy Hees Award-Parole Division
- Pam Parkman-Thomure, Private Facility Contract Monitoring/Oversight Division
- Free World Bound Project START, Reentry and Integration Division
- James Born, Religious Service
- Greg Smith, Chaplaincy Department
- Charles “Chuck” Meyers, Substance Use Treatment Program
- Therapet Animal Assisted Therapy, Health Services Division
- Sherri Blood, Pathfinder Award-Victim Services Division
- Dr. Jeanette K. Winters, Judy Burd Award-Windham School District
- Peter Peltier, Restorative Justice
- Discipleship Unlimited, Susan Cranford Award-Female Inmate Program
- Movie Night, Most Innovative Program
- The Heart of Texas Foundation, Community Service
- Gospel Express of Texas, Best Family Program
- Nellie Lisenby, Leonard Davis Award for Most Hours Served
- Carl Etchison, Extensive Travel
- Monica Marks, TDCJ Employee Volunteer
- Timothy Fitzpatrick, Criminal Justice Administrator
- Courtney Rich, Judge Carroll Wilburn, Jr. Award
- Sharon Fitch, Carol S. Vance Volunteer of the Year

Chairman O’Daniel, Mr. Collier, and Ms. Abbott presented the awards to the recipients.

Judge Johnson asked that the award recipients stand for recognition and called for a final round of applause for all the recipients and the thousands of dedicated volunteers throughout the TDCJ.

Chairman O’Daniel expressed appreciation to Judge Johnson, congratulated all award recipients, and thanked the staff that coordinated the event. There being no further business, Chairman O’Daniel recessed the 222nd meeting of the TBCJ at 1:00 p.m.

(Attachment A – Program for 27th Annual Governor’s Criminal Justice Volunteer Service Awards)
The Texas Board of Criminal Justice reconvened in regular session at 2:56 p.m. at the Sheraton Austin Hotel at the Capitol, Austin, Texas, and adjourned at 4:13 p.m.

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

**TEXAS DEPARTMENT OF CRIMINAL JUSTICE STAFF PRESENT:**
- Bryan Collier, Executive Director
- Oscar Mendoza, Deputy Executive Director
- Jason Clark, Chief of Staff
- Troy Johnson
- Bobby Lumpkin
- Angie McCown
- Tracey Russell
- Ron Steffa
- Rebecca Waltz
- Kristen Worman
- David Yebra
- April Zamora
- Billy Hirsch

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

**OTHERS PRESENT:**
- Kelsey Vela, Legislative Budget Board

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**Reconvene the Texas Board of Criminal Justice**

Chairman O’Daniel reconvened the regular session of the 222nd meeting of the TBCJ on Friday, April 22, 2022, at 2:56 p.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.” Two speaker registration cards were received for public comment prior to the deadline and would be heard later in the meeting.

**Recognitions**

Chairman O’Daniel recognized the TDCJ employees who have dedicated 25, 30, 35, 40, and 45 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 March and April 2022, 65 employees attained 25 years of service, 12 employees attained 30 years of service, nine employees attained 35 years of service, six employees attained 40 years of service, and one employee attained 45 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 Contracts and Procurement Purchaser Donna Bussey and outlined her career that began in 1981 at the Classification and Records Department.

Chairman O’Daniel recognized Huntsville Unit Correctional Officer Richard Johnson and outlined his career that began in 1984 at the Ferguson Unit.

Chairman O’Daniel recognized Inventory Store Specialist Glen Stouder and outlined his career that began in 1982 at the Memorial Unit, formerly known as the Darrington Unit.

Chairman O’Daniel recognized Byrd Unit Correctional Officer Victor Austin and outlined his career that began in 1980 at the Eastham Unit, now known as the Wainwright Unit.

Chairman O’Daniel recognized Ellis Unit Correctional Officer Stephan Robert and outlined his career that began in 1981 at the Eastham Unit, now known as the Wainwright Unit.

Chairman O’Daniel recognized Inventory Store Specialist Michael Juarez and outlined his career that began in 1981 at the Goree Unit.

Chairman O’Daniel recognized Nurse Manager Shirley Nelson and outlined her career that began in 1974 at the Classification and Records Department.

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.

*(Attachment B – Employee Names)*
Consideration of Approval of Consent Items

1. Hazardous Duty Pay Authorization Requests
2. Personal Property Donations
3. 221st TBCJ Meeting Minutes
4. Excused Absences

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

Mr. Collier stated that on March 22nd TDCJ announced a 15% pay increase for all uniformed correctional staff. This pay increase, which is the largest increase in the agency’s history, took effect on April 1st. He said, “I would like to thank each of you as members of this board for your support of this increase and I also thank our legislative leadership, specifically, Governor Abbott, Lieutenant Governor Patrick, Speaker Phelan, Chairman Huffman from the Senate Finance Committee, and Chairman Greg Bonnen from the House Appropriations Committee for their support of this pay increase.”

Since the announcement of the pay package, TDCJ began to see immediate upticks in the recruiting activity. The recruiting website visits have increased by nearly 43% and applications have increased by 30%. Mr. Collier reported that he is confident that this pay increase will help recruiting efforts and improve staff retention efforts.

Mr. Collier stated he will continue to provide updates on progress related to correctional officer staffing and it will remain the agency’s number one operational priority.

COVID-19 Update

Over the past 60 days, the agency has experienced significant declines of COVID-19 activity in the facilities. Based on that significant decline, protocols were modified on April 1st to no longer require a mask at any location. Inmates and staff are still allowed and provided a mask if they prefer. This allows the agency to take one more significant step toward returning to a new normal. Both the vaccine and booster continue to be offered to inmates and staff, and TDCJ will remain vigilant in monitoring for the COVID-19 virus.

Mr. Collier reported that since the last meeting, the agency has lost two staff members to COVID-19; Jose Ruiz, Correctional Officer V at the Hutchins State Jail; and Lonnie Johnson, Correctional Officer V at the Coffield Unit. He said, “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 memorial service.”
TDCJ also lost one inmate since the last board meeting due to COVID-19. Prayers are offered to his family during this time.

**TDCJ 2030 Plan**

Mr. Collier announced that TDCJ has been working on a 2030 plan for the agency, which will set forth the vision, culture, and specific action items that will move the agency further and ensure that it is well poised for the future. The plan is based on the premise that TDCJ will need to be more efficient and less staff reliant by 2030, and the need to generate better outcomes related to success. In preparing and driving toward the 2030 plan, TDCJ is building on the momentum generated during the past two years with the COVID-19 pandemic.

In the past two years, TDCJ has been challenged more than ever as an agency. Despite these challenges, the agency moved forward and has been remarkably successful in making progress in many areas. Mr. Collier stated that the ability to make progress during the most difficult of times has clearly shown him that the staff and leadership teams, when focused on working with each other, can accomplish almost anything. He reported that with that in mind, and to seize on the momentum we have generated, he challenged each of the division directors to develop a 2030 plan within their respective division. In asking that they develop their plans, Mr. Collier shared some of the items that he wants to see in TDCJ by 2030. He wants TDCJ to be rated as a number one employer; 95% of exiting inmates to have post-release employment secured before they are released; and reduced recidivism and re-arrest rates from both probation and parole. Mr. Collier said, “In addition to these and several other things I envision, I asked for each division to work with their leadership teams to help us see beyond my vision by sharing their vision for achieving success.”

Last month, division directors and deputy division directors began sharing their 2030 plans with Mr. Collier and he reported that they are quite impressive. These plans are the foundation of a larger agency 2030 plan that he will report on in the coming months. Mr. Collier indicated he will continue to provide updates on progress with the plan.

**Report from the Chairman, TBCJ**

Chairman O’Daniel paid tribute to two staff members who have succumbed to COVID-19. As many are beginning to get back to a life without COVID-19 being front and center, for some families this is simply not possible. They are reeling from the loss of a loved one taken too soon. He said, “Today we will honor the memories of two individuals who wore gray and are sadly no longer with us.”

Jose Ruiz worked for TDCJ for 18 years, and during that time he brought a smile to many of his co-workers’ faces with a kind word or gesture. Officer Ruiz came to Texas from California and began his career with TDCJ at the McConnell Unit in 2003. Three years later, he transferred to the Hutchins State Jail. Warden Fredrick Merida said, “Officer Ruiz was dependable. He took great pride in his job and was always striving for excellence. He always knew what to say to his co-workers to brighten their day.” Officer Ruiz also volunteered at the local veteran’s hospital in Dallas and each Christmas he would help with passing out gifts there. He enjoyed attending Dallas Stars hockey games whenever he could, and was an advocate for people with autism.
because a family member is autistic. A former co-worker said Officer Ruiz did not even have a TV because he preferred to read a book instead. Officer Ruiz’s family lives in California: his mother, Roseanne, his brother, Andrew, and his nephew, KeKe. Jose Ruiz, age 48, died from the coronavirus on March 1, 2022.

There was a common theme when co-workers talked about Lonnie Johnson – they described him as a “salt of the earth” kind of guy. A Correctional Officer V at the Coffield Unit, Lonnie always gave everyone a salute and a smile to brighten their day. Lonnie Johnson was born and raised in Athens, Texas. He graduated from Athens High in 1973 and then attended college at Henderson County Junior College, now Trinity Valley Community College, where he was the first African American student body president and named Mr. Henderson County Junior College. He then moved on to Baylor University where he was nominated for Mr. Baylor his senior year and graduated with a Bachelor of Arts degree in Fine Arts and Drama. He missed his family in East Texas and returned to begin his employment with TDCJ in August 2013. In his spare time, Officer Johnson enjoyed boating, fishing, camping, and riding horses. Most of all, he enjoyed spending time with his friends and family including his daughter, Kendres Bell. Coffield Unit Senior Warden Juan Garcia said, “Officer Johnson was very respectful of everyone he met. He was dependable and took great pride in his job.” Lonnie Johnson, age 67, died from the coronavirus on March 6, 2022.

Chairman O’Daniel asked that these families be kept in prayer during this difficult time.

Chairman O’Daniel then highlighted three outstanding TDCJ employees. While their areas of focus are Reentry, Parole, and IT, all three share a common goal of helping staff and those involved in the criminal justice system to succeed.

Tracy Russell has been a dedicated state employee for more than 30 years and she’s brought her background and experience in other state agencies to the TDCJ. Ms. Russell began her state employment in 1989 as an Administrative Assistant III at the Secretary of State’s office. A few years later, she began working for the Texas Alcoholic Beverage Commission as an Administrative Assistant I. In 2009, she came to work at TDCJ as a Clerk III in the Central File Coordination Unit (CFCU) of the Parole Division. Since then, she has promoted to her current position as Program Supervisor of the CFCU. She has demonstrated her dedication to the agency and her ability to pivot in many directions whenever needed. Over the last two years, she has taken on the role of a leader in her unit while dealing with staff shortages, as well as vacancies in her chain of command. She has proven time and time again that she has the ability to manage staff and multiple duties in a fast-paced environment. Ms. Russell is deeply involved in the agency’s digitization process and the maintenance and movement of over 130,000 parole files. She is a liaison for the Parole Division and has established a great relationship with the Board of Pardons and Paroles to ensure communication remains open. When she’s not at work, Tracy enjoys spending time with her family, to include her husband of 33 years, Gerald, and two sons, Joshua, age 29, and Zachary, age 26. She also enjoys traveling, especially on little ‘day trips’ to the beach or out into the countryside.

Chairman O’Daniel stated that having a military background helps make some employees just a little more outstanding in their field, and that’s the case with Troy Johnson, a Network Specialist V with the agency’s Information Technology Division. Troy enlisted in the United States Marine Corps in 1991 as a Radio Operator and continued his military service as a Multi-Channel Transmission Technician in the United States Army. Over 24 years, he was stationed in Seoul,
South Korea; Okinawa, Japan; Camp Pendleton, California; Fort Stewart and Fort Gordon, Georgia; Anchorage, Alaska; and three tours in Iraq. During those assignments, he gained hands-on experience working on secure and non-secure voice and data communications. Before retiring from active duty in the military, he earned a bachelor’s degree in Applied Science and Business from Wayland Baptist University in 2013. He became a Drill Sergeant in the Marine Corps and reached the rank of Sergeant, First Class. Troy then graduated from American Military University with a master’s degree in Information Technology in 2019. Jon Palmer, Assistant Director for Infrastructure Support with TDCJ, says “Troy is a great inspiration and teammate. As a Regional Operations Manager, he’s the person everyone in the Austin area contacts for anything IT-related. He makes it his mission to personally take care of as many requests as he can on any given day.” Jon added, “His commitment to the agency and his sense of duty are outstanding. He’s dedicated to getting the job done and once he’s taken on an assignment, he doesn’t rest until it’s completed!” Troy’s dedication and commitment to his work has not gone unnoticed over the years. He received two Meritorious Service Medals, five Army Accommodations medals, and numerous awards for his leadership skills in team building, problem-solving, and motivating people. He has received many accolades from his supervisors on his quick response times in identifying, troubleshooting, and resolving network-related issues. Troy enjoys spending time with his family, to include his wife, Timika, and their sons, Tyler and Troy Junior, watching LSU and New Orleans Saints football games, basketball games, and going to the movies.

For the past 19 years, Tikela Gage has been a Community Case Manager at both the federal and state levels. She has also contributed her expertise in this role at the county levels throughout Texas. In both her personal and professional life, she lives by the concept that the key to a healthy and thriving community involves opportunities for everyone. She works hard to make sure that there is access to basic needs such as health care, safe and reasonable housing, employment, and education opportunities. Ms. Gage is dedicated to providing clients with comprehensive, practical support that helps them make a smooth transition back into the community. Ms. Gage said, “I have been interested in Criminal Justice since I was in high school, simply because I like to help people who are in need.” She volunteers at numerous community organizations where she can provide a helping hand whenever the need arises. “Her talent in building rapport with community partners and maintaining open lines of communication between clients, customers, and businesses illustrates her passion and dedication to the health, safety, and well-being of the community she serves,” said Reentry and Integration Division Director April Zamora.

Chairman O’Daniel offered congratulations to Tracy, Troy, and Tikela for being named outstanding employees of TDCJ.

**Report from the Presiding Officer, Judicial Advisory Committee**

Board Member Eric Nichols substituted for Judge Rebecca Palomo, District Judge of Webb County, who was at the board meeting earlier at the request of Judge Rose Guerra Reyna, Judicial Advisory Council (JAC) chair. Mr. Nichols stated that Judge Palomo had four issues to report to the Board on behalf of the JAC.
Probation Placements

Initially, as court operations began to increase following the lifting of pandemic restrictions, there was a fear that a surge of cases into the field of probation could overburden the system. Thankfully, the population has remained stable and no surge has been experienced. Currently, the felony probation direct population stands at 135,888. To provide some comparison, the felony direct population in February 2020 was 152,162. This equates to a 10.6% decrease and the population has remained in this range over the last 12 months.

Consideration of an Exceptional Item Request for Probation

The JAC is very appreciative that Mr. Collier has gathered a group of probation department directors and two JAC members to form a legislative committee that provides the opportunity to discuss the future direction of probation in Texas. To date, the committee has met more than 10 times since September, some meetings with Mr. Collier, some virtually, and several in person. The committee will continue to assess the requests and needs of the probation departments in advance of the next legislative session, and work with Mr. Collier on the agency’s legislative appropriations request.

Residential Salary Increases to Departments

The Jefferson County Community Supervision and Corrections Department (CSCD) community corrections facility closed in December 2021. Based on results from a statewide salary survey conducted by the TDCJ Community Justice Assistance Division (CJAD) in October 2021, it was decided to reinvest the $1.3 million annual amount made available from the closure of the Jefferson County facility to the remaining community corrections facilities to assist with recruitment and retention of residential monitors and residential monitor supervisors, positions with high turnover that are critical to the daily operations of community correctional facilities. This funding was awarded in February 2022.

Distribution of Funds in Excess of Refund Requirements

The refund requirement outlined in Rider 32 of the 2022 General Appropriations Act, and the corresponding amount set forth as a method of finance in the TDCJ bill pattern of $13 million, was met and exceeded by approximately $7.3 million. The TDCJ CJAD’s fiscal issues committee, composed of the CJAD leadership and CSCD chiefs representing various geographic locations and population sizes, convened and consensus was to distribute $6 million of the excess to CSCDs via the basic supervision funding formula to ensure all CSCDs benefitted from the available funds. It was further determined to distribute the remaining amount via the TDCJ CJAD’s one-time funding grant award process. The $6 million was distributed via the basic supervision funding formula in March and the additional one-time grant awards were finalized and awarded earlier this week.

Chairman O’Daniel thanked Mr. Nichols for presenting the report.
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 entities listed.

Ron Steffa, Chief Financial Officer, reviewed the purchases and contracts over $1 million. There were three items for consideration. The first item is an increase to the current Fiscal Year (FY) 2022 contract for beef trim, which is utilized in the beef processing plant and made into ground meat products for inmate consumption. Mr. Steffa reported that the agency is also seeking a 10% variance that would accommodate both the bid amount and any variance in usage during that timeframe. The second item is a renewal for FY 2024-25 of an existing contract for a driving while intoxicated recovery program provided at the Hamilton Unit by the Management and Training Corporation. The third item is also a renewal of an existing contract for FY 2024-25 for Substance Abuse Felony Punishment Facility (SAFP), In-Prison Therapeutic Community (IPTC), Driving While Intoxicated (DWI) Recovery, and In-Prison Substance Use Treatment Program services provided at the Coleman facility, also provided by Management and Training Corporation.

Chairman O’Daniel asked for any questions; 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.

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

Internal Audit Status Report

Chris Cirrito, Internal Audit Director, presented three updates to the Internal Audit Status Report:

- **2111 – Unit Schedules**: Audit is in report writing.
- **2204 – Employment Services**: Audit is in report writing.
- **2205 – Security Equipment**: Audit is in the fieldwork phase.

Chairman O’Daniel asked if there were any questions, and Judge Molly Francis pointed out that the walkthrough of the Texas Risk Assessment System is complete, and a summary of the walkthrough was previously provided to the board members. She stated that she discussed several questions regarding the results of the walkthrough with Mr. Cirrito, there would be a follow-up meeting, and possibly bring comments to the Board at a later date. Mr. Cirrito confirmed that the walkthroughs are used to update the annual risk assessment, the Internal Audit is in the process of developing the FY 23 Audit Plan at this time, and that is one of the projects being considered.

(Attachment C – Internal Audit Division Status Report, April 11, 2022)
Discussion, Consideration, and Possible Action
Regarding Proposed Land Transaction

1. Request for Renewal of a Pipeline Easement at the Clemens Unit, Brazoria County, Brazoria, Texas

Billy Hirsch, Director of the Manufacturing, Agribusiness and Logistics Division, presented the request for Seaway Crude Pipeline Company LLC to renew an existing pipeline easement at the Clemens Unit in Brazoria County, Brazoria, Texas, to include approximately 17.11 acres, being 14,907.99 feet long by 50 feet wide, to transport crude oil. Seaway Crude Pipeline Company LLC has agreed to pay $736,062.80 for a 10-year term. This is their first renewal. He stated the request includes language requiring indemnification as the grantee’s responsibility, the most-favored nation clause, and general liability insurance coverage for a minimum of $3,000,000. Mr. Hirsch recommended the TBCJ approve the request.

Chairman O’Daniel abstained from taking action on this agenda item due to his firm representing Seaway Crude Pipeline Company LLC.

   Pastor Larry D. Miles moved that the Texas Board of Criminal Justice approve the request for renewal of a pipeline easement at the Clemens Unit, Brazoria County, Brazoria, Texas, as presented.

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

2. Request for Renewal of a Pipeline Easement at the Clemens Unit, Brazoria County, Brazoria, Texas, and at the Clemens Trusty Camp II (Former TDCJ Scott Unit), Brazoria County, Angleton, Texas

Mr. Hirsch presented the request for Seaway Crude Pipeline Company LLC to renew an existing pipeline easement at the Clemens Unit in Brazoria County, Brazoria, Texas, and the Clemens Trusty Camp II (former TDCJ Scott Unit), Brazoria County, Angleton, Texas, to include two areas comprising 20.77 acres being 18,102.78 feet long by 50 feet wide, and 11.96 acres, being 10,418.52 feet long by 50 feet wide, to transport crude oil. Seaway Crude Pipeline Company LLC has agreed to pay $1,358,223.19 for a 10-year term. This is their first renewal. He stated the request includes language requiring indemnification as the grantee’s responsibility, the most-favored nation clause, and general liability insurance coverage for a minimum of $3,000,000. Mr. Hirsch recommended the TBCJ approve the request.

Chairman O’Daniel abstained from taking action on this agenda item due to his firm representing Seaway Crude Pipeline Company LLC.

   E.F. “Mano” DeAyala moved that the Texas Board of Criminal Justice approve the request for renewal of a pipeline easement at the Clemens Unit, Brazoria County, Brazoria, Texas, and the Clemens Trusty Camp II (former TDCJ Scott Unit), Brazoria County, Angleton, Texas, as presented.
Eric Nichols seconded the motion, which unanimously passed when called to a vote.

3. Request for Renewal of a Pipeline and Meter Site Easement at the Clemens Unit, Brazoria County, Brazoria, Texas

Mr. Hirsch presented the request for Chevron Phillips Chemical Company, LP to renew an existing pipeline easement at the Clemens Unit in Brazoria County, Brazoria, Texas, consisting of a combined area of 3.32 acres, comprising 3.03 acres, or 6,600 feet long by 20 feet wide, and area of 0.29 acre, or 77 feet long by 165 feet wide, for one pipeline and one meter site. Chevron Phillips Chemical Company, LP has agreed to pay $302,652 for a 10-year term. This is their third easement renewal. He stated the request includes language requiring indemnification as the grantee’s responsibility, the most-favored nation clause, and general liability insurance coverage for a minimum of $3,000,000. Mr. Hirsch recommended the TBCJ approve the request.

Chairman O’Daniel abstained from taking action on this agenda item due to his firm representing Chevron Phillips Chemical Company, LP.

Judge Faith Johnson moved that the Texas Board of Criminal Justice approve the request for renewal of a pipeline and meter site easement at the Clemens Unit, Brazoria County, Brazoria, Texas, as presented.

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

4. Request for Renewal of a Valve Site Easement at the Montford Unit, Lubbock County, Lubbock, Texas

Mr. Hirsch presented the request for MarkWest Power Tex L.L.C. to renew an existing valve site easement at the Montford Unit in Lubbock County, Lubbock, Texas, to include an area of 0.028 acre, or 35 feet wide by 35 feet long, for a valve site. MarkWest Power Tex L.L.C. has agreed to pay $11,600 for a 10-year term. This is their third easement renewal. He stated the request includes language requiring indemnification as the grantee’s responsibility, the most-favored nation clause, and general liability insurance coverage for a minimum of $3,000,000. Mr. Hirsch recommended the TBCJ approve the request.

Chairman O’Daniel abstained from taking action on this agenda item due to his firm representing MarkWest Power Tex L.L.C.

Judge Molly Francis moved that the Texas Board of Criminal Justice approve the request for renewal of a valve site easement at the Montford Unit, Lubbock County, Lubbock, Texas, as presented.

Judge Faith Johnson 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 and Relocate Steam Line Behind Maintenance at the Estelle Unit, Walker County, Huntsville, Texas**

   Cody Ginsel, Director of the Facilities Division, presented a new project for consideration requesting board approval to replace and relocate the steam line at the Estelle Unit, Walker County, Huntsville, Texas, as briefed at the Business and Financial Operations Committee Meeting. Mr. Ginsel asked that the Board approve the total estimated program cost of $2,284,500.

   
   *Dr. Rodney Burrow moved that the Texas Board of Criminal Justice approve the request to replace and relocate the steam line behind maintenance at the Estelle Unit, Walker County, Huntsville, Texas, as presented.*

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

2. **Request to Install Emergency Power in Multiple Locations at the Johnston Unit, Wood County, Winnsboro, Texas**

   Mr. Ginsel presented a new project for consideration requesting board approval to install emergency power in multiple locations at the Johnston Unit, Wood County, Winnsboro, Texas, as briefed at the Business and Financial Operations Committee Meeting. Mr. Ginsel asked that the Board approve the total estimated program cost of $1,392,400.

   
   *Ambassador Sichan Siv moved that the Texas Board of Criminal Justice approve the request to install emergency power in multiple locations at the Johnston Unit, Wood County, Winnsboro, Texas, as presented.*

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

3. **Request to Repair and Replace Fire Line at Restrictive Housing 12 Building at the Michael Unit, Anderson County, Tennessee Colony, Texas**

   Mr. Ginsel presented a new project for consideration requesting board approval to repair and replace fire line at Restrictive Housing 12 Building at the Michael Unit, Anderson County, Tennessee Colony, Texas, as briefed at the Business and Financial Operations Committee Meeting. Mr. Ginsel asked that the Board approve the total estimated program cost of $1,516,400.

   
   *Eric Nichols moved that the Texas Board of Criminal Justice approve the request to repair and replace fire line at Restrictive Housing 12 Building at the Michael Unit, Anderson County, Tennessee Colony, Texas, as presented.*
Judge Faith Johnson seconded the motion, which unanimously passed when called to a vote.

4. Request to Replace Hot Water and Steam Piping at the Telford Unit, Bowie County, New Boston, Texas

Mr. Ginsel presented a new project for consideration requesting board approval to replace hot water and steam piping at the Telford Unit, Bowie County, New Boston, Texas, as briefed at the Business and Financial Operations Committee Meeting. Mr. Ginsel asked that the Board approve the total estimated program cost of $2,106,500.

Derrelynn Perryman moved that the Texas Board of Criminal Justice approve the request to replace hot water and steam piping at the Telford Unit, Bowie County, New Boston, Texas, as presented.

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

Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy BP-03.46 (rev. 10), “Standards for Behavioral Intervention”

Kristen Worman, General Counsel, presented the proposed revisions to BP-03.46 (rev. 10), “Standards for Behavioral Intervention.” Ms. Worman stated the revisions are proposed to revise the title of the policy; revise “offender” to “inmate;” revise references to the TDCJ Use of Force Plan to TDCJ Behavioral Intervention Plan; and add language that the TDCJ Behavioral Intervention Plan does not apply to the employees of the TBCJ Office of the Inspector General (OIG) when they are acting in the course and scope of their employment as commissioned peace officers. Grammatical and formatting updates were also made to the policy.

Pastor Larry D. Miles moved that the Texas Board of Criminal Justice approve the revisions to Board Policy BP-03.46 (rev. 10), “Standards for Behavioral Intervention,” as presented.

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

Discussion, Consideration, and Possible Action Regarding Proposed Revisions of the “Behavioral Intervention Plan”

Ms. Worman presented the proposed revisions of the “Behavioral Intervention Plan.” Ms. Worman stated the plan was extensively reorganized and renamed the Behavioral Intervention Plan; revised “offender” to “inmate” throughout; where appropriate, revised “use of force” to “behavioral intervention.” Language was added to clarify that the plan is not applicable to employees of the OIG acting in the course and scope of their employment as commissioned
peace officers. The plan was revised to clearly define the three phases of behavioral intervention: de-escalation, force preparation, and use of force and to add clarifying language regarding the process for de-escalation of incidents. Additionally, language regarding the authorized use of body worn cameras, stun cuffs, and tasers was added. Procedures for the application of force and use of restraints, including therapeutic restraints, was revised for clarity; references to Correctional Managed Health Care policies I-66.1, Medical Therapeutic Restraints, and I-66.2, Therapeutic Restraints of Mental Health Patients was added. The administrative review process was revised for clarity and to remove the Office of the General Counsel and Quality Improvement Review. Forms were also updated to record the use of body worn cameras and tasers; new form, BIP-12, Notice of Referral to the Office of the Inspector General was added; and UOF-7, Quality Improvement Review was deleted. Grammatical and formatting updates were also made.

*Dr. Rodney Burrow moved that the Texas Board of Criminal Justice approve the revisions of the “Behavioral Intervention Plan,” as presented.*

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

**Public Comments**

Chairman O’Daniel stated that for public comment within the jurisdiction of the TBCJ but not items posted on the agenda, two registration cards were received prior to the established deadline. The time limit set was three minutes per individual for each topic, and he reviewed the requirements for speaker registration in accordance with the *Open Meetings Act*.

Craig Caudill spoke regarding fair changes to improve prison conditions. Mr. Caudill thanked Chairman O’Daniel for the opportunity to speak and stated that he represents FairChanges.org. He indicated that combat post-traumatic stress disorder led him to drug addiction, homelessness, crime, and 21 years in the Texas prison system. He expressed his appreciation for the difficult job of agency leadership and stated that he believes there are ways to improve the criminal justice system, making it more effective and efficient. Fair Changes has created plans that he believes will save money and reduce recidivism. Mr. Caudill referenced similarities between the Fair Changes plans and comments Mr. Collier previously made regarding the TDCJ 2030 Plan, such as having less staff, but the right staff, with incentives to stay employed, who understand the prison population. He stated that when recidivism is reduced, the conditions inside the prisons are improved. Fair Changes has plans to eliminate certain classifications of inmates, reduce transportation costs, reduce the dependence on private prisons, and implement programs for each inmate to participate in prior to release, with all inmates having jobs when they are released. Mr. Caudill stated that he has a successful trucking company now, thanks to the CDL program he went through at TDCJ. He said his success is due to his use of the resources that TDCJ gave him, although not every inmate will do the same, which is why they should be made to participate in the program Fair Changes has developed ahead of their release to help reduce recidivism and reduce the workload of parole officers. As his time limit was met, he welcomed any questions.
Chairman O’Daniel stated that he appreciated the observations presented and acknowledged that Mr. Collier’s vision seemed congruent with what Mr. Caudill spoke about. Mr. Caudill pointed out that there was a legislative committee established in 2007 that should have submitted six reports to Mr. Collier by now, but that none had been provided at this point and that the committee has only had one meeting. He indicated that Fair Changes would like to volunteer to help with the requirements of that committee for the benefit of the agency, and offered to do anything the agency needs of the organization. Mr. Caudill stated that Fair Changes would begin collecting information and present a report in July, and he hoped that agency leadership will review the report and contact him to discuss his ideas further. Chairman O’Daniel expressed his appreciation for the remarks.

Lanesia Wheeler spoke about the visitation policy and expressed her appreciation for the opportunity to come before the Board as a family member of someone who is incarcerated. Having spent a whole year of the COVID-19 pandemic not being able to visit was a tremendous burden on her family. Ms. Wheeler expressed concern regarding visitation time being reduced due to late arrival. She stated that she understood that staff shortages are an issue and that scheduled times for visitation are put in place to make visitation smoother; however, visitation and phone calls are all that some people have with their loved ones. Ms. Wheeler indicated that being present for the volunteer awards ceremony was quite hopeful, seeing that there are people doing great things to keep families together. She also stated that the mission statement resonated with her, referencing “promoting positive change in offender behavior.” Ms. Wheeler indicated that visitation is important, a highlight of her week, and of her husband’s, and visitation being cut short after making the time and effort to arrive is discouraging. She stated that she doesn’t think people should be turned away for visitation for being late.

Chairman O’Daniel thanked Ms. Wheeler and indicated he agreed that visitation is extremely important. He let her know he appreciated that she understood the short staffing issues and that the agency tries to do everything possible for visitation. Ms. Wheeler thanked him for allowing her to speak. Judge Johnson asked Ms. Wheeler how she would like to see the agency address her concerns. Ms. Wheeler mentioned that there are some people without internet access that cannot schedule a visit. She indicated that allowing people to come whenever they are available would be helpful, without being restrained to a set time, as space and time allows. Judge Johnson stated that she believed the agency is working toward changes that would address some of Ms. Wheeler’s concerns.

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, June 24, 2022, in McAllen, Texas.

**Adjournment**

There being no further business, Chairman O’Daniel adjourned the 222nd meeting of the Texas Board of Criminal Justice at 4:13 p.m.