

**Texas Board of Criminal Justice
230th Meeting**



Minutes

**August 25, 2023
Galveston, Texas**

TEXAS BOARD OF CRIMINAL JUSTICE

**The San Luis Resort Spa & Conference Center
5222 Seawall Blvd.
Galveston, Texas 77551**

**August 25, 2023
10:30 AM – 1:00 PM**

ORDER OF BUSINESS

Call to Order

Convene Texas Board of Criminal Justice (TBCJ) Meeting

I. Regular Session – Mainsail

- A. Recognitions
- B. Consideration of Approval of Consent Items
 - 1. Hazardous Duty Pay Authorization Requests
 - 2. Personal Property Donations
 - 3. 229th TBCJ Meeting Minutes
- C. Election of Officers
- 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. Discussion, Consideration, and Possible Action Regarding the Proposed Fiscal Year 2024 Annual Audit Plan
- H. Discussion, Consideration, and Possible Action Regarding the TDCJ Fiscal Year 2024 Proposed Operating Budget
- I. Discussion, Consideration, and Possible Action Regarding the Salary for the TDCJ Executive Director
- J. Discussion, Consideration, and Possible Action Regarding Purchases and Contracts Over \$1 Million

- K. Discussion, Consideration, and Possible Action Regarding Proposed Land Transactions
 - 1. Request for Right-of-Way Easement – Holliday Unit, Walker County, Huntsville, Texas
 - 2. Request for Right-of-Way Easement – Wynne Unit, Walker County, Huntsville, Texas
- L. Discussion, Consideration, and Possible Action Regarding Facilities Division Construction Projects
 - 1. Request to Contract for Design Services for Training Facility, Holliday Unit, Walker County, Huntsville, Texas
 - 2. Request to Repair Fire Alarm System and Install Fire Suppression System – Building No. 2040 at Chase Field, Bee County, Beeville, Texas
- M. Discussion, Consideration, and Possible Action Regarding Proposed New Board Rule Title 37 Texas Administrative Code Section 151.54, “Employee Training and Education – Tuition Reimbursement”
- N. Discussion, Consideration, and Possible Action Regarding Proposed Amendments to Board Rule Title 37 Texas Administrative Code Section 152.3, “Admissions”
- O. Discussion, Consideration, and Possible Action Regarding Proposed Revisions to Board Policy BP-03.85 (rev.4), “Inmate Visitation”
- P. Discussion, Consideration, and Possible Action Regarding Proposed Revisions of the “TDCJ Inmate Visitation Plan”
- Q. Public Comments

Recess Texas Board of Criminal Justice Meeting

The TBCJ may discuss and/or take action on any of the items posted on this meeting agenda.

II. Executive Session – Executive Boardroom

- 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).

Adjourn Texas Board of Criminal Justice Meeting

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. 230**

The Texas Board of Criminal Justice convened on Friday, August 25, 2023, in regular session at 11:24 a.m. at the San Luis Resort, Spa & Conference Center in Galveston, Texas, recessed at 3:22 p.m., reconvened in executive session at 3:38 p.m., and adjourned at 4:30 p.m.

TBCJ MEMBERS PRESENT:

Eric J.R. Nichols, Chairman
Hon. Faith Johnson, Vice Chairman
Derrelynn Perryman, Secretary
Rodney Burrow, M.D.
Hon. Molly Francis
Ambassador Sichan Siv
Nate Sprinkle
Sydney Zuiker

TBCJ MEMBER ABSENT:

Bill Welch

**TEXAS DEPARTMENT OF
CRIMINAL JUSTICE STAFF
PRESENT:**

Bryan Collier, Executive Director
Oscar Mendoza, Deputy Executive Director
Andrew Barbee Ron Hudson
Kate Blifford Dr. Lannette Linthicum
Chris Carter Bobby Lumpkin
Jason Clark Angie McCown
Tina Clark Ron Steffa
Allison Dunbar David Sweetin
Marvin Dunbar Rebecca Waltz
Carey Green Kristen Worman
Rene Hinojosa David Yebra
Billy Hirsch April Zamora

TBCJ STAFF PRESENT:

Chris Cirrito Wyvonne Martin
Jill Durst Brian Patrick
Cris Love

OTHERS PRESENT:

Mo Jenkins, House Corrections Committee Clerk
Cory Sharp, Legislative Budget Board Analyst

Convene the Texas Board of Criminal Justice

Chairman Eric J.R. Nichols convened the 230th meeting of the Texas Board of Criminal Justice (TBCJ or board) on Friday, August 25, 2023, at 11:24 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 Nichols acknowledged Mr. Cory Sharp with the Legislative Budget Board and Ms. Mo Jenkins with the House Corrections Committee for their contributions along with the Texas Legislature and the Legislative Budget Board for their work.

Chairman Nichols 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." Thirty-eight speaker registration cards were received for public comment prior to the deadline and would be heard later in the meeting.

Recognitions

Manufacturing, Agribusiness and Logistics (MAL) Division Director Billy Hirsch recognized Garth Parker as the new MAL Deputy Division Director. Mr. Hirsch introduced Mr. Parker and stated he would be overseeing manufacturing, which is the industry programs, and logistics, which is their fleet operations, freight, and warehouse. Mr. Hirsch stated Mr. Parker began his career over 24 years ago as a correctional officer in 1998 and promoted through the ranks of the Correctional Institutions Division (CID) to assistant warden at the Garza West facility in 2012 and then to senior warden at the Duncan Unit in 2015. Mr. Parker also served as senior warden at the Sanchez State Jail, Telford Unit, and Robertson Unit, promoted to regional director in Palestine in 2020, and reassigned as the Director of Laundry, Food, and Supply in 2022. He holds a bachelor's degree in administration of criminal justice from Mountain State University and a master's degree in organizational leadership from Southern New Hampshire University. Mr. Hirsch stated that Mr. Parker's strong leadership and vast operational knowledge will serve the division well. Chairman Nichols congratulated Mr. Parker who expressed his gratitude for the opportunity.

Parole Division Director Rene Hinojosa recognized Amanda Lowe as a new Parole Deputy Division Director. Mr. Hinojosa introduced Ms. Lowe and stated she will oversee Regions II, III, and IV for the parole division which consists of 41 parole offices and approximately 51,000 parole clients. Ms. Lowe has over fifteen years of experience in the parole division and has held many positions there to include parole officer, unit supervisor, parole supervisor, and regional director. She earned her bachelor's degree in psychology from San Angelo State University and has consistently shown her dedication to the agency and mission. Her leadership, field supervision, knowledge, and integrity will serve her well in her new role. Chairman Nichols congratulated her on her new role and she expressed her gratitude for the new opportunity.

Chief of Staff Jason Clark recognized Hannah Haney as the new Communications Deputy Director. Mr. Clark introduced Ms. Haney who has a Bachelor of Arts degree in communications from Texas A&M University and a master's degree in technical communication from Sam Houston State University. She brings a wealth of knowledge to the TDCJ and specializes in digital communication, audience engagement, and event planning. Chairman Nichols congratulated her on her new role and thanked her for her efforts especially considering the events at the Huntsville Unit. Ms. Haney stated it was a privilege and honor to represent the agency and share the good works and programs of the agency. She concluded with excitement about the agency's growth.

CID Director Bobby Lumpkin recognized Elbert Holmes as the new Region IV Director. Mr. Lumpkin stated Mr. Holmes began his career as a correctional officer at the Stiles Unit in 1995 and promoted through the ranks to senior warden at the McConnell Unit in Beeville. During his tenure, Mr. Holmes has displayed a passion for his work in the correctional field. His authentic leadership is reflected through his effective communication skills and his ability to empower employees to reach their full potential. Mr. Holmes' adaptability, integrity, and perseverance

continue to be a valuable asset to the agency and the state of Texas. Chairman Nichols congratulated Mr. Holmes on his new role. Mr. Holmes reflected on his journey through the agency and how this position was a return on his investment in the agency. Ambassador Siv stated he had the privilege of meeting Mr. Holmes in Pampa and congratulated him on his new role.

Chairman Nichols 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 July and August 2023, 76 employees attained 25 years of service, 28 employees attained 30 years of service, 14 employees attained 35 years of service, five 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 and service.

Chairman Nichols recognized Judy Goodwell and outlined her career that began in 1983 in the parole department and who now works with the OIG.

Chairman Nichols recognized Raymond J. Brumley and outlined his career that began in 1979 in the maintenance department at the Walls Unit.

Chairman Nichols recognized Correctional Officer John J. Henry and outlined his career that began in 1982 at the Ferguson Unit.

Chairman Nichols recognized Correctional Officer Clyde Cooper and outlined his career that began in 1978 at the Wainwright Unit formerly known as the Eastham Unit.

Chairman Nichols recognized Correctional Officer Martin Ley and outlined his career that began in 1982 at the Ramsey Unit.

Chairman Nichols recognized Correctional Officer Jimmy D. Lankford and outlined his career that began in 1984 at the Skyview Unit.

Chairman Nichols congratulated each employee and thanked them for their unwavering loyalty and dedication to the citizens of Texas. He 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 A – Employee Names)

Consideration of Approval of Consent Items

- 1. Hazardous Duty Pay Authorization Requests**
- 2. Personal Property Donations**
- 3. 229th TBCJ Meeting Minutes**

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

Election of Officers

Chairman Nichols stated in accordance with Board Rule 151.3 the Texas Board of Criminal Justice shall elect a Vice-Chairman and a Secretary each odd-numbered year. Chairman Nichols stated they have experienced and highly motivated members across the board who are each contributing to the board's mission to support the objectives of the state, the TDCJ, and the Windham School District (WSD) in the areas entrusted to their care. The board is committed to calling on the talents of each board member in contributing servant leadership to this mission. With respect to one aspect of that service, as board officers, the Vice-Chairman shall preside over meetings in the Chairman's absence, and the Chairman and/or Secretary shall execute any necessary documents. This election will fill the vacancy of the Vice-Chairman and the Secretary.

Chairman Nichols asked for a nomination for the Vice-Chairman and Secretary of the Board.

Judge Molly Francis nominated Judge Faith Johnson as the Vice-Chairman and Derrelynn Perryman as the Secretary.

Chairman Nichols called for a motion and a second.

Ambassador Sichan Siv moved that the Texas Board of Criminal Justice approve the nominations of Judge Faith Johnson as the Vice-Chairman and Derrelynn Perryman as the Secretary of the Texas Board of Criminal Justice.

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

Report from the Executive Director, Texas Department of Criminal Justice

Mr. Collier updated the board on the significant structural fire that occurred at the Huntsville Unit (also known as the Walls Unit) earlier that morning. The fire began around 2:20 a.m. after staff identified the smell of smoke. The local fire department was contacted, and there have been no injuries to staff or inmates. Inmates were moved to the gymnasium and will be transported to another unit in the area at a later time. The fire was controlled with the help of the Walker County Fire Department, the Huntsville Fire Department, and the Montgomery County Fire Department as well as TDCJ staff and Office of Inspector General staff along with EMS personnel. The fire was located in the administrative area as well as part of the roof structure on the front of the Huntsville Unit. The State Fire Marshall is there to evaluate the cause of the fire, and site engineers will be on site soon to identify any necessary repairs. Mr. Collier expressed his gratitude for the responding departments and the TDCJ staff involved.

Air Conditioning

Mr. Collier spoke about the summer temperatures reaching record levels, and discussed some of the many protocols the agency is taking to address the heat in their facilities which impact the staff and inmates. The system has 31 prisons with full air-conditioning and many others with partial air-conditioning which total to approximately 42,000 air-conditioned beds. Inmates with heat vulnerabilities are housed in those beds. For those prisons or housing areas without air-

conditioning, deliberate measures are taken to mitigate the heat for staff and inmates. Those measures include providing cold water in housing areas, making respite areas available, providing more access to showers, limiting outside activities, and other measures.

In the past five years, air-conditioning has been added to several facilities and housing areas with more than 3,400 beds being added between 2019-2021 and an additional 6,600 beds being completed in the next year. The legislature authorized \$85 million dollars in the budget up for vote today which will add approximately 11,000 more air-conditioned beds to the system, taking the agency to nearly 60,000 air-conditioned beds. Mr. Collier thanked the legislature for funding these system improvements and promised to continue efforts to keep staff and inmates safe during these extreme temperatures.

Correctional Officer Staffing

Mr. Collier provided an update on agency staffing and reported that correctional officer staffing continues to be the agency's top priority. During the month of July, the agency hired over 500 correctional officers and anticipates just under 700 correctional officer hires for the month of August. The agency continues to work through significant staffing challenges in other areas of the agency such as Parole, Reentry and Integration, Rehabilitation Programs, Business and Finance, and Facilities. In the past sixty days, division directors have worked closely with Mr. Steffa to collapse chronically vacant positions to utilize the savings from those positions to increase salaries for other positions and improve the opportunity to fill those more critical positions. Many of these changes will go into effect on September 1st, and the agency is optimistic about seeing significant improvements to staffing this fall.

Sunset Review Process

Mr. Collier provided an update on the Sunset Review Process. The agency is scheduled to undergo the Sunset Review Process during this biennium. The Texas Sunset Commission is responsible for reviewing the need for an agency or program to exist. In Texas, an agency will automatically be abolished on its Sunset date unless the Legislature passes a bill to continue it, typically for another 12 years.

The Sunset Advisory Commission is a body of 12 members, with five senators and one public member appointed by the Lieutenant Governor, and five members of the House of Representatives and one public member appointed by the Speaker of the House. The Sunset Commission employs an executive director who oversees approximately 30 staff to conduct independent Sunset Reviews.

As part of the Sunset Review, the Commission will carry out a rigorous evaluation of the processes of the TDCJ. This evaluation, and subsequent recommendations, provide a unique opportunity to closely examine the mission, priorities, and performance of the agency in order to take action to address any problems identified.

The first step is an agency self-evaluation report which will be provided to the Sunset Commission by August 31, 2023. Sunset staff will begin to review the self-evaluation report, receive input from interested parties, evaluate the agency, identify problems, develop recommendations, and publish a staff report.

Mr. Collier reported that this will be a lengthy process. The agency will be available for all questions, open its doors for commission staff to take tours, and share all information so the staff can take a deep dive into the agency's processes. As the Sunset Commission works through their review, they will build a sunset report which will identify their findings and recommendations. They will conduct public hearings to take testimony on the staff report and the agency. During the final sunset hearing, the commission will vote on recommendations and changes.

These recommendations and changes will take the form of a bill which will be introduced during the 89th Texas Legislative Session. The bill goes through the normal legislative process and, if passed, the agency will continue with improvements included in the bill.

The Sunset Commission has not released its schedule for the 2024-2025 cycle, but we anticipate it will be released soon. The TDCJ welcomes the Sunset Review and legislative action by the 89th Texas Legislature to help identify and implement any improvements and updates to our governing statutes.

American Correctional Association Reaccreditation

Mr. Collier discussed the recent American Correctional Association reaccreditation of several areas. The TDCJ is fully accredited by the American Correctional Association and has the status of being a Golden Eagle state, meaning that all agency areas subject to accreditation are fully accredited. There are only a small number of states that are identified as a Golden Eagle State.

The agency has also attained the Lucy Webb Hayes award, meaning that Texas is fully accredited by the American Correctional Association, and also fully compliant with the Prison Rape Elimination Act standards based on independent audits of the agency's facilities. To maintain these levels of accreditation and continue to meet the standards as they change, the agency undergoes reaccreditation once every three years.

Mr. Collier shared that last week the Byrd, Clements, Daniel, Estelle, Formby, Glossbrenner, Hodge, Jester III, Ramsey, Roach, Skyview, Smith, Vance, Wheeler, and Wynne units as well as Correctional Training, Texas Correctional Industries, and the administration area of the TDCJ went through the American Correctional Association reaccreditation process and were reaccredited. To achieve this, correctional facilities and functional areas must meet hundreds of standards. In addition to having an independent auditor visit the facility or division, wardens and staff must also attend the conference and sit before a panel and answer questions. It takes a significant amount of work from a number of different divisions to ensure the agency is meeting these national standards.

Mr. Collier expressed his gratitude and congratulations to those who played a role in the reaccreditation of these units and divisions and thanked them for continuing to strive for excellence in all operational areas.

Judge Johnson thanked Mr. Collier for his report and expressed her appreciation for the agency's commitment to making the agency 100% air conditioned. She asked what the board and community can do to help in this process. Mr. Collier stated that the TDCJ's website will soon have a page dedicated to current and future projects, so the public can be aware of what projects are in process or will be in the next biennium. Mr. Collier stated the agency has attempted to receive funding for air conditioning for the last four bienniums. Mr. Collier stated the agency has

received small amounts of funding compared to what was recently received to assist with air conditioning, but to do the entire system would cost well over a billion dollars and would take more than two years, which has been presented to the Texas Legislature, so the agency prepared a ten-year plan to incrementally achieve this goal. Design contracts and bidding are required before the final project can even be completed, and the numbers of contractors can be challenging. Educating the public and working closely with legislative leadership will help the agency stay committed to achieving this goal. Mr. Collier thanked Mr. Hudson and his staff for their efforts in this process.

Report from the Chairman, TBCJ

Chairman Nichols reported on the servant leadership work that members of the board are doing. He stated he was able to join some of his fellow board members to tour the Baby and Mother Bonding Initiative Program (BAMBI) which is located in the Southeast Texas region. The BAMBI Program services commenced in April 2010 to allow eligible mothers who are incarcerated in TDCJ facilities to bond with their infant child or children following delivery for the remainder of the mother's sentence in a residential facility. The program partners the Rehabilitation Programs Division with the Health Services Division, the Correctional Institutions Division, the University of Texas Medical Branch, and the Santa Maria Hostel, Inc., to provide services for up to 22 new mothers and to afford these mothers the opportunity to form a healthy attachment with their newborns in a secure setting.

Each mother accepted into the program receives child development education, life skills, infant first aid and CPR, nutrition, peer recovery, cognitive skills, anger management, and family reunification sessions. Additional programming also includes substance abuse education and GED classes. Judge Faith Johnson, Judge Molly Francis, and Dr. Rodney Burrow had the joyous ability to interact with these mothers and their children.

Chairman Nichols, on behalf of the board, commended the agency, the University of Texas Medical Branch, and the Santa Maria Hostel for maintaining an invaluable program for mothers and their children. The program has served 377 inmates and 380 children. Chairman Nichols reported that this is the type of rehabilitative program that meets core TDCJ mission objectives as established by the Legislature, including promoting positive change in behavior of those remanded to custody in TDCJ facilities and reintegrating members of that population into society. He expressed his enjoyment at being able to see the program firsthand and the positive impact it has on families.

Recognitions

Chairman Nichols recognized seven outstanding employees who have set themselves apart from the rest. He highlighted the careers and contributions of the following employees:

- Correctional Officer Angela Hampton for her positive attitude and willingness to lend a helping hand;
- Correctional Officer Charles "Sonny" Stokes for being a role model to incoming staff and his excellent work ethic;
- Correctional Officer Emmanuel Monjok for his reliability, commitment, and passion;

- Correctional Officer Tony Thompson for his professional demeanor and his “can do” attitude;
- Parole Officer Cheryl Phillips for her ability to go above and beyond without seeking recognition;

Chairman Nichols stated that the last two employees do not work for the TDCJ but one of the agency’s medical partners, the University of Texas Medical Branch (UTMB). He stated that the TDCJ is fortunate to have a long-established partnership with the UTMB. The commitment of the men and women of the UTMB to provide care to the TDCJ’s inmate population plays a critical role in the success of the agency.

- UTMB Case Manager Natanja Clarke from Hospital Galveston for her kind heart and compassion along with her excellent communication skills; and
- UTMB Correctional Clinical Associate Tonia Roberts for her ability to provide outstanding patient-centered care.

Chairman Nichols thanked the outstanding group of employees for the work they do for the agency.

Report from the Presiding Officer, Judiciary Advisory Council

Judge Brock Thomas presented an update on behalf of the Judiciary Advisory Council (JAC) and chairwoman District Court Judge Rose Reyna. He recognized the collaboration of the various Community Supervision and Corrections Departments (CSCDs) prior to and during the legislative session which helped to achieve a much-needed infusion of funds to departmental operations and staff salary increases for CSCDs across the state. Department funding schedules for the upcoming fiscal year reflecting this additional funding were released in July. Last month, the JAC held their quarterly meeting where Chief of Staff Jason Clark made a presentation concerning TDCJ heat mitigation processes and plans moving forward relating to the installation of air conditioning into TDCJ units. Judge Thomas stated the presentation was informative and appreciated, and they look forward to having other TDCJ staff attend their meetings in the future. Next month, September 24th through the 27th, the Correctional Management Institute of Texas in collaboration with the Community Justice Assistance Division (CJAD) will host the 51st annual Chief’s Leadership Conference where the JAC will have an opportunity to meet with probation chiefs across the state and to conduct the quarterly meeting. Judge Thomas concluded by saying that the JAC is always available to the board for any assistance. Chairman Nichols thanked him for his report.

Discussion, Consideration, and Possible Action Regarding the Proposed Fiscal Year 2024 Annual Audit Plan

Internal Audit Director Chris Cirrito requested that the board approve the proposed Fiscal Year 2024 Annual Audit Plan presented earlier in the Audit and Review Committee Meeting and grant the authority to modify that plan if the risk or the need arises so long as it is presented to the board at the next meeting.

Chairman Nichols thanked Mr. Cirrito for the presentation and 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 2024 and authorize the Internal Audit Director to perform audit work outside of the Audit Plan if the Director deems deviations are warranted, documented, as required by the Texas Internal Auditing Act, and presented to the board at the next scheduled meeting.

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

Discussion, Consideration, and Possible Action **Regarding the TDCJ Fiscal Year 2024 Proposed Operating Budget**

Ron Steffa, Chief Financial Officer, presented a review of the Fiscal Year 2024 Proposed Operating Budget. He thanked each of the board members for spending time to individually meet for briefings on the budget.

Mr. Steffa stated that the TDCJ's Fiscal Year (FY) 2024 operating budget reflects decisions that were made during the legislative regular session and represents a significant investment in the criminal justice system. Mr. Steffa highlighted some of the significant funding decisions impacting the FY 2024 operating budget as follows:

- All state employees will receive a 5% or \$3,000 salary increase;
- Funding was provided to the local Community Supervision and Corrections Department staff for a similar pay raise to state employees; they also received \$23.9 million to maintain the programs supported by basic supervision and community corrections;
- Correctional Managed Health Care (CMHC) received funding for a 5% employee pay raise with targeted nursing positions receiving additional percentages and received \$58.6 million in FY 2024 to maintain current operations; they also received funding to add mental health staff to the agency's self-harm prevention offices and to equip and staff a converted sheltered housing area of the Montford Unit trusty camp;
- The Texas Correctional Office on Offenders with Medical or Mental Impairment (TCOOMMI) was provided an increase to contracts with the local mental health authorities that will allow them to provide pay raises similar to state employees and also address increased operational costs;
- Funding was provided for the increases in per diems at contracted facilities and for the operation of the Estes, Diboll, and Bell facilities as they transition from contracted to state operated;
- \$35 million was provided to construct a training facility specifically designed for the agency's training needs;
- \$27.4 million was provided to address the increases in cost for food, fuel, and utilities throughout the system;
- The agency received funding to replace aging vehicles and equipment;

- \$4 million was provided for protective gear for correctional staff;
- \$3.1 million was provided to refresh and maintain the agency’s comprehensive video surveillance systems;
- Additional funding in the amount of \$138.6 million was provided for major repairs and renovations in FY 2024;
- Funding was provided for body-worn cameras for officers at the maximum-security facilities as well as providing body scanners at facilities to aid in contraband interdiction;
- The Office of Inspector General (OIG) received funding to provide 12 additional investigators on correctional facilities to address the incidents of contraband and also received funding to add and equip 12 investigators to address parole absconders; and
- Funding for additional positions was provided to address cybersecurity, legacy modernization, and the agency’s transition to the Centralized Accounting Payroll Personnel System.

The FY 2024 operating budget totals \$4.37 billion and will be closely monitored and managed throughout the year.

Chairman Nichols thanked Mr. Steffa and his staff for their report and briefings and asked for any questions from the board.

Derrelynn Perryman moved that the Texas Board of Criminal Justice approve the Texas Department of Criminal Justice Fiscal Year 2024 Proposed Operating Budget as presented and authorize the executive director of the Texas Department of Criminal Justice to make transfers as necessary and as authorized in the General Appropriations Act and other applicable laws.

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

Discussion, Consideration, and Possible Action **Regarding the Salary for the TDCJ Executive Director**

Chairman Nichols presented the discussion regarding the salary of the TDCJ Executive Director in accordance with the *General Appropriations Act* as passed by the 88th Texas Legislature. Mr. Nichols expressed how fortunate and blessed the state has been to have Bryan Collier serve as the TDCJ’s Executive Director since 2016. The board in its meetings over the years has evaluated and continues to evaluate Mr. Collier’s performance and his contributions to the TDCJ and to the Texas community at large.

Based on that consideration, the board considers the following action as outlined in a proposed letter to the Comptroller of the State of Texas. Chairman Nichols read the proposed letter detailing a salary level increase for Executive Director Bryan Collier for his outstanding performance.

Chairman Nichols asked if there were any questions or comments from members of the board regarding the salary for the TDCJ Executive Director. Hearing none, he called for a motion and a second.

Dr. Rodney Burrow moved that the Texas Board of Criminal Justice approve the salary of the Executive Director of the Texas Department of Criminal Justice, as set forth and funded in the General Appropriations Act of the 88th Legislature, with an effective date of September 1, 2023.

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

Discussion, Consideration, and Possible Action **Regarding Purchases and Contracts Over \$1 Million**

Chairman Nichols abstained from taking action on this agenda item due to his firm representing entities listed.

Ron Steffa, Chief Financial Officer, reviewed the contracts over \$1 million. Mr. Steffa stated there will be 19 items brought for the board's consideration and approval. The first item is an increase to the FY 2022-2023 contract for sex offender treatment services due to the addition of nine treatment site locations. Item two is an increase to the FY 2022 contract for fleet vehicles from the amount previously approved in June 2022 due to receiving a newer year model. These vehicles are used for transportation of inmates across the state. Item three is a FY 2024 contract for deferred maintenance at the University of Texas Medical Branch at Hospital Galveston. This was as appropriated by the 88th legislature *General Appropriations Act*. Item four is a FY 2024 contract for freightliner tractor trucks for the agency's transportation needs across the state. Item five is a FY 2024-2025 contract with the Department of Information Resources to provide data center services to the agency. Item six is a FY 2024-2025 increase to the TCOOMMI contract for case management and continuity of care services through the local mental health authority. This increase is due to the addition of Jasper County as the result of the service area being redistricted. Items seven and eight are FY 2024-2025 interagency contracts for the delivery of health care services to TDCJ inmates. Item seven is with the University of Texas Medical Branch, and item eight is with the Texas Tech University Health Sciences Center. These contract amounts are consistent with the amounts appropriated by the Legislature for these purposes. Items nine through twelve are FY 2024-2025 contracts for the operation and management of privately operated correctional centers. Item nine is the Coleman Unit located in Lockhart. Item ten is the Bridgeport Unit located in Bridgeport. Item eleven is the B. Moore Unit located in Overton. Item twelve is the Kyle Unit located in Kyle. Item thirteen is a FY 2024-2025 contract for the operation and management of rehabilitative treatment services for inmates in the substance abuse felony punishment facilities, intermediate sanction facilities, substance use treatment programs, Intermediated Sanction Facility Cognitive Intervention Program, and the Driving While Intoxicated Program. Items fourteen through nineteen are FY 2024-2025 contracts to provide residential reentry resources for parolees at the residential reentry centers. These centers are located in Austin, Dallas, El Paso with two locations, Fort Worth, and Edinburg.

Chairman Nichols 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 the purchases and contracts over \$1 million as presented.

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

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

Request for Right-of-Way Easement – Holliday Unit, Walker County, Huntsville, Texas

Billy Hirsch, Division Director of the Manufacturing, Agribusiness and Logistics Division, presented the request of the Texas Department of Transportation (TxDOT) for a permanent right-of-way easement consisting of three segments of land at the Holliday Unit in Walker County, Huntsville, Texas, to include an area of approximately 1.697 acres to be used for TxDOT's I-45 widening project. Mr. Hirsch presented a map detailing the three segments of land with two segments near the entrance of the unit and the third on the northern point of the unit at the crossroads of FM 1791 and I-45. The Texas Department of Transportation has agreed to pay \$74,286.

Chairman Nichols 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 right-of-way easement at the Holliday Unit, Walker County, Huntsville, Texas as presented.

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

Request for Right-of-Way Easement – Wynne Unit, Walker County, Huntsville, Texas

Mr. Hirsch presented the request of the Texas Department of Transportation for a permanent right-of-way easement at the Wynne Unit in Walker County, Huntsville, Texas, to include an area of approximately 0.0546 acres to be used for TxDOT's I-45 widening project. Mr. Hirsch presented a map of the land and stated this area is across the freeway from the previous easement request. The Texas Department of Transportation has agreed to pay \$7,131.

Chairman Nichols 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 for right-of-way easement at the Wynne Unit, Walker County, Huntsville, 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

Request to Contract for Design Services for Training Facility, Holliday Unit, Walker County, Huntsville, Texas

Facilities Division Director Ron Hudson presented a new project for consideration to contract for design services for a training facility at the Holliday Unit in Huntsville, Texas, previously presented at the Business and Finance Committee Meeting. The total estimated program cost of this is \$4,338,800.

Chairman Nichols asked Mr. Hudson to expand on what the training facility is and how it will serve the mission. Mr. Hudson stated the training facility will be for all of the agency's divisions to use. Currently, they are contracted with Sam Houston State University, but they have outgrown that area. As the agency grows, this facility will allow for additional training.

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

Dr. Rodney Burrow moved that the Texas Board of Criminal Justice approve the request to contract for design services for training facility at the Holliday Unit, Walker County, Huntsville, Texas, as presented.

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

Request to Repair Fire Alarm System and Install Fire Suppression System – Building No. 2040 at Chase Field, Bee County, Beeville, Texas

Mr. Hudson presented a new project for consideration to repair and install a fire alarm system and suppression system in building 2040 at the Chase Field in Bee County, Beeville, Texas, presented earlier at the Business and Finance Committee Meeting. The total estimated program cost of this project is \$1,765,800.

Chairman Nichols asked if there were any questions or comments. Ms. Perryman asked what the timeline was on this project. Mr. Hudson stated this project should be completed within the next six months. Hearing no other questions or comments, Chairman Nichols called for a motion and a second.

Derrelynn Perryman moved that the Texas Board of Criminal Justice approve the request to repair fire alarm system and install fire suppression system at Building No. 2040 at Chase Field, Bee County, Beeville, Texas, as presented.

Judge Faith Johnson 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 151.54,
“Employee Training and Education – Tuition Reimbursement”**

General Counsel Kristen Worman presented proposed new Board Rule 151.54, “Employee Training and Education – Tuition Reimbursement” which will authorize the TDCJ to adopt policies and criteria related to training and education for agency employees and would also allow for tuition reimbursement as permitted by the Texas Government Code.

Chairman Nichols 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 151.54, “Employee Training and Education – Tuition Reimbursement,” to receive public comment as presented.

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

Mr. Collier expressed his gratitude to the board for approving this new board rule as it is one of many steps in their 2030 plan that will help improve the agency’s employee services. This will be for typical line level staff who meet certain criteria and could be reimbursed for tuition as they pursue their education.

**Discussion, Consideration, and Possible Action Regarding
Proposed Amendments to Board Rule Title 37 Texas Administrative Code
Section 152.3, “Admissions”**

Ms. Worman presented Board Rule 152.3, “Admissions” with a summary of revisions to include revisions to implement HB 2620 as passed by the 88th legislature. It will replace “offender” with “inmate” and will clarify the criteria for which the TDCJ shall accept inmates sentenced to prison within 45 days of the date commitment papers are certified instead of sent. Grammatical and formatting changes were also made. Section B was revised to clarify the Classification and Records Office to certify those commitment papers no later than five business days after receipt.

Chairman Nichols 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 for publication in the Texas Register the proposed amendments to Board Rule Title 37 Texas Administrative Code Section 152.3, “Admissions,” to receive public comment 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-03.85 (rev. 4), “Inmate Visitation”

Ms. Worman presented Board Policy, BP-03.85 (rev. 4), “Inmate Visitation” and a summary of revisions to include revising “offender” to “inmate” throughout the policy, updating the signature authority, and grammar and formatting changes for clarity.

Chairman Nichols 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 proposed revisions of Board Policy, BP-03.85 (rev. 4), “Inmate Visitation,” as presented.

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

Discussion, Consideration, and Possible Action Regarding Proposed Revisions of the “TDCJ Inmate Visitation Plan”

Ms. Worman presented the “TDCJ Inmate Visitation Plan” and a summary of revisions to include revising “offender” to “inmate,” “administrative segregation” to “security detention,” “travel card” to “unit file,” and “mainframe” to “computerized system” throughout the policy. Several sections were amended to remove language concerning solitary confinement, and several sections were updated to reflect current policies and practices in the agency.

Chairman Nichols asked if there were any questions or comments. Marci Marie Simmons registered to speak on this item but forfeited her public comment. Hearing no other questions or comments, Chairman Nichols called for a motion and a second.

Derrelynn Perryman moved that the Texas Board of Criminal Justice approve the proposed revisions of the “TDCJ Inmate Visitation Plan,” as presented.

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

Public Comments

Chairman Nichols stated that for public comment within the jurisdiction of the TBCJ but not items posted on the agenda, 37 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*.

Melissa Cleveland registered to speak on the cessation of physical mail and stated that she was formerly incarcerated and had a child during that time. She stated that it is hard to imagine being sent back to the unit while having post-partum depression and not being allowed to have a picture

of her son or having one that is contingent on a tablet that has to be charged. Mr. Nichols thanked her for her comments.

Jennifer Toon registered to speak on higher education and Pell Grants and stated she was the project director of the Lioness Justice Impacted Women's Alliance who represent current and formerly incarcerated women, and that she received her associate degree from Central Texas College while incarcerated in Gatesville. She acknowledged the WSD and the Reentry and Integration Division for increasing women's programming in a meaningful way. Ms. Toon stated that, as of July, incarcerated students are eligible for Pell Grants for the first time in almost 30 years. She mentioned that Lee College has flourishing programs that mostly serves men, and that Plane State Jail has some women's programming, and that the majority of incarcerated women receive higher education through Central Texas College. However, Central Texas College didn't utilize an available pilot program that Lee College used to develop and grow. Ms. Toon asked that the agency hold these colleges accountable for those outcomes and that the agency continue their investment into women's programming now that the Pell Grant is available. Mr. Nichols asked where the perceived hold-up is in regard to the provision of the higher education services. She responded that the colleges, especially Central Texas College, are falling short.

Ladonna B. registered to speak on the treatment toward inmates and expressed her wish to remain anonymous. She stated that her son was incarcerated, and that God created everyone, including the people behind bars, and that her son is a human being who broke the law, but is not beneath humanity. She went on to say that punishment is a penalty that is inflicted for someone that breaks the law, but not torture or torment. She expressed concern that heat is part of punishment. She defined compassion as recognizing the suffering of others and asked for action to be taken. She stated that the board has the authority to make decisions, give orders, and take action. Mr. Nichols thanked her for her comments.

Dr. Gloria Spencer registered to speak on educational rehabilitation and medical care. Dr. Spencer expressed gratitude toward the people who wanted to improve and were doing a good job. She stated that she wished that the agency would improve on mental health issues, as they are ranked low on the list for providing mental health care. Besides the inmates, she stated that the staff also need to be educated on how to recognize mental illness and to know the intervention and resources available to assist with those situations. She stated that a lot of mental illness has turned into increasingly more severe violence which is compounded by the heat and lack of good food. She claimed that inmates are not getting the nutrition, medication, counseling, and training they need and neither are the staff. She mentioned Warden Cozby at the Robertson Unit had instituted activities such as sports and also had a peer assistance program that was developed that her son participates in. Mr. Nichols thanked her for her comments.

Charlie Malouff registered to speak on TDCJ air conditioning (AC) and mandatory supervision. He stated that he is the vice president of Texas C.U.R.E., a statewide advocacy group and an honorably retired public servant and military veteran and was formerly incarcerated. He stated that he was an interested party in the Wallace Pack unit litigation against the TDCJ concerning air conditioning. He recommended the agency rent air conditioning, as was previously done at the Pack Unit, with some of the money that was provided due to only needing it from April 15th to October 15th. He expressed his opinion that it is ridiculous to wait until September or October to install air conditioning when the LBB could provide extra funds for temporary air conditioning. He asked why the agency can't come up with a plan to fix this serious problem. Mr. Nichols thanked him for his comments.

Marci Marie Simmons registered to speak on SB 1146 and medical transport. She stated she is the community outreach coordinator for Lioness Justice Impacted Women's Alliance and was formerly incarcerated at the Gatesville Unit. Lioness supported a legislative bill last session, SB 1146 regarding medical transport, that she is concerned may slip through the cracks due to other issues. She discussed the digital mail policy and told her story of having two young children and three older children at home when she was incarcerated, who's relationship and bond depended on visitation, phone calls, and physical mail. She said there is something to be said about mail between a mother and child that has a special connection and cannot be done digitally. She encouraged the board to consider how digital mail negatively affects families. Mr. Nichols thanked her for her time and comments.

Tona Southards Naranjo registered to speak on housing conditions. She introduced herself as the mother of Jon Anthony Southards who died in the TDCJ on June 28, 2023. She stated that she is not a mother who would allow her children to be a menace to society and not hold them accountable for their actions, and that she turned her son in out of tough love. She believed that he would be rehabilitated, pay his debt to society, and come home a different young man, but he died while incarcerated. She claimed these conditions are inhumane and asked who is responsible. She stated she is a mother who fights to take her next breath because this was her only son, and she is angry. Mr. Nichols expressed his appreciation toward her for sharing her story and stated he prayed she could find some peace in a difficult situation for any parent.

Tina Flores registered to speak on the heat issues in the TDCJ. She has a son who is incarcerated. She discussed the heat situation and stated she usually looks forward to her son's phone calls but lately she cringes when the phone rings because they will discuss the heat and horrific conditions that he faces. She stated he asks for home remedies on how to treat his medical issues so he doesn't have to go to medical. She sympathized with the staff, but she expressed how she feels afraid every time she hears about a heat-related death such as dehydration or stroke. She claimed that sometimes respite is not available due to staffing shortages. She stated she understands that they must pay the price for their crimes but indicated the ten-year plan is not good enough and needs to be now even if its temporary AC. Mr. Nichols thanked her for her comments.

Geraldine Swaim registered to speak regarding mail. She stated she was formerly incarcerated at the Mountain View Unit, and expressed how important the physical mail is for the bond with children. She left behind a young daughter while incarcerated and was sent handprints and hand drawn pictures. She discussed the women who have children at home and described the importance of receiving personal hand drawn pictures. She stated that when they stopped allowing cards to be sent, she would send pictures, but those are no longer allowed either and are scanned into a computer. She stated people are going to lose their connection to their families. She expressed that inmates look forward to family days the ministries conduct. Mr. Nichols thanked her for coming.

Laura Cummings registered to speak regarding mail. She stated she was formerly incarcerated at the Mountain View Unit that had AC and at Lane Murray that did not have AC. She expressed how lucky she was to have her husband support her and how the physical mail allowed them to stay bonded. She stated without the mail and being able to see his handwriting, that they would not have made it and would have become a statistic. She claimed the heat at Lane Murray would have kept her from going home due to her age. Mr. Nichols thanked her for her comments.

Heather Rainwater registered to speak on correctional staff shortages. She researched the ratio of incarcerated citizens versus correctional staff and claimed 48% of the units are exceeding 95%

capacity of incarcerated citizens, and 25% have less than 80% active personnel. She also claimed 70% exceed the 15 to 1 ratio for incarcerated citizens to security personnel and, in 2010, the TDCJ reported a 5 to 1 ratio. She recommended an investigation be done, listed multiple factors that she believes contribute to the statistics, and acknowledged that work is being done to combat the staff shortage crisis. She emphasized that working conditions are the main reason and stated this level of understaffing leads to safety issues, health issues, and management crises. Mr. Nichols requested her report if she would like the board to review it and thanked her for her comments. She continued to say that the board should set a policy that will mirror the 65 to 85 ratio set by the state jails.

Dr. Amite Dominick registered to speak regarding AC in the prisons. She introduced herself as the president and founder of Texas Prisons Community Advocates, and stated AC has been her passion since 2018. She asked the board to listen to the family members who were present because they don't usually come to these places and make these comments. She expressed hope for an agency where people are truly being rehabilitated with humane conditions and compassion instead of punishment, and included providing psychological services, medical services, and AC as some examples. She asked the board to look at prisons in Norway and Scandinavia, and the Men Project out of California as examples. She stated how important communication with these family members is and asked the board to communicate more with advocates and other family members to gain perspective. Judge Johnson asked for some materials on the Norway and Scandinavian prisons or the California project which Dr. Dominick stated she would provide.

Gina Castaneda registered to speak on medical treatment and AC. She recognized that incarcerated people have done something wrong, but they may have mental health issues or become sickly while in the system. She claimed the heat exacerbates these issues leading to a critical condition. She stated that, even though they live in the USA, they are experiencing human rights issues. She stated she has spoken with the house representatives and the senators and stated she was a friend of the Lt. Governor. She wants to redirect some of the funding to deal with the heat, so people won't get hurt. She asked the board to take a leap in progress. Mr. Nichols thanked her for her comments.

Andrea Vasquez registered to speak on the AC issues and staff related advocacy. She stated she was formerly incarcerated and is currently a Texas Prison Community Advocate (TPCA) board member. She asked for compassion for the speakers present and held up 29 letters from incarcerated inmates begging for help with the AC issue and detailing how they are not getting respite or water and suffering from heat exhaustion. She brought up medical transportation issues as appointments to Hospital Galveston are being cancelled. She asked the board and Mr. Collier to listen to these inmates. Mr. Nichols thanked her for comments. Judge Johnson asked if any of the inmates who wrote letters would be willing to provide their names. She stated that she would give the ones who gave permission for her to do so.

Elizabeth B. Salazar registered to speak on prison injustice and the death of her daughter while at the Lane Murray Unit. Her daughter's name was Elizabeth (Lizzie) Haggerty from Corpus Christi. She asked that Governor Abbott and everyone involved release funding fully to provide AC on the unit before someone else dies. She expressed her gratitude for the women's ministries, and stated that Lizzie rededicated her life to the Lord while incarcerated. Mr. Nichols thanked her for her time and stated they were sorry for her loss and hoped that she finds peace. She went on to ask who audits the people running the inmates' lives such as the wardens and the jailers and stated that inmates are human beings and that should not be forgotten.

Jeffrey Taylor registered to speak on behalf of Credible Messengers United. He stated he was a former resident of TDCJ for 25 years and remembered sitting in a hot cell in 1995 at the Hughes Unit thinking of the day he would have an opportunity to speak on the living conditions. He expressed gratitude for incarceration because it saved his life and made him a man, but stated the system is punitive, not rehabilitative. He stated he was told that Mr. Collier was Christian and a good man, and said that change starts with him, although he acknowledged that it is a huge responsibility. He expressed that the ice situation and the staffing shortages are keeping people from having creature comforts that they should have. He stated that they need to take immediate action unlike the time when the phone system was approved but not put in place for years. He stated this can't be done with the AC. Mr. Nichols thanked him for being there.

Janet Delk registered to speak on the climate-controlled conditions in TDCJ as well as visitation. She showed pictures of her husband from when they met as children, when he served in the Navy, their wedding picture, and what she thought the worst day of her life the day he was sentenced, not knowing that incarceration would be worse. She claimed TDCJ is sentencing him to death, and she does not want him to become another Lizzie or Jon. She spoke on the heat issue and described how her husband attempts to stay cool, and that he has been to medical multiple times for heat issues. He is told to stay hydrated, but she described the difficulties of those efforts regarding obtaining water from the staff or the commissary. Mr. Nichols thanked her for her comments.

Hillary Randall registered to speak on conditions in the prison. She stated inmates deserve air conditioning, food for proper nutrition, hygiene, clothing, and bedding. She claimed the treatment they receive is inhumane, and they are denied medical attention and mental health help. She expressed that TDCJ does the bare minimum, and that inmates are dying at an alarming rate, one of which was her husband, Randy Butler. She expressed that she reached out for mental health help for her husband after his mom passed away, but it was never taken seriously. She stated basic human needs go beyond food and water, restricting commissary to higher security levels is inhumane, and that medical supplies should be allowed to be carried on their person during medical transport. She claimed her husband wrote many letters regarding grievances he submitted and mentioned a riot that he was charged with, which led to his custody level changing and only being allowed to have one five-minute phone call every 90 days. She stated that it is inhumane to cut inmates off from the outside world. Mr. Nichols thanked her for her comments.

Kayla Green registered to speak but was not present.

Jessica Dickerson registered to speak on visitation, mail, phones, and family contact. She introduced herself as a board member of the TPCA and emphasized that everyone is affected by decisions made at TBCJ meetings and that 95% of Texas prisoners go home, but some don't, which is a fear that families have to live with every day. She claimed that visitation is a chance for the inmates to be in air conditioning for at least two hours but sometimes there are no spaces available for them to visit. She stated the "I'm Affected" campaign was about sending people home in a condition to be successful, and that there is a disproportionate amount of children being affected by incarceration which causes generational issues such as poverty. She expressed that conditions such as heat, physical mail, problems with telephone connections, and reliability of space for visitation affect inmate's mental health and ability to be successful when coming home. Mr. Nichols thanked her for her comments.

Pamela Bryant registered to speak on mental health care in prisons and the conditions of inmates. She introduced herself as the founder of the Walking by Faith Prison Ministry and discussed the mental health issues of those incarcerated. She has a son who is incarcerated and has little mental capacity. She expressed that the staff do not understand mental illness. She stated she was formerly incarcerated and was thankful to make it out and for WSD allowing her to get a GED which allows her to do well. She asked for sympathy and stated that someday it could be your family that is affected by incarceration with the heat and mental health issues. Mr. Nichols thanked her for her comments.

Grace Renee Nicholas registered to speak on her son and abuse by correctional officers. She showed a picture of her son who is incarcerated and shared that he has mental health issues. She stated he was severely abused by correctional officers, and reached out to social media, legislators, and TDCJ staff. She expressed appreciation for the assistance of the Health Services Division in having him reassigned to another unit. She asked that issues at the Montford Unit be looked into and discussed several recent incidents of suicide that she felt could be due to the heat. Mr. Nichols thanked her for being there.

Chivas Watson registered to speak on his concerns for those incarcerated on behalf of Working Group 512 and the TPCA and introduced himself as a former inmate. He claimed that he recently spoke with his brother who has been denied a shower since August 1st at the Michael Unit. He repeated a statement from earlier in the meeting that if you care about someone, then leave them better than you found them, and questioned if this transcended over the educational element of the WSD. He attested that the Byrd, Michael, Darrington, and Lane Murray units need an independent investigation. He expressed gratitude for budgeting decisions that would go toward air conditioning and external peer audit reviews through the auditing process, but asked how that allows the community to ensure that the constitution is being upheld. He discussed unreasonable commissary prices and stated that the tears seen today are from moms and dads who have lost their people forever. Mr. Nichols thanked him for his comments.

Sheryl Ballard registered to speak regarding Coffield Unit administration issues. She expressed concerns regarding the warden being on extended medical leave, which she claimed has led to policies not being followed. Her concerns included the staff shortage, responses to I-60s, counts for restrictive housing, access to water or bathroom facilities, special food trays, and delivery of mail. She stated she has been unsuccessful in resolving these issues at the unit level, regional director's office, or with the assistance of the family liaison office. She attested that these issues have caused a human rights issue and created negligence which attributed to the death of Patrick Womack. She emphasized that these inmates will be released back into society and this treatment is atrocious. Mr. Nichols thanked her for being there.

Savannah Eldrige registered to speak on climate control in the prisons and visitation improvements. She introduced herself as the executive director and founder of Be Frank 4 Justice and the board chair for Texas Incarcerated Families Association. She stated she has three loved one currently incarcerated and her main concern is the lack of transparency regarding what it means to file a grievance. She acknowledges the Office of Family Services does a great job and that they have the Ombudsman, but it is unclear how these two entities work together. She believes the heat is a crisis and called for immediate action as people are dying. Other concerns identified included clean water, policies not being followed, cost of incarceration for family members, and limited space and times for visitation. Mr. Nichols expressed appreciation for her comments.

Kyle Matthews registered to speak on the reentry process during incarceration. He introduced himself as a former inmate and stated that he works with people through his company the K Mathews Group that come home from prison and suffer indignities because of it. He stated that one of the issues they face is often a bad credit score, which can lead to discrimination, and people often don't know how the credit system works. He proposed that a program for financial education be developed that will address credit education. Judge Johnson asked if he was recommending that they include credit education or financial planning in their programs. He responded yes, and to let those who have been through the same situation work with them. Judge Johnson asked to speak with him later to which he agreed. Mr. Nichols thanked him for his comments.

Frances Vaughn registered to speak on the field ministry at the Memorial Unit. She presented information about a grassroots effort by Chad Carney, a field minister at the Memorial Unit, regarding a program that he calls "The Grindstone." She provided a description of the program given to her by the field minister and gave the backstory of his grandfather as inspiration. She encouraged the board to check out the program. She addressed Pastor Sprinkle and their excitement to have him in their area along with hopes that he would visit soon. She provided a handout to the board. Mr. Nichols thanked her for her comments.

Gloria Rubac registered to speak on health issues. She stated that her son is incarcerated at the Polunsky Unit, and that when they need to go on a medical transport, there is no handicap accessible van. She claimed that the inmates in wheelchairs were being instructed to get in a van any way they can, and, if they could not, then that would be considered a refusal. She discussed that her son is diabetic and has kidney disease, and expressed concerns regarding his diet, availability of insulin, timing of pest control treatments at the unit, the cost of water, and the declaration of solitary confinement as torture. Mr. Nichols thanked her for her comments.

Katherine Bonnin registered to speak on the lack of reporting concerning heat-related illnesses. She stated that the department denies that there have been any heat-related deaths and that any doctor will say that heart-related deaths will increase during excessive heat. She stated that usually it is impossible to prove if a death is heat-related or not, but even when a death has been declared heat-related, such as the case of Robert Robinson in 2018, the department still denies the doctor's findings. She also claimed that there are more staff heat-related illnesses reported than inmate even though staff are free to leave when they want, therefore, she believes there are unreported heat-related illnesses among inmates. She stated this denial is preventing the agency from receiving the appropriate budget requests from the legislature. Mr. Nichols thanked her for her comments.

The next speaker registered as Sister Mama Sonya to speak on human rights. She spoke on the inhumane treatment of incarcerated individuals and heat issues they are facing. She called for immediate action as the heat was not a new issue. She expressed that there should be relief from the heat for the inmates and the staff. She stated that only air will beat the heinous living conditions. She expressed that all human beings deserved to be treated with dignity and respect and stated that living without air conditioning was a cruel and unusual punishment. She asked the board to speed up the process and put an end to the heat. Mr. Nichols thanked her for her comments.

Yancy Balderas registered to speak on mental health services and the Polunsky Unit administration. She reminded the board that she had previously asked for mental health services at the Polunsky Unit to be improved especially for the death row inmates and solitary confinement inmates and expressed that this still has not happened. She stated these services are necessary to prevent the mental deterioration of the inmates who are living almost 24/7 in these cells. She

mentioned that Warden Dickerson took initiative and made constructive steps to allow religious services, and she expressed her gratitude for his work, but claimed the new administration is allowing the situation to fall back to its previous state. She specified that communication with the new warden needs to be improved. Mr. Nichols thanked her for her comments.

Lisa Rodriguez-Molguin registered to speak on prison conditions. She introduced herself as a criminal justice practitioner with 33 years of experience and a master's degree in criminal justice. She stated that she teaches criminal justice, and now has an incarcerated daughter. She expressed that she understands the challenges of the system such as the shortage of staff, lack of training, and shortage of funding, but she now believes that prison conditions do not provide humane conditions such as sustainable meals, adequate living conditions, health care, and basic water needs. She challenged the board to create a positive change to the system that would treat inmates with humanity and get their basic needs met while benefiting the TDCJ employees by allowing them to have less stress and better work conditions. Mr. Nichols thanked her for her comments.

Regina Mullis registered to speak on the heat and the deprivation of constitutional rights on behalf of the TPCA. She stated she has a son who is currently incarcerated. She claimed that inmates were dying due to the heat and that the agency is depriving the inmates of their constitutional rights and human dignity, which is causing them to have suicidal thoughts. She had three letters from her son detailing the heat and his mention of feeling suicidal. She stated he wrote about pain and torture due to the heat. She stated her son is 33 years old, and she wants him to come home alive. She reiterated that people are dying and that the state of Texas is complicit. Mr. Nichols thanked her for her time and comments.

Lee Greenwood-Rollins registered to speak and introduced herself as the mother of a death row inmate who spent 25 years in prison before being executed 16 years ago at the age of 45. She stated he was incarcerated at 18 and the board that existed then could have saved his life for a crime that he did not commit. During the years that he was incarcerated, the heat problem was also there. She asked the new board members to make a difference. She expressed that, after the first inmate that was exonerated from death row, the death penalty should have been abolished. She stated there has to be law and punishment, but that it should be humane. She asked the board to take action, not based on the law but on the human sense of morality and the sense of God. Mr. Nichols expressed his appreciation for her time.

Kent Whitaker registered to speak regarding his son, Thomas Whitaker, who he stated is being held in solitary confinement outside of TDCJ protocols. He stated the meeting is a good relief valve for people to express their concerns to someone who has the ability to make a change. He stated he is the only surviving victim of a double murder from 2003 committed by his son, who was convicted in 2007 and sentenced to death. He stated that commutation was granted by the Board of Pardons and Parole two days before his execution in February of 2018, based on the positive changes in his life since his conviction. Mr. Whitaker claimed it has been five and half years since his commutation and his son is still in solitary confinement, which is not the result of gang membership, an escape attempt, drugs, violence, or disciplinary issues. Mr. Whitaker asked that if there is a tag on his son's file that prevents his reclassification, how can they clear that up to find out why it is there, or if there isn't a tag, find out why his son is still in solitary confinement. Mr. Nichols expressed his appreciation for his comments.

Danielle Allen registered to speak on digital mail. She introduced herself as part of the Prison Show and a member of the Texas Death Row Angels. She stated that they help the death row

population and the general population inmates with legal matters. She claimed that many of the inmates have issues with their state-appointed attorney giving them their legal mail and that the new digital mail system makes it impossible for them to download and send legal mail to these inmates, so the inmates are not receiving their legal mail from their attorneys. She also stated that the heat has caused the tablets to shut down which prevents the inmates from being able to look up information for their legal situations that have deadlines. Mr. Nichols thanked her for her comments.

Joy McFadden registered to speak regarding phone calls for death row. She mentioned that death row inmates are only allowed to have 10 people on their phone list which causes issues as the inmates have overseas people that they want to have on their phone list but are also required to be on their visitation list even though they will not visit due to being overseas. She stated solitary confinement inmates can have 20, and asked why death row inmates only receive 10. She also discussed video visits for indigent families, long-distance, and elderly families, and requested that they have longer video visits scheduled due to not being able to physically visit. She asked if spiritual advisors could be added to phone lists, but not listed as a personal visitor on their list, so that the inmate could call their spiritual advisor, when necessary, especially for suicide prevention. Mr. Nichols thanked her for her comments.

Mr. Nichols called again for Kayla Green who was registered to speak but was not present.

Chairman Nichols thanked everyone for attending the meeting and announced that the next meeting of the Texas Board of Criminal Justice will be Friday, October 13, 2023, in Austin, Texas.

Chairman Nichols recessed the 230th meeting of the Texas Board of Criminal Justice at 3:22 p.m.

Executive Session

The meeting reconvened into Executive Session at 3:38 p.m.

Adjournment

There being no further business following the Executive Session, Chairman Nichols adjourned the 230th meeting of the Texas Board of Criminal Justice at 4:30 p.m.

Chairman*

Secretary*

* Signature on File