

Texas Civil Commitment Office



Christy Jack, Chair
Board Members:
Kathryn "Katie" McClure, Vice Chair
Jose Aliseda
Roberto "Robert" Dominguez
Rona Stratton Gouyton
Marsha McLane, Executive Director

Thursday, November 30, 2023, at 10:00 a.m.

MINUTES

Board Members Present

Christy Jack, Chair
Jose Aliseda

Katie McClure
Robert Dominguez

Rona Stratton Gouyton

TCCO Staff

Marsha McLane
Jessica Marsh
Hayley Glisson

Robert Crisalis via videoconference
Brittney Winters

Governor's Office

Tamela Griffin

Senator Perry's Office

Rob Callan

Convene the Board of the Texas Civil Commitment Office (TCCO)

Board Chair Christy Jack convened the meeting at 10:00 a.m. Roll was taken and it was noted that a quorum was present.

Board Chair Report

Board Chair Christy Jack thanked the City of Littlefield City Manager Mitch Grant for making the Council Chambers available for the Board Meeting, and for making this possible. She recognized Tamela Griffin from the Governor's office and Rob Callan from Senator Perry's office for joining the tours of the facility and for attending the Board Meeting.

Ms. Jack thanked all of the board members for making the trip to Littlefield and touring the facility yesterday, asking questions, and seeing the proposed construction site first hand. Ms. Jack stated she was able to tour the facility this morning, and thanked the MTC staff for making that possible. Ms. Jack stated the tours were joined by Jennifer Brown and Gilbert Campuzano.

Executive Director's Report Concerning Program Operations and the Routine Functioning of the TCCO

Executive Director Marsha McLane began by stating that the State Auditor's Office is doing a forensic audit on TCCO and other agencies, specifically looking at fiscal information with TCCO and MTC, a lot of which is centered on medical costs. The audit began in September and will be done in May.

Ms. McLane stated she generally meets monthly with clients from the facility through Lifesize, and recently a client brought up a social security question. Ms. McLane stated this client was trying to figure out where he fit into social security eligibility and was planning ahead. Ms. McLane stated a meeting was arranged with the Social Security Office in Lubbock, and they will be coming out to the facility to meet with the clients and tell them how you become eligible for social security. Ms. McLane stated the client who asked this question, and one other client, were released from the facility into Tier 5 this morning.

Ms. McLane stated the Case Managers inquired on death notification training, and a meeting was arranged with the Texas Department of Criminal Justice (TDCJ) Victim Services and the TDCJ Chaplaincy Program. The training will be sometime in December.

The grant program has been going for a few weeks and Goodwill is here to provide additional information. They have been a great partner and we want to expand as we go.

Ms. McLane provided the board members with a facility count, which shows population, tier movement, and different job assignments. Ms. McLane introduced the staff from MTC: Jennifer Brown, Gilbert Campuzano, and Angelena Johnson. Ms. McLane thanked everyone for their participation on the tour yesterday, stating it was long, but everyone had the opportunities to speak to different clients, and as everyone saw the clients are not shy about wanting to discuss different things.

In the next few months, we will begin to review policies and make changes in light of different things that have happened and will be working with MTC on policy changes.

Ms. McLane stated we received some criticism in regards to not doing enough audits. She provided a document showing that since 2019 TCCO has completed 106 compliance reviews at the facility, and since the start of fiscal year 2024 we've completed 11 compliance reviews and 3 serious incident reviews.

Chief Financial Officer's Report regarding FY 2024 Operating Budget and Expenditures

Chief Financial Officer Robert Crisalis stated in this biennium in order to distinguish additional needs and funding, the budget was split in two categories, the Civil Commitment Center, and the Civil Commitment Office. As noted in the organizational budget report, as of November 17th, 2023 in the Civil Commitment Center category there is 7% of the budget remaining that has not been expended or encumbered. In the Civil Commitment Office category, there is 98% of the budget remaining. However, we are in the process of paying the first two months of bills from MTC, and at that point our financials will correctly reflect what has been expended.

Mr. Crisalis stated we have the capacity to transfer funds from the Civil Commitment Office category to the Civil Commitment Center category, with the approval of the Legislative Budget Board (LBB) and the Governor's Office.

Mr. Crisalis stated we were allocated \$1,851,685.00 for offsite medical costs for FY 2024; none of these funds have been expended, because we have not received an offsite medical bill from MTC.

Mr. Crisalis stated in FY 2023, we spent \$108,290.09 in grant funding. This payment was split, with \$38,830.34 from TCCO and \$69,459.76 from the federal grant award.

Ms. McClure asked whether we know if there have been any offsite medical costs incurred at this point, and Mr. Crisalis stated yes, but we have not received a bill yet.

Ms. McLane stated for FY 2023, we owe 1.3 million that was not budgeted, and we are working with HHSC to see if they will transfer the funds. Ms. McClure asked if this will close FY 2023, and Ms. McLane stated as far as we know. Ms. McLane stated we found that MTC allows some vendors up to a year to submit for

payment, and while we have talked to them about changing this, even if it did change it can sometimes take 7-8 months to get a bill.

Presentation from Goodwill Industries regarding the classes offered through the Reentry Reboot Grant Program

Goodwill Industries Manager of Career Resource Center Jennifer Roberts began by stating Goodwill's mission is to help people overcome challenges, build skills, find jobs, and grow careers. She stated barriers come in all shapes and sizes to include mental health, physical health, single parenthood, and backgrounds.

Ms. Roberts stated a few weeks ago they began doing computer training for the individuals in the facility, offering basic, intermediate, and advanced computer skills training. Partnering with South Plains College, after successful completion the participants will earn a certificate. Ms. Roberts stated this is often the only thing people can put on their resume, and computer skills are necessary in today's workforce, regardless of the industry. Ms. Roberts stated they teach very basic skills including what is a mouse, what is a keyboard, they then go into cyber security and how to operate a computer, and Microsoft Office. Ms. Roberts stated they also teach soft skills, life skills, and job readiness training. Job readiness includes dress for success and interview ready training.

Ms. Roberts stated the gentleman who is leading the classes did over twenty years in corrections and is aware the clients have major barriers to overcome in the workforce and in life, and is helping them build skills. One of the biggest skills is confidence, as well as how to deal with rejection. Ms. Roberts stated they want people to be happy on the job, to have motivation and the drive to succeed with their career, and to go further and believe in themselves. There are about twenty-five classes in soft skills including leadership, goal setting, body language, and communication.

Ms. Roberts stated there are fifteen clients enrolled in the classes and there is a waiting list. She stated she has received great feedback from the instructor, who said the participants are very respectful, paying attention, and doing a great job.

Presentation regarding Collaboration between TCCO and TDCJ Parole for dually supervised clients

Deputy Director Jessica Marsh began by introducing TDCJ Parole Division Region 5 Director, Nadia Washington. Ms. Marsh stated there are a number of clients released from TDCJ either on parole or mandatory supervision, who are dually supervised by TCCO Case Managers and the TDCJ Parole Officers. As of November 15th, there are 90 clients on dual supervision.

Ms. Washington stated the Parole Officers go to the facility to visit the clients and address any concerns the client may have, take updated photos, process gate checks, and any other needs. Ms. Marsh stated there is one parole officer, who is assigned to the Texas Civil Commitment Center, who visits the facility at least once a month, if not more. In between those visits, the Case Manager and Parole Officer are having constant communication, sharing information, documents, brainstorming, and discussing any issues. On the Case Manager side, there are treatment and supervision progress reports processed on a monthly basis and sent to the Parole Officer. Any assessments done are also sent to the Parole Officer, including polygraphs, PPGs, drug tests, biennials, and client schedules.

Ms. Washington stated when they receive these reports, they are reviewed to determine what disciplinary needs are needed, if any. Depending on the issue, the client will receive compliance counseling, or if necessary, the Parole Office will issue a warrant, and proceed with the revocation process, at that point the Case Manager would be subpoenaed to testify. Mr. Aliseda asked where the hearings are held, and Ms. Nadia responded with usually through Zoom.

Ms. Jack asked if there has ever been an instant where a client's parole was revoked and they later returned to the facility. Ms. Marsh stated one client recently went through this process, and has returned to the facility

after serving time on the parole revocation. Ms. Jack asked if the client started at tier one, and does a parole violation result in a lesser tier. Ms. Marsh stated not necessarily, the client would be assessed upon return to the facility to determine appropriate tier level.

Ms. Marsh discussed the benefits to this collaboration, including more effective supervision and treatment, enhancing public safety, and a more effective use of state resources. Ms. McLane stated a recent example of this is some parole clients have an SISP (super intensive supervision) condition, and clients who have this condition must be hooked up on a GPS monitor. Ms. McLane recently met with the Parole Board Chair and Parole Director, and they agreed if a client has met the TCCO requirements to have the GPS monitor removed, then the client can have it removed. This is very exciting for the client and saves TCCO a lot of money.

Texas Civil Commitment Center Updates concerning building and facility expansion

Board Chair Christy Jack provided a synopsis showing when the contract with MTC was originally signed, comments from MTC staff at each Board Meeting, comments from MTC staff at meetings with TCCO staff, and a page from the contract that incorporates MTC's proposal into the contract as an attachment.

Jennifer Brown began by stating they understand the Board concerns with the construction delays, scheduling issues, and advancement of the buildings. Ms. Brown stated credibility is very important to her and she has no reason to lie. Ms. Brown stated the construction completion date that was provided to her has not changed, it continues to be June 2024. The project manager was at the facility on November 7th and provided a letter stating we are on track for meeting the deadline of June 2024. MTC is doing their best to remedy the current situation and has been approved to move forward on the next bed modification, which will provide an additional twelve beds. The current capacity is four hundred and sixty five, there are seven clients coming by the end of December, which will leave four beds. Ms. Brown stated she spoke to Ms. McLane and TCCO would provide a list of potential new clients, including new arrivals from January 2024, to forecast the numbers of beds needed.

Gilbert Campuzano thanked the Board members for their participation yesterday during the facility tours. He stated there has been a lot of activity completed from August through today, the infrastructure is where time is being spent, and it took over a month and half to bring in the supplies needed to pack the soil to the point where the slab could be poured. Mr. Campuzano stated the beam supports and steel fabrication for the first building have been ordered and are expected to arrive between Christmas and January 15th. In November, MTC was able to solidify a commitment from the contractor that the building would be ready for turn over by June 2024.

Ms. Jack stated at the August Board meeting Mr. Campuzano stated one of the reasons for the delay was due to incorrect products being delivered and a chain of unfortunate events. Ms. Jack inquired if we are still waiting for those products to be delivered. Mr. Campuzano stated those have been rectified and that is not what we are waiting on.

Ms. Jack stated the contract was signed with MTC in May of 2019. It was represented when MTC responded to the RFP and signed the contract that as of February 2020 the facility would have the capacity to house 500 clients. Almost four years from when that was agreed to contractually to be accomplished, we still do not have the capacity to house 500 clients. Ms. Jack stated we need someone who is on the ground at the facility supervising the construction to ensure this gets done. Ms. Jack stated the synopsis she has in front of her is seven pages of MTC staff who represented to the Board when the construction would be done, and all of those dates have passed.

Mr. Campuzano stated their commitment is the schedule that has been produced, and they will make sure it happens. Ms. Jack asked if this does not happen, is MTC willing to be sanctioned financially, and Mr. Campuzano stated the contract modification will be considered, but he does not speak for the entire MTC division.

Mr. Aliseda questioned if there was a contract with the general contractor to have the building completed in June 2024, and Mr. Campuzano confirmed yes, for the 96-bed building. Mr. Dominguez inquired if there are plans to build the second building, stating he wants a second building built before the pavilion is built. Mr. Campuzano stated they can discuss with the general contractor, stating it would be an easy transition from the first building to the second, but the critical part is the infrastructure. It will take three months to complete on the first building, and needs to begin for the second building. Mr. Campuzano stated he would like to produce a schedule by the general contractor so the Board and TCCO can see the progression.

Ms. Jack questioned why the education building was built before the housing building and Mr. Campuzano could not provide an answer. Ms. Jack expressed her frustrations stating the people who are making these decisions that lead to a housing crisis are not here to answer these questions. Mr. Campuzano stated the decision making body is MTC leadership, and they will continue to emphasize the need and progression.

Ms. Stratton-Gouyton asked if there was an estimate on when the other two buildings will be completed, and Mr. Campuzano stated he could not provide an answer. Ms. Jack stated she was told by Mr. Campuzano that the second building construction will begin in January 2024. Mr. Campuzano stated the prep work will begin in January 2024. Ms. McClure asked how long the prep work took on the first building, and Mr. Campuzano stated it began in mid-September and was completed mid-October, stating each contractor is brought in strategically.

Ms. McClure stated in August of 2021 MTC laid out specific construction priorities, with the number one priority was a housing building for 96 clients and the lowest priority was a parking lot, which is now complete. Ms. McClure inquired on who determines what the priorities are, and Mr. Campuzano stated MTC. Ms. Jack stated the priorities changed without any notice, and in August 2021 John Cochran presented to the Board and stated the high priority for expansion was the housing building for 96 clients. Ms. McClure questioned if there is a commitment from MTC to have the 96-bed housing building complete by June 2024, and then an additional 64-bed tier four and 18-bed AGE building. Mr. Campuzano stated the next meeting with the general contractor is to establish a schedule.

Mr. Campuzano stated his commitment is there is now a construction schedule he can verify, and the building will be turned over in June 2024. Mr. Aliseda asked if there are penalties for the general contractor if he doesn't finish on time, and Mr. Campuzano confirmed there are penalties. Ms. McLane requested a copy of the contract because last she was told there were no penalties. Mr. Campuzano stated there are no penalties in the format of a sanction, but they can't release payment until after the work is done.

Ms. McLane stated the schedule is so broad that whoever is on the ground monitoring construction won't know if they are on schedule or not. Stating someone needs to spend more time monitoring the construction and holding the contractors accountable.

Ms. Jack stated in 2019 when the contract was signed, the agreement was the facility would house 500 clients by February 1st, 2020 and 750 clients by October 1st, 2020, which is part of the reason there is so much frustration.

Ms. McClure asked if moving the TCCO case managers into the new education building and using the current TCCO case manager offices as temporary housing has been approved, and Ms. Brown stated she

spoke to Michael Bell who had no issue with this. It would provide sixteen additional beds, and eight additional beds in the classrooms, so twenty-four temporary beds total. This would bring the operational total to 512 beds.

Ms. Stratton-Gouyton inquired on how long it would take to have the building ready for clients once it is completed in June 2024, and Mr. Campuzano stated all supplies would be delivered before the building is completed.

Discussion, Consideration, and Possible Action Regarding Excused Absences

Ms. Jack noted that all Board Members were present at the last meeting.

Discussion, Consideration, and Possible Action Regarding August 25, 2023 Meeting Minutes

After determining that all Board Members present had reviewed the minutes from the previous meeting, Board Chair Christy Jack asked for a motion to adopt the August 25th meeting minutes; the motion was made, seconded, voted on and passed without opposition.

Discussion, Consideration, and Possible Action Regarding Future Meeting Dates

The next meeting of the TCCO Board was tentatively scheduled for February 23 at 10:00 a.m. at the Texas Civil Commitment Office in Austin.

Meeting Adjourned at 11:10 a.m.

SIGNATURE ON FILE

Christy Jack, Chair

SIGNATURE ON FILE

Marsha McLane, Executive Director

DATE

DATE