Texas Civil Commitment Office

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

Friday, August 15, 2025, at 10:00 a.m.

MINUTES

Board Members Present
Christy Jack, Chair
Katie McClure
Rona Stratton Gouyton
Bruce Toney

TCCO Staff
Marsha McLane
Brittney Winters
Hayley Glisson
Jessica Marsh
Kenneth Biddle

Legislative Budget Board
Samantha Brock
Nawal Traish

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 stated she did not have a formal report.

Recognition of Former TCCO Board Member Jose Aliseda
Board Chair Christy Jack recognized Jose Aliseda for his dedicated service to the TCCO Board from 2016, when he was appointed by Governor Abbott, until the conclusion of his term in 2025. Mr. Aliseda served as a valued member of the Board's Budget Committee, contributing his vast experience and commitment to the agency's mission, resulting in significant milestones such as securing legislative funding increases for client services, strengthening the program at the Texas Civil Commitment Center, expanding the facility and overseeing the growth in both the agency's caseload and client services' staff. Ms. Jack stated Mr. Aliseda's retirement from the Board marks the close of an exceptional public service career, including serving as a United States Naval Officer, and as a Judge Advocate General, and serving as the Bee County Attorney and Bee County Judge. Mr. Aliseda served on the Texas Board of Pardons and Paroles, as the State Representative for Texas House District 35, and as District Attorney for the 156th Judicial District representing Bee, Live Oak, and McMullen Counties. Ms. Aliseda served as a Board Member for both the Special Prosecution Unit and the Texas Border Prosecution Unit. Throughout his career, Mr. Aliseda has exemplified integrity, dedication, and an unwavering commitment to public service. The Texas Civil Commitment Office extends its deepest gratitude for Mr. Aliseda's years of leadership and lasting contributions to the state of Texas, and wishes continued success, fulfillment, and happiness in his retirement. Ms. Jack presented Mr. Aliseda with a plaque to recognize his dedication and service to the Board.

Mr. Aliseda thanked the Board and stated he believes in the TCCO mission and hopes for continued success.

Discussion, consideration, and possible action regarding TCCO Board committee appointments
Ms. Jack moved to appoint Bruce Toney to the vacant position, previously held by Jose Aliseda, on the finance committee of the TCCO Board. The motion was made, seconded, voted on and passed without opposition.

Executive Director's Report Concerning Program Operations, Routine Functioning of the TCCO and Legislative Update
Executive Director Marsha McLane began by stating three clients released to tier five and are getting settled in nicely in their apartment in Tarrant County. The clients are living together and the assigned case manager is assisting them with day-to-day activities.

Ms. McLane discussed the implementation of SB 1610, stating Ms. Glisson would provide further details during her presentation, and mentioned one of her favorite parts of the bill is our ability to purchase office supplies through the most cost effective vendor. Ms. McLane discussed partnering with the Texas Department of Criminal Justice (TDCJ) Office of the Inspector General (OIG) who will station an investigator at the facility to assist with major incidents.

Ms. McLane discussed the Sunset Review, stating several agencies are being reviewed so we don't know when the TCCO review will start, although the survey and questionnaires are due by September 1st. The Sunset Review is a very intensive review of the agency, and the Board can all expect to be contacted.

The Legislative Budget Board (LBB) and the Health and Human Services Commission (HHSC) have been notified on the medical shortfall, which Mr. Biddle will discuss further during his presentation. Ms. McLane stated that MTC will provide a medical services presentation. Ms. Marsh and MTC staff met with one of the local hospitals and Ms. McLane had a conversation with another local hospital, who unfortunately is out of beds. Ms. McLane stated she is concerned about services for the clients and has already spoken to Senator Perry's office.

Ms. McLane stated we did not receive funding for a per diem increase for the facility, which is very concerning. The security officers at the TCCC are paid sixteen dollars an hour and TDCJ is opening a facility where their security officers will be paid twenty-six dollars an hour plus state benefits.

Ms. McLane stated in general sex offenders have a low recidivism rate, which is true if they are low level sex offenders who identify a problem and get treatment, but the clients at the TCCC have at least two convictions before they arrive at the TCCC. Ms. McLane stated in tier two everyone must complete a sexual history where they write down their full sexual history including every sexual offending behavior they have engaged in, including offenses they were never arrested for. Once that is completed, the client takes a polygraph test and the client must pass a polygraph before they can go to tier three. Three hundred fifty-four clients have completed the sex history and passed the polygraph, totaling 162,973 sexual offenses committed in their lifetimes.

Budget Manager's Report Regarding FY 2026 Budget and Expenditures
Budget Manager Kenneth Biddle discussed the 89th legislative session and the exceptional items. Mr. Biddle stated the FY26 and FY27 funding includes base bill funding, caseload growth, reinstatement of client services funding, offsite medical funding, funding for the case manager career ladder, high risk pay and client dental care, bringing the total appropriations to $65,978,368. Mr. Biddle stated the supplemental funding received for FY25 is $7,483,569, which will cover offsite medical, vehicles and Microsoft Office 365.

Mr. Biddle stated as of June 30th supplemental funding was for client services, vehicles and Microsoft Office 365. Mr. Biddle stated $70,000 was collected in cost recovery from the clients and $120,000 was appropriated, bringing the total to $190,000 collected. Additionally, $800,000 in unused funds were transferred from FY24 to FY25.

Mr. Biddle stated as of July 31st, MTC is projecting TCCO's portion of offsite medical to be $7.5 million and Mr. Biddle is expecting around $8.8 to $9 million, which would bring a shortfall in the budget to $3 million.

Mr. Biddle stated for FY26 TCCO received $32,183,859 in regular appropriations and $73,590 in federal dollars through the Department of Justice (DOJ) grant.

Ms. McClure stated the finance committee met this morning and discussed the budget. Ms. McClure stated the only shortfall is in medical costs, and asked the Board on behalf of the finance committee to adopt the FY26 budget as presented.

Ms. Jack motioned to adopt the FY26 operating budget as proposed and authorized adjustments of up to one million dollars, if any such adjustments are made they are to be presented to the Board at its next scheduled meeting. The motion was made, seconded, voted on and passed without opposition.

Internal Audit Updates Regarding FY 2025 Internal Audit Plan and Proposed FY 2026 Internal Audit Plan

Internal Auditor Alice Johnson provided an overview on the physical security of electronic devices and data management practices. Ms. Johnson stated everything that was reviewed appears to be operating effectively, and there were certain areas where potential risks and vulnerabilities were identified.

Ms. Johnson first reviewed the security policies and procedures in place to ensure they were up to date and aligned with the agency's objectives. Ms. Johnson reviewed the physical security of the office and the electronic devices within the office. Ms. Johnson reviewed the data access management and data backup plan recovery.

Ms. Johnson reviewed training records for employees and conducted interviews to understand their knowledge of the security procedures. Ms. Johnson stated although this was deemed effective, one of the policies was dated. Ms. Johnson performed a detailed walk through of the office to observe daily operations and confirmed the security barriers were in good condition. Ms. Johnson confirmed electronic devices are password protected and encrypted with a bitlocker and require a PIN before accessing the hard drive. Ms. Johnson suggested a more detailed inventory list to include keyboards and mice, and a detailed review of all employee access to ensure the access level of each employee matches the employee's role. Ms. Johnson suggested a business continuity plan to ensure operations can continue in different emergency situations.

Ms. Johnson proposed the FY26 internal audit plan, which is to revisit the testing over the client funds and ensure the previous recommendations have been implemented and are operating effectively. Ms. Johnson stated she would be working closely with management to ensure the risk assessment is completed and updated.

Ms. Jack moved to adopt the FY26 internal audit plan as presented and in the event the internal auditor wishes to deviate from this plan the internal auditor shall consult with the Executive Director, Audit Committee Chair and Board Chair and provide information regarding the work to be performed for approval by the Board Chair. If approved, the deviation shall be documented as required by the Texas Internal

Auditing Act and presented to the Board at its next scheduled meeting. The motion was made, seconded, voted on and passed without opposition.

Deputy Director's Overview of Sunset Review Process and TCCO's Self Evaluation Report

Deputy Director Jessica Marsh discussed the Sunset Review Process, stating the sunset self-evaluation process started immediately after the legislative session. A template is provided that includes the exact items needed including information about the agency, programming, staff, finances, and a little about each aspect of the agency's operations. The report begins with basic agency information, contact information for agency staff, contact information and information for the Board Members, and an overview of the general mission and objective as an agency. The requested information is all important information for someone to know about TCCO in order to be able to effectively evaluate TCCO's processes and procedures.

The report details why each of the agency functions are necessary, and as a small agency TCCO has one function, to provide supervision and treatment to sexually violent predators for the protection of the citizens of Texas. The report details how we accomplish that function and what barriers there are, whether that be outdated legislation, financial barriers, practical barriers such as provider willingness to see the population, and how do we monitor effectiveness.

Ms. Marsh discussed performance measures, specifically what performance measures TCCO is already required to maintain as part of funding. TCCO measures effectiveness through no more victims and it is extremely difficult to quantify how many offenses would have been committed if the clients were not supervised or receiving treatment. Although this is challenging, it is possible to look at the change the clients are making and how the clients are moving through the program.

The report details the agency's history and timeline of events, outlining major changes and accomplishments as well as how the agency functions today. Ms. Marsh discussed potential future legislation in order to maximize effectiveness and efficiency. The report includes policy making, Board structure, and the number of Board members, term lengths, what type of information is presented at Board meetings, the frequency of meetings, description of the subcommittees and what information is handled by the various subcommittees.

Ms. Marsh stated the report goes into funding and the various sources of funding, although TCCO only has one main source of funding. The report also goes into expenditures, and what TCCO does to maintain expenditures within the budget. The report discusses barriers with funding in that TCCO has no choice but to provide services and has no control over the cost of services.

The report details agency organizational information, full time employee information, statistical information about staff, and a deep dive into programming. Ms. Marsh stated the report includes how TCCO operates on a day to day basis, who is responsible for what within the agency, how the agency functions are accomplished and the history of each function.

Ms. Marsh stated the report includes statutory authority, legislation, significant litigation, attorney general opinions and all items that impact the agency's ability to function on a day to day basis. The report describes major issues the agency is facing including offsite medical costs and the deviancy that is seen in the clientele.

The report includes a free text comment area and requires thirty-two attachments, many of which are lengthy. Ms. Marsh stated alongside the self-evaluation report there is a fiscal review, which is a series of budget schedules and spreadsheets.

Ms. Marsh stated the report includes a little piece of everything TCCO does and the Board will be updated throughout the process. Ms. Jack asked how long Ms. Marsh is anticipating the sunset process taking, and Ms. Marsh stated the sunset process will continue until the next legislative session. The process will include the self-evaluation report, staff interviews, sunset staff coming onsite, and sunset commission hearings. Ms. Jack asked who would be included in testifying, and Ms. Marsh stated anyone the sunset commission would like to hear from as well as members of the public. Ms. McLane stated the sunset commission has an extensive online presence, including the ability for anyone to make suggestions or provide comments online. Ms. Marsh stated the sunset report will be published on the TCCO website and the sunset website, making it readily available for the public.

Director of Case Management Service's Report on Changes to Sex Offender Treatment Curriculum at the Texas Civil Commitment Center

Director of Case Management Services Kara Gougler provided an update on the curriculum. Ms. Gougler stated community provider Dr. Graham reviewed the proposal and made a few slight changes, the proposal was again submitted, and it is now being reviewed again to include cognitive behavioral programming and address the broader criminal thinking. Ms. Gougler stated as clients advance in tiers they have a better handle on their sexual problems but continue to live the criminal lifestyle, which will result in setting them up for failure.

Ms. Gougler stated there has been an improvement in the documentation from the therapists, stating a template was made to standardize documentation. Ms. Gougler stated the curriculum changes are being closely monitored, and reminded the Board the changes will not result in any of the clients redoing work; the changes are to enhance the program.

Staff Attorney's Legislative Update

Attorney Hayley Glisson provided an update on SB 1610, which was authored by Senator Perry. This bill will become effective September 1, 2025.

Ms. Glisson provided a few details on the bill. The bill will result in fewer SVP clients with pending criminal charges remaining at the Texas Civil Commitment Center and provide specific conditions to be included if the SVP client is released on bond. The client's commitment order will now be loaded into the criminal history system, which will ensure the magistrate has knowledge that the defendant is an SVP when setting bond and related conditions. The bill will provide clarity to local law enforcement that they may arrest an SVP client if probable cause for such an arrest exists and a warrant is not required in such instances. Ms. Jack asked if this will be going into the chapter of the criminal code that discusses an officer's ability to arrest without a warrant, and Ms. Glisson confirmed. Upon arrest, the magistrate will be able to perform his duties at the TCCC, which will eliminate possible additional transports to court while the client is in an agitated state after being arrested. The bill will increase client accountability for criminal actions by mandating a 25-year sentence for felony offenses and requiring that multiple convictions run consecutively. This 25-year sentence creates parity in application of the three-strike rule for all SVP clients who have, by definition, been convicted of two violent sex offenses previously. The 25-year sentence does not eliminate the ability of the District Attorney to agree to a lesser sentence through plea bargaining. The bill provides clarification regarding chunking offenses and assaults against staff/contractors in the facility to allow more of these offenses to be prosecuted. Finally, the bill allows the Special Prosecution Unit to assist in prosecuting criminal offenses committed by SVP clients and by permitting criminal cases to be transferred to the SVP client's court of commitment.

Ms. Glisson stated the bill will close a loophole through which certain SVP clients can be committed as an SVP but not required to register as a sex offender as well as provide a specific term of registration for the client. The bill adds that just one conviction for Continuous Sexual Abuse of a Child or Disabled Individual is necessary in order to qualify for civil commitment since in order to convict an individual of Continuous

Sexual Abuse, the prosecutor must have proven multiple separate offenses. The bill will provide protection to TCCO contractors and their employees by extending immunity for actions taken in good faith and allowing the OAG to represent these contractors at TCCO's request. Additionally, the bill will require a TCCO client to pay for damages caused by the client to property owned by the state, a TCCO contractor or a contractor's employee. The bill will allow TCCO to enhance efficiency by clarifying the length of contract terms and allowing TCCO to purchase goods from the least expensive supplier.

Ms. McLane added that when the bill was signed by the Governor a meeting was held with the tier four clients and resident council to discussion the bill's provisions to ensure they understood.

Discussion, Consideration, and Possible Action Regarding Commencement of the Administrative Rulemaking Process

Attorney Hayley Glisson stated that every four years the agency is required to review the administrative rules. The proposed changes must be posted on the Texas Register and the public is allowed to comment on any proposed changes. Ms. Glisson stated she is asking the Board to grant TCCO the authority to initiate the review procedure, and the Board will vote on any rule changes at future Board meetings.

Ms. Jack moved to approve the proposal to provide TCCO the authority to initiate the rule making procedures. The motion was made, seconded, voted on and passed without opposition.

Texas Civil Commitment Center Updates Concerning Facility Expansion and Staffing

Facility Administrator David Bowers stated he is currently in the process of updating the emergency plan and recently had a quarterly emergency preparedness drill to include a fire evacuation drill for the G building. Mr. Bowers stated two additional religious volunteers have been approved and will be assisting with services moving forward. Ms. McLane noted the difficulty in getting religious volunteers, and Ms. Jack asked if it's possible to stream religious services to the facility, and Mr. Bowers confirmed.

Mr. Bowers stated appliances have been ordered for the two additional housing areas, and as a result of several MTC facilities transitioning back to the state, the TCCC will be obtaining several pieces of equipment from those facilities to reduce expenses.

Mr. Bowers discussed staffing, stating there are twenty-five security officer vacancies, four treatment provider vacancies, which includes the over-hires, a vacant academic instructor, one vacant training manager, one vacant medical tech, and two vacant mental health counselors.

Mr. Bowers stated he is reviewing several policies including law library, client handbook, property, and tiered housing policies. Mr. Bowers stated the policies leave a lot up to interpretation and he will be working to narrow the policies down.

Mr. Bowers provided a construction update stating both buildings are being built simultaneously, and he anticipates both buildings being completed by December 1st. Mr. Bowers stated the medical dorm is up and running and they have brought in certified nursing assistants to provide overnight coverage.

Mr. Bowers stated operations are running smoothly, and his biggest concern is the Dalby facility opening, due to staff potentially leaving for a higher paid position with the state. Mr. Bowers stated there are a few issues with clients attempting to access pornography, but he no longer has any concerns with tobacco.

Regional Facility Administrator Jennifer Brown stated the current population at the TCCC is four hundred and ninety six clients. In addition to the staffing numbers Mr. Bowers discussed, a clinical therapist will be starting on November 3rd. Ms. Brown stated MTC provides incentives to clinical therapists to help continue treatment and help reduce fees when short staffed. Ms. Brown stated forty-three client groups viewed and discussed the importance of pro-social collateral contact video. Ms. McLane noted TCCO received positive feedback on the video.

Ms. Brown provided information on trainings and upcoming conferences, stating Mr. Bowers met with the clinical therapists and case managers to review mental health procedures and the clinical therapists and case managers participated in a joint session concerning improving client disclosures by fostering positive professional and trusting relationships. Ms. Brown stated the clinical therapists are scheduled to attend the Association for the Treatment and Prevention of Sexual Abuse (ATSA) conference virtually in September.

Ms. Brown stated there is a backlog in receiving the PPGs reports from the contractor, but a plan is in place to get caught up. Ms. Jack asked how far behind the reports are, and Mr. Bowers stated about two and a half months behind.

Update from MTC Medical Staff Regarding Efforts to Reduce Cost While Maintaining a High Level of Client Care at the TCCC

Regional Facility Administrator Lisa Peterson began by introducing herself, stating Mr. Terris had a personal commitment and was unable to attend the Board Meeting, and acknowledged the importance of the budget issues. Ms. Peterson stated she is aware of the issues, but hearing the conversations today has made a lasting impact, and MTC is highly committed to being a good partner and addressing the issues moving forward.

Ms. Peterson discussed the utilization management process, stating the corporate medical director reviews outside consultation requests each week, reviewing the request or providing an alternative treatment plan, and provides feedback on the requests. Ms. Peterson discussed the importance of building relationships with local providers for local MTC staff and the corporate MTC staff as well. Ms. McLane asked who was following up with local providers, how many meetings have happened, and where did the meetings take place. Ms. Peterson stated the procurement division and Mr. Terris have continued to follow up with providers to schedule meetings. Ms. Jack stated during the May Board Meeting Ms. McLane provided an email she sent to Mr. Terris that she had not received a response to. The email asked specific questions, and in the past three months the questions have still not been answered. During the May Board Meeting, the Board asked Mr. Terris specific questions to which he did not have the answers and Ms. Jack specifically asked Mr. Terris to attend the next Board Meeting. Ms. Jack asked Ms. Peterson if she had the answers to these questions, and Ms. Peterson stated she believes she is answering the questions.

Ms. Jack noted the lack of knowledge and lack of effort put into reducing offsite medical costs is very disappointing. Ms. Jack asked Ms. Peterson how many times she has been to the TCCC, and Ms. Peterson stated in her first year with MTC in 2021 she went to the facility five times to focus on SOTP staffing, has been back twice since, and will be returning September 8th. Ms. Jack expressed frustration with Mr. Terris, stating the importance of reducing offsite medical costs was made clear to him and the questions Ms. McLane originally emailed over three months ago have still not been answered. Ms. Jack stated at the previous Board Meeting Mr. Terris was instructed to have in person meetings with providers to work toward lowing offsite medical costs, and the Board does not know how many meetings he had, if any. Ms. McClure stated Mr. Terris was instructed to respond to Ms. McLane's email within one week of the May Board Meeting and the email has not received a response three months later.

Ms. McLane stated Mr. Terris had not scheduled any meetings until he was reminded by TCCO. Ms. Stratton stated Mr. Terris was asked simple questions such as the daily bed rate for the community and the daily bed rate for TCCO clients. Mr. Bowers stated Covenant is charging anywhere from ten to fifteen thousand a day for an overnight stay, and he was unable to get a price breakdown. Mr. Bowers stated the meeting with Covenant went well, and the rates were reduced five to ten percent based on inpatient or outpatient services. Ms. McLane stated TCCO has been asking MTC corporate to schedule in person meetings with providers since 2019 and asked what Covenant thought of having an in person meeting, and Mr. Bowers stated they appreciated meeting in person.

Ms. Jack asked who attended the Covenant meeting and who spoke, and Mr. Bowers stated Mr. Terris, Ms. Marsh, the Health Services Administrator (HSA), and himself attended. Mr. Bowers, the HSA, and Ms. Marsh spoke during the meeting. Ms. Jack stated the Board does not know what Mr. Terris is doing, he has not done what he promised the Board, is not doing what he represented he would do, and is not answering the questions previously asked. Ms. Jack stated the Board needs to see effort being made.

Mr. Bowers stated he did attend a video call, per their request, with the Amarillo BSA Hospital who will continue working with the TCCC on single contracts for MRIs, but did not seem open to opening up a partnership. Although they said they may consider it sometime down the road. Mr. Bowers discussed issues with other local providers, stating he has been working on building relationships, although many are not willing to work with the TCCC. Ms. Jack stated she appreciates Mr. Bowers continued efforts.

Ms. Peterson discussed the medical audit and the things MTC has done to remedy the issues, such as working with a new pharmacy vendor, assigning medical technicians to the pill carts, comparing the records of medications administered to the medications on the cart, and the nurse practitioner receiving a verbal order from the provider to renew medications as needed.

Ms. Peterson stated there are two mental health positions open, and although the salary has been increased from seventy-three thousand dollars a year to eighty-three thousand dollars a year, no applications have been received. Ms. Peterson stated there are four hundred ninety-six residents at the TCCC, four hundred fifty-seven are receiving chronic care services, four hundred fifty-six are receiving some type of medication, one hundred eighty are taking mental health medication, and there were four hundred fifty-three sick calls received in July. Ms. Peterson stated in FY25 ten residents were associated with sixty-four percent of the offsite medical costs.

Ms. Peterson stated she believes the focus will be understanding the medical services received, specifically looking at how services can be provided in a more cost effective way. Ms. Peterson stated quarterly audits focusing on items identified by TCCO will be performed by the HSA and then reviewed by MTC corporate, and MTC corporate is planning an annual comprehensive internal health services audit.

Ms. Jack asked for either Ms. Peterson or Mr. Terris to attend the next Board Meeting prepared with the answers to the questions Ms. McLane previously asked and the questions the Board previously asked. Ms. McClure stated the Board has met multiple MTC Medical Staff members because a different person is sent to each Board Meeting. Ms. McClure stated this feels very intentional, and the person sent to attend the Board Meeting is unable to answer any of the Boards questions. Ms. McClure acknowledged the uncomfortable questions Ms. Peterson was asked and noted the importance of Ms. Peterson attending the next Board Meeting. Ms. Peterson stated she will attend.

Staff Attorney’s Report Regarding Potential, Contemplated, and Pending Litigation
The Board went into executive session at 11:57 a.m. to cover this agenda item. The Board reconvened in open session at 12:15 p.m. with no formal action taken by the Board during the executive session.

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 May 30th, 2025 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 May 30th 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 November 14th, 2025 at 10:00 a.m. at the Texas Civil Commitment Center in Littlefield

Meeting Adjourned at 12:22 p.m.

SIGNATURE ON FILE	**SIGNATURE ON FILE**
Christy Jack, Chair	Marsha McLane, Executive Director