

Texas Civil Commitment Office



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

Friday, April 29, 2016, at 10:00 a.m.
The Exchange Building
8407 Wall Street, Room N-102
Austin, Texas 78754

MINUTES

Board Members Present

Christy Jack, Chair
Jose Aliseda

Kathryn "Katie" McClure
Rona Stratton Gouyton

Roberto "Robert" Dominguez

TCCO Staff

Marsha McLane
David Flores

Jessica Marsh
Janet Latham

Cathy Drake
Mike Necker

Office of the Governor

M.C. Lambeth

Office of the Attorney General

Richard Huntpalmer

Department of State Health Services

Trina Ita

Convene the Board of the Texas Civil Commitment Office

Board Chair, Christy Jack, convened the meeting at 10:05 a.m., roll was taken and it was noted that a quorum was present. Ms. Jack introduced the two new Board Members, Jose Aliseda and Rona Stratton Gouyton, and gave a short biography of each.

Executive Director's update concerning program operations and the routine functioning of the TCCO

Ms. McLane began by stating that TCCO is currently in the process of updating policies and procedures. Board policies will be updated as well. She continued by discussing the status report provided in the Board packet. There are currently 210 residents at the Littlefield facility with 5 scheduled for release from TDCJ to Littlefield in May and 5 more in June.

An individual was released from Civil Commitment on Monday, April 25, 2016. This individual received two biennial examinations and both found no behavior abnormality. He then had a court hearing and the judge agreed with the findings and released him from civil commitment.

Ms. McLane provided more information on the Tiers of the treatment program and stated that TCCO and the vendor are currently working on the rewards that will be available to the residents as they progress successfully through the program. Ms. McLane indicated that an advanced treatment dorm has just been created for those six Tier 4 clients who are nearest to preparedness for Tier 5, which is independent living. In this dorm, each client has his own room and is allowed to paint the room and bring in his own bedding if he wishes. These clients are also allowed to order food from the community. The idea is for each tier to

have its own distinctive perks for the clients so they are rewarded as their treatment progresses successfully. Additionally, another dorm has been opened to help spread out the concentration of clients.

There was a client in the community who had been allowed to go home and live in the community last September; however, it was discovered that he was being less than honest with TCCO staff and he had developed an intimate relationship with a female, but did not work with TCCO to ensure he was cultivating a healthy relationship and was not being honest about the relationship. Because of this, he was moved from the community into the facility in Littlefield.

Upon reviewing another client's case to consider whether he should be allowed to move out of the facility into the community, it was discovered that he did not have a high school diploma or GED. When this was discovered, TCCO researched and found that 48 clients at the facility do not have a high school diploma or GED, which they should have received while they were in prison. TCCO is working to ensure that all residents have at least a GED, because this will improve their chances of finding a job in the community. The requirement will be that all residents 62 years of age or below will be required to get a GED as part of their treatment, but anyone else who wants to get a GED will be allowed to.

TCCO is currently working on an RFP for Continuity of Care, which is very close to being published. This will ensure that residents who are released to the community will still have access to sex offender treatment, which they will be required to continue while living in the community. After this RFP is published, the next one TCCO will concentrate on is transitional housing for residents being released to the community. Because the new law requires that they return to their county of last sex offense conviction, which may not be the same area where the client's family or members of his support system live, housing will be needed in these areas. Ms. Jack asked Ms. McLane to give the two new Board members a thumbnail sketch of the housing issue TCCO faced with the halfway houses that were being utilized before the Littlefield facility was open, which she did.

Ms. McLane went on to discuss the status of the grant TCCO received from the Governor's Office, stating that TCCO is continuously revising policies, which involves contacting other states to get information and policies to see what practices will work best for TCCO and ensure best practices are utilized. Additionally, the Grant Specialist is meeting with Case Managers every two weeks to go through policies and make sure case management staff understands the policies and how to practically apply them. The TCCO Grant Specialist is also conducting Static 99 training to help ensure the form is being utilized and interpreted correctly and uniformly by TCCO staff as well as treatment providers and clinical examiners.

There have been several telephone conferences between the Grant Specialist, other TCCO staff, Correct Care staff and TDCJ staff to discuss how the in-prison sex offender treatment program that TDCJ utilizes can be made more applicable to civilly committed sex offenders who will be released to TCCO's program. The hope is that the in-prison program can include a civil commitment treatment program for the offenders to begin after they have finished the in-prison program and are waiting to be released from prison to civil commitment. This collaboration between TDCJ and TCCO was mandated by Senate Bill 746 as a way to help ensure continuity of care. This process has included some of the TDCJ sex offender treatment staff visiting the Littlefield facility, observing treatment groups and having discussions with Correct Care treatment staff.

Ms. McLane indicated that TCCO is planning to hold a family meeting for the families of TCCO clients to discuss the program and ask any questions they may have. The family meeting is tentatively scheduled for June 11, and flyers will be provided to the Board Members in case they would like to attend.

Currently, DSHS has office space in Austin on Howard Lane, which TCCO may be able to move into. The current TCCO office space is approximately 2,000 square feet and the proposed Howard Lane office space is approximately 6,100 square feet which will allow for TCCO growth. Ms. McLane is working closely with all involved in the process to expedite it as much as possible.

Board Chair's report concerning current operations and the functioning of the TCCO Board

Ms. Jack stated that, because Ms. McLane's report on TCCO's status was so thorough, she had very little to add. She stated that she had served on the State Bar Criminal Justice Council and was asked to speak about TCCO at the Advanced Criminal Law Seminar coming up in July. She also publicly thanked the two newest Board Members for agreeing to serve on the Board and the other two Board Members for agreeing to continue serving on the Board.

Report from the Department of State Health Services regarding the provision of psychiatric services to TCCO clients

Trina Ita, Director of the Program Services II Section for DSHS, began by explaining that her section is responsible for overseeing the provision of psychiatric services to TCCO clients who need them in accordance with Senate Bill 746. With the funds allocated to them by the legislature for this purpose, they have recently become almost fully staffed; however, they are lacking a fully licensed clinician for the Littlefield facility. They have provisionally licensed clinicians on staff, but are looking to hire a fully licensed one with a background in mental health and experience dealing with sex offenders, if possible. They are working with Correct Care to do so but it is difficult to find candidates in that part of the state.

Ms. Ita indicated that she and Ms. McLane speak at least weekly, and more often if necessary, to help ensure that they maintain ongoing communication and coordination of efforts. They are working together to get the process streamlined and make it as effective as possible and ensure that all the clients' needs are met and all their obligations are being fulfilled per the pertinent legislation. According to Ms. Ita, there are currently 73 clients actively receiving psychiatric services. Ms. Ita further stated that her team is having weekly meetings with Correct Care staff to discuss the psychiatric care of residents at the facility and discuss their individual treatment needs and the treatment they are receiving to make sure those needs are met. She also indicated that her staff is currently writing policies for how clients get referred for treatment and how to document and track their treatment.

Budget Director's financial report regarding FY 2016 Budget/Expenditures and grant funding

Budget Director, David Flores began by familiarizing the two new Board Members with the Organization Budget Summary Report and the Organization Budget Status Report. He explained how funds are encumbered or committed for certain purchases by creating a purchase requisition, thereby removing that specified amount from TCCO's available budget. There is currently 26 percent of TCCO's budget remaining available. This is the money that has not been spent or encumbered for the purchase of goods or services. TCCO's budget for Fiscal Year 2016 was over \$13.9 Million, with over \$3.5 Million still available.

Mr. Flores explained that one of the reasons there is more of the budget remaining than one would expect for this point in the Fiscal Year is because when TCCO entered into the contract with Correct Care, he did not encumber the whole amount of the contract funding so there would be more flexibility in the event the caseload counts he had estimated were different than the actual caseload count. Additionally, the grant amount is added to the budget and, because TCCO's Grant Specialist is quite experienced in dealing with sex offender programs, she is able to provide some of the necessary training and consulting which would normally need to be provided by experts from outside of TCCO; therefore, the cost savings to TCCO remains in the grant budget, allowing TCCO to spend that money on other costs allowable under the grant. The grant was previously extended to April 30, 2016; and another request to extend the grant until the end of Fiscal Year 2016 has been submitted by the Grant Specialist and has been approved.

Additionally, the passage of Senate Bill 746 has allowed TCCO to recover money from the clients in the program to help recover some of the costs for treatment, housing and GPS tracking. Previous to this, TCCO could only recover a percentage of the cost of GPS tracking from the clients; therefore the amount of money recovered is much greater now, reducing the need for General Revenue funding from the state. Mr. Flores indicated that he expects the end of year budget surplus for TCCO will be somewhere near \$1.8 Million. TCCO has the authority to carry this amount over to Fiscal Year 2017.

Executive Session for Report from the Attorney General's Office Regarding Pending Litigation and Personnel Matters Related to the Appointment of an Internal Auditor

The Board took a break at 11:07 AM and then went into Executive Session until 11:35 AM under the authority of Texas Government Code, Section 551.071(a) to hear a report from the Office of the Attorney General regarding pending, potential and contemplated litigation.

The Board continued in Executive Session from 11:35 AM until 11:56 AM under the authority of Texas Government Code, Section 551.0749(a) to discuss personnel matters related to the appointment of an Internal Auditor.

Open session reconvened at 11:56 AM with no action taken by the Board during the closed session.

Discussion, Consideration and Possible Action Regarding the Appointment of an Internal Auditor

Ms. Jack made a motion that, after discussion of his credentials and upon recommendation of the Budget Director as well as the Executive Director, Scott Hornung be appointed as TCCO's Internal Auditor in accordance with Chapter 2102 of the Texas Government Code. The motion was seconded and passed without opposition.

Discussion, Consideration and Possible Action Regarding the Appointment of a TCCO Board Vice Chair and Committee Appointments

Ms. Jack proposed that TCCO appoint a Vice Chair to serve as Chair in the event that Ms. Jack is unable to attend a Board Meeting. Ms. Jack made a motion to appoint Board Member, Katie McClure as TCCO Board Vice Chair. The motion was seconded and passed without opposition.

Ms. Jack then noted that, since there are now five Board Members, they are afforded the opportunity form committees to focus on specific issues that are important to the Board and the Agency. The two-member committees will be expected to study their assigned areas and report to the full Board with any developments or issues in these areas. Ms. Jack stated the two most pressing committees at this time would be a finance committee and an audit committee. Ms. Jack explained the duties and requirements for each committee, and then appointed Jose Aliseda and Katie McClure to the Finance Committee, with Ms. McClure serving as the Committee Chair. Next, Ms. Jack appointed Rona Stratton Gouyton and Robert Dominguez to the Audit Committee, with Chief Dominguez serving as the Committee Chair.

Discussion, Consideration, and Possible Action Regarding Excused Absences

Ms. Jack noted that all Board Members were present at the last meeting; therefore, there were no absences to excuse.

Discussion, Consideration, and Possible Action Regarding February 5, 2016 Meeting Minutes

A motion was made by Board Member, Katie McClure, to adopt the September 24, 2015, meeting minutes; the motion was passed without opposition, at which time Board Chair, Christy Jack and Executive Director, Marsha McLane signed the minutes.

Discussion, Consideration, and Possible Action Regarding Future Meeting Dates

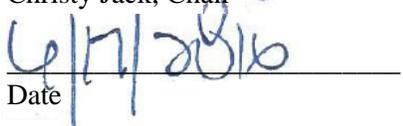
The next meeting of the TCCO Board was tentatively scheduled for June 17, 2016 at 10:00 am.

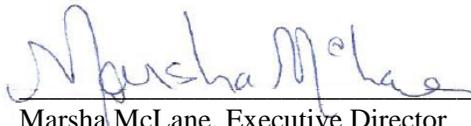
Public Comment

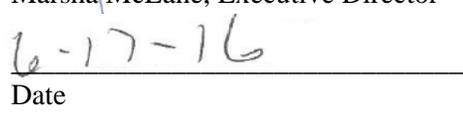
There were no members of the public present who wished to address the board.

Meeting Adjourned at 12:05 pm.


Christy Jack, Chair


Date


Marsha McLane, Executive Director


Date