

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, February 16, 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

Stanley Muli
Brittney Winters

Management and Training Corporation

Jennifer Brown and Gilbert Campuzano

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

Board Vice Chair, Katie McClure 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.

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

Executive Director Marsha McLane began by stating three clients have recently passed the social studies portion of the GED (General Educational Development) test, which is the first time anyone has passed in the last two or three years. She noted in 2021 five people passed certain portions of the test, but those five have never taken another test. Ms. McLane stated now, along with MTC, we are putting a big emphasis on getting the clients tutored, and have as many clients as we can get their GED.

Ms. McLane provided a Grant update, stating the grant was signed off on in December and we thought we could get started pretty quickly after that, this has proven to be false. She mentioned last week staff spent an entire day getting the budget together, and the next day the formatting requirements were changed. The budget was updated and has been approved, and we are now waiting to be assigned a technical advisor. Ms. McLane stated we have already interviewed for the Grant Coordinator position, and have kept South Plains College and Goodwill updated. South Plains College will offer either regular college classes, certification classes, or both. Goodwill will be doing evaluations to see where the clients are computer wise. Goodwill said they would add extra teachers if needed. South Plains has said any client who completed a class Goodwill offers, will get a certificate of completion of that skill.

Ms. McLane was excited to announce no groups were missed in October, November, and December. She mentioned in September there was a \$240,000 penalty due to missed groups and last month there was only a \$6,000 penalty, which is very exciting. Ms. McLane noted she has never seen more coordination between the case managers and the treatment providers, which makes helping the clients much easier.

Ms. McLane stated she testified last Friday in front of the Senate Finance Committee and presented TCCO's legislative appropriations request and exceptional item requests. She stated the baseline bill includes caseload growth, so we are starting ahead of the game. Ms. McLane noted she did ask for reinstatement of the 5% that was taken two years ago, and due to this amount being taken, at the end of last year there weren't enough funds to pay medical bills, resulting in HHSC giving TCCO \$700,000.00 to finish paying the years medical bills. The budget for 2021, which was the end of the biennium, was \$414,000.00 and we paid \$2.6 million in medical bills. In 2022, the first year of the biennium, the budget was raised to \$771,000.00 and we paid \$2.3 million in medical bills. The extra money came from sanctions and not as many clients getting out due to Covid and trials not happening. Ms. McLane mentioned doing everything possible locally to include meeting with hospitals to get costs down. She stated the hospitals were not aware TCCO is the one who is paying for these medical bills, which is ultimately their tax dollars.

Ms. McLane briefly mentioned for the first time there was a positive drug test at the facility, and 100% of the clients are drug tested every quarter.

Ms. McLane stated there was recently a complaint from a visitor of the facility, who stated she felt unsafe during her visit and was not able to enjoy her time with her loved one due to the party-like atmosphere. Ms. McLane watched the video and stated it was a security nightmare. As a result of this, TDCJ (Texas Department of Criminal Justice) sent over their security assessment team, and their findings will be discussed further in the executive session.

Ms. McLane closed by discussing what other states pay per client per year in their Civil Commitment programs, Texas being the least expensive state. Board Chair Christy Jack inquired on the cost difference, asking if the reason for this was more staffing. Ms. McLane stated she could not 100% confirm but in her experience from the facilities she visited, there was not a significant difference in staff. Ms. Jack then questioned how the therapy compares between states. Ms. McLane believes Texas is pretty comparable to other states and would get numbers together on the other states programs.

Chief Financial Officer's Report Regarding FY 2023 Budget and Expenditures and update regarding FY 2024/2025 Legislative Appropriations Request

Chief Financial Officer Stanley Muli stated the budget for FY 2023 is \$20,838,295.00, we have spent \$6,266,712.00 so far, and have \$2,519,140.00 remaining to include \$1,423,317.00 in unpaid salaries. Mr. Muli stated we are closely monitoring offsite healthcare costs, which will be our highest budget risk by the end of the fiscal year, and were only appropriated \$771,000.00 this year.

Ms. McLane added unless the clients who are committed to the facility slows down, we will have a short fall. Ms. McLane discussed how difficult it is to get a true cost on what medical costs will be. The contract requires the vendor to pay the first \$25,000.00 of any medical costs, and fifteen clients have already exceeded that cost.

Mr. Muli discussed the six exceptional items, stating TCCO is requesting \$8,310,472. The list of exceptional items has been revised, the first change is to reinstate the 5% biennial reduction from FY22-23, which is a total of \$1,866,691.00. After getting a clear picture of FY21 and a good estimate of FY22, we saw we needed to request more funding for offsite healthcare expenses, so we increased by \$300,000.00 per year. Ms. McLane added we asked for four additional case managers, funeral expenses, cremation expenses, and a contract rate increase for the vendor.

Mr. Muli stated the last item he would like to present to the board is the revision of the TCCO Rider. The way the Rider was originally written, TCCO had the authority to transfer funds from the second year of the biennium to the first year, only if the expenses were due to higher than anticipated caseloads. The Rider is being revised to say transfers under this rider may be made only if expenditures provide necessary services to civilly committed individuals exceed the funds appropriated for these services in FY 2024.

Robert Dominguez inquired on anticipated cost by the end of the year. Mr Muli stated it's difficult to give an exact number. Katie McClure stated historically every quarter increases, which is worrisome. Ms. McLane stated the increase is cumulative, and she would go back and look at numbers for the past years.

Update from the Texas Civil Commitment Center regarding facility expansion and treatment program

MTC Regional Facility Administrator Jennifer Brown began by stating she is pleased to report the facility has continued to be fully staffed, with one staff overage. Ms. Brown said they have found someone for the Clinical Director position, and hopefully she comes on board next month.

Ms. Brown then discussed the progress that has been made in the facility expansion, including pictures and videos. Ms. Brown stated they are building two work rooms, twelve classrooms, three rooms for officers, and two penile plethysmograph (PPG) lab rooms.

Marsha McLane noted once the expansion is complete, the clients and the therapists will feel much more comfortable. Ms. McLane stated the beds will begin being built in April, and several areas have been modified to add beds in the meantime.

Executive Session pursuant to Section 551.076 of the Government Code to discuss security personnel, devices, or security audits

The board went into executive session at 10:37 a.m. to cover this agenda item. The board reconvened in open session at 11:47 a.m. with no formal action taken by the Board during the executive session.

Discussion, Consideration, and Possible Action Regarding Excused Absences

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

Discussion, Consideration, and Possible Action Regarding November 16, 2022 Meeting Minutes

After determining that all Board Members present had reviewed the minutes from the previous meeting, Board Vice Chair Katie McClure asked for a motion to adopt the November 16, 2022 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 May 25th at 10:00 a.m. at the Texas Civil Commitment Office in Austin.

Public Comment

There were two members of the public who wishes to address the Board.

Mandi Brady began by stating she was interested to see security on the agenda, because this is something she has knowledge on. Ms. Brady noted she is a former MTC employee, starting in December 2018. She stated the issues with security begin in the interview. She stated there is no explanation of what you are walking into, and during training you are not properly prepared for the things you will see and encounter. Ms. Brady stated the employees who report issues are often ignored and treated the worst, and the officers causing the issues get promoted. She stated the treatment and lack of empathy from administrative staff can make a good officer do things out of their character and turn their cheek when things happen. Ms. Brady stated she is now on the other side, and her husband will return to the facility in two weeks. She noted her husband has been in prison as a result of their relationship,

and in two years' time her life has gone from one side to the other. Ms. Brady stated the things her and her husband got in trouble for are still happening with the facility, noting there is contraband, cell phones, SD cards, and the only way for any of this to enter the facility is through the officers. Mr. Brady expressed concern for her husband, his medical issues, and retaliation. Ms. Brady closed by stating she understands the mistakes her and her husband made, they are now paying the consequences, and although she wants to cooperate, she will do whatever it takes to get her loved one home.

Irene Rubio stated she had two questions. The first question was in regards to medical, stating her husband recently had an appointment for a mat for his back, and she is now wondering will the clients be lacking, due to medical expenses. Ms. Rubio stated her second question was in regards to the security audit, questioning if this was men's items being turned upside down, or is this security audit done by TDCJ.

Meeting Adjourned at 11:55 a.m.

SIGNATURE ON FILE

Christy Jack, Chair

SIGNATURE ON FILE

Marsha McLane, Executive Director

Date

Date