

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

Friday, May 21, 2021, at 10:00 a.m.

VIA VIDEOCONFERENCE MINUTES

Board Members Present

Christy Jack, Chair
Robert Dominguez

Katie McClure

Rona Stratton Gouyton

TCCO Staff

Marsha McLane
Mike Necker

Stanley Muli
Gregg Cox

Jessica Marsh

Management and Training Corporation

John Cochran

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. She also stated that Board Member, Jose Aliseda, could not attend because he is in the midst of a trial and that she has excused his absence. Ms. Jack went on to note that this meeting was being held via webinar to comply with the Governor's order to minimize in-person contact, and members of the public have the ability to join the meeting via telephone or video.

Board Chair report

Board Chair, Christy Jack, gave no formal report; however, she did take time to express her gratitude to Executive Director, Marsha McLane and her entire staff for the exceptional work they have done during this unprecedented legislative session. She also thanked the staff, as well as Vice Chair Katie McClure, for the extra effort put forth in securing legislative funding for off-site medical care.

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

TCCO Executive Director, Marsha McLane gave an update on COVID-19. As of immediately prior to the beginning of this meeting, there are no cases of COVID-19 at the Texas Civil Commitment Center in Littlefield. One TCCO employee, who is fully vaccinated, has tested positive for COVID-19 and is currently under quarantine. His status and vaccination information have been reported to the Texas Department of State Health Services. All but two staff members in the TCCO Austin office have been fully vaccinated along with all field staff and seven out of 13 TCCO staff at the facility.

TCCO testified before the Senate Finance Committee, the House Appropriations Committee, the Senate Criminal Justice Committee and the House Corrections Committee; along with making many phone calls to legislators and their staff to help the legislators understand why TCCO needs the money it requested and help ensure that the funding would be granted.

TCCO has received the tablets to be utilized for video visitation and will be implementing that next weekend. Visitation at the facility was reinstated on March 21, 2021 and there have only been a total of 11 visitors for six clients. The expectation is that visitation will increase with the option to do it virtually.

TCCO continues to receive rapid COVID-19 testing supplies from the Texas Division of Emergency Management, free of charge. Any TCCO staff who are unvaccinated are being tested weekly and the hope is that MTC will do the same with their staff at the facility.

About four to five years ago, the law requiring our clients to renew their ID every year was changed to allow them to be renewed every six years. DPS reprogrammed their system to reflect this change and then spent three days at the facility issuing IDs to everyone.

TCCO has reinstated travel and staff are going to the facility regularly, with at least one staff member going to the facility every week.

After having several issues with their internet and very slow speeds, in addition to the results of the penetration and security tests conducted, TCCO will be purchasing a new firewall system that will help to make the internet faster and more secure.

During Fiscal Year 2020, there were 23 people who were civilly committed, less than the usual average of about 35 per year. This is a result of the slowing of the trial process due to the COVID-19 pandemic.

TCCO has received five body cameras to be worn by field staff when they conduct home visits. The training is scheduled for next week and the use of cameras will be implemented after the training is complete and a policy has been developed.

TCCO has submitted a grant request to the Governor's Office for funding to be utilized for training and to possibly hire an outside evaluator to evaluate TCCO's program and identify improvements that can be made. The result of the grant request should be received in September.

Online college courses at the facility will begin in June, with the date of orientation to occur 14 or more days after the clients have received their second vaccinations so that they can meet with representatives from the colleges when they come to the facility.

There are four TCCO clients who are ready to move to Tier 5 and be in the community; however, TCCO is having a very difficult time trying to find housing for them. There is an active RFP for community housing and the two places that submitted proposals were located in a child safety zone.

Chief Financial Officer's report regarding FY 2021 Budget/Expenditures

TCCO Chief Financial Officer, Stanley Muli, began by noting that, with three months left in the Fiscal Year, there is enough left in the budget for salaries to last until the end of the year and there will be slightly less than five percent left.

In the budget for operating costs, which is directly tied to the cost of contracted providers of treatment and other services, there will be more left than expected due to delays caused by COVID-19; however, it is also expected that these services will increase during the late spring and early summer months as TCCO gets caught up with scheduling for the providers.

The line item for payroll contributions which include benefits paid along with salaries runs parallel with that of salaries and it is expected that slightly less than five percent will be left at the end of the year.

The budget for travel has been utilized far less than expected due to the fact that travel was suspended because of COVID-19 and, although, only about \$4,000 has been spent up to this point, travel has begun again and it is expected that \$20,000 to \$25,000 will be spent by the end of the year.

Rent and utilities are almost exclusively tied to the housing of TCCO clients at the facility. There will probably be around \$650,000 left at the end of the year due to lower than projected client population because the projections were done prior to COVID-19.

The total operating budget for FY 2021 is \$21,272,580; however, \$1.86 million has been identified as the five percent budget reduction all agencies were required to identify, leaving \$19,45,888 left in the operating budget.

TCCO projected spending \$15,000 in COVID-19 related expenditures for the year and, so far, have spent \$11,394.00.

TCCO submitted a legislative appropriations request for FY 2022 and 2023 with a baseline request of \$35.9 million in addition to \$4.2 million in five exceptional items. The legislature approved the budget and only one exceptional item, referring the other four exceptional items to the Conference Committee. After discussions and deliberations, the Conference Committee approved the remaining four exceptional items.

Audit Committee Chair update regarding FY 2021 Internal Audit and program audits

Audit Committee Chair, Robert Dominguez, began with the internal audit of case management conducted by TCCO's internal auditor. TCCO is fully staffed with 12 case managers who carry caseloads of 36 to 39 clients each. The audit looked at 12 areas and there were some minor findings in regards to the entry of some chronological notes into the CSS system that were a day or two later than required. The results of the internal audit will be reported to the State Auditor's Office as required.

There were eight program audits conducted by TCCO staff. Of the eight audits there were two areas with significant findings. One area was that of group and individual counseling provided to the clients. It was found that the group sessions are being provided as required but the individuals are not. MTC staff is diligently working to take corrective action to provide and document individual sessions as required.

The other area with significant findings was that of security staffing and training of security staff. MTC had 19 vacant security staff positions and it was also found that MTC was not providing adequate training to security staff. TCCO is now working with MTC to help them ensure that adequate training is provided.

Report from the Texas Civil Commitment Center regarding update on the operation of the facility, programming and COVID-19 protocols and processes

MTC Facility Administrator, John Cochran, began by giving vaccination statistics from the facility. At this time there are two clients who are fully vaccinated and 359 clients have received their first shot. When these clients receive their second shot next Friday, about 93 percent of the 388 client population will be fully vaccinated. There are nine MTC staff members who are fully vaccinated at this time. Mr. Cochran is focused on encouraging more staff to get vaccinated and even providing some financial incentives to encourage staff to get the vaccine.

There are 22 clients enrolled in the GED program at the facility and two of them have taken the science and social studies exams. The rest are preparing for exams with practice tests.

The facility is now overstaffed with sex offender treatment providers with 11 of the required 10 currently on staff and providing treatment to clients. There is a 12th provider that has been hired but is currently completing some training prior to being able to provide treatment.

Video visitation is set to begin next weekend and the clients will be able to have two 30-minute video calls per month. The AGE clients who have already been allowed to order food from restaurants are now going to be allowed to order groceries from the grocery store and will have the ability to plan and prepare their own meals.

General Counsel's update regarding new and pending litigation

The Board went into executive session at 11:04 AM to cover this agenda item. The Board reconvened in open session at 11:36 AM with no formal action taken 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 and that she has already excused Board Member Jose Aliseda's absence from this meeting.

Discussion, consideration, and possible action regarding February 5, 2021 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 February 5, 2021 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 August 20, 2021 at 10:00 a.m. at the Texas Civil Commitment Office in Austin.

Public Comment

There was no member of the public requesting to address the Board.

Meeting Adjourned at 11:40 a.m.

SIGNATURE ON FILE

Christy Jack, Chair

Date

SIGNATURE ON FILE

Marsha McLane, Executive Director

Date