

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, August 26, 2022, at 10:00 a.m.

MINUTES

Board Members Present

Christy Jack, Chair	Katie McClure	Rona Stratton Gouyton
Jose Aliseda	Robert Dominguez	

TCCO Staff

Marsha McLane	Stanley Muli	Jessica Marsh
Patrick Flaherty	Brittney Winters	

Management and Training Corporation

Wayne Schmoker

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 in lieu of a formal report, she would like to show a video created by the Texas Department of Criminal Justice (TDCJ) of Tier Five client Ronald Mitchell talking about civil commitment and the progress he has made. The video will be provided to newly committed individuals who are still in TDCJ to provide perspective on the civil commitment program. Ms. Jack noted that Mr. Mitchell had previously provided a presentation to the Board and that she had spoken with Mr. Mitchell during a previous visit to the Texas Civil Commitment Center.

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

Executive Director Marsha McLane began by discussing the Family and Support System Meeting that was held on August 23, 2022. The meeting was set up for family members of clients who are currently in the TCCC. At the meeting, TCCO staff provided information on the different tier levels, how clients can move up from one tier to another, the importance of chaperones and the requirements to become a chaperone, transitioning back into the community, and the difficulties that come with finding an appropriate and healthy living environment. Ms. McLane provided additional information regarding the chaperone process and importance of chaperones helping the client and holding the client accountable.

On August 10, 2022, Ms. McLane testified at a legislative committee hearing of the Corrections Committee. The purpose of the hearing was to provide updates of agency activities since the last legislative session. Ms. McLane provided updates regarding facility expansion, case manager safety, treatment programming, tier movement, staffing issues, reentry and housing, healthcare expenditures, and caseload growth. A copy of the information provided to the Corrections Committee was provided to the Board Members.

With regard to COVID-19 at the TCCC, all but five clients are fully vaccinated and about 50% of TCCC staff are vaccinated. There are currently 78 clients with Covid-19 at the TCCC, and all but 67 clients are on quarantine. No clients have significant symptoms.

Since the last board meeting in April 2022, 30 clients have moved up in tier. Ms. McLane also provided an update regarding Project Change, which remains ongoing with monthly themes and activities.

Chief Financial Officer’s Report Regarding FY 2022 Budget/Expenditures and Offsite Healthcare Costs, FY 2023 Operating Budget, and Proposed FY 2045/2045 Legislative Appropriations Request

Chief Financial Officer Stanley Muli noted the Fiscal Year 2022 budget as of August 15, 2022 has increased to \$19,416,280.00 as a result of cost recovery. Outside of the remaining budget, TCCO has the coronavirus relief funds in the amount of \$14,250.00, and has only spent \$552 due to stipulations stating expenditures can only go to coronavirus prevention supplies or coronavirus related travel, and TCCO has not had either of those since the last Board meeting.

Mr. Muli stated by the end of the fiscal year, there will be \$1 million dollars left in FY 2022. The remaining balance is a result of outstanding offsite medical costs that have not yet been invoiced to TCCO. TCCO has the authority to carry the remaining balance into FY 2023, with an understanding that the invoice will eventually arrive, and the remaining balance will be used to offset that expenditure.

Mr. Muli proposed a slight increase in the total budget for FY 2023, due to caseload growth, increasing the budget from \$19 million to \$20,831,734.00. Mr. Muli requested the board approve the FY 2023 budget as presented, Ms. McClure moved to approve, Ms. Jack seconded, and the motion passed without opposition.

Discussion, consideration, ad possible action regarding the TCCO FY 2045/25 Legislative Appropriations Request (LAR)

Chief Financial Officer Stanley Muli stated the LAR for FY 2024/2025 has a baseline of \$40,219,841.00 established by the previous biennium’s budget and reflects an increase of cost recovery funds from \$62,000.00 to \$120,000.00. Mr. Muli presented the exceptional items: caseload growth expected to be \$3,217,421; offsite health care expected to be \$3,721,480; case manager career ladder expected to be \$82,512; four additional full time employees expected to be \$547,804; cremation and disposition expenses expected to be \$20,000; and contract rate adjustment costs expected to be \$1,471,045. Mr. Muli noted this would bring the total exceptional items for two years to \$9,060,262 making the total biennium legislative appropriations request \$49,280,103.

Mr. Muli requested the board approve the FY 2045/2025 LAR as presented. Ms. McClure moved to approve, Board Chair Christy Jack seconded, and the motion passed without opposition.

Report from the Audit Committee Chair regarding FY 2022 Internal Audit and proposed FY 2023 Internal Audit Plan

TCCO Audit Committee Chair, Robert Dominguez stated the FY 22 internal audit focused on IT inventory of PC’s and cell phones, fleet vehicles, client reimbursement which includes cost recovery, cost reimbursement payment/balance reconciliation, and client receivable balances, payment which includes employee travel, vendor AP payments, and MTC per diem, mileage reimbursement, PO review, and other costs. Mr. Dominguez asked Internal Auditor Patrick Flaherty to provide additional details regarding the FY 2022 internal audit.

TCCO Internal Auditor Patrick Flaherty stated he found there is excellent usage of cars, and good documentation to show the cars are not sitting idle. He found the percentage clients owe and the flow of money during the year is computed accurately. He stated a detailed review was done on MTC payments and the TCCO staff were extremely knowledgeable on procedures and were very dedicated to ensuring their job is done properly.

Mr. Dominguez thanked Mr. Flaherty and mentioned this was a very detailed audit, and these checks and balance systems are important to ensure we are spending this money wisely to assure services are being reported properly. The FY 23 internal audit plan will look more into MTC medical invoices. Mr. Flaherty stated this area has some complexity to it and is a good target for the FY 23 audit.

Discussion, consideration, ad possible action regarding the FY 2023 Internal Audit Plan

Mr. Dominguez moved to approve the FY 2023 internal audit plan as presented. In the event the internal auditor wishes to deviate from the audit plan, the internal audit shall consult with the Executive Director, Audit Committee Chair, and Board Chair, and will provide information on the work to be performed, to be approved by the Board Chair. If approved the change will be presented to the board at the next scheduled meeting. Board Chair Christy Jack seconded the motion and the motion passed without opposition.

Deputy Director's Report regarding TCCO Customer Service Survey

Deputy Director Jessica Marsh noted the customer service survey is required by Chapter 2114 of the Texas Government Code. The LBB and the Governor's office provided eight set questions that agencies must utilize. The survey was published on the TCCO website and was sent directly to contractors, partner agencies, and stakeholders. TCCO received thirty-five responses to the survey and of those responses there was an overall 60% satisfaction rate. The majority of individuals that TCCO interacts with are satisfied with the services and information they receive. Ms. Marsh stated she looked at some other agencies surveys and the 60% satisfaction rate was consistent or better. The results of the survey will be posted on the TCCO website.

Report from the Texas Civil Commitment Center regarding the facility expansion plans

MTC Facility Administrator Wayne Schmoker began by stating the eight portable classrooms are now fully operational, although they have not been used due to the number of clients in quarantine. It's anticipated the portable classrooms will be used starting next week. Mr. Schmoker stated Collier Construction will begin light mobilization starting the week of the 29th, in preparation for building the twelve permanent classrooms and offices. Once complete Collier Construction will start the expansion on tier three housing.

Ms. McLane noted all twelve permanent classrooms will have a sprinkler system, in the event they have to be temporarily converted to housing.

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 February 23, 2022 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 April 28, 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 November 16, 2022 at 10:00 a.m. at the Texas Civil Commitment Office in Austin.

Public Comment

There were two members of the public who wished to address the Board: Mandi Brady and Sydney Artrip.

Ms. Brady stated she is with the F.A.C.T.S organization representing the families of those civilly committed and is representing her husband as well. She voiced concerns stating the families have asked to be involved with several different things with TCCO and hope that they can come to an understanding and can have more involvement in the future. Ms. Brady's husband has requested that he be given a release date and stated he will complete everything before that date. Ms. Brady stated the men that have active family support, homes to go to, and jobs that they can work, need to have an opportunity to be released. Ms. Brady stated the families are just asking for a change, asking for families to be included, and their loved ones be given an opportunity to complete their program in a timely and realistic manner.

Ms. Artrip is with Texas Tea Newsletter and stated she will be reading a letter on behalf of Jennifer Williams. Ms. Artrip then read a letter written by Ms. Jennifer Williams who voiced concerns in regard to the TCCO treatment program, stating a complete overhaul of the five tier program is absolute necessary for the success of the men being treated. she stated the TCCO program does not work and until there is open communication, transparency, and empathy for the men at TCCC the program will remain stagnant and unsuccessful. She closed by reminding the board that the men at TCCC have completed 100% of their sentence and have not committed any more offenses, are loved, prayed for, and children of God.

Meeting Adjourned at 11:38 a.m.

SIGNATURE ON FILE

Christy Jack, Chair

Date

SIGNATURE ON FILE

Marsha McLane, Executive Director

Date