

## 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 4, 2018, at 8:00 a.m.  
Texas Civil Commitment Center  
2600 South Sunset Avenue  
Littlefield, Texas 79339

### MINUTES

#### Board Members Present

|                       |                         |                            |
|-----------------------|-------------------------|----------------------------|
| Christy Jack, Chair   | Kathryn “Katie” McClure | Roberto “Robert” Dominguez |
| Rona Stratton Gouyton |                         |                            |

#### TCCO Staff

|               |               |                |
|---------------|---------------|----------------|
| Marsha McLane | Jessica Marsh | Stuart Jenkins |
| David Flores  | Mike Necker   |                |

#### Correct Care Recovery Solutions Staff

|             |               |                 |
|-------------|---------------|-----------------|
| Chris Bove  | Genna Brisson | Rebecca Jackson |
| Chris Woods |               |                 |

#### Office of Senator Charles Perry Staff

Senator Charles Perry

#### City of Littlefield Staff

|                    |                           |                              |
|--------------------|---------------------------|------------------------------|
| Eric Turpen, Mayor | Mitch Grant, City Manager | Ross Hester, Chief of Police |
|--------------------|---------------------------|------------------------------|

#### Lamb County Staff

|                      |                              |                             |
|----------------------|------------------------------|-----------------------------|
| Gary Maddox, Sheriff | Scott Say, District Attorney | Rickie Redman, Assistant DA |
|----------------------|------------------------------|-----------------------------|

#### Texas Department of Public Safety Staff

Gary Albus, Regional Commander Joe Longway, Major

#### Dailey Recovery Services Staff

Lidia Dailey

#### Convene the Board of the Texas Civil Commitment Office

After the singing of the National Anthem and “America the Beautiful” by a choir of residents of the Texas Civil Commitment Center, Board Chair Christy Jack convened the meeting at 8:15 a.m., roll was taken and it was noted that a quorum was present.

#### Recognition of officials from The Department of Public Safety, Lamb County and the City of Littlefield for their support of and service to the Texas Civil Commitment Office

Ms. Jack took a moment to recognize some distinguished guests at the meeting who included Senator Charles Perry; Mayor of Littlefield, Eric Turpen; and Littlefield City Manager, Mitch Grant. Each of the gentlemen expressed their appreciation for the work and commitment of the Texas Civil Commitment Office and Correct Care Recovery Solutions in the operation of the Texas Civil Commitment Center. A brief history of the Texas Civil Commitment Center was provided by Ms. Jack, and awards of appreciation were presented

by Ms. Jack and TCCO Executive Director, Marsha McLane to Littlefield Police Chief, Ross Hester; Lamb County Sheriff, Gary Maddox; Texas Department of Public Safety (DPS) Regional Commander, Gary Albus; DPS Major, Joe Longway; Lamb County District Attorney, Scott Say; and Lamb County Assistant District Attorney, Rickie Redman for their support of and assistance to the Texas Civil Commitment Program.

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

Executive Director Marsha McLane stated that there are currently 288 clients at the Civil Commitment Center and, by the end of the day, the population would be 289. There are a total of 452 individuals who have been civilly committed with many of those still in prison. Right now there are 4 residents of the TCCO who are currently off-site, two in the local county jail and two are in short term placement at the state hospital. Additionally, there are three people in the state hospital under the new Senate Bill 613 which is a new way to get those clients who are so mentally ill that they cannot effectively participate in sex offender treatment into the mental healthcare system to get the mental health treatment they need. TCCO has a memorandum of understanding (MOU) with Health and Human Services and works with them to identify these clients and get them into a mental health setting where mental health professionals can work with them and meet monthly with TCCO to provide progress updates. Once the mental health facility determines that they believe a client is ready to go back to the Civil Commitment program, the client is evaluated by a third-party evaluator, who is a licensed sex offender therapist and is hired by TCCO.

One of the TCCO clients currently at a mental health facility has been deemed by that facility to be stable and ready to move back to the civil commitment center. The third-party evaluator has found that, although the client is stable, he is still not able to effectively participate in treatment. The TCCO Executive Director is in agreement, so this client will remain at the mental health facility.

TCCO has entered into a contract with a substance abuse treatment provider to assess clients and provide substance abuse treatment and relapse prevention services at the facility to those TCCO clients who have been assessed and demonstrate a need for this type of treatment.

Correct Care has hired a GED teacher and implemented a GED and continuing education program at the facility so clients can earn their GED in preparation to be released to the community.

There were four clients who TCCO deemed ready to move out of the facility and into the community. Two of them did not have their finances in order or the required three months of living expenses saved, so their release from the facility was put on hold. Another client was ready to move into the community; however, when he was administered a penile plethysmograph (PPG) it indicated that he was still exhibiting arousal toward children and his release was stopped because public safety is TCCO's number one goal and responsibility. A fourth client was scheduled to be released from civil commitment altogether but, when his case manager conducted a home visit; it was found that he had a photo album with pictures of small children in it. Because his victims were children, he was further questioned and his explanation contained inconsistencies so he was brought to the TCCO office and given a drug test prior to being questioned by TCCO staff again. He tested positive for alcohol and admitted to other negative behaviors that he had been engaging in and being dishonest about, so his release was stopped. TCCO continues to work on getting clients who are ready out of the facility and living independently, but if any of the checks and balances TCCO has in place indicates the client is not ready, TCCO will always choose to err on the side of caution.

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

Board Chair, Christy Jack, indicated that she did not have a formal report at this time; however, she was glad to have the opportunity to be at the facility and to meet with several clients the prior day to discuss their experiences with the program and how it is working.

**Budget Director's report regarding FY 2018 Budget/Expenditures & Rider 185 Healthcare Costs**

Budget Director, David Flores discussed the budget report presented to the Board. TCCO's budget for FY 2018 was \$16.9 million total. There are \$8.5 million in outstanding encumbrances, with the majority of that being the Correct Care contract and \$6 million has been spent at this point, leaving \$2.4 million left in the

budget. At the time funds were requested, the projected caseload for the year was 340 clients and now the actual caseload projection is about 324.

TCCO was appropriated \$561,000 in offsite healthcare funds for the current biennium and the full amount was appropriated in the first year of this biennium. Additionally, it is expected that there will be about \$2.2 million in funds left at the end of FY 2018; however any remaining funds will be carried over into the FY 2019 budget.

### **Discussion, consideration, and possible action regarding adoption of the proposed Case Manager Career Ladder**

Section 420A.009 of the Government Code requires the TCCO Board to adopt a salary career ladder for Case Managers. Case Managers are classified as Program Specialist II and those with no experience start at a monthly salary of \$3,872.19 and, after 6 months, provided they are performing their jobs as expected and have no disciplinary issues, they will be given a salary increase to \$4,100.00 per month. Experienced Case Managers will start at \$4,100.00, after which they will receive yearly salary increases for up to ten years. The maximum amount for the salary range is \$5,371.00 per month, so the difference between the starting salary and the maximum was divided by ten to arrive at a \$127 per month amount of increase for each year. In order to receive the salary increases, Case Managers will be required to, at a minimum, meet all standards of their position and have no formal disciplinary action for the year since their most recent salary increase.

Board Chair, Christy Jack made a motion that the Board adopt the career ladder as presented. The motion was seconded, voted on and passed without opposition.

### **Report from Dailey Recovery Services regarding substance abuse services provided to residents of the TCCC**

Lidia Dailey of Dailey Recovery Services began by introducing herself and her company, which will be providing substance abuse treatment to those residents who are identified, through screening and assessment, and according to the diagnoses contained in the DSM-5, as needing these treatment services. She has been coming to the Texas Civil Commitment Center since the first week of March and has completed screening and assessments on 54 individuals. Of those individuals, 16 had a low probability for substance use disorder but the rest indicated a substance use disorder and need for treatment. There are currently 14 individuals enrolled in the 12-week program and two whose scores suggested that they did not understand the assessment tool, so alternate assessment tools were utilized for them.

The program utilizes an evidence-based curriculum that focuses on relapse prevention, cognitive behavior therapy, rational behavior therapy and motivational interviewing. The goal of the program is to not only teach them the tools they need to maintain sobriety, but also how to use those tools in their own lives. Before completing the program, the clients will create their own relapse prevention plans in order to help maintain long-term sobriety.

### **Report from Correct Care Recovery Solutions regarding Texas Civil Commitment Center (TCCC) facility operations and plans to improve contract compliance**

Chris Bove, Chief Operating Officer for Correct Care Solutions, began by introducing himself and Dr. Rebecca Jackson, Clinical Director of SVP Programs for Correct Care Solutions along with some other Correct Care staff present at the meeting. Mr. Bove went on to talk about the Correct Care Solutions Leadership structure and list key members of the team, noting vacancies in the positions of Facility Administrator, Clinical Director, Executive Vice President and several Clinical Therapists.

Mr. Bove stated that there have been challenges and shortcomings, exacerbated by high staff turnover for the past several months; however, efforts are being made by Correct Care to develop and implement initiatives to improve the program including creating a panel made up of facility employees as well as corporate employees to identify and address issues. With help and input from TCCO, the program tasks and tiers have been redesigned in an effort to enhance the clinical relevance of the treatment program. Since mid-March, over 25 residents have moved up from Tier 1 to Tier 2, indicating progress. Weekly meetings are being held to improve communication, identify challenges and work toward improvement. Additional clinical training

has been provided to staff to enhance what they have learned in the immersion training and overall staff training has been increased.

With staff shortages being experienced, recruiting and retention are a primary focus. Recruitment plans and job descriptions have been changed to allow for a wider applicant pool. Additionally, pay increases, sign-on bonuses and retention bonuses have been implemented and these changes seem to be successful. New positions have also been added, including the Assistant Facility Administrator, two new clinical therapists, an Administrative Assistant, and additional clinical leadership in Dr. Rebecca Jackson, Clinical Director of SVP Programs. The number of residents working at the facility has also increased. In 2017 the gross pay for these resident workers was about \$13,000 per month and it is now, with modification of the contract allowing more positions, over \$23,000 per month.

#### **Report from TCCC staff regarding the GED/Adult Basic Education at the TCCC**

Dr. Rebecca Jackson began by stating that one of the most important protective factors in a client's success after returning to the community is education and that clients who have an education are less likely to reoffend. Part of the contract between CCRS and TCCO requires that the Contractor provide GED education to the clients.

In January of 2018 Correct Care hired an experienced academic instructor to provide adult basic education and oversee the GED education and testing program. The GED program is mandatory for clients under 60 years of age and optional for those over 60. There were 61 clients identified as not having a GED or high school diploma and of those clients, 46 are under the age of 60 and required to participate in the program. Four of these clients refused to participate, but of the 42 remaining, standardized testing indicated that 29 of them had a need for adult basic education to gain the remedial skills that would be required to be successful in achieving a GED. Eight clients are in GED prep classes and 5 are in pre-GED prep classes. Correct Care is also working on meeting the requirements to become a GED testing site so the clients can take the GED test at the facility.

#### **Executive Session for report regarding potential, contemplated, and pending litigation**

The Board went into executive session and all members of the public were asked to leave the meeting at 9:46 a.m. The regular session reconvened at 10:23 a.m., with no formal action taken by the Board during the executive session.

#### **Discussion, consideration, and possible action regarding the adoption of proposed Board Policy 1.06 "Internal Audit Policy"**

TCCO General Counsel, Jessica Marsh stated that the Government Code requires that the Board adopt an internal audit charter. The policy was developed in coordination with the prior TCCO Internal Auditor and is consistent with other agencies' internal audit charters and policies. Ms. Marsh went over the policy and explained its requirements. Ms. Jack asked if everyone had read and understood the policy and whether anyone had questions concerning it. She made a motion that the Board adopt the policy as it was presented; the motion was seconded, voted on and passed without opposition.

#### **Discussion, consideration, and possible action regarding the appointment of an Internal Auditor**

Ms. Jack made a motion that the authority to hire an Internal Auditor be granted to Executive Director, Marsha McLane in consultation with the Audit Committee of the TCCO Board. This motion was seconded, voted on and passed without opposition.

#### **Discussion, Consideration, and Possible Action Regarding Excused Absences**

Ms. Jack noted that she had been absent from the last meeting, but that her absence had been excused during that meeting. Board Member Jose Aliseda was absent from this meeting; however, he had discussed his need to be absent with Board Chair Jack and his absence from today's meeting has been excused.

#### **Discussion, Consideration, and Possible Action Regarding February 2, 2018 Meeting Minutes**

Ms. Jack asked if all board members had a chance to review the minutes from the February 2, 2018 meeting. When all Board Members affirmed their review of the minutes, a motion was made to adopt the February 2, 2018 meeting minutes; the motion was 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 Friday, July 20, 2018 at 10:00 a.m. to be held at the Texas Civil Commitment Office in Austin.

**Public Comment**

There was one member of the public present who wished to address the Board. Attorney William Marshall, who represents several clients at the Littlefield facility and advises others that he does not represent, stated that he had been asked by the sister of a resident at the facility to relay a message. She wished to inform the Board that she had learned that her brother was the subject of a behavior management hearing and, as a result, received 15 days in SMU. As a result, she has not been allowed to have contact with her brother since April 27, 2018 and does not know the details of the incident. Ms. McLane informed Mr. Marshall that the brother had been advised that, when he is again able to use the telephone, he needs to call his sister and explain the situation and Ms. McLane feels that he will probably do so.

**Meeting Adjourned at 10:32 a.m.**

**Signatures on File**

\_\_\_\_\_  
Christy Jack, Chair

\_\_\_\_\_  
Marsha McLane, Executive Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date