

PRISONER'S CIVIL RIGHTS COMPLAINT (Rev. 05/2015)

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

FILED

JAN 23 2018

CLERK, U.S. DISTRICT CLERK
WESTERN DISTRICT OF TEXAS
BY *[Signature]*
DEPUTY

W18CA021

CASE NO. _____
(Clerk will assign the number)

LENTIONA TAYLOR #1051112

Plaintiff's Name and ID Number
Mountain View Unit
2305 Ransom Rd. Gatesville, TX

Place of Confinement 76528

Individually, and on Behalf of
All Present and Future Inmates
Similarly Situated

v.
DAVID GUTIERREZ, ROEL TEJANO,

Defendant's Name and Address
AND LEEANN MASSINGILL

Defendant's Name and Address
8610 Shoal Creek Rd.
Austin, TX 78757

Defendant's Name and Address
(DO NOT USE "ET AL.")

INSTRUCTIONS - READ CAREFULLY

NOTICE:

Your complaint is subject to dismissal unless it conforms to these instructions and this form.

1. To start an action you must file an original and once copy of your complaint with the court. You should keep a copy of the complaint for your own records.
2. Your complaint must be legibly handwritten, in ink, or typewritten. You, the plaintiff, must sign and declare under penalty of perjury that the facts are correct. If you need additional space, **DO NOT USE THE REVERSE SIDE OR BACKSIDE OF ANY PAGE.** ATTACH AN ADDITIONAL BLANK PAGE AND WRITE ON IT.
3. You must file a separate complaint for each claim you have unless the various claims are all related to the same incident or issue or are all against the same defendant, Rule 8, Federal Rules of Civil Procedure Make a short and plain statement of your claim, Rule 8, Federal Rules of Civil Procedure.
4. When these forms are completed, mail the original and once copy to the clerk of the United States district court for the appropriate district of Texas in the division where one or more named defendants are located, or where the incident giving rise to your claim for relief occurred. If you are confined in the Texas Department of Criminal Justice, Correctional Institutions Division (TDCJ-CID), the list labeled as "VENUE LIST" is posted in your unit law library. It is a list of the Texas prison units indicating the appropriate district court, the division and an address list of the divisional clerks.

II. PLACE OF PRESENT CONFINEMENT: TDCJ- 1D Mountain View Unit

III. EXHAUSTION OF GRIEVANCE PROCEDURES:

Have you exhausted all steps of the institutional grievance procedure? YES NO
Attach a copy of your final step of the grievance procedure with the response supplied by the institution.

IV. PARTIES TO THIS SUIT:

A. Name and address of plaintiff: Lentiona Taylor, Mountain View Unit
2305 Ransom Rd, Gatesville, Tx 76528, and on behalf of all
Present and Future Inmates Similarly Situated.

B. Full name of each defendant, his official position, his place of employment, and his full mailing address.

Defendant #1: David Gutierrez, Chair of the Texas Criminal
Justice Board of Pardons and Paroles, SAA, 8610 Shoal Creek Rd.
Austin, TX 78757

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.
violated U.S. Constitution due process by:
He has not ensured the Parole Guidelines are followed resulting in
repeated denials of parole and extended punishment incarcerated.

Defendant #2: Roel Tejano, Parole Commissioner, Texas Board of Pardons
and Parole,
8610 Shoal Creek Rd., Austin, TX 78757

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.
He has repeatedly voted denying parole without following parole
guidelines, resulting in repeated denials extending punishment.

Defendant #3: Leanne Massingill, Parole Commissioner, Texas Board of
Pardons and Parole,
8610 Shoal Creek Rd., Austin, TX 78757

Briefly describe the acts(s) or omission(s) of this defendant which you claimed harmed you.
She has repeatedly voted denying parole without following parole
guidelines, resulting in repeated denials extending punishment.

Defendant #4: N/A

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

Defendant #5: N/A

Briefly describe the act(s) or omission(s) of this defendant which you claimed harmed you.

C. Has any court ever warned or notified you that sanctions could be imposed? YES NO

D. If your answer is "yes," give the following information for every lawsuit in which a warning was issued. (If more than one, use another piece of paper and answer the same questions.)

1. Court that issued warning (if federal, give the district and division): _____
2. Case number: _____
3. Approximate date warning was issued: _____

Executed on: _____
DATE

(Signature of Plaintiff)

PLAINTIFF'S DECLARATIONS

1. I declare under penalty of perjury all facts presented in this complaint and attachments hereto are true and correct/
2. I understand, if I am released or transferred, it is my responsibility to keep the court informed of my current mailing address and failure to do so may result in the dismissal of this lawsuit.
3. I understand I must exhaust all available administrative remedies prior to filing this lawsuit.
4. I understand I am prohibited from bringing an *in forma pauperis* lawsuit if I have brought three or more civil actions or appeals (from a judgment in a civil action) in a court of the United States while incarcerated or detained in any facility, which lawsuits were dismissed on the ground they were frivolous, malicious, or failed to state a claim upon which relief may be granted, unless I am under imminent danger of serious physical injury.
5. I understand even if I am allowed to proceed without prepayment of costs, I am responsible for the entire filing fee and costs assessed by the court, which shall be deducted in accordance with the law from my inmate trust account by my custodian until the filing fee is paid.

Signed this 18 day of January, 20 18.
(Day) (month) (year)

Sentina K. Taylor
(Signature of Plaintiff)

WARNING: Plaintiff is advised any false or deliberately misleading information provided in response to the above questions may result in the imposition of sanctions. The sanctions the court may impose include, but are not limited to, monetary sanctions and the dismissal of this action with prejudice.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION+

LENTIONA TAYLOR, Individually, and on
Behalf of all Present and Future
Inmates similarly situated

Plaintiffs,

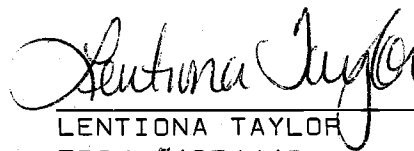
v.

DAVID GUTIERREZ, in his capacity as Chair
of the Texas Criminal Justice Board of
Pardons and Paroles; and
ROEL TEJANO and LEEANN MASSINGILL,
in their capacity as Commissioners and Members
of the Texas Board of Pardons and Paroles.

Defendants.

42 U.S.C. § 1983

Class Action Complaint



LENTIONA TAYLOR
TDCJ #1051112
Mountain View Unit
2305 Ransom Rd.
Gatesville, Texas 76528

Taylor 1051112

CERTIFICATE OF COMPLIANCE

I, Lentiona Taylor, TDCJ #1051112, do hereby certify and declare:

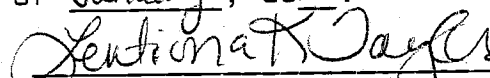
1. This brief complies with the type-volume limitations of Fed. R. App. P. 32(a)(7)(B) because this brief uses a monospaced typeface and contains approximately 627 lines of text, excluding the parts of the brief exempted by Fed. R. App. P. 32(a)(7)(B)(iii)
2. This brief complies with typeface requirements of 32(a)(5) and the type style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in a monospaced typeface using Smith Corona Typewriter with 10 characters per inch and Tempo type style.


Lentiona Taylor Pro se

UNSWORN DECLARATION

I, Lentiona Taylor, TDCJ #1051112, being presently incarcerated in the Mountain View Unit of Texas Department of Criminal Justice in Coryell County, Texas verify and declare under penalty of perjury that the foregoing statement is true and correct.

Executed on this the 18 day of January, 2018.


Lentiona Taylor Pro se
TDCJ #1051112
Mountain View Unit
2305 Ransom Rd.
Gatesville, TX 76528

Taylor 1051112

IDENTITY OF PARTIES

LENTIONA TAYLOR AND ALL
INMATES SIMILARLY SITUATED - PLAINTIFFS
Mountain View Unit
2305 Ransom Road
Gatesville, Texas 76528

DAVID GUTIERREZ - DEFENDANT
8610 Shoal Creek Road
Austin, Texas 78757

ROEL TEJANO - DEFENDANT
8610 Shoal Creek Road
Austin, Texas 78757

LEEANN MASSINGILL - DEFENDANT
8610 Shoal Creek Road
Austin, Texas 78757

The above address for Defendants is the only one Plaintiff
has, taken from the TDCJ-ID I-60 form.

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- A. NOTICE OF PAROLE PANEL DECISION
- B. SUNSET ADVISORY COMMISSION ISSUE 6, TO INCLUDE:
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- C. JUDGEMENT FROM THE TRIAL COURT
 - a. Bridges to Life Certificate
 - b. Library of Congress Braille

Transcriber Certification

- c. Career and Technology Education Program
through Windham School District

Braille Textbook Formatting Certification

- d. Windham School District Vocational

Career Preparation Communication and
Media Nemeth Math Certification

- e. Certificate of Achievement On-The-Job Training
Program Graphic Designer

- f. Texas Corrections Industries Manufacturing
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LIST OF AUTHORITIES

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

LENTIONA TAYLOR, Individually,)
and on Behalf of all Present)
and Future Inmates similarly)
situated.)

Plaintiffs,)

v.)

Civil Action No. _____

DAVID GUTIERREZ, in his)
capacity as Chair of the Texas)
Criminal Justice Board of)
Pardons and Paroles; and ROEL)
TEJANO and LEEANN MESSINGILL,)
in their capacity as Commissioners)
and Members of the Texas Board)
of Pardons and Paroles.)

Defendents.)

CLASS ACTION COMPLAINT

Plaintiff Lentiona Taylor, pro se, brings this class action on behalf of herself and all other similarly situated inmates and for their cause of action allege as follows:

NATURE OF THE CASE

1. This is a suit for declaratory and injunctive relief on behalf of a class of inmates in Texas' prisons whose constitutional rights are being violated by the practices, policies, and procedures of the Texas Board of Pardons and Paroles ("the Board").

Plaintiff's claim is that the Board is not fully and consistently using the parole guidelines to assist them in

their parole decisions as mandated by law. By not following it's guidelines, policies and procedures and giving repeated parole denials, the Board is violating plaintiff's and other inmates similarly situated's due process rights of the United States Constitution. Also by shredding parole files not entered into the computer of inmate's files, they have caused irreparable harm.

JURISDICTION AND VENUE

2. This action arises under 42 U.S.C. § 1983 because it is a suit for declaratory and injunctive relief to address the deprivation under color of state law, of rights, privileges, and immunities secured to Plaintiffs by the Constitution of the United States. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1334.

3. Venue is proper in the Western District of Texas pursuant to 28 U.S.C. § 1391, because the Defendants reside and may be found in the Western District of Texas, and a substantial part of the events or omissions giving rise to Plaintiff's claims have occurred in the Western District of Texas.

THE PARTIES

The Plaintiffs

4. Plaintiff Lentiona Taylor is a 41-year old prisoner in the custody of Texas Department of Criminal Justice-Institutional Division ("TOCJ") at Mountain View Unit in Coryell, Texas. She is a first-time offender and served in the United States Army from 1995-2001, when she was arrested by Bell County officers. She has been incarcerated since 2001.

She first became eligible for parole in 2011 and received a 2-year denial of parole ("set-off"). She has since received three more 2-year denials; 2013, 2015, and 2017, for a total of 8 years to serve past her eligibility date. On each occasion, the sole reason for denial has been "the instant offense has elements of brutality, violence, assaultive behavior" or words to that effect. (Please see Exhibit A)

5. There are many similarly situated other female first-time offenders that are repeatedly denied parole that have family, homes, transportation, and employment awaiting their release. They have proven that they are not violent or a danger to society, and are dependable and trustworthy employees. By not following their guidelines and releasing these inmates, their due process rights guaranteed by the United States Constitution are violated.

The Defendants

6. Defendant David Gutierrez is the Chair of the Board. The Legislature has repeatedly instructed the Board to make better use of its parole guidelines as illustrated in the Sunset Advisory Commission's July 2013, Issue 6, and its Appendix D, History of Texas Parole Guidelines (Exhibit B). Mr. Gutierrez has the responsibility to ensure guidelines are followed and eligible inmates are released. He hires and supervision of the Parole Commissioners that vote for or against an inmate's parole. He can also be a deciding voter.

7. Defendant Roel Tejano is a Parole Board Commissioner that votes for or against inmate parole and voted for denials

when plaintiff has come up for parole. It is obvious that he did not take into consideration all of the requirements and guidelines.

8. Defendant Leeann Massingill is a Parole Board Commissioner and voted for denials of plaintiff's parole, also without considering or following parole guidelines. It seems easier to give a 20 Denial than to check plaintiff's parole plans, education, employment, transportation, housing, prison record, prison employment, education acquired, programs completed, and initiate the release paperwork. She did not follow the parole guidelines in coming to her decision for denial.

9. The defendants have denied parole for eligible first-time offenders who have shown exemplary rehabilitation and who have made every effort possible to change themselves into people who are an asset to their families and their communities, to be productive tax-paying citizens when released. To repeatedly deny parole without considering all the guidelines and accomplishments of the inmate is cruel, not only to the inmate, but to the inmate's family members who long for them to come home. This class action suit is on these inmate's behalf also.

10. Parole Board Commissioner Roel Tejado has a Bachelor of Arts and a Master of Justice Administration from St. Mary's University in San Antonio. His background consists of criminal justice experience in both juvenile and adult systems, with emphasis on substance abuse, special needs, and domestic

violence. Leeann Massingill has a Bachelor of Science in Criminology and Corrections and a Minor in psychology from Sam Houston State University in Huntsville, Texas.

11. New commissioners vote conservatively, each time offenders receive set-offs, the commissioners change, then the new ones give set-offs resulting in a never-ending succession of set-offs.

CLASS ACTION ALLEGATIONS

12. The Plaintiff brings this action on behalf of a class of persons currently incarcerated in TDCJ-ID that are first-time female offenders without criminal histories, who have no disciplinary record of violence while incarcerated, who are or will become eligible for parole, and who have been or are likely to be denied parole exclusively or primarily by reference to the "2 D. The record indicates the instant offense has elements of brutality, violence, assaultive behavior ... such that the offender poses a continuing threat to public safety," or words to that effect, without proof of the individual displaying traits that would verify she "poses a continuing threat to public safety," during incarceration. Even 5 years incarcerated can make a drastic change in persons that desire to change themselves to become good daughters, mothers, wives, employees, that can be a good influence on others in the community. However, by giving the set-offs, **years** are passing that the inmates are not given the opportunity to utilize the education, job skills, and program training the state has provided. By not considering the total

procedures, the class of inmates are denied the due process rights guaranteed by the United States Constitution.

13. Question of law and fact common to the proposed class include whether the Defendants' practices, policies and procedures for considering parole for those first-time offenders, convicted of a one-time violent act, but are not violent by nature as prison disciplinary records prove, are being denied parole, without consideration of other requirements accomplished, and other guidelines being followed.

14. The claims of the named Plaintiff are typical of the claims of the proposed class and the named Plaintiff will fairly and adequately represent the proposed class. The constitutional violations alleged by the named Plaintiff stem from the same course of conduct by Defendants--namely, Defendants' practices, policies and procedures that have had the intent and/or effect of denying fair and meaningful consideration for parole to parole-eligible prisoners convicted of a violent offense and/or other offenses. The legal theories under which the named Plaintiff seeks relief are the same as those upon which the class will rely. In addition, the harm suffered by the named Plaintiff is typical of the harm suffered by the proposed class members, to-wit, a significant risk of prolonged incarceration as a result of the Defendants' failure to provide a fair and meaningful consideration for parole conducted pursuant to the requirements of Texas law. *

★ See Exhibit F for Exhaustion Remedies.

15. The named Plaintiff has the same requisite personal interest in the outcome of this action in that she has been repeatedly denied parole because of the "2D. ...elements of brutality, violence, assaultive behavior" Plaintiff shares this interest with the class members and will fairly and adequately protect the interests of the other class members.

16. The Plaintiff requests the Court to appoint counsel to represent them that has the resources, experience, and expertise to diligently prosecute this class action.

17. A class action is maintainable pursuant to Rule 23(b)(1) and/or Rule 23(b)(2) of the Federal Rules of Civil Procedure because the prosecution of separate actions by individual class members would create a risk of inconsistent or varying adjudication with respect to individual class members that would establish incompatible standards of conduct for Defendants, and Defendants have acted and will act on grounds applicable to all class members so that final declaratory and injunctive relief on behalf of all members is appropriate.

STATEMENT OF THE CLAIMS

18. The Board does not regularly meet with its parole interviewers, or commissioners to discuss their reports, but instead submit their reports electronically. The Board does not solicit information from prison wardens, officers, counselors, psychologists, or other TDCJ employees who see and work with the Plaintiff and members of the class on a

day-to-day basis and could provide probative information concerning their suitability for release. The Board has made use of the one-year, two-year, three-year, and five-year deferrals (set-offs) in a completely arbitrary manner. For example, it has issued to inmates over the course of their incarceration repeated set-offs, with no apparent basis for the distinctions.

19. The procedures utilized by the Board have enabled them to grant or deny parole exclusively or primarily on the basis of the nature of the offense without consideration of the other factors relating to suitability for release required to be considered by Texas law, as noted in the Sunset Advisory Commission's Report.

PAROLE BOARD GUIDELINES

20. Due process liberty interests were created by state legislation acts resulting in parole and mandatory supervision guidelines and makes available a limited freedom from restraint by allowing parole instead of inmates serving their entire sentence - giving a date to see parole. Denying parole imposes atypical and significant hardship on inmates in relation to ordinary incidents of prison life, depriving inmates and their family members of their loved ones' presence and financial assistance the parolee can give to aid the family lessen their burden. The deprivation causes tremendous stress on inmates and their family members. Because a person has committed one violent act in their life, is no reason to automatically assume they will continue to commit violent acts

upon release, especially when years and decades have passed without any further violent act at all, in an environment that is above and beyond stressful and traumatic in itself. The adoption of guidelines for parole by the Legislature for the purpose of earlier parole, and then not following these guidelines and releasing inmates adds punishment by giving the set-offs. Judges and juries who have sentenced inmates assume they will be released upon their first parole hearing with good behavior, or they would have made the sentences longer. Sandlin v. Conner 115 S.Ct. 2293, 515 U.S. 482, 484, said that prisoners have a liberty interest in three circumstances: (1) when the right at issue is independently protected by the constitution, (2) when the challenged action causes the prisoner to spend more time in prison, or (3) when the action imposes "atypical and significant hardship on the inmates in relation to the ordinary incidents of prison life. The Legislature recommended the Board make guidelines for making parole decisions. See page 65 of the Sunset Advisory Commission's Issue 6; 2010 Parole Guidelines Score with Recommended Approval Rates. Only scores 6 and 7 have over 50% approval rate. No matter how much time the inmate has served on the offense, the score does not change, so each time they come before the Board, they remain in the low approval rate percentage. With most rates set low, the Board already sets the tone that few will be released. The Board's guidelines do not consider institutional adjustment, programs completed, educational accomplishments, job training, prison disciplinary

records, or support letters from family and friends. Education and job skills learned are not being utilized as intended as an employment skill upon release. By denying parole, the Board removes the intent of the Judge and jury and increases punishment and causes harm in not allowing skills to be utilized on the outside. Women who come to prison young, are way past their child-bearing years when they have received multiple set-offs. Statistics show that a person who commits an assaultive offense, with no prior convictions, no drug/alcohol use, and has education and a history of employment has the lowest recidivism rate. (For percentage outside of recommended approval ranges see Sunset Advisory Commission's Report page 69.)

21. Wolff Supra 94 SCt. 2963, 418 U.S. 539, LX p. 11, 41 L.Ed.2d 935 at p. 939 has held that "Once the state has created the right to good-time credit and has recognized that deprivation of such credit is a sanction authorized for major misconduct, the prisoner's interest has real substance and is sufficiently embraced within the 14th Amendment "liberty" to entitle him to those minimum procedures appropriate under the circumstances and required by the due process clause to ensure the state-created right is not arbitrarily abrogated." Under number 15 on p. 939 - "Since under a state prison regulation, prisoners can only lose good-time credits if they are guilty of serious misconduct, the determination of whether such behavior has occurred becomes critical, and the minimum requirements of procedural due process appropriate for the

circumstances must be observed." Similarly, by giving repeated set-offs without any serious, or in most instances no misconduct by the inmates, the Board is, in effect, denying good-time credit and violating inmates' due process rights guaranteed by the United States Constitution Amendment Fourteen.

22. The Civil Rights Act 42 U.S.C. § 1983 [42 U.S.C.S. § 1983] provides "Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory subjects, or causes to be subjected any citizen ... or other person ... to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws p. 447 shall be liable to the party injured in an action at law suit in equity, or other proceeding for redress" applies to this issue of the Board not following its guidelines, and as a result, have extended punishment by keeping imprisoned inmates beyond the time they should be paroled with good behavior.

23. The Plaintiff and other female inmates have been repeatedly denied parole solely or primarily using the offense itself as a reason (20). The Plaintiff and other female inmates receiving repeated denials have demonstrated through their conduct, employment, and attitude while in prison that they have been rehabilitated and would pose no meaningful risk to public safety if they were released on parole. Plaintiff has an outstanding institutional record, marked by positive evaluations, educational and spiritual programs, positive work

experiences with others, and successful completion of other programs made available through TDCJ. She and others are certified with the Library Of Congress in Washington, D.C. as braille transcribers, transcribing school and college textbooks into braille so that blind students can receive an education. The skill requires tremendous time spent in study and determination to succeed. Only prisoners that are reliable, dependable, trustworthy, intelligent, work well with others, and are non-violent in behavior can be assigned the highly specialized job. This shows the Board she is not a risk for parole. (See Exhibit C.)

a. Plaintiff Lentiona Taylor committed her offense in 2000 at the age of 24, and is now 41. She served in the U.S. Army from 1996-2001, Army personnel made her bond. She had re-enlisted. The offense arose from when she had a baby and suffered from post-partem depression. She was arrested for shaking her baby and convicted of Injury to a Child, sentenced to 20 years. Her attorney did not seek a second medical opinion as required under Ex Parte Briggs 187 S.W.3d 458, 474. Her daughter has not suffered any of the problems or effects the prosecution and prosecution's medical expert described would happen that resulted in her conviction. Her daughter is now 18 years old and has graduated from High School. There were no ill effects resulting from the offense. (See Exhibit D.)

b. Plaintiff had no prior criminal history and had been honorably discharged from the Army before re-enlisting.

c. She has been denied parole four times, given 2-year set-offs each time; 2011, 2013, 2015, 2017, totalling 8 additional years of punishment that occurs because the Board has not considered **all** the guidelines as in Texas Administrative Code Title 37, Part 5, Chapter 145, Subchapter A, Rule §§ 145.2, 145.6, and Government Code 508.141(e)through (g)(2), as well as other guidelines stipulated in the Sunset Advisory Commission's Issue 6 and New Issues (Exhibit 8). The Board has repeatedly failed to meet its overall recommended approval rates indicating a significant departure from the guidelines (Page 69). The Advisory Commission's recommendation in 2013 has no affect on the Board's approval for release votes, as Plaintiff and others have still been receiving set-offs for no apparent reason.

24. Plaintiff and other inmates have given the Board the information to support their release in that they will have housing, family member support, employment, and skills and shown that she is able and willing to fulfill the obligations of a law-abiding citizen, as required.

TIME SERVED AND GUIDELINE DEPARTURE

25. Plaintiff Lentiona Katrina Taylor, TDCJ #1051112 has a Time Sheet that shows:

Conviction year 2001

Flat time: 15 years 9 mos 22 days - 79%

Good Time: 15 years 4 mos 28 days - 77%

Work Time: 7 years 10 mos 22 days - 39%

Mandatory Supervision Credits: 15 years 9 mos 22 days - 79%

Parole Time Credits: 39 years 1 mos 12 days - 195%

Work Time Lost: 0000

Good Time Lost: 0000

TDCJ calculated date 5/01/2011

No. of Detainers: 00

(See Exhibit E.) The TDCJ Time sheet is a record for the Board to see and verify her behavior, work history, and time done as needed for parole. She has 195%.

25. The TDCJ Offender Orientation Handbook states, "Some requirements for an offender to be released on parole are: (a) serves sufficient time as required by law, (b) is not a risk to public safety, (c) meets work, program participation, and behavior standards. Parole is not a right, but a privilege." Black's Law Dictionary defines "privilege" as A special legal right, exemption, or immunity granted to a person or class of persons; an exception of duty. A privilege grants someone the legal freedom to do or not to do a given act. It immunizes conduct that under ordinary circumstances, would subject the actor to liability." The state-created statute allowing parole falls under the Constitution due process right. Instead of granting parole to those who qualify, the Board routinely sends form letters as in Exhibit A that state, "You have been denied parole for the reasons listed below:

20. The record indicates the instant offense has elements of brutality, violence, assaultive behavior, or conscious selection of a victim's vulnerability indicating a conscious disregard for the lives, safety, or property of others, such

that the offender poses a continuing threat to public safety."

THE EFFECTS OF THE POLICIES AND PROCEDURES

The 2D is used each time Plaintiff and others come up for parole. The Plaintiff has shown she is rehabilitated as there is no assaultive disciplinary record outside the offense she was convicted; none while incarcerated all these years. The denials prove the Board has not looked into any of the other requirements besides nature of offense and have failed to follow established guidelines and failed to comply with the Sunset Advisory Commission's 2013 Recommendations.

28. Defendant's practices have failed to produce informed predictions about Plaintiff's suitability for release. Plaintiffs cannot change the offense, it was what the sentence was based on, so should not be the sole deciding factor in denial of parole. Plaintiffs have been denied a fair and meaningful opportunity for parole, and Defendants have created a significant risk of prolonging Plaintiffs incarceration far longer than contemplated by Texas law and far longer than the courts, prosecutors, and defense attorneys expected or assumed when the sentences were handed down. The Board's unlawful practices have imposed, and unless corrected, will continue to impose irreparable harm upon Plaintiffs and their family members. Remedying these practices, policies, and procedures would serve the public interest by ensuring (a) fair and meaningful consideration for parole in accordance with the requirements of the parole guidelines, the Sunset

Advisory Commissions Recommendations, and the United States Constitution, (b) the availability to Texas and other states of the productive services of women suitable for release on parole, as many will be able to care for their children that are currently in the care of the State at State expense. Plaintiffs will be able to utilize the job skills taught in Texas Corrections Industries, and program and educational classes, (c) realization of the tax revenues associated with the services of such female workers, (d) the family support that the women (wives, mothers, daughters) would be in a position to provide, and (e) the savings of potentially hundreds of millions of dollars in operating and prison construction costs, and medical costs associated with the unwarranted continued incarceration of Plaintiff and members of the class. The Board's conduct violates Plaintiffs' due process rights guaranteed by the Fourteenth Amendment.

29. Important information was destroyed by TDCJ by the Board not ensured preservation of documents aiding in making parole decisions. (See Exhibit G)

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs ask this Court to:

- A. certify a class as defined in this complaint;
- B. issue an order adjudging and declaring that the policies, practices and procedures of the Parole Board deprive Plaintiff and members of the class of fair and meaningful consideration for parole as required by the Due Process Clause of the Fourteenth Amendment of the United States Constitution;

C. issue an order adjudging and declaring that such policies, practices and procedures violate the rights of Plaintiffs and members of the class guaranteed under Article 1, § 10, cl. 1 of the United States Constitution;

D. enjoin and restrain the Defendants and all those in concert or participation with them from conducting parole reviews without according Plaintiffs and members of the proposed class fair and meaningful consideration of parole including consideration of each of the factors required by Texas law and reflected in the Board's own rules and policy manuals;

E. order the Defendants to set mandatory guidelines for the preservation of support letters and information that is important for helping them in determinations for parole;

F. order the Defendants to make immediate determinations concerning parole for Plaintiffs and members of the class in accordance with the mandates of this Court;

G. order Defendants to promulgate, after reasonable notice and opportunity for comment, rules governing parole reviews and determinations that comport with the mandates of this Court and publish such rules in the Texas Administrative Code;

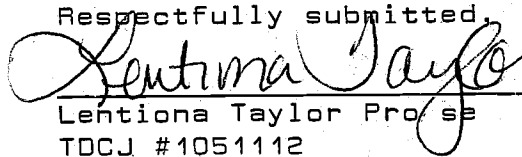
H. award Plaintiffs the costs and disbursements of this action;

I. award Plaintiffs reasonable attorneys fees; and

J. grant Plaintiffs such further and other relief as to this Court may seem just and proper.

Dated December 2, 2017

Respectfully submitted,

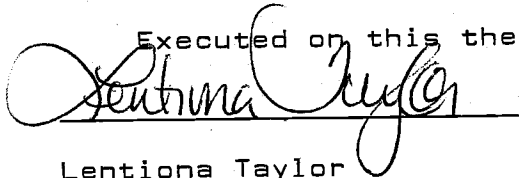


Lentiona Taylor Pro se
TDCJ #1051112
Mountain View Unit
2305 Ransom Rd.
Gatesville, Texas 76528

UNSWORN DECLARATION

I, Lentiona Taylor, TDCJ #1051112, being presently incarcerated in the Mountain View Unit of Texas Department of Criminal Justice in Coryell County, Texas verify and declare under penalty of perjury that the foregoing statement is true and correct.

Executed on this the 2nd day of December, 2017.



Lentiona Taylor

TDCJ #1051112

PDKAR008AAGTMV

STATE OF TEXAS
BOARD OF PARDONS AND PAROLES07/13/2017
PAGE 1

NOTICE OF PAROLE PANEL DECISION

NAME: TAYLOR, LENTIONA KATRINA

SID NUMBER: 06470485

TDCJ-ID NUMBER: 01051112

TDCJ-ID UNIT OF ASSIGNMENT: MOUNTAIN VIEW

HOUSING ASSIGNMENT: DORM D-1

BED: 017

SUBJECT: Decision Not to Grant Parole - NEXT REVIEW

After a review of your case, the Board of Pardons and Paroles decision is not to grant you parole and has set your next parole review date as 07/2019.

You have been denied parole for the reason(s) listed below:
One or more components indicated in each paragraph listed below may apply, but only one is required.

- 2D. THE RECORD INDICATES THE INSTANT OFFENSE HAS ELEMENTS OF BRUTALITY, VIOLENCE, ASSAULTIVE BEHAVIOR, OR CONSCIOUS SELECTION OF VICTIM'S VULNERABILITY INDICATING A CONSCIOUS DISREGARD FOR THE LIVES, SAFETY, OR PROPERTY OF OTHERS, SUCH THAT THE OFFENDER POSES A CONTINUING THREAT TO PUBLIC SAFETY.

The Institutional Division will monitor your treatment plan progress and will report your progress to the Board of Pardons and Paroles.

Should you have any questions regarding this notice you are to contact your unit Institutional Parole Office.

This Notice of the Parole Panel Action is your written detailed statement as required by Texas Government Code SECTION 508.1411.

NEXT REVIEW
CC: OFFENDER

ISSUE 6

The Parole Board's Ability to Make Effective Parole Release Decisions Is Impeded by Its Limited Use of Available Resources and Inconsistent Access to Information.

Background

The Board of Pardons and Paroles (Parole Board) decides whether to approve or deny the early release of eligible offenders from prison by using parole panels located in its six regional Parole Board offices. Parole panels, each composed of one Parole Board member and two Parole Commissioners, do not meet to make these parole release decisions. Instead, a panel member performs a desk review of the offender's parole file, records a vote, and forwards the file to the next panel member. Parole panel members may also meet with crime victims, family members, attorneys, or interview offenders during decision making. The flow chart on the following page, *Parole Review Process*, provides a more detailed explanation of the parole review process. Parole Board members and Parole Commissioners have been given broad authority and several tools to help make release decisions.

- Parole Guidelines and Recommended Approval Rates.** Since 1987, the Legislature has required parole panel members to use parole guidelines as the basic criteria for making parole decisions.¹ The guidelines are validated tools that indicate an offender's risk for recidivism, potential for success upon release, and the potential threat to society based on the severity of the offender's crime. The guidelines provide a score, ranging from one to seven, based on various risk factors and the severity of the offense, as illustrated in the table, *2010 Parole Guidelines Score with Recommended Approval Rates*.

2010 Parole Guidelines Score with Recommended Approval Rates

Offense Severity Class	Risk Level (Recommended Approval Rates)			
	Highest	High	Moderate	Low
Highest	1 (0% – 5%)	2 (6% – 15%)	2 (6% – 15%)	3 (16% – 25%)
High	2 (6% – 15%)	3 (16% – 25%)	4 (26% – 35%)	4 (26% – 35%)
Moderate	2 (6% – 15%)	4 (26% – 35%)	5 (36% – 50%)	6 (51% – 75%)
Low	3 (16% – 25%)	4 (26% – 35%)	6 (51% – 75%)	7 (76% – 100%)

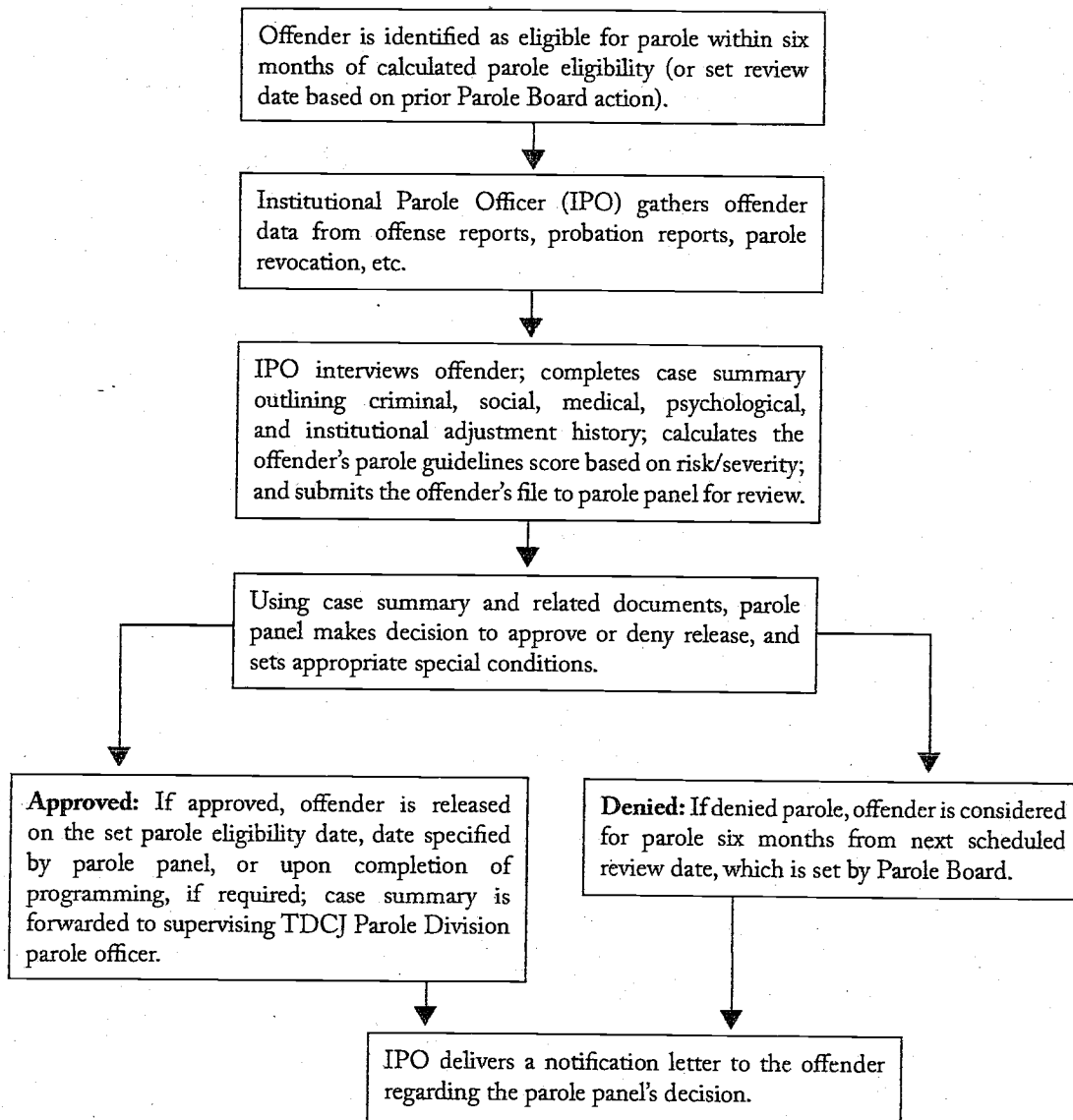
Offenders with low scores have severe offenses and pose a high risk of a poor parole outcome, while offenders with high scores have less severe offenses and pose a low risk of a poor parole outcome. In 2010, each of the seven parole guidelines scores had a corresponding recommended approval rate. For low-risk offenders with a score of seven, the recommended parole approval rate was to release between 76 percent and 100 percent of parole-eligible offenders. The guidelines are not designed to produce a strict recommendation for or against parole in an individual case, but they are a tool

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to help ensure consistency in overall parole decision making. Also, recommended parole approval rates provide an additional management tool to ensure the guidelines are applied consistently in parole decisions, and the use of a range for a recommended parole approval rate recognizes the need for parole panel members to have ultimate discretion when voting individual cases.

Parole Review Process



In fact, statute gives the Parole Board significant flexibility in the use of the guidelines by authorizing the Parole Board to annually update the guidelines and modify the recommended parole approval rates under the guidelines, if actual parole approval rates differ significantly from the recommended rates.² The Parole Board has used this authority to modify parole guidelines on multiple occasions, including a recent modification to establish a separate risk assessment for females based on lower female recidivism rates. The Parole Board has also modified risk factors relating to DWI offenses based on a previous assessment of the parole guidelines.

- **Offender Case File Information.** Parole panel members receive a profusion of information about each parole eligible offender in the offender's case file to help inform the panel's release decision. One of the most important pieces of information is the case summary prepared by Institutional Parole Officers (IPOs) who are Parole Board employees. IPOs interview each offender and compile a comprehensive case summary, including the calculation of the offender's parole guidelines score, for use by parole panel members when voting. Another important piece of information the panel considers is the victim impact statement which statute requires a parole panel to consider in determining whether to recommend release.³ Victim impact statements document the emotional, psychological, physical, and financial impact of a crime, and are developed at the local level as detailed in the textbox, *Victim Impact Statements*.

Victim Impact Statements

- Victim assistance coordinators, who are designated by the district or county attorney prosecuting criminal cases, work to ensure that a victim, guardian of a victim, or close relative of a deceased victim is afforded their rights as a crime victim.
- Coordinators send a victim impact statement to a crime victim, along with an offer to assist in completing the statement if requested.
- Coordinators, on request, explain the possible use and consideration of the victim impact statement at sentencing and any future parole hearings of the offender.
- Statute requires the victim assistance coordinator to work closely with appropriate law enforcement agencies, prosecuting attorneys, the Parole Board, and the judiciary.
- When a county transfers an offender to a Texas Department of Criminal Justice intake facility, the county is required to include a victim impact statement, if available, in the offender's pen packet. A "pen packet" contains various information about an offender, including a criminal history, a copy of the offender's felony judgment, a copy of the indictment or information for each offense, and information regarding warrants.

- **Notification Letters.** Once a parole panel makes its release decision, the offender receives a notification letter that describes the parole panel's decision to approve or deny release. In fiscal year 2011, parole panels considered 78,388 parole eligible offenders for parole release and approved release for 24,339 offenders, or 31 percent.
- **Hearing Officers.** As a condition of release, the Parole Board may require an offender to fulfill certain conditions like completion of rehabilitative or educational programming. Released offenders must abide by parole conditions and failure to do so may result in parole revocation and reincarceration of the offender. Hearing officers hold preliminary and revocation hearings in which they collect evidence, interview witnesses, and make recommendations to a parole panel

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regarding cause for revocation. In fiscal year 2011, hearing officers conducted more than 18,000 preliminary and revocation hearings, resulting in nearly 6,400 revocations by parole panels. Parole panels agreed with hearing officers' recommendations in 71 percent of the cases in which parole revocation was recommended.

Finding

The Parole Board does not have clear authority to use all of its resources, and in some cases, has shown continued reluctance to use available tools to best ensure consistent and fair parole decisions.

- **Disuse of Recommended Parole Approval Rates Limits Parole Guidelines Effectiveness.** The Parole Board discontinued use of its recommended parole approval rates in fiscal year 2011 even though statute requires the Parole Board to report annually on its use of parole guidelines by comparing these recommended approval rates with actual approval rates. The statutory reporting requirements establish recommended parole approval rates as critical benchmarks by which the Parole Board can evaluate its use of the parole guidelines by individual voters, parole offices, and in the aggregate.⁴ While the Parole Board has the authority to modify the recommended parole approval rates, it lacks explicit authority to discontinue their use.⁵ Additionally, the Legislature has repeatedly instructed the Parole Board to make better use of its parole guidelines, as illustrated in Appendix D, *History of Texas Parole Guidelines*.

As a result of discontinuing use of the recommended parole approval rates, the Parole Board did not comply with its legislative reporting requirements, including providing a comparison of recommended parole approval rates to actual approval rates; a description of instances in which actual approval rates did not meet recommended approval rates; and a list of actions the Parole Board would take to better meet the parole guidelines.⁶ In its 2010 annual report on the use of parole guidelines, the Parole Board provided a comparison of actual parole approval rates for individual voters and the state overall to the recommended approval rates. The report showed that in fiscal year 2010, overall statewide parole voting did not meet the recommended parole approval rates for several guidelines scores, resulting in the Parole Board releasing more high-risk offenders and fewer low-risk offenders than anticipated by the guidelines.⁷

The 2010 annual report also showed wide voting variations among parole panel members within the seven parole guidelines scores. A Sunset staff data analysis showed that in fiscal year 2010, aggregate parole release decisions by 75 percent of parole panel voters were more than 5 percent outside of the recommended parole approval ranges for release of low-risk offenders with a guidelines score of seven. The analysis was based on

In fiscal year 2010, the Parole Board released more high-risk offenders and fewer low-risk offenders than the parole guidelines anticipated.

a consultant report prepared for the Parole Board stating an overall rate of 5 percent outside of a recommended approval range would indicate a significant departure by the Parole Board from its own guidelines.⁸ Additionally, aggregate release decisions made by more than half of parole panel voters were more than 10 percent outside of recommended approval ranges for release of those low-risk offenders. Using 2010 recommended approval rates as benchmarks, the analysis reviewed annual voting patterns of all parole panel members in fiscal years 2010 and 2011 in all seven parole guidelines score ranges. On an annual basis, parole panel members voted outside of the recommended parole approval ranges by more than 5 percent 58 times in fiscal year 2010 and 73 times in fiscal year 2011, the year the Parole Board discontinued use of the recommended parole approval rates.

Falling 5 percent outside the recommended approval rates indicates a significant departure from the guidelines.

Although the Parole Board has yet to meet its overall recommended parole approval rate, its overall performance relative to the guidelines has improved in recent years. The Parole Board has cited ongoing difficulties in using the recommended approval rates when parole panel members are making individual parole release decisions, which is a valid concern as the aggregate approval rates are not available on a daily basis. The Parole Board could benefit from additional evaluative tools to assist parole panel members in their voting, while maintaining broad discretion to make release decisions that benefit public safety.

- **Inconsistent Access to Victim Input.** Statute requires a parole panel to consider a victim impact statement in determining whether to recommend an offender for parole release; however, such statements are often omitted from case files and unavailable to parole panels when making their release decisions.⁹ In fiscal year 2011, crime victims returned more than 15,000 victim impact statements to the county attorney's office, district attorney's office, or both.¹⁰ Counties reported sending less than half of those statements to the Texas Department of Criminal Justice (TDCJ), the Texas Youth Commission (now the Texas Juvenile Justice Department), or local Community Supervision and Corrections Departments. In 2011, TDCJ received fewer than 3,000 victim impact statements. Statute requires a county that transfers a defendant to TDCJ to deliver a copy of the victim impact statement, if one has been prepared, in the offender's pen packet.¹¹ Counties use a variety of procedures to gather information needed in pen packets. Based on field work, TDCJ Victim Services created recommended processing procedures designed to increase the number of victim impact statements included in pen packets, but use of these processing procedures is not a requirement in law.
- **Vague Parole Denial Letters.** Despite efforts to increase clarity, the Parole Board's notification letters continue to provide offenders with unnecessarily vague parole denial reasons in some instances. The notification letter provides a list of reasons for the denial, but is not specific as to which reason(s) apply to the offender, as shown in the textbox on the following page, *Examples of Parole Denial Letters*.

Omission of victim impact statements in an offender's file can mute victims' voices and impact parole decisions.

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Parole denial letters do not clearly explain Parole Board decisions.

The textbox provides two examples of the key paragraphs in parole denial letters that state the reasons for parole denial. In the first example, the Parole Board uses standard paragraphs that contain both possible and actual reasons for parole denial. The offender is left to determine which reasons apply to them, even though the average offender functions at the 8th-grade level and many are illiterate.¹² In the second example, one- to two-word denials provide offenders little valuable information as to the reason for the denial. The Parole Board uses IPOs to deliver notification letters, but the review found that IPOs did not have sufficient information about parole release decisions to provide additional clarity regarding a parole panel's decision. Given these factors, a parole denial letter should provide an offender with clear, understandable, and specific reasons for denial, so that the offender can discern what he or she needs to do while still in prison to improve their chance of parole, which could include improving behavior, pursuing education and training opportunities, or seeking rehabilitation.

Examples of Parole Denial Letters

Below are two examples of excerpts from the written notification an offender receives when the Parole Board denies release.

Letter #1 Example.

You have been denied parole for the reason(s) listed below: One or more components indicated in each paragraph listed below may apply, but only one is required:

1D. The record indicates that the inmate has repeatedly committed criminal episodes or has a pattern of similar offenses that indicates a predisposition to commit criminal acts when released; **or** the record indicates that the inmate is a leader or active participant in gang or organized criminal activity; **or** the record indicates a juvenile or an adult arrest or investigation for felony and misdemeanor offenses.

2D. The record indicates that the inmate committed one or more violent criminal acts indicating a conscious disregard for the lives, safety, or property of others; **or** the instant offense or pattern of criminal activity has elements of brutality, violence, or conscious selection of victim's vulnerability such that the inmate poses a continuing threat to public safety; **or** the record indicates use of a weapon.

Letter #2 Example.

You have been denied parole for the reason(s) listed below: One or more components indicated in each paragraph listed below may apply, but only one is required:

10D. Other.

10D. New Info.

- **Limited Delegation Authority Hinders Use of Hearing Officers.** The Parole Board lacks authority to delegate certain hearings to hearing officers, which distracts already overburdened parole panels from focusing on parole release decisions. The Parole Board could benefit from enhanced authority to delegate the conduct of hearings on its behalf. Statute authorizes a designated agent of the Parole Board to conduct hearings relating to revocation, ineligible release, or conditional pardon matters,

6.4 Authorize the Parole Board to delegate all hearings, but not final determinations, to its hearing officers.

This recommendation would clearly authorize, but not require, the Parole Board to delegate all of its due process hearings to hearing officers. Authorizing the Parole Board to delegate any hearings that the Parole Board conducts would provide the Parole Board with the authority needed to delegate Coleman hearings, but also give the Parole Board flexibility to manage its workload in the future, should it need to create any other hearing processes. As with revocation hearings, a parole panel would retain responsibility for making all final determinations, upon recommendation from the hearing officer.

Fiscal Implication

These recommendations would not have a significant fiscal impact to the State. The Parole Board has an established method for notifying offenders of its parole decisions that can be modified using existing agency resources. The recommendation to permit delegation of hearings to hearing officers would provide the agency with additional flexibility to use existing resources to more efficiently conduct its operations.

1 Section 508.144, Texas Government Code.

2 Ibid.

3 Section 508.153, Texas Government Code.

4 Section 508.1445, Texas Government Code.

5 Section 508.144, Texas Government Code.

6 Section 508.1445, Texas Government Code.

7 Board of Pardons and Paroles, *Parole Guidelines Annual Report Fiscal Year 2010*, accessed April 12, 2012, <http://www.tdcj.state.tx.us/bpp/publications/PG%20AR%202010.pdf>.

8 Kenneth McGinnis and James Austin, Ph.D., *Final Draft, Phase II Comprehensive Report, Texas Board of Pardons and Paroles Guidelines Project* (Middleton, MA: Security Response Technologies, Inc., January 15, 2001), p. 45.

9 Section 508.153(c), Texas Government Code.

10 Texas Department of Criminal Justice, *Victim Services Division Fiscal Year 2011 Annual Report* (Austin: Texas Department of Criminal Justice, March 2012), p. 22.

11 Section 8, Article 42.09, Texas Code of Criminal Procedure.

12 Windham School District, *2009-2010 District Profile* (Huntsville, Texas: Windham School District, June 2011), p. 1.

13 Section 508.281, Texas Government Code.

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COMMISSION DECISION ON ISSUE 6

(SEPTEMBER 2012)

Adopted Recommendation 6.1 as modified to require the Parole Board to determine and maintain a range of recommended parole approval rates for each guideline score, and to conduct peer reviews to help improve parole decision making and management of its operations as required in Staff Recommendation 6.1.

Adopted Recommendations 6.2 and 6.4.

Adopted Recommendation 6.3 as modified to require parole panels, when approving or denying an offender's release from incarceration, to provide a clear and understandable written explanation of the panel's decision, including only the reason(s) that relate specifically to the offender. The recommendation would require the explanation to provide the most information provided by law that does not compromise the statutorily confidential nature of information received by the Parole Board.

FINAL RESULTS ON ISSUE 6

(JULY 2013)

Legislative Action — S.B. 213

Recommendation 6.1 — Senate Bill 213 requires the Parole Board to determine and maintain a range of recommended parole approval rates for each category or score within the parole guidelines by January 1, 2014. The bill continues to require the Parole Board to compare approval rates of parole members, regional offices, and the state as a whole and explain any variations. The Legislature did not adopt part of the Sunset Commission's recommendation to require the Parole Board to develop and implement a peer review process by which a panel would review the parole decisions of an office whose decisions deviate by more than 5 percent above or below the range of recommended parole approval rates.

Recommendation 6.2 — The Legislature modified the Sunset Commission's recommendation regarding improvements to the submission process for Victim Impact Statements (VISs). Senate Bill 213 requires the court, as part of the judgment, to ask whether a VIS was returned to the prosecutor in every applicable case, rather than developing a new form to document this information. The bill also requires the prosecutor, rather than the court, to forward any VIS to the probation department, since the prosecutor is the primary custodian of the VIS. The bill continues to require TDCJ's Victim Services to collaborate and make recommendations for ensuring the VISs are sent to TDCJ, but requires the prosecutor, rather than the Victim Assistance Coordinator, to make a copy of the VIS available to the sentencing court and removes the requirement that a VIS be placed in the court clerk's file to avoid confidentiality concerns.

Recommendation 6.3 — Senate Bill 213 requires parole panels, when approving or denying an inmate's release from incarceration, to produce a clear and understandable written statement that explains the decision and only the reasons for the decision that relate specifically to the inmate. The bill authorizes the parole panel to withhold information that is confidential or that could jeopardize the health or safety of any individual from the statement. The bill also requires the Parole Board to provide a copy of the statement to the inmate, place a copy of the statement in the inmate's parole file and keep a copy of each statement produced in a central location.

Recommendation 6.4 — Senate Bill 213 authorizes the Parole Board to delegate all due process hearings, but not final determinations, to hearing officers. Specifically, the bill states that any hearing required to be conducted by a parole panel may be conducted by a designated agent of the Parole Board. The designated agent may make recommendations to a parole panel that has responsibility for making a final determination.

Board of Pardons and Paroles (BPP)

- Next Review Date: 2020-2021 Review Cycle - 87th Legislative Session
- Last Review Date: 2012-2013 Review Cycle - 83rd Legislative Session

Sunset Review Documents for 2012-2013 Review Cycle, 83rd Legislative Session

- [Summary of Results](#) (Jul 2013)
- [Final Report with Legislative Action](#) (Jul 2013)
- [Report to the 83rd Legislative Session](#) (Feb 2013)
- [Self-Evaluation Report](#) (Sep 2011)

Legislative Documents

- [Senate Bill 213](#) (Jun 2013)

Final Results from Last Sunset Report

The following material summarizes results of the 2012-2013 Sunset review of the Texas Department of Criminal Justice, the Correctional Managed Health Care Committee, Windham School District, and Board of Pardons and Paroles. The material includes statutory changes made through Senate Bill 213 (83R), as well as management actions directed to the agencies that did not require statutory change. For additional information see the *Texas Department of Criminal Justice, Correctional Managed Health Care Committee, Windham School District, and Board of Pardons and Paroles Sunset Final Report with Legislative Action*.

Offender Rehabilitation and Reentry

- Requires TDCJ to implement a standardized risk and needs assessment instrument, based on criminogenic factors, for use in assessing and managing offenders on probation, in prison, and on parole.
- Requires TDCJ to establish a case management committee at every prison facility to assess inmates and ensure they are receiving appropriate services or participating in appropriate programs.
- Requires the Individual Treatment Plan to capture all of an offender's risk and needs information, as well as all participation in both state-funded and volunteer programs, for use in treatment planning.
- Directs the Parole Board to use the Individualized Treatment Plan in making programming placement decisions. (management action – nonstatutory)

- Requires TDCJ to develop and adopt a more comprehensive reentry and reintegration plan for offenders detailing the reentry goals and strategies, and how it will evaluate the plan.
- Expands the membership and duties of the Reentry Task Force.

Offender Education

- Requires the Windham School District to conduct biennial program evaluations to measure whether its academic, vocational, and life skills programs reduce recidivism and meet the District's other statutory goals.

Probation Grants and Funding

- Requires TDCJ's Community Justice Assistance Division (CJAD) to establish grant program goals and standard grant processes, including a system to routinely monitor grant performance and impact on recidivism.
- Requires CJAD to study the use of performance-based funding formulas, including using an offender's risk level or other appropriate factors, and report its recommendations to the Legislature.
- Changes the way state funding for Community Supervision and Corrections Departments' employees health insurance is appropriated by creating a new TDCJ budget strategy. (S.B. 1)

Parole

- Requires the Parole Board to establish and maintain a range of recommended parole approval rates for each category or score within the parole guidelines.
- Requires parole panels, when approving or denying an inmate's release, to provide a clear and understandable written explanation of the panel's decision, including only the reasons that relate specifically to the inmate.
- Authorizes the Parole Board to delegate all hearings, but not final determinations, to its hearing officers.
- Makes the process of submitting Victim Impact Statements more efficient.

Correctional Health Care

- Modifies the structure and functions of the Correctional Managed Health Care Committee to align with changes in the State's approach to providing offender health care.
- Removes funding for the salaries, operating expenses, and travel expenses of the Committee's staff. (S.B. 1, Rider 50)

- Clarifies TDCJ's powers and duties relating to correctional healthcare contracting, consistent with the Legislature's previous decision to transfer this authority from the Correctional Managed Health Care Committee to TDCJ.
- Clarifies TDCJ's authority to contract with any provider for offender health care, to include, but not limited to the University of Texas Medical Branch and the Texas Tech University Health Sciences Center.
- Requires TDCJ to adhere to standard contracting requirements for offender healthcare services contracts, and report healthcare cost and use information to the Governor and Legislative Budget Board.

Continuation

- Continues the Board and Department of Criminal Justice for eight years.
- Continues the Windham School District and Correctional Managed Health Care Committee, and requires them to be reviewed in conjunction with future Sunset reviews of TDCJ. The Parole Board will also continue to be reviewed by the Sunset Commission in conjunction with TDCJ.

Standard Sunset Review Elements

- Abolishes TDCJ's report on bed ratios for Substance Abuse Felony Punishment Facilities.
- Directs TDCJ to research and implement innovative alternatives to recruit a more diverse workforce. (management action – nonstatutory)

Previous Sunset reports on this agency

- **2006-2007 Review Cycle, 80th Legislative Session**
 - [Sunset Report](#) (Oct 2006)
- **1998-1999 Review Cycle, 76th Legislative Session**
 - [Sunset Report](#) (Jan 1998)
- **1996-1997 Review Cycle, 75th Legislative Session**
 - [Sunset Report](#) (Jan 1996)
- **1986-1987 Review Cycle, 70th Legislative Session**
 - [Sunset Report](#) (Feb 1986)

Texas Sunset Advisory Commission

- [Home](#)

and the Parole Board currently relies on hearing officers to perform these functions.¹³ Recently, in response to a court decision, the Parole Board had to establish a new hearing process for “Coleman” cases, in which the Parole Board had applied sex offender conditions to offenders without a current conviction for a sex offense. Because of a lack of clear authority to delegate such hearings, Parole Commissioners and Parole Board members have been conducting these new hearings, increasing Parole Board member and Parole Commissioner workloads. TDCJ’s Parole Division conducted an initial review in May 2011 and identified 516 offenders requiring the newly established hearing.

Recommendations

Change in Statute

6.1 Require the Parole Board to develop and maintain recommended parole approval rates for use with the parole guidelines, and to conduct peer reviews to help improve parole decision making and management of its operations.

This recommendation would provide the Parole Board with additional management tools to augment its existing annual review of parole approval rates by individual parole panel member, Parole Board office, and aggregate parole voting. Under this recommendation the Parole Board would be required to:

- develop and maintain recommended parole approval rates for use with, and evaluation of, the parole guidelines;
- conduct an annual review of the voting patterns of each Parole Board office, including individual parole panel members, to identify any significant deviation from the recommended parole approval rates;
- develop and implement a peer review process if significant deviations are identified to help ensure parole panel members and offices apply the guidelines in a consistent manner to all parole candidates; and
- prioritize technical assistance, training, and use of outside experts to update the guidelines or modify the recommended parole approval rates if needed changes are identified and recommended as a result of the peer review process.

To implement this recommendation, the Parole Board would initiate a peer review when a Parole Board office’s combined actual approval rate for any parole guidelines score differs from the recommended approval rate range by more than 5 percentage points in a fiscal year. The Parole Board’s presiding officer would determine the composition of and assign members of a peer review panel that would request an appropriate sample of the Parole Board office’s cases related to the deviation for review. The peer review panel would review these cases to determine whether the variation from the recommended approval rates was justified, or indicates a need for additional training or to re-examine and possibly update the guidelines or modify the recommended approval rates to increase their reliability, validity, or effectiveness. The peer review panel would make any needed recommendations to better align actual parole approval rates with recommended approval rates, and would provide these to both the presiding

July 2013

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officer and the Parole Board office under review. The Parole Board office under review would be required to develop and submit a plan to implement the peer review panel's recommendations to the Parole Board's presiding officer for consideration and approval. The Parole Board would be required to include a summary of all of the peer review recommendations and the approved actions taken to implement those recommendations in the Parole Guidelines Annual Report.

Nothing in this recommendation would limit panel members' discretion in individual cases, establish any right to parole, modify existing parole release decisions made by a parole panel or parole panel member, or require an individual parole panel member to approve parole based on a recommended approval rate. However, including this peer review process in the Parole Board's regular annual review of the parole guidelines would provide the Parole Board with an additional management tool to proactively and more regularly assess parole voting. The review would ensure the guidelines are applied consistently in each parole decision and to identify more quickly any need to re-examine and possibly update the guidelines or modify the recommended approval rates to increase their reliability, validity, or effectiveness.

6.2 Require standardized processes to ensure crime victim input is available for Parole Board consideration.

If a victim impact statement is unavailable, this recommendation would require counties to include in an offender's pen packet a separate form that affirms the victim assistance coordinator did not receive a victim impact statement from the offender's victim(s). Under this recommendation, TDCJ, through its Victim Services Division, would be required to develop:

- a standard form for use by victim assistance coordinators to affirm instances in which a victim has not returned a victim impact statement; and
- standard processing procedures for use by attorney offices prosecuting criminal cases designed to improve inclusion rates of victim impact statement in pen packets submitted to TDCJ.

Under this recommendation, victim assistance coordinators and attorney offices prosecuting criminal cases would be required to use the standard form and processing procedures developed by TDCJ Victim Services no later than January 1, 2014. This recommendation would require TDCJ Victim Services, in developing the form and processing procedures, to consult with the Parole Board, law enforcement agencies, prosecutors, and other participants in the criminal justice system to obtain their input and ideas.

6.3 Require parole panels, when approving or denying an offender's release from incarceration, to provide a clear and understandable explanation of the panel's decision.

This recommendation would modify existing parole decision notification requirements by requiring a parole panel that makes a parole decision to produce a written statement describing the specific circumstances for its parole decision, including only reasons and components that are specific to the decision. In the case of a denial, the letter would not have a single paragraph indicating several reasons for denial, but would list each specific reason and component for denial that applies to the offender separately. The Parole Board would place the letter in the offender's parole file and provide a copy of the letter to the offender. Providing information that pertains directly to an offender would better position an offender to understand what steps the offender could take to improve his or her chances for parole.

C

FORM 1
NO. 50.816

THE STATE OF TEXAS
VS

IN THE 27TH DISTRICT
COURT OF BELL COUNTY
TEXAS

LENTIONA KATRINA TAYLOR
DEFENDANT

**JUDGMENT ON PLEA OF GUILTY OR NOLO CONTENDERE
BEFORE THE COURT / WAIVER OF JURY TRIAL**

Judge Presiding: MARTHA J. TRUDO Date of Judgment: 07/02/2001
Attorney for State: REBECCA DEPEW/MARK D. KIMBALL
Attorney for Defendant: WILLIAM P. GIBSON

Offense Convicted of: INJURY TO A CHILD WITH SERIOUS BODILY INJURY
Degree of Offense: 1ST DEGREE FELONY Offense Date: 02/21/2000
Charging Instrument: INDICTMENT Plea: GUILTY

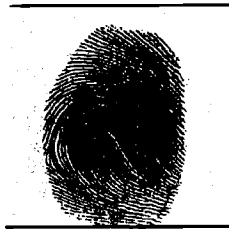
Terms of Plea

Bargain: N/A
Findings on Use of Deadly Weapon: AFFIRMATIVE Date Sentence Imposed: 07/02/2001
Costs: \$222.25-COURT COSTS/\$750.00-APPOINTED ATTORNEY/\$24.00-SUBPOENAS
Punishment and Place of Confinement: TWENTY (20) YEARS TDCJ ID
Date to Commence: (31) DAYS PRIOR TO 07/02/2001 Time Credited: (31) DAYS
Concurrent Unless Otherwise Specified. Restitution: -0-
Restitution to be paid to: N/A

[Insert Recitations of Judgment]

On the 2ND day of JULY, 2001, the above entitled and numbered cause was regularly reached and called for trial when came the State of Texas by her District Attorney, as named above, and LENTIONA KATRINA TAYLOR, hereinafter called the "Defendant" in person, and by his attorney, as named above and both parties announced ready for trial.

FINGERPRINT FROM
RIGHT THUMB OF
DEFENDANT



[Signature]
PRESIDING JUDGE
Date Signed: 7/6/01

Notice of Appeal: _____

MICROFILM

73-0946

If the charging instrument as above shown is by information, the Defendant in open Court and in writing waived the right to be accused by indictment, the attorney for the State of Texas and the Court consenting thereto. Thereupon, the Defendant, the Defendant's attorney and the attorney for the State of Texas agreed in writing and in open Court to waive a jury trial of this cause to submit this cause to the Court which consented to the waiver of jury therein.

Thereupon, the charging instrument was read and upon being asked as to how the Defendant pleaded, the Defendant entered a plea of GUILTY to INJURY TO A CHILD WITH SERIOUS BODILY INJURY as charged in the charging instrument as set out above and relied on by the State of Texas.

Thereupon the Defendant was admonished by the Court of the consequences of said plea, including the maximum and minimum punishment attached to the offense(s) relied upon by the State of Texas; and it appearing to the Court that the Defendant is competent to stand trial, and that the plea(s) of the Defendant (is, are) free and voluntary, the said plea(s) (is, are) by the Court received and now entered of record in the minutes of the Court as the plea(s) of the said Defendant.

After having heard all the evidence for the State of Texas and the Defendant, and having heard the argument of counsel for the parties, the Court is of the opinion and so finds that the Defendant is guilty as confessed of INJURY TO A CHILD WITH SERIOUS BODILY INJURY.

It is, therefore, considered, Ordered, Adjudged, and Decreed by the Court that the said Defendant is guilty of the offense of INJURY TO A CHILD WITH SERIOUS BODILY INJURY and that the said Defendant committed the said offense(s) on 02/21/2000 as confessed in said plea(s) herein made, and that the punishment be fixed in the Institutional Division of the Texas Department of Criminal Justice for a period of TWENTY (20) years and by a fine of -0-.

A Presentence Investigation, as required by section 9 (a) or (I), Article 42.12 VACCP, was done.

SENTENCE

On this the 2ND day of JULY, 2001, this cause being again called, the State appeared by her District Attorney and the Defendant appeared in open Court in person and with his counsel present for the purpose of having the sentence of law pronounced in accordance with the Judgment herein rendered and entered against him. And thereupon the Defendant was asked by the Court whether he had anything to say why said sentence should not be pronounced against him he answered nothing in bar thereof. Whereupon the Court proceeded, in the presence of the said Defendant, to pronounce sentence against him as follows:

It is the order of this Court that the Defendant who has been adjudged guilty of the offense(s) stated above, and whose punishment has been assessed at confinement in the Institutional Division of the Texas Department of Criminal Justice for TWENTY (20) years as stated above, be delivered by the Sheriff of Bell County, Texas to the Institutional Division of the Texas Department of Criminal Justice of the State of Texas or other persons legally authorized to

receive such convicts, and the said Defendant shall be confined in the said Institutional Division of the Texas Department of Criminal Justice for TWENTY (20) years in accordance with the provisions of law governing the Institutional Division of the Texas Department of Criminal Justice.

It is further ORDERED of this Court that the Defendant shall be given (31) days credit toward the completion of this sentence, which is the time the Defendant served in jail waiting trial in this cause up to and including the day of this sentence. Defendant committed said offense(s) on the 21ST day of FEBRUARY, 20 00.

The Court finds and enters in this sentence that restitution in this case is as set out below:

NAME AND ADDRESS

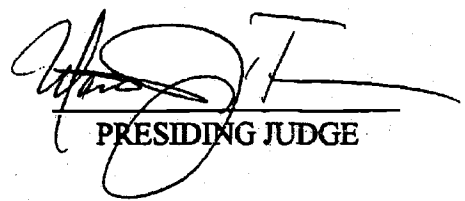
AMOUNT

<u>N/A</u>	

Deadly Weapon Finding: AFFIRMATIVE

PAROLE CONDITION: DEFENDANT ORDERED BY COURT TO PAY COURT COSTS, ATTORNEY FEES, FINES, AND RESTITUTION AS A CONDITION OF PAROLE.

Signed this 6 day of July, 20 01.



PRESIDING JUDGE

CERTIFIED COPY
DOCUMENT ATTACHED IS A
TRUE & CORRECT COPY
OF THE ORIGINAL ON FILE

DEC 09 2016



JOANNA STATON
DISTRICT CLERK BELL CO, TEXAS

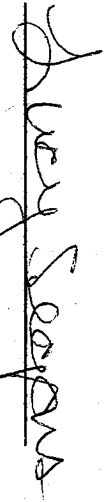
[Handwritten signature]

Bridges to Life

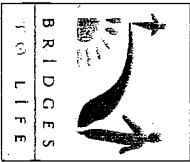
Certificate of Completion Presented to

Lentiona Taylor

For your successful completion of the Bridges To Life program at the Mt View Unit, Gatesville, Texas. Presented on this 11th day of December, In the Year of Our Lord Two thousand and Thirteen.


Lucy Segars, Regional Coordinator
, Facilitator

Crime Victims Reaching Out



This is to certify that

Lentiona K. Taylor

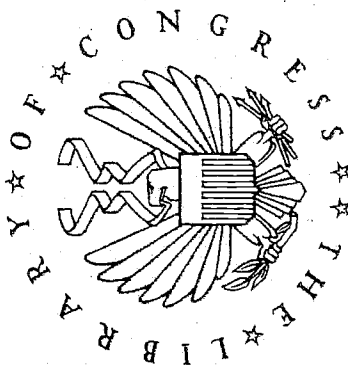
having satisfactorily fulfilled all requirements,
has been accepted as a

Braille Transcriber

by The Library of Congress

December 31, 2005

**National Library Service
for the Blind and
Physically Handicapped**



Director

[Handwritten signature]

The Librarian of Congress

James H. Billington

Mountain View Braille Facility

Recognizes

Sentiona Taylor

for successfully completing 36 class hours and 662 work hours in the
Sextbook Formatting Training Program

Allava Billman
DeLores Billman
Braille Supervisor

Will Rayford
Will Rayford
Division Manager



Greg E. Tracy
Greg E. Tracy
Plant Manager

July 17, 2007

Windham School District

Awards this CERTIFICATE OF INITIAL PROFICIENCY TO

Lentiona Taylor

for completion of proficiencies in the Career and Technology Education Program

BRAILLE TEXTBOOK FORMATTING

[Signature]
CTE Instructor

May 21, 2014
Date of Completion

[Signature]
Principal

d.

Wintham School District

Awards this CERTIFICATE OF INITIAL PROFICIENCY TO

Lentiona Taylor

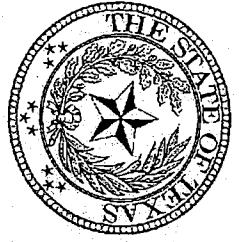
for completion of proficiencies in the Career and Technology Education Program

**VOCATIONAL CAREER PREPARATION
COMMUNICATIONS AND MEDIA
Nemeth Math**

[Signature]
CTE Instructor

May 22, 2014
Date of Completion

[Signature]
Principal



CERTIFICATE OF *Achievement*

PRESENTED BY MANUFACTURING & LOGISTICS TO

Lentiana Taylor

FOR SUCCESSFUL COMPLETION OF
THE ON-THE-JOB TRAINING PROGRAM IN

Graphic Designer

TRADE AREA

141.061-018

DOT CODE

Presented this 12th day of September, 2016

Sharon Stewart
OJT COORDINATOR

D. Nixon
WORK SUPERVISOR

f.

MANUFACTURING & LOGISTICS
Offender Performance Evaluation

Offender Name: Taylor, Lentiona Unit and Facility: Mt. View Braille Facility
TDCJ Number: 1051112 Facility Phone Number: 254-248-3253

Evaluation Period Dates	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Date of Evaluation:	1-1-15 to 4-1-15 5-1-15	4-2-15 to 7-2-15 6-30-15	7-3-15 to 10-3-15 10-30-15	10-4-15 to 1-4-16 2/04/16
Job Assignment Code:	203.582.014.571	203.582.014.571	203.582.014.571	203.582.014.571
Job Assignment Title:	Brl. Typist	Brl. Typist	Brl. Typist	Brl. Typ
Evaluating Supervisor's Name (PRINT):	K. Terry	K. Terry	L. McLaugh	K. Terry

Utilize the grading legend to rate the offender's work performance.

GRADING LEGEND - Offenders shall be evaluated on a scale of one to five using whole numbers.

1 ——— 2 ——— 3 ——— 4 ——— 5 ———
 Poor ——— Average ——— Best

1 st Qtr.	Offender Initials	2 nd Qtr.	Offender Initials	3 rd Qtr.	Offender Initials	4 th Qtr.	Offender Initials
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
4	[Signature]	4	[Signature]	4	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
4	[Signature]	4	[Signature]	4	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]

1. Conforms to facility safety requirements.
2. Demonstrates cooperative attitude toward co-workers.
3. Demonstrates cooperative attitude toward staff.
4. Competent in the use of hand tools/machinery utilized within facility.
5. Adapts to production changes.
6. Work pace consistently meets facility standards.
7. Work produced consistently meets facility quality standards.
8. Works with minimum technical assistance.
9. Works with minimum basic supervision.
10. Attendance meets facility standards.

Supervisor Comments: Knowledgeable in braille + studious.

Offender Comments:

f.

**MANUFACTURING & LOGISTICS
Offender Performance Evaluation**

Offender Name: Taylor, Lentiona Unit and Facility: Mt. View Braille Facility
 TDCJ Number: 1051112 Facility Phone Number: 254-248-3253

	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Evaluation Period Dates	1-5-16 to 4-5-16	4-6-16 to 7-6-16	7-7-16 to 10-7-16	10-8-16 to 1-8-17
Date of Evaluation:	4/19/16	8-2-16	10/20/16	1-31-17
Job Assignment Code:	203.582.014.571	203.582.014-571	203.582.014-571	203.582.014-571
Job Assignment Title:	Brl. Typist	Brl. Typ	Braille Typist	Brl. Typist
Evaluating Supervisor's Name (PRINT):	L. Mc Gough	K. Terry	T. Nixon	K. Terry

Utilize the grading legend to rate the offender's work performance.

GRADING LEGEND - Offenders shall be evaluated on a scale of one to five using whole numbers.

1	2	3	4	5
Poor		Average		Best

1 st Qtr.	Offender Initials	2 nd Qtr.	Offender Initials	3 rd Qtr.	Offender Initials	4 th Qtr.	Offender Initials
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]

1. Conforms to facility safety requirements.
2. Demonstrates cooperative attitude toward co-workers.
3. Demonstrates cooperative attitude toward staff.
4. Competent in the use of hand tools/machinery utilized within facility.
5. Adapts to production changes.
6. Work pace consistently meets facility standards.
7. Work produced consistently meets facility quality standards.
8. Works with minimum technical assistance.
9. Works with minimum basic supervision.
10. Attendance meets facility standards.

Supervisor Comments: Offender Taylor has a positive attitude & completed work in a timely manner. When called on to proof read she is never reluctant to complete it. Good worker.

Offender Comments:

f,

**MANUFACTURING & LOGISTICS
Offender Performance Evaluation**

Offender Name: Taylor, Lentiona Unit and Facility: Mt. View Braille Facility
 TDCJ Number: 1051112 Facility Phone Number: 254-248-3253

	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
Evaluation Period Dates	12-30-13 to 3-30-14	3-31-14 to 6-30-14	6-30-14 to 9-30-14	9-30-14 to 12-30-14
Date of Evaluation:	4-29-14	7/31/14	10/6/14	01-05-15
Job Assignment Code:	203-582-014-571	203-582-014-571	203-582-014-571	203-582-014-571
Job Assignment Title:	Braille Typist	Braille Typist	Braille Typist	Braille Typist
Evaluating Supervisor's Name (PRINT):	L M'Grath	T. Nixon	T. Nixon	L M'Grath

Utilize the grading legend to rate the offender's work performance.

GRADING LEGEND - Offenders shall be evaluated on a scale of one to five using whole numbers

1	2	3	4	5
Poor		Average		Best

1 st Qtr.	Offender Initials	2 nd Qtr.	Offender Initials	3 rd Qtr.	Offender Initials	4 th Qtr.	Offender Initials
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]
5	[Signature]	5	[Signature]	5	[Signature]	5	[Signature]

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2. Demonstrates cooperative attitude toward co-workers.
3. Demonstrates cooperative attitude toward staff.
4. Competent in the use of hand tools/machinery utilized within facility
5. Adapts to production changes.
6. Work pace consistently meets facility standards.
7. Work produced consistently meets facility quality standards.
8. Works with minimum technical assistance.
9. Works with minimum basic supervision.
10. Attendance meets facility standards.

Supervisor Comments: *Offender Taylor is a good worker and works well with other offenders and staff. She is on par with the Braille Dept.*

Offender Comments:

134 Rose Cliff Circle
Sanford, FL. 32707
407-878-6253

D

April, 2017

TDCJ - Parole Division,
Correspondence,
P.O. Box 13401, Capitol Station,
Austin, TX 78711.

TO WHOM IT MAY CONCERN

Dear Sir/Madam,

Re: Lentiona Taylor #1051112

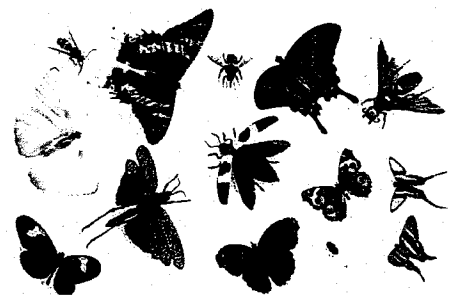
I am writing you about our dearest friend who has become very close to us as a daughter. Lentiona has served approximately 17 years and has already proven her rehabilitation by pursuing and achieving several certifications toward Braille operations. Her skills development put her in a great position for employability in the Braille industry, when paroled. Lentiona is also continuing her education "behind the walls" as nothing stops her perseverance to educate herself in preparation to be prosperous and live life to its fullest, when released.

Lentiona demonstrates a caring, responsible, attitude as she proves her character repeatedly through her conversations about her great desire to be independent to support herself. Both my husband and I have stable jobs and an excellent support system to ensure that she will be a successful member of society. I am pursuing my Doctor of Management and Organizational Leadership while my husband is a Manager and UHAUL. We also recently started a moving company where Lentiona will be employed. We believe in continuous education because it helps you make better choices and brings out compassion and acceptance. We are avid members of my church and I volunteer in the Visual Learning Ministry and **always** put God first.

We are certain with our love, care, support and direction, Lentiona will have the strongest support to continue her rehabilitation; understanding reintegration does not occur overnight. There is not a single doubt in our mind, that Lentiona will be a successful parolee. To this end, my husband and I would purposefully and proudly say that Lentiona Taylor, our precious friend and daughter, is ready to re-emerge into society; ready to come home.

Thanking you for your consideration.


Carolyn Dawson MBA



E

T. D. C. J. - INSTITUTIONAL DIVISION

DATE 03/22/17 RECORDS OFFICE TIME 09:59:06

TDCJID: 01051112 NAME: TAYLOR, LENTIONA KATRINA UNIT MOUNTAIN VIEW

SENT. BEGIN DATE 06/01/2001 TDC RECEIVE DATE 08/07/2001

INMATE STATUS STATE APPROVED TRUSTY CLASS III W LAST PCR REQUEST 03/22/17

SENT. OF RECORD	00020	YRS 00	MOS 00	DAYS	MAND SUPV	PAROLE
FLAT TIME SERVED	00015	YRS 09	MOS 22	DAYS	079 %	079 %
GOOD TIME EARNED	00015	YRS 04	MOS 28	DAYS	000 %	077 %
WORK TIME EARNED	00007	YRS 10	MOS 22	DAYS	000 %	039 %
MAND SUPV TIME CREDITS	00015	YRS 09	MOS 22	DAYS	079 %	
PAROLE TIME CREDITS	00039	YRS 01	MOS 12	DAYS		195 %
MINIMUM EXPIRATION DTE:	06/01/2021					
MAXIMUM EXPIRATION DTE:	06/01/2021					

JAIL GOOD TIME RECD YES	NUMBER OF DETAINERS 00
GOOD TIME LOST 00000 DAYS	WORK TIME LOST 00000 DAYS
PAROLE STATUS BPP DATE	TDC CALC DATE 06/01/2011

*CALC PAROLE ELIG ON CALENDAR TIME



Texas Department of Criminal Justice

STEP 1

OFFENDER GRIEVANCE FORM

OFFICE USE ONLY

Grievance #: _____

Date Received: _____

Date Due: _____

Grievance Code: _____

Investigator ID #: _____

Extension Date: _____

Date Retd to Offender: _____

Offender Name: Lentonia Taylorz TDCJ# 1051112

Unit: Mt. View Housing Assignment: D1-17

Unit where incident occurred: Mt. View

You must try to resolve your problem with a staff member before you submit a formal complaint. The only exception is when appealing the results of a disciplinary hearing.

Who did you talk to (name, title)? _____ When? _____

What was their response? _____

What action was taken? _____

JAN 23 2017

State your grievance in the space provided. Please state who, what, when, where and the disciplinary case number if appropriate

The Parole Board is ignoring their Parole guidelines in giving parole denials repeatedly when there is no cause for the denials. The parole time sheet shows that 180% of the time has been served with good time and work time; past the requirement of the guidelines by 80%. The Sunset Commission ruled that the Parole Board is not utilizing their available resources to release inmates in their Summary Investigation Issue 6. I am a first time offender and have shown satisfactory rehabilitation and have gone above that by voluntarily learning and working at the skill of transcribing braille textbooks for the Blind and visually impaired, a job I will have upon release. My service in the military was defending my country and I did the job to the best of my ability. I have had 3 two year set-offs in denials: 6/2011, 6/2013, 6/2015. The parole guidelines were created to afford the privilege of parole. Black's Law Dictionary defines "privileges" as 1. A special legal right, exemption, or immunity granted to a person or class of persons, an exemption of duty. A privilege grants someone legal freedom to do or not to do an act. It immunizes conduct that under ordinary circumstances, would subject ~~one~~ act or to liability. Parole is a state ~~created~~ created right with a liberty interest under the fourteenth Amendment of the U.S. Constitution's Due Process Rights.

JAN 23 2017

Action Requested to resolve your Complaint.

I request the parole board to adhere to the guidelines and release me on parole with a parole officer JAN 23 2017

Offender Signature: D. Taylor

Date: 1-22-17

Grievance Response:

Signature Authority:

Date:

If you are dissatisfied with the Step 1 response, you may submit a Step 2 (I-128) to the Unit Grievance Investigator within 15 days from the date of the Step 1 response. State the reason for appeal on the Step 2 Form.

Returned because: *Resubmit this form when the corrections are made.

- 1. Grievable time period has expired.
- 2. Submission in excess of 1 every 7 days. *
- 3. Originals not submitted. *
- 4. Inappropriate/Excessive attachments. *
- 5. No documented attempt at informal resolution. *
- 6. No requested relief is stated. *
- 7. Malicious use of vulgar, indecent, or physically threatening language. *
- 8. The issue presented is not grievable. JAN 23 2017
- 9. Redundant, Refer to grievance # _____
- 10. Illegible/Incomprehensible. *
- 11. Inappropriate. *

UGI Printed Name/Signature: DBrock DBrock JAN 23 2017

Application of the screening criteria for this grievance is not expected to adversely affect the offender's health.

Medical Signature Authority: _____

OFFICE USE ONLY	
Initial Submission	UGI Initials: <u>DB</u>
Grievance #:	<u>2017076990</u>
Screening Criteria Used:	<u># 8</u>
Date Recd from Offender:	<u>JAN 23 2017</u>
Date Returned to Offender:	<u>JAN 23 2017</u>
2nd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____
3rd Submission	UGI Initials: _____
Grievance #:	_____
Screening Criteria Used:	_____
Date Recd from Offender:	_____
Date Returned to Offender:	_____

Texas Department of Criminal Justice
INSTRUCTION ON HOW TO WRITE AND SUBMIT GRIEVANCES

1. **Grievance forms are available from the law Library, housing area, shift supervisors, or by contacting the unit grievance office.** After completely filling out the form, place it in the grievance box yourself or hand it directly to the grievance investigator on your unit. *Step 2 appeals must be accompanied by the original, answered Step 1.*
2. An attempt to informally resolve your problem must be made before filing a grievance. **Informal resolution** is defined as any attempt to solve the issue at hand and must be noted on the Step 1 grievance form (I-127). You have 15 days from the date of the alleged incident or occurrence of the issue presented in which to complete the Step 1 grievance form and forward it to the Unit Grievance Investigator (UGI). The Step 1 process may take up to 40 days from the date the unit grievance office receives the Step 1 form to respond. If you are not satisfied with the Step 1 response, you may appeal the Step 1 decision by filing a Step 2 (I-128). You have 15 days from the date of the Step 1 signature to submit the Step 2 to the grievance investigator on the unit. The Step 2 process may take up to 35 days to provide you a written response or 45 days for medical grievances. **Present only one issue per grievance.**
3. **Additional time** may be required in order to conduct an investigation at either Step 1 or Step 2 and in either case; you will be **notified of the extension in writing.**
4. **Complete your grievance using the typewriter or dark ink.** *If you need assistance filing a grievance or understanding a response, contact your Unit Grievance Investigator.*
5. **The following issues are grievable through the Offender Grievance Procedure.** Remember that you may only file a grievance on issues that **PERSONALLY APPLY TO YOU.**
 - * The interpretation or application of TDCJ policies, rules, regulations, and procedures.
 - * The actions of an employee or another offender, including denial of access to the grievance procedure.
 - * Any reprisal against you for the good faith use of the grievance procedure or Access to Courts;
 - * The loss or damage of authorized offender property possessed by persons in the physical custody of the Agency, for which the Agency or its employees, through negligence, are the proximate cause of any damage or loss.
 - * Matters relating to conditions of care or supervision within the authority of the TDCJ, for which a remedy is available.
6. **You may not grieve:**
 - * State or Federal Court decisions, laws and/or regulations;
 - * Parole decisions;
 - * Time-served credit disputes which should be directed to the Classification and Records, Time Section;
 - * Matters for which other appeal mechanisms exist;
 - * Any matter beyond the control of the agency to correct.
7. **Grievances that do not meet the following established screening criteria will be returned to you unprocessed;** however, most grievance may be corrected and resubmitted within 15 days from the signature date on the returned grievance.
 - * Grievable time period has expired. (Step 1 grievances must be submitted within 15 days from the date of incident and Step 2 Appeals must be submitted within 15 days from the date of the signature on the Step 1.)
 - * Submission in excess of 1 every 7 days. (All grievances received in the grievance office will be reviewed; however, only one grievance will be processed every Seven days [with the exception of disciplinary, specialty, and emergency grievances].)
 - * Originals not submitted. (Carbon copies are not considered originals even if they have an original signature. The original answered Step 1 must be submitted with a Step 2 Appeal.)
 - * Inappropriate/excessive attachments. (Your grievance must be stated on one form and in the space provided. Attach only official documents that support your claim, such as I-60's, sick call requests, property papers, and other similar items).
 - * No documented attempt at informal resolution. (You are required to attempt to resolve issues with a staff member prior to filing a grievance. Remember, the attempt must be documented in the space provided on the I-127 form.)
 - * No requested relief is stated. (The specific action required to resolve the complaint must be clearly stated in the space provided.)
 - * Malicious use of vulgar, indecent, or physically threatening language directed at an individual.
 - * The issue presented is not grievable (Refer to #6 above). **Disciplinary appeals will not be processed until after the disciplinary hearing.**
 - * Redundant. (You may not repeatedly grieve matters already addressed in a previous grievance)
 - * The text is illegible/incomprehensible. (Write your grievance so that it can be read and understood by anyone.)
 - * Inappropriate. (You may not ask for monetary damages or any form of disciplinary action against staff.)
8. **Do not use a grievance form to comment on the effectiveness and credibility of the grievance procedure; instead, submit at letter or I-60 to the Administrator of the Offender Grievance Program.**

Departamento de Justicia Criminal de Texas
INSTRUCCIONES EN COMO ESCRIBIR Y ENVIAR QUEJAS

1. **Las formas para Quejas están disponibles en la biblioteca de ley, área de vivienda, supervisores o contactando la oficina de quejas de la unidad.** Después de llenar completamente la forma, colóquela usted mismo en la caja de quejas o entréguela directamente al investigador de quejas en su unidad. *Las apelaciones en el Paso 2 deben estar acompañadas por el original, respuesta del Paso 1.*
2. Primero debe de tratar de resolver su problema informalmente antes de presentar su queja. **Resolución Informal** se define como cualquier intento por resolver el problema a la mano y debe anotarlo en la queja Paso 1 forma (I-127). Usted tiene 15 días de la fecha del incidente o de cuando ocurrió el problema presentado para completar la queja Paso 1 y enviarla al investigador de quejas de la unidad (UGI). El proceso de Paso 1 puede tomar hasta 40 días desde la fecha que la oficina de quejas de la unidad recibe la forma Paso 1 para responder. Si usted no está satisfecho con la respuesta del Paso 1, usted puede apelar la decisión del Paso 1 llenando un Paso 2 (I-128). Usted tiene 15 días desde la fecha firmada en el Paso 1 para presentar el Paso 2 al investigador de quejas de la unidad. El proceso Paso 2 puede tomar hasta 35 días para darle una respuesta escrita, o 45 días por quejas medicas. **Presente solamente un asunto por queja.**
3. **Tiempo adicional** se puede requerir para efectuar una investigación ya sea del Paso 1 o Paso 2 y en cualquier caso; usted será **notificado de la extensión por escrito.**
4. **Llene su queja usando una maquina de escribir o tinta negra. Si usted necesita ayuda para llenar una queja o entendiendo una repuesta, comuníquese con el investigador de quejas de su unidad.**
5. **Los siguientes asunto son tratados a través del Proceso de Quejas del Ofensor.** Recuerde que usted puede solamente presentar quejas en asuntos que **APLICAN PERSONALMENTE A USTED.**
 - * La interpretación o aplicación de políticas reglas, reglamentos y procedimientos de TDCJ.
 - * Las acciones de un empleado u otro ofensor, incluyendo la negación de acceso al procedimiento de quejas.
 - * Cualquier represalia en su contra por el uso en buena fe del procedimiento de quejas o Acceso a Cortes.
 - * La pérdida o daño de la propiedad autorizada del ofensor en posesión de personas en la custodia física de la agencia, por la cual la Agencia o sus empleados, por negligencia, son la causa aproximada de cualquier daño o pérdida.
 - * Asuntos relacionados a condiciones de cuidado o supervisión dentro de la autoridad de TDCJ, por el cual un remedio es disponible.
6. **Usted no puede quejarse por:**
 - * Decisiones de cortes Estatales o federales, leyes y/o regulaciones;
 - * Decisiones de Libertad Condicional (Parole);
 - * Disputas en crédito de Tiempo-servido las cuales deberán ser dirigidos a Classification and Records, Time Section;
 - * Asuntos por los cuales otros mecanismos de apelación existen;
 - * Cualquier asunto fuera del control de la Agencia para corregirlo.
7. **Quejas que no reúnen las siguientes reglas establecidas le serán regresadas a usted sin procesarlas;** sin embargo, la mayoría de las quejas pueden ser corregidas y enviadas otra vez dentro de 15 días de la fecha firmada en que se regreso la queja.
 - * El periodo para presentar su queja ha terminado. (Quejas Paso 1 deben de entregarse dentro de 15 días de la fecha del incidente y apelaciones Paso 2 deben ser enviadas dentro de 15 días de la fecha firmada en el Paso 1).
 - * Presentar quejas en exceso de 1 cada 7 días. (Todas las quejas recibidas en la oficina de quejas serán revisadas; sin embargo, solamente una queja será procesada cada Siete días [con la excepción de disciplina, especialidad y quejas de emergencia].)
 - * Original no presentada. (Copias carbón no son consideradas originales aún si ellas tienen una firma original. El original del Paso 1 contestado debe ser enviado con una apelación Paso 2.)
 - * Demasiadas paginas o inapropiadas. (Su queja debe ser escrita solo en una forma y en el espacio proveído. Adjunte solo documentos oficiales que apoyen su reclamo, tales como I-60's, llamadas de enfermo [sick call], papeles de propiedad, y otros articulos similares)
 - * No documento el intento de resolución informal. (Se le pide a usted intentar de resolver problemas con un empleado antes de enviar una queja. Recuerde, el intento debe de ser documentado en el espacio proveído en la forma I-127.)
 - * No especifica que remedio pide. (La acción especifica requerida para resolver el reclamo debe ser claramente anotada en el espacio proveído.)
 - * Uso malicioso de lenguaje vulgar, indecente o amenazador físicamente dirigido a un individuo.
 - * El asunto presentado no es de queja (Consulte el #6 arriba). Apelaciones disciplinarias no serán procesadas hasta después de la audiencia disciplinaria.
 - * Repetición. (Usted no puede quejarse repetidamente de asuntos ya presentados en una queja anterior)
 - * El texto es ilegible e incomprensible. (Escriba su que de manera que pueda ser leído y entendido por cualquiera)
 - * Inapropiado. (Usted no puede pedir por danos monetarios o por ninguna forma de acción disciplinaria contra un empleado.)
8. **No use una I-127 para comentar la efectividad y credibilidad del proceso de quejas; en su lugar, envíe una carta o I-60 al Administrador del Programa de Quejas del Ofensor.**



**STATE OF TEXAS
BOARD OF PARDONS AND PAROLES**

February 02, 2017

Ms. Lentiona Taylor
TDCJ-CID/SID # 01051112
Mountain View Unit
Dorm D-1 Bed 17
2305 Ransom Road
Gatesville, Texas 76528

Dear Ms. Taylor:

This is to acknowledge receipt of your correspondence dated January 21, 2017.

Special Review applies to cases reviewed during the normal review process and denied release to parole or mandatory supervision. A request for a Special Review shall be considered only in the following circumstances.

1. A parole panel member who voted with the majority on the panel desires to have the decision reconsidered prior to the next review date.
2. A written request on behalf of an offender cites information not previously available to the parole panel. In accordance with Section 145.17 (C), Texas Administrative Code, all requests for special review shall be in writing and signed by the offender or their attorney.

Information not previously available shall mean only:

- (A) responses from trial officials and victims;
- (B) a change in an offender's sentence and judgment; or
- (C) an allegation that the parole panel commits an error in law or board rule.

Allegation(s) must clearly show/state the error in law or board rule.

3. If both parole panel members who voted with the majority are no longer active board members or parole commissioners, the presiding officer (chair) or designated board member may place the decision in the special review process to be reconsidered prior to the next review date.

Your request does not meet one of the above criteria at this time.

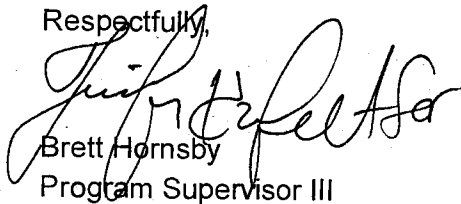
The parole decision-makers (Board Members and Parole Commissioners) are vested with complete discretion in making parole decisions. There are no mandatory rules or criteria upon which parole release decisions must be based. To assist the parole decision-maker in its investigation of a possible parole release, the Board has adopted standard parole guidelines that are the basis, but not the exclusive criteria, upon which parole decisions are made.

The standard parole guidelines include the following: Current offense or offenses; Time Served; Risk factor (consideration for public safety); Institutional adjustment; Criminal history; Official information supplied by trial officials, including victim impact statements; and information in support of parole.

The adoption and use of the standard parole guidelines does not imply the creation of any parole release formula, or a right or expectation by an offender to parole based upon the guidelines. Release to parole is a privilege and since the Board has the statutory duty to make release decisions that are only in the best interest of society, and when it thinks an offender is able and willing to be a law-abiding citizen.

The information you provided will be placed in the permanent file to be available for consideration by the parole panel at the appropriate time.

Respectfully,



Brett Hornsby
Program Supervisor III

BH/ry
cc: File

Texas Parole Records Mistake Could Cost Taxpayers Millions

by Gary Hunter

PRISONERS IN TEXAS AND THEIR FAMILIES are still feeling the impact of a botched Texas Department of Criminal Justice (TDCJ) policy change in 2012 that led to the destruction of documents for some 86,000 parole-eligible prisoners, whose files were incomplete when reviewed by the Texas Board of Pardons and Paroles. The snafu led to the shredding of letters of support and other records that could have persuaded the board to grant parole to affected prisoners.

When the mistake finally came to light in 2013, the TDCJ spent around \$160,000 to correct it by replacing the shredded documents, even though the parole board never initiated a review to determine whether any prisoners had been adversely impacted by the mix-up.

In August 2012, the TDCJ attempted to streamline the way it handled parole paperwork for the 150,000 prisoners in the state's prison system. Described as a "department largely stuck in the past," orders came down for administrators to stop filing paper copies of the thousands of documents placed in prisoners' parole files each month, and to instead file them electronically.

"It made absolutely no sense for us to do this," recalled state employee Brenda Pisana. It was "a waste of resources.... This change was ... huge."

Workers began electronically scanning everything into prisoners' files, while shredding the original hardcopy documents. What nobody noticed for almost five months was that no one had informed the state parole board of the new policy for keeping track of supporting documents. As a result, the board was reviewing files that were devoid of any evidence of outside support for prisoners from their family members, friends or potential employers – documentation used by the board in reaching decisions on whether to grant parole.

Eventually someone noticed the discrepancy and, as quickly as the policy change had been instituted, it came to a screeching halt.

"We were told, stop that new process. Don't shred anything. Don't destroy anything," said Pisana, who added workers were told to once again "... start refiling everything in the hard copy of the parole file."

The new orders included instructions to recopy all supporting documents that had been shredded and to spare no expense to accomplish the task. A department that had always been required to keep payroll hours to a minimum was given permission to work as many hours as necessary to correct the mistake.

"This was absolutely all hands on deck," Pisana stated.

The total cost to taxpayers for manpower alone came to \$160,000, but Lance Lowry, the director of the union representing Texas prison guards, said he believed the cost could be far greater.

"Capacity issues are becoming a problem in TDCJ," Lowry wrote in an email to the news media. "During the middle of session, the population for TDCJ was around 152,000 inmates. Now the population has increased to over 153,000. Instead of the targeted decrease in population, the population has increased."

He estimated that the mix-up actually translated into millions of dollars in additional costs to taxpayers for housing prisoners who might otherwise have been released on parole, had their files contained the supporting documents that were destroyed.

Fixing the mistake reportedly became more an issue of covering it up. "They were scurrying to fix something before somebody found out about it," said Pisana. "Hurry up and fix it so we can be ahead of the issue when it gets out to the public."

In response to media inquiries, TDCJ spokesman Jason Clark would not say whether the shredded documents might have led to the release of prisoners who were denied parole.

"You know, how this general correspondence would have influenced the parole decision, I can't speculate," Clark told KHOU-TV. "Those decisions come down to the Texas Board of Pardons and Paroles." He added, "We try to be good stewards of the state's money but ultimately we identified that there was a problem."

Harry Battson, a spokesman for the Board of Pardons and Paroles, said the board did not know how many reviews were based on incomplete files, but wrote that parole officials "closely monitored approval rates since December 2012 and

identified no discernible differences with previous months." He admitted, however, that a full year after the board learned of the mistake, officials had not implemented any process to re-examine cases to determine if prisoners had been denied parole due to incomplete files.


"This is stunning," said Terri Burke, executive director of the American Civil Liberties Union of Texas. "Just stunning to me. They [the parole board] need to correct this. If all the materials weren't there in someone's file, then they didn't get a fair parole review."

Faith Smith spent months arranging letters of support from friends, family members and even a potential employer for her husband Kris, who was serving a 20-year sentence for robbery. She said she can't help but wonder if the state's mistake cost Kris, and perhaps thousands of other prisoners, their chance at freedom.

"Even if it wasn't me or my husband, there are families out there that are going through the same thing that I go through," she said. "For those files and those packets to not end up so they could see them and know the information that's within them, there's no way they can stand by any of their [parole] decisions."

In the aftermath of the document shredding, the Board of Pardons and Paroles' website currently contains specific instructions related to letters and other materials that support prisoners going up for parole, urging family members to "Include information that demonstrates to the parole panel that an offender has a support system in place upon release. Letters may include information regarding employment/potential employment, residence, transportation, available treatment programs (as applicable), or other information the writer feels would be helpful to the parole panel in making their decision."

The website specifically notes that "Support letters are placed in an offender's case file and are available to the parole panel during the parole review process."

Except, apparently, when they are not. 

Sources: <http://gritsforbreakfast.blogspot.com>, www.khou.com, www.tdcj.state.tx.us

AFFIDAVIT

My name is Kentiona Taylor, TDCJ # 1051112, residing in TDCJ-ID Mountain View Unit in Coryell County, Texas. I have been given 4 denials of parole - each a 2 year denial (set-off), which is adding 8 years punishment that is unwarranted, as I am not a disciplinary problem, have shown to work well with others, dependable, and trustworthy for 16 1/2 years now, I am not a threat to society. If I could go back and change the past, I would, as it haunts me still and always will. I deeply regret my actions. They have caused my family grief and I'm so sorry. While I believe the sentence was fair, the addition of the time served ~~and~~ due to the parole board not following its guidelines, and giving set-offs has caused undue further hardship on my family and on me because of prolonged separation and my not being there to work and help provide funds and support. I have an excellent military record. I have completed courses while incarcerated that will allow me to be employed transcribing braille textbooks for the blind, as I do in here, except I will be paid out there.

This class action claim is to not only bring attention to the set-offs given women repeatedly, but to request the Judges to help correct the problem. The 42 U.S.C. 1983 is the course of action for challenging the Board's non use of guidelines and denying due process liberty interests under Wilkinson v. Dotson 125 S.Ct. 1242

and Skinner v. Switzer 131 S.Ct. 1289, I am not an attorney or paralegal or writ writer or anything, just a common person trying my best to express the need for fairness in the parole process.

Criselda Casas, an inmate who was here on this unit, with the same charge as mine, and the same sentence made parole and went to the program attended before release. The difference in our cases was her offense was much worse, her child died. My child has had no adverse effects at all and graduates High School this year. When Casas made parole, it gave me an expectation of parole. Yet I was given another 2 year set-off. This shows the Board does not follow guidelines and procedures already in force, nor the Sunset Advisory Commissions Recommendations.

In the TDCJ offender handbook under TXA, p. 76 the first paragraph it states "parole is a privilege not a right!" As shown in the complaint privilege is defined as a legal right in Black's Law. The second paragraph states, "Some requirements for an offender to be released on parole are (a) serves sufficient time as required by law [Tex Government Code § 508.145]; (b) is not a risk to public safety; and (c) meets work, program participation, and behavior standards." ~~Third~~ Third paragraph, "Offenders approved for parole are allowed to leave the TDCJ and serve the remainder of their

sentences under the supervision of parole officers."

When all the requirements are met, and the offenders have proven they are not a danger to society - why then, are they denied - repeatedly?

The Board can impose electronic monitoring and other stipulations to parole, yet do not.

Inmates are human beings. True, some inmates are violent inside prison, it seems those are the ones being released and the non-violent inmates are given set-offs. I filed a grievance and Request for Special Review which were denied and exhausted my state remedies.

Lentonia K. Taylor # 1051112

Unsworn Declaration

I, Lentonia Katrina Taylor, residing at Mountain View in Coryell County do hereby declare and certify under penalty of perjury that the above statement is true and correct.

Executed on 1-16-18

January 16, 2018

My name is Amy Schwab # 1884578, residing at Mountain View Unit in Coryell County Texas. I have come up for parole and been denied 3 times, 3-1 year, for a total of 3 years beyond the time I should have been released. I have completed all programs required by TDCJ and the parole board.

Respectfully submitted,
Amy Schwab
Amy Schwab

UNSWORN DECLARATION

I, Amy Schwab, TDCJ # 1884578, do hereby declare under penalty of perjury that the above statement is true and correct.

Amy Schwab
Amy Schwab
1884578
2305 Ransom Road Mountain View
Gatesville, TX 76528

My name is Lizette Villarreal, TDCJ# 1221880, residing at Mountain View Unit in Coryell County, Texas. I have come up for Parole and been denied (given set-offs) 3 times, 1 and 2-years, for a total of 5 years beyond the time I should have been released. I have completed all programs required by TDCJ and ~~to~~ the Parole board.

Respectfully submitted,
Lizette Villarreal
Lizette Villarreal

UNSOLICITED DECLARATION

I, Lizette Villarreal, TDCJ# 1221880, do hereby declare under Penalty of Perjury that the above statement is true and correct.

Lizette Villarreal
Lizette Villarreal
TDCJ# 1221880
Mountain View Unit
2305 Ransom RD
Gatesville, TX 76528

AFFIDAVIT

I, Joy Davis Aylor #689152, residing at the TDCJ-ID Unit Mountain View do hereby state that I have been incarcerated for 27 years. I came up before the parole board the first time March 11, 2011 and have received 3 3-year set-offs, total of 9 years. I am convicted of capital murder and have a life sentence. Mandatory supervision was on my time sheet for 20 years and removed in 2011. Under the 65th legislature, 1977-1987, all offenses were eligible for mandatory supervision. Capital murder was removed from the list of eligibility in 1987. My offense date is 1983.

Having no requirements I have completed every program offered, earned a Masters Degree in Artistic Counseling and acted as a facilitator when needed for Bridges to Life. I have a strong support system, family and life-long friend as well as acceptance to Calvary Commissions Program in Lindale Texas. I am requesting that the Honorable Judge address this issue please. My record reflects no major or violent disciplinary cases.

UNSWORN DECLARATION

I, Joy Davis Aylor, residing at Mountain View in Coryell County do hereby declare and certify under penalty of perjury that the above statement is true and correct.
Executed on 01-15-18

H.

AFFIDAVIT

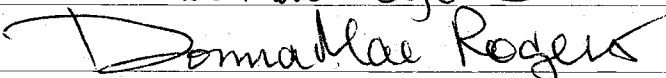
I, Donna Mae Rogers, reside at the TDCJ-ID Unit Mt. View do hereby state that I have been incarcerated for 30 years. I came up before the parole board the first time August 1991 and have received 9 3-year set offs, 1 2-year set off and 2 1-year set off. I am convicted of murder and am serving a life sentence.

I have completed all the requirements of the Texas parole board. I have shown that I have a family and friends who are my support system. I have a home to go to and also employment upon release. yet I have been denied parole twice again. I request that the Honorable Judge address this issue. I have not had any violent disciplinary cases while incarcerated.

UNSWORN DECLARATION

I, Donna Mae Rogers, residing at Mt. View in Coryell County do hereby declare and certify under penalty of perjury that the above statement is true and correct.

Executed on 12-21-17.

Donna Mae Rogers


Lentiona Taylor
TDCJ # 105442
Mountain View Unit
Gatesville, TX 76528

RECEIVED

1-17-18

JAN 23 2018

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY _____ DEPUTY CLERK

United States District Court Clerk
800 Franklin Ave Room 380
Waco, TX 76701

W18CA021

RE: 4Z USC 1983

Dear United States District Clerk:

Please find enclosed 2 copies of each of the following: 4Z U.S.C. Section 1983 Applications, copies of 4Z USC Section 1983 Complaint brief w/ exhibits, and 2 copies of Applications for filing Forma Pauperis. It was unclear whether the plaintiff mails the defendants a copy of the complaint and application or if the Judge has to rule on whether the plaintiff sends them. Please advise me on this; if you will.

Please file the applications and forma pauperis forms required and bring it to the attention of the Court. I am not an attorney and request not to be held to that standard, I have done the best I can with the knowledge that I have.

If anything is needed; copies of documents are also limited, your assistance is greatly appreciated - just let me know. I am unable to hire an attorney or pay the

\$ 400.00 filing fee, however, the need for the class action in this cause is tremendous.

If the Court is not using the paper documents please return them.

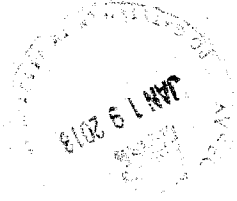
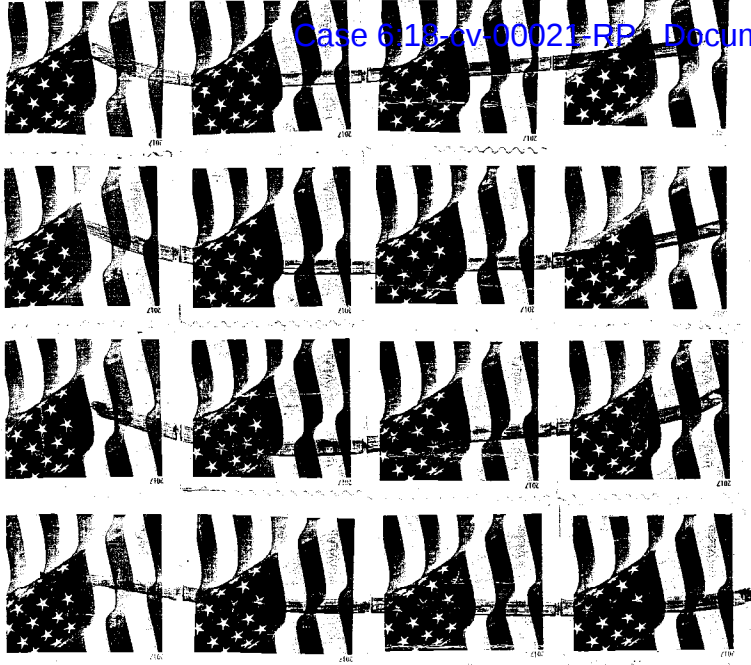
I hope to hear from you soon.

Sincerely,

Lentiona K. Taylor #1051112 prose
Lentiona Taylor

Lentrona 1 ay, or
#1051112

2305 Ransom Rd
Mountain View Unit
Gatesville, TX 76528



United States District
800 Franklin Ave
Waco, TX 767

Legal Mail

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit Filed by Texas Inmate Questions 'Arbitrary' Parole Decisions](#)
