

Subject: RE: Public Information Request (TX-SOS-22-0336) PIR 22-0408
Date: Friday, April 29, 2022 at 4:11:36 PM Eastern Daylight Time
From: GeneralCounsel
To: AO Records
CC: Sam Taylor, GeneralCounsel
Attachments: 4-29-22 15 Day Letter to Requestor - American Oversight PIR 22-0408.pdf, 4-29-22 15 Day Letter to OAG - American Oversight PIR 22-0408.pdf, 4.29.22 Documents.zip

EXTERNAL SENDER

Good afternoon,

Please see the attached letters, with enclosures, in response to your request for information under Chapter 552 of the Texas Government Code.

The responsive documents contain email addresses of the general public. An email address of a member of the public is confidential under section 552.137 of the Texas Government Code. The attorney general authorized all governmental bodies to withhold an email address of a member of the public without first requesting an attorney general opinion in Open Records Decision No. 684 (2009). Thus, this information has been redacted.

As stated in the attached letter, we require more time to continue reviewing our records and produce additional responsive information. We will provide you additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on May 27, 2022. See Tex. Gov't Code § 552.221(d).

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Friday, April 22, 2022 3:29 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>; Sam Taylor <SMTaylor@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0336) PIR 22-0408

Good afternoon,

Please see the attached letters, with enclosures, in response to your request for information under Chapter 552 of the Texas Government Code.

Kind regards,

Jennifer Williams
Legal Assistant to the General Counsel
Office of the Texas Secretary of State

From: AO Records <records@americanoversight.org>
Sent: Wednesday, April 6, 2022 3:45 PM
To: General Counsel <GeneralCounsel@sos.texas.gov>
Subject: Public Information Request (TX-SOS-22-0336)

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Dear Public Information Officer:

Please find attached a request for records under the Texas Public Information Act.

Sincerely,

--

Marwah Adhoob
Pronouns: she/her
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

PIR: TX-SOS-22-0336

The State of Texas

Executive Division
Capitol Building, 1E.8
P.O. Box 12887
Austin, Texas 78711-2887



Phone: 512-463-5770
Fax: 512-463-2761
Dial 7-1-1 For Relay Services
www.sos.texas.gov

John B. Scott
Secretary of State

April 29, 2022

Office of the Attorney General
Open Records Division
300 W. 15th Street, 11th Floor
Austin, TX 78701

Via Hand Delivery

Re: Request for records, received: April 6, 2022 (SOS PIR No. 22-0408)

Dear General Paxton:

On April 6, 2022, the Office of the Texas Secretary of State (“Office”) received a written request for information (“Request”) from Emma Lewis (the “Requestor”) under the Public Information Act, Chapter 552 of the Texas Government Code (the “PIA”).¹ A copy of the Request is attached as Exhibit A. A statement regarding the date of receipt is attached as Exhibit B.

The Request seeks records relating to several specified individuals and terms. *See* Exhibit A. We produced some responsive information to the Requestor on April 22, 2022, and we intend to produce other responsive materials today. We will provide additional documents to the Requestor by May 27, 2022. The Office asserts that other responsive information is excepted from public disclosure under Sections 552.103, 552.107, 552.111, and 552.139 of the Texas Government Code. Thus, we are requesting a ruling regarding the release of these records.

SECTION 552.103 OF THE TEXAS GOVERNMENT CODE

The Office contends that certain information responsive to the Request is excepted from public disclosure under Section 552.103 of the Texas Government Code. Section 552.103 excepts from disclosure “information relating to litigation of a civil or criminal nature to which the state or a political subdivision is or may be a party or to which an officer or employee of the state or a political subdivision, as a consequence of the person’s office or employment, is or may be a party,” if the litigation is “pending or reasonably anticipated on the date that the requestor applies to the officer for public information for access to or duplication of the information.” Thus, to withhold information pursuant to Section 552.103, the Office must show that (1) litigation was pending or reasonably anticipated on the date of the request and (2) the requested information relates to the litigation. *Univ. of Tex. Law Sch. v. Tex. Legal Found.*, 958 S.W.2d 479, 481 (Tex. App.—Austin 1997, no pet.) (citing Open Records Decision No. 647 (1996)).

¹ The Office was closed on April 15, 2022 in observance of Good Friday and operated on a skeleton-crew basis on April 21, 2022 in observance of San Jacinto Day. Therefore, the 15th business day from the date that the Office received the Request is today, April 29, 2022.

The responsive information includes records relating to *United States v. State of Texas, et al.*, No. 5:21-cv-01085 (W.D. Texas) (“*United States*”). In *United States*, the plaintiff filed suit against the State of Texas and Secretary of State regarding Senate Bill 1, an election bill passed by the Texas Legislature in its Second Called Special Session in August 2021. Among other allegations in the lawsuit, the plaintiff challenges certain provisions of Senate Bill 1 pertaining to the State’s ballot-by-mail process. The *United States* lawsuit was pending as of the date that the Office received the Request, and the requested information is directly related to the litigation. As such, the marked records should be exempt from disclosure under Section 552.103.²

Exhibit D contains a representative sample of responsive information that the Office asserts is excepted from public disclosure pursuant to Section 552.103, as reflected by the Office’s notations on the documents.

SECTION 552.107 OF THE TEXAS GOVERNMENT CODE

Alternatively, certain responsive information should be excepted from public disclosure pursuant to Section 552.107 of the Texas Government Code. Section 552.107 provides that “[i]nformation is excepted from the requirements of Section 552.021 if: (1) it is information that the attorney general or an attorney of a political subdivision is prohibited from disclosing because of a duty to the client under the Texas Rules of Evidence or the Texas Disciplinary Rules of Professional Conduct; or (2) a court by order has prohibited disclosure of the information.” Tex. Gov’t Code § 552.107(1).

Relevant here, Texas Rule of Evidence 503 encompasses the attorney-client privilege. The Attorney General has determined that “information that is protected under Texas Rule of Evidence 503 is excepted from disclosure under section 552.107(1).” Open Records Decision No. 676 at 4 (2002). Rule 503(b)(1) provides:

A client has a privilege to refuse to disclose and to prevent any other person from disclosing confidential communications made to facilitate the rendition of professional legal services to the client:

- (A) between the client or the client’s representative and the client’s lawyer or the lawyer’s representative;
- (B) between the client’s lawyer and the lawyer’s representative;
- (C) by the client, the client’s representative, the client’s lawyer, or the lawyer’s representative to a lawyer representing another party in a pending action or that lawyer’s representative, if the communications concern a matter of common interest in the pending action;
- (D) between the client’s representatives or between the client and the client’s representative; or
- (E) among lawyers and their representatives representing the same client.

Tex. R. Evid. 503(b)(1). Rule 503 further provides that “[a] communication is ‘confidential’ if not intended to be disclosed to third persons other than those: (A) to whom disclosure is made to further the rendition of professional legal services to the client; or (B) reasonably necessary to transmit the communication.” *Id.* R. 503(a)(5). So, to withhold information under Section 552.107 as subject to attorney-client privilege, the governmental body must: (1) show that the document is a communication transmitted between privileged parties or reveals a confidential

² Exhibit C contains copies of relevant filings in the *United States* proceeding. As reflected in the attached filings, the *United States* case was consolidated with other federal lawsuits challenging Senate Bill 1 in September 2021. See *La Union del Pueblo Entero, et al. v. Abbott, et al.*, No. 5:21-cv-00844-XR (W.D. Texas).

communication; (2) identify the parties involved in the communication; and (3) show that the communication is confidential by explaining that it was not intended to be disclosed to third persons and that it was made in furtherance of the rendition of professional legal services to the governmental body. *See* Open Records Decision No. 676 at 6-8; *accord* OR2022-00733 at 3-4; OR2021-35866 at 1-2.

The Request encompasses certain internal communications among the undersigned General Counsel, other Secretary of State attorneys, and non-attorney employees of the Office. Specifically, the responsive information includes communications reflecting the provision—or a request for the provision—of legal advice by the Office’s General Counsel and other staff attorneys (such as Zac Rhines) regarding strategies for ongoing litigation against the Secretary of State, draft documents relating to the *United States* lawsuit, and the application of certain Texas Election Code provisions involving the administration of elections.

The responsive communications were made in furtherance of the rendition of professional legal services to the Office. The communications were not intended to be disclosed to third persons; nor have such communications been disclosed publicly. Each of these communications satisfies the requirements of Texas Rule of Evidence 503 and is thus entitled to protection under Section 552.107(1). *See, e.g.*, OR2022-00733 at 3-4; OR2022-00364 at 2-3; OR2021-36465 at 3-4; OR2021-35866 at 1-2; OR2021-12471 at 2-3.

Exhibit D contains a representative sample of the responsive information that the Office asserts is excepted from public disclosure pursuant to Section 552.107, as reflected by the Office’s notations on the documents.

SECTION 552.111 OF THE TEXAS GOVERNMENT CODE

Some of the information responsive to the Request also should be excepted from public disclosure pursuant to Section 552.111 of the Texas Government Code.

Section 552.111 of the Texas Government Code encompasses the deliberative process privilege. *See* Open Records Decision No. 615 at 1 (1993). This privilege excepts from disclosure interagency or intraagency memoranda and certain communications “that would not be available by law to a party in litigation with the agency.” Tex. Gov’t Code § 552.111. The purpose of Section 552.111 is “to protect advice and opinions on policy matters and to encourage frank and open discussion within the agency in connection with its decision-making processes.” *Tex. Dep’t of Pub. Safety v. Gilbreath*, 842 S.W.2d 408, 412 (Tex. App.—Austin 1992, no writ) (citing *Austin v. City of San Antonio*, 630 S.W.2d 391, 394 (Tex. App.—San Antonio 1982, writ ref’d n.r.e.)).³ The Attorney General has concluded that Section 552.111 protects preliminary drafts of a document intended for public release in its final form because a draft “necessarily represents the advice, opinion, and recommendation of the drafter as to the form and content of the final document.” Open Records Decision No. 559 at 2 (1990). In addition, Section 552.111 extends to “internal communications that consist of advice, recommendations, opinions, and other material reflecting the policymaking processes of the governmental body.” OR2021-35866 at 2-3 (citing Open Records Decision No. 615 at 5); *accord* OR2022-00733 at 5. And if factual information “is so inextricably intertwined with material involving advice, opinions and recommendation as to make separation [of the factual data] impractical,” the factual information also may be withheld

³ *Accord* *City of Garland v. Dallas Morning News*, 22 S.W.3d 351, 361, 364 (Tex. 2000); *Arlington Indep. Sch. Dist. v. Tex. Att’y Gen.*, 37 S.W.3d 152, 158 (Tex. App.—Austin 2001, no pet.); *Lett v. Klein Indep. Sch. Dist.*, 917 S.W.2d 455, 456-57 (Tex. App.—Houston [14th Dist.] 1996, writ denied); Open Records Decision No. 615 at 5.

under Section 552.111. Open Records Decision No. 313 at 3 (1982); *accord* OR2022-00733 at 5; OR2022-00364 at 5; OR2021-35866 at 3.

The responsive information includes internal discussions containing “advice, recommendations, [and] opinions” reflecting the Office’s “policymaking processes” relating to the administration of elections in Texas. *See* OR2021-35866 at 2-3. The communications pertain to, among other things, the planning and execution of the Secretary of State’s forensic audit of the 2020 general election and the Office’s implementation of applicable Texas Election Code provisions.

Each of the records marked for protection under Section 552.111 contains “advice, recommendations, opinions, and other material reflecting the [Office’s] policymaking processes.” OR2021-35866 at 2-3; *see also* OR2022-00733 at 5. The communications do not relate to “routine internal administrative or personnel matters.” OR2022-00733 at 5.

Exhibit D contains a representative sample of the responsive information that the Office asserts is excepted from public disclosure pursuant to Section 552.111, as reflected by the Office’s notations on the documents.

SECTION 552.139 OF THE TEXAS GOVERNMENT CODE

Additionally, certain responsive documents should be excepted from public disclosure pursuant to Section 552.139 of the Texas Government Code. In relevant part, Section 552.139 protects “information that relates to computer network security, to restricted information under Section 2059.055, or to the design, operation, or defense of a computer network.” Tex. Gov’t Code § 552.139(a). Section 552.139 expressly designates as confidential any “information directly arising from a governmental body’s routine efforts to prevent, detect, investigate, or mitigate a computer security incident, including information contained in or derived from an information security log.” *Id.* § 552.139(b). Section 2059.055 of the Texas Government Code, in turn, provides that “[n]etwork security information is confidential under this section if the information is . . . collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity.” *Id.* § 2059.055(b).

The responsive information includes a report prepared by the Federal Bureau of Investigation (with restricted distribution) and related communications. The report contains information “arising from a governmental body’s routine efforts to prevent, detect, investigate, or mitigate a computer security incident,” as well as information “collected, assembled, or maintained by or for a governmental entity to prevent, detect, or investigate criminal activity.” Tex. Gov’t Code §§ 552.139(a), (b)(4), 2059.055(b)(2). The release of such information could subject the Office’s computer systems to attack or unauthorized access, potentially resulting in the alteration, damage, erasure, or theft of information stored on the systems, and the records are thus entitled to protection under Section 552.139. *See, e.g.*, OR2020-24447 at 4-5; OR2019-25918 at 5; OR2019-02894.

Exhibit D contains the responsive information that the Office asserts is excepted from public disclosure pursuant to Section 552.139, as reflected by the Office’s notations on the documents.

For the reasons stated above, the Office asserts that certain information responsive to the Request is excepted from disclosure under the Public Information Act. Accordingly, we are requesting a ruling from the Attorney General regarding the release of these records. A representative sample of the responsive information that the Office seeks to withhold is attached as Exhibit D.

If you have any questions or need additional information from our office regarding this request, please contact me at (512) 463-5770.

Sincerely,

A handwritten signature in blue ink, appearing to read 'AB', with a stylized flourish extending to the right.

Adam Bitter
General Counsel
Office of the Texas Secretary of State
generalcounsel@sos.texas.gov
AB/jw

Enclosures

Cc: Requestor (via email) without Exhibits

The State of Texas

Executive Division
Capitol Building, 1E.8
P.O. Box 12887
Austin, Texas 78711-2887



John B. Scott
Secretary of State

Phone: 512-463-5770
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Dial 7-1-1 For Relay Services
www.sos.texas.gov

April 29, 2022

Emma Lewis
American Oversight

Sent via Electronic Mail in care of Marwah Adhoob to: records@americanoversight.org

Re: Request for records, TX-SOS-22-0336, received: April 6, 2022 (SOS PIR No. 22-0408)

Dear Ms. Lewis:

Please find enclosed a copy of the written comments, without exhibits, submitted to the attorney general. The comments are regarding the request for a decision on whether information withheld from you in response to your April 6, 2022 request for records (the "Request") is confidential under Chapter 552 of the Texas Government Code.

Consistent with our April 22, 2022 letter, please find the enclosed documents responsive to the Request. We require more time to continue reviewing our records and produce additional responsive information. We will provide you additional responsive documents—to the extent such information is not excepted from disclosure under state or federal law—by 5:00 p.m. on May 27, 2022. *See* Tex. Gov't Code § 552.221(d).

If you have any questions or need additional information, please do not hesitate to contact our office at (512) 463-5770.

Sincerely,

A handwritten signature in blue ink, appearing to read "Adam Bitter".

Adam Bitter
General Counsel
Office of the Texas Secretary of State
generalcounsel@sos.texas.gov
AB/jw

Enclosures

From: Irina A. Faskianos <forums@cfr.org>
Sent: Tuesday, February 22, 2022 3:00 PM
To: Secretary
Subject: CFR 3/3 Home and Abroad Public Forum: U.S.-Russia Relations

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COUNCIL *on* FOREIGN RELATIONS

Virtual Public Forum: Home and Abroad

U.S.-Russia Relations

Dear Secretary Scott:

Please join us on Thursday, March 3, from 3:30 p.m. to 5:00 p.m. (EST)/12:30 p.m. to 2:00 p.m. (PST) for an on-the-record discussion on the Russia-Ukraine crisis, U.S.-Russia relations, and implications for European security.

Speakers

[Ivo H. Daalder](#), *President, Chicago Council on Global Affairs; Former U.S. Ambassador, North Atlantic Treaty Organization (2009-2013)*

[Fiona Hill](#), *Senior Fellow, Center on the United States and Europe, Brookings Institution; Former Senior Director, European and Russian Affairs, National Security Council (2017-2019)*

[Mary Elise Sarotte](#), *Marie-Josée and Henry R. Kravis Professor of Historical Studies, School of Advanced International Studies, Johns Hopkins University*

Presider

[Richard Haass](#), *President, Council on Foreign Relations*

To respond to this invitation, please click the *Register Here* button, reply to this email, or call Rachael Bolte at 212.434.9744.

Invitee

John Scott,
TX Office of the Secretary of State

Date and Time

Thursday, March 3, 2022

3:30 p.m.–5:00 p.m. (EST)/

12:30 p.m.–2:00 p.m. (PST)

Virtual Public Forum via Zoom

[Register Here](#)

CFR's [Home and Abroad series](#) explores issues at the nexus of U.S. domestic and foreign policy that affect America's role in the world.

This virtual meeting is open to all. We hope you will encourage your colleagues and friends to join the discussion by sharing [this registration link](#).

Log-in information and instructions on how to participate during the question-and-answer portion will be provided the evening of Wednesday, March 2, to those who register. Please note the video and transcript of this virtual meeting will be posted on the [CFR website](#).

We look forward to your participation!

Best regards,
Irina

Irina A. Faskianos
Vice President, National Program and Outreach
Council on Foreign Relations
58 East 68th Street, New York, New York 10065
tel 212.434.9465 cell 201.463.4515

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Subject: Morning News Clips 1.31.22

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Morning News Clips 1/31/2022

- [Texas Take](#)

- [Texas Tribune: The Brief](#)

- [Politico Playbook](#)

Greg Abbott News

Dallas Morning News – Dianne Solis: [Abbott Support Remains Solid On Border Issues, But Costs Of Wall Aren't Popular, Says New Poll \[Web\]](#)

Business Insider – Morgan Keith: [Texas Gov. Greg Abbott Claims Mexican Cartels Are Using TikTok To Recruit Smugglers \[Web\]](#)

Newsweek – Andrew Stanton: [Video Shows Trump Rally-Goers In Texas Booing 'RINO' Governor Greg Abbott \[Web\]](#)

Administration News

The Texan – Daniel Friend: [Attorney General Ken Paxton Zeroes In On Louie Gohmert In A Crowded Field Of Challengers \[Web\]](#)

State News

Dallas Morning News – Lauren McGaughy: [Transgender Prisoner In Texas Denied Gender-Affirming Surgery, Lawyer Says \[Web\]](#)

Education

Dallas Morning News – Corbett Smith: [School Closings Could Impact Upcoming Trustee Elections A New DMN/UT-Tyler Poll Finds \[Web\]](#)

Texas Tribune – Brooke Park: [Texas Students, Frustrated By Limited COVID-19 Protocols, Turn To Petition Drives And Walkouts \[Web\]](#)

Spectrum – Olivia Levada: [Mentoring Program Helps Keep Central Texas Teachers Going \[Web\]](#)

Energy

- *Houston Chronicle* – James Osborne: [As Crypto Floods Texas, High Energy Use Draws Scrutiny From Congress \[Web\]](#)

Immigration/Border Security

- *Austin American Statesman* – Nusaiba Mizan: [Fact-Check: Do Unauthorized Immigrants Have 'Easier Access' To Health Care, Ballot? \[Web\]](#)

Criminal Justice

- *KAMC* – Chris Whited: [DPS: West Texas Deputy Killed In Loving County Crash Saturday \[Web\]](#)

National News

- *Washington Post* – Tyler Pager: [Trump's Texas Trip Illustrates His Upsides And Downsides For Republicans And Their Midterm Hopes \[Web\]](#)

Opinion/Editorial

- *Texas Tribune* – Ross Ramsey: [Analysis: The Blurry Line Between Government And Political Campaigns In Texas \[Web\]](#)

Austin American Statesman – Bridget Grumet: [Grumet: Where's Abbott's Campaign Pledge To Help Foster Kids? \[Web\]](#)

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###

Greg Abbott News

Abbott Support Remains Solid On Border Issues, But Costs Of Wall Aren't Popular, Says New Poll

By Dianne Solis

Dallas Morning News

Thirty-six percent of Texas registered voters say it is reasonable to spend \$20 million per mile in state funds to extend the border wall with Mexico, while 27% say it is wasteful, according to a new poll.

Another 25% of respondents to the poll of 1,082 registered voters said money “could be spent better on technology” at the border.

Overall, the new poll by The Dallas Morning News and the University of Texas at Tyler shows support for Abbott’s policies are nuanced. Support deepened slightly for Gov. Greg Abbott’s overall immigration policies at the border, but weakened slightly on whether a wall is “necessary for a safe border” to 48%, compared to 50% in November.

Among Latino registered voters, 47% disagreed or strongly disagreed that a wall is needed at the border.

The poll was conducted Jan. 18-25 in English and Spanish. It has a margin of error of plus or minus 3.5 percentage points. Results come as the Republican governor faces primary opponents in March who argue that he has not been tough enough in stemming the flow of migrants across the border.

Abbott has poured hundreds of millions in state money to beef up border security, including by sending DPS troops and the national guard to the Rio Grande. His policies are also seen as an effort to bolster his conservative credentials in a state polarized over whether toughness, compassion or financial practicality is needed on immigration.

Some 52% of polled registered voters approve of Abbott’s border policies – up from 49% in November and 47% in the September Dallas Morning News poll. Among Latinos, 45% gave Abbott an approval rating on his handling of immigration issues, but only 37% gave Biden a thumbs up on immigration. Latinos make up about a quarter of registered voters and are increasingly courted by Republicans.

Larger percentages of registered voters believed strengthening the electricity grid or reducing the coronavirus infections was more important than an effort to “secure the Texas-Mexico border.” But among Republicans polled, securing the Texas-Mexico border ranked higher than reducing coronavirus infections or strengthening the electricity grid.

“While it’s a rewarding strategy for Governor Abbott, right now and with Republicans, there’s a limitation,” said Mark Owens, the UT-Tyler pollster. “It’s not going to get him a higher percentage of the electorate when people think about the most important issue.”

Overall approval of Abbott’s border policies remains solid over the last three Dallas Morning News polls. “It is an improvement,” Owens said, but “within the margin of error.”

When registered voters are asked to analyze the costs of the border wall, approval weakens on the wall, noted Mark P. Jones, a political scientist at Rice University in Houston.

“When people are presented with the actual costs, and instead of supporting or opposing have to make a decision have to evaluate that

expenditure,” said Jones, “the level of support is lower.”

The Rice University professor noted that when “wasteful” and “could be spent better on technology” responses are combined, 52% of poll respondents appear to be looking for an option other than spending \$20 million per mile on a border wall. “The majority do not think that spending is reasonable,” Jones said.

Latinos’ support on the border wall softens compared to that of white registered voters in other polling, too, noted Jones, who also works with the nonpartisan Texas Hispanic Policy Foundation. “The wall has consistently been the least popular among Latinos,” Jones said. “This poll reinforces that.”

“The more the wall’s publicized, the worse he’s going to get among Latino voters,” said Jones.

The poll also shows that 54% supported the use of state funds to deploy the National Guard and the DPS “to patrol the border.” But in November, 59% voiced support on the same question.

Abbott’s policies have included arresting migrants on the state charge of property trespassing under a controversial measure called Operation Lone Star. Support for Abbott stiffened even as political challengers such as Republican Allen West and Democrat Beto O’Rourke have blasted the mission. Adding to the alarm has been a string of suicides by soldiers, first reported by the Army Times.

Immigration at the border polarizes people, said Jeronimo Cortina, a political scientist at the University of Houston. Cortina noted stark differences between Democrats and Republicans on Abbott’s handling of immigration at the U.S.-Mexico border. Only 27% of Democrats approved of Abbott on that issue, versus 80% among Republicans.

“Immigration has been, historically, used as a campaign issue since the 1800s, and allows you to rally your base depending on what side of the aisle you are,” said Cortina, who has studied historical floor debates on the issue.

“Just put the text without any reference to the date. You would think that that debate happened a week ago and in reality happened hundreds of years ago,” the University of Houston professor said.

Support for the wall softens the closer those polled are to the U.S.-Mexico border, Cortina said. Add the dollar amount per mile, as the poll did, and there’s further weakening, he said.

“The closer you are, regardless of partisanship, you are less likely to support the wall,” Cortina said. “And why? Because the individuals living at the border experience the reality of the border, and they understand how and how not the wall can be useful.”

The Texas poll also found that:

One year after a devastating freeze hit Texas, resulting in the deaths of nearly 250 people, 50% of those polled said strengthening the electricity grid should be a higher priority than an effort “to secure the border.” The freeze overwhelmed the Texas electricity grid. About 41% said the Texas-Mexico border should be secured.

And 52% said a “higher priority” should be given to reduce coronavirus infections, as opposed to 42% who chose “to secure” the Texas-Mexico border.

Those immigrants who call themselves “Dreamers” strengthened support among registered voters polled: 51% said they supported or strongly supported granting permanent legal status to immigrants who came to the U.S. as children. In November’s poll, support was 48%, but in September support was 51%.

Under a program called Deferred Action for Childhood Arrivals, or DACA, beneficiaries often called Dreamers must have been brought to the U.S. by a parent or guardian before the age of 16 and come either unlawfully or overstayed lawful visas.

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Texas Gov. Greg Abbott Claims Mexican Cartels Are Using TikTok To Recruit Smugglers

By Morgan Keith
Business Insider

During a border security briefing on Thursday, Texas Gov. Greg Abbott alleged that TikTok is promoting human trafficking in Texas and harshly criticized the Biden administration’s response.

“Cartels in Mexico are using TikTok to advertise, to recruit smugglers in Texas, in San Antonio, Houston, and other cities in Texas and maybe some other states, to advertise for smugglers, for pay, for them to smuggle people here in Texas, which would include victims of human trafficking,” Abbott said.

The Republican governor suggested that an injunction similar to the one used to shut down Backpage.com — a now-defunct classified advertising website that was used to facilitate prostitution and child sex trafficking — could be used against the social media platform.

“TikTok should be ashamed, condemned, and have a legal action brought against it for promoting human trafficking in Texas and the

United States of America," Abbott claimed.

Attorneys general from twelve conservative states attended the briefing, including Oklahoma, Utah, Missouri, and West Virginia.

Insider has reached out to Abbott and representatives of TikTok for comment.

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Video Shows Trump Rally-Goers In Texas Booing 'RINO' Governor Greg Abbott By Andrew Stanton

Newsweek

Video posted to social media showed rally-goers boo Texas Governor Greg Abbott as he took the stage at former President Donald Trump's rally Saturday night.

Abbott, who has served as Texas' governor since 2015, aligned himself with the former president, enacting several conservative policies in Texas throughout his tenure and receiving Trump's endorsement for his re-election later this year.

But that didn't stop some Trump supporters from booing the governor as he was announced as a speaker during the Texas rally. Several attendees could be heard lobbing insults at the governor, including "Abbott sucks" and "You're a RINO," referring to the phrase "Republican in name only."

During his remarks, Abbott repeatedly name-dropped Trump as some in the crowd continued booing, prompting Democrats and Republicans to troll him on social media.

"Greg Abbott realizes that the only way to keep the MAGA crowd from booing him is to just keep saying, 'Donald J. Trump' over and over again. So he does," wrote attorney Rob Filipkowski.

"It was very awkward," Katrina Pierson—a spokesperson for Trump's 2016 campaign—wrote.

Trump endorsed Abbott last June, praising him as a "fighter and a great governor for the incredible people of Texas."

Despite Trump's support, Abbott's opponents in the GOP primary have accused him of not being sufficiently conservative. He faces challengers from the state GOP's former chair Allen West and ex-State Senator Don Huffines.

While speaking at the Conservative Political Action Conference in July 2021, Huffines accused Abbott of being a "RINO" who failed to adequately respond to border crossings.

"We don't have a Donald Trump as governor. We don't have a Ron DeSantis as governor. We don't have a William B. Travis as governor. Unfortunately we've got a career politician that's a political windsock, a RINO," he said.

Meanwhile, West has condemned Abbott's response to the COVID-19 pandemic, accusing him of being too "heavy-handed."

"We're not a constitutional monarchy. We are not to be ruled. We're supposed to be governed," West told WFAA in September 2020. "And so I am very concerned when we continue to see a litany of executive orders, mandates, decrees, and edicts that are handed down and they're not brought through the legislative process."

Despite the criticism from some on the right, Abbott still remains the favorite in the election, according to a new poll released Sunday. The Dallas Morning News-University of Texas Tyler poll found Abbott leading with 59 percent of the vote. West only received six percent, while Huffines received four percent.

Meanwhile, Abbott also remains the favorite in the general election, where he is expected to face off against Democrat Beto O'Rourke, according to the poll. O'Rourke, a former congressman representing El Paso, trailed him by 11 points.

Newsweek reached out to Abbott's office for comment Sunday afternoon. This story will be updated with any response.

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Administration News

Attorney General Ken Paxton Zeroes In On Louie Gohmert In A Crowded Field Of Challengers

By Daniel Friend

The Texan

Despite having multiple serious primary challengers since last summer, Attorney General Ken Paxton has campaigned for reelection touting his own merits while largely avoiding his opponents.

That changed in mid-January, though, when Paxton's campaign went on the offensive against one of his three Republican opponents: Congressman Louie Gohmert (R-TX-01).

Paxton reportedly launched a TV ad campaign and sent out mailers critical of Gohmert in East Texas, where the congressman has built a base of supporters throughout his political career over the past several decades.

In particular, the mailer highlighted Gohmert's missed votes during his time in Congress.

According to a report from GovTrack, which the mailer cites, Gohmert has missed 837 out of 11,507 votes, 7.3 percent of the total.

"An attack ad? To me, that's your record. If you voted certain ways, in opposition to Second Amendment or pro-life, stand behind your vote. Don't run from it and call it an attack," Paxton told The Texan when asked about the ads targeting Gohmert.

"It's a fact that he voted the way he did," said Paxton. "If I were him, I would have voted differently. I would've showed up for votes."

The offensive against Gohmert has also gone negative through digital sources as well, with the Paxton campaign posting ads on Facebook and Instagram claiming Gohmert "is not the conservative you think he is."

Asked why his campaign is highlighting Gohmert's record but not those of his other GOP opponents, Land Commissioner George P. Bush and former Texas Supreme Court Justice Eva Guzman, Paxton said, "Only because they don't have a voting record. He's got a voting record that we can actually look at."

"She's got a judicial record. It's not very good, but it's harder to show what that is. People don't understand opinions or law," said Paxton. "And the land commissioner — I don't really have anything to say other than, you know, he tried to give away the Alamo."

Since January 13, Paxton has spent between \$2,500 and \$3,000 on the digital ads attacking Gohmert. While 77 percent of the ads were shown to people located in Texas, a report from Facebook shows that another 16 percent and 7 percent reached audiences in Washington, D.C. and Virginia, respectively.

Paxton's advertisement on the platforms also calls attention to the endorsement the incumbent attorney general received from the former president.

"Who is Trump's pick for Texas Attorney General? Not Louie Gohmert," the ad reads.

Notably, during a recent Trump rally in Conroe, Trump reiterated his "complete and total" endorsement of Paxton.

But in highlighting members of Congress who were in attendance, Trump also called Gohmert a "wonderful guy," saying, "This is a man who's been a friend of mine from day one."

At the same time as his Facebook ad, Paxton also launched a campaign through Google with a video advertisement touting the attorney general's stance on border security and the endorsement from former President Donald Trump.

Though the video advertisement makes no mention of Gohmert, it, like the mailer and TV ad, targets viewers in East Texas.

The location where the Paxton campaign is targeting viewers with its video advertisement. Image from Google. Paxton has spent \$1,100 on the video advertisement, according to Google's Transparency Report.

On Gohmert's part, his campaign has run four text ads through Google in late January at the cost of \$1,300.

While the wording is slightly different in each, one sentence appears in all four: "Louie Gohmert will restore honesty and integrity to the office of Attorney General."

"If you want to know how things are going," Gohmert told The Texan in an interview, "look at who Paxton is attacking."

"He's not running attack ads against George P. Bush or Eva Guzman. He's running them against me because he's seen I'm the one that's gonna get him in a runoff. And then in the runoff, he's in trouble."

If no candidate in the March 1 primary election receives over 50 percent of the vote, the top two candidates in the race will move to a May runoff election.

With three challengers to Paxton — each of whom reported raising over a million dollars by the end of 2021 — there is a strong possibility that they could weigh down Paxton's incumbency advantage to pull him to a runoff.

Two polls from June and November 2021 showed Paxton in the lead at 42 percent and 46 percent, respectively, among GOP primary voters, while Land Commissioner George P. Bush followed in second at 34 percent and 32 percent, respectively.

Both polls were conducted before Gohmert entered the race, though, and his name was nowhere to be seen among the options.

"From what we saw before I got in, it looked like [Paxton] might even be able to win without a runoff," said Gohmert, adding that he is concerned the FBI "will probably wait until after the primary" and then indict Paxton because of an ongoing investigation.

In such a scenario, Gohmert argues that it would be too late to replace Paxton with a new nominee for attorney general, increasing the likelihood that Democrats win in the November general election.

Gohmert told *The Texan* that when he was first entering the race, polls that he saw placed Bush — who Gohmert says has “more name recognition than Gov. Abbott and Lt. Gov. Patrick” — nowhere past “17 or 18 percent.”

“And before I was even in, I was tied with him,” said Gohmert.

A new poll released by the Hobby School of Public Affairs, which was conducted in mid-January, shows that Gohmert and Bush are indeed competing for the runoff spot with Paxton should they succeed in keeping him from receiving half the vote.

The Hobby poll still showed Paxton with a solid lead at 39 percent among all GOP primary voters, with Bush and Gohmert following at 16 percent and 13 percent, respectively.

Among “almost certain primary voters,” though, Paxton’s polling increases to 44 percent, Gohmert’s polling is bumped up to 15 percent while Bush falls to 13 percent.

Another new poll conducted by the University of Texas at Tyler showed Paxton in the lead with 33 percent, Bush trailing at 19 percent, Gohmert with 9 percent, Guzman with 8 percent, and 33 percent undecided.

Asked if he was optimistic that he’d avoid a runoff, Paxton said he was.

“I think I’ve got a really good chance. I mean, you never know, but the numbers look good,” said Paxton. “I certainly wouldn’t trade with any of my opponents right now.”

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State News

Transgender Prisoner in Texas Denied Gender-Affirming Surgery, Lawyer Says

By Lauren McGaughy
Dallas Morning News

The U.S. Bureau of Prisons has denied a request from Cristina Iglesias, a transgender woman incarcerated in Texas, to become the first inmate in federal custody to receive gender-affirming surgery, her lawyers said.

Iglesias, 47, is serving a 20-year sentence for threatening to use a weapon of mass destruction against the British government. Last week, her lawyer said his client will not receive the surgery she has long requested before her scheduled release later this year.

“After years of fighting unnecessary hurdles and delays, Cristina has once again been denied the opportunity to get the care she needs and that the Constitution requires,” John Knight, director of the LGBTQ & HIV Project at the ACLU of Illinois, said in a statement.

The denial comes as the Biden administration takes steps to provide more accommodations for transgender inmates. Earlier this month, the federal prisons bureau released updated policies which reversed Trump-era guidance that required housing decisions to be made primarily based on “biological sex.”

The guidance also includes a new section on gender-affirming surgery, a topic that was not directly addressed in the previous policy. Inmates can request surgery after one year of mental health, medical and programming services, the guidance says.

But Knight said the prisons bureau’s approach to Iglesias’ case shows it is willing to “run out the clock” on transgender inmates seeking care.

“Such an approach is neither fair nor humane,” he said.

Iglesias is currently housed at the Federal Medical Center Carswell, a women’s prison in Fort Worth. Her case was filed in federal court in Illinois because she was previously housed in a facility there.

Iglesias has been asking that the prisons bureau approve her for gender-affirming surgery since 2016. In December, a federal judge ordered the agency to make a decision.

If the bureau decided to approve her for surgery, the judge asked that it notify the court by Jan. 26. If it decided to deny her request, the judge gave the bureau 10 additional days to provide the court with an explanation.

Since the Jan. 26 deadline passed without word, Iglesias’ lawyer said he assumes her request was denied even though he has not heard that directly from the bureau. On Friday, the bureau declined to comment on Iglesias’ case and directed *The News* to its new policies for transgender inmates.

medical care as appropriate,” Spokesman Donald Murphy said.

Knight said Iglesias’ lawyers will carefully review the reasons the bureau provides for denying her surgery, “and, following consultation with her, decide on our next steps.”

While no one has ever received gender-affirming surgery while in federal custody, the bureau approved another inmate for the procedure in October, according to court filings in Iglesias’ case. It is unclear when that person will receive the surgery, and the bureau did not answer questions about the prisoner’s identity, medical status or housing location, citing “privacy, safety and security reasons.”

About 1,200 federal inmates, less than 1% of the total population, identify as transgender, according to the U.S. Justice Department.

Inmates housed in state-run jails and prisons are not subject to the same rules as federal inmates. While they, too, can receive hormone therapy while in custody, the state of Texas requires prisoners to be housed in facilities according to the “physical anatomy.”

If the state prisons department determines a transgender inmate cannot be housed safely with other inmates, they may be housed individually, an agency spokesman said.

As of September, 1,608 transgender inmates out of a population of about 120,000 people were in all state-run jails and prisons in Texas.

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Education

School Closings Could Impact Upcoming Trustee Elections A New DMN/UT-Tyler Poll Finds

By Corbett Smith

Dallas Morning News

Republican strategists across the nation – including those in Texas – are turning their eyes to local school board races, hoping to leverage educational controversies surrounding mask mandates, objectionable books and racial equity efforts into wins for GOP-backed candidates in these non-partisan elections.

But, according to a new poll from The Dallas Morning News and the University of Texas at Tyler, a minority of Texans seem willing to alter their support for a school board member because of proactive health and safety measures taken during the COVID-19 pandemic.

A third of respondents in the poll said they would not – or would be less likely to – support the reelection of a school board member if their district temporarily suspended in-person instruction because of coronavirus cases in schools.

The News/UT-Tyler poll was conducted Jan. 18-25 with 1,082 registered voters from across the state. The poll has a margin of error of +/- 3.5 percentage points.

Jaime Hernandez, a 60-year-old Odessa resident, said that he believed school closures were not “productive in the long run” to control the spread of the virus, and that urgent educational needs of students should outweigh the rare chance of children becoming seriously ill from COVID-19.

“How seriously does this affect someone who’s not 65?” Hernandez said. “I just wish there’d be a little more information about the risks.”

Data from the U.S. Department of Health and Human Services, analyzed by the New York Times, show that those under 18 have the lowest risk of hospitalizations of any age group, ranging between 2.4 to 4.1 cases per 100,000 over the past month. Demographic data from the Centers for Disease Control and Prevention state that 1,200 children under 18 have died from the coronavirus, accounting for 0.1% of all COVID deaths.

School leaders, including Dallas’ Michael Hinojosa, have pledged to do their best to keep schools open as the Omicron variant drove cases to all-time highs over the past month. Learning losses suffered during the pandemic could result in trillions of dollars lost in lifetime earning potential if not rectified, said Texas Education Commissioner Mike Morath in October.

Even so, many school districts across the state have recently faced temporary closures, largely because of staffing or substitute shortages. Within the past two weeks, more than two dozen schools in the Dallas/Fort Worth area had unscheduled closures, including Mesquite, Mansfield, Northwest and Forney ISDs.

A little less than a third of poll respondents also said they would not – or would be less likely to – support an elected official if they backed a mask mandate.

Ashley Cosby, a 37-year-old from Nacogdoches County, said mask mandates have “gone on long enough, and that they should be over with.”

Answers broke largely on ideological lines, with 49% of Republicans saying they would be hesitant to support such a candidate, as opposed to 14% of Democrats.

The use of masks in schools has become a political flashpoint over the past two years, as state leaders and school administrators have tussled over who has the authority to implement them.

Last summer, Texas Gov. Greg Abbott issued an executive order prohibiting school districts and most other governmental entities from requiring masks. But dozens of school districts – including the Dallas, Richardson and Garland ISDs – started the 2021-22 school year in defiance of that order, citing the increase in COVID-19 cases in their communities.

Many of the state’s large urban school districts still have mask mandates in place, despite the threat of litigation by Texas Attorney General Ken Paxton.

In a recent speech at a charter school in Lewisville vowing the creation of a “parental bill of rights” amendment to the Texas Constitution, Abbott touted both his fight against mask requirements in schools and his push to get schools reopened quickly. These issues are part of a larger fight, Abbott said, over parental control in schools, including curriculum choices and health and safety protocols.

Republican lawmakers have leaned into making schools a political battleground. The GOP-controlled Legislature passed laws intending to target “critical race theory” last year. In recent months, some lawmakers have pushed for the removal of books and materials addressing race, gender and sexual identity from school libraries, items they have argued are “obscene” or inappropriate.

In December, the state’s Republican party launched an initiative aimed at assisting conservative candidates in nonpartisan school board and municipal elections.

“We expect voters to choose lower taxes and common-sense conservatism as opposed to the radical left-wing policies, limitless spending, and cronyism that traditionally accompany electing Democrats to those positions,” Texas GOP vice chair Cat Parks said during the launch.

Dax Gonzalez, the governmental relations spokesperson for the Texas Association of School Boards, said that this type of hyper-politicization in school board races “kind of goes in waves,” pointing to the battles over curriculum content in the 2000s as a recent example.

“I get emails a few times a week trying to link school board issues to broader national issues,” Gonzalez said. “I think we see this as a distraction ... trying to bring all this outside stuff into the classroom. And that takes the focus off kids.”

The largest issue Gonzalez says he hears from current trustees is teacher retention and recruitment.

“That’s a real issue, because it has a real impact on student achievement,” Gonzalez said. “And the pandemic has certainly worsened that.”

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– **Texas Students, Frustrated By Limited COVID-19 Protocols, Turn To Petition Drives And Walkouts**

By Brooke Park
Texas Tribune

For Texas high school students, keeping up with class work was hard enough before the pandemic.

But then the pandemic hit, and with it came debates over everything having to do with Texas schools. Masks or no masks? Will online classes be available?

Schools reopened last fall but are struggling to remain open in the midst of a coronavirus surge caused by the omicron variant. The semester has barely started, and so far, there have been 192,145 student COVID-19 cases and 61,142 staff cases, according to the Texas Education Agency. That appears to be the highest case level since the pandemic began in 2020, although the data collected by the state is often incomplete.

At the same time, there’s been a scaling back of coronavirus precautions, prompting many students to take action with petition drives and class walkouts.

For Jada Clerk, a freshman at William B. Travis High School in Fort Bend Independent School District, which includes Sugar Land and parts of Houston and Pearland, navigating crowded hallways among unmasked classmates is stressful.

“Sometimes I don’t even want to breathe,” said Clerk, who has asthma. “You can really feel people’s breath on you. That’s how close we were [in the hallway].”

Fort Bend ISD does not have a mask mandate in place and ended its virtual learning program for students at medical risk at the end of the fall semester. Travis High School recorded 16 students with COVID-19 out of around 3,000, according to the district’s online dashboard.

At Clerk’s school, she and more than 200 other students have signed a petition asking Fort Bend ISD to shut down schools during the

infection surge caused by the highly transmissible omicron variant. She is one of many students across the state and nation who are working together to push their districts to strengthen COVID-19 policies in schools.

Clerk wants to see her school take more action to protect students and faculty from the virus. Fort Bend ISD continued in-person classes even as record-breaking countywide positivity rates, which show the percentage of tests with positive results, pushed the area into the most severe COVID-19 threat level. However, the district does monitor COVID-19 levels at each school and will enact different precautions if case counts rise.

When Texas schools reopened after the winter break, the surge of omicron cases resulted in the highest number of COVID-19 cases in school districts since the pandemic began. But even these numbers are likely an undercount as some cases go unreported to the state and a fraction of districts report each week.

At other districts, like Round Rock ISD, north of Austin, students have staged walkouts as a way to bring attention to their requests for more pandemic precautions, like a stricter mask-wearing requirement. That has inspired other students to organize similar efforts, including in Garland.

Last week, the district northwest of Dallas recorded nearly 1,200 active student cases out of a student body of around 54,000. More than 200 staff members are out sick out of about 7,200, according to the district's COVID-19 dashboard.

For Fernando Alaniz, an 11th grade student at North Garland High School, coughs and sneezes also marked his return to classes, where he estimates most students do not wear masks.

Garland ISD's website says staff will self-screen students for COVID-19 symptoms and rapid tests will be available for symptomatic students on campus. However, teachers rarely direct students to the nurse's office as they sneeze and cough in class, often unmasked, Alaniz said. All he can do, he said, is try to scoot his desk away from his sick neighbors.

Three of his teachers are out sick, which Alaniz said makes learning difficult. Half of his eight teachers do not wear masks, he said.

The limited COVID-19 precautions, along with growing staff and student absences, have prompted him to protest for stronger health policies in schools. He wants to see another remote learning option, an enforced mask mandate and widespread COVID-19 testing, among other requests. As of Sunday evening, 770 people have signed a petition in support.

Garland ISD has not yet responded to the petition, he said. He is considering organizing walkouts similar to what Round Rock ISD saw last week if his efforts to talk to administrators fail.

Students leading the movement for increased COVID-19 protocols at Round Rock ISD have found more success after nearly 60 students walked out of two high schools two weeks ago to push for increased COVID-19 protocols. More than 1,800 students also signed a petition in support of the demands.

Students there want better enforcement of the district's mask requirement and a reintroduction of contact tracing at all schools, among other demands. If they can't get that, they want schools to offer online courses. District officials met with organizers Friday and agreed to provide more testing sites and high-quality masks, but Eliana Smith, one of the student protest organizers, said district officials disagreed with students' contention that it's not enforcing the mask requirement and declined to resume contact tracing at schools where it had been halted.

Jenny LaCoste-Caputo, Round Rock ISD's chief of public affairs and communications, said some of the students' demands are difficult to meet due to staffing and capacity issues. School districts across the state are grappling with staffing shortages as omicron sends large swaths of workers into quarantine.

LaCoste-Caputo pointed to the students' demand for contact tracing as an example. The district previously enacted a contact tracing program — in which schools contacted those who had come into contact with an infected person — but discontinued it for a majority of schools. She said the district could not find enough people to do the work.

Asmita Lehther, a senior at Round Rock High School, is one of the students leading the protests. She said schools, as they are now, are unsustainable environments for both students and teachers.

Tiernee Pitts, another student leading the Round Rock ISD protests, said it feels like she and other students are forced to come to school even when she goes through a whole school day with substitute teachers. That's why she and other students want an online course alternative or better COVID-19 precautions.

However, the Texas Education Agency now caps a school district's virtual enrollment at 10%.

Still, Round Rock ISD students want to see some alternatives.

"We could be doing more, and we're choosing not to [in order] to stay open, at any cost, and by any means necessary," said Pitts, a senior at Cedar Ridge High School. "It just feels like we're just being open while everything around us is falling down."

Several school districts near Round Rock ISD have closed temporarily because so many staff members are sick. Last week, teacher and

staff absences forced schools in Pflugerville ISD to close for a day.

Lehther, the Round Rock senior, said half of her English class was absent last week.

Without a virtual class option, students are forced to play catch-up when they return, Smith said.

Many students agree they would rather be in school to learn, but only if it is safe.

"We actually want to get out of this cyclic progression of having new variants and then a surge in cases and then hospitals get filled up, and we're still at school," Lehther said. "We need to do something to kind of end that."

Texas Attorney General Ken Paxton is suing Round Rock ISD for requiring masks to be worn in school because it violates Gov. Greg Abbott's ban against mask mandates. But Pitts said the mask mandate is unenforced at her school, and many students do not wear them.

The Round Rock student protest organizers blame what they see as inadequate COVID-19 policies from the governor, the state education agency and the Texas Legislature. However, they believe the district must work to remove politics from science and health for the sake of its students.

"I do think that though there is a majority of the blame on Abbott, [but] the school district still does have the choice to make the right decision, and to listen to us and meet with us and make compromises or meet some of our demands," said Smith, a senior at Cedar Ridge High School.

As students head into the third year of the pandemic, Smith recalls the experiences of virtual learning and the return to school.

"Over like last year, there was definitely a lot of isolation and feeling just completely alone," Smith said. "Then this year, we're back in person, but we're being forced to fight for the ability to stay in person through safe COVID precautions."

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Mentoring Program Helps Keep Central Texas Teachers Going

By Olivia Levada

Spectrum

The pandemic has proved to be a very tiring time for many teachers. The Lone Star State is fighting an ongoing battle with teacher shortages at schools and with the pandemic.

One Central Texas teacher shared how mentorship encouraged her to keep pushing forward. Lidia Valentin spent half her life in Mexico and the other half in the U.S.

Teaching is more than a career for her. She is on a mission.

"Helping my community and all their kids to be successful, that was my whole purpose," Valentin said.

Valentin is a bilingual kindergarten teacher at Harker Heights Elementary School. Right now, KISD needs 120 classroom teachers.

But even with pressure from the pandemic and the Texas teacher shortage, Valentin has managed to push forward. The first-year teacher says it's all thanks to Ms. Beatriz Molina, her mentor.

When Valentin was a student teacher, support from Molina was the reason she kept going.

"She was a perfect example for me, how to manage a classroom," Valentin said. "Thirty-one kids, it was not easy. And she did it really, really good."

Their bond is still strong.

"I have four kids, so any time I have, it's like alright let's review this because once I get home, it's hectic," Molina said. "And so she has to try and catch me, you know, whenever she can."

Acknowledging the importance of these relationships, A&M-Central Texas instructor Jamie Blassingame helped launch the university's Mentoring Academy in August. Blassingame partners with Central Texas school districts to get qualified teachers into the classrooms, but the goal of the academy is to train the mentors.

"We need our veteran teachers, our strong classroom teachers, to teach our new teachers, to show them," Blassingame said. "But not only that, but [also] to make them feel like they are part of a great profession."

Spectrum News 1 reached out to Killeen ISD to learn more about their teacher shortage and needs right now.

We received this response from Taina Maya, Chief Communications & Marketing Officer:

How many teachers does KISD need right now?

The district needs 120 classroom teachers for the current school year; however, this does not mean 120 classrooms have students without a teacher. We have applied for class-size waiver requests which allows us to move students to another class with a certified teacher. In other cases, there could be a long-term sub/teacher working on their alternative certification serving the students.

How many teachers have resigned or retired this school year?

We have accepted 250 notifications which include military orders, resignation and retirements. This is not an unusual number for our size district especially with our proximity to Fort Hood. The majority of these teachers will work through the end of May and have given us ample time to hire their replacement for the 2022-2023 school year.

What is the district's turnover rate?

According to the 2020-21 TAPR, the turnover rate was 16.5% last year. This data is not yet available for the current school year.

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Energy

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As Crypto Floods Texas, High Energy Use Draws Scrutiny From Congress

By James Osborne

Houston Chronicle

By design, exactly 900 bitcoins are mined each day - a number that decreases every four years until there are no more bitcoins left to be found.

The job of mining the dwindling reserve falls to powerful computers, which plug in number after number until they come up with the correct 64-digit sequence. To beat out other miners doing exactly the same thing requires not only fleets of increasingly fast computers but huge amounts of energy to run them.

From wind farms in West Texas to an old coal plant outside Austin, crypto miners are flooding into Texas take advantage of some of the cheapest power in the country and positioning the state to become the state's crypto mining leader. But the accompanying surge in energy consumption is drawing scrutiny from Congress when the world is trying to not only clean up its energy system but also reduce demand to fight climate change.

At a hearing this month before the House Energy and Commerce Committee, the chairman, Rep. Frank Pallone, D-N.J., questioned the sustainability of crypto mining's business model.

"One estimate found that the energy required to process (one) transaction on the bitcoin network could power a home for more than 70 days," Pallone said. "Last year, there were hundreds of thousands of transactions on this network. Just imagine the climate implications."

A recent study by scientists at Cambridge University found crypto mining operations globally consume 135 terawatt hours of electricity per year, more than the entire country of Argentina.

The majority of that electricity comes from hydroelectric dams and coal and natural gas plants, the scientists found. In Texas, for instance, the crypto mining firm Riot Blockchain is operating at an old aluminum processing site in Rockdale that runs on its own coal-fired power plant.

Advocates for the U.S. cryptocurrency industry say they are being unfairly targeted pointing out that most industries still rely on fossil fuels - a necessity on a power grid that remains reliant on coal and natural gas.

"If you compare that to what gold spends on energy consumption, or banks and all that infrastructure, we're not that bad," said Howard Greenberg, president of the American Blockchain and Cryptocurrency Association. "We use the same amount of energy as Christmas lights, and I never hear anybody complain about that."

In Texas, so far, crypto miners are being met with open arms. The Texas Legislature last year passed a bill creating a task force to aid the development of the cryptocurrency industry in Texas, with Governor Greg Abbott writing on Twitter, "It's happening. Texas will be the crypto leader."

That along with the state's cheap power prices are attracting crypto mining firms from around the world, most of which were forced to look for new homes after the Chinese government banned cryptocurrency last year.

EZ Blockchain, a Chicago firm, has proposed setting up mobile computer rigs in Texas's oil and gas fields, powering their mining operations with natural gas that would otherwise be flared.

Marathon Digital, based in Las Vegas, announced last month it was installing more than 100,000 bitcoin mining computers around Texas, primarily adjacent to wind and solar farms in West Texas.

“This industry has transformed over the last year since China shut down mining,” said Charlie Schumacher, director of corporate communications at Marathon. “The U.S. is unique because we have excess power here and we have a friendly regulatory environment. But we’ve gone through this transition so quickly it’s raised a lot of questions.”

Even as some crypto companies make strides to employ clean energy for their operations and reduce their energy consumption by using more efficient equipment, the sheer scale of their energy demand is giving many pause.

And as new miners flood the industry, there’s little sign of a slowdown. Electricity consumption for mining bitcoin, the most popular crypto currency, has almost doubled over the last two years, according to the Cambridge scientists.

“We’re making all these great strides to decarbonize and reduce our energy use and now were promoting this incredibly energy intensive new industry and wiping out any climate gains were struggling to make,” said Luke Metzger, executive director of Environment Texas, an activist group. “It seems very wasteful and not what we need right now.”

How much energy crypto requires in the future is anyone’s guess. Miners only mine when it is profitable to do so, and with a single Bitcoin currently selling for more than \$37,000, the incentives are high. But should bitcoin prices come crashing down - as they did in November - then miners would have to reassess.

“At some point it’s not economic,” Schumacher said. “The majority of bitcoins that will ever exist are already out in circulation. We’re all going after the last two million.”

Under bitcoin’s algorithm, the last coin should be mined in 2140, he said.

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Immigration/Border Security

Fact-Check: Do Unauthorized Immigrants Have 'Easier Access' To Health Care, Ballot?

By Nusaiba Mizan

Austin American Statesman

U.S. Rep. Ronny Jackson, R-Amarillo, who is running for reelection in Texas' 13th Congressional District, made a surprising claim regarding unauthorized immigrants on Twitter and garnered more than 6,000 replies.

Jackson tweeted on Jan. 16: "In 2022, illegal immigrants will have MORE FREEDOMS and easier access to healthcare and ballot boxes than most Americans... Just think about that."

Jackson's office did not respond to our calls and emails for Jackson's source. So we went ahead and took a look at the two aspects of his claim: unauthorized immigrants' access to the ballot and their access to health care.

Is it true immigrants living in the U.S. illegally have "more freedoms" and easier access to health care and the ballot box compared to most Americans?

No ballot access for unauthorized immigrants

Immigrants lacking legal authorization to live in the U.S. cannot vote in federal and state elections, said Matthew Weil, director of the Washington-based Bipartisan Policy Center's Elections Project. The project explores and analyzes voter legislation to ultimately inform policy makers.

Almost all localities in the U.S., and all in Texas, limit elections to citizens. Even in the small handful of localities where non-citizens can vote in local elections, those localities only allow lawfully present noncitizens to vote.

Weil noted New York City is one example of the few localities that allow noncitizens to vote in local elections. New York City allows Deferred Action for Childhood Arrivals holders but not all unauthorized immigrants to vote, as reported by the Associated Press in early January. There are no circumstances where noncitizens can vote in federal elections.

"I don't know of any jurisdiction that allows somebody who's here undocumented to access the ballot box," Weil said.

There are an estimated 1.7 million people lacking legal immigration status in Texas, according to 2019 estimates by the Migration Policy Institute, a nonpartisan policy research institution. More than 20% of them, according to the institute, have been in the U.S. for 20 or more years.

Virtually no health care coverage from federal programs

Unauthorized immigrants are barred from federal health care programs, said Anne Dunkelberg, associate director at Every Texan, an Austin-based nonpartisan policy institute. This includes Medicare, Medicaid, the Children's Health Insurance Program, and coverage through the Affordable Care Act marketplace.

TX-SOS-22-0336-B-000020

Based on policy research, Every Texan advocates for Texas to expand Medicaid under the Affordable Care Act, which all but 12 states have done. That expansion would not include immigrants living in the U.S. illegally

Dunkelberg said there is an exception where providers can recoup the cost of treating an unauthorized immigrant in an emergency situation. Even that emergency funding for providers is subject to the same restrictions as for Medicaid in Texas for adult citizens.

"And so hospital emergency rooms can't turn away people with real emergencies, regardless of whether they're uninsured, regardless of what their immigration status is. They have to treat you in real emergencies," Dunkelberg said. "So that's why there is a provision back for emergency room visits by a very limited number of undocumented immigrants, not even all of them."

Unauthorized immigrants have access to some state and local health programs, which can be funded by federal grants. This patchwork of programs addresses some aspects of wellbeing like mental health, immunizations, and communicable disease.

However, these programs are not health care coverage, Dunkelberg said. That care isn't free, and in many cases program costs work on a sliding scale. Those programs are available to citizens, too.

Locally, counties can opt to serve uninsured immigrants living in the U.S. illegally through medical assistance programs. The uninsured people seeking care have to meet specific income requirements. Dunkelberg said most of Texas' major urban counties opt to provide care to uninsured unauthorized immigrants.

States also have the option of providing prenatal care to women regardless of immigration status through the Children's Health Insurance Program, said Ruth Wasem, professor of public policy practice at the LBJ School of Public Affairs at the University of Texas. Wasem said this option was created under former president George W. Bush.

Texas is one such state that opts for the CHIP perinatal program (prenatal, delivery, and postpartum care) for unauthorized immigrants.

Even with limited emergency Medicaid, it's a stretch to say unauthorized immigrants have "easier access" compared to most Americans.

"There is no aspect of that that is in any way superior to the access for U.S. citizens," Dunkelberg said.

Though Jackson led the White House Medical Unit as Physician to the President in the Obama and Trump administrations, he seems off the mark about health care.

Our ruling

Rep. Ronny Jackson tweeted "In 2022, illegal immigrants will have MORE FREEDOMS and easier access to healthcare and ballot boxes than most Americans... Just think about that."

Unauthorized immigrants don't have access to the ballot for federal, state, and almost all local elections. Though immigrants can have access to some medical assistance programs depending on where they live, they also do not qualify for any health insurance coverage with any federal dollars. They do not qualify for Affordable Care Act marketplace coverage even if they pay costs without ACA subsidy.

We rate this claim as Pants on Fire.

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Criminal Justice

DPS: West Texas Deputy Killed In Loving County Crash Saturday

By Chris Whited
KAMC

A deputy with the Loving County Sheriff's Office was killed in a two-vehicle crash Saturday afternoon, according to the Texas Department of Public Safety.

The crash was reported around 4:30 p.m. one mile west of Mentone on State Highway 302.

According to DPS, Deputy Lorin Readmond, 41, was traveling to assist another deputy on a traffic stop when her vehicle collided with a semi-truck.

Both vehicles were traveling eastbound on State Highway 302 at the time of the crash. The deputy's lights and siren were activated on her patrol vehicle, DPS said.

Deputy Readmond was pronounced deceased at the scene by Loving County Justice of the Peace Amber King.

The Loving County Sheriff's Office released a statement on Sunday that was provided to EverythingLubbock.com by the DPS.

It is with great sadness the Loving County Sheriff's Office announces the death of Deputy Lorin Readmond.

Last night, 1/29/22, at approximately 4:30 p.m., Deputy Readmond was dispatched to assist another deputy and attempted to respond when she was involved in a traffic crash with truck tractor semi-trailer. Deputy Readmond was pronounced deceased at the scene.

Deputy Readmond, 41 joined the Loving County Sheriff's office in April 2019. In addition, Deputy Readmond also served as a Reserve Deputy with the Hudspeth County Sheriff's Office since September 2015.

Deputy Lorin Readmond was a Chief Petty Officer in the United States Navy Reserve where she served as an Intelligence Specialist from 2006 until 2018.

The Texas Highway Patrol is investigating this crash and no additional information are available at this time.

Our thoughts and prayers are with the Loving County Sheriff's Office and the family of Deputy Readmond. Deputy Readmond's dedication and service will never be forgotten.

The two occupants inside the semi-truck were not injured.

The crash is under investigation by the Texas Highway Patrol's West Texas Region District Crash Team.

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National News

Trump's Texas Trip Illustrates His Upsides And Downsides For Republicans And Their Midterm Hopes

By Tyler Pager
Washington Post

Former president Donald Trump on Saturday night delivered the exact message some Republicans have been eager to hear: President Biden and the Democratic Party are incompetent, and Republicans need to turn out to vote in the midterm elections to take back majorities in Congress.

But that was only a slice of Trump's pitch during his campaign rally 40 miles north of Houston.

The former president also dangled pardons for Jan. 6 rioters and urged his throngs of supporters to descend on New York, Washington or Atlanta for street protests if he is convicted of crimes in ongoing investigations, intimations of support for violence that within hours prompted questions to other Republicans about where they stood. As he spoke approvingly of the violent effort to overthrow the 2020 election, Trump also spent most of his speech complaining, falsely, that the election was stolen from him, a line of argument that Republicans have publicly urged him to drop.

Trump may be out of office, and not yet an official candidate for president in 2024, but he still represents a conundrum for his party. The former president retains an unchallenged grip over the base of the party. In most states, separation from Trump's desires and policies is a sure path to defeat in a Republican primary and risks lower GOP turnout in a general election.

But Trump's continued effort to downplay the events of Jan. 6 while stoking agitation for future violence risks alienating the independent and moderate voters Republicans desperately need and think they are set to gain in November.

Trump's suggestion of protests related to investigations into him represented his fiercest attempt yet to rally public opinion on the probes to his side.

"If these radical, vicious, racist prosecutors do anything wrong or illegal, I hope we are going to have in this country the biggest protest we have ever had in Washington, D.C., in New York, in Atlanta and elsewhere because our country and our elections are corrupt," he said, ticking off cities in which his business or presidential behavior is under investigation.

The three prosecutors investigating Trump — New York Attorney General Letitia James, Manhattan District Attorney Alvin Bragg and Fulton County District Attorney Fani Willis — are Black.

For Texas Gov. Greg Abbott (R), who is facing a primary challenge from the right on March 1, the challenge was on full display here. In a less than six-minute speech before the former president took the stage, Abbott said Trump's name more than two dozen times. And still, he was greeted with scattered boos and chants of "RINO" — Republican in name only — as some voters expressed their view that he has not sufficiently implemented Trump's agenda, particularly on immigration.

Calen Wall, a volunteer for one of Abbott's Republican challengers, Don Huffines, was among those who booed Abbott, faulting him for not taking stronger action on the border.

"Abbott is finally being primaried by a true conservative," said Wall, 40, of Arlington, Tex. "It's an election year, so Abbott is doing everything Huffines has been saying he would do."

On Sunday morning, just hours after Trump raised the prospect of pardoning those charged in the Jan. 6 insurrection, other Republican candidates were faced with the fallout of his remarks. New Hampshire Gov. Chris Sununu, who disappointed Republicans by eschewing a Senate campaign to run for reelection but who is believed to have White House aspirations, said pardons for the Capitol rioters should not be considered.

“Look, the folks that were part of the riots and, frankly, the assault on the U.S. Capitol have to be held accountable,” he said Sunday morning on CNN. “There’s a rule of law. I don’t care whether you were part of the burning — burning cities in antifa in 2020, you were storming the Capitol in 2021. Everybody needs to be held fairly accountable ... That’s part of leadership.”

Sen. Lindsey O. Graham (R-S.C.), speaking on CBS, called Trump’s pardon remarks “inappropriate.”

“I don’t want to send any signal that it was okay to defile our Capitol,” he said. “I want to deter people who did that on Jan. 6. ... I hope they go to jail and get the book thrown at them because they deserve it.”

The scene outside the U.S. Capitol after Trump supporters breached the building on Jan. 6, 2021. (Bonnie Jo Mount/The Washington Post)

At his rallies in the past, Trump has not always delivered the enthusiastic endorsement of Republican candidates that many in his party desire. He will mention candidates who have his “complete and total” support, but he often spends most of his time airing grievances and riling up his base.

On Saturday night, he gave lengthy shout-outs to the tribe of Republican officials who joined him at the rally and laid out the party’s midterm argument. He denounced Biden’s handling of foreign policy from Afghanistan to Russia to China. He questioned the president’s mental acuity, challenging him to take a cognitive test. He blamed Democrats for inflation and attacked vaccine and mask mandates. And on immigration, one of the most salient issues for Republicans in Texas, Trump said that “Biden’s complete abdication of duty is getting untold numbers of Americans killed.”

He also bragged about his handling of foreign policy matters, his work on the border and his administration’s efforts to create coronavirus vaccines.

But for as much time as Trump spent critiquing Biden, he spent more on personal grievances. He delivered a detailed critique of the New York investigation into his finances, suggesting Hillary Clinton’s allies were behind the effort. He called those investigating him “racist” and “mentally sick.”

In New York, the attorney general and Manhattan district attorney are investigating the Trump Organization’s finances. In Washington, a House select committee is investigating the Jan. 6 insurrection, with a focus on Trump’s role in encouraging the assault. And in Fulton County, Ga., the district attorney investigating Trump’s efforts to overturn the election was just granted her request to impanel a special grand jury.

“In reality, they’re not after me, they’re after you, and I just happen to be the person in the way,” Trump said of the investigations into him.

Trump’s words were immediately injected into the Republican bloodstream. At a rally in Mason, Ohio, for U.S. Senate candidate J.D. Vance on Sunday, Rep. Marjorie Taylor Greene (R-Ga.) asked the crowd if they had heard what Trump had said about the Jan. 6 defendants.

“He told them he’s going to make sure they’re treated right, and he wants to pardon them,” Greene said, to a round of applause. “People should not be treated like political prisoners when they have not even had a day in court.”

Vance denounced the treatment of the defendants but did not comment on the pardon idea. Some of the estimated 200 people at the rally agreed with Trump and Greene, saying that the Jan. 6 defendants had been treated horribly.

Asked about Trump’s comments, Dave Carney, a top political adviser to Abbott, said Trump is an unquestionable asset for Republicans including Abbott. He cited the former president’s popularity in Texas.

“Overall it was an excellent event for everyone involved,” he said. “Folks should worry about their own campaigns and let Trump be Trump. I don’t know why smart people think they can dictate to him. He has been successful. He wiped out 17 other folks. He crushed Hillary Clinton, and sometimes smart people spend too much time thinking about what he should say. Most people agreed with the president on the vast majority of things. Nobody agrees with someone 100 percent of the time.”

But Rick Wilson, a co-founder of the anti-Trump Lincoln Project, said most Americans are not interested in re-litigating the 2020 election or downplaying the violence on Jan. 6. While those talking points may be “good for clicks and raising money,” he said they are “bad for the Republican Party.”

“If you want to rev up the turnout in the midterms, you need to have your base jacked up. It’s a real conundrum for McConnell and McCarthy. You want the enthusiasm but not the poison,” he said, referring to Senate Minority Leader Mitch McConnell (R-Ky.) and House Minority Leader Kevin McCarthy (R-Calif.).

But for those who flocked to the Montgomery County Fairgrounds to wait hours for Trump, the speech hit all the right notes.

“Tonight was fabulous,” said Cathie Pina, a 59-year-old nurse from Willis, Tex. “To be around people that are like-minded, that are patriots, that love our country.”

Pina, who attended her first Trump rally and brought along her 18-year-old daughter, praised the former president for wanting to restore “Judeo-Christian beliefs.” She slammed Biden as “corrupt” and “demented,” arguing it was “elder abuse to put that man in the spotlight.”

Dawn Rolen, a flight attendant from Waxahachie, Tex., called Trump “my president” and lavished praise on him.

“I’m a Republican, but it’s not about the left and the right anymore,” said Rolen, 54. “It’s about good and evil. Trump is good, and the liberals, I don’t know what the hell happened to them. They are out of their mind.”

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Opinion/Editorial

Analysis: The Blurry Line Between Government And Political Campaigns In Texas

By Ross Ramsey

Texas Tribune

If you’re having a hard time telling where government work stops and campaign work begins, which announcements are political and which ones are civic, which ones are paid for by political donors and which are financed by Texas taxpayers, it’s because there is often no difference between the two.

The top three Republican incumbents on the ballot have each amped up their campaigns and their official efforts as the elections approach, with the political and government offices running in parallel, reinforcing the campaigns’ themes.

For instance, Lt. Gov. Dan Patrick rolled out a campaign ad touting his hard-line position on immigration and border security. At about the same time, under his state letterhead, he announced the formation of a new Senate Committee on Border Security.

“Public safety is government’s first responsibility and there is no greater threat to public safety in Texas right now than the failed, open-border policies of the Biden Administration,” he said in that news release. Pretty close to what he says in the TV ads for his campaign: “Texas must secure the border because Biden and his administration won’t. And we must stop those here illegally from voting.”

Gov. Greg Abbott held another news conference on the U.S. side of the border — it’s hard to keep count of these things — this time accompanied by a dozen Republican attorneys general, to excoriate the administration’s handling of border security and immigration. Can you guess what ads his campaign is running? They’re about what the campaign sees as the Biden administration’s failures at the border and about Abbott’s endorsement by the union that represents many Border Patrol officers.

Attorney General Ken Paxton’s official press releases are written in the overblown rhetoric of closely fought Republican primary races — like the one he’s in the middle of right this minute.

“The Biden Administration has sown nothing but disaster for our country through its illegal, unconstitutional immigration policies,” Paxton said under government letterhead on Friday morning. “Biden’s latest round of flagrant law-breaking includes his Central American Minors Program, which has contributed significantly to many states being forced to take in even more aliens. My fellow attorneys general and I are suing to stop it.”

His ad echoes that language.

Texas has laws against using public employees and state resources for campaigning. There is a regular seasonal cycle of top state employees of elected officials moving to their bosses’ campaign offices a few months before an election, then moving back into their state jobs after a win. They’re careful to use state phones and computers for one job, campaign equipment for the other.

The fuzzy part is in the work they do, no matter where they are, and how it melds the political work of campaigning with the work of governing. The messages might well be the same, maybe even legitimately in harmony. Someone campaigning for better border security might genuinely want it, and might be saying the same thing in their state job.

But the complaints about what’s happening on the border, while directed at the federal government, might as well be directed at the state officials talking about state-based solutions who haven’t been able to solve the problem. In the case of Abbott, Patrick and Paxton, that’s seven years and counting, through Republican and Democratic administrations in Washington, D.C. Their campaigns might as well be directing fire at the incumbents they’re trying to reelect.

If the campaign pitch is that they should be reelected because they want border security fixed, it suggests they’ve been sitting on their hands for all those years — spending billions in taxpayer money, dispatching state police and National Guard troops, rounding up migrants they can accuse of breaking other laws, squalling at and suing the federal government.

It’s a case of politicians listening to Texans’ concerns without solving their problems. Texas voters, and Republican Texas voters in particular, have had border security and immigration atop their lists of most important problems facing the state for more than a decade,

according to dozens of University of Texas/Texas Tribune Polls.

They're still waiting for the government folks to do what the politicians promise every election cycle.

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Grumet: Where's Abbott's Campaign Pledge To Help Foster Kids?

By Bridget Grumet

Austin American Statesman

Gov. Greg Abbott has been firing off a flurry of campaign promises lately.

A Compact with Texas Seniors, unveiled Jan. 13 in Georgetown.

A Taxpayer Bill of Rights, unveiled Jan. 17 in Atascocita.

And the one you've probably heard the most about, a Parental Bill of Rights, announced Jan. 20 in Lewisville, capitalizing on the manufactured controversies over school library books and history lesson plans.

Apart from announcing a modest workforce training program, however, Abbott hasn't provided any assurances this month to the Texans most dearly and directly entrusted to the state's care: foster children.

The appalling conditions for some foster kids are back in the headlines after federal court-appointed monitors issued a new report on the temporary facilities for kids who don't have a foster home.

The Department of Family and Protective Services is caught in a terrible loop: Unsafe foster care facilities have been closing, a good thing, but now Texas is scrambling to find other places to send children who have been removed from their homes. The result: a sharp uptick in the use of unlicensed or stop-gap facilities, some of which appear to be wholly unfit as well.

U.S. District Judge Janis Jack, who is overseeing a decadelong class-action lawsuit over Texas' battered foster care system, lamented at a Jan. 11 court hearing: "We're just going from bad to worse."

The monitors' 56-page report is a devastating read. It describes "children's rooms (that) resembled juvenile cells." It describes another group home next to a block of abandoned houses with graffitied walls, missing doors and shattered windows. It describes facilities that fail to give children their medication, or fail to keep medication logs at all. It describes a 15-year-old who was moved 16 times, from one facility to the next, over the span of three months. It describes teens being shuttled to facilities in Arkansas or Michigan because no foster home in Texas had an opening for them.

It all seems a million miles away from the children's issues animating Abbott lately: the pearl-clutching over LGBTQ-friendly library books and the angst that parents are supposedly seeing "their roles in the classroom diminish."

Abbott's Parental Bill of Rights says parents should have the right to see all school instructional materials (something the state education code already ensures), presumably so they can object to any lessons that don't align with their values.

Meanwhile, at one of the overflow foster care facilities Texas uses in Michigan, the program handbook scolds traumatized foster kids as if they are juvenile delinquents. "You can look at the issues in your life that have put you into this situation and make a decision to change the thoughts that lead to negative behaviors," the handbook says. "It is these negative behaviors that led you here in the first place."

Abbott's Parental Bill of Rights calls for a state constitutional amendment enshrining the obvious: "Parents are the main decision makers in all matters involving their minor children."

Meanwhile, Texas' foster care system often fails to provide essential services that could help children stay with their parents. Since 2017, the monitors' report said, Texas parents have relinquished custody of 4,661 children — making a heart-wrenching decision to send their own kids into the foster care system — because they could not get the mental or behavioral health support the kids needed.

Abbott's Parental Bill of Rights says parents should be notified of their rights to send their children to charter schools, magnet schools or schools in other districts — information parents can already access.

Meanwhile, at least 99 Texas foster kids were shuttled to out-of-state facilities last year without any say in the matter, owing to the lack of foster care options here. The distance made it harder for case workers to connect with them or to notice signs of trouble. After visiting Texas teens at a Michigan facility and hearing about the extreme use of restraints there, the monitors reported five separate complaints to that state's child abuse hotline.

A panel of experts issued about two dozen recommendations this month to improve the foster care system, some of which would require more money from the state. Ultimately, those funding decisions rest with Abbott and lawmakers.

placement of youths with extraordinary needs. As much as anything, though, foster kids suffer for their political invisibility. They aren't a courted constituency like seniors, taxpayers and culture warriors.

But a governor who invokes family values and an abiding respect for life, as Abbott does, should be the first to fight for foster kids, too.

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Greg Abbott News

Abbott Support Remains Solid On Border Issues, But Costs Of Wall Aren't Popular, Says New Poll

By Dianne Solis

Dallas Morning News

Thirty-six percent of Texas registered voters say it is reasonable to spend \$20 million per mile in state funds to extend the border wall with Mexico, while 27% say it is wasteful, according to a new poll.

Another 25% of respondents to the poll of 1,082 registered voters said money “could be spent better on technology” at the border.

Overall, the new poll by The Dallas Morning News and the University of Texas at Tyler shows support for Abbott’s policies are nuanced. Support deepened slightly for Gov. Greg Abbott’s overall immigration policies at the border, but weakened slightly on whether a wall is “necessary for a safe border” to 48%, compared to 50% in November.

Among Latino registered voters, 47% disagreed or strongly disagreed that a wall is needed at the border.

The poll was conducted Jan. 18-25 in English and Spanish. It has a margin of error of plus or minus 3.5 percentage points. Results come as the Republican governor faces primary opponents in March who argue that he has not been tough enough in stemming the flow of migrants across the border.

Abbott has poured hundreds of millions in state money to beef up border security, including by sending DPS troops and the national guard to the Rio Grande. His policies are also seen as an effort to bolster his conservative credentials in a state polarized over whether toughness, compassion or financial practicality is needed on immigration.

Some 52% of polled registered voters approve of Abbott’s border policies – up from 49% in November and 47% in the September Dallas Morning News poll. Among Latinos, 45% gave Abbott an approval rating on his handling of immigration issues, but only 37% gave Biden a thumbs up on immigration. Latinos make up about a quarter of registered voters and are increasingly courted by Republicans.

Larger percentages of registered voters believed strengthening the electricity grid or reducing the coronavirus infections was more important than an effort to “secure the Texas-Mexico border.” But among Republicans polled, securing the Texas-Mexico border ranked higher than reducing coronavirus infections or strengthening the electricity grid.

“While it’s a rewarding strategy for Governor Abbott, right now and with Republicans, there’s a limitation,” said Mark Owens, the UT-Tyler pollster. “It’s not going to get him a higher percentage of the electorate when people think about the most important issue.”

Overall approval of Abbott’s border policies remains solid over the last three Dallas Morning News polls. “It is an improvement,” Owens said, but “within the margin of error.”

When registered voters are asked to analyze the costs of the border wall, approval weakens on the wall, noted Mark P. Jones, a political scientist at Rice University in Houston.

“When people are presented with the actual costs, and instead of supporting or opposing have to make a decision have to evaluate that expenditure,” said Jones, “the level of support is lower.”

The Rice University professor noted that when “wasteful” and “could be spent better on technology” responses are combined, 52% of poll respondents appear to be looking for an option other than spending \$20 million per mile on a border wall. “The majority do not think that spending is reasonable,” Jones said.

Latinos’ support on the border wall softens compared to that of white registered voters in other polling, too, noted Jones, who also works with the nonpartisan Texas Hispanic Policy Foundation. “The wall has consistently been the least popular among Latinos,” Jones said. “This poll reinforces that.”

“The more the wall’s publicized, the worse he’s going to get among Latino voters,” said Jones.

The poll also shows that 54% supported the use of state funds to deploy the National Guard and the DPS “to patrol the border.” But in November, 59% voiced support on the same question.

Abbott’s policies have included arresting migrants on the state charge of property trespassing under a controversial measure called Operation Lone Star. Support for Abbott stiffened even as political challengers such as Republican Allen West and Democrat Beto O’Rourke have blasted the mission. Adding to the alarm has been a string of suicides by soldiers, first reported by the Army Times.

Immigration at the border polarizes people, said Jeronimo Cortina, a political scientist at the University of Houston. Cortina noted stark differences between Democrats and Republicans on Abbott’s handling of immigration at the U.S.-Mexico border. Only 27% of Democrats approved of Abbott on that issue, versus 80% among Republicans.

“Immigration has been, historically, used as a campaign issue since the 1800s, and allows you to rally your base depending on what side of the aisle you are,” said Cortina, who has studied historical floor debates on the issue.

“Just put the text without any reference to the date. You would think that that debate happened a week ago and in reality happened hundreds of years ago,” the University of Houston professor said.

Support for the wall softens the closer those polled are to the U.S.-Mexico border, Cortina said. Add the dollar amount per mile, as the poll did, and there’s further weakening, he said.

“The closer you are, regardless of partisanship, you are less likely to support the wall,” Cortina said. “And why? Because the individuals living at the border experience the reality of the border, and they understand how and how not the wall can be useful.”

The Texas poll also found that:

One year after a devastating freeze hit Texas, resulting in the deaths of nearly 250 people, 50% of those polled said strengthening the electricity grid should be a higher priority than an effort “to secure the border.” The freeze overwhelmed the Texas electricity grid. About 41% said the Texas-Mexico border should be secured.

And 52% said a “higher priority” should be given to reduce coronavirus infections, as opposed to 42% who chose “to secure” the Texas-Mexico border.

Those immigrants who call themselves “Dreamers” strengthened support among registered voters polled: 51% said they supported or strongly supported granting permanent legal status to immigrants who came to the U.S. as children. In November’s poll, support was 48%, but in September support was 51%.

Under a program called Deferred Action for Childhood Arrivals, or DACA, beneficiaries often called Dreamers must have been brought to the U.S. by a parent or guardian before the age of 16 and come either unlawfully or overstayed lawful visas.

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Texas Gov. Greg Abbott Claims Mexican Cartels Are Using TikTok To Recruit Smugglers

By Morgan Keith
Business Insider

During a border security briefing on Thursday, Texas Gov. Greg Abbott alleged that TikTok is promoting human trafficking in Texas and harshly criticized the Biden administration's response.

"Cartels in Mexico are using TikTok to advertise, to recruit smugglers in Texas, in San Antonio, Houston, and other cities in Texas and maybe some other states, to advertise for smugglers, for pay, for them to smuggle people here in Texas, which would include victims of human trafficking," Abbott said.

The Republican governor suggested that an injunction similar to the one used to shut down Backpage.com — a now-defunct classified advertising website that was used to facilitate prostitution and child sex trafficking — could be used against the social media platform.

"TikTok should be ashamed, condemned, and have a legal action brought against it for promoting human trafficking in Texas and the United States of America," Abbott claimed.

Attorneys general from twelve conservative states attended the briefing, including Oklahoma, Utah, Missouri, and West Virginia.

Insider has reached out to Abbott and representatives of TikTok for comment.

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Video Shows Trump Rally-Goers In Texas Booing 'RINO' Governor Greg Abbott

By Andrew Stanton

Newsweek

Video posted to social media showed rally-goers boo Texas Governor Greg Abbott as he took the stage at former President Donald Trump's rally Saturday night.

Abbott, who has served as Texas' governor since 2015, aligned himself with the former president, enacting several conservative policies in Texas throughout his tenure and receiving Trump's endorsement for his re-election later this year.

But that didn't stop some Trump supporters from booing the governor as he was announced as a speaker during the Texas rally. Several attendees could be heard lobbing insults at the governor, including "Abbott sucks" and "You're a RINO," referring to the phrase "Republican in name only."

During his remarks, Abbott repeatedly name-dropped Trump as some in the crowd continued booing, prompting Democrats and Republicans to troll him on social media.

"Greg Abbott realizes that the only way to keep the MAGA crowd from booing him is to just keep saying, 'Donald J. Trump' over and over again. So he does," wrote attorney Rob Filipkowski.

"It was very awkward," Katrina Pierson—a spokesperson for Trump's 2016 campaign—wrote.

Trump endorsed Abbott last June, praising him as a "fighter and a great governor for the incredible people of Texas."

Despite Trump's support, Abbott's opponents in the GOP primary have accused him of not being sufficiently conservative. He faces challengers from the state GOP's former chair Allen West and ex-State Senator Don Huffines.

While speaking at the Conservative Political Action Conference in July 2021, Huffines accused Abbott of being a "RINO" who failed to adequately respond to border crossings.

"We don't have a Donald Trump as governor. We don't have a Ron DeSantis as governor. We don't have a William B. Travis as governor. Unfortunately we've got a career politician that's a political windsock, a RINO," he said.

Meanwhile, West has condemned Abbott's response to the COVID-19 pandemic, accusing him of being too "heavy-handed."

"We're not a constitutional monarchy. We are not to be ruled. We're supposed to be governed," West told WFAA in September 2020. "And so I am very concerned when we continue to see a litany of executive orders, mandates, decrees, and edicts that are handed down and they're not brought through the legislative process."

Despite the criticism from some on the right, Abbott still remains the favorite in the election, according to a new poll released Sunday. The Dallas Morning News-University of Texas Tyler poll found Abbott leading with 59 percent of the vote. West only received six percent, while Huffines received four percent.

Meanwhile, Abbott also remains the favorite in the general election, where he is expected to face off against Democrat Beto O'Rourke, according to the poll. O'Rourke, a former congressman representing El Paso, trailed him by 11 points.

Newsweek reached out to Abbott's office for comment Sunday afternoon. This story will be updated with any response.

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Administration News

Attorney General Ken Paxton Zeroes In On Louie Gohmert In A Crowded Field Of Challengers

By Daniel Friend

The Texan

Despite having multiple serious primary challengers since last summer, Attorney General Ken Paxton has campaigned for reelection touting his own merits while largely avoiding his opponents.

That changed in mid-January, though, when Paxton's campaign went on the offensive against one of his three Republican opponents: Congressman Louie Gohmert (R-TX-01).

Paxton reportedly launched a TV ad campaign and sent out mailers critical of Gohmert in East Texas, where the congressman has built a base of supporters throughout his political career over the past several decades.

In particular, the mailer highlighted Gohmert's missed votes during his time in Congress.

According to a report from GovTrack, which the mailer cites, Gohmert has missed 837 out of 11,507 votes, 7.3 percent of the total.

"An attack ad? To me, that's your record. If you voted certain ways, in opposition to Second Amendment or pro-life, stand behind your vote. Don't run from it and call it an attack," Paxton told The Texan when asked about the ads targeting Gohmert.

"It's a fact that he voted the way he did," said Paxton. "If I were him, I would have voted differently. I would've showed up for votes."

The offensive against Gohmert has also gone negative through digital sources as well, with the Paxton campaign posting ads on Facebook and Instagram claiming Gohmert "is not the conservative you think he is."

Asked why his campaign is highlighting Gohmert's record but not those of his other GOP opponents, Land Commissioner George P. Bush and former Texas Supreme Court Justice Eva Guzman, Paxton said, "Only because they don't have a voting record. He's got a voting record that we can actually look at."

"She's got a judicial record. It's not very good, but it's harder to show what that is. People don't understand opinions or law," said Paxton. "And the land commissioner — I don't really have anything to say other than, you know, he tried to give away the Alamo."

Since January 13, Paxton has spent between \$2,500 and \$3,000 on the digital ads attacking Gohmert. While 77 percent of the ads were shown to people located in Texas, a report from Facebook shows that another 16 percent and 7 percent reached audiences in Washington, D.C. and Virginia, respectively.

Paxton's advertisement on the platforms also calls attention to the endorsement the incumbent attorney general received from the former president.

"Who is Trump's pick for Texas Attorney General? Not Louie Gohmert," the ad reads.

Notably, during a recent Trump rally in Conroe, Trump reiterated his “complete and total” endorsement of Paxton.

But in highlighting members of Congress who were in attendance, Trump also called Gohmert a “wonderful guy,” saying, “This is a man who’s been a friend of mine from day one.”

At the same time as his Facebook ad, Paxton also launched a campaign through Google with a video advertisement touting the attorney general’s stance on border security and the endorsement from former President Donald Trump.

Though the video advertisement makes no mention of Gohmert, it, like the mailer and TV ad, targets viewers in East Texas.

The location where the Paxton campaign is targeting viewers with its video advertisement. Image from Google.

Paxton has spent \$1,100 on the video advertisement, according to Google’s Transparency Report.

On Gohmert’s part, his campaign has run four text ads through Google in late January at the cost of \$1,300.

While the wording is slightly different in each, one sentence appears in all four: “Louie Gohmert will restore honesty and integrity to the office of Attorney General.”

“If you want to know how things are going,” Gohmert told *The Texan* in an interview, “look at who Paxton is attacking.”

“He’s not running attack ads against George P. Bush or Eva Guzman. He’s running them against me because he’s seen I’m the one that’s gonna get him in a runoff. And then in the runoff, he’s in trouble.”

If no candidate in the March 1 primary election receives over 50 percent of the vote, the top two candidates in the race will move to a May runoff election.

With three challengers to Paxton — each of whom reported raising over a million dollars by the end of 2021 — there is a strong possibility that they could weigh down Paxton’s incumbency advantage to pull him to a runoff.

Two polls from June and November 2021 showed Paxton in the lead at 42 percent and 46 percent, respectively, among GOP primary voters, while Land Commissioner George P. Bush followed in second at 34 percent and 32 percent, respectively.

Both polls were conducted before Gohmert entered the race, though, and his name was nowhere to be seen among the options.

“From what we saw before I got in, it looked like [Paxton] might even be able to win without a runoff,” said Gohmert, adding that he is concerned the FBI “will probably wait until after the primary” and then indict Paxton because of an ongoing investigation.

In such a scenario, Gohmert argues that it would be too late to replace Paxton with a new nominee for attorney general, increasing the likelihood that Democrats win in the November general election.

Gohmert told *The Texan* that when he was first entering the race, polls that he saw placed Bush — who Gohmert says has “more name recognition than Gov. Abbott and Lt. Gov. Patrick” — nowhere past “17 or 18 percent.”

“And before I was even in, I was tied with him,” said Gohmert.

A new poll released by the Hobby School of Public Affairs, which was conducted in mid-January, shows that Gohmert and Bush are indeed competing for the runoff spot with Paxton should they succeed in keeping him from receiving half the vote.

The Hobby poll still showed Paxton with a solid lead at 39 percent among all GOP primary voters, with Bush and Gohmert following at 16 percent and 13 percent, respectively.

Among “almost certain primary voters,” though, Paxton’s polling increases to 44 percent, Gohmert’s polling is bumped up to 15 percent while Bush falls to 13 percent.

Another new poll conducted by the University of Texas at Tyler showed Paxton in the lead with 33 percent, Bush trailing at 19 percent, Gohmert with 9 percent, Guzman with 8 percent, and 33 percent undecided.

Asked if he was optimistic that he’d avoid a runoff, Paxton said he was.

“I think I’ve got a really good chance. I mean, you never know, but the numbers look good,” said Paxton. “I certainly wouldn’t trade with any of my opponents right now.”

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State News

Transgender Prisoner In Texas Denied Gender-Affirming Surgery, Lawyer Says

By Lauren McGaughy

Dallas Morning News

The U.S. Bureau of Prisons has denied a request from Cristina Iglesias, a transgender woman incarcerated in Texas, to become the first inmate in federal custody to receive gender-affirming surgery, her lawyers said.

Iglesias, 47, is serving a 20-year sentence for threatening to use a weapon of mass destruction against the British government. Last week, her lawyer said his client will not receive the surgery she has long requested before her scheduled release later this year.

“After years of fighting unnecessary hurdles and delays, Cristina has once again been denied the opportunity to get the care she needs and that the Constitution requires,” John Knight, director of the LGBTQ & HIV Project at the ACLU of Illinois, said in a statement.

The denial comes as the Biden administration takes steps to provide more accommodations for transgender inmates. Earlier this month, the federal prisons bureau released updated policies which reversed Trump-era guidance that required housing decisions to be made primarily based on “biological sex.”

The guidance also includes a new section on gender-affirming surgery, a topic that was not directly addressed in the previous policy. Inmates can request surgery after one year of mental health, medical and programming services, the guidance says.

But Knight said the prisons bureau’s approach to Iglesias’ case shows it is willing to “run out the clock” on transgender inmates seeking care.

“Such an approach is neither fair nor humane,” he said.

Iglesias is currently housed at the Federal Medical Center Carswell, a women’s prison in Fort Worth. Her case was filed in federal court in Illinois because she was previously housed in a facility there.

Iglesias has been asking that the prisons bureau approve her for gender-affirming surgery since 2016. In December, a federal judge ordered the agency to make a decision.

If the bureau decided to approve her for surgery, the judge asked that it notify the court by Jan. 26. If it decided to deny her request, the judge gave the bureau 10 additional days to provide the court with an explanation.

Since the Jan. 26 deadline passed without word, Iglesias’ lawyer said he assumes her request was denied even though he has not heard that directly from the bureau. On Friday, the bureau declined to comment on Iglesias’ case and directed The News to its new policies for transgender inmates.

“The BOP is committed to providing all inmates a safe and humane environment, including providing gender-affirming housing and medical care as appropriate,” Spokesman Donald Murphy said.

Knight said Iglesias’ lawyers will carefully review the reasons the bureau provides for denying her surgery, “and, following consultation with her, decide on our next steps.”

While no one has ever received gender-affirming surgery while in federal custody, the bureau approved another inmate for the procedure in October, according to court filings in Iglesias' case. It is unclear when that person will receive the surgery, and the bureau did not answer questions about the prisoner's identity, medical status or housing location, citing "privacy, safety and security reasons."

About 1,200 federal inmates, less than 1% of the total population, identify as transgender, according to the U.S. Justice Department.

Inmates housed in state-run jails and prisons are not subject to the same rules as federal inmates. While they, too, can receive hormone therapy while in custody, the state of Texas requires prisoners to be housed in facilities according to the "physical anatomy."

If the state prisons department determines a transgender inmate cannot be housed safely with other inmates, they may be housed individually, an agency spokesman said.

As of September, 1,608 transgender inmates out of a population of about 120,000 people were in all state-run jails and prisons in Texas.

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Education

School Closings Could Impact Upcoming Trustee Elections A New DMN/UT-Tyler Poll Finds

By Corbett Smith

Dallas Morning News

Republican strategists across the nation – including those in Texas – are turning their eyes to local school board races, hoping to leverage educational controversies surrounding mask mandates, objectionable books and racial equity efforts into wins for GOP-backed candidates in these non-partisan elections.

But, according to a new poll from The Dallas Morning News and the University of Texas at Tyler, a minority of Texans seem willing to alter their support for a school board member because of proactive health and safety measures taken during the COVID-19 pandemic.

A third of respondents in the poll said they would not – or would be less likely to – support the reelection of a school board member if their district temporarily suspended in-person instruction because of coronavirus cases in schools.

The News/UT-Tyler poll was conducted Jan. 18-25 with 1,082 registered voters from across the state. The poll has a margin of error of +/- 3.5 percentage points.

Jaime Hernandez, a 60-year-old Odessa resident, said that he believed school closures were not "productive in the long run" to control the spread of the virus, and that urgent

educational needs of students should outweigh the rare chance of children becoming seriously ill from COVID-19.

“How seriously does this affect someone who’s not 65?” Hernandez said. “I just wish there’d be a little more information about the risks.”

Data from the U.S. Department of Health and Human Services, analyzed by the New York Times, show that those under 18 have the lowest risk of hospitalizations of any age group, ranging between 2.4 to 4.1 cases per 100,000 over the past month. Demographic data from the Centers for Disease Control and Prevention state that 1,200 children under 18 have died from the coronavirus, accounting for 0.1% of all COVID deaths.

School leaders, including Dallas’ Michael Hinojosa, have pledged to do their best to keep schools open as the Omicron variant drove cases to all-time highs over the past month. Learning losses suffered during the pandemic could result in trillions of dollars lost in lifetime earning potential if not rectified, said Texas Education Commissioner Mike Morath in October.

Even so, many school districts across the state have recently faced temporary closures, largely because of staffing or substitute shortages. Within the past two weeks, more than two dozen schools in the Dallas/Fort Worth area had unscheduled closures, including Mesquite, Mansfield, Northwest and Forney ISDs.

A little less than a third of poll respondents also said they would not – or would be less likely to – support an elected official if they backed a mask mandate.

Ashley Cosby, a 37-year-old from Nacogdoches County, said mask mandates have “gone on long enough, and that they should be over with.”

Answers broke largely on ideological lines, with 49% of Republicans saying they would be hesitant to support such a candidate, as opposed to 14% of Democrats.

The use of masks in schools has become a political flashpoint over the past two years, as state leaders and school administrators have tussled over who has the authority to implement them.

Last summer, Texas Gov. Greg Abbott issued an executive order prohibiting school districts and most other governmental entities from requiring masks. But dozens of school districts – including the Dallas, Richardson and Garland ISDs – started the 2021-22 school year in defiance of that order, citing the increase in COVID-19 cases in their communities.

Many of the state’s large urban school districts still have mask mandates in place, despite the threat of litigation by Texas Attorney General Ken Paxton.

In a recent speech at a charter school in Lewisville vowing the creation of a “parental bill of rights” amendment to the Texas Constitution, Abbott touted both his fight against mask requirements in schools and his push to get schools reopened quickly. These issues are part of a larger fight, Abbott said, over parental control in schools, including curriculum choices and health and safety protocols.

Republican lawmakers have leaned into making schools a political battleground. The GOP-controlled Legislature passed laws intending to target “critical race theory” last year. In recent months, some lawmakers have pushed for the removal of books and materials addressing race, gender and sexual identity from school libraries, items they have argued are “obscene” or inappropriate.

In December, the state’s Republican party launched an initiative aimed at assisting conservative candidates in nonpartisan school board and municipal elections.

“We expect voters to choose lower taxes and common-sense conservatism as opposed to the radical left-wing policies, limitless spending, and cronyism that traditionally accompany electing Democrats to those positions,” Texas GOP vice chair Cat Parks said during the launch.

Dax Gonzalez, the governmental relations spokesperson for the Texas Association of School Boards, said that this type of hyper-politicization in school board races “kind of goes in waves,” pointing to the battles over curriculum content in the 2000s as a recent example.

“I get emails a few times a week trying to link school board issues to broader national issues,” Gonzalez said. “I think we see this as a distraction ... trying to bring all this outside stuff into the classroom. And that takes the focus off kids.”

The largest issue Gonzalez says he hears from current trustees is teacher retention and recruitment.

“That’s a real issue, because it has a real impact on student achievement,” Gonzalez said. “And the pandemic has certainly worsened that.”

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Texas Students, Frustrated By Limited COVID-19 Protocols, Turn To Petition Drives And Walkouts

By Brooke Park
Texas Tribune

For Texas high school students, keeping up with class work was hard enough before the pandemic.

But then the pandemic hit, and with it came debates over everything having to do with Texas schools. Masks or no masks? Will online classes be available?

Schools reopened last fall but are struggling to remain open in the midst of a coronavirus surge caused by the omicron variant. The semester has barely started, and so far, there have been 192,145 student COVID-19 cases and 61,142 staff cases, according to the Texas Education Agency. That appears to be the highest case level since the pandemic began in 2020, although the data collected by the state is often incomplete.

At the same time, there's been a scaling back of coronavirus precautions, prompting many students to take action with petition drives and class walkouts.

For Jada Clerk, a freshman at William B. Travis High School in Fort Bend Independent School District, which includes Sugar Land and parts of Houston and Pearland, navigating crowded hallways among unmasked classmates is stressful.

"Sometimes I don't even want to breathe," said Clerk, who has asthma. "You can really feel people's breath on you. That's how close we were [in the hallway]."

Fort Bend ISD does not have a mask mandate in place and ended its virtual learning program for students at medical risk at the end of the fall semester. Travis High School recorded 16 students with COVID-19 out of around 3,000, according to the district's online dashboard.

At Clerk's school, she and more than 200 other students have signed a petition asking Fort Bend ISD to shut down schools during the infection surge caused by the highly transmissible omicron variant. She is one of many students across the state and nation who are working together to push their districts to strengthen COVID-19 policies in schools.

Clerk wants to see her school take more action to protect students and faculty from the virus. Fort Bend ISD continued in-person classes even as record-breaking countywide positivity rates, which show the percentage of tests with positive results, pushed the area into the most severe COVID-19 threat level. However, the district does monitor COVID-19 levels at each school and will enact different precautions if case counts rise.

When Texas schools reopened after the winter break, the surge of omicron cases resulted in the highest number of COVID-19 cases in school districts since the pandemic began. But even these numbers are likely an undercount as some cases go unreported to the state and a fraction of districts report each week.

At other districts, like Round Rock ISD, north of Austin, students have staged walkouts as a way to bring attention to their requests for more pandemic precautions, like a stricter mask-wearing requirement. That has inspired other students to organize similar efforts, including in Garland.

Last week, the district northwest of Dallas recorded nearly 1,200 active student cases out of a student body of around 54,000. More than 200 staff members are out sick out of about 7,200, according to the district's COVID-19 dashboard.

For Fernando Alaniz, an 11th grade student at North Garland High School, coughs and sneezes also marked his return to classes, where he estimates most students do not wear masks.

Garland ISD's website says staff will self-screen students for COVID-19 symptoms and rapid tests will be available for symptomatic students on campus. However, teachers rarely direct students to the nurse's office as they sneeze and cough in class, often unmasked, Alaniz said. All he can do, he said, is try to scoot his desk away from his sick neighbors.

Three of his teachers are out sick, which Alaniz said makes learning difficult. Half of his eight teachers do not wear masks, he said.

The limited COVID-19 precautions, along with growing staff and student absences, have prompted him to protest for stronger health policies in schools. He wants to see another remote learning option, an enforced mask mandate and widespread COVID-19 testing, among other requests. As of Sunday evening, 770 people have signed a petition in support.

Garland ISD has not yet responded to the petition, he said. He is considering organizing walkouts similar to what Round Rock ISD saw last week if his efforts to talk to administrators fail.

Students leading the movement for increased COVID-19 protocols at Round Rock ISD have found more success after nearly 60 students walked out of two high schools two weeks ago to push for increased COVID-19 protocols. More than 1,800 students also signed a petition in support of the demands.

Students there want better enforcement of the district's mask requirement and a reintroduction of contact tracing at all schools, among other demands. If they can't get that, they want schools to offer online courses. District officials met with organizers Friday and agreed to provide more testing sites and high-quality masks, but Eliana Smith, one of the student protest organizers, said district officials disagreed with students' contention that it's not enforcing the mask requirement and declined to resume contact tracing at schools where it had been halted.

Jenny LaCoste-Caputo, Round Rock ISD's chief of public affairs and communications, said some of the students' demands are difficult to meet due to staffing and capacity issues. School districts across the state are grappling with staffing shortages as omicron sends large swaths of workers into quarantine.

LaCoste-Caputo pointed to the students' demand for contact tracing as an example. The district previously enacted a contact tracing program — in which schools contacted those who had come into contact with an infected person — but discontinued it for a majority of schools. She said the district could not find enough people to do the work.

Asmita Lehther, a senior at Round Rock High School, is one of the students leading the protests. She said schools, as they are now, are unsustainable environments for both students and teachers.

Tiernee Pitts, another student leading the Round Rock ISD protests, said it feels like she and other students are forced to come to school even when she goes through a whole school day with substitute teachers. That's why she and other students want an online course alternative or better COVID-19 precautions.

However, the Texas Education Agency now caps a school district's virtual enrollment at 10%.

Still, Round Rock ISD students want to see some alternatives.

“We could be doing more, and we're choosing not to [in order] to stay open, at any cost, and by any means necessary,” said Pitts, a senior at Cedar Ridge High School. “It just feels like we're just being open while everything around us is falling down.”

Several school districts near Round Rock ISD have closed temporarily because so many staff members are sick. Last week, teacher and staff absences forced schools in Pflugerville ISD to close for a day.

Lehther, the Round Rock senior, said half of her English class was absent last week.

Without a virtual class option, students are forced to play catch-up when they return, Smith said.

Many students agree they would rather be in school to learn, but only if it is safe.

“We actually want to get out of this cyclic progression of having new variants and then a surge in cases and then hospitals get filled up, and we're still at school,” Lehther said. “We need to do something to kind of end that.”

Texas Attorney General Ken Paxton is suing Round Rock ISD for requiring masks to be worn in school because it violates Gov. Greg Abbott's ban against mask mandates. But Pitts said the mask mandate is unenforced at her school, and many students do not wear them.

The Round Rock student protest organizers blame what they see as inadequate COVID-19 policies from the governor, the state education agency and the Texas Legislature.

However, they believe the district must work to remove politics from science and health for the sake of its students.

“I do think that though there is a majority of the blame on Abbott, [but] the school district still does have the choice to make the right decision, and to listen to us and meet with us and make compromises or meet some of our demands,” said Smith, a senior at Cedar Ridge High School.

As students head into the third year of the pandemic, Smith recalls the experiences of virtual learning and the return to school.

“Over like last year, there was definitely a lot of isolation and feeling just completely alone,” Smith said. “Then this year, we’re back in person, but we’re being forced to fight for the ability to stay in person through safe COVID precautions.”

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Mentoring Program Helps Keep Central Texas Teachers Going

By Olivia Levada

Spectrum

The pandemic has proved to be a very tiring time for many teachers. The Lone Star State is fighting an ongoing battle with teacher shortages at schools and with the pandemic.

One Central Texas teacher shared how mentorship encouraged her to keep pushing forward. Lidia Valentin spent half her life in Mexico and the other half in the U.S.

Teaching is more than a career for her. She is on a mission.

"Helping my community and all their kids to be successful, that was my whole purpose," Valentin said.

Valentin is a bilingual kindergarten teacher at Harker Heights Elementary School. Right now, KISD needs 120 classroom teachers.

But even with pressure from the pandemic and the Texas teacher shortage, Valentin has managed to push forward. The first-year teacher says it's all thanks to Ms. Beatriz Molina, her mentor.

When Valentin was a student teacher, support from Molina was the reason she kept going.

"She was a perfect example for me, how to manage a classroom," Valentin said. "Thirty-one kids, it was not easy. And she did it really, really good."

Their bond is still strong.

"I have four kids, so any time I have, it's like alright let's review this because once I get home, it's hectic," Molina said. "And so she has to try and catch me, you know, whenever she can."

Acknowledging the importance of these relationships, A&M-Central Texas instructor Jamie Blassingame helped launch the university's Mentoring Academy in August. Blassingame partners with Central Texas school districts to get qualified teachers into the classrooms, but the goal of the academy is to train the mentors.

"We need our veteran teachers, our strong classroom teachers, to teach our new teachers, to show them," Blassingame said. "But not only that, but [also] to make them feel like they are part of a great profession."

Spectrum News 1 reached out to Killeen ISD to learn more about their teacher shortage and needs right now.

We received this response from Taina Maya, Chief Communications & Marketing Officer:

How many teachers does KISD need right now?

The district needs 120 classroom teachers for the current school year; however, this does not mean 120 classrooms have students without a teacher. We have applied for class-size waiver requests which allows us to move students to another class with a certified teacher. In other cases, there could be a long-term sub/teacher working on their alternative certification serving the students.

How many teachers have resigned or retired this school year?

We have accepted 250 notifications which include military orders, resignation and retirements. This is not an unusual number for our size district especially with our proximity to Fort Hood. The majority of these teachers will work through the end of May and have given us ample time to hire their replacement for the 2022-2023 school year.

What is the district's turnover rate?

According to the 2020-21 TAPR, the turnover rate was 16.5% last year. This data is not yet available for the current school year.

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Energy

As Crypto Floods Texas, High Energy Use Draws Scrutiny From Congress

By James Osborne

Houston Chronicle

By design, exactly 900 bitcoins are mined each day - a number that decreases every four years until there are no more bitcoins left to be found.

The job of mining the dwindling reserve falls to powerful computers, which plug in number after number until they come up with the correct 64-digit sequence. To beat out other miners doing exactly the same thing requires not only fleets of increasingly fast computers but huge amounts of energy to run them.

From wind farms in West Texas to an old coal plant outside Austin, crypto miners are flooding into Texas take advantage of some of the cheapest power in the country and positioning the state to become the state's crypto mining leader. But the accompanying surge in energy consumption is drawing scrutiny from Congress when the world is trying to not only clean up its energy system but also reduce demand to fight climate change.

At a hearing this month before the House Energy and Commerce Committee, the chairman, Rep. Frank Pallone, D-N.J., questioned the sustainability of crypto mining's business model.

“One estimate found that the energy required to process (one) transaction on the bitcoin network could power a home for more than 70 days,” Pallone said. “Last year, there were hundreds of thousands of transactions on this network. Just imagine the climate implications.”

A recent study by scientists at Cambridge University found crypto mining operations globally consume 135 terawatt hours of electricity per year, more than the entire country of Argentina.

The majority of that electricity comes from hydroelectric dams and coal and natural gas plants, the scientists found. In Texas, for instance, the crypto mining firm Riot Blockchain is operating at an old aluminum processing site in Rockdale that runs on its own coal-fired power plant.

Advocates for the U.S. cryptocurrency industry say they are being unfairly targeted pointing out that most industries still rely on fossil fuels - a necessity on a power grid that remains reliant on coal and natural gas.

“If you compare that to what gold spends on energy consumption, or banks and all that infrastructure, we're not that bad,” said Howard Greenberg, president of the American Blockchain and Cryptocurrency Association. “We use the same amount of energy as Christmas lights, and I never hear anybody complain about that.”

In Texas, so far, crypto miners are being met with open arms. The Texas Legislature last year passed a bill creating a task force to aid the development of the cryptocurrency

industry in Texas, with Governor Greg Abbott writing on Twitter, “It’s happening. Texas will be the crypto leader.”

That along with the state’s cheap power prices are attracting crypto mining firms from around the world, most of which were forced to look for new homes after the Chinese government banned cryptocurrency last year.

EZ Blockchain, a Chicago firm, has proposed setting up mobile computer rigs in Texas’s oil and gas fields, powering their mining operations with natural gas that would otherwise be flared.

Marathon Digital, based in Las Vegas, announced last month it was installing more than 100,000 bitcoin mining computers around Texas, primarily adjacent to wind and solar farms in West Texas.

“This industry has transformed over the last year since China shut down mining,” said Charlie Schumacher, director of corporate communications at Marathon. “The U.S. is unique because we have excess power here and we have a friendly regulatory environment. But we’ve gone through this transition so quickly it’s raised a lot of questions.”

Even as some crypto companies make strides to employ clean energy for their operations and reduce their energy consumption by using more efficient equipment, the sheer scale of their energy demand is giving many pause.

And as new miners flood the industry, there’s little sign of a slowdown. Electricity consumption for mining bitcoin, the most popular crypto currency, has almost doubled over the last two years, according to the Cambridge scientists.

“We’re making all these great strides to decarbonize and reduce our energy use and now we’re promoting this incredibly energy intensive new industry and wiping out any climate gains we were struggling to make,” said Luke Metzger, executive director of Environment Texas, an activist group. “It seems very wasteful and not what we need right now.”

How much energy crypto requires in the future is anyone’s guess. Miners only mine when it is profitable to do so, and with a single Bitcoin currently selling for more than \$37,000, the incentives are high. But should bitcoin prices come crashing down - as they did in November - then miners would have to reassess.

“At some point it’s not economic,” Schumacher said. “The majority of bitcoins that will ever exist are already out in circulation. We’re all going after the last two million.”

Under bitcoin’s algorithm, the last coin should be mined in 2140, he said.

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Immigration/Border Security

Fact-Check: Do Unauthorized Immigrants Have 'Easier Access' To Health Care, Ballot?

By Nusaiba Mizan

Austin American Statesman

U.S. Rep. Ronny Jackson, R-Amarillo, who is running for reelection in Texas' 13th Congressional District, made a surprising claim regarding unauthorized immigrants on Twitter and garnered more than 6,000 replies.

Jackson tweeted on Jan. 16: "In 2022, illegal immigrants will have MORE FREEDOMS and easier access to healthcare and ballot boxes than most Americans... Just think about that."

Jackson's office did not respond to our calls and emails for Jackson's source. So we went ahead and took a look at the two aspects of his claim: unauthorized immigrants' access to the ballot and their access to health care.

Is it true immigrants living in the U.S. illegally have "more freedoms" and easier access to health care and the ballot box compared to most Americans?

No ballot access for unauthorized immigrants

Immigrants lacking legal authorization to live in the U.S. cannot vote in federal and state elections, said Matthew Weil, director of the Washington-based Bipartisan Policy Center's Elections Project. The project explores and analyzes voter legislation to ultimately inform policy makers.

Almost all localities in the U.S., and all in Texas, limit elections to citizens. Even in the small handful of localities where non-citizens can vote in local elections, those localities only allow lawfully present noncitizens to vote.

Weil noted New York City is one example of the few localities that allow noncitizens to vote in local elections. New York City allows Deferred Action for Childhood Arrivals holders but not all unauthorized immigrants to vote, as reported by the Associated Press in early January. There are no circumstances where noncitizens can vote in federal elections.

"I don't know of any jurisdiction that allows somebody who's here undocumented to access the ballot box," Weil said.

There are an estimated 1.7 million people lacking legal immigration status in Texas, according to 2019 estimates by the Migration Policy Institute, a nonpartisan policy research institution. More than 20% of them, according to the institute, have been in the U.S. for 20 or more years.

Virtually no health care coverage from federal programs

Unauthorized immigrants are barred from federal health care programs, said Anne Dunkelberg, associate director at Every Texan, an Austin-based nonpartisan policy institute. This includes Medicare, Medicaid, the Children's Health Insurance Program, and coverage through the Affordable Care Act marketplace.

Based on policy research, Every Texan advocates for Texas to expand Medicaid under the Affordable Care Act, which all but 12 states have done. That expansion would not include immigrants living in the U.S. illegally

Dunkelberg said there is an exception where providers can recoup the cost of treating an unauthorized immigrant in an emergency situation. Even that emergency funding for providers is subject to the same restrictions as for Medicaid in Texas for adult citizens.

"And so hospital emergency rooms can't turn away people with real emergencies, regardless of whether they're uninsured, regardless of what their immigration status is. They have to treat you in real emergencies," Dunkelberg said. "So that's why there is a provision back for emergency room visits by a very limited number of undocumented immigrants, not even all of them."

Unauthorized immigrants have access to some state and local health programs, which can be funded by federal grants. This patchwork of programs addresses some aspects of wellbeing like mental health, immunizations, and communicable disease.

However, these programs are not health care coverage, Dunkelberg said. That care isn't free, and in many cases program costs work on a sliding scale. Those programs are available to citizens, too.

Locally, counties can opt to serve uninsured immigrants living in the U.S. illegally through medical assistance programs. The uninsured people seeking care have to meet specific income requirements. Dunkelberg said most of Texas' major urban counties opt to provide care to uninsured unauthorized immigrants.

States also have the option of providing prenatal care to women regardless of immigration status through the Children's Health Insurance Program, said Ruth Wasem, professor of public policy practice at the LBJ School of Public Affairs at the University of Texas. Wasem said this option was created under former president George W. Bush.

Texas is one such state that opts for the CHIP perinatal program (prenatal, delivery, and postpartum care) for unauthorized immigrants.

Even with limited emergency Medicaid, it's a stretch to say unauthorized immigrants have "easier access" compared to most Americans.

"There is no aspect of that that is in any way superior to the access for U.S. citizens," Dunkelberg said.

Though Jackson led the White House Medical Unit as Physician to the President in the Obama and Trump administrations, he seems off the mark about health care.

Our ruling

Rep. Ronny Jackson tweeted "In 2022, illegal immigrants will have MORE FREEDOMS and easier access to healthcare and ballot boxes than most Americans... Just think about that."

Unauthorized immigrants don't have access to the ballot for federal, state, and almost all local elections. Though immigrants can have access to some medical assistance programs depending on where they live, they also do not qualify for any health insurance coverage with any federal dollars. They do not qualify for Affordable Care Act marketplace coverage even if they pay costs without ACA subsidy.

We rate this claim as Pants on Fire.

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Criminal Justice

DPS: West Texas Deputy Killed In Loving County Crash Saturday

By Chris Whited

KAMC

A deputy with the Loving County Sheriff's Office was killed in a two-vehicle crash Saturday afternoon, according to the Texas Department of Public Safety.

The crash was reported around 4:30 p.m. one mile west of Mentone on State Highway 302.

According to DPS, Deputy Lorin Readmond, 41, was traveling to assist another deputy on a traffic stop when her vehicle collided with a semi-truck.

Both vehicles were traveling eastbound on State Highway 302 at the time of the crash. The deputy's lights and siren were activated on her patrol vehicle, DPS said.

Deputy Readmond was pronounced deceased at the scene by Loving County Justice of the Peace Amber King.

The Loving County Sheriff's Office released a statement on Sunday that was provided to EverythingLubbock.com by the DPS.

It is with great sadness the Loving County Sheriff's Office announces the death of Deputy Lorin Readmond.

Last night, 1/29/22, at approximately 4:30 p.m., Deputy Readmond was dispatched to assist another deputy and attempted to respond when she was involved in a traffic crash with truck tractor semi-trailer. Deputy Readmond was pronounced deceased at the scene.

Deputy Readmond, 41 joined the Loving County Sheriff's office in April 2019. In addition, Deputy Readmond also served as a Reserve Deputy with the Hudspeth County Sheriff's Office since September 2015.

Deputy Lorin Readmond was a Chief Petty Officer in the United States Navy Reserve where she served as an Intelligence Specialist from 2006 until 2018.

The Texas Highway Patrol is investigating this crash and no additional information are available at this time.

Our thoughts and prayers are with the Loving County Sheriff's Office and the family of Deputy Readmond. Deputy Readmond's dedication and service will never be forgotten.

The two occupants inside the semi-truck were not injured.

The crash is under investigation by the Texas Highway Patrol's West Texas Region District Crash Team.

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National News

Trump's Texas Trip Illustrates His Upsides And Downsides For Republicans And Their Midterm Hopes

By Tyler Pager
Washington Post

Former president Donald Trump on Saturday night delivered the exact message some Republicans have been eager to hear: President Biden and the Democratic Party are incompetent, and Republicans need to turn out to vote in the midterm elections to take back majorities in Congress.

But that was only a slice of Trump's pitch during his campaign rally 40 miles north of Houston.

The former president also dangled pardons for Jan. 6 rioters and urged his throngs of supporters to descend on New York, Washington or Atlanta for street protests if he is convicted of crimes in ongoing investigations, intimations of support for violence that within hours prompted questions to other Republicans about where they stood. As he spoke approvingly of the violent effort to overthrow the 2020 election, Trump also spent

most of his speech complaining, falsely, that the election was stolen from him, a line of argument that Republicans have publicly urged him to drop.

Trump may be out of office, and not yet an official candidate for president in 2024, but he still represents a conundrum for his party. The former president retains an unchallenged grip over the base of the party. In most states, separation from Trump's desires and policies is a sure path to defeat in a Republican primary and risks lower GOP turnout in a general election.

But Trump's continued effort to downplay the events of Jan. 6 while stoking agitation for future violence risks alienating the independent and moderate voters Republicans desperately need and think they are set to gain in November.

Trump's suggestion of protests related to investigations into him represented his fiercest attempt yet to rally public opinion on the probes to his side.

"If these radical, vicious, racist prosecutors do anything wrong or illegal, I hope we are going to have in this country the biggest protest we have ever had in Washington, D.C., in New York, in Atlanta and elsewhere because our country and our elections are corrupt," he said, ticking off cities in which his business or presidential behavior is under investigation.

The three prosecutors investigating Trump — New York Attorney General Letitia James, Manhattan District Attorney Alvin Bragg and Fulton County District Attorney Fani Willis — are Black.

For Texas Gov. Greg Abbott (R), who is facing a primary challenge from the right on March 1, the challenge was on full display here. In a less than six-minute speech before the former president took the stage, Abbott said Trump's name more than two dozen times. And still, he was greeted with scattered boos and chants of "RINO" — Republican in name only — as some voters expressed their view that he has not sufficiently implemented Trump's agenda, particularly on immigration.

Calen Wall, a volunteer for one of Abbott's Republican challengers, Don Huffines, was among those who booed Abbott, faulting him for not taking stronger action on the border.

"Abbott is finally being primaried by a true conservative," said Wall, 40, of Arlington, Tex. "It's an election year, so Abbott is doing everything Huffines has been saying he would do."

On Sunday morning, just hours after Trump raised the prospect of pardoning those charged in the Jan. 6 insurrection, other Republican candidates were faced with the fallout of his remarks. New Hampshire Gov. Chris Sununu, who disappointed Republicans by eschewing a Senate campaign to run for reelection but who is believed to have White House aspirations, said pardons for the Capitol rioters should not be considered.

“Look, the folks that were part of the riots and, frankly, the assault on the U.S. Capitol have to be held accountable,” he said Sunday morning on CNN. “There’s a rule of law. I don’t care whether you were part of the burning — burning cities in antifa in 2020, you were storming the Capitol in 2021. Everybody needs to be held fairly accountable ... That’s part of leadership.”

Sen. Lindsey O. Graham (R-S.C.), speaking on CBS, called Trump’s pardon remarks “inappropriate.”

“I don’t want to send any signal that it was okay to defile our Capitol,” he said. “I want to deter people who did that on Jan. 6. ... I hope they go to jail and get the book thrown at them because they deserve it.”

The scene outside the U.S. Capitol after Trump supporters breached the building on Jan. 6, 2021. (Bonnie Jo Mount/The Washington Post)
At his rallies in the past, Trump has not always delivered the enthusiastic endorsement of Republican candidates that many in his party desire. He will mention candidates who have his “complete and total” support, but he often spends most of his time airing grievances and riling up his base.

On Saturday night, he gave lengthy shout-outs to the tribe of Republican officials who joined him at the rally and laid out the party’s midterm argument. He denounced Biden’s handling of foreign policy from Afghanistan to Russia to China. He questioned the president’s mental acuity, challenging him to take a cognitive test. He blamed Democrats for inflation and attacked vaccine and mask mandates. And on immigration, one of the most salient issues for Republicans in Texas, Trump said that “Biden’s complete abdication of duty is getting untold numbers of Americans killed.”

He also bragged about his handling of foreign policy matters, his work on the border and his administration’s efforts to create coronavirus vaccines.

But for as much time as Trump spent critiquing Biden, he spent more on personal grievances. He delivered a detailed critique of the New York investigation into his finances, suggesting Hillary Clinton’s allies were behind the effort. He called those investigating him “racist” and “mentally sick.”

In New York, the attorney general and Manhattan district attorney are investigating the Trump Organization’s finances. In Washington, a House select committee is investigating the Jan. 6 insurrection, with a focus on Trump’s role in encouraging the assault. And in Fulton County, Ga., the district attorney investigating Trump’s efforts to overturn the election was just granted her request to impanel a special grand jury.

“In reality, they’re not after me, they’re after you, and I just happen to be the person in the way,” Trump said of the investigations into him.

Trump's words were immediately injected into the Republican bloodstream. At a rally in Mason, Ohio, for U.S. Senate candidate J.D. Vance on Sunday, Rep. Marjorie Taylor Greene (R-Ga.) asked the crowd if they had heard what Trump had said about the Jan. 6 defendants.

"He told them he's going to make sure they're treated right, and he wants to pardon them," Greene said, to a round of applause. "People should not be treated like political prisoners when they have not even had a day in court."

Vance denounced the treatment of the defendants but did not comment on the pardon idea. Some of the estimated 200 people at the rally agreed with Trump and Greene, saying that the Jan. 6 defendants had been treated horribly.

Asked about Trump's comments, Dave Carney, a top political adviser to Abbott, said Trump is an unquestionable asset for Republicans including Abbott. He cited the former president's popularity in Texas.

"Overall it was an excellent event for everyone involved," he said. "Folks should worry about their own campaigns and let Trump be Trump. I don't know why smart people think they can dictate to him. He has been successful. He wiped out 17 other folks. He crushed Hillary Clinton, and sometimes smart people spend too much time thinking about what he should say. Most people agreed with the president on the vast majority of things. Nobody agrees with someone 100 percent of the time."

But Rick Wilson, a co-founder of the anti-Trump Lincoln Project, said most Americans are not interested in re-litigating the 2020 election or downplaying the violence on Jan. 6. While those talking points may be "good for clicks and raising money," he said they are "bad for the Republican Party."

"If you want to rev up the turnout in the midterms, you need to have your base jacked up. It's a real conundrum for McConnell and McCarthy. You want the enthusiasm but not the poison," he said, referring to Senate Minority Leader Mitch McConnell (R-Ky.) and House Minority Leader Kevin McCarthy (R-Calif.).

But for those who flocked to the Montgomery County Fairgrounds to wait hours for Trump, the speech hit all the right notes.

"Tonight was fabulous," said Cathie Pina, a 59-year-old nurse from Willis, Tex. "To be around people that are like-minded, that are patriots, that love our country."

Pina, who attended her first Trump rally and brought along her 18-year-old daughter, praised the former president for wanting to restore "Judeo-Christian beliefs." She slammed Biden as "corrupt" and "demented," arguing it was "elder abuse to put that man in the spotlight."

Dawn Rolen, a flight attendant from Waxahachie, Tex., called Trump “my president” and lavished praise on him.

“I’m a Republican, but it’s not about the left and the right anymore,” said Rolen, 54. “It’s about good and evil. Trump is good, and the liberals, I don’t know what the hell happened to them. They are out of their mind.”

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Opinion/Editorial

Analysis: The Blurry Line Between Government And Political Campaigns In Texas

By Ross Ramsey

Texas Tribune

If you’re having a hard time telling where government work stops and campaign work begins, which announcements are political and which ones are civic, which ones are paid for by political donors and which are financed by Texas taxpayers, it’s because there is often no difference between the two.

The top three Republican incumbents on the ballot have each amped up their campaigns and their official efforts as the elections approach, with the political and government offices running in parallel, reinforcing the campaigns’ themes.

For instance, Lt. Gov. Dan Patrick rolled out a campaign ad touting his hard-line position on immigration and border security. At about the same time, under his state letterhead, he announced the formation of a new Senate Committee on Border Security.

“Public safety is government’s first responsibility and there is no greater threat to public safety in Texas right now than the failed, open-border policies of the Biden Administration,” he said in that news release. Pretty close to what he says in the TV ads for his campaign: “Texas must secure the border because Biden and his administration won’t. And we must stop those here illegally from voting.”

Gov. Greg Abbott held another news conference on the U.S. side of the border — it’s hard to keep count of these things — this time accompanied by a dozen Republican attorneys general, to excoriate the administration’s handling of border security and immigration. Can you guess what ads his campaign is running? They’re about what the campaign sees as the Biden administration’s failures at the border and about Abbott’s endorsement by the union that represents many Border Patrol officers.

Attorney General Ken Paxton’s official press releases are written in the overblown rhetoric of closely fought Republican primary races — like the one he’s in the middle of right this minute.

“The Biden Administration has sown nothing but disaster for our country through its illegal, unconstitutional immigration policies,” Paxton said under government letterhead on Friday morning. “Biden’s latest round of flagrant law-breaking includes his Central American Minors Program, which has contributed significantly to many states being forced to take in even more aliens. My fellow attorneys general and I are suing to stop it.”

His ad echoes that language.

Texas has laws against using public employees and state resources for campaigning. There is a regular seasonal cycle of top state employees of elected officials moving to their bosses’ campaign offices a few months before an election, then moving back into their state jobs after a win. They’re careful to use state phones and computers for one job, campaign equipment for the other.

The fuzzy part is in the work they do, no matter where they are, and how it melds the political work of campaigning with the work of governing. The messages might well be the same, maybe even legitimately in harmony. Someone campaigning for better border security might genuinely want it, and might be saying the same thing in their state job.

But the complaints about what’s happening on the border, while directed at the federal government, might as well be directed at the state officials talking about state-based solutions who haven’t been able to solve the problem. In the case of Abbott, Patrick and Paxton, that’s seven years and counting, through Republican and Democratic administrations in Washington, D.C. Their campaigns might as well be directing fire at the incumbents they’re trying to reelect.

If the campaign pitch is that they should be reelected because they want border security fixed, it suggests they’ve been sitting on their hands for all those years — spending billions in taxpayer money, dispatching state police and National Guard troops, rounding up migrants they can accuse of breaking other laws, squalling at and suing the federal government.

It’s a case of politicians listening to Texans’ concerns without solving their problems. Texas voters, and Republican Texas voters in particular, have had border security and immigration atop their lists of most important problems facing the state for more than a decade, according to dozens of University of Texas/Texas Tribune Polls.

They’re still waiting for the government folks to do what the politicians promise every election cycle.

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Grumet: Where's Abbott's Campaign Pledge To Help Foster Kids?

By Bridget Grumet

Austin American Statesman

Gov. Greg Abbott has been firing off a flurry of campaign promises lately.

A Compact with Texas Seniors, unveiled Jan. 13 in Georgetown.

A Taxpayer Bill of Rights, unveiled Jan. 17 in Atascocita.

And the one you've probably heard the most about, a Parental Bill of Rights, announced Jan. 20 in Lewisville, capitalizing on the manufactured controversies over school library books and history lesson plans.

Apart from announcing a modest workforce training program, however, Abbott hasn't provided any assurances this month to the Texans most dearly and directly entrusted to the state's care: foster children.

The appalling conditions for some foster kids are back in the headlines after federal court-appointed monitors issued a new report on the temporary facilities for kids who don't have a foster home.

The Department of Family and Protective Services is caught in a terrible loop: Unsafe foster care facilities have been closing, a good thing, but now Texas is scrambling to find other places to send children who have been removed from their homes. The result: a sharp uptick in the use of unlicensed or stop-gap facilities, some of which appear to be wholly unfit as well.

U.S. District Judge Janis Jack, who is overseeing a decadelong class-action lawsuit over Texas' battered foster care system, lamented at a Jan. 11 court hearing: "We're just going from bad to worse."

The monitors' 56-page report is a devastating read. It describes "children's rooms (that) resembled juvenile cells." It describes another group home next to a block of abandoned houses with graffitied walls, missing doors and shattered windows. It describes facilities that fail to give children their medication, or fail to keep medication logs at all. It describes a 15-year-old who was moved 16 times, from one facility to the next, over the span of three months. It describes teens being shuttled to facilities in Arkansas or Michigan because no foster home in Texas had an opening for them.

It all seems a million miles away from the children's issues animating Abbott lately: the pearl-clutching over LGBTQ-friendly library books and the angst that parents are supposedly seeing "their roles in the classroom diminish."

Abbott's Parental Bill of Rights says parents should have the right to see all school instructional materials (something the state education code already ensures), presumably so they can object to any lessons that don't align with their values.

Meanwhile, at one of the overflow foster care facilities Texas uses in Michigan, the program handbook scolds traumatized foster kids as if they are juvenile delinquents.

“You can look at the issues in your life that have put you into this situation and make a decision to change the thoughts that lead to negative behaviors,” the handbook says. “It is these negative behaviors that led you here in the first place.”

Abbott’s Parental Bill of Rights calls for a state constitutional amendment enshrining the obvious: “Parents are the main decision makers in all matters involving their minor children.”

Meanwhile, Texas’ foster care system often fails to provide essential services that could help children stay with their parents. Since 2017, the monitors’ report said, Texas parents have relinquished custody of 4,661 children — making a heart-wrenching decision to send their own kids into the foster care system — because they could not get the mental or behavioral health support the kids needed.

Abbott’s Parental Bill of Rights says parents should be notified of their rights to send their children to charter schools, magnet schools or schools in other districts — information parents can already access.

Meanwhile, at least 99 Texas foster kids were shuttled to out-of-state facilities last year without any say in the matter, owing to the lack of foster care options here. The distance made it harder for case workers to connect with them or to notice signs of trouble. After visiting Texas teens at a Michigan facility and hearing about the extreme use of restraints there, the monitors reported five separate complaints to that state’s child abuse hotline.

A panel of experts issued about two dozen recommendations this month to improve the foster care system, some of which would require more money from the state. Ultimately, those funding decisions rest with Abbott and lawmakers.

I recognize foster care systems are chronically underfunded and understaffed, even as they are charged with the emergency care and placement of youths with extraordinary needs. As much as anything, though, foster kids suffer for their political invisibility. They aren’t a courted constituency like seniors, taxpayers and culture warriors.

But a governor who invokes family values and an abiding respect for life, as Abbott does, should be the first to fight for foster kids, too.

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From: OOG News Alerts <OOG.NewsAlerts@gov.texas.gov>

Sent: Sunday, February 20, 2022 10:23 AM EST

Subject: Morning News Clips 2.20.22

Attachment(s): "Morning News Clips 2.20.22.pdf"

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Morning News Clips 2/20/2022

- [Texas Take](#)

- [Texas Tribune: The Brief](#)

- [Politico Playbook](#)

Greg Abbott News

Breitbart – Hannah Bleau: [Poll: Texas Gov. Greg Abbott Leads Beto O’Rourke In Gubernatorial Matchup \[Web\]](#)

Texas Legislature

- *Texas Tribune* – Sneha Dey: [An Austin Cop Has Been Charged With Police Misconduct. That Might Actually Help His Texas House Campaign. \[Web\]](#)

Business/Economy

- *Orange Leader* – [Biorefinery Coming To Region, Promising New Jobs \[Web\]](#)

Immigration/Border Security

- *The Washington Post* – Nick Miroff: [Where Trump’s Border Wall Left Deep Scars And Open Gaps, Biden Plans Repair Job \[Web\]](#)

Transportation

WFAA – Michael McCardel: [Tarrant County Commissioner Says Electric Vehicles Must Pay Their Fair Share To Use Roads \[Web\]](#)

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Greg Abbott News

Poll: Texas Gov. Greg Abbott Leads Beto O’rourke In Gubernatorial Matchup

By Hannah Bleau

Breitbart

Texas Gov. Greg Abbott (R) is leading his potential Democrat challenger, Beto O’Rourke (D), in a head-to-head gubernatorial matchup, a Climate Nexus survey released this week found.

The survey asked respondents, “If the election for Texas governor were being held today, and the candidates were Beto O’Rourke the Democrat and Greg Abbott the Republican, for whom would you vote?”

Forty-five percent of likely voters said they would support the Texas governor, compared to 40 percent who said the Democrat. Seven

TX-SOS-22-0336-B-000059

percent said, “Neither candidate or other candidate,” and another eight percent said they remained unsure.

Overall, 87 percent said they will definitely or probably vote in the Texas governor’s race in November.

The survey, taken February 1-9, 2022, among 933 registered voters in Texas, has a margin of error of +/- 3.3 percent:

The Lone Star State’s primary race — the first in the nation kicking off the midterm election season — is right around the corner, taking place Tuesday, March 1. It is yet to be seen if Abbott can handily defeat his primary challengers and avoid a runoff, allowing him to focus more immediately on the general election, where O’Rourke appears as the frontrunner on the Democrat side.

As Breitbart News reported:

The failed presidential and Senate candidate of the past—he ran unsuccessfully for U.S. Senate against Sen. Ted Cruz (R-TX) in 2018, and unsuccessfully for the Democrat presidential nomination in 2020—has in his career staked out extreme leftist positions on a number of issues, particularly the Second Amendment.

In 2019, for instance, O’Rourke threatened gun owners by saying “we’re going to take” away their AR-15s and AK-47s, something he stood by for years. But last week in Tyler, Texas, O’Rourke tried to change his stance by now saying “I’m not interested in taking anything from anyone.”

O’Rourke still supports gun control though, as in the next breath he ripped constitutional carry measures that Abbott backed. “I want to make sure that we protect our fellow Texans far better than we’re doing right now,” O’Rourke said. “And that we listen to law enforcement, which Greg Abbott refused to do. He turned his back on them when he signed that permitless carry bill that endangers the lives of law enforcement in a state that’s seen more cops and sheriff’s deputies gunned down than in any other.”

Abbott left a simple message upon O’Rourke’s entry into the race in November, listing his potential challenger’s political positions with a simple “Bring it”:

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Texas Legislature

An Austin Cop Has Been Charged With Police Misconduct. That Might Actually Help His Texas House Campaign.

By Sneha Dey
Texas Tribune

Republican Justin Berry’s Texas House campaign has centered largely on his 14-year tenure as an Austin police officer. He vows on his website to use that professional experience to “protect our neighborhoods, schools and private property.”

But less than two weeks before the March 1 GOP primary, Berry was among 19 Austin law enforcement officers indicted and accused of using excessive force on anti-police brutality protesters in 2020. Berry and law enforcement groups quickly pushed back on the development, which they portrayed as a political stunt from a Democratic district attorney who won office after promising to hold law enforcement accountable.

“The question is not how the prosecution will turn out,” Berry said in a statement late Friday. “We will be acquitted. The question is: When police are treated like this, who will want to become police officers?”

That messaging — and the indictments themselves — could spur Republican voters in the predominantly white and mostly Republican Central Texas district to back Berry, political experts and local Republicans say.

“It’s rocket fuel to his campaign,” said Cal Jillson, a political scientist at Southern Methodist University. “There’s not a lot of sleep lost or concern over excessive use of force against demonstrators in Austin.”

A 2020 University of Texas / Texas Tribune poll conducted after that year’s protests against police brutality found a stark partisan and racial divide in whether voters had a favorable or unfavorable view of law enforcement. In that poll, 84% of Republicans had a favorable opinion of law enforcement, while only 30% of Democrats did. Among white voters, 69% had a favorable opinion, but only 33% of Black voters and 43% of Hispanic voters did.

Central Texas’ House District 19 largely covers suburbs and Hill Country towns west of Austin where 82% of eligible voters are white. The mostly Republican district was redrawn during last year’s redistricting process. Former President Donald Trump would have carried the district in 2020 by nearly 40 percentage points. That means the Republican nominee will likely beat the lone Democrat seeking the seat in the November general election.

“Republican primary voters are very pro-law enforcement,” said Travis County GOP Chair Matt Mackowiak. “And I think a lot of Republican primary voters are going to view these indictments as an outrage. So it could be the kind of thing that raises his profile, that gives him a cause to cite on the campaign trail to galvanize supporters. ”

Protesters across the state and country flooded the streets for weeks in 2020 after a Minneapolis police officer murdered George Floyd,

a Black man. The protests divided Americans along partisan lines. Black Lives Matter supporters say the demonstrations were an outcry against police officers' use of force on Black people, who are killed at disproportionately higher rates in police custody. But critics, including Republican officials across all levels of government, depicted the protests as violent and destructive uprisings.

In a statement late Friday, Berry echoed those GOP portrayals of the demonstrations as violent when he criticized Travis County District Attorney José Garza for pursuing the indictments.

“DA Garza promised in his campaign to go after law enforcement officials even when they are risking their lives protecting Austin from being burnt to the ground,” Berry said. “He is keeping that deadly promise.”

Garza announced the indictments at a press conference Thursday, but said his office was not disclosing details about the charges until individual officers are arrested and booked into jail. That means it's not yet publicly known what crime or crimes Berry is accused of committing during the 2020 protests. A police union official said the officers face accusations of excessive force. Berry's lawyer declined to comment until the indictment against his client is made public.

Austin Police Chief Joseph Chacon defended his officers this week. He and City Manager Spencer Cronk said they did not think officers should face criminal charges.

In announcing the indictments, Garza said many of the protesters injured were innocent bystanders. But Berry said Garza “demonizes police” and “demands that police abandon their oaths.”

Police said demonstrators threw bottles and rocks at officers, sometimes injuring them, damaging police cars and breaking into stores. But advocates and protesters expressed outrage over police officers turning to violent crowd-control measures, including bean bag rounds.

Cities and communities in Texas continue to grapple with the aggressive tactics that police waged against protesters that year. Police officers all over Texas and the nation have faced charges for how they dealt with protesters. Last week, the Dallas County district attorney's office issued warrants for two Dallas police officers' arrest for their alleged use of force during the 2020 racial justice protests in that city.

The Austin indictments are among the highest tied to a single city's police force in connection with the 2020 protests so far, according to the Associated Press.

Earlier Thursday, the Austin City Council unanimously approved a settlement with two demonstrators who suffered severe head injuries in 2020. Justin Howell will receive \$8 million — the highest amount ever awarded in an excessive force case involving an Austin police officer, the Austin American-Statesman reported. Anthony Evans, another protester, will get \$2 million.

Craig Murphy, a spokesperson for Berry's campaign, said the Texas House candidate and the other officers followed orders, and expects the jury to find them not guilty.

“They did exactly what they were told to do with the tools they were given and with the training they were given,” Murphy said.

In the primary, Berry faces former Austin City Council member Ellen Troxclair, former legislative staffer Nubia Devine and military veteran Perla Hopkins. Devine declined to comment on the indictment. Hopkins and Troxclair did not respond to requests for comment.

According to the candidates' Jan. 31 campaign finance reports, Troxclair had the financial edge heading into the primary's homestretch. She had more than \$412,000 cash on hand in January. Berry had more than \$36,000, Devine had nearly \$23,000, while Hopkins trailed behind with almost \$2,300.

Democratic candidate Pam Baggett, whom the Republican nominee will face in November, said there is not enough information to determine how Berry was involved.

“We're going to have to wait and see what actually is the charge. We don't know yet,” Baggett said.

With the March 1 primary election less than two weeks away, The Combined Law Enforcement Associations of Texas executive director Charley Wilkison said the timing of the indictment was intended to drive voter turnout for “anti-police candidates.” The Combined Law Enforcement Associations of Texas has previously endorsed Berry.

The proceedings against Berry and the 18 other police officers could take months or years to resolve. Mackowiak said that creates uncertainty among voters, and could take Berry's attention away from the campaign.

The scheduling of indictment proceedings against Berry was unusual, Mackowiak, the Travis County GOP chair, added.

“We don't see candidates get indicted days before an election,” Mackowiak said. “In fact, generally, law enforcement, whether it's federal, state or local, bends over backwards not to indicate candidates around the time of an election because they want to appear apolitical.”

Business/Economy

Biorefinery Coming To Region, Promising New Jobs

Orange Leader

A recently announced near-by biorefinery promises to bring new jobs to the area, business and state leaders say.

The announcement of this \$1.7 billion project brings news of 142 new jobs at completion, an estimated 585 direct construction and related workers' jobs during construction with \$877 million in direct revenues for construction related companies, according to Newton County Judge Kenneth Weeks.

Gov. Greg Abbott made the announcement this week, saying USA BioEnergy, through its subsidiary Texas Renewable Funds, will build the biorefinery in Bon Wier.

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Immigration/Border Security

Where Trump's Border Wall Left Deep Scars And Open Gaps, Biden Plans Repair Job

By Nick Miroff

The Washington Post

The demolition crews kept right on blasting through the Peloncillo Mountains long after Donald Trump lost the election, a result that doomed their contracts. They carved steep roads at dizzying angles and gouged a wide path through the ridgeline where the border wall would go.

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In the year since President Biden halted border wall construction, his administration has been developing plans to put its own stamp on Trump’s pet project. Biden has waved off calls from activists to tear the structure down and recycle the steel. The president promised while he campaigned that there would “not be another foot,” but his government has been adding new barriers as it shores up 13 miles of flood levees along the Rio Grande and fixes other segments left in a precarious state by the contractors rushing to build right up to Biden’s inauguration.

In recent weeks, CBP officials have been soliciting input from ranchers, environmental advocates, landowners and others as the Biden administration prepares to spend hundreds of millions for border wall remediation. The money, which will include unused construction funds, will go to clean up worksites, stabilize areas facing erosion and remedy some of the worst environmental damage, while also allowing CBP to close gaps in the wall. The precise details — where and how much money — remain undefined.

CBP officials say the efforts will be initially focused on southern Arizona’s Tucson sector, including remote and ecologically fragile areas where the most destructive blasting occurred, such as Guadalupe Canyon, as well as the dry creek beds and channels that surge during summer “monsoon” thunderstorms. Segments of the wall were damaged in flooding last year, and erosion along the base of the structure has left its foundation exposed at multiple locations across southern Arizona.

Trump's border wall, vulnerable to flash floods, needs large storm gates left open for months

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Looming over Biden’s repair plan is the possibility Trump could run for office again, whipping up crowds with chants of “Finish the Wall!” and promises to bring back the bulldozers. Trump built 450 miles of new barriers during his term but had plans for at least 250 more.

Trump was unable to build in many of the areas identified by CBP as a top priority, especially along the Rio Grande in Texas. Nearly all of the land there is in private hands, and, despite placing his son-in-law Jared Kushner in charge of the effort to seize those properties using eminent domain, Trump built relatively little in South Texas.

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Immigration arrests by CBP along the Mexico border are higher than ever. Republican support for the project appears to have further intensified during Biden’s presidency, and lawmakers have been pounding him for halting the project.

Rep. John Katko (R-N.Y.), the highest-ranking Republican on the House Homeland Security Committee, said the Biden administration’s border wall remediation plan and its approach to border security, generally, are “insufficient.”

“Frontline homeland security personnel, especially the Border Patrol, are stretched far too thin and lack the resources needed to address the overwhelming and historic flow of migrants crossing the southwest border,” Katko said in a statement. “Every dollar appropriated by Congress for border barrier funding should be used for that very purpose.”

Trump obtained roughly \$15 billion for the wall project, two-thirds of which came from diverted military and counternarcotics funding. The Biden administration said it will return \$2.2 billion in unused funds to the Pentagon.

The Department of Homeland Security said about half of the \$5 billion the Trump administration obtained for the wall through Congress and nonmilitary sources was awarded to contractors, and the department is still calculating how much of the money can be recovered.

New contracts for Biden's remediation projects will be awarded in April, DHS said, with a second round of awards planned for late summer.

Biden has called the wall "a waste of money" and "not a serious policy solution," but Enriquez, of CBP, says it remains a valuable asset.

"The barrier provides impedance and denial, and it's one of the tools that our Border Patrol agents use in their mission to secure the border," Enriquez said. "The administration has indicated that that's not their policy at this time, and we respect that. And so what other methods can we use to help secure those areas?"

CBP said it continues to move forward on an environmental assessment and public comment solicitation for 86 additional miles of barriers in the Rio Grande Valley approved under Trump. But agency officials say they do not have the Biden administration's approval to proceed with construction.

The border wall cuts through remote areas of Arizona and New Mexico that had relatively few crossings and were not considered a priority for CBP. Guadalupe Mountain and the Peloncillo Mountains are a critical wildlife corridor between the Rocky Mountains and Mexico's northern Sierra Madre. (Salwan Georges/The Washington Post)
Guadalupe Canyon

Guadalupe Canyon runs through the heart of the rugged Peloncillo range, a crucial wildlife corridor that is one of the few unobstructed bridges between the Rocky Mountains and Mexico's northern Sierra Madre. The canyon's large sycamore and cottonwood trees create a shaded oasis during the hot summer months.

Goodwin's family and neighboring ranchers have worked for decades to protect hundreds of thousands of acres in these remote areas of southern Arizona and New Mexico using "conservation ranching" methods that closely manage livestock grazing and restore native habitat. Those efforts received wide acclaim after 1996 when a wild jaguar that roamed across the border from Mexico was the first to be photographed on U.S. soil in a generation.

Where Trump border wall rises, these ranchers see defeat

Several other jaguars have been documented in southern Arizona since then, but many of their pathways are now potentially blocked by the border wall.

Goodwin said he and other like-minded landowners are eager to go back to an earlier era of cooperation with the government.

"We want to be a part of CBP achieving its overall goals in a way that benefits the values important to us and meets their objectives," he said. "We have confidence there is a way to do that and not jeopardize what we've been working on for three generations now."

Goodwin said he recognizes the need for barriers in populated areas but that improved surveillance technology can provide solutions in areas that should remain open to wildlife.

"The mountains are a natural deterrent," he said. "The grade of the international border is so steep the contractors couldn't get their equipment up there."

Closing gaps

In the scramble to build as quickly as possible before Biden took office, construction crews in several areas of southern Arizona skipped over locations that required additional engineering or custom wall panels. That included stream channels that need flood gates and areas at border markers that are supposed to afford CBP agents access to the south side of the barrier in case of an emergency. In other locations, crews working from opposite directions needed irregular-sized segments to fill a gap, and the panels didn't arrive in time.

One span of the barrier east of Sasabe, Ariz., has two dozen gaps in the wall and other segments with misshapen, temporary panels welded to the structure like patches.

Myles Traphagen, a conservation biologist who has mapped and documented the impact of border wall construction using motion-activated wildlife cameras, wants the Biden administration to leave the gaps open to provide a minimal degree of safe passage for large animals.

See the animals caught on camera diverting around Trump's border wall

When a Mexican gray wolf with a radio collar headed south last fall, it hit the barrier and walked parallel to it for miles before eventually turning back. The young male wolf, nicknamed Mr. Goodbar, later suffered a gunshot wound that resulted in a leg amputation.

CBP says its remediation will add more wildlife openings in the barrier, but Traphagen says they're too small for species like wolves, jaguar, bighorn sheep, ocelot or Sonoran pronghorn to cross. "Nothing larger than a rabbit is going to use them," he said. "It's only a veneer of environmental compliance."

"The majority of the remediation work they're planning is occurring to support existing border wall infrastructure, not for ecological restoration," Traphagen said.

On one recent afternoon along the wall east of Sasabe, a group of families with small children crossed through a gap in the wall and began trekking along the border road, looking to turn themselves in to U.S. agents and start the asylum process. Most of the families were from Nicaragua, part of a historic surge of migration from the country following president Daniel Ortega's reelection to a fourth term last year, in elections the Biden administration denounced as fraudulent.

"We can't live in our country anymore," said one mother who was traveling with two young daughters. She said she was trying to get to Arkansas.

A woman calling herself Butterfly drove up to the group in a battered Honda Accord and started handing out teddy bears. She had called the Border Patrol to come pick up the families, she said. Butterfly, from Spokane, Wash., said she was with a group called Veterans on Patrol but is not a veteran herself.

"We give little gifts to the kids. We want to make sure there's no trafficking going on," she said, driving off.

In another area nearby where the wall abruptly ends, U.S. border agents with all-terrain vehicles, dogs and a helicopter chased a separate group that was trying to slip away into the craggy Baboquivari Mountains. After the agents left, another group of men in camouflaged clothing approached from the Mexico side, heading for another gap in the wall. They appeared to be part of a smuggling operation.

"What are you doing here?" they yelled, shouting obscenities after seeing a photographer and reporter. Traphagen, who wore a pistol on his hip which he said he began carrying after harassment from contractors' security teams, suggested a quick departure.

Border security concerns "are real," he said. "Human and drug smuggling are real. There is a degree of border security that is needed. The idea of having open borders is not a reality."

Traphagen said he supports more technology along the border as well as use of smaller "vehicle barriers," long employed by CBP to stop smugglers from driving through, which don't block wildlife.

At some locations near gaps and open gates in the wall where he has left motion-activated cameras, Traphagen has captured images of pumas, javelina, deer and other species crossing back and forth into Mexico, but during months and months of footage, he said, not a single person appeared.

"If we can accomplish border security with a smaller footprint and more compassion toward the land and its people, I think we could start constructively trying to solve this problem," he said.

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Transportation

Tarrant County Commissioner Says Electric Vehicles Must Pay Their Fair Share To Use Roads

By Michael McCardel

WFAA

Tarrant County commissioner Gary Fickes knows electric vehicles (EVs) are here to stay and you've got to charge them somewhere.

His question is how leaders in Washington and Austin will get those vehicles to pay their fair share for using the roads.

"The real question is, for the states and the people who maintain these roads, electric vehicles currently don't pay anything to drive on our roads," the Republican said on Inside Texas Politics.

Fickes says the main problem stems from the gas tax. Drivers in Texas currently pay 20 cents per gallon in taxes. And that money helps to fund road construction and maintenance.

Electric vehicles don't need that gas, so they don't pay that tax. But they're still using the roads.

Fickes says it might be time for the Texas Legislature to mandate a tax on electric vehicles. But the very word "tax" has long been anathema to lawmakers.

Texas hasn't even raised its gas tax in nearly 30 years. At a minimum, Fickes says the state must figure out a form of payment for electric vehicles.

The U.S. government is providing nearly \$5 billion over five years to help states create a network of EV charging stations. And during round one, the state of Texas is poised to receive the largest chunk of money, more than \$60 Million.

"We're going to put in all these charging stations, who's going to maintain them? Who's going to own them? It's an 80%, 20% split on putting them in, where the feds are paying 80, the state's paying 20. But who maintains them? Where are those dollars coming from," he asked.

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Greg Abbott News

Poll: Texas Gov. Greg Abbott Leads Beto O’rouke In Gubernatorial Matchup

By Hannah Bleau

Breitbart

Texas Gov. Greg Abbott (R) is leading his potential Democrat challenger, Beto O’Rourke (D), in a head-to-head gubernatorial matchup, a Climate Nexus survey released this week found.

The survey asked respondents, “If the election for Texas governor were being held today, and the candidates were Beto O’Rourke the Democrat and Greg Abbott the Republican, for whom would you vote?”

Forty-five percent of likely voters said they would support the Texas governor, compared to 40 percent who said the Democrat. Seven percent said, “Neither candidate or other candidate,” and another eight percent said they remained unsure.

Overall, 87 percent said they will definitely or probably vote in the Texas governor’s race in November.

The survey, taken February 1-9, 2022, among 933 registered voters in Texas, has a margin of error of +/- 3.3 percent:

The Lone Star State’s primary race — the first in the nation kicking off the midterm election season — is right around the corner, taking place Tuesday, March 1. It is yet to be seen if Abbott can handily defeat his primary challengers and avoid a runoff, allowing him to focus more immediately on the general election, where O’Rourke appears as the frontrunner on the Democrat side.

As Breitbart News reported:

The failed presidential and Senate candidate of the past—he ran unsuccessfully for U.S. Senate against Sen. Ted Cruz (R-TX) in 2018, and unsuccessfully for the Democrat presidential nomination in 2020—has in his career staked out extreme leftist positions on a number of issues, particularly the Second Amendment.

In 2019, for instance, O’Rourke threatened gun owners by saying “we’re going to take” away their AR-15s and AK-47s, something he stood by for years. But last week in Tyler, Texas, O’Rourke tried to change his stance by now saying “I’m not interested in taking anything from anyone.”

O’Rourke still supports gun control though, as in the next breath he ripped constitutional carry measures that Abbott backed. “I want to make sure that we protect our fellow

Texans far better than we're doing right now," O'Rourke said. "And that we listen to law enforcement, which Greg Abbott refused to do. He turned his back on them when he signed that permitless carry bill that endangers the lives of law enforcement in a state that's seen more cops and sheriff's deputies gunned down than in any other."

Abbott left a simple message upon O'Rourke's entry into the race in November, listing his potential challenger's political positions with a simple "Bring it":

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Texas Legislature

An Austin Cop Has Been Charged With Police Misconduct. That Might Actually Help His Texas House Campaign.

By Sneha Dey
Texas Tribune

Republican Justin Berry's Texas House campaign has centered largely on his 14-year tenure as an Austin police officer. He vows on his website to use that professional experience to "protect our neighborhoods, schools and private property."

But less than two weeks before the March 1 GOP primary, Berry was among 19 Austin law enforcement officers indicted and accused of using excessive force on anti-police brutality protesters in 2020. Berry and law enforcement groups quickly pushed back on the development, which they portrayed as a political stunt from a Democratic district attorney who won office after promising to hold law enforcement accountable.

"The question is not how the prosecution will turn out," Berry said in a statement late Friday. "We will be acquitted. The question is: When police are treated like this, who will want to become police officers?"

That messaging — and the indictments themselves — could spur Republican voters in the predominantly white and mostly Republican Central Texas district to back Berry, political experts and local Republicans say.

"It's rocket fuel to his campaign," said Cal Jillson, a political scientist at Southern Methodist University. "There's not a lot of sleep lost or concern over excessive use of force against demonstrators in Austin."

A 2020 University of Texas / Texas Tribune poll conducted after that year's protests against police brutality found a stark partisan and racial divide in whether voters had a favorable or unfavorable view of law enforcement. In that poll, 84% of Republicans had a favorable opinion of law enforcement, while only 30% of Democrats did. Among white voters, 69% had a favorable opinion, but only 33% of Black voters and 43% of Hispanic voters did.

Central Texas' House District 19 largely covers suburbs and Hill Country towns west of Austin where 82% of eligible voters are white. The mostly Republican district was redrawn during last year's redistricting process. Former President Donald Trump would have carried the district in 2020 by nearly 40 percentage points. That means the Republican nominee will likely beat the lone Democrat seeking the seat in the November general election.

"Republican primary voters are very pro-law enforcement," said Travis County GOP Chair Matt Mackowiak. "And I think a lot of Republican primary voters are going to view these indictments as an outrage. So it could be the kind of thing that raises his profile, that gives him a cause to cite on the campaign trail to galvanize supporters. "

Protesters across the state and country flooded the streets for weeks in 2020 after a Minneapolis police officer murdered George Floyd, a Black man. The protests divided Americans along partisan lines. Black Lives Matter supporters say the demonstrations were an outcry against police officers' use of force on Black people, who are killed at disproportionately higher rates in police custody. But critics, including Republican officials across all levels of government, depicted the protests as violent and destructive uprisings.

In a statement late Friday, Berry echoed those GOP portrayals of the demonstrations as violent when he criticized Travis County District Attorney José Garza for pursuing the indictments.

"DA Garza promised in his campaign to go after law enforcement officials even when they are risking their lives protecting Austin from being burnt to the ground," Berry said. "He is keeping that deadly promise."

Garza announced the indictments at a press conference Thursday, but said his office was not disclosing details about the charges until individual officers are arrested and booked into jail. That means it's not yet publicly known what crime or crimes Berry is accused of committing during the 2020 protests. A police union official said the officers face accusations of excessive force. Berry's lawyer declined to comment until the indictment against his client is made public.

Austin Police Chief Joseph Chacon defended his officers this week. He and City Manager Spencer Cronk said they did not think officers should face criminal charges.

In announcing the indictments, Garza said many of the protesters injured were innocent bystanders. But Berry said Garza "demonizes police" and "demands that police abandon their oaths."

Police said demonstrators threw bottles and rocks at officers, sometimes injuring them, damaging police cars and breaking into stores. But advocates and protesters expressed outrage over police officers turning to violent crowd-control measures, including bean bag rounds.

Cities and communities in Texas continue to grapple with the aggressive tactics that police waged against protesters that year. Police officers all over Texas and the nation have faced charges for how they dealt with protesters. Last week, the Dallas County district attorney's office issued warrants for two Dallas police officers' arrest for their alleged use of force during the 2020 racial justice protests in that city.

The Austin indictments are among the highest tied to a single city's police force in connection with the 2020 protests so far, according to the Associated Press.

Earlier Thursday, the Austin City Council unanimously approved a settlement with two demonstrators who suffered severe head injuries in 2020. Justin Howell will receive \$8 million — the highest amount ever awarded in an excessive force case involving an Austin police officer, the Austin American-Statesman reported. Anthony Evans, another protester, will get \$2 million.

Craig Murphy, a spokesperson for Berry's campaign, said the Texas House candidate and the other officers followed orders, and expects the jury to find them not guilty.

"They did exactly what they were told to do with the tools they were given and with the training they were given," Murphy said.

In the primary, Berry faces former Austin City Council member Ellen Troxclair, former legislative staffer Nubia Devine and military veteran Perla Hopkins. Devine declined to comment on the indictment. Hopkins and Troxclair did not respond to requests for comment.

According to the candidates' Jan. 31 campaign finance reports, Troxclair had the financial edge heading into the primary's homestretch. She had more than \$412,000 cash on hand in January. Berry had more than \$36,000, Devine had nearly \$23,000, while Hopkins trailed behind with almost \$2,300.

Democratic candidate Pam Baggett, whom the Republican nominee will face in November, said there is not enough information to determine how Berry was involved.

"We're going to have to wait and see what actually is the charge. We don't know yet," Baggett said.

With the March 1 primary election less than two weeks away, The Combined Law Enforcement Associations of Texas executive director Charley Wilkison said the timing of the indictment was intended to drive voter turnout for "anti-police candidates." The Combined Law Enforcement Associations of Texas has previously endorsed Berry.

The proceedings against Berry and the 18 other police officers could take months or years to resolve. Mackowiak said that creates uncertainty among voters, and could take Berry's attention away from the campaign.

The scheduling of indictment proceedings against Berry was unusual, Mackowiak, the Travis County GOP chair, added.

“We don’t see candidates get indicted days before an election,” Mackowiak said. “In fact, generally, law enforcement, whether it’s federal, state or local, bends over backwards not to indicate candidates around the time of an election because they want to appear apolitical.”

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Business/Economy

Biorefinery Coming To Region, Promising New Jobs

Orange Leader

A recently announced near-by biorefinery promises to bring new jobs to the area, business and state leaders say.

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The Washington Post

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The barrier's performance so far is mixed. It has funneled illegal entries and smuggling activity toward gaps and crossing points that remain open. But determined smugglers scale it with cheap makeshift ladders or saw through it with common demolition tools available at any hardware store. In Texas, the wall doesn't stop migrants from crossing the Rio Grande because the structure can't be built on the river, the natural border with Mexico.

Immigration arrests by CBP along the Mexico border are higher than ever. Republican support for the project appears to have further intensified during Biden's presidency, and lawmakers have been pounding him for halting the project.

Rep. John Katko (R-N.Y.), the highest-ranking Republican on the House Homeland Security Committee, said the Biden administration's border wall remediation plan and its approach to border security, generally, are "insufficient."

"Frontline homeland security personnel, especially the Border Patrol, are stretched far too thin and lack the resources needed to address the overwhelming and historic flow of migrants crossing the southwest border," Katko said in a statement. "Every dollar appropriated by Congress for border barrier funding should be used for that very purpose."

Trump obtained roughly \$15 billion for the wall project, two-thirds of which came from diverted military and counternarcotics funding. The Biden administration said it will return \$2.2 billion in unused funds to the Pentagon.

The Department of Homeland Security said about half of the \$5 billion the Trump administration obtained for the wall through Congress and nonmilitary sources was awarded to contractors, and the department is still calculating how much of the money can be recovered. New contracts for Biden's remediation projects will be awarded in April, DHS said, with a second round of awards planned for late summer.

Biden has called the wall "a waste of money" and "not a serious policy solution," but Enriquez, of CBP, says it remains a valuable asset.

"The barrier provides impedance and denial, and it's one of the tools that our Border Patrol agents use in their mission to secure the border," Enriquez said. "The administration has indicated that that's not their policy at this time, and we respect that. And so what other methods can we use to help secure those areas?"

CBP said it continues to move forward on an environmental assessment and public comment solicitation for 86 additional miles of barriers in the Rio Grande Valley approved under Trump. But agency officials say they do not have the Biden administration's approval to proceed with construction.

The border wall cuts through remote areas of Arizona and New Mexico that had relatively few crossings and were not considered a priority for CBP. Guadalupe Mountain and the Peloncillo Mountains are a critical wildlife corridor between the Rocky Mountains and Mexico's northern Sierra Madre. (Salwan Georges/The Washington Post)
Guadalupe Canyon

Guadalupe Canyon runs through the heart of the rugged Peloncillo range, a crucial wildlife corridor that is one of the few unobstructed bridges between the Rocky Mountains and Mexico's northern Sierra Madre. The canyon's large sycamore and cottonwood trees create a shaded oasis during the hot summer months.

Goodwin's family and neighboring ranchers have worked for decades to protect hundreds of thousands of acres in these remote areas of southern Arizona and New Mexico using "conservation ranching" methods that closely manage livestock grazing and restore native habitat. Those efforts received wide acclaim after 1996 when a wild jaguar that roamed across the border from Mexico was the first to be photographed on U.S. soil in a generation.

Where Trump border wall rises, these ranchers see defeat

Several other jaguars have been documented in southern Arizona since then, but many of their pathways are now potentially blocked by the border wall.

Goodwin said he and other like-minded landowners are eager to go back to an earlier era of cooperation with the government.

“We want to be a part of CBP achieving its overall goals in a way that benefits the values important to us and meets their objectives,” he said. “We have confidence there is a way to do that and not jeopardize what we’ve been working on for three generations now.”

Goodwin said he recognizes the need for barriers in populated areas but that improved surveillance technology can provide solutions in areas that should remain open to wildlife.

“The mountains are a natural deterrent,” he said. “The grade of the international border is so steep the contractors couldn’t get their equipment up there.”

Closing gaps

In the scramble to build as quickly as possible before Biden took office, construction crews in several areas of southern Arizona skipped over locations that required additional engineering or custom wall panels. That included stream channels that need flood gates and areas at border markers that are supposed to afford CBP agents access to the south side of the barrier in case of an emergency. In other locations, crews working from opposite directions needed irregular-sized segments to fill a gap, and the panels didn’t arrive in time.

One span of the barrier east of Sasabe, Ariz., has two dozen gaps in the wall and other segments with misshapen, temporary panels welded to the structure like patches.

Myles Traphagen, a conservation biologist who has mapped and documented the impact of border wall construction using motion-activated wildlife cameras, wants the Biden administration to leave the gaps open to provide a minimal degree of safe passage for large animals.

See the animals caught on camera diverting around Trump's border wall

When a Mexican gray wolf with a radio collar headed south last fall, it hit the barrier and walked parallel to it for miles before eventually turning back. The young male wolf, nicknamed Mr. Goodbar, later suffered a gunshot wound that resulted in a leg amputation.

CBP says its remediation will add more wildlife openings in the barrier, but Traphagen says they’re too small for species like wolves, jaguar, bighorn sheep, ocelot or Sonoran pronghorn to cross. “Nothing larger than a rabbit is going to use them,” he said. “It’s only a veneer of environmental compliance.”

“The majority of the remediation work they’re planning is occurring to support existing border wall infrastructure, not for ecological restoration,” Traphagen said.

On one recent afternoon along the wall east of Sasabe, a group of families with small children crossed through a gap in the wall and began trekking along the border road, looking to turn themselves in to U.S. agents and start the asylum process. Most of the families were from Nicaragua, part of a historic surge of migration from the country following president Daniel Ortega's reelection to a fourth term last year, in elections the Biden administration denounced as fraudulent.

"We can't live in our country anymore," said one mother who was traveling with two young daughters. She said she was trying to get to Arkansas.

A woman calling herself Butterfly drove up to the group in a battered Honda Accord and started handing out teddy bears. She had called the Border Patrol to come pick up the families, she said. Butterfly, from Spokane, Wash., said she was with a group called Veterans on Patrol but is not a veteran herself.

"We give little gifts to the kids. We want to make sure there's no trafficking going on," she said, driving off.

In another area nearby where the wall abruptly ends, U.S. border agents with all-terrain vehicles, dogs and a helicopter chased a separate group that was trying to slip away into the craggy Baboquivari Mountains. After the agents left, another group of men in camouflaged clothing approached from the Mexico side, heading for another gap in the wall. They appeared to be part of a smuggling operation.

"What are you doing here?" they yelled, shouting obscenities after seeing a photographer and reporter. Traphagen, who wore a pistol on his hip which he said he began carrying after harassment from contractors' security teams, suggested a quick departure.

Border security concerns "are real," he said. "Human and drug smuggling are real. There is a degree of border security that is needed. The idea of having open borders is not a reality."

Traphagen said he supports more technology along the border as well as use of smaller "vehicle barriers," long employed by CBP to stop smugglers from driving through, which don't block wildlife.

At some locations near gaps and open gates in the wall where he has left motion-activated cameras, Traphagen has captured images of pumas, javelina, deer and other species crossing back and forth into Mexico, but during months and months of footage, he said, not a single person appeared.

"If we can accomplish border security with a smaller footprint and more compassion toward the land and its people, I think we could start constructively trying to solve this problem," he said.

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Transportation

Tarrant County Commissioner Says Electric Vehicles Must Pay Their Fair Share To Use Roads

By Michael McCardel
WFAA

Tarrant County commissioner Gary Fickes knows electric vehicles (EVs) are here to stay and you've got to charge them somewhere.

His question is how leaders in Washington and Austin will get those vehicles to pay their fair share for using the roads.

“The real question is, for the states and the people who maintain these roads, electric vehicles currently don't pay anything to drive on our roads,” the Republican said on Inside Texas Politics.

Fickes says the main problem stems from the gas tax. Drivers in Texas currently pay 20 cents per gallon in taxes. And that money helps to fund road construction and maintenance.

Electric vehicles don't need that gas, so they don't pay that tax. But they're still using the roads.

Fickes says it might be time for the Texas Legislature to mandate a tax on electric vehicles. But the very word “tax” has long been anathema to lawmakers.

Texas hasn't even raised its gas tax in nearly 30 years. At a minimum, Fickes says the state must figure out a form of payment for electric vehicles.

The U.S. government is providing nearly \$5 billion over five years to help states create a network of EV charging stations. And during round one, the state of Texas is poised to receive the largest chunk of money, more than \$60 Million.

“We're going to put in all these charging stations, who's going to maintain them? Who's going to own them? It's an 80%, 20% split on putting them in, where the feds are paying 80, the state's paying 20. But who maintains them? Where are those dollars coming from,” he asked.

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Greg Abbott News

Gov. Greg Abbott's Two Most Vocal GOP Challengers Have Long Sought To Push Their Party To The Right

By Morgan O'Hanlon

Texas Tribune

On Texas GOP primary ballots, Don Huffines and Allen West are technically opponents who each want to unseat Republican Gov. Greg Abbott next week. But on the campaign trail, they've largely put up a united front as they appear together at events across the state with platforms that are nearly indistinguishable as they portray Abbott as insufficiently conservative.

That tactic doesn't seem to be garnering either of them enough support to unseat the incumbent. Abbott is expected to easily fend off all of his intraparty candidates in the March 1 primary and avoid a runoff for the party nomination, according to a recent University of Texas / Texas Politics Project Poll.

But for Huffines and West — the two most vocal and well known of Abbott's GOP challengers — losing the nomination won't necessarily mean they've lost ground in the larger goal both have long tried to achieve: moving the Republican party further to the right.

Their platforms call for drastically reducing property taxes or eliminating them outright. They say they would replace that revenue, which funds everything from Texas schools and city streets to local governments, with a much larger consumption tax — though neither candidate has named the amount by which they'd want to raise Texas' 6.25% state sales tax. They also would send more troops to the state's southern border — beyond the 10,000 Texas National Guard members already deployed under Abbott's Operation Lone Star. And they want to let parents use tax dollars to subsidize private or charter school education for their children.

Brendan Steinhauser, a political strategist and professor of political science at St. Edward's University in Austin, said those policy choices are key to the pair's shared goal of taking Abbott's job.

"They're looking to get to his right because they know that's the key to winning a Republican primary," Steinhauser said. "They're looking to move the debate to their ground."

Huffines, the former state senator, and West, the former chair of the Republican Party of Texas, have each taken different roads to become chief intraparty critics of the sitting governor. And they've long exhibited vastly different styles and motivations in their bids for public office, according to both friends and political foes.

Huffines, a former real estate developer from Dallas, is known as someone who actually lives by the conservative values he espouses, according to those who know him.

"I think he's just an honest person," said Republican former U.S. Rep. Ron Paul of Texas. "Today, sometimes that's hard to understand because you don't hear much truth from politicians ... all we hear are lies and innuendos."

West, on the other hand, is a former Florida congressman known as a brash and strategic man who uses his attention-grabbing persona to build a loyal fan base.

In the past year, that personality has been on display as he challenged a reporter in the Texas Capitol to a pushup competition and attended a protest against mask mandates outside the Texas Governor's Mansion with a megaphone in hand.

"He relished people asking him about why he was doing something," said Mitch Ceasar, who served as chair of the Broward County Democratic Party during West's congressional term in that part of Florida. "Part of his intelligence is his desire to stake out a niche that's a little further out there than anybody else to get attention."

From a military career to politics

During West's 22 years in the military, he was deployed during the Gulf War and the Iraq War and achieved the title of lieutenant colonel. His military career ended after he was found guilty in 2003 of Uniform Code of Military Justice violations, including assault. According to testimony delivered in a hearing, soldiers under West's command assaulted an Iraqi civilian. West subsequently threatened the man's life and fired at least one shot inches from his head. West retired a few months later.

"I know the method I used was not right, but I wanted to take care of my soldiers," West testified during the investigation of the events, according to CNN. "If it's about the lives of my soldiers at stake, I'd go through hell with a gasoline can."

West did not respond to requests for comment for this article.

After retiring from the military in 2004, West moved to Florida, where he taught history and coached track at a public high school south of Palm Beach before moving on to work for a defense contractor. Although Allen won the Republican primary for Florida's 22nd congressional district in 2008, he lost the general election, his first matchup against Ron Klein, by nearly 10 points. During the tea party movement's first wave in the early 2010s, he gained traction on a platform against Obama-era policies like the Affordable Health Care Act (which had passed the previous year) and won against Klein by nearly 9 points.

Richard DeNapoli, the former chair of the Republican Party of Broward County, said West has a knack for eliciting loyalty from GOP voters.

"I never saw that many volunteers except for when he ran," DeNapoli said. "People got invested in Allen West."

West won the 2010 race and during his first term voted to repeal "Obamacare" and called for an investigation into the attack on the U.S. consulate in Benghazi. Ceasar, the local Democratic party chair, said the freshman lawmaker was known in South Florida's political circles for his outspoken comments calling U.S. House Democrats communists and comparing himself to Harriet Tubman.

West served only one term, though, after redistricting drew him out of his district and he lost a bid for another term in Congress. In 2014, he moved to Texas. The state first garnered his admiration after he saw the 1960 film "The Alamo" starring John Wayne, West wrote in his 2018 book "Hold Texas, Hold the Nation."

"I was simply enthralled with men who would make a stand for freedom," he wrote. "I will stand for conservative values and conservative success until the end, and I will make my stand in Texas."

After West did stints at conservative Texas think tanks, Lt. Gov. Dan Patrick appointed him in 2015 to the state's Sunset Advisory Commission, which evaluates governmental agencies and makes recommendations to improve their efficiency, sometimes by shutting them down. Then in 2020, West ousted James Dickey as chair of the Republican Party of Texas.

Houston attorney Mark McCaig said the Texas GOP under West's leadership was more interested in attacking Republican officials than in communicating the party's successes. In one instance of infighting, West led a protest outside Abbott's home in October 2020 demanding pandemic restrictions be lifted immediately — in spite of Abbott's announcement days before that major restrictions would be lifted the following week.

West stepped down as GOP chair last year after announcing his bid to officially challenge Abbott in this year's primary.

West has campaigned across the state in an oversized, double-decker bus that matches his outsized personality. At campaign stops, West flexes his master's degree in philosophy as he fits quotes from Karl Marx, Ronald Reagan, the U.S. Constitution, the Bible and a rolodex of military history into a matter of minutes.

At several candidate forums in January, West wielded his personal experiences in the military to empathize with the Texas National Guard troops who have described deplorable conditions and an unclear mission after Abbott deployed them to the Texas-Mexico border to stem a flow of migrants crossing into the United States.

"They don't have a defined task and purpose; they're just down there as bystanders, and they're away from their families," he said at a candidate forum in Lake Travis last month, referring to the suicides of some Texas National Guard troops since they were deployed late last year.

West has also criticized Abbott for his pandemic response that reduced capacity or closed Texas businesses in 2020. He's recently referenced Florida on the campaign trail after Gov. Ron DeSantis last year signed legislation banning some coronavirus precautions, like

vaccine requirements and mask mandates. West's comparisons between Texas and Florida came even though Abbott has also opposed mask mandates and vaccine requirements, largely through executive orders and lawsuits.

"I'm sick and tired of all my friends that I have back there in Florida calling me and telling me how great Ron DeSantis is doing and how great Florida's doing when Texas, the Lone Star, should be leading the other 49 stars on that flag," West said in Lake Travis last month.

Leaning on legislative experience

Huffines, the former state senator, has already appeared successful in influencing how Abbott governs on a number of hot-button topics, including pandemic-era safety mandates, border security and health care access for transgender children.

Huffines was born into a wealthy and influential North Texas family. His father ran successful car dealerships and banks and became involved with politics as a member of several statewide commissions. Huffines' twin brother also ran unsuccessfully for Texas Senate against Angela Paxton in 2018 and served a brief stint as the chair of the Dallas County GOP in 2016.

Although he was involved with several Republican campaigns, including Paul's, through the early 2000s, Huffines' political involvement was limited until after his father died in 2009, around the same time the tea party movement picked up steam.

Then, in 2014, he decided to run for office and took aim at a state Senate seat in North Texas. It pitted him against longtime Republican John Carona, who'd been in the Senate for 19 years. Huffines accused the incumbent of being a "career politician" who was primarily looking out for himself.

"I'm tired of being on the sidelines," Huffines said as he announced the campaign in late 2013.

Huffines ousted Carona in the primary and won the general election. But he said his frustration with intraparty politics solidified during his first GOP caucus meeting shortly after inauguration.

"They just get this brainwashing going on that elected office holders down there are the elitists of the world ... and our loyalty lies with our fellow club members; it doesn't lie with the voters," Huffines told The Texas Tribune.

The experience influenced his entire term in the Legislature's upper chamber.

"My battle was generally with Republicans when I was there. It wasn't necessarily with the Democrats," Huffines said. "It was mainly with Republicans because they're always trying not to be accountable, not to take the hard vote, because they campaign one way and they want to govern a different way."

In his first term, Huffines co-authored an early version of the bill that mandated burial of fetal remains after an abortion — which was later struck down by a federal judge. Huffines also pushed legislation that would have made it more difficult to pass bonds, commonly used to fund projects in Texas school districts, by requiring 30% of all voters on the voter registration rolls cast a ballot even though such elections are known to draw out a small fraction of voters.

In 2017, he introduced a bill that would have allowed Texans to carry a firearm without a permit. He also authored resolutions that would have limited terms of the governor and other statewide elected officials to two four-year terms and would limit state legislators to 12 years in either chamber. Those bills didn't pass, but permitless carrying of firearms did become law after Huffines himself was ousted from the Senate.

In spite of the limited success of his own legislation, Huffines maintains that he delivered on his campaign promises like saving taxpayer dollars by fighting to close Dallas County Schools, a bus transportation agency, which was investigated by the FBI and ultimately shut down for mismanagement.

But Huffines was unseated in 2018 by Democrat Nathan Johnson. He believes Huffines' views are heartfelt, but said that's what makes him an untenable candidate for Senate District 16 voters.

"Huffines, in an odd sort of way to his credit, shares and stands by his convictions," Johnson wrote in a 2017 Facebook post. "Each day more SD 16 residents learn that his convictions make for harmful public policy."

Like West, Huffines hasn't shied away from controversial remarks. Last month, he referred to COVID-19 as "the Wuhan" — a reference to the Chinese city where the virus was first discovered — while answering a question about vaccine and mask mandates.

Referring to the coronavirus by its place of origin rather than its scientific name has been derided as racist and xenophobic since the pandemic began. And Huffines' references came after the number of hate crimes against Asian Americans skyrocketed during the pandemic.

Later during that panel, while answering a question about competition in the U.S. job market between domestic and international workers, Huffines without evidence accused Chinese international students of partaking in espionage.

"One thing we've got a lot in our graduate programs in the universities here, and our Ph.D. programs, is a lot of communist Chinese students," he said. "They're taking all of that information back."

Last month, Jake Lloyd Colglazier, a staffer on Huffines' campaign, was revealed to have made comments about white supremacy on YouTube and other social media platforms.

In response, Huffines said his campaign would not fire Colglazier because he does not believe in "cancel culture." But Huffines distanced himself from the staffer, saying that he has more than 70 people on his payroll and did not know Colglazier.

In spite of his similarities to West and other candidates, Huffines maintains that he stands out among the field.

"I'm the only candidate running for governor that's been in the Legislature, been in the swamp as I say, and I can tell you I could not imagine being governor without having that experience," he said.

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Abbott Directs DFPS To Investigate Use Of Puberty Blockers As Child Abuse After Attorney General Opinion

By Isaiah Mitchell

The Texan

Governor Greg Abbott directed the Texas Department of Family and Protective Services (DFPS) today to begin investigating the use of puberty blockers and other gender transition procedures as child abuse.

"Because the Texas Department of Family and Protective Services is responsible for protecting children from abuse, I hereby direct your agency to conduct a prompt and thorough investigation of any reported instances of these abusive procedures in the State of Texas," Abbott's letter reads.

"To protect Texas children from abuse, DFPS and all other state agencies must follow the law as explained in OAG Opinion No. KP-04."

DFPS manages the state's foster care system and is responsible for child protection. Under Abbott's directive, the agency now has the duty to investigate the families of children who undergo these gender transition procedures.

Additionally, other state agencies now have the duty to "investigate licensed facilities where such procedures may occur," according to Abbott's letter.

The opinion Abbott references came out of the attorney general's office just yesterday. In response to an official request by state Rep. Matt Krause (R-Fort Worth), one of the lawmakers who filed a bill in the regular legislative session to ban child gender modification, Attorney General Ken Paxton opined that current Texas law already defines endocrine and surgical treatments meant to aid a sex transition as abuse.

Under state law, any licensed professional that has direct contact with children — such as doctors or teachers — faces criminal penalties for failing to report child abuse.

The announcement follows a similar letter Abbott wrote to DFPS Commissioner Jaime Masters in August, asking the agency to treat genital transition surgeries as abuse under current law when performed on children. Masters agreed, responding to Abbott in a letter just days later.

Although there were citizens who testified during the regular session that they had undergone genital transition surgery before the age of 18, puberty-suppressing drugs and cosmetic surgeries like mastectomies are much more common for children. Since Abbott's August letter did not include these procedures, Krause's request to Paxton asked if the law might already deem them abuse.

Several Republicans filed legislation to ban these procedures during the regular session, but none received a floor vote in the Texas House. While some would classify these procedures as child abuse, thus authorizing DFPS to intervene in families, Krause's bill would have threatened doctors with penalties such as license suspension for performing these surgeries or administering puberty blockers.

During special sessions, the legislature can only consider topics that the governor allows. Abbott did not add the topic of child gender modification to the agendas of the three special sessions that followed the regular session.

While Abbott's letter is addressed directly to Masters, he also carbon copies the letter to directors of various state agencies, including the Texas Education Agency, the Texas Medical Board, and the Texas Behavioral Health Executive Council.

Alongside drugs "that induce transient or permanent infertility," the specific procedures that Paxton deemed abusive include surgeries to alter a child's genitals or reproductive system, surgeries to remove breasts, or any surgery that removes healthy or non-diseased tissue from the body.

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Administration News

- **Attacks Fly In Final Days Of Attorney General Ken Paxton's Primary Fight**

By Patrick Svitek

Attorney General Ken Paxton and his three Republican primary challengers are firing in all directions in the final days before the closely watched election.

Paxton is airing TV ads attacking U.S. Rep. Louie Gohmert of Tyler over his attendance record in Congress, while Gohmert is countering with his own commercial accusing Paxton of desperation. Meanwhile, Land Commissioner George P. Bush is running TV ads targeting Eva Guzman, the former state Supreme Court justice, who says Bush's claims are "ludicrous."

It is all making for a hectic end to the hotly contested primary, which recent polls suggest could go to a runoff. The polls have been less clear, though, on who Paxton could face in an overtime round. The election is March 1.

During a campaign stop Tuesday in Tyler, Bush reportedly proclaimed that he is heading to a runoff with Paxton, though his campaign now has Guzman in its crosshairs. His latest TV spot accuses her of a cardinal sin in today's GOP politics: opposing a border wall.

But Guzman is crying foul. She has long supported a wall in her campaign.

In the new 15-second commercial from Bush, a narrator says Guzman "opposes George P. Bush's plan to finish [former President Donald] Trump's wall, calling it a ploy." Bush's campaign said the claim is based on a mailer that Guzman recently sent out, quoting a December article from The Texas Tribune that said Bush's "border security strategy appears to be a ploy to score points with immigration hardliners who often swing the Republican primaries."

But that was a reference to Bush's prioritization of border security in his campaign, not any plan to finish the wall.

"From the moment I stepped off the Supreme Court and have been able to share policy positions, I have been unequivocal in my plan to use my legal experience to secure the border, and that includes building the wall," Guzman said. "It's been on my website and I mention it in every speech I give."

On her website, Guzman has a two-page border-security plan. The first bullet point is "Build the wall."

Asked for comment on the ad, Bush's campaign doubled down on the core accusation and criticized Guzman on several other fronts. Bush said in a statement that Guzman "has done nothing but launch personal attacks against me during this race." Guzman has hounded Bush over his decision to classify his law license as inactive from 2010 until 2020, which he has brushed off as an irrelevant formality while he has led the General Land Office.

As land commissioner, Bush has had a visible role in Gov. Greg Abbott's plan to finish Trump's wall. In November, he authorized construction of the state-funded border wall on state-owned land and appeared alongside Abbott at the wall's debut the next month.

All the GOP candidates for attorney general are pitching themselves as tough on the border. It has been the sole subject of Bush's TV ads, which highlight his endorsement from the National Border Patrol Council. Gohmert has been talking about how he helped build Trump's wall by voting for it as a congressman. And Guzman has been running a TV ad in which she says her father was "killed by an illegal immigrant who disappeared and was never brought to justice."

Then there is Paxton, who has Trump's endorsement and is running on his legal battles with President Joe Biden over the border, among other issues. Paxton's TV ads tout his lawsuit last year that temporarily blocked the Biden administration's 100-day freeze on deportations of some undocumented immigrants.

Border issues remain a high priority for Texas Republicans. In a University of Texas poll released last week, 58% of Republicans called either border security or immigration the most important problem facing Texas today.

All of Paxton's primary foes have been assailing his ethics and integrity since the beginning of their campaigns. The incumbent has been under indictment on securities fraud charges since 2015 and more recently came under FBI investigation over claims by former deputies that he abused his office to help a wealthy contributor. Paxton has denied wrongdoing in both cases.

As for Paxton and Gohmert, the attorney general continues to go after the congressman's attendance record, saying he has missed over 800 votes during his 17 years in Congress. Paxton's campaign has concentrated the attacks in Gohmert's native East Texas, where Paxton himself has acknowledged Gohmert's support is the strongest.

Gohmert has missed 840 of 11,538 roll-call votes from January 2005 through February 2022, according to Gov Track. That absent rate — 7.3% — is "much worse than the median of 2.1% among the lifetime records of representatives currently serving," according to the website.

"If you pay a man to do a job, you expect him to show up for work," a narrator says in Paxton's latest anti-Gohmert commercial. "So why are we paying Louie Gohmert?"

Paxton is countering the commercial with his own in East Texas. It begins with Gohmert speaking directly to the camera, saying Paxton's "attacks on me are now revealing a real desperation."

When it comes to his attendance record, Gohmert says Paxton is making a mountain out of a molehill.

“In contrast to Paxton’s pattern of dishonesty and unlawful behavior brought forward by his own very top attorneys, these votes are basically procedural in nature, designed to get Congressional members to the floor so that leadership can whip votes, and are a tiny percentage of the thousands and thousands of votes cast,” Gohmert said in a statement.

“Once again, Ken fails to tell the truth to Texas voters, and his pattern of dishonesty is disqualifying as our state’s top Attorney.”

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State News

Dallas County Judicial Candidates For Hotly Contested Race Owe Thousands In Fines To The State

By Krista M. Torralva

Dallas Morning News

All three candidates in a hotly contested Dallas County judicial race owe fines to the state for failing to report their campaign donors on time. One candidate owes \$33,000.

Amber Givens, a Democrat who presides over the 282nd District Court in Dallas County, is facing primary challenges from former judges Andy Chatham and Teresa Hawthorne for the felony court bench. The primary is March 1. There is no Republican candidate.

Judicial candidates must regularly report their campaign fundraising to the state – a step open government advocates call critical to ensuring judges’ impartiality and transparency. State law requires candidates report to the state and to voters where their campaign fundraising is coming from. But a weak enforcement system allows candidates to get away with ignoring deadlines, thus keeping secret how much money they receive and the identities of donors.

Candidates with unpaid fines may continue running in elections in part because of the Commission’s lack of resources, ethics expert and attorney Andrew Cates said.

Givens owed \$500 for late filings as of Nov. 10, the last time the Texas Ethics Commission updated its list of delinquent filers. The incumbent last reported her campaign contributions in July, although at least two more reports were due in the months since.

Hawthorne owes a whopping \$33,000 for being delinquent on filing with the commission. She was previously a judge for the 203rd District Court and previously ran unsuccessfully for Criminal District Court 3.

Chatham owed \$5,800 as of November.

All three candidates said they had explanations for the late filings and fines.

Andy Chatham

When asked about the money he owed, Chatham said he mailed a check to the Ethics Commission last week.

Chatham chalked his delinquency up to a mistake. He said he filed a campaign treasurer report with the state when he thought he might run for another position after his unsuccessful bid for re-election of the 282nd District Court in 2014 when he lost to Givens. He ended up not running, but he was still required to file campaign reports since he submitted a campaign treasurer report.

“I didn’t run, and I didn’t collect any money,” Chatham said.

Teresa Hawthorne

The Office of the Attorney General sued Hawthorne. And in August, a Travis County judge paved the way for the state to collect more than \$32,000 in administrative penalties and \$2,400 for the state’s legal fees.

Hawthorne told The Dallas Morning News that she has not made payments and does not believe she needs to. She provided The News with written communication with an Attorney General attorney dated May 13, 2019, – two years before the judge’s order – that showed the lawyer agreed not to seek an injunction against her if she filed her reports late. The AG’s office did not respond to requests for comment.

Hawthorne said her late filings were due to computer complications. She is up to date on her campaign finance reports, the commission website shows. She said she will make payments if necessary.

Amber Givens

Candidates are afforded opportunities to explain their late filings to the Ethics Commission and may not be penalized. That’s what Givens plans to do, her campaign manager Deneen Robinson said.

“We believe we have circumstances that will meet an exception and we will present those to the Commission,” Robinson said. She did not offer details.

Former Texas State Sen. Kirk Watson Jumps Into Race To Be Austin's Next Mayor By Ryan Autullo
Austin American Statesman

Kirk Watson, who was Austin's mayor from 1997 to 2001 before serving more than 13 years in the Texas Senate, says he hopes to be mayor again and is entering the race to follow Steve Adler in the November election.

Clearing up months of speculation on his political future, Watson launched his campaign Tuesday morning in an email to supporters titled, "Let's do this!"

Watson — a Democrat who recently left his role as the first dean of the University of Houston's Hobby School of Public Affairs — also named a campaign treasurer, which allows him to begin raising money. Fundraising has been a strength of Watson's as a political candidate and figures to factor heavily in a race that elections insiders expect to be expensive and reach up to \$1 million in spending for the winner.

His political prowess and name recognition gives Watson an advantage, as he was well thought of by Democrats at both City Hall and the Capitol. However, he must work to ingratiate himself to younger voters and new residents unfamiliar with that work.

Why is former Sen. Kirk Watson running for Austin mayor?

Watson, 63, is the fourth major candidate to enter the race, joining Jennifer Virden, a real estate agent and former Austin City Council candidate, state Rep. Celia Israel, D- Austin, and Austin City Council Member Kathie Tovo. (Because of term limits, Adler can't seek reelection.)

Tovo has not formally launched her campaign, but previously said she plans to run and has filed an updated campaign treasurer form.

No other candidates of note are expected in the race.

"I'm running for mayor because there's more to do," Watson wrote to his supporters. "I want to ensure that our city effectively addresses the range of issues that will define our future. Austin should be thinking big. We should be setting and achieving aspirational goals. And we should be able to do those things while still providing basic, day-to-day services."

Former state Sen. Kirk Watson speaks during an event at Huston-Tillotson University this past October. Watson, who was Austin's mayor from 1997-2001, said Tuesday he is entering the race to replace current Mayor Steve Adler.
More: State Rep. Celia Israel launches exploratory committee for Austin mayor in 2022

Watson first discussed running for mayor last August in a conversation with the American-Statesman. At that time, local political consultant Mark Littlefield said Watson would be tough to beat but not unbeatable.

In naming his campaign priorities, Watson touched on many of the biggest challenges the city faces as it has experienced rapid growth and become a hub for major technology corporations. When Watson left office 21 years ago, Austin's population was 669,693. Last year, the city said its population was 1,026,833, although the U.S. Census Bureau had it at just under 1 million.

Watson said he will prioritize addressing the rising cost of living in Austin, as well as the city's homelessness crisis, systemic racism, public safety, transportation and managing long-term success.

"Being the mayor is the most rewarding experience I've had in my public life," Watson told the Statesman.

The term Watson is running for will be two years, not the usual four years, after voters last year approved a ballot proposition to align mayoral races with presidential year elections. The mayoral race will return to the ballot in 2024, and whoever wins this year will be eligible for reelection.

Tyson Tuttle, who recently stepped down as CEO of Austin-based technology company Silicon Labs, had contemplated running for mayor this year but said he will not. Lawyer Adam Loewy, once interested in the position, also said he will not run.

Kirk Watson was Austin's mayor from 1997 to 2001. What did he accomplish?

In Tuesday's announcement, Watson highlighted Austin's successes with him as mayor. Among them, he said, were: increased police oversight through the creation of the city's police monitor office; the creation of affordable housing programs; and successful bond measures to safeguard thousands of environmentally sensitive acres of land, expand greenbelts and to protect Barton Springs.

Austin also secured hundreds of millions of dollars in transportation funds and created the Downtown Austin Community Court, which connects people experiencing homelessness to services.

Kirk Watson was Austin's mayor from 1997 to 2001 and then served more than 13 years in the state Senate before becoming the first dean of the University of Houston's Hobby School of Public Affairs.

Watson stepped down as mayor to run for Texas attorney general, losing to Republican Greg Abbott in 2002. Watson is an attorney with a law degree from Baylor University.

In 2006, Watson was elected to the Texas Senate and stayed there until he stepped down in 2020 to take the University of Houston job. The vacancy created by his exit generated significant interest in an election that included state Rep. Eddie Rodriguez, D-Austin, and former Austin City Council Member Don Zimmerman, but was won by Sarah Eckhardt, the former Travis County judge.

The Senate district includes the northern half of Travis County, most of Austin and all of Bastrop County.

In the Texas Senate, Watson carved out a niche for working with Republicans to improve bills and improved government transparency by strengthening the Open Meetings Act and improving access to government contracts. He spearheaded efforts to bring the Dell Medical School to the University of Texas, the first item in his "10 goals in 10 years" health care and economic development initiative launched in 2011.

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Nine Austin Cops Are Accused Of Shooting And Injuring One Woman During The 2020 Protests Against Police Brutality

By Sneha Dey
Texas Tribune

Nine of the 19 Austin police officers facing charges for allegedly using excessive force during the May 2020 racial justice protests — including Texas House candidate Justin Berry — are accused of shooting lead-pellet beanbag rounds at the same woman, according to indictments released by the Travis County District Attorney on Tuesday.

Each of the 19 officers is charged with two counts of aggravated assault, a first-degree felony when committed by law enforcement. The charges are punishable by five to 99 years in prison, or a fine of up to \$10,000.

The indictments accuse the officers of using deadly weapons to injure 11 demonstrators and threatening them with serious bodily injury during protests on May 30 and May 31, 2020, over the deaths of George Floyd in Minneapolis and Michael Ramos in Austin. The indictments do not provide many new details about the claims against the officers, but they allege that most of them used shotguns to fire beanbag rounds on the protesters and that one officer used a 40 mm launcher.

Nine officers — Todd Gilbertson, Alexander Lomovstev, Stanley Vick, Joshua Jackson, Jeremy Fisher, Christopher Irwin, Brett Tableriou, Joshua Blake and Berry — are accused of threatening and using shotguns to injure demonstrator Christen Warkoczewski, the indictments say.

According to the Austin Chronicle, Warkoczewski was on the Interstate 35 bridge with other protesters when police launched tear gas canisters. She told the Chronicle she placed a traffic cone over a canister and ran about 10 feet before officers shot her in the face and ankle. Warkoczewski said a lead-pellet beanbag round hit her jaw and that she had to go through surgery to have it removed.

Warkoczewski filed a lawsuit against the city in August, according to the Chronicle. Her attorney could not be reached for comment Tuesday.

Berry, who is running in the Republican primary for Texas House District 19, has described the indictments as a political stunt from a Democratic district attorney who won office after promising to hold law enforcement accountable.

“The question is not how the prosecution will turn out,” Berry said in a statement late Friday. “We will be acquitted. The question is: When police are treated like this, who will want to become police officers?”

Central Texas’ House District 19 largely covers suburbs and Hill Country towns west of Austin.

Austin police officers John Siegel, Edward Boudreau, Derrick Lehman, Kyu An, Nicholas Gebhart, Joseph Cast, Jeffrey Teng, Kyle Felton, Eric Heim and Rolan Rast were also indicted.

Almost all the officers’ cases involve protesters who were hit by beanbag rounds or rubber bullets, according to Travis County district attorney’s office documents. Austin police have described beanbag rounds as a “less lethal” weapon but stopped using them in crowd situations after the 2020 protests.

Defense attorney Doug O’Connell, who is representing eight of the indicted officers, said not all his clients fired their weapons on protesters. All of his clients were following orders from the department’s leadership during the protests, he added.

“The decision to impact these people or beanbags was ordered or otherwise authorized by the highest levels of APD command,” O’Connell said at a Monday news conference. “These aren’t a few rogue officers doing what they wanted to do.”

Travis County District Attorney José Garza said in a news conference Thursday that protesters injured by law enforcement sustained significant injuries. “Some will never fully recover,” Garza said.

Some of the demonstrators named as victims in the indictments have also filed civil lawsuits against Austin. Justin Howell — whom Teng is accused of injuring — had a fractured skull and brain damage as a result of being struck with beanbag rounds. Austin police have said officers were aiming at a nearby man that had thrown a water bottle. Felton is accused of firing against Anthony Evans, who was hit by beanbag ammunition as he walked away from the demonstration. Evans sustained a fractured jaw as a result. In a settlement

last week, Howell received \$8 million, and Evans received \$2 million.

The accused officers have been placed on administrative duty until the indictments are resolved at trial, but O’Connell said it could take up to a year for the cases to reach that point. It is too soon to tell if the officers will be tried separately or together, he added.

O’Connell said the eight officers he represents have all reported to Travis County jail, where they were fingerprinted, photographed and released on a \$1 cash deposit bond after they received arrest warrant affidavits.

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El Paso Indian Tribe Spars With Texas At U.S. Supreme Court Over Electronic Bingo Devices

By Hayden Sparks
The Texan

The U.S. Supreme Court heard oral arguments on Tuesday in a dispute over gambling regulations that has been simmering for decades between the State of Texas and an El Paso area Indian tribe.

The nation’s high court granted an appeal in *Ysleta del Sur Pueblo v. Texas* last October. In court documents, the State of Texas contended that the tribe had “buyer’s remorse” after its 1987 Restoration Act, in which the tribe agreed to comply with Texas law concerning gambling.

The Fifth Circuit Court of Appeals decided in 1994 that Texas has the authority to regulate the tribe’s gambling activities. Part of the question before the Supreme Court is whether the Fifth Circuit’s decision was sound.

The arguments centered on a 1987 decision by the Supreme Court, *California v. Cabazon Band of Mission Indians*, that state and local governments do not have the authority to regulate gambling activities on tribal reservations except in cases where the federal government specifically confers that authority to the local jurisdiction.

Brant Martin, the pueblo’s attorney, characterized the matter in his argument as one of tribe sovereignty.

“The question this case presents is whether the Restoration Act subjects the pueblo to Texas’ time, place, and manner restrictions as it relates to games that Texas does not flatly prohibit. It does not,” Martin argued.

“In the Restoration Act, Congress codified the Cabazon Band framework and specifically foreclosed Texas’ regulatory authority over the tribe’s gaming activities.”

Representing the State of Texas, attorney Lanora Pettit contended that the pueblo is trying to shimmy its way out of the 1987 Restoration Act, which granted the pueblo federal status but included language that required it to comply with Texas gambling laws.

“In the 1980s, everybody in this case wanted something. The tribe wanted federal recognition, and was willing to cede some of its sovereignty,” Pettit argued. “Texas wanted to avoid high-stakes gambling, which it saw as an invitation to organized crime, and was willing to cede some of its jurisdiction.”

Pettit went on to argue that the pueblo is seeking to “rewrite this legislative bargain.”

The court challenged Martin on whether the machines at the tribe’s Speaking Rock Entertainment Center were legitimate electronic bingo devices or slot machines. Though the federal Indian Gaming Regulatory Act of 1988 generally permits Indian tribes to offer games such as bingo, Texas has contended that these devices are “Las-Vegas-style slot machines.”

Pettit also argued that bingo is only allowed under Texas law in a narrow set of circumstances, such as for charitable organizations and as a defense to prosecution in cases of low-stakes bingo.

Voters in all or part of 226 of Texas’ 254 counties have legalized bingo via ballot referendum and 1,300 organizations are licensed to provide charitable bingo, per the Texas Lottery Commission.

Martin contended that the Cabazon case created a special definition of “prohibition” in the context of tribal gambling and that the tribe is within its rights to offer bingo because the game is not categorically banned in Texas.

“This Cabazon distinction presents a wealth of complicated and quite frankly weird questions, and the slot machine would just be one of a thousand of them,” Justice Elena Kagan said.

“Cabazon tells us to make a distinction between ‘prohibition’ and ‘regulation’ when most of regulation prohibits certain things and then you’re stuck in the middle of trying to figure out what’s a prohibition and what’s a regulation.”

Justices seemed intrigued by the implications of the Cabazon case and whether the Restoration Act requires Texas to allow the pueblo to regulate its own gambling activities if they are not entirely banned by state law.

that,” Chief Justice John Roberts said.

The Restoration Act in question included the Alabama-Coushatta (AC) Tribe of Texas, which submitted briefs in the pueblo’s case. The AC Tribe won a victory of their own last year at the federal district court level against the state’s efforts to shutter ostensibly illegal gambling devices at Naskila Gaming, the AC Tribe’s Livingston entertainment center.

Gambling remains mostly illegal under the Texas Constitution. Texas lawmakers barely touched the issue during the 87th Legislature’s regular session, though in November voters did approve the Legislature’s proposed constitutional amendment to allow charitable raffles at some rodeos.

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Abilene Citizens Turn In Over 10,000 Signatures For Petition To Outlaw Abortion

By Isaiah Mitchell

The Texan

On top of all the regular controversy of November midterms, several cities around Texas are poised to put ordinances outlawing abortion on their local ballots this fall.

A group of Abilene citizens turned in over 10,000 petition signatures in support of an ordinance outlawing abortion to the city secretary this afternoon. If a valid number of these signatures are certified, the city council will have to consider the proposal, according to the city charter.

Then, if the council rejects the ordinance, it will go to the citizens in a municipal election.

Local pastor Scott Beard, a member of the committee that began the petition process, said they hauled in the signatures by the ream on a hand truck.

“It was a cool sight walking in with four big buckets, fifteen gallon bins of signatures. We had them on a dolly when we rolled them in,” Beard said.

The same process has been proceeding in other cities as well.

The City of Lindale recently certified a petition to outlaw abortion and scheduled a hearing for it on March 24. If the council rejects the petition at its next meeting, which will likely be April 5, then the ordinance will go to a general vote.

Plainview was the first town where activists did not seek regular passage through the council before pursuing a citywide vote. The founder of the “Sanctuary Cities for the Unborn” initiative, Mark Lee Dickson, said he already knew city attorney Matt Wade would strongly advise the council to avoid or reject the ordinance. Wade serves as a city attorney for several other cities as well as Plainview and has consistently advised city leadership to avoid the proposal.

After the City of San Angelo accepted a petition in support of an abortion ban, Mayor Brenda Gunter told the public that the ordinance would go to the November ballot, signaling that the council will reject it after the hearing scheduled on March 1.

The remark prompted Dickson and the local citizens involved in the effort to speculate that San Angelo city leadership violated the Open Meetings Act by deciding the fate of the ordinance outside of the public political process.

Gunter fired back, denying that city leadership has worked behind the scenes to push the proposal to the November ballot.

“I have said repeatedly from the very beginning when Mr. Mark Dickson showed up to my restaurant to have a discussion with me... I said to him then and I say it again. I want the voters, our citizens, to have an opportunity to vote on this issue,” Gunter said.

“We have not, I have not worked behind the scenes to get the outcome that I want. I have used the legal system to get a direction — meaning a vote of the council.”

Additionally, the East Texas town of Jewett outlawed abortion last week on February 15 by a unanimous city council vote, becoming the 40th city in Texas to pass a local abortion ban.

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Education

Texas Requires Tutoring For Kids Failing STAAR. But Here’s Why Schools Won’t Be Able To Meet The Law

By Emily Donaldson and Talia Richman

Dallas Morning News

Staff shortages and scheduling complications threaten to derail Texas’ major push to catch up students who fell behind during the

pandemic.

A new law – approved by state legislators last year – essentially requires schools to provide at least 30 hours of tutoring in each subject that a student failed or missed on state exams.

Texas had more than 2 million failed exams among elementary and middle schoolers. Some students may have failed multiple tests and even more did not sit for the State of Texas Assessments of Academic Readiness, or STAAR.

Districts drew from billions in federal pandemic aid to hire tutors in a competitive job market and reworked their calendars to accommodate extra learning time. But they faced immense challenges finding enough staff or hours in the day.

Now, many school leaders say they won't be able to get their kids the required intervention time. And even in districts determined to follow the letter of the law, officials aren't sure the prescriptive statewide approach is best for children facing immense learning loss.

"It's physically impossible for us to meet the requirements of [the law] under the current model," Dallas Superintendent Michael Hinojosa said.

DISD won't be able to meet the law's requirements by the end of the school year, but he doubts others will either, the superintendent stressed.

Some legislators didn't expect schools to fulfill the law this year given the pressures of the pandemic. Rep. Dan Huberty, R-Kingwood, attempted to lessen the requirements during a special legislative session, but his proposal didn't receive traction.

"We're asking them to do the best they can," he said, noting that the Legislature will likely study the issue in the coming months so lawmakers can tweak the bill in 2023.

The Texas Education Agency backed off full enforcement as well, telling districts that officials don't plan to strictly enforce compliance in this first year "as long as districts are making reasonable efforts to meet the requirements and there is no evidence of willful non-compliance."

Agency spokesman Frank Ward acknowledged the potential impact of students not getting the mandated tutoring.

"This would mean that students entitled to vitally important supplemental instruction may not be prepared to engage and be successful with grade level material now and in the future," he wrote in an email.

Stringent state guidance has districts scrambling to fulfill required administrative tasks on top of other challenges as they face their third school year impacted by the pandemic.

"We want to be able to respond to our kids' needs, but this bill has made us react," said Mary Webb, Frisco's director of elementary teaching and learning. "The thought behind [the law] was a good thought. But when you put all these rules and one way of doing it when you're in this state, it's not going to meet everything."

For example, if an eighth grade student failed or missed all four STAAR exams, he could be looking at 120 hours of tutoring.

Rep. Harold Dutton, D-Houston, author of the legislation's provisions that Texas' schools are struggling to fulfill, acknowledged the challenges districts are facing. But the lawmaker cautioned against giving up on fulfilling any of the mandates of his House Bill 4545.

"I hope it engenders a conversation about how we go about improving public education not only for all children but children who are at the bottom," he said. "We have to recognize that we don't have any choice but to get them off the bottom, and it's to our benefit to do that."

Not enough tutors or time

When Dallas officials first estimated it would take 1,800 openings to staff the district's ambitious tutoring plan, families and community members began to realize the enormous effort needed to tackle pandemic learning loss.

But the total number of tutors needed in DISD is larger than even those eye-popping projections, said Derek Little, the district's deputy chief of teaching and learning. In the months since DISD started planning its tutoring program, the district discovered how challenging it was to both find enough tutors and time to get students their required intervention.

Wanted in Dallas ISD: 1,800 tutors to help students catch up after COVID-19 disruptions

Dallas ISD will pay for three hours of after-school programming five days a week at 61 schools, featuring tutoring hubs, athletics and the arts. At the same time, the district is also bulking up its pool of tutors.

"Hiring in general, not just for tutors, but for anything in education, and beyond education, is super challenging right now," Little said.

Schools across the region are struggling to find enough people to teach, drive buses and sub-in for those who fall ill. Some campuses had to briefly shut down earlier this year because of staffing issues.

As a result, the district has offered three ways to match campuses with tutors: Principals can choose to partner with a vendor who may bring in tutors from across the country to work with students virtually; use district staff; or tap a local community organization.

Some teachers also put in extra time tutoring their own students, said Shannon Trejo, the district's chief academic officer.

Even with so many hands helping out, finding time to get all students their required interventions is a struggle. Research shows that tutoring during the school day works best, but the law limits when students can be pulled out of classes.

For instance, students can't be pulled from recess, core instruction or extracurricular courses. It's easier to manage the limitations at an elementary level, Little said, because the blocks of classes are longer.

So if there's not enough time to fit in tutoring during the school day, some students are having to choose between attending band or football practice and going to tutoring after school, he added.

DISD will continue tutoring into this summer, although the number of students who will get served out of the 40,000-plus group required to receive intervention is a moving target based on staffing.

Meanwhile, since the district can't serve everyone, officials are prioritizing reading and math over science and social studies. They are also keeping equity in mind when choosing who gets access to limited resources.

This is the right approach, Huberty said. The retiring lawmaker encouraged districts pressed to reach each student in need to focus on reading interventions, followed by math, with emphasis on the children who are the most behind.

In Cedar Hill, schools use "Longhorn Time" – a roughly 45 minute to an hour block during the school day – to do learning interventions. The district is leaning on retired educators to drill down on students' individual needs, but it's difficult to meet the three-to-one ratio set out in the law.

"Some of the parameters that have been placed here make it almost impossible for school districts to implement," assistant superintendent Shemeka Millner-Williams said.

Still, educators know individualized attention can make a difference and is an important tool for combatting learning loss so they are doing what they can to tutor kids who need the extra help.

"I do feel like tutoring has helped move some of our kids who are in those lower two tiers of instruction back to a more grade level-like performance," she said.

Looking ahead

The coming months will likely bring studies and hearings on learning loss to the statehouse, providing an opportunity for lawmakers to come up with ideas to refine the legislation.

Huberty said this will give school leaders a chance to provide input on how to make the law better.

In Frisco – a high-performing district – officials want the flexibility to put together individualized plans based on their own community needs.

"Our concern is that the rules, the logistics, the compliance pieces put in place, put an overburden on the system with what the teachers have to do," chief academic officer Wes Cunningham said. "The meetings that have to take place, the 30 hours that are mandated. Why 30 hours?"

The method for identifying children in need of tutoring also complicates matters. Districts were required to administer the STAAR test in-person last year, even as many children remained in virtual learning.

About 7% of Frisco students did not take tests, which could have automatically triggered the additional tutoring.

"Some of the kids may have needed the accelerated instruction. Some of those students may have been performing fairly well," said Gary Nye, Frisco's assessment and accountability director.

Frisco administered a second set of tests for some students to identify which children were on grade level and could sidestep the 30-hour requirements. But they're worried that won't be possible next year.

Little hopes lawmakers revisit the constraints on when students can receive tutoring to make it easier to provide intervention during the day. He also hopes lawmakers study how to do required tutoring at the high school level. Those students take end-of-course tests and could pass the class and move on to a new subject even if they failed STAAR.

"If I'm in a geometry course and you're still providing me tutoring for algebra, it's just a bit disjointed," Little said.

There's also a need to explore additional resources for tutoring Spanish-speaking students, the DISD administrator said. Roughly one in five Texas students are learning English as a language in public schools.

Despite the obstacles, education officials stress the importance of offering tutoring.

“It is top five, one of the best things you can do for students,” Little said. “We believe in it.”

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Energy

Exclusive: As Demand For Solar Soars, Sunnova Energy Nearly Doubles Its Office Footprint In Houston

By Marissa Luck
Houston Chronicle

With demand for renewable energy soaring across the U.S., solar energy services firm Sunnova Energy is nearly doubling its real estate footprint in Houston as it plans to double its customer count by the end of next year.

The residential solar energy provider recently signed a lease for a about 64,000 square feet of office space outside of Beltway 8, where it plans to set up a customer service center. The facility is near Bellaire Boulevard and Eldridge Parkway in west Houston.

Within the next week about 120 customer service representatives are expected to begin moving into the new digs from Greenway Plaza, where Sunnova still plans to maintain its 71,000-square-foot headquarters.

Sunnova Energy’s expansion bolsters Houston’s burgeoning renewable energy sector, which has grown considerably in the past decade since the company was first founded by Chief Executive Officer John Berger.

“The company is going through pretty incredible growth and we want make sure that our service levels match the growth,” said Kelsey Hultberg, executive vice president and chief of staff at Sunnova Energy. “There’s no better place to do it than here in our own backyard.”

The company previously said its plans to double its customer count by the end of 2023 from its level at the end of 2021. Sunnova had about 176,900 customers as of Sept. 30, 2021.

Even as supply chain constraints and rising solar pricing tempers some of the growth in residential solar power, the U.S. Department of Energy still expects small-scale solar installations to rise by 4.4 gigawatts in both 2022 and 2023. In Texas, solar power is expected to be able to produce as much as 19,520 megawatts by December 2022, according to grid operator the Electric Reliability Council of Texas. One megawatt of electricity is enough to power about 200 homes on a hot summer day.

Sunnova Energy is hedging for future growth with its new west Houston call center, said Ellen Bock, vice president of customer relations. The new space will accommodate future additions to the customer service team, although Bock declined to provide specific head growth projections. Beyond hiring, investments in technology and automation could also support the expanded customer base.

Sunnova maintains call centers in Belize and El Salvador, but Houston is its main base for customer service support. Sunnova Energy has about 800 employees across 25 states, including about 425 employees in Houston.

Sunnova worked with Cushman and Wakefield’s Chad Beck and Chris Oliver to sign the seven-year lease in January. The lease included furniture, enabling the company to quickly begin operating out of some spaces on the first floor of the building while construction starts soon on building out the remaining space.

Working with architecture firm Gensler, Sunnova is planning to create wellness rooms and mothering rooms for employees, plus a large cafe, a relaxation/break room area and lockers. The new facility will also have a large training lab where employees can see up close the solar panels and battery storage packs Sunnova customers have installed on their properties.

The company picked the west Houston location because of its low risk of flooding, access to an on-site power generator, and its proximity to where most of its customer representative employees live, Hultberg and Bock added.

For its headquarters at 20 Greenway, Sunnova is also working with Gensler to convert the former customer service space there into a so-called command center, Hultberg said.

“Prior to COVID ... we were expanding and we were really kind of busting at the seams a little bit within 20 Greenway,” said Hultberg. “Now with more people back into the office we quickly realized we really needed a (bigger) space for our customer care team.”

The company, which releases its fourth quarter results at market close Feb.23, posted a net loss of \$116.3 million in the first nine months of last year - 35 percent lower than the losses from the prior year. However its revenue surged to \$176 million in the first nine months of last year, a 43 percent jump from the same period the year earlier.

Sunnova Energy becomes the latest renewable energy firm to expand its real estate footprint recently in Houston. Last week, renewable natural gas firm Archaea Energy confirmed it was moving its headquarters into 40,000 square-foot office at M-K-T in The Heights. And Japanese-utility company JERA Energy, which focused on LNG but is rapidly growing in renewables, recently doubled its office footprint with a move from the Galleria to downtown.

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Transportation

American Airlines Cancels Hundreds Of Flights At DFW Airport Ahead Of Icy Winter Forecast

By Kyle Arnold

Dallas Morning News

American Airlines and its regional carriers have canceled hundreds of flights in and out of DFW International Airport on Wednesday and Thursday, ahead of forecasts that predict freezing temperatures and icy precipitation.

More than 600 flights in and out of DFW Airport have been scratched for Wednesday and another 450 have already been canceled for Thursday with temperatures below freezing moving into the area overnight into Wednesday and forecast to stick around most of the day, according to Flightaware.com.

“This week’s winter storm is expected to have a significant impact on our operation, especially in Dallas-Fort Worth (DFW),” said American Airlines spokeswoman Yamleque in a statement. “The vast majority of impacted flights have been canceled in advance so we could proactively notify and accommodate our customers and avoid last-minute disruptions at the airport.”

Fort Worth-based American, which counts DFW as its largest hub, has issued a travel advisory for a dozen airports in Texas, Oklahoma, Arkansas and Missouri. The advisory allows customers to rearrange flights without paying higher fares for the same routes at later dates.

DFW Airport spokesman Brian Brooks said airport staff is monitoring the weather along with the National Weather Service.

“Airport operations are prepared to begin treatment of runways and taxiways on the airfield, and bridges, overpasses and roadways on the landside of the airport, ensuring the safety of customers and employees,” he said in a statement.

The cancellations account for about a third of all flights in and out of DFW on Wednesday.

Southwest Airlines, which is headquartered at Dallas Love Field, has canceled about 75 flights systemwide and is monitoring the storm, Southwest spokeswoman Brandy King said. Dallas Love Field did say in a social media message that it is “monitoring the weather and stands ready to treat and clear surfaces to allow for safe operations.”

So far, American has canceled about 8% of its flight schedule for Wednesday. Envoy Air, the regional carrier for American, has canceled nearly a quarter of its flights, more than 200 in all.

SkyWest, another regional carrier that flies for American, has cut more than 100 flights, mostly out of DFW and Denver International Airport, which is also forecast to get a round of winter weather Wednesday.

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Criminal Justice

Texas Police Chief Accused Of Using Racial Slur At Scene Of Murder Investigation By Jacob Beltran

Houston Chronicle

The Castroville police chief is accused of using a racial slur while at the scene of a slaying in Medina County earlier this month.

Chief Brian Jackson is alleged to have used the slur on Feb. 5 as multiple law enforcement agencies were investigating the discovery of a body near Houston Street and Highway 90, city officials said.

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City Council was expected to discuss Jackson’s employment status during a meeting at 5 p.m. today.

Castroville Mayor Darrin Schroeder said in a phone interview Tuesday that internal actions have already been taken, but he could not elaborate because they relate to personnel matters.

“We don’t take this lightly,” Schroeder said. “Discrimination and racism is a huge problem in our country and the world, and it can’t be a problem in Castroville.”

The slur was reportedly used at least three times in front of a Medina County sheriff’s deputy equipped with a body-worn camera, a source told KSAT.

Medina County Sheriff Randy Brown overheard the language used in the footage and alerted the city, he told the news station.

Brown could not be reached for comment as of Tuesday afternoon.

Schroeder said that the city is investigating the allegation and proceeding with due process toward Jackson, and that action cannot be taken without any proof.

The city has requested any kind of video footage and information from the Sheriff's Office that would substantiate the allegation, Schroeder said.

"We believe in all human rights," Schroeder said in a statement. "So we will not discipline simply on rumors or hearsay, but we will act decisively if we determine guilt of discrimination."

He said Jackson does not have any history of discrimination.

The mayor said that Jackson, who previously was a lieutenant in the department, has worked hard to develop trust with the community during his time as chief.

"He's the one who has turned the department around quite a bit," Schroeder said.

He recalled one case in which students from an area high school wanted to lead a Black Lives Matters march.

Jackson coordinated the officers who were protecting the demonstrators and made sure they stayed far away enough so the students would not feel surrounded, Schroeder said.

The meeting is to be live streamed and may be viewed on the city's Facebook page.

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Free Speech 'Is A God-Given Right,' Unless Texas Lt. Gov. Dan Patrick Disagrees

By Bridget Grumet

Austin American Statesman

"Freedom of speech is a God-given right, and protecting that right is a top priority for Texans. We cannot allow social media platforms — the modern-day town square — to censor the views of Texans."

- Lt. Gov. Dan Patrick

"I will not stand by and let looney Marxist UT professors poison the minds of young students with Critical Race Theory. We banned it in publicly funded K-12 and we will ban it in publicly funded higher ed."

- Also Lt. Gov. Dan Patrick

The lieutenant governor is opposed to a diversity of views in academia, even as he harbors his own diversity of views on the merits of free speech.

Sometimes Patrick champions free speech. Sometimes he's downright hostile to it.

We saw more of the latter with Patrick's broadside last week against tenured faculty at public universities, particularly those who dare to engage with our nation's difficult history on race. Say something Patrick deems unacceptable and he will try to push you out of your job.

Other Texas Republicans have exhibited a similar cognitive dissonance, decrying "cancel culture" one minute, then demanding school libraries remove hundreds of supposedly objectionable books the next minute.

This might be a good time for a reminder about the First Amendment: It's not there to protect the expression of popular ideas or mundane assertions, the kind of speech no one cares to silence. It's there to protect controversial speech and uncomfortable ideas, to provide space for contrarian views because debate is essential to democracy.

There's no debate if there's only one set of accepted views. And if there's no debate, no forum for competing ideas, what's the point of our elections?

For what it's worth, Patrick is out of step with many Texans when it comes to legislating the content of history classes. A University of Texas/Texas Politics Project Poll taken this month found only 37% of Texans supported "limiting the use of teaching materials that emphasize racism in the history of the U.S." Half of Texans opposed such limits.

Not that Patrick cares about dissenting views. In a plain act of censorship, Patrick last year shut down a virtual panel discussion at the Bullock Texas State History Museum on "Forget the Alamo," a superb book that critically examines Texas' founding story. As president of the Texas Senate, Patrick twice pushed to revise the rules — really, to move the goalposts — so that bills backed by a shrinking GOP

majority could make it to the floor without earning the support of a single Democrat.

Why engage in persuasion when you can steamroll over your critics?

Patrick has been crowing about the plans for UT to add a “Liberty Institute,” a think tank celebrating personal liberty and free markets. I wish his faith in the free-market economy was matched by a commitment to the marketplace of ideas.

Let people air their views. Let others challenge them. Trust that process to reveal which ideas are grounded in facts and sound reasoning and which ones wither under scrutiny. Universities are built for this kind of inquiry.

This is hardly a radical idea. In the landmark *Sweezy v. New Hampshire* case in 1957, the U.S. Supreme Court found that “a free society (depends) on free universities,” which must have the freedom to decide who may teach, what subjects may be taught, how they shall be taught and which students shall be admitted.

Perhaps Patrick could learn something from the 1917 downfall of Gov. James “Pa” Ferguson, whose campaign to fire certain UT faculty members blew up in his face.

Ferguson’s beef with those professors a century ago seemed more personal than ideological. His early attempts to pressure the regents to fire those men drew little attention.

“Of those who had heard of the trouble, probably a large minority sympathized with (Ferguson) on the general ground that ‘those white-collar professors’ needed a spanking,” one of the targeted staffers, John A. Lomax, recalled in a 1942 journal article.

But the public mood decidedly turned against Ferguson after people saw the extent of his overreach: replacing regents, calling a secret meeting to try to fire the university president, vetoing the university’s funding and deriding student protesters as “a mob of hoodlums.” The backlash against the governor renewed inquiries into his handling of state funds, leading to Ferguson becoming the only Texas governor to be impeached and removed from office.

Ferguson had declared his fight over the UT faculty was “clearly defined as to whether the University shall run the people of Texas or the people of the state run their own University.”

He missed the point.

It’s not about who controls the dialogue. It’s about allowing free speech to flourish.

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Giving Professors Freedom, So Long As They Agree With Politicians

By Ross Ramsey
Texas Tribune

Dan Patrick wants to defund the profs.

The lieutenant governor said he’s in favor of academic freedom, but he said it in the middle of a news conference where he proposed cutting off tenure for professors at state schools, and threatening the funding of public universities that teach critical race theory, a line of study that he says makes “oppressors” of white people and “victims” of people of color.

“Go to a private school, let them raise their own funds to teach, but we’re not going to fund them,” he said. “I’m not going to pay for that nonsense.”

Here’s a prompt for a class discussion: CRT isn’t what made white people the oppressors and people of color the victims in Texas and American history. Argue for or against.

Patrick doesn’t want the variety of academic freedom that allows people to teach things he himself doesn’t agree with. It’s an old story: populist yahoos screeching at people in the ivory towers.

It makes a lie of the rest of what Patrick is saying — academic freedom and all that folderol — but it makes for a good speech in the tradition of blowhards like “Pappy” Lee O’Daniel and Huey Long.

Sanctimony is sanctimony, whether it comes from the top or the bottom.

Patrick got a quick response from the president of the University of Texas at Austin, the school where some defiant faculty members ruffled the lieutenant governor’s feathers by telling him to stuff it where it’s too dark to read. Tenure is intended to protect academics’ ability to consider, investigate and debate ideas without tiptoeing around popular culture, dogma, ambitious politicians and prim defenders of the status quo.

“Removing tenure would not only cripple Texas’ ability to recruit and retain great faculty members, it would also hurt Texas students, who would not be able to stay in state knowing that they will be learning from the very best in the country,” Hartzell wrote in a letter

after Patrick’s news conference. “It would also increase the risk of universities across the state making bad decisions for the wrong reasons.”

That was bold, given his position — stuck between a lieutenant governor he wants to appease and a university community he was hired to lead. But in practical terms, getting rid of tenure in Texas, or threatening wayward professors from the confines of the Texas Capitol and the campaign trail, is a recruiting gift to universities in other states. Even California and New York. The best academics tend to go to the best schools. Schools where politicians are telling you what can and cannot be taught don’t stay in the running for very long.

It’s bad news for public universities, from the big ones like UT-Austin and Texas A&M University to the small ones like Sul Ross State University and Texas Woman’s University.

It could be a plus for private schools like Rice University in Houston, Texas Christian University in Fort Worth and Baylor University in Waco. They might have boards and donors meddling in their business, like all schools do, but they’re not under the thumbs of elected officials. And they’d be free to offer tenure to any coveted academics unable to get industry-standard tenure offers from state universities.

Patrick wants to add language to the reasons a professor can be fired for “just cause” — including teaching of critical race theory as a potential firing offense.

His tenure argument included an appeal to normal people, who don’t have tenure in their jobs. True enough, but it sounded funny coming from someone who effectively has four-year tenure terms between elections. Some professors get six-year tenure terms — the same length as a term on the Texas Railroad Commission.

If only we had a “just cause” clause for firing elected officials.

The characters change, but this politicians vs. professors fight isn’t new. In his book “Lone Star Tarnished,” Cal Jillson, a political science professor at Southern Methodist University in Dallas, wrote about an 1897 skirmish between UT-Austin and the Texas Legislature over the political leanings of some of the people at the college down the street from the Capitol.

The Legislature passed a resolution “requesting the regents of the University to exercise great care hereafter in selecting as members of the faculty only those who are known to be in sympathy with Southern political institutions, and further request them to cancel as soon as possible any existing contract with members of the faculty not so in sympathy.”

In response, Jillson wrote, UT added William Stewart Simkins, a former leader of the Florida Ku Klux Klan, to the law school faculty.

Wonder if they’re allowed to teach anything about that in public universities in Texas?

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From 'The Best Time In State Government' To ... Whatever It Is Today

By Erica Grieder
Houston Chronicle

Perhaps the state of Texas has been breaking your heart lately. If so, state Rep. Garnet Coleman can relate.

“When you’ve done something for a long time, change and the unknown create apprehension,” the Houston Democrat observed. But he does know how being directly involved in the political arena can affect people, especially these days.

“It turned me into an angry warrior. I didn’t know how to turn it off,” said Coleman, who is retiring at the end of this month after more than three decades in the Texas House. “The thing I say to myself is, whatever happens, I want to finish this process with my soul intact.”

To be clear, Coleman is hopeful, as he ends this chapter of his life in public service. He’s always hopeful, he told me Friday, about what humans can achieve, if they act with courage and empathy.

But aspects of our current political situation are scary, from his perspective, and demoralizing — and that’s worth highlighting, as Coleman knows of what he speaks.

When a legislator retires after several decades of service, the result is a loss of institutional memory. And with Coleman’s retirement, we’re losing memories of how much different — and better — things in state government could be now.

“I call it the best time in state government. We were all trying, everybody was trying to get something good done,” said Coleman, initially elected in 1991. “We may have disagreed on what the good was, but we were trying to make the state better.”

He was first elected after incumbent state Rep. Larry Evans, a neighbor of his parents in Third Ward, died of a cocaine overdose. A special election was called accordingly. Coleman was working at the city of Austin’s office of minority business affairs and had a longtime interest in politics.

“I thought it was important, as did my parents,” Coleman explained. “You vote; you give money. When you’re part of a community, you nurture it.”

He graduated from the University of St. Thomas in Houston after studying political science, philosophy and theology, and he began his career as an intern for then-U.S. Rep. Mickey Leland of Texas’ 18th Congressional District.

His father, John B. Coleman, was a physician and, like many Black men and women of his generation, a civil rights advocate. “Because they had to be,” the younger Coleman explains.

In 1977, Dr. Coleman became the first African American to serve on the board of regents of Texas A&M University, a position he held for two terms and found meaningful. He was appointed by then-Gov. Dolph Briscoe, a Republican. At an encounter years later, Coleman, then a legislator, complimented Briscoe on his bravery. “I said, ‘Man, you’ve got balls.’ He thanked me.”

Well into the 1990s, Coleman continued, Republicans weren’t afraid to advocate for a more inclusive state. He cites George W. Bush, who was of course governor before being elected president, as an example: “I think he thought that the world will never be what it needs to be unless there are people who represent different points of view involved in government.”

More generally, he recalls, there was an ethos of mutual appreciation at that time, a respect for one’s colleagues on the other side of the aisle or from different walks of life, which would be treated as suspicious in the more toxic environment of today.

He recalls taking longtime colleague Pete Laney, a West Texas Democrat who served as Texas House speaker from 1993 to 2003, on a tour of Third Ward. Laney was known for encouraging legislators to represent their constituents rather than their parties: “Vote your district,” he would often say. And his own rural district had more in common with House District 147 than one might think, Coleman argues.

“If you’re Black in an urban area, and you’re rural and you’re white, you’re the same person,” he said. “You have the same needs. You need public education. The public sector has more of an impact on life.”

In hearing reflections like this, a painful question comes unavoidably to mind: What changed?

Coleman sighed and thought for a few moments.

“The world was divided on purpose, to get advantage,” he said.

After the 2000 election, Bush was succeeded as governor by Rick Perry, who never espoused bipartisanship as a virtue per se, though he himself was initially elected as a Democrat. Then came the rise of the tea party, a grassroots movement that essentially casts government as the enemy — a self-contradicting position for an elected official to take, Coleman observed dryly.

“Then government became the problem, or at least that’s what they were saying,” Coleman said. “How can you serve someplace, and do things in a place, that you think shouldn’t be there?”

Coleman — himself a ferocious advocate for better health care for Texans — has been candid about health issues he’s faced. He might have retired sooner, he suggested, if not for the fact that he wanted to be involved in this year’s redistricting cycle and to protect his district, specifically.

To a casual observer, House District 147 may look like most of the others: an incoherent blob drawn by gerrymandering artisans, in this case shaped like an ostrich or centaur, with its head in downtown Houston and Third Ward, and a neck running southeast to a body perched on Beltway 8. (The redrawn district is largely the same.)

“This is a district that by territory alone has a lot of power,” Coleman said. “I had three universities, three law schools, downtown, the museum district, the theater district — represented by a Black person!”

A number of Democrats are vying to replace Coleman in the Legislature, as are two Republicans in the heavily Democratic district.

“It’s the service that’s important,” Coleman said. He added: “Because I had that experience of a government that was working, whether it was Democrats or Republicans, I know it can be fulfilling. I know it doesn’t have to be what it’s become.”

The duration of Coleman’s tenure may give the impression that the outgoing legislator is older than he actually is. In fact, while he has had an august career, he’s just 60, about a month younger than former President Barack Obama, whose public service has continued since he wrapped up his second term as president. As will Coleman’s, he said Friday — even if he’s not sure, just yet, what forms that will take.

“I don’t think you retire from being a citizen,” Coleman said.

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Greg Abbott News

Gov. Greg Abbott's Two Most Vocal GOP Challengers Have Long Sought To Push Their Party To The Right

By Morgan O'Hanlon
Texas Tribune

On Texas GOP primary ballots, Don Huffines and Allen West are technically opponents who each want to unseat Republican Gov. Greg Abbott next week. But on the campaign trail, they've largely put up a united front as they appear together at events across the state with platforms that are nearly indistinguishable as they portray Abbott as insufficiently conservative.

That tactic doesn't seem to be garnering either of them enough support to unseat the incumbent. Abbott is expected to easily fend off all of his intraparty candidates in the March 1 primary and avoid a runoff for the party nomination, according to a recent University of Texas / Texas Politics Project Poll.

But for Huffines and West — the two most vocal and well known of Abbott's GOP challengers — losing the nomination won't necessarily mean they've lost ground in the larger goal both have long tried to achieve: moving the Republican party further to the right.

Their platforms call for drastically reducing property taxes or eliminating them outright. They say they would replace that revenue, which funds everything from Texas schools and city streets to local governments, with a much larger consumption tax — though neither candidate has named the amount by which they'd want to raise Texas' 6.25% state sales tax. They also would send more troops to the state's southern border — beyond the 10,000 Texas National Guard members already deployed under Abbott's Operation Lone Star. And they want to let parents use tax dollars to subsidize private or charter school education for their children.

Brendan Steinhauser, a political strategist and professor of political science at St. Edward's University in Austin, said those policy choices are key to the pair's shared goal of taking Abbott's job.

“They're looking to get to his right because they know that's the key to winning a Republican primary,” Steinhauser said. “They're looking to move the debate to their ground.”

Huffines, the former state senator, and West, the former chair of the Republican Party of Texas, have each taken different roads to become chief intraparty critics of the sitting governor. And they've long exhibited vastly different styles and motivations in their bids for public office, according to both friends and political foes.

Huffines, a former real estate developer from Dallas, is known as someone who actually lives by the conservative values he espouses, according to those who know him.

“I think he's just an honest person,” said Republican former U.S. Rep. Ron Paul of Texas. “Today, sometimes that's hard to understand because you don't hear much truth from politicians ... all we hear are lies and innuendos.”

West, on the other hand, is a former Florida congressman known as a brash and strategic man who uses his attention-grabbing persona to build a loyal fan base.

In the past year, that personality has been on display as he challenged a reporter in the Texas Capitol to a pushup competition and attended a protest against mask mandates outside the Texas Governor’s Mansion with a megaphone in hand.

“He relished people asking him about why he was doing something,” said Mitch Ceasar, who served as chair of the Broward County Democratic Party during West’s congressional term in that part of Florida. “Part of his intelligence is his desire to stake out a niche that's a little further out there than anybody else to get attention.”

From a military career to politics

During West’s 22 years in the military, he was deployed during the Gulf War and the Iraq War and achieved the title of lieutenant colonel. His military career ended after he was found guilty in 2003 of Uniform Code of Military Justice violations, including assault. According to testimony delivered in a hearing, soldiers under West’s command assaulted an Iraqi civilian. West subsequently threatened the man’s life and fired at least one shot inches from his head. West retired a few months later.

"I know the method I used was not right, but I wanted to take care of my soldiers," West testified during the investigation of the events, according to CNN. “If it's about the lives of my soldiers at stake, I'd go through hell with a gasoline can.”

West did not respond to requests for comment for this article.

After retiring from the military in 2004, West moved to Florida, where he taught history and coached track at a public high school south of Palm Beach before moving on to work for a defense contractor. Although Allen won the Republican primary for Florida’s 22nd congressional district in 2008, he lost the general election, his first matchup against Ron Klein, by nearly 10 points. During the tea party movement’s first wave in the early 2010s, he gained traction on a platform against Obama-era policies like the Affordable Health Care Act (which had passed the previous year) and won against Klein by nearly 9 points.

Richard DeNapoli, the former chair of the Republican Party of Broward County, said West has a knack for eliciting loyalty from GOP voters.

“I never saw that many volunteers except for when he ran,” DeNapoli said. “People got invested in Allen West.”

West won the 2010 race and during his first term voted to repeal “Obamacare” and called for an investigation into the attack on the U.S. consulate in Benghazi. Cesar, the local Democratic party chair, said the freshman lawmaker was known in South Florida’s political circles for his outspoken comments calling U.S. House Democrats communists and comparing himself to Harriet Tubman.

West served only one term, though, after redistricting drew him out of his district and he lost a bid for another term in Congress. In 2014, he moved to Texas. The state first garnered his admiration after he saw the 1960 film “The Alamo” starring John Wayne, West wrote in his 2018 book “Hold Texas, Hold the Nation.”

“I was simply enthralled with men who would make a stand for freedom,” he wrote. “I will stand for conservative values and conservative success until the end, and I will make my stand in Texas.”

After West did stints at conservative Texas think tanks, Lt. Gov. Dan Patrick appointed him in 2015 to the state’s Sunset Advisory Commission, which evaluates governmental agencies and makes recommendations to improve their efficiency, sometimes by shutting them down. Then in 2020, West ousted James Dickey as chair of the Republican Party of Texas.

Houston attorney Mark McCaig said the Texas GOP under West’s leadership was more interested in attacking Republican officials than in communicating the party’s successes. In one instance of infighting, West led a protest outside Abbott’s home in October 2020 demanding pandemic restrictions be lifted immediately — in spite of Abbott’s announcement days before that major restrictions would be lifted the following week.

West stepped down as GOP chair last year after announcing his bid to officially challenge Abbott in this year’s primary.

West has campaigned across the state in an oversized, double-decker bus that matches his outsized personality. At campaign stops, West flexes his master’s degree in philosophy as he fits quotes from Karl Marx, Ronald Reagan, the U.S. Constitution, the Bible and a rolodex of military history into a matter of minutes.

At several candidate forums in January, West wielded his personal experiences in the military to empathize with the Texas National Guard troops who have described deplorable conditions and an unclear mission after Abbott deployed them to the Texas-Mexico border to stem a flow of migrants crossing into the United States.

“They don’t have a defined task and purpose; they’re just down there as bystanders, and they’re away from their families,” he said at a candidate forum in Lake Travis last month,

referring to the suicides of some Texas National Guard troops since they were deployed late last year.

West has also criticized Abbott for his pandemic response that reduced capacity or closed Texas businesses in 2020. He's recently referenced Florida on the campaign trail after Gov. Ron DeSantis last year signed legislation banning some coronavirus precautions, like vaccine requirements and mask mandates. West's comparisons between Texas and Florida came even though Abbott has also opposed mask mandates and vaccine requirements, largely through executive orders and lawsuits.

"I'm sick and tired of all my friends that I have back there in Florida calling me and telling me how great Ron DeSantis is doing and how great Florida's doing when Texas, the Lone Star, should be leading the other 49 stars on that flag," West said in Lake Travis last month.

Leaning on legislative experience

Huffines, the former state senator, has already appeared successful in influencing how Abbott governs on a number of hot-button topics, including pandemic-era safety mandates, border security and health care access for transgender children.

Huffines was born into a wealthy and influential North Texas family. His father ran successful car dealerships and banks and became involved with politics as a member of several statewide commissions. Huffines' twin brother also ran unsuccessfully for Texas Senate against Angela Paxton in 2018 and served a brief stint as the chair of the Dallas County GOP in 2016.

Although he was involved with several Republican campaigns, including Paul's, through the early 2000s, Huffines' political involvement was limited until after his father died in 2009, around the same time the tea party movement picked up steam.

Then, in 2014, he decided to run for office and took aim at a state Senate seat in North Texas. It pitted him against longtime Republican John Carona, who'd been in the Senate for 19 years. Huffines accused the incumbent of being a "career politician" who was primarily looking out for himself.

"I'm tired of being on the sidelines," Huffines said as he announced the campaign in late 2013.

Huffines ousted Carona in the primary and won the general election. But he said his frustration with intraparty politics solidified during his first GOP caucus meeting shortly after inauguration.

"They just get this brainwashing going on that elected office holders down there are the elitists of the world ... and our loyalty lies with our fellow club members; it doesn't lie with the voters," Huffines told The Texas Tribune.

The experience influenced his entire term in the Legislature's upper chamber.

“My battle was generally with Republicans when I was there. It wasn't necessarily with the Democrats,” Huffines said. “It was mainly with Republicans because they're always trying not to be accountable, not to take the hard vote, because they campaign one way and they want to govern a different way.”

In his first term, Huffines co-authored an early version of the bill that mandated burial of fetal remains after an abortion — which was later struck down by a federal judge. Huffines also pushed legislation that would have made it more difficult to pass bonds, commonly used to fund projects in Texas school districts, by requiring 30% of all voters on the voter registration rolls cast a ballot even though such elections are known to draw out a small fraction of voters.

In 2017, he introduced a bill that would have allowed Texans to carry a firearm without a permit. He also authored resolutions that would have limited terms of the governor and other statewide elected officials to two four-year terms and would limit state legislators to 12 years in either chamber. Those bills didn't pass, but permitless carrying of firearms did become law after Huffines himself was ousted from the Senate.

In spite of the limited success of his own legislation, Huffines maintains that he delivered on his campaign promises like saving taxpayer dollars by fighting to close Dallas County Schools, a bus transportation agency, which was investigated by the FBI and ultimately shut down for mismanagement.

But Huffines was unseated in 2018 by Democrat Nathan Johnson. He believes Huffines' views are heartfelt, but said that's what makes him an untenable candidate for Senate District 16 voters.

“Huffines, in an odd sort of way to his credit, shares and stands by his convictions,” Johnson wrote in a 2017 Facebook post. “Each day more SD 16 residents learn that his convictions make for harmful public policy.”

Like West, Huffines hasn't shied away from controversial remarks. Last month, he referred to COVID-19 as “the Wuhan” — a reference to the Chinese city where the virus was first discovered — while answering a question about vaccine and mask mandates.

Referring to the coronavirus by its place of origin rather than its scientific name has been derided as racist and xenophobic since the pandemic began. And Huffines' references came after the number of hate crimes against Asian Americans skyrocketed during the pandemic.

Later during that panel, while answering a question about competition in the U.S. job market between domestic and international workers, Huffines without evidence accused Chinese international students of partaking in espionage.

“One thing we've got a lot in our graduate programs in the universities here, and our Ph.D. programs, is a lot of communist Chinese students,” he said. “They're taking all of that information back.”

Last month, Jake Lloyd Colglazier, a staffer on Huffines' campaign, was revealed to have made comments about white supremacy on YouTube and other social media platforms.

In response, Huffines said his campaign would not fire Colglazier because he does not believe in “cancel culture.” But Huffines distanced himself from the staffer, saying that he has more than 70 people on his payroll and did not know Colglazier.

In spite of his similarities to West and other candidates, Huffines maintains that he stands out among the field.

“I'm the only candidate running for governor that's been in the Legislature, been in the swamp as I say, and I can tell you I could not imagine being governor without having that experience,” he said.

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Abbott Directs DFPS To Investigate Use Of Puberty Blockers As Child Abuse After Attorney General Opinion

By Isaiah Mitchell

The Texan

Governor Greg Abbott directed the Texas Department of Family and Protective Services (DFPS) today to begin investigating the use of puberty blockers and other gender transition procedures as child abuse.

“Because the Texas Department of Family and Protective Services is responsible for protecting children from abuse, I hereby direct your agency to conduct a prompt and thorough investigation of any reported instances of these abusive procedures in the State of Texas,” Abbott's letter reads.

“To protect Texas children from abuse, DFPS and all other state agencies must follow the law as explained in OAG Opinion No. KP-04.”

DFPS manages the state's foster care system and is responsible for child protection. Under Abbott's directive, the agency now has the duty to investigate the families of children who undergo these gender transition procedures.

Additionally, other state agencies now have the duty to “investigate licensed facilities where such procedures may occur,” according to Abbott's letter.

The opinion Abbott references came out of the attorney general's office just yesterday. In response to an official request by state Rep. Matt Krause (R-Fort Worth), one of the

lawmakers who filed a bill in the regular legislative session to ban child gender modification, Attorney General Ken Paxton opined that current Texas law already defines endocrine and surgical treatments meant to aid a sex transition as abuse.

Under state law, any licensed professional that has direct contact with children — such as doctors or teachers — faces criminal penalties for failing to report child abuse.

The announcement follows a similar letter Abbott wrote to DFPS Commissioner Jaime Masters in August, asking the agency to treat genital transition surgeries as abuse under current law when performed on children. Masters agreed, responding to Abbott in a letter just days later.

Although there were citizens who testified during the regular session that they had undergone genital transition surgery before the age of 18, puberty-suppressing drugs and cosmetic surgeries like mastectomies are much more common for children. Since Abbott's August letter did not include these procedures, Krause's request to Paxton asked if the law might already deem them abuse.

Several Republicans filed legislation to ban these procedures during the regular session, but none received a floor vote in the Texas House. While some would classify these procedures as child abuse, thus authorizing DFPS to intervene in families, Krause's bill would have threatened doctors with penalties such as license suspension for performing these surgeries or administering puberty blockers.

During special sessions, the legislature can only consider topics that the governor allows. Abbott did not add the topic of child gender modification to the agendas of the three special sessions that followed the regular session.

While Abbott's letter is addressed directly to Masters, he also carbon copies the letter to directors of various state agencies, including the Texas Education Agency, the Texas Medical Board, and the Texas Behavioral Health Executive Council.

Alongside drugs “that induce transient or permanent infertility,” the specific procedures that Paxton deemed abusive include surgeries to alter a child's genitals or reproductive system, surgeries to remove breasts, or any surgery that removes healthy or non-diseased tissue from the body.

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Administration News

Attacks Fly In Final Days Of Attorney General Ken Paxton's Primary Fight

By Patrick Svitek

Texas Tribune

Attorney General Ken Paxton and his three Republican primary challengers are firing in all directions in the final days before the closely watched election.

Paxton is airing TV ads attacking U.S. Rep. Louie Gohmert of Tyler over his attendance record in Congress, while Gohmert is countering with his own commercial accusing Paxton of desperation. Meanwhile, Land Commissioner George P. Bush is running TV ads targeting Eva Guzman, the former state Supreme Court justice, who says Bush's claims are "ludicrous."

It is all making for a hectic end to the hotly contested primary, which recent polls suggest could go to a runoff. The polls have been less clear, though, on who Paxton could face in an overtime round. The election is March 1.

During a campaign stop Tuesday in Tyler, Bush reportedly proclaimed that he is heading to a runoff with Paxton, though his campaign now has Guzman in its crosshairs. His latest TV spot accuses her of a cardinal sin in today's GOP politics: opposing a border wall.

But Guzman is crying foul. She has long supported a wall in her campaign.

In the new 15-second commercial from Bush, a narrator says Guzman "opposes George P. Bush's plan to finish [former President Donald] Trump's wall, calling it a ploy." Bush's campaign said the claim is based on a mailer that Guzman recently sent out, quoting a December article from The Texas Tribune that said Bush's "border security strategy appears to be a ploy to score points with immigration hardliners who often swing the Republican primaries."

But that was a reference to Bush's prioritization of border security in his campaign, not any plan to finish the wall.

"From the moment I stepped off the Supreme Court and have been able to share policy positions, I have been unequivocal in my plan to use my legal experience to secure the border, and that includes building the wall," Guzman said. "It's been on my website and I mention it in every speech I give."

On her website, Guzman has a two-page border-security plan. The first bullet point is "Build the wall."

Asked for comment on the ad, Bush's campaign doubled down on the core accusation and criticized Guzman on several other fronts. Bush said in a statement that Guzman "has done nothing but launch personal attacks against me during this race." Guzman has hounded Bush over his decision to classify his law license as inactive from 2010 until 2020, which he has brushed off as an irrelevant formality while he has led the General Land Office.

As land commissioner, Bush has had a visible role in Gov. Greg Abbott's plan to finish Trump's wall. In November, he authorized construction of the state-funded border wall on state-owned land and appeared alongside Abbott at the wall's debut the next month.

All the GOP candidates for attorney general are pitching themselves as tough on the border. It has been the sole subject of Bush's TV ads, which highlight his endorsement from the National Border Patrol Council. Gohmert has been talking about how he helped build Trump's wall by voting for it as a congressman. And Guzman has been running a TV ad in which she says her father was "killed by an illegal immigrant who disappeared and was never brought to justice."

Then there is Paxton, who has Trump's endorsement and is running on his legal battles with President Joe Biden over the border, among other issues. Paxton's TV ads tout his lawsuit last year that temporarily blocked the Biden administration's 100-day freeze on deportations of some undocumented immigrants.

Border issues remain a high priority for Texas Republicans. In a University of Texas poll released last week, 58% of Republicans called either border security or immigration the most important problem facing Texas today.

All of Paxton's primary foes have been assailing his ethics and integrity since the beginning of their campaigns. The incumbent has been under indictment on securities fraud charges since 2015 and more recently came under FBI investigation over claims by former deputies that he abused his office to help a wealthy contributor. Paxton has denied wrongdoing in both cases.

As for Paxton and Gohmert, the attorney general continues to go after the congressman's attendance record, saying he has missed over 800 votes during his 17 years in Congress. Paxton's campaign has concentrated the attacks in Gohmert's native East Texas, where Paxton himself has acknowledged Gohmert's support is the strongest.

Gohmert has missed 840 of 11,538 roll-call votes from January 2005 through February 2022, according to Gov Track. That absent rate — 7.3% — is "much worse than the median of 2.1% among the lifetime records of representatives currently serving," according to the website.

"If you pay a man to do a job, you expect him to show up for work," a narrator says in Paxton's latest anti-Gohmert commercial. "So why are we paying Louie Gohmert?"

Paxton is countering the commercial with his own in East Texas. It begins with Gohmert speaking directly to the camera, saying Paxton's "attacks on me are now revealing a real desperation."

When it comes to his attendance record, Gohmert says Paxton is making a mountain out of a molehill.

“In contrast to Paxton’s pattern of dishonesty and unlawful behavior brought forward by his own very top attorneys, these votes are basically procedural in nature, designed to get Congressional members to the floor so that leadership can whip votes, and are a tiny percentage of the thousands and thousands of votes cast,” Gohmert said in a statement. “Once again, Ken fails to tell the truth to Texas voters, and his pattern of dishonesty is disqualifying as our state’s top Attorney.”

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State News

Dallas County Judicial Candidates For Hotly Contested Race Owe Thousands In Fines To The State

By Krista M. Torralva
Dallas Morning News

All three candidates in a hotly contested Dallas County judicial race owe fines to the state for failing to report their campaign donors on time. One candidate owes \$33,000.

Amber Givens, a Democrat who presides over the 282nd District Court in Dallas County, is facing primary challenges from former judges Andy Chatham and Teresa Hawthorne for the felony court bench. The primary is March 1. There is no Republican candidate.

Judicial candidates must regularly report their campaign fundraising to the state – a step open government advocates call critical to ensuring judges’ impartiality and transparency. State law requires candidates report to the state and to voters where their campaign fundraising is coming from. But a weak enforcement system allows candidates to get away with ignoring deadlines, thus keeping secret how much money they receive and the identities of donors.

Candidates with unpaid fines may continue running in elections in part because of the Commission’s lack of resources, ethics expert and attorney Andrew Cates said.

Givens owed \$500 for late filings as of Nov. 10, the last time the Texas Ethics Commission updated its list of delinquent filers. The incumbent last reported her campaign contributions in July, although at least two more reports were due in the months since.

Hawthorne owes a whopping \$33,000 for being delinquent on filing with the commission. She was previously a judge for the 203rd District Court and previously ran unsuccessfully for Criminal District Court 3.

Chatham owed \$5,800 as of November.

All three candidates said they had explanations for the late filings and fines.

Andy Chatham

When asked about the money he owed, Chatham said he mailed a check to the Ethics Commission last week.

Chatham chalked his delinquency up to a mistake. He said he filed a campaign treasurer report with the state when he thought he might run for another position after his unsuccessful bid for re-election of the 282nd District Court in 2014 when he lost to Givens. He ended up not running, but he was still required to file campaign reports since he submitted a campaign treasurer report.

“I didn’t run, and I didn’t collect any money,” Chatham said.

Teresa Hawthorne

The Office of the Attorney General sued Hawthorne. And in August, a Travis County judge paved the way for the state to collect more than \$32,000 in administrative penalties and \$2,400 for the state’s legal fees.

Hawthorne told The Dallas Morning News that she has not made payments and does not believe she needs to. She provided The News with written communication with an Attorney General attorney dated May 13, 2019, – two years before the judge’s order – that showed the lawyer agreed not to seek an injunction against her if she filed her reports late. The AG’s office did not respond to requests for comment.

Hawthorne said her late filings were due to computer complications. She is up to date on her campaign finance reports, the commission website shows. She said she will make payments if necessary.

Amber Givens

Candidates are afforded opportunities to explain their late filings to the Ethics Commission and may not be penalized. That’s what Givens plans to do, her campaign manager Deneen Robinson said.

“We believe we have circumstances that will meet an exception and we will present those to the Commission,” Robinson said. She did not offer details.

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Former Texas State Sen. Kirk Watson Jumps Into Race To Be Austin's Next Mayor

By Ryan Autullo

Austin American Statesman

Kirk Watson, who was Austin's mayor from 1997 to 2001 before serving more than 13 years in the Texas Senate, says he hopes to be mayor again and is entering the race to follow Steve Adler in the November election.

Clearing up months of speculation on his political future, Watson launched his campaign Tuesday morning in an email to supporters titled, "Let's do this!"

Watson — a Democrat who recently left his role as the first dean of the University of Houston's Hobby School of Public Affairs — also named a campaign treasurer, which allows him to begin raising money. Fundraising has been a strength of Watson's as a political candidate and figures to factor heavily in a race that elections insiders expect to be expensive and reach up to \$1 million in spending for the winner.

His political prowess and name recognition gives Watson an advantage, as he was well thought of by Democrats at both City Hall and the Capitol. However, he must work to ingratiate himself to younger voters and new residents unfamiliar with that work.

Why is former Sen. Kirk Watson running for Austin mayor?

Watson, 63, is the fourth major candidate to enter the race, joining Jennifer Virden, a real estate agent and former Austin City Council candidate, state Rep. Celia Israel, D- Austin, and Austin City Council Member Kathie Tovo. (Because of term limits, Adler can't seek reelection.)

Tovo has not formally launched her campaign, but previously said she plans to run and has filed an updated campaign treasurer form.

No other candidates of note are expected in the race.

"I'm running for mayor because there's more to do," Watson wrote to his supporters. "I want to ensure that our city effectively addresses the range of issues that will define our future. Austin should be thinking big. We should be setting and achieving aspirational goals. And we should be able to do those things while still providing basic, day-to-day services."

Former state Sen. Kirk Watson speaks during an event at Huston-Tillotson University this past October. Watson, who was Austin's mayor from 1997-2001, said Tuesday he is entering the race to replace current Mayor Steve Adler.

More: State Rep. Celia Israel launches exploratory committee for Austin mayor in 2022

Watson first discussed running for mayor last August in a conversation with the American-Statesman. At that time, local political consultant Mark Littlefield said Watson would be tough to beat but not unbeatable.

In naming his campaign priorities, Watson touched on many of the biggest challenges the city faces as it has experienced rapid growth and become a hub for major technology corporations. When Watson left office 21 years ago, Austin's population was 669,693. Last year, the city said its population was 1,026,833, although the U.S. Census Bureau had it at just under 1 million.

Watson said he will prioritize addressing the rising cost of living in Austin, as well as the city's homelessness crisis, systemic racism, public safety, transportation and managing long-term success.

"Being the mayor is the most rewarding experience I've had in my public life," Watson told the Statesman.

The term Watson is running for will be two years, not the usual four years, after voters last year approved a ballot proposition to align mayoral races with presidential year elections. The mayoral race will return to the ballot in 2024, and whoever wins this year will be eligible for reelection.

Tyson Tuttle, who recently stepped down as CEO of Austin-based technology company Silicon Labs, had contemplated running for mayor this year but said he will not. Lawyer Adam Loewy, once interested in the position, also said he will not run.

Kirk Watson was Austin's mayor from 1997 to 2001. What did he accomplish? In Tuesday's announcement, Watson highlighted Austin's successes with him as mayor. Among them, he said, were: increased police oversight through the creation of the city's police monitor office; the creation of affordable housing programs; and successful bond measures to safeguard thousands of environmentally sensitive acres of land, expand greenbelts and to protect Barton Springs.

Austin also secured hundreds of millions of dollars in transportation funds and created the Downtown Austin Community Court, which connects people experiencing homelessness to services.

Kirk Watson was Austin's mayor from 1997 to 2001 and then served more than 13 years in the state Senate before becoming the first dean of the University of Houston's Hobby School of Public Affairs.

Watson stepped down as mayor to run for Texas attorney general, losing to Republican Greg Abbott in 2002. Watson is an attorney with a law degree from Baylor University.

In 2006, Watson was elected to the Texas Senate and stayed there until he stepped down in 2020 to take the University of Houston job. The vacancy created by his exit generated significant interest in an election that included state Rep. Eddie Rodriguez, D-Austin, and former Austin City Council Member Don Zimmerman, but was won by Sarah Eckhardt, the former Travis County judge.

The Senate district includes the northern half of Travis County, most of Austin and all of Bastrop County.

In the Texas Senate, Watson carved out a niche for working with Republicans to improve bills and improved government transparency by strengthening the Open Meetings Act and improving access to government contracts. He spearheaded efforts to bring the Dell

Medical School to the University of Texas, the first item in his "10 goals in 10 years" health care and economic development initiative launched in 2011.

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Nine Austin Cops Are Accused Of Shooting And Injuring One Woman During The 2020 Protests Against Police Brutality

By Sneha Dey

Texas Tribune

Nine of the 19 Austin police officers facing charges for allegedly using excessive force during the May 2020 racial justice protests — including Texas House candidate Justin Berry — are accused of shooting lead-pellet beanbag rounds at the same woman, according to indictments released by the Travis County District Attorney on Tuesday.

Each of the 19 officers is charged with two counts of aggravated assault, a first-degree felony when committed by law enforcement. The charges are punishable by five to 99 years in prison, or a fine of up to \$10,000.

The indictments accuse the officers of using deadly weapons to injure 11 demonstrators and threatening them with serious bodily injury during protests on May 30 and May 31, 2020, over the deaths of George Floyd in Minneapolis and Michael Ramos in Austin. The indictments do not provide many new details about the claims against the officers, but they allege that most of them used shotguns to fire beanbag rounds on the protesters and that one officer used a 40 mm launcher.

Nine officers — Todd Gilbertson, Alexander Lomovstev, Stanley Vick, Joshua Jackson, Jeremy Fisher, Christopher Irwin, Brett Tableriou, Joshua Blake and Berry — are accused of threatening and using shotguns to injure demonstrator Christen Warkoczewski, the indictments say.

According to the Austin Chronicle, Warkoczewski was on the Interstate 35 bridge with other protesters when police launched tear gas canisters. She told the Chronicle she placed a traffic cone over a canister and ran about 10 feet before officers shot her in the face and ankle. Warkoczewski said a lead-pellet beanbag round hit her jaw and that she had to go through surgery to have it removed.

Warkoczewski filed a lawsuit against the city in August, according to the Chronicle. Her attorney could not be reached for comment Tuesday.

Berry, who is running in the Republican primary for Texas House District 19, has described the indictments as a political stunt from a Democratic district attorney who won office after promising to hold law enforcement accountable.

“The question is not how the prosecution will turn out,” Berry said in a statement late Friday. “We will be acquitted. The question is: When police are treated like this, who will want to become police officers?”

Central Texas’ House District 19 largely covers suburbs and Hill Country towns west of Austin.

Austin police officers John Siegel, Edward Boudreau, Derrick Lehman, Kyu An, Nicholas Gebhart, Joseph Cast, Jeffrey Teng, Kyle Felton, Eric Heim and Rolan Rast were also indicted.

Almost all the officers’ cases involve protesters who were hit by beanbag rounds or rubber bullets, according to Travis County district attorney's office documents. Austin police have described beanbag rounds as a “less lethal” weapon but stopped using them in crowd situations after the 2020 protests.

Defense attorney Doug O’Connell, who is representing eight of the indicted officers, said not all his clients fired their weapons on protesters. All of his clients were following orders from the department’s leadership during the protests, he added.

“The decision to impact these people or beanbags was ordered or otherwise authorized by the highest levels of APD command,” O’Connell said at a Monday news conference. “These aren't a few rogue officers doing what they wanted to do.”

Travis County District Attorney José Garza said in a news conference Thursday that protesters injured by law enforcement sustained significant injuries. “Some will never fully recover,” Garza said.

Some of the demonstrators named as victims in the indictments have also filed civil lawsuits against Austin. Justin Howell — whom Teng is accused of injuring — had a fractured skull and brain damage as a result of being struck with beanbag rounds. Austin police have said officers were aiming at a nearby man that had thrown a water bottle. Felton is accused of firing against Anthony Evans, who was hit by beanbag ammunition as he walked away from the demonstration. Evans sustained a fractured jaw as a result. In a settlement last week, Howell received \$8 million, and Evans received \$2 million.

The accused officers have been placed on administrative duty until the indictments are resolved at trial, but O’Connell said it could take up to a year for the cases to reach that point. It is too soon to tell if the officers will be tried separately or together, he added.

O’Connell said the eight officers he represents have all reported to Travis County jail, where they were fingerprinted, photographed and released on a \$1 cash deposit bond after they received arrest warrant affidavits.

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El Paso Indian Tribe Spars With Texas At U.S. Supreme Court Over Electronic Bingo Devices

By Hayden Sparks

The Texan

The U.S. Supreme Court heard oral arguments on Tuesday in a dispute over gambling regulations that has been simmering for decades between the State of Texas and an El Paso area Indian tribe.

The nation's high court granted an appeal in *Ysleta del Sur Pueblo v. Texas* last October. In court documents, the State of Texas contended that the tribe had "buyer's remorse" after its 1987 Restoration Act, in which the tribe agreed to comply with Texas law concerning gambling.

The Fifth Circuit Court of Appeals decided in 1994 that Texas has the authority to regulate the tribe's gambling activities. Part of the question before the Supreme Court is whether the Fifth Circuit's decision was sound.

The arguments centered on a 1987 decision by the Supreme Court, *California v. Cabazon Band of Mission Indians*, that state and local governments do not have the authority to regulate gambling activities on tribal reservations except in cases where the federal government specifically confers that authority to the local jurisdiction.

Brant Martin, the pueblo's attorney, characterized the matter in his argument as one of tribe sovereignty.

"The question this case presents is whether the Restoration Act subjects the pueblo to Texas' time, place, and manner restrictions as it relates to games that Texas does not flatly prohibit. It does not," Martin argued.

"In the Restoration Act, Congress codified the Cabazon Band framework and specifically foreclosed Texas' regulatory authority over the tribe's gaming activities."

Representing the State of Texas, attorney Lanora Pettit contended that the pueblo is trying to shimmy its way out of the 1987 Restoration Act, which granted the pueblo federal status but included language that required it to comply with Texas gambling laws.

"In the 1980s, everybody in this case wanted something. The tribe wanted federal recognition, and was willing to cede some of its sovereignty," Pettit argued. "Texas wanted to avoid high-stakes gambling, which it saw as an invitation to organized crime, and was willing to cede some of its jurisdiction."

Pettit went on to argue that the pueblo is seeking to "rewrite this legislative bargain."

The court challenged Martin on whether the machines at the tribe's Speaking Rock Entertainment Center were legitimate electronic bingo devices or slot machines. Though

the federal Indian Gaming Regulatory Act of 1988 generally permits Indian tribes to offer games such as bingo, Texas has contended that these devices are “Las-Vegas-style slot machines.”

Pettit also argued that bingo is only allowed under Texas law in a narrow set of circumstances, such as for charitable organizations and as a defense to prosecution in cases of low-stakes bingo.

Voters in all or part of 226 of Texas’ 254 counties have legalized bingo via ballot referendum and 1,300 organizations are licensed to provide charitable bingo, per the Texas Lottery Commission.

Martin contended that the Cabazon case created a special definition of “prohibition” in the context of tribal gambling and that the tribe is within its rights to offer bingo because the game is not categorically banned in Texas.

“This Cabazon distinction presents a wealth of complicated and quite frankly weird questions, and the slot machine would just be one of a thousand of them,” Justice Elena Kagan said.

“Cabazon tells us to make a distinction between ‘prohibition’ and ‘regulation’ when most of regulation prohibits certain things and then you’re stuck in the middle of trying to figure out what’s a prohibition and what’s a regulation.”

Justices seemed intrigued by the implications of the Cabazon case and whether the Restoration Act requires Texas to allow the pueblo to regulate its own gambling activities if they are not entirely banned by state law.

“This is an odd case. I haven’t seen in decades briefs that were so full of legislative history and pre-enactment this or post-enactment that,” Chief Justice John Roberts said.

The Restoration Act in question included the Alabama-Coushatta (AC) Tribe of Texas, which submitted briefs in the pueblo’s case. The AC Tribe won a victory of their own last year at the federal district court level against the state’s efforts to shutter ostensibly illegal gambling devices at Naskila Gaming, the AC Tribe’s Livingston entertainment center.

Gambling remains mostly illegal under the Texas Constitution. Texas lawmakers barely touched the issue during the 87th Legislature’s regular session, though in November voters did approve the Legislature’s proposed constitutional amendment to allow charitable raffles at some rodeos.

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Abilene Citizens Turn In Over 10,000 Signatures For Petition To Outlaw Abortion

By Isaiah Mitchell

The Texan

On top of all the regular controversy of November midterms, several cities around Texas are poised to put ordinances outlawing abortion on their local ballots this fall.

A group of Abilene citizens turned in over 10,000 petition signatures in support of an ordinance outlawing abortion to the city secretary this afternoon. If a valid number of these signatures are certified, the city council will have to consider the proposal, according to the city charter.

Then, if the council rejects the ordinance, it will go to the citizens in a municipal election.

Local pastor Scott Beard, a member of the committee that began the petition process, said they hauled in the signatures by the ream on a hand truck.

“It was a cool sight walking in with four big buckets, fifteen gallon bins of signatures. We had them on a dolly when we rolled them in,” Beard said.

The same process has been proceeding in other cities as well.

The City of Lindale recently certified a petition to outlaw abortion and scheduled a hearing for it on March 24. If the council rejects the petition at its next meeting, which will likely be April 5, then the ordinance will go to a general vote.

Plainview was the first town where activists did not seek regular passage through the council before pursuing a citywide vote. The founder of the “Sanctuary Cities for the Unborn” initiative, Mark Lee Dickson, said he already knew city attorney Matt Wade would strongly advise the council to avoid or reject the ordinance. Wade serves as a city attorney for several other cities as well as Plainview and has consistently advised city leadership to avoid the proposal.

After the City of San Angelo accepted a petition in support of an abortion ban, Mayor Brenda Gunter told the public that the ordinance would go to the November ballot, signaling that the council will reject it after the hearing scheduled on March 1.

The remark prompted Dickson and the local citizens involved in the effort to speculate that San Angelo city leadership violated the Open Meetings Act by deciding the fate of the ordinance outside of the public political process.

Gunter fired back, denying that city leadership has worked behind the scenes to push the proposal to the November ballot.

“I have said repeatedly from the very beginning when Mr. Mark Dickson showed up to my restaurant to have a discussion with me... I said to him then and I say it again. I want the voters, our citizens, to have an opportunity to vote on this issue,” Gunter said.

“We have not, I have not worked behind the scenes to get the outcome that I want. I have used the legal system to get a direction — meaning a vote of the council.”

Additionally, the East Texas town of Jewett outlawed abortion last week on February 15 by a unanimous city council vote, becoming the 40th city in Texas to pass a local abortion ban.

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Education

Texas Requires Tutoring For Kids Failing STAAR. But Here’s Why Schools Won’t Be Able To Meet The Law

By Emily Donaldson and Talia Richman

Dallas Morning News

Staff shortages and scheduling complications threaten to derail Texas’ major push to catch up students who fell behind during the pandemic.

A new law – approved by state legislators last year – essentially requires schools to provide at least 30 hours of tutoring in each subject that a student failed or missed on state exams.

Texas had more than 2 million failed exams among elementary and middle schoolers. Some students may have failed multiple tests and even more did not sit for the State of Texas Assessments of Academic Readiness, or STAAR.

Districts drew from billions in federal pandemic aid to hire tutors in a competitive job market and reworked their calendars to accommodate extra learning time. But they faced immense challenges finding enough staff or hours in the day.

Now, many school leaders say they won’t be able to get their kids the required intervention time. And even in districts determined to follow the letter of the law, officials aren’t sure the prescriptive statewide approach is best for children facing immense learning loss.

“It’s physically impossible for us to meet the requirements of [the law] under the current model,” Dallas Superintendent Michael Hinojosa said.

DISD won’t be able to meet the law’s requirements by the end of the school year, but he doubts others will either, the superintendent stressed.

Some legislators didn’t expect schools to fulfill the law this year given the pressures of the pandemic. Rep. Dan Huberty, R-Kingwood, attempted to lessen the requirements during a special legislative session, but his proposal didn’t receive traction.

“We’re asking them to do the best they can,” he said, noting that the Legislature will likely study the issue in the coming months so lawmakers can tweak the bill in 2023.

The Texas Education Agency backed off full enforcement as well, telling districts that officials don’t plan to strictly enforce compliance in this first year “as long as districts are making reasonable efforts to meet the requirements and there is no evidence of willful non-compliance.”

Agency spokesman Frank Ward acknowledged the potential impact of students not getting the mandated tutoring.

“This would mean that students entitled to vitally important supplemental instruction may not be prepared to engage and be successful with grade level material now and in the future,” he wrote in an email.

Stringent state guidance has districts scrambling to fulfill required administrative tasks on top of other challenges as they face their third school year impacted by the pandemic.

“We want to be able to respond to our kids’ needs, but this bill has made us react,” said Mary Webb, Frisco’s director of elementary teaching and learning. “The thought behind [the law] was a good thought. But when you put all these rules and one way of doing it when you’re in this state, it’s not going to meet everything.”

For example, if an eighth grade student failed or missed all four STAAR exams, he could be looking at 120 hours of tutoring.

Rep. Harold Dutton, D-Houston, author of the legislation’s provisions that Texas’ schools are struggling to fulfill, acknowledged the challenges districts are facing. But the lawmaker cautioned against giving up on fulfilling any of the mandates of his House Bill 4545.

“I hope it engenders a conversation about how we go about improving public education not only for all children but children who are at the bottom,” he said. “We have to recognize that we don’t have any choice but to get them off the bottom, and it’s to our benefit to do that.”

Not enough tutors or time

When Dallas officials first estimated it would take 1,800 openings to staff the district’s ambitious tutoring plan, families and community members began to realize the enormous effort needed to tackle pandemic learning loss.

But the total number of tutors needed in DISD is larger than even those eye-popping projections, said Derek Little, the district’s deputy chief of teaching and learning. In the months since DISD started planning its tutoring program, the district discovered how challenging it was to both find enough tutors and time to get students their required intervention.

Wanted in Dallas ISD: 1,800 tutors to help students catch up after COVID-19 disruptions
Dallas ISD will pay for three hours of after-school programming five days a week at 61 schools, featuring tutoring hubs, athletics and the arts. At the same time, the district is also bulking up its pool of tutors.

“Hiring in general, not just for tutors, but for anything in education, and beyond education, is super challenging right now,” Little said.

Schools across the region are struggling to find enough people to teach, drive buses and sub-in for those who fall ill. Some campuses had to briefly shut down earlier this year because of staffing issues.

As a result, the district has offered three ways to match campuses with tutors: Principals can choose to partner with a vendor who may bring in tutors from across the country to work with students virtually; use district staff; or tap a local community organization.

Some teachers also put in extra time tutoring their own students, said Shannon Trejo, the district’s chief academic officer.

Even with so many hands helping out, finding time to get all students their required interventions is a struggle. Research shows that tutoring during the school day works best, but the law limits when students can be pulled out of classes.

For instance, students can’t be pulled from recess, core instruction or extracurricular courses. It’s easier to manage the limitations at an elementary level, Little said, because the blocks of classes are longer.

So if there’s not enough time to fit in tutoring during the school day, some students are having to choose between attending band or football practice and going to tutoring after school, he added.

DISD will continue tutoring into this summer, although the number of students who will get served out of the 40,000-plus group required to receive intervention is a moving target based on staffing.

Meanwhile, since the district can’t serve everyone, officials are prioritizing reading and math over science and social studies. They are also keeping equity in mind when choosing who gets access to limited resources.

This is the right approach, Huberty said. The retiring lawmaker encouraged districts pressed to reach each student in need to focus on reading interventions, followed by math, with emphasis on the children who are the most behind.

In Cedar Hill, schools use “Longhorn Time” – a roughly 45 minute to an hour block during the school day – to do learning interventions. The district is leaning on retired

educators to drill down on students' individual needs, but it's difficult to meet the three-to-one ratio set out in the law.

“Some of the parameters that have been placed here make it almost impossible for school districts to implement,” assistant superintendent Shemeka Millner-Williams said.

Still, educators know individualized attention can make a difference and is an important tool for combatting learning loss so they are doing what they can to tutor kids who need the extra help.

“I do feel like tutoring has helped move some of our kids who are in those lower two tiers of instruction back to a more grade level-like performance,” she said.

Looking ahead

The coming months will likely bring studies and hearings on learning loss to the statehouse, providing an opportunity for lawmakers to come up with ideas to refine the legislation.

Huberty said this will give school leaders a chance to provide input on how to make the law better.

In Frisco – a high-performing district – officials want the flexibility to to put together individualized plans based on their own community needs.

“Our concern is that the rules, the logistics, the compliance pieces put in place, put an overburden on the system with what the teachers have to do,” chief academic officer Wes Cunningham said. “The meetings that have to take place, the 30 hours that are mandated. Why 30 hours?”

The method for identifying children in need of tutoring also complicates matters. Districts were required to administer the STAAR test in-person last year, even as many children remained in virtual learning.

About 7% of Frisco students did not take tests, which could have automatically triggered the additional tutoring.

“Some of the kids may have needed the accelerated instruction. Some of those students may have been performing fairly well,” said Gary Nye, Frisco's assessment and accountability director.

Frisco administered a second set of tests for some students to identify which children were on grade level and could sidestep the 30-hour requirements. But they're worried that won't be possible next year.

Little hopes lawmakers revisit the constraints on when students can receive tutoring to make it easier to provide intervention during the day. He also hopes lawmakers study

how to do required tutoring at the high school level. Those students take end-of-course tests and could pass the class and move on to a new subject even if they failed STAAR.

“If I’m in a geometry course and you’re still providing me tutoring for algebra, it’s just a bit disjointed,” Little said.

There’s also a need to explore additional resources for tutoring Spanish-speaking students, the DISD administrator said. Roughly one in five Texas students are learning English as a language in public schools.

Despite the obstacles, education officials stress the importance of offering tutoring.

“It is top five, one of the best things you can do for students,” Little said. “We believe in it.”

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Energy

Exclusive: As Demand For Solar Soars, Sunnova Energy Nearly Doubles Its Office Footprint In Houston

By Marissa Luck

Houston Chronicle

With demand for renewable energy soaring across the U.S., solar energy services firm Sunnova Energy is nearly doubling its real estate footprint in Houston as it plans to double its customer count by the end of next year.

The residential solar energy provider recently signed a lease for a about 64,000 square feet of office space outside of Beltway 8, where it plans to set up a customer service center. The facility is near Bellaire Boulevard and Eldridge Parkway in west Houston.

Within the next week about 120 customer service representatives are expected to begin moving into the new digs from Greenway Plaza, where Sunnova still plans to maintain its 71,000-square-foot headquarters.

Sunnova Energy’s expansion bolsters Houston’s burgeoning renewable energy sector, which has grown considerably in the past decade since the company was first founded by Chief Executive Officer John Berger.

“The company is going through pretty incredible growth and we want make sure that our service levels match the growth,” said Kelsey Hultberg, executive vice president and chief of staff at Sunnova Energy. “There's no better place to do it than here in our own backyard.”

The company previously said its plans to double its customer count by the end of 2023 from its level at the end of 2021. Sunnova had about 176,900 customers as of Sept. 30, 2021.

Even as supply chain constraints and rising solar pricing tempers some of the growth in residential solar power, the U.S. Department of Energy still expects small-scale solar installations to rise by 4.4 gigawatts in both 2022 and 2023. In Texas, solar power is expected to be able to produce as much as 19,520 megawatts by December 2022, according to grid operator the Electric Reliability Council of Texas. One megawatt of electricity is enough to power about 200 homes on a hot summer day.

Sunnova Energy is hedging for future growth with its new west Houston call center, said Ellen Bock, vice president of customer relations. The new space will accommodate future additions to the customer service team, although Bock declined to provide specific head growth projections. Beyond hiring, investments in technology and automation could also support the expanded customer base.

Sunnova maintains call centers in Belize and El Salvador, but Houston is its main base for customer service support. Sunnova Energy has about 800 employees across 25 states, including about 425 employees in Houston.

Sunnova worked with Cushman and Wakefield's Chad Beck and Chris Oliver to sign the seven-year lease in January. The lease included furniture, enabling the company to quickly begin operating out of some spaces on the first floor of the building while construction starts soon on building out the remaining space.

Working with architecture firm Gensler, Sunnova is planning to create wellness rooms and mothering rooms for employees, plus a large cafe, a relaxation/break room area and lockers. The new facility will also have a large training lab where employees can see up close the solar panels and battery storage packs Sunnova customers have installed on their properties.

The company picked the west Houston location because of its low risk of flooding, access to an on-site power generator, and its proximity to where most of its customer representative employees live, Hultberg and Bock added.

For its headquarters at 20 Greenway, Sunnova is also working with Gensler to convert the former customer service space there into a so-called command center, Hultberg said.

"Prior to COVID ... we were expanding and we were really kind of busting at the seams a little bit within 20 Greenway," said Hultberg. "Now with more people back into the office we quickly realized we really needed a (bigger) space for our customer care team."

The company, which releases its fourth quarter results at market close Feb.23, posted a net loss of \$116.3 million in the first nine months of last year - 35 percent lower than the

losses from the prior year. However its revenue surged to \$176 million in the first nine months of last year, a 43 percent jump from the same period the year earlier.

Sunnova Energy becomes the latest renewable energy firm to expand its real estate footprint recently in Houston. Last week, renewable natural gas firm Archaea Energy confirmed it was moving its headquarters into 40,000 square-foot office at M-K-T in The Heights. And Japanese-utility company JERA Energy, which focused on LNG but is rapidly growing in renewables, recently doubled its office footprint with a move from the Galleria to downtown.

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Transportation

American Airlines Cancels Hundreds Of Flights At DFW Airport Ahead Of Icy Winter Forecast

By Kyle Arnold

Dallas Morning News

American Airlines and its regional carriers have canceled hundreds of flights in and out of DFW International Airport on Wednesday and Thursday, ahead of forecasts that predict freezing temperatures and icy precipitation.

More than 600 flights in and out of DFW Airport have been scratched for Wednesday and another 450 have already been canceled for Thursday with temperatures below freezing moving into the area overnight into Wednesday and forecast to stick around most of the day, according to Flightaware.com.

“This week’s winter storm is expected to have a significant impact on our operation, especially in Dallas-Fort Worth (DFW),” said American Airlines spokeswoman Yamleque in a statement. “The vast majority of impacted flights have been canceled in advance so we could proactively notify and accommodate our customers and avoid last-minute disruptions at the airport.”

Fort Worth-based American, which counts DFW as its largest hub, has issued a travel advisory for a dozen airports in Texas, Oklahoma, Arkansas and Missouri. The advisory allows customers to rearrange flights without paying higher fares for the same routes at later dates.

DFW Airport spokesman Brian Brooks said airport staff is monitoring the weather along with the National Weather Service.

“Airport operations are prepared to begin treatment of runways and taxiways on the airfield, and bridges, overpasses and roadways on the landside of the airport, ensuring the safety of customers and employees,” he said in a statement.

The cancellations account for about a third of all flights in and out of DFW on Wednesday.

Southwest Airlines, which is headquartered at Dallas Love Field, has canceled about 75 flights systemwide and is monitoring the storm, Southwest spokeswoman Brandy King said. Dallas Love Field did say in a social media message that it is “monitoring the weather and stands ready to treat and clear surfaces to allow for safe operations.”

So far, American has canceled about 8% of its flight schedule for Wednesday. Envoy Air, the regional carrier for American, has canceled nearly a quarter of its flights, more than 200 in all.

SkyWest, another regional carrier that flies for American, has cut more than 100 flights, mostly out of DFW and Denver International Airport, which is also forecast to get a round of winter weather Wednesday.

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Criminal Justice

Texas Police Chief Accused Of Using Racial Slur At Scene Of Murder Investigation

By Jacob Beltran

Houston Chronicle

The Castroville police chief is accused of using a racial slur while at the scene of a slaying in Medina County earlier this month.

Chief Brian Jackson is alleged to have used the slur on Feb. 5 as multiple law enforcement agencies were investigating the discovery of a body near Houston Street and Highway 90, city officials said.

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City Council was expected to discuss Jackson’s employment status during a meeting at 5 p.m. today.

Castroville Mayor Darrin Schroeder said in a phone interview Tuesday that internal actions have already been taken, but he could not elaborate because they relate to personnel matters.

“We don’t take this lightly,” Schroeder said. “Discrimination and racism is a huge problem in our country and the world, and it can’t be a problem in Castroville.”

The slur was reportedly used at least three times in front of a Medina County sheriff’s deputy equipped with a body-worn camera, a source told KSAT.

Medina County Sheriff Randy Brown overheard the language used in the footage and alerted the city, he told the news station.

Brown could not be reached for comment as of Tuesday afternoon.

Schroeder said that the city is investigating the allegation and proceeding with due process toward Jackson, and that action cannot be taken without any proof.

The city has requested any kind of video footage and information from the Sheriff's Office that would substantiate the allegation, Schroeder said.

"We believe in all human rights," Schroeder said in a statement. "So we will not discipline simply on rumors or hearsay, but we will act decisively if we determine guilt of discrimination."

He said Jackson does not have any history of discrimination.

The mayor said that Jackson, who previously was a lieutenant in the department, has worked hard to develop trust with the community during his time as chief.

"He's the one who has turned the department around quite a bit," Schroeder said.

He recalled one case in which students from an area high school wanted to lead a Black Lives Matters march.

Jackson coordinated the officers who were protecting the demonstrators and made sure they stayed far away enough so the students would not feel surrounded, Schroeder said.

The meeting is to be live streamed and may be viewed on the city's Facebook page.

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Opinion/Editorial

Free Speech 'Is A God-Given Right,' Unless Texas Lt. Gov. Dan Patrick Disagrees

By Bridget Grumet

Austin American Statesman

"Freedom of speech is a God-given right, and protecting that right is a top priority for Texans. We cannot allow social media platforms — the modern-day town square — to censor the views of Texans."

- Lt. Gov. Dan Patrick

“I will not stand by and let looney Marxist UT professors poison the minds of young students with Critical Race Theory. We banned it in publicly funded K-12 and we will ban it in publicly funded higher ed.”

- Also Lt. Gov. Dan Patrick

The lieutenant governor is opposed to a diversity of views in academia, even as he harbors his own diversity of views on the merits of free speech.

Sometimes Patrick champions free speech. Sometimes he’s downright hostile to it.

We saw more of the latter with Patrick’s broadside last week against tenured faculty at public universities, particularly those who dare to engage with our nation’s difficult history on race. Say something Patrick deems unacceptable and he will try to push you out of your job.

Other Texas Republicans have exhibited a similar cognitive dissonance, decrying “cancel culture” one minute, then demanding school libraries remove hundreds of supposedly objectionable books the next minute.

This might be a good time for a reminder about the First Amendment: It’s not there to protect the expression of popular ideas or mundane assertions, the kind of speech no one cares to silence. It’s there to protect controversial speech and uncomfortable ideas, to provide space for contrarian views because debate is essential to democracy.

There’s no debate if there’s only one set of accepted views. And if there’s no debate, no forum for competing ideas, what’s the point of our elections?

For what it’s worth, Patrick is out of step with many Texans when it comes to legislating the content of history classes. A University of Texas/Texas Politics Project Poll taken this month found only 37% of Texans supported “limiting the use of teaching materials that emphasize racism in the history of the U.S.” Half of Texans opposed such limits.

Not that Patrick cares about dissenting views. In a plain act of censorship, Patrick last year shut down a virtual panel discussion at the Bullock Texas State History Museum on “Forget the Alamo,” a superb book that critically examines Texas’ founding story. As president of the Texas Senate, Patrick twice pushed to revise the rules — really, to move the goalposts — so that bills backed by a shrinking GOP majority could make it to the floor without earning the support of a single Democrat.

Why engage in persuasion when you can steamroll over your critics?

Patrick has been crowing about the plans for UT to add a “Liberty Institute,” a think tank celebrating personal liberty and free markets. I wish his faith in the free-market economy was matched by a commitment to the marketplace of ideas.

Let people air their views. Let others challenge them. Trust that process to reveal which ideas are grounded in facts and sound reasoning and which ones wither under scrutiny. Universities are built for this kind of inquiry.

This is hardly a radical idea. In the landmark *Sweezy v. New Hampshire* case in 1957, the U.S. Supreme Court found that "a free society (depends) on free universities," which must have the freedom to decide who may teach, what subjects may be taught, how they shall be taught and which students shall be admitted.

Perhaps Patrick could learn something from the 1917 downfall of Gov. James "Pa" Ferguson, whose campaign to fire certain UT faculty members blew up in his face.

Ferguson's beef with those professors a century ago seemed more personal than ideological. His early attempts to pressure the regents to fire those men drew little attention.

"Of those who had heard of the trouble, probably a large minority sympathized with (Ferguson) on the general ground that 'those white-collar professors' needed a spanking," one of the targeted staffers, John A. Lomax, recalled in a 1942 journal article.

But the public mood decidedly turned against Ferguson after people saw the extent of his overreach: replacing regents, calling a secret meeting to try to fire the university president, vetoing the university's funding and deriding student protesters as "a mob of hoodlums." The backlash against the governor renewed inquiries into his handling of state funds, leading to Ferguson becoming the only Texas governor to be impeached and removed from office.

Ferguson had declared his fight over the UT faculty was "clearly defined as to whether the University shall run the people of Texas or the people of the state run their own University."

He missed the point.

It's not about who controls the dialogue. It's about allowing free speech to flourish.

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Giving Professors Freedom, So Long As They Agree With Politicians

By Ross Ramsey
Texas Tribune

Dan Patrick wants to defund the profs.

The lieutenant governor said he's in favor of academic freedom, but he said it in the middle of a news conference where he proposed cutting off tenure for professors at state schools, and threatening the funding of public universities that teach critical race theory,

a line of study that he says makes “oppressors” of white people and “victims” of people of color.

“Go to a private school, let them raise their own funds to teach, but we’re not going to fund them,” he said. “I’m not going to pay for that nonsense.”

Here’s a prompt for a class discussion: CRT isn’t what made white people the oppressors and people of color the victims in Texas and American history. Argue for or against.

Patrick doesn’t want the variety of academic freedom that allows people to teach things he himself doesn’t agree with. It’s an old story: populist yahoos screeching at people in the ivory towers.

It makes a lie of the rest of what Patrick is saying — academic freedom and all that folderol — but it makes for a good speech in the tradition of blowhards like “Pappy” Lee O’Daniel and Huey Long.

Sanctimony is sanctimony, whether it comes from the top or the bottom.

Patrick got a quick response from the president of the University of Texas at Austin, the school where some defiant faculty members ruffled the lieutenant governor’s feathers by telling him to stuff it where it’s too dark to read. Tenure is intended to protect academics’ ability to consider, investigate and debate ideas without tiptoeing around popular culture, dogma, ambitious politicians and prim defenders of the status quo.

“Removing tenure would not only cripple Texas’ ability to recruit and retain great faculty members, it would also hurt Texas students, who would not be able to stay in state knowing that they will be learning from the very best in the country,” Hartzell wrote in a letter after Patrick’s news conference. “It would also increase the risk of universities across the state making bad decisions for the wrong reasons.”

That was bold, given his position — stuck between a lieutenant governor he wants to appease and a university community he was hired to lead. But in practical terms, getting rid of tenure in Texas, or threatening wayward professors from the confines of the Texas Capitol and the campaign trail, is a recruiting gift to universities in other states. Even California and New York.

The best academics tend to go to the best schools. Schools where politicians are telling you what can and cannot be taught don’t stay in the running for very long.

It’s bad news for public universities, from the big ones like UT-Austin and Texas A&M University to the small ones like Sul Ross State University and Texas Woman’s University.

It could be a plus for private schools like Rice University in Houston, Texas Christian University in Fort Worth and Baylor University in Waco. They might have boards and donors meddling in their business, like all schools do, but they’re not under the thumbs of

elected officials. And they'd be free to offer tenure to any coveted academics unable to get industry-standard tenure offers from state universities.

Patrick wants to add language to the reasons a professor can be fired for "just cause" — including teaching of critical race theory as a potential firing offense.

His tenure argument included an appeal to normal people, who don't have tenure in their jobs. True enough, but it sounded funny coming from someone who effectively has four-year tenure terms between elections. Some professors get six-year tenure terms — the same length as a term on the Texas Railroad Commission.

If only we had a "just cause" clause for firing elected officials.

The characters change, but this politicians vs. professors fight isn't new. In his book "Lone Star Tarnished," Cal Jillson, a political science professor at Southern Methodist University in Dallas, wrote about an 1897 skirmish between UT-Austin and the Texas Legislature over the political leanings of some of the people at the college down the street from the Capitol.

The Legislature passed a resolution "requesting the regents of the University to exercise great care hereafter in selecting as members of the faculty only those who are known to be in sympathy with Southern political institutions, and further request them to cancel as soon as possible any existing contract with members of the faculty not so in sympathy."

In response, Jillson wrote, UT added William Stewart Simkins, a former leader of the Florida Ku Klux Klan, to the law school faculty.

Wonder if they're allowed to teach anything about that in public universities in Texas?

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From 'The Best Time In State Government' To ... Whatever It Is Today

By Erica Grieder

Houston Chronicle

Perhaps the state of Texas has been breaking your heart lately. If so, state Rep. Garnet Coleman can relate.

"When you've done something for a long time, change and the unknown create apprehension," the Houston Democrat observed. But he does know how being directly involved in the political arena can affect people, especially these days.

"It turned me into an angry warrior. I didn't know how to turn it off," said Coleman, who is retiring at the end of this month after more than three decades in the Texas House.

"The thing I say to myself is, whatever happens, I want to finish this process with my soul intact."

To be clear, Coleman is hopeful, as he ends this chapter of his life in public service. He's always hopeful, he told me Friday, about what humans can achieve, if they act with courage and empathy.

But aspects of our current political situation are scary, from his perspective, and demoralizing — and that's worth highlighting, as Coleman knows of what he speaks.

When a legislator retires after several decades of service, the result is a loss of institutional memory. And with Coleman's retirement, we're losing memories of how much different — and better — things in state government could be now.

"I call it the best time in state government. We were all trying, everybody was trying to get something good done," said Coleman, initially elected in 1991. "We may have disagreed on what the good was, but we were trying to make the state better."

He was first elected after incumbent state Rep. Larry Evans, a neighbor of his parents in Third Ward, died of a cocaine overdose. A special election was called accordingly. Coleman was working at the city of Austin's office of minority business affairs and had a longtime interest in politics.

"I thought it was important, as did my parents," Coleman explained. "You vote; you give money. When you're part of a community, you nurture it."

He graduated from the University of St. Thomas in Houston after studying political science, philosophy and theology, and he began his career as an intern for then-U.S. Rep. Mickey Leland of Texas' 18th Congressional District.

His father, John B. Coleman, was a physician and, like many Black men and women of his generation, a civil rights advocate. "Because they had to be," the younger Coleman explains.

In 1977, Dr. Coleman became the first African American to serve on the board of regents of Texas A&M University, a position he held for two terms and found meaningful. He was appointed by then-Gov. Dolph Briscoe, a Republican. At an encounter years later, Coleman, then a legislator, complimented Briscoe on his bravery. "I said, 'Man, you've got balls.' He thanked me."

Well into the 1990s, Coleman continued, Republicans weren't afraid to advocate for a more inclusive state. He cites George W. Bush, who was of course governor before being elected president, as an example: "I think he thought that the world will never be what it needs to be unless there are people who represent different points of view involved in government."

More generally, he recalls, there was an ethos of mutual appreciation at that time, a respect for one's colleagues on the other side of the aisle or from different walks of life, which would be treated as suspicious in the more toxic environment of today.

He recalls taking longtime colleague Pete Laney, a West Texas Democrat who served as Texas House speaker from 1993 to 2003, on a tour of Third Ward. Laney was known for encouraging legislators to represent their constituents rather than their parties: "Vote your district," he would often say. And his own rural district had more in common with House District 147 than one might think, Coleman argues.

"If you're Black in an urban area, and you're rural and you're white, you're the same person," he said. "You have the same needs. You need public education. The public sector has more of an impact on life."

In hearing reflections like this, a painful question comes unavoidably to mind: What changed?

Coleman sighed and thought for a few moments.

"The world was divided on purpose, to get advantage," he said.

After the 2000 election, Bush was succeeded as governor by Rick Perry, who never espoused bipartisanship as a virtue per se, though he himself was initially elected as a Democrat. Then came the rise of the tea party, a grassroots movement that essentially casts government as the enemy — a self-contradicting position for an elected official to take, Coleman observed dryly.

"Then government became the problem, or at least that's what they were saying," Coleman said. "How can you serve someplace, and do things in a place, that you think shouldn't be there?"

Coleman — himself a ferocious advocate for better health care for Texans — has been candid about health issues he's faced. He might have retired sooner, he suggested, if not for the fact that he wanted to be involved in this year's redistricting cycle and to protect his district, specifically.

To a casual observer, House District 147 may look like most of the others: an incoherent blob drawn by gerrymandering artisans, in this case shaped like an ostrich or centaur, with its head in downtown Houston and Third Ward, and a neck running southeast to a body perched on Beltway 8. (The redrawn district is largely the same.)

"This is a district that by territory alone has a lot of power," Coleman said. "I had three universities, three law schools, downtown, the museum district, the theater district — represented by a Black person!"

A number of Democrats are vying to replace Coleman in the Legislature, as are two Republicans in the heavily Democratic district.

“It’s the service that’s important,” Coleman said. He added: “Because I had that experience of a government that was working, whether it was Democrats or Republicans, I know it can be fulfilling. I know it doesn’t have to be what it’s become.”

The duration of Coleman’s tenure may give the impression that the outgoing legislator is older than he actually is. In fact, while he has had an august career, he’s just 60, about a month younger than former President Barack Obama, whose public service has continued since he wrapped up his second term as president. As will Coleman’s, he said Friday — even if he’s not sure, just yet, what forms that will take.

“I don’t think you retire from being a citizen,” Coleman said.

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Dallas Morning News – Bob Garrett: [As Abbott Cites O'Rourke's 'Pro-Russia' Vote In Congress, Democrat Compares Texas Governor To Putin](#) [Web]

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Greg Abbott News

Gov. Greg Abbott Brags About His Border Initiative. The Evidence Doesn't Back Him Up.

By Lomi Kriel and Perla Trevizo

Texas Tribune

Thomas King-Randall had been waiting for two hours to drop his daughters off at his ex-girlfriend's apartment in Midland. It was 10:30 on a school night in August and it was her turn to care for the two girls.

The ex-girlfriend showed up drunk and was arguing with her new boyfriend in his truck, police later wrote in a report. King-Randall, who is Black, said in an interview that the woman's Latino boyfriend called him a racial slur, which led to a fight.

By the end of the encounter, the woman's boyfriend had a bloody nose and swollen eyes. King-Randall was gone, and local police issued an arrest warrant for the 26-year-old California native. A month later, Texas Department of Public Safety officers arrested King-Randall when he tried to renew his driver's license.

TX-SOS-22-0336-B-000136

King-Randall's arrest was one of thousands used to bolster claims of success for Operation Lone Star. Texas Gov. Greg Abbott launched the initiative last March, citing an urgent need to stop the flow of drugs and undocumented immigrants into the state through Mexico.

But the alleged assault had nothing to do with the border. King-Randall, a U.S. citizen, was arrested more than 250 miles from the border with Mexico. Neither DPS nor the Texas Military Department, the state agencies carrying out Operation Lone Star, played a role in the investigation. And the family violence assault charge King-Randall faced wasn't linked to border-related crime or illegal immigration.

Operation Lone Star has helped increase the state's budget for border security to more than \$3 billion through 2023 by deploying thousands of DPS troopers and National Guard members and allocating funding to build border barriers. As part of the operation, troopers are also arresting some immigrant men crossing into the U.S. on state criminal trespassing charges.

Abbott and DPS have repeatedly boasted in news conferences, on social media and during interviews on Fox News that the border operation has disrupted drug and human smuggling networks. A year into the operation, officials touted more than 11,000 criminal arrests, drug seizures that amount to millions of "lethal doses" and the referrals of tens of thousands of unauthorized immigrants to the federal government for deportation as signs that the program is effective.

But the state's claim of success has been based on shifting metrics that included crimes with no connection to the border, work conducted by troopers stationed in targeted counties prior to the operation, and arrest and drug seizure efforts that do not clearly distinguish DPS's role from that of other agencies, an investigation by ProPublica, The Texas Tribune and The Marshall Project found.

King-Randall's charges were among more than 2,000, including some for cockfighting, sexual assault and stalking, that the agency stopped counting toward Operation Lone Star more than nine months into the exercise, after the news organizations began raising questions about the ties between the arrests and border security. Of those, about 270 charges were for violent crimes, which are defined by the FBI as murder, manslaughter, rape, robbery and aggravated assault.

King-Randall said in an interview that he was fighting the allegations. The case is pending, according to the Midland County district attorney's office.

Claiming such arrests is "inherently flawed" and misrepresents the accomplishments of the operation, said Patrick O'Burke, a law enforcement consultant and a former DPS commander who retired in 2008.

"The problem could be simply related to crimes in those communities," O'Burke said. "It's not battling cross-border crime."

Asked by the news organizations why such charges were not excluded from the operation's metrics at the start, DPS officials said they are continuously improving how they collect and report the data "to better reflect the mission" of securing the border. The governor's office maintained that "dangerous individuals, deadly drugs, and other illegal contraband have been taken off our streets or prevented from entering the State of Texas altogether thanks to the men and women of Operation Lone Star."

But DPS and Abbott have provided little proof to substantiate such statements. A year into the initiative, Abbott, DPS and the Texas Military Department have fought two dozen public records requests from the news organizations that would provide a clearer picture of the operation's accomplishments.

DPS, the only agency to release some records related to Operation Lone Star's results, has made several significant revisions to the arrest data, including removing charges. The agency did not provide details that would help determine how the cases that remained are connected to the initiative's goal of deterring border-related crime. The agency also failed to identify arrests and drug seizures that could have occurred without the additional personnel made available through the operation.

The absence of clear metrics for measuring its accomplishments points to a larger problem with the border operation and more than a dozen others launched by the state's two governors during the past 17 years. Lawmakers have repeatedly increased state funding for border security while providing minimal oversight of the operations launched by Abbott and his predecessor, Gov. Rick Perry.

Over the years, some legislators have balked at state agencies' calls for more accountability from border security efforts.

"It's almost offensive to say, 'What are the results?'" former state Rep. Dan Flynn, a Republican from East Texas, said during a hearing in 2018. At that hearing, the Texas Sunset Advisory Commission, which determines whether there's a continuing need for state agencies and programs, raised concerns that DPS was not providing "sufficient information to the public and policymakers about the return on investment for border security."

Texas, which shares a 1,200-mile border with Mexico, spends more money on border security than any other state. And at a cost to taxpayers of more than \$2.5 million a week, Operation Lone Star is by far the most expensive of the state's border operations, and the one with the broadest mandate and scope.

People in Piedras Negras, Mexico, are seen taking photos, through recently-installed concertina wire, of the U.S. side as Bo... Concertina wire recently installed in Eagle Pass by the National Guard as part of Operation Lone Star. Credit: Verónica G. Cárdenas for ProPublica/The Texas Tribune

In South Texas' Rio Grande Valley, which was at the center of last year's immigrant influx, Hidalgo County Judge Richard Cortez said

he doesn't know what Operation Lone Star has accomplished beyond "arresting people and making them criminals."

Cortez said the problem is not criminal activity, but the sheer number of immigrants seeking better opportunities who sometimes attempt to cross into his community at once, straining resources and overwhelming Border Patrol. The solution, he said, is a comprehensive approach to address the reasons people are trying to come to the U.S. and provide more legal avenues to do so.

"We're spending millions and billions of dollars in trying to manage something," Cortez said about Operation Lone Star. "But instead of getting me the plumber to stop the leak, they're sending me people to mop up the floor."

Politics of border security

With DPS SUVs lined up behind him as if forming a wall, Abbott promoted his new initiative during a March 2021 news conference in Mission, a city in the Rio Grande Valley where more immigrants were crossing the border.

While federal officials started apprehending a greater number of immigrants during Donald Trump's presidency, Abbott blamed newly inaugurated President Joe Biden for not doing enough to stem record levels of arrivals at the border.

During his first two months at the helm, Biden temporarily halted a policy that required people seeking asylum to wait in Mexico until their cases could be heard by U.S. immigration judges. A federal judge in Texas later ordered the administration to reinstate part of the policy. Under a Trump administration pandemic health order that Biden kept in place, more than three-fourths of immigrants apprehended at the border during that period were immediately turned away.

"If you were president in 2024, which some of us hope that you are, what's the first thing that you would do to enact something down here?" asked a man in the crowd whom Abbott's staff singled out for the final question.

"Secure the border. Period," Abbott said.

With the presidential election in the distance, Abbott has made border security a cornerstone of his gubernatorial reelection campaign, playing offense against his primary opponents, attacking Biden and using the issue as a way to distinguish himself from his general election challenger, former U.S. Rep. Beto O'Rourke, a Democrat from the border city of El Paso.

The governor handily won the Republican primary early this month with Trump's support. The former president's success rallying the Republican base by pushing hard-line policies and promoting the construction of a border wall has become a model for Texas GOP candidates, who saw Trump make inroads with Latino voters in border counties in 2020.

The results emboldened Republicans, who doubled down on Trump's rhetoric, pushing some of his more restrictive border measures, said James Henson, director of the Texas Politics Project at the University of Texas at Austin.

"It's almost as if he gave permission for more straightforwardly nativist rhetoric, but he didn't do that in a vacuum, certainly at least not here," Henson said, pointing to anti-immigrant sentiment among Republican voters prior to Trump's election.

In launching Operation Lone Star, Abbott went further than any other governor in recent history, attempting to curtail immigration by using state trespassing charges to directly target those who cross the border on private property.

The federal government has sole authority to enforce immigration laws, but Abbott increased trespassing penalties under a declaration that gave him more power akin to what he would have after a natural disaster.

In June, the governor shifted the operation's emphasis from the Rio Grande Valley, where political leaders opposed some of his efforts, to a vast rural region of mostly private ranches around Val Verde County, about 170 miles west of San Antonio. Trump won the county by a 10-point margin in 2020. Until this year, Val Verde and Kinney were the only two counties prosecuting people crossing into the country through private property for trespassing.

The misdemeanor charge, punishable by up to a year in jail, makes up about 40% of the operation's arrests from mid-July to Jan. 27, an analysis by ProPublica, the Tribune and the Marshall Project found.

The governor's office said the operation is based on facts, not politics, and is geared to provide "maximum assistance to the counties greatest affected." But federal statistics show some of the counties in the Rio Grande Valley that DPS shifted additional resources away from were among those experiencing the greatest influx of immigrants and drugs.

Command Sgt. Maj. Jason Featherston, a Texas Army National Guard veteran who helped oversee the guard's deployment under the operation until his retirement in November, said he and his colleagues believed politics was the main driver for the mushrooming initiative. He said he recalls commanders saying things like, "We're going back to the border, the governor is trying to get reelected."

Federal and state Democratic lawmakers have urged investigations into the constitutionality of the trespassing arrests and the poor working conditions, pay delays and suicides among National Guard members assigned to Operation Lone Star, problems reported by the Tribune and the Army Times. And some state Democrats, led by the Mexican American Legislative Caucus, announced a task force early this month to investigate "many layers of grave concerns" about the operation, including alleged human rights violations and a lack of accountability. Abbott's office has said the arrests and prosecutions under the operation "are fully constitutional."

But the broader operation's goals and results have received little scrutiny.

In July, DPS began counting toward Operation Lone Star a number of arrests and drug seizures from a 63-county region almost the size of Oregon that officials dubbed the area of interest. The area included counties that did not receive additional resources from the operation, and some of the newly credited actions included work already conducted by troopers stationed there before the governor's initiative began.

Before then, DPS had been counting arrests and drug seizures from what the agency called the "more focused" area of operation, a smaller group of counties closer to the border.

The governor and DPS declined to answer questions about who ordered the change and whether all the counties in the larger area of interest received extra resources from the operation. DPS officials said the area of operation is fluid as the department is continuously monitoring the border and adjusting its use of resources as needed.

Abbott pointed to some of those arrests last year as he sought additional funding for border security efforts, bringing lawmakers back for a special legislative session. Abbott's office received \$1.3 billion of the \$3 billion total, marking the first time that the governor's allocation for border security was larger than that given to DPS.

Texas Department of Public Safety special agents oversee a group of four Honduran undocumented migrants that were caught in ... Texas Department of Public Safety special agents monitor four undocumented immigrants from Honduras who were caught on private property in Kinney County. Credit: Verónica G. Cárdenas for ProPublica/The Texas Tribune
The growing share of border security funding managed by the governor's office raises questions about transparency, said Eva DeLuna Castro, a budget analyst for the progressive think tank Every Texan. She said such spending is harder to track because the governor's office doesn't report its expenditures with the same level of detail as DPS.

While the governor's office argues that the agencies it funds have to report spending, DeLuna Castro said some are not subject to such rules.

In January, after increasing the number of National Guard members at the border to 10,000, the governor and a handful of the state's Republican leaders moved nearly half a billion dollars from DPS, the Texas Department of Criminal Justice and the Texas Alcoholic Beverage Commission to help cover the increased costs.

"He's just running up a tab that the Legislature, and taxpayers, will have to cover," DeLuna Castro said.

Trouble with the numbers

Fentanyl seizures have become shorthand for Operation Lone Star's success.

Abbott repeatedly highlights them in press conferences and on social media, boasting that the state is helping to stop Biden's "open border policies." He has used seizures of the synthetic opioid, which is 100 times stronger than morphine, as a way to attack O'Rourke, who is challenging him in the November gubernatorial election.

At a February event in Austin before the primary election, Abbott's campaign handed out pill bottles with a fake label that read "Beto Biden open border" and pointed to 1,334 Texas fentanyl deaths in 2021.

Inside was a mock warning label that credited the seizure of 887 pounds of fentanyl, or what he called more than 201 million deadly doses, to Operation Lone Star. Days later, Abbott repeated similar claims in a press release from the governor's office.

The figure reflects seizures across the state and contradicts the number DPS has given for what is attributable to Operation Lone Star. About 160 pounds of fentanyl were seized from March 2021 to January 2022 in the regions that DPS uses when reporting metrics from the operation.

Abbott's office defended using statewide seizure numbers, saying they are directly tied to Operation Lone Star because the drug generally enters from Mexico.

"DPS can't always seize fentanyl right at the border; but they will not stop until they find it, even if it is in North Texas," Nan Tolson, Abbott's spokesperson, wrote in an email.

Including statewide seizures is "just disingenuous," said O'Burke, the former DPS commander.

"Chicago has a border nexus. Are we going to count drugs that were seized in Chicago? That's just not transparent," he said. "It's just not a measure of success. It's just conflating these statistics because it makes the general public feel safer."

Instead, O'Burke said, Operation Lone Star's results should only count actions in which its added resources were used.

That number comes with its own caveats. All but 12 of the 160 pounds of fentanyl were captured in El Paso County, which was not one of the ones listed by DPS officials in November as receiving additional troopers and National Guard members from the operation. The county was one of several that declined to sign on to the governor's border disaster declaration.

Fentanyl seizure claims are not the only example of the difficulty of measuring the return on investment for taxpayers.

DPS has a history of taking credit for work, such as drug seizures, carried out by other agencies. As part of the operation, DPS and Texas Military Department officials reported apprehending more than 200,000 migrants in the past year and referring them to the federal government for deportation. That included eight migrants who were caught rafting across the Rio Grande by DPS troopers, National Guard members and Border Patrol agents in November. But while DPS counted the immigrants it referred to Border Patrol as part of its reporting for Operation Lone Star, that same group may also have been included in the National Guard's tally, meaning both agencies could be getting credit for the same arrests. The Texas Military Department did not answer questions about the case.

U.S. Customs and Border Protection declined multiple interview requests. Officials did say that the federal agency "does not have a role or partner in any way" with DPS on the operation and that they don't track the state's referrals.

DPS officials acknowledged in an interview that more than one agency could be taking credit for some of the same detentions because the Texas Military Department does not share with DPS the details of immigrants it refers to the federal government, and such data is not publicly available.

Featherston, the retired Texas Army National Guard senior enlisted adviser, said he believes immigrant apprehensions are "double counted."

In another case, DPS posted on its Facebook page in September that it encountered more than 700 gang members as part of the operation. But officials declined requests to provide records detailing such arrests, saying gang affiliation "was not a metric the Department is tracking."

And despite removing more than 2,000 charges from the arrest data credited to Operation Lone Star, DPS still includes other charges without explaining how they align with the operation's goal of capturing dangerous criminals. (DPS disputed this characterization of the removed charges; a full explanation of our rebuttal is described in the methods section at the end of this piece.) In May, for example, troopers arrested a 20-year-old woman in Coke County, about 200 miles from the border in West Texas.

The woman was driving 9 mph over the speed limit in a no-passing zone on a rural highway. After troopers stopped her for speeding, they discovered a Ziploc bag with "loose leaf marijuana in the glovebox," according to the arrest report.

The woman, who could not be reached for comment, does not appear to have a prior criminal record. The arrest report doesn't note her immigration status. She was charged with possession of less than 2 ounces of marijuana.

"The whole reason for all this, you know, playing with statistics, is for optics so that the governor could get reelected. And so from that perspective, has it worked? Yes. It's worked for him," said Gary Hale, a former chief of intelligence in Houston for the Drug Enforcement Administration who is now at Rice University's Baker Institute for Public Policy. "But what's the net gain? I don't think there's any. Zero. We really haven't had any significant impact on migrant smuggling or drug trafficking."

A group of Mexican undocumented migrants wait as they are being arrested by DPS as part of Operation Lone Star for trespassi...
Undocumented immigrants from Mexico are detained after Texas Department of Public Safety special agents caught them on private property in Kinney County as part of Operation Lone Star. Credit: Verónica G. Cárdenas for ProPublica/The Texas Tribune
A year later

A year after Operation Lone Star launched, a panel of three Texas senators sought to better understand how to gauge the costly initiative's accomplishments.

"What metrics are you using to measure success in terms of defining the arrests for which you're responsible for, to make sure we're using our DPS officers in an effective way?" state Sen. Juan "Chuy" Hinojosa, a Democrat from the border city of McAllen, asked DPS' chief, Col. Steve McCraw, at a hearing on March 8.

Success could not be measured through arrest and seizure numbers alone, McCraw responded.

For the first time since the operation began, he offered a different metric: securing the border by stopping the flow of drugs and unauthorized immigrants in Texas' 103 Border Patrol zones, one at a time. That is accomplished when each area has enough barriers, technology and law enforcement resources to "prevent transnational criminal activity," according to DPS, which said it has met that goal in four zones that make up some parts of Hidalgo and Starr counties.

During the hearing, McCraw didn't say how the agency knows it has secured a region. He also did not explain how DPS would be able to continue committing the resources needed to sustain that level of security. The senators didn't ask.

"The challenge we have is when trying to decide what success looks like, is that if the numbers go up, do we claim success because we're more efficient?" McCraw asked, adding that arrest and drug seizure statistics fluctuate. "You can't have it both ways, you can't be successful when the numbers go up and when the numbers go down."

Since the start of the operation, DPS and Abbott have repeatedly touted success using arrests and drug seizure numbers. While continuing to cite the statistics, McCraw sought to minimize their significance, saying that what matters most is "not how much crime you're enforcing. It's the absence of it."

By the end of that Senate hearing, lawmakers remained uncertain about the return on their multibillion-dollar investment.

“How do we know whether the amount of money was appropriate for what was needed?” state Sen. Bob Hall, a Republican from Rockwall, northeast of Dallas, asked the state’s financial analysts. “And how do we know when we’ve accomplished what we set out to do, so that we can figure out what to do next, other than just appropriate more money and then wonder what to do next?”

The question has plagued lawmakers since the first border security operation launched nearly two decades ago.

About the data: How we analyzed criminal charges linked to Operation Lone Star
The data

Beginning in June 2021, reporters from The Marshall Project, ProPublica and The Texas Tribune began making records requests to the Texas Department of Public Safety for data on arrests and charges associated with Operation Lone Star. The department was responsive to those requests and provided information over the course of several months, though the format and contents of the files they sent changed over time in notable ways.

DPS sent us two data releases, one in July and another in August 2021, with records of arrests and charges associated with Operation Lone Star. Those releases came as separate files from three branches of DPS. However, in November, agency officials said that these records were incomplete, only capturing one of two broad border regions. In December, they then said they had retroactively started removing charges that did not “reflect the mission” of Operation Lone Star.

From November 2021 to January 2022, DPS sent three data snapshots, each of which the department said represented the totality of its records of Operation Lone Star charges and arrests at the time the files were created. This data was organized with each charge on its own row. An arrest can include multiple charges.

What we found

DPS emphasized that it is continuously improving how it collects and reports data for Operation Lone Star. As such, we used the latest data snapshot, from January 2022, when describing the criminal charges that the agency attributes to the operation, including how many charges were related to trespassing and how the charges were distributed geographically.

We also examined the evolving nature of the department’s record-keeping by looking at changes between the data snapshots provided to us. In comparing the first and second complete data snapshots (one provided in November 2021, the other in December 2021), we found more than 2,000 charges that had been removed from the data.

Vetting our findings

DPS said that our approach did not account for the fact that “each spreadsheet represents an extract from a live database, and information is subject to change.” The agency stated that our analysis “assumes that any row that does not appear exactly the same in each spreadsheet can be described as either ‘added’ or ‘removed.’”

We did not require rows to match exactly when identifying charges preserved or removed. Rows were matched using arrest IDs and charge descriptions, and we looked only at charges from dates covered in both files. For about half of the more than 2,000 charges we identified as being removed from the data, the arrest IDs for these charges were not included in the later data snapshots — for example, Thomas King-Randall’s arrest only appears in the first snapshot. For the other half, the arrest ID did appear in later data snapshots, but with fewer charges associated with it. Additionally, looking only at the number of charges in each dataset, we observed that for arrests that occurred in the same time period, there were fewer charges in later data snapshots than there had been in the earlier snapshot. DPS declined to answer questions about why particular cases were removed and declined to answer many of our specific questions about the dataset.

The constantly changing nature of the database is not unique to Operation Lone Star. Methods for comparing datasets are commonly used and actively studied. It is valid to analyze changes in such databases (with the appropriate caveats) and to describe them as additions or removals. DPS itself told reporters the department “identified offenses that should be removed” in a December 2021 email about changes to Operation Lone Star data collection.

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As Abbott Cites O’Rourke’s ‘Pro-Russia’ Vote In Congress, Democrat Compares Texas Governor To Putin

By Bob Garrett

Dallas Morning News

Gov. Greg Abbott is dredging up Beto O’Rourke’s votes on Ukraine as a freshman congressman eight years ago to cast the Democrat as “pro-Russia.”

Also, citing O’Rourke’s 2015 vote against a bill that would have made it easier to export liquefied natural gas and his support two years ago for then-presidential candidate Joe Biden, Abbott’s campaign is labeling O’Rourke an enemy of Texas’ oil and gas industry.

O'Rourke, who's trying to end an Abbott winning streak that has kept the Republican in statewide office for about a quarter-century, has countered that the two-term governor is a lot like Russian president Vladimir Putin.

Democracy is "under attack here in the state of Texas," where Abbott and GOP lawmakers have made it harder for people to cast votes, just as Russia is attacking democracy in Europe, O'Rourke said last week.

The governor even "has his own oligarch," the former El Paso congressman said. O'Rourke was referring to Abbott supporter and Dallas energy-pipeline magnate Kelcy Warren.

Warren has sued O'Rourke for defamation for saying he took advantage of last year's Texas freeze to make exorbitant profits on natural gas before rewarding Abbott with a \$1 million political contribution. Warren has said he simply was trying to help Abbott fend off self-funding Dallas millionaire Don Huffines in the GOP primary for governor.

The Russian invasion of Ukraine may seem a world away, but the war and its implications are being felt across America, including Texas, where the two major-party gubernatorial candidates are talking – or being forced to talk – about it.

Though Abbott's the one pushing the issue, experts disagreed over whether it'll motivate or persuade many Texans. Early voting doesn't start for seven months – Oct. 24 – making it hard to assess how contained the Ukraine conflict will be and whether it will generate huge political fallout.

"Conflict in Europe is going to be a pretty tangential issue in the governor's race," said

Southern Methodist University political science professor Matthew Wilson.

"The only thing that it does highlight is the respective candidates' judgment," he said. "They can talk about past and current positions with regard to Russia as indicators of their own and their opponent's political intuition and values and judgment. It could play a role, but it's likely to be a marginal one."

The University of Houston's Brandon Rottinghaus, though, said that while Ukraine might not be the central issue in the O'Rourke-Abbott battle, "it's going to be indexed into larger problems that the Democrats face with an unpopular president. ... It'll kind of flow into that." He cited gasoline prices, inflation and energy-related controversies.

'Speaks volumes'

For several months, Abbott has been testing attack lines on O'Rourke. The "jab" on Ukraine figures into Abbott's push to link his Democratic foe to Biden, while reminding voters of the Biden administration's restrictions on drilling, opposition to certain oil pipelines and the recent price surge at the gas pump, Rottinghaus said.

"From health to energy to regulations, there's a host of grievances that Republicans have against Joe Biden," he said. "Abbott's strategy is going to be to use those against O'Rourke."

Abbott is pressing the issue. Two days after Russian forces swept into Ukraine, the governor asked all Texas retailers, package stores and restaurateurs to voluntarily stop selling Russian products. "Texas stands with Ukraine," he tweeted.

"Obviously toothless, but it sent a signal that this is something he's hoping to capitalize on," Rottinghaus said.

The following week, a day after Abbott dispatched seven fellow Republicans to win outright his party's nomination for a third term, Dave Carney, his top political strategist, said Ukraine will be an issue in the fall contest. He cited O'Rourke's U.S. House votes in the aftermath of Russia's February 2014 invasion of Crimea.

In late March of that year, O'Rourke was one of just two House Democrats to vote against a bill that provided \$1 billion in loan guarantees for Ukraine and imposed sanctions on Russian officials. He was one of 12 lawmakers to vote against promoting U.S. media like Radio Free Europe and Voice of America in the region. In December 2014, he was one of 10 House members to vote against a resolution chiding Putin for "aggression against neighboring countries."

"How he voted when he was in the House, to be one of a handful, less than 10 Democrats, to support Putin's invasion of the Crimea peninsula and not do anything to fight back, it just speaks volumes to his world view," Carney said of O'Rourke. "And so fortunately for us, very bad for Ukrainians and Europeans, I think Ukraine is going to be a legitimate topic that people are going to care about in the next 249 days."

Carney conflated O'Rourke's votes with outright support for Russian aggression, a claim unsupported by contemporary records. However, last week, O'Rourke declined to explain or elaborate on post-Crimean annexation votes.

As in 2014 and during his short-lived presidential campaign in 2019, O'Rourke ducked chances to explain to reporters his rationale for the votes. In March 2014, the Washington Post cast the 19 votes against the aid-for-Ukraine bill as "a mix of isolationists, fiscal conservatives and liberals opposed to foreign interventions." At the time, O'Rourke was said by his staff to be traveling and unavailable for comment.

In 2019, the online publication The Daily Beast, writing about the votes, also failed to obtain a comment from O'Rourke.

The online publication sought context for O'Rourke's votes by reviewing public statements he made about Russia as a member of the House Armed Services Committee. Some were about Syria. More than once, O'Rourke said he was worried about unintended consequences of U.S. interventions in foreign countries, such as the CIA's program to arm and finance the Mujahideen in Afghanistan from 1979 to 1992, The Daily Beast said. The Mujahideen ended up driving the Soviet Union from Afghanistan but turned the country into a haven for Islamic militants, some of whom successfully plotted the Sept. 11, 2011, attacks on the U.S.

Carney, the Abbott strategist, said O'Rourke's 2014 votes related to Ukraine would hurt him with independent voters. Abbott spokeswoman Renae Eze said O'Rourke "is clearly trying to hide his dangerous pro-Russia voting record," which she and Carney said raises questions about his judgment.

Eze accused O'Rourke of being hostile to the fossil-fuels industry, and especially "hydraulic fracturing" used to extract oil and gas in shale belts. That caused him not to care about leaving Ukraine dependent on Russia for much of its energy, she said.

Eze cited O'Rourke's vote against the 2015 bill promoting LNG exports. At the time, O'Rourke wrote that there were too many unanswered questions about fracking's effects on groundwater for the U.S to be expanding natural gas exports. Congress first "should enhance safety and environmental protections," he said.

Eze, though, said O'Rourke and Biden "both have actively worked to slow progress for LNG exports from the U.S., leading to worldwide energy dependence on hostile nations like Russia. True American energy independence runs through the oil and gas fields of Texas, not through Venezuela, Iran, or Moscow."

'Some real parallels'

O'Rourke said he fully supports Ukraine in the current conflict. Citing a need for national unity, though, he said now is the wrong time to discuss his past criticisms of U.S. foreign policy.

"I, like I hope everyone in Texas, fully back the people of Ukraine who are fighting against extraordinarily long odds, and so far, are prevailing against Russia," O'Rourke said at an Austin news conference.

Beto O'Rourke, democratic candidate for Governor, stands next to an image of Texas Governor...

"I support our president and making sure that this country does everything it can, including convening our partners within our alliances in NATO, to give Ukraine and President [Volodymyr] Zelensky the support that they need to be able to hold these invaders at bay for as long as it takes to ultimately repel them," he said. "There's a time and a place to argue over previous policies that this country has taken. Right now, as we are on the brink of a serious crisis in Europe, ... is not the time to do that."

Referring to last year's controversial Texas election law changes and reported profits by Warren's Energy Transfer Partners of \$2.4 billion in the wake of the state's February 2021 electricity outages, O'Rourke said, "I see some real parallels from what's happening in Europe right now to what is taking place in Texas."

Abbott, though he was silent about former President Donald Trump's withholding of U.S. military aid to Ukraine in 2019, which factored into Trump's first impeachment, has made an elaborate show of support for the embattled Ukrainians in recent weeks.

He bathed the Governor's Mansion in blue and yellow lights, the colors of Ukraine's flag. He declared March 13 a statewide day of prayer for Ukraine, victim of an "unprovoked and unjustified invasion." And he and first lady Cecilia Abbott attended "divine liturgy" at a Ukrainian Catholic church in Houston.

Reviewing Carney and Eze's statements, UH's Rottinghaus said it's easy to imagine an ad or mailer the Abbott campaign might produce casting O'Rourke as soft on Russia and so green in his environmental policies that he fostered European dependence on Russia's natural gas.

"It's going to be a way to attack Joe Biden, which is an indirect attack on O'Rourke but hurts nonetheless," he said.

The only recent example of foreign policy-related issues looming large in a Texas governor's race was then-Gov. Rick Perry's decision to air TV spots attacking his 2002 Democratic opponent, Laredo banker Tony Sanchez, on a border topic, Rottinghaus said. The Perry ads said Sanchez invested in banks "that had been indirectly related to some money laundering for drug trafficking," which Perry linked to Mexican drug cartels' 1985 murder of federal Drug Enforcement Administration agent Kiki Camarena, he recalled.

"It was a stretch, but it was powerful," he said.

SMU's Wilson said that while immigration and trade with Mexico could be the rare foreign-policy issue that has salience in a Texas gubernatorial race, "those are going to be second-order issues."

Neither Abbott nor O'Rourke "has much at risk here, frankly, from the Ukraine situation," said Wilson, adding that O'Rourke would be better off hitting Abbott for his ties to Trump than drawing parallels between Abbott and Putin.

"Trying to bring up Trump's call with Zelensky is a better tack, frankly, than essentially trying to suggest similarities between Greg Abbott and Vladimir Putin," the political scientist said. "That's a bit much."

“By the time that we get to the fall campaign, and people are actually voting in October and November, anything having to do with Ukraine is going to be pretty far down the totem pole of the issues that will decide the Texas governor’s election,” Wilson said.

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Beto O'Rourke Stops In Amarillo For A Second Time Ahead Of The Texas Governor Election

By Michael CuvIELLO
Amarillo Globe News

Making his second campaign stop in Amarillo since announcing his gubernatorial campaign, Beto O'Rourke made his official first stop as the Democratic nominee Saturday night in a bid to unseat incumbent Gov. Greg Abbott. Standing on the steps of the Potter County Courthouse in front of about 300 supporters, O'Rourke talked about his platform that focused on creating and bringing more high-quality jobs, investing more in education and affordable healthcare for all.

Democratic Texas Gubernatorial candidate Beto O'Rourke addresses a group of about 300 supporters Saturday evening at the Potter County Courthouse in Amarillo.

Introducing O'Rourke to the cheering crowd was Melodie Graves, who is currently in a runoff for the District 4 seat for County Commissioner. Graves gave a passionate welcome to O'Rourke as the right candidate for Texas in the face of the current governor's culture wars.

Graves said that she was impressed by O'Rourke's last visit to Amarillo when he said that we are not Democrats nor Republicans, but humans.

Potter County District 4 commissioner candidate Melodie Graves gives an impassioned endorsement for gubernatorial candidate Beto O'Rourke Saturday at his campaign event.

“I think Beto gets us back to our American values, like loving our neighbors such as being there and caring for them,” Graves said. “I believe that our current governor, much like many who have been in office a long time, sometimes lose touch with the front line and what is really going on. I think Beto is here amongst the people and with the people, understanding the struggles they are facing.”

O'Rourke continually emphasized creating more high-paying jobs, high value for Texans, throughout his remarks.

“I want to make sure that the absolute best jobs created in the U.S are found right here in the state of Texas,” O'Rourke led with. “We need to make sure the jobs we are creating are good jobs.”

He said that nobody should have to work multiple jobs to have to take care of their families.

Shifting the conversation to education, O'Rourke said that teachers should have better resources and compensation for the critical job that they provide to children in the community. He applauded the work of educators during the recent trying times of the pandemic in their effort to provide education, and he pledged to raise teacher pay.

“I want to make sure that we, the people of Texas, have the back of our teachers,” O'Rourke said. "How can we expect the next generation of teachers to come into the profession if we do not treat teachers with the respect they are owed? When I am governor, we are making public education job number one."

Citing an expansion of Medicaid as a priority for his campaign, O'Rourke pledged to make it happen if he becomes governor. He talked about the need for better mental health care for the state and said that too much of its mental care is in its prisons and correctional facilities.

“We are the least insured state in the U.S.; far too many are dying of diabetes and curable cancers, even the flu, in this state right now,” O'Rourke stated.

O'Rourke blasted Abbott for his current agenda that he sees as not taking care of the people and prioritizing wasteful high-cost endeavors such as misusing the National Guard and diverting Texas taxpayer money to projects such as adding to a border wall. The failure of the power grid under Abbott was a criticism leveled based on his misguided priorities.

“We need to find that common ground that we can all come together on, focus on the things that can bring us together rather than what divides us,” O'Rourke said. “Everyone can get behind great jobs.”

O'Rourke answered multiple questions from the crowd relating to sensible gun ownership, understaffed facilities due to Abbott diverting funds to other endeavors and once again, clarifying his stance on gun rights.

“I believe in the Second Amendment; I know as Texans we can defend it while still doing a better job of protecting our fellow Texans, like universal background checks and safe storage laws,” O'Rourke said.

A great majority of what O'Rourke had to say resonated strongly with those who showed up to support him.

Mary London asks Beto O'Rourke a question during his campaign stop Saturday as O'Rourke's wife Amy and son look on at the Potter County Courthouse in Amarillo.

“He makes me believe that democracy can work,” Caitlyn Downs said of his appearance. “I admire that he puts people first and is

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willing to listen to people that may not agree with him."

Payton Brookshire, a college student, said that his stance on supporting women's reproductive rights was vital to her.

More about Beto: What we know about O'Rourke's election history and why he's running for Texas governor

"I feel like Beto is a candidate that will actually stand up for people," Brookshire said. "The fact that he showed up for this community is more than the current governor has shown."

A small crowd of about 10 people opposed O'Rourke's appearance with signs in tow, including ones attacking his use of his childhood nickname.

Danial Venters, a 37-year-old first-time voter, was among the protesters against the O'Rourke campaign due to his gun stance. He said he is supportive of background checks but feels that the candidate takes it too far.

"I do not appreciate his taking of my constitutional rights; that is stepping on my Second Amendment rights," Venters said.

O'Rourke met with the press following the rally and spoke of the importance of showing up and the keys to getting his views out to the people of Amarillo.

"I love the things we talked about tonight," O'Rourke said.

"You've got to show up. At each stop, we meet people that never would have known what I stood for or what I wanted to do for them as governor. And so many come up to me after the meetings and say that 'I did not know what you were about. I am going to vote for you.' I am learning a lot about how we can unite, about things that can come together. I love the energy brought tonight by those who came out," he said.

When asked about how to get a compelling message out to the public and what he wanted his message to be, O'Rourke laid out his three priorities once again.

"Jobs, great schools, and the ability to see a doctor; those are the three things that I repeatedly hear when I talk to people," O'Rourke said. "These things will bring us together. They are aspirational and positive and perfectly contrast the current governor's priorities."

O'Rourke will continue with his next four stops Sunday in Lubbock and then onto San Angelo.

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Energy

\$10 Million Gift From Shell Creates University Of Houston Institute For Energy Transition

By Samantha Ketterer

Houston Chronicle

In a collaboration with Shell, the University of Houston on Monday created the Energy Transition Institute to aid the energy sector's shift toward decarbonization.

The institute will focus on advancing the production and use of reliable, affordable and cleaner energy — especially through research related to hydrogen, carbon management and circular plastics, according to the university. Those areas are key to combating climate change and guiding the energy sector toward net-zero carbon emissions, UH leaders said.

"Climate change is one of the greatest challenges of our lifetime — and it's partnerships like this, along with other key drivers such as policy and technology, that together can help the US make progress on its net-zero goals," Shell USA President Gretchen Watkins said. "When you put brilliant minds together with the resources they need to do the work, amazing things can happen."

On HoustonChronicle.com: John Lienhard still brings the heat in 35th year as host of "Engines of our Ingenuity"

UH's new institute was formed with the help of a \$10 million commitment from Shell USA, Inc. and Shell Global Solutions (U.S.) Inc. Total funding, including other gifts and matching funds, should exceed \$52 million.

The university's location in Houston is expected to help the institute in its efforts, Chancellor Renu Khator said.

"Houston is poised, like no other city, to lead the energy transition and the Energy Transition Institute will be essential in pursuit of that goal," she said. "Along with advancing energy equity and social impacts in our communities, Shell's generous gift will help UH maintain its leadership role in the energy transition."

Beyond research, the institute will also focus on policy and regulation issues, as well as equity and diversity, in the energy sector.

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Immigration/Border Security

Help Us Investigate Texas Border Security Initiatives

By Jessica Priest

Texas Tribune

Texas has spent billions of state tax dollars on border security for nearly two decades. Last year, state lawmakers approved a budget that included an unprecedented \$3 billion for such initiatives.

As the state puts more money into border security measures, ProPublica and The Texas Tribune are seeking to better understand how the funding is used, what the investment is accomplishing and how the initiatives affect border residents.

Hearing your experiences can help us shape our stories with your communities in mind and hold relevant institutions accountable. Please fill out this questionnaire if you are a border resident or if you're familiar with how border operations are run.

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We appreciate you sharing your story, and we take your privacy seriously. We are gathering these stories for the purposes of our reporting, and will contact you if we wish to publish any part of your story.

We are the only ones reading what you submit. If you'd rather use an encrypted app, such as Signal, see advice on secure ways to reach us at propublica.org/tips. Lomi Kriel's Signal is 832-729-3421, and Perla Trevizo's is 512-574-4823. You may also email Kriel at lomi.kriel@propublica.org or Trevizo at perla.trevizo@propublica.org.

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Texas This Week: 'We're Essentially Mall Security,' James Barragán Discusses Conditions For Service Members In Operation Lone Star

By Ashley Goudeau

KVUE

In this week's edition of Texas This Week, Ashley Goudeau talks with James Barragán, politics reporter for The Texas Tribune, about his latest report that found service members assigned to Gov. Greg Abbott's mission at the border to deter unlawful immigration, Operation Lone Star, were stationed 80 miles away from the border, outside private ranches.

Three things to know in Texas politics

About 23,000 mail-in ballots weren't counted in the March primary.

Thousands of mail-in ballots for the March primary election weren't counted, largely because of the state's new elections law that requires voters to put an ID number on the return envelope containing their completed ballot.

The Associated Press reached out to all 254 counties in Texas to find out how many ballots were rejected. A total of 187 counties responded, representing 85% of March primary voters.

Initially, about 27,000 ballots were flagged for rejection. Under the law, voters have six days after election day to fix their ballots and thousands did -- still, 22,898 ballots were rejected statewide.

Locally, Travis County initially flagged 1,856 ballots but finally rejected 948 ballots. Williamson County initially flagged 1,690 ballots and rejected 521. The total number of rejected ballots is a significant increase from years prior, before Senate Bill 1, the state's controversial elections law, went into effect.

Harris Co. elections administrator submits resignation after issues with primary

The U.S. House of Representatives held a hearing on the new state voting law.

The state's new voting law and its impacts was a topic of discussion on Capitol Hill this week. A subcommittee on elections for the U.S. House of Representatives Committee on House Administration held a hearing Thursday. Lawmakers listened as several Texas officials talked about how the new law disenfranchised thousands of voters and also heard from Republicans who stand by the law.

You can watch the hearing here:

State lawmakers called DFPS leaders to the Texas Capitol.

Leaders of the Texas Department of Family and Protective Services (DFPS) were called to answer to members of the Texas Legislature. A special Senate Committee on CPS held a hearing Thursday after reports surfaced that girls rescued from human trafficking, who are now in the state's care, were abused and neglected at a facility in Bastrop called The Refuge.

The head of the Texas Department of Public Safety said the allegations are not quite what they seem, though there are two instances where criminal charges are expected to or have already been filed. The hearing revealed failures within DFPS and what leaders call issues with the culture of the department.

These leaders will be back at the Capitol on Monday, this time to answer to members of the House of Representatives.

This week Gov. Greg Abbott appointed Maj. Gen. Thomas Suelzer as the Adjutant General of Texas, immediately replacing Maj. Gen. Tracy Norris whose appointment expired last month.

Norris was overseeing Operation Lone Star, the governor's initiative to address unlawful immigration at the Texas-Mexico border. The change in leadership comes amid reports of harrowing conditions faced by the service members on the border.

And also this week, The Texas Tribune reported some of those service members were being sent to stand watch over private ranches an hour away from the border. Politics Reporter James Barragán joined Ashley Goudeau to talk about what he found.

Ashley Goudeau: You put out an interesting report about the work that military members, the Texas military, are having to do as a part of Operation Lone Star. Talk to us about your latest findings.

James Barragán: "Well, it's, it's pretty confounding. What we found with this story is that as part of Operation Lone Star, that's Gov. Abbott's highly touted border mission to deter migrants at the Texas border, they were sending Texas National Guard service members to private ranches, some of which your audience may know it's the big one King Ranch down in South Texas and Armstrong Ranch and other very politically connected ranch that's down there in South Texas. And they were essentially being sent out there to stand basically on the side of the road and watch for migrants, watch for smugglers going through there. But what we heard from service members is that they were sitting out there for eight hours at a time and doing a whole lot of nothing, which kind of confused them and concerned them about the mission because they felt that could be more effective at other places on the border."

Goudeau: You know, I think one of the most telling quotes that a service member told a member of the Tribune was, they said, quote, 'We're essentially mall security for ranches that already have paid security details to protect them.' I mean, that really sums up what they were doing there, right?

Barragán: "Yeah. And I think that's why there was concern from the service members part. I mean, some of them, you know, they vary in terms of how they feel about the mission, but for those people who are interested in helping out the mission of deterring migrants, they were sort of wondering 'What are we doing here,' when they could have been more effective at points on the actual border. You've got to remember these ranches are about 80 miles away from the nearest border town. It's more than an hour away. And so to have these National Guard Service members out there basically staring out into nothing, it really it really made them question why they were out there. It also raise questions about, you know, what role did these private ranches have in sort of ordering protections there. Obviously, that looks like, it's a terrible optics to have a National Guard service members deployed down there to the ranches. I have to say that we did speak to the owners of King and Armstrong Ranches, and they said that they did not ask for the service members to be there, and that means that the Texas Military Department just sent them out there on their own, basically."

Goudeau: Well, now you did have some interesting commentary or comments in this story from one of, a member of the sheriff's office who said they do see people going across the land on these very large ranches. But as you pointed out, the service members weren't allowed to go into the property, right?

Barragán: "Right. And that's the big concern. That's why Gov. Abbott, the Texas Military Department, the Department of Public Safety have made such a big deal of this -- they say ranches down here in South Texas are getting broken into. They're getting driven, their fences are getting broken because they're getting driven by smugglers who veer off when they're getting pursued by law enforcement. They're having migrants cross through their borders. So that was the concern. When we spoke to the Kennedy County sheriff [and] he said that was a big concern for his small agency and he needed all the help he could get. The issue is that the national guard service members did not sign up to be law enforcement, and they did not sign up to be Border Patrol. If they had wanted to do that, they would have signed up for those. They signed up to be national guard service members, which by and large are sent out for hurricane aid, you know, tornado aid, that kind of stuff. They want to help out their fellow Texans when they're in need. It's a very different situation here."

Goudeau: This is just sort of the latest thing that's happened with Operation Lone Star. I want to talk about a leaked survey from some members that you also reported on showing some of the conditions that they're dealing with and the low morale. Talk to us about what you learned in that survey.

Barragán: "Yeah, I mean, one of the quotes was literally, 'I hate it here,' and so many of the comments in that leaked survey were 'There's nothing good about the mission.' 'I don't like anything.' Most of the people who had positive things to say were either 'I like my direct supervisors,' 'I like the friends that are here,' or you know, there's hardly anything good to be had in this mission. It really showed the very deplorable living conditions that these service members are living under and showed that there is a lack of communication or a lack of understanding from leadership about what the troops really need down there. And it was, it was very revealing because it also showed that a lot of those service members are thinking twice about whether they're going to re-enlist in the National Guard if they are to be expected to be subjected to these conditions again."

Goudeau: One of the things I thought was really interesting is sometimes they were given just a few days notice that they were going to have to go to the border. And these are Texans with families and jobs and other responsibilities, right?

Barragán: "Exactly. This is not like, you know, you're enlisting in the Army or the Air Force or Navy or Marines, you know, active duty where you sign up for this kind of stuff. These are part time jobs essentially. They have other civilian jobs, lives, families. So when you only give them a week's notice, two weeks notice even -- a lot of these people have like two days notice, so imagine if you, viewer at home, were told, 'Hey, within two days, you've got to leave everything and go down to the border.' It would be very difficult. It would be a strain on your life, on your family, on your economic well-being. And that's sort of what I think service members really want to drive home. These are involuntary deployments. They are not volunteering to do this, and it's not what they signed up for, and they're having a major, major impact on their lives."

Goudeau: You know, obviously Operation Lone Star, under a microscope and just this week, the governor appointed a new lead to the Texas military service. Talk to us -- do you think that some of that has to do with that leaked survey, with perhaps sending these service members to these private ranches that they they are essentially not being able to do anything at?

Barragán: "Well, the governor did not mention any criticism of Operation Lone Star or of Adjutant General Traci Norris in her departure. But it, there's there's no possible way that this can not be seen as a response to the months and months of criticism that there has been about the operation. You've got to remember that Adjutant General Norris served starting in 2019 and then her term expired or so, the governor said, in February, right? But the past adjutant general served for nearly eight years, so she could have been re-up, but wasn't. What does that tell you? I think you've got to read between the lines and see that there are some unhappiness or there's at least some type of response to the criticism that the operation has been facing, with lack of pay for service members on time, deplorable living conditions and even some suicides tied to the mission."

Goudeau: Gov. Abbott, of course, launching Operation Lone Star ahead of the primary election -- has really touted this particular mission, has gone to the border several times to hold news conferences on the border with these service members, you know, talk to us about the political aspect of all of this.

Barragán: "It can't be overlooked. And obviously you talked a little bit about, you know, this was in the in the context of a Republican primary where Gov. Abbott had two challengers from the right, Allen West and Don Huffines, who had slammed them for not being conservative enough, not securing the Texas border. And this is not lost on the service members who are down there. They have said to us in stories and in that survey that they feel like political pawns, that the mission is serving no purpose other than to reelect Gov. Abbott. That is what the service members are saying, and that is how the service members feel. And sure, there are some service members who are happy to be down there, happy to be helping sort of try to curb the, the the flow of migration into Texas. But by and large, I think what you'll hear from service members is that they feel like political pawns in this political game."

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Criminal Justice

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‘I’m Going To Die Today’: Trial Begins In Controversial 2015 Killing By Bexar Deputies; Man Was Holding His Hands Up
By Guillermo Contreras
San Antonio Express News

A federal trial is scheduled to start today in a controversial 2015 case in which two Bexar County sheriff’s deputies fatally shot a domestic violence suspect who raised his hands in apparent surrender.

The shooting came near the end of a 12-minute encounter with varying angles captured by witnesses’ videos.

Deputies Robert Sanchez and Greg Vasquez shot Gilbert Flores on Aug. 28, 2015, outside his parents’ home in north Bexar County, arguing that he still had a knife in his hand. They had been called to the home by his mother, who told dispatchers that Flores had assaulted his wife and their infant daughter, that there was blood everywhere, that he had a knife and was acting “crazy.” Flores, 41, is heard on the 911 tape saying he planned to commit “suicide by cop.”

U.S. District Judge Robert Pitman in 2017 dismissed Bexar County from the lawsuit filed by Flores’ family, but he determined Deputies Sanchez and Vasquez should stand a civil trial. The deputies appealed, but their arguments to toss the case failed.

Today a jury is scheduled to be picked for the trial before Senior U.S. District Judge Royce Lamberth.

A witness cellphone video of the shooting was first broadcast by a local TV station the day of the incident and went viral. A second one recorded by a neighbor from a closer angle emerged months later. The trial could include both recordings, testimony about the whole encounter, and what led to deputies being called to the home of Flores’ parents in the 24000 block of Walnut Pass, near Scenic Loop Road.

The family’s lawyers, with the Thomas J. Henry law firm, and the deputies’ attorney, Charles Frigerio, filed trial briefs last week arguing what should, and should not, be put in front of jurors.

In the appellate file, justices noted that during the time his family called police, Flores can be heard on a 911 call saying: “I got a knife

and I'm going to suicide by cop, so bring a SWAT team, or uh uh uh or whoever is going to be ready to pull the trigger because I'm going to die today."

The family's lawyers argue the deputies unreasonably used deadly force in violation of Flores' constitutional rights. They argue that one deputy turned to the other in a sign that they would not let the incident drag on and that they were going to follow a supervisor's commands to "do whatever you have to do."

The deputies agreed on "ending this" and opened fire, one after the other, just as Flores — who earlier had tried to stab them, took away a police Taser, and came close to getting a deputy's AR-15 rifle — had seemed to stop his erratic behavior and raised his hands above his head in what appeared to be surrender, the family lawyers' filings said.

In the deputies' filings, Frigerio said the totality of the circumstances have to be taken into account, not just the final moments. Throughout the confrontation, Flores kept yelling and taunting the deputies to shoot him because he did not want to go back to prison, and at times used the knife to stab at deputies.

Frigerio argues that nonlethal attempts to de-escalate the situation were unsuccessful. He argues the deputies used lethal force after being instructed by supervisors to keep Flores from getting back into the house, where he could further assault family members, and to prevent him from taking a patrol car or grabbing the AR-15 after he opened the vehicle door once.

Court documents said the videos showed Flores in the driveway, about 30 feet away from the deputies with his arms in the air. Frigerio argues Flores still had the knife in one hand and posed a threat.

In October 2017, Judge Pitman dismissed the county from the case, but found there are factual disputes that need to be decided by a jury to determine whether the deputies are shielded by a long-standing legal principle called "qualified immunity."

While agreeing with the deputies that their conduct should be judged based on the circumstances, Pitman saw a big problem with the final actions they took — shooting Flores when he did not appear to be an imminent threat.

"Based on the circumstances facing Vasquez and Sanchez right before they shot Flores and construing the facts in favor of plaintiffs, the court finds that a reasonable officer would have concluded that Flores, who was stationary for several seconds and put his hands in the air while remaining otherwise motionless, was no longer resisting and had signaled surrender," Pitman wrote. "Therefore, the deputies' use of deadly force was not reasonable."

The deputies appealed to the U.S. 5th Circuit Court of Appeals in New Orleans. That court agreed with Pitman's determination that a jury needs to hash out the dispute and dismissed the appeal.

"Flores had a knife, not a gun; was several feet away from the officers, the house, and the vehicle; had his hands in the air in a surrender position; and stood stationary in the officers' line of sight," the 5th Circuit wrote. "Under these facts taken in the light most favorable to Plaintiffs, we conclude that the district court correctly identified material factual disputes as to whether the officers violated Flores's Fourth Amendment rights."

The deputies filed a petition for the U.S. Supreme Court to review the case, and several police and municipal organizations filed a brief supporting their request.

Records show the Supreme Court, without comment, denied the petition in March 2021.

In December 2015, a Bexar County grand jury declined to indict the deputies on criminal charges. Bexar County officials have said that the county's insurer may have to pay if the deputies lose and the jury assesses damages.

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Opinion/Editorial

Opinion: We Can't Risk Allowing Texas' Anti-Boycott Laws To Stand

By Bahia Amawi

Austin American Statesman

Recently, I read a tweet from Governor Greg Abbott: "I've asked the members of the Texas Restaurant Association, Texas Package Stores Association & all Texas retailers to voluntarily remove all Russian products from their shelves. Texas stands with Ukraine."

I, too, stand with Ukraine. My heart breaks watching footage of families fleeing under shelling, and hospitals reduced to rubble. I know the pain I go through when my Palestinian community is under attack in Gaza and the West Bank, and I feel acutely for the desperate Ukrainian civilians I see in image after image. My worries also have a personal dimension; we have relatives living in Kyiv who are trapped there now, under bombardment. My heart leaps into my throat each time my husband's WhatsApp notification pings, not knowing what news he may be about to receive.

So I'm glad that Governor Abbott took this important stand to boycott Russian products. I believe that our freedom of speech in the form of boycotts is one of the most effective nonviolent tools we have to take a stand against oppressive governments. That's precisely why

I've spent the last four years fighting to preserve the right to boycott for all Texans; a right which, ironically, Abbott has been eroding. In 2017, Abbott signed into law House Bill 89, which prohibits state agencies (such as public school districts) from contracting with those who boycott Israel. I had been working as an independently contracted speech pathologist in the Pflugerville school district since 2009. But when my annual renewal contract was sent to me in August 2018, there was a new certification that I was required to sign, pledging that I do not, and will not, boycott Israel.

My family and I do boycott companies that benefit from the Israeli occupation of the Palestinian people. It's one concrete way I can raise my voice here in Austin in solidarity with my fellow Palestinians. I could not sign that pledge with a clear conscience. But, unless I signed, I could not return to a job I loved, helping children with severe disabilities. I chose a third path—to sue the state of Texas for violating my freedom of speech.

I filed my lawsuit in December 2018. In April 2019, U.S. District Judge Robert Pitman heard my case and issued an injunction against the law, stating “the anti-BDS law threatens to manipulate the public discourse through coercion rather than persuasion. This the First Amendment does not allow.”

Since then, however, Texas has continued to chip away at our right to boycott. In my case, the Texas legislature avoided addressing the law's constitutionality, amending it instead so that it applies only to larger companies. Rasmy Hassouna from A & R Engineering and Testing Inc. has since also sued Texas for trying to compel his engineering firm to sign the pledge. Though U.S. District Judge Andrew Hanen ruled in January that the amended bill is still unconstitutional, the state is appealing. In addition, Texas lawmakers passed two copycat laws last year, penalizing boycott of fossil fuels, and the firearms industry.

At the same time that Governor Abbott calls for boycotting Russia, he's working to undo the right of Texans to use that very same tool. Our free speech rights concerning climate change, gun violence and the occupation of Palestine have already been undermined—who knows what's next?

As I anxiously await the next message from my family members in Ukraine, praying for their safety and safety for all Ukrainians, I call on the Texas legislature and Governor Abbott to rescind Texas' anti-boycott laws. If we allow those laws to stand, we not only risk losing our constitutional rights. We also weaken our ability to effectively respond to violent, repressive regimes in the future.

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Analysis: A Health Care Problem Too Big For The Texas Legislature

By Ross Ramsey

Texas Tribune

Texas has more uninsured people than any other state, whether you count in raw numbers (about 5.4 million) or in the uninsured percentage of the total population (18.4%). But it's one of only a dozen states that hasn't expanded its Medicaid program.

Whether lawmakers suddenly change their mind about that program or not, they still have a problem to solve: How do they get health insurance, or cheaper health care, for all of those people?

Every two years, somebody in the Texas Legislature attempts to get the state to expand its Medicaid program. Democrats have tried it. Republicans have tried it. But every year, the Legislature turns a collective deaf ear to the efforts. Texans in Congress even tried going around the state government to get it done, to no avail. Expansion comes with a 9-to-1 match, meaning the federal government spends \$9 for every \$1 a state contributes.

And states that take part have lower numbers and rates of uninsured people.

According to the U.S. Census Bureau, 8.9% of adults were uninsured in 2020 in states that had expanded Medicaid. In the states that hadn't, including Texas, the uninsured rate was 17.6%. In 2019, 18.4% of Texans were uninsured, according to the state comptroller's office. That was the highest rate in the country, and double the national average of 9.2%. When the numbers are limited to just those Texans under age 65 — who aren't eligible for Medicare, for instance — the percentage of uninsured in the state swells to 20.8%.

Before the 2021 legislative session, a group of experts urging the state to join the federal program argued that doing so would contribute \$75 million to \$125 million to the state budget every two years. It would also, they argued, reduce uncompensated care in hospitals and emergency rooms, and would encourage preventive care, early detection and improved disease management. “In addition, the infusion of billions of external dollars into the Texas health care system each year will have downstream positive effects on the economy,” they wrote.

Expanding Medicaid isn't the only way to solve the problem, but the state isn't doing much else to try to cut into the number of Texans who don't have insurance.

One argument over the years is that uninsured Texans can get care in emergency rooms and hospitals. A common counter-argument is that insuring more people would be cheaper in the long run, and better for their health. And Texans have to pay either way: The bills for that so-called uncompensated care are footed by other patients and taxpayers who pay for those medical facilities and the care they provide through their own medical bills and local hospital taxes.

And, according to the people who study these things, expanding Medicaid would be a better deal for taxpayers. “We estimate that

954,000 newly eligible adults would enroll in an expansion, bringing approximately \$5.41 billion in federal dollars annually to the state,” they wrote.

Other conservative states were initially against expanding Medicaid, too, but that resistance has thawed over the years. Now, only a dozen states, including Texas, continue to opt out. During last year’s regular session — as in the procession of sessions before it — Texas lawmakers voted it down.

So, no Medicaid expansion for Texas — a familiar result every time lawmakers have considered it through the last three presidencies.

But it’s just a program, one possible solution to a perplexing public policy predicament that remains unsolved and apparently beyond the abilities of the Texas state government.

Almost 1 in 5 Texans don’t have health insurance, the worst numbers in the country, and we’ve been at the bottom of that barrel for a long, long time.

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Opinion: I Don’t Like Taxes. No One Does. But Here’s Why I Support A Carbon Tax.

By Jeffrey Williams
Houston Chronicle

Ninety years ago, journalist William G. Shepherd wrote in *Collier’s Weekly*, “Congress! Congress! Don’t tax me, tax that fellow behind the tree.” In the 1970s, Russell Long, chairman of the Senate Finance Committee, updated the phrase to say, “Don’t tax you, don’t tax me, tax that fellow behind the tree,” but the feeling remained unchanged — as it does today.

No one likes to pay taxes. Simply put, taxes on work discourage work. Taxes on capital gains, dividends and business income discourage investment, impairing growth. But taxes are also necessary. The government has bills to pay, but not by borrowing more, which would burden our children with debt.

Then, the question is what to tax. The answer is as simple as the reasons no one likes taxes: something that causes the least — or best — distortion.

Our current tax code is riddled with harmful distortions, making Democrats’ efforts to squeeze more revenue by raising income tax rates not only unpopular but also economically destructive. I support and urge anyone who does not like taxes to support what I believe is the best approach: a tax on carbon emissions.

As a former investment banker, I know markets are powerful. Our economy, as well as economies around the globe, emit more carbon emissions than they would if the social cost of carbon were reflected in the production and consumption of goods and services. Unfortunately, we are not made aware of that personal cost, though we know it is not zero.

A carbon tax, even a moderate tax, would address this market failure and spur three changes: a consumer switch to less carbon-intensive activities; innovation across numerous sectors of our economy; and the adoption of more low-carbon sources of energy, including wind, solar and natural gas by electric utilities.

Most importantly, these activities would be motivated by Americans’ innate desire to avoid taxes. The beauty of a carbon tax is that it incentivizes consumers and businesses to avoid it, which will cause carbon emissions to decline significantly.

Unlike a draconian policy to ban the use of coal or outlaw carbon-intensive fuels, a carbon tax will create an economy-wide incentive for consumers and businesses to adopt low-carbon sources of energy. Equally important, it will drive innovation, resulting in new low-carbon technologies that will be critical to lowering emissions here and abroad. Over time, our economy will reach a new equilibrium that will not only help us address climate change but also raise revenues from any carbon emissions that cannot be eliminated — emissions that will be unavoidable and valuable to our economy.

Finally, a carbon tax adheres to an age-old policy framework in Washington: When doing nothing is not an option, do the least bad thing. While the cost of a carbon tax will undoubtedly have a significant impact on the economy, there are no policy options to address climate change that are as economically efficient. Subsidies for green energy increase the federal deficit, which we simply cannot afford to do. Energy mandates result in limited choices in the marketplace, disrupting free enterprise, and they are the most expensive. Stewards of good government understand this.

While a political liability of a carbon tax may be that it is simple and transparent, those attributes are also the very reason anyone who does not like taxes should support a carbon tax.

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Obamacare Is Boosting Economic Health

By Matthew A. Winkler
The Washington Post

Obamacare gave Americans a lot to argue about before it became law in 2010. One contentious question concerned its eventual economic effect, with supporters saying it would invigorate businesses by freeing them from burdensome health-care costs and opponents warning of a drag produced by tax increases and government bureaucracy. A decade's worth of data has now rendered a partial verdict: States that have fully embraced the Affordable Care Act are enjoying healthier labor markets and stronger income growth than those that haven't.

The evidence comes from the experience of the 12 states that have refused to accept a key element of Obamacare: federal money covering the cost of expanding Medicaid to cover millions of people who otherwise couldn't afford health insurance. The U.S. Supreme Court made the Medicaid expansion optional in its 2012 decision upholding the other parts of the law.

Standard measures of jobs and personal income growth show that even Texas — the biggest of the states still rejecting the Medicaid expansion — trails the states that joined it after turning it down when it became available on Jan. 1, 2014, according to data compiled by Bloomberg.

The Medicaid expansion, enabling more than 4 million of the most vulnerable people to work, turned out to be a catalyst for growth. That may explain why 38 states and the District of Columbia have embraced the insurance extension, up from 25 when it first became available on Jan. 1, 2014.

The Affordable Care Act, signed 12 years ago this week by President Barack Obama, was conceived to let the entire population gain private or public health care with corporate, federal and state revenues that combined would reduce the national burden and invigorate the economy. It allowed children to remain insured on a parent's policy until age 26, required equal treatment of persons with preexisting medical conditions and prohibited annual or lifetime coverage limits.

By 2020, before the coronavirus pandemic ended the longest period of U.S. growth in modern times, the job market in states initially refusing and subsequently implementing the Medicaid expansion outperformed states opposed to it, according to labor participation data compiled by Bloomberg. Labor participation measures the proportion of people in the working-age population who have jobs or are seeking work. Excluding recent transplants during the pandemic, the trend continues unabated because the Covid-19 pandemic weighed heavily on mothers without child care, especially low-wage women, whose recent employment significantly lags behind men.

From April 2020, when the U.S. started to recover from the worst employment collapse since the Great Depression, through Jan. 31 of this year, the number of U.S. jobs grew by 14.3%. That's 1.4 percentage points greater than the average for the 12 states refusing the Medicaid expansion and 0.6 percentage points less than the average for the states accepting it, according to data compiled by Bloomberg.

Texas, which has the nation's highest proportion of people without health insurance at 18.4%, according to the U.S. Census Bureau, underperformed the national average with employment growth of 13.6% since April 2020. That's 1.3 percentage points less than the states adopting the expansion and 5 percentage points less than Massachusetts. The Bay State, which accepted the extension in 2014 and is No. 1 with only 3% of its population of almost 7 million uninsured, saw its labor force expand at a rate of 18.3%, according to data compiled by Bloomberg.

Even when such populous states as California and New York are excluded from employment calculations, the states expanding Medicaid saw employment increase 14.8%, well above Texas and the national average. Among the 12 holdout states, only one-third outperform the national job market while 53% of the 38 states (plus Washington, D.C.) adopting Medicaid created more jobs than the national average.

Unemployment shows a similar pattern, with the 12 holdouts seeing their jobless rates decline 8.9 percentage points on average since April 2020, almost a percentage point less than the decline for the other states. The inferior performance is no different when California and New York are omitted from the equation, according to data compiled by Bloomberg.

The 9.93% increase in U.S. personal income since April 2020 is 0.33 percentage points more than the gain for states refusing Medicaid expansion, according to data compiled by Bloomberg. Better health care appears to translate into greater wealth for all.

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Greg Abbott News

Gov. Greg Abbott Brags About His Border Initiative. The Evidence Doesn't Back Him Up.

By Lomi Kriel and Perla Trevizo

Texas Tribune

Thomas King-Randall had been waiting for two hours to drop his daughters off at his ex-girlfriend's apartment in Midland. It was 10:30 on a school night in August and it was her turn to care for the two girls.

The ex-girlfriend showed up drunk and was arguing with her new boyfriend in his truck, police later wrote in a report. King-Randall, who is Black, said in an interview that the woman's Latino boyfriend called him a racial slur, which led to a fight.

By the end of the encounter, the woman's boyfriend had a bloody nose and swollen eyes. King-Randall was gone, and local police issued an arrest warrant for the 26-year-old California native. A month later, Texas Department of Public Safety officers arrested King-Randall when he tried to renew his driver's license.

King-Randall's arrest was one of thousands used to bolster claims of success for Operation Lone Star. Texas Gov. Greg Abbott launched the initiative last March, citing an urgent need to stop the flow of drugs and undocumented immigrants into the state through Mexico.

But the alleged assault had nothing to do with the border. King-Randall, a U.S. citizen, was arrested more than 250 miles from the border with Mexico. Neither DPS nor the Texas Military Department, the state agencies carrying out Operation Lone Star, played a role in the investigation. And the family violence assault charge King-Randall faced wasn't linked to border-related crime or illegal immigration.

Operation Lone Star has helped increase the state's budget for border security to more than \$3 billion through 2023 by deploying thousands of DPS troopers and National Guard members and allocating funding to build border barriers. As part of the operation, troopers are also arresting some immigrant men crossing into the U.S. on state criminal trespassing charges.

Abbott and DPS have repeatedly boasted in news conferences, on social media and during interviews on Fox News that the border operation has disrupted drug and human smuggling networks. A year into the operation, officials touted more than 11,000 criminal arrests, drug seizures that amount to millions of "lethal doses" and the referrals of tens of thousands of unauthorized immigrants to the federal government for deportation as signs that the program is effective.

But the state's claim of success has been based on shifting metrics that included crimes with no connection to the border, work conducted by troopers stationed in targeted counties prior to the operation, and arrest and drug seizure efforts that do not clearly distinguish DPS's role from that of other agencies, an investigation by ProPublica, The Texas Tribune and The Marshall Project found.

King-Randall's charges were among more than 2,000, including some for cockfighting, sexual assault and stalking, that the agency stopped counting toward Operation Lone Star more than nine months into the exercise, after the news organizations began raising questions about the ties between the arrests and border security. Of those, about 270 charges were for violent crimes, which are defined by the FBI as murder, manslaughter, rape, robbery and aggravated assault.

King-Randall said in an interview that he was fighting the allegations. The case is pending, according to the Midland County district attorney's office.

Claiming such arrests is "inherently flawed" and misrepresents the accomplishments of the operation, said Patrick O'Burke, a law enforcement consultant and a former DPS commander who retired in 2008.

"The problem could be simply related to crimes in those communities," O'Burke said. "It's not battling cross-border crime."

Asked by the news organizations why such charges were not excluded from the operation's metrics at the start, DPS officials said they are continuously improving how they collect and report the data "to better reflect the mission" of securing the border. The

governor's office maintained that "dangerous individuals, deadly drugs, and other illegal contraband have been taken off our streets or prevented from entering the State of Texas altogether thanks to the men and women of Operation Lone Star."

But DPS and Abbott have provided little proof to substantiate such statements. A year into the initiative, Abbott, DPS and the Texas Military Department have fought two dozen public records requests from the news organizations that would provide a clearer picture of the operation's accomplishments.

DPS, the only agency to release some records related to Operation Lone Star's results, has made several significant revisions to the arrest data, including removing charges. The agency did not provide details that would help determine how the cases that remained are connected to the initiative's goal of deterring border-related crime. The agency also failed to identify arrests and drug seizures that could have occurred without the additional personnel made available through the operation.

The absence of clear metrics for measuring its accomplishments points to a larger problem with the border operation and more than a dozen others launched by the state's two governors during the past 17 years. Lawmakers have repeatedly increased state funding for border security while providing minimal oversight of the operations launched by Abbott and his predecessor, Gov. Rick Perry.

Over the years, some legislators have balked at state agencies' calls for more accountability from border security efforts.

"It's almost offensive to say, 'What are the results?'" former state Rep. Dan Flynn, a Republican from East Texas, said during a hearing in 2018. At that hearing, the Texas Sunset Advisory Commission, which determines whether there's a continuing need for state agencies and programs, raised concerns that DPS was not providing "sufficient information to the public and policymakers about the return on investment for border security."

Texas, which shares a 1,200-mile border with Mexico, spends more money on border security than any other state. And at a cost to taxpayers of more than \$2.5 million a week, Operation Lone Star is by far the most expensive of the state's border operations, and the one with the broadest mandate and scope.

People in Piedras Negras, Mexico, are seen taking photos, through recently-installed concertina wire, of the U.S. side as Bo...

Concertina wire recently installed in Eagle Pass by the National Guard as part of Operation Lone Star. Credit: Verónica G. Cárdenas for ProPublica/The Texas Tribune
In South Texas' Rio Grande Valley, which was at the center of last year's immigrant influx, Hidalgo County Judge Richard Cortez said he doesn't know what Operation Lone Star has accomplished beyond "arresting people and making them criminals."

Cortez said the problem is not criminal activity, but the sheer number of immigrants seeking better opportunities who sometimes attempt to cross into his community at once, straining resources and overwhelming Border Patrol. The solution, he said, is a comprehensive approach to address the reasons people are trying to come to the U.S. and provide more legal avenues to do so.

“We’re spending millions and billions of dollars in trying to manage something,” Cortez said about Operation Lone Star. “But instead of getting me the plumber to stop the leak, they’re sending me people to mop up the floor.”

Politics of border security

With DPS SUVs lined up behind him as if forming a wall, Abbott promoted his new initiative during a March 2021 news conference in Mission, a city in the Rio Grande Valley where more immigrants were crossing the border.

While federal officials started apprehending a greater number of immigrants during Donald Trump’s presidency, Abbott blamed newly inaugurated President Joe Biden for not doing enough to stem record levels of arrivals at the border.

During his first two months at the helm, Biden temporarily halted a policy that required people seeking asylum to wait in Mexico until their cases could be heard by U.S. immigration judges. A federal judge in Texas later ordered the administration to reinstate part of the policy. Under a Trump administration pandemic health order that Biden kept in place, more than three-fourths of immigrants apprehended at the border during that period were immediately turned away.

“If you were president in 2024, which some of us hope that you are, what’s the first thing that you would do to enact something down here?” asked a man in the crowd whom Abbott’s staff singled out for the final question.

“Secure the border. Period,” Abbott said.

With the presidential election in the distance, Abbott has made border security a cornerstone of his gubernatorial reelection campaign, playing offense against his primary opponents, attacking Biden and using the issue as a way to distinguish himself from his general election challenger, former U.S. Rep. Beto O’Rourke, a Democrat from the border city of El Paso.

The governor handily won the Republican primary early this month with Trump’s support. The former president’s success rallying the Republican base by pushing hard-line policies and promoting the construction of a border wall has become a model for Texas GOP candidates, who saw Trump make inroads with Latino voters in border counties in 2020.

The results emboldened Republicans, who doubled down on Trump's rhetoric, pushing some of his more restrictive border measures, said James Henson, director of the Texas Politics Project at the University of Texas at Austin.

"It's almost as if he gave permission for more straightforwardly nativist rhetoric, but he didn't do that in a vacuum, certainly at least not here," Henson said, pointing to anti-immigrant sentiment among Republican voters prior to Trump's election.

In launching Operation Lone Star, Abbott went further than any other governor in recent history, attempting to curtail immigration by using state trespassing charges to directly target those who cross the border on private property.

The federal government has sole authority to enforce immigration laws, but Abbott increased trespassing penalties under a declaration that gave him more power akin to what he would have after a natural disaster.

In June, the governor shifted the operation's emphasis from the Rio Grande Valley, where political leaders opposed some of his efforts, to a vast rural region of mostly private ranches around Val Verde County, about 170 miles west of San Antonio. Trump won the county by a 10-point margin in 2020. Until this year, Val Verde and Kinney were the only two counties prosecuting people crossing into the country through private property for trespassing.

The misdemeanor charge, punishable by up to a year in jail, makes up about 40% of the operation's arrests from mid-July to Jan. 27, an analysis by ProPublica, the Tribune and the Marshall Project found.

The governor's office said the operation is based on facts, not politics, and is geared to provide "maximum assistance to the counties greatest affected." But federal statistics show some of the counties in the Rio Grande Valley that DPS shifted additional resources away from were among those experiencing the greatest influx of immigrants and drugs.

Command Sgt. Maj. Jason Featherston, a Texas Army National Guard veteran who helped oversee the guard's deployment under the operation until his retirement in November, said he and his colleagues believed politics was the main driver for the mushrooming initiative. He said he recalls commanders saying things like, "We're going back to the border, the governor is trying to get reelected."

Federal and state Democratic lawmakers have urged investigations into the constitutionality of the trespassing arrests and the poor working conditions, pay delays and suicides among National Guard members assigned to Operation Lone Star, problems reported by the Tribune and the Army Times. And some state Democrats, led by the Mexican American Legislative Caucus, announced a task force early this month to investigate "many layers of grave concerns" about the operation, including alleged human rights violations and a lack of accountability. Abbott's office has said the arrests and prosecutions under the operation "are fully constitutional."

But the broader operation's goals and results have received little scrutiny.

In July, DPS began counting toward Operation Lone Star a number of arrests and drug seizures from a 63-county region almost the size of Oregon that officials dubbed the area of interest. The area included counties that did not receive additional resources from the operation, and some of the newly credited actions included work already conducted by troopers stationed there before the governor's initiative began.

Before then, DPS had been counting arrests and drug seizures from what the agency called the "more focused" area of operation, a smaller group of counties closer to the border.

The governor and DPS declined to answer questions about who ordered the change and whether all the counties in the larger area of interest received extra resources from the operation. DPS officials said the area of operation is fluid as the department is continuously monitoring the border and adjusting its use of resources as needed.

Abbott pointed to some of those arrests last year as he sought additional funding for border security efforts, bringing lawmakers back for a special legislative session. Abbott's office received \$1.3 billion of the \$3 billion total, marking the first time that the governor's allocation for border security was larger than that given to DPS.

Texas Department of Public Safety special agents oversee a group of four Honduran undocumented migrants that were caught in ...

Texas Department of Public Safety special agents monitor four undocumented immigrants from Honduras who were caught on private property in Kinney County.

Credit: Verónica G. Cárdenas for ProPublica/The Texas Tribune

The growing share of border security funding managed by the governor's office raises questions about transparency, said Eva DeLuna Castro, a budget analyst for the progressive think tank Every Texan. She said such spending is harder to track because the governor's office doesn't report its expenditures with the same level of detail as DPS.

While the governor's office argues that the agencies it funds have to report spending, DeLuna Castro said some are not subject to such rules.

In January, after increasing the number of National Guard members at the border to 10,000, the governor and a handful of the state's Republican leaders moved nearly half a billion dollars from DPS, the Texas Department of Criminal Justice and the Texas Alcoholic Beverage Commission to help cover the increased costs.

"He's just running up a tab that the Legislature, and taxpayers, will have to cover," DeLuna Castro said.

Trouble with the numbers

Fentanyl seizures have become shorthand for Operation Lone Star's success.

Abbott repeatedly highlights them in press conferences and on social media, boasting that the state is helping to stop Biden's "open border policies." He has used seizures of the synthetic opioid, which is 100 times stronger than morphine, as a way to attack O'Rourke, who is challenging him in the November gubernatorial election.

At a February event in Austin before the primary election, Abbott's campaign handed out pill bottles with a fake label that read "Beto Biden open border" and pointed to 1,334 Texas fentanyl deaths in 2021.

Inside was a mock warning label that credited the seizure of 887 pounds of fentanyl, or what he called more than 201 million deadly doses, to Operation Lone Star. Days later, Abbott repeated similar claims in a press release from the governor's office.

The figure reflects seizures across the state and contradicts the number DPS has given for what is attributable to Operation Lone Star. About 160 pounds of fentanyl were seized from March 2021 to January 2022 in the regions that DPS uses when reporting metrics from the operation.

Abbott's office defended using statewide seizure numbers, saying they are directly tied to Operation Lone Star because the drug generally enters from Mexico.

"DPS can't always seize fentanyl right at the border; but they will not stop until they find it, even if it is in North Texas," Nan Tolson, Abbott's spokesperson, wrote in an email.

Including statewide seizures is "just disingenuous," said O'Burke, the former DPS commander.

"Chicago has a border nexus. Are we going to count drugs that were seized in Chicago? That's just not transparent," he said. "It's just not a measure of success. It's just conflating these statistics because it makes the general public feel safer."

Instead, O'Burke said, Operation Lone Star's results should only count actions in which its added resources were used.

That number comes with its own caveats. All but 12 of the 160 pounds of fentanyl were captured in El Paso County, which was not one of the ones listed by DPS officials in November as receiving additional troopers and National Guard members from the operation. The county was one of several that declined to sign on to the governor's border disaster declaration.

Fentanyl seizure claims are not the only example of the difficulty of measuring the return on investment for taxpayers.

DPS has a history of taking credit for work, such as drug seizures, carried out by other agencies. As part of the operation, DPS and Texas Military Department officials reported

apprehending more than 200,000 migrants in the past year and referring them to the federal government for deportation. That included eight migrants who were caught rafting across the Rio Grande by DPS troopers, National Guard members and Border Patrol agents in November. But while DPS counted the immigrants it referred to Border Patrol as part of its reporting for Operation Lone Star, that same group may also have been included in the National Guard's tally, meaning both agencies could be getting credit for the same arrests. The Texas Military Department did not answer questions about the case.

U.S. Customs and Border Protection declined multiple interview requests. Officials did say that the federal agency "does not have a role or partner in any way" with DPS on the operation and that they don't track the state's referrals.

DPS officials acknowledged in an interview that more than one agency could be taking credit for some of the same detentions because the Texas Military Department does not share with DPS the details of immigrants it refers to the federal government, and such data is not publicly available.

Featherston, the retired Texas Army National Guard senior enlisted adviser, said he believes immigrant apprehensions are "double counted."

In another case, DPS posted on its Facebook page in September that it encountered more than 700 gang members as part of the operation. But officials declined requests to provide records detailing such arrests, saying gang affiliation "was not a metric the Department is tracking."

And despite removing more than 2,000 charges from the arrest data credited to Operation Lone Star, DPS still includes other charges without explaining how they align with the operation's goal of capturing dangerous criminals. (DPS disputed this characterization of the removed charges; a full explanation of our rebuttal is described in the methods section at the end of this piece.) In May, for example, troopers arrested a 20-year-old woman in Coke County, about 200 miles from the border in West Texas.

The woman was driving 9 mph over the speed limit in a no-passing zone on a rural highway. After troopers stopped her for speeding, they discovered a Ziploc bag with "loose leaf marijuana in the glovebox," according to the arrest report.

The woman, who could not be reached for comment, does not appear to have a prior criminal record. The arrest report doesn't note her immigration status. She was charged with possession of less than 2 ounces of marijuana.

"The whole reason for all this, you know, playing with statistics, is for optics so that the governor could get reelected. And so from that perspective, has it worked? Yes. It's worked for him," said Gary Hale, a former chief of intelligence in Houston for the Drug Enforcement Administration who is now at Rice University's Baker Institute for Public

Policy. “But what’s the net gain? I don’t think there’s any. Zero. We really haven’t had any significant impact on migrant smuggling or drug trafficking.”

A group of Mexican undocumented migrants wait as they are being arrested by DPS as part of Operation Lone Star for trespassi...

Undocumented immigrants from Mexico are detained after Texas Department of Public Safety special agents caught them on private property in Kinney County as part of Operation Lone Star. Credit: Verónica G. Cárdenas for ProPublica/The Texas Tribune
A year later

A year after Operation Lone Star launched, a panel of three Texas senators sought to better understand how to gauge the costly initiative’s accomplishments.

“What metrics are you using to measure success in terms of defining the arrests for which you’re responsible for, to make sure we’re using our DPS officers in an effective way?” state Sen. Juan “Chuy” Hinojosa, a Democrat from the border city of McAllen, asked DPS’ chief, Col. Steve McCraw, at a hearing on March 8.

Success could not be measured through arrest and seizure numbers alone, McCraw responded.

For the first time since the operation began, he offered a different metric: securing the border by stopping the flow of drugs and unauthorized immigrants in Texas’ 103 Border Patrol zones, one at a time. That is accomplished when each area has enough barriers, technology and law enforcement resources to “prevent transnational criminal activity,” according to DPS, which said it has met that goal in four zones that make up some parts of Hidalgo and Starr counties.

During the hearing, McCraw didn’t say how the agency knows it has secured a region. He also did not explain how DPS would be able to continue committing the resources needed to sustain that level of security. The senators didn’t ask.

“The challenge we have is when trying to decide what success looks like, is that if the numbers go up, do we claim success because we’re more efficient?” McCraw asked, adding that arrest and drug seizure statistics fluctuate. “You can’t have it both ways, you can’t be successful when the numbers go up and when the numbers go down.”

Since the start of the operation, DPS and Abbott have repeatedly touted success using arrests and drug seizure numbers. While continuing to cite the statistics, McCraw sought to minimize their significance, saying that what matters most is “not how much crime you’re enforcing. It’s the absence of it.”

By the end of that Senate hearing, lawmakers remained uncertain about the return on their multibillion-dollar investment.

“How do we know whether the amount of money was appropriate for what was needed?” state Sen. Bob Hall, a Republican from Rockwall, northeast of Dallas, asked the state’s

financial analysts. “And how do we know when we’ve accomplished what we set out to do, so that we can figure out what to do next, other than just appropriate more money and then wonder what to do next?”

The question has plagued lawmakers since the first border security operation launched nearly two decades ago.

About the data: How we analyzed criminal charges linked to Operation Lone Star
The data

Beginning in June 2021, reporters from The Marshall Project, ProPublica and The Texas Tribune began making records requests to the Texas Department of Public Safety for data on arrests and charges associated with Operation Lone Star. The department was responsive to those requests and provided information over the course of several months, though the format and contents of the files they sent changed over time in notable ways.

DPS sent us two data releases, one in July and another in August 2021, with records of arrests and charges associated with Operation Lone Star. Those releases came as separate files from three branches of DPS. However, in November, agency officials said that these records were incomplete, only capturing one of two broad border regions. In December, they then said they had retroactively started removing charges that did not “reflect the mission” of Operation Lone Star.

From November 2021 to January 2022, DPS sent three data snapshots, each of which the department said represented the totality of its records of Operation Lone Star charges and arrests at the time the files were created. This data was organized with each charge on its own row. An arrest can include multiple charges.

What we found

DPS emphasized that it is continuously improving how it collects and reports data for Operation Lone Star. As such, we used the latest data snapshot, from January 2022, when describing the criminal charges that the agency attributes to the operation, including how many charges were related to trespassing and how the charges were distributed geographically.

We also examined the evolving nature of the department’s record-keeping by looking at changes between the data snapshots provided to us. In comparing the first and second complete data snapshots (one provided in November 2021, the other in December 2021), we found more than 2,000 charges that had been removed from the data.

Vetting our findings

DPS said that our approach did not account for the fact that “each spreadsheet represents an extract from a live database, and information is subject to change.” The agency stated

that our analysis “assumes that any row that does not appear exactly the same in each spreadsheet can be described as either ‘added’ or ‘removed.’”

We did not require rows to match exactly when identifying charges preserved or removed. Rows were matched using arrest IDs and charge descriptions, and we looked only at charges from dates covered in both files. For about half of the more than 2,000 charges we identified as being removed from the data, the arrest IDs for these charges were not included in the later data snapshots — for example, Thomas King-Randall’s arrest only appears in the first snapshot. For the other half, the arrest ID did appear in later data snapshots, but with fewer charges associated with it. Additionally, looking only at the number of charges in each dataset, we observed that for arrests that occurred in the same time period, there were fewer charges in later data snapshots than there had been in the earlier snapshot. DPS declined to answer questions about why particular cases were removed and declined to answer many of our specific questions about the dataset.

The constantly changing nature of the database is not unique to Operation Lone Star. Methods for comparing datasets are commonly used and actively studied. It is valid to analyze changes in such databases (with the appropriate caveats) and to describe them as additions or removals. DPS itself told reporters the department “identified offenses that should be removed” in a December 2021 email about changes to Operation Lone Star data collection.

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As Abbott Cites O’Rourke’s ‘Pro-Russia’ Vote In Congress, Democrat Compares Texas Governor To Putin

By Bob Garrett

Dallas Morning News

Gov. Greg Abbott is dredging up Beto O’Rourke’s votes on Ukraine as a freshman congressman eight years ago to cast the Democrat as “pro-Russia.”

Also, citing O’Rourke’s 2015 vote against a bill that would have made it easier to export liquefied natural gas and his support two years ago for then-presidential candidate Joe Biden, Abbott’s campaign is labeling O’Rourke an enemy of Texas’ oil and gas industry.

O’Rourke, who’s trying to end an Abbott winning streak that has kept the Republican in statewide office for about a quarter-century, has countered that the two-term governor is a lot like Russian president Vladimir Putin.

Democracy is “under attack here in the state of Texas,” where Abbott and GOP lawmakers have made it harder for people to cast votes, just as Russia is attacking democracy in Europe, O’Rourke said last week.

The governor even “has his own oligarch,” the former El Paso congressman said. O’Rourke was referring to Abbott supporter and Dallas energy-pipeline magnate Kelcy Warren.

Warren has sued O’Rourke for defamation for saying he took advantage of last year’s Texas freeze to make exorbitant profits on natural gas before rewarding Abbott with a \$1 million political contribution. Warren has said he simply was trying to help Abbott fend off self-funding Dallas millionaire Don Huffines in the GOP primary for governor.

The Russian invasion of Ukraine may seem a world away, but the war and its implications are being felt across America, including Texas, where the two major-party gubernatorial candidates are talking – or being forced to talk – about it.

Though Abbott’s the one pushing the issue, experts disagreed over whether it’ll motivate or persuade many Texans. Early voting doesn’t start for seven months – Oct. 24 – making it hard to assess how contained the Ukraine conflict will be and whether it will generate huge political fallout.

“Conflict in Europe is going to be a pretty tangential issue in the governor’s race,” said Southern Methodist University political science professor Matthew Wilson.

“The only thing that it does highlight is the respective candidates’ judgment,” he said. “They can talk about past and current positions with regard to Russia as indicators of their own and their opponent’s political intuition and values and judgment. It could play a role, but it’s likely to be a marginal one.”

The University of Houston’s Brandon Rottinghaus, though, said that while Ukraine might not be the central issue in the O’Rourke-Abbott battle, “it’s going to be indexed into larger problems that the Democrats face with an unpopular president. ... It’ll kind of flow into that.” He cited gasoline prices, inflation and energy-related controversies.

‘Speaks volumes’

For several months, Abbott has been testing attack lines on O’Rourke. The “jab” on Ukraine figures into Abbott’s push to link his Democratic foe to Biden, while reminding voters of the Biden administration’s restrictions on drilling, opposition to certain oil pipelines and the recent price surge at the gas pump, Rottinghaus said.

“From health to energy to regulations, there’s a host of grievances that Republicans have against Joe Biden,” he said. “Abbott’s strategy is going to be to use those against O’Rourke.”

Abbott is pressing the issue. Two days after Russian forces swept into Ukraine, the governor asked all Texas retailers, package stores and restaurateurs to voluntarily stop selling Russian products. “Texas stands with Ukraine,” he tweeted.

“Obviously toothless, but it sent a signal that this is something he’s hoping to capitalize on,” Rottinghaus said.

The following week, a day after Abbott dispatched seven fellow Republicans to win outright his party’s nomination for a third term, Dave Carney, his top political strategist, said Ukraine will be an issue in the fall contest. He cited O’Rourke’s U.S. House votes in the aftermath of Russia’s February 2014 invasion of Crimea.

In late March of that year, O’Rourke was one of just two House Democrats to vote against a bill that provided \$1 billion in loan guarantees for Ukraine and imposed sanctions on Russian officials. He was one of 12 lawmakers to vote against promoting U.S. media like Radio Free Europe and Voice of America in the region. In December 2014, he was one of 10 House members to vote against a resolution chiding Putin for “aggression against neighboring countries.”

“How he voted when he was in the House, to be one of a handful, less than 10 Democrats, to support Putin’s invasion of the Crimea peninsula and not do anything to fight back, it just speaks volumes to his world view,” Carney said of O’Rourke. “And so fortunately for us, very bad for Ukrainians and Europeans, I think Ukraine is going to be a legitimate topic that people are going to care about in the next 249 days.”

Carney conflated O’Rourke’s votes with outright support for Russian aggression, a claim unsupported by contemporary records. However, last week, O’Rourke declined to explain or elaborate on post-Crimean annexation votes.

As in 2014 and during his short-lived presidential campaign in 2019, O’Rourke ducked chances to explain to reporters his rationale for the votes. In March 2014, the Washington Post cast the 19 votes against the aid-for-Ukraine bill as “a mix of isolationists, fiscal conservatives and liberals opposed to foreign interventions.” At the time, O’Rourke was said by his staff to be traveling and unavailable for comment.

In 2019, the online publication The Daily Beast, writing about the votes, also failed to obtain a comment from O’Rourke.

The online publication sought context for O’Rourke’s votes by reviewing public statements he made about Russia as a member of the House Armed Services Committee. Some were about Syria. More than once, O’Rourke said he was worried about unintended consequences of U.S. interventions in foreign countries, such as the CIA’s program to arm and finance the Mujahideen in Afghanistan from 1979 to 1992, The Daily Beast said. The Mujahideen ended up driving the Soviet Union from Afghanistan but turned the country into a haven for Islamic militants, some of whom successfully plotted the Sept. 11, 2001, attacks on the U.S.

Carney, the Abbott strategist, said O’Rourke’s 2014 votes related to Ukraine would hurt him with independent voters. Abbott spokeswoman Renae Eze said O’Rourke “is clearly

trying to hide his dangerous pro-Russia voting record,” which she and Carney said raises questions about his judgment.

Eze accused O’Rourke of being hostile to the fossil-fuels industry, and especially “hydraulic fracturing” used to extract oil and gas in shale belts. That caused him not to care about leaving Ukraine dependent on Russia for much of its energy, she said.

Eze cited O’Rourke’s vote against the 2015 bill promoting LNG exports. At the time, O’Rourke wrote that there were too many unanswered questions about fracking’s effects on groundwater for the U.S to be expanding natural gas exports. Congress first “should enhance safety and environmental protections,” he said.

Eze, though, said O’Rourke and Biden “both have actively worked to slow progress for LNG exports from the U.S., leading to worldwide energy dependence on hostile nations like Russia. True American energy independence runs through the oil and gas fields of Texas, not through Venezuela, Iran, or Moscow.”

‘Some real parallels’

O’Rourke said he fully supports Ukraine in the current conflict. Citing a need for national unity, though, he said now is the wrong time to discuss his past criticisms of U.S. foreign policy.

“I, like I hope everyone in Texas, fully back the people of Ukraine who are fighting against extraordinarily long odds, and so far, are prevailing against Russia,” O’Rourke said at an Austin news conference.

Beto O’Rourke, democratic candidate for Governor, stands next to an image of Texas Governor...

“I support our president and making sure that this country does everything it can, including convening our partners within our alliances in NATO, to give Ukraine and President [Volodymyr] Zelensky the support that they need to be able to hold these invaders at bay for as long as it takes to ultimately repel them,” he said. “There’s a time and a place to argue over previous policies that this country has taken. Right now, as we are on the brink of a serious crisis in Europe, ... is not the time to do that.”

Referring to last year’s controversial Texas election law changes and reported profits by Warren’s Energy Transfer Partners of \$2.4 billion in the wake of the state’s February 2021 electricity outages, O’Rourke said, “I see some real parallels from what’s happening in Europe right now to what is taking place in Texas.”

Abbott, though he was silent about former President Donald Trump’s withholding of U.S. military aid to Ukraine in 2019, which factored into Trump’s first impeachment, has made an elaborate show of support for the embattled Ukrainians in recent weeks.

He bathed the Governor’s Mansion in blue and yellow lights, the colors of Ukraine’s flag. He declared March 13 a statewide day of prayer for Ukraine, victim of an “unprovoked

and unjustified invasion.” And he and first lady Cecilia Abbott attended “divine liturgy” at a Ukrainian Catholic church in Houston.

Reviewing Carney and Eze’s statements, UH’s Rottinghaus said it’s easy to imagine an ad or mailer the Abbott campaign might produce casting O’Rourke as soft on Russia and so green in his environmental policies that he fostered European dependence on Russia’s natural gas.

“It’s going to be a way to attack Joe Biden, which is an indirect attack on O’Rourke but hurts nonetheless,” he said.

The only recent example of foreign policy-related issues looming large in a Texas governor’s race was then-Gov. Rick Perry’s decision to air TV spots attacking his 2002 Democratic opponent, Laredo banker Tony Sanchez, on a border topic, Rottinghaus said. The Perry ads said Sanchez invested in banks “that had been indirectly related to some money laundering for drug trafficking,” which Perry linked to Mexican drug cartels’ 1985 murder of federal Drug Enforcement Administration agent Kiki Camarena, he recalled.

“It was a stretch, but it was powerful,” he said.

SMU’s Wilson said that while immigration and trade with Mexico could be the rare foreign-policy issue that has salience in a Texas gubernatorial race, “those are going to be second-order issues.”

Neither Abbott nor O’Rourke “has much at risk here, frankly, from the Ukraine situation,” said Wilson, adding that O’Rourke would be better off hitting Abbott for his ties to Trump than drawing parallels between Abbott and Putin.

“Trying to bring up Trump’s call with Zelensky is a better tack, frankly, than essentially trying to suggest similarities between Greg Abbott and Vladimir Putin,” the political scientist said. “That’s a bit much.”

“By the time that we get to the fall campaign, and people are actually voting in October and November, anything having to do with Ukraine is going to be pretty far down the totem pole of the issues that will decide the Texas governor’s election,” Wilson said.

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Beto O'Rourke Stops In Amarillo For A Second Time Ahead Of The Texas Governor Election

By Michael Cuvillo
Amarillo Globe News

Making his second campaign stop in Amarillo since announcing his gubernatorial campaign, Beto O’Rourke made his official first stop as the Democratic nominee

Saturday night in a bid to unseat incumbent Gov. Greg Abbott. Standing on the steps of the Potter County Courthouse in front of about 300 supporters, O'Rourke talked about his platform that focused on creating and bringing more high-quality jobs, investing more in education and affordable healthcare for all.

Democratic Texas Gubernatorial candidate Beto O'Rourke addresses a group of about 300 supporters Saturday evening at the Potter County Courthouse in Amarillo. Introducing O'Rourke to the cheering crowd was Melodie Graves, who is currently in a runoff for the District 4 seat for County Commissioner. Graves gave a passionate welcome to O'Rourke as the right candidate for Texas in the face of the current governor's culture wars.

Graves said that she was impressed by O'Rourke's last visit to Amarillo when he said that we are not Democrats nor Republicans, but humans.

Potter County District 4 commissioner candidate Melodie Graves gives an impassioned endorsement for gubernatorial candidate Beto O'Rourke Saturday at his campaign event. "I think Beto gets us back to our American values, like loving our neighbors such as being there and caring for them," Graves said. "I believe that our current governor, much like many who have been in office a long time, sometimes lose touch with the front line and what is really going on. I think Beto is here amongst the people and with the people, understanding the struggles they are facing."

O'Rourke continually emphasized creating more high-paying jobs, high value for Texans, throughout his remarks.

"I want to make sure that the absolute best jobs created in the U.S are found right here in the state of Texas," O'Rourke led with. "We need to make sure the jobs we are creating are good jobs."

He said that nobody should have to work multiple jobs to have to take care of their families.

Shifting the conversation to education, O'Rourke said that teachers should have better resources and compensation for the critical job that they provide to children in the community. He applauded the work of educators during the recent trying times of the pandemic in their effort to provide education, and he pledged to raise teacher pay.

"I want to make sure that we, the people of Texas, have the back of our teachers," O'Rourke said. "How can we expect the next generation of teachers to come into the profession if we do not treat teachers with the respect they are owed? When I am governor, we are making public education job number one."

Citing an expansion of Medicaid as a priority for his campaign, O'Rourke pledged to make it happen if he becomes governor. He talked about the need for better mental health

care for the state and said that too much of its mental care is its prisons and correctional facilities.

“We are the least insured state in the U.S.; far too many are dying of diabetes and curable cancers, even the flu, in this state right now,” O’Rourke stated.

O’Rourke blasted Abbott for his current agenda that he sees as not taking care of the people and prioritizing wasteful high-cost endeavors such as misusing the National Guard and diverting Texas taxpayer money to projects such as adding to a border wall. The failure of the power grid under Abbott was a criticism leveled based on his misguided priorities.

“We need to find that common ground that we can all come together on, focus on the things that can bring us together rather than what divides us,” O’Rourke said. “Everyone can get behind great jobs.”

O’Rourke answered multiple questions from the crowd relating to sensible gun ownership, understaffed facilities due to Abbott diverting funds to other endeavors and once again, clarifying his stance on gun rights.

“I believe in the Second Amendment; I know as Texans we can defend it while still doing a better job of protecting our fellow Texans, like universal background checks and safe storage laws,” O’Rourke said.

A great majority of what O’Rourke had to say resonated strongly with those who showed up to support him.

Mary London asks Beto O'Rourke a question during his campaign stop Saturday as O'Rourke's wife Amy and son look on at the Potter County Courthouse in Amarillo. “He makes me believe that democracy can work,” Caitlyn Downs said of his appearance. “I admire that he puts people first and is willing to listen to people that may not agree with him.”

Payton Brookshire, a college student, said that his stance on supporting women’s reproductive rights was vital to her.

More about Beto: What we know about O'Rourke's election history and why he's running for Texas governor

“I feel like Beto is a candidate that will actually stand up for people,” Brookshire said. “The fact that he showed up for this community is more than the current governor has shown.”

A small crowd of about 10 people opposed O’Rourke's appearance with signs in tow, including ones attacking his use of his childhood nickname.

Danial Venters, a 37-year-old first-time voter, was among the protesters against the O'Rourke campaign due to his gun stance. He said he is supportive of background checks but feels that the candidate takes it too far.

"I do not appreciate his taking of my constitutional rights; that is stepping on my Second Amendment rights," Venters said.

O'Rourke met with the press following the rally and spoke of the importance of showing up and the keys to getting his views out to the people of Amarillo.

"I love the things we talked about tonight," O'Rourke said.

"You've got to show up. At each stop, we meet people that never would have known what I stood for or what I wanted to do for them as governor. And so many come up to me after the meetings and say that 'I did not know what you were about. I am going to vote for you.' I am learning a lot about how we can unite, about things that can come together. I love the energy brought tonight by those who came out," he said.

When asked about how to get a compelling message out to the public and what he wanted his message to be, O'Rourke laid out his three priorities once again.

"Jobs, great schools, and the ability to see a doctor; those are the three things that I repeatedly hear when I talk to people," O'Rourke said. "These things will bring us together. They are aspirational and positive and perfectly contrast the current governor's priorities."

O'Rourke will continue with his next tour stops Sunday in Lubbock and then onto San Angelo.

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Energy

\$10 Million Gift From Shell Creates University Of Houston Institute For Energy Transition

By Samantha Ketterer
Houston Chronicle

In a collaboration with Shell, the University of Houston on Monday created the Energy Transition Institute to aid the energy sector's shift toward decarbonization.

The institute will focus on advancing the production and use of reliable, affordable and cleaner energy — especially through research related to hydrogen, carbon management and circular plastics, according to the university. Those areas are key to combating climate change and guiding the energy sector toward net-zero carbon emissions, UH leaders said.

“Climate change is one of the greatest challenges of our lifetime — and it’s partnerships like this, along with other key drivers such as policy and technology, that together can help the US make progress on its net-zero goals,” Shell USA President Gretchen Watkins said. “When you put brilliant minds together with the resources they need to do the work, amazing things can happen.”

On HoustonChronicle.com: John Lienhard still brings the heat in 35th year as host of “Engines of our Ingenuity”

UH’s new institute was formed with the help of a \$10 million commitment from Shell USA, Inc. and Shell Global Solutions (U.S.) Inc. Total funding, including other gifts and matching funds, should exceed \$52 million.

The university’s location in Houston is expected to help the institute in its efforts, Chancellor Renu Khator said.

“Houston is poised, like no other city, to lead the energy transition and the Energy Transition Institute will be essential in pursuit of that goal,” she said. “Along with advancing energy equity and social impacts in our communities, Shell’s generous gift will help UH maintain its leadership role in the energy transition.”

Beyond research, the institute will also focus on policy and regulation issues, as well as equity and diversity, in the energy sector.

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Immigration/Border Security

Help Us Investigate Texas Border Security Initiatives

By Jessica Priest

Texas Tribune

Texas has spent billions of state tax dollars on border security for nearly two decades. Last year, state lawmakers approved a budget that included an unprecedented \$3 billion for such initiatives.

As the state puts more money into border security measures, ProPublica and The Texas Tribune are seeking to better understand how the funding is used, what the investment is accomplishing and how the initiatives affect border residents.

Hearing your experiences can help us shape our stories with your communities in mind and hold relevant institutions accountable. Please fill out this questionnaire if you are a border resident or if you’re familiar with how border operations are run.

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We appreciate you sharing your story, and we take your privacy seriously. We are gathering these stories for the purposes of our reporting, and will contact you if we wish to publish any part of your story.

We are the only ones reading what you submit. If you'd rather use an encrypted app, such as Signal, see advice on secure ways to reach us at propublica.org/tips. Lomi Kriel's Signal is 832-729-3421, and Perla Trevizo's is 512-574-4823. You may also email Kriel at lomi.kriel@propublica.org or Trevizo at perla.trevizo@propublica.org.

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Texas This Week: 'We're Essentially Mail Security,' James Barragán Discusses Conditions For Service Members In Operation Lone Star

By Ashley Goudeau

KVUE

In this week's edition of Texas This Week, Ashley Goudeau talks with James Barragán, politics reporter for The Texas Tribune, about his latest report that found service members assigned to Gov. Greg Abbott's mission at the border to deter unlawful immigration, Operation Lone Star, were stationed 80 miles away from the border, outside private ranches.

Three things to know in Texas politics

About 23,000 mail-in ballots weren't counted in the March primary.

Thousands of mail-in ballots for the March primary election weren't counted, largely because of the state's new elections law that requires voters to put an ID number on the return envelope containing their completed ballot.

The Associated Press reached out to all 254 counties in Texas to find out how many ballots were rejected. A total of 187 counties responded, representing 85% of March primary voters.

Initially, about 27,000 ballots were flagged for rejection. Under the law, voters have six days after election day to fix their ballots and thousands did -- still, 22,898 ballots were rejected statewide.

Locally, Travis County initially flagged 1,856 ballots but finally rejected 948 ballots. Williamson County initially flagged 1,690 ballots and rejected 521. The total number of rejected ballots is a significant increase from years prior, before Senate Bill 1, the state's controversial elections law, went into effect.

Harris Co. elections administrator submits resignation after issues with primary

The U.S. House of Representatives held a hearing on the new state voting law.

The state's new voting law and its impacts was a topic of discussion on Capitol Hill this week. A subcommittee on elections for the U.S. House of Representatives Committee on House Administration held a hearing Thursday. Lawmakers listened as several Texas officials talked about how the new law disenfranchised thousands of voters and also heard from Republicans who stand by the law.

You can watch the hearing here:

State lawmakers called DFPS leaders to the Texas Capitol.

Leaders of the Texas Department of Family and Protective Services (DFPS) were called to answer to members of the Texas Legislature. A special Senate Committee on CPS held a hearing Thursday after reports surfaced that girls rescued from human trafficking, who are now in the state's care, were abused and neglected at a facility in Bastrop called The Refuge.

The head of the Texas Department of Public Safety said the allegations are not quite what they seem, though there are two instances where criminal charges are expected to or have already been filed. The hearing revealed failures within DFPS and what leaders call issues with the culture of the department.

These leaders will be back at the Capitol on Monday, this time to answer to members of the House of Representatives.

This week Gov. Greg Abbott appointed Maj. Gen. Thomas Suelzer as the Adjutant General of Texas, immediately replacing Maj.Gen. Tracy Norris whose appointment expired last month.

Norris was overseeing Operation Lone Star, the governor's initiative to address unlawful immigration at the Texas-Mexico border. The change in leadership comes amid reports of harrowing conditions faced by the service members on the border.

And also this week, The Texas Tribune reported some of those service members were being sent to stand watch over private ranches an hour away from the border. Politics Reporter James Barragán joined Ashley Goudeau to talk about what he found.

Ashley Goudeau: You put out an interesting report about the work that military members, the Texas military, are having to do as a part of Operation Lone Star. Talk to us about your latest findings.

James Barragán: "Well, it's, it's pretty confounding. What we found with this story is that as part of Operation Lone Star, that's Gov. Abbott's highly touted border mission to deter migrants at the Texas border, they were sending Texas National Guard service members to private ranches, some of which your audience may know it's the big one King Ranch down in South Texas and Armstrong Ranch and other very politically connected ranch that's down there in South Texas. And they were essentially being sent out there to stand basically on the side of the road and watch for migrants, watch for smugglers going through there. But what we heard from service members is that they were sitting out there for eight hours at a time and doing a whole lot of nothing, which kind of confused them and concerned them about the mission because they felt that could be more effective at other places on the border."

Goudeau: You know, I think one of the most telling quotes that a service member told a member of the Tribune was, they said, quote, 'We're essentially mall security for ranches that already have paid security details to protect them.' I mean, that really sums up what they were doing there, right?

Barragán: "Yeah. And I think that's why there was concern from the service members part. I mean, some of them, you know, they vary in terms of how they feel about the mission, but for those people who are interested in helping out the mission of deterring migrants, they were sort of wondering 'What are we doing here,' when they could have been more effective at points on the actual border. You've got to remember these ranches are about 80 miles away from the nearest border town. It's more than an hour away. And so to have these National Guard Service members out there basically staring out into nothing, it really it really made them question why they were out there. It also raise questions about, you know, what role did these private ranches have in sort of ordering protections there. Obviously, that looks like, it's a terrible optics to have a National Guard service members deployed down there to the ranches. I have to say that we did speak to the owners of King and Armstrong Ranches, and they said that they did not ask for the service members to be there, and that means that the Texas Military Department just sent them out there on their own, basically."

Goudeau: Well, now you did have some interesting commentary or comments in this story from one of, a member of the sheriff's office who said they do see people going across the land on these very large ranches. But as you pointed out, the service members weren't allowed to go into the property, right?

Barragán: "Right. And that's the big concern. That's why Gov. Abbott, the Texas Military Department, the Department of Public Safety have made such a big deal of this -- they say ranches down here in South Texas are getting broken into. They're getting driven, their fences are getting broken because they're getting driven by smugglers who veer off when they're getting pursued by law enforcement. They're having migrants cross through their borders. So that was the concern. When we spoke to the Kennedy County sheriff [and] he said that was a big concern for his small agency and he needed all the help he could get. The issue is that the national guard service members did not sign up to be law enforcement, and they did not sign up to be Border Patrol. If they had wanted to do that,

they would have signed up for those. They signed up to be national guard service members, which by and large are sent out for hurricane aid, you know, tornado aid, that kind of stuff. They want to help out their fellow Texans when they're in need. It's a very different situation here."

Goudeau: This is just sort of the latest thing that's happened with Operation Lone Star. I want to talk about a leaked survey from some members that you also reported on showing some of the conditions that they're dealing with and the low morale. Talk to us about what you learned in that survey.

Barragán: "Yeah, I mean, one of the quotes was literally, 'I hate it here,' and so many of the comments in that leaked survey were 'There's nothing good about the mission.' 'I don't like anything.' Most of the people who had positive things to say were either 'I like my direct supervisors,' 'I like the friends that are here,' or you know, there's hardly anything good to be had in this mission. It really showed the very deplorable living conditions that these service members are living under and showed that there is a lack of communication or a lack of understanding from leadership about what the troops really need down there. And it was, it was very revealing because it also showed that a lot of those service members are thinking twice about whether they're going to re-enlist in the National Guard if they are to be expected to be subjected to these conditions again."

Goudeau: One of the things I thought was really interesting is sometimes they were given just a few days notice that they were going to have to go to the border. And these are Texans with families and jobs and other responsibilities, right?

Barragán: "Exactly. This is not like, you know, you're enlisting in the Army or the Air Force or Navy or Marines, you know, active duty where you sign up for this kind of stuff. These are part time jobs essentially. They have other civilian jobs, lives, families. So when you only give them a week's notice, two weeks notice even -- a lot of these people have like two days notice, so imagine if you, viewer at home, were told, 'Hey, within two days, you've got to leave everything and go down to the border.' It would be very difficult. It would be a strain on your life, on your family, on your economic well-being. And that's sort of what I think service members really want to drive home. These are involuntary deployments. They are not volunteering to do this, and it's not what they signed up for, and they're having a major, major impact on their lives."

Goudeau: You know, obviously Operation Lone Star, under a microscope and just this week, the governor appointed a new lead to the Texas military service. Talk to us -- do you think that some of that has to do with that leaked survey, with perhaps sending these service members to these private ranches that they they are essentially not being able to do anything at?

Barragán: "Well, the governor did not mention any criticism of Operation Lone Star or of Adjutant General Traci Norris in her departure. But it, there's there's no possible way that this can not be seen as a response to the months and months of criticism that there has been about the operation. You've got to remember that Adjutant General Norris served

starting in 2019 and then her term expired or so, the governor said, in February, right? But the past adjutant general served for nearly eight years, so she could have been re-up, but wasn't. What does that tell you? I think you've got to read between the lines and see that there are some unhappiness or there's at least some type of response to the criticism that the operation has been facing, with lack of pay for service members on time, deplorable living conditions and even some suicides tied to the mission."

Goudeau: Gov. Abbott, of course, launching Operation Lone Star ahead of the primary election -- has really touted this particular mission, has gone to the border several times to hold news conferences on the border with these service members, you know, talk to us about the political aspect of all of this.

Barragán: "It can't be overlooked. And obviously you talked a little bit about, you know, this was in the in the context of a Republican primary where Gov. Abbott had two challengers from the right, Allen West and Don Huffines, who had slammed them for not being conservative enough, not securing the Texas border. And this is not lost on the service members who are down there. They have said to us in stories and in that survey that they feel like political pawns, that the mission is serving no purpose other than to reelect Gov. Abbott. That is what the service members are saying, and that is how the service members feel. And sure, there are some service members who are happy to be down there, happy to be helping sort of try to curb the, the the flow of migration into Texas. But by and large, I think what you'll hear from service members is that they feel like political pawns in this political game."

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Criminal Justice

'I'm Going To Die Today': Trial Begins In Controversial 2015 Killing By Bexar Deputies; Man Was Holding His Hands Up

By Guillermo Contreras

San Antonio Express News

A federal trial is scheduled to start today in a controversial 2015 case in which two Bexar County sheriff's deputies fatally shot a domestic violence suspect who raised his hands in apparent surrender.

The shooting came near the end of a 12-minute encounter with varying angles captured by witnesses' videos.

Deputies Robert Sanchez and Greg Vasquez shot Gilbert Flores on Aug. 28, 2015, outside his parents' home in north Bexar County, arguing that he still had a knife in his hand. They had been called to the home by his mother, who told dispatchers that Flores had assaulted his wife and their infant daughter, that there was blood everywhere, that he had a knife and was acting "crazy." Flores, 41, is heard on the 911 tape saying he planned to commit "suicide by cop."

U.S. District Judge Robert Pitman in 2017 dismissed Bexar County from the lawsuit filed by Flores' family, but he determined Deputies Sanchez and Vasquez should stand a civil trial. The deputies appealed, but their arguments to toss the case failed.

Today a jury is scheduled to be picked for the trial before Senior U.S. District Judge Royce Lamberth.

A witness cellphone video of the shooting was first broadcast by a local TV station the day of the incident and went viral. A second one recorded by a neighbor from a closer angle emerged months later. The trial could include both recordings, testimony about the whole encounter, and what led to deputies being called to the home of Flores' parents in the 24000 block of Walnut Pass, near Scenic Loop Road.

The family's lawyers, with the Thomas J. Henry law firm, and the deputies' attorney, Charles Frigerio, filed trial briefs last week arguing what should, and should not, be put in front of jurors.

In the appellate file, justices noted that during the time his family called police, Flores can be heard on a 911 call saying: "I got a knife and I'm going to suicide by cop, so bring a SWAT team, or uh uh uh or whoever is going to be ready to pull the trigger because I'm going to die today."

The family's lawyers argue the deputies unreasonably used deadly force in violation of Flores' constitutional rights. They argue that one deputy turned to the other in a sign that they would not let the incident drag on and that they were going to follow a supervisor's commands to "do whatever you have to do."

The deputies agreed on "ending this" and opened fire, one after the other, just as Flores — who earlier had tried to stab them, took away a police Taser, and came close to getting a deputy's AR-15 rifle — had seemed to stop his erratic behavior and raised his hands above his head in what appeared to be surrender, the family lawyers' filings said.

In the deputies' filings, Frigerio said the totality of the circumstances have to be taken into account, not just the final moments. Throughout the confrontation, Flores kept yelling and taunting the deputies to shoot him because he did not want to go back to prison, and at times used the knife to stab at deputies.

Frigerio argues that nonlethal attempts to de-escalate the situation were unsuccessful. He argues the deputies used lethal force after being instructed by supervisors to keep Flores from getting back into the house, where he could further assault family members, and to prevent him from taking a patrol car or grabbing the AR-15 after he opened the vehicle door once.

Court documents said the videos showed Flores in the driveway, about 30 feet away from the deputies with his arms in the air. Frigerio argues Flores still had the knife in one hand and posed a threat.

In October 2017, Judge Pitman dismissed the county from the case, but found there are factual disputes that need to be decided by a jury to determine whether the deputies are shielded by a long-standing legal principle called “qualified immunity.”

While agreeing with the deputies that their conduct should be judged based on the circumstances, Pitman saw a big problem with the final actions they took — shooting Flores when he did not appear to be an imminent threat.

“Based on the circumstances facing Vasquez and Sanchez right before they shot Flores and construing the facts in favor of plaintiffs, the court finds that a reasonable officer would have concluded that Flores, who was stationary for several seconds and put his hands in the air while remaining otherwise motionless, was no longer resisting and had signaled surrender,” Pitman wrote. “Therefore, the deputies’ use of deadly force was not reasonable.”

The deputies appealed to the U.S. 5th Circuit Court of Appeals in New Orleans. That court agreed with Pitman’s determination that a jury needs to hash out the dispute and dismissed the appeal.

“Flores had a knife, not a gun; was several feet away from the officers, the house, and the vehicle; had his hands in the air in a surrender position; and stood stationary in the officers’ line of sight,” the 5th Circuit wrote. “Under these facts taken in the light most favorable to Plaintiffs, we conclude that the district court correctly identified material factual disputes as to whether the officers violated Flores’s Fourth Amendment rights.”

The deputies filed a petition for the U.S. Supreme Court to review the case, and several police and municipal organizations filed a brief supporting their request.

Records show the Supreme Court, without comment, denied the petition in March 2021.

In December 2015, a Bexar County grand jury declined to indict the deputies on criminal charges. Bexar County officials have said that the county’s insurer may have to pay if the deputies lose and the jury assesses damages.

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Opinion/Editorial

Opinion: We Can't Risk Allowing Texas' Anti-Boycott Laws To Stand

By Bahia Amawi

Austin American Statesman

Recently, I read a tweet from Governor Greg Abbott: “I’ve asked the members of the Texas Restaurant Association, Texas Package Stores Association & all Texas retailers to voluntarily remove all Russian products from their shelves. Texas stands with Ukraine.”

I, too, stand with Ukraine. My heart breaks watching footage of families fleeing under shelling, and hospitals reduced to rubble. I know the pain I go through when my Palestinian community is under attack in Gaza and the West Bank, and I feel acutely for the desperate Ukrainian civilians I see in image after image. My worries also have a personal dimension; we have relatives living in Kyiv who are trapped there now, under bombardment. My heart leaps into my throat each time my husband's WhatsApp notification pings, not knowing what news he may be about to receive.

So I’m glad that Governor Abbott took this important stand to boycott Russian products. I believe that our freedom of speech in the form of boycotts is one of the most effective nonviolent tools we have to take a stand against oppressive governments. That’s precisely why I’ve spent the last four years fighting to preserve the right to boycott for all Texans; a right which, ironically, Abbott has been eroding. In 2017, Abbott signed into law House Bill 89, which prohibits state agencies (such as public school districts) from contracting with those who boycott Israel. I had been working as an independently contracted speech pathologist in the Pflugerville school district since 2009. But when my annual renewal contract was sent to me in August 2018, there was a new certification that I was required to sign, pledging that I do not, and will not, boycott Israel.

My family and I do boycott companies that benefit from the Israeli occupation of the Palestinian people. It’s one concrete way I can raise my voice here in Austin in solidarity with my fellow Palestinians. I could not sign that pledge with a clear conscience. But, unless I signed, I could not return to a job I loved, helping children with severe disabilities. I chose a third path—to sue the state of Texas for violating my freedom of speech.

I filed my lawsuit in December 2018. In April 2019, U.S. District Judge Robert Pitman heard my case and issued an injunction against the law, stating “the anti-BDS law threatens to manipulate the public discourse through coercion rather than persuasion. This the First Amendment does not allow.”

Since then, however, Texas has continued to chip away at our right to boycott. In my case, the Texas legislature avoided addressing the law’s constitutionality, amending it instead so that it applies only to larger companies. Rasmey Hassouna from A & R Engineering and Testing Inc. has since also sued Texas for trying to compel his engineering firm to sign the pledge. Though U.S. District Judge Andrew Hanen ruled in January that the amended bill is still unconstitutional, the state is appealing. In addition, Texas lawmakers passed two copycat laws last year, penalizing boycott of fossil fuels, and the firearms industry.

At the same time that Governor Abbott calls for boycotting Russia, he’s working to undo the right of Texans to use that very same tool. Our free speech rights concerning climate

change, gun violence and the occupation of Palestine have already been undermined—who knows what’s next?

As I anxiously await the next message from my family members in Ukraine, praying for their safety and safety for all Ukrainians, I call on the Texas legislature and Governor Abbott to rescind Texas’ anti-boycott laws. If we allow those laws to stand, we not only risk losing our constitutional rights. We also weaken our ability to effectively respond to violent, repressive regimes in the future.

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Analysis: A Health Care Problem Too Big For The Texas Legislature

By Ross Ramsey

Texas Tribune

Texas has more uninsured people than any other state, whether you count in raw numbers (about 5.4 million) or in the uninsured percentage of the total population (18.4%). But it’s one of only a dozen states that hasn’t expanded its Medicaid program.

Whether lawmakers suddenly change their mind about that program or not, they still have a problem to solve: How do they get health insurance, or cheaper health care, for all of those people?

Every two years, somebody in the Texas Legislature attempts to get the state to expand its Medicaid program. Democrats have tried it. Republicans have tried it. But every year, the Legislature turns a collective deaf ear to the efforts. Texans in Congress even tried going around the state government to get it done, to no avail. Expansion comes with a 9-to-1 match, meaning the federal government spends \$9 for every \$1 a state contributes.

And states that take part have lower numbers and rates of uninsured people.

According to the U.S. Census Bureau, 8.9% of adults were uninsured in 2020 in states that had expanded Medicaid. In the states that hadn’t, including Texas, the uninsured rate was 17.6%. In 2019, 18.4% of Texans were uninsured, according to the state comptroller’s office. That was the highest rate in the country, and double the national average of 9.2%. When the numbers are limited to just those Texans under age 65 — who aren’t eligible for Medicare, for instance — the percentage of uninsured in the state swells to 20.8%.

Before the 2021 legislative session, a group of experts urging the state to join the federal program argued that doing so would contribute \$75 million to \$125 million to the state budget every two years. It would also, they argued, reduce uncompensated care in hospitals and emergency rooms, and would encourage preventive care, early detection and improved disease management.

“In addition, the infusion of billions of external dollars into the Texas health care system each year will have downstream positive effects on the economy,” they wrote.

Expanding Medicaid isn't the only way to solve the problem, but the state isn't doing much else to try to cut into the number of Texans who don't have insurance.

One argument over the years is that uninsured Texans can get care in emergency rooms and hospitals. A common counter-argument is that insuring more people would be cheaper in the long run, and better for their health. And Texans have to pay either way: The bills for that so-called uncompensated care are footed by other patients and taxpayers who pay for those medical facilities and the care they provide through their own medical bills and local hospital taxes.

And, according to the people who study these things, expanding Medicaid would be a better deal for taxpayers. "We estimate that 954,000 newly eligible adults would enroll in an expansion, bringing approximately \$5.41 billion in federal dollars annually to the state," they wrote.

Other conservative states were initially against expanding Medicaid, too, but that resistance has thawed over the years. Now, only a dozen states, including Texas, continue to opt out. During last year's regular session — as in the procession of sessions before it — Texas lawmakers voted it down.

So, no Medicaid expansion for Texas — a familiar result every time lawmakers have considered it through the last three presidencies.

But it's just a program, one possible solution to a perplexing public policy predicament that remains unsolved and apparently beyond the abilities of the Texas state government.

Almost 1 in 5 Texans don't have health insurance, the worst numbers in the country, and we've been at the bottom of that barrel for a long, long time.

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Opinion: I Don't Like Taxes. No One Does. But Here's Why I Support A Carbon Tax.

By Jeffrey Williams
Houston Chronicle

Ninety years ago, journalist William G. Shepherd wrote in *Collier's Weekly*, "Congress! Congress! Don't tax me, tax that fellow behind the tree." In the 1970s, Russell Long, chairman of the Senate Finance Committee, updated the phrase to say, "Don't tax you, don't tax me, tax that fellow behind the tree," but the feeling remained unchanged — as it does today.

No one likes to pay taxes. Simply put, taxes on work discourage work. Taxes on capital gains, dividends and business income discourage investment, impairing growth. But taxes

are also necessary. The government has bills to pay, but not by borrowing more, which would burden our children with debt.

Then, the question is what to tax. The answer is as simple as the reasons no one likes taxes: something that causes the least — or best — distortion.

Our current tax code is riddled with harmful distortions, making Democrats' efforts to squeeze more revenue by raising income tax rates not only unpopular but also economically destructive. I support and urge anyone who does not like taxes to support what I believe is the best approach: a tax on carbon emissions.

As a former investment banker, I know markets are powerful. Our economy, as well as economies around the globe, emit more carbon emissions than they would if the social cost of carbon were reflected in the production and consumption of goods and services. Unfortunately, we are not made aware of that personal cost, though we know it is not zero.

A carbon tax, even a moderate tax, would address this market failure and spur three changes: a consumer switch to less carbon-intensive activities; innovation across numerous sectors of our economy; and the adoption of more low-carbon sources of energy, including wind, solar and natural gas by electric utilities.

Most importantly, these activities would be motivated by Americans' innate desire to avoid taxes. The beauty of a carbon tax is that it incentivizes consumers and businesses to avoid it, which will cause carbon emissions to decline significantly.

Unlike a draconian policy to ban the use of coal or outlaw carbon-intensive fuels, a carbon tax will create an economy-wide incentive for consumers and businesses to adopt low-carbon sources of energy. Equally important, it will drive innovation, resulting in new low-carbon technologies that will be critical to lowering emissions here and abroad. Over time, our economy will reach a new equilibrium that will not only help us address climate change but also raise revenues from any carbon emissions that cannot be eliminated — emissions that will be unavoidable and valuable to our economy.

Finally, a carbon tax adheres to an age-old policy framework in Washington: When doing nothing is not an option, do the least bad thing. While the cost of a carbon tax will undoubtedly have a significant impact on the economy, there are no policy options to address climate change that are as economically efficient. Subsidies for green energy increase the federal deficit, which we simply cannot afford to do. Energy mandates result in limited choices in the marketplace, disrupting free enterprise, and they are the most expensive. Stewards of good government understand this.

While a political liability of a carbon tax may be that it is simple and transparent, those attributes are also the very reason anyone who does not like taxes should support a carbon tax.

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Obamacare Is Boosting Economic Health

By Matthew A. Winkler

The Washington Post

Obamacare gave Americans a lot to argue about before it became law in 2010. One contentious question concerned its eventual economic effect, with supporters saying it would invigorate businesses by freeing them from burdensome health-care costs and opponents warning of a drag produced by tax increases and government bureaucracy. A decade's worth of data has now rendered a partial verdict: States that have fully embraced the Affordable Care Act are enjoying healthier labor markets and stronger income growth than those that haven't.

The evidence comes from the experience of the 12 states that have refused to accept a key element of Obamacare: federal money covering the cost of expanding Medicaid to cover millions of people who otherwise couldn't afford health insurance. The U.S. Supreme Court made the Medicaid expansion optional in its 2012 decision upholding the other parts of the law.

Standard measures of jobs and personal income growth show that even Texas — the biggest of the states still rejecting the Medicaid expansion — trails the states that joined it after turning it down when it became available on Jan. 1, 2014, according to data compiled by Bloomberg.

The Medicaid expansion, enabling more than 4 million of the most vulnerable people to work, turned out to be a catalyst for growth. That may explain why 38 states and the District of Columbia have embraced the insurance extension, up from 25 when it first became available on Jan. 1, 2014.

The Affordable Care Act, signed 12 years ago this week by President Barack Obama, was conceived to let the entire population gain private or public health care with corporate, federal and state revenues that combined would reduce the national burden and invigorate the economy. It allowed children to remain insured on a parent's policy until age 26, required equal treatment of persons with preexisting medical conditions and prohibited annual or lifetime coverage limits.

By 2020, before the coronavirus pandemic ended the longest period of U.S. growth in modern times, the job market in states initially refusing and subsequently implementing the Medicaid expansion outperformed states opposed to it, according to labor participation data compiled by Bloomberg. Labor participation measures the proportion of people in the working-age population who have jobs or are seeking work. Excluding recent transplants during the pandemic, the trend continues unabated because the Covid-19 pandemic weighed heavily on mothers without child care, especially low-wage women, whose recent employment significantly lags behind men.

From April 2020, when the U.S. started to recover from the worst employment collapse since the Great Depression, through Jan. 31 of this year, the number of U.S. jobs grew by 14.3%. That's 1.4 percentage points greater than the average for the 12 states refusing the Medicaid expansion and 0.6 percentage points less than the average for the states accepting it, according to data compiled by Bloomberg.

Texas, which has the nation's highest proportion of people without health insurance at 18.4%, according to the U.S. Census Bureau, underperformed the national average with employment growth of 13.6% since April 2020. That's 1.3 percentage points less than the states adopting the expansion and 5 percentage points less than Massachusetts. The Bay State, which accepted the extension in 2014 and is No. 1 with only 3% of its population of almost 7 million uninsured, saw its labor force expand at a rate of 18.3%, according to data compiled by Bloomberg.

Even when such populous states as California and New York are excluded from employment calculations, the states expanding Medicaid saw employment increase 14.8%, well above Texas and the national average. Among the 12 holdout states, only one-third outperform the national job market while 53% of the 38 states (plus Washington, D.C.) adopting Medicaid created more jobs than the national average.

Unemployment shows a similar pattern, with the 12 holdouts seeing their jobless rates decline 8.9 percentage points on average since April 2020, almost a percentage point less than the decline for the other states. The inferior performance is no different when California and New York are omitted from the equation, according to data compiled by Bloomberg.

The 9.93% increase in U.S. personal income since April 2020 is 0.33 percentage points more than the gain for states refusing Medicaid expansion, according to data compiled by Bloomberg. Better health care appears to translate into greater wealth for all.

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From: Corey Rose <CRose@sos.texas.gov>
Sent: Wednesday, February 23, 2022 2:47 PM EST
To: John Scott <JScott@sos.texas.gov>
Subject: THE HILL: Beijing says Taiwan is 'not Ukraine,' has always been part of China

Beijing says Taiwan is 'not Ukraine,' has always been part of China

China's foreign ministry on Wednesday said Taiwan is "not Ukraine" and has always been a part of China amid Taiwanese President Tsai Ing-wen's calls to ramp up vigilance on military activities in response to the crisis in Ukraine.

Foreign ministry spokesperson Hua Chunying dismissed the concerns of British Prime Minister Boris Johnson, who said there might be worldwide consequences, including for Taiwan, if Western nations failed to support Ukraine's independence, according to Reuters.

"Taiwan is not Ukraine," Hua said while speaking in Beijing. "Taiwan has always been an inalienable part of China. This is an indisputable legal and historical fact."

Hua noted that the situation with Taiwan is the result of the country's civil war in the mid-20th century but that China's integrity should have never been compromised and has never been compromised.

In 1949, the government of the Republic of China fled to Taiwan to escape communist forces, who formed the People's Republic of China the same year.

However, Taiwan has vehemently opposed China's claims over the island, with Tsai noting that it is still the self-governing Republic of China, according to Reuters.

The Taiwanese president told her working group on the Russia-Ukraine crisis established by her National Security Council that all security and military units "must raise their surveillance and early warning of military developments around the Taiwan Strait," according to the news service.

Tsai noted that Taiwan and Ukraine are fundamentally different in various ways, including geography and internal supply chains.

"But in the face of foreign forces intending to manipulate the situation in Ukraine and affect the morale of Taiwanese society, all government units must strengthen the prevention of cognitive warfare launched by foreign forces and local collaborators," she said, according to Reuters.

Tsai expressed "empathy" for Ukraine's situation because of Taiwan's own military threat, Reuters noted. While the statement did not specifically refer to mainland China by name, it is the most significant military threat the East Asian island faces.

From: National Training Team <education@dcac.org>

Sent: Tuesday, March 01, 2022 11:02 AM EST

To: Secretary <Secretary@sos.texas.gov>

Subject: Upcoming CE-CERT Trainings

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