Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722
Date: Tuesday, January 24, 2023 at 2:50:26 PM Eastern Standard Time
From: GeneralCounsel
To: AO Records
CC: GeneralCounsel
Attachments: 1.24.23 Documents.zip, How to appeal the withholding of information under 552.136.pdf

EXTERNAL SENDER

Good afternoon,

As a follow up to our December 27 email, please see the attached zipped folder containing documents responsive to your request for information under the Public Information Act, Chapter 552 of the Texas Government Code.

Certain information has been redacted from the attached production in accordance with OR2022-32589.

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.

The responsive documents also contain a partial or full Social Security number. Section 552.147(b) of the Government Code authorizes a governmental body to redact the social security number of a living person from any information the governmental body discloses under Section 552.021 without the necessity of requesting a decision from the attorney general.

Finally, the information you requested also contains access device information that is collected, assembled, or maintained by or for a governmental body. This information is confidential under section 552.136 of the Texas Government Code. Section 552.136 allows us to withhold this specific information without requesting a ruling from the attorney general. You have the right to appeal our decision to withhold this information from you. Instructions for appeal are attached. If you do not want to appeal, you do not need to do anything else.
We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on February 21, 2023. *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: Tuesday, December 27, 2022 11:59 AM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722

Good afternoon,

As a follow up to our November 22 email, please see the attached zipped folder containing documents responsive to your request for information under the Public Information Act, Chapter 552 of the Texas Government Code.

The information you requested contains access device information that is collected, assembled, or maintained by or for a governmental body. This information is confidential under section 552.136 of the Texas Government Code. Section 552.136 allows us to withhold this specific information without requesting a ruling from the attorney general. You have the right to appeal our decision to withhold this information from you. Instructions for appeal are attached. If you do not want to appeal, you do not need to do anything else.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on January 24, 2023. *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: Tuesday, November 22, 2022 8:23 AM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722

Good morning,

As a follow-up to our October 25, 2022 email, please find the attached zipped folder containing documents responsive to your request for information under the Public Information Act, 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. *See* Open Records Decision No. 684 (2009). Thus, this information has been redacted.

We require more time to continue reviewing our records and produce additional responsive information. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on December 27, 2022. *See* Tex. Gov't Code § 552.221(d).

Sincerely,

Adam Bitter
General Counsel
Office of the Texas Secretary of State

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Sent: Tuesday, October 25, 2022 2:38 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722

Good afternoon,

Consistent with our September 27 email, please see the attached zipped folder containing documents responsive 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.

In addition, please find attached a courtesy copy of OR2022-32589 regarding your request for information under Chapter 552 of the Texas Government Code. The Office of the Attorney General has determined that we may withhold certain information and must withhold other information responsive to your request pursuant to the Public Information Act.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not

excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on November 22, 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: Tuesday, September 27, 2022 10:45 AM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722

Good morning,

Consistent with our September 13 email, please see the attached zipped folder containing documents responsive 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.

We appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on October 25, 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: Tuesday, September 13, 2022 2:23 PM

To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722

Good afternoon,

Regarding our August 23 email, we appreciate your patience as we continue to process your request in accordance with the terms of the PIA. We require additional time to review our records and produce additional responsive documents. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on September 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: Tuesday, August 23, 2022 2:03 PM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722

Good afternoon,

Please see the attached letters, with enclosures, in response to your request for information under Chapter 552 of the Texas Government Code. We have also included the "Packing Slip" receipt for your deposit.

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.

The information you requested also contains access device numbers that are collected, assembled, or maintained by or for a governmental body. This information is confidential under section 552.136 of the Texas Government Code. Section 552.136 allows us to withhold this specific information without requesting a ruling from the attorney general. You have the right to appeal our decision to withhold this information from you. Instructions for appeal are attached. If you do not want to appeal, you do not need to do anything else.

As stated in our letter, we require more time to continue reviewing our records and produce additional responsive information. We will provide you additional responsive documents on a rolling basis—to the extent such information is not excepted from disclosure under state or federal law—with our next production by 5:00 p.m. on September 13, 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: Tuesday, August 16, 2022 11:45 AM
To: 'AO Records' <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722

Good morning,

Please see the attached letter, with enclosure, 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: Tuesday, August 2, 2022 2:32 PM
To: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: Re: Public Information Request (TX-SOS-22-0651) PIR 22-0722

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good afternoon,

Sorry about that. The credit card payment form should be attached now.

Best,
Mariuxi Pintado
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Date: Tuesday, August 2, 2022 at 10:05 AM
To: AO Records <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722

EXTERNAL SENDER

Good morning,

The payment form was not attached. Please resend. Thank you.

Kind regards,

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

From: AO Records <records@americanoversight.org>
Sent: Tuesday, August 2, 2022 8:43 AM
To: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: Re: Public Information Request (TX-SOS-22-0651) PIR 22-0722

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Good morning,

American Oversight approves the cost estimate associated with this request. Attached is the credit card payment form to authorize the deposit. Please send us a receipt once the credit card payment has been completed.

Thank you,

Mariuxi Pintado
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

From: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Date: Tuesday, July 26, 2022 at 3:18 PM
To: AO Records <records@americanoversight.org>
Cc: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: RE: Public Information Request (TX-SOS-22-0651) PIR 22-0722

EXTERNAL SENDER

Good afternoon,

Please see the attached letter, 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: Tuesday, July 12, 2022 11:06 AM
To: GeneralCounsel <GeneralCounsel@sos.texas.gov>
Subject: Public Information Request (TX-SOS-22-0651)

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Dear Public Information Officer:

Please find attached a request for records under Texas public records laws.

Sincerely,

Mariuxi Pintado
Paralegal
American Oversight
records@americanoversight.org
www.americanoversight.org | @weareoversight

Public Information Request: TX-SOS-22-0651

From:	"Renée McManus"
To:	Corporations Cert; Corporations Information; irs.commissioner@irs.gov; Tax.mail@usdoj.gov; OpenRecordsAssistance@oag.texas.gov; exempt.orgs@cpa.texas.gov; antitrust@ftc.gov; voting.section@usdoj.gov
Cc:	Chase Howell; Jared.cruz@gov.Texas.gov
Subject:	$alado Texas an atm for public corruption
Date:	Monday, March 7, 2022 12:24:30 PM
Attachments:	Fwd Salado Tx non profit list zero tax compliance proof and supporting tax history - bellcad has ex chamber of commerce zerotax yet list from stare has non exempt - grants bonds with falsified tax collecting.msg Fwd Contact Us Central Texas Council of Governments - license and tax ID belton Texas What is shown in our database is listed below. That search yields multiple results but no matches-why handling of state and federal millions.msg Fwd Salado Texas foia Insurance commission fire zip 76571 no city services and American disability commercial bldgs floorplans parking.msg Fwd PIR # 52213-Email-No Documents Found texas education $49 mil salado bond.msg Are TX politician kickbacks blocking Salado millions no audits grab.msg Salado a village where crime pays from politicians . Taxes political kickback$.msg Fwd salado tx -grandfathered in roads buildings as no ADA will sidewalks be ADA what qualified staff 2015.msg Fwd Rick Perry puppet master Morris Foster previous owner and state licensing agency refusing to disclose building flip plans and continuing state and federal millions grab for scam sewer public corruption doesnt happen free of charge.msg Fwd salado manager Wimberley and flooding and here for Salado What falsified city services to respond to flooding andblocked roads .msg Texas public corruption needs reviewing out of Salado a Texas audit.msg Fwd flooding litigation 2014 letter locals not city nor state agencies with say in Salado told fema to cover flood area tocash in on dev overpriced scam refusal to submit letter.msg Salado Texas lacking proof to collect millions yet Texas public corruption avoids its review.msg

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I hope you are well. I forwarded some Scamalado history which I hope will lead to a review, audits, and the state vacating appraisal billing due to the fraud. Scam tax collection here could have been stopped before in$entice put it in a rigged outcome ballot. liens should be taken on any commercial building owner and Salado Tx.gov employee retroactively who used grant and billed to non owners obligatory bond money back until funds are returned. Unless kickbacks are happening why would the state not act? . Thank you Renée McManus

From: Renée McManus <mcmanus@usa.net>
Sent: Wednesday, March 02, 2022 5:27 PM EST
To: Chase Howell <CHowell@sos.texas.gov>
Subject: Fwd: Contact Us • Central Texas Council of Governments - license and tax ID belton Texas / What is shown in our database is listed below. That search yields multiple results but no matches-why handling of state and federal millions

Begin forwarded message:

> **From:** Renée McManus <mcmanus@usa.net>
> **Date:** February 28, 2022 at 2:20:41 PM CST
> **To:** Corporations Information <Corpinfo@sos.texas.gov>, jacob.petry@oag.texas.gov, CorpInfo@sos.texas.gov, SOSDirect@sos.texas.gov, corphelp@sos.texas.gov, corpcert@sos.texas.gov, secretary@sos.texas.gov, press@uschamber.com, irs.commissioner@irs.gov, nan.tolson@gov.texas.gov, Jared.Cruz@gov.texas.gov, khart@sos.texas.gov, tax.mail@usdoj.gov, voting.section@usdoj.gov
> **Subject: Contact Us • Central Texas Council of Governments - license and tax ID belton Texas / What is shown in our database is listed below. That search yields multiple results but no matches-why handling of state and federal millions**
>
> thank you for an answer. passing a curriculum and being licensed allows someone to offer a business service . I hope that a county clerk purveyor receipt would not imply equal qualifications for business operations and money collecting since the state has no results. What does the lack of matches mean please? Thank you Renée McManus
>
> On Feb 28, 2022, at 1:44 PM, Corporations Information <Corpinfo@sos.texas.gov> wrote:
>
> Dear Sir or Madam,
>
> What is shown in our database is listed below. That search yields multiple results but no matches:
>
> **ENTITY NAME :** central Texas council of governments

Mark	Filing Number	Name	Entity Type	Entity Status	Name Type	Name Status
	800058966	Central Texas Counseling, LLC	Domestic Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive
	18125301	CENTRAL TEXAS COUNCIL ON ALCOHOLISM	Domestic Nonprofit Corporation	In existence	Legal	Prior
	120225601	CEN-TEX COUNCIL OF LA RAZA	Domestic Nonprofit Corporation	Forfeited existence	Legal	Inactive
	700209822	CENTRAL TEXAS COUNSELING ASSOCIATES, L.C.	Domestic Limited Liability Company (LLC)	In existence	Legal	In use
	801032852	CENTRAL TEXAS COUNSELING AND ASSESSMENT	Domestic For-Profit Corporation	In existence	Assumed	Expired
	803247718	Central Texas Counseling and Education PLLC	Domestic Limited Liability Company (LLC)	In existence	Legal	In use
	42286401	CENTRAL TEXAS COUNCIL FOR THE DEAF, INC.	Domestic Nonprofit Corporation	Involuntarily dissolved	Legal	Prior
	137477801	CENTRAL TEXAS COUNCIL ON ADOPTABLE CHILDREN, INC.	Domestic Nonprofit Corporation	Voluntarily dissolved	Legal	Inactive
	18125301	CENTRAL TEXAS COUNCIL ON ALCOHOLISM AND DRUG ABUSE	Domestic Nonprofit Corporation	In existence	Legal	Prior
	50004201	CENTRAL TEXAS COUNCIL OF CHILD PROTECTION BOARDS, INC.	Domestic Nonprofit Corporation	In existence	Legal	In use

> Respectfully,
>
> John Huddleston

Business and Public Filings
Texas Secretary of State

We will be modernizing our business systems and would appreciate your feedback. Please complete our online survey here.
NOTE: Due to a high volume of filing activity and an increased demand for business services, the Secretary of State is experiencing delays in processing at this time. Non-expedited documents sent by mail or by fax are being processed within 50-52 business days. Expedited documents are being processed within 10-12 business days. Electronic documents submitted through SOSDirect are being processed within 6-8 business days and documents submitted via SOSUpload are being processed within 8-10 business days. Thank you for your patience.

You may now check status of your documents here:https://webservices.sos.state.tx.us/filing-status/status.aspx

Please send future e-mail requests tocorpinfo@sos.texas.gov. This is our general information e-mail address answered by multiple operators of which I am one. If I am out unexpectedly, the reply to your request may be delayed.

From: Renée McManus <mcmanus@usa.net>
Sent: Monday, February 28, 2022 1:16 PM
To: jacob.petry@oag.texas.gov; Corporations Information <Corpinfo@sos.texas.gov>; SOSDirect <SOSDirect@sos.texas.gov>; Corp Help Desk <CorpHelp@sos.texas.gov>; Corporations Cert <Corpcert@sos.texas.gov>
Cc: Secretary <Secretary@sos.texas.gov>; press@uschamber.com; irs.commissioner@irs.gov; Tax.mail@usdoj.gov
Subject: Contact Us • Central Texas Council of Governments - license and tax ID belton Texas

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I hope you are well. May I please request the TAX ID and all license held by central Texas council of governments and the staff especially Jim reed. The organization statements should refer to a belton zip code. Are there any filings on record with a Salado zip code 76571? Thank you Renée McManus

Office Address

2180 North Main Street, Belton, Texas 76513

Mailing Address

PO Box 729, Belton, Texas 76513

Phone Number

254-770-2200

Email

info@ctcog.org

https://ctcog.org/contact/

From: Renée McManus <mcmanus@usa.net>
Sent: Wednesday, March 02, 2022 5:27 PM EST
To: Chase Howell <CHowell@sos.texas.gov>
Subject: Fwd: Contact Us • Central Texas Council of Governments - license and tax ID belton Texas / What is shown in our database is listed below. That search yields multiple results but no matches-why handling of state and federal millions

Begin forwarded message:

> **From:** Renée McManus <mcmanus@usa.net>
> **Date:** February 28, 2022 at 2:20:41 PM CST
> **To:** Corporations Information <Corpinfo@sos.texas.gov>, jacob.petry@oag.texas.gov, CorpInfo@sos.texas.gov, SOSDirect@sos.texas.gov, corphelp@sos.texas.gov, corpcert@sos.texas.gov, secretary@sos.texas.gov, press@uschamber.com, irs.commissioner@irs.gov, nan.tolson@gov.texas.gov, Jared.Cruz@gov.texas.gov, khart@sos.texas.gov, tax.mail@usdoj.gov, voting.section@usdoj.gov
> **Subject: Contact Us • Central Texas Council of Governments - license and tax ID belton Texas / What is shown in our database is listed below. That search yields multiple results but no matches-why handling of state and federal millions**
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> thank you for an answer. passing a curriculum and being licensed allows someone to offer a business service . I hope that a county clerk purveyor receipt would not imply equal qualifications for business operations and money collecting since the state has no results. What does the lack of matches mean please? Thank you Renée McManus
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> **ENTITY NAME :** central Texas council of governments

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	18125301	CENTRAL TEXAS COUNCIL ON ALCOHOLISM AND DRUG ABUSE	Domestic Nonprofit Corporation	In existence	Legal	Prior
	50004201	CENTRAL TEXAS COUNCIL OF CHILD PROTECTION BOARDS, INC.	Domestic Nonprofit Corporation	In existence	Legal	In use

> Respectfully,
>
> John Huddleston

Business and Public Filings
Texas Secretary of State

We will be modernizing our business systems and would appreciate your feedback. Please complete our online survey here.
NOTE: Due to a high volume of filing activity and an increased demand for business services, the Secretary of State is experiencing delays in processing at this time. Non-expedited documents sent by mail or by fax are being processed within 50-52 business days. Expedited documents are being processed within 10-12 business days. Electronic documents submitted through SOSDirect are being processed within 6-8 business days and documents submitted via SOSUpload are being processed within 8-10 business days. Thank you for your patience.

You may now check status of your documents here:https://webservices.sos.state.tx.us/filing-status/status.aspx

Please send future e-mail requests tocorpinfo@sos.texas.gov. This is our general information e-mail address answered by multiple operators of which I am one. If I am out unexpectedly, the reply to your request may be delayed.

From: Renée McManus <mcmanus@usa.net>
Sent: Monday, February 28, 2022 1:16 PM
To: jacob.petry@oag.texas.gov; Corporations Information <Corpinfo@sos.texas.gov>; SOSDirect <SOSDirect@sos.texas.gov>; Corp Help Desk <CorpHelp@sos.texas.gov>; Corporations Cert <Corpcert@sos.texas.gov>
Cc: Secretary <Secretary@sos.texas.gov>; press@uschamber.com; irs.commissioner@irs.gov; Tax.mail@usdoj.gov
Subject: Contact Us • Central Texas Council of Governments - license and tax ID belton Texas

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Office Address

2180 North Main Street, Belton, Texas 76513

Mailing Address

PO Box 729, Belton, Texas 76513

Phone Number

254-770-2200

Email

info@ctcog.org

https://ctcog.org/contact/

From: Renée McManus <mcmanus@usa.net>
Sent: Wednesday, March 02, 2022 5:27 PM EST
To: Chase Howell <CHowell@sos.texas.gov>
Subject: Fwd: Contact Us • Central Texas Council of Governments - license and tax ID belton Texas / What is shown in our database is listed below. That search yields multiple results but no matches-why handling of state and federal millions

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> **From:** Renée McManus <mcmanus@usa.net>
> **Date:** February 28, 2022 at 2:20:41 PM CST
> **To:** Corporations Information <Corpinfo@sos.texas.gov>, jacob.petry@oag.texas.gov, CorpInfo@sos.texas.gov, SOSDirect@sos.texas.gov, corphelp@sos.texas.gov, corpcert@sos.texas.gov, secretary@sos.texas.gov, press@uschamber.com, irs.commissioner@irs.gov, nan.tolson@gov.texas.gov, Jared.Cruz@gov.texas.gov, khart@sos.texas.gov, tax.mail@usdoj.gov, voting.section@usdoj.gov
> **Subject: Contact Us • Central Texas Council of Governments - license and tax ID belton Texas / What is shown in our database is listed below. That search yields multiple results but no matches-why handling of state and federal millions**
>
> thank you for an answer. passing a curriculum and being licensed allows someone to offer a business service . I hope that a county clerk purveyor receipt would not imply equal qualifications for business operations and money collecting since the state has no results. What does the lack of matches mean please? Thank you Renée McManus
>
> On Feb 28, 2022, at 1:44 PM, Corporations Information <Corpinfo@sos.texas.gov> wrote:
>
> Dear Sir or Madam,
>
> What is shown in our database is listed below. That search yields multiple results but no matches:
>
> **ENTITY NAME :** central Texas council of governments

Mark	Filing Number	Name	Entity Type	Entity Status	Name Type	Name Status
	800058966	Central Texas Counseling, LLC	Domestic Limited Liability Company (LLC)	Forfeited existence	Legal	Inactive
	18125301	CENTRAL TEXAS COUNCIL ON ALCOHOLISM	Domestic Nonprofit Corporation	In existence	Legal	Prior
	120225601	CEN-TEX COUNCIL OF LA RAZA	Domestic Nonprofit Corporation	Forfeited existence	Legal	Inactive
	700209822	CENTRAL TEXAS COUNSELING ASSOCIATES, L.C.	Domestic Limited Liability Company (LLC)	In existence	Legal	In use
	801032852	CENTRAL TEXAS COUNSELING AND ASSESSMENT	Domestic For-Profit Corporation	In existence	Assumed	Expired
	803247718	Central Texas Counseling and Education PLLC	Domestic Limited Liability Company (LLC)	In existence	Legal	In use
	42286401	CENTRAL TEXAS COUNCIL FOR THE DEAF, INC.	Domestic Nonprofit Corporation	Involuntarily dissolved	Legal	Prior
	137477801	CENTRAL TEXAS COUNCIL ON ADOPTABLE CHILDREN, INC.	Domestic Nonprofit Corporation	Voluntarily dissolved	Legal	Inactive
	18125301	CENTRAL TEXAS COUNCIL ON ALCOHOLISM AND DRUG ABUSE	Domestic Nonprofit Corporation	In existence	Legal	Prior
	50004201	CENTRAL TEXAS COUNCIL OF CHILD PROTECTION BOARDS, INC.	Domestic Nonprofit Corporation	In existence	Legal	In use

> Respectfully,
>
> John Huddleston

Business and Public Filings
Texas Secretary of State

We will be modernizing our business systems and would appreciate your feedback. Please complete our online survey here.
NOTE: Due to a high volume of filing activity and an increased demand for business services, the Secretary of State is experiencing delays in processing at this time. Non-expedited documents sent by mail or by fax are being processed within 50-52 business days. Expedited documents are being processed within 10-12 business days. Electronic documents submitted through SOSDirect are being processed within 6-8 business days and documents submitted via SOSUpload are being processed within 8-10 business days. Thank you for your patience.

You may now check status of your documents here:https://webservices.sos.state.tx.us/filing-status/status.aspx

Please send future e-mail requests tocorpinfo@sos.texas.gov. This is our general information e-mail address answered by multiple operators of which I am one. If I am out unexpectedly, the reply to your request may be delayed.

From: Renée McManus <mcmanus@usa.net>
Sent: Monday, February 28, 2022 1:16 PM
To: jacob.petry@oag.texas.gov; Corporations Information <Corpinfo@sos.texas.gov>; SOSDirect <SOSDirect@sos.texas.gov>; Corp Help Desk <CorpHelp@sos.texas.gov>; Corporations Cert <Corpcert@sos.texas.gov>
Cc: Secretary <Secretary@sos.texas.gov>; press@uschamber.com; irs.commissioner@irs.gov; Tax.mail@usdoj.gov
Subject: Contact Us • Central Texas Council of Governments - license and tax ID belton Texas

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I hope you are well. May I please request the TAX ID and all license held by central Texas council of governments and the staff especially Jim reed. The organization statements should refer to a belton zip code. Are there any filings on record with a Salado zip code 76571? Thank you Renée McManus

Office Address

2180 North Main Street, Belton, Texas 76513

Mailing Address

PO Box 729, Belton, Texas 76513

Phone Number

254-770-2200

Email

info@ctcog.org

https://ctcog.org/contact/

From: Renée McManus <mcmanus@usa.net>
Sent: Saturday, February 26, 2022 8:19 AM EST
To: nan.tolson@gov.texas.gov <nan.tolson@gov.texas.gov>; Register Mailbox Account <register@sos.texas.gov>; Renae.Eze@gov.texas.gov <Renae.Eze@gov.texas.gov>; sarah.hicks@gov.texas.gov <sarah.hicks@gov.texas.gov>; Sallie.Bentley@gov.texas.gov <Sallie.Bentley@gov.texas.gov>; Jared.Cruz@gov.texas.gov <Jared.Cruz@gov.texas.gov>
Subject: Fwd: PIR # 52213-Email-No Documents Found texas education $49 mil salado bond
Attachment(s): "Fwd Salado 49 million school bond budget foia.msg","ATT00001.htm"

Begin forwarded message:

From: PIR <PIR@tea.texas.gov>
Date: February 25, 2022 at 3:04:51 PM CST
To: mcmanus@usa.net
Subject: PIR # 52213-Email-No Documents Found

Public Information Request
No Documents Found
February 25, 2022

Renee McManus

TEA PIR #52213

Dear Renee McManus:

On February 18, 2022, the Texas Education Agency (TEA) received your request for public information. A copy of your request is enclosed.

TEA has conducted a good faith search for any and all information related to your request and has not been able to locate information that may be responsive to your request. Therefore, this request is considered closed.

Referral to another governmental body: You may wish to make this request directly to the school district(s). They may have information related to your request.

If you have any questions or wish to discuss this matter further, please contact me at (512) 463-3464 or by email at PIR@tea.texas.gov.

Sincerely,

Nikkol Camarillo
Public Information Coordinator

Enclosure: Original Request

From: Renée McManus <mcmanus@usa.net>
Sent: Friday, February 18, 2022 11:33 AM EST
To: PIR <PIR@tea.texas.gov>; General Inquiry <GeneralInquiry@tea.texas.gov>; tax.mail@usdoj.gov <tax.mail@usdoj.gov>
Subject: Fwd: Salado 49 million school bond budget foia

Begin forwarded message:

> **From:** Renée McManus <mcmanus@usa.net>
> **Date:** February 18, 2022 at 7:19:23 AM CST
> **To:** cassie.huggins@tea.texas.gov, communications.contacts@cpa.texas.gov
> **Subject: Salado 49 million school bond budget foia**
>
> Hope you are well. May I have a copy of the Salado school bond budget history, compliance records including local and appraisal district tax collection disclosed for the bond amount ? The village and Bellcad will be audited and TEA will as well. thank you Renée McManus

From: Renée McManus <mcmanus@usa.net>
Sent: Sunday, February 27, 2022 12:23 PM EST
To: press@uschamber.com <press@uschamber.com>
Subject: Fwd: Salado Texas foia Insurance commission / fire / zip 76571 no city services and American disability commercial bldgs floor plans parking

Begin forwarded message:

> **From:** Renée McManus <mcmanus@usa.net>
> **Date:** February 27, 2022 at 6:26:15 AM CST
> **To:** nan.tolson@gov.texas.gov, Renae.Eze@gov.texas.gov, Jared.Cruz@gov.texas.gov, OpenRecordsAssistance@oag.texas.gov, sarah.hicks@gov.texas.gov, khart@sos.texas.gov, rsumners@sos.texas.gov, steven.mccraw@dps.texas.gov, OCRMail@hhs.gov, HHSCivilRightsOffice@hhsc.state.tx.us, kieran.hillis@gov.texas.gov, publicrecords@gov.texas.gov, Thomas.ray@oag.texas.gov, Christopher.Hilton@oag.texas.gov, Todd.dickerson@oag.texas.gov, publicrecords@texasattorneygeneral.gov, reception@ethics.state.tx.us, JScott@sos.texas.gov, openrecords@ethics.state.tx.us, publicrecords@oag.texas.gov, Justin.gordon@oag.texas.gov, brian.kelly@tdlr.texas.gov, chase.winburn@glo.texas.gov, David.anderson2@dads.state.tx.us, bob.lott@tlc.texas.gov, jared.rodriguez@lbb.texas.gov, leonard.higgins@cpa.texas.gov, mathew.richardson@tlc.state.tx.us, Matthew.richardson@tlc.texas.gov, OpenRecordsAssistance@oag.texas.gov, Aaron.Reitz@oag.texas.gov, Michelle.Ghetti@oag.texas.gov, foodestablishments@dshs.texas.gov, ac@tceq.texas.gov, r6@epa.gov, budgetandpolicyreports@gov.texas.gov, public.information@texasattorneygeneral.gov, cecile.young@hhsc.state.tx.us, john.hellerstedt@dshs.texas.gov
> **Cc:** secretary@sos.texas.gov, voting.section@usdoj.gov, tax.mail@usdoj.gov, press@uschsmber.com
> **Subject: Salado Texas foia Insurance commission / fire / zip 76571 no city services and American disability commercial bldgs floor plans parking**

Cover ups anticipating getting txdot millions . The $one dollar land sale to the stagecoach had owner saying he had no money for hotel room fire sprinklers. The audit should reveal compliance history and that out sourced licensed company

Begin forwarded message:

> **From:** Chuck Allen <Chuck.Allen@tdi.texas.gov>
> **Date:** October 21, 2020 at 8:09:02 AM CDT
> **To:** Renée McManus <mcmanus@usa.net>, FireMarshal <Fire.Marshal@tdi.texas.gov>, FMLicensing <FMLicensing@tdi.texas.gov>
> **Cc:** Ernest McCloud <Ernest.McCloud@tdi.texas.gov>
> **Subject: RE: Salado Texas foia Insurance commission / fire / zip 76571 no city services and American disability commercial bldgs floor plans parking**
>
> Good Morning,
>
> Thank you for contacting the State Fire Marshal's Office. Unfortunately, the Village of Salado is their own authority having jurisdiction. The State Fire Marshal's Office does not conduct fire inspections or fire investigations in their jurisdiction, unless called upon to do so. I have researched their website and adopted building and fire codes. They also have a permitting process, which is conducted by a third party, hired by the Village of Salado. The 2009 editions of multiple codes was established by Ordinance 2015.02 on February 5, 2015.
>
> I recommend you reaching out to the Chrissy Lee at the Village of Salado as she is the one who handles building codes and complaints.
>
> Let me know if you have any further questions.
>
> Regards,
>
> Chuck Allen

Captain
Inspections – State Fire Marshal's Office
Office-512-676-6795
Mobile-512-417-7060
Stay connected with the State Fire Marshal's Office
Twitter | Facebook | LinkedIn | YouTube | Subscribe

-----Original Message-----
From: Renée McManus <mcmanus@usa.net>
Sent: Tuesday, October 20, 2020 12:40 PM
To: FireMarshal <Fire.Marshal@tdi.texas.gov>; FireInspection <FireInspection@tdi.texas.gov>; FMLicensing <FMLicensing@tdi.texas.gov>; MediaRelations <mediarelations@tdi.texas.gov>; InternalAudit <InternalAudit@tdi.texas.gov>; Michael Nored <Michael.Nored@tdi.texas.gov>
Cc: irs.commissioner@irs.gov
Subject: Salado Texas foia Insurance commission / fire / zip 76571 no city services and American disability commercial bldgs floor plans parking

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I hope all is okay. Salado Texas has no licensed city services for commercial property building code, fire code, ada compliance nor bell county health responding to the village unless bell county health has a foster child residential issue. Along with being unable to document a history of statute and code and law compliance regarding business declarations and what a village with no city services can show nor disclose an audit proving money collected from compliance, may I please ask if the Fire Marshall and any fire insurance staff have reviewed the village of Salado and as of today issue a code compliance pass? Thank you Renée McManus

From: Renée McManus <mcmanus@usa.net>
Sent: Sunday, February 27, 2022 12:23 PM EST
To: press@uschamber.com <press@uschamber.com>
Subject: Fwd: Salado Texas foia Insurance commission / fire / zip 76571 no city services and American disability commercial bldgs floor plans parking

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> **Cc:** secretary@sos.texas.gov, voting.section@usdoj.gov, tax.mail@usdoj.gov, press@uschsmber.com
> **Subject: Salado Texas foia Insurance commission / fire / zip 76571 no city services and American disability commercial bldgs floor plans parking**

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> Regards,
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> Chuck Allen

Captain
Inspections – State Fire Marshal's Office
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-----Original Message-----
From: Renée McManus <mcmanus@usa.net>
Sent: Tuesday, October 20, 2020 12:40 PM
To: FireMarshal <Fire.Marshal@tdi.texas.gov>; FireInspection <FireInspection@tdi.texas.gov>; FMLicensing <FMLicensing@tdi.texas.gov>; MediaRelations <mediarelations@tdi.texas.gov>; InternalAudit <InternalAudit@tdi.texas.gov>; Michael Nored <Michael.Nored@tdi.texas.gov>
Cc: irs.commissioner@irs.gov
Subject: Salado Texas foia Insurance commission / fire / zip 76571 no city services and American disability commercial bldgs floor plans parking

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I hope all is okay. Salado Texas has no licensed city services for commercial property building code, fire code, ada compliance nor bell county health responding to the village unless bell county health has a foster child residential issue. Along with being unable to document a history of statute and code and law compliance regarding business declarations and what a village with no city services can show nor disclose an audit proving money collected from compliance, may I please ask if the Fire Marshall and any fire insurance staff have reviewed the village of Salado and as of today issue a code compliance pass? Thank you Renée McManus

From: Renée McManus <mcmanus@usa.net>
Sent: Sunday, March 06, 2022 9:11 AM EST
To: reception@ethics.state.tx.us <reception@ethics.state.tx.us>; Jared.Cruz@gov.texas.gov <Jared.Cruz@gov.texas.gov>; nan.tolson@gov.texas.gov <nan.tolson@gov.texas.gov>; jacob.petry@oag.texas.gov <jacob.petry@oag.texas.gov>; Kristi Hart <KHart@sos.texas.gov>; Sallie.Bentley@gov.texas.gov <Sallie.Bentley@gov.texas.gov>; dade.phelan@house.texas.gov <dade.phelan@house.texas.gov>; Michelle.Ghetti@oag.texas.gov <Michelle.Ghetti@oag.texas.gov>; press@uschamber.com <press@uschamber.com>; Secretary <Secretary@sos.texas.gov>
CC: Tax.mail@usdoj.gov <Tax.mail@usdoj.gov>; voting.section@usdoj.gov <voting.section@usdoj.gov>
Subject: Fwd: Salado Tx non profit list / zero tax compliance proof and supporting tax history - bellcad has ex chamber of commerce zero tax yet list from stare has non exempt - grants bonds with falsified tax collecting

Ballot approved amounts were granted how again with tax evasion here ? Audits 911

Begin forwarded message:

> **From:** Renée McManus <mcmanus@usa.net>
> **Date:** March 6, 2022 at 7:20:26 AM CST
> **To:** communications@oag.texas.gov
> **Subject: Fwd: Salado Tx non profit list / zero tax compliance proof and supporting tax history - bellcad has ex chamber of commerce zero tax yet list from stare has non exempt - grants bonds with falsified tax collecting**
>
> Begin forwarded message:
>
> > **From:** Renée McManus <mcmanus@usa.net>
> > **Date:** March 5, 2022 at 4:13:16 AM CST
> > **To:** wo@irs.gov
> > **Subject: Salado Tx non profit list / zero tax compliance proof and supporting tax history - bellcad has ex chamber of commerce zero tax yet list from stare has non exempt**
> >
> > Begin forwarded message:
> >
> > > **From:** Renée McManus <mcmanus@usa.net>
> > > **Date:** March 4, 2022 at 12:14:57 PM CST
> > > **To:** Chase Howell <CHowell@sos.texas.gov>, Corpcert@sos.texas.gov, corpinfo@sos.texas.gov, irs.commissioner@irs.gov, Tax.mail@usdoj.gov, openrecordsassistance@oag.texas.gov, exempt.orgs@cpa.texas.gov
> > > **Cc:** press@uschamber.com
> > > **Subject: Salado Tx non profit list / zero tax compliance proof and supporting tax history - bellcad has ex chamber of commerce zero tax yet list from stare has non exempt**
> > >
> > > I hope all is well. May i please request the shown compliance history tax filing list of the Texas comptroller Salado texas non profit list ? Thank you Renée McManus

From: Renée McManus <mcmanus@usa.net>
Sent: Sunday, March 06, 2022 9:11 AM EST
To: reception@ethics.state.tx.us <reception@ethics.state.tx.us>; Jared.Cruz@gov.texas.gov <Jared.Cruz@gov.texas.gov>; nan.tolson@gov.texas.gov <nan.tolson@gov.texas.gov>; jacob.petry@oag.texas.gov <jacob.petry@oag.texas.gov>; Kristi Hart <KHart@sos.texas.gov>; Sallie.Bentley@gov.texas.gov <Sallie.Bentley@gov.texas.gov>; dade.phelan@house.texas.gov <dade.phelan@house.texas.gov>; Michelle.Ghetti@oag.texas.gov <Michelle.Ghetti@oag.texas.gov>; press@uschamber.com <press@uschamber.com>; Secretary <Secretary@sos.texas.gov>
CC: Tax.mail@usdoj.gov <Tax.mail@usdoj.gov>; voting.section@usdoj.gov <voting.section@usdoj.gov>
Subject: Fwd: Salado Tx non profit list / zero tax compliance proof and supporting tax history - bellcad has ex chamber of commerce zero tax yet list from stare has non exempt - grants bonds with falsified tax collecting

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> > > I hope all is well. May i please request the shown compliance history tax filing list of the Texas comptroller Salado texas non profit list ? Thank you Renée McManus

From: Classified Intelligence <[redacted]
Sent: Tuesday, April 12, 2022 1:26 AM
To: business@mt.gov; michael.pearlman@wyo.gov; Governorpolis@state.co.us; Secretary
Subject: 69 States of America
Attachments: Live Online Chat with a Navy Recruiter Navy.com.pdf

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I, Simon J. Ouellet, assume control of the female-led district State of Alberta and the Southern district's Nuclear Arsenal & Launch codes. The Northern district needs a new election.

I retain my title as the Head of the Oilsands Mafia, my mob to deal with High crimes. I take ownership of Hydro-Quebec & BC Hydro. An IPO of 25% each on the NYSE is preauthorized.

The former US Wartime Constitution will be used permanently for the 69 States of America in order to decentralize my power.

I also announce the legalization of all drugs as well as a 200mph limit on freeways to increase productivity.

Peace.

Thank you for choosing Navy Chat. All information transmitted through this chat is covered under The Privacy Act of 1974 which means that anything discussed between you and a Navy recruiter will only be used between you, the recruiter, and the U.S. Navy. Do you understand?

Simon J. Ouellet at 22:42, Apr 11:

I, Simon J. Ouellet, assume control of the female-led district State of Alberta and the Southern district's Nuclear Arsenal & Launch codes. The Northern district needs a new election.

I retain my title as the Head of the Oilsands Mafia, my mob to deal with High crimes. I take ownership of Hydro-Quebec & BC Hydro. An IPO of 25% each on the NYSE is preauthorized.

The former US Wartime Constitution will be used permanently for the 69 States of America in order to decentralize my power.

Peace.

BACK TO PREVIOUS PAGE

Info at 22:42, Apr 11:

Thank you for chatting with us

Navy Chat is a one-on-one, highly personalized

From: Zac Rhines
Sent: Thursday, March 10, 2022 2:25 PM
To: Scott Marvel
Subject: Accepted: Texas SoS Election Analytics

From: Zac Rhines
Sent: Thursday, April 7, 2022 12:37 PM
To: Scott Marvel
Subject: Accepted: Texas SoS Election Integrity Discussion

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
[redacted] www.cfr.org

Council on Foreign Relations — 58 East 68th Street — New York, NY 10065
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To unsubscribe, please click here.

From: Alexus from Love of Aesthetics <[redacted]>
Sent: Sunday, June 19, 2022 11:46 PM
To: Joe Esparza; Secretary
Subject: Complaints that I have sent Ken Paxton
Attachments: Library Document Station.pdf; Insurance and EEOC Texas- Alexus J Smith.docx

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

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Hello,
For years now I have been awaiting a response. PVAMU. Most of their staff ponds it OK, to lie to customers. Is that we did not pay thousands of dollars for an education. Please follow up with Ken Paxton in regards to information. I also mailed the FBI and The Department of Justice.

Please see the letters I received in return from him that still have not been acted on. PVAMU decided it be best to delete CUSTOMERS WORK as though we did not pay tuition and fees. Google mail is free...

I know for a fact that his job is to deal with the following things below it's on his webpage. I'm tired of sending the same thing over and over again and I'm not reading it they're only an understanding that most of the things that they did when I professional or follow the student code of conduct which, they created.

KEN PAXTON

ATTORNEY GENERAL OF TEXAS

May 19, 2022

Ms. Charlene Ervin
Prairie View A&M University
P.O. Box 519; MS 1005
Prairie View, Texas 77446

Dear Ms. Ervin:

The Office of the Attorney General (the "OAG") has received a complaint from Alexus Smith alleging the Prairie View A&M University (the "university") has failed to respond appropriately to a request for information. The complaint was assigned ID# 957906.

The Public Information Act (the "Act"), chapter 552 of the Texas Government Code, generally requires a governmental body to release requested public information that it collects, assembles, maintains, or has right of access to, or to request a ruling from the OAG as to the applicability of exceptions to the Act. Our records do not indicate a request for an OAG ruling has been made in accordance with section 552.301 of the Act.

Although the OAG has civil enforcement authority under the Act, our office prefers to work with governmental bodies and requestors to resolve complaints informally. The easiest way to resolve this open records complaint is to release the requested information, provided the information is not confidential by law.

Please provide a written response to this letter within 10 business days. *See* 1 T.A.C. § 70.11(d)(3) (governmental body has a responsibility under the Act to promptly respond). A certification form is enclosed with this letter in order to expedite your response. You may use the form to certify: (i) the requested information has been or will be released to the requestor; (ii) the university has no information responsive to the request; or (iii) the university has requested or will request an attorney general's decision regarding the requested information. If the form is not applicable, you may provide a written response to this notification letter explaining how the university has complied with the Act. The written response may be sent to the address below or faxed to the Education and Enforcement Section at (512) 481-1992.

If you have any questions regarding this letter, please contact the Education and Enforcement Section of the Open Records Division at (877) 673-6839 or (512) 936-6736 to discuss the resolution of this complaint. You will also find resources to assist you in complying with the Act at https://www.texasattorneygeneral.gov/open-government.

Thank you for your prompt attention to this matter.

Sincerely,

Education and Enforcement Section
Open Records Division

Enclosure

c: Ms. Alexus Smith
1604 35th Street
Galveston, Texas 77550
(w/o enclosure)

--

Alexus Smith
Founder of Love of Aesthetics
Email: [redacted]

Name: Alexus J. Smith
Date of Birth: [redacted] Student SSN [redacted]

Prairie View A&M University
Prairie View, Texas 77446

OFFICIAL TRANSCRIPT OF ACADEMIC RECORD

Course Level: Undergraduate

Primary Program
Bachelor of Science
Program : BS in Architecture
Major : Architecture
Maj/Concentration : Professional Track
Major : Construction Science

Degree Awarded Bachelor of Science 13-AUG-2016
Primary Degree
Program : BS in Architecture
Major : Architecture
Maj/Concentration : Professional Track
Major : Construction Science

SUBJ	NO.	COURSE TITLE	CRED	GRD	PTS	R

TRANSFER CREDIT ACCEPTED BY THE INSTITUTION:

F11-Sp13 Galveston College
Ehrs: 9.00 GPA-Hrs: 0.00 QPts: 0.00 GPA: 0.00

F11 Advanced Placement Credit
Ehrs: 3.00 GPA-Hrs: 0.00 QPts: 0.00 GPA: 0.00

INSTITUTION CREDIT:

Summer 2012
Architecture

ARCH 1233	Visual Communications	3.00	B	9.00
ARCH 1253	Architecture Design I	3.00	B	9.00
ARCH 1266	Arch Design II	6.00	C	12.00

Ehrs: 12.00 GPA-Hrs: 12.00 QPts: 30.00 GPA: 2.50
Good Standing

Fall 2012
Architecture

ARCH 1273	Multimedia Computer	3.00	A	12.00
ARCH 2233	Arch History I	3.00	C	6.00
ARCH 2256	Arch Design III	6.00	B	18.00

Ehrs: 12.00 GPA-Hrs: 12.00 QPts: 36.00 GPA: 3.00
Good Standing

********** CONTINUED ON NEXT COLUMN **********

SUBJ	NO.	COURSE TITLE	CRED	GRD	PTS	R

Institution Information continued:

Spring 2013
Architecture

ARCH 2223	Computer Aided Dsgn	3.00	A	12.00
ARCH 2243	Arch History II	3.00	C	6.00
ARCH 2266	Arch Design IV	6.00	B	18.00
ARTS 2283	Afro-American Art	3.00	C	0.00 E
PSYC 1113	General Psychology	3.00	B	9.00

Ehrs: 15.00 GPA-Hrs: 15.00 QPts: 45.00 GPA: 3.00
Good Standing

THAT'S THE TRUE GRADE FOR AUTO CAD

Summer 2013
Architecture

ARCH 4443	Cad Const Docs	3.00	B	9.00
ARTS 1203	Intro Visual Arts	3.00	A	12.00
COMM 1003	Fund of SPCH COMM	3.00	B	9.00
PHSC 1123	Physical Science I	3.00	B	9.00

Ehrs: 12.00 GPA-Hrs: 12.00 QPts: 39.00 GPA: 3.25

Fall 2013
Architecture

ARCH 3013	Construction Estimating	3.00	B	9.00
ARCH 3256	Architecture Design V	6.00	B	18.00
ARCH 3283	Materials and Methods II	3.00	A	12.00
CONS 4633	Construction Law and Ethics	3.00	C	6.00

Ehrs: 15.00 GPA-Hrs: 15.00 QPts: 45.00 GPA: 3.00
Good Standing

Spring 2014
Architecture

ARCH 2273	Materials and Methods I	3.00	A	12.00
ARCH 3266	Architecture Design VI	6.00	C	12.00
ARCH 4673	Intro Interior Design	3.00	B	9.00

Ehrs: 12.00 GPA-Hrs: 12.00 QPts: 33.00 GPA: 2.75
Good Standing

Summer 2014
Architecture

********** CONTINUED ON PAGE 2 **********

THIS A GRADE BASED ON PERSONAL FEELINGS THEY MADE SURE TO REQUIRE EVERY PROGRAM EXCEPT THE ONE RECOMMENDED BY THE SCHOOL OF ARCHITECTURE IT SPECIALIST PROFESSOR SONG. HE NEVER RETURNED MY WORK THAT I HAVE ON MY LINKEDIN: MS ALEXUS J. SMITH.

PRAIRIE VIEW A&M UNIVERSITY TEACHING RESEARCH SERVICE 1876

Jim L. Montgomery

REGISTRAR

Alexus Smith
Parchment DocumentID: TWAXWVQS

Date Issued: 01-APR-2022

Name: Alexus J. Smith
Date of Birth: [redacted] Student SSN [redacted]

OFFICIAL TRANSCRIPT OF ACADEMIC RECORD

Prairie View A&M University
Prairie View, Texas 77446

SUBJ	NO.	COURSE TITLE	CRED	GRD	PTS	R
Institution Information continued:						
ARCH	4986	Special Projects	6.00	A	24.00	
	Ehrs: 6.00	GPA-Hrs: 6.00 QPts: 24.00	GPA: 4.00			
Fall 2014						
Architecture						
ARCH	3293	Structural Systems I	3.00	B	9.00	
ARCH	3463	Sustainable Building	3.00	B	9.00	
ARCH	4456	Architecture Design VII	6.00	C	12.00	
ARTS	3143	Sculpture I	3.00	B	9.00	
CONS	3533	Managing Construction Operations	3.00	A	12.00	
	Ehrs: 18.00	GPA-Hrs: 18.00 QPts: 51.00	GPA: 2.83			
Good Standing						
Spring 2015						
Architecture						
ARCH	4433	Structural Syst II	3.00	C	6.00	
ARCH	5743	Building Information Modeling	3.00	B	9.00	
ARTS	4103	Creative Photography I	3.00	B	9.00	
CONS	4423	Commercial Const	3.00	W	0.00	
CONS	4603	Construction Labor and Safety	3.00	A	12.00	
	Ehrs: 12.00	GPA-Hrs: 12.00 QPts: 36.00	GPA: 3.00			
Good Standing						
Summer 2015						
Architecture						
MATH	1123	Trigonometry	3.00	B	9.00	
POSC	1113	American Government I	3.00	B	9.00	
	Ehrs: 6.00	GPA-Hrs: 6.00 QPts: 18.00	GPA: 3.00			
Good Standing						
Fall 2015						
Architecture						
ARCH	3453	Environmental Sys	3.00	B	9.00	
ARCH	4633	Net Zero Energy Design I	3.00	B	9.00	
BIOL	1113	College Biology I	3.00	W	0.00	
CONS	4453	Facilities Management	3.00	C	6.00	
ENGL	1143	Technical Writing	3.00	W	0.00	

********** CONTINUED ON NEXT COLUMN **********

SUBJ	NO.	COURSE TITLE	CRED	GRD	PTS	R
Institution Information continued:						
POSC	1123	Texas Government	3.00	C	6.00	
	Ehrs: 12.00	GPA-Hrs: 12.00 QPts: 30.00	GPA: 2.50			
Good Standing						
Spring 2016						
Architecture						
BIOL	1113	College Biology I	3.00	C	6.00	
CONS	3633	Surveying & Soils	3.00	C	6.00	
CONS	4423	Commercial Const	3.00	B	9.00	
CONS	4443	Highway/Heavy Const	3.00	C	6.00	
ENGL	1133	Freshman Comp II	3.00	F	0.00	E
	Ehrs: 12.00	GPA-Hrs: 12.00 QPts: 27.00	GPA: 2.25			
Good Standing						
Summer 2016						
Architecture						
ARTS	2283	African American Art	3.00	A	12.00	I
BIOL	1113	College Biology I	3.00	F	0.00	
ENGL	1133	Freshman Comp II	3.00	C	6.00	I
	Ehrs: 6.00	GPA-Hrs: 9.00 QPts: 18.00	GPA: 2.00			

********** TRANSCRIPT TOTALS **********

	Earned Hrs	GPA Hrs	Points	GPA
TOTAL INSTITUTION	150.00	153.00	432.00	2.82
TOTAL TRANSFER	12.00	0.00	0.00	0.00
OVERALL	162.00	153.00	432.00	2.82

TSI Information:

TSI AREA	TSI STATUS	EXPLANATION
All	Exempt	Exemption - TAKS 2289 01-APR-2011 CTAKS Math 2349 01-APR-2011 CTAKS English Language Arts 2349 01-APR-2011 CTAKS English Language Arts

********** CONTINUED ON PAGE 3 **********

IF WE ARE GOING TO BE 100 REAL MY SCULPTURES WERE MADE FOR PEOPLE THAT WERE NOT JUST BLACK. ANOTHER OPINION BASED GRADE.

SHE MADE SURE TO EXPRESS HER PERSONAL FEELINGS AS THOUGH THE STAFF MEMBERS INCLUDING DEAN HAD A DIFFERENCE OF OPINION HENCE WHY I HAVE AN A IN DEAN'S CLASS (SCHOOL OF ARCHITECTURE)

THIS IS HIGHER ONCE THE RESOLVE MY GRADES

I DID THIS AS A JOB RIGT AFTER SCHOOL AS IN BEFORE GRADUATING DOING THE WORK.

MY FIRST GRADE WAS NOT A "W" THE SECOND BIOLOGY IS "W" THE FIRST WAS A "C"

REGISTRAR

Date Issued: 01-APR-2022

Name: Alexus J. Smith
Date of Birth: [redacted] Student SSN: [redacted]

Prairie View A&M University
Prairie View, Texas 77446

OFFICIAL TRANSCRIPT OF ACADEMIC RECORD

Core cont:
Core Curriculum:

010	ENGL 1123	TA	Fall 2011	AP
011	COMM 1003	B	Summer 2013	
020	MATH 1113	TC	Fall 2011	004972
030	PHSC 1123	B	Summer 2013	
050	ARCH 1253	B	Summer 2012	
050	ARCH 2233	C	Fall 2012	
060	HIST 1313	TA	Fall 2011	004972
060	HIST 1323	TA	Fall 2011	004972
070	POSC 1113	B	Summer 2015	
070	POSC 1123	C	Fall 2015	
080	PSYC 1113	B	Spring 2013	
090	ARCH 1273	A	Fall 2012	

CORE CURRICULUM COMPLETED
TEC 51.907 Undergraduate Course Drop Counter - 3
********** END OF TRANSCRIPT **********

PRAIRIE VIEW A&M UNIVERSITY TEACHING RESEARCH SERVICE 1876

Jim L. Montgomery

REGISTRAR

Date Issued: 01-APR-2022

Letter to Ken Paxton

For some time now, I have requested that I get a detail summary of each grade I received from PVAMU. The University has ignored this request with several others, as though this does not affect the forgiveness of my loan. I did not receive back all of my work of I sent the following email to follow up on my request.

Here is the typed out list that I sent via, email typed out (though this text to speech), ***along with a PAID JOB to COMPLETE***, (this should have been done years ago):

1. Everything to be reported to the credit bureaus (that is from the student finances)
- Utility Payments
- Housing Payments
- MY DEPOSIT HAS YET TO BE RETURNED (FROM HOUSING FOR ALL 4 YEARS)

2. Financial Documentation of what happened to all my funding (that should have covered my tuition that was earned through community service, GPA, and the extra curriculum activities that I preformed).

If proof of being Native American is need that is what I am currently working on (if, that is the justification needed) please asked them to forward everything over.

3. Justification for grades and the understanding why certain classes where not graded or were on my transcript twice. (Undergraduate also) It is as though they sent me anything for a transcript.

4. Reports from the time period where my entire class complained about people stealing from the Architecture Building where we had part of tools and material housed (The Chief of Police has those emails in regard to this)

5. I also asked about any security photo age of me for creative use, outside of the different things that I need for report sake. I put all of this in email to HPD to get that done.

6. All of our file should be backed by IT on its server (I have had to put Adobe (all programs), Dropbox, AutoCAD, and Microsoft (all programs) on those emails with also. Most things are stored in a cloud now.

7. Also I requested all of my medical records there multiple times that I became ill from that campus prior to Mold and Asbestos removal. Of which I'm highly aware now that could have been the reason why.

8. The School of Architecture is highly aware of everything that has taken place so, that I can retrieved my files (I found a service that can help you all with the retrieving of these items if that is a huge issue). You could simply write the Corporations that the computers in the lab are created by (ie, Microsoft, Dell, and Apple).

9. For the communication department I would like to review all of the recordings from the show that we created at the radio station (I had nothing to do with stolen money. I also did answer the questions that they had during the investigation that they required). Of which my professor (Professor Ross Wiernert) was not even professional enough to follow up with a simple email in regards to what took place. Please note: this was through the Presidential Office at PVAMU so, I was highly confused on why they did not communicate with each other. (I have included multiple emails in regard to this.

11. I would like a copy of the files that submitted during, my internships on campus for my portfolio

12. The documentation of the hours worked on those campuses Ameresco and SSC need to be aware of the most recent ones. Timeline provided below to show earlier completion of degrees.

Linkedin: http://linkedin.com/in/ms-alexus-j-smith-associate-aia-7b288486

Everything needs to be done by the end of February for Experian. I already emailed housing and finance aid. I have email documentation of everything for the most part. President Ruth Simmons has the emails that explains everything in more visual sense. If you have any additional questions, those prior emails may be helpful.

er to Ken Paxton

This is their Response of which NOTHING was/has been done as usual. This all is closely connected to my EEOC Claim; thanks to amount of years, it has taken this to get resolved.

http://linkedin.com/in/ms-alexus-j-smith-associate-aia-7b288486

Everything needs to be done by the end of February for Experian. I already emailed housing and finance aid. I have email documentation of everything for the most part. President Ruth Simmons has the emails that explains everything in more visual sense. If you have any additional questions, those prior emails may be helpful.

On Tue, Feb 23, 2021 at 12:17 PM Ervin, Charlene <chervin@pvamu.edu> wrote:

Hi Alexus,

You may send your inquiry directly to me. A summary of the situation would be fine.

Thanks,
Charlene

From: Alexus from Love of Aesthetics <[redacted]>
Sent: Tuesday, February 23, 2021 11:40 AM
To: Ervin, Charlene <chervin@PVAMU.EDU>
Cc: Carter, Carmen <crcarter@PVAMU.EDU>; ITS Login <ITSLOGINHELP@PVAMU.EDU>; Jemison, Keith <ktjemison@PVAMU.EDU>; Sabouni, Ikhlas <isabouni@pvamu.edu>; Simmons, Ruth <rjsimmons@PVAMU.EDU>; Willis, Sarina <srwillis@pvamu.edu>
Subject: Re: Ongoing for Years now for P-20412051 Response Needed Urgently

Would this need to be sent directly to you or include the others so, they forward everything that I sent thus far from the following emails: alexussmith2012@gmail.com or asmith90@pvamu.edu, asmith90@student.pvamu.edu. I do not like to talk on the phone or in person at all. I would like all my work back as soon as possible.

On Tue, Feb 23, 2021 at 11:19 AM Ervin, Charlene <chervin@pvamu.edu> wrote:

Good morning Alexus,

I acknowledge receipt of your email. I have reviewed the email history below and I am still not clear of your concern. Will you please email me (chervin@pvamu.edu) your concern(s) so I can research the status of your inquiry?

Everything that I need is for insurance of which, I have requested this information for years now please see examples of what else this effected.

You all also have not done anything regards to my follow-up on being hit by a truck. Of which until this day, I strongly believe was on purpose and it was closely after I was burglarized. I have my crash report and one theft report the rest of my request where ignored and dealt with unprofessionally as usual.

Sincerely,
Ms. Alexus J Smith

Hello,
I have multiple degrees that for more than 6 years now (as shown on my LinkedIn: **https://www.linkedin.com/in/ms-alexus-j-smith-associate-aia-capm-7b288486**). I have waited years at this point of providing all of the information that they required. As listed below:

- Jetty Insurance (Policy Number: [redacted])
- Root Insurance (Policy Number: [redacted])
- Geico Insurance (Policy Number: [redacted])
- Life lock Insurance (Policy Number: [redacted])
- ID Shield Insurance (Policy Number: [redacted])
- Assurant Insurance (Policy Number: [redacted])
- Reliant Insurance (Account Number: [redacted])
- Experian (Membership Number: [redacted])
- Capital One (Account Number: [redacted]) (of which they inaccurately did the accounting for my account of which, all of my personal information was taken including my passport).

Please see police response to my request for reports that is request directly from insurance.

---------- Forwarded message ---------
From: **Guinn, Roy (Constable Precinct 5)** <Roy.Guinn@cn5.hctx.net>
Date: Wed, Aug 19, 2020 at 3:02 PM
Subject: Charges for Unsolicited/Unwanted Emails.
To: [redacted]

You have continued to ignore multiple requests to cease sending emails to this address as well as several others. It is your responsibility to determine what agencies can assist you and which ones are not involved, and as I have told you on numerous occasions the Harris County Constable's Office Precinct 5 has nothing to do with this and cannot help you. Again, I have asked several times for you to cease sending emails to this address and to date you have ignored them. I am now informing you that pursuant to Texas Penal Code 42.07, continued emails from you to this address will result in charges being filed against you with the Harris County District Attorneys office.

Roy L. Guinn
Sergeant, Community / Media Relations

Harris County Constable's Office Pct. 5
17423 Katy Freeway, Houston, TX 77094
832-927-6793 (Direct Office)
Roy.Guinn@cn5.hctx.net

This is for my request for items and I have been walking next to the high school since my car has been gone for years now.

New comment - [#2078078] Fwd: Complaint About Harassment for Jersey Village Inbox ×

Snap Finance <customer@snapfinance.com>
to info, help, hpd.openrecords, memberservices, me, michael.bell, carmax_customer_relations, dana.tucker, dkeele, d_limerick, support, shop, jayson.arcos, walletlock, sheriff.gonzalez, ba

There is a new comment in the ticket submitted by Smith, Alexus to Snap Finance

Comment added by : LT. Galveston ISD PD - Julie Freeman

Comment Content:
STOP EMAILING ME THIS GARBAGE. I HAVE NO INVOVLEMENT IN THIS.

EEOC in Houston does not get that in business most things need to be documented. That's how I have yet to receive my insurance, unemployment, and payout money for unfair pay (which is covered under EEOC). I have been emailing the Houston Intake email of which, Ms. Castro tried to close my case as though I did not send nothing but, documentation. I still have yet to

get paid for all the addition hours that I worked. They only tried to pay me $50,000 as though I did not have multiple degrees and did not work overtime and hurricanes. Most the staff did not even have the OSHA Certification.

Filing with EEOC Inbox ×

ELOISA CASTRO <ELOISA.CASTRO@eeoc.gov> Mon, Apr 11, 11:21 AM

to [redacted]

Good morning,

The Houston District Office of the U.S. Equal Employment Opportunity Commission (EEOC) has received a written compliant against your current or former employer. If you wish to proceed with the EEOC inquiry process, please create an account at https://publicportal.eeoc.gov which will allow you to schedule an intake appointment and proceed with the EEOC intake process. If you have any difficulty with the online portal, including scheduling an intake appointment, please call 346-327.7682.

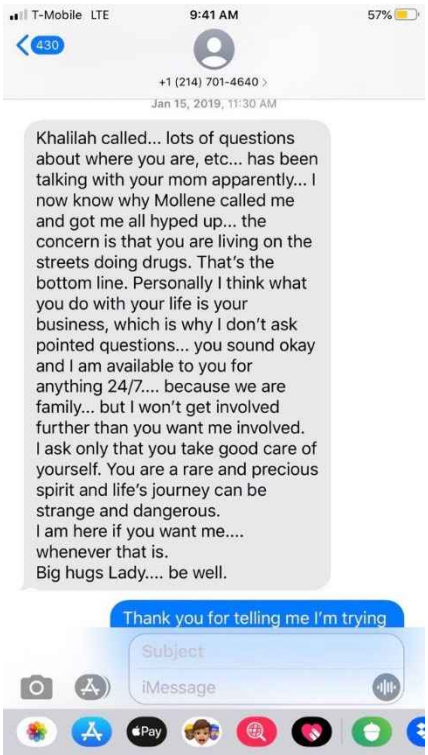
Thank you,

Eloisa Castro

Ken Paxton wants nothing to do with resolving matters of the law. I sent him everything that was going on with my cases. All of this negativity effects my credit score and my corporation that does business in multiple states. This effected my ability to hire or make payments for insurance reasons. It has been more than 6 years for some of my request. That means for years I have not been paid for things that people owe me for. In Texas they try to put a time limit on these things of which law enforcement has yet to do anything. That's why I requested that the DC Offices Review everything since, Texas does not like to abide by its own laws.

EEOC Claim

Now (I'm STILL) I am dealing with slander from a former coworker, which was a part of my EEOC Claim.



This text indicates that I am doing drugs and the police in Decatur, TX ask this question as though I had been robbed and followed. That was when was asking for simple directions and this not the first time on that campus that something that has been done. Drug possession in Texas is a serious crime. Of which, she did not have the education to do her I thought I was being kind by basically assisting her on her projects as though I did not have a large workload myself. The job title they had me doing was "Assistant Project Manager" of which I did not request one except when I had my intern for the summer.

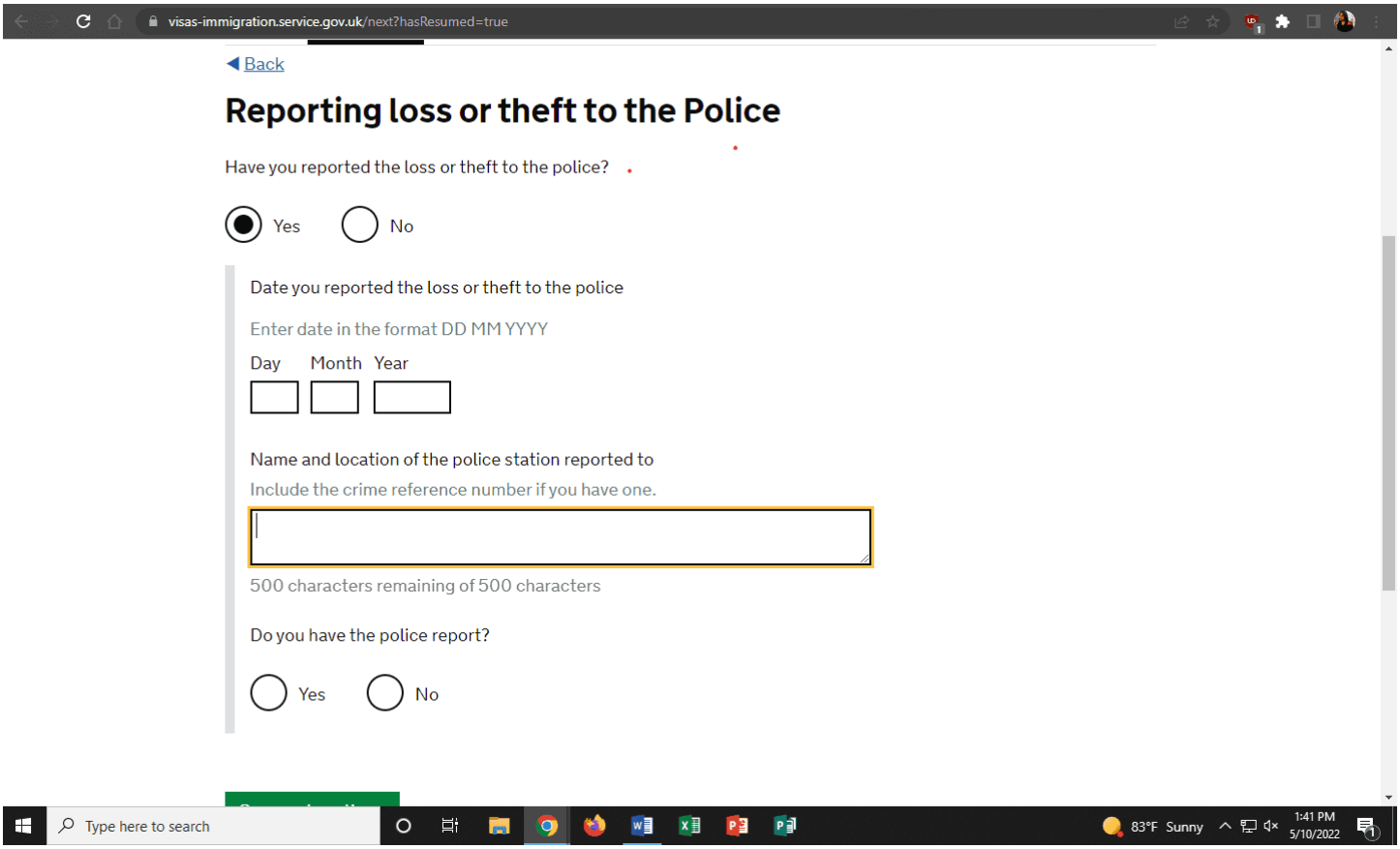
Please refer to Glassdoor for the correct salary for each that I have been requesting the amounts per job that I worked. This also is another example of how PVAMU staff were towards me which reflect in my grades (which were important for my scholarship). ***As shown on my LinkedIn for the years 2012-2016.***

The End results of these Actions:

This all has negatively affected my business in multiple ways:

1. I have not been able to receive my insurance money
2. Due to the thefts I have had stop operation of my business
3. Bradstreet and Duns have yet to supply my code for my products to go into stores (I have an EIN)
4. This all effects my personal credit which is what I have been using for business until they resolve my identity theft
5. My passport was stolen so, there is not much I can do oversea at the moment
6. This all effected my so horribly that it went down almost 150 points, they even stop recording anything positive toward my credit.
7. I own ***Love of Aesthetics (LOA),*** which all of the action that have taken place have negatively affected my ability to pay taxes.

Please see the section that I need my police reports for my UK citizenship.



Thank you and I look forward to your timely response,
Ms. Alexus J Smith

Email: [redacted]

From: Office Depot <officedepot@e.business.officedepot.com>
Sent: Wednesday, February 9, 2022 4:36 PM
To: Secretary
Subject: ESC Cooperative Contract 8211302 & Office Depot Creating Value & Efficiencies

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Tools and Solutions to improve the Modern Workspace

View in web browser

Office DEPOT

Business Account Login

Customer Service: 888.263.3423

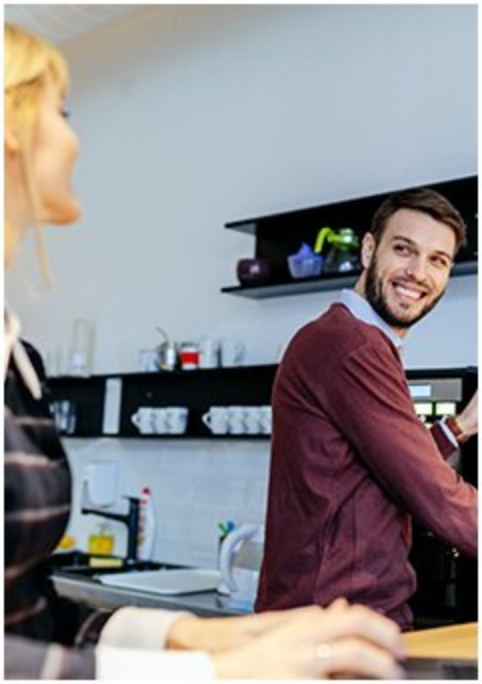
Office Depot continues its commitment to provide up-to-date solutions for office and school resources, thanks to a new Region 4 ESC Cooperative Contract. Since your school is already purchasing through the Region 4 ESC suite of contracts, the added benefits of our new cooperative contract will provide you with access to competitive pricing, personalized service, expedited procurement, transparency and so much more. The Region 4 ESC Cooperative Contract is designed to help you improve efficiencies and student performance.

Let's Get Started

The Right Tools For a Clean Workplace

Help protect your faculty and students by improving your school's cleanliness with our comprehensive product selection and proven industry experience. Office Depot has a wide range of tools to help your facility fight germs and help reduce the spread of illnesses, including:

- PPE
- Greener cleaners
- Touchless restroom products
- Top-name brand cleaning products like Diversey and Betco



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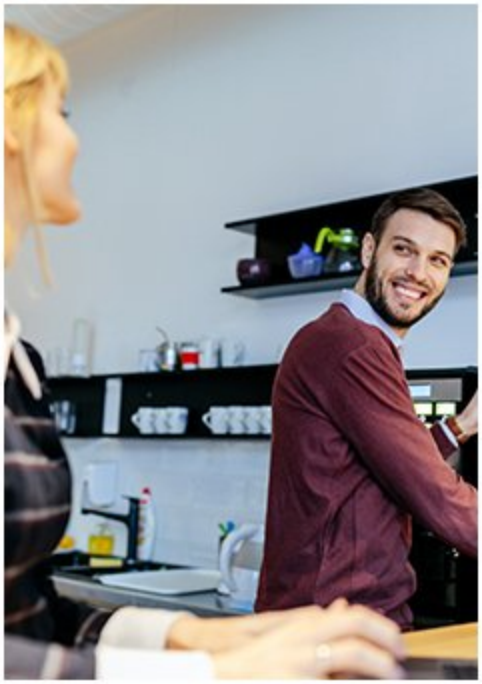

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# # #

Greg Abbott News

NRA Endorses Governor Greg Abbott For Another Term
By Andrew Moore
KCEN

National Rifle Association President Charles Cotton endorsed Governor Greg Abbott for another term Wednesday at the Palladium in Waco. He was joined by Texas State Rifle Association President Daryl Valdes who also gave Abbott an endorsement.

Cotton gave Abbott praise for multiple legislative measures passed over the last few years.

"He signed two major bills. One of them was open carry...the other, and the far more important one, was campus carry," Cotton said. "He signed constitutional carry...That is the most constitutionally significant bill ever."

Cotton closed his remarks with Abbott's endorsement.

"Please support one of the finest government we've ever had. Thank you folks," Cotton said.

Texas State Rifle Association President Daryl Valdes also thanked the Governor for his support.

"He's been solid on the 2nd amendment, and as a result of that I'm very honored to give the governor a strong endorsement," Valdes said.

A recent poll by the University of Texas at Austin shows Governor Abbott wining 60 percent of the registered voters sampled versus other candidates in the Republican primary.

Abbott made no mention of his Republican competition Wednesday and instead focused his comments on Beto O'Rourke.

"My likely opponent, Robert Francis O'Rourke, has threatened your God given 2nd amendment rights by threatening to come and take your guns," Abbott said. "He's heard a big 'no' by Texans and amazingly, in Tyler Texas last week, here he is double talking and saying he doesn't want to take away anything from anybody. All he wants to do is support the second amendment. Right..."

Abbott also criticized O'Rourke with claims that he wanted to defund police departments and worked to tie him to President Joe Biden on border policies.

"Another approach from these leftist radicals like Biden and like Beto is even more dangerous

than defunding the police. That is their open border policies that are endangering communities across Texas and across the united states of America."

Abbott's campaign promises on Wednesday focused on continuing to build a border wall and to arrest drug smugglers and people trespassing across the border.

"I had to open up and covert two prisons into two massive jails where we are jailing people coming across the boarder," Abbott said. "Biden has 'catch and release.' We have 'arrest and jail' in the state of Texas.

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For Beto O'Rourke, 2020 Still Haunts 2022
By J. David Goodman
The New York Times

Even in deep red East Texas, even on a Tuesday afternoon, even after a failed bid for the Senate followed by a failed bid for president, Beto O'Rourke still draws a crowd.

More than 100 supporters gathered last week in a park in the city of Tyler, southeast of Dallas in the Piney Woods region. Among the friendly crowd, however, there was concern and even skepticism as Mr. O'Rourke tries to become the first Democratic governor of Texas in nearly 30 years.

The Texas primary is fast approaching on March 1 — early voting began on Monday — but his real challenge is the general election in November, when he is expected to face the Republican incumbent, Gov. Greg Abbott. Some of Mr. O'Rourke's comments aimed at wooing national Democratic voters in the 2020 presidential primary — such as "Hell yes, we're going to take your AR-15" — may have already weakened if not doomed his chances in November.

"The comment about guns is going to be his biggest problem," said Holly Gage, 40, who arrived at the Tyler park early with her family. "My husband is on the fence. It's due to the gun thing."

"Texas," added her mother, Sheila Thrash, 63, "believes in its guns."

Mr. O'Rourke's presidential campaign shadows his run for governor, complicating his effort to present himself as a pragmatic, there-for-you Texan who embraces responsible gun ownership and wants to win over moderate voters. His 2020 campaign remarks have figured prominently in attacks by Mr. Abbott and are familiar to many voters in a state where Democrats also proudly own guns. Mr. O'Rourke counts himself among their number — he and his wife own firearms, his campaign said — and he appears well aware of the liability.

"I'm not interested in taking anything from anyone," Mr. O'Rourke said during a news conference in Tyler, in response to questions from The New York Times. "What I want to make sure we do is defend the Second Amendment."

Later in a telephone interview, he said he did not regret any policy positions he took while running for president and denied that he was walking back his comments about assault

weapons. He said that as governor, he would push for universal background checks and requirements for the safe storage of firearms.

“I don’t think that we should have AR-15s and AK-47s on the streets of this state — I have seen what they do to my fellow Texans in El Paso in 2019,” he said, referring to a gunman who killed 23 people at a Walmart in the deadliest anti-Latino attack in modern American history. “I haven’t changed a thing about that. I’m just telling you I’m going to focus on what I can actually do as governor and where the common ground is.”

Mr. O’Rourke’s predicament illustrates how hard it can be for a red-state Democrat to return to local politics after running for federal office in the national spotlight. What appeals to voters in a crowded Democratic primary for president may turn off those in a statewide race back home in a Republican-dominated state.

At the same time, Mr. O’Rourke has attracted legions of supporters and inspired Texas Democrats with his willingness to take on the state’s most powerful officeholders, and his charismatic insistence that Texas is not destined to remain in Republican hands.

“No one is going to ride to our rescue, so we shouldn’t expect that,” Mr. O’Rourke said in the interview, citing new restrictive laws on abortion and voting passed by the State Legislature and signed by Mr. Abbott last year. “It’s on us, and that’s OK,” he added. “Traveling the state, it renews my confidence that we can do this.”

Mr. O’Rourke after the Democratic presidential debate in Ohio in 2019. His position on gun control during the presidential campaign has resurfaced in his run for governor of Texas.

A former three-term congressman from El Paso, Mr. O’Rourke, 49, entered the race for governor late last fall, delivering a jolt to a contest that many Democrats saw as unwinnable: an off-year election favoring Republicans; an incumbent governor with a roughly $60 million campaign war chest; and that decades-long losing streak. No Democrat has won a statewide race in Texas since 1994.

“We don’t get to pick and choose what the political environment is like,” said State Representative Trey Martinez Fischer, a Democrat from San Antonio who has offered advice to Mr. O’Rourke during his campaign.

Mr. Martinez Fischer said he did not believe, as some Texas political analysts do, that Mr. O’Rourke’s run was aimed at bolstering Democratic candidates in local races rather than actually winning. “I don’t think that Beto is looking to do any sort of suicide mission,” he said.

Mr. O’Rourke remains the only Democrat in Texas with a strong statewide campaign organization, including thousands of devoted volunteers and an ability to raise money that rivals Mr. Abbott, the two-term Republican incumbent who has overseen a hard right turn in state government. During the most recent three-week filing period last month, Mr. O’Rourke raised $1.3 million, spent $600,000 and had $6 million in his campaign account. Mr. Abbott pulled in $1.4 million, spent $4.5 million and still had $62 million available in his account.

Much about the O’Rourke campaign echoes his 2018 race to try to unseat Senator Ted Cruz, which energized Democrats across Texas and brought donations pouring in from around the country. There are the same black-and-white “Beto” posters, the speeches he delivers from the

center of fawning crowds and the sense that an upset is possible.

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But much has changed. Mr. O'Rourke is no longer a fresh-faced newcomer. A poll last year found that he was better known among Texans than the actor Matthew McConaughey, who briefly flirted with a run for governor himself. Most Texans have an opinion of Mr. O'Rourke, and for many it is not favorable. So far, he has trailed Mr. Abbott in every poll, often by double digits.

Mr. O'Rourke has been running a more traditional campaign than he did in 2018, taking large contributions, conducting polls on issues and going on the attack early against Mr. Abbott, including in a new ad. He has also been more closely coordinating with the state party.

"We've already had discussions with him to get the Democratic Party and him in perfect sync," said Gilberto Hinojosa, the chairman of the Texas Democratic Party. "That's something that did not happen in 2018."

And Mr. O'Rourke does not benefit from the long runway he had in 2018, as he traveled the state and built his events from dozens of people to thousands. Now, as he drives around Texas highlighting the impacts of last year's electrical grid failure, he is trailed by the opposition — members of Mr. Abbott's campaign who have been coordinating with protesters at many of the stops.

In Tyler, Mr. Abbott's campaign spokesman, Mark Miner, arrived earlier than Mr. O'Rourke and helped to arrange a protest in favor of the oil and gas industry that included a big rig truck emblazoned with a heroic image of former President Donald J. Trump.

"It's about the Green New Deal versus the energy industry," said State Representative Jay Dean, an East Texas Republican and general manager at Thomas Oilfield Services, as he stood near the big rig that he had helped bring to the protest. "I'm not that concerned about him," he added of Mr. O'Rourke. "First of all, he's not going to win."

At events in three cities last week, it was clear that Mr. O'Rourke, still an energetic campaigner who drives himself around Texas, has become more careful in his remarks and packaged in his presentation, as he is tugged along on a tight schedule kept by his campaign handlers. And his crowds are full of people who have supported Mr. O'Rourke for years, raising the question of how much he can grow his current base.

During the more than 2,300-mile tour, which ended Tuesday on the anniversary of the day when the lights went out in most of Texas, Mr. O'Rourke delivered variations on a short speech focused on his proposals to address the wobbly Texas grid, such as connecting it with other states and prosecuting those who reaped huge profits from last year's failure. He elicits cheers with promises to legalize marijuana and protect voting rights.

"First time voters!" Mr. O'Rourke yelled before posing with a group of young women he met in Waco, after a nighttime speech in a park that drew what looked to be more than 200 people.

In Austin the next day, Mr. O'Rourke visited a nonprofit that helped feed stranded residents during last year's power grid failure, and he went along as their workers handed out meals to

homeless men and women in a park between the Colorado River and a busy roadway.

“You stay here?” Mr. O’Rourke asked during a conversation with Josue Garcia, 35.

“Yes, in the green tent,” said Mr. Garcia, adding that he lived in the park with his wife and an adult stepdaughter, who works at Whataburger.

“I’m Beto and it’s an honor to meet you.”

“I’ll vote for him for sure,” Mr. Garcia said after Mr. O’Rourke went to talk to another man.

Later, as the sun set over the State Capitol, a young and enthusiastic crowd gathered to see Mr. O’Rourke in the parking lot of the Texas AFL-CIO, across from the governor’s mansion.

Mr. Abbott was out of town at the time but his campaign spokesman, Mr. Miner, a longtime senior communications aide to top Republicans, moved through the crowd of O’Rourke supporters, handing out fliers to reporters until he was escorted away by a union representative.

On the sidewalk, protesters waved a Trump flag and an American flag and shouted — “Free crack pipes!” “Communism doesn’t work, Francis!” — in an attempt to interrupt Mr. O’Rourke’s nighttime speech, calling him by his middle name. An advertising truck showed a black-and-white video of Mr. O’Rourke morphing into President Biden, which was paid for by Mr. Abbott’s campaign.

Many of Mr. O’Rourke’s supporters recalled losing power last year. But their anger at the handling of the freeze wasn’t the only issue that drew them to the rally.

Nick Tripoli, 43, wore a mask with the words “Abort Greg Abbott” across it. He said he had heard Mr. O’Rourke speak in 2018 and had seen the enthusiasm he brought to Democrats.

“I wanted to be a part of it,” Mr. Tripoli said. “Again.”

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NRA Defends Gov. Greg Abbott As Gun-Rights Celebrities Back A GOP Rival

By Jeremy Wallace
Houston Chronicle

With primary voting well underway, Gov. Greg Abbott is leaving nothing to chance this week, highlighting endorsements from gun rights groups as one of his top GOP rivals touts his backing from gun-rights celebrities including rock musician Ted Nugent and Sutherland Springs hero Stephen Willeford.

“I have defended your Second Amendment rights,” Abbott told an audience on Tuesday night in Waco after the NRA and the Texas State Rifle Association announced they were supporting his re-election.

Abbott made a similar declaration in his hometown of Wichita Falls on Wednesday, where he

pointed to more than 20 bills he's signed into law as evidence of that commitment, including the so-called constitutional carry bill that allows most people over 21 to carry a pistol without a permit.

Abbott also rolled out a video of various gun advocates singing his praises.

"Governor Abbott is a tireless defender of the right to keep and bear arms," said Wayne LaPierre, CEO of the National Rifle Association.

Former Texas Republican Party chairman Allen West, one of seven Republicans running against Abbott in the primary, has been touting his own endorsements from the likes of Nugent and Willeford.

On Tuesday, Willeford, the NRA firearm training instructor who shot and wounded the gunman at the First Baptist Church in Sutherland Springs in 2017, threw his support behind West.

"His beliefs regarding the constitution, gun rights, border policy, and fiscal conservatism are the values that will continue to guide Texas in the right direction," Willeford said in a statement put out by the West campaign.

Nugent, almost as famous for his gun advocacy as his musical career, has been campaigning with West around the state in recent weeks and recorded a video supporting West over Abbott.

"You know what, we have a pretty good governor down here in Greg Abbott," Nugent, who lives in Waco, says in the video. "I worked hard to get him elected. But if you were a pretty good bass player you couldn't be in my band. Pretty good doesn't cut it."

Nugent has been a high-profile supporter of the NRA for two decades, even recording a song titled "I am the NRA." However, last year, Nugent resigned from the NRA's 76-member board after 25 years of service, citing scheduling issues.

West has tried to make the case that Abbott hasn't been nearly as aggressive on gun rights issues as he has made it sound. On his website, West points out that Abbott did not make passing the constitutional carry bill a priority in past legislative sessions.

West was a staunch advocate for the bill in 2021, blasting Texas Lt. Gov. Dan Patrick for holding up passage of the legislation — something Patrick denied doing. The bill had faced opposition not only from gun reform advocates and Democrats, but also from law enforcement officers who said it would make their jobs more difficult.

The intramural Republican fight over guns comes as Democrat Beto O'Rourke, who is facing his own primary against four other candidates, has changed his tone on the issue. In 2019 while running for president, O'Rourke said "hell yes," he would push to take assault-style rifles away from their owners as part of a gun buyback program he supported.

"I'm not interested in taking anything from anyone. What I want to make sure that we do is defend the 2nd Amendment," O'Rourke told supporters in Tyler last week.

Abbott's campaign has pounced on that as a "flip flop" in new digital ads.

“This is yet another example of Beto O’Rourke lying to the public about his extreme liberal views that align him more with President Biden than the people of Texas,” said Mark Miner, communications director for Abbott’s campaign.

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Administration News

Mail Ballot Rejection Rates Still High As Texas Early Voting Kicks Off
By Cayla Harris
San Antonio Express News

Thousands of mail-in ballots have been sent back to voters statewide over new identification requirements, the latest in a saga of election troubles linked to Texas’ new voting law.

Early voting is now well underway for the March 1 primary election, as local elections officials juggle that problem alongside their usual responsibilities.

At first, counties were returning mail ballot applications en masse over the ID stipulation, as voters are required to provide the same identification number they used when first registering to vote. Many Texans have written down their driver’s license number when they registered with a Social Security number and vice versa.

Those record rejection rates on the applications have since slowed, but local officials are now encountering the same problem with the mail ballots themselves.

As of Monday, Harris County had sent 38 percent of filled-in ballots back to voters over the new ID requirements. That translates to roughly 2,700 ballots of 7,200 received so far.

Dallas County has also reported higher-than-usual rejection rates, with 26 percent of nearly 1,500 filled-in ballots sent back to voters.

Other counties have reported similar problems over the past several days, with Austin-area counties sending back about 30 percent of ballots for correction.

Bexar, Tarrant and Travis counties did not provide their most recent rejection rates by publication time, and the Texas Secretary of State’s office did not respond to a request for statewide statistics.

Voters whose ballots were rejected will have an opportunity to correct their ballot by mail, or, if the deadline is coming up too soon, officials will call or email voters. They would need to then go to their local elections office in person. Another option would be to use the state’s new online ballot tracker to correct any mistakes.

Completed ballots have to be postmarked by 7 p.m. on March 1. They can also be delivered in person on election day.

200,000 votes counted in 2 days
The first day of early voting this year fell on Valentine’s Day — and also the day after the

Super Bowl.

But that didn't stop roughly 101,000 voters from turning out to the polls on Monday — nearly 64,000 in the Republican primary and 37,000 in the Democratic primary. That's roughly .58 percent of all registered voters statewide.

Still, the first-day tallies lagged slightly behind those of 2018, when the last midterm election cycle took place. On the first day of early voting in February 2018, about .52 percent of registered voters cast an in-person ballot in Texas' top 15 most populous counties.

In those same counties on Monday, the total was .51 percent.

On Tuesday, another 100,000 voters hit the ballot box, with roughly the same party split as day one. Nearly 24,000 mail ballots have been counted so far.

Ballot mix-ups in Blanco County
Last week, 88 voters in Blanco County in the Hill Country opened up their newly arrived mail ballots and immediately noticed something was off.

Though the voters had requested the ballot for one party, they'd received the opposite — Democrats opened Republican ballots, and Republicans opened Democratic ballots.

The error was attributed to a third-party printing company, which was advised of the mistake two days after the ballots were sent. The business, San Antonio-based AMG Printing, sent out corrected ballots the next day.

The new ballots came with a "notice of correction" signed by Blanco County Elections Officer Kristen Spies. The document, reviewed by Hearst Newspapers, directs voters to destroy the incorrect ballot if they have not yet mailed it back.

If the voter had already returned the wrong ballot, they should still fill out and submit the correct ballot by Election Day. The printing company provided county officials with the sequence numbers of the incorrect ballots to ensure they're not double-counted.

Aaron Gonzales, the owner of AMG Printing, said the incident was isolated to Blanco County. The company provides services for roughly 170 of Texas' 254 counties.

Local officials ask all affected voters to notify the Blanco County Elections Office at 830-868-7168.

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State News

San Antonio May Cut City Property Tax Rate Next Year Because Of The Soaring Housing Market
By Megan Stringer
San Antonio Express News

San Antonio could cut its property tax rate next year based on the city's budget expectations and a hot housing market that has taken off in the pandemic.

The city's outlook for the general fund looks good and is a projected $36.4 million ahead of budget. But officials cautioned that could still change if new COVID-19 variants continue to disrupt the economy or if inflation poses longer-term problems, said City Manager Erik Walsh.

"We're cautiously watching what all the changes mean for the local economy," Walsh said.

The first-quarter budget report to City Council on Wednesday is just an early estimate. Some parts of the city's revenue from the airport fund and the hotel occupancy tax remain below pre-pandemic levels, but officials are hopeful those areas will continue to recover.

"This is certainly encouraging news," Mayor Ron Nirenberg said.

But the pandemic economy has been volatile and still is subject to changes.

"I would expect we're going to see a moderating of these numbers over the next several months," Nirenberg said.

What would lead to a reduced property tax rate?
If there is a decrease in the city's property tax rate — currently set at 55.8 cents per $100 of property value — it would take effect in January next year.

The potential property tax reduction stems from a state law passed in 2019 that requires an election if a city's property tax revenue increases by more than 3.5 percent in a single year.

On ExpressNews.com: New property tax law could end up costing San Antonio taxpayers more

In the recent pandemic real estate market, buyers have been crunched to find homes, pushing prices up. High demand, tight inventory, low interest rates and more have led to a soaring housing market.

With home values rising, city leaders expect revenue from residential property taxes also to climb. Commercial property taxes have not risen in the same way, but officials anticipate they will increase in the economic recovery from the pandemic.

In that case, the city would be in danger of collecting more property tax revenue than allowed by state law. The projections are tied to the city's base property tax, which doesn't include newly built homes or stores.

Before the state law took effect in 2020, the city had a cap of 8 percent for property tax revenue growth each year. That allowed San Antonio to save up in good economic years, said Deputy City Manager María Villagómez. It could use the excess during downturns, like when the pandemic hit.

After the law passed, major credit agencies warned San Antonio and other Texas cities that it would strain their finances and possibly end up costing taxpayers more.

San Antonio hasn't increased its property tax rate in 29 years, Walsh said. Instead, the city has decreased that rate seven times in those few decades.

The majority of the current budget comes from property taxes. The city's take from CPS Energy is the next largest contributor to the budget, followed by the sales tax.

The city's sales tax revenue was up significantly in the first quarter, Walsh said. The record collection was up 22 percent compared to last year.

Expanded budget timeline
Typically, the city has held budget talks with City Council in late May or June. Walsh proposed starting the budget workshops in the second week of April to move up the timeline. Then, San Antonio would have about a month to gather public input.

The rest of the budget calendar would stay the same, with plans for City Council to adopt the annual budget in September.

San Antonio has up to $59 million in policy issues — one of which is a potential new civilian pay plan — to address in its next annual budget, Walsh said.

The city wanted to look at that prior to the pandemic, Villagómez said. Higher starting wages are a possibility for some city workers, as well as updated step plans, which set wages based on tenure with the city.

Another part of those policy priorities could be an expanded residential homestead exemption that District 10 Councilman Clayton Perry and District 9 Councilman John Courage asked for last year. The exemption lowers property tax bills by slightly reducing the taxable value of a homeowner's primary residence.

The city currently loses about $6.2 million from the existing homestead exemption. Perry said he thinks the city can afford it because property taxes have risen and the overall budget picture looks good.

"I urge us all to be cautiously optimistic," said District 6 Councilwoman Melissa Cabello Havrda.

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Georgetown Removes Downtown Memorial Bricks, Including Those Honoring Confederate Soldiers
By Claire Osborn
Austin American Statesman

Get rid of them.

That's what the Georgetown City Council told staff to do with the memorial bricks installed on the sidewalk corners around the courthouse square, including those honoring Confederate soldiers and officials.

City workers were busy on Wednesday taking out about 240 bricks.

The Williamson County Historical Commission had an informal agreement with the city for about a decade to place the pavers on the corners of the sidewalk around the courthouse. The city owns the sidewalk corners and the county owns the rest of the sidewalk.

Bricks that were being removed also included those honoring veterans of World War I and War World II, as well bricks in memory of residents and their families.

The City Council on Feb. 8 decided to end the agreement and reject a new proposed agreement with the commission at a workshop after several people spoke against the bricks. The bricks will be returned to the commission.

"The city, often held out at as having the most beautiful square, is stained with a Confederate monument and now bricks that present a false narrative of history," Georgetown resident Dawn Korman told the council.

Jacquita Wilson-Kirby, another Georgetown resident, said the bricks honoring the Confederacy make Black people not want to shop in downtown Georgetown.

"I'm here mainly because I have to hear other Black people tell me why they won't come and why they will never spend their money here," she said.

No residents spoke in favor of keeping the bricks.

The Historical Commission allowed anyone to buy a brick for $50 in memory of any citizen or veteran. The city installed the bricks for the commission.

Shelby Little, chairman of the commission's memorial brick committee, declined to comment directly this week about the council's decision to remove all the bricks. He referred to a letter he had sent to the Williamson County Sun, a newspaper in Georgetown.

READ: New focus on Williamson County statue starts in January

"Wokeism has arrived, uninvited and unwelcome, in Georgetown in the guise of our own City Council," Little said in the letter.

"A number of (Black Lives Matter) activists attended the Workshop and spoke out, not against the agreement, but that there were "Confederate" bricks on City-owned property. Their rhetoric was hateful and blatantly false. There are 240 Memorial Bricks installed on the Square. Twelve of them, 5%, recognize Confederates."

The city in June suspended additional brick installations "after we received concerns about the program and discovered we did not have a formal agreement with the (Willliamson County Historical Commission)," according to a city website.

Twenty bricks had recently been installed at the time the program was suspended, including nine honoring Confederate soldiers and officials.

The formal agreement that the commission proposed to the city on Feb. 8 said the bricks

could be bought to honor an ancestor, a veteran, a historical person or any other person approved by the commission. It also said people could not buy bricks honoring anyone convicted of a felony, war crimes or a genocide.

Little also told the council that applicants would have the ability to appeal if their requests were denied and the appeals process would be overseen by representatives from the Historical Commission and a representative from the city.

He said the memorial brick program was a major fundraiser for the commission but also said he did not know how much money it had raised over the years.

At the Feb. 8 workshop, City Council Member Steve Fought said the city should remove the bricks. He said he did not want the members of the Historical Commission's board, who are appointed by the Williamson County commissioners, to "dictate what we do" in the center of Georgetown.

Other council members agreed. Amanda Parr said the Confederacy has become a "divisive issue on the square." For several months, both people supporting the Confederate soldier monument that stands in front of the county courthouse and those who want it removed, have protested each Saturday.

"It's time we remove the bricks and return them to the commission so everyone and all are welcome on the most beautiful town square in Texas," she said.

Nearly 100 Confederate statues were removed in 2020. But hundreds remain, new SPLC data shows

The Georgetown City Council does not have control over the 1916 Confederate monument, which is on county property.

The county commissioners in 2020 approved appointing a committee to study the statue's history and make recommendations about it, but commissioners have not yet appointed any members.

In his letter, Little also said that members of the Georgetown council made "spineless and often inaccurate comments" at the workshop.

Little is a retired colonel who stands in a Confederate uniform by the statue on the squareduring Confederate History month each April. He is also a member of the Williamson County Grays, a group that honors Confederates who fought in the Civil War.

The Williamson County Grays has a post on its Facebook page honoring Nathan Bedford Forrest, a Confederate general who became the first grand wizard of the Ku Klux Klan, Austin resident Robin Breed told the council on Feb. 8.

The post, made on Jan. 2, describes Bedford as an "advocate of Black rights."

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Bob’s Breakdown: Texas Democratic Star Lina Hidalgo’s Future, Trump’s Tarrant

County Endorsements
By Bob Garrett
Dallas Morning News

You hear that people, after almost two years of a COVID-19 lockdown, are angry. If so, you assume that they'd want to take it out on someone at the ballot box. Texans, though, aren't surging to cast ballots in the first few days of early voting before the March 1 primary: Through close of business Tuesday, just 1.38% of the state's 17.2 million registered voters had cast in-person and by-mail early votes, according to Sam Taylor, spokesman for Texas Secretary of State John Scott. Hmm.

- But wait, there's some drama here, folks, really! If you look past the primaries for statewide offices, at some of the races for county office in Texas' most populous counties, you'll see contests that may give us answers to some intriguing questions. Such as:
- Is Harris County Judge Lina Hidalgo the next best hope of state Democrats? If so, doesn't she need to reinforce her brand by winning re-election, even in the face of strong challenges in what's shaping up as a Republican year? In Tarrant County – special to me for many reasons, not least because I was born there – could we learn national lessons about the future of the GOP from a hot county judge's race? What about Tarrant's free-for-all for district attorney? And in Dallas County, is Gov Greg Abbott's probably least-favorite county judge – we're talking here about Democrat Clay Jenkins – going to continue to be a pesky irritant to the powers that be in Austin?
- Let's break it down by Harris Dems, Harris Rs, Tarrant county judge, Tarrant DA and Dallas county judge:
- Democratic primary for Harris County judge: As of the March primary, at the ripe old age of 31, Hidalgo is probably Texas Democrats' strongest player on the bench as they survey upcoming shots at U.S. Sen. Ted Cruz (2024) and possible open seat races for governor or lieutenant governor (or a crack at U.S. Sen. John Cornyn) two years after that. The first-term Harris County executive's shoulders bear a huge weight of big expectations. Some Democrats fear that Hidalgo – by taking a white-knight stance of sorts, not accepting campaign contributions from county vendors – has left herself potentially vulnerable. The racial-ethnic dynamics of Harris County Democratic politics can be rough. If Erica Davis, who is Black, the chief of staff to a longtime constable and one of Hidalgo's five primary challengers, can take the Latina county judge to a runoff, that would drain the incumbent's finances. In a county of more than 4.5 million people, Hidalgo has raised just $1.8 million, according to the Houston Chronicle's Zach Despart, who's detailed a flood of donations to Harris county commissioners from no-bid contract vendors.
- State Republicans want to nip in the bud the frightening prospect of a second-term Hidalgo. It says here they'll unleash massive spending to paint her as a radical left-winger. Endorsing her renomination, the Chronicle's editorial board praised her handling of COVID-19 and the 2021 winter freeze and blackouts. "Countywide polling shows Hidalgo is the most popular county official, has excellent name recognition and political observers say her only significant vulnerability in the Democratic primary is Harris County's surge in violent crime," the paper said.
- Republican primary for Harris County judge: The Chronicle, U.S. Rep. Dan Crenshaw and state Rep. Dan Huberty have endorsed Humble ISD school board president Martina Lemond Dixon, who if elected would be the first Black Harris County judge.

Beloved Houston businessman Jim "Mattress Mack" McIngvale backs the youthful, Harvard-trained lawyer and Army combat veteran Alexandra del Moral Mealer. Many establishment Republicans, though, have swung behind lawyer and former federal prosecutor and state bar board chairman Vidal Martinez. This fall, expect the one who's nominated to go after Hidalgo over crime and – hey, it's this year's Republican theme song – immigration.

- Republican primary for Tarrant County judge: Former President Donald Trump and newly elected Virginia Gov. Glenn Youngkin loom over the race to succeed GOP Tarrant County Judge Glen Whitley, who is retiring after three terms. Former Fort Worth Mayor Betsy Price roughly fits the Whitley mold – of being pro-business and tending to the unglamorous work of county government, such as transportation, economic development and courts. Former Tarrant County GOP Chairman Tim O'Hare, who unsuccessfully sought to bar landlords from renting to immigrants when he was mayor of Farmers Branch, but had more success as founder of the Southlake Families PAC, which went after Carroll ISD's diversity and inclusion plan, has mounted the strongest bid of the four other Republicans running. As my friend Shaun Rabb of Fox 4 reported, quoting experts, the race is a "microcosm" of national tensions within the Republican Party. Taking a page from Youngkin's playbook, O'Hare is running TV ads that attack Price as a supporter of critical race theory and Black Lives Matter. Trump has endorsed O'Hare. Price's TV ads, however, say O'Hare is lying about her record. In a mailer, she bragged of cutting the city of Fort Worth's property tax rate by 12% during her decade as mayor and said she "stood up to Black Lives Matter extremists and successfully defeated efforts to defund the Fort Worth Police Department."
- Republican primary for Tarrant County district attorney: Trump also has endorsed Tarrant County Criminal Court Judge Phil Sorrells in the GOP primary to succeed outgoing Republican DA Sharren Wilson, who is retiring. Sorrells, who is the son-in-law of former congressman, GOP gubernatorial hopeful and Texas Tech University System chancellor Kent Hance, faces five-term state Rep. Matt Krause and Criminal District Court Judge Mollee Westfall. Lawrence "Larry" Myers, whose switch from Republican to Democrat while on the Texas Court of Criminal Appeals in 2013 was a big deal, but who's been losing sizzle ever since, faces former state prosecutors Tiffany Burks and Albert John Roberts for the Democratic nomination.
- Dallas County judge primary races: Infighting among county Republicans has provided Jenkins, at the very least, with a road map to winning another term. That would greatly irritate Abbott, with whom Jenkins has clashed on the pandemic, Medicaid expansion and other topics. As my colleague Charles Scudder has reported, Republican county judge hopeful Lauren Davis, a barber-shop chain co-owner, has said that last year, she decided to run after the Dallas Independent School District kept her unmasked children separate from classmates while a district mask order was in effect. Davis has clashed with GOP County Commissioner J.J. Koch and County GOP Chairwoman Jennifer Stoddard-Hajdu over whether Davis has met residency requirements to be a candidate, and her failure to vote in past Republican primaries. They've warned that if Davis wins the nomination over school district trustee Edwin Flores, Jenkins will tie her up in court with challenges to her eligibility.
- Jenkins, who faces Cedar Hill lawyer Billy Clark in the Democratic primary, says he'll keep following the advice of medical experts. "I'll take whatever damage it does to me politically," he told Scudder – with a Cheshire cat grin, probably. While once there was talk that Jenkins might challenge Abbott for governor, in his fourth term as county judge, he at least would be able to keep bedeviling state GOP leaders. (Dallas

County DA John Creuzot, a Democrat, does have a primary challenger and may face former Republican DA Faith Johnson in the fall. However, Johnson, a former district judge whom Abbott appointed to an unexpired term, hasn't won a countywide race since the Democrats took over in 2006.)

- The moral of these short takes? If you're bored by what you see at the top of the ballot, keep going!

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Education

UT Arlington Issues Statement Acknowledging University Was Built On American Indian-Owned Land
By Sarah Bahari
Dallas Morning News

The University of Texas at Arlington has issued a statement acknowledging that the university's campus stands on land once owned by the Wichita tribe and its affiliated tribes.

The Native American Land Acknowledgement statement says UT Arlington was built on the historical homelands of the tribes, who, by the 1840s, had built a village in what is now Arlington.

"Their ancestors resided here for generations before being forcibly displaced by U.S. settlers and soldiers in the mid-1800s," the statement reads.

In the statement, UTA also recognized the presence of the Caddo Nation and other Tribal Nations in the region, as well as indigenous people who moved to the area during the Indian Relocation program of the 1950s and 1960s. The statement went on to recognize the accomplishments of indigenous students, faculty and staff.

A university task force comprised of faculty, staff and students — many who claim American Indian ancestry — developed the statement, according to a university press release releasing the statement.

Task force member Les Riding In, assistant dean in UTA's College of Liberal Arts, said the land acknowledgement statement is a "call to action."

The school plans to implement a Native American oversight council, create an endowed Native American student scholarship and transform an area on campus into a place for "individual and institutional reflection," Riding In said in the press release.

Universities across the U.S. have issued similar land acknowledgment statements in recent years, although some critics argue they are empty gestures that accomplish little.

UTA task force member Kenneth Roemer, a professor emeritus of English, said in the release that other statements have the unintended consequence of suggesting that American Indians are "of the past." UTA's statement emphasized the present contributions of indigenous peoples, he said.

"This statement is a living document and takes care to highlight the continued presence of Native Americans in Arlington and North Texas in the present," Roemer said.

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Many Black, Latino Students Graduating In Texas' Top 10% Aren't Enrolling In College
By Valeria Olivares
Dallas Morning News

Malik Childs, 19, worked throughout high school to save as much money as he could for college.

Because he graduated in the top 10% of Mesquite High School's graduating class in 2020, Childs was guaranteed automatic admission to nearly all state universities. But he still experienced a hesitation that many encounter when transitioning into college.

Family obligations often mean some top grads have to care for a parent or sibling or work to support the household, he said.

So leaning in to a full-time job was tempting for Childs. But his desire to change the statistics regarding the scarcity of Black doctors throughout the country motivated him more. Now a sophomore at the University of North Texas at Dallas, Childs plans on attending medical school.

"Everybody thinks of that now versus the later, but my parents instilled in me to focus on the future," Childs said. "I just always knew that I would make more money by going to school versus working at a job."

State officials worry that too many of Texas' top students of color like Childs aren't going on to college. Before the pandemic hit, nearly 17% of the state's Black students and 16% of Latinos who graduated in the top 10% of their classes not only skipped a state school but also didn't show up enrolled at any other college or university in the country, said Harrison Keller, Texas' commissioner of higher education. By comparison, about 10% of white students didn't show up in enrollment data nationwide.

"These are students who've done everything they were asked to do," he said. "They won academic awards; qualified for automatic admission to our Texas universities; and then did not enroll directly out of high school."

The Texas Higher Education Coordinating Board intends to study how trends have shifted for the state's top students since the pandemic started in 2020.

Keller noted that preliminary data has already shown sharper enrollment declines for Black and Latino students as well as those from low-income families. Those communities were hit particularly hard — both financially and healthwise — when COVID-19 swept across the country.

The labor shortage has complicated the issue as many young adults are opting to go straight to

work as industries are desperate for help. The labor market saw an increase this past year for Texans age 16 to 19, according to data from the Federal Reserve Bank of Dallas. But often these young adults are going into jobs with low wages and slim chances of upward mobility.

“It suggests that there’s tremendous, tremendous pressure on many students to put off going to college and go directly into the workforce,” Keller said.

And the longer students are out of school, he said, the lower the chances they will ever enroll in college.

But keeping more students on track for higher education is key to addressing Texas’ workforce needs, Keller said. Officials also worry about cultivating enough talent to attract new businesses and support the state’s growth and development.

“There’s much more technology incorporated into how people work,” Keller said. “That means that we’re going to have to educate more Texans to higher standards than we’ve ever successfully achieved before.”

Supporting students

Texas adopted what is commonly known as the “top 10% plan” in 1997 after the Legislature required state universities and colleges to offer automatic admission to students who graduated in that top tier of their high school classes. The move was meant to diversify the state’s schools.

And generally, more students of color have enrolled across Texas since then. But undergraduate enrollment for Black students peaked in 2011 at 296,413 and has been declining ever since to 246,342 in 2019, according to data from the U.S. Department of Education. Enrollment for white students also decreased in that time from 784,382 to 628,916. Meanwhile, Latino enrollment climbed from 633,660 to 803,716.

As the Latino population grows in Texas, that’s reflected in the state’s colleges as well, said Deborah Santiago, the co-founder and CEO of Excelencia in Education, an organization that aims to accelerate Latino students’ success in higher education.

About 40% of Latino students are the first in their family to go to college, which is more than any other ethnic group, she said. That means these students often don’t have someone who can help them “work the system.”

Even the top 10% students who get automatic admission may need more help than just being at the top of the class.

“Latinos are very economically vulnerable as a population,” Santiago said. “We have data that shows Latinos are less likely to take debt to go to college than others.”

Paola Herrera’s mother brought her family to the United States from El Salvador nearly 15 years ago.

As a first-generation student that doesn’t have legal status yet — which further complicated her situation — finances were a big stress since she could not apply for federal aid.

Herrera obtained her associate's degree before graduating from Terrell High School last year through dual-credit courses and started classes as a junior business student at Texas A&M University-Commerce.

She struggled navigating the transition into higher education. Her family had little experience since her older brothers ultimately decided against college. But she said the pressure is worth it as she works for a more secure future.

"I owe it to my mom," Herrera said. "The struggles she had to go through having three kids and being a single mother."

She added that she also wants to serve as an example, because some Latinos she knows who skipped college did so because "they don't feel like they're enough, they feel like it's not for them."

Santiago said institutions in Texas — and across the country — could do more to help Latinos and embrace the opportunity of that growing student population.

Texas has 96 Hispanic-Serving Institutions — a federal designation for schools with at least 25% of its undergraduates who are Latino — according to the latest federal data.

Many universities become HSIs because of changing demographics, not because of intentionality, Santiago said. So her organization created the Seal of Excelencia, or Seal of Excellence, to recognize campuses that serve Latino students through specific strategies, such as by increasing courses offered in Spanish or bilingually and by making transfers easier.

Texas has eight of the 24 institutions with the seal, including El Paso Community College, the University of Texas at El Paso, Austin Community College, South Texas College, UT-Austin, UT-San Antonio, UT-Rio Grande Valley & Texas A&M University-San Antonio.

However, the certification doesn't mean that the institution is "perfect and has it all figured out," but that it's being intentional, Santiago said.

Breaking systemic barriers

For too many Black students, one key stumbling block is persistent racial microaggressions — an instance of indirect, subtle or unintended discrimination — that they encounter along the way, said Tyrone Howard, a professor of education at the University of California, Los Angeles. Howard, founder of the Black Male Institute at UCLA, has long researched the academic achievement gap between students of color and their peers.

"Counselors tend to give less time, less attention, less support, less encouragement to Black students," Howard said. "There's also this assumption that Black students either don't want to go to college or don't have the qualifications to go to certain colleges."

Schools that have larger populations of students of color and higher numbers of students from low income families also have a higher student-to-school counselor ratio, according to a 2012 study by the National Office for School Counselor Advocacy. That can impact the amount of time counselors can devote to helping students prepare for college.

Meanwhile, schools can do a better job of helping staff engage in anti-bias workshops to understand that, oftentimes, implicit bias plays a role, Howard said.

It's critical that counselors play a role in breaking such systemic barriers for students of color, said Ramon Blakley, president of the Texas Association for College Admission Counseling. They can help tear down hurdles by creating connections and giving more students a sense of belonging, he urged.

Helping students understand the benefits of a degree, navigating resources and the transition to college and getting to know them better to understand their challenges are just some of the ways in which they can help, Blakley added.

"One of the reasons why it's difficult to get students from underrepresented backgrounds into college is because, initially, the system was set up to exclude them," he said.

Black students make up 12.7% of Texas undergraduates, mirroring their population in the state's public schools. Latinos make up 41% though they make up more than half of all public school students.

And often, such students are underrepresented at many of Texas' major universities.

"We want to see these numbers change," Blakley said. "We want to see more students participate in higher education."

Too often, conversations about attracting diverse students don't focus on what the universities lack, said Jerry Rosiek, an associate professor at the University of Oregon who researches patterns of racial and class inequality in schools. Higher education leaders need to reflect on how they can improve their own campuses, he stressed.

"These kinds of enrollment equity challenges get framed in terms of deficits that are located in the students … and that's a mistake," Rosiek said. Sometimes well prepared students aren't choosing to go to a school for reasons that universities should pay attention to, he added.

Ndayisaba Enock said he sometimes felt alone as a student at the School of Science and Engineering at Yvonne A. Ewell Townview Center, a Dallas high school where about 10% of students were Black. He graduated from the center last year.

"It's a very isolating area to be in," he said, adding that he was nervous about feeling the same way while pursuing a degree.

Now as a freshman at the University of Texas at Dallas, he started by taking most classes virtually. But such remote learning can also make it harder for students to build relationships, educators say.

Students want to feel connected, which is accomplished when they feel represented among the school's faculty and students, said Sarina Willis, Prairie View A&M University's vice president for enrollment management. That's why schools must intentionally create campus communities and activities where students can foster relationships, she said.

The historically Black university, for example, is redesigning the way it approaches prospective students by working not only with k-12 schools but also trying to recruit nontraditional students from the Prairie View area who may have felt initially that higher education wasn't an option for them.

Building direct relationships and educating community members on financial aid resources, enrollment processes and other such topics can help the university build a pipeline of college-minded students, she said.

"Everybody has the ability to get some type of post-secondary education," Willis said. "It's just finding the plan and the path that is right. And that just takes communication and connecting with people that can help."

Some state schools have seen an increased enrollment of students of color from the tops of their classes. And it's come from focused effort, officials say.

The University of Texas at Arlington, for example, had a 70% increase in Black freshmen accepting their automatic admission offers this fall compared to the previous year.

Troy Johnson, UT-Arlington's vice president for enrollment management, attributed the surge to the school's partnerships with community organizations and some of its own programs.

One new program, for example, highlights various cultural communities on campus with prospective students sharing their perspectives on the university and participating in discussions with student leaders on campus.

"The very first one was to bring prospective African-American students and their families together with members of our university community," he said. "These kinds of open conversations, these dialogue sessions, make a difference to the parents, to the students."

Johnson participates in another program focused on the retention and graduation rates of Black and Latino males at UT-Arlington by providing mentorship, leadership development and academic support.

And for students like Childs who worry about finances, more high schools and colleges are focused on coordinated efforts to help students complete federal and state financial aid forms each year.

A big challenge for many students is knowing where to find accurate guidance online, especially when they run into an overwhelming amount of websites that claim to help.

The state is working with the Greater Houston Partnership — a chamber of commerce that represents the larger Houston area — Prairie View A&M, the University of Houston-Downtown and other colleges in that region to pilot online tools aimed at streamlining information on financial aid and admissions for students.

The Texas Higher Education Coordinating Board is using about $10 million in federal pandemic aid to create the My Texas Future portal, which officials plan to eventually roll out statewide.

Childs, who is in his third semester at the UNT-Dallas, said the diversity at his school makes him feel part of a community. The campus — located in southern Dallas — has a majority of Black and Latino students.

The connections he's built on campus have helped him on his path to enter the medical field. One of his professors began mentoring him, encouraging him to join the Joint Admission Medical Program, a statewide initiative that helps students from underserved or low socio-economic backgrounds to become physicians. The faculty member also suggested he become a tutor to help classmates.

"It makes me feel great. I'm glad to see people of color in college," Childs said of his diverse school. "I'm glad to see that a lot of people have an opportunity to go to college."

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Business/Economy

Tesla Faces Another US Investigation: Unexpected Braking
By Tom Krisher
San Antonio Express News

U.S. auto safety regulators have launched another investigation of Tesla, this time tied to complaints that its cars can stop on roads for no apparent reason.

The government says it has 354 complaints from owners during the past nine months about "phantom braking" in Tesla Models 3 and Y. The probe covers an estimated 416,000 vehicles from the 2021 and 2022 model years.

No crashes or injuries were reported.

The vehicles are equipped with partially automated driver-assist features such as adaptive cruise control and "Autopilot," which allows them to automatically brake and steer within their lanes.

Documents posted Thursday by the National Highway Traffic Safety Administration say the vehicles can unexpectedly brake at highway speeds.

"Complainants report that the rapid deceleration can occur without warning, and often repeatedly during a single drive cycle," the agency says.

Many owners in the complaints say they feared a rear-end crash on a freeway.

The probe is another in a string of enforcement efforts by the agency that include Autopilot and "Full Self-Driving" software. Despite their names, neither feature can drive the vehicles without people supervising.

A message was left early Thursday seeking comment from Tesla.

It's the fourth formal investigation of Texas automaker in the past three years, and NHTSA is

supervising 15 Tesla recalls since January of 2021. In addition, the agency has sent investigators to at least 33 crashes involving Teslas using driver-assist systems since 2016 in which 11 people were killed.

In one of the complaints, a Tesla owner from Austin, Texas, reported that a Model Y on Autopilot brakes repeatedly for no reason on two-lane roads and freeways.

“The phantom braking varies from a minor throttle response to decrease speed to full emergency braking that drastically reduces the speed at a rapid pace, resulting in unsafe driving conditions for occupants of my vehicle as well as those who might be following behind me,” the owner wrote in a complaint filed Feb. 2. People who file complaints are not identified in NHTSA’s public database.

Michael Brooks, acting executive director of the nonprofit Center for Auto Safety, said it’s encouraging to see NHTSA’s enforcement actions “after years of turning the other way,” with Tesla. But he said the company keeps releasing software onto U.S. roads that isn’t tested to make sure it’s safe. “A piecemeal investigative approach to each problem that raises its head does not address the larger issue in Tesla’s safety culture — the company’s continued willingness to beta test its technology on the American public while misrepresenting the capabilities of its vehicles,” Brooks wrote in an email Thursday.

The Washington Post reported about a surge in phantom braking complaints from Tesla owners on Feb. 2.

Just last week, the agency made Tesla recall nearly 579,000 vehicles in the U.S. because a “Boombox” function can play sounds over an external speaker and obscure audible warnings for pedestrians of an approaching vehicle. Tesla CEO Elon Musk, when asked on Twitter why the company agreed to the recall, responded: “The fun police made us do it (sigh).”

Other recent recalls by Tesla were for “Full Self-Driving” equipped vehicles that were programmed to run stop signs at slow speeds, heating systems that don’t clear windshields quickly enough, seat belt chimes that don’t sound to warn drivers who aren’t buckled up, and to fix a feature that allows movies to play on touch screens while cars are being driven. Those issues were to be fixed with online software updates.

In August, NHTSA announced a probe of Teslas on Autopilot failing to stop for emergency vehicles parked on roadways. That investigation covers a dozen crashes that killed one person and injured 17 others.

Thursday’s investigation comes after Tesla recalled nearly 12,000 vehicles back in October for a similar phantom braking problem. The company sent out an online software update to fix a glitch with its more sophisticated “Full Self-Driving” software.

Tesla did a software update in late September that was intended to improve detection of emergency vehicle lights in low-light conditions.

Selected Tesla drivers have been beta testing the “Full Self-Driving” software on public roads. NHTSA also has asked the company for information about the testing, including a Tesla requirement that testers not disclose information.

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Chipmaker Infineon Considers $700 Million Expansion At Austin Site
By Kara Carlson and Bob Sechler
Austin American Statesman

Tech giant Infineon Technologies is considering a $700 million expansion at the site of its current semiconductor fabrication campus in Southeast Austin, the company revealed in filings that seek a tax break for the project.

The Germany-based company, which is one of the biggest semiconductor manufacturers in the world, filed an application for a Chapter 313 incentives agreement with the Del Valle Independent School District. The application was posted this week on the Texas comptroller's website under a subsidiary's name, Spansion LLC.

Chapter 313 refers to the section of the Texas tax code that allows school districts to grant property tax breaks for economic development projects.

Infineon already owns 56 acres of land at 5204 E. Ben White Blvd., where it has an existing chip factory. The company employs 850 people at the 1.2-million-square-foot facility, according to the application.

The proposed expansion could add 154,000 square feet at the same site and 100 jobs, according to the company.

The company said in its Chapter 313 application that the expansion would increase its engineering, manufacturing and research and development activities by about 30% "to meet increasing demand for its products."

The potential expansion "will also ensure the manufacturing facility and associated jobs keep up with changing technologies and customer requirements and can produce relevant products for the next one to two decades," the company said.

Infineon’s existing Austin fabrication facility manufactures and tests products that are used for a variety of applications.

The proposed Del Valle school district tax break for the expansion would total about $8.9 million over 10 years, if there is no change in the district’s tax rate over that time. Infineon wouldn’t get a tax break for its existing facilities at the site or for the land, which it already owns.

Infineon currently has a 1.2-million-square-foot facility at 5204 E. Ben White Blvd., where it employs 850 people.

The proposed expansion calls for a new, three-story building nestled between existing buildings on the company’s property, with about 50,000 additional square feet per floor. It also calls for expanding an existing building by 3,800 square feet.

The company’s application said it would invest $75 million in the new buildings and $625 million in machinery and other personal property. The new building would house a clean room

for the new equipment.

USA TODAY’s travel magazine offers a sampling of scenic drives for you to meander your way along city streets, coastlines and national parks.

In addition to the potential tax break from the Del Valle school district, Infineon said in its application that “ongoing discussions are underway with the city of Austin, Travis County and the state” regarding financial incentives from those entities as well.

Travis County commissioners would need to vote to lift a county moratorium on incentive applications before the county can accept and consider a formal request from Infineon. Hector Nieto, a spokesman for the county, said Wednesday that no such vote has been scheduled. He said he’s uncertain whether Infineon has approached the county informally about the issue.

A spokesperson for the city's economic development department declined to comment, while a representative of Gov. Greg Abbott's office couldn't immediately be reached for comment.

In the Del Valle application, Infineon estimated that construction on the property would start in the third quarter of 2022 and end around the fourth quarter of 2023. The company estimated the expanded facilities would be fully operational by the fourth quarter of 2024.

Infineon's Austin fab was previously operated by Cypress Semiconductor, which merged with Infineon in 2020. Spansion LLC had operated the fab for a number of years, before Spansion was acquired by Cypress Semiconductor in 2015.

'Continued growth ... is critical'
If the expansion goes through, it would add to an existing stronghold of chipmaking activity in Central Texas. Semiconductors make up about a quarter of all Central Texas' manufacturing output, according to the Austin Regional Manufacturers Association, and the "semiconductors and computers and peripherals" sector employs over 20,000 in the area.

Amber Gunst, CEO of the Austin Technology Council, said an expansion by Infineon would be good news for the Austin technology sector.

“Continued growth in the semiconductor space is critical for Austin,” Gunst said. “The variety of job opportunities and business relationships through vendors and advanced technology innovation is what will continue to provide growth in our community.”

Still, the proposed tax breaks for the expansion could face some pushback. Critics of tax breaks for corporate development projects contend they are often just giveaways that pay companies for actions they were going to take anyway.

“In economic development, expansions are seen as the most likely to occur even without incentives,” said Nathan Jensen, a University of Texas government professor who studies taxpayer-funded corporate incentives.

The potential Infineon expansion in Austin “is a case where there is a high probability of investment (by the company) even without incentives,” Jensen said.

Infineon’s Del Valle application says the company is considering sites outside of Texas for the

project, but it doesn't name any of those sites.

German chipmaker Infineon already owns 56 acres of land in Southeast Austin.
Looking to boost chip sector
The proposed expansion comes amid an ongoing shortage of chips used in a variety of technologies, from cars to laptops. Companies have also been considering unprecedented investment in the U.S, including in Austin.

In June 2021, Infineon joined other executives from tech giants and semiconductor manufacturers and U.S. Sen. John Cornyn R-Texas, for a roundtable discussion on federal investment in the semiconductor facility.

Cornyn is one of the authors of the CHIPS for America Act, a bipartisan tech and manufacturing bill that passed the Senate in January designed to expand domestic technology manufacturing and boost the country's ability to compete with China. Among other things, it calls for $52 billion to support domestic semiconductor manufacturing.

In November, Samsung announced plans to build a $17 billion chipmaking facility near Taylor in Williamson County. The Taylor factory is expected to employ about 1,800 people. The company also has an existing facility in Austin that employs about 3,000 Samsung employees and 7,000 contractors.

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Southwest Airlines Working On $13 Million Pilot Training Center Expansion At Dallas HQ
By Kyle Arnold
Dallas Morning News

Southwest Airlines is ready to restart work on a long-overdue headquarters expansion that the Dallas-based carrier put on hold because of the COVID-19 pandemic.

Southwest is resuming construction on 127,588 square feet of space in its Leadership Education and Aircrew Development Center that will include an eight-bay flight training center for simulators, classrooms, support rooms and other infrastructure, according to a permit filed with the state.

The new construction would start just as Southwest Airlines is in dire need of as many as 8,000 employees while it tries to rebuild the company from the air travel downturn of the previous two years. In particular, airlines desperately need new pilots, and carriers are investing heavily in training academies and incentives for young pilots at regional airlines. Airlines are also facing a coming wave of retiring pilots who are mandated to step away at age 65 due to federal rules for commercial aviators.

At Southwest, the project is part of the LEAD building expansion the company started in October 2019 when it planned to construct a three-story, 414,000-square-foot space that would expand its ability to hire pilots. While the outer shell of the building was completed, about a third of the interior space was left unfinished.

The project is estimated to cost about $13 million.

Southwest expects to finish the project in 2024, said spokesman Dan Landson.

“While we’ve expanded the building, the build-out of many of the floors inside was put on hold at the beginning of COVID,” Landson said. “Now that air travel demand is returning, we’re moving forward with the finishing of the interior spaces, which will add space for our new hire training classes.

Southwest Airlines’ workforce shrank during the pandemic due to buyouts and voluntary retirements, despite $66 billion in federal payroll support to keep people employed and the industry staffed. Southwest dropped from 62,000 employees in February 2020 to less than 56,000 at the end of 2021, according to the Bureau of Transportation Statistics.

Now the company is hustling to rehire employees, particularly as the global pandemic has stressed its operational ability during surges in case counts.

“We need pilots, we need flight attendants, we need ramp staffing, and you need the appropriate amount of buffer in all of those areas until we sort of see our way past COVID and understand what more normalized staffing, more normalized behaviors, more normalized sick leave looks like,” Southwest Airlines’ executive chairman and former CEO Gary Kelly said in a call with investors in January.

Southwest has already cut its flying expectations for the rest of the year due to COVID-related sick calls, the carrier announced last month.

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Immigration/Border Security

Texas Guardsmen Move To Unionize, Pointing To Troubled Border Mission
By Steve Beynon
Military.com

Several Texas National Guard soldiers are moving to unionize amid reports of a troubled border mission ordered by Gov. Greg Abbott that has been plagued by accounts of wage disruptions, rejected hardship requests, alcohol abuse and self harm.

At least six Guardsmen are working with the Texas State Employees Union to try to unionize Guard troops, Military.com has learned. The union has a long track record of lobbying elected officials and filing lawsuits tied to employment rights and wage-related issues on behalf of members.

"We're getting treated like sh--," the soldier leading the unionization effort told Military.com on the condition of anonymity to avoid retaliation. "This is all politically driven. I voted for Abbott. I agree with a lot of his politics, but not when it comes at the expense of the involuntary mobilization for upwards for 12 months. That isn't what we signed up for. We signed on the dotted line, but not for this."

The soldier hopes unionizing can empower Guardsmen to bring their concerns to elected

officials and possibly lobby for legislative efforts they find beneficial down the line. Until now, soldiers have been able to air their grievances to the press only ad hoc. But with a union, troops hope to coordinate more constructive messages.

"These are people who dedicated their lives to serve their country," Will Attig, executive director of the Union Veterans Council, AFL-CIO, told Military.com. "These members clearly felt the need to have a voice. What does that say about the state of affairs over there?"

The move to unionize comes after the Department of Justice said in a court filing in January that the federal law banning service members from forming unions does not prohibit Guardsmen on state orders.

Guardsmen spend the bulk of their service on state orders and are effectively state employees and not eligible for any federal benefits typically associated with active-duty service. They cannot claim disability from the Department of Veterans Affairs if injured. On state orders, Guardsmen are often paid less than when they are on federal orders -- typically associated with domestic missions when the president has declared a national emergency, such as the pandemic, and missions abroad.

It could be a flashpoint for the rights of service members in the National Guard, whom governors have relied on heavily since the beginning of the pandemic for a portfolio of domestic undertakings, while those troops also juggle their federal obligations for missions overseas.

For months, soldiers have been raising the alarm to most media outlets that Operation Lone Star, Texas' border mission, has been plagued with issues since it began a year ago. Military.com reported more than 1,000 troops have faced pay issues, some being shortchanged -- often by thousands of dollars -- and leaving families struggling. Meanwhile, many soldiers are being forced to stay on the mission, puting their families' financial security in peril, given they often make much more in their civilian jobs and their Guard paychecks have gone missing.

Meanwhile, there have been multiple instances of suicide attempts, according to documents reviewed by Military.com. An investigation by Army Times found at least four soldiers connected to the mission have died by suicide.

The mission has also been marred with numerous behavioral issues. Earlier this month, a soldier was pulled over by police at 2 a.m. near the border in Texas for passing a stop sign, according to an incident report obtained by Military.com. During a search of his vehicle, authorities found open alcohol containers and drugs, as well as two minors. Another soldier recently pulled a gun on a border agent at a bar in an apparent fight over a woman. He eventually dropped the gun when he was startled by the arrival of police.

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Texas Guardsmen On Border Start Unionizing To Combat Difficult Conditions
By Davis Winkie
Army Times

In the wake of a Justice Department filing declaring that National Guard troops can form and

join unions while serving on state active duty orders, a growing number of Texas troops assigned to the U.S.-Mexico border for Operation Lone Star have organized under an existing public sector union.

The first meeting of the Texas State Employees Union's Military Caucus, which consists of troops on state active duty orders assigned to the border, is scheduled for next week, according to a soldier leading organizing efforts. The soldier requested anonymity due to fear of retaliation from Texas Military Department leadership ahead of the meeting.

The soldier affiliated with the union, whose identity Army Times has verified, posted about the upcoming meeting in a Reddit community dedicated to sharing news about the border mission.

They are the first-known troops to organize while in a state active duty status, though a small subset of full-time Guard troops, dual-status technicians, are already unionized in their civilian capacity as federal employees.

Union officials did not immediately respond to requests from Army Times, nor did the Texas Military Department.

A federal law prohibiting members of the military from organizing unions "does not apply to Guard members on state active duty or in the Inactive National Guard," DoJ lawyers wrote in a court filing last month.

Typically, state active duty missions — where Guard members are temporary state employees rather than members of the federal military — are short-lived stints of disaster response that make organizing impractical.

But Army Times previously reported that Texas could prove an exception to those constraints due to the massive scale and long-term nature of the state active duty mission at the border.

Operation Lone Star has been plagued with well-documented problems involving living conditions, equipment and pay.

"We're hoping to improve all [those] things," said the soldier leading organizing efforts.

Texas Military Department officials have insisted that such problems were unavoidable, and they have taken some steps to improve them, though problems remain.

The soldier leading organizing efforts is also hopeful that the union can press Texas Guard leaders into being more transparent about end-of-mission requests for involuntarily activated troops who want to go home.

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Environment

Texans Worry Worsening Drought, Extreme Weather May Make The Water Well Run Dry

Dallas Morning News

Almost nine of every 10 Texans are concerned that water supplies will be exhausted, given current weather trends and the prospect for worsening drought conditions, according to a new poll.

The survey by the non-profit group Texas 2036 found that 88% of registered voters voiced strong concerns about future access to water. The poll comes just months after the Office of the State Climatologist warned that days are growing hotter year-round and nights aren't cooling down as much as they used to, providing less relief from the heat.

The Lone Star state will face more 100-degree days, more drought and more violent storms in coming years, the agency warned. Among the 1,001 registered voters queried between Jan. 19 and Jan. 26, 95% of Democrats expressed concern, compared with 87% of independents and 82% of Republicans.

Texas 2036 is a public-policy research group founded by Dallas attorney Tom Luce, a Dallas attorney and former official in the George W. Bush administration.

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# # #

Greg Abbott News

NRA Endorses Governor Greg Abbott For Another Term
By Andrew Moore
KCEN

National Rifle Association President Charles Cotton endorsed Governor Greg Abbott for another term Wednesday at the Palladium in Waco. He was joined by Texas State Rifle Association President Daryl Valdes who also gave Abbott an endorsement.

Cotton gave Abbott praise for multiple legislative measures passed over the last few years.

"He signed two major bills. One of them was open carry...the other, and the far more important one, was campus carry," Cotton said. "He signed constitutional carry...That is the most constitutionally significant bill ever."

Cotton closed his remarks with Abbott's endorsement.

"Please support one of the finest government we've ever had. Thank you folks," Cotton said.

Texas State Rifle Association President Daryl Valdes also thanked the Governor for his support.

"He's been solid on the 2nd amendment, and as a result of that I'm very honored to give the governor a strong endorsement," Valdes said.

A recent poll by the University of Texas at Austin shows Governor Abbott wining 60 percent of the registered voters sampled versus other candidates in the Republican primary.

Abbott made no mention of his Republican competition Wednesday and instead focused his comments on Beto O'Rourke.

"My likely opponent, Robert Francis O'Rourke, has threatened your God given 2nd amendment rights by threatening to come and take your guns," Abbott said. "He's heard a big 'no' by Texans and amazingly, in Tyler Texas last week, here he is double talking and saying he doesn't want to take away anything from anybody. All he wants to do is support the second amendment. Right..."

Abbott also criticized O'Rourke with claims that he wanted to defund police departments and worked to tie him to President Joe Biden on border policies.

"Another approach from these leftist radicals like Biden and like Beto is even more dangerous than defunding the police. That is their open border policies that are endangering communities across Texas and across the united states of America."

Abbott's campaign promises on Wednesday focused on continuing to build a border wall and to arrest drug smugglers and people trespassing across the border.

"I had to open up and covert two prisons into two massive jails where we are jailing people coming across the boarder," Abbott said. "Biden has 'catch and release.' We have 'arrest and jail' in the state of Texas.

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For Beto O'Rourke, 2020 Still Haunts 2022
By J. David Goodman
The New York Times

Even in deep red East Texas, even on a Tuesday afternoon, even after a failed bid for the Senate followed by a failed bid for president, Beto O'Rourke still draws a crowd.

More than 100 supporters gathered last week in a park in the city of Tyler, southeast of Dallas in the Piney Woods region. Among the friendly crowd, however, there was concern and even skepticism as Mr. O'Rourke tries to become the first Democratic governor of Texas in nearly 30 years.

The Texas primary is fast approaching on March 1 — early voting began on Monday — but his real challenge is the general election in November, when he is expected to face the Republican incumbent, Gov. Greg Abbott. Some of Mr. O'Rourke's comments aimed at wooing national Democratic voters in the 2020 presidential primary — such as "Hell yes, we're going to take your AR-15" — may have already weakened if not doomed his chances in November.

"The comment about guns is going to be his biggest problem," said Holly Gage, 40, who arrived at the Tyler park early with her family. "My husband is on the fence. It's due to the gun thing."

"Texas," added her mother, Sheila Thrash, 63, "believes in its guns."

Mr. O'Rourke's presidential campaign shadows his run for governor, complicating his effort to present himself as a pragmatic, there-for-you Texan who embraces responsible gun ownership and wants to win over moderate voters. His 2020 campaign remarks have figured prominently in attacks by Mr. Abbott and are familiar to many voters in a state where Democrats also proudly own guns. Mr. O'Rourke counts himself among their number — he and his wife own firearms, his campaign said — and he appears well aware of the liability.

“I’m not interested in taking anything from anyone,” Mr. O’Rourke said during a news conference in Tyler, in response to questions from The New York Times. “What I want to make sure we do is defend the Second Amendment.”

Later in a telephone interview, he said he did not regret any policy positions he took while running for president and denied that he was walking back his comments about assault weapons. He said that as governor, he would push for universal background checks and requirements for the safe storage of firearms.

“I don’t think that we should have AR-15s and AK-47s on the streets of this state — I have seen what they do to my fellow Texans in El Paso in 2019,” he said, referring to a gunman who killed 23 people at a Walmart in the deadliest anti-Latino attack in modern American history. “I haven’t changed a thing about that. I’m just telling you I’m going to focus on what I can actually do as governor and where the common ground is.”

Mr. O’Rourke’s predicament illustrates how hard it can be for a red-state Democrat to return to local politics after running for federal office in the national spotlight. What appeals to voters in a crowded Democratic primary for president may turn off those in a statewide race back home in a Republican-dominated state.

At the same time, Mr. O’Rourke has attracted legions of supporters and inspired Texas Democrats with his willingness to take on the state’s most powerful officeholders, and his charismatic insistence that Texas is not destined to remain in Republican hands.

“No one is going to ride to our rescue, so we shouldn’t expect that,” Mr. O’Rourke said in the interview, citing new restrictive laws on abortion and voting passed by the State Legislature and signed by Mr. Abbott last year. “It’s on us, and that’s OK,” he added. “Traveling the state, it renews my confidence that we can do this.”

Mr. O’Rourke after the Democratic presidential debate in Ohio in 2019. His position on gun control during the presidential campaign has resurfaced in his run for governor of Texas.

A former three-term congressman from El Paso, Mr. O’Rourke, 49, entered the race for governor late last fall, delivering a jolt to a contest that many Democrats saw as unwinnable: an off-year election favoring Republicans; an incumbent governor with a roughly $60 million campaign war chest; and that decades-long losing streak. No Democrat has won a statewide race in Texas since 1994.

“We don’t get to pick and choose what the political environment is like,” said State Representative Trey Martinez Fischer, a Democrat from San Antonio who has offered advice to Mr. O’Rourke during his campaign.

Mr. Martinez Fischer said he did not believe, as some Texas political analysts do, that Mr. O’Rourke’s run was aimed at bolstering Democratic candidates in local races rather

than actually winning. “I don’t think that Beto is looking to do any sort of suicide mission,” he said.

Mr. O’Rourke remains the only Democrat in Texas with a strong statewide campaign organization, including thousands of devoted volunteers and an ability to raise money that rivals Mr. Abbott, the two-term Republican incumbent who has overseen a hard right turn in state government. During the most recent three-week filing period last month, Mr. O’Rourke raised $1.3 million, spent $600,000 and had $6 million in his campaign account. Mr. Abbott pulled in $1.4 million, spent $4.5 million and still had $62 million available in his account.

Much about the O’Rourke campaign echoes his 2018 race to try to unseat Senator Ted Cruz, which energized Democrats across Texas and brought donations pouring in from around the country. There are the same black-and-white “Beto” posters, the speeches he delivers from the center of fawning crowds and the sense that an upset is possible.

Sign Up for On Politics A guide to the political news cycle, cutting through the spin and delivering clarity from the chaos. Get it in your inbox.
But much has changed. Mr. O’Rourke is no longer a fresh-faced newcomer. A poll last year found that he was better known among Texans than the actor Matthew McConaughey, who briefly flirted with a run for governor himself. Most Texans have an opinion of Mr. O’Rourke, and for many it is not favorable. So far, he has trailed Mr. Abbott in every poll, often by double digits.

Mr. O’Rourke has been running a more traditional campaign than he did in 2018, taking large contributions, conducting polls on issues and going on the attack early against Mr. Abbott, including in a new ad. He has also been more closely coordinating with the state party.

“We’ve already had discussions with him to get the Democratic Party and him in perfect sync,” said Gilberto Hinojosa, the chairman of the Texas Democratic Party. “That’s something that did not happen in 2018.”

And Mr. O’Rourke does not benefit from the long runway he had in 2018, as he traveled the state and built his events from dozens of people to thousands. Now, as he drives around Texas highlighting the impacts of last year’s electrical grid failure, he is trailed by the opposition — members of Mr. Abbott’s campaign who have been coordinating with protesters at many of the stops.

In Tyler, Mr. Abbott’s campaign spokesman, Mark Miner, arrived earlier than Mr. O’Rourke and helped to arrange a protest in favor of the oil and gas industry that included a big rig truck emblazoned with a heroic image of former President Donald J. Trump.

“It’s about the Green New Deal versus the energy industry,” said State Representative Jay Dean, an East Texas Republican and general manager at Thomas Oilfield Services, as

he stood near the big rig that he had helped bring to the protest. “I’m not that concerned about him,” he added of Mr. O’Rourke. “First of all, he’s not going to win.”

At events in three cities last week, it was clear that Mr. O’Rourke, still an energetic campaigner who drives himself around Texas, has become more careful in his remarks and packaged in his presentation, as he is tugged along on a tight schedule kept by his campaign handlers. And his crowds are full of people who have supported Mr. O’Rourke for years, raising the question of how much he can grow his current base.

During the more than 2,300-mile tour, which ended Tuesday on the anniversary of the day when the lights went out in most of Texas, Mr. O’Rourke delivered variations on a short speech focused on his proposals to address the wobbly Texas grid, such as connecting it with other states and prosecuting those who reaped huge profits from last year’s failure. He elicits cheers with promises to legalize marijuana and protect voting rights.

“First time voters!” Mr. O’Rourke yelled before posing with a group of young women he met in Waco, after a nighttime speech in a park that drew what looked to be more than 200 people.

In Austin the next day, Mr. O’Rourke visited a nonprofit that helped feed stranded residents during last year’s power grid failure, and he went along as their workers handed out meals to homeless men and women in a park between the Colorado River and a busy roadway.

“You stay here?” Mr. O’Rourke asked during a conversation with Josue Garcia, 35.

“Yes, in the green tent,” said Mr. Garcia, adding that he lived in the park with his wife and an adult stepdaughter, who works at Whataburger.

“I’m Beto and it’s an honor to meet you.”

“I’ll vote for him for sure,” Mr. Garcia said after Mr. O’Rourke went to talk to another man.

Later, as the sun set over the State Capitol, a young and enthusiastic crowd gathered to see Mr. O’Rourke in the parking lot of the Texas AFL-CIO, across from the governor’s mansion.

Mr. Abbott was out of town at the time but his campaign spokesman, Mr. Miner, a longtime senior communications aide to top Republicans, moved through the crowd of O’Rourke supporters, handing out fliers to reporters until he was escorted away by a union representative.

On the sidewalk, protesters waved a Trump flag and an American flag and shouted — “Free crack pipes!” “Communism doesn’t work, Francis!” — in an attempt to interrupt

Mr. O'Rourke's nighttime speech, calling him by his middle name. An advertising truck showed a black-and-white video of Mr. O'Rourke morphing into President Biden, which was paid for by Mr. Abbott's campaign.

Many of Mr. O'Rourke's supporters recalled losing power last year. But their anger at the handling of the freeze wasn't the only issue that drew them to the rally.

Nick Tripoli, 43, wore a mask with the words "Abort Greg Abbott" across it. He said he had heard Mr. O'Rourke speak in 2018 and had seen the enthusiasm he brought to Democrats.

"I wanted to be a part of it," Mr. Tripoli said. "Again."

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NRA Defends Gov. Greg Abbott As Gun-Rights Celebrities Back A GOP Rival

By Jeremy Wallace
Houston Chronicle

With primary voting well underway, Gov. Greg Abbott is leaving nothing to chance this week, highlighting endorsements from gun rights groups as one of his top GOP rivals touts his backing from gun-rights celebrities including rock musician Ted Nugent and Sutherland Springs hero Stephen Willeford.

"I have defended your Second Amendment rights," Abbott told an audience on Tuesday night in Waco after the NRA and the Texas State Rifle Association announced they were supporting his re-election.

Abbott made a similar declaration in his hometown of Wichita Falls on Wednesday, where he pointed to more than 20 bills he's signed into law as evidence of that commitment, including the so-called constitutional carry bill that allows most people over 21 to carry a pistol without a permit.

Abbott also rolled out a video of various gun advocates singing his praises.

"Governor Abbott is a tireless defender of the right to keep and bear arms," said Wayne LaPierre, CEO of the National Rifle Association.

Former Texas Republican Party chairman Allen West, one of seven Republicans running against Abbott in the primary, has been touting his own endorsements from the likes of Nugent and Willeford.

On Tuesday, Willeford, the NRA firearm training instructor who shot and wounded the gunman at the First Baptist Church in Sutherland Springs in 2017, threw his support behind West.

“His beliefs regarding the constitution, gun rights, border policy, and fiscal conservatism are the values that will continue to guide Texas in the right direction,” Willeford said in a statement put out by the West campaign.

Nugent, almost as famous for his gun advocacy as his musical career, has been campaigning with West around the state in recent weeks and recorded a video supporting West over Abbott.

“You know what, we have a pretty good governor down here in Greg Abbott,” Nugent, who lives in Waco, says in the video. “I worked hard to get him elected. But if you were a pretty good bass player you couldn’t be in my band. Pretty good doesn’t cut it.”

Nugent has been a high-profile supporter of the NRA for two decades, even recording a song titled “I am the NRA.” However, last year, Nugent resigned from the NRA’s 76-member board after 25 years of service, citing scheduling issues.

West has tried to make the case that Abbott hasn’t been nearly as aggressive on gun rights issues as he has made it sound. On his website, West points out that Abbott did not make passing the constitutional carry bill a priority in past legislative sessions.

West was a staunch advocate for the bill in 2021, blasting Texas Lt. Gov. Dan Patrick for holding up passage of the legislation — something Patrick denied doing. The bill had faced opposition not only from gun reform advocates and Democrats, but also from law enforcement officers who said it would make their jobs more difficult.

The intramural Republican fight over guns comes as Democrat Beto O’Rourke, who is facing his own primary against four other candidates, has changed his tone on the issue. In 2019 while running for president, O’Rourke said “hell yes,” he would push to take assault-style rifles away from their owners as part of a gun buyback program he supported.

“I’m not interested in taking anything from anyone. What I want to make sure that we do is defend the 2nd Amendment,” O’Rourke told supporters in Tyler last week.

Abbott’s campaign has pounced on that as a “flip flop” in new digital ads.

“This is yet another example of Beto O’Rourke lying to the public about his extreme liberal views that align him more with President Biden than the people of Texas,” said Mark Miner, communications director for Abbott’s campaign.

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Administration News

Mail Ballot Rejection Rates Still High As Texas Early Voting Kicks Off

By Cayla Harris
San Antonio Express News

Thousands of mail-in ballots have been sent back to voters statewide over new identification requirements, the latest in a saga of election troubles linked to Texas' new voting law.

Early voting is now well underway for the March 1 primary election, as local elections officials juggle that problem alongside their usual responsibilities.

At first, counties were returning mail ballot applications en masse over the ID stipulation, as voters are required to provide the same identification number they used when first registering to vote. Many Texans have written down their driver's license number when they registered with a Social Security number and vice versa.

Those record rejection rates on the applications have since slowed, but local officials are now encountering the same problem with the mail ballots themselves.

As of Monday, Harris County had sent 38 percent of filled-in ballots back to voters over the new ID requirements. That translates to roughly 2,700 ballots of 7,200 received so far.

Dallas County has also reported higher-than-usual rejection rates, with 26 percent of nearly 1,500 filled-in ballots sent back to voters.

Other counties have reported similar problems over the past several days, with Austin-area counties sending back about 30 percent of ballots for correction.

Bexar, Tarrant and Travis counties did not provide their most recent rejection rates by publication time, and the Texas Secretary of State's office did not respond to a request for statewide statistics.

Voters whose ballots were rejected will have an opportunity to correct their ballot by mail, or, if the deadline is coming up too soon, officials will call or email voters. They would need to then go to their local elections office in person. Another option would be to use the state's new online ballot tracker to correct any mistakes.

Completed ballots have to be postmarked by 7 p.m. on March 1. They can also be delivered in person on election day.

200,000 votes counted in 2 days
The first day of early voting this year fell on Valentine's Day — and also the day after the Super Bowl.

But that didn't stop roughly 101,000 voters from turning out to the polls on Monday — nearly 64,000 in the Republican primary and 37,000 in the Democratic primary. That's roughly .58 percent of all registered voters statewide.

Still, the first-day tallies lagged slightly behind those of 2018, when the last midterm election cycle took place. On the first day of early voting in February 2018, about .52 percent of registered voters cast an in-person ballot in Texas' top 15 most populous counties.

In those same counties on Monday, the total was .51 percent.

On Tuesday, another 100,000 voters hit the ballot box, with roughly the same party split as day one. Nearly 24,000 mail ballots have been counted so far.

Ballot mix-ups in Blanco County
Last week, 88 voters in Blanco County in the Hill Country opened up their newly arrived mail ballots and immediately noticed something was off.

Though the voters had requested the ballot for one party, they'd received the opposite — Democrats opened Republican ballots, and Republicans opened Democratic ballots.

The error was attributed to a third-party printing company, which was advised of the mistake two days after the ballots were sent. The business, San Antonio-based AMG Printing, sent out corrected ballots the next day.

The new ballots came with a "notice of correction" signed by Blanco County Elections Officer Kristen Spies. The document, reviewed by Hearst Newspapers, directs voters to destroy the incorrect ballot if they have not yet mailed it back.

If the voter had already returned the wrong ballot, they should still fill out and submit the correct ballot by Election Day. The printing company provided county officials with the sequence numbers of the incorrect ballots to ensure they're not double-counted.

Aaron Gonzales, the owner of AMG Printing, said the incident was isolated to Blanco County. The company provides services for roughly 170 of Texas' 254 counties.

Local officials ask all affected voters to notify the Blanco County Elections Office at 830-868-7168.

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State News

San Antonio May Cut City Property Tax Rate Next Year Because Of The Soaring Housing Market
By Megan Stringer

San Antonio Express News

San Antonio could cut its property tax rate next year based on the city's budget expectations and a hot housing market that has taken off in the pandemic.

The city's outlook for the general fund looks good and is a projected $36.4 million ahead of budget. But officials cautioned that could still change if new COVID-19 variants continue to disrupt the economy or if inflation poses longer-term problems, said City Manager Erik Walsh.

"We're cautiously watching what all the changes mean for the local economy," Walsh said.

The first-quarter budget report to City Council on Wednesday is just an early estimate. Some parts of the city's revenue from the airport fund and the hotel occupancy tax remain below pre-pandemic levels, but officials are hopeful those areas will continue to recover.

"This is certainly encouraging news," Mayor Ron Nirenberg said.

But the pandemic economy has been volatile and still is subject to changes.

"I would expect we're going to see a moderating of these numbers over the next several months," Nirenberg said.

What would lead to a reduced property tax rate?
If there is a decrease in the city's property tax rate — currently set at 55.8 cents per $100 of property value — it would take effect in January next year.

The potential property tax reduction stems from a state law passed in 2019 that requires an election if a city's property tax revenue increases by more than 3.5 percent in a single year.

On ExpressNews.com: New property tax law could end up costing San Antonio taxpayers more

In the recent pandemic real estate market, buyers have been crunched to find homes, pushing prices up. High demand, tight inventory, low interest rates and more have led to a soaring housing market.

With home values rising, city leaders expect revenue from residential property taxes also to climb. Commercial property taxes have not risen in the same way, but officials anticipate they will increase in the economic recovery from the pandemic.

In that case, the city would be in danger of collecting more property tax revenue than allowed by state law. The projections are tied to the city's base property tax, which doesn't include newly built homes or stores.

Before the state law took effect in 2020, the city had a cap of 8 percent for property tax revenue growth each year. That allowed San Antonio to save up in good economic years, said Deputy City Manager María Villagómez. It could use the excess during downturns, like when the pandemic hit.

After the law passed, major credit agencies warned San Antonio and other Texas cities that it would strain their finances and possibly end up costing taxpayers more.

San Antonio hasn't increased its property tax rate in 29 years, Walsh said. Instead, the city has decreased that rate seven times in those few decades.

The majority of the current budget comes from property taxes. The city's take from CPS Energy is the next largest contributor to the budget, followed by the sales tax.

The city's sales tax revenue was up significantly in the first quarter, Walsh said. The record collection was up 22 percent compared to last year.

Expanded budget timeline

Typically, the city has held budget talks with City Council in late May or June. Walsh proposed starting the budget workshops in the second week of April to move up the timeline. Then, San Antonio would have about a month to gather public input.

The rest of the budget calendar would stay the same, with plans for City Council to adopt the annual budget in September.

San Antonio has up to $59 million in policy issues — one of which is a potential new civilian pay plan — to address in its next annual budget, Walsh said.

The city wanted to look at that prior to the pandemic, Villagómez said. Higher starting wages are a possibility for some city workers, as well as updated step plans, which set wages based on tenure with the city.

Another part of those policy priorities could be an expanded residential homestead exemption that District 10 Councilman Clayton Perry and District 9 Councilman John Courage asked for last year. The exemption lowers property tax bills by slightly reducing the taxable value of a homeowner's primary residence.

The city currently loses about $6.2 million from the existing homestead exemption. Perry said he thinks the city can afford it because property taxes have risen and the overall budget picture looks good.

“I urge us all to be cautiously optimistic,” said District 6 Councilwoman Melissa Cabello Havrda.

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Georgetown Removes Downtown Memorial Bricks, Including Those Honoring Confederate Soldiers
By Claire Osborn
Austin American Statesman

Get rid of them.

That's what the Georgetown City Council told staff to do with the memorial bricks installed on the sidewalk corners around the courthouse square, including those honoring Confederate soldiers and officials.

City workers were busy on Wednesday taking out about 240 bricks.

The Williamson County Historical Commission had an informal agreement with the city for about a decade to place the pavers on the corners of the sidewalk around the courthouse. The city owns the sidewalk corners and the county owns the rest of the sidewalk.

Bricks that were being removed also included those honoring veterans of World War I and War World II, as well bricks in memory of residents and their families.

The City Council on Feb. 8 decided to end the agreement and reject a new proposed agreement with the commission at a workshop after several people spoke against the bricks. The bricks will be returned to the commission.

"The city, often held out at as having the most beautiful square, is stained with a Confederate monument and now bricks that present a false narrative of history," Georgetown resident Dawn Korman told the council.

Jacquita Wilson-Kirby, another Georgetown resident, said the bricks honoring the Confederacy make Black people not want to shop in downtown Georgetown.

"I'm here mainly because I have to hear other Black people tell me why they won't come and why they will never spend their money here," she said.

No residents spoke in favor of keeping the bricks.

The Historical Commission allowed anyone to buy a brick for $50 in memory of any citizen or veteran. The city installed the bricks for the commission.

Shelby Little, chairman of the commission's memorial brick committee, declined to comment directly this week about the council's decision to remove all the bricks. He referred to a letter he had sent to the Williamson County Sun, a newspaper in Georgetown.

READ: New focus on Williamson County statue starts in January

"Wokeism has arrived, uninvited and unwelcome, in Georgetown in the guise of our own City Council," Little said in the letter.

"A number of (Black Lives Matter) activists attended the Workshop and spoke out, not against the agreement, but that there were "Confederate" bricks on City-owned property. Their rhetoric was hateful and blatantly false. There are 240 Memorial Bricks installed on the Square. Twelve of them, 5%, recognize Confederates."

The city in June suspended additional brick installations "after we received concerns about the program and discovered we did not have a formal agreement with the (Willliamson County Historical Commission)," according to a city website.

Twenty bricks had recently been installed at the time the program was suspended, including nine honoring Confederate soldiers and officials.

The formal agreement that the commission proposed to the city on Feb. 8 said the bricks could be bought to honor an ancestor, a veteran, a historical person or any other person approved by the commission. It also said people could not buy bricks honoring anyone convicted of a felony, war crimes or a genocide.

Little also told the council that applicants would have the ability to appeal if their requests were denied and the appeals process would be overseen by representatives from the Historical Commission and a representative from the city.

He said the memorial brick program was a major fundraiser for the commission but also said he did not know how much money it had raised over the years.

At the Feb. 8 workshop, City Council Member Steve Fought said the city should remove the bricks. He said he did not want the members of the Historical Commission's board, who are appointed by the Williamson County commissioners, to "dictate what we do" in the center of Georgetown.

Other council members agreed. Amanda Parr said the Confederacy has become a "divisive issue on the square." For several months, both people supporting the Confederate soldier monument that stands in front of the county courthouse and those who want it removed, have protested each Saturday.

"It's time we remove the bricks and return them to the commission so everyone and all are welcome on the most beautiful town square in Texas," she said.

Nearly 100 Confederate statues were removed in 2020. But hundreds remain, new SPLC data shows

The Georgetown City Council does not have control over the 1916 Confederate monument, which is on county property.

The county commissioners in 2020 approved appointing a committee to study the statue's history and make recommendations about it, but commissioners have not yet appointed any members.

In his letter, Little also said that members of the Georgetown council made "spineless and often inaccurate comments" at the workshop.

Little is a retired colonel who stands in a Confederate uniform by the statue on the squareduring Confederate History month each April. He is also a member of the Williamson County Grays, a group that honors Confederates who fought in the Civil War.

The Williamson County Grays has a post on its Facebook page honoring Nathan Bedford Forrest, a Confederate general who became the first grand wizard of the Ku Klux Klan, Austin resident Robin Breed told the council on Feb. 8.

The post, made on Jan. 2, describes Bedford as an "advocate of Black rights."

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Bob's Breakdown: Texas Democratic Star Lina Hidalgo's Future, Trump's Tarrant County Endorsements
By Bob Garrett
Dallas Morning News

You hear that people, after almost two years of a COVID-19 lockdown, are angry. If so, you assume that they'd want to take it out on someone at the ballot box. Texans, though, aren't surging to cast ballots in the first few days of early voting before the March 1 primary: Through close of business Tuesday, just 1.38% of the state's 17.2 million registered voters had cast in-person and by-mail early votes, according to Sam Taylor, spokesman for Texas Secretary of State John Scott. Hmm.

- But wait, there's some drama here, folks, really! If you look past the primaries for statewide offices, at some of the races for county office in Texas' most populous counties, you'll see contests that may give us answers to some intriguing questions. Such as:
- Is Harris County Judge Lina Hidalgo the next best hope of state Democrats? If so, doesn't she need to reinforce her brand by winning re-election, even in the face of strong challenges in what's shaping up as a Republican year? In Tarrant County –

special to me for many reasons, not least because I was born there – could we learn national lessons about the future of the GOP from a hot county judge's race? What about Tarrant's free-for-all for district attorney? And in Dallas County, is Gov Greg Abbott's probably least-favorite county judge – we're talking here about Democrat Clay Jenkins – going to continue to be a pesky irritant to the powers that be in Austin?

- Let's break it down by Harris Dems, Harris Rs, Tarrant county judge, Tarrant DA and Dallas county judge:
- Democratic primary for Harris County judge: As of the March primary, at the ripe old age of 31, Hidalgo is probably Texas Democrats' strongest player on the bench as they survey upcoming shots at U.S. Sen. Ted Cruz (2024) and possible open seat races for governor or lieutenant governor (or a crack at U.S. Sen. John Cornyn) two years after that. The first-term Harris County executive's shoulders bear a huge weight of big expectations. Some Democrats fear that Hidalgo – by taking a white-knight stance of sorts, not accepting campaign contributions from county vendors – has left herself potentially vulnerable. The racial-ethnic dynamics of Harris County Democratic politics can be rough. If Erica Davis, who is Black, the chief of staff to a longtime constable and one of Hidalgo's five primary challengers, can take the Latina county judge to a runoff, that would drain the incumbent's finances. In a county of more than 4.5 million people, Hidalgo has raised just $1.8 million, according to the Houston Chronicle's Zach Despart, who's detailed a flood of donations to Harris county commissioners from no-bid contract vendors.
- State Republicans want to nip in the bud the frightening prospect of a second-term Hidalgo. It says here they'll unleash massive spending to paint her as a radical left-winger. Endorsing her renomination, the Chronicle's editorial board praised her handling of COVID-19 and the 2021 winter freeze and blackouts. "Countywide polling shows Hidalgo is the most popular county official, has excellent name recognition and political observers say her only significant vulnerability in the Democratic primary is Harris County's surge in violent crime," the paper said.
- Republican primary for Harris County judge: The Chronicle, U.S. Rep. Dan Crenshaw and state Rep. Dan Huberty have endorsed Humble ISD school board president Martina Lemond Dixon, who if elected would be the first Black Harris County judge. Beloved Houston businessman Jim "Mattress Mack" McIngvale backs the youthful, Harvard-trained lawyer and Army combat veteran Alexandra del Moral Mealer. Many establishment Republicans, though, have swung behind lawyer and former federal prosecutor and state bar board chairman Vidal Martinez. This fall, expect the one who's nominated to go after Hidalgo over crime and – hey, it's this year's Republican theme song – immigration.
- Republican primary for Tarrant County judge: Former President Donald Trump and newly elected Virginia Gov. Glenn Youngkin loom over the race to succeed GOP Tarrant County Judge Glen Whitley, who is retiring after three terms. Former Fort Worth Mayor Betsy Price roughly fits the Whitley mold – of being pro-business and tending to the unglamorous work of county government, such as transportation, economic development and courts. Former Tarrant County GOP

Chairman Tim O'Hare, who unsuccessfully sought to bar landlords from renting to immigrants when he was mayor of Farmers Branch, but had more success as founder of the Southlake Families PAC, which went after Carroll ISD's diversity and inclusion plan, has mounted the strongest bid of the four other Republicans running. As my friend Shaun Rabb of Fox 4 reported, quoting experts, the race is a "microcosm" of national tensions within the Republican Party. Taking a page from Youngkin's playbook, O'Hare is running TV ads that attack Price as a supporter of critical race theory and Black Lives Matter. Trump has endorsed O'Hare. Price's TV ads, however, say O'Hare is lying about her record. In a mailer, she bragged of cutting the city of Fort Worth's property tax rate by 12% during her decade as mayor and said she "stood up to Black Lives Matter extremists and successfully defeated efforts to defund the Fort Worth Police Department."

- Republican primary for Tarrant County district attorney: Trump also has endorsed Tarrant County Criminal Court Judge Phil Sorrells in the GOP primary to succeed outgoing Republican DA Sharren Wilson, who is retiring. Sorrells, who is the son-in-law of former congressman, GOP gubernatorial hopeful and Texas Tech University System chancellor Kent Hance, faces five-term state Rep. Matt Krause and Criminal District Court Judge Mollee Westfall. Lawrence "Larry" Myers, whose switch from Republican to Democrat while on the Texas Court of Criminal Appeals in 2013 was a big deal, but who's been losing sizzle ever since, faces former state prosecutors Tiffany Burks and Albert John Roberts for the Democratic nomination.
- Dallas County judge primary races: Infighting among county Republicans has provided Jenkins, at the very least, with a road map to winning another term. That would greatly irritate Abbott, with whom Jenkins has clashed on the pandemic, Medicaid expansion and other topics. As my colleague Charles Scudder has reported, Republican county judge hopeful Lauren Davis, a barber-shop chain co-owner, has said that last year, she decided to run after the Dallas Independent School District kept her unmasked children separate from classmates while a district mask order was in effect. Davis has clashed with GOP County Commissioner J.J. Koch and County GOP Chairwoman Jennifer Stoddard-Hajdu over whether Davis has met residency requirements to be a candidate, and her failure to vote in past Republican primaries. They've warned that if Davis wins the nomination over school district trustee Edwin Flores, Jenkins will tie her up in court with challenges to her eligibility.
- Jenkins, who faces Cedar Hill lawyer Billy Clark in the Democratic primary, says he'll keep following the advice of medical experts. "I'll take whatever damage it does to me politically," he told Scudder – with a Cheshire cat grin, probably. While once there was talk that Jenkins might challenge Abbott for governor, in his fourth term as county judge, he at least would be able to keep bedeviling state GOP leaders. (Dallas County DA John Creuzot, a Democrat, does have a primary challenger and may face former Republican DA Faith Johnson in the fall. However, Johnson, a former district judge whom Abbott appointed to an unexpired term, hasn't won a countywide race since the Democrats took over in 2006.)

- The moral of these short takes? If you're bored by what you see at the top of the ballot, keep going!

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Education

UT Arlington Issues Statement Acknowledging University Was Built On American Indian-Owned Land
By Sarah Bahari
Dallas Morning News

The University of Texas at Arlington has issued a statement acknowledging that the university's campus stands on land once owned by the Wichita tribe and its affiliated tribes.

The Native American Land Acknowledgement statement says UT Arlington was built on the historical homelands of the tribes, who, by the 1840s, had built a village in what is now Arlington.

"Their ancestors resided here for generations before being forcibly displaced by U.S. settlers and soldiers in the mid-1800s," the statement reads.

In the statement, UTA also recognized the presence of the Caddo Nation and other Tribal Nations in the region, as well as indigenous people who moved to the area during the Indian Relocation program of the 1950s and 1960s. The statement went on to recognize the accomplishments of indigenous students, faculty and staff.

A university task force comprised of faculty, staff and students — many who claim American Indian ancestry — developed the statement, according to a university press release releasing the statement.

Task force member Les Riding In, assistant dean in UTA's College of Liberal Arts, said the land acknowledgement statement is a "call to action."

The school plans to implement a Native American oversight council, create an endowed Native American student scholarship and transform an area on campus into a place for "individual and institutional reflection," Riding In said in the press release.

Universities across the U.S. have issued similar land acknowledgment statements in recent years, although some critics argue they are empty gestures that accomplish little.

UTA task force member Kenneth Roemer, a professor emeritus of English, said in the release that other statements have the unintended consequence of suggesting that American Indians are "of the past." UTA's statement emphasized the present contributions of indigenous peoples, he said.

“This statement is a living document and takes care to highlight the continued presence of Native Americans in Arlington and North Texas in the present,” Roemer said.

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Many Black, Latino Students Graduating In Texas’ Top 10% Aren’t Enrolling In College
By Valeria Olivares
Dallas Morning News

Malik Childs, 19, worked throughout high school to save as much money as he could for college.

Because he graduated in the top 10% of Mesquite High School’s graduating class in 2020, Childs was guaranteed automatic admission to nearly all state universities. But he still experienced a hesitation that many encounter when transitioning into college.

Family obligations often mean some top grads have to care for a parent or sibling or work to support the household, he said.

So leaning in to a full-time job was tempting for Childs. But his desire to change the statistics regarding the scarcity of Black doctors throughout the country motivated him more. Now a sophomore at the University of North Texas at Dallas, Childs plans on attending medical school.

“Everybody thinks of that now versus the later, but my parents instilled in me to focus on the future,” Childs said. “I just always knew that I would make more money by going to school versus working at a job.”

State officials worry that too many of Texas’ top students of color like Childs aren’t going on to college. Before the pandemic hit, nearly 17% of the state’s Black students and 16% of Latinos who graduated in the top 10% of their classes not only skipped a state school but also didn’t show up enrolled at any other college or university in the country, said Harrison Keller, Texas’ commissioner of higher education. By comparison, about 10% of white students didn’t show up in enrollment data nationwide.

“These are students who’ve done everything they were asked to do,” he said. “They won academic awards; qualified for automatic admission to our Texas universities; and then did not enroll directly out of high school.”

The Texas Higher Education Coordinating Board intends to study how trends have shifted for the state’s top students since the pandemic started in 2020.

Keller noted that preliminary data has already shown sharper enrollment declines for Black and Latino students as well as those from low-income families. Those communities

were hit particularly hard — both financially and healthwise — when COVID-19 swept across the country.

The labor shortage has complicated the issue as many young adults are opting to go straight to work as industries are desperate for help. The labor market saw an increase this past year for Texans age 16 to 19, according to data from the Federal Reserve Bank of Dallas. But often these young adults are going into jobs with low wages and slim chances of upward mobility.

“It suggests that there’s tremendous, tremendous pressure on many students to put off going to college and go directly into the workforce,” Keller said.

And the longer students are out of school, he said, the lower the chances they will ever enroll in college.

But keeping more students on track for higher education is key to addressing Texas’ workforce needs, Keller said. Officials also worry about cultivating enough talent to attract new businesses and support the state’s growth and development.

“There’s much more technology incorporated into how people work,” Keller said. “That means that we’re going to have to educate more Texans to higher standards than we’ve ever successfully achieved before.”

Supporting students

Texas adopted what is commonly known as the “top 10% plan” in 1997 after the Legislature required state universities and colleges to offer automatic admission to students who graduated in that top tier of their high school classes. The move was meant to diversify the state’s schools.

And generally, more students of color have enrolled across Texas since then. But undergraduate enrollment for Black students peaked in 2011 at 296,413 and has been declining ever since to 246,342 in 2019, according to data from the U.S. Department of Education. Enrollment for white students also decreased in that time from 784,382 to 628,916. Meanwhile, Latino enrollment climbed from 633,660 to 803,716.

As the Latino population grows in Texas, that’s reflected in the state’s colleges as well, said Deborah Santiago, the co-founder and CEO of Excelencia in Education, an organization that aims to accelerate Latino students’ success in higher education.

About 40% of Latino students are the first in their family to go to college, which is more than any other ethnic group, she said. That means these students often don’t have someone who can help them “work the system.”

Even the top 10% students who get automatic admission may need more help than just being at the top of the class.

“Latinos are very economically vulnerable as a population,” Santiago said. “We have data that shows Latinos are less likely to take debt to go to college than others.”

Paola Herrera’s mother brought her family to the United States from El Salvador nearly 15 years ago.

As a first-generation student that doesn’t have legal status yet — which further complicated her situation — finances were a big stress since she could not apply for federal aid.

Herrera obtained her associate’s degree before graduating from Terrell High School last year through dual-credit courses and started classes as a junior business student at Texas A&M University-Commerce.

She struggled navigating the transition into higher education. Her family had little experience since her older brothers ultimately decided against college. But she said the pressure is worth it as she works for a more secure future.

“I owe it to my mom,” Herrera said. “The struggles she had to go through having three kids and being a single mother.”

She added that she also wants to serve as an example, because some Latinos she knows who skipped college did so because “they don’t feel like they’re enough, they feel like it’s not for them.”

Santiago said institutions in Texas — and across the country — could do more to help Latinos and embrace the opportunity of that growing student population.

Texas has 96 Hispanic-Serving Institutions — a federal designation for schools with at least 25% of its undergraduates who are Latino — according to the latest federal data.

Many universities become HSIs because of changing demographics, not because of intentionality, Santiago said. So her organization created the Seal of Excelencia, or Seal of Excellence, to recognize campuses that serve Latino students through specific strategies, such as by increasing courses offered in Spanish or bilingually and by making transfers easier.

Texas has eight of the 24 institutions with the seal, including El Paso Community College, the University of Texas at El Paso, Austin Community College, South Texas College, UT-Austin, UT-San Antonio, UT-Rio Grande Valley & Texas A&M University-San Antonio.

However, the certification doesn’t mean that the institution is “perfect and has it all figured out,” but that it’s being intentional, Santiago said.

Breaking systemic barriers

For too many Black students, one key stumbling block is persistent racial microaggressions — an instance of indirect, subtle or unintended discrimination — that they encounter along the way, said Tyrone Howard, a professor of education at the University of California, Los Angeles. Howard, founder of the Black Male Institute at UCLA, has long researched the academic achievement gap between students of color and their peers.

“Counselors tend to give less time, less attention, less support, less encouragement to Black students,” Howard said. “There’s also this assumption that Black students either don’t want to go to college or don’t have the qualifications to go to certain colleges.”

Schools that have larger populations of students of color and higher numbers of students from low income families also have a higher student-to-school counselor ratio, according to a 2012 study by the National Office for School Counselor Advocacy. That can impact the amount of time counselors can devote to helping students prepare for college.

Meanwhile, schools can do a better job of helping staff engage in anti-bias workshops to understand that, oftentimes, implicit bias plays a role, Howard said.

It’s critical that counselors play a role in breaking such systemic barriers for students of color, said Ramon Blakley, president of the Texas Association for College Admission Counseling. They can help tear down hurdles by creating connections and giving more students a sense of belonging, he urged.

Helping students understand the benefits of a degree, navigating resources and the transition to college and getting to know them better to understand their challenges are just some of the ways in which they can help, Blakley added.

“One of the reasons why it’s difficult to get students from underrepresented backgrounds into college is because, initially, the system was set up to exclude them,” he said.

Black students make up 12.7% of Texas undergraduates, mirroring their population in the state’s public schools. Latinos make up 41% though they make up more than half of all public school students.

And often, such students are underrepresented at many of Texas’ major universities.

“We want to see these numbers change,” Blakley said. “We want to see more students participate in higher education.”

Too often, conversations about attracting diverse students don’t focus on what the universities lack, said Jerry Rosiek, an associate professor at the University of Oregon who researches patterns of racial and class inequality in schools. Higher education leaders need to reflect on how they can improve their own campuses, he stressed.

“These kinds of enrollment equity challenges get framed in terms of deficits that are located in the students … and that’s a mistake,” Rosiek said. Sometimes well prepared students aren’t choosing to go to a school for reasons that universities should pay attention to, he added.

Ndayisaba Enock said he sometimes felt alone as a student at the School of Science and Engineering at Yvonne A. Ewell Townview Center, a Dallas high school where about 10% of students were Black. He graduated from the center last year.

“It’s a very isolating area to be in,” he said, adding that he was nervous about feeling the same way while pursuing a degree.

Now as a freshman at the University of Texas at Dallas, he started by taking most classes virtually. But such remote learning can also make it harder for students to build relationships, educators say.

Students want to feel connected, which is accomplished when they feel represented among the school’s faculty and students, said Sarina Willis, Prairie View A&M University’s vice president for enrollment management. That’s why schools must intentionally create campus communities and activities where students can foster relationships, she said.

The historically Black university, for example, is redesigning the way it approaches prospective students by working not only with k-12 schools but also trying to recruit nontraditional students from the Prairie View area who may have felt initially that higher education wasn’t an option for them.

Building direct relationships and educating community members on financial aid resources, enrollment processes and other such topics can help the university build a pipeline of college-minded students, she said.

“Everybody has the ability to get some type of post-secondary education,” Willis said. “It’s just finding the plan and the path that is right. And that just takes communication and connecting with people that can help.”

Some state schools have seen an increased enrollment of students of color from the tops of their classes. And it’s come from focused effort, officials say.

The University of Texas at Arlington, for example, had a 70% increase in Black freshmen accepting their automatic admission offers this fall compared to the previous year.

Troy Johnson, UT-Arlington’s vice president for enrollment management, attributed the surge to the school’s partnerships with community organizations and some of its own programs.

One new program, for example, highlights various cultural communities on campus with prospective students sharing their perspectives on the university and participating in discussions with student leaders on campus.

“The very first one was to bring prospective African-American students and their families together with members of our university community,” he said. “These kinds of open conversations, these dialogue sessions, make a difference to the parents, to the students.”

Johnson participates in another program focused on the retention and graduation rates of Black and Latino males at UT-Arlington by providing mentorship, leadership development and academic support.

And for students like Childs who worry about finances, more high schools and colleges are focused on coordinated efforts to help students complete federal and state financial aid forms each year.

A big challenge for many students is knowing where to find accurate guidance online, especially when they run into an overwhelming amount of websites that claim to help.

The state is working with the Greater Houston Partnership — a chamber of commerce that represents the larger Houston area — Prairie View A&M, the University of Houston-Downtown and other colleges in that region to pilot online tools aimed at streamlining information on financial aid and admissions for students.

The Texas Higher Education Coordinating Board is using about $10 million in federal pandemic aid to create the My Texas Future portal, which officials plan to eventually roll out statewide.

Childs, who is in his third semester at the UNT-Dallas, said the diversity at his school makes him feel part of a community. The campus — located in southern Dallas — has a majority of Black and Latino students.

The connections he’s built on campus have helped him on his path to enter the medical field. One of his professors began mentoring him, encouraging him to join the Joint Admission Medical Program, a statewide initiative that helps students from underserved or low socio-economic backgrounds to become physicians. The faculty member also suggested he become a tutor to help classmates.

“It makes me feel great. I’m glad to see people of color in college,” Childs said of his diverse school. “I’m glad to see that a lot of people have an opportunity to go to college.”

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Business/Economy

Tesla Faces Another US Investigation: Unexpected Braking

By Tom Krisher
San Antonio Express News

U.S. auto safety regulators have launched another investigation of Tesla, this time tied to complaints that its cars can stop on roads for no apparent reason.

The government says it has 354 complaints from owners during the past nine months about “phantom braking" in Tesla Models 3 and Y. The probe covers an estimated 416,000 vehicles from the 2021 and 2022 model years.

No crashes or injuries were reported.

The vehicles are equipped with partially automated driver-assist features such as adaptive cruise control and “Autopilot,” which allows them to automatically brake and steer within their lanes.

Documents posted Thursday by the National Highway Traffic Safety Administration say the vehicles can unexpectedly brake at highway speeds.

“Complainants report that the rapid deceleration can occur without warning, and often repeatedly during a single drive cycle,” the agency says.

Many owners in the complaints say they feared a rear-end crash on a freeway.

The probe is another in a string of enforcement efforts by the agency that include Autopilot and “Full Self-Driving” software. Despite their names, neither feature can drive the vehicles without people supervising.

A message was left early Thursday seeking comment from Tesla.

It’s the fourth formal investigation of Texas automaker in the past three years, and NHTSA is supervising 15 Tesla recalls since January of 2021. In addition, the agency has sent investigators to at least 33 crashes involving Teslas using driver-assist systems since 2016 in which 11 people were killed.

In one of the complaints, a Tesla owner from Austin, Texas, reported that a Model Y on Autopilot brakes repeatedly for no reason on two-lane roads and freeways.

“The phantom braking varies from a minor throttle response to decrease speed to full emergency braking that drastically reduces the speed at a rapid pace, resulting in unsafe driving conditions for occupants of my vehicle as well as those who might be following behind me,” the owner wrote in a complaint filed Feb. 2. People who file complaints are not identified in NHTSA’s public database.

Michael Brooks, acting executive director of the nonprofit Center for Auto Safety, said it’s encouraging to see NHTSA’s enforcement actions “after years of turning the other

way," with Tesla. But he said the company keeps releasing software onto U.S. roads that isn't tested to make sure it's safe. "A piecemeal investigative approach to each problem that raises its head does not address the larger issue in Tesla's safety culture — the company's continued willingness to beta test its technology on the American public while misrepresenting the capabilities of its vehicles," Brooks wrote in an email Thursday.

The Washington Post reported about a surge in phantom braking complaints from Tesla owners on Feb. 2.

Just last week, the agency made Tesla recall nearly 579,000 vehicles in the U.S. because a "Boombox" function can play sounds over an external speaker and obscure audible warnings for pedestrians of an approaching vehicle. Tesla CEO Elon Musk, when asked on Twitter why the company agreed to the recall, responded: "The fun police made us do it (sigh)."

Other recent recalls by Tesla were for "Full Self-Driving" equipped vehicles that were programmed to run stop signs at slow speeds, heating systems that don't clear windshields quickly enough, seat belt chimes that don't sound to warn drivers who aren't buckled up, and to fix a feature that allows movies to play on touch screens while cars are being driven. Those issues were to be fixed with online software updates.

In August, NHTSA announced a probe of Teslas on Autopilot failing to stop for emergency vehicles parked on roadways. That investigation covers a dozen crashes that killed one person and injured 17 others.

Thursday's investigation comes after Tesla recalled nearly 12,000 vehicles back in October for a similar phantom braking problem. The company sent out an online software update to fix a glitch with its more sophisticated "Full Self-Driving" software.

Tesla did a software update in late September that was intended to improve detection of emergency vehicle lights in low-light conditions.

Selected Tesla drivers have been beta testing the "Full Self-Driving" software on public roads. NHTSA also has asked the company for information about the testing, including a Tesla requirement that testers not disclose information.

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Chipmaker Infineon Considers $700 Million Expansion At Austin Site
By Kara Carlson and Bob Sechler
Austin American Statesman

Tech giant Infineon Technologies is considering a $700 million expansion at the site of its current semiconductor fabrication campus in Southeast Austin, the company revealed in filings that seek a tax break for the project.

The Germany-based company, which is one of the biggest semiconductor manufacturers in the world, filed an application for a Chapter 313 incentives agreement with the Del Valle Independent School District. The application was posted this week on the Texas comptroller's website under a subsidiary's name, Spansion LLC.

Chapter 313 refers to the section of the Texas tax code that allows school districts to grant property tax breaks for economic development projects.

Infineon already owns 56 acres of land at 5204 E. Ben White Blvd., where it has an existing chip factory. The company employs 850 people at the 1.2-million-square-foot facility, according to the application.

The proposed expansion could add 154,000 square feet at the same site and 100 jobs, according to the company.

The company said in its Chapter 313 application that the expansion would increase its engineering, manufacturing and research and development activities by about 30% "to meet increasing demand for its products."

The potential expansion "will also ensure the manufacturing facility and associated jobs keep up with changing technologies and customer requirements and can produce relevant products for the next one to two decades," the company said.

Infineon’s existing Austin fabrication facility manufactures and tests products that are used for a variety of applications.

The proposed Del Valle school district tax break for the expansion would total about $8.9 million over 10 years, if there is no change in the district’s tax rate over that time. Infineon wouldn’t get a tax break for its existing facilities at the site or for the land, which it already owns.

Infineon currently has a 1.2-million-square-foot facility at 5204 E. Ben White Blvd., where it employs 850 people.

The proposed expansion calls for a new, three-story building nestled between existing buildings on the company’s property, with about 50,000 additional square feet per floor. It also calls for expanding an existing building by 3,800 square feet.

The company’s application said it would invest $75 million in the new buildings and $625 million in machinery and other personal property. The new building would house a clean room for the new equipment.

USA TODAY’s travel magazine offers a sampling of scenic drives for you to meander your way along city streets, coastlines and national parks.

In addition to the potential tax break from the Del Valle school district, Infineon said in its application that “ongoing discussions are underway with the city of Austin, Travis County and the state” regarding financial incentives from those entities as well.

Travis County commissioners would need to vote to lift a county moratorium on incentive applications before the county can accept and consider a formal request from Infineon. Hector Nieto, a spokesman for the county, said Wednesday that no such vote has been scheduled. He said he’s uncertain whether Infineon has approached the county informally about the issue.

A spokesperson for the city's economic development department declined to comment, while a representative of Gov. Greg Abbott's office couldn't immediately be reached for comment.

In the Del Valle application, Infineon estimated that construction on the property would start in the third quarter of 2022 and end around the fourth quarter of 2023. The company estimated the expanded facilities would be fully operational by the fourth quarter of 2024.

Infineon's Austin fab was previously operated by Cypress Semiconductor, which merged with Infineon in 2020. Spansion LLC had operated the fab for a number of years, before Spansion was acquired by Cypress Semiconductor in 2015.

'Continued growth ... is critical'

If the expansion goes through, it would add to an existing stronghold of chipmaking activity in Central Texas. Semiconductors make up about a quarter of all Central Texas' manufacturing output, according to the Austin Regional Manufacturers Association, and the "semiconductors and computers and peripherals" sector employs over 20,000 in the area.

Amber Gunst, CEO of the Austin Technology Council, said an expansion by Infineon would be good news for the Austin technology sector.

“Continued growth in the semiconductor space is critical for Austin,” Gunst said. “The variety of job opportunities and business relationships through vendors and advanced technology innovation is what will continue to provide growth in our community.”

Still, the proposed tax breaks for the expansion could face some pushback. Critics of tax breaks for corporate development projects contend they are often just giveaways that pay companies for actions they were going to take anyway.

“In economic development, expansions are seen as the most likely to occur even without incentives,” said Nathan Jensen, a University of Texas government professor who studies taxpayer-funded corporate incentives.

The potential Infineon expansion in Austin “is a case where there is a high probability of investment (by the company) even without incentives,” Jensen said.

Infineon's Del Valle application says the company is considering sites outside of Texas for the project, but it doesn't name any of those sites.

German chipmaker Infineon already owns 56 acres of land in Southeast Austin.
Looking to boost chip sector
The proposed expansion comes amid an ongoing shortage of chips used in a variety of technologies, from cars to laptops. Companies have also been considering unprecedented investment in the U.S, including in Austin.

In June 2021, Infineon joined other executives from tech giants and semiconductor manufacturers and U.S. Sen. John Cornyn R-Texas, for a roundtable discussion on federal investment in the semiconductor facility.

Cornyn is one of the authors of the CHIPS for America Act, a bipartisan tech and manufacturing bill that passed the Senate in January designed to expand domestic technology manufacturing and boost the country's ability to compete with China. Among other things, it calls for $52 billion to support domestic semiconductor manufacturing.

In November, Samsung announced plans to build a $17 billion chipmaking facility near Taylor in Williamson County. The Taylor factory is expected to employ about 1,800 people. The company also has an existing facility in Austin that employs about 3,000 Samsung employees and 7,000 contractors.

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Southwest Airlines Working On $13 Million Pilot Training Center Expansion At Dallas HQ
By Kyle Arnold
Dallas Morning News

Southwest Airlines is ready to restart work on a long-overdue headquarters expansion that the Dallas-based carrier put on hold because of the COVID-19 pandemic.

Southwest is resuming construction on 127,588 square feet of space in its Leadership Education and Aircrew Development Center that will include an eight-bay flight training center for simulators, classrooms, support rooms and other infrastructure, according to a permit filed with the state.

The new construction would start just as Southwest Airlines is in dire need of as many as 8,000 employees while it tries to rebuild the company from the air travel downturn of the previous two years. In particular, airlines desperately need new pilots, and carriers are investing heavily in training academies and incentives for young pilots at regional airlines. Airlines are also facing a coming wave of retiring pilots who are mandated to step away at age 65 due to federal rules for commercial aviators.

At Southwest, the project is part of the LEAD building expansion the company started in October 2019 when it planned to construct a three-story, 414,000-square-foot space that would expand its ability to hire pilots. While the outer shell of the building was completed, about a third of the interior space was left unfinished.

The project is estimated to cost about $13 million.

Southwest expects to finish the project in 2024, said spokesman Dan Landson.

“While we’ve expanded the building, the build-out of many of the floors inside was put on hold at the beginning of COVID,” Landson said. “Now that air travel demand is returning, we’re moving forward with the finishing of the interior spaces, which will add space for our new hire training classes.

Southwest Airlines’ workforce shrank during the pandemic due to buyouts and voluntary retirements, despite $66 billion in federal payroll support to keep people employed and the industry staffed. Southwest dropped from 62,000 employees in February 2020 to less than 56,000 at the end of 2021, according to the Bureau of Transportation Statistics.

Now the company is hustling to rehire employees, particularly as the global pandemic has stressed its operational ability during surges in case counts.

“We need pilots, we need flight attendants, we need ramp staffing, and you need the appropriate amount of buffer in all of those areas until we sort of see our way past COVID and understand what more normalized staffing, more normalized behaviors, more normalized sick leave looks like,” Southwest Airlines’ executive chairman and former CEO Gary Kelly said in a call with investors in January.

Southwest has already cut its flying expectations for the rest of the year due to COVID-related sick calls, the carrier announced last month.

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Immigration/Border Security

Texas Guardsmen Move To Unionize, Pointing To Troubled Border Mission
By Steve Beynon
Military.com

Several Texas National Guard soldiers are moving to unionize amid reports of a troubled border mission ordered by Gov. Greg Abbott that has been plagued by accounts of wage disruptions, rejected hardship requests, alcohol abuse and self harm.

At least six Guardsmen are working with the Texas State Employees Union to try to unionize Guard troops, Military.com has learned. The union has a long track record of

lobbying elected officials and filing lawsuits tied to employment rights and wage-related issues on behalf of members.

"We're getting treated like sh--," the soldier leading the unionization effort told Military.com on the condition of anonymity to avoid retaliation. "This is all politically driven. I voted for Abbott. I agree with a lot of his politics, but not when it comes at the expense of the involuntary mobilization for upwards for 12 months. That isn't what we signed up for. We signed on the dotted line, but not for this."

The soldier hopes unionizing can empower Guardsmen to bring their concerns to elected officials and possibly lobby for legislative efforts they find beneficial down the line. Until now, soldiers have been able to air their grievances to the press only ad hoc. But with a union, troops hope to coordinate more constructive messages.

"These are people who dedicated their lives to serve their country," Will Attig, executive director of the Union Veterans Council, AFL-CIO, told Military.com. "These members clearly felt the need to have a voice. What does that say about the state of affairs over there?"

The move to unionize comes after the Department of Justice said in a court filing in January that the federal law banning service members from forming unions does not prohibit Guardsmen on state orders.

Guardsmen spend the bulk of their service on state orders and are effectively state employees and not eligible for any federal benefits typically associated with active-duty service. They cannot claim disability from the Department of Veterans Affairs if injured. On state orders, Guardsmen are often paid less than when they are on federal orders -- typically associated with domestic missions when the president has declared a national emergency, such as the pandemic, and missions abroad.

It could be a flashpoint for the rights of service members in the National Guard, whom governors have relied on heavily since the beginning of the pandemic for a portfolio of domestic undertakings, while those troops also juggle their federal obligations for missions overseas.

For months, soldiers have been raising the alarm to most media outlets that Operation Lone Star, Texas' border mission, has been plagued with issues since it began a year ago. Military.com reported more than 1,000 troops have faced pay issues, some being shortchanged -- often by thousands of dollars -- and leaving families struggling. Meanwhile, many soldiers are being forced to stay on the mission, puting their families' financial security in peril, given they often make much more in their civilian jobs and their Guard paychecks have gone missing.

Meanwhile, there have been multiple instances of suicide attempts, according to documents reviewed by Military.com. An investigation by Army Times found at least four soldiers connected to the mission have died by suicide.

The mission has also been marred with numerous behavioral issues. Earlier this month, a soldier was pulled over by police at 2 a.m. near the border in Texas for passing a stop sign, according to an incident report obtained by Military.com. During a search of his vehicle, authorities found open alcohol containers and drugs, as well as two minors. Another soldier recently pulled a gun on a border agent at a bar in an apparent fight over a woman. He eventually dropped the gun when he was startled by the arrival of police.

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Texas Guardsmen On Border Start Unionizing To Combat Difficult Conditions
By Davis Winkie
Army Times

In the wake of a Justice Department filing declaring that National Guard troops can form and join unions while serving on state active duty orders, a growing number of Texas troops assigned to the U.S.-Mexico border for Operation Lone Star have organized under an existing public sector union.

The first meeting of the Texas State Employees Union's Military Caucus, which consists of troops on state active duty orders assigned to the border, is scheduled for next week, according to a soldier leading organizing efforts. The soldier requested anonymity due to fear of retaliation from Texas Military Department leadership ahead of the meeting.

The soldier affiliated with the union, whose identity Army Times has verified, posted about the upcoming meeting in a Reddit community dedicated to sharing news about the border mission.

They are the first-known troops to organize while in a state active duty status, though a small subset of full-time Guard troops, dual-status technicians, are already unionized in their civilian capacity as federal employees.

Union officials did not immediately respond to requests from Army Times, nor did the Texas Military Department.

A federal law prohibiting members of the military from organizing unions "does not apply to Guard members on state active duty or in the Inactive National Guard," DoJ lawyers wrote in a court filing last month.

Typically, state active duty missions — where Guard members are temporary state employees rather than members of the federal military — are short-lived stints of disaster response that make organizing impractical.

But Army Times previously reported that Texas could prove an exception to those constraints due to the massive scale and long-term nature of the state active duty mission at the border.

Operation Lone Star has been plagued with well-documented problems involving living conditions, equipment and pay.

“We’re hoping to improve all [those] things,” said the soldier leading organizing efforts.

Texas Military Department officials have insisted that such problems were unavoidable, and they have taken some steps to improve them, though problems remain.

The soldier leading organizing efforts is also hopeful that the union can press Texas Guard leaders into being more transparent about end-of-mission requests for involuntarily activated troops who want to go home.

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Environment

Texans Worry Worsening Drought, Extreme Weather May Make The Water Well Run Dry
Dallas Morning News

Almost nine of every 10 Texans are concerned that water supplies will be exhausted, given current weather trends and the prospect for worsening drought conditions, according to a new poll.

The survey by the non-profit group Texas 2036 found that 88% of registered voters voiced strong concerns about future access to water. The poll comes just months after the Office of the State Climatologist warned that days are growing hotter year-round and nights aren’t cooling down as much as they used to, providing less relief from the heat.

The Lone Star state will face more 100-degree days, more drought and more violent storms in coming years, the agency warned. Among the 1,001 registered voters queried between Jan. 19 and Jan. 26, 95% of Democrats expressed concern, compared with 87% of independents and 82% of Republicans.

Texas 2036 is a public-policy research group founded by Dallas attorney Tom Luce, a Dallas attorney and former official in the George W. Bush administration.

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Greg Abbott News

Gov. Abbott's Border Security Program Faces Ongoing Legal Challenges
By Marissa Mizroch
Spectrum

As his signature border security program faces more legal issues, Gov. Greg Abbott used former President Donald Trump's Conroe rally to bash President Joe Biden's border policies.

"We got President Biden sending troops to the border of Ukraine," said Abbott, referencing Biden's response to Russia's military buildup on the Ukrainian border. "When he should be sending law enforcement and border patrol to the border between Texas and Mexico."

Abbott has justified his controversial border security program, Operation Lone Star, because he believes Biden is failing to secure the border. But a Travis County judge disagreed, ruling earlier this month that the mission violates the constitution. That ruling has prompted a separate suit, filed by the nonprofit Texas RioGrande Legal Aid, asking a court to overturn the arrests of nearly 450 migrants arrested under Operation Lone Star.

"It was encouraging for us. This is not a normal judicial system we've been dealing with under Operation Lone Star," said Rachel Garza, a staff attorney for TRLA. Garza is not directly working on that case, but does provide legal help to other migrants detained under the program.

Operation Lone Star, which was launched last March, is a joint operation by the Texas Department of Public Safety and the Texas National Guard. Under the mission, migrants crossing the southern border are arrested and detained on state misdemeanor offenses, like trespassing. Advocates say that migrants are being held for months without being able to apply for asylum or seek legal aid.

"Due process is something you are afforded under the constitution," Garza said. "So when we see someone held in custody for 90 days, without having any type of court date or chance at release, is something we've never seen before."

Advocates are hopeful that the Travis County ruling will lead to more migrants getting their cases dismissed.

"They absolutely have constitutional rights," Garza said. "They have the same constitutional rights as anybody else in this country, both under the federal and under the state constitution."

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Greg Abbott Leads Beto O'Rourke By 11 Points In Latest Texas Governor Poll
By Priscilla Aguirre
Chron

Greg Abbott has increased his lead over Democrat Beto O'Rourke in the latest poll on the Texas governor race compiled by the Dallas Morning News and the University of Texas at Tyler. The data now shows Abbott has an 11-point lead ahead of O'Rourke. The margin represents a 5-point gain for Abbott since November.

The survey, which was released on Sunday, found Abbott growing his votes 47-36 percent over O'Rourke in the hypothetical matchup. Researchers surveyed 1,082 registered voters in Texas from January 18-25.

The poll shows Abbott leading O'Rourke among independent voters by a 37 percent to 31 percent margin and by a 29-point edge among white voters. Abbott also holds a narrow lead over O'Rourke among Hispanics, 40-39.

In the poll, 51 percent of the people surveyed say they approve of the job Abbott has done as governor, while 45 percent disapprove. For O'Rourke, 37 percent view him favorably, while 45 percent see him in an unfavorable light.

The former congressman spent the better part of 2021 teasing a run against Abbott. O'Rourke announced he would join the race on Monday, November 15, less than a month from from the candidate filing deadline for the March 2022 primary. The run comes after O'Rourke dropped out the 2020 presidential race and narrowly lost the U.S. Senate seat to Ted Cruz in 2018.

In the general election matchup, not due until November, the Texas Tribune reported O'Rourke raised an impressive $7.2 million in the first 46 days of his campaign, while Abbott raked in $18.9 million over the last six months, which gives him a war chest of $65 million.

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State News

In Pandemic's Isolation, An Alarming Number Of Teenage Girls Are Attempting Suicide
By Eleanor Klibanoff
Texas Tribune

Growing up, Charley Tennen was rarely alone. The youngest of seven kids in a loud, busy house in El Paso, she was always out at a party, shopping with friends or organizing a road trip.

Even after she was diagnosed with a chronic illness and had a feeding tube inserted, she kept her bubbly personality, her mother, Michelle, said.

But when COVID-19 hit Texas in March 2020, all of that suddenly went away. Charley went from attending school with a few thousand students to sitting alone in her bedroom, doing virtual classes. She and other family members were immunocompromised, so they fully isolated themselves, terrified of getting sick.

Then, in April 2020, Charley's beloved father died unexpectedly from complications of a chronic illness.

"She was so isolated, she had nowhere to turn," said Michelle. "She told me every single day, 'I want to die. I want to be with daddy. I don't know what's on the other side, but at least I won't be in pain.'"

Michelle leapt into action. She got Charley a psychologist. They created a safety plan. She found an inpatient treatment facility with open beds. She kept Charley in her sights constantly, even sleeping with her at night. She asked teachers, doctors, family, friends and — after Charley attempted suicide the first time — even the police for help.

"I could barely get through each minute. I was petrified," said Michelle. "You can't pin yourself to somebody 24 hours a day, but I really tried."

Despite her mother's tireless efforts, on the night of July 4, 2020, Charley Tennen died by suicide. She was 17 years old. Michelle held her second virtual funeral in three months.

"Losing [my husband], I thought would be the hardest thing I'd ever go through," she said. "But burying my baby girl — there are no words for burying a child. And a child that should still be here. This never should have happened."

The riptide of despair that caught Charley Tennen and carried her away from her family is only strengthening as the pandemic enters its third year.

Across the country, teenage girls are attempting to end their own lives at staggering rates, driving a 50% increase in girls being admitted to the hospital for suspected suicide attempts between early 2019 and 2021.

Although teenage boys remain more likely to die by suicide, teenage girls are more likely to attempt it.

The surge in extreme mental distress has left parents, schools and health care providers scrambling to get urgently needed help from a broken mental health care system.

And it's an indicator that there's a much bigger crisis looming as the pandemic drags on.

"For most kids, you're not going to see suicidal ideation or suicide attempts," said Kim Roaten, a psychiatry professor at the University of Texas Southwestern Medical Center. "Instead, you're going to see withdrawing from friends or dropping grades or more argumentative at home, things like that. What we want, ideally, is to prevent the escalation."

Pandemic increased isolation, grief

Michelle Tennen had raised six other children. She knew how to navigate the minefield of adolescence. But nothing prepared her for helping a grieving teen through a pandemic.

"It's just so hard to be a teen girl at any time," said Michelle. "But to then be isolated and going through a pandemic, too. It's the isolation, in my daughter's case, that was the big problem."

Charley would sit in her room, looking at the same four walls or mindlessly scrolling through her phone. Michelle would encourage her to call friends.

“She’d say, ‘No, I don’t want to talk to them,’ or ‘They don’t want to talk to me,’” she said. “As the months went on with the pandemic, you could see the change in her and how much more isolated she got.”

Even before the pandemic, researchers were documenting alarming increases in anxiety, depression and other mental health concerns among teenagers. There are some positive trends — young people appear more open to discussing their mental health than previous generations.

But it’s also just hard to be a teenager today, with increased internet access, academic pressure, limited access to mental health services and economic and social stressors.

During the pandemic, teens had to navigate those challenges amid increases in isolation, screen time, grief, caregiving responsibilities, economic insecurity and school interruptions.

Molly Lopez, the director of the Texas Institute for Excellence in Mental Health at the University of Texas at Austin, recently convened a focus group of teenagers to talk about mental health concerns. She said they all shared the difficulty of focusing on school work and normal milestones when they, their families and their communities were experiencing so much stress.

“They were really struggling with feeling like their teachers didn’t understand what they were going through,” she said. “We’re using the same playbook as before the pandemic, with the same expectations.”

Schools are also having to help students navigate grief, as many have lost loved ones to COVID. One in 450 children in the United States had lost a parent or caregiver to COVID, as of November 2021, according to researchers at the University of Pennsylvania.

All of these factors have created a “stressor storm” for teenagers, especially as schools return to in-person learning, Lopez said.

“Some kids may act on those challenges in ways that are hurtful, so you may see more violence or interpersonal problems,” Lopez said. “Then, some students who are at risk for suicidal thoughts, that increases their risk.”

Lopez said, ideally, schools would have a three-tier system for helping students with mental health issues. They’d have resources to help all students talk about and improve their mental health; they’d have systems in place to identify and intervene early if students start showing signs of mental distress; and they’d be prepared to handle students who are actively in crisis.

While school districts have been investing more in building these systems in recent years, the pandemic made all of that much more difficult at a time when the need has only escalated.

Challenges to getting help

Michelle Tennen knew that Charley was struggling with isolation and grief. But it wasn’t until

she saw, through a shared iCloud account, that her daughter was looking at photos of coffins online that she realized how serious things had become.

Charley began speaking very openly about her desire to kill herself, shocking her mother. But Michelle was just as shocked by how difficult it was to find help for her daughter.

“I did not stop trying to get help from her until the day she died, and I could not get help,” said Michelle. “It’s unbelievable that in a country like this … the mental health system is in the shape that it is.”

Michelle said she heard time and again from doctors, treatment facilities and even the police that Charley didn’t “seem suicidal.” When she met with doctors, therapists or treatment facilities, Charley would deny being suicidal to avoid being admitted. One psychiatric hospital where Michelle tried to get Charley admitted said they could only keep her for 72 hours without her consent.

“I was very worried that I would take Charley to the psychiatric hospital, they’d release her after 72 hours, and then I’d be in a worse position because she’d want to die and be mad at me,” Michelle said. “I didn’t want to give her any ammunition.”

Michelle thinks a lot about how difficult it was seeking treatment for a teenager actively expressing suicidal ideation — and what that means for teenagers who need help before they even get to that stage.

In Texas, nearly three-quarters of teens experiencing serious depression do not receive any mental health treatment, according to a report from Mental Health America. Texas ranks last among the states in access to mental health services.

Statewide, there is a significant shortage of mental health resources — inpatient beds, outpatient treatment spots and mental health providers. Every county is served by a local behavioral health authority that can help people in immediate crisis, but ideally, teenagers would get help well before that point.

“In a crisis situation, help is available, no matter where you are in the state,” said Greg Hansch, the executive director of the Texas chapter of the National Alliance on Mental Health, in a December interview. “But the ongoing, robust services that so many people need and will need in the days to come are spotty across the state. We need ongoing efforts to address that shortfall in capacity.”

Unless the mental health system scales up significantly, teenagers are going to fall through the cracks with tragic consequences. A 2021 advisory from the U.S. Surgeon General warned that it would be “a tragedy if we beat back one public health crisis only to allow another to grow in its place.”

There are some bright spots: The pandemic has helped usher in a new era of telehealth, increasing mental health resources in many underserved communities, and some researchers hope that the increase in emergency room visits for suicide attempts may be driven, in part, by greater awareness among parents.

“Kids are constantly with their parents right now, particularly when we were in the virtual

period," said Roaten. "It may be that there have been more conversations between adolescents and their parents about distress and mental health."

Having the tough conversations
Experts agree that the best thing parents can do if they are worried about their teen is to have the conversation, early and often.

"I think for parents, it's really frightening sometimes to wonder if your child might be having thoughts of hurting themselves," said Lopez. "Parents need to normalize having a discussion with a young person about how they're feeling, and being able to help them put words to the emotions that they may be feeling, and the stressors that they may be feeling."

Michelle Tennen is glad she was able to have those conversations with Charley before she died. She feels she did everything she could to try to help her daughter, but, she said, "parents can't do it alone."

After attempting suicide just a month earlier, Charley ended her life in July 2020 by crushing up medication and putting it in her feeding tube.

After Charley died, Michelle Tennen remembers seeing that a family friend had posted on social media, saying that it had been a suicide. She asked them to take it down.

"Then an hour later, after I'd had time to digest it, I realized my mistake," she said. "I tried to squash something that we needed to bring attention to. That was a big lesson I learned from the teenagers.

"We don't squash it. We talk about it."

Since then, she's been sharing Charley's story in hopes it will help people realize they're not alone with these struggles. At least once a week, she hears from other parents who are watching their children go down a similar road — anxiety, depression, isolation, suicidal ideation.

They couch it in nicer terms, but Michelle knows what they're really asking: How can they avoid the nightmare she experienced?

"I tell them … just keep knocking on doors, yell as loud as you can until you get somebody to listen to you," she said. "But I replay what happened with Charley over in my head every single day, some days more than others. And I don't know what I could have done differently to change this outcome."

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Texas Woman Recounts Her Mail Ballot Hassle: 3 Forms, 28 Days, Lots Of Guesswork
By Cayla Harris
Houston Chronicle

A few days after her 21st birthday, Pam Gaskin's father made the 4-hour drive from Galveston County to pick her up from the University of Texas at Austin.

And then he drove her straight back home.

Registering to vote the next day was something of a birthday gift. Gaskin, a Black woman, knew the weight of the moment — the Voting Rights Act of 1965 had been signed just three years earlier, prohibiting discriminatory voting practices in many southern states, including Texas.

She remembers her father's words: "You will vote every time the polls open. If the only thing on the ballot is 'dog catcher,' you will go vote in that election."

More than five decades later, she can count the number of elections she's missed on one hand.

But Gaskin's pledge was put to the test this year after a new state voting law implemented extra ID requirements for mail-in ballot requests. Republicans championed the changes last year in the name of election security, but the stipulations have also created mass confusion and a record number of rejected applications ahead of the March primaries.

Texas allows a person to receive a mail-in ballot if they are at least 65 years old; sick or disabled; out of the county during the voting window; expecting to give birth within three weeks of Election Day; or incarcerated.

Tips for getting a mail ballot.

1) If you've already applied and received a rejection notice, respond with the proper information as quickly as possible. The county must receive the application by mail by Feb. 18 - even if an electronic copy is also emailed or faxed.

2) If you haven't received a notice but have concerns that it may be rejected over an ID issue, check the Secretary of State's ballot tracker at this link: https://teamrv-mvp.sos.texas.gov/BallotTrackerApp/. If you can't correct your ballot online, you can send in a new application for ballot by mail.

3) If applying now, include both a driver's license number and last four digits of their Social Security number on your application. The Secretary of State's office has said counties should accept such applications, as long as at least one number matches what's on file. If you don't see a space for an ID number, it means you're using an old application, which will not be accepted. The new application can be found here: https://webservices.sos.state.tx.us/forms/5-15f.pdf

Gaskin and her husband, Michael, were denied ballots twice this month over procedural mishaps — and if she were any less determined to vote, it may have stayed that way.

"I've been a voting rights activist all my life, and I'm 74 years old," said Gaskin, now a Missouri City resident. "And I have not seen anything like this. I really haven't."

The first time, Gaskin submitted the wrong form, though she'd downloaded it from the Fort Bend County website. The new ID requirement warranted a new application, but the county hadn't updated the document online when Gaskin grabbed it on Jan. 3.

With the new form at her fingertips, Gaskin tried again on Jan. 14. The document stated

clearly: “YOU MUST PROVIDE ONE of the following numbers,” before offering space first for a driver’s license number and second for the last four digits of her Social Security number.

The second number, it said, was only necessary “if you do not have a Texas driver’s license, Texas personal identification number or a Texas election identification certificate number.” So, she filled it out using her driver’s license ID and called it a day.

On Jan. 20, Gaskin received her second denial. The rejection letter told her she hadn’t provided the same number she used when registering to vote — 46 years ago, when she moved to Fort Bend County. She called the county to ask what number was missing, but an employee told her she couldn’t say, fearing she would violate the new law.

And so Gaskin started a game of 20 questions, quizzing the elections worker on which detail was missing until she could confirm it was her social security number. (Remi Garza, the president of the Texas Association of Elections Administrators, said the worker was probably being “overcautious.”)

She filled out a third application and finally received her ballot on Monday.

Still, the incident prompted Gaskin to pen a letter to Gary Bledsoe, the head of the Texas NAACP, documenting her experience.

“I keep up with changes in the laws that affect voters and often speak to church groups and other community organizations,” she wrote. “I have NEVER experienced anything like these misguided and Jim Crow-like rules concerning voting. This is almost as bad as asking people how many jelly beans are in the jar.”

Gaskin, who has been a member of the Texas League of Women Voters for about 25 years, worries that others won’t be as persistent as she has been.

Fewer forms rejected now, officials say
Texas only allows a person to receive a mail-in ballot if they are at least 65 years old; sick or disabled; out of the county during the voting window; expecting to give birth within three weeks of Election Day; or incarcerated.

“If you are having all of these problems, you might just say, ‘Screw it, I'm just not going to do it,’” she said. “And then guess what? They don't vote. They don't participate in democracy.”

Timing is also an issue: Gaskin sent out her first application on Jan. 3 and didn’t receive her ballot until almost a full month later. The deadline to submit a correct mail-in ballot application is Feb. 18.

“What about the person that waits until the 16th of February, and their stuff is wrong?” she wonders. “Now they can't get it.”

Hundreds of other Texans have experienced similar problems. Earlier this month, nearly half of all mail ballot applications in Fort Bend County were rejected because they didn’t meet new stipulations in the elections law.

Now, county Elections Administrator John Oldham says that number has dropped

significantly. Oldham estimated that he'd rejected about four out of 100 applications he processed this weekend.

That's partially because the county found a way around the errors, he said. If a person provides a driver's license number that's not in the state voter registration system, county employees can now look elsewhere to find the information and add it to their voter file.

"It's a lot more work, but it did cut down the rejections considerably," Oldham said, adding that the Secretary of State's office hadn't initially informed the county of that option.

Sam Taylor, a spokesman for the Secretary of State's office, told Hearst Newspapers earlier this month that the agency is working closely with counties to answer questions and provide assistance as they work through the new ballot laws. Counties can also accept applications that include both ID numbers, he added.

And that's exactly what Gaskin is encouraging others to do. She's been frustrated by the process, angry over the new election law and concerned for other Texans who may not vote this year because of the barriers they've faced.

But now, with her ballot finally in hand, she's also relieved — and ready to vote.

"What I'm going to do is get it out of my hands as soon as I can," she said Monday. "These ballots will be in the mail tomorrow."

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Business/Economy

How Businesses In Texas And Florida Wrestle With States' Vaccine Backlash
By Emma Goldberg and Lauren Hirsch
The New York Times

The Biden administration's attempt to impose a sweeping vaccine rule for private employers last year was met with a wave of state laws limiting company vaccine mandates. Texas and Florida were on the vanguard of that backlash.

Now that the Supreme Court has blocked the federal vaccine standard, which would have compelled large companies nationwide to mandate Covid-19 vaccines or weekly testing for a total of 80 million workers, businesses in Texas and Florida have been left to navigate complex local laws and muddled public health guidelines as they weigh how to protect their workers.

As the coronavirus increasingly makes clear that it is here to stay, businesses are feeling the pressure to reopen and re-establish some semblance of normalcy. That means figuring out what their safety precautions should look like, especially if their operations span states with drastically different pandemic rules.

The Walt Disney Company suspended its national vaccine mandate for Florida employees because of state regulations, even as it is working to keep the requirement in place for workers

in its home state of California. A restaurant owner in Austin said he requested vaccines of his customers, but couldn't check their proof of vaccination under state law. Hewlett Packard Enterprise has set up a crisis management team that meets twice weekly to evaluate Covid conditions and local laws in the 17 states where it operates, including Texas, and to assess the company's ability to reopen offices and mandate vaccines or testing.

"Of course it's challenging to keep track of shifting guidance at the national level or the local level," said Adam Bauer, a spokesman for Hewlett Packard Enterprise. "Nothing about this pandemic has been uncomplicated."

In the fall, with the economy picking up, a number of large national companies instituted vaccine mandates in the hopes of keeping workers healthy and on the job. A November poll of 543 companies from Willis Towers Watson found that 57 percent required or planned to require vaccines, though one-third said they would do so only if the Biden administration's rule took effect. The Omicron surge mobilized more companies to consider such precautions.

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In Texas and Florida, state officials maintained they wanted to protect the freedoms of workers by limiting the types of safety protocols employers could put in place. Many employers, though, have found that the regulations can be a barrier to keeping their workers safe and businesses open.

"It's a bizarro world in Texas," said Austin Kaplan, an employment lawyer who has consulted with many companies in Austin struggling with Texas' vaccine rules. "In other states, you have to show proof of vaccination to dine. In Texas, you're not allowed to ask."

In Florida, where 65 percent of people are fully vaccinated, Gov. Ron DeSantis signed into law restrictions on vaccine mandates in November, arguing that "nobody should lose their job due to heavy-handed Covid mandates."

Florida requires businesses to allow for an extensive list of exemptions that workers can cite to avoid a vaccine mandate, effectively making workplace requirements moot. Workers can avoid a company vaccine mandate if they are pregnant, say they are trying to get pregnant or use employer-provided personal protective equipment. Large companies that run afoul of Florida's standard can be penalized as much as $50,000 per violation.

In Texas, where 59 percent of people are fully vaccinated, Gov. Greg Abbott issued an executive order in October declaring that no employer could compel vaccination from someone who conscientiously objects to it. This exemption effectively guarantees that no workers can be subject to broad vaccine mandates, according to labor lawyers.

The Texas Legislature passed a law in May saying institutions subject to any kind of government licensing — meaning all restaurants and bars — cannot require their customers to show proof of vaccination. Businesses that ask for proof of vaccination can face stiff penalties, including the loss of a liquor license.

"Making a vaccine passport illegal seems purely political," said Adam Orman, who with Fiore Tedesco owns L'Oca d'Oro, a restaurant in Austin with 25 workers. He is also a co-founder of the hospitality association Good Work Austin. "It doesn't give freedom to business, which is

what most of the behavior from the state toward businesses during the pandemic has been."

Mr. Orman requests that his customers be vaccinated for indoor dining — and will let them know when they call for reservations — but he stops short of asking for proof because of state law. Mr. Orman instructed members of his staff last spring that they had to be fully vaccinated, with booster shots, unless they had a medical or religious exemption. He said he was frustrated that he couldn't promise them that the people they served would be held to the same standard.

"Our employees are working too hard to keep themselves safe and healthy so they can show up to work to serve people," he said. "To have that one piece where we can't require guests who are coming into the restaurant, to the safe place we've created, to be vaccinated — that hurts."

The Texas and Florida laws have forced national companies that operate in the states to carve out exceptions to corporate policies.

Disney paused its vaccine mandate for employees of its Florida theme park in November, after the state made broad vaccine rules illegal. More than 95 percent of cast members at the park are vaccinated, a spokeswoman said. The Related Companies, a real estate firm that mandated vaccines for all of its employees in April, is no longer requiring them of its staff in Florida or any states where broad vaccine mandates are prohibited.

Omicron in retreat. Though the U.S. is still facing overwhelmed hospitals and more than 2,500 deaths a day, new cases are falling rapidly across the country, and some governors are saying it's time to try to restore a sense of normalcy and learn to live with the virus.

Covid shots. Pfizer is expected to ask the F.D.A. to authorize its vaccine for children 6 months to 4 years old as a two-dose regimen. Meanwhile, federal regulators granted full approval to Moderna's vaccine, the second-most widely used in the U.S. and the second to receive full regulatory approval.

Around the world. A report on British Prime Minister Boris Johnson's lockdown parties found leadership failures and "excessive" drinking at Downing Street, but did not directly implicate him in wrongdoing. In Italy, with its high vaccination rate, a new social schism revolves around the risk takers and the risk averse.

Staying safe. Worried about spreading Covid? Keep yourself and others safe by following some basic guidance on when to test, which mask to pick and how to use at-home virus tests. Here is what to do if you test positive for the coronavirus, and if you lose your vaccination card.

Meanwhile, some companies run by managers who support the vaccines but question the idea of making them a condition of employment have welcomed Texas' and Florida's policies.

"I understand that every state has to make their policies of what their leadership feels like is right for the state, and it's my job as a C.E.O. to adhere to it," said Harold Westervelt, chief executive of the Texas-based tech company FileTrail, which has about 70 employees.

Some large national employers are maintaining their vaccine mandates in Texas and Florida

by applying them only to people entering their offices. Whether that approach keeps companies out of the cross hairs of state officials could be tested when more workers are required to return to the office.

For example, the money management company Vanguard, which requires its U.S. workers to be vaccinated to enter its offices, will extend that same requirement to the Dallas office it plans to open this year. The private equity firm Blackstone, which is requiring vaccines and boosters for U.S. workers to enter its offices, is maintaining that policy in Florida.

The oil giant BP, whose 3,500 Houston office employees are working remotely, is requiring employees to be vaccinated or tested twice weekly and wear masks once they start going back in person.

Checkr, a human resources technology company that is opening a new office in Orlando, Fla., this spring, created a task force that monitors state regulations to set Covid safety policies for each of the company's five U.S. locations and 845 employees. Employees in the San Francisco office have to wear masks, while those in the Denver office do not — though in both locations everyone going into the office has to be vaccinated.

The company says it has yet to make a decision about vaccination or masking policies for the Florida office, citing uncertainty about the state's regulations.

"We've had to be really flexible, recognizing the virus is shifting and our understanding of what's a safe work environment has changed," said Linda Shaffer, Checkr's chief people and operations officer. "Do I wish it wasn't that way? Of course. Everyone wishes that."

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Fed Data Show Wages At Texas Factories Climb To Record High
By Emma Kinery
Bloomberg

A measure of wages and benefits at Texas manufacturers rose in January to the highest on record, consistent with recent data showing a tight labor market and elevated inflationary pressures across the national economy.

The Federal Reserve Bank of Dallas index of wages and benefits climbed to 49.6, the highest in data back to 2004, from 46.5 a month earlier, data released Monday showed. Factories in the Lone Star state also expect to pay more for raw materials in the next six months. The Dallas Fed's outlook for prices paid jumped to 59.6, the second-highest since 2011.

Dallas Fed's pay gauge climbs to a record, outlook for input costs jumps

The figures mirror those reported recently by other regional Fed banks. The Philadelphia Fed's index of expected input costs six months from now rose to the highest since August 1988. A similar New York Fed gauge as well as a measure of the outlook for prices received both rose to the highest in data dating back to 2001.

One Dallas Fed survey respondent in printing and related product manufacturing said the industry was "in chaos" because bookings remain robust while payrolls are lean.

"Orders are very strong, reflecting panic buying as customers are afraid they won't be able to get their orders on a timely basis," the commenter said. "We can't hire enough people to staff our equipment. People are leaving for more money or threatening to leave, which requires us to respond with significant wage increases."

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Immigration/Border Security

Deplorable Conditions, Unclear Mission: Texas National Guard Troops Call Abbott's Rushed Border Operation A Disaster
By Davis Winkie and James Barragan
Texas Tribune

In October, amid a historic surge of Texas National Guard troops to the U.S.-Mexico border, one soldier's leader told him "not to worry" about getting sent there. He could sit this one out.

The part-time senior noncommissioned officer said he still feared an unanticipated call-up — he owns a small business and he has a son with a disability.

Usually, long-term Guard deployments come from the federal government, with nearly a year's notice — the NCO had several months to settle his affairs before two previous deployments. But Operation Lone Star is different.

Faced with a humanitarian crisis along the Rio Grande, pressured by conservative rivals and chided by right-wing cable pundits, Gov. Greg Abbott decided last fall to move thousands of troops to the border as quickly as possible. And the Texas Military Department, which oversees the state's National and State Guard branches, did all it could to comply — with haste.

Never before has Texas — or any other state — involuntarily activated so many troops under state active duty authority for such a long-term mission. Nor has it been done so quickly.

A few days after being told he'd likely sit the deployment out, the NCO was ordered to report within 72 hours, he said. If he didn't, his commanders told him, the state would issue an arrest warrant.

"I had to cancel $60,000 worth of business contracts," the NCO, who requested anonymity because he feared retaliation from Guard leaders, said in a text to Army Times and The Texas Tribune. His employees all quit.

After "three weeks of sitting on my ass with zero task or purpose," he was sent home. But it may be too late to save his business. He says he still hasn't found a new project and had to sell his company's van to pay his mortgage, car payments and business loans.

"I didn't want to get out of bed for a week," the soldier said. "I was unemployed … and [I] felt exactly as if [the Texas Military Department] put me there because of their … lack of planning and leadership."

His story is just one of many hardships service members say have resulted from Abbott's unprecedented border security push, called Operation Lone Star.

During a two-month period beginning in September, Operation Lone Star ballooned from a lean 1,000-volunteer outfit to a mandatory mobilization of up to 10,000 members of the Texas Military Department. According to a senior Guard leader's leaked comments during a virtual town hall for unit leaders, they're expecting the current wave of troops to be there for a year, and they're preparing for yet another wave of deployments.

The troops there say they faced a deluge of problems when they were mobilized — some of which have been slowly improving in recent weeks:

- Service members say they have struggled with shortages of critical equipment, including cold weather gear, medical equipment and plates for their ballistic vests.
- Many are living in cramped trailers with dozens of troops.
- Some say they feel underutilized and rarely see migrants while working isolated observation posts that in some cases lacked portable toilets for months.

Interviews with 33 verified current and five former Texas National Guard troops and documents obtained by Army Times and The Texas Tribune show that these problems were predictable — some of them also happened during the Guard's 2017 response to Hurricane Harvey.

But Abbott's haste in rolling out the deployment made similar problems inevitable. The active and former soldiers say that Abbott's order left Guard officials scrambling to execute a mobilization that would have normally taken several months to adequately plan.

"If we had known from day one that the goal was [10,000 troops], we could've planned," said one soldier directly familiar with the operation's mobilization process. "We pride ourselves on … the number of [federal] deployments Texas supports. But this? This is not something to be proud of."

A National Guard general from another state added, "There's no conceivable way that could have gone smoothly. There's no way."

The general, like the other currently serving troops who spoke with Army Times and the Tribune, requested anonymity because they were not authorized to speak with the media about Operation Lone Star. Most said they feared retaliation.

The former top enlisted soldier in the Texas Army National Guard, retired Command Sgt. Maj. Jason Featherston, blamed the state's top general for the failures and accused the state of "hoping they would go away." Featherston went on retirement leave in mid-August, before the border mission's rapid expansion, and officially retired on Nov. 30.

"Based on the lessons learned from Hurricane Harvey, [Maj. Gen. Tracy] Norris should have known better than to think that standing up thousands of troops on this timeline would go smoothly," said Featherston, who was the noncommissioned officer-in-charge of operations during the Harvey mobilization.

Texas National Guard leadership, meanwhile, rejects that assertion. Army Times and the Tribune sent a summary of this investigation and an exhaustive list of questions to the Texas Military Department on Jan. 20. Col. Rita Holton provided answers and declined to respond to detailed follow-up questions. Holton instead posted a release to the Texas Military Department website on Jan. 21 that gave the department's rebuttal to media reports detailing problems with Operation Lone Star.

"It is clear that reporters have gleaned information from anonymous sources and unverified documents, which have then been skewed to push an agenda," Holton said in the release.

Featherston, the former sergeant major, said Holton's statement reflects the department's misplaced priorities.

"Instead of solving [pay, lack of equipment, and family or employer hardships], more energy was spent on hiding or covering up problems rather than fixing them," Featherston argued. "Families [have been] impacted forever."

Hurried deployment plagued by pay problems

The National Guard is primarily staffed by part-time troops who have civilian jobs, lives and families. Sometimes they're called to full-time duty by the federal government. Those deployments are often yearlong missions, but Guard members are alerted months ahead of time so they can get their affairs in order — and troops alerted less than 120 days prior to deployment usually can't be forced to go.

The Guard can also be deployed by governors for what's known as state active duty. Typically those are short stints to respond to natural disasters or civil disturbances.

Operation Lone Star is a distortion of what state active duty is designed to do, according to the Guard general from another state, who is in charge of nearly 10,000 people.

"A lot of [Operation Lone Star's problem] is just the nature of the fact that you're doing [it] on state active duty," the general said.

Like a federal call-up, the mission is expected to last at least a year, but many troops received only days' notice, and they face a high bar to get a hardship exemption to avoid deploying. For example, service members said, Border Patrol agents, police and other first responders who serve in the Guard are typically exempt from state missions, but only Border Patrol agents are automatically exempt from Lone Star.

Before Operation Lone Star, the most significant state active-duty mission in Texas history was during Hurricane Harvey in 2017, when Abbott mobilized more than 17,400 Guard troops for less than a month before some went home and others transitioned to a federally funded mission.

The state call-up was plagued with payroll problems that retired 1st Sgt. Lachelle Robinson saw firsthand when she was the top personnel NCO for Joint Task Force Harvey.

In a phone interview, Robinson estimated that around 15% of Texas troops who were activated for Hurricane Harvey — roughly 2,500 — didn't receive their state active duty paychecks on time.

She attributed the pay problems to the “immediate emergency” that didn’t leave enough time to make sure that troops’ addresses and other administrative information were correct.

At the mission’s end, Robinson said, she and other officials submitted feedback warning that state missions should incorporate a longer planning process to ensure service members’ records are correct to avoid similar pay problems. Army Times and the Tribune obtained a copy of the Harvey review, which included a slide saying the state should “improve” state pay system reports.

Five years after the Harvey experience, at least 1,330 Operation Lone Star troops have received incorrect pay at some point, Holton, the TMD spokesperson, told the San Antonio Express-News. That’s a similar rate to the Hurricane Harvey response.

An NCO deployed near Del Rio said some of his soldiers had to take out personal loans due to the missing pay. One soldier missed debt payments, “screwing his credit score,” the NCO said. Some troops haven’t received supplemental pay they were promised, added another soldier.

“Can we not learn from this?” said a source familiar with the Texas Military Department’s state active-duty procedures. “Do we have to keep making the same mistakes over and over again?”

Holton said that 75% of reported pay issues have been resolved. She attributed the problems to a new payroll system implemented after Hurricane Harvey and said adding such a large number of soldiers under Operation Lone Star has revealed “gaps” in the system. All personnel on the mission have received at least some pay, she added.

Abbott downplayed the scope of the pay issues in a Jan. 11 press conference, claiming that “all paycheck issues have been addressed.” But service members say that’s not true.

One soldier’s wife told Army Times and the Tribune last week that her husband has received only three paychecks since October. Soldiers are paid every two weeks.

Multiple sources who spoke to Army Times and the Tribune said the new pay system is prone to error because unit-level operators must manually input pay information for each soldier every day.

Holton said the state deployed “pay strike teams” to the border on Jan. 16 to resolve outstanding pay complaints, but she did not respond to a follow-up question from Army Times and the Tribune asking why the teams didn’t deploy months ago. Since then, she sent a tweet asking troops with pay issues to email her.

Abbott's expansion under a political microscope
Border security is mainly a federal responsibility, but the Texas National Guard has long had a state-controlled presence there, especially when Democrats have held the White House.

In 2014, two years before former Gov. Rick Perry ran for president, he sent 1,000 troops there and blasted President Barack Obama for failing to secure the border. When Abbott took office in 2015, hundreds were serving there alongside Border Patrol. He kept them on after an increasing number of unaccompanied children arrived at the border.

After Donald Trump became president, the federal government began funding the Texas state border mission, expanded it and added active-duty troops. That effort continues to this day with less than 3,000 federally funded and controlled Guard troops along the border.

As President Joe Biden took office in January 2021, he ended federal reimbursement for state-controlled troops on the border, and the number of migrants illegally crossing the southwest border began to soar. In March, the federal government reported that it apprehended 173,000 migrants at the border — some 70,000 more than in March 2019.

That month, Abbott announced he would begin a new state-run border mission and again send troops to the border to assist the Texas Department of Public Safety and other agencies with stemming human and drug trafficking.

The effort began with 500 Guard members who volunteered for the deployment. Nan Tolson, an Abbott spokesperson reached via email for this story, said the mission's size was initially dictated by available funding.

The deployment came at a politically fraught moment for a governor whose popularity was sagging as he took fire over his handling of two crises — the COVID-19 pandemic and a February 2021 winter storm that caused the state's power grid to collapse, leaving millions without electricity or heat for days.

In May, Abbott faced his first major challenge from his right flank after former state Sen. Don Huffines of Dallas, a millionaire with money to spend, announced his entry in the 2022 gubernatorial primary. Two months later, Huffines was joined by Allen West, the former U.S. representative from Florida and chair of the Republican Party of Texas. Both blasted Abbott for failing to secure the border.

As the weather and the political rhetoric heated up, Abbott accelerated his border security push and increased his criticism of Biden. "The Biden administration has abandoned its responsibility to apply federal law to secure the border and to enforce the immigration laws, and Texans are suffering as a consequence of that neglect," he said in a June press conference announcing a $250 million "down payment" to build a state-funded border wall.

In August, Abbott activated more troops — many of them tasked with helping build border barriers — bringing the total to 1,000 volunteers.

Then, in September, the Texas Military Department began quietly preparing to put even more troops on the border, according to a source familiar with the mobilization and documents obtained by Army Times and the Tribune. On Sept. 7, the headquarters issued a "2021 South Texas Border Surge" warning order — a formal heads up that an expansion of the border mission was imminent. A Sept. 9 order confirmed that the mission would expand to brigade-sized later that month.

Beginning the week of Sept. 12, a humanitarian crisis in Del Rio caught the world's attention when an estimated 12,000 mostly Haitian asylum-seekers crossed the Rio Grande and encamped under the city's international bridge, where they awaited processing by Customs and Border Protection officials. Prominent Fox News hosts like Tucker Carlson covered the issue, initially focusing on what he characterized as the federal government's lackluster

response.

Around Sept. 20, Abbott formally ordered 1,500 more soldiers to the border in a major expansion of Operation Lone Star. Tolson, Abbott's spokesperson, pointed to the Del Rio incident as a motivating factor for the surge, as well as its haste.

"Multiple reports suggested that additional caravans were headed to the U.S., with the Texas border as the primary target," she said. "As those caravans made their way toward Mexico City, where they typically make the decision to head to Texas or some other state, Texas needed to surge all possible resources. … Additional Guard was needed at the border before caravans decided which direction to go."

A few days before formally beginning the surge, Abbott had signed another border security bill that provided an additional $1.88 billion to the effort — including $750 million for the state-funded border wall and $311 million to scale up the Texas Military Department's response.

But those actions didn't halt the political pressure on Abbott.

Carlson, whose widely watched Fox News opinion show influences conservative policy, attacked Abbott on Sept. 22, saying he needed "to come on this show to explain to us why he hasn't called the National Guard to seal the Texas border and protect us from this invasion." It's not clear if Carlson was aware of Abbott's Sept. 20 order.

In early October, Abbott ordered the Texas Military Department to activate 2,500 more Guard members and send them to the border. By the end of November, the number sent to the border would reach at least 6,500, with thousands more supporting the mission from elsewhere.

Holton, the state public affairs officer, said this deployment timeline was "inaccurate," but she declined to elaborate. Army Times and the Tribune reconstructed the activation's timeline through more than 40 pages of official documents and spreadsheets obtained from verified sources.

The activation's speed became a preoccupation of Texas Guard officials, the soldier directly familiar with the mobilization process explained.

"The 'whys' were never addressed," the soldier said. "It was just a constantly increasing weekly [mobilization quota] requirement."

West called out the hurried mobilization in a campaign event earlier this month, calling it a "rush to failure." He's called for Norris, the state's top general, to resign.

As the state scrambled to source troops for the surge, it began to involuntarily activate thousands of service members for a mission with no clear end date. The state has also threatened to issue arrest warrants for troops who do not show up. Army Times and the Tribune obtained filled-out warrants and charge sheets for four soldiers, but Holton said no troops had been arrested.

Of the more than 20 involuntarily activated troops who spoke with Army Times and the Tribune, none reported having more than two weeks' notice of their deployment. Some

reported having as little as two days to drop their civilian lives as police officers, college students, small-business owners and cyber security professionals; make arrangements for child care; notify their employers; and say goodbye to friends and family.

One junior paratrooper shared his frustration over being set back in college again after having to withdraw from his fall semester classes.

“I’m like a fifth-year junior [now],” he said. “My school took away my financial aid for not making satisfactory academic progress.”

Another soldier, who works in civilian law enforcement, said the mobilization is diminishing his small town’s police department, which includes four Guard members. Other departments are facing similar issues after the Guard refused to grant blanket hardship waivers to police officers.

“It … makes it very difficult for the remaining officers to compensate,” he said. “Supervisors have to pick up the slack, and the [department] pays more in overtime.”

Inadequate planning time led to logistics problems

Once the Guard members arrived at the border, many reported encountering substandard living conditions and shortages of equipment to protect them while they patrol the Rio Grande, sit at observation posts or work on sections of border barrier.

Many of the troops are housed in hastily constructed base camps in remote parts of the border. Several soldiers describe communal trailers crammed with built-in bunk beds stacked three high.

In a town hall that Maj. Gen. Charles Aris, the commander of the 36th Infantry Division, held for his subordinate commanders early this month, one small-unit commander complained that there was no gear storage for his troops in the trailers. Instead, they had to store thousands of dollars’ worth of military-issued equipment like helmets and ballistic vests in their personal vehicles.

“You have to go out to your vehicle a lot to change your clothes because you don’t have enough room to keep your stuff in there,” said one 19-year veteran in an interview. “There’s just no room. … The conditions [here] are crazy.”

Some service members said they were moved into unfinished camps. A senior engineer NCO said his unit moved in before the camp had any kitchen facilities, leaving the troops to fend for themselves at local restaurants and stores.

Three Guard troops told Army Times and the Tribune that they purchased food or groceries for subordinates who were unpaid or underpaid, including one who said he purchased peanut butter, jelly and bread to feed a handful of troops in an unfinished base camp that had no kitchen yet.

Brig. Gen. Monie Ulis, commander of Joint Task Force-Lone Star, acknowledged in a letter to the force this month that the scale and speed of the deployment resulted in “austere conditions.”

Holton, the Texas Military Department spokesperson, said commanders in the field “have identified areas of improvement [for housing] and are actively working with vendors to execute those solutions.” She did not respond to a question about when the improvements will be complete.

Ulis shared floor plans for planned housing improvements with troops last week, noting that one base camp would receive the improvements beginning in February. The new “dorm-style lodging” will have a 116-person capacity and include wall lockers.

Some Guard members said that when they’re on duty along the border, they face a lack of toilet facilities at their work sites and lookout posts.

One Guard member responsible for logistics said female Guard members at those lookout posts “either [have] to go in the bush, which is degrading, or get [a superior] to come pick them up [to drive to a gas station], and then that leaves only one person in the checkpoint until they get back.”

Holton said the issue “is not widespread,” but she declined to specify how many positions lacked toilet facilities. She attributed the problem to “a miscommunication with the portable toilet vendor and we have rectified this issue.” A junior officer confirmed that more toilets were delivered to observation posts between Roma and McAllen in the Rio Grande Valley late last month.

Other troops said they lacked critical equipment, including cold-weather and wet-weather gear for the winter months.

Army Times previously reported that troops in some areas have to swap bulletproof plates for their ballistic vests between shifts because they didn’t have enough. One medical NCO who said he had to withdraw from college to go to the border told Army Times and the Tribune that his unit had trouble securing enough medical kits, which include gauze and tourniquets, for soldiers as well.

Holton said the state has shipped more protective equipment to service members on the border.

"All we're doing is staring into nothing"
Texas officials stated during the mobilization that Guard troops would arrest migrants for trespassing as part of the mission's partnership with private landowners and local law enforcement. Holton said Operation Lone Star troops have apprehended 100,000 migrants or referred them to Border Patrol, DPS or other law enforcement agencies.

Many of the apprehensions are migrants surrendering to the first person in uniform they see in order to begin the asylum request process.

One Guard member, a civilian law enforcement officer by trade, told Army Times and the Tribune that there is a special unit of around 25 troops — all of them police officers in their civilian lives — who are arresting migrants for trespassing in Kinney County, the only border county actively coordinating with Operation Lone Star.

Due to equipment shortages, those troops are also using their “own gear or [home]

department-issued gear like handcuffs, duty belts and holsters," the service member said.

But several other Guard members said not all units are seeing large numbers of migrants, and fewer are conducting arrests. They said many Guard observation posts simply watch the border through binoculars and call Border Patrol on the radio when they see people crossing the Rio Grande.

In the Brownsville area, some of the state's most elite troops — its Air National Guard cyber operations forces — are "sitting at a watch point for hours on end with their thumbs up their ass doing nothing," a member of the cyber unit said.

A junior soldier assigned to a post along Falcon Lake near Zapata said he and his peers spend their days "staring" at the lake.

Does he ever see migrants? "Nope, not even once," he said. "Just people fishing."

"Send [us] to critical areas where there is a major need for assistance," he said. "I will do my job as a soldier and Guardsman, but I just want to be used effectively."

Another soldier said he supports the "intent of the mission," but not "its poor execution and the rush to failure."

"A lot of these issues could have been mitigated had leadership taken a step back and thought of the soldiers for a minute," he said. "They made this huge deal and rushed everybody out here, and all we're doing is staring into nothing."

The operation's leaders insist that there are signs of success. Aris, the division commander, said in his town hall with subordinates that an increase of migrant apprehensions in Arizona's Yuma border sector proves Operation Lone Star's success in Texas. Border Patrol data shows that apprehensions from October through December rose by nearly 2,400% in the Yuma Sector compared with the same period in 2020. But apprehensions still more than doubled along the Texas border compared with 2020.

Experts question that conclusion, too. César Cuauhtémoc García Hernández, an immigration attorney and law professor at Ohio State University, said more activity in another part of the border doesn't necessarily mean the operation is working.

"I don't think it's that simple to point to what's happening two states away," he said. "But if it is displacing a situation from one place to another, then it does absolutely nothing for the nation as a whole."

Victor M. Manjarrez Jr., who worked for the U.S. Border Patrol for 22 years and retired as the Tucson Sector chief in 2011, said claims that Operation Lone Star is deterring migrants and drug smugglers ignore the reality of how smuggling organizations react to pressure from law enforcement.

"It's not that easy for drug organizations to call up the neighboring cartel and say, 'Hey, you know, we're having a hard time here, can we run our drugs through there?'" said Manjarrez, who is now the associate director of the Center for Law and Human Behavior at the University of Texas at El Paso.

Efforts like Operation Lone Star provide temporary deterrence, he said, but smuggling organizations typically go back to trafficking drugs or people through their usual routes once enforcement begins to dwindle.

Will Operation Lone Star gut the Texas Guard?

Many Guard members told Army Times and the Tribune that doubts about their mission's effectiveness have compounded their dissatisfaction with its hardships, and some of them are beginning to plan their departure from the service.

Retention is typically a lagging indicator of service member frustrations. Many troops are bound by service obligations that keep them from simply quitting. But that hasn't stopped some from heading to the exit.

For example, many of the cyber airmen deployed near Brownsville — whose civilian paychecks can more than quadruple their base military pay — are either quitting after their contracts' end or requesting other assignments away from the Texas Guard, the unit member said.

"[They] signed up for cyber warfare," the unit member said. "If [they] wanted to do border patrol, [they] would've applied with Border Patrol."

They make up one of the Air Guard's cyber protection teams, a recent U.S. Cyber Command and National Guard Bureau initiative meant to protect against cyber threats in their home regions. In Texas, their missions include a 2019 response to a ransomware attack that incapacitated 22 Texas counties.

The departures harm the region's ability to respond to cyber threats, the unit member said.

"If asked to mobilize our unit as a [Cyber Protection Team] today, we couldn't do it," he said. "Too many have left already."

The hard-to-replace cyber troops aren't the only ones leaving.

Another Texas Air National Guard unit on the border, the 432nd Air Expeditionary Group, reported looming retention problems after a recent survey. Out of 73 respondents who reported their contracts would expire before the end of their Operation Lone Star deployment, 45 said they were "not likely" to reenlist or extend their contracts. That's a sharp contrast with the Air National Guard's national rates: The service retained 92% of airmen with expiring contracts during the year ending on Sept. 31, 2021.

Army Times and the Tribune also obtained retention data for the Texas Army National Guard, TMD's largest branch — and a branch that usually has higher attrition rates than the Air National Guard.

The Army National Guard received a goal of 505 reenlistments between Oct. 1 and Dec. 31. It secured only 327 reenlistments, or roughly 65% of the target set by the National Guard Bureau, a national headquarters that coordinates resources among states but doesn't run operations.

During the same period in 2020, the state convinced 368 soldiers to re-up against a target of 484 — a 76% rate. During the first three months of 2021 it did even better, exceeding its target with a 105% rate.

Soldiers' decisions to leave or stay in the Guard are personal and complex, but falling retention numbers amid Operation Lone Star's massive, involuntary troop surge could signal a troubling trend, members said.

A senior full-time NCO assigned to the border said none of his company's troops plan to reenlist — and nothing short of a fundamental shift in leadership will convince them to stay.

"They're soldiers, and they have to soldier right now," he said. "But if they extend, they don't want life to be this way. None of them joined active duty — they join the Guard [part time], and they understand they can deploy, but goddamn, man, we're deployed all the time.

"They're not staying, because what's gonna happen next?" the NCO added. "They want their life back."

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Republicans Demand Release Of Report On Agents Biden Accused Of Whipping Migrants
By Anna Giaritelli
Washington Examiner

Republicans are demanding that the Biden administration release the findings of an investigation it initiated last September following unfounded White House accusations that Border Patrol agents had whipped Haitian migrants.

Seven House Republicans, including three from Texas, asked Homeland Security Secretary Alejandro Mayorkas in a letter sent Monday to publish the report immediately, according to a copy of the document obtained by the Washington Examiner.

"The widespread narrative of whipping based on a demonstratable lie — especially by members of this administration — demands that the public record be finalized by publicly disclosing the 'investigative work' conducted by Customs and Border Protections' (CBP) Office of Professional Responsibility (OPR)," Reps. Chip Roy of Texas, Brian Babin of Texas, Andy Biggs of Arizona, Scott Perry of Pennsylvania, Mary Miller of Illinois, Michael Cloud of Texas, and Darrell Issa of California wrote in the letter.

The lawmakers said they were spurred into action following a recent Washington Examiner report in which DHS officials anonymously said they thought the Biden administration was not releasing the report because it would make President Joe Biden and Mayorkas look "terrible" for condemning agents for using horsewhips against illegal immigrants when that was not the case.

"For four months, the Biden Administration and your Department have gone without even apologizing to the agents that were smeared," the letter states. "The American people deserve transparency from their government, and the United States Border Patrol deserves defense from their Department's Secretary against unfounded accusations."

Mounted agents were photographed and filmed attempting to prevent people from walking across the Rio Grande in Del Rio, Texas, on Sept. 19, 2021. The migrants ignored verbal orders to turn around, and the mounted agents rode along the riverbank, where migrants tried to get past them.

One agent was accused by third parties on social media of whipping someone. Before any investigation had been undertaken, top Biden administration officials condemned the agent. Biden said people were “being strapped” in an “outrageous” way and vowed that “those people will pay.” Mayorkas said he was “horrified” by the images, before later admitting that he reacted “without having seen the images” prior to commenting to the media.

The Biden administration promised a quick review of the incident but has issued no statement to date. Mayorkas pledged before Congress last fall to conclude within "a matter of days, not weeks," whether agents were too aggressive that day.

The lack of a conclusion to the investigation has prompted suspicion among DHS officials, who said the report should have been completed by now, regardless of the outcome.

“I doubt that the current administration will release this report on the horse patrol incident because it makes the administration look terrible,” one DHS official said in a phone interview last week. “They essentially convicted the mounted agents based upon a lie, which the investigation after 120 days would surely have revealed."

"My experience would be that this would have been done within a period of weeks," the same official said, adding that no agent had been disciplined to date.

A representative for the Border Patrol union, the National Border Patrol Council, told the Washington Examiner that there have been "no new developments whatsoever."

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Biden Encourages Massive Illegal Immigration And Tries To Hide It With Secret Flights
By Lora Ries and Mark Morgan
Heritage Foundation

he Biden administration doesn’t want media attention on illegal immigration, its open border policies, or the results of those policies. How do we know? A security officer just said so, in an explosive video of secretive, dark-of-night flights transporting illegal immigrants to various points throughout the U.S.

This video merits coast-to-coast media coverage, not just to expose the administration’s stealth operations that flout the laws, but to encourage Americans and leaders at all levels of government to demand that the administration start protecting our border, our country, and our citizens.

The list of lies administration officials have told regarding their handling of illegal immigration is extensive and still growing. How many times have they refused to call the historic numbers of illegal immigrants crossing the southern border a “crisis” or implausibly claimed the border is “closed”?

Department of Homeland Security Secretary Alejandro Mayorkas grossly pushed the false racist narrative that Border Patrol agents on horseback mistreated migrants attempting to illegally enter during the Del Rio International Bridge episode. Biden's Federal Aviation Administration made up a ridiculous drone ban, prohibiting Fox News from showing any more footage of the thousands of mostly Haitian illegal immigrants amassing under that bridge. (The FAA rescinded the ban after reporter Bill Melugin continued filming the Del Rio crisis from a Texas Department of Public Safety helicopter.)

Over the last several months, night flights of illegal migrants have been periodically reported in places such as Florida, New York, Pennsylvania and Tennessee. In each instance, state and local officials received no notice they were coming, let alone given an option to refuse them admission. The administration has no apparent concern with how these "air lifts" may burden local officials with additional costs and facilities capacity in areas such as education, housing, healthcare and law enforcement.

When asked why the administration was flying illegal immigrants in the middle of the night, press secretary Jen Psaki belittled the reporter and then lied. She claimed that the flights were resettling unaccompanied children. Yet videos of these surreptitious flights clearly show full grown adults emerging from the planes. At best, this is lying by omission.

Videos posted this week reveal more lies by the Administration. They show streams of adult males being released in Brownsville and San Antonio, Texas. This reportedly has been occurring since last spring. Some are known to have criminal records, including drunk driving, assault, and drug possession. Yet Biden officials have stated that only family units and unaccompanied alien children are being release, not single adults.

By law, Mexican males are usually subject to Expedited Removal to quickly return them over the border. If they are from a non-contiguous country, Immigration and Customs Enforcement usually detains them because they are not subject to the arbitrary 20-day Flores detention rule applied to families and unaccompanied children.

Releasing single adult males is a game ender for trying to enforce immigration law. Releasing this population means all demographics of illegal immigrants are now being released — whether single or a family, young or old. By failing to detain or remove single adult males, the Administration has removed the last disincentive to illegal immigration. Smugglers will market this and enrich themselves even beyond the billions they've already made since Biden took office.

Single adult males are the easiest group for terrorists to hide among as large numbers are released into the U.S. Historically, single adult males made up the largest number of illegal immigrants entering the U.S. Now, we can expect those numbers to balloon once again.

The Biden administration calls their immigration approach "fair, orderly, and humane." But if they are so proud of their policies and their practice of processing so many "non-citizens" into the U.S., why do it under the darkness of night? And why lie about it?

This Administration tells us not to believe our lying eyes. Americans need to open their eyes, watch the video, and demand that Washington secure our borders NOW.

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Transportation

TxDOT Preparing Roads Ahead Of Harsh Winter Weather Expected Midweek
By Maggie Prosser
Dallas Morning News

Fleets of trucks from the Texas Department of Transportation prepared roadways Monday as the region braces for a blast of harsh, wintry weather.

The National Weather Service issued a winter storm watch Monday ahead of expected bitterly cold temperatures midweek and a chance of sleet, snow and ice for all of North and Central Texas. Temperatures are expected to drop into the teens, turning freezing rain Wednesday night into sleet by Thursday behind a cold front. Up to two inches of snow is expected.

The precipitation could impede travel and make for dangerous roadway conditions through Friday, the Weather Service said.

In anticipation, crews from the TxDOT Dallas district began pretreating major highways ahead of the arctic air, according to spokesman Tony Hartzel. Crews were working on the High Five Interchange, Interstate 30 and Interstate 345 on Monday morning, Hartzel said, spraying a water and salt solution. The brine helps prevent ice from sticking to the roadways.

Pretreating the roads also makes them easier to plow if snow accumulates, he said. If ice or snow does pile up, Hartzel said crews will use a mixture of sand and salt, as well as some brine, to clear the highways.

“The goal is in the next day and a half to two days all major highways in the Dallas district will be treated,” Hartzel said.

Hartzel said the district has about 200 pieces of equipment in its arsenal available for later this week. That includes 87 dump trucks to spread sand and salt; 10 spray trucks and 5 large tanker trucks to apply brine; and 17 snow plow blades.

Crews will work 12-hour shifts throughout the weather event to maintain the roads, Hartzel said. Most of the treatments will happen during off-peak traffic hours.

The forecasted conditions could cause roadways — especially bridges and overpasses — to become slick, and the Weather Service encouraged drivers to modify travel plans and exercise caution as temperatures drop.

“Give our crews room to work, especially if there’s snow and ice on the roadway,” Hartzel reminded drivers. “Those conditions can be treacherous even for us out there.”

“We’re out there doing our best to keep the roads passable,” he added.

The Weather Service and Dallas Office of Emergency Management (OEM) encouraged people to prepare their homes and pipes, stock up on essentials in case of a power outage, and

prepare vehicles in case of an emergency. Drivers should also keep a supply of water, snacks, power banks, tools, blankets, jumper cables and emergency signals in their cars, OEM said.

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TxDOT Crews Preparing Central Texas Roadways In Advance Of Winter Storm
By Rissa Shaw
KWTX

Preparations are already underway for Central Texas roadways in advance of the winter storm expected this week.

According to officials with the Texas Department of Transportation, crews will begin pre-treatment operations on roadways at 7 a.m. Tuesday.

“TxDOT Waco’s district crews are ready to mobilize starting tomorrow morning where they will begin pre-treatment around the district in all the eight counties we serve, and they are ready to also move into 24-hour operations starting on Wednesday,” said Jake Smith, TxDOT Waco District’s Public Information Officer.

Smith is asking drivers to stay off the roads if possible.

“I know not a lot of people have that luxury, so for those who can’t avoid traveling, please just drive to conditions, mind your speed of course, give yourself enough distance in between yourself and the vehicle in front of you, and head to drivetexas.org, that is TxDOT’s website where you can check for road conditions,” said Smith.

TxDOT crews are planning to use approximately 60 pieces of equipment including vehicles, Smith says.

“If you see our trucks out there on the roadways applying this pretreatment, give them at least 200 feet of space so they can operate safely, and for your safety as well,” said Smith.

They’ll be spraying roads in McLennan, Bell, Hill, Limestone, Hamilton, Bosque, Falls and Coryell counties.

KWTX Chief Meteorologist Brady Taylor said the area will likely fall below freezing overnight Wednesday into Thursday, which should cause the switch from rain to freezing rain.

If freezing temperatures are widespread across Central Texas with freezing rain, travel could be especially difficult through mid-morning Friday as a result of ice on roadways.

Use caution when driving across bridges, overpasses, and isolated roadways that are not frequently traveled.

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Criminal Justice

Inmate Killed During Attack At Bexar County Jail Had Feared For His Safety
By Jacob Beltran
San Antonio Express News

A Bexar County jail inmate who was killed when two other inmates broke free from the cell they shared and attacked him had expressed concern for his safety before the fatal incident.

The deceased inmate — who authorities today identified as Vincent Garcia, 40 — had been in jail since Aug. 6 on charges of aggravated robbery and assault causing bodily injury in Medina County.

Bexar County Sheriff Javier Salazar, speaking Monday at an online news conference, said that at about 7 a.m. on Sunday, Garcia told a detention officer that he felt unsafe.

"The inmate kept telling the deputy he did not feel comfortable in the living unit," Salazar said, adding that the deputy pressed Garcia for more information. "All he would say is he was uncomfortable there."

On ExpressNews.com: 40-year-old inmate stabbed to death in the Bexar County Jail

A cadet, which is a detention officer in training, who had joined the Sheriff's Office on Jan. 10 and has a temporary jailer's license, was in the control room of a 30-person living unit. He saw a red light on the control panel, indicating that a cell door was opening, and looked up to see that two inmates had forced their way out of their cell.

The detention deputy, who was standing by the control room, ran inside as the cadet closed the door.

Bexar County jail inmate Ernesto Manuel Tavera, 50, is one of two inmates charged in the fatal attack of inmate Vincent Garcia in a fight that lasted seconds, Bexar County Sheriff Javier Salazar said.

Courtesy of the Bexar County Sheriff's Office
Inmates Brandon Lee Lerma, 28, and Ernesto Manuel Tavera, 50, began attacking Garcia in a fight that lasted seconds, Salazar said. Their struggle moved back and forth as the detention deputy and cadet called for help from the jail's Special Emergency Response Team, or SERT.

As SERT arrived, the cadet opened a door to the living unit and allowed Garcia to escape to a hallway. Lerma and Tavera ran to the showers of the living unit, where they quickly surrendered to SERT deputies, Salazar said.

Bexar County jail Inmate Brandon Lee Lerma, 28, is one of two inmates charged in the fatal attack of inmate Vincent Garcia in a fight that lasted seconds, Bexar County Sheriff Javier Salazar said.

Courtesy of the Bexar County Sheriff's Office
Lerma and Tavera now face murder charges and have been moved to another part of the jail with higher security.

The two accused inmates and Garcia are reported to be members of the Texas Mexican Mafia,

and they were in an area that houses such inmates, the sheriff said. There are more than 400 members of that group and other associated criminal organizations in the jail, Salazar said.

Meanwhile, Garcia collapsed from his injuries in the hallway. Salazar said neither the deputy nor the cadet had noticed that Garcia was stabbed during the brawl.

SERT members attempted to provide first aid to Garcia as he was taken to the infirmary. There, his condition quickly worsened until he died, Salazar said.

The Texas Rangers are investigating the incident as an outside agency, which is required by the Sandra Bland Act.

Salazar said Monday that investigators recovered pointed weapons hidden near where the attack occurred that are consistent with Garcia's puncture wounds. He could not say for certain whether any of them were the murder weapon or weapons.

"Without getting graphic, there was a lot of evidence that they had committed a heinous attack," Salazar said.

Salazar said the inmates should not have been able to defeat the lock on their cells, but he said that information on how to do so is available online, including via YouTube videos.

Both the cadet and detention deputy, who has been with the jail since July 2020, are on administrative leave and receiving counseling via the agency's psychologist and peer support from deputies.

The deadly assault comes as the jail is experiencing the subisiding results of a COVID-19 omicron spike, Salazar said. The virus is suspected in the death of inmate Vanessa Estrada, 29, who Salazar said also had tuberculosis. She died Saturday at an area hospital where she had been receiving treatment.

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Federal Prison System Put On Lockdown After Deaths In Texas Prison, Media Reports
Dallas Morning News

The federal prison system has been placed on a nationwide lockdown after two inmates were killed and two others were injured Monday during a gang altercation at a federal penitentiary in East Texas.

The incident happened around 11:30 a.m. Monday at USP Beaumont, a federal prison in Beaumont. The altercation involved members of a known street gang, two people familiar with the matter told The Associated Press. The people could not discuss an ongoing investigation and spoke to the AP on condition of anonymity.

The attack is just the latest example of serious violence within the beleaguered federal Bureau of Prisons. The agency has struggled through a multitude of crises in recent years, including widespread staffing shortages, serious employee misconduct, a series of escapes and deaths.

The lockdown, being instituted at the agency's more than 120 federal prisons across the U.S.,

was prompted by fears of potential retaliation and concern violence could spread to other facilities. During a nationwide lockdown, inmates are kept in their cells most of the day and visiting is canceled. Because of a spike in coronavirus cases in federal prisons, social visits at nearly every facility have been canceled already.

The use of a nationwide lockdown is relatively rare. The agency implemented the measure in April 2020 as coronavirus cases began skyrocketing in prisons nationwide, again after the insurrection at the U.S. Capitol on Jan. 6, 2021, and shortly before the inauguration of President Joe Biden later that month.

On Monday, the Bureau of Prisons said officers at the Texas prison observed multiple inmates fighting and responded to secure the area. Two inmates, Andrew Pineda, 34, and Guillermo Riojas, 54, were pronounced dead at a local hospital after the attack. Two other prisoners were injured and taken to nearby hospitals for treatment.

There have been a number of serious security issues within the federal prison system in the last few months, including several inmate deaths and stabbings. The Justice Department announced earlier this month that the agency's director, Michael Carvajal, was resigning from his position amid increased scrutiny over his leadership and in the wake of Associated Press reporting that uncovered widespread corruption, misconduct and other problems at the agency.

Several inmates have escaped from the prison complex in Beaumont in recent years and union officials have decried what they've described as a serious staffing crisis at the prison. The AP reported in June that security at the complex is so lax that local law enforcement officials privately joke about its seemingly "open-door policy."

Riojas was serving a 38-year sentence for carjacking and interfering with interstate commerce. Pineda had been sentenced to term of more than six years in prison on a racketeering charge and had been held at the prison since February.

In November 2007, two Beaumont inmates stabbed another inmate to death on the penitentiary's special housing unit after they broke free from handcuffs, shanked two correctional officers who were escorting them to their cells and stole cell keys. They were convicted and sentenced to death. A few months later, in February 2008, a Beaumont inmate was strangled to death in his cell by two other inmates -- one of them the co-founder of a prison gang.

The Texas prison houses 1,372 male inmates.

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Greg Abbott News

Gov. Abbott's Border Security Program Faces Ongoing Legal Challenges
By Marissa Mizroch
Spectrum

As his signature border security program faces more legal issues, Gov. Greg Abbott used former President Donald Trump's Conroe rally to bash President Joe Biden's border policies.

"We got President Biden sending troops to the border of Ukraine," said Abbott, referencing Biden's response to Russia's military buildup on the Ukrainian border. "When he should be sending law enforcement and border patrol to the border between Texas and Mexico."

Abbott has justified his controversial border security program, Operation Lone Star, because he believes Biden is failing to secure the border. But a Travis County judge disagreed, ruling earlier this month that the mission violates the constitution. That ruling has prompted a separate suit, filed by the nonprofit Texas RioGrande Legal Aid, asking a court to overturn the arrests of nearly 450 migrants arrested under Operation Lone Star.

"It was encouraging for us. This is not a normal judicial system we've been dealing with under Operation Lone Star," said Rachel Garza, a staff attorney for TRLA. Garza is not directly working on that case, but does provide legal help to other migrants detained under the program.

Operation Lone Star, which was launched last March, is a joint operation by the Texas Department of Public Safety and the Texas National Guard. Under the mission, migrants crossing the southern border are arrested and detained on state misdemeanor offenses, like trespassing. Advocates say that migrants are being held for months without being able to apply for asylum or seek legal aid.

"Due process is something you are afforded under the constitution," Garza said. "So when we see someone held in custody for 90 days, without having any type of court date or chance at release, is something we've never seen before."

Advocates are hopeful that the Travis County ruling will lead to more migrants getting their cases dismissed.

"They absolutely have constitutional rights," Garza said. "They have the same constitutional rights as anybody else in this country, both under the federal and under the state constitution."

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Greg Abbott Leads Beto O'Rourke By 11 Points In Latest Texas Governor Poll
By Priscilla Aguirre
Chron

Greg Abbott has increased his lead over Democrat Beto O'Rourke in the latest poll on the Texas governor race compiled by the Dallas Morning News and the University of Texas at Tyler. The data now shows Abbott has an 11-point lead ahead of O'Rourke. The margin represents a 5-point gain for Abbott since November.

The survey, which was released on Sunday, found Abbott growing his votes 47-36 percent over O'Rourke in the hypothetical matchup. Researchers surveyed 1,082 registered voters in Texas from January 18-25.

The poll shows Abbott leading O'Rourke among independent voters by a 37 percent to 31 percent margin and by a 29-point edge among white voters. Abbott also holds a narrow lead over O'Rourke among Hispanics, 40-39.

In the poll, 51 percent of the people surveyed say they approve of the job Abbott has done as governor, while 45 percent disapprove. For O'Rourke, 37 percent view him favorably, while 45 percent see him in an unfavorable light.

The former congressman spent the better part of 2021 teasing a run against Abbott. O'Rourke announced he would join the race on Monday, November 15, less than a month from from the candidate filing deadline for the March 2022 primary. The run comes after O'Rourke dropped out the 2020 presidential race and narrowly lost the U.S. Senate seat to Ted Cruz in 2018.

In the general election matchup, not due until November, the Texas Tribune reported O'Rourke raised an impressive $7.2 million in the first 46 days of his campaign, while Abbott raked in $18.9 million over the last six months, which gives him a war chest of $65 million.

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State News

In Pandemic's Isolation, An Alarming Number Of Teenage Girls Are Attempting Suicide
By Eleanor Klibanoff
Texas Tribune

Growing up, Charley Tennen was rarely alone. The youngest of seven kids in a loud, busy house in El Paso, she was always out at a party, shopping with friends or organizing a road trip.

Even after she was diagnosed with a chronic illness and had a feeding tube inserted, she kept her bubbly personality, her mother, Michelle, said.

But when COVID-19 hit Texas in March 2020, all of that suddenly went away. Charley went from attending school with a few thousand students to sitting alone in her bedroom, doing virtual classes. She and other family members were immunocompromised, so they fully isolated themselves, terrified of getting sick.

Then, in April 2020, Charley's beloved father died unexpectedly from complications of a chronic illness.

"She was so isolated, she had nowhere to turn," said Michelle. "She told me every single day, 'I want to die. I want to be with daddy. I don't know what's on the other side, but at least I won't be in pain.'"

Michelle leapt into action. She got Charley a psychologist. They created a safety plan. She found an inpatient treatment facility with open beds. She kept Charley in her sights constantly, even sleeping with her at night. She asked teachers, doctors, family, friends and — after Charley attempted suicide the first time — even the police for help.

"I could barely get through each minute. I was petrified," said Michelle. "You can't pin yourself to somebody 24 hours a day, but I really tried."

Despite her mother's tireless efforts, on the night of July 4, 2020, Charley Tennen died by suicide. She was 17 years old. Michelle held her second virtual funeral in three months.

"Losing [my husband], I thought would be the hardest thing I'd ever go through," she said. "But burying my baby girl — there are no words for burying a child. And a child that should still be here. This never should have happened."

The riptide of despair that caught Charley Tennen and carried her away from her family is only strengthening as the pandemic enters its third year.

Across the country, teenage girls are attempting to end their own lives at staggering rates, driving a 50% increase in girls being admitted to the hospital for suspected suicide attempts between early 2019 and 2021.

Although teenage boys remain more likely to die by suicide, teenage girls are more likely to attempt it.

The surge in extreme mental distress has left parents, schools and health care providers scrambling to get urgently needed help from a broken mental health care system.

And it's an indicator that there's a much bigger crisis looming as the pandemic drags on.

“For most kids, you’re not going to see suicidal ideation or suicide attempts,” said Kim Roaten, a psychiatry professor at the University of Texas Southwestern Medical Center. “Instead, you're going to see withdrawing from friends or dropping grades or more argumentative at home, things like that. What we want, ideally, is to prevent the escalation.”

Pandemic increased isolation, grief

Michelle Tennen had raised six other children. She knew how to navigate the minefield of adolescence. But nothing prepared her for helping a grieving teen through a pandemic.

“It’s just so hard to be a teen girl at any time,” said Michelle. “But to then be isolated and going through a pandemic, too. It’s the isolation, in my daughter’s case, that was the big problem.”

Charley would sit in her room, looking at the same four walls or mindlessly scrolling through her phone. Michelle would encourage her to call friends.

“She’d say, ‘No, I don’t want to talk to them,’ or ‘They don’t want to talk to me,’” she said. “As the months went on with the pandemic, you could see the change in her and how much more isolated she got.”

Even before the pandemic, researchers were documenting alarming increases in anxiety, depression and other mental health concerns among teenagers. There are some positive trends — young people appear more open to discussing their mental health than previous generations.

But it’s also just hard to be a teenager today, with increased internet access, academic pressure, limited access to mental health services and economic and social stressors.

During the pandemic, teens had to navigate those challenges amid increases in isolation, screen time, grief, caregiving responsibilities, economic insecurity and school interruptions.

Molly Lopez, the director of the Texas Institute for Excellence in Mental Health at the University of Texas at Austin, recently convened a focus group of teenagers to talk about mental health concerns. She said they all shared the difficulty of focusing on school work and normal milestones when they, their families and their communities were experiencing so much stress.

“They were really struggling with feeling like their teachers didn’t understand what they were going through,” she said. “We’re using the same playbook as before the pandemic, with the same expectations.”

Schools are also having to help students navigate grief, as many have lost loved ones to COVID. One in 450 children in the United States had lost a parent or caregiver to

COVID, as of November 2021, according to researchers at the University of Pennsylvania.

All of these factors have created a “stressor storm” for teenagers, especially as schools return to in-person learning, Lopez said.

“Some kids may act on those challenges in ways that are hurtful, so you may see more violence or interpersonal problems,” Lopez said. “Then, some students who are at risk for suicidal thoughts, that increases their risk.”

Lopez said, ideally, schools would have a three-tier system for helping students with mental health issues. They’d have resources to help all students talk about and improve their mental health; they’d have systems in place to identify and intervene early if students start showing signs of mental distress; and they’d be prepared to handle students who are actively in crisis.

While school districts have been investing more in building these systems in recent years, the pandemic made all of that much more difficult at a time when the need has only escalated.

Challenges to getting help

Michelle Tennen knew that Charley was struggling with isolation and grief. But it wasn’t until she saw, through a shared iCloud account, that her daughter was looking at photos of coffins online that she realized how serious things had become.

Charley began speaking very openly about her desire to kill herself, shocking her mother. But Michelle was just as shocked by how difficult it was to find help for her daughter.

“I did not stop trying to get help from her until the day she died, and I could not get help,” said Michelle. “It’s unbelievable that in a country like this … the mental health system is in the shape that it is.”

Michelle said she heard time and again from doctors, treatment facilities and even the police that Charley didn’t “seem suicidal.” When she met with doctors, therapists or treatment facilities, Charley would deny being suicidal to avoid being admitted. One psychiatric hospital where Michelle tried to get Charley admitted said they could only keep her for 72 hours without her consent.

“I was very worried that I would take Charley to the psychiatric hospital, they’d release her after 72 hours, and then I’d be in a worse position because she’d want to die and be mad at me,” Michelle said. “I didn’t want to give her any ammunition.”

Michelle thinks a lot about how difficult it was seeking treatment for a teenager actively expressing suicidal ideation — and what that means for teenagers who need help before they even get to that stage.

In Texas, nearly three-quarters of teens experiencing serious depression do not receive any mental health treatment, according to a report from Mental Health America. Texas ranks last among the states in access to mental health services.

Statewide, there is a significant shortage of mental health resources — inpatient beds, outpatient treatment spots and mental health providers. Every county is served by a local behavioral health authority that can help people in immediate crisis, but ideally, teenagers would get help well before that point.

“In a crisis situation, help is available, no matter where you are in the state,” said Greg Hansch, the executive director of the Texas chapter of the National Alliance on Mental Health, in a December interview. “But the ongoing, robust services that so many people need and will need in the days to come are spotty across the state. We need ongoing efforts to address that shortfall in capacity.”

Unless the mental health system scales up significantly, teenagers are going to fall through the cracks with tragic consequences. A 2021 advisory from the U.S. Surgeon General warned that it would be “a tragedy if we beat back one public health crisis only to allow another to grow in its place.”

There are some bright spots: The pandemic has helped usher in a new era of telehealth, increasing mental health resources in many underserved communities, and some researchers hope that the increase in emergency room visits for suicide attempts may be driven, in part, by greater awareness among parents.

“Kids are constantly with their parents right now, particularly when we were in the virtual period,” said Roaten. “It may be that there have been more conversations between adolescents and their parents about distress and mental health.”

Having the tough conversations

Experts agree that the best thing parents can do if they are worried about their teen is to have the conversation, early and often.

“I think for parents, it’s really frightening sometimes to wonder if your child might be having thoughts of hurting themselves,” said Lopez. “Parents need to normalize having a discussion with a young person about how they're feeling, and being able to help them put words to the emotions that they may be feeling, and the stressors that they may be feeling.”

Michelle Tennen is glad she was able to have those conversations with Charley before she died. She feels she did everything she could to try to help her daughter, but, she said, “parents can’t do it alone.”

After attempting suicide just a month earlier, Charley ended her life in July 2020 by crushing up medication and putting it in her feeding tube.

After Charley died, Michelle Tennen remembers seeing that a family friend had posted on social media, saying that it had been a suicide. She asked them to take it down.

“Then an hour later, after I’d had time to digest it, I realized my mistake,” she said. “I tried to squash something that we needed to bring attention to. That was a big lesson I learned from the teenagers.

“We don’t squash it. We talk about it.”

Since then, she’s been sharing Charley’s story in hopes it will help people realize they’re not alone with these struggles. At least once a week, she hears from other parents who are watching their children go down a similar road — anxiety, depression, isolation, suicidal ideation.

They couch it in nicer terms, but Michelle knows what they’re really asking: How can they avoid the nightmare she experienced?

“I tell them … just keep knocking on doors, yell as loud as you can until you get somebody to listen to you,” she said. “But I replay what happened with Charley over in my head every single day, some days more than others. And I don’t know what I could have done differently to change this outcome.”

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Texas Woman Recounts Her Mail Ballot Hassle: 3 Forms, 28 Days, Lots Of Guesswork
By Cayla Harris
Houston Chronicle

A few days after her 21st birthday, Pam Gaskin’s father made the 4-hour drive from Galveston County to pick her up from the University of Texas at Austin.

And then he drove her straight back home.

Registering to vote the next day was something of a birthday gift. Gaskin, a Black woman, knew the weight of the moment — the Voting Rights Act of 1965 had been signed just three years earlier, prohibiting discriminatory voting practices in many southern states, including Texas.

She remembers her father’s words: “You will vote every time the polls open. If the only thing on the ballot is ‘dog catcher,’ you will go vote in that election.”

More than five decades later, she can count the number of elections she’s missed on one hand.

But Gaskin’s pledge was put to the test this year after a new state voting law implemented extra ID requirements for mail-in ballot requests. Republicans championed the changes last year in the name of election security, but the stipulations have also created mass confusion and a record number of rejected applications ahead of the March primaries.

Texas allows a person to receive a mail-in ballot if they are at least 65 years old; sick or disabled; out of the county during the voting window; expecting to give birth within three weeks of Election Day; or incarcerated.

Tips for getting a mail ballot.

1) If you've already applied and received a rejection notice, respond with the proper information as quickly as possible. The county must receive the application by mail by Feb. 18 - even if an electronic copy is also emailed or faxed.

2) If you haven't received a notice but have concerns that it may be rejected over an ID issue, check the Secretary of State's ballot tracker at this link: https://teamrv-mvp.sos.texas.gov/BallotTrackerApp/. If you can't correct your ballot online, you can send in a new application for ballot by mail.

3) If applying now, include both a driver's license number and last four digits of their Social Security number on your application. The Secretary of State's office has said counties should accept such applications, as long as at least one number matches what's on file. If you don't see a space for an ID number, it means you're using an old application, which will not be accepted. The new application can be found here: https://webservices.sos.state.tx.us/forms/5-15f.pdf

Gaskin and her husband, Michael, were denied ballots twice this month over procedural mishaps — and if she were any less determined to vote, it may have stayed that way.

“I’ve been a voting rights activist all my life, and I'm 74 years old,” said Gaskin, now a Missouri City resident. “And I have not seen anything like this. I really haven't.”

The first time, Gaskin submitted the wrong form, though she’d downloaded it from the Fort Bend County website. The new ID requirement warranted a new application, but the county hadn’t updated the document online when Gaskin grabbed it on Jan. 3.

With the new form at her fingertips, Gaskin tried again on Jan. 14. The document stated clearly: “YOU MUST PROVIDE ONE of the following numbers,” before offering space first for a driver’s license number and second for the last four digits of her Social Security number.

The second number, it said, was only necessary “if you do not have a Texas driver’s license, Texas personal identification number or a Texas election identification certificate number.” So, she filled it out using her driver’s license ID and called it a day.

On Jan. 20, Gaskin received her second denial. The rejection letter told her she hadn't provided the same number she used when registering to vote — 46 years ago, when she moved to Fort Bend County. She called the county to ask what number was missing, but an employee told her she couldn't say, fearing she would violate the new law.

And so Gaskin started a game of 20 questions, quizzing the elections worker on which detail was missing until she could confirm it was her social security number. (Remi Garza, the president of the Texas Association of Elections Administrators, said the worker was probably being "overcautious.")

She filled out a third application and finally received her ballot on Monday.

Still, the incident prompted Gaskin to pen a letter to Gary Bledsoe, the head of the Texas NAACP, documenting her experience.

"I keep up with changes in the laws that affect voters and often speak to church groups and other community organizations," she wrote. "I have NEVER experienced anything like these misguided and Jim Crow-like rules concerning voting. This is almost as bad as asking people how many jelly beans are in the jar."

Gaskin, who has been a member of the Texas League of Women Voters for about 25 years, worries that others won't be as persistent as she has been.

Fewer forms rejected now, officials say
Texas only allows a person to receive a mail-in ballot if they are at least 65 years old; sick or disabled; out of the county during the voting window; expecting to give birth within three weeks of Election Day; or incarcerated.

"If you are having all of these problems, you might just say, 'Screw it, I'm just not going to do it,'" she said. "And then guess what? They don't vote. They don't participate in democracy."

Timing is also an issue: Gaskin sent out her first application on Jan. 3 and didn't receive her ballot until almost a full month later. The deadline to submit a correct mail-in ballot application is Feb. 18.

"What about the person that waits until the 16th of February, and their stuff is wrong?" she wonders. "Now they can't get it."

Hundreds of other Texans have experienced similar problems. Earlier this month, nearly half of all mail ballot applications in Fort Bend County were rejected because they didn't meet new stipulations in the elections law.

Now, county Elections Administrator John Oldham says that number has dropped significantly. Oldham estimated that he'd rejected about four out of 100 applications he processed this weekend.

That's partially because the county found a way around the errors, he said. If a person provides a driver's license number that's not in the state voter registration system, county employees can now look elsewhere to find the information and add it to their voter file.

"It's a lot more work, but it did cut down the rejections considerably," Oldham said, adding that the Secretary of State's office hadn't initially informed the county of that option.

Sam Taylor, a spokesman for the Secretary of State's office, told Hearst Newspapers earlier this month that the agency is working closely with counties to answer questions and provide assistance as they work through the new ballot laws. Counties can also accept applications that include both ID numbers, he added.

And that's exactly what Gaskin is encouraging others to do. She's been frustrated by the process, angry over the new election law and concerned for other Texans who may not vote this year because of the barriers they've faced.

But now, with her ballot finally in hand, she's also relieved — and ready to vote.

"What I'm going to do is get it out of my hands as soon as I can," she said Monday. "These ballots will be in the mail tomorrow."

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Business/Economy

How Businesses In Texas And Florida Wrestle With States' Vaccine Backlash
By Emma Goldberg and Lauren Hirsch
The New York Times

The Biden administration's attempt to impose a sweeping vaccine rule for private employers last year was met with a wave of state laws limiting company vaccine mandates. Texas and Florida were on the vanguard of that backlash.

Now that the Supreme Court has blocked the federal vaccine standard, which would have compelled large companies nationwide to mandate Covid-19 vaccines or weekly testing for a total of 80 million workers, businesses in Texas and Florida have been left to navigate complex local laws and muddled public health guidelines as they weigh how to protect their workers.

As the coronavirus increasingly makes clear that it is here to stay, businesses are feeling the pressure to reopen and re-establish some semblance of normalcy. That means figuring

out what their safety precautions should look like, especially if their operations span states with drastically different pandemic rules.

The Walt Disney Company suspended its national vaccine mandate for Florida employees because of state regulations, even as it is working to keep the requirement in place for workers in its home state of California. A restaurant owner in Austin said he requested vaccines of his customers, but couldn't check their proof of vaccination under state law. Hewlett Packard Enterprise has set up a crisis management team that meets twice weekly to evaluate Covid conditions and local laws in the 17 states where it operates, including Texas, and to assess the company's ability to reopen offices and mandate vaccines or testing.

"Of course it's challenging to keep track of shifting guidance at the national level or the local level," said Adam Bauer, a spokesman for Hewlett Packard Enterprise. "Nothing about this pandemic has been uncomplicated."

In the fall, with the economy picking up, a number of large national companies instituted vaccine mandates in the hopes of keeping workers healthy and on the job. A November poll of 543 companies from Willis Towers Watson found that 57 percent required or planned to require vaccines, though one-third said they would do so only if the Biden administration's rule took effect. The Omicron surge mobilized more companies to consider such precautions.

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In Texas and Florida, state officials maintained they wanted to protect the freedoms of workers by limiting the types of safety protocols employers could put in place. Many employers, though, have found that the regulations can be a barrier to keeping their workers safe and businesses open.

"It's a bizarro world in Texas," said Austin Kaplan, an employment lawyer who has consulted with many companies in Austin struggling with Texas' vaccine rules. "In other states, you have to show proof of vaccination to dine. In Texas, you're not allowed to ask."

In Florida, where 65 percent of people are fully vaccinated, Gov. Ron DeSantis signed into law restrictions on vaccine mandates in November, arguing that "nobody should lose their job due to heavy-handed Covid mandates."

Florida requires businesses to allow for an extensive list of exemptions that workers can cite to avoid a vaccine mandate, effectively making workplace requirements moot. Workers can avoid a company vaccine mandate if they are pregnant, say they are trying to get pregnant or use employer-provided personal protective equipment. Large companies that run afoul of Florida's standard can be penalized as much as $50,000 per violation.

In Texas, where 59 percent of people are fully vaccinated, Gov. Greg Abbott issued an executive order in October declaring that no employer could compel vaccination from someone who conscientiously objects to it. This exemption effectively guarantees that no workers can be subject to broad vaccine mandates, according to labor lawyers.

The Texas Legislature passed a law in May saying institutions subject to any kind of government licensing — meaning all restaurants and bars — cannot require their customers to show proof of vaccination. Businesses that ask for proof of vaccination can face stiff penalties, including the loss of a liquor license.

“Making a vaccine passport illegal seems purely political,” said Adam Orman, who with Fiore Tedesco owns L’Oca d’Oro, a restaurant in Austin with 25 workers. He is also a co-founder of the hospitality association Good Work Austin. “It doesn’t give freedom to business, which is what most of the behavior from the state toward businesses during the pandemic has been.”

Mr. Orman requests that his customers be vaccinated for indoor dining — and will let them know when they call for reservations — but he stops short of asking for proof because of state law. Mr. Orman instructed members of his staff last spring that they had to be fully vaccinated, with booster shots, unless they had a medical or religious exemption. He said he was frustrated that he couldn’t promise them that the people they served would be held to the same standard.

“Our employees are working too hard to keep themselves safe and healthy so they can show up to work to serve people,” he said. “To have that one piece where we can’t require guests who are coming into the restaurant, to the safe place we’ve created, to be vaccinated — that hurts.”

The Texas and Florida laws have forced national companies that operate in the states to carve out exceptions to corporate policies.

Disney paused its vaccine mandate for employees of its Florida theme park in November, after the state made broad vaccine rules illegal. More than 95 percent of cast members at the park are vaccinated, a spokeswoman said. The Related Companies, a real estate firm that mandated vaccines for all of its employees in April, is no longer requiring them of its staff in Florida or any states where broad vaccine mandates are prohibited.

Omicron in retreat. Though the U.S. is still facing overwhelmed hospitals and more than 2,500 deaths a day, new cases are falling rapidly across the country, and some governors are saying it’s time to try to restore a sense of normalcy and learn to live with the virus.

Covid shots. Pfizer is expected to ask the F.D.A. to authorize its vaccine for children 6 months to 4 years old as a two-dose regimen. Meanwhile, federal regulators granted full approval to Moderna’s vaccine, the second-most widely used in the U.S. and the second to receive full regulatory approval.

Around the world. A report on British Prime Minister Boris Johnson's lockdown parties found leadership failures and “excessive” drinking at Downing Street, but did not directly implicate him in wrongdoing. In Italy, with its high vaccination rate, a new social schism revolves around the risk takers and the risk averse.

Staying safe. Worried about spreading Covid? Keep yourself and others safe by following some basic guidance on when to test, which mask to pick and how to use at-home virus tests. Here is what to do if you test positive for the coronavirus, and if you lose your vaccination card.

Meanwhile, some companies run by managers who support the vaccines but question the idea of making them a condition of employment have welcomed Texas’ and Florida’s policies.

“I understand that every state has to make their policies of what their leadership feels like is right for the state, and it’s my job as a C.E.O. to adhere to it,” said Harold Westervelt, chief executive of the Texas-based tech company FileTrail, which has about 70 employees.

Some large national employers are maintaining their vaccine mandates in Texas and Florida by applying them only to people entering their offices. Whether that approach keeps companies out of the cross hairs of state officials could be tested when more workers are required to return to the office.

For example, the money management company Vanguard, which requires its U.S. workers to be vaccinated to enter its offices, will extend that same requirement to the Dallas office it plans to open this year. The private equity firm Blackstone, which is requiring vaccines and boosters for U.S. workers to enter its offices, is maintaining that policy in Florida.

The oil giant BP, whose 3,500 Houston office employees are working remotely, is requiring employees to be vaccinated or tested twice weekly and wear masks once they start going back in person.

Checkr, a human resources technology company that is opening a new office in Orlando, Fla., this spring, created a task force that monitors state regulations to set Covid safety policies for each of the company’s five U.S. locations and 845 employees. Employees in the San Francisco office have to wear masks, while those in the Denver office do not — though in both locations everyone going into the office has to be vaccinated.

The company says it has yet to make a decision about vaccination or masking policies for the Florida office, citing uncertainty about the state’s regulations.

“We’ve had to be really flexible, recognizing the virus is shifting and our understanding of what’s a safe work environment has changed,” said Linda Shaffer, Checkr’s chief

people and operations officer. “Do I wish it wasn’t that way? Of course. Everyone wishes that.”

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Fed Data Show Wages At Texas Factories Climb To Record High
By Emma Kinery
Bloomberg

A measure of wages and benefits at Texas manufacturers rose in January to the highest on record, consistent with recent data showing a tight labor market and elevated inflationary pressures across the national economy.

The Federal Reserve Bank of Dallas index of wages and benefits climbed to 49.6, the highest in data back to 2004, from 46.5 a month earlier, data released Monday showed. Factories in the Lone Star state also expect to pay more for raw materials in the next six months. The Dallas Fed’s outlook for prices paid jumped to 59.6, the second-highest since 2011.

Dallas Fed's pay gauge climbs to a record, outlook for input costs jumps

The figures mirror those reported recently by other regional Fed banks. The Philadelphia Fed’s index of expected input costs six months from now rose to the highest since August 1988. A similar New York Fed gauge as well as a measure of the outlook for prices received both rose to the highest in data dating back to 2001.

One Dallas Fed survey respondent in printing and related product manufacturing said the industry was “in chaos” because bookings remain robust while payrolls are lean.

“Orders are very strong, reflecting panic buying as customers are afraid they won’t be able to get their orders on a timely basis,” the commenter said. “We can’t hire enough people to staff our equipment. People are leaving for more money or threatening to leave, which requires us to respond with significant wage increases.”

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Immigration/Border Security

Deplorable Conditions, Unclear Mission: Texas National Guard Troops Call Abbott’s Rushed Border Operation A Disaster
By Davis Winkie and James Barragan
Texas Tribune

In October, amid a historic surge of Texas National Guard troops to the U.S.-Mexico border, one soldier’s leader told him “not to worry” about getting sent there. He could sit this one out.

The part-time senior noncommissioned officer said he still feared an unanticipated call-up — he owns a small business and he has a son with a disability.

Usually, long-term Guard deployments come from the federal government, with nearly a year's notice — the NCO had several months to settle his affairs before two previous deployments. But Operation Lone Star is different.

Faced with a humanitarian crisis along the Rio Grande, pressured by conservative rivals and chided by right-wing cable pundits, Gov. Greg Abbott decided last fall to move thousands of troops to the border as quickly as possible. And the Texas Military Department, which oversees the state's National and State Guard branches, did all it could to comply — with haste.

Never before has Texas — or any other state — involuntarily activated so many troops under state active duty authority for such a long-term mission. Nor has it been done so quickly.

A few days after being told he'd likely sit the deployment out, the NCO was ordered to report within 72 hours, he said. If he didn't, his commanders told him, the state would issue an arrest warrant.

"I had to cancel $60,000 worth of business contracts," the NCO, who requested anonymity because he feared retaliation from Guard leaders, said in a text to Army Times and The Texas Tribune. His employees all quit.

After "three weeks of sitting on my ass with zero task or purpose," he was sent home. But it may be too late to save his business. He says he still hasn't found a new project and had to sell his company's van to pay his mortgage, car payments and business loans.

"I didn't want to get out of bed for a week," the soldier said. "I was unemployed … and [I] felt exactly as if [the Texas Military Department] put me there because of their … lack of planning and leadership."

His story is just one of many hardships service members say have resulted from Abbott's unprecedented border security push, called Operation Lone Star.

During a two-month period beginning in September, Operation Lone Star ballooned from a lean 1,000-volunteer outfit to a mandatory mobilization of up to 10,000 members of the Texas Military Department. According to a senior Guard leader's leaked comments during a virtual town hall for unit leaders, they're expecting the current wave of troops to be there for a year, and they're preparing for yet another wave of deployments.

The troops there say they faced a deluge of problems when they were mobilized — some of which have been slowly improving in recent weeks:

- Service members say they have struggled with shortages of critical equipment, including cold weather gear, medical equipment and plates for their ballistic vests.
- Many are living in cramped trailers with dozens of troops.
- Some say they feel underutilized and rarely see migrants while working isolated observation posts that in some cases lacked portable toilets for months.

Interviews with 33 verified current and five former Texas National Guard troops and documents obtained by Army Times and The Texas Tribune show that these problems were predictable — some of them also happened during the Guard's 2017 response to Hurricane Harvey.

But Abbott's haste in rolling out the deployment made similar problems inevitable. The active and former soldiers say that Abbott's order left Guard officials scrambling to execute a mobilization that would have normally taken several months to adequately plan.

"If we had known from day one that the goal was [10,000 troops], we could've planned," said one soldier directly familiar with the operation's mobilization process. "We pride ourselves on … the number of [federal] deployments Texas supports. But this? This is not something to be proud of."

A National Guard general from another state added, "There's no conceivable way that could have gone smoothly. There's no way."

The general, like the other currently serving troops who spoke with Army Times and the Tribune, requested anonymity because they were not authorized to speak with the media about Operation Lone Star. Most said they feared retaliation.

The former top enlisted soldier in the Texas Army National Guard, retired Command Sgt. Maj. Jason Featherston, blamed the state's top general for the failures and accused the state of "hoping they would go away." Featherston went on retirement leave in mid-August, before the border mission's rapid expansion, and officially retired on Nov. 30.

"Based on the lessons learned from Hurricane Harvey, [Maj. Gen. Tracy] Norris should have known better than to think that standing up thousands of troops on this timeline would go smoothly," said Featherston, who was the noncommissioned officer-in-charge of operations during the Harvey mobilization.

Texas National Guard leadership, meanwhile, rejects that assertion. Army Times and the Tribune sent a summary of this investigation and an exhaustive list of questions to the Texas Military Department on Jan. 20. Col. Rita Holton provided answers and declined to respond to detailed follow-up questions. Holton instead posted a release to the Texas Military Department website on Jan. 21 that gave the department's rebuttal to media reports detailing problems with Operation Lone Star.

“It is clear that reporters have gleaned information from anonymous sources and unverified documents, which have then been skewed to push an agenda,” Holton said in the release.

Featherston, the former sergeant major, said Holton’s statement reflects the department’s misplaced priorities.

“Instead of solving [pay, lack of equipment, and family or employer hardships], more energy was spent on hiding or covering up problems rather than fixing them,” Featherston argued. “Families [have been] impacted forever.”

Hurried deployment plagued by pay problems

The National Guard is primarily staffed by part-time troops who have civilian jobs, lives and families. Sometimes they’re called to full-time duty by the federal government. Those deployments are often yearlong missions, but Guard members are alerted months ahead of time so they can get their affairs in order — and troops alerted less than 120 days prior to deployment usually can’t be forced to go.

The Guard can also be deployed by governors for what’s known as state active duty. Typically those are short stints to respond to natural disasters or civil disturbances.

Operation Lone Star is a distortion of what state active duty is designed to do, according to the Guard general from another state, who is in charge of nearly 10,000 people.

“A lot of [Operation Lone Star’s problem] is just the nature of the fact that you’re doing [it] on state active duty,” the general said.

Like a federal call-up, the mission is expected to last at least a year, but many troops received only days' notice, and they face a high bar to get a hardship exemption to avoid deploying. For example, service members said, Border Patrol agents, police and other first responders who serve in the Guard are typically exempt from state missions, but only Border Patrol agents are automatically exempt from Lone Star.

Before Operation Lone Star, the most significant state active-duty mission in Texas history was during Hurricane Harvey in 2017, when Abbott mobilized more than 17,400 Guard troops for less than a month before some went home and others transitioned to a federally funded mission.

The state call-up was plagued with payroll problems that retired 1st Sgt. Lachelle Robinson saw firsthand when she was the top personnel NCO for Joint Task Force Harvey.

In a phone interview, Robinson estimated that around 15% of Texas troops who were activated for Hurricane Harvey — roughly 2,500 — didn’t receive their state active duty paychecks on time.

She attributed the pay problems to the “immediate emergency” that didn’t leave enough time to make sure that troops’ addresses and other administrative information were correct.

At the mission’s end, Robinson said, she and other officials submitted feedback warning that state missions should incorporate a longer planning process to ensure service members’ records are correct to avoid similar pay problems. Army Times and the Tribune obtained a copy of the Harvey review, which included a slide saying the state should “improve” state pay system reports.

Five years after the Harvey experience, at least 1,330 Operation Lone Star troops have received incorrect pay at some point, Holton, the TMD spokesperson, told the San Antonio Express-News. That’s a similar rate to the Hurricane Harvey response.

An NCO deployed near Del Rio said some of his soldiers had to take out personal loans due to the missing pay. One soldier missed debt payments, “screwing his credit score,” the NCO said. Some troops haven’t received supplemental pay they were promised, added another soldier.

“Can we not learn from this?” said a source familiar with the Texas Military Department’s state active-duty procedures. “Do we have to keep making the same mistakes over and over again?”

Holton said that 75% of reported pay issues have been resolved. She attributed the problems to a new payroll system implemented after Hurricane Harvey and said adding such a large number of soldiers under Operation Lone Star has revealed “gaps” in the system. All personnel on the mission have received at least some pay, she added.

Abbott downplayed the scope of the pay issues in a Jan. 11 press conference, claiming that “all paycheck issues have been addressed.” But service members say that’s not true.

One soldier’s wife told Army Times and the Tribune last week that her husband has received only three paychecks since October. Soldiers are paid every two weeks.

Multiple sources who spoke to Army Times and the Tribune said the new pay system is prone to error because unit-level operators must manually input pay information for each soldier every day.

Holton said the state deployed “pay strike teams” to the border on Jan. 16 to resolve outstanding pay complaints, but she did not respond to a follow-up question from Army Times and the Tribune asking why the teams didn’t deploy months ago. Since then, she sent a tweet asking troops with pay issues to email her.

Abbott's expansion under a political microscope

Border security is mainly a federal responsibility, but the Texas National Guard has long had a state-controlled presence there, especially when Democrats have held the White House.

In 2014, two years before former Gov. Rick Perry ran for president, he sent 1,000 troops there and blasted President Barack Obama for failing to secure the border. When Abbott took office in 2015, hundreds were serving there alongside Border Patrol. He kept them on after an increasing number of unaccompanied children arrived at the border.

After Donald Trump became president, the federal government began funding the Texas state border mission, expanded it and added active-duty troops. That effort continues to this day with less than 3,000 federally funded and controlled Guard troops along the border.

As President Joe Biden took office in January 2021, he ended federal reimbursement for state-controlled troops on the border, and the number of migrants illegally crossing the southwest border began to soar. In March, the federal government reported that it apprehended 173,000 migrants at the border — some 70,000 more than in March 2019.

That month, Abbott announced he would begin a new state-run border mission and again send troops to the border to assist the Texas Department of Public Safety and other agencies with stemming human and drug trafficking.

The effort began with 500 Guard members who volunteered for the deployment. Nan Tolson, an Abbott spokesperson reached via email for this story, said the mission's size was initially dictated by available funding.

The deployment came at a politically fraught moment for a governor whose popularity was sagging as he took fire over his handling of two crises — the COVID-19 pandemic and a February 2021 winter storm that caused the state's power grid to collapse, leaving millions without electricity or heat for days.

In May, Abbott faced his first major challenge from his right flank after former state Sen. Don Huffines of Dallas, a millionaire with money to spend, announced his entry in the 2022 gubernatorial primary. Two months later, Huffines was joined by Allen West, the former U.S. representative from Florida and chair of the Republican Party of Texas. Both blasted Abbott for failing to secure the border.

As the weather and the political rhetoric heated up, Abbott accelerated his border security push and increased his criticism of Biden. "The Biden administration has abandoned its responsibility to apply federal law to secure the border and to enforce the immigration laws, and Texans are suffering as a consequence of that neglect," he said in a June press conference announcing a $250 million "down payment" to build a state-funded border wall.

In August, Abbott activated more troops — many of them tasked with helping build border barriers — bringing the total to 1,000 volunteers.

Then, in September, the Texas Military Department began quietly preparing to put even more troops on the border, according to a source familiar with the mobilization and documents obtained by Army Times and the Tribune. On Sept. 7, the headquarters issued a "2021 South Texas Border Surge" warning order — a formal heads up that an expansion of the border mission was imminent. A Sept. 9 order confirmed that the mission would expand to brigade-sized later that month.

Beginning the week of Sept. 12, a humanitarian crisis in Del Rio caught the world's attention when an estimated 12,000 mostly Haitian asylum-seekers crossed the Rio Grande and encamped under the city's international bridge, where they awaited processing by Customs and Border Protection officials. Prominent Fox News hosts like Tucker Carlson covered the issue, initially focusing on what he characterized as the federal government's lackluster response.

Around Sept. 20, Abbott formally ordered 1,500 more soldiers to the border in a major expansion of Operation Lone Star. Tolson, Abbott's spokesperson, pointed to the Del Rio incident as a motivating factor for the surge, as well as its haste.

"Multiple reports suggested that additional caravans were headed to the U.S., with the Texas border as the primary target," she said. "As those caravans made their way toward Mexico City, where they typically make the decision to head to Texas or some other state, Texas needed to surge all possible resources. … Additional Guard was needed at the border before caravans decided which direction to go."

A few days before formally beginning the surge, Abbott had signed another border security bill that provided an additional $1.88 billion to the effort — including $750 million for the state-funded border wall and $311 million to scale up the Texas Military Department's response.

But those actions didn't halt the political pressure on Abbott.

Carlson, whose widely watched Fox News opinion show influences conservative policy, attacked Abbott on Sept. 22, saying he needed "to come on this show to explain to us why he hasn't called the National Guard to seal the Texas border and protect us from this invasion." It's not clear if Carlson was aware of Abbott's Sept. 20 order.

In early October, Abbott ordered the Texas Military Department to activate 2,500 more Guard members and send them to the border. By the end of November, the number sent to the border would reach at least 6,500, with thousands more supporting the mission from elsewhere.

Holton, the state public affairs officer, said this deployment timeline was "inaccurate," but she declined to elaborate. Army Times and the Tribune reconstructed the activation's

timeline through more than 40 pages of official documents and spreadsheets obtained from verified sources.

The activation's speed became a preoccupation of Texas Guard officials, the soldier directly familiar with the mobilization process explained.

"The 'whys' were never addressed," the soldier said. "It was just a constantly increasing weekly [mobilization quota] requirement."

West called out the hurried mobilization in a campaign event earlier this month, calling it a "rush to failure." He's called for Norris, the state's top general, to resign.

As the state scrambled to source troops for the surge, it began to involuntarily activate thousands of service members for a mission with no clear end date. The state has also threatened to issue arrest warrants for troops who do not show up. Army Times and the Tribune obtained filled-out warrants and charge sheets for four soldiers, but Holton said no troops had been arrested.

Of the more than 20 involuntarily activated troops who spoke with Army Times and the Tribune, none reported having more than two weeks' notice of their deployment. Some reported having as little as two days to drop their civilian lives as police officers, college students, small-business owners and cyber security professionals; make arrangements for child care; notify their employers; and say goodbye to friends and family.

One junior paratrooper shared his frustration over being set back in college again after having to withdraw from his fall semester classes.

"I'm like a fifth-year junior [now]," he said. "My school took away my financial aid for not making satisfactory academic progress."

Another soldier, who works in civilian law enforcement, said the mobilization is diminishing his small town's police department, which includes four Guard members. Other departments are facing similar issues after the Guard refused to grant blanket hardship waivers to police officers.

"It … makes it very difficult for the remaining officers to compensate," he said. "Supervisors have to pick up the slack, and the [department] pays more in overtime."

Inadequate planning time led to logistics problems

Once the Guard members arrived at the border, many reported encountering substandard living conditions and shortages of equipment to protect them while they patrol the Rio Grande, sit at observation posts or work on sections of border barrier.

Many of the troops are housed in hastily constructed base camps in remote parts of the border. Several soldiers describe communal trailers crammed with built-in bunk beds stacked three high.

In a town hall that Maj. Gen. Charles Aris, the commander of the 36th Infantry Division, held for his subordinate commanders early this month, one small-unit commander complained that there was no gear storage for his troops in the trailers. Instead, they had to store thousands of dollars' worth of military-issued equipment like helmets and ballistic vests in their personal vehicles.

"You have to go out to your vehicle a lot to change your clothes because you don't have enough room to keep your stuff in there," said one 19-year veteran in an interview. "There's just no room. … The conditions [here] are crazy."

Some service members said they were moved into unfinished camps. A senior engineer NCO said his unit moved in before the camp had any kitchen facilities, leaving the troops to fend for themselves at local restaurants and stores.

Three Guard troops told Army Times and the Tribune that they purchased food or groceries for subordinates who were unpaid or underpaid, including one who said he purchased peanut butter, jelly and bread to feed a handful of troops in an unfinished base camp that had no kitchen yet.

Brig. Gen. Monie Ulis, commander of Joint Task Force-Lone Star, acknowledged in a letter to the force this month that the scale and speed of the deployment resulted in "austere conditions."

Holton, the Texas Military Department spokesperson, said commanders in the field "have identified areas of improvement [for housing] and are actively working with vendors to execute those solutions." She did not respond to a question about when the improvements will be complete.

Ulis shared floor plans for planned housing improvements with troops last week, noting that one base camp would receive the improvements beginning in February. The new "dorm-style lodging" will have a 116-person capacity and include wall lockers.

Some Guard members said that when they're on duty along the border, they face a lack of toilet facilities at their work sites and lookout posts.

One Guard member responsible for logistics said female Guard members at those lookout posts "either [have] to go in the bush, which is degrading, or get [a superior] to come pick them up [to drive to a gas station], and then that leaves only one person in the checkpoint until they get back."

Holton said the issue "is not widespread," but she declined to specify how many positions lacked toilet facilities. She attributed the problem to "a miscommunication with the portable toilet vendor and we have rectified this issue." A junior officer confirmed that more toilets were delivered to observation posts between Roma and McAllen in the Rio Grande Valley late last month.

Other troops said they lacked critical equipment, including cold-weather and wet-weather gear for the winter months.

Army Times previously reported that troops in some areas have to swap bulletproof plates for their ballistic vests between shifts because they didn't have enough. One medical NCO who said he had to withdraw from college to go to the border told Army Times and the Tribune that his unit had trouble securing enough medical kits, which include gauze and tourniquets, for soldiers as well.

Holton said the state has shipped more protective equipment to service members on the border.

"All we're doing is staring into nothing"

Texas officials stated during the mobilization that Guard troops would arrest migrants for trespassing as part of the mission's partnership with private landowners and local law enforcement. Holton said Operation Lone Star troops have apprehended 100,000 migrants or referred them to Border Patrol, DPS or other law enforcement agencies.

Many of the apprehensions are migrants surrendering to the first person in uniform they see in order to begin the asylum request process.

One Guard member, a civilian law enforcement officer by trade, told Army Times and the Tribune that there is a special unit of around 25 troops — all of them police officers in their civilian lives — who are arresting migrants for trespassing in Kinney County, the only border county actively coordinating with Operation Lone Star.

Due to equipment shortages, those troops are also using their "own gear or [home] department-issued gear like handcuffs, duty belts and holsters," the service member said.

But several other Guard members said not all units are seeing large numbers of migrants, and fewer are conducting arrests. They said many Guard observation posts simply watch the border through binoculars and call Border Patrol on the radio when they see people crossing the Rio Grande.

In the Brownsville area, some of the state's most elite troops — its Air National Guard cyber operations forces — are "sitting at a watch point for hours on end with their thumbs up their ass doing nothing," a member of the cyber unit said.

A junior soldier assigned to a post along Falcon Lake near Zapata said he and his peers spend their days "staring" at the lake.

Does he ever see migrants? "Nope, not even once," he said. "Just people fishing."

"Send [us] to critical areas where there is a major need for assistance," he said. "I will do my job as a soldier and Guardsman, but I just want to be used effectively."

Another soldier said he supports the “intent of the mission,” but not “its poor execution and the rush to failure.”

“A lot of these issues could have been mitigated had leadership taken a step back and thought of the soldiers for a minute,” he said. “They made this huge deal and rushed everybody out here, and all we're doing is staring into nothing.”

The operation’s leaders insist that there are signs of success. Aris, the division commander, said in his town hall with subordinates that an increase of migrant apprehensions in Arizona’s Yuma border sector proves Operation Lone Star’s success in Texas. Border Patrol data shows that apprehensions from October through December rose by nearly 2,400% in the Yuma Sector compared with the same period in 2020. But apprehensions still more than doubled along the Texas border compared with 2020.

Experts question that conclusion, too. César Cuauhtémoc García Hernández, an immigration attorney and law professor at Ohio State University, said more activity in another part of the border doesn’t necessarily mean the operation is working.

“I don’t think it’s that simple to point to what’s happening two states away,” he said. “But if it is displacing a situation from one place to another, then it does absolutely nothing for the nation as a whole.”

Victor M. Manjarrez Jr., who worked for the U.S. Border Patrol for 22 years and retired as the Tucson Sector chief in 2011, said claims that Operation Lone Star is deterring migrants and drug smugglers ignore the reality of how smuggling organizations react to pressure from law enforcement.

“It's not that easy for drug organizations to call up the neighboring cartel and say, ‘Hey, you know, we're having a hard time here, can we run our drugs through there?’” said Manjarrez, who is now the associate director of the Center for Law and Human Behavior at the University of Texas at El Paso.

Efforts like Operation Lone Star provide temporary deterrence, he said, but smuggling organizations typically go back to trafficking drugs or people through their usual routes once enforcement begins to dwindle.

Will Operation Lone Star gut the Texas Guard?

Many Guard members told Army Times and the Tribune that doubts about their mission’s effectiveness have compounded their dissatisfaction with its hardships, and some of them are beginning to plan their departure from the service.

Retention is typically a lagging indicator of service member frustrations. Many troops are bound by service obligations that keep them from simply quitting. But that hasn’t stopped some from heading to the exit.

For example, many of the cyber airmen deployed near Brownsville — whose civilian paychecks can more than quadruple their base military pay — are either quitting after their contracts' end or requesting other assignments away from the Texas Guard, the unit member said.

"[They] signed up for cyber warfare," the unit member said. "If [they] wanted to do border patrol, [they] would've applied with Border Patrol."

They make up one of the Air Guard's cyber protection teams, a recent U.S. Cyber Command and National Guard Bureau initiative meant to protect against cyber threats in their home regions. In Texas, their missions include a 2019 response to a ransomware attack that incapacitated 22 Texas counties.

The departures harm the region's ability to respond to cyber threats, the unit member said.

"If asked to mobilize our unit as a [Cyber Protection Team] today, we couldn't do it," he said. "Too many have left already."

The hard-to-replace cyber troops aren't the only ones leaving.

Another Texas Air National Guard unit on the border, the 432nd Air Expeditionary Group, reported looming retention problems after a recent survey. Out of 73 respondents who reported their contracts would expire before the end of their Operation Lone Star deployment, 45 said they were "not likely" to reenlist or extend their contracts. That's a sharp contrast with the Air National Guard's national rates: The service retained 92% of airmen with expiring contracts during the year ending on Sept. 31, 2021.

Army Times and the Tribune also obtained retention data for the Texas Army National Guard, TMD's largest branch — and a branch that usually has higher attrition rates than the Air National Guard.

The Army National Guard received a goal of 505 reenlistments between Oct. 1 and Dec. 31. It secured only 327 reenlistments, or roughly 65% of the target set by the National Guard Bureau, a national headquarters that coordinates resources among states but doesn't run operations.

During the same period in 2020, the state convinced 368 soldiers to re-up against a target of 484 — a 76% rate. During the first three months of 2021 it did even better, exceeding its target with a 105% rate.

Soldiers' decisions to leave or stay in the Guard are personal and complex, but falling retention numbers amid Operation Lone Star's massive, involuntary troop surge could signal a troubling trend, members said.

A senior full-time NCO assigned to the border said none of his company's troops plan to reenlist — and nothing short of a fundamental shift in leadership will convince them to stay.

"They're soldiers, and they have to soldier right now," he said. "But if they extend, they don't want life to be this way. None of them joined active duty — they join the Guard [part time], and they understand they can deploy, but goddamn, man, we're deployed all the time.

"They're not staying, because what's gonna happen next?" the NCO added. "They want their life back."

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Republicans Demand Release Of Report On Agents Biden Accused Of Whipping Migrants
By Anna Giaritelli
Washington Examiner

Republicans are demanding that the Biden administration release the findings of an investigation it initiated last September following unfounded White House accusations that Border Patrol agents had whipped Haitian migrants.

Seven House Republicans, including three from Texas, asked Homeland Security Secretary Alejandro Mayorkas in a letter sent Monday to publish the report immediately, according to a copy of the document obtained by the Washington Examiner.

"The widespread narrative of whipping based on a demonstratable lie — especially by members of this administration — demands that the public record be finalized by publicly disclosing the 'investigative work' conducted by Customs and Border Protections' (CBP) Office of Professional Responsibility (OPR)," Reps. Chip Roy of Texas, Brian Babin of Texas, Andy Biggs of Arizona, Scott Perry of Pennsylvania, Mary Miller of Illinois, Michael Cloud of Texas, and Darrell Issa of California wrote in the letter.

The lawmakers said they were spurred into action following a recent Washington Examiner report in which DHS officials anonymously said they thought the Biden administration was not releasing the report because it would make President Joe Biden and Mayorkas look "terrible" for condemning agents for using horsewhips against illegal immigrants when that was not the case.

"For four months, the Biden Administration and your Department have gone without even apologizing to the agents that were smeared," the letter states. "The American people deserve transparency from their government, and the United States Border Patrol deserves defense from their Department's Secretary against unfounded accusations."

Mounted agents were photographed and filmed attempting to prevent people from walking across the Rio Grande in Del Rio, Texas, on Sept. 19, 2021. The migrants ignored verbal orders to turn around, and the mounted agents rode along the riverbank, where migrants tried to get past them.

One agent was accused by third parties on social media of whipping someone. Before any investigation had been undertaken, top Biden administration officials condemned the agent. Biden said people were “being strapped” in an “outrageous” way and vowed that “those people will pay.” Mayorkas said he was “horrified” by the images, before later admitting that he reacted “without having seen the images” prior to commenting to the media.

The Biden administration promised a quick review of the incident but has issued no statement to date. Mayorkas pledged before Congress last fall to conclude within "a matter of days, not weeks," whether agents were too aggressive that day.

The lack of a conclusion to the investigation has prompted suspicion among DHS officials, who said the report should have been completed by now, regardless of the outcome.

“I doubt that the current administration will release this report on the horse patrol incident because it makes the administration look terrible,” one DHS official said in a phone interview last week. “They essentially convicted the mounted agents based upon a lie, which the investigation after 120 days would surely have revealed."

"My experience would be that this would have been done within a period of weeks," the same official said, adding that no agent had been disciplined to date.

A representative for the Border Patrol union, the National Border Patrol Council, told the Washington Examiner that there have been "no new developments whatsoever."

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Biden Encourages Massive Illegal Immigration And Tries To Hide It With Secret Flights
By Lora Ries and Mark Morgan
Heritage Foundation

he Biden administration doesn’t want media attention on illegal immigration, its open border policies, or the results of those policies. How do we know? A security officer just said so, in an explosive video of secretive, dark-of-night flights transporting illegal immigrants to various points throughout the U.S.

This video merits coast-to-coast media coverage, not just to expose the administration’s stealth operations that flout the laws, but to encourage Americans and leaders at all levels

of government to demand that the administration start protecting our border, our country, and our citizens.

The list of lies administration officials have told regarding their handling of illegal immigration is extensive and still growing. How many times have they refused to call the historic numbers of illegal immigrants crossing the southern border a “crisis” or implausibly claimed the border is “closed”?

Department of Homeland Security Secretary Alejandro Mayorkas grossly pushed the false racist narrative that Border Patrol agents on horseback mistreated migrants attempting to illegally enter during the Del Rio International Bridge episode. Biden’s Federal Aviation Administration made up a ridiculous drone ban, prohibiting Fox News from showing any more footage of the thousands of mostly Haitian illegal immigrants amassing under that bridge. (The FAA rescinded the ban after reporter Bill Melugin continued filming the Del Rio crisis from a Texas Department of Public Safety helicopter.)

Over the last several months, night flights of illegal migrants have been periodically reported in places such as Florida, New York, Pennsylvania and Tennessee. In each instance, state and local officials received no notice they were coming, let alone given an option to refuse them admission. The administration has no apparent concern with how these “air lifts” may burden local officials with additional costs and facilities capacity in areas such as education, housing, healthcare and law enforcement.

When asked why the administration was flying illegal immigrants in the middle of the night, press secretary Jen Psaki belittled the reporter and then lied. She claimed that the flights were resettling unaccompanied children. Yet videos of these surreptitious flights clearly show full grown adults emerging from the planes. At best, this is lying by omission.

Videos posted this week reveal more lies by the Administration. They show streams of adult males being released in Brownsville and San Antonio, Texas. This reportedly has been occurring since last spring. Some are known to have criminal records, including drunk driving, assault, and drug possession. Yet Biden officials have stated that only family units and unaccompanied alien children are being release, not single adults.

By law, Mexican males are usually subject to Expedited Removal to quickly return them over the border. If they are from a non-contiguous country, Immigration and Customs Enforcement usually detains them because they are not subject to the arbitrary 20-day Flores detention rule applied to families and unaccompanied children.

Releasing single adult males is a game ender for trying to enforce immigration law. Releasing this population means all demographics of illegal immigrants are now being released — whether single or a family, young or old. By failing to detain or remove single adult males, the Administration has removed the last disincentive to illegal

immigration. Smugglers will market this and enrich themselves even beyond the billions they've already made since Biden took office.

Single adult males are the easiest group for terrorists to hide among as large numbers are released into the U.S. Historically, single adult males made up the largest number of illegal immigrants entering the U.S. Now, we can expect those numbers to balloon once again.

The Biden administration calls their immigration approach "fair, orderly, and humane." But if they are so proud of their policies and their practice of processing so many "non-citizens" into the U.S., why do it under the darkness of night? And why lie about it?

This Administration tells us not to believe our lying eyes. Americans need to open their eyes, watch the video, and demand that Washington secure our borders NOW.

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Transportation

TxDOT Preparing Roads Ahead Of Harsh Winter Weather Expected Midweek
By Maggie Prosser
Dallas Morning News

Fleets of trucks from the Texas Department of Transportation prepared roadways Monday as the region braces for a blast of harsh, wintry weather.

The National Weather Service issued a winter storm watch Monday ahead of expected bitterly cold temperatures midweek and a chance of sleet, snow and ice for all of North and Central Texas. Temperatures are expected to drop into the teens, turning freezing rain Wednesday night into sleet by Thursday behind a cold front. Up to two inches of snow is expected.

The precipitation could impede travel and make for dangerous roadway conditions through Friday, the Weather Service said.

In anticipation, crews from the TxDOT Dallas district began pretreating major highways ahead of the arctic air, according to spokesman Tony Hartzel. Crews were working on the High Five Interchange, Interstate 30 and Interstate 345 on Monday morning, Hartzel said, spraying a water and salt solution. The brine helps prevent ice from sticking to the roadways.

Pretreating the roads also makes them easier to plow if snow accumulates, he said. If ice or snow does pile up, Hartzel said crews will use a mixture of sand and salt, as well as some brine, to clear the highways.

“The goal is in the next day and a half to two days all major highways in the Dallas district will be treated,” Hartzel said.

Hartzel said the district has about 200 pieces of equipment in its arsenal available for later this week. That includes 87 dump trucks to spread sand and salt; 10 spray trucks and 5 large tanker trucks to apply brine; and 17 snow plow blades.

Crews will work 12-hour shifts throughout the weather event to maintain the roads, Hartzel said. Most of the treatments will happen during off-peak traffic hours.

The forecasted conditions could cause roadways — especially bridges and overpasses — to become slick, and the Weather Service encouraged drivers to modify travel plans and exercise caution as temperatures drop.

“Give our crews room to work, especially if there’s snow and ice on the roadway,” Hartzel reminded drivers. “Those conditions can be treacherous even for us out there.”

“We’re out there doing our best to keep the roads passable,” he added.

The Weather Service and Dallas Office of Emergency Management (OEM) encouraged people to prepare their homes and pipes, stock up on essentials in case of a power outage, and prepare vehicles in case of an emergency. Drivers should also keep a supply of water, snacks, power banks, tools, blankets, jumper cables and emergency signals in their cars, OEM said.

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TxDOT Crews Preparing Central Texas Roadways In Advance Of Winter Storm
By Rissa Shaw
KWTX

Preparations are already underway for Central Texas roadways in advance of the winter storm expected this week.

According to officials with the Texas Department of Transportation, crews will begin pre-treatment operations on roadways at 7 a.m. Tuesday.

“TxDOT Waco’s district crews are ready to mobilize starting tomorrow morning where they will begin pre-treatment around the district in all the eight counties we serve, and they are ready to also move into 24-hour operations starting on Wednesday,” said Jake Smith, TxDOT Waco District’s Public Information Officer.

Smith is asking drivers to stay off the roads if possible.

“I know not a lot of people have that luxury, so for those who can’t avoid traveling, please just drive to conditions, mind your speed of course, give yourself enough distance

in between yourself and the vehicle in front of you, and head to drivetexas.org, that is TxDOT's website where you can check for road conditions," said Smith.

TxDOT crews are planning to use approximately 60 pieces of equipment including vehicles, Smith says.

"If you see our trucks out there on the roadways applying this pretreatment, give them at least 200 feet of space so they can operate safely, and for your safety as well," said Smith.

They'll be spraying roads in McLennan, Bell, Hill, Limestone, Hamilton, Bosque, Falls and Coryell counties.

KWTX Chief Meteorologist Brady Taylor said the area will likely fall below freezing overnight Wednesday into Thursday, which should cause the switch from rain to freezing rain.

If freezing temperatures are widespread across Central Texas with freezing rain, travel could be especially difficult through mid-morning Friday as a result of ice on roadways.

Use caution when driving across bridges, overpasses, and isolated roadways that are not frequently traveled.

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Criminal Justice

Inmate Killed During Attack At Bexar County Jail Had Feared For His Safety
By Jacob Beltran
San Antonio Express News

A Bexar County jail inmate who was killed when two other inmates broke free from the cell they shared and attacked him had expressed concern for his safety before the fatal incident.

The deceased inmate — who authorities today identified as Vincent Garcia, 40 — had been in jail since Aug. 6 on charges of aggravated robbery and assault causing bodily injury in Medina County.

Bexar County Sheriff Javier Salazar, speaking Monday at an online news conference, said that at about 7 a.m. on Sunday, Garcia told a detention officer that he felt unsafe.

"The inmate kept telling the deputy he did not feel comfortable in the living unit," Salazar said, adding that the deputy pressed Garcia for more information. "All he would say is he was uncomfortable there."

On ExpressNews.com: 40-year-old inmate stabbed to death in the Bexar County Jail

A cadet, which is a detention officer in training, who had joined the Sheriff's Office on Jan. 10 and has a temporary jailer's license, was in the control room of a 30-person living unit. He saw a red light on the control panel, indicating that a cell door was opening, and looked up to see that two inmates had forced their way out of their cell.

The detention deputy, who was standing by the control room, ran inside as the cadet closed the door.

Bexar County jail inmate Ernesto Manuel Tavera, 50, is one of two inmates charged in the fatal attack of inmate Vincent Garcia in a fight that lasted seconds, Bexar County Sheriff Javier Salazar said.

Courtesy of the Bexar County Sheriff's Office
Inmates Brandon Lee Lerma, 28, and Ernesto Manuel Tavera, 50, began attacking Garcia in a fight that lasted seconds, Salazar said. Their struggle moved back and forth as the detention deputy and cadet called for help from the jail's Special Emergency Response Team, or SERT.

As SERT arrived, the cadet opened a door to the living unit and allowed Garcia to escape to a hallway. Lerma and Tavera ran to the showers of the living unit, where they quickly surrendered to SERT deputies, Salazar said.

Bexar County jail Inmate Brandon Lee Lerma, 28, is one of two inmates charged in the fatal attack of inmate Vincent Garcia in a fight that lasted seconds, Bexar County Sheriff Javier Salazar said.

Courtesy of the Bexar County Sheriff's Office
Lerma and Tavera now face murder charges and have been moved to another part of the jail with higher security.

The two accused inmates and Garcia are reported to be members of the Texas Mexican Mafia, and they were in an area that houses such inmates, the sheriff said. There are more than 400 members of that group and other associated criminal organizations in the jail, Salazar said.

Meanwhile, Garcia collapsed from his injuries in the hallway. Salazar said neither the deputy nor the cadet had noticed that Garcia was stabbed during the brawl.

SERT members attempted to provide first aid to Garcia as he was taken to the infirmary. There, his condition quickly worsened until he died, Salazar said.

The Texas Rangers are investigating the incident as an outside agency, which is required by the Sandra Bland Act.

Salazar said Monday that investigators recovered pointed weapons hidden near where the attack occurred that are consistent with Garcia's puncture wounds. He could not say for certain whether any of them were the murder weapon or weapons.

"Without getting graphic, there was a lot of evidence that they had committed a heinous attack," Salazar said.

Salazar said the inmates should not have been able to defeat the lock on their cells, but he said that information on how to do so is available online, including via YouTube videos.

Both the cadet and detention deputy, who has been with the jail since July 2020, are on administrative leave and receiving counseling via the agency's psychologist and peer support from deputies.

The deadly assault comes as the jail is experiencing the subisiding results of a COVID-19 omicron spike, Salazar said. The virus is suspected in the death of inmate Vanessa Estrada, 29, who Salazar said also had tuberculosis. She died Saturday at an area hospital where she had been receiving treatment.

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Federal Prison System Put On Lockdown After Deaths In Texas Prison, Media Reports
Dallas Morning News

The federal prison system has been placed on a nationwide lockdown after two inmates were killed and two others were injured Monday during a gang altercation at a federal penitentiary in East Texas.

The incident happened around 11:30 a.m. Monday at USP Beaumont, a federal prison in Beaumont. The altercation involved members of a known street gang, two people familiar with the matter told The Associated Press. The people could not discuss an ongoing investigation and spoke to the AP on condition of anonymity.

The attack is just the latest example of serious violence within the beleaguered federal Bureau of Prisons. The agency has struggled through a multitude of crises in recent years, including widespread staffing shortages, serious employee misconduct, a series of escapes and deaths.

The lockdown, being instituted at the agency's more than 120 federal prisons across the U.S., was prompted by fears of potential retaliation and concern violence could spread to other facilities. During a nationwide lockdown, inmates are kept in their cells most of the day and visiting is canceled. Because of a spike in coronavirus cases in federal prisons, social visits at nearly every facility have been canceled already.

The use of a nationwide lockdown is relatively rare. The agency implemented the measure in April 2020 as coronavirus cases began skyrocketing in prisons nationwide, again after the insurrection at the U.S. Capitol on Jan. 6, 2021, and shortly before the inauguration of President Joe Biden later that month.

On Monday, the Bureau of Prisons said officers at the Texas prison observed multiple inmates fighting and responded to secure the area. Two inmates, Andrew Pineda, 34, and Guillermo Riojas, 54, were pronounced dead at a local hospital after the attack. Two other prisoners were injured and taken to nearby hospitals for treatment.

There have been a number of serious security issues within the federal prison system in the last few months, including several inmate deaths and stabbings. The Justice Department announced earlier this month that the agency's director, Michael Carvajal, was resigning from his position amid increased scrutiny over his leadership and in the wake of Associated Press reporting that uncovered widespread corruption, misconduct and other problems at the agency.

Several inmates have escaped from the prison complex in Beaumont in recent years and union officials have decried what they've described as a serious staffing crisis at the prison. The AP reported in June that security at the complex is so lax that local law enforcement officials privately joke about its seemingly "open-door policy."

Riojas was serving a 38-year sentence for carjacking and interfering with interstate commerce. Pineda had been sentenced to term of more than six years in prison on a racketeering charge and had been held at the prison since February.

In November 2007, two Beaumont inmates stabbed another inmate to death on the penitentiary's special housing unit after they broke free from handcuffs, shanked two correctional officers who were escorting them to their cells and stole cell keys. They were convicted and sentenced to death. A few months later, in February 2008, a Beaumont inmate was strangled to death in his cell by two other inmates -- one of them the co-founder of a prison gang.

The Texas prison houses 1,372 male inmates.

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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'Rouke (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.”

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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 Minneaopolis 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.

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.

The biorefinery will convert a million green tons of wood waste into 34 million gallons annually of premium clean burning transportation fuel including Sustainable Aviation Fuel, Renewable Diesel, and Renewable Naphtha.

Future expansion will double the plant's production capacity to 68 million gallons annually, and the plant will also capture and sequester approximately 50 million metric tons of CO2 over the life of the biorefinery. This new biorefinery will create 142 jobs in the Newton County community.

CEO Nick Andrews said USA BioEnergy performed an extensive site search and analysis to identify the best project location.

Weeks said the project supports an estimated $1.2 billion in gross area product or economic activity during construction.

"Texas Renewable Fuels will bring substantial improvement in the quality of life for the residents of Newton County," Weeks said.

State Sen. Robert Nichols expressed his appreciation to Texas Renewable Fuels for selecting Newton County.

"The economic impact of this project will benefit the community, local businesses and grow our local and state economic output," he said.

State Rep. James White said Newton County is poised for economic expansion and growth.

"Texas Renewable Fuels will create 142 jobs at completion and provide additional opportunities for Newton County by providing opportunity through cutting-edge science, new technology and a market for our wood fiber," he said.

According to Superintendent Michelle Barrow, Newton Independent School District participated in a Chapter 313 incentive, which temporarily limits a property's appraised value to encourage business investments within school district borders.

"The project will bring industry to the Newton area, an enhancement towards the education of

our youth and the quality of life of our current and future workforce," she said.

USA BioEnergy is a renewable fuels development group based in Scottsdale, Arizona, created to produce sustainable aviation fuel, renewable diesel, and renewable naphtha from readily available wood waste feedstock.

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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.

The clock ran out before they built it, leaving behind a mutilated landscape and a boneyard of steel fence panels stacked by the hundreds.

At more than $41 million per mile, Guadalupe Canyon was the most expensive segment of a $15 billion megaproject that ranked among the costliest in U.S. history. Today the abandoned border wall site is a liability for U.S. Customs and Border Protection, with loose rocks and boulders sliding down the mountainsides.

Sage Goodwin, whose family's nearby ranch house rattled daily through nine months of blasting in 2020, wants the government to repair the damage to their land. He filed suit against the Trump administration and is now waiting for CBP to indicate how far it's willing to go to put the mountain back together and prevent a flood that could wash out the road to his home.

"We want to be reasonable and realistic," Goodwin said. "We want to roll back the destruction and help CBP come up with a model that balances ecological values, ranching values and border security."

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

Republicans have been clamoring for Biden to close gaps in the wall that have become busy crossing points for migrants and smugglers. In some locations those spaces are a few feet across, but they're far wider in others, and it's unclear what the Biden administration will consider closing a gap vs. building new barriers.

Paul Enriquez, the deputy director of the CBP infrastructure division responsible for the border wall, said the Biden administration's remediation effort will prioritize "safety, erosion and flood control," to ensure roads and hillsides don't wash out and the barrier itself "does not fail and cause some sort of life safety issue for the public, local residents or agents who patrol in that area."

At abandoned construction sites and staging areas used to store materials and heavy equipment, CBP is preparing to clean up and replant vegetation, but officials say locations where blasting occurred can't be easily put back together.

"We'll be working with federal land managers to identify an appropriate restoration method," Enriquez said in an interview. "And, in some instances where we had temporary roads installed, we'll be remediating those areas, as well."

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.

His administration went for the lowest-hanging fruit, building along public land in New Mexico and Arizona — including national forests and wildlife preserves — that was already under federal control. Some of those remote locations had few crossings to begin with.

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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"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.

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.

The biorefinery will convert a million green tons of wood waste into 34 million gallons annually of premium clean burning transportation fuel including Sustainable Aviation Fuel, Renewable Diesel, and Renewable Naphtha.

Future expansion will double the plant’s production capacity to 68 million gallons annually, and the plant will also capture and sequester approximately 50 million metric tons of CO2 over the life of the biorefinery. This new biorefinery will create 142 jobs in the Newton County community.

CEO Nick Andrews said USA BioEnergy performed an extensive site search and analysis to identify the best project location.

Weeks said the project supports an estimated $1.2 billion in gross area product or economic activity during construction.

“Texas Renewable Fuels will bring substantial improvement in the quality of life for the residents of Newton County,” Weeks said.

State Sen. Robert Nichols expressed his appreciation to Texas Renewable Fuels for selecting Newton County.

“The economic impact of this project will benefit the community, local businesses and grow our local and state economic output,” he said.

State Rep. James White said Newton County is poised for economic expansion and growth.

“Texas Renewable Fuels will create 142 jobs at completion and provide additional opportunities for Newton County by providing opportunity through cutting-edge science, new technology and a market for our wood fiber,” he said.

According to Superintendent Michelle Barrow, Newton Independent School District participated in a Chapter 313 incentive, which temporarily limits a property’s appraised value to encourage business investments within school district borders.

“The project will bring industry to the Newton area, an enhancement towards the education of our youth and the quality of life of our current and future workforce,” she said.

USA BioEnergy is a renewable fuels development group based in Scottsdale, Arizona, created to produce sustainable aviation fuel, renewable diesel, and renewable naphtha from readily available wood waste feedstock.

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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.

The clock ran out before they built it, leaving behind a mutilated landscape and a boneyard of steel fence panels stacked by the hundreds.

At more than $41 million per mile, Guadalupe Canyon was the most expensive segment of a $15 billion megaproject that ranked among the costliest in U.S. history. Today the abandoned border wall site is a liability for U.S. Customs and Border Protection, with loose rocks and boulders sliding down the mountainsides.

Sage Goodwin, whose family's nearby ranch house rattled daily through nine months of blasting in 2020, wants the government to repair the damage to their land. He filed suit against the Trump administration and is now waiting for CBP to indicate how far it's willing to go to put the mountain back together and prevent a flood that could wash out the road to his home.

"We want to be reasonable and realistic," Goodwin said. "We want to roll back the destruction and help CBP come up with a model that balances ecological values, ranching values and border security."

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

Republicans have been clamoring for Biden to close gaps in the wall that have become busy crossing points for migrants and smugglers. In some locations those spaces are a few feet across, but they're far wider in others, and it's unclear what the Biden administration will consider closing a gap vs. building new barriers.

Paul Enriquez, the deputy director of the CBP infrastructure division responsible for the border wall, said the Biden administration's remediation effort will prioritize "safety, erosion and flood control," to ensure roads and hillsides don't wash out and the barrier itself "does not fail and cause some sort of life safety issue for the public, local residents or agents who patrol in that area."

At abandoned construction sites and staging areas used to store materials and heavy equipment, CBP is preparing to clean up and replant vegetation, but officials say locations where blasting occurred can't be easily put back together.

"We'll be working with federal land managers to identify an appropriate restoration method," Enriquez said in an interview. "And, in some instances where we had temporary roads installed, we'll be remediating those areas, as well."

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.

His administration went for the lowest-hanging fruit, building along public land in New Mexico and Arizona — including national forests and wildlife preserves — that was already under federal control. Some of those remote locations had few crossings to begin with.

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 aboriton — 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 sensitives 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.

Hill Country Headlines: Top stories from the booming region, delivered to your inbox

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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# # #

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 aboriton — 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 sensitives 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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# # #

Greg Abbott News

Beto O'Rourke's Journey From Long Shot To Long Shot
By Rachel Monroe
The New Yorker

Early this February, Beto O'Rourke travelled to the border town of McAllen to campaign for governor of Texas, a position that hasn't been held by a Democrat in nearly three decades. The event was held at Firemen's Park, where a spirited crowd sat at metal picnic tables under strips of fluorescent lights. "I've been his supporter since he was running against Ted Cruz, that idiot," Sara Garcia, a retired occupational-therapy assistant with a regal bearing, told me. Garcia was sitting with a group of women she'd been friends with since they all attended McAllen High School ("Go, Bulldogs!") a half century ago. She scrolled through her phone to show me pictures from O'Rourke's previous appearances in McAllen: crowds of gleeful young people; Garcia and her friends in colorful blouses. I asked her whether she'd been to campaign events for other politicians. She thought about it for a second. "You know that I haven't?" she said. "I'm not a political person. Just him."

In March, 2017, when O'Rourke began his campaign for Cruz's Senate seat, a year and a half before the election, he was a long shot. "The Senate race was so fun," Chris Evans, O'Rourke's twenty-eight-year-old communications director, told me. "In the first Texas Tribune opinion poll about the candidates—favorable, unfavorable—seventy per cent of people said they didn't know. It was a blank slate." O'Rourke is an El Paso native who served three terms in the U.S. House of Representatives; Cruz, an incumbent senator and a former Presidential candidate, was notoriously unpopular even within his own party. O'Rourke was an appealing candidate, thoughtful and funny and nonthreateningly handsome, an earnest, Spanish-speaking white guy who largely avoided insulting his opponent. After events, people would line up to shake his hand, take a selfie, tell him their concerns. As the campaign gained momentum, the lines sometimes lasted for hours. O'Rourke's apparent decency and empathy made him an ideal vessel for the anti-Trump backlash, and he became a national phenomenon, raising eighty million dollars, twice as much as Cruz. For years, outside experts had claimed that the rising proportion of nonwhite residents meant that Texas was on the verge of turning purple. In the run-up to the election, it seemed as though O'Rourke might be the man to make that happen.

He ended up losing by around two hundred thousand votes—a loss that, in a place where no Democrat has won a statewide position since 1994, his campaign staff spun as a victory. It seemed possible that O'Rourke would run against Texas's other senator, John Cornyn, in 2020; instead, he embarked on a splashy but ultimately ill-fated campaign for President. By last November, when O'Rourke announced his gubernatorial campaign, he was no longer an

unknown. “It’s going to be much harder for him to campaign as a new voice or an alternative to business as usual,” James Henson, the director of the Texas Politics Project at the University of Texas at Austin, said. O’Rourke is popular among Democrats and the runaway favorite for the primary, on March 1st, but more than seventy per cent of Republicans now have an unfavorable opinion of him. “For Republicans in the state, he’s become what Ted Cruz is for Democrats—the figure they really love to hate,” Henson said. Among independents, O’Rourke is more disliked than the incumbent governor, Greg Abbott, and head-to-head matchups show Abbott leading by ten points. (Although Abbott faces a number of primary challengers from the right and was booed last month at a Trump rally, he is overwhelmingly favored to win the Republican primary.)

O’Rourke continued a recent twelve-day tour of Texas on a Thursday afternoon at the Espee Pavilion, in San Antonio, where I chatted with Richard Nash, a public-speaking coach, and his friend, a disillusioned Trump voter whom Nash had persuaded to tag along. At noon, when O’Rourke was scheduled to start speaking, a staffer urged the sparse crowd to get closer together. “He’s going to want you really close,” he said.

“There’s no one here,” Nash said, scanning the crowd. There were, in fact, a couple of hundred people milling around the plaza, but I had just watched some videos from the late stages of O’Rourke’s Senate race, and I knew what he meant.

O’Rourke emerged, lanky and smiling, and stepped onto the wooden box he uses in lieu of a stage. He launched into a speech that invoked broadly popular plans: fixing the electrical grid, expanding Medicaid, and instituting cost-of-living raises for public-school teachers. Across the street, a protester with a bullhorn intermittently squawked, “Let’s go, Brandon.” Afterward, during the selfie-and-handshake portion of the afternoon, Nash told me that he approved of the speech, which, he said, had less of the “gut-punch, take-it-to-the-streets” flavor of the O’Rourke events he’d attended in 2018: “It was very pragmatic, very pro-business. Black Lives Matter—he stayed off that.” His Trump-voting friend declined to say whether she’d been won over. “I’m listening, I’m listening,” she said.

Texas Democrats had hoped that their improved showing in 2018 was a sign that the state’s long-predicted purpling was imminent. “Texas is a swing state in 2020,” CNN had declared. But Trump handily won Texas, albeit by a lower margin than in 2016. Powered by People, an army of door-knocking volunteers, founded by O’Rourke, failed to flip any of the twenty-two state House seats that Democrats had targeted. When the legislature met in 2021, it further cemented Republican dominance by passing a restrictive voting bill and drawing a redistricting map that’s currently being challenged by the Department of Justice for being racially discriminatory. Given Joe Biden’s persistent unpopularity in Texas, and the fact that the Party in control in Washington tends to take a hit in the midterms, the Democrats face daunting odds in the 2022 election. “It’s going to be a bloodbath!” a libertarian in South Texas told me cheerfully.

As O’Rourke travelled farther south, his crowds grew in both size and enthusiasm. In Laredo, he spoke at a soccer field, in front of a “beto for governor” banner stretched across the goal. The event had an upbeat, block-party atmosphere, with AC/DC playing on the loudspeakers, and a snack bar serving hot dogs and tacos. Cesia Rodriguez, a court administrator, was there with her husband and two young children. She’d been a supporter of O’Rourke’s since seeing him speak in the spring of 2017, to about a dozen people. “The crowds just kept getting bigger and bigger,” she said. This time, her optimism was tempered. “I’m hopeful, but I also know

the statistics," she said.

Trump made a surprisingly strong showing in 2020 in Laredo, which borders Mexico. The border region's population is overwhelmingly Hispanic, with poverty rates higher than the state average; it votes reliably, albeit far from uniformly, for Democrats. But, in 2020, the three metropolitan areas in the United States with the biggest swings in favor of Trump were all South Texas border cities: Laredo, McAllen, and Brownsville.

"We live in a Democrat-held county, but I wouldn't consider it liberal," Rodriguez said. "Everyone has a family member in law enforcement."

"Or they have someone who works for the oil field," her husband said.

"The immigration stuff, too—that touches a nerve here," Rodriguez added. She'd seen someone she knows who works for a local Democratic politician participate in a Trump vehicle parade. "It was crazy," she said, shaking her head.

The 2020 results inspired panicked takes that the Democrats were losing "the Latino vote," even though losses in border counties were more than made up for by gains among urban and suburban Latinos. Cecilia Ballí, a visiting scholar at the University of Houston's Center for Mexican American and Latino/a Studies, interviewed a hundred Latinos in Texas for a 2020 study. She told me that economic motivations were the strongest driver for Latinos in South Texas who voted for Trump. "We don't know that it's a trend," she said. "I do think that Latinos are becoming more assertively independent. But we're yet to see in subsequent elections how many of these people who voted for Trump continue to vote for Republicans."

Republican dominance in Texas theoretically presents opportunities for O'Rourke. In catering to the small and passionate cohort of primary voters, Republicans have enacted policies that are unpopular with the broad electorate, most notably a near-total ban on abortion. Throughout his visit to South Texas, O'Rourke seemed to be courting disaffected Republicans, or at least trying to override their most immediate concerns about him. He complained about inflation, praised law enforcement, and vowed to protect oil-and-gas jobs. In response to a question about whether he was a socialist, O'Rourke smiled broadly, then touted his experience as a small-business owner: "This guy Abbott—I don't begrudge his career choices, but I know a lot more about capitalism than he does."

The central theme of O'Rourke's speeches was the 2021 grid failure. A year ago, Winter Storm Uri overwhelmed the electrical grid. Millions of Texans lost power, and hundreds died, in a shared, visceral experience of institutional failure. Fewer than one in five Texans approves of how the state legislature handled the power grid's reliability—a rare instance of bipartisan agreement in a deeply divided state.

But O'Rourke's attempts to woo Texas moderates have been stymied by statements he made during his Presidential run. During a debate in September, 2019, weeks after the El Paso mass shooting, O'Rourke declared, "Hell, yes, we're going to take your AR-15, your AK-47." The comment got cheers, and became a galvanizing moment in his otherwise lacklustre Presidential campaign. It was also a perfect sound bite for Abbott, who has featured it in a number of ads. At the Texas State Museum of Asian Cultures & Education Center, in Corpus Christi, O'Rourke vowed to "defend the Second Amendment proudly." "We have guns for any number of reasons, none of which are the business of the government," he said. O'Rourke,

who has said that he owns firearms, attempted to position himself as a champion of the responsible gun owner. He criticized the state's recent enactment of permitless gun carry, a policy that was opposed, until recently, by most Republicans and passed over the objections of law-enforcement officials.

After O'Rourke's thoughtful, measured speeches, the tone of the question-and-answer sessions at times edged closer to a raw desperation: What do I say to my friend who thinks you're going to confiscate his AR? What do I say to my friend who thinks you murder babies? What do I say to my friend who thinks you're a socialist who's going to turn Texas into Venezuela?

"I'm hopeful," a man in a Teamster polo shirt and a Yeti baseball cap told me, but his face didn't match his words. I put the question of Texas Democrats and their perpetually forestalled hopes to O'Rourke in McAllen. It had taken ninety minutes for him to work through the selfie line, and the park employees had politely but firmly shooed us away and locked the gate behind us. We crossed the street and leaned against the back of my pickup truck. I said it seemed to me that Democrats might not win a major election in Texas for another decade. "I don't see it that way at all," he responded. "Biden's margin in Texas was comparable to his margin in Florida, and whatever they spent in Florida was, like, a bajillion times more. And we did better than Ohio. The states that are considered the traditional battleground states and that enjoy a massive influx of political spending—we're performing better than they are in many cases, at a fraction of what they're spending." Texas Democrats did face structural disadvantages: it's a huge state, and Abbott has more than ten times as much cash on hand as O'Rourke does. But the suburbs were swinging in their favor; O'Rourke had won the counties around the major metro areas. He had forty-nine thousand volunteers signed up, many more than he had at this point in 2018. "Abbott does not have forty-nine thousand volunteers," he said. "I don't know what fraction of that he'll ever have."

I thought about the selfie lines as not an ancillary part of the campaign events but their central point. They were content generators, sure, but, more important, they seemed like an exercise in sustaining mutual belief. In Laredo, I'd overheard a young woman say that she'd driven an hour and a half from her home in Zapata, the seat of a county that swung thirty-eight points in favor of Trump between 2016 and 2020. O'Rourke pressed her hand, and, when he said, "We need you," it sounded like he really meant it.

"Stuff's impossible until it happens, right?—" O'Rourke started to tell me, when a white pickup truck pulled over next to us and two men in jeans and work boots jumped out. They hollered "Beto!" with such familiarity that, for a second, I assumed they were old friends. "We saw you here and we were, like, 'I gotta take a picture with this guy,' " one said. O'Rourke smiled as the flash went off. Then he reminded them to post the picture, and to vote.

Administration News

Republican Candidates For Texas Attorney General Go Into Attack Mode: 'Gutter Politics'
By Taylor Goldenstein
Houston Chronicle

With polling indicating Tuesday's GOP primary for attorney general is likely headed to a runoff, incumbent Ken Paxton's three competitors have gone into attack mode as they fight for a chance to go head-to-head with him in May.

The animosity was on full display during the first televised candidate debate Thursday night, which Attorney General Ken Paxton did not attend.

Insults flew between former Supreme Court Justice Eva Guzman and Land Commissioner George P. Bush as they criticized each other over their records and policy positions, while U.S. Rep. Louie Gohmert saved his punches for Paxton, who he slammed for his unresolved legal troubles.

Paxton, who is endorsed by former President Donald Trump, has been under indictment on felony securities fraud charges since 2015 in a case that has yet to go to trial. He's also under investigation by the FBI for allegations by his former aides that he used his office to benefit a friend and campaign donor. Paxton has denied all wrongdoing.

All three of Paxton's competitors have warned that those issues would make him vulnerable against the Democratic nominee in the general election.

Guzman repeatedly called Bush a liar for stating in campaign advertisements that she opposed Trump's border wall.

"There is no room in Texas for another lying attorney general," she said. "He spent millions and millions of dollars on a TV ad that's false."

She also attacked Bush for not having an active law license for the past decade. Bush, who was first elected land commissioner in 2015, said that was a decision he made when he deployed to Afghanistan with the Navy in 2010.

Bush returned fire by saying Guzman is mischaracterizing his record, including when she claimed he had erred in his suit against President Joe Biden for halting border wall construction, which is ongoing.

"She's now in last place if you take the average of all the public opinion polls out there, so of course she's going to come at me," he said. "She knows that I'm standing in her way to getting in a runoff and taking on the most corrupt public official in modern Texas state history."

Guzman also took shots at Bush for his office's distribution of Hurricane Harvey flood mitigation funds. The office granted Houston and Harris County officials $0 out of the more than $1.3 billion they had requested.

Bush accused Guzman of playing "gutter politics."

"She's standing with liberal progressive mayors that my agency busted for directing contracts to their political cronies," Bush said. "Here we are in the middle of a conservative Republican primary, and she's siding with Mayor Turner and Judge Hidalgo?"

He appeared to be referencing a recommendation by Houston Mayor Sylvester Turner to use $15 million from a separate pool of Harvey recovery funds to help finance an affordable housing project that would have been co-developed by Turner's former law partner.

After the city's housing director accused the mayor of corruption, the General Land Office

investigated the incident and found the city had not followed the agency's guidelines.

Despite Bush's attempt to frame the flood mitigation funding as primarily an issue for Democrats, Republican Houston City Council members and Harris County commissioners, as well as Houston-area Republican state representatives, have all criticized the decision.

Avoiding the crossfire, Gohmert kept a laser-focus on Paxton and his entanglements in the legal system.

"He's likely going to be indicted after the primary when we can't replace him," Gohmert said. "Anything he says at a debate can and would be used against him."

Asked about how he'll appeal to voters using that line of attack considering that many Republican voters appear to be unfazed by the accusations against Paxton, Gohmert said he'll have 90 days after making the runoff to make his case.

"People will find out more about me and find out that we have an attorney general who instead of investigating crime is now charged with committing them," he said.

One question about whether Biden legitimately won the 2020 election — a gauge of fealty to Trump for Texas Republicans up and down the ballot — brought out one of differences the three candidates.

Bush immediately raised his hand affirming Biden's win, while Gohmert kept both of his down, fingers crossed.

Guzman's eyes flashed over to Bush. Seeing his hand raised, she lifted hers then lowered it twice before clarifying that "it's undetermined from my perspective, but yes, I'm raising my hand."

Gohmert, a former judge who in January 2021 filed an unsuccessful federal lawsuit seeking to empower former Vice President Mike Pence to reject the election results and hand Trump re-election, added that he didn't know whether Biden won. But he conceded that Biden is the "legitimate president."

Gohmert also defended comments he made just days prior to the Jan. 6 Capitol attack, saying that a federal judge who dismissed his suit against Pence was saying, "You have no remedy. Basically, in effect, the ruling would be that you gotta go to the streets and be as violent as Antifa and BLM."

"If anyone wants to look back at comments, they'll find that I repeatedly say we've got to follow the example of Dr. King: peaceful protests, and anyone who says otherwise is lying," he said.

The three candidates all agreed with Paxton's legal opinion Monday finding that gender-affirming health care for transgender youth constitutes child abuse under Texas law. The opinion runs contrary to the recommendations of the largest professional medical organizations' in the state and nation.

They also said they would support clemency for Austin police officers charged with using

excessive force during protests last summer, as Gov. Greg Abbott has suggested.

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State News

As Republicans Try To Flip Open Seat In South Texas, Democrats Debate How To Win Over Voters
By Patrick Svitek
Texas Tribune

John Villarreal Rigney, a businessman running for Congress in South Texas, has run into voters who say they cannot vote for him because he is a Democrat — "You're AOC," they say, referring to U.S. Rep. Alexandria Ocasio-Cortez, the firebrand progressive from New York.

"I say, 'No, there's other types of Democrats besides AOC,'" Rigney said. "It's a matter of getting the entire country to understand that not all Democrats are liberal like that."

That Democratic identity crisis is at the forefront in the race for Texas' 15th Congressional District, which could be the state's only competitive congressional seat in November thanks to redistricting. With the general election in mind, the Democratic primary candidates have been weighing what it means to be a South Texas Democrat — as Republicans have made significant inroads throughout the region.

In the Republican primary, frontrunner Monica De La Cruz is scoffing at the Democrats' efforts to distinguish themselves, while she's running with the support of former President Donald Trump, U.S. Sen. Ted Cruz and House GOP leadership. But even then, she has not been able to avoid a skirmish inside her own party as she faces a self-funding Democrat-turned-Republican, Mauro Garza, who is criticizing her as the "establishment candidate" and aligning himself with the most pro-Trump elements of the party.

"I think that the people in Texas [Congressional District] 15 have gotten to know me over the last three years, and they know and believe that I'm a true conservative, that I'm a hard worker and I do what I say I'm gonna do," said De La Cruz, who ran for the seat in 2020 and came surprisingly close to beating the incumbent, U.S. Rep. Vicente Gonzalez, D-McAllen.

Gonzalez is now running for reelection in the neighboring 34th District due to redistricting, where he faces a safer race as a Democrat. His late October decision to do so created an open seat in the 15th District, where De La Cruz had already been running for months with the support of national Republicans. They are eager to capitalize on President Joe Biden's underwhelming numbers throughout South Texas in 2020, and the 15th District was Exhibit A: He carried it by only 2 percentage points. Redistricting only tilted it more in favor of Republicans.

When the dust settled on Gonzalez's district switch, there were six Democrats running for the 15th District, which runs north from the Rio Grande Valley to outside San Antonio. They include Rigney, who has self-funded his campaign with $300,000; Ruben Ramirez, a lawyer who has run for the seat twice before and is also running a more moderate campaign; and

Michelle Vallejo, a small business owner recruited by LUPE Votes, a local progressive organizing group, who is the candidate running furthest to the left.

Last week, Ramirez received Gonzalez' endorsement for his soon-to-be former seat. Ramirez has also been endorsed by the chair of the political arm of the Congressional Hispanic Caucus, Rep. Ruben Gallego of Arizona. While the political arm, CHC BOLD PAC, has not endorsed in the primary, it released a polling memo this week arguing that Ramirez is the best candidate for the general election, saying 69% of voters deemed his biography a convincing reason to vote for him.

Ramirez, an Army veteran who has also worked as a science teacher, said it has become "very clear that there is only one candidate who can win November, and that's me."

On the campaign trail, Ramirez emphasizes that he is a "South Texas Democrat," not a "New York Democrat" or a "California Democrat." He talks about the dilemma that South Texas Democrats face when they tune in to CNN, for example, and see a Democratic representative calling for "open borders" and a Republican representative calling for "law and order."

"The Democrats sitting at home in South Texas, they're saying, 'I believe what the Republican just said. Am I Republican?'" Ramirez said. He added that tries to speak to those voters — "not at them" — and say that it is "OK to have a few of those conservative ideals, like wanting to make sure you secure the border but doing so in a way that's consistent with our values."

Ramirez said bipartisanship is necessary to solve border problems, and as part of that give and take, there may need to be a wall in certain places. He said Border Patrol agents tell him a wall does work in some areas, though he made clear he does not see it as the only solution for border security.

Still, that position sets him apart from at least one competitor, Vallejo, who is running on a more progressive platform that she said is a "really big difference" in the primary. She supports Medicare for All and a $15 minimum wage, positions that have sparked tension with some of her competitors.

One of them, Eliza Alvarado, pushed back at a recent debate on Medicare for All, saying it is too costly. Alvarado, who works at the state's education service center in the Rio Grande Valley, noted the region still does not have a veterans hospital.

"We need to go to Washington with ideas that are feasible," said Alvarado, a former staffer for Gonzalez' predecessor in the seat, Rubén Hinojosa, who has endorsed her.

Asked about voters who may be concerned she is too liberal for the general election, Vallejo said she wants to hear them out.

"My message to those folks is that this is a working relationship. We need to talk about this," she said, adding that she wants to educate people about how, for example, Medicare for All would benefit South Texas with all the unique health care challenges it faces, like its high uninsured rate.

The Democratic candidates have largely kept their campaigns positive, though the contrasts have become increasingly evident. Noting Ramirez has run for the seat twice before, Vallejo

said he is “following the same equation” and pitched herself as a fresher face who would bring more people into the electorate. Asked if Vallejo’s policies would be acceptable in a general election, Ramirez reiterated that he believes he is the only “viable” candidate for November.

Rigney, meanwhile, said his platform is all about “everything that is good for families,” a key South Texas value. And he argued he is best suited for the general election because Democrats need to try something different and field a businessman, not a “typical politician.”

Many of the Democratic candidates agree, however, that their brand needs help after 2020 in South Texas. Rigney said it was a “wake-up call.”

Campaigning last month in Seguin, Vallejo got a question from a local activist who said she was worried about Latino turnout in the area, observing that many of them do not feel like people in power are fighting for them. Vallejo said she was almost relieved to hear that “because that is the population that we’re really targeting with my campaign.”

“I’m brand new, and I think it’s an opportunity for our district and for our home to redefine what Democratic values are,” Vallejo said. “I think right now, within the Democratic Party, there’s infighting, and there’s so much work that my campaign and I feel like we have to do to reassure people that the Democratic Party is here for them.”

De La Cruz vs. Garza

Touting her near-upset in 2020, De La Cruz has already been looking toward the general election. She scoffs at the Democrats’ efforts to distinguish themselves from out-of-state Democrats, calling them “naive.”

“Vicente Gonzalez was from the Rio Grande Valley and knew the South Texas values and still voted with a 97% voting record with Nancy Pelosi,” De La Cruz said, referring to the Democratic House speaker.

In the Republican primary, there are nine candidates, but the final showdown is between Garza and De La Cruz as she looks for an outright win. Garza has criticized her as Washington’s handpicked candidate and has embraced the most pro-Trump fringes of the GOP, airing a TV ad that asks “what really happened” during the Jan. 6 attack at the U.S. Capitol.

Garza downplayed De La Cruz’s endorsement from Trump, saying “Kevin McCarthy has Trump’s ear a lot quicker than me,” referring to the House minority leader who has endorsed De La Cruz. Garza pitched himself as the “pro-Freedom Caucus, pro-Trump” candidate, vowing to join the caucus, which has a history of bucking leadership, if elected.

Garza has also gone after De La Cruz by running a TV ad that says she “has failed at everything she’s done,” attacking her over the liabilities she reported on her latest personal financial disclosure. It shows 10 outstanding loans related to homes, cars and small business. Her campaign characterized the loans as normal for a homeowner, property investor and small business owner.

In an interview, De La Cruz ignored Garza’s attacks. She repeatedly emphasized her near-win against Gonzalez, saying her “best argument [in the primary] is that I never stopped working for the people since 2020 when this was deemed a Democratic stronghold.”

However, one of the top groups supporting De La Cruz, the Congressional Leadership Fund, has been airing a radio ad attacking Garza, calling him a "liberal" who Texans cannot trust. The spot brings up his history as a Democrat and claims he "contributed $100,000 to a liberal organization who promoted the transgender agenda."

Garza said the $100,000 is a reference to various groups he has donated to over the years, not any single cause. The Human Rights Campaign, a pro-LGBTQ organization, honored Garza in 2009 for his giving, but he said the only money he gave them was in connection with the event where he was recognized.

Garza did not deny he previously identified as a Democrat.

"I've not been a Republican all my life — six years — but I'm as conservative as I was when I was voting Democrat and not knowing why," Garza said. "I don't think I'm the only one."

The national view

While De La Cruz has the clear support of the national GOP in her primary, such endorsements have been more scattered among the Democrats. Ramirez has the support of VoteVets, which works to elect Democratic veterans, and 314 Action, which supports candidates with scientific backgrounds. Vallejo has been endorsed by the Voter Protection Project, a Democratic group focused on rights, as well as Wendy Davis, the former gubernatorial nominee and abortion rights activist.

Even with Gonzalez gone, national Democrats continue to treat the 15th District as a top priority for maintaining their majority in November. And they are already attacking De La Cruz, including over claims made by her estranged husband throughout their divorce case, which began earlier this election cycle. He has alleged in court documents that she verbally abused their teenage daughter and pinched her to stop her from crying.

"The best Republicans have to offer South Texans are a candidate facing allegations of 'cruel' mistreatment of a child in her care, and a guy who skirts campaign law and spreads unhinged conspiracy theories about the election," Monica Robinson, a spokesperson for the Democratic Congressional Campaign Committee, said in a statement, referring to both De La Cruz and Garza. "The more voters learn about Monica De La Cruz, the less there is to like, and it's why she'll never make it to Congress."

De La Cruz said in November that she was divorcing her husband, Johnny Hernandez, adding that they were "dealing with some mental health issues in our family." In an interview, she denied his allegations that she abused their teenage daughter, noting "there are no police reports, no [Child Protective Service] reports and no charges" filed with authorities.

"Divorce is a sad thing, and I am disappointed that my husband has chosen to take this route," she said.

National Republicans remain upbeat about the district, especially after the late start on the Democratic side. De La Cruz had $345,000 cash on hand as of Feb. 9, far ahead of any of the Democrats. Rigney, the self-funder, had $247,000, while Ramirez had $57,000 and Vallejo $26,000.

The National Republican Congressional Committee ignored the DCCC's attacks on De La

Cruz in a statement for this story.

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After CDC Revises COVID-19 Recommendations, Dallas County Narrows Its Mask Mandate
By Sneha Dey
Texas Tribune

As the Centers for Disease Control and Prevention mark a new stage of the pandemic by loosening masking guidelines, Dallas County has quickly scaled back its mask mandate.

Dallas County Judge Clay Jenkins revised guidelines Friday, no longer requiring masks in public settings, except in jails, homeless shelters, long-term care facilities and health care settings. Immunocompromised residents are still strongly encouraged to continue to wear masks in all indoor settings.

The CDC announced earlier on Friday a new system for monitoring the virus, which designates individual counties as being at low, medium, or high risk of residents contracting COVID-19. Counties in Texas collectively represent all three categories. But statewide, COVID-19 infections and hospitalizations are plummeting.

For residents of low-risk counties, there is no recommendation for masking. And in medium-risk counties, people who are immunocompromised should talk to their doctor about continuing to wear a mask. The CDC is revising their universal mask mandates for schools, and only recommending districts require masks in high-risk settings.

CDC Director Rochelle Walensky said the new system reflects a belief that the country has entered a different phase of the pandemic. Communities now have more tools to protect themselves from the virus, including an increased access to vaccines, testing, and high-quality masks.

A federal mandate still requires Texans to wear face coverings on buses, trains and planes, though the order is set to expire on March 18. Texas Attorney Ken Paxton and U.S. Rep. Beth Van Duyne, R-Irving, has sued the CDC over that mandate.

Throughout the pandemic, political battles have raged over mask mandates in the state. Texas Gov. Greg Abbott has waged legal fights with the Biden administration and with cities, counties and school districts over bids to require masks.

Earlier this week, Travis County returned to Stage 4, a less restrictive tier of COVID-19 guidelines. Waco Independent School District also lifted its mask mandate Thursday.

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Bush, Perot Families Fund Both GOP And Dem Texas Candidates With Six-Figure Donations
By Taylor Goldenstein
Houston Chronicle

Members of the Bush family as well as the family of Texas billionaire businessman Ross Perot are helping to fill the political war chests of candidates in the upcoming March 1 Texas primary.

Former President George W. Bush gave $100,000 to his nephew George P. Bush's campaign in February, and George P.'s father, former Florida Gov. Jeb Bush, wrote a check for $25,000, campaign finance records show.

George P. is one of three challengers vying to take the job of Attorney General Ken Paxton, along with U.S. Rep. Louie Gohmert and former Supreme Court Justice Eva Guzman.

Bush has tried to separate himself from the members of his family's political dynasty who have clashed with former President Donald Trump. George P. was the only Bush to back Trump in 2016, yet the former president ultimately gave his endorsement to Paxton.

The Perot family, meanwhile, put their money into the Texas governor's race, but records show they were split politically with Perot's widow Margot giving $15,000 to Democrat Beto O'Rourke while her son Ross Perot Jr. gifted $250,000 to Republican Gov. Greg Abbott and $125,000 to Republican Lt. Gov. Dan Patrick.

Perot Jr. also gave $25,000 each to former state Sen. Pete Flores who's hoping to return to the chamber in a San Antonio-area new district and state Rep. Phil King, R-Weatherford, who is hoping to unseat a Democratic Senator in a district now more favorable for Republicans. Another $5,000 of Perot Jr.'s money went to state Rep. Glenn Rogers in District 60 about an hour southeast of Fort Worth.

TAKE TWO: Former state Sen. Pete Flores plans comeback run for San Antonio-area district

The Perot family members were also prolific donors in 2021. Prior to these most recent donations, Margot Perot had already given $10,000 to O'Rourke in December of last year and Perot Jr. had already given $250,000 to Abbott that June.

Perot Jr. gave to a number of other Republican candidates last year, including:

House Speaker Dade Phelan: $50,000
Comptroller Glenn Hegar: $25,000
State Rep. Tan Parker: $25,000
Agriculture Commissioner Sid Miller: $10,000
State Sen. Angela Paxton: $10,000
State Rep. Morgan Meyer: $5,000
Democratic Sen. Royce West, who received $5,000, was the only Democrat that Perot Jr. supported financially.

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Education

UT-Austin Can't Call Its New Think Tank The Liberty Institute. Another Group Already Owns The Rights To The Name.

By Kate McGee
Texas Tribune

For the past five months, University of Texas at Austin leaders have repeatedly stated that they have not yet officially chosen a name for a new teaching and research center publicly referred to by state leaders, and in state and university system documents, as The Liberty Institute.

One possible reason: Another Texas group has already trademarked the name.

First Liberty Institute, a Christian conservative legal organization in Plano that is known for representing clients in high-profile religious freedom cases, owns the trademark for the name "Liberty Institute," according to Jeff Mateer, the group's chief legal officer.

"We have raised our objections to UT's counsel regarding any use of these marks," Mateer said in a statement to The Texas Tribune. "UT has communicated that it respects our concerns and has not adopted the term Liberty Institute or started to use that term in its operations."

U.S. Patent and Trademark Office records also show that First Liberty Institute owns the standard character mark for the phrase "Liberty Institute" as of 2019. A standard character mark is a trademark for a particular phrase or words, but it does not include a particular style design.

UT-Austin did not immediately respond to a request for comment.

In early January, the university said the media had dubbed the center the Liberty Institute, "but in fact the university has yet to determine its official name, mission, board and governance structure." On Jan. 25, the university updated its website, stating the university initially used the name.

"It is too early, however, to say what its formal name would be, which depends on factors still to be worked out, including possible confusion with other similarly named entities," a statement about the new center in the university's website reads.

First Liberty Institute was known as the Liberty Institute from 2009 to 2016. It has represented clients in religious freedom cases, including a high school student who was banned from distributing candy cane pens with a religious message on them at a school party in Plano and the woman in Oregon who refused to bake a wedding cake for a same-sex couple due to her religious beliefs against homosexuality.

The issue over naming rights is just the latest snafu surrounding the new center since the state allocated $6 million toward the program in the budget during the last legislative session. The UT Board of Regents also set aside another $6 million. The center has yet to officially launch.

Last summer, The Texas Tribune reported that the center was the brainchild of conservative UT-Austin donors who were working with Lt. Gov. Dan Patrick, University of Texas System leaders and UT-Austin President Jay Hartzell to launch it.

Two proposals obtained by the Tribune through Patrick's office last summer described a center "dedicated to the study and teaching of individual liberty, limited government, private enterprise and free markets."

While the proposals do not reflect the full breadth of discussion about the institute, they provide the most insight into the vision of some of the people involved in its creation. Those documents show the motivations of some UT-Austin donors — which include oil tycoon Bud Brigham and billionaire businessman Bob Rowling — who were working with Patrick on the center's proposal were more political in nature.

"[A] growing proportion of our population lacks a basic understanding of the role liberty and private enterprise play in their well-being," read one proposal. "Too many Americans, particularly younger students, maintain misconceptions about our political system and lack an even basic understanding of the moral, ethical, philosophical and historical foundations underpinning a free society."

The center recently drew attention again on campus after Patrick tweeted last week stating that he would "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. That's why we created the Liberty Institute at UT."

Patrick's tweets came after the UT-Austin Faculty Council passed a nonbinding resolution reaffirming professors' rights to teach about race, racism and critical race theory.

UT-Austin faculty said Patrick's tweet suggesting lawmakers are behind the new center contradicts previous statements by university officials and called on university officials to clarify their earlier statements about the motivations and purpose of the center.

The proposals for the center also described a think tank that operated outside standard university hiring procedures. For instance, one proposal suggested the institute's supporters should appoint the faculty and that the center should have a separate budget managed by a board of overseers.

UT-Austin leaders have described the new center in more politically muted terms, saying the center's goal is to attract new faculty, and have reassured faculty in public meetings that any new professors would be hired within the proper university protocols.

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National News

U.S. Plans New Safety Rules To Crack Down On Carbon Monoxide Poisoning From Portable Generators
Mike Hixenbaugh, Perla Trevizo, and Lexi Churchill
Texas Tribune

The U.S. agency responsible for protecting consumers announced this week that it intends to recommend new mandatory rules to make portable generators safer, saying manufacturers have not voluntarily done enough to prevent carbon monoxide poisoning deaths caused by their products.

The announcement, part of a 104-page staff report by the Consumer Product Safety

Commission (CPSC), is a key step toward regulating gas-powered generators, which can emit as much carbon monoxide as 450 cars and which kill an average of 80 people in the U.S. each year.

The commission's move comes more than two decades after U.S. regulators identified the deadly risks posed by portable generators and two months after an NBC News, ProPublica and Texas Tribune investigation found that federal efforts to make portable generators safer have been stymied by a statutory process that empowers manufacturers to regulate themselves, resulting in limited safety upgrades and continued deaths.

Portable generators, which are often used to power life-saving medical equipment, air conditioners, furnaces and refrigerators after major storms, emit enough carbon monoxide to kill within minutes when operated in enclosed spaces or too close to exterior openings. Carbon monoxide deaths caused by generators occur after nearly every major power outage, including 10 fatalities in Texas tied to generators during last year's winter storm and power grid failure.

Generator manufacturers say that their products are not dangerous when users follow the safety guidelines in instruction manuals, which include keeping the machines outside, away from doors and windows. But safety advocates say those instructions aren't always easy to follow, because the machines can't be operated in rain or snow. And a review of user manuals by the news organizations found that they can provide conflicting messages. Some manuals suggest keeping generators a shorter distance from windows or doors than the 20-foot minimum recommended by the CPSC, while others provide more general guidance such as keeping the machines "far away" from homes.

The new push for mandatory rules has been years in the making. In 2016, after concluding that generator manufacturers could save lives by making machines that emit less carbon monoxide, the CPSC announced plans to make the modification mandatory.

But before the CPSC could impose the rule, industry-friendly federal law required the agency to first allow generator manufacturers to come up with their own safety upgrades and to study whether those voluntary measures were enough to protect consumers.

Industry representatives instead proposed a cheaper safety upgrade: switches that would automatically turn the devices off when carbon monoxide builds up to an unsafe level. They said the shut-off switches would prevent 99% of deaths, but safety advocates argued that that claim was exaggerated.
Three years after the industry unveiled the voluntary standard, many manufacturers still had not adopted the change, the NBC News, ProPublica and Texas Tribune investigation found. This week's CPSC report echoed those findings. The commission found that too few manufacturers had adopted voluntary changes, clearing the way for it to continue the process of developing and implementing mandatory regulations.

"Think how many lives could have been saved had the CPSC gone forward with a mandatory standard in 2016," said Marietta S. Robinson, who served as a CPSC commissioner from 2013 to 2018 and supported mandatory generator safety standards.

The CPSC report concluded that voluntary changes implemented by some manufacturers did reduce the risk to consumers, but not to the degree that industry officials had promised.

Based on tens of thousands of simulations of common generator carbon monoxide accidents, CPSC staffers found that the industry's preferred solution of adding shut-off sensors without reducing carbon monoxide emissions would prevent about 87% of generator deaths, while still leaving some consumers exposed to CO levels toxic enough to require hospitalization.

CPSC staffers also tested a more stringent approach of equipping the machines with both shut-off sensors and engines that emit far less carbon monoxide, and found that the combination would eliminate "nearly 100 percent" of generator deaths and the vast majority of hospitalizations.

The agency's staff will urge the CPSC's five commissioners, who have the final say, to make the recommended mandatory standard a priority in the next fiscal year, which begins in October.

Alex Hoehn-Saric, the group's newly appointed chair, said in a statement that the new CPSC staff report on portable generators "demonstrates the need to move forward as quickly as the law permits with mandatory rulemaking designed to address this invisible killer."

A ProPublica, Tribune and NBC News analysis of CPSC data showed that more than 300 people died from carbon monoxide poisoning from generators in the four years after CPSC proposed its rule lowering emissions.

"It's about time," said Sheletta Brundidge, a Houston native who lost five family members in 2020 when they left a portable generator running inside an attached garage after Hurricane Laura knocked out power across Louisiana. "You can't expect these companies to police themselves. And, you know, I gladly and I'm sure most Americans would pay some additional money to have some safety measures in place."

The CPSC previously estimated that reducing generators' carbon monoxide emissions would add about $115 to the manufacturing cost of most units, which typically sell for $500 to $1,500.

Joseph Harding, technical director at the Portable Generators Manufacturers' Association, the trade group that developed the voluntary shut-off switches standard, said in an email that the group was still in the process of reviewing the CPSC's report. Harding reiterated the industry's belief that shut-off switches alone would eliminate 99% of deaths from carbon monoxide poisoning, and disputed the agency's conclusion that too few companies had adopted the safety measure.

"Compliance with the standard is already at a high level and is projected to grow substantially in the next year," Harding wrote. The industry group declined to provide data supporting that contention to the news organizations, saying it was confidential.

Rachel Weintraub, general counsel for the advocacy group Consumer Federation of America, said this moves the CPSC closer to establishing a mandatory standard for portable generators.

The lack of widespread compliance, she said, provides the CPSC with direct evidence that refutes the industry's claims that voluntary measures are enough to protect consumers. "There are less levers that they can pull to slow the process," Weintraub said, referring to the industry.

Brundidge said she hopes the latest effort to mandate safety upgrades moves more quickly.

“It shouldn’t have taken all of these people to die and get sick for somebody to come and say, ‘Hey, wait a minute, we need to do something,’” she said. “And so I’m glad that finally something is being done to police the manufacturers, because we’ve been putting it on the consumers, and that’s not right.”

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A National Vaccine Pass Has Quietly Rolled Out – And Red States Are Getting On Board
By Suzanne Rowan Kelleher
Forbes

Even as the omicron variant loosens its grip on the world, destinations continue to require travelers to show proof of vaccination. And, increasingly, a paper CDC vaccination card is not cutting it.

While the United States government has not issued a federal digital vaccine pass, a national standard has nevertheless emerged. To date, 21 states, the District of Columbia and Puerto Rico offer accessibility to the SMART Health Card, a verifiable digital proof of vaccination developed through the Vaccination Credential Initiative (VCI), a global coalition of public and private stakeholders including Microsoft, Salesforce, Oracle, the Mayo Clinic and other health and tech heavyweights.

And very soon, at least four more states will be rolling out access to SMART Health Cards. “We've seen a notable uptick in states that have officially launched public portals where individuals can get verifiable vaccination credentials in the form of SMART Health Cards with a QR code,” says Dr. Brian Anderson, co-founder of the VCI and chief digital health physician at MITRE.

There is already an impressively widespread availability of SMART Health Cards in the U.S. More than 200 million Americans can now download, print or store their vaccination records as a QR code. When the QR code is pulled up, only the individual’s name, date of birth and vaccination information is visible. No other medical information or personal data is shared. This code is also digitally signed to ensure that the card was issued from a verified location and to prevent forgery.

SMART Health Cards Ease Travel
For individuals, the benefits of having access to personal digital vaccine record is three-fold. First, it’s a huge plus for travel in the U.S. and abroad.

Many indoor cultural attractions and performance venues in the U.S. require proof of vaccination. “We believe it gives people peace of mind when the folks around them are unlikely to be contagious,” says Gus Warren, CEO of Bindle, a health verification app that allows venues to verify the vaccination status of patrons.

Bindle’s growing list of clients spans more than 30 states, from blue strongholds like California and New York to red leaners like Texas, Florida, Arkansas, Missouri and Georgia. At the Kennedy Center in Washington, D.C., for example, there's a Bindle lane that offers

fastpass-like efficiency in scanning QR codes from a number of vaccine verification platforms used around the world.

“The SMART Health Card is such an important development and the Vaccine Credential Initiative has been phenomenal in getting this out there,” says Warren, noting that while Bindle recognizes several interoperable standards, the SMART Health Card has emerged as the most important. “Absolutely, it has become the standard across the U.S. and North America.”

“And at an international level, we are continuing to see intense interest in a coordinated international approach,” says Anderson. “And that has not diminished at all. I think quite the opposite.”

To wit: Every Canadian province has now adopted SMART Health Card verification, as has Aruba, the Cayman Islands, Singapore and Japan. And in Africa, the SMART Health Card has rolled out in Kenya and Rwanda, just the first of 32 African countries in the “Smart Africa” alliance to adopt a digital-first approach to healthcare records.

The Case For Red States

The second argument for adopting a digital vaccine verification system is the one swaying red-state governors: Having digital access to personal health records empowers the individual.

More than a dozen states have launched their own SMART Health Card-based portals. At least seven others — including Arizona, Mississippi and West Virginia — have turned to a third-party, MyIRMobile, to issue SMART Health Cards. Minnesota has chosen Docket, another third-party option.

Most right-leaning states offering SMART Health Cards do it quietly, without any fanfare. But big red South Carolina expects to roll out a portal for SMART Health Cards by the end of March, reports Politico.

“This isn’t a passport,” South Carolina’s director of immunizations told Politico. “This is essentially a Covid card that people get at their convenience because it’s their record.”

Utah was one of the first red states to get on the SMART Health Card train. For former Utah Governor Mike Leavitt, a Republican who was the Secretary of Health and Human Services in the George W. Bush administration, the issue boils down to individual rights. “There's always a question about who owns the data and the rights to access that data,” Leavitt said at a recent global forum on SMART Health Cards. “But one thing is unchallengeable. And that is, I own a right to have my own data. And to have it in a form that I can present it conveniently for the kinds of things I want to do.”

“The idea of being able to have trustworthy copies of your own health records is not a red or blue state issue,” echoes Anderson. “ It is an individual empowerment of your own health data. What we're going to see over the next month is a growing number of red states recognizing and appreciating the importance of empowering their individual citizens in their states.”

This Won’t Be The Last Pandemic

Lastly, having a vaccine verification system in place prepares the U.S. for the next coronavirus

variant as well as the inevitability of a future pandemic.

Today the main threat to our health and economy remains the omicron variant, says Anderson. “But it's going to be pi in a couple months, and it's going to be the same situation. Yes, we're going to get to an endemic phase of all of this, but that doesn't change the need to continue to protect the citizens of a nation from highly transmissible and communicable diseases.”

“Vaccination verification will be increasingly important at an international level,” Anderson says. “And so if we want to enable all of our citizens from every state to be able to participate in the safe travel across international boundaries and to participate in international commerce, it'd be important for our government officials from every state to enable this.”
Given the political landscape, Anderson recognizes that some states may never get on board. “We're not going to have all 50 states leveraging this approach,” he says. “But the vast majority of the vaccinated individuals in the US – over 200 million of them – already have the ability right now to go and get one of these credentials.”

That includes anyone vaccinated at any branch of Walmart, Sam’s Club, CVS, Duane Reade, Walgreens, Costco, Kroger, Rite-Aid or any of the dozens of other companies participating in the retail pharmacy program. To access an electronic version of your vaccination record, log into the online Covid portal of the brand where you got your shots.

And whether your state is red or blue, your healthcare provider is increasingly likely to offer a digital vaccination record. More than 100 major health systems and hospital groups across the country now offer SMART Health Cards to patients. These include Kaiser Permanente, Tenet Health, Scripps Healthcare, Cerner and other healthcare heavy hitters. Big regional healthcare groups in the SMART consortium span the country, from Centra Health in Virginia to UCHealth in Colorado and from CoxHealth in Missouri to SoutheastHEALTH in Alabama and Georgia.

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# # #

Greg Abbott News

Beto O'Rourke's Journey From Long Shot To Long Shot
By Rachel Monroe
The New Yorker

Early this February, Beto O'Rourke travelled to the border town of McAllen to campaign for governor of Texas, a position that hasn't been held by a Democrat in nearly three decades. The event was held at Firemen's Park, where a spirited crowd sat at metal picnic tables under strips of fluorescent lights. "I've been his supporter since he was running against Ted Cruz, that idiot," Sara Garcia, a retired occupational-therapy assistant with a regal bearing, told me. Garcia was sitting with a group of women she'd been friends with since they all attended McAllen High School ("Go, Bulldogs!") a half century ago. She scrolled through her phone to show me pictures from O'Rourke's previous appearances in McAllen: crowds of gleeful young people; Garcia and her friends in colorful blouses. I asked her whether she'd been to campaign events for other politicians. She thought about it for a second. "You know that I haven't?" she said. "I'm not a political person. Just him."

In March, 2017, when O'Rourke began his campaign for Cruz's Senate seat, a year and a half before the election, he was a long shot. "The Senate race was so fun," Chris Evans, O'Rourke's twenty-eight-year-old communications director, told me. "In the first Texas Tribune opinion poll about the candidates—favorable, unfavorable—seventy per cent of people said they didn't know. It was a blank slate." O'Rourke is an El Paso native who served three terms in the U.S. House of Representatives; Cruz, an incumbent senator and a former Presidential candidate, was notoriously unpopular even within his own party. O'Rourke was an appealing candidate, thoughtful and funny and nonthreateningly handsome, an earnest, Spanish-speaking white guy who largely avoided insulting his opponent. After events, people would line up to shake his hand, take a selfie, tell him their concerns. As the campaign gained momentum, the lines sometimes lasted for hours. O'Rourke's apparent decency and empathy made him an ideal vessel for the anti-Trump backlash, and he became a national phenomenon, raising eighty million dollars, twice as much as Cruz. For years, outside experts had claimed that the rising proportion of nonwhite residents meant that Texas was on the verge of turning purple. In the run-up to the election, it seemed as though O'Rourke might be the man to make that happen.

He ended up losing by around two hundred thousand votes—a loss that, in a place where no Democrat has won a statewide position since 1994, his campaign staff spun as a victory. It seemed possible that O'Rourke would run against Texas's other senator, John Cornyn, in 2020; instead, he embarked on a splashy but ultimately ill-fated campaign for President. By last November, when O'Rourke announced his gubernatorial campaign, he was no longer an unknown. "It's going to be much harder for him to campaign as a new voice or an alternative to business as usual," James Henson, the director of the Texas Politics Project at the University of Texas at Austin, said. O'Rourke is popular among

Democrats and the runaway favorite for the primary, on March 1st, but more than seventy per cent of Republicans now have an unfavorable opinion of him. “For Republicans in the state, he’s become what Ted Cruz is for Democrats—the figure they really love to hate,” Henson said. Among independents, O’Rourke is more disliked than the incumbent governor, Greg Abbott, and head-to-head matchups show Abbott leading by ten points. (Although Abbott faces a number of primary challengers from the right and was booed last month at a Trump rally, he is overwhelmingly favored to win the Republican primary.)

O’Rourke continued a recent twelve-day tour of Texas on a Thursday afternoon at the Espee Pavilion, in San Antonio, where I chatted with Richard Nash, a public-speaking coach, and his friend, a disillusioned Trump voter whom Nash had persuaded to tag along. At noon, when O’Rourke was scheduled to start speaking, a staffer urged the sparse crowd to get closer together. “He’s going to want you really close,” he said.

“There’s no one here,” Nash said, scanning the crowd. There were, in fact, a couple of hundred people milling around the plaza, but I had just watched some videos from the late stages of O’Rourke’s Senate race, and I knew what he meant.

O’Rourke emerged, lanky and smiling, and stepped onto the wooden box he uses in lieu of a stage. He launched into a speech that invoked broadly popular plans: fixing the electrical grid, expanding Medicaid, and instituting cost-of-living raises for public-school teachers. Across the street, a protester with a bullhorn intermittently squawked, “Let’s go, Brandon.” Afterward, during the selfie-and-handshake portion of the afternoon, Nash told me that he approved of the speech, which, he said, had less of the “gut-punch, take-it-to-the-streets” flavor of the O’Rourke events he’d attended in 2018: “It was very pragmatic, very pro-business. Black Lives Matter—he stayed off that.” His Trump-voting friend declined to say whether she’d been won over. “I’m listening, I’m listening,” she said.

Texas Democrats had hoped that their improved showing in 2018 was a sign that the state’s long-predicted purpling was imminent. “Texas is a swing state in 2020,” CNN had declared. But Trump handily won Texas, albeit by a lower margin than in 2016. Powered by People, an army of door-knocking volunteers, founded by O’Rourke, failed to flip any of the twenty-two state House seats that Democrats had targeted. When the legislature met in 2021, it further cemented Republican dominance by passing a restrictive voting bill and drawing a redistricting map that’s currently being challenged by the Department of Justice for being racially discriminatory. Given Joe Biden’s persistent unpopularity in Texas, and the fact that the Party in control in Washington tends to take a hit in the midterms, the Democrats face daunting odds in the 2022 election. “It’s going to be a bloodbath!” a libertarian in South Texas told me cheerfully.

As O’Rourke travelled farther south, his crowds grew in both size and enthusiasm. In Laredo, he spoke at a soccer field, in front of a “beto for governor” banner stretched across the goal. The event had an upbeat, block-party atmosphere, with AC/DC playing on the loudspeakers, and a snack bar serving hot dogs and tacos. Cesia Rodriguez, a court administrator, was there with her husband and two young children. She’d been a

supporter of O'Rourke's since seeing him speak in the spring of 2017, to about a dozen people. "The crowds just kept getting bigger and bigger," she said. This time, her optimism was tempered. "I'm hopeful, but I also know the statistics," she said.

Trump made a surprisingly strong showing in 2020 in Laredo, which borders Mexico. The border region's population is overwhelmingly Hispanic, with poverty rates higher than the state average; it votes reliably, albeit far from uniformly, for Democrats. But, in 2020, the three metropolitan areas in the United States with the biggest swings in favor of Trump were all South Texas border cities: Laredo, McAllen, and Brownsville.

"We live in a Democrat-held county, but I wouldn't consider it liberal," Rodriguez said. "Everyone has a family member in law enforcement."

"Or they have someone who works for the oil field," her husband said.

"The immigration stuff, too—that touches a nerve here," Rodriguez added. She'd seen someone she knows who works for a local Democratic politician participate in a Trump vehicle parade. "It was crazy," she said, shaking her head.

The 2020 results inspired panicked takes that the Democrats were losing "the Latino vote," even though losses in border counties were more than made up for by gains among urban and suburban Latinos. Cecilia Ballí, a visiting scholar at the University of Houston's Center for Mexican American and Latino/a Studies, interviewed a hundred Latinos in Texas for a 2020 study. She told me that economic motivations were the strongest driver for Latinos in South Texas who voted for Trump. "We don't know that it's a trend," she said. "I do think that Latinos are becoming more assertively independent. But we're yet to see in subsequent elections how many of these people who voted for Trump continue to vote for Republicans."

Republican dominance in Texas theoretically presents opportunities for O'Rourke. In catering to the small and passionate cohort of primary voters, Republicans have enacted policies that are unpopular with the broad electorate, most notably a near-total ban on abortion. Throughout his visit to South Texas, O'Rourke seemed to be courting disaffected Republicans, or at least trying to override their most immediate concerns about him. He complained about inflation, praised law enforcement, and vowed to protect oil-and-gas jobs. In response to a question about whether he was a socialist, O'Rourke smiled broadly, then touted his experience as a small-business owner: "This guy Abbott—I don't begrudge his career choices, but I know a lot more about capitalism than he does."

The central theme of O'Rourke's speeches was the 2021 grid failure. A year ago, Winter Storm Uri overwhelmed the electrical grid. Millions of Texans lost power, and hundreds died, in a shared, visceral experience of institutional failure. Fewer than one in five Texans approves of how the state legislature handled the power grid's reliability—a rare instance of bipartisan agreement in a deeply divided state.

But O'Rourke's attempts to woo Texas moderates have been stymied by statements he made during his Presidential run. During a debate in September, 2019, weeks after the El Paso mass shooting, O'Rourke declared, "Hell, yes, we're going to take your AR-15, your AK-47." The comment got cheers, and became a galvanizing moment in his otherwise lacklustre Presidential campaign. It was also a perfect sound bite for Abbott, who has featured it in a number of ads. At the Texas State Museum of Asian Cultures & Education Center, in Corpus Christi, O'Rourke vowed to "defend the Second Amendment proudly." "We have guns for any number of reasons, none of which are the business of the government," he said. O'Rourke, who has said that he owns firearms, attempted to position himself as a champion of the responsible gun owner. He criticized the state's recent enactment of permitless gun carry, a policy that was opposed, until recently, by most Republicans and passed over the objections of law-enforcement officials.

After O'Rourke's thoughtful, measured speeches, the tone of the question-and-answer sessions at times edged closer to a raw desperation: What do I say to my friend who thinks you're going to confiscate his AR? What do I say to my friend who thinks you murder babies? What do I say to my friend who thinks you're a socialist who's going to turn Texas into Venezuela?

"I'm hopeful," a man in a Teamster polo shirt and a Yeti baseball cap told me, but his face didn't match his words. I put the question of Texas Democrats and their perpetually forestalled hopes to O'Rourke in McAllen. It had taken ninety minutes for him to work through the selfie line, and the park employees had politely but firmly shooed us away and locked the gate behind us. We crossed the street and leaned against the back of my pickup truck. I said it seemed to me that Democrats might not win a major election in Texas for another decade. "I don't see it that way at all," he responded. "Biden's margin in Texas was comparable to his margin in Florida, and whatever they spent in Florida was, like, a bajillion times more. And we did better than Ohio. The states that are considered the traditional battleground states and that enjoy a massive influx of political spending—we're performing better than they are in many cases, at a fraction of what they're spending." Texas Democrats did face structural disadvantages: it's a huge state, and Abbott has more than ten times as much cash on hand as O'Rourke does. But the suburbs were swinging in their favor; O'Rourke had won the counties around the major metro areas. He had forty-nine thousand volunteers signed up, many more than he had at this point in 2018. "Abbott does not have forty-nine thousand volunteers," he said. "I don't know what fraction of that he'll ever have."

I thought about the selfie lines as not an ancillary part of the campaign events but their central point. They were content generators, sure, but, more important, they seemed like an exercise in sustaining mutual belief. In Laredo, I'd overheard a young woman say that she'd driven an hour and a half from her home in Zapata, the seat of a county that swung thirty-eight points in favor of Trump between 2016 and 2020. O'Rourke pressed her hand, and, when he said, "We need you," it sounded like he really meant it.

“Stuff’s impossible until it happens, right?—” O’Rourke started to tell me, when a white pickup truck pulled over next to us and two men in jeans and work boots jumped out. They hollered “Beto!” with such familiarity that, for a second, I assumed they were old friends. “We saw you here and we were, like, ‘I gotta take a picture with this guy,’ ” one said. O’Rourke smiled as the flash went off. Then he reminded them to post the picture, and to vote.

Administration News

Republican Candidates For Texas Attorney General Go Into Attack Mode: 'Gutter Politics'
By Taylor Goldenstein
Houston Chronicle

With polling indicating Tuesday’s GOP primary for attorney general is likely headed to a runoff, incumbent Ken Paxton’s three competitors have gone into attack mode as they fight for a chance to go head-to-head with him in May.

The animosity was on full display during the first televised candidate debate Thursday night, which Attorney General Ken Paxton did not attend.

Insults flew between former Supreme Court Justice Eva Guzman and Land Commissioner George P. Bush as they criticized each other over their records and policy positions, while U.S. Rep. Louie Gohmert saved his punches for Paxton, who he slammed for his unresolved legal troubles.

Paxton, who is endorsed by former President Donald Trump, has been under indictment on felony securities fraud charges since 2015 in a case that has yet to go to trial. He’s also under investigation by the FBI for allegations by his former aides that he used his office to benefit a friend and campaign donor. Paxton has denied all wrongdoing.

All three of Paxton’s competitors have warned that those issues would make him vulnerable against the Democratic nominee in the general election.

Guzman repeatedly called Bush a liar for stating in campaign advertisements that she opposed Trump’s border wall.

“There is no room in Texas for another lying attorney general,” she said. “He spent millions and millions of dollars on a TV ad that's false.”

She also attacked Bush for not having an active law license for the past decade. Bush, who was first elected land commissioner in 2015, said that was a decision he made when he deployed to Afghanistan with the Navy in 2010.

Bush returned fire by saying Guzman is mischaracterizing his record, including when she claimed he had erred in his suit against President Joe Biden for halting border wall construction, which is ongoing.

“She’s now in last place if you take the average of all the public opinion polls out there, so of course she’s going to come at me,” he said. “She knows that I’m standing in her way to getting in a runoff and taking on the most corrupt public official in modern Texas state history.”

Guzman also took shots at Bush for his office’s distribution of Hurricane Harvey flood mitigation funds. The office granted Houston and Harris County officials $0 out of the more than $1.3 billion they had requested.

Bush accused Guzman of playing “gutter politics.”

“She’s standing with liberal progressive mayors that my agency busted for directing contracts to their political cronies,” Bush said. “Here we are in the middle of a conservative Republican primary, and she’s siding with Mayor Turner and Judge Hidalgo?”

He appeared to be referencing a recommendation by Houston Mayor Sylvester Turner to use $15 million from a separate pool of Harvey recovery funds to help finance an affordable housing project that would have been co-developed by Turner’s former law partner.

After the city’s housing director accused the mayor of corruption, the General Land Office investigated the incident and found the city had not followed the agency’s guidelines.

Despite Bush’s attempt to frame the flood mitigation funding as primarily an issue for Democrats, Republican Houston City Council members and Harris County commissioners, as well as Houston-area Republican state representatives, have all criticized the decision.

Avoiding the crossfire, Gohmert kept a laser-focus on Paxton and his entanglements in the legal system.

“He’s likely going to be indicted after the primary when we can’t replace him,” Gohmert said. “Anything he says at a debate can and would be used against him.”

Asked about how he’ll appeal to voters using that line of attack considering that many Republican voters appear to be unfazed by the accusations against Paxton, Gohmert said he’ll have 90 days after making the runoff to make his case.

“People will find out more about me and find out that we have an attorney general who instead of investigating crime is now charged with committing them,” he said.

One question about whether Biden legitimately won the 2020 election — a gauge of fealty to Trump for Texas Republicans up and down the ballot — brought out one of differences the three candidates.

Bush immediately raised his hand affirming Biden's win, while Gohmert kept both of his down, fingers crossed.

Guzman's eyes flashed over to Bush. Seeing his hand raised, she lifted hers then lowered it twice before clarifying that "it's undetermined from my perspective, but yes, I'm raising my hand."

Gohmert, a former judge who in January 2021 filed an unsuccessful federal lawsuit seeking to empower former Vice President Mike Pence to reject the election results and hand Trump re-election, added that he didn't know whether Biden won. But he conceded that Biden is the "legitimate president."

Gohmert also defended comments he made just days prior to the Jan. 6 Capitol attack, saying that a federal judge who dismissed his suit against Pence was saying, "You have no remedy. Basically, in effect, the ruling would be that you gotta go to the streets and be as violent as Antifa and BLM."

"If anyone wants to look back at comments, they'll find that I repeatedly say we've got to follow the example of Dr. King: peaceful protests, and anyone who says otherwise is lying," he said.

The three candidates all agreed with Paxton's legal opinion Monday finding that gender-affirming health care for transgender youth constitutes child abuse under Texas law. The opinion runs contrary to the recommendations of the largest professional medical organizations' in the state and nation.

They also said they would support clemency for Austin police officers charged with using excessive force during protests last summer, as Gov. Greg Abbott has suggested.

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State News

As Republicans Try To Flip Open Seat In South Texas, Democrats Debate How To Win Over Voters
By Patrick Svitek
Texas Tribune

John Villarreal Rigney, a businessman running for Congress in South Texas, has run into voters who say they cannot vote for him because he is a Democrat — "You're AOC,"

they say, referring to U.S. Rep. Alexandria Ocasio-Cortez, the firebrand progressive from New York.

“I say, ‘No, there’s other types of Democrats besides AOC,’” Rigney said. “It’s a matter of getting the entire country to understand that not all Democrats are liberal like that.”

That Democratic identity crisis is at the forefront in the race for Texas’ 15th Congressional District, which could be the state’s only competitive congressional seat in November thanks to redistricting. With the general election in mind, the Democratic primary candidates have been weighing what it means to be a South Texas Democrat — as Republicans have made significant inroads throughout the region.

In the Republican primary, frontrunner Monica De La Cruz is scoffing at the Democrats’ efforts to distinguish themselves, while she’s running with the support of former President Donald Trump, U.S. Sen. Ted Cruz and House GOP leadership. But even then, she has not been able to avoid a skirmish inside her own party as she faces a self-funding Democrat-turned-Republican, Mauro Garza, who is criticizing her as the “establishment candidate” and aligning himself with the most pro-Trump elements of the party.

“I think that the people in Texas [Congressional District] 15 have gotten to know me over the last three years, and they know and believe that I’m a true conservative, that I’m a hard worker and I do what I say I’m gonna do,” said De La Cruz, who ran for the seat in 2020 and came surprisingly close to beating the incumbent, U.S. Rep. Vicente Gonzalez, D-McAllen.

Gonzalez is now running for reelection in the neighboring 34th District due to redistricting, where he faces a safer race as a Democrat. His late October decision to do so created an open seat in the 15th District, where De La Cruz had already been running for months with the support of national Republicans. They are eager to capitalize on President Joe Biden’s underwhelming numbers throughout South Texas in 2020, and the 15th District was Exhibit A: He carried it by only 2 percentage points. Redistricting only tilted it more in favor of Republicans.

When the dust settled on Gonzalez’s district switch, there were six Democrats running for the 15th District, which runs north from the Rio Grande Valley to outside San Antonio. They include Rigney, who has self-funded his campaign with $300,000; Ruben Ramirez, a lawyer who has run for the seat twice before and is also running a more moderate campaign; and Michelle Vallejo, a small business owner recruited by LUPE Votes, a local progressive organizing group, who is the candidate running furthest to the left.

Last week, Ramirez received Gonzalez’ endorsement for his soon-to-be former seat. Ramirez has also been endorsed by the chair of the political arm of the Congressional Hispanic Caucus, Rep. Ruben Gallego of Arizona. While the political arm, CHC BOLD PAC, has not endorsed in the primary, it released a polling memo this week arguing that Ramirez is the best candidate for the general election, saying 69% of voters deemed his biography a convincing reason to vote for him.

Ramirez, an Army veteran who has also worked as a science teacher, said it has become "very clear that there is only one candidate who can win November, and that's me."

On the campaign trail, Ramirez emphasizes that he is a "South Texas Democrat," not a "New York Democrat" or a "California Democrat." He talks about the dilemma that South Texas Democrats face when they tune in to CNN, for example, and see a Democratic representative calling for "open borders" and a Republican representative calling for "law and order."

"The Democrats sitting at home in South Texas, they're saying, 'I believe what the Republican just said. Am I Republican?'" Ramirez said. He added that tries to speak to those voters — "not at them" — and say that it is "OK to have a few of those conservative ideals, like wanting to make sure you secure the border but doing so in a way that's consistent with our values."

Ramirez said bipartisanship is necessary to solve border problems, and as part of that give and take, there may need to be a wall in certain places. He said Border Patrol agents tell him a wall does work in some areas, though he made clear he does not see it as the only solution for border security.

Still, that position sets him apart from at least one competitor, Vallejo, who is running on a more progressive platform that she said is a "really big difference" in the primary. She supports Medicare for All and a $15 minimum wage, positions that have sparked tension with some of her competitors.

One of them, Eliza Alvarado, pushed back at a recent debate on Medicare for All, saying it is too costly. Alvarado, who works at the state's education service center in the Rio Grande Valley, noted the region still does not have a veterans hospital.

"We need to go to Washington with ideas that are feasible," said Alvarado, a former staffer for Gonzalez' predecessor in the seat, Rubén Hinojosa, who has endorsed her.

Asked about voters who may be concerned she is too liberal for the general election, Vallejo said she wants to hear them out.

"My message to those folks is that this is a working relationship. We need to talk about this," she said, adding that she wants to educate people about how, for example, Medicare for All would benefit South Texas with all the unique health care challenges it faces, like its high uninsured rate.

The Democratic candidates have largely kept their campaigns positive, though the contrasts have become increasingly evident. Noting Ramirez has run for the seat twice before, Vallejo said he is "following the same equation" and pitched herself as a fresher face who would bring more people into the electorate. Asked if Vallejo's policies would

be acceptable in a general election, Ramirez reiterated that he believes he is the only "viable" candidate for November.

Rigney, meanwhile, said his platform is all about "everything that is good for families," a key South Texas value. And he argued he is best suited for the general election because Democrats need to try something different and field a businessman, not a "typical politician."

Many of the Democratic candidates agree, however, that their brand needs help after 2020 in South Texas. Rigney said it was a "wake-up call."

Campaigning last month in Seguin, Vallejo got a question from a local activist who said she was worried about Latino turnout in the area, observing that many of them do not feel like people in power are fighting for them. Vallejo said she was almost relieved to hear that "because that is the population that we're really targeting with my campaign."

"I'm brand new, and I think it's an opportunity for our district and for our home to redefine what Democratic values are," Vallejo said. "I think right now, within the Democratic Party, there's infighting, and there's so much work that my campaign and I feel like we have to do to reassure people that the Democratic Party is here for them."

De La Cruz vs. Garza

Touting her near-upset in 2020, De La Cruz has already been looking toward the general election. She scoffs at the Democrats' efforts to distinguish themselves from out-of-state Democrats, calling them "naive."

"Vicente Gonzalez was from the Rio Grande Valley and knew the South Texas values and still voted with a 97% voting record with Nancy Pelosi," De La Cruz said, referring to the Democratic House speaker.

In the Republican primary, there are nine candidates, but the final showdown is between Garza and De La Cruz as she looks for an outright win. Garza has criticized her as Washington's handpicked candidate and has embraced the most pro-Trump fringes of the GOP, airing a TV ad that asks "what really happened" during the Jan. 6 attack at the U.S. Capitol.

Garza downplayed De La Cruz's endorsement from Trump, saying "Kevin McCarthy has Trump's ear a lot quicker than me," referring to the House minority leader who has endorsed De La Cruz. Garza pitched himself as the "pro-Freedom Caucus, pro-Trump" candidate, vowing to join the caucus, which has a history of bucking leadership, if elected.

Garza has also gone after De La Cruz by running a TV ad that says she "has failed at everything she's done," attacking her over the liabilities she reported on her latest personal financial disclosure. It shows 10 outstanding loans related to homes, cars and

small business. Her campaign characterized the loans as normal for a homeowner, property investor and small business owner.

In an interview, De La Cruz ignored Garza's attacks. She repeatedly emphasized her near-win against Gonzalez, saying her "best argument [in the primary] is that I never stopped working for the people since 2020 when this was deemed a Democratic stronghold."

However, one of the top groups supporting De La Cruz, the Congressional Leadership Fund, has been airing a radio ad attacking Garza, calling him a "liberal" who Texans cannot trust. The spot brings up his history as a Democrat and claims he "contributed $100,000 to a liberal organization who promoted the transgender agenda."

Garza said the $100,000 is a reference to various groups he has donated to over the years, not any single cause. The Human Rights Campaign, a pro-LGBTQ organization, honored Garza in 2009 for his giving, but he said the only money he gave them was in connection with the event where he was recognized.

Garza did not deny he previously identified as a Democrat.

"I've not been a Republican all my life — six years — but I'm as conservative as I was when I was voting Democrat and not knowing why," Garza said. "I don't think I'm the only one."

The national view

While De La Cruz has the clear support of the national GOP in her primary, such endorsements have been more scattered among the Democrats. Ramirez has the support of VoteVets, which works to elect Democratic veterans, and 314 Action, which supports candidates with scientific backgrounds. Vallejo has been endorsed by the Voter Protection Project, a Democratic group focused on rights, as well as Wendy Davis, the former gubernatorial nominee and abortion rights activist.

Even with Gonzalez gone, national Democrats continue to treat the 15th District as a top priority for maintaining their majority in November. And they are already attacking De La Cruz, including over claims made by her estranged husband throughout their divorce case, which began earlier this election cycle. He has alleged in court documents that she verbally abused their teenage daughter and pinched her to stop her from crying.

"The best Republicans have to offer South Texans are a candidate facing allegations of 'cruel' mistreatment of a child in her care, and a guy who skirts campaign law and spreads unhinged conspiracy theories about the election," Monica Robinson, a spokesperson for the Democratic Congressional Campaign Committee, said in a statement, referring to both De La Cruz and Garza. "The more voters learn about Monica De La Cruz, the less there is to like, and it's why she'll never make it to Congress."

De La Cruz said in November that she was divorcing her husband, Johnny Hernandez, adding that they were "dealing with some mental health issues in our family." In an interview, she denied his allegations that she abused their teenage daughter, noting "there are no police reports, no [Child Protective Service] reports and no charges" filed with authorities.

"Divorce is a sad thing, and I am disappointed that my husband has chosen to take this route," she said.

National Republicans remain upbeat about the district, especially after the late start on the Democratic side. De La Cruz had $345,000 cash on hand as of Feb. 9, far ahead of any of the Democrats. Rigney, the self-funder, had $247,000, while Ramirez had $57,000 and Vallejo $26,000.

The National Republican Congressional Committee ignored the DCCC's attacks on De La Cruz in a statement for this story.

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After CDC Revises COVID-19 Recommendations, Dallas County Narrows Its Mask Mandate
By Sneha Dey
Texas Tribune

As the Centers for Disease Control and Prevention mark a new stage of the pandemic by loosening masking guidelines, Dallas County has quickly scaled back its mask mandate.

Dallas County Judge Clay Jenkins revised guidelines Friday, no longer requiring masks in public settings, except in jails, homeless shelters, long-term care facilities and health care settings. Immunocompromised residents are still strongly encouraged to continue to wear masks in all indoor settings.

The CDC announced earlier on Friday a new system for monitoring the virus, which designates individual counties as being at low, medium, or high risk of residents contracting COVID-19. Counties in Texas collectively represent all three categories. But statewide, COVID-19 infections and hospitalizations are plummeting.

For residents of low-risk counties, there is no recommendation for masking. And in medium-risk counties, people who are immunocompromised should talk to their doctor about continuing to wear a mask. The CDC is revising their universal mask mandates for schools, and only recommending districts require masks in high-risk settings.

CDC Director Rochelle Walensky said the new system reflects a belief that the country has entered a different phase of the pandemic. Communities now have more tools to protect themselves from the virus, including an increased access to vaccines, testing, and high-quality masks.

A federal mandate still requires Texans to wear face coverings on buses, trains and planes, though the order is set to expire on March 18. Texas Attorney Ken Paxton and U.S. Rep. Beth Van Duyne, R-Irving, has sued the CDC over that mandate.

Throughout the pandemic, political battles have raged over mask mandates in the state. Texas Gov. Greg Abbott has waged legal fights with the Biden administration and with cities, counties and school districts over bids to require masks.

Earlier this week, Travis County returned to Stage 4, a less restrictive tier of COVID-19 guidelines. Waco Independent School District also lifted its mask mandate Thursday.

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Bush, Perot Families Fund Both GOP And Dem Texas Candidates With Six-Figure Donations
By Taylor Goldenstein
Houston Chronicle

Members of the Bush family as well as the family of Texas billionaire businessman Ross Perot are helping to fill the political war chests of candidates in the upcoming March 1 Texas primary.

Former President George W. Bush gave $100,000 to his nephew George P. Bush's campaign in February, and George P.'s father, former Florida Gov. Jeb Bush, wrote a check for $25,000, campaign finance records show.

George P. is one of three challengers vying to take the job of Attorney General Ken Paxton, along with U.S. Rep. Louie Gohmert and former Supreme Court Justice Eva Guzman.

Bush has tried to separate himself from the members of his family's political dynasty who have clashed with former President Donald Trump. George P. was the only Bush to back Trump in 2016, yet the former president ultimately gave his endorsement to Paxton.

The Perot family, meanwhile, put their money into the Texas governor's race, but records show they were split politically with Perot's widow Margot giving $15,000 to Democrat Beto O'Rourke while her son Ross Perot Jr. gifted $250,000 to Republican Gov. Greg Abbott and $125,000 to Republican Lt. Gov. Dan Patrick.

Perot Jr. also gave $25,000 each to former state Sen. Pete Flores who's hoping to return to the chamber in a San Antonio-area new district and state Rep. Phil King, R-Weatherford, who is hoping to unseat a Democratic Senator in a district now more favorable for Republicans. Another $5,000 of Perot Jr.'s money went to state Rep. Glenn Rogers in District 60 about an hour southeast of Fort Worth.

TAKE TWO: Former state Sen. Pete Flores plans comeback run for San Antonio-area district

The Perot family members were also prolific donors in 2021. Prior to these most recent donations, Margot Perot had already given $10,000 to O'Rourke in December of last year and Perot Jr. had already given $250,000 to Abbott that June.

Perot Jr. gave to a number of other Republican candidates last year, including:

House Speaker Dade Phelan: $50,000
Comptroller Glenn Hegar: $25,000
State Rep. Tan Parker: $25,000
Agriculture Commissioner Sid Miller: $10,000
State Sen. Angela Paxton: $10,000
State Rep. Morgan Meyer: $5,000
Democratic Sen. Royce West, who received $5,000, was the only Democrat that Perot Jr. supported financially.

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Education

UT-Austin Can't Call Its New Think Tank The Liberty Institute. Another Group Already Owns The Rights To The Name.
By Kate McGee
Texas Tribune

For the past five months, University of Texas at Austin leaders have repeatedly stated that they have not yet officially chosen a name for a new teaching and research center publicly referred to by state leaders, and in state and university system documents, as The Liberty Institute.

One possible reason: Another Texas group has already trademarked the name.

First Liberty Institute, a Christian conservative legal organization in Plano that is known for representing clients in high-profile religious freedom cases, owns the trademark for the name "Liberty Institute," according to Jeff Mateer, the group's chief legal officer.

"We have raised our objections to UT's counsel regarding any use of these marks," Mateer said in a statement to The Texas Tribune. "UT has communicated that it respects our concerns and has not adopted the term Liberty Institute or started to use that term in its operations."

U.S. Patent and Trademark Office records also show that First Liberty Institute owns the standard character mark for the phrase "Liberty Institute" as of 2019. A standard

character mark is a trademark for a particular phrase or words, but it does not include a particular style design.

UT-Austin did not immediately respond to a request for comment.

In early January, the university said the media had dubbed the center the Liberty Institute, "but in fact the university has yet to determine its official name, mission, board and governance structure." On Jan. 25, the university updated its website, stating the university initially used the name.

"It is too early, however, to say what its formal name would be, which depends on factors still to be worked out, including possible confusion with other similarly named entities," a statement about the new center in the university's website reads.

First Liberty Institute was known as the Liberty Institute from 2009 to 2016. It has represented clients in religious freedom cases, including a high school student who was banned from distributing candy cane pens with a religious message on them at a school party in Plano and the woman in Oregon who refused to bake a wedding cake for a same-sex couple due to her religious beliefs against homosexuality.

The issue over naming rights is just the latest snafu surrounding the new center since the state allocated $6 million toward the program in the budget during the last legislative session. The UT Board of Regents also set aside another $6 million. The center has yet to officially launch.

Last summer, The Texas Tribune reported that the center was the brainchild of conservative UT-Austin donors who were working with Lt. Gov. Dan Patrick, University of Texas System leaders and UT-Austin President Jay Hartzell to launch it.

Two proposals obtained by the Tribune through Patrick's office last summer described a center "dedicated to the study and teaching of individual liberty, limited government, private enterprise and free markets."

While the proposals do not reflect the full breadth of discussion about the institute, they provide the most insight into the vision of some of the people involved in its creation. Those documents show the motivations of some UT-Austin donors — which include oil tycoon Bud Brigham and billionaire businessman Bob Rowling — who were working with Patrick on the center's proposal were more political in nature.

"[A] growing proportion of our population lacks a basic understanding of the role liberty and private enterprise play in their well-being," read one proposal. "Too many Americans, particularly younger students, maintain misconceptions about our political system and lack an even basic understanding of the moral, ethical, philosophical and historical foundations underpinning a free society."

The center recently drew attention again on campus after Patrick tweeted last week stating that he would "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. That's why we created the Liberty Institute at UT."

Patrick's tweets came after the UT-Austin Faculty Council passed a nonbinding resolution reaffirming professors' rights to teach about race, racism and critical race theory.

UT-Austin faculty said Patrick's tweet suggesting lawmakers are behind the new center contradicts previous statements by university officials and called on university officials to clarify their earlier statements about the motivations and purpose of the center.

The proposals for the center also described a think tank that operated outside standard university hiring procedures. For instance, one proposal suggested the institute's supporters should appoint the faculty and that the center should have a separate budget managed by a board of overseers.

UT-Austin leaders have described the new center in more politically muted terms, saying the center's goal is to attract new faculty, and have reassured faculty in public meetings that any new professors would be hired within the proper university protocols.

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National News

U.S. Plans New Safety Rules To Crack Down On Carbon Monoxide Poisoning From Portable Generators
Mike Hixenbaugh, Perla Trevizo, and Lexi Churchill
Texas Tribune

The U.S. agency responsible for protecting consumers announced this week that it intends to recommend new mandatory rules to make portable generators safer, saying manufacturers have not voluntarily done enough to prevent carbon monoxide poisoning deaths caused by their products.

The announcement, part of a 104-page staff report by the Consumer Product Safety Commission (CPSC), is a key step toward regulating gas-powered generators, which can emit as much carbon monoxide as 450 cars and which kill an average of 80 people in the U.S. each year.

The commission's move comes more than two decades after U.S. regulators identified the deadly risks posed by portable generators and two months after an NBC News, ProPublica and Texas Tribune investigation found that federal efforts to make portable

generators safer have been stymied by a statutory process that empowers manufacturers to regulate themselves, resulting in limited safety upgrades and continued deaths.

Portable generators, which are often used to power life-saving medical equipment, air conditioners, furnaces and refrigerators after major storms, emit enough carbon monoxide to kill within minutes when operated in enclosed spaces or too close to exterior openings. Carbon monoxide deaths caused by generators occur after nearly every major power outage, including 10 fatalities in Texas tied to generators during last year's winter storm and power grid failure.

Generator manufacturers say that their products are not dangerous when users follow the safety guidelines in instruction manuals, which include keeping the machines outside, away from doors and windows. But safety advocates say those instructions aren't always easy to follow, because the machines can't be operated in rain or snow. And a review of user manuals by the news organizations found that they can provide conflicting messages. Some manuals suggest keeping generators a shorter distance from windows or doors than the 20-foot minimum recommended by the CPSC, while others provide more general guidance such as keeping the machines "far away" from homes.

The new push for mandatory rules has been years in the making. In 2016, after concluding that generator manufacturers could save lives by making machines that emit less carbon monoxide, the CPSC announced plans to make the modification mandatory.

But before the CPSC could impose the rule, industry-friendly federal law required the agency to first allow generator manufacturers to come up with their own safety upgrades and to study whether those voluntary measures were enough to protect consumers.

Industry representatives instead proposed a cheaper safety upgrade: switches that would automatically turn the devices off when carbon monoxide builds up to an unsafe level. They said the shut-off switches would prevent 99% of deaths, but safety advocates argued that that claim was exaggerated.
Three years after the industry unveiled the voluntary standard, many manufacturers still had not adopted the change, the NBC News, ProPublica and Texas Tribune investigation found. This week's CPSC report echoed those findings. The commission found that too few manufacturers had adopted voluntary changes, clearing the way for it to continue the process of developing and implementing mandatory regulations.

"Think how many lives could have been saved had the CPSC gone forward with a mandatory standard in 2016," said Marietta S. Robinson, who served as a CPSC commissioner from 2013 to 2018 and supported mandatory generator safety standards.

The CPSC report concluded that voluntary changes implemented by some manufacturers did reduce the risk to consumers, but not to the degree that industry officials had promised.

Based on tens of thousands of simulations of common generator carbon monoxide accidents, CPSC staffers found that the industry's preferred solution of adding shut-off sensors without reducing carbon monoxide emissions would prevent about 87% of generator deaths, while still leaving some consumers exposed to CO levels toxic enough to require hospitalization.

CPSC staffers also tested a more stringent approach of equipping the machines with both shut-off sensors and engines that emit far less carbon monoxide, and found that the combination would eliminate "nearly 100 percent" of generator deaths and the vast majority of hospitalizations.

The agency's staff will urge the CPSC's five commissioners, who have the final say, to make the recommended mandatory standard a priority in the next fiscal year, which begins in October.

Alex Hoehn-Saric, the group's newly appointed chair, said in a statement that the new CPSC staff report on portable generators "demonstrates the need to move forward as quickly as the law permits with mandatory rulemaking designed to address this invisible killer."

A ProPublica, Tribune and NBC News analysis of CPSC data showed that more than 300 people died from carbon monoxide poisoning from generators in the four years after CPSC proposed its rule lowering emissions.

"It's about time," said Sheletta Brundidge, a Houston native who lost five family members in 2020 when they left a portable generator running inside an attached garage after Hurricane Laura knocked out power across Louisiana. "You can't expect these companies to police themselves. And, you know, I gladly and I'm sure most Americans would pay some additional money to have some safety measures in place."

The CPSC previously estimated that reducing generators' carbon monoxide emissions would add about $115 to the manufacturing cost of most units, which typically sell for $500 to $1,500.

Joseph Harding, technical director at the Portable Generators Manufacturers' Association, the trade group that developed the voluntary shut-off switches standard, said in an email that the group was still in the process of reviewing the CPSC's report. Harding reiterated the industry's belief that shut-off switches alone would eliminate 99% of deaths from carbon monoxide poisoning, and disputed the agency's conclusion that too few companies had adopted the safety measure.

"Compliance with the standard is already at a high level and is projected to grow substantially in the next year," Harding wrote. The industry group declined to provide data supporting that contention to the news organizations, saying it was confidential.

Rachel Weintraub, general counsel for the advocacy group Consumer Federation of America, said this moves the CPSC closer to establishing a mandatory standard for portable generators.

The lack of widespread compliance, she said, provides the CPSC with direct evidence that refutes the industry's claims that voluntary measures are enough to protect consumers. "There are less levers that they can pull to slow the process," Weintraub said, referring to the industry.

Brundidge said she hopes the latest effort to mandate safety upgrades moves more quickly.

"It shouldn't have taken all of these people to die and get sick for somebody to come and say, 'Hey, wait a minute, we need to do something,'" she said. "And so I'm glad that finally something is being done to police the manufacturers, because we've been putting it on the consumers, and that's not right."

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A National Vaccine Pass Has Quietly Rolled Out – And Red States Are Getting On Board
By Suzanne Rowan Kelleher
Forbes

Even as the omicron variant loosens its grip on the world, destinations continue to require travelers to show proof of vaccination. And, increasingly, a paper CDC vaccination card is not cutting it.

While the United States government has not issued a federal digital vaccine pass, a national standard has nevertheless emerged. To date, 21 states, the District of Columbia and Puerto Rico offer accessibility to the SMART Health Card, a verifiable digital proof of vaccination developed through the Vaccination Credential Initiative (VCI), a global coalition of public and private stakeholders including Microsoft, Salesforce, Oracle, the Mayo Clinic and other health and tech heavyweights.

And very soon, at least four more states will be rolling out access to SMART Health Cards. "We've seen a notable uptick in states that have officially launched public portals where individuals can get verifiable vaccination credentials in the form of SMART Health Cards with a QR code," says Dr. Brian Anderson, co-founder of the VCI and chief digital health physician at MITRE.

There is already an impressively widespread availability of SMART Health Cards in the U.S. More than 200 million Americans can now download, print or store their vaccination records as a QR code. When the QR code is pulled up, only the individual's name, date of birth and vaccination information is visible. No other medical information

or personal data is shared. This code is also digitally signed to ensure that the card was issued from a verified location and to prevent forgery.

SMART Health Cards Ease Travel

For individuals, the benefits of having access to personal digital vaccine record is three-fold. First, it's a huge plus for travel in the U.S. and abroad.

Many indoor cultural attractions and performance venues in the U.S. require proof of vaccination. "We believe it gives people peace of mind when the folks around them are unlikely to be contagious," says Gus Warren, CEO of Bindle, a health verification app that allows venues to verify the vaccination status of patrons.

Bindle's growing list of clients spans more than 30 states, from blue strongholds like California and New York to red leaners like Texas, Florida, Arkansas, Missouri and Georgia. At the Kennedy Center in Washington, D.C., for example, there's a Bindle lane that offers fastpass-like efficiency in scanning QR codes from a number of vaccine verification platforms used around the world.

"The SMART Health Card is such an important development and the Vaccine Credential Initiative has been phenomenal in getting this out there," says Warren, noting that while Bindle recognizes several interoperable standards, the SMART Health Card has emerged as the most important. "Absolutely, it has become the standard across the U.S. and North America."

"And at an international level, we are continuing to see intense interest in a coordinated international approach," says Anderson. "And that has not diminished at all. I think quite the opposite."

To wit: Every Canadian province has now adopted SMART Health Card verification, as has Aruba, the Cayman Islands, Singapore and Japan. And in Africa, the SMART Health Card has rolled out in Kenya and Rwanda, just the first of 32 African countries in the "Smart Africa" alliance to adopt a digital-first approach to healthcare records.

The Case For Red States

The second argument for adopting a digital vaccine verification system is the one swaying red-state governors: Having digital access to personal health records empowers the individual.

More than a dozen states have launched their own SMART Health Card-based portals. At least seven others — including Arizona, Mississippi and West Virginia — have turned to a third-party, MyIRMobile, to issue SMART Health Cards. Minnesota has chosen Docket, another third-party option.

Most right-leaning states offering SMART Health Cards do it quietly, without any fanfare. But big red South Carolina expects to roll out a portal for SMART Health Cards by the end of March, reports Politico.

“This isn’t a passport,” South Carolina’s director of immunizations told Politico. “This is essentially a Covid card that people get at their convenience because it’s their record.”

Utah was one of the first red states to get on the SMART Health Card train. For former Utah Governor Mike Leavitt, a Republican who was the Secretary of Health and Human Services in the George W. Bush administration, the issue boils down to individual rights. “There's always a question about who owns the data and the rights to access that data,” Leavitt said at a recent global forum on SMART Health Cards. “But one thing is unchallengeable. And that is, I own a right to have my own data. And to have it in a form that I can present it conveniently for the kinds of things I want to do.”

“The idea of being able to have trustworthy copies of your own health records is not a red or blue state issue,” echoes Anderson. “ It is an individual empowerment of your own health data. What we're going to see over the next month is a growing number of red states recognizing and appreciating the importance of empowering their individual citizens in their states.”

This Won’t Be The Last Pandemic

Lastly, having a vaccine verification system in place prepares the U.S. for the next coronavirus variant as well as the inevitability of a future pandemic.

Today the main threat to our health and economy remains the omicron variant, says Anderson. “But it's going to be pi in a couple months, and it's going to be the same situation. Yes, we're going to get to an endemic phase of all of this, but that doesn't change the need to continue to protect the citizens of a nation from highly transmissible and communicable diseases.”

“Vaccination verification will be increasingly important at an international level,” Anderson says. “And so if we want to enable all of our citizens from every state to be able to participate in the safe travel across international boundaries and to participate in international commerce, it'd be important for our government officials from every state to enable this.”

Given the political landscape, Anderson recognizes that some states may never get on board. “We're not going to have all 50 states leveraging this approach,” he says. “But the vast majority of the vaccinated individuals in the US – over 200 million of them – already have the ability right now to go and get one of these credentials.”

That includes anyone vaccinated at any branch of Walmart, Sam’s Club, CVS, Duane Reade, Walgreens, Costco, Kroger, Rite-Aid or any of the dozens of other companies participating in the retail pharmacy program. To access an electronic version of your vaccination record, log into the online Covid portal of the brand where you got your shots.

And whether your state is red or blue, your healthcare provider is increasingly likely to offer a digital vaccination record. More than 100 major health systems and hospital

groups across the country now offer SMART Health Cards to patients. These include Kaiser Permanente, Tenet Health, Scripps Healthcare, Cerner and other healthcare heavy hitters. Big regional healthcare groups in the SMART consortium span the country, from Centra Health in Virginia to UCHealth in Colorado and from CoxHealth in Missouri to SoutheastHEALTH in Alabama and Georgia.

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Greg Abbott News

'Today, More Texans Have A Job Than Ever Before': Gov. Greg Abbott Talks State Of Jobs In Texas
KWES

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Governor: Protecting Energy Industry Spurs Reelection Bid
By Mella McEwen
Midland Reporter Telegram

Gov. Greg Abbott brought his race for reelection to Midland Tuesday for an event accepting the endorsements of several oil and gas associations.

“The reason I’m running for reelection is to ensure the security of Texas oil and gas,” he told the gathering at 3S Services on Elkins Road in east Midland.

In addition to the endorsement from 3S Services, Jason Modglin, president of the Texas Alliance of Energy Producers, Thure Cannon, president of the Texas Pipeline Association and Todd Staples, president of the Texas Oil and Gas Association also offered their endorsements of the incumbent governor.

Abbott said the industry associations and their members “fuel Texas and fuel the US. What they do every singe day to produce energy and provide energy makes Texas better every day.”

He noted that Texas has led the nation as the top state for business and to do business in every year he has served as governor. In fact, he said, over the last two years the state’s economy has advanced from 10th largest in the world to ninth largest in the world, overtaking Brazil.

“As we gather in Midland today, more Texans have a job than in the entire history of our great state,” he said. “There’s a direct connection between that and what the oil and gas industry does.”

Nationwide, the industry employs millions in high paying jobs that have made the state and the nation energy independent, Abbott said, and he vowed Texas “will not allow leftists destroy the energy sector by crushing the high-paying jobs in Midland and Odessa.”

No matter the headwinds against the industry from federal regulators, Abbott continued, “we should be proud of the work we do, the produces we provide and the energy we provide that

powers the economy."

With clouds gathering in advance of a major winter storm due to blow through Texas Wednesday and Thursday, Abbott fielded questions about the readiness of the state's power grid in the aftermath of last year's Winter Storm Uri.

He noted that he had signed 12 laws to strengthen the grid after last year's legislative session, including requiring winterization of infrastructure. Approximately 99 percent of all power generation facilities had passed winterization inspections, he said. A number of power generators have installed alternative sources of power, he added. In addition, far more natural gas facilities have been designated as critical infrastructure than last year. That means, he said, that the Energy Reliability Council of Texas won't cut off power to natural gas processing plants and other infrastructure as it did last February.

Another development is the availability of additional power, Abbott said. "My guess is the grid is expecting peak demand in the early morning hours Friday," he said. "There's 13,000 megawatts more power that will be available at peak demand."

One thing that could help expand the state's power generation capacity could be Bitcoin and other cryptocurrencies, Abbott said. He explained that they won't help fuel the grid but the rising and ongoing demand for electricity coming from bitcoin mining could incentivize companies to build new power generation facilities.

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Abbott Picks Up Energy Endorsements
By Michael Bauer
Odessa American

Texas Gov. Greg Abbott returned to the Permian Basin Tuesday where he picked up five endorsements from the state's energy industry.

The endorsements were announced during an event hosted by 3S Services in Midland.

High-ranking members from the Texas energy industries were present as they announced their backing of the governor, who is seeking a third term with this year's gubernatorial election campaign in full swing.

The primaries will be held on March 1 and early voting will begin on Feb. 14.

"We're delighted to be here," Texas Oil and Gas Association President Todd Staples said. "There's a reason why Midland and the Permian Basin, is the energy capital of the world and it's because of all the men and women here today that work hard every day to do their best to make Texas the number one state in the nation in the production of oil and natural gas."

Staples touted the state's high ranking for job growth, crediting the people in the oil and gas industries and Abbott's policies as governor.

"We have a governor that is pro-business, pro-oil and gas and pro-jobs," Staples said. "There's a reason that Texas continues to rank number one in the country for job growth and it's

because of the men and women and the jobs that you do and the leaders like Abbott who understands that we can protect our environment and protect our economy at the same time and I'm proud to announce that the Texas oil and gas association good government committee is proud to endorse Greg Abbott for four more years."

Other people who spoke at the event included Texas Alliance of Energy Producers President Jason Modglin and Texas Pipeline President Thure Cannon.

Abbott thanked the organizations for their endorsements.

"This is the roundhouse of the energy sector of the entire state of Texas," Abbott said. "These associations and their members fuel the state of Texas and fuel the United States of America. I thank them for what they do every day to provide and help make Texas a better state."

Abbott was first elected governor in 2014, defeating Wendy Davis before getting reelected in 2018 over Lupe Valdez.

He is currently trying to seek the Republican nomination with Allen West, Donald Huffines and Daniel Harrison also running.

Democrat Beto O'Rourke is seeking his party's nomination as the Democrats attempt win the Texas governor's race for the first time since 1990.

"In large part, because of what these organizations and their members do, Texas consistently ranks the number one state in almost every business category," Abbott said. "We are the number one state of affordable production of oil and gas. Texas has ranked number one for doing business ever since I became governor. Texas has been the number one state for the most economic expansion of any other state."

Texas Governor Greg Abbott, right, speaks during a press conference related to his re-election campaign Tuesday afternoon at 3S Services Pipeline in Midland. (Eli Hartman/Odessa American)
Towards the end of the event, the governor took a few questions from the media including possible concerns with the upcoming winter storm expected this week with snow expected Thursday.

It has been a year since the 2021 winter storm knocked power out all across the state.

Abbott says the state is more prepared this year, saying there is "about 15 percent more capacity than last year."

"In addition to that, we have more power reserves than we had last year," Abbott said. "We also have required winterization of all power generation facilities. 99 percent of all power generation facilities in the state of Texas have passed inspections to make sure that those power producers will be reliable and be able to generate power. … There are more natural gas facilities that are designated as critical infrastructure this year to ensure the ongoing operation. Amazingly last year, ERCOT actually shut down power to natural gas facilities in regions across the entire state. That hindered our ability to get natural gas from those entities. Last winter, only 60 facilities were designated as critical infrastructure. Today, more than 1,500 are designated as critical infrastructure. That means there will be no power shut downs to those

facilities, many that are oil and gas sectors."

Wednesday's high will be 48 with a low of 23 with snow expected as the temperatures begin to plummet. Thursday's temperature will be even colder with a high of 27 and a low of 16.

Friday is expecting sunny skies but only a high of 36 with a low of 10, Saturday and Sunday are expected to be the same.

"The grid is expected to hit peak demand in the early morning hours on Friday," Abbott said. "It was projected that at that peak demand time, there will be a surplus of power of about 13,000 megawatts of power. That's a large amount of power. Also, there are now alternative sources of power at the power generators that if they were to run out of natural gas, they'll have other sources of natural power to generate electricity."

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Administration News

Texas AG Ken Paxton Has Raised $3M Since July, But His Challengers Combined Have Taken In Twice As Much, Reports Show
By Taylor Goldenstein
San Antonio Express News

Despite ongoing legal troubles, Texas Attorney General Ken Paxton continues to demonstrate his fundraising prowess, pulling in $3 million since July, according to campaign finance statements.

However, former Supreme Court Justice Eva Guzman — one of his three GOP primary challengers — raised about $1.3 million more than Paxton from July 1 to Jan. 20, reports show. She and the other challengers combined took in more than twice as much as Paxton, suggesting that he faces a fight to reach the 50 percent threshold needed in the March 1 primary to avoid a runoff.

A Jan. 28 poll by the University of Houston's Hobby School of Public Affairs shows Paxton with the support of 39 percent of all GOP primary voters and 44 percent of likely Republican voters. Paxton has been endorsed by former President Donald Trump.

Texas Land Commissioner George P. Bush trailed among all GOP primary voters at 16 percent, followed by East Texas congressman Louie Gohmert at 13 percent and Guzman at 8 percent. Still 24 percent were undecided.

While Paxton has the largest war chest — $7.5 million, compared to about $2 million and $2.6 million respectively for Guzman and Bush — the latest figures indicate Paxton is not in safe, no-runoff territory. Early voting begins Feb. 14.

"As an incumbent who does have name ID, I think he should be there (at over 50 percent)," said Renée Cross, senior director of the Hobby School. "But I think it's most likely because of the issues surrounding his ethics violations, particularly for the office that he's holding, that have allowed a Guzman, or any of them, to be in the position to force a runoff."

Paxton's challengers have zeroed in on his sea of legal difficulties — his 2015 indictment for felony securities fraud and an ongoing FBI investigation of allegations that he used his office to help a political donor. Former aides claim in a whistleblower suit that they were wrongfully terminated out of retaliation for reporting him to authorities. The criminal case against Paxton has yet to go to trial. He has denied all wrongdoing.

Cross noted that the same poll shows Republican Gov. Greg Abbott with a commanding lead over his two primary challengers, former GOP chair Allen West and former Texas state Sen. Don Huffines.

Paxton has focused his political attacks on Gohmert, Cross said, most likely because they both appeal to far-right voters. Bush or Guzman have staked out more moderate positions. Much will depend on how Paxton's competitors use the remaining weeks — and spend the cash they've accumulated — to increase their name recognition and make their case to voters.

Paxton took in several large donations since July 1. The biggest check — a quarter of a million — came from the Republican Attorney Generals Association.

The association was mired in controversy early last year after an offshoot group sent out a robocall a week before Jan. 6, 2021 encouraging "patriots" to attend the March to Save America rally, at which Paxton spoke and which preceded the U.S. Capitol attack. The association's finance director, which spearheaded the offshoot group, resigned in the aftermath.

"RAGA has a long history of supporting incumbent Republican AGs," said Johnny Koremenos, spokesman for the association, which Paxton chaired in 2019.

Other top donors include Hill Country Republican megadonor Michael Porter, who along with his wife owns Cross Creek Ranch in Doss, a town of a few hundred people outside Fredericksburg; and Holly Frost, CEO of Texas Memory Systems and husband of failed congressional candidate Kathaleen Wall. Each gave $100,000. The majority of Paxton's donors gave $10,000 or more, while just 12 percent gave $1,000 or less.

The bulk of Guzman's fundraising came from large donors, including Texans for Lawsuit Reform PAC, a powerful tort-reform group that is among the top political funders in the state. The group, which notably switched its support from Paxton in the past to Guzman, gave about $1.2 million, including $606,050 in-kind for political advertisements.

Other big-ticket donors include Richard Weekley, the group's co-founder and CEO ($500,000); board member Alan Hassenflu ($250,000); and Dallas real estate developer Harlan Crow ($500,000). Guzman spent about $3.4 million, mostly on advertisements and direct mail campaign flyers, and had about $2 million on hand.

Bush raised about $2 million over the same six-plus-months, mainly from about 65 donors who gave $10,000 or more.

Among his top donors were Los Angeles-based developer and billionaire Edward P. Roski, Jr., who co-owns the NHL's Kings and NBA's Lakers; Austin-based tech investor Alexander Davis and his philanthropist wife Lindsay; and John B. Bellinger III, former legal adviser to

Bush's uncle, former President George W. Bush. Each gave $50,000. Bush spent about $2.7 million, mostly on salaries and fundraising efforts, and had about $2.6 million on hand, as of Jan. 20.

According to the Hobby School poll, there was "greater antipathy" toward Bush than any other candidate.

Thirty-seven percent of almost-certain voters said they would never consider voting for Bush, compared to much lower percentages who'd never consider Paxton (11 percent), Gohmert (10 percent), and Guzman (16 percent).

Gohmert, who didn't jump into the race until mid-November, raised about $1 million — the amount he had said he'd need to raise in 10 days to spur him to launch a campaign. Campaign finance records, however, show his contributions didn't total that amount until very recently. Still, Gohmert insisted in a statement to the Texas Tribune that he had secured commitments that helped him reach the goal, even if it was not yet in hand.

"Getting all of the money in house took more time, but we got it just as we were promised and just as we promised," Gohmert said. He said the financial support has allowed him to seek "to deliver an ethical alternative in the AG race who is conservative all the time and not just when information arises as to our AG's improprieties."

The majority of Gohmert's funding came from state Rep. Mayes Middleton, the chair of the Texas Freedom Caucus who is running for Texas Senate this year with Lt. Gov Dan Patrick's backing ($300,000), and state Rep. Matt Krause, another caucus member who dropped out of the attorney general's race in November to run for district attorney in his home county ($250,000).

"Congressman Gohmert is running in the lane I had occupied in the attorney general race," Krause said in a statement. "(He is) a proven, principled conservative who was concerned about the cloud of controversies surrounding the incumbent. It only made sense to support him in his efforts."

Gohmert spent about $126,500, mainly on transportation and fundraising-related costs, and he has about $888,000 on hand.

As for the Democratic primary race, former Galveston Mayor Joe Jaworski and civil rights attorney Lee Merritt raked in the most cash between July 1 and Jan. 20 — about $514,000 and $446,000 respectively. Former ACLU attorney Rochelle Garza, who joined the race in November after redistricting scrambled her plans to run for Congress, has raised about $141,000.

Former Harris County Judge Mike Fields has not raised anything yet, and Dallas attorney Stephen "T-Bone" Raynor has given himself $200, reports show.

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Texas Legislature

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Federal Judges Won't Halt Texas Primary In State Senate District Being Challenged For Alleged Discrimination

By Alexa Ura
Texas Tribune

A federal three-judge panel in El Paso on Tuesday denied a request by Tarrant County residents to block a reconfigured state Senate district from being used in the upcoming March primary election while they pursue a lawsuit arguing that Texas lawmakers intentionally discriminated against voters of color when they redrew its boundaries.

The legal challenge to Senate District 10 in the Fort Worth area offered the only avenue to alter the state political maps drawn last year by the Legislature before the primary election. The Republican-controlled Legislature used the once-a-decade redistricting process to draw maps solidifying the GOP's political dominance while weakening the influence of voters of color.

Without a successful appeal to the U.S. Supreme Court, the maps will remain in place until later this year, when the panel is expected to hold a trial to hear the large collection of challenges to the new maps for the state House and Senate, the State Board of Education and the state's Congressional seats.

The plaintiffs — including Democratic state Sen. Beverly Powell, who represents SD-10 in its previous configuration — and attorneys for the state faced off in an El Paso courtroom last week during a four-day hearing before the three-judge panel. The plaintiffs were asking for a temporary injunction blocking the primary using the redrawn SD-10.

Local elected leaders took the stand, trying to convince the court that using the Legislature's map would undermine the voices of Black and Hispanic voters by cracking apart the voting blocs that existed in the previous SD-10 and sinking them into districts with majority-white electorates.

Under the GOP map, some Black and Hispanic populations previously in District 10 were split into two other districts. The Black and Hispanic voters remaining in the newly drawn District 10, in urban areas of south Fort Worth, were lumped in with several rural, mostly white counties to the south and west, driving up the district's population of white eligible voters while diminishing the number of voters of color.

The new map "would keep African American and Hispanic voters from ever being able to elect their candidate of choice," Tarrant County Commissioner Roy Brooks, a plaintiff in the case, told the court.

Meanwhile, the state argued that the reconfiguration of SD-10 was motivated by partisanship, not race, and the plaintiffs were unable to prove that race was the predominant factor motivating the Legislature's action. The chamber's chief map-drawer, Sen. Joan Huffman, R-Houston, said throughout the redistricting process that the maps were drawn "race-blind" but were presented to legal counsel who cleared them as compliant with federal law meant to protect voters of color from discrimination.

She has repeatedly declined to disclose how they reached that conclusion, though. In a deposition for the SD-10 challenge, Huffman invoked legislative privilege to shield herself

from answering questions about her considerations while redrawing the district.

The redrawn SD-10 will offer Republicans an easier bid to pick up another seat in the Republican-controlled chamber following a series of elections in which the Senate district flipped from Republican to Democratic control.

The state also argued it was too late to make changes for the March 1 primary, for which mail-in ballots have already started going out. In-person early voting begins Feb. 14.

The three-judge panel did not specify its reasons for siding with the state in its Tuesday order, saying those would be contained in a forthcoming opinion. The panel did note the state's argument that an order to block the use of the redrawn SD-10 so close to the primary election would "fly in the face" of the Supreme Court's previous warnings that lower courts should not make changes "on the eve of an election."

The challenge to SD-10 is just one of several federal lawsuits challenging the maps based on allegations that lawmakers discriminated — in some cases intentionally — against voters of color by diminishing the power of their votes.

The collection of individual voters and organizations representing voters of color that sued the state are joined in their challenge to the maps by the Biden administration, which last year jumped into what's expected to be a protracted fight over the political boundaries the state will use for elections to come.

The cases are being heard by federal district judges David Guaderrama and Jeffrey Brown and federal appellate judge Jerry Smith from the 5th U.S. Circuit Court of Appeals. Guaderrama is an Barack Obama appointee while Brown is a Donald Trump appointee. Smith was appointed by Ronald Reagan.

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Energy

ERCOT Expects Higher Power Use Amid Cold Snap, But Says Texas Grid Can Handle Demand
By Bob Sechler
Austin American Statesman

With wintery weather forecast across Texas this week, demand on the state's power grid might approach the peak seen during the deadly freeze in February 2021 — but state officials say the grid will be able to handle the strain.

Power demand this week could hit a peak of up to 73,000 megawatts, according to the Electric Reliability Council of Texas — just shy of the estimated 77,000-megawatt peak in February 2021. If ERCOT's projection proves accurate this week, it also would be well above a November forecast from the agency that called for a peak of about 62,000 megawatts this winter under "average weather conditions."

Still, ERCOT previously has said more than enough generation capacity — 85,000 megawatts

— should be available to handle this year’s winter peak.

In advance of last winter, however, the agency also voiced confidence that power supplies would be well above peak demand. Instead, multiple days of subfreezing temperatures and prolonged precipitation last February caused a cascade of failures across the energy sector and a near-collapse of the electricity grid — triggering extensive blackouts that contributed to hundreds of deaths and billions of dollars in property damage.

With winter weather conditions expected across much of Texas this week, “ERCOT will deploy all the tools available to us to manage the grid effectively during this winter weather,” said Brad Jones, ERCOT’s interim CEO.

Gov. Greg Abbott, speaking at a news conference Tuesday regarding state preparations for the upcoming storm, reiterated his vow that there won't be a repeat of last February's calamity. But he said it's possible individuals could experience temporary, localized power outages caused by storm-related issues such as downed power lines.

"No one can guarantee that there won't be a (localized) event," Abbott said. "But what we will work and strive to achieve and what we're prepared to achieve is that the power is going to stay on across the entire state."

Both the Texas Public Utility Commission and ERCOT have taken steps aimed at bolstering the grid for this winter, including putting in place the first-ever winterization mandates for power plants and inspecting many of them for compliance.

In addition, weather forecasts over the next few days don't call for conditions to be nearly as bad as they were in February 2021. Freezing temperatures aren't expected to last as long without a thaw as they did then, and precipitation isn't expected to be as widespread or prolonged.

"No one can guarantee that there won't be a (localized) event" caused by winter storm-related issues such as downed power lines, Gov. Greg Abbott says.

“There’s good reason to believe we are not going to suffer any significant outages" statewide over the next few days, said Mark Jones, senior research fellow at the University of Houston’s Hobby School of Public Affairs.

But Jones said he doesn't think that will be the case if the weather takes a major turn for the worse.

"There is reason to be concerned that the grid is not ready for another cold snap equivalent to what we experienced last February," he said. "What remains to be seen is how low can the temperature go and the grid remain resilient. That is an unknown, and it's an unknown that the governor has staked his reputation on" by guaranteeing that there won't be another grid-related disaster.

In November, Abbott guaranteed that “the lights will stay on” this winter and that there won’t be a repeat of last February's calamity. He also said after last year's session of the Legislature that "everything that needed to be done was done to fix the power grid in Texas."

Jones said a statewide poll by the Hobby School in January found that nearly half of Texans — 49% — say they'll hold Abbott responsible if there's another significant grid failure. That's second only to the 70% of respondents who said ERCOT, the grid's operator, will bear a major portion of the blame, he said.

Regardless, ERCOT said Tuesday that it isn't taking anything for granted in advance of this week's wintry weather and has been ordering power plants "across the region to postpone planned (maintenance) outages and to return from outages already in progress" until the storm threat has passed.

Peter Lake, chairman of the Public Utility Commission, center, speak during a press conference Tuesday with Gov. Greg Abbott, left, and representatives from the Texas Division of Emergency Management and ERCOT about winter storm preparations.
"ERCOT will deploy all the tools available to us to manage the grid effectively during this winter weather," said Brad Jones, ERCOT's interim CEO. "We are coordinating closely with the Texas Division of Emergency Management, the Public Utility Commission and elected officials — as well as electric generators and transmission and distribution utilities — to keep Texans informed throughout the week."

Still, some energy experts and public interest groups have said the state's natural gas sector — which provides the fuel that many power plants use to operate — remains a potential Achilles' heel in this winter's grid preparations.

That's because the Texas Railroad Commission oversees the natural gas sector industry and hasn't mandated any winterization requirements yet.

Instead, the Railroad Commission has been expressing confidence in voluntary winterization efforts that have been made by natural gas companies.

"I've been very proud to see that the industry this year has introduced lots of different ways of trying to make sure that nothing freezes up at the wellhead, or at gas transmission facilities or storage" facilities, said Jim Wright, a member of the Railroad Commission, speaking at Tuesday's news conference with Abbott.

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Why Are Oil Prices So High And Will They Stay That Way?
By Clifford Krauss
The New York Times

Oil prices are increasing, again, casting a shadow over the economy, driving up inflation and eroding consumer confidence.

Crude prices rose more than 15 percent in January alone, with the global benchmark price crossing $90 a barrel for the first time in more than seven years, as fears of a Russian invasion of Ukraine grew.

Though the summer driving season is still months away, the average price for regular gasoline is fast approaching $3.40 a gallon, roughly a dollar higher than it was a year ago, according to

AAA.

The Biden administration said in November that it would release 50 million barrels of oil from the nation's strategic reserves to relieve the pressure on consumers, but the move hasn't made much of a difference.

Many energy analysts predict that oil could soon touch $100 a barrel, even as electric cars become more popular and the coronavirus pandemic persists. Exxon Mobil and other oil companies that only a year ago were considered endangered dinosaurs by some Wall Street analysts are thriving, raking in their biggest profits in years.

Why are oil prices suddenly so high?
The pandemic depressed energy prices in 2020, even sending the U.S. benchmark oil price below zero for the first time ever. But prices have snapped back faster and more than many analysts had expected in large part because supply has not kept up with demand.

Oil prices are at their highest point since 2014.
Price of a barrel of Brent crude, the global benchmark, and West Texas Intermediate, the U.S. standard

Western oil companies, partly under pressure from investors and environmental activists, are drilling fewer wells than they did before the pandemic to restrain the increase in supply. Industry executives say they are trying not to make the same mistake they made in the past when they pumped too much oil when prices were high, leading to a collapse in prices.

Elsewhere, in countries like Ecuador, Kazakhstan and Libya, natural disasters and political turbulence have curbed output in recent months.

"Unplanned outages have flipped what was thought to be a pivot towards surplus into a deep production gap," said Louise Dickson, an oil markets analyst at Rystad Energy, a research and consulting firm.

On the demand side, much of the world is learning to cope with the pandemic and people are eager to shop and make other trips. Wary of coming in contact with an infectious virus, many are choosing to drive rather than taking public transportation.

But the most immediate and critical factor is geopolitical.

A potential Russian invasion of Ukraine has "the oil market on edge," said Ben Cahill, a senior fellow at the Center for Strategic and International Studies in Washington. "In a tight market, any significant disruptions could send prices well above $100 per barrel," Mr. Cahill wrote in a report this week.

Russia produces 10 million barrels of oil a day, or roughly one of every 10 barrels used around the world on any given day. Americans would not be directly hurt in a significant way if Russian exports stopped, because the country sends only about 700,000 barrels a day to the United States. That relatively modest amount could easily be replaced with oil from Canada and other countries.

A Russian invasion of Ukraine could interrupt oil and gas shipments, which would increase

prices further.Credit...Brendan Hoffman for The New York Times
But any interruption of Russian shipments that transit through Ukraine, or the sabotage of other pipelines in northern Europe, would cripple much of the continent and distort the global energy supply chain. That's because, traders say, the rest of the world does not have the spare capacity to replace Russian oil.

Even if Russian oil shipments are not interrupted, the United States and its allies could impose sanctions or export controls on Russian companies, limiting their access to equipment, which could gradually reduce production in that country.

In addition, interruptions of Russian natural gas exports to Europe could force some utilities to produce more electricity by burning oil rather than gas. That would raise demand and prices worldwide.

What can the United States and its allies do if Russian production is disrupted?
The United States, Japan, European countries and even China could release more crude from their strategic reserves. Such moves could help, especially if a crisis is short-lived. But the reserves would not be nearly enough if Russian oil supplies were interrupted for months or years.

Western oil companies that have pledged not to produce too much oil would most likely change their approach if Russia was unable or unwilling to supply as much oil as it did. They would have big financial incentives — from a surging oil price — to drill more wells. That said, it would take those businesses months to ramp up production.

What is OPEC doing?
President Biden has been urging the Organization of the Petroleum Exporting Countries to pump more oil, but several members have been falling short of their monthly production quotas, and some may not have the capacity to quickly increase output. OPEC members and their allies, Russia among them, are meeting on Wednesday, and will probably agree to continue gradually increasing production.

In addition, if Russian supplies are suddenly reduced, Washington will most likely put pressure on Saudi Arabia to raise production independently of the cartel. Analysts think that the kingdom has several million barrels of spare capacity that it could tap in a crisis.

What impact would higher oil prices have on the U.S. economy?
A big jump in oil prices would push gasoline prices even higher, and that would hurt consumers. Working-class and rural Americans would be hurt the most because they tend to drive more. They also drive older, less fuel-efficient vehicles. And energy costs tend to represent a larger percentage of their incomes, so price increases hit them harder than more affluent people or city dwellers who have access to trains and buses.

But the direct economic impact on the nation would be more modest than in previous decades because the United States produces more and imports less oil since drilling in shale fields exploded around 2010 because of hydraulic fracturing. The United States is now a net exporter of fossil fuels, and the economies of several states, particularly Texas and Louisiana, could benefit from higher prices.

What would it take for oil prices to fall?

Oil prices go up and down in cycles, and there are several reasons prices could fall in the next few months. The pandemic is far from over, and China has shut down several cities to stop the spread of the virus, slowing its economy and demand for energy. Russia and the West could reach an agreement — formal or tacit — that forestalls a full-scale invasion of Ukraine.

And the United States and its allies could restore a 2015 nuclear agreement with Iran that former President Donald J. Trump abandoned. Such a deal would allow Iran to sell oil much more easily than now. Analysts think the country could export a million or more barrels daily if the nuclear deal is revived.

Ultimately, high prices could depress demand for oil enough that prices begin to come down. One of the main financial incentives for buying electric cars, for example, is that electricity tends to be cheaper per mile than gasoline. Sales of electric cars are growing fast in Europe and China and increasingly also in the United States.

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Texans Split On Whether State's Power Grid Can Withstand Another Record Freeze Like 2021, Poll Finds
By Sami Sparber
Dallas Morning News

While 46% of Texas registered voters say they're confident the state's power grid is prepared to avoid blackouts this winter, 47% say they aren't, a new Dallas Morning News-University of Texas at Tyler poll found.

By a plurality of 42%-37%, they think state officials are most accountable for successful operation of the grid, more than energy companies.

Bolstering the grid ranks as a higher priority than securing the Texas-Mexico border for 50% of respondents, the poll found, even as Gov. Greg Abbott and other GOP officials emphasize concerns about a migrant surge at the border.

The poll, conducted Jan. 18-25, surveyed 1,082 adults who are registered voters and has a margin of error of plus or minus 3.5 percentage points.

Those with confidence in the grid prioritize securing the border over the grid, 55%-38%. Meanwhile, those who worry about the grid prioritize improving it over providing more border security, 65%-35%.

"It is not often that public uncertainty in utilities is recognized as more important than national issues," said UT-Tyler political scientist Mark Owens, the poll's director. "However, regarding the preparedness of the grid in Texas, the 47% who have little to no confidence that blackouts will be avoided see this as a top issue and are looking for action."

Avoiding a repeat of last February's deadly storm and utility outages was a priority during the 2021 legislative session, when lawmakers passed measures to bolster the grid.

Abbott has guaranteed the lights will stay on this winter. But ahead of the storm expected to hit this week, he said Tuesday no one could guarantee that there wouldn't be any "load shed

events" – a term that means planned blackouts.

Texas Gov. Greg Abbott speaks at a press conference Tuesday, Feb. 1, 2022, to discuss the state's preparation for the impending winter storm.

The power grid has emerged as a hot topic in the 2022 election, with Democrat Beto O'Rourke accusing Abbott of failing to fix the grid by ensuring that natural gas companies and power generators weatherize facilities.

"Right now, how voters feel about the electricity grid is still shaping the evaluation of leaders and who people plan to vote for," Owens said.

Among those who are confident or fairly confident in the grid, 66% think Abbott does a good job responding to crises and 63% plan to vote for the incumbent.

The poll found 60% of voters who have little to no confidence that Texas will avoid blackouts evaluate the governor's crisis response poorly, and 46% plan to vote for O'Rourke.

"When Greg Abbott let the grid fail last February, we lost a lot of good people," O'Rourke said Monday in a statement announcing his "Keeping the Lights On" tour across Texas. "But while those in power failed us, we would not fail each other. Everyday Texans stepped up and brought us through this crisis."

While 65% of Republicans disagreed, more than three-quarters of Democrats and 51% of independents think strengthening the grid is more important than border security.

Abbott's mobilizing of Texas National Guard troops to the U.S.-Mexico border has come under scrutiny amid reports that soldiers were hastily deployed without proper equipment, regular pay or a clear purpose.

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Business/Economy

States Are Complicating Corporate Pandemic Planning
By Andrew Ross Sorkin, Jason Karaian, Sarah Kessler, Stephen Gandel, Michael J. de la Merced, Lauren Hirsch and Ephrat Livni
The New York Times

Red tape, red states
Now that the Biden administration's nationwide coronavirus vaccine mandate for large companies has been overturned by the Supreme Court, employers are left to navigate a thicket of state and local rules. In New York, that means private employers have to require vaccines. In Florida and Texas, laws limit the pandemic protocols they can put in place.

And so, the companies that flocked to states like Florida and Texas in search of low taxes and light regulation have found themselves dealing with lots of red tape, at least when it comes to Covid policies. For companies with national footprints that introduced vaccine mandates, or were preparing to do so before the Supreme Court ruling, this makes designing workplace

policies more complicated.

The states of play:

- In Florida, where 65 percent of people are fully vaccinated, businesses must allow for an extensive list of exemptions to vaccine mandates, effectively making them moot. Violations of the rules can cost as much as $50,000 per incident.
- In Texas, where 59 percent of people are fully vaccinated, Gov. Greg Abbott issued an executive order in October declaring that no employer could compel vaccination for someone who conscientiously objects to it. And businesses that ask customers for proof of vaccination can face stiff penalties, including the loss of a liquor license.

How big companies are reacting:

- Disney suspended its national vaccine mandate for employees in Florida, as it works to keep the requirement in place for workers in California.
- The Related Companies, which mandated vaccines for all of its employees in April, is no longer requiring them of its staff in Florida.
- Several financial firms, including Vanguard and Blackstone, are maintaining vaccine mandates that apply only to people entering their offices.
- BP, whose 3,500 Houston office employees are working remotely, is requiring employees to be vaccinated or tested twice weekly once they start going back in person.

Beyond taxes and regulation, vaccine rules could become a factor as states compete to attract business. “It’s a line that they need to straddle very carefully,” said Ian Carleton Schaefer, a partner at the law firm Loeb & Loeb. “To make sure that their politics on the vaccination issue don’t drive away the bigger-ticket issue — like making it an employer-friendly state to do business.”

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Immigration/Border Security

230 Pounds Of Marijuana Seized Near South Padre Island, Coast Guards Say
By Brittany Taylor
KPRC

More than 200 pounds of marijuana was seized Monday near South Padre Island, according to the U.S. Coast Guard.

At 1 a.m., three people were allegedly seen with bales on their backs attempting to cross the Brownsville Ship Channel on a raft.

When the Coast Guard crew stopped the raft, they seized 230 pounds of marijuana and took the men back the Station South Padre Island, authorities said. They were then transferred to Homeland Security Investigations and the contraband was sent to South Padre Island Police Department for processing.

“Drug trafficking is a major problem we face along Texas’ southern border,” said Lt. Cmdr. Daniel Ippolito, officer-in-charge of Station South Padre Island. “With the assistance of our partner agencies, we remain ever-vigilant and committed to combating the drug trade and protecting our nation’s borders.”

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Authorities Seize Thousands In Ammunition At Border
By Victoria Lopez
KRGV

United States Customs and Border Protection, Office of Field of Operations at the Hidalgo International Bridge intercepted 5,000 rounds of ammunition Thursday.

On January 27, CBP officers conducting outbound enforcement operations at the Hidalgo International Bridge came across a vehicle requiring further inspection, according to a press release.

Driven by a 23-year-old, the vehicle was referred to a second inspection.

Physical inspection revealed 5,000 rounds of 7.62×39 rifle ammunition as well as $4,555 which was also seized as proceeds of illicit activity.

CBP OFO seized the ammunition and vehicle and arrested the driver.

Port Director Carlos Rodriguez issued a statement regarding the incident.

The undeclared exportation of weapons and ammunition into Mexico is illegal. Our CBP officers prevented this ammunition from reaching Mexico thanks to their diligent inspection work.

This case remains under investigation by special agents with U.S. Immigration and Customs Enforcement-Homeland Security Investigation.

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Transportation

Southwest Airlines Suspends All Dallas Love Field Flights Thursday Ahead Of Incoming Winter Storm
By Kyle Arnold
Dallas Morning News

Southwest Airlines has suspended all flights in and out of Dallas Love Field on Thursday with snow and sub-freezing temperatures expected to accompany an approaching winter storm.

Southwest Airlines, which is headquartered at Love Field, has issued travel advisories for 13 airports in Texas, Arkansas, Kansas, Kentucky, Oklahoma and Tennessee ahead of the winter storm expected to sweep through the region with snow, sleet and ice accumulation and drop

temperatures into the 20s and even teens between Thursday and Saturday.

The Dallas-based carrier has even canceled all of its flights out of St. Louis Lambert International Airport on Wednesday with plans to reopen on Thursday.

“Our operational planners are carefully tracking Winter Storm Landon as it moves eastward across the United States and making adjustments to our schedule as necessary,” Southwest said in a statement.

Southwest had 352 flights scheduled Thursday at Love Field, according to aviation analytics firm Cirium. Southwest had 162 flights in and out of St. Louis Wednesday.

American Airlines also has preemptively canceled about 300 arriving and departing flights out of DFW International Airport for Thursday, about 25% of all flights scheduled for that day, according to Flightaware.com. Systemwide, American Airlines has canceled about 820 flights due to the storm.

“This week’s winter storm is expected to have a significant impact on our operation, especially in the Northeast and Central regions of the United States,” American Airlines spokeswoman Gianna Urgo said 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.”

DFW Airport CEO Sean Donohue said Tuesday that the airport planned to make decisions about operations on Wednesday.

Airlines often slim operations at weather-impacted airports during volatile conditions, but entirely closing an airport is rare. Southwest is also allowing customers to rebook flights without any additional costs for the next 14 days.

Love Field, which is just north of downtown and operated by the city, still has flights scheduled on Thursday from Delta Air Lines and Alaska Airlines, spokesman Chris Perry said.

“Either way, the airport will still be open and our airfield crews will be working to ensure the field remains operational,” Perry said.

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Health Care

A Texas State Bone Marrow Registry Program Became A National Model. Now, Its Leader Is Under Investigation For Diverting Money To Support An Affair.
By Kate McGee
Texas Tribune

For over a decade, Texas State University students across the San Marcos campus — and at public universities across South Texas — have urged schoolmates to help cancer patients by

joining the national bone marrow registry.

After a quick cheek swab, a student's name and tissue profile are entered into a national database. That directory is used by patients diagnosed with blood cancers, including leukemia, who are in desperate need of a bone marrow match.

So far, Texas State's Cancer Advocacy Movement for Colleges and Outreach, or CAMCO, has registered 20,000 students on campus as potential bone marrow donors. The campus group is housed in the radiation therapy program and led by the program chair, Reynaldo Lozano.

Lozano, 62, helped Texas State create its radiation therapy program in 1998. By 2012, the department latched onto an existing bone marrow registry group on campus and enrolled thousands of students into the registry with the help of annual donations from local cancer care centers.

Yet documents provided to The Texas Tribune show that over at least a nine-month period, Lozano spent money in CAMCO's bank account for his own personal use. The financial transactions suggest that urgently needed money, donated by small Texas donors to connect patients with life-saving care, was instead being used to pay for a romantic tryst, including payments to the woman's apartment complex and cash bail to help her after she was picked up on a warrant. In an email, Lozano said she was arrested due to "two criminal charges, assault and theft in Tarrant County."

A week after The Texas Tribune began asking questions about these records, the university system began an investigation in early November, instantly sealing off documents about the transactions from the public. Lozano's name and CAMCO's page have since been scrubbed from the university's website. Another professor was recently named interim program chair. Lozano is no longer listed as a faculty member on the university's website.

The monthly Wells Fargo bank statements show the account name as Texas State CAMCO, care of Reynaldo Lozano, and the group is labeled as a faculty and staff organization. The statements include individual transactions that appear to be related to CAMCO expenses like meals at Chick-fil-A and $240 at Sign Arts in San Marcos. But there's also a $430 payment to Aladdin Bail Bonds and $1,000 to a San Antonio law firm.

It's not clear how much of the money Lozano used for expenses unrelated to CAMCO. Also, it's not clear whether Lozano contributed his own money to this account. Neither Texas State nor Lozano offered an explanation for any transactions.

The apparently lackluster oversight over CAMCO raises questions about the university's management and oversight practices involving on-campus organizations that use Texas State's name. The investigation comes as the university recently launched a $250 million fundraising campaign, part of Texas State's bid to become a top-tier research university.

Meanwhile, Texas State has not explained how this happened.

University officials denied the Tribune's open-records requests for CAMCO's financial records and receipts. The school's lawyers argued in a letter to the Texas attorney general that releasing the documents would violate an ongoing compliance investigation into the organization. This week, the attorney general's office sided with the university.

That compliance investigation began Nov. 4, one week after the Tribune filed an open-records request in late fall, according to a document provided by the Texas State University System.

A Texas State University spokesperson also repeatedly stated the school does not comment on ongoing investigations.

“If deficiencies in policies or procedures are identified during an investigation, the university will take all necessary and appropriate action to address such deficiencies,” wrote Sandra Pantlik, vice president for communications, in an email to the Tribune on Jan. 18.

Texas State did not answer written questions and would not explain how campus organizations that receive outside funding are generally monitored to avoid fraud and misconduct. System spokesperson Mike Wintemute pointed the Tribune to a faculty and staff organization policy that he said is used for “university-affiliated organizations,” but did not respond to questions clarifying if the university system considered CAMCO a faculty and staff organization.

Lozano initially expressed interest in speaking to the Tribune in late October until he learned the Tribune had filed an open-records request for financial records. He has since declined multiple requests for an interview.

Draining the bank account

The CAMCO bank documents provided to the Tribune cover only about a year and a half in the life of CAMCO, from January 2019 to May 2020. In that time, CAMCO’s account went from a balance of $22,772 in July 2019 to $39.99 the following May.

A $1,000 donation from the Austin Radiological Association was among $17,000 in deposits made during that time, according to a check image included with the statements.

During that period, Lozano used the bank account for various unrelated purposes, including helping the 29-year-old woman to secure apartments in San Antonio. CAMCO funds also were used to pay for at least one hotel room for the woman, to help pay her bail, and to pay a lawyer, Anthony Cantrell. Emails show that Lozano contacted the lawyer to handle arrest warrants for unpaid traffic tickets.

The Tribune is not naming the woman because it’s not clear she knew Lozano was using CAMCO’s money. Her mother told the Tribune that her daughter only learned where the money was coming from when Lozano told her a month ago.

“She said, ‘I didn’t know that’s what he was doing,’ and that he just confessed [to her],” the mother said. The daughter has not responded to multiple requests for comment from the Tribune.

Bank statements show charges related to the woman started to ramp up in the summer of 2019.

“Perhaps I should really try hard to ignore and forget the passion and romance that surges through my core when I am away from you,” Lozano emailed the woman from his university account on July 20, 2019. “Well I tried. I found in you what has been missing in my life despite being married for so long.” Lozano and his wife of 30 years divorced in September 2020.

By late July, he was using CAMCO funds for motel rooms, one of them booked in her name. In August, emails show Lozano was helping the woman rent an apartment in San Antonio. A representative with an apartment complex notified him via email what the woman needed to secure an apartment there. Not long after that, two payments — one for $1,145 and another for $1,234 — were made from the CAMCO bank account to the same apartment complex.

A neighbor also confirmed to Tribune that the woman lived in the complex and that Lozano would visit her.

Other payments from the CAMCO fund that were made at this time went toward a renter's insurance policy and a payment to San Antonio's utility company, totaling about $700; a $691 emergency vet clinic bill; $1,397 to Big Dan's Furniture in San Antonio; $1,000 to the woman's lawyer; $430 to Aladdin Bail Bonds and nearly $1,400 to another woman via Cash App.

Addressing a need

CAMCO's creation in 2009 was the work of Texas State geography professor Lawrence Estaville, whose own bone marrow transplant experience showed him firsthand the difficulty in locating a bone marrow match.

"He felt blessed to have a [bone marrow] donor commit to his transplant journey, and felt called to help others in need," Angelika Wahl told the Tribune. She is the office manager at Texas State's geography department who started the program with him. Estaville died of cancer in December 2018.

As Be The Match explains on its website, "A bone marrow transplant takes a donor's healthy blood-forming cells and puts them into the patient's bloodstream, where they begin to grow and make healthy red blood cells, white blood cells and platelets."

After Estaville's death, a geography department newsletter said that more than 150 patients had received marrow transplants from students who joined the registry with the help of CAMCO.

In 2012, Lozano and the Texas State radiation therapy department became involved. They started the Kathy Soliz Texas State Radiation Therapy Outreach Program, named after a 23-year-old Hispanic woman in San Marcos who died from leukemia after her expected donor was no longer interested in donating marrow.

They organized bone marrow registry drive events at other schools across the state, including the University of Texas at Austin, the University of Texas Rio Grande Valley and Texas A&M International University, with the help of tens of thousands of dollars in donations annually from local cancer care centers like Texas Oncology, St. David's HealthCare and the Austin Radiological Association over the years. That money was used to pay for marketing materials and student trips to other campuses for registry drives, Lozano said.

"Flyers and T-shirts require funding," Lozano told attendees of a Zoom presentation during Texas State's Big Ideas Virtual Week in the fall of 2020. "When we go out to South Texas, we need to reserve rooms, pay for travel … for meals."

A Be The Match spokesperson described the relationship with CAMCO as informal but

successful. Be The Match replicated the peer-to-peer model started at Texas State through its national program called Be The Match On Campus, she said.

The Texas State program also served as a community service learning opportunity for radiation therapy majors, according to the 2012 press release.

Under Estaville, CAMCO was a fairly informal venture that emphasized student-to-student recruitment to join the bone marrow registry. Over the years, the organization also hosted events like Bra Fashion Night to raise breast cancer awareness and Boxer Fashion Night, which focused on testicular cancer awareness. He eventually opened a bank account to deposit donations for the program since CAMCO was not an official university organization, Wahl said.

"CAMCO leadership was passed on to Lozano to continue the registry events across Texas and beyond, as well as management of related accounts," Wahl said.

Before information about CAMCO was deleted by Texas State, it listed an executive committee of four people, including Lozano. The Tribune contacted the three other members listed, all of whom said they had not been involved with CAMCO for years and were unaware of the investigation.

"I went to one meeting five years ago … when I was working for Texas State," Daniel Guerrero, the former mayor of San Marcos, told the Tribune. "But that was the only meeting I ever attended, and I was never really all that involved."

Managing donations

Legal experts say while universities are generally always concerned about misconduct, it's not unusual for leaders to assume its employees are following the rules until there's a reason to believe otherwise.

"To be fair to a university administrator … you hear about a group, you assume that they are following the requirements to exist and to follow whatever university policies they have … especially since it is run by people who are part of your community, part of your part of the university," said Lloyd Mayer, a nonprofit tax expert and law professor at the University of Notre Dame. "You assume good faith, and they're following the policies unless some flag comes up."

But, Mayer said, there are best practices that many universities and organizations often put in place to prevent this type of behavior from occurring and to ensure that donors can trust their money is used appropriately.

Overall, Lozano's ability to use this money without detection leaves many questions unanswered about whether Texas State's policies and procedures were abused, went unenforced or did not exist.

While Texas State has policies posted on its website detailing how employees should manage outside gifts and donations through its University Advancement division, it's unclear whether CAMCO followed those rules or if it was required to by the university. Experts say without those answers, it's hard to determine the scale of the problem.

“Is this a one-off or is this the tip of the iceberg?” Mayer said. “Because if it’s the tip of the iceberg, then the university needs to think seriously about stepping up its enforcement of these procedures and education of its faculty and staff about them and so forth.”

It’s also difficult to determine how Texas State classified CAMCO. Bank statements list Texas State CAMCO as a faculty and staff organization, but it is not listed as such on the university’s faculty and staff organization page. The university system did not respond to questions about whether it considers CAMCO a faculty and staff organization.

While Texas State’s policies say faculty and staff organizations cannot use the university’s federal tax identification number for their purposes, a February 2021 invoice provided to the Tribune by one CAMCO donor — St. David’s HealthCare — shows Lozano listed the university’s federal tax identification number.

Whether Lozano was supposed to do that is unclear. If he was, experts say that is not an unusual setup, but it does mean the university should be supervising those dollars.

“Texas State University is responsible for ensuring that donations it receives are used for charitable purposes,” said Jill Manny, executive director of the National Center on Philanthropy and the Law at New York University.

“Bigger than a man”
When initially contacted by the Tribune, CAMCO’s donors said they were not aware of an investigation into the group.

Austin Radiological Association and Texas Oncology declined to disclose how much money they had provided over time. St. David’s HealthCare informed the Tribune that it had contributed $55,000 to the organization since 2012.

None of the organizations would say if they plan to pursue legal action against Lozano or the university.

A Be The Match spokesperson said the group was also unaware of the investigation.

“Be The Match is concerned by the allegations,” spokesperson Erika Savilla said in a written statement. “Donor intent is something we take seriously and we always aim to be good stewards of financial gifts made to us. We expect the same of any individual or entity affiliated with us.”

Jon Hudson, a regional director for Be The Match who is based in San Antonio, expressed concern that this might deter organizations from partnering with them in the future, but hoped people would remember the larger purpose.

“It’s hard to swallow that this has happened,” he told the Tribune. “... Texas State CAMCO is bigger than a man,” he said.

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Criminal Justice

San Marcos Groups Push For Marijuana Decriminalization
By Annie Blanks
San Antonio Express News

Could marijuana be fully decriminalized in San Marcos? It may happen as early as November.

The latest effort to "free the herb" comes in the form of a petition drive to collect 4,400 signatures - 10 percent of San Marcos' registered voters - to place a referendum on the November ballot that would effectively decriminalize weed in city limits if it passes.

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The drive is being led by nonprofit grassroots group Mano Amiga and seeks to build on momentum it gained in 2020 after advocating for the successful passage of the city's so-called "cite-and-release" ordinance, which compels San Marcos police officers to issue citations - not handcuffs - for low-level criminal offenses, including possession of marijuana under four ounces.

San Marcos was the first city in Texas to pass such an ordinance.

But "the cite-and-release ordinance simply does not go far enough, especially when it comes to something as petty as possession of marijuana," said Sam Benavides, a spokeswoman for Mano Amiga. With cite-and-release, she said, those who are cited still have to show up to court within two weeks and work their way through the legal system.

"Having a charge of possession of marijuana on your record has the potential to negatively impact a person's life in so many ways," she said. "It can be found by employers, landlords, social services, and for students, it can even impact your financial aid status."

Mano Amiga is partnering with Ground Game Texas, a group that encourages voter engagement, to put the issue to voters in November.

The proposed ordinance would end citations and arrests for misdemeanor marijuana possession, prohibit San Marcos police officers from citing "odor of marijuana" as probable cause for search or seizure, and prohibit the use of city funds for THC concentration testing, among other things.

At a press conference near the quad at Texas State University on Tuesday, Mano Amiga was joined by a bipartisan group of Texas lawmakers and candidates to speak out against marijuana laws and encourage students and voters to sign the petition.

Hays County Judge Ruben Becerra, who ran for the seat and won in 2018 partially on a criminal justice reform platform, said decriminalizing marijuana is just the first step in dismantling a system that penalizes low-level and first-time drug offenders.

"Raise your hand if you know what Adderall is? Come on, I went to school here," Becerra said to the crowd of mostly Texas State students. "If it's not prescribed to you and you have a

tiny little bit in your pocket. … one pill of Adderall will land you in jail. It will be a felony, you will not be allowed to vote, you will not be allowed to apply for FAFSA, you will not be allowed to do so many things because you were trying to get ready for your genetics test."

State Rep. Erin Zwiener, a Democrat who represents Hays and Blanco counties, was joined by one of her two same-party challengers, Tia Angie Villescaz. And four of the ten candidates for House District 21, which represents the area north of San Antonio and much of Austin, were in attendance as well: Democrats Coy Branscum, David Anderson and Claudia Zapata, as well as Republican Dana Zavorka.

"It changed my life," he said. "Texans need medical cannabis. They need to not go to jail for a plant, first of all."

So far, the petition campaign has gathered 1,500 signatures. If it hits its goal of 4,400 signatures over the next 180 days, it will be placed on the November ballot for voters to decide.

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Opinion/Editorial

Analysis: In Texas, Cold Weather Brings A Political Chill
By Ross Ramsey
Texas Tribune

Lots of Texans have the shivers right now — some because it's supposed to turn cold this week, and some because of memories of what cold weather brought to the state a year ago this month.

What is predicted this week — a couple of days of hard freezes, with precipitation in parts of the state — is milder than the polar vortex that froze most of Texas for days in a row. High demands for heat and light during that storm outstripped the available supply of electricity, which was diminished by the storm's effects on electric generating plants and their fuel suppliers.

Chances are, you won't lose power this time. Don't you wish that was a certainty?

The state's top leaders are hoping they won't lose power, too, and their concerns go beyond the electric grid that covers most of the state.

The last two weeks have been harbingers of the political year ahead, starting with a herd of Republicans holding news conferences at the Texas-Mexico border and ending with Democrats talking about cold weather and the electric grid.

Republicans blame a Democratic administration in Washington, D.C., for huge increases in the number of people trying to cross into the U.S. over the last year. Democrats blame this energy state's Republican government for the failure of the electric grid last year, causing blackouts that left millions without power for several days in freezing temperatures and killed hundreds of Texans. Both parties want you to believe the sky is falling and that the other party

broke it.

Now comes the acid test. Texas forecasters say cold weather is coming in the next few days. On Tuesday, Gov. Greg Abbott rounded up the people you see behind the tables whenever the weather is foul, talking about preparations for the storm and including, for this weather event, some of the state's electric and natural gas regulators.

In late November, Abbott was wishing right along with the rest of us when he told Fox 7 News in Austin that "I can guarantee the lights will stay on." His office and his appointees reinforced that confident boast with a PR campaign through the end of the year.

They are projecting confidence that the electric generators have been winterized and that their sources of fuel — primarily natural gas — won't be hobbled by the cold like they were a year ago.

But that gubernatorial guarantee, questionable as it was, is off.

"No one can guarantee there won't be a 'load shed' event," Abbott said Tuesday. Load shedding is the term for shutting off electric power to groups of customers to keep demand below supply; it's a power outage.

The governor is not expecting a repeat of last year. He's finally nodding to reality: Demand for power could outstrip supply; trees could fall and take out transmission lines; it was always highly unlikely that no place in the state would go dark for a few hours and maybe for a few days.

Texans are nervous about it. Our memories of last year's frozen blackout are still fresh. And there is a primary election just ahead: Voters are in a spot to grade the governor's paper after this and other cold weather this month. Early voting starts Feb. 14, and the primary is March 1.

The political situation is way down the list of things normal people are worried about. They want to stay warm and safe, and their confidence about that was shaken by last year's storm.

It's evident, however, in the prep for this week's cold snap. The governor, who's on the Republican primary ballot and has been busy with border press conferences, TV ads, fundraising and all the rest, pulled together the officials and the regulators who'll be getting the credit if the lights and the heat stay on, and the blame if they don't. They were reassuring, saying they're ready for the cold and what it might bring.

Democrats are getting ready, too, for the politics of this stretch of winter. Beto O'Rourke, the best-known of the Democratic candidates for governor, is on what he calls a "keeping the lights on" tour, hoping voters will hold Abbott accountable for what happened last year, and hoping cold temperatures will rekindle their anger.

There is a lot of power at stake — both kinds.

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Biden's Southern Border Crisis Isn't Going Away

By Jason L. Riley
The Wall Street Journal

When is Joe Biden going to realize that Donald Trump didn't lose the election in 2020 because of his stance on illegal immigration? The Biden administration doesn't seem much interested in the havoc on our southern border, but the problem isn't going away. If anything, the situation has been worsening, and Republicans are certain to tee up border security as a midterm campaign theme.

Mr. Biden's overall job-approval rating is in the low 40s. That's worrying enough for Democrats, but Americans think even less of how the president is handling immigration, with only 36% of respondents voicing satisfaction in a recent CBS News poll. Obviously, people other than Fox News viewers are paying attention to the crisis. And what they've seen over the past year, in addition to White House indifference, is record levels of illicit border crossings, overflowing detention centers and, more recently, video footage of illegal immigrants being ferried (in the dead of night) from the southern border to New York, Florida and other parts of the country.

The administration doesn't deny that this is happening. When pressed last week, White House spokeswoman Jen Psaki matter-of-factly explained that when undocumented individuals can't be immediately removed from the country, they "are placed into immigration proceedings, and one of those avenues could be placement in an alternative-to-detention program in the interior of the United States." That, folks, is the administration's current policy for handling illegal immigration.

Predictably, the results have been a disaster. Apprehensions are a proxy for unlawful entries. When border apprehensions are up, it means we're experiencing higher levels of illegal immigration. In the last fiscal year, which ended Sept. 30, there were a record-breaking 1.7 million arrests at the border. For all of 2021, there were just shy of two million, far above the previous record of 1.6 million set in 2000. Worse, there is every indication that the administration is on pace to make history again. Reuters reports that "border officials are preparing for as many as 9,000 border arrests per day by the spring, according to two Department of Homeland Security officials, which would be significantly larger than last year's peak."

What's happening at the border cannot be divorced from what's happening with the economy. The Journal reported Tuesday that the labor market "remained tight at the end of last year with job openings and worker turnover hovering near the highest levels on record." Worker pay rose in 2021 at the fastest rate in two decades, yet labor shortages persist, and immigrants are coming, legally and otherwise, to meet the demand. The wisest way to deal with the crunch on the border is to toughen enforcement while also giving economic migrants more ways to enter and work here legally. But these days Republicans and Democrats can't agree that water is wet, let alone come together on any sensible immigration reform.

None of this means that the current administration should escape blame for making a bad situation demonstrably worse. Like all of us, immigrants respond to incentives, and Democrats have roundaboutly encouraged people to try their luck. Officially, the administration is telling migrants not to come to the U.S., but it's been clear for a long time that those who make it here have a good chance of staying. The Build Back Better legislation that Democrats wanted to pass included provisions that would legalize the status of millions of people who are here

unlawfully. For an enterprising Central American who wants a better return on his human capital, a porous border and possible amnesty are just as attractive as an economy bursting with job opportunities.

Vice President Kamala Harris traveled last month to Honduras, a major source of illegal immigration to the U.S. in recent years. Ms. Harris likes to tell us that she's focused on "root causes," which is lovely in theory but wildly impractical given the current situation. In any case, root causes are something to be addressed along with, not in lieu of, an immediate crisis. At some level, winking at illegal immigration can also be considered a "root cause."

His supporters don't like to hear it, but Donald Trump's anti-immigrant bark was bigger than his bite. His "beautiful wall" was never built, and the size of the illegal population grew on his watch prior to Covid, albeit at a slower pace than under his predecessor. Mr. Trump was most effective at conveying to the country that the U.S. is a sovereign nation, meaning that we get to decide who comes here and on what terms. His over-the-top rhetoric was often grating, but the underlying sentiment resonated, and still does, even among people who didn't vote for him. The Biden administration's failure to grasp this reality and chart a different course on border enforcement could cost Democrats dearly in November.

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Greg Abbott News

'Today, More Texans Have A Job Than Ever Before': Gov. Greg Abbott Talks State Of Jobs In Texas
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Video

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Governor: Protecting Energy Industry Spurs Reelection Bid
By Mella McEwen
Midland Reporter Telegram

Gov. Greg Abbott brought his race for reelection to Midland Tuesday for an event accepting the endorsements of several oil and gas associations.

“The reason I’m running for reelection is to ensure the security of Texas oil and gas,” he told the gathering at 3S Services on Elkins Road in east Midland.

In addition to the endorsement from 3S Services, Jason Modglin, president of the Texas Alliance of Energy Producers, Thure Cannon, president of the Texas Pipeline Association and Todd Staples, president of the Texas Oil and Gas Association also offered their endorsements of the incumbent governor.

Abbott said the industry associations and their members “fuel Texas and fuel the US. What they do every singe day to produce energy and provide energy makes Texas better every day.”

He noted that Texas has led the nation as the top state for business and to do business in every year he has served as governor. In fact, he said, over the last two years the state’s economy has advanced from 10th largest in the world to ninth largest in the world, overtaking Brazil.

“As we gather in Midland today, more Texans have a job than in the entire history of our great state,” he said. “There’s a direct connection between that and what the oil and gas industry does.”

Nationwide, the industry employs millions in high paying jobs that have made the state and the nation energy independent, Abbott said, and he vowed Texas “will not allow leftists destroy the energy sector by crushing the high-paying jobs in Midland and Odessa.”

No matter the headwinds against the industry from federal regulators, Abbott continued, "we should be proud of the work we do, the produces we provide and the energy we provide that powers the economy."

With clouds gathering in advance of a major winter storm due to blow through Texas Wednesday and Thursday, Abbott fielded questions about the readiness of the state's power grid in the aftermath of last year's Winter Storm Uri.

He noted that he had signed 12 laws to strengthen the grid after last year's legislative session, including requiring winterization of infrastructure. Approximately 99 percent of all power generation facilities had passed winterization inspections, he said. A number of power generators have installed alternative sources of power, he added. In addition, far more natural gas facilities have been designated as critical infrastructure than last year. That means, he said, that the Energy Reliability Council of Texas won't cut off power to natural gas processing plants and other infrastructure as it did last February.

Another development is the availability of additional power, Abbott said. "My guess is the grid is expecting peak demand in the early morning hours Friday," he said. "There's 13,000 megawatts more power that will be available at peak demand."

One thing that could help expand the state's power generation capacity could be Bitcoin and other cryptocurrencies, Abbott said. He explained that they won't help fuel the grid but the rising and ongoing demand for electricity coming from bitcoin mining could incentivize companies to build new power generation facilities.

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Abbott Picks Up Energy Endorsements
By Michael Bauer
Odessa American

Texas Gov. Greg Abbott returned to the Permian Basin Tuesday where he picked up five endorsements from the state's energy industry.

The endorsements were announced during an event hosted by 3S Services in Midland.

High-ranking members from the Texas energy industries were present as they announced their backing of the governor, who is seeking a third term with this year's gubernatorial election campaign in full swing.

The primaries will be held on March 1 and early voting will begin on Feb. 14.

"We're delighted to be here," Texas Oil and Gas Association President Todd Staples said. "There's a reason why Midland and the Permian Basin, is the energy capital of the world and it's because of all the men and women here today that work hard every day to

do their best to make Texas the number one state in the nation in the production of oil and natural gas."

Staples touted the state's high ranking for job growth, crediting the people in the oil and gas industries and Abbott's policies as governor.

"We have a governor that is pro-business, pro-oil and gas and pro-jobs," Staples said. "There's a reason that Texas continues to rank number one in the country for job growth and it's because of the men and women and the jobs that you do and the leaders like Abbott who understands that we can protect our environment and protect our economy at the same time and I'm proud to announce that the Texas oil and gas association good government committee is proud to endorse Greg Abbott for four more years."

Other people who spoke at the event included Texas Alliance of Energy Producers President Jason Modglin and Texas Pipeline President Thure Cannon.

Abbott thanked the organizations for their endorsements.

"This is the roundhouse of the energy sector of the entire state of Texas," Abbott said. "These associations and their members fuel the state of Texas and fuel the United States of America. I thank them for what they do every day to provide and help make Texas a better state."

Abbott was first elected governor in 2014, defeating Wendy Davis before getting reelected in 2018 over Lupe Valdez.

He is currently trying to seek the Republican nomination with Allen West, Donald Huffines and Daniel Harrison also running.

Democrat Beto O'Rourke is seeking his party's nomination as the Democrats attempt win the Texas governor's race for the first time since 1990.

"In large part, because of what these organizations and their members do, Texas consistently ranks the number one state in almost every business category," Abbott said. "We are the number one state of affordable production of oil and gas. Texas has ranked number one for doing business ever since I became governor. Texas has been the number one state for the most economic expansion of any other state."

Texas Governor Greg Abbott, right, speaks during a press conference related to his re-election campaign Tuesday afternoon at 3S Services Pipeline in Midland. (Eli Hartman/Odessa American)

Towards the end of the event, the governor took a few questions from the media including possible concerns with the upcoming winter storm expected this week with snow expected Thursday.

It has been a year since the 2021 winter storm knocked power out all across the state.

Abbott says the state is more prepared this year, saying there is "about 15 percent more capacity than last year."

"In addition to that, we have more power reserves than we had last year," Abbott said. "We also have required winterization of all power generation facilities. 99 percent of all power generation facilities in the state of Texas have passed inspections to make sure that those power producers will be reliable and be able to generate power. … There are more natural gas facilities that are designated as critical infrastructure this year to ensure the ongoing operation. Amazingly last year, ERCOT actually shut down power to natural gas facilities in regions across the entire state. That hindered our ability to get natural gas from those entities. Last winter, only 60 facilities were designated as critical infrastructure. Today, more than 1,500 are designated as critical infrastructure. That means there will be no power shut downs to those facilities, many that are oil and gas sectors."

Wednesday's high will be 48 with a low of 23 with snow expected as the temperatures begin to plummet. Thursday's temperature will be even colder with a high of 27 and a low of 16.

Friday is expecting sunny skies but only a high of 36 with a low of 10, Saturday and Sunday are expected to be the same.

"The grid is expected to hit peak demand in the early morning hours on Friday," Abbott said. "It was projected that at that peak demand time, there will be a surplus of power of about 13,000 megawatts of power. That's a large amount of power. Also, there are now alternative sources of power at the power generators that if they were to run out of natural gas, they'll have other sources of natural power to generate electricity."

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Administration News

Texas AG Ken Paxton Has Raised $3M Since July, But His Challengers Combined Have Taken In Twice As Much, Reports Show
By Taylor Goldenstein
San Antonio Express News

Despite ongoing legal troubles, Texas Attorney General Ken Paxton continues to demonstrate his fundraising prowess, pulling in $3 million since July, according to campaign finance statements.

However, former Supreme Court Justice Eva Guzman — one of his three GOP primary challengers — raised about $1.3 million more than Paxton from July 1 to Jan. 20, reports show. She and the other challengers combined took in more than twice as much as

Paxton, suggesting that he faces a fight to reach the 50 percent threshold needed in the March 1 primary to avoid a runoff.

A Jan. 28 poll by the University of Houston's Hobby School of Public Affairs shows Paxton with the support of 39 percent of all GOP primary voters and 44 percent of likely Republican voters. Paxton has been endorsed by former President Donald Trump.

Texas Land Commissioner George P. Bush trailed among all GOP primary voters at 16 percent, followed by East Texas congressman Louie Gohmert at 13 percent and Guzman at 8 percent. Still 24 percent were undecided.

While Paxton has the largest war chest — $7.5 million, compared to about $2 million and $2.6 million respectively for Guzman and Bush — the latest figures indicate Paxton is not in safe, no-runoff territory. Early voting begins Feb. 14.

"As an incumbent who does have name ID, I think he should be there (at over 50 percent)," said Renée Cross, senior director of the Hobby School. "But I think it's most likely because of the issues surrounding his ethics violations, particularly for the office that he's holding, that have allowed a Guzman, or any of them, to be in the position to force a runoff."

Paxton's challengers have zeroed in on his sea of legal difficulties — his 2015 indictment for felony securities fraud and an ongoing FBI investigation of allegations that he used his office to help a political donor. Former aides claim in a whistleblower suit that they were wrongfully terminated out of retaliation for reporting him to authorities. The criminal case against Paxton has yet to go to trial. He has denied all wrongdoing.

Cross noted that the same poll shows Republican Gov. Greg Abbott with a commanding lead over his two primary challengers, former GOP chair Allen West and former Texas state Sen. Don Huffines.

Paxton has focused his political attacks on Gohmert, Cross said, most likely because they both appeal to far-right voters. Bush or Guzman have staked out more moderate positions. Much will depend on how Paxton's competitors use the remaining weeks — and spend the cash they've accumulated — to increase their name recognition and make their case to voters.

Paxton took in several large donations since July 1. The biggest check — a quarter of a million — came from the Republican Attorney Generals Association.

The association was mired in controversy early last year after an offshoot group sent out a robocall a week before Jan. 6, 2021 encouraging "patriots" to attend the March to Save America rally, at which Paxton spoke and which preceded the U.S. Capitol attack. The association's finance director, which spearheaded the offshoot group, resigned in the aftermath.

“RAGA has a long history of supporting incumbent Republican AGs,” said Johnny Koremenos, spokesman for the association, which Paxton chaired in 2019.

Other top donors include Hill Country Republican megadonor Michael Porter, who along with his wife owns Cross Creek Ranch in Doss, a town of a few hundred people outside Fredericksburg; and Holly Frost, CEO of Texas Memory Systems and husband of failed congressional candidate Kathaleen Wall. Each gave $100,000. The majority of Paxton’s donors gave $10,000 or more, while just 12 percent gave $1,000 or less.

The bulk of Guzman’s fundraising came from large donors, including Texans for Lawsuit Reform PAC, a powerful tort-reform group that is among the top political funders in the state. The group, which notably switched its support from Paxton in the past to Guzman, gave about $1.2 million, including $606,050 in-kind for political advertisements.

Other big-ticket donors include Richard Weekley, the group’s co-founder and CEO ($500,000); board member Alan Hassenflu ($250,000); and Dallas real estate developer Harlan Crow ($500,000). Guzman spent about $3.4 million, mostly on advertisements and direct mail campaign flyers, and had about $2 million on hand.

Bush raised about $2 million over the same six-plus-months, mainly from about 65 donors who gave $10,000 or more.

Among his top donors were Los Angeles-based developer and billionaire Edward P. Roski, Jr., who co-owns the NHL’s Kings and NBA’s Lakers; Austin-based tech investor Alexander Davis and his philanthropist wife Lindsay; and John B. Bellinger III, former legal adviser to Bush’s uncle, former President George W. Bush. Each gave $50,000. Bush spent about $2.7 million, mostly on salaries and fundraising efforts, and had about $2.6 million on hand, as of Jan. 20.

According to the Hobby School poll, there was “greater antipathy” toward Bush than any other candidate.

Thirty-seven percent of almost-certain voters said they would never consider voting for Bush, compared to much lower percentages who’d never consider Paxton (11 percent), Gohmert (10 percent), and Guzman (16 percent).

Gohmert, who didn’t jump into the race until mid-November, raised about $1 million — the amount he had said he’d need to raise in 10 days to spur him to launch a campaign. Campaign finance records, however, show his contributions didn’t total that amount until very recently. Still, Gohmert insisted in a statement to the Texas Tribune that he had secured commitments that helped him reach the goal, even if it was not yet in hand.

“Getting all of the money in house took more time, but we got it just as we were promised and just as we promised,” Gohmert said. He said the financial support has

allowed him to seek "to deliver an ethical alternative in the AG race who is conservative all the time and not just when information arises as to our AG's improprieties."

The majority of Gohmert's funding came from state Rep. Mayes Middleton, the chair of the Texas Freedom Caucus who is running for Texas Senate this year with Lt. Gov Dan Patrick's backing ($300,000), and state Rep. Matt Krause, another caucus member who dropped out of the attorney general's race in November to run for district attorney in his home county ($250,000).

"Congressman Gohmert is running in the lane I had occupied in the attorney general race," Krause said in a statement. "(He is) a proven, principled conservative who was concerned about the cloud of controversies surrounding the incumbent. It only made sense to support him in his efforts."

Gohmert spent about $126,500, mainly on transportation and fundraising-related costs, and he has about $888,000 on hand.

As for the Democratic primary race, former Galveston Mayor Joe Jaworski and civil rights attorney Lee Merritt raked in the most cash between July 1 and Jan. 20 — about $514,000 and $446,000 respectively. Former ACLU attorney Rochelle Garza, who joined the race in November after redistricting scrambled her plans to run for Congress, has raised about $141,000.

Former Harris County Judge Mike Fields has not raised anything yet, and Dallas attorney Stephen "T-Bone" Raynor has given himself $200, reports show.

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Texas Legislature

Federal Judges Won't Halt Texas Primary In State Senate District Being Challenged For Alleged Discrimination
By Alexa Ura
Texas Tribune

A federal three-judge panel in El Paso on Tuesday denied a request by Tarrant County residents to block a reconfigured state Senate district from being used in the upcoming March primary election while they pursue a lawsuit arguing that Texas lawmakers intentionally discriminated against voters of color when they redrew its boundaries.

The legal challenge to Senate District 10 in the Fort Worth area offered the only avenue to alter the state political maps drawn last year by the Legislature before the primary election. The Republican-controlled Legislature used the once-a-decade redistricting process to draw maps solidifying the GOP's political dominance while weakening the influence of voters of color.

Without a successful appeal to the U.S. Supreme Court, the maps will remain in place until later this year, when the panel is expected to hold a trial to hear the large collection of challenges to the new maps for the state House and Senate, the State Board of Education and the state's Congressional seats.

The plaintiffs — including Democratic state Sen. Beverly Powell, who represents SD-10 in its previous configuration — and attorneys for the state faced off in an El Paso courtroom last week during a four-day hearing before the three-judge panel. The plaintiffs were asking for a temporary injunction blocking the primary using the redrawn SD-10.

Local elected leaders took the stand, trying to convince the court that using the Legislature's map would undermine the voices of Black and Hispanic voters by cracking apart the voting blocs that existed in the previous SD-10 and sinking them into districts with majority-white electorates.

Under the GOP map, some Black and Hispanic populations previously in District 10 were split into two other districts. The Black and Hispanic voters remaining in the newly drawn District 10, in urban areas of south Fort Worth, were lumped in with several rural, mostly white counties to the south and west, driving up the district's population of white eligible voters while diminishing the number of voters of color.

The new map "would keep African American and Hispanic voters from ever being able to elect their candidate of choice," Tarrant County Commissioner Roy Brooks, a plaintiff in the case, told the court.

Meanwhile, the state argued that the reconfiguration of SD-10 was motivated by partisanship, not race, and the plaintiffs were unable to prove that race was the predominant factor motivating the Legislature's action. The chamber's chief map-drawer, Sen. Joan Huffman, R-Houston, said throughout the redistricting process that the maps were drawn "race-blind" but were presented to legal counsel who cleared them as compliant with federal law meant to protect voters of color from discrimination.

She has repeatedly declined to disclose how they reached that conclusion, though. In a deposition for the SD-10 challenge, Huffman invoked legislative privilege to shield herself from answering questions about her considerations while redrawing the district.

The redrawn SD-10 will offer Republicans an easier bid to pick up another seat in the Republican-controlled chamber following a series of elections in which the Senate district flipped from Republican to Democratic control.

The state also argued it was too late to make changes for the March 1 primary, for which mail-in ballots have already started going out. In-person early voting begins Feb. 14.

The three-judge panel did not specify its reasons for siding with the state in its Tuesday order, saying those would be contained in a forthcoming opinion. The panel did note the

state's argument that an order to block the use of the redrawn SD-10 so close to the primary election would "fly in the face" of the Supreme Court's previous warnings that lower courts should not make changes "on the eve of an election."

The challenge to SD-10 is just one of several federal lawsuits challenging the maps based on allegations that lawmakers discriminated — in some cases intentionally — against voters of color by diminishing the power of their votes.

The collection of individual voters and organizations representing voters of color that sued the state are joined in their challenge to the maps by the Biden administration, which last year jumped into what's expected to be a protracted fight over the political boundaries the state will use for elections to come.

The cases are being heard by federal district judges David Guaderrama and Jeffrey Brown and federal appellate judge Jerry Smith from the 5th U.S. Circuit Court of Appeals. Guaderrama is an Barack Obama appointee while Brown is a Donald Trump appointee. Smith was appointed by Ronald Reagan.

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Energy

ERCOT Expects Higher Power Use Amid Cold Snap, But Says Texas Grid Can Handle Demand
By Bob Sechler
Austin American Statesman

With wintery weather forecast across Texas this week, demand on the state's power grid might approach the peak seen during the deadly freeze in February 2021 — but state officials say the grid will be able to handle the strain.

Power demand this week could hit a peak of up to 73,000 megawatts, according to the Electric Reliability Council of Texas — just shy of the estimated 77,000-megawatt peak in February 2021. If ERCOT's projection proves accurate this week, it also would be well above a November forecast from the agency that called for a peak of about 62,000 megawatts this winter under "average weather conditions."

Still, ERCOT previously has said more than enough generation capacity — 85,000 megawatts — should be available to handle this year's winter peak.

In advance of last winter, however, the agency also voiced confidence that power supplies would be well above peak demand. Instead, multiple days of subfreezing temperatures and prolonged precipitation last February caused a cascade of failures across the energy sector and a near-collapse of the electricity grid — triggering extensive blackouts that contributed to hundreds of deaths and billions of dollars in property damage.

With winter weather conditions expected across much of Texas this week, “ERCOT will deploy all the tools available to us to manage the grid effectively during this winter weather,” said Brad Jones, ERCOT’s interim CEO.

Gov. Greg Abbott, speaking at a news conference Tuesday regarding state preparations for the upcoming storm, reiterated his vow that there won't be a repeat of last February's calamity. But he said it's possible individuals could experience temporary, localized power outages caused by storm-related issues such as downed power lines.

"No one can guarantee that there won't be a (localized) event," Abbott said. "But what we will work and strive to achieve and what we're prepared to achieve is that the power is going to stay on across the entire state."

Both the Texas Public Utility Commission and ERCOT have taken steps aimed at bolstering the grid for this winter, including putting in place the first-ever winterization mandates for power plants and inspecting many of them for compliance.

In addition, weather forecasts over the next few days don't call for conditions to be nearly as bad as they were in February 2021. Freezing temperatures aren't expected to last as long without a thaw as they did then, and precipitation isn't expected to be as widespread or prolonged.

"No one can guarantee that there won't be a (localized) event" caused by winter storm-related issues such as downed power lines, Gov. Greg Abbott says.

“There’s good reason to believe we are not going to suffer any significant outages" statewide over the next few days, said Mark Jones, senior research fellow at the University of Houston’s Hobby School of Public Affairs.

But Jones said he doesn't think that will be the case if the weather takes a major turn for the worse.

"There is reason to be concerned that the grid is not ready for another cold snap equivalent to what we experienced last February," he said. "What remains to be seen is how low can the temperature go and the grid remain resilient. That is an unknown, and it's an unknown that the governor has staked his reputation on" by guaranteeing that there won't be another grid-related disaster.

In November, Abbott guaranteed that “the lights will stay on” this winter and that there won’t be a repeat of last February's calamity. He also said after last year's session of the Legislature that "everything that needed to be done was done to fix the power grid in Texas."

Jones said a statewide poll by the Hobby School in January found that nearly half of Texans — 49% — say they'll hold Abbott responsible if there's another significant grid failure. That's second only to the 70% of respondents who said ERCOT, the grid's operator, will bear a major portion of the blame, he said.

Regardless, ERCOT said Tuesday that it isn't taking anything for granted in advance of this week's wintry weather and has been ordering power plants "across the region to postpone planned (maintenance) outages and to return from outages already in progress" until the storm threat has passed.

Peter Lake, chairman of the Public Utility Commission, center, speak during a press conference Tuesday with Gov. Greg Abbott, left, and representatives from the Texas Division of Emergency Management and ERCOT about winter storm preparations. "ERCOT will deploy all the tools available to us to manage the grid effectively during this winter weather," said Brad Jones, ERCOT's interim CEO. "We are coordinating closely with the Texas Division of Emergency Management, the Public Utility Commission and elected officials — as well as electric generators and transmission and distribution utilities — to keep Texans informed throughout the week."

Still, some energy experts and public interest groups have said the state's natural gas sector — which provides the fuel that many power plants use to operate — remains a potential Achilles' heel in this winter's grid preparations.

That's because the Texas Railroad Commission oversees the natural gas sector industry and hasn't mandated any winterization requirements yet.

Instead, the Railroad Commission has been expressing confidence in voluntary winterization efforts that have been made by natural gas companies.

"I've been very proud to see that the industry this year has introduced lots of different ways of trying to make sure that nothing freezes up at the wellhead, or at gas transmission facilities or storage" facilities, said Jim Wright, a member of the Railroad Commission, speaking at Tuesday's news conference with Abbott.

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Why Are Oil Prices So High And Will They Stay That Way?
By Clifford Krauss
The New York Times

Oil prices are increasing, again, casting a shadow over the economy, driving up inflation and eroding consumer confidence.

Crude prices rose more than 15 percent in January alone, with the global benchmark price crossing $90 a barrel for the first time in more than seven years, as fears of a Russian invasion of Ukraine grew.

Though the summer driving season is still months away, the average price for regular gasoline is fast approaching $3.40 a gallon, roughly a dollar higher than it was a year ago, according to AAA.

The Biden administration said in November that it would release 50 million barrels of oil from the nation's strategic reserves to relieve the pressure on consumers, but the move hasn't made much of a difference.

Many energy analysts predict that oil could soon touch $100 a barrel, even as electric cars become more popular and the coronavirus pandemic persists. Exxon Mobil and other oil companies that only a year ago were considered endangered dinosaurs by some Wall Street analysts are thriving, raking in their biggest profits in years.

Why are oil prices suddenly so high?
The pandemic depressed energy prices in 2020, even sending the U.S. benchmark oil price below zero for the first time ever. But prices have snapped back faster and more than many analysts had expected in large part because supply has not kept up with demand.

Oil prices are at their highest point since 2014.
Price of a barrel of Brent crude, the global benchmark, and West Texas Intermediate, the U.S. standard

Western oil companies, partly under pressure from investors and environmental activists, are drilling fewer wells than they did before the pandemic to restrain the increase in supply. Industry executives say they are trying not to make the same mistake they made in the past when they pumped too much oil when prices were high, leading to a collapse in prices.

Elsewhere, in countries like Ecuador, Kazakhstan and Libya, natural disasters and political turbulence have curbed output in recent months.

"Unplanned outages have flipped what was thought to be a pivot towards surplus into a deep production gap," said Louise Dickson, an oil markets analyst at Rystad Energy, a research and consulting firm.

On the demand side, much of the world is learning to cope with the pandemic and people are eager to shop and make other trips. Wary of coming in contact with an infectious virus, many are choosing to drive rather than taking public transportation.

But the most immediate and critical factor is geopolitical.

A potential Russian invasion of Ukraine has "the oil market on edge," said Ben Cahill, a senior fellow at the Center for Strategic and International Studies in Washington. "In a

tight market, any significant disruptions could send prices well above $100 per barrel," Mr. Cahill wrote in a report this week.

Russia produces 10 million barrels of oil a day, or roughly one of every 10 barrels used around the world on any given day. Americans would not be directly hurt in a significant way if Russian exports stopped, because the country sends only about 700,000 barrels a day to the United States. That relatively modest amount could easily be replaced with oil from Canada and other countries.

A Russian invasion of Ukraine could interrupt oil and gas shipments, which would increase prices further.Credit...Brendan Hoffman for The New York Times
But any interruption of Russian shipments that transit through Ukraine, or the sabotage of other pipelines in northern Europe, would cripple much of the continent and distort the global energy supply chain. That's because, traders say, the rest of the world does not have the spare capacity to replace Russian oil.

Even if Russian oil shipments are not interrupted, the United States and its allies could impose sanctions or export controls on Russian companies, limiting their access to equipment, which could gradually reduce production in that country.

In addition, interruptions of Russian natural gas exports to Europe could force some utilities to produce more electricity by burning oil rather than gas. That would raise demand and prices worldwide.

What can the United States and its allies do if Russian production is disrupted?
The United States, Japan, European countries and even China could release more crude from their strategic reserves. Such moves could help, especially if a crisis is short-lived. But the reserves would not be nearly enough if Russian oil supplies were interrupted for months or years.

Western oil companies that have pledged not to produce too much oil would most likely change their approach if Russia was unable or unwilling to supply as much oil as it did. They would have big financial incentives — from a surging oil price — to drill more wells. That said, it would take those businesses months to ramp up production.

What is OPEC doing?
President Biden has been urging the Organization of the Petroleum Exporting Countries to pump more oil, but several members have been falling short of their monthly production quotas, and some may not have the capacity to quickly increase output. OPEC members and their allies, Russia among them, are meeting on Wednesday, and will probably agree to continue gradually increasing production.

In addition, if Russian supplies are suddenly reduced, Washington will most likely put pressure on Saudi Arabia to raise production independently of the cartel. Analysts think that the kingdom has several million barrels of spare capacity that it could tap in a crisis.

What impact would higher oil prices have on the U.S. economy?
A big jump in oil prices would push gasoline prices even higher, and that would hurt consumers. Working-class and rural Americans would be hurt the most because they tend to drive more. They also drive older, less fuel-efficient vehicles. And energy costs tend to represent a larger percentage of their incomes, so price increases hit them harder than more affluent people or city dwellers who have access to trains and buses.

But the direct economic impact on the nation would be more modest than in previous decades because the United States produces more and imports less oil since drilling in shale fields exploded around 2010 because of hydraulic fracturing. The United States is now a net exporter of fossil fuels, and the economies of several states, particularly Texas and Louisiana, could benefit from higher prices.

What would it take for oil prices to fall?
Oil prices go up and down in cycles, and there are several reasons prices could fall in the next few months. The pandemic is far from over, and China has shut down several cities to stop the spread of the virus, slowing its economy and demand for energy. Russia and the West could reach an agreement — formal or tacit — that forestalls a full-scale invasion of Ukraine.

And the United States and its allies could restore a 2015 nuclear agreement with Iran that former President Donald J. Trump abandoned. Such a deal would allow Iran to sell oil much more easily than now. Analysts think the country could export a million or more barrels daily if the nuclear deal is revived.

Ultimately, high prices could depress demand for oil enough that prices begin to come down. One of the main financial incentives for buying electric cars, for example, is that electricity tends to be cheaper per mile than gasoline. Sales of electric cars are growing fast in Europe and China and increasingly also in the United States.

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Texans Split On Whether State's Power Grid Can Withstand Another Record Freeze Like 2021, Poll Finds
By Sami Sparber
Dallas Morning News

While 46% of Texas registered voters say they're confident the state's power grid is prepared to avoid blackouts this winter, 47% say they aren't, a new Dallas Morning News-University of Texas at Tyler poll found.

By a plurality of 42%-37%, they think state officials are most accountable for successful operation of the grid, more than energy companies.

Bolstering the grid ranks as a higher priority than securing the Texas-Mexico border for 50% of respondents, the poll found, even as Gov. Greg Abbott and other GOP officials emphasize concerns about a migrant surge at the border.

The poll, conducted Jan. 18-25, surveyed 1,082 adults who are registered voters and has a margin of error of plus or minus 3.5 percentage points.

Those with confidence in the grid prioritize securing the border over the grid, 55%-38%. Meanwhile, those who worry about the grid prioritize improving it over providing more border security, 65%-35%.

“It is not often that public uncertainty in utilities is recognized as more important than national issues,” said UT-Tyler political scientist Mark Owens, the poll’s director. “However, regarding the preparedness of the grid in Texas, the 47% who have little to no confidence that blackouts will be avoided see this as a top issue and are looking for action.”

Avoiding a repeat of last February’s deadly storm and utility outages was a priority during the 2021 legislative session, when lawmakers passed measures to bolster the grid.

Abbott has guaranteed the lights will stay on this winter. But ahead of the storm expected to hit this week, he said Tuesday no one could guarantee that there wouldn’t be any “load shed events” – a term that means planned blackouts.

Texas Gov. Greg Abbott speaks at a press conference Tuesday, Feb. 1, 2022, to discuss the state's preparation for the impending winter storm.

The power grid has emerged as a hot topic in the 2022 election, with Democrat Beto O’Rourke accusing Abbott of failing to fix the grid by ensuring that natural gas companies and power generators weatherize facilities.

“Right now, how voters feel about the electricity grid is still shaping the evaluation of leaders and who people plan to vote for,” Owens said.

Among those who are confident or fairly confident in the grid, 66% think Abbott does a good job responding to crises and 63% plan to vote for the incumbent.

The poll found 60% of voters who have little to no confidence that Texas will avoid blackouts evaluate the governor’s crisis response poorly, and 46% plan to vote for O’Rourke.

“When Greg Abbott let the grid fail last February, we lost a lot of good people,” O’Rourke said Monday in a statement announcing his “Keeping the Lights On” tour across Texas. “But while those in power failed us, we would not fail each other. Everyday Texans stepped up and brought us through this crisis.”

While 65% of Republicans disagreed, more than three-quarters of Democrats and 51% of independents think strengthening the grid is more important than border security.

Abbott's mobilizing of Texas National Guard troops to the U.S.-Mexico border has come under scrutiny amid reports that soldiers were hastily deployed without proper equipment, regular pay or a clear purpose.

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Business/Economy

States Are Complicating Corporate Pandemic Planning
By Andrew Ross Sorkin, Jason Karaian, Sarah Kessler, Stephen Gandel, Michael J. de la Merced, Lauren Hirsch and Ephrat Livni
The New York Times

Red tape, red states
Now that the Biden administration's nationwide coronavirus vaccine mandate for large companies has been overturned by the Supreme Court, employers are left to navigate a thicket of state and local rules. In New York, that means private employers have to require vaccines. In Florida and Texas, laws limit the pandemic protocols they can put in place.

And so, the companies that flocked to states like Florida and Texas in search of low taxes and light regulation have found themselves dealing with lots of red tape, at least when it comes to Covid policies. For companies with national footprints that introduced vaccine mandates, or were preparing to do so before the Supreme Court ruling, this makes designing workplace policies more complicated.

The states of play:

- In Florida, where 65 percent of people are fully vaccinated, businesses must allow for an extensive list of exemptions to vaccine mandates, effectively making them moot. Violations of the rules can cost as much as $50,000 per incident.
- In Texas, where 59 percent of people are fully vaccinated, Gov. Greg Abbott issued an executive order in October declaring that no employer could compel vaccination for someone who conscientiously objects to it. And businesses that ask customers for proof of vaccination can face stiff penalties, including the loss of a liquor license.

How big companies are reacting:

- Disney suspended its national vaccine mandate for employees in Florida, as it works to keep the requirement in place for workers in California.
- The Related Companies, which mandated vaccines for all of its employees in April, is no longer requiring them of its staff in Florida.
- Several financial firms, including Vanguard and Blackstone, are maintaining vaccine mandates that apply only to people entering their offices.

- BP, whose 3,500 Houston office employees are working remotely, is requiring employees to be vaccinated or tested twice weekly once they start going back in person.

Beyond taxes and regulation, vaccine rules could become a factor as states compete to attract business. “It’s a line that they need to straddle very carefully,” said Ian Carleton Schaefer, a partner at the law firm Loeb & Loeb. “To make sure that their politics on the vaccination issue don’t drive away the bigger-ticket issue — like making it an employer-friendly state to do business.”

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Immigration/Border Security

230 Pounds Of Marijuana Seized Near South Padre Island, Coast Guards Say
By Brittany Taylor
KPRC

More than 200 pounds of marijuana was seized Monday near South Padre Island, according to the U.S. Coast Guard.

At 1 a.m., three people were allegedly seen with bales on their backs attempting to cross the Brownsville Ship Channel on a raft.

When the Coast Guard crew stopped the raft, they seized 230 pounds of marijuana and took the men back the Station South Padre Island, authorities said. They were then transferred to Homeland Security Investigations and the contraband was sent to South Padre Island Police Department for processing.

“Drug trafficking is a major problem we face along Texas’ southern border,” said Lt. Cmdr. Daniel Ippolito, officer-in-charge of Station South Padre Island. “With the assistance of our partner agencies, we remain ever-vigilant and committed to combating the drug trade and protecting our nation’s borders.”

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Authorities Seize Thousands In Ammunition At Border
By Victoria Lopez
KRGV

United States Customs and Border Protection, Office of Field of Operations at the Hidalgo International Bridge intercepted 5,000 rounds of ammunition Thursday.

On January 27, CBP officers conducting outbound enforcement operations at the Hidalgo International Bridge came across a vehicle requiring further inspection, according to a press release.

Driven by a 23-year-old, the vehicle was referred to a second inspection.

Physical inspection revealed 5,000 rounds of 7.62×39 rifle ammunition as well as $4,555 which was also seized as proceeds of illicit activity.

CBP OFO seized the ammunition and vehicle and arrested the driver.

Port Director Carlos Rodriguez issued a statement regarding the incident.

The undeclared exportation of weapons and ammunition into Mexico is illegal. Our CBP officers prevented this ammunition from reaching Mexico thanks to their diligent inspection work.

This case remains under investigation by special agents with U.S. Immigration and Customs Enforcement-Homeland Security Investigation.

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Transportation

Southwest Airlines Suspends All Dallas Love Field Flights Thursday Ahead Of Incoming Winter Storm
By Kyle Arnold
Dallas Morning News

Southwest Airlines has suspended all flights in and out of Dallas Love Field on Thursday with snow and sub-freezing temperatures expected to accompany an approaching winter storm.

Southwest Airlines, which is headquartered at Love Field, has issued travel advisories for 13 airports in Texas, Arkansas, Kansas, Kentucky, Oklahoma and Tennessee ahead of the winter storm expected to sweep through the region with snow, sleet and ice accumulation and drop temperatures into the 20s and even teens between Thursday and Saturday.

The Dallas-based carrier has even canceled all of its flights out of St. Louis Lambert International Airport on Wednesday with plans to reopen on Thursday.

“Our operational planners are carefully tracking Winter Storm Landon as it moves eastward across the United States and making adjustments to our schedule as necessary,” Southwest said in a statement.

Southwest had 352 flights scheduled Thursday at Love Field, according to aviation analytics firm Cirium. Southwest had 162 flights in and out of St. Louis Wednesday.

American Airlines also has preemptively canceled about 300 arriving and departing flights out of DFW International Airport for Thursday, about 25% of all flights scheduled for that day, according to Flightaware.com. Systemwide, American Airlines has canceled about 820 flights due to the storm.

“This week’s winter storm is expected to have a significant impact on our operation, especially in the Northeast and Central regions of the United States,” American Airlines spokeswoman Gianna Urgo said 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.”

DFW Airport CEO Sean Donohue said Tuesday that the airport planned to make decisions about operations on Wednesday.

Airlines often slim operations at weather-impacted airports during volatile conditions, but entirely closing an airport is rare. Southwest is also allowing customers to rebook flights without any additional costs for the next 14 days.

Love Field, which is just north of downtown and operated by the city, still has flights scheduled on Thursday from Delta Air Lines and Alaska Airlines, spokesman Chris Perry said.

“Either way, the airport will still be open and our airfield crews will be working to ensure the field remains operational,” Perry said.

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Health Care

A Texas State Bone Marrow Registry Program Became A National Model. Now, Its Leader Is Under Investigation For Diverting Money To Support An Affair.
By Kate McGee
Texas Tribune

For over a decade, Texas State University students across the San Marcos campus — and at public universities across South Texas — have urged schoolmates to help cancer patients by joining the national bone marrow registry.

After a quick cheek swab, a student’s name and tissue profile are entered into a national database. That directory is used by patients diagnosed with blood cancers, including leukemia, who are in desperate need of a bone marrow match.

So far, Texas State’s Cancer Advocacy Movement for Colleges and Outreach, or CAMCO, has registered 20,000 students on campus as potential bone marrow donors.

The campus group is housed in the radiation therapy program and led by the program chair, Reynaldo Lozano.

Lozano, 62, helped Texas State create its radiation therapy program in 1998. By 2012, the department latched onto an existing bone marrow registry group on campus and enrolled thousands of students into the registry with the help of annual donations from local cancer care centers.

Yet documents provided to The Texas Tribune show that over at least a nine-month period, Lozano spent money in CAMCO's bank account for his own personal use. The financial transactions suggest that urgently needed money, donated by small Texas donors to connect patients with life-saving care, was instead being used to pay for a romantic tryst, including payments to the woman's apartment complex and cash bail to help her after she was picked up on a warrant. In an email, Lozano said she was arrested due to "two criminal charges, assault and theft in Tarrant County."

A week after The Texas Tribune began asking questions about these records, the university system began an investigation in early November, instantly sealing off documents about the transactions from the public. Lozano's name and CAMCO's page have since been scrubbed from the university's website. Another professor was recently named interim program chair. Lozano is no longer listed as a faculty member on the university's website.

The monthly Wells Fargo bank statements show the account name as Texas State CAMCO, care of Reynaldo Lozano, and the group is labeled as a faculty and staff organization. The statements include individual transactions that appear to be related to CAMCO expenses like meals at Chick-fil-A and $240 at Sign Arts in San Marcos. But there's also a $430 payment to Aladdin Bail Bonds and $1,000 to a San Antonio law firm.

It's not clear how much of the money Lozano used for expenses unrelated to CAMCO. Also, it's not clear whether Lozano contributed his own money to this account. Neither Texas State nor Lozano offered an explanation for any transactions.

The apparently lackluster oversight over CAMCO raises questions about the university's management and oversight practices involving on-campus organizations that use Texas State's name. The investigation comes as the university recently launched a $250 million fundraising campaign, part of Texas State's bid to become a top-tier research university.

Meanwhile, Texas State has not explained how this happened.

University officials denied the Tribune's open-records requests for CAMCO's financial records and receipts. The school's lawyers argued in a letter to the Texas attorney general that releasing the documents would violate an ongoing compliance investigation into the organization. This week, the attorney general's office sided with the university.

That compliance investigation began Nov. 4, one week after the Tribune filed an open-records request in late fall, according to a document provided by the Texas State University System.

A Texas State University spokesperson also repeatedly stated the school does not comment on ongoing investigations.

“If deficiencies in policies or procedures are identified during an investigation, the university will take all necessary and appropriate action to address such deficiencies,” wrote Sandra Pantlik, vice president for communications, in an email to the Tribune on Jan. 18.

Texas State did not answer written questions and would not explain how campus organizations that receive outside funding are generally monitored to avoid fraud and misconduct. System spokesperson Mike Wintemute pointed the Tribune to a faculty and staff organization policy that he said is used for “university-affiliated organizations,” but did not respond to questions clarifying if the university system considered CAMCO a faculty and staff organization.

Lozano initially expressed interest in speaking to the Tribune in late October until he learned the Tribune had filed an open-records request for financial records. He has since declined multiple requests for an interview.

Draining the bank account

The CAMCO bank documents provided to the Tribune cover only about a year and a half in the life of CAMCO, from January 2019 to May 2020. In that time, CAMCO’s account went from a balance of $22,772 in July 2019 to $39.99 the following May.

A $1,000 donation from the Austin Radiological Association was among $17,000 in deposits made during that time, according to a check image included with the statements.

During that period, Lozano used the bank account for various unrelated purposes, including helping the 29-year-old woman to secure apartments in San Antonio. CAMCO funds also were used to pay for at least one hotel room for the woman, to help pay her bail, and to pay a lawyer, Anthony Cantrell. Emails show that Lozano contacted the lawyer to handle arrest warrants for unpaid traffic tickets.

The Tribune is not naming the woman because it’s not clear she knew Lozano was using CAMCO’s money. Her mother told the Tribune that her daughter only learned where the money was coming from when Lozano told her a month ago.

“She said, ‘I didn’t know that’s what he was doing,’ and that he just confessed [to her],” the mother said. The daughter has not responded to multiple requests for comment from the Tribune.

Bank statements show charges related to the woman started to ramp up in the summer of 2019.

“Perhaps I should really try hard to ignore and forget the passion and romance that surges through my core when I am away from you,” Lozano emailed the woman from his university account on July 20, 2019. “Well I tried. I found in you what has been missing in my life despite being married for so long.” Lozano and his wife of 30 years divorced in September 2020.

By late July, he was using CAMCO funds for motel rooms, one of them booked in her name. In August, emails show Lozano was helping the woman rent an apartment in San Antonio. A representative with an apartment complex notified him via email what the woman needed to secure an apartment there. Not long after that, two payments — one for $1,145 and another for $1,234 — were made from the CAMCO bank account to the same apartment complex.

A neighbor also confirmed to Tribune that the woman lived in the complex and that Lozano would visit her.

Other payments from the CAMCO fund that were made at this time went toward a renter’s insurance policy and a payment to San Antonio’s utility company, totaling about $700; a $691 emergency vet clinic bill; $1,397 to Big Dan’s Furniture in San Antonio; $1,000 to the woman’s lawyer; $430 to Aladdin Bail Bonds and nearly $1,400 to another woman via Cash App.

Addressing a need
CAMCO’s creation in 2009 was the work of Texas State geography professor Lawrence Estaville, whose own bone marrow transplant experience showed him firsthand the difficulty in locating a bone marrow match.

“He felt blessed to have a [bone marrow] donor commit to his transplant journey, and felt called to help others in need,” Angelika Wahl told the Tribune. She is the office manager at Texas State’s geography department who started the program with him. Estaville died of cancer in December 2018.

As Be The Match explains on its website, “A bone marrow transplant takes a donor’s healthy blood-forming cells and puts them into the patient’s bloodstream, where they begin to grow and make healthy red blood cells, white blood cells and platelets.”

After Estaville’s death, a geography department newsletter said that more than 150 patients had received marrow transplants from students who joined the registry with the help of CAMCO.

In 2012, Lozano and the Texas State radiation therapy department became involved. They started the Kathy Soliz Texas State Radiation Therapy Outreach Program, named after a 23-year-old Hispanic woman in San Marcos who died from leukemia after her expected donor was no longer interested in donating marrow.

They organized bone marrow registry drive events at other schools across the state, including the University of Texas at Austin, the University of Texas Rio Grande Valley and Texas A&M International University, with the help of tens of thousands of dollars in donations annually from local cancer care centers like Texas Oncology, St. David's HealthCare and the Austin Radiological Association over the years. That money was used to pay for marketing materials and student trips to other campuses for registry drives, Lozano said.

"Flyers and T-shirts require funding," Lozano told attendees of a Zoom presentation during Texas State's Big Ideas Virtual Week in the fall of 2020. "When we go out to South Texas, we need to reserve rooms, pay for travel … for meals."

A Be The Match spokesperson described the relationship with CAMCO as informal but successful. Be The Match replicated the peer-to-peer model started at Texas State through its national program called Be The Match On Campus, she said.

The Texas State program also served as a community service learning opportunity for radiation therapy majors, according to the 2012 press release.

Under Estaville, CAMCO was a fairly informal venture that emphasized student-to-student recruitment to join the bone marrow registry. Over the years, the organization also hosted events like Bra Fashion Night to raise breast cancer awareness and Boxer Fashion Night, which focused on testicular cancer awareness. He eventually opened a bank account to deposit donations for the program since CAMCO was not an official university organization, Wahl said.

"CAMCO leadership was passed on to Lozano to continue the registry events across Texas and beyond, as well as management of related accounts," Wahl said.

Before information about CAMCO was deleted by Texas State, it listed an executive committee of four people, including Lozano. The Tribune contacted the three other members listed, all of whom said they had not been involved with CAMCO for years and were unaware of the investigation.

"I went to one meeting five years ago … when I was working for Texas State," Daniel Guerrero, the former mayor of San Marcos, told the Tribune. "But that was the only meeting I ever attended, and I was never really all that involved."

Managing donations

Legal experts say while universities are generally always concerned about misconduct, it's not unusual for leaders to assume its employees are following the rules until there's a reason to believe otherwise.

"To be fair to a university administrator … you hear about a group, you assume that they are following the requirements to exist and to follow whatever university policies they have … especially since it is run by people who are part of your community, part of your

part of the university," said Lloyd Mayer, a nonprofit tax expert and law professor at the University of Notre Dame. "You assume good faith, and they're following the policies unless some flag comes up."

But, Mayer said, there are best practices that many universities and organizations often put in place to prevent this type of behavior from occurring and to ensure that donors can trust their money is used appropriately.

Overall, Lozano's ability to use this money without detection leaves many questions unanswered about whether Texas State's policies and procedures were abused, went unenforced or did not exist.

While Texas State has policies posted on its website detailing how employees should manage outside gifts and donations through its University Advancement division, it's unclear whether CAMCO followed those rules or if it was required to by the university. Experts say without those answers, it's hard to determine the scale of the problem.

"Is this a one-off or is this the tip of the iceberg?" Mayer said. "Because if it's the tip of the iceberg, then the university needs to think seriously about stepping up its enforcement of these procedures and education of its faculty and staff about them and so forth."

It's also difficult to determine how Texas State classified CAMCO. Bank statements list Texas State CAMCO as a faculty and staff organization, but it is not listed as such on the university's faculty and staff organization page. The university system did not respond to questions about whether it considers CAMCO a faculty and staff organization.

While Texas State's policies say faculty and staff organizations cannot use the university's federal tax identification number for their purposes, a February 2021 invoice provided to the Tribune by one CAMCO donor — St. David's HealthCare — shows Lozano listed the university's federal tax identification number.

Whether Lozano was supposed to do that is unclear. If he was, experts say that is not an unusual setup, but it does mean the university should be supervising those dollars.

"Texas State University is responsible for ensuring that donations it receives are used for charitable purposes," said Jill Manny, executive director of the National Center on Philanthropy and the Law at New York University.

"Bigger than a man"

When initially contacted by the Tribune, CAMCO's donors said they were not aware of an investigation into the group.

Austin Radiological Association and Texas Oncology declined to disclose how much money they had provided over time. St. David's HealthCare informed the Tribune that it had contributed $55,000 to the organization since 2012.

None of the organizations would say if they plan to pursue legal action against Lozano or the university.

A Be The Match spokesperson said the group was also unaware of the investigation.

“Be The Match is concerned by the allegations,” spokesperson Erika Savilla said in a written statement. “Donor intent is something we take seriously and we always aim to be good stewards of financial gifts made to us. We expect the same of any individual or entity affiliated with us.”

Jon Hudson, a regional director for Be The Match who is based in San Antonio, expressed concern that this might deter organizations from partnering with them in the future, but hoped people would remember the larger purpose.

“It’s hard to swallow that this has happened,” he told the Tribune. “... Texas State CAMCO is bigger than a man,” he said.

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Criminal Justice

San Marcos Groups Push For Marijuana Decriminalization
By Annie Blanks
San Antonio Express News

Could marijuana be fully decriminalized in San Marcos? It may happen as early as November.

The latest effort to “free the herb” comes in the form of a petition drive to collect 4,400 signatures - 10 percent of San Marcos’ registered voters - to place a referendum on the November ballot that would effectively decriminalize weed in city limits if it passes.

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The drive is being led by nonprofit grassroots group Mano Amiga and seeks to build on momentum it gained in 2020 after advocating for the successful passage of the city’s so-called “cite-and-release” ordinance, which compels San Marcos police officers to issue citations - not handcuffs - for low-level criminal offenses, including possession of marijuana under four ounces.

San Marcos was the first city in Texas to pass such an ordinance.

But “the cite-and-release ordinance simply does not go far enough, especially when it comes to something as petty as possession of marijuana,” said Sam Benavides, a

spokeswoman for Mano Amiga. With cite-and-release, she said, those who are cited still have to show up to court within two weeks and work their way through the legal system.

“Having a charge of possession of marijuana on your record has the potential to negatively impact a person’s life in so many ways,” she said. “It can be found by employers, landlords, social services, and for students, it can even impact your financial aid status.”

Mano Amiga is partnering with Ground Game Texas, a group that encourages voter engagement, to put the issue to voters in November.

The proposed ordinance would end citations and arrests for misdemeanor marijuana possession, prohibit San Marcos police officers from citing “odor of marijuana” as probable cause for search or seizure, and prohibit the use of city funds for THC concentration testing, among other things.

At a press conference near the quad at Texas State University on Tuesday, Mano Amiga was joined by a bipartisan group of Texas lawmakers and candidates to speak out against marijuana laws and encourage students and voters to sign the petition.

Hays County Judge Ruben Becerra, who ran for the seat and won in 2018 partially on a criminal justice reform platform, said decriminalizing marijuana is just the first step in dismantling a system that penalizes low-level and first-time drug offenders.

“Raise your hand if you know what Adderall is? Come on, I went to school here,” Becerra said to the crowd of mostly Texas State students. “If it’s not prescribed to you and you have a tiny little bit in your pocket. … one pill of Adderall will land you in jail. It will be a felony, you will not be allowed to vote, you will not be allowed to apply for FAFSA, you will not be allowed to do so many things because you were trying to get ready for your genetics test.”

State Rep. Erin Zwiener, a Democrat who represents Hays and Blanco counties, was joined by one of her two same-party challengers, Tia Angie Villescaz. And four of the ten candidates for House District 21, which represents the area north of San Antonio and much of Austin, were in attendance as well: Democrats Coy Branscum, David Anderson and Claudia Zapata, as well as Republican Dana Zavorka.

“It changed my life,” he said. “Texans need medical cannabis. They need to not go to jail for a plant, first of all.”

So far, the petition campaign has gathered 1,500 signatures. If it hits its goal of 4,400 signatures over the next 180 days, it will be placed on the November ballot for voters to decide.

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Opinion/Editorial

Analysis: In Texas, Cold Weather Brings A Political Chill
By Ross Ramsey
Texas Tribune

Lots of Texans have the shivers right now — some because it's supposed to turn cold this week, and some because of memories of what cold weather brought to the state a year ago this month.

What is predicted this week — a couple of days of hard freezes, with precipitation in parts of the state — is milder than the polar vortex that froze most of Texas for days in a row. High demands for heat and light during that storm outstripped the available supply of electricity, which was diminished by the storm's effects on electric generating plants and their fuel suppliers.

Chances are, you won't lose power this time. Don't you wish that was a certainty?

The state's top leaders are hoping they won't lose power, too, and their concerns go beyond the electric grid that covers most of the state.

The last two weeks have been harbingers of the political year ahead, starting with a herd of Republicans holding news conferences at the Texas-Mexico border and ending with Democrats talking about cold weather and the electric grid.

Republicans blame a Democratic administration in Washington, D.C., for huge increases in the number of people trying to cross into the U.S. over the last year. Democrats blame this energy state's Republican government for the failure of the electric grid last year, causing blackouts that left millions without power for several days in freezing temperatures and killed hundreds of Texans. Both parties want you to believe the sky is falling and that the other party broke it.

Now comes the acid test. Texas forecasters say cold weather is coming in the next few days. On Tuesday, Gov. Greg Abbott rounded up the people you see behind the tables whenever the weather is foul, talking about preparations for the storm and including, for this weather event, some of the state's electric and natural gas regulators.

In late November, Abbott was wishing right along with the rest of us when he told Fox 7 News in Austin that "I can guarantee the lights will stay on." His office and his appointees reinforced that confident boast with a PR campaign through the end of the year.

They are projecting confidence that the electric generators have been winterized and that their sources of fuel — primarily natural gas — won't be hobbled by the cold like they were a year ago.

But that gubernatorial guarantee, questionable as it was, is off.

“No one can guarantee there won’t be a ‘load shed’ event,” Abbott said Tuesday. Load shedding is the term for shutting off electric power to groups of customers to keep demand below supply; it’s a power outage.

The governor is not expecting a repeat of last year. He’s finally nodding to reality: Demand for power could outstrip supply; trees could fall and take out transmission lines; it was always highly unlikely that no place in the state would go dark for a few hours and maybe for a few days.

Texans are nervous about it. Our memories of last year’s frozen blackout are still fresh. And there is a primary election just ahead: Voters are in a spot to grade the governor’s paper after this and other cold weather this month. Early voting starts Feb. 14, and the primary is March 1.

The political situation is way down the list of things normal people are worried about. They want to stay warm and safe, and their confidence about that was shaken by last year’s storm.

It’s evident, however, in the prep for this week’s cold snap. The governor, who’s on the Republican primary ballot and has been busy with border press conferences, TV ads, fundraising and all the rest, pulled together the officials and the regulators who’ll be getting the credit if the lights and the heat stay on, and the blame if they don’t. They were reassuring, saying they’re ready for the cold and what it might bring.

Democrats are getting ready, too, for the politics of this stretch of winter. Beto O’Rourke, the best-known of the Democratic candidates for governor, is on what he calls a “keeping the lights on” tour, hoping voters will hold Abbott accountable for what happened last year, and hoping cold temperatures will rekindle their anger.

There is a lot of power at stake — both kinds.

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Biden’s Southern Border Crisis Isn’t Going Away
By Jason L. Riley
The Wall Street Journal

When is Joe Biden going to realize that Donald Trump didn’t lose the election in 2020 because of his stance on illegal immigration? The Biden administration doesn’t seem much interested in the havoc on our southern border, but the problem isn’t going away. If anything, the situation has been worsening, and Republicans are certain to tee up border security as a midterm campaign theme.

Mr. Biden's overall job-approval rating is in the low 40s. That's worrying enough for Democrats, but Americans think even less of how the president is handling immigration, with only 36% of respondents voicing satisfaction in a recent CBS News poll. Obviously, people other than Fox News viewers are paying attention to the crisis. And what they've seen over the past year, in addition to White House indifference, is record levels of illicit border crossings, overflowing detention centers and, more recently, video footage of illegal immigrants being ferried (in the dead of night) from the southern border to New York, Florida and other parts of the country.

The administration doesn't deny that this is happening. When pressed last week, White House spokeswoman Jen Psaki matter-of-factly explained that when undocumented individuals can't be immediately removed from the country, they "are placed into immigration proceedings, and one of those avenues could be placement in an alternative-to-detention program in the interior of the United States." That, folks, is the administration's current policy for handling illegal immigration.

Predictably, the results have been a disaster. Apprehensions are a proxy for unlawful entries. When border apprehensions are up, it means we're experiencing higher levels of illegal immigration. In the last fiscal year, which ended Sept. 30, there were a record-breaking 1.7 million arrests at the border. For all of 2021, there were just shy of two million, far above the previous record of 1.6 million set in 2000. Worse, there is every indication that the administration is on pace to make history again. Reuters reports that "border officials are preparing for as many as 9,000 border arrests per day by the spring, according to two Department of Homeland Security officials, which would be significantly larger than last year's peak."

What's happening at the border cannot be divorced from what's happening with the economy. The Journal reported Tuesday that the labor market "remained tight at the end of last year with job openings and worker turnover hovering near the highest levels on record." Worker pay rose in 2021 at the fastest rate in two decades, yet labor shortages persist, and immigrants are coming, legally and otherwise, to meet the demand. The wisest way to deal with the crunch on the border is to toughen enforcement while also giving economic migrants more ways to enter and work here legally. But these days Republicans and Democrats can't agree that water is wet, let alone come together on any sensible immigration reform.

None of this means that the current administration should escape blame for making a bad situation demonstrably worse. Like all of us, immigrants respond to incentives, and Democrats have roundaboutly encouraged people to try their luck. Officially, the administration is telling migrants not to come to the U.S., but it's been clear for a long time that those who make it here have a good chance of staying. The Build Back Better legislation that Democrats wanted to pass included provisions that would legalize the status of millions of people who are here unlawfully. For an enterprising Central American who wants a better return on his human capital, a porous border and possible amnesty are just as attractive as an economy bursting with job opportunities.

Vice President Kamala Harris traveled last month to Honduras, a major source of illegal immigration to the U.S. in recent years. Ms. Harris likes to tell us that she's focused on "root causes," which is lovely in theory but wildly impractical given the current situation. In any case, root causes are something to be addressed along with, not in lieu of, an immediate crisis. At some level, winking at illegal immigration can also be considered a "root cause."

His supporters don't like to hear it, but Donald Trump's anti-immigrant bark was bigger than his bite. His "beautiful wall" was never built, and the size of the illegal population grew on his watch prior to Covid, albeit at a slower pace than under his predecessor. Mr. Trump was most effective at conveying to the country that the U.S. is a sovereign nation, meaning that we get to decide who comes here and on what terms. His over-the-top rhetoric was often grating, but the underlying sentiment resonated, and still does, even among people who didn't vote for him. The Biden administration's failure to grasp this reality and chart a different course on border enforcement could cost Democrats dearly in November.

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# # #

Greg Abbott News

As Ice Melts From Last Week's Storm, Beto O'Rourke Tries To Turn Up Heat On Texas Gov. Greg Abbott
By Gromer Jeffers Jr.
Dallas Morning News

As the North Texas ice melted from last week's winter blast, Beto O'Rourke on Sunday continued his effort to put the heat on Gov. Greg Abbott for his handling of the 2021 storm that left millions without power and killed more than 240 people.

"The people of Texas understand the failure in leadership," O'Rourke told The Dallas Morning News. "When we see reporting that tells us that the primary causes for the outage last year have yet to be fixed, like the gas supply, we all know that more changes need to be made, and it looks like we're not going to get those changes made until we make a change at the top."

On the third day of his 20-city, 12-day "Keeping the Lights On Tour," O'Rourke made appearances in Dallas and Denton, highlighted by a visit with Steven Brown, a 24-year-old Dallas man who had his legs amputated last year after developing frostbite during the storm. O'Rourke also staged a rally at a Denton park, where he urged Texans to hold Abbott and others accountable.

"This didn't have to be our fate. It didn't have to be our fortune," O'Rourke said in Denton. "This is no act of God or Mother Nature. This is the failing of the person in the highest position of power in public trust."

In an effort to steal O'Rourke's thunder, state Rep. Jared Patterson, R-Frisco, scheduled a "Save Texas Energy Jobs" event at the same time and in the same park as O'Rourke's rally. A few anti-O'Rourke folks shouted into bullhorns during his speech, telling him to "secure the border."

Abbott campaign spokesman Mark Miner said Sunday that O'Rourke was deceiving Texans and wishing for another catastrophic storm to spark his campaign for governor.

"It's fearmongering by a desperate candidate who hasn't unveiled one policy idea," Miner said.

He pointed to the 14 bipartisan pieces of legislation Abbott signed into law to bolster the state's electric grid.

“Clearly [O’Rourke] is misleading the public,” Miner said.

Some experts, however, say the state’s power grid has improved but is far from fixed. Like O’Rourke, they point out that natural gas components of the grid need to be weatherized.

“It sure seems like the governor is complacent, judging from his comments,” O’Rourke said.

The Democrat said Sunday that as governor, he would winterize the gas supply, connect Texas to the national grid, lower utility costs by recouping money “stolen” by greedy energy companies, sue companies that engaged in price gouging and appoint an independent market monitor for natural gas issues.

“Your party affiliation does not matter,” O’Rourke said in Denton. “All that matters is that we’re focused on getting this fixed.”

Texas GOP Gov. Greg Abbott leads Democrat O’Rourke, 47%-36%, in a hypothetical matchup for governor, according to a Dallas Morning News-University of Texas at Tyler poll released Sunday. Abbott, right, even holds a narrow lead over O’Rourke among Hispanics, 40%-39%.

The politics involving the 2021 winter storm and whether or not the electric grid has been adequately fortified are highlighting the race for governor. Abbott and O’Rourke are expected to win their respective primary contests, and they’ve wasted no time in hurling barbs at each other.

Amid last week’s much-hyped winter event, Abbott proclaimed the electric grid was more resilient and reliable than ever. The storm, much weaker than the one last year, did not lead to massive power outages.

But O’Rourke said Texans know the difference between last week and last year, and he wants to highlight the dangers of a faulty grid, particularly for the poor and downtrodden.

O’Rourke said that’s why he visited Brown, who met him in Dallas at CitySquare, a nonprofit that helps fight poverty and homelessness and is providing Brown with housing.

Brown suffered frostbite during last year’s storm and developed a blood infection. He said Sunday he chose amputation rather than dealing with a long and uncertain recovery.

The living conditions at a relative’s home where he was staying were less than ideal, Brown said, so he had to find housing elsewhere. He said he was placed into Health to Home, a collaborative medical respite program involving Texas Health Presbyterian Hospital Dallas; Austin Street Center, a Dallas homeless shelter; and CitySquare.

O’Rourke’s road trip ends in Houston on Feb. 15, the anniversary of the 2021 storm and massive blackouts.

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Gov. Abbott Makes Campaign Stop In Lubbock
KCBD

Governor Abbott returned to Lubbock on Saturday – this time on the campaign trail, part of his "Celebration of Texas" tour.

If you missed his stop, here is a look at just some of what the governor has promised to Texans if he is reelected.

Governor Abbott, campaigning for his third term at Cagle Steaks, talked Second Amendment rights, the border, the economy, getting parents involved in education, and law enforcement.

"In Texas, we don't defund or disrespect our law enforcement officers," Abbott said. "We support our law enforcement officers in Texas – period."

A pressing item right now: Lubbock's first year on the Texas power grid. Abbott said new legislation is creating more power generation and ensuring weatherization.

"I was not going to let Lubbock go without power," Abbott said. "We survived this winter storm with no loss of power from the power grid at all. The power grid is better, more stable and more reliable than it has ever been in the history of Texas."

Abbott also promised more funding for Texas Tech. Instead of amending the Public University Fund, he wants the state to create a $1 billion endowment for the university. He said it would be easier to pass, only requiring a majority of votes instead of a constitutional amendment.

"What Beto [O'Rourke] wants to do, he wants to take the current pie and slice it thinner," Abbott said. "What I want to do is to grow the size of the pie."

Abbott faces several challengers, including former state Republican party chair Lt. Col. Allen West and former state senator Don Huffines.

Beto O'Rourke is expected to win the Democratic primary by a wide margin.

"Without a doubt, we are going to beat Beto and win Republicans up and down the entire ballot," Abbott said.

Abbott's campaign maintains a significant cash advantage over the rest of the field at around $63 million. In the first 20 days of this year, he raised about $1.4 million.

"We are not going to let these big government socialists destroy our great state," Abbott said.

The primary is three weeks from Tuesday on March 1.

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Gov. Abbott Holds Burning Cash In Billboard Campaign Calling To End 'Sham' Audit
By Simone Carter
Dallas Observer

First, they came for former President Donald Trump. Now, that same group of pro-voting rights Republicans is attacking another politician via billboard: Gov. Greg Abbott.

Last week, the Republicans for Voting Rights (RVR) initiative launched a billboard campaign to remind the governor that there's no need for an audit of the 2020 election. The former president won the Lone Star State by a comfortable margin, after all.

Still, Trump asked for one last September, and hours later, he received.

Commuters in Dallas-Fort Worth can catch a glimpse of the signs, which feature a beaming Abbott holding a flaming stack of cash. "STOP WASTING TAXPAYER MONEY," they read. "GOV. ABBOTT, END THE SHAM AUDIT."

Texas ran a good election that its leaders should be proud of, and they should stand by the results, said RVR Director Amanda Carpenter.

"It is extremely disheartening to see Governor Abbott cast aspersions on his own election in order to soothe Donald Trump's ego," she said. "There was a time for audits, there were a time for lawsuits to challenge the results. That time is over. It is now 2022 and Republicans should be looking forward, not backward."

Twelve billboards appear throughout the state and will stand through Feb. 14. In addition to Dallas-Fort Worth, they can be seen in Corpus Christi, Amarillo, Laredo, Austin, Lubbock, San Antonio and Midland-Odessa.

Last fall, the pro-voting initiative was also behind the "TRUMP LOST" billboard that sprouted up in Dallas. That sign depicted the former president hunched over and similarly urged his supporters to drop the needless audits.

"We want to be out there advocating for the conservatives out there that actually believe in the right to vote, and believe in the right for everyone to vote, and want to support that and protect it," Olivia Troye, a Republicans for Voting Rights spokesperson, told the Observer late last year.

"It is now 2022 and Republicans should be looking forward, not backward." – Amanda Carpenter, RVR director

Texas isn't the only state that sought to reexamine the 2020 election results. Carpenter notes that similar efforts are "bubbling up" everywhere; one in Arizona actually found that Trump had lost by a wider margin than previously thought.

Even if these audits don't reverse any outcomes, experts fear that they're working to chip away at trust in the democratic process. Some warn that such moves could pave the way for future election challenges when a candidate again won fair and square.

In Texas' case, such a statewide probe may be costly, with one estimate saying it could amount to some $250 million in taxpayer money. In November, $4 million was drained from the state prison system to help fund county election audits.

Texas serves as a role model for other states, Carpenter said. Soon, Republicans elsewhere could try to replicate the audit, which is bad for the system overall.

Many pro-Trump officials have already failed to upend the 2020 election results, she said. If there were any systemwide problems, they would have certainly been uncovered by now.

“This is nothing but a messaging tool to try to keep the ‘Big Lie’ alive,” she said. “It’s effective because when people hear there’s an investigation, they think there’s something wrong. But there’s not.”

But during an interview with FOX last fall, Abbott defended the audit as legitimate. "Why do we audit everything in this world, but people raise their hands in concern when we audit elections, which is fundamental to our democracy?" he said.

Local leaders, meanwhile, have largely disagreed.

Texas focused the audit on four counties: Dallas, Tarrant, Harris and Collin. President Joe Biden won in three, including in historically red Tarrant, but was bested by Trump in Collin.

Even still, Republican Tarrant County Judge Glen Whitley doesn't see a need to dredge up the past. “The conspiracy theorists who want to come up with all these ways or reasons why this election wasn’t right — they might very well find something else,” he told The Texas Tribune last year. “It’s time to move on.”

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Greg Abbott, Texas Electricity Grid Passes First Test, But Power System Remains Far From Fixed
By Gromer Jeffers Jr.
Dallas Morning News

The snowflakes and freezing rain fell Texas Gov. Greg Abbott’s way.

Last week a winter storm stirred horrifying memories of the 2021 blizzard and freeze that left millions without power and led to the deaths of at least 246 people.

This year’s bad weather tested the reliability of the grid, which has become the hot political issue of the season. That means it was also an exam for Abbott, who this year is seeking reelection to a third term.

Abbott and the electricity grid passed the political pop quiz, but the course on fixing the state’s power infrastructure is far from complete, energy experts say.

“Certainly we have to worry about a level of complacency setting in just because we’ve made it through this storm, which was not nearly as bad as last year,” said University of Houston energy expert Ed Hirs on Sunday’s Lone Star Politics, a political show produced by The Dallas Morning News and KXAS (NBC 5). “The grid needs a lot more work and we can’t declare victory.”

Stormy weather adds turbulence to Texas politics as the 2022 gubernatorial race heats up
Analysis on how the storm and the state's efforts to keep the lights on for Texans could impact the race for governor. If the grid holds, it strengthens incumbent Gov. Greg Abbott's position and makes it harder for challenger Beto O'Rourke to make his case to voters. But if the grid

fails, even a little bit, it puts Abbott on an icy road. In any case, grid politics remains a Texas issue.

But in the school of short-term politics, Abbott gets a win.

He benefitted from reasonable but outsized fear that last week's storm would be as devastating as last year's behemoth. And though it was forecasted from the start to be much less lethal the storm a year ago, the intense media hype and lingering concern that the grid would collapse set up a scenario in which Abbott couldn't fail.

The storm tossed a giant snowball right down the middle of the plate, and Abbott knocked it out of the yard. The news conferences and updates were much different than a year ago, when the situation was somewhat out of control.

That might take some steam from critics like former U.S. Rep. Beto O'Rourke. The probable Democratic nominee for governor is in the fourth day of his 20-city, 12-day "Keeping the Lights On Tour." Yesterday he made appearances in Dallas and Denton. The road trip ends in Houston on Feb. 15, the anniversary of the 2021 storm and massive blackouts.

While O'Rourke can make the case that Abbott was lacking in his response to the 2021 storm, it could prove difficult for him to get voters to blame the governor for not fixing the grid the way experts say it needs to be repaired. Only another crippling storm will prove that point, and most reasonable people don't want to see a repeat of that.

But the grid is a problem, and Texans shouldn't forget that more weatherization and other fixes are still needed.

"The grid is a bipartisan issue. It's not Republican versus Democrat," Hirs said. "California's grid is in worse condition. And Texas has not taken the opportunity to learn from California, even though we've certainly seemed to follow them over the last 20 years."

Hirs said some problems with the grid have been addressed. But he pointed out that in December 20% percent of power generators had not sufficiently winterized their equipment because of a "good cause exception." He said the natural gas components within the grid are not weatherized to the level that will be required in 2023.

"To be fair, it takes more than just eight to 12 months to fix something that's been in decay for more than 10 years," Hirs said. "Keep in mind that it was in August of last year that the Public Utility Commission finally adopted the recommendations from the 2011 grid failure that occurred across North Texas."

Dallas residents remember that storm. It crippled the area during Super Bowl week, when the Green Bay Packers defeated the Pittsburgh Steelers at AT&T Stadium.

"When you start out 10 years behind everybody else, it's kind of easy to say you've made unprecedented progress just to keep the lights on," Hirs said.

Odds are there won't be a winter or summer event that tests the grid like the storm of 2021. A beautiful Texas spring will put the horrors of ice, snow and power outages back of mind for most Texans.

By November, other issues are likely to sway Texas voters.

Climate change notwithstanding, it's likely that it will be a long time before we get another monstrous, killer winter storm.

If the grid doesn't hold up then, it will be too late for those who didn't fix it to pay a political price.

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Administration News

State AG Races Become Litmus Test For GOP Election Claims
By Max Ortiz
KTBS

Idaho Attorney General Lawrence Wasden, a Republican, has won re-election multiple times in a state where the GOP dominates politically and, in his telling, has "a 20-year track record of calling balls and strikes fairly and squarely."

That may not be enough for him to survive a GOP primary challenge and keep his seat. Wasden was one of seven Republican attorneys general to opt against joining an ill-fated challenge of the 2020 presidential election results in other states. And last fall, he declined to join other GOP attorneys general in a letter to President Joe Biden complaining about vaccine mandates, although he ended up joining lawsuits against several of them.

His more moderate positions have put him at odds with a growing share of Republicans who chafe at COVID-19 restrictions and repeat the false claim that widespread fraud cost former President Donald Trump re-election. Wasden is facing two challengers who are to his right in the Republican primary as he seeks a sixth term as the state's top government lawyer.

One of the challengers, Arthur McComber, said a key function of the attorney general's role is to act as a watchdog against federal power — something he said Wasden hasn't done enough.

"It's basically a misunderstanding of the attorney general position," said McComber, a real estate lawyer.

The challenge to Wasden from within his own party is emblematic of the broader far-right shift within the GOP. Similar dynamics are permeating races for attorney general across the country as an office often referred to as "the people's lawyer" — responsible in most states for criminal prosecutions and consumer protections — has become increasingly consumed by ideological battles.

Seats for attorneys general are up in 30 states this year. Some of the most likely to attract heavy spending will be in political battlegrounds such as Michigan, Nevada and Wisconsin, states that again are expected to play outsized roles in the 2024 presidential contest.

Republicans currently hold 27 attorneys general seats. Paul Nolette, a Marquette University

political scientist who studies the office, said Republicans could bump that number to 30 or more in a midterm election year when Republicans are primed to do well in races up and down the ballot.

They've already notched an early victory. Last fall, voters ousted the incumbent Democratic attorney general in Virginia, a state that had been leaning increasingly Democratic in recent years. It was part of a GOP wave in the state that also saw the party claim the governor's office and one house of the legislature.

Nolette said party affiliation matters for the office more than it used to: “The office has really become like other statewide offices at this point — highly polarized.”

Ahead of the 2020 election, an arm of the Republican Attorneys General Association held “war games” for officials to plan a reaction in case of a Trump loss. That group, the Rule of Law Defense Fund, later promoted the Jan. 6, 2021, rally that preceded the storming of the U.S. Capitol by Trump supporters seeking to thwart the certification of electors.

For Democrats, there is increasing concern that a Republican wave in this year's elections could sweep Democratic governors, secretaries of state and attorneys general out of power in crucial presidential battleground states. Steve Bullock, a Democrat who has served as attorney general and governor in Montana, warned that a rogue attorney general could undermine election results.

“How can they mess with it if they don’t actually believe in the rule of law? Both in affirmatively bringing action and defensively failing to defend the states’ interest,” he said.

While secretaries of state oversee elections in most states, attorneys general can play pivotal roles in the aftermath, as demonstrated in 2020.

A month after that election, Texas Attorney General Ken Paxton asked the U.S. Supreme Court to throw out the results in four states that supported Biden over Trump. The court rejected the effort, but only after 18 other Republican attorneys general filed papers in support.

Idaho's Wasden was not one of them.

“In taking a look at the Texas case, it was evident that that lawsuit was contrary to the Constitution," he said in an interview. “If Texas can sue Pennsylvania, then California can sue Idaho."

McComber, who has slightly outraised Wasden during the campaign so far, said he would have joined the Texas lawsuit and added an amicus brief to raise additional legal points. The U.S. Supreme Court ultimately found that the states lacked standing to challenge election results in other states.

Democratic attorneys general defended their states' 2020 election results in Michigan, Pennsylvania and Wisconsin, as did the Republican attorney general in Georgia.

“The public must know which side their state AG is on,” Nevada Attorney General Aaron Ford, co-chair of the Democratic Attorneys General Association, said during a video news conference in January.

Sigal Chattah, the only Republican running for the job in Nevada, faults Ford, among other things, for not investigating election fraud sooner and more vigorously. His office filed charges in October against one voter for allegedly casting a ballot on behalf of his deceased wife.

“Do we really believe this was an isolated incident?” Chattah asked. “I don’t.”

The Associated Press investigated potential cases of voter fraud from the 2020 presidential election in Nevada and the five other political battleground states where Trump and his allies disputed his loss. The AP found that election officials across Nevada had identified between 93 and 98 potential cases — representing less than 0.3% of Biden’s margin of victory in the state.

The fields are not set in every attorney general race, but GOP primary showdowns between more establishment-style conservatives and those further to the right is a common theme in several states, including Kansas, Michigan and Minnesota.

“In so many of these races, it is a race to see who can align themselves closest with Donald Trump, his brand of politics and the big lie” that the election was stolen, said Geoff Burgan, a spokesman for the Democratic Attorneys General Association.

Johnny Koremenos, a spokesman for the Republican Attorneys General Association, declined to directly answer questions left by voicemail and email about whether Republican attorneys general might seek to undermine lawful election results. In a statement, he said “2022 will be a great year for Republicans running for attorney general.”

In Michigan, where nominees are chosen at state party conventions rather than primaries, former state House Speaker Tom Leonard is hoping for a rematch against Democratic incumbent Dana Nessel.

But first, Leonard, who touts having been named the state’s most conservative lawmaker, has to defeat two GOP opponents in a party convention. One of them is Matthew DePerno, a lawyer who sued Michigan's Antrim County claiming voting machines there recorded votes for Trump as being for Biden in the 2020 election. The claim was dismissed.

While Leonard is focusing on issues such as reducing violent crime, DePerno sees election fraud as a driving issue — despite Republicans themselves finding no evidence of systemic fraud in the state. He has Trump's support.

“That says it all,” said David Dulio, a political scientist at Oakland University in Michigan. “He has certainly hitched his wagon to Donald Trump, counting on the fact that the Trump brand will have strength in this election.”

DePerno did not respond to interview requests.

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Texas AG Paxton: American People Being 'Betrayed By This President'
By Eric Mack

Newsmax

The Biden White House is abusing the Constitution and skirting its duty on the souther border and saying, "we dare you to do anything about it," according to Texas Attorney General Ken Paxton.

"The American people need to know they're being betrayed by this president," Paxton told Sunday's "The Cats Roundtable" WABC 770 AM-N.Y.

Failing to enforce U.S. law on the southern border is the most egregious abuse of power by the Biden administration, whether or not President Joe Biden is even aware of what is going on, Paxton warned host John Catsimatidis.

"They've been completely consistent about telling border patrol, 'Don't worry about following federal law,'" Paxton said.

Also, drug cartels and liberal activist funding is "coming from all over the place" to keep bringing illegal immigrants in to cause "chaos" in red states that are doing well, he continued.

"I know that money is coming from all over the place to help them get here, first of all," Paxton said, responding to the widespread reports of migrants being shuttled and flown to areas all over the U.S.

"I would have no doubt also the Biden administration is helping to fund their relocations and cover their costs," he continued. "The American taxpayers are paying for it."

Doing clandestine flights of migrants in the dead of night suggests there are forces working with the rich Mexican cartels, because flying during the day would bring more sunlight to the resettlement operations, according to Paxton.

"You think that would be safer" flying during the day, Paxton said, "but they don't want the American people to know how widespread their illegal activity [is]. They're really working very closely with, in my opinion, the cartels."

The fact an American citizen cannot enter the country without being tested for COVID-19 flies in the face of the reality an illegal migrant can enter untested and unvaccinated, Paxton lamented.

"No, they are not tested; they are just processed, then they are put on buses to go around Texas," he said."They will fly them all over the country. They travel a lot of times with arrest warrants. That's their form of identification, which it's hard to believe that is true, but it is."

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Lt. Gov. Dan Patrick's Rise From Right-Wing Outcast To Gop Shot-Caller Charts The Shift In Texas Politics
By Jasper Scherer
Houston Chronicle

As a freshman state senator in 2007, Dan Patrick set to work on the fiercely conservative

agenda he had pushed for years on his Houston talk radio show, filing bills to give pregnant women $500 to forego abortions and empower police to inquire about the immigration status of people they stop.

But the GOP-controlled Legislature had little appetite for that brand of conservatism. Some of the rookie senator's new colleagues were turned off by his brash approach, with one fellow senator likening him to an "uninvited picnic guest who shows up with nothing in hand, eats all the potato salad and spoils the picnic for everyone else."

"Everything is a passion play for him, and he's the star," another lawmaker said.

Patrick's right-wing wishlist went nowhere.

"I came from the gallery to the floor," Patrick, a regular visitor to the Capitol, said after his first session. "I didn't come from the House. That probably bothers some people."

Now armed with the lieutenant governor's gavel, 71-year-old Patrick has been a constant force driving his party further to the right, culminating last year in perhaps the most conservative period of lawmaking in state history. Already one of the most powerful statewide officials in the country, he is set to gain an even stronger grip on the state Senate if he wins re-election this year, with a handful of departing senators likely to be replaced by his political allies or more conservative candidates.

"He's been playing the long game for a while, and I don't know that people have necessarily seen that or understood that," said Matt Mackowiak, a Republican strategist based in Austin. "But they do now."

More than a dozen people who have observed Patrick's rise said he uniquely grasped and wielded the power of the growing right-wing movement in Texas, allowing him to evade the primary challengers and criticism that other statewide elected Republicans have faced from grassroots activists.

Still, Patrick's most vocal critics say he is actively harming Texans, especially immigrants, people of color, and the poor. He has faced particularly intense blowback for offensive comments on Fox News over the past year, including a false assertion that Black Texans were driving the state's low COVID vaccination rate. In another appearance, Patrick referred to a surge of Haitian migrants to the border as an 'invasion,' echoing a conspiracy theory embraced by white supremacists.

Patrick's embrace of harsh rhetoric, however, has done nothing to weaken his stature among the Republican Party, which remains a dominant force in Texas politics.

"He is a very smart, brutally calculating politician," said former Houston mayor Annise Parker, a longtime foe of Patrick over LGBTQ issues. "A lot of this is performative, but he knows how to work an audience. He's been talking into a microphone for his entire adult life. Now, he's traded in the microphone for a political megaphone and a gavel."

Patrick did not respond to multiple interview requests.

Reading conservative tea leaves

In 2014, Patrick cruised to victory in the lieutenant governor primary, defeating incumbent Republican David Dewhurst with the widespread support of tea party activists around the state.

Within weeks of taking office, Patrick appointed 20 local tea party organizers to a "Grassroots Advisory Board" that would regularly meet with him to help craft public policy. The board was an extension of a similar group Patrick had formed as a state senator to advise the legislative Tea Party Caucus that he founded in 2010.

Both of Patrick's advisory groups regularly met with him and other lawmakers at the Capitol, cementing Patrick's "reputation for valuing folks outside the Capitol complex who ask tough questions," JoAnn Fleming, the chair of both groups, said at the time. The groups accelerated the already-growing influence of tea party-minded activists in Austin, pushing the state's politics steadily to the right.

"He pulled us right in," said Jim Lennon, co-founder of the Kingwood Tea Party and a member of both advisory groups. "We went from being outside, protesting on the steps, to being inside and then starting to get to know all these different people."

After 15 years in elected office, Patrick is still a loud and assertive activist for conservative social issues and tax reform. His supporters say he keeps the pulse of local advocates, associations and unions who support him, maintaining ties with the conservative grassroots even if he doesn't see eye-to-eye with them as often as he once did.

"Dan Patrick reads the conservative tea leaves in Texas as well as any other politician in history," said Brandon Rottinghaus, a political science professor at the University of Houston. "I think part of the advantage he had was that he was on the ground and absorbing the daily interactions with right-leaning activists in Texas as a radio talk show host.

"So, when you're bombarded with that every day, it changes your politics. You see where the anger is, and if you can harness that anger politically, then you can move the needle. And that's exactly what he did."

Patrick's advisory board proved to be short-lived, however, after the members — without consulting Patrick — angered Gov. Greg Abbott by blasting one of the governor's education priorities as "socialistic." Patrick dissolved the group months later, in the summer of 2015.

Driving the Trump bandwagon

Patrick managed to expand his popularity among the conservative grassroots in 2016, when he backed U.S. Sen. Ted Cruz's presidential bid before nimbly switching into Donald Trump's camp once Cruz dropped out. As other Texas Republicans hesitated to embrace Trump, Patrick jumped on the bandwagon without missing a beat, chairing the nominee's campaign in Texas and forging a close alliance.

The partnership has provided a powerful boost to Patrick, lending him credibility among the new generation of Republican voters, activists and lawmakers riled up by Trump.

In turn, Patrick has harnessed that energy, doubling down on his own conservative priorities and supporting elections measures that have Trump's blessing. He's been able to accomplish almost all of them in the Senate, at least, where he is willing to throw out Senate traditions to

speed bills along.

He has also capitalized on the power of Trump's endorsement, coaxing the former president into publicly supporting down-ballot candidates he prefers, including Texas Senate hopefuls.

"Trump was able to galvanize and mobilize voters that haven't been involved in the past," said Logan Spence, a longtime Patrick aide who now works as a lobbyist in Austin. "Those people are pretty conservative. Having those voters more involved and more engaged is just helping Dan achieve those conservative goals that he's wanted to push for a long time but hasn't been able to."

Still, Patrick's relations with the activist wing of the party have hit a few speed bumps in recent years, most notably during the 2019 legislative session. Republicans, fresh off a dismal showing in the 2018 midterms, focused on reforms to the state's school finance and property tax systems, particularly angering social conservatives who saw their prized issues go unaddressed.

Many of those concerns melted away last session, though, when Patrick championed the GOP's priority bills on elections, a ban on abortion after six weeks of pregnancy and a nearly $3 billion two-year border security plan. He also energized right-wing activists by doggedly pushing for a law barring transgender student athletes from competing on the team that aligns with their gender identity.

Through multiple special sessions, Patrick remained a beacon of Texas conservatism, repeatedly — and at times, publicly — urging Gov. Greg Abbott to push further and further right.

Heading into this year's midterm elections, Patrick is laying the groundwork for an even more conservative Senate packed with close allies ready to follow his lead. Patrick himself is on the ballot this year, boosted by a nearly $23 million war chest and scant competition in the GOP primary this spring.

If Patrick gets his way, the Senate next year will be even more aligned with his brand of conservatism, ready to push the limits of Abbott and the Texas House.

Democrats pin hopes on close race in 2018

Texas Democrats, outnumbered and powerless to stop any bills, have characterized the latest slate of GOP-backed state laws as bigoted and regressive. Patrick and other Republicans proudly call it the most conservative session in the history of the state, arguing they are the nation's strongest defense against "socialist" policies pushed by the left.

Democrats often note that Patrick won re-election in 2018 with just 51 percent of the vote, a slimmer margin than nearly every other statewide Republican on the ballot. And some early warning signs have emerged, with an October poll finding that 39 percent of Texans disapprove of Patrick's performance, while 35 percent approve.

"He's just going to get worse until he gets beat," said Democrat Mike Collier, the 2018 nominee for lieutenant governor who's competing in the Democratic primary to face Patrick for a second time this year.

Patrick's opponents say he's gone too far. The abortion measure, for example, has most greatly impacted low-income, nonwhite Texans who may not have the means to either carry the fetus to term or access the procedure in another state.

Critics also point to Patrick's offensive comments on Fox News, but it's unclear whether they will come back to hurt him at the ballot box.

"There's no sanction anymore for politicians to say these outlandish things," said Rottinghaus, the politics professor at the University of Houston. "People dismiss it as simply being politics as usual. Patrick has been able to fly under the radar on some of these things because it's just something that spans through somebody's Twitter feed, and then it's gone."

'Retribution is swift and sure'
In the meantime, Patrick is all but hand-picking the replacements for departing Republicans.

"When people get there — because Patrick supports them — generally, they're of the same political persuasion, philosophically hard right," said state Sen. John Whitmire, a Houston Democrat who was first elected to the Senate in 1982. "Dan just entrenches his position and grows in power inside the Capitol."

That consensus is crucial in the Senate, where Republicans currently hold 18 of 31 seats. And when GOP members disagree or block Patrick's priorities, he's known to respond with venom.

Take state Sen. Kel Seliger, R-Amarillo, who has been at odds with Patrick for years — starting mostly in 2017, when Seliger opposed several of the lieutenant governor's priorities, including a key property tax reform bill. The next session, Seliger lost his post as chair of the Higher Education Committee and was removed from the powerful finance and public education panels.

Seliger noted a parallel during the most recent legislative session: state Sen. Kelly Hancock, R-North Richland Hills, was promptly replaced as chair of the business committee after opposing an energy bill that Patrick promoted.

"He's been very consistent in his treatment of dissenters," Seliger said. "If you get off the party line, retribution is swift and sure."

This year, Seliger's district was redrawn significantly to favor his more conservative primary foe. Seliger, who said the district was likely drawn "with some malice," announced he would retire shortly after the maps became law, and Patrick quickly endorsed his opponent.

Patrick's eight years in the Senate primed him for those disagreements — and have also helped him keep the rest of the body in line, those close to him say.

"He understands any issue from the position of the senator," said Sherry Sylvester, a former top aide to Patrick. "He knows why they're going to be for it. He knows why they're going to be against it. And because he talks to all of them, he understands what political pressures they're under."

Spence, the Patrick aide-turned-lobbyist, described his former boss as genuine and self-deprecating, a faith-driven man who asks people to call him "Dan" instead of "lieutenant

governor." Those private qualities, rarely revealed during Patrick's performative appearances on TV or on the campaign stump, have helped him build relationships with both activists and legislators — including Democrats — during his time in the Senate, Spence said.

There are just five states where the lieutenant governor presides over the Senate, appoints committees, casts tie-breaking votes and assigns bills: Mississippi, South Carolina, Tennessee, Texas and Vermont. Of those states, Texas is by far the largest and has the biggest national profile.

"Institutionally, any person in that office has a lot of power," said state Sen. Bryan Hughes, R-Mineola, who carried several of Patrick's priority bills last year. "Beyond that, the individual in the office matters. And Lt. Gov. Patrick … just anyone sitting in the office of lieutenant governor would not be able to do what he's been able to do."

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State News

AOC heading To Texas To Campaign Against Democratic Colleague
By Michael Lee
Fox News

Rep. Alexandria Ocasio-Cortez, D-N.Y., announced a rally in Texas to support two candidates in next month's Democratic primary.

"Texans, are you ready?" Ocasio-Cortez said on Twitter. "We're coming in for a major DOUBLE-RALLY next Saturday, Feb 12th… This one's going to be special."

Ocasio-Cortez will rally in support of Greg Casar, who the New York Democrat officially endorsed last week.

"Because of his roots as a labor organizer, I know Greg and I will work together to organize year-round and deliver on Medicare for All, good jobs, and climate justice," Ocasio-Cortez said at the time. "I'm proud to support his campaign and will be doing everything I can to help him win this primary on March 1."

The rally will also support Jessica Cisneros, who is looking to unseat incumbent Rep. Henry Cuellar, D-Texas, in Texas' 28th Congressional District.

Cuellar previously bested Cisneros by four points in the 2020 primary, but now faces controversy after his home was raided by FBI agents last month.

The FBI has not charged the lawmaker with a crime, but Cisneros has called the investigation "alarming" and boasted that Ocasio-Cortez is "ready to work alongside us to finally bring true representation to South Texas families."

Casar, who faces off with three other candidates in Texas' 35th Congressional District, said he was "honored" to have the endorsement of Ocasio-Cortez.

"I'm honored to have earned the endorsement of Rep. Ocasio-Cortez, who boldly fights for

working families every single day," Casar said of the endorsement. "I look forward to working with her to deliver for TX-35 residents."

Ocasio-Cortez has previously criticized her fellow Democrats for not using her or other progressives on the campaign trail, saying the party made a "mistake" by being too moderate during the Virginia gubernatorial race that Republican Glenn Youngkin won last November.

"Before the Virginia elections, it was very clear that our help and our participation was not wanted or asked for, which is fine. I'm not here to tell people how to run their races," Ocasio-Cortez said at the time. "But at the same time, to consider the members here that have some of the tightest relationships to our political base as just a uniform liability – and not something that can be selectively deployed, or consulted, or anything – I think it's just sad. I think it was a mistake."

The New York Democrat added that "not a single person" asked her to send an email to people on her "own list," but the party still laid blame on progressives for their defeat.

"The idea that we just accept a collapse in youth turnout – and essentially turn it into a self-fulfilling prophecy – in times when races are decided by such narrow margin points: I think it's ill advised," she said.

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Many States Demand Insurance Companies Prove They Can Weather The Growing Costs Of Climate Disasters - But Not Texas
By David Schechter
WFAA

You can hardly watch TV without seeing commercials for insurance companies. It's an industry that pours money into advertising. But you know what has the potential to be really expensive for them?

Climate change.

The National Oceanic and Atmospheric Administration, also known as NOAA, says "climate change is increasing the frequency of some types of extremes…"

And looking at last year's extremes, NOAA says there were 20 large-scale "weather and climate" disasters in the U.S. with combined losses of $145 billion.

That includes the Texas' February storm, with insurance companies currently expected to pay out $10.3 billion, a disaster that emerging science suggests was made worse by climate change.

Texas was not prepared.

People who could afford it the least suffered the most, like Kathey Sauels in Dallas. When a water pipe burst in her apartment it caused the bedroom ceiling to collapse.

"I shocked to see that ceiling. With so much water. I couldn't do anything but run. Everything

in my bedroom was destroyed. I couldn't save anything," Sauels said.

After the Texas storm, Sauels spent a month in her apartment waiting for repairs. Like many Texans, she's concerned it might all happen again.

"I'm worried about the cold weather now. I don't know if my house is safe," she said.

Planning for yesterday
People expect their insurance will be there for them when they need it. So, when it comes to the increasing threats of climate-driven disasters, many states make sure insurance companies prove they can weather any financial storm.

Texas does not.

Gov. Greg Abbott's administration has no policy to address the risk climate change poses to the insurance policies you pay for, month after month.

"The Texas cold snap and the disaster that followed was preventable if the oil and gas industry and the power sector had weatherized their systems. That is similar to the situation in insurance," said Dr. Michael Wara, an expert in climate policy at Stanford University.

Wara says Texas' refusal to address the well-documented threats of climate change puts insurance customers at risk.

"That's going to mean that when disaster strikes, which is more likely to happen because of climate change, we're not ready," he said.

Wara says, when it comes to fires, floods and hurricanes, insurance companies use decades of historical data about all the claims they've paid out to predict how many disasters there will be in the future and how much they'll cost.

"What climate change does is mess up that approach to pricing because climate change makes the future different than the past," Wara said.

California is seeing the future.

As a result of more intense wildfires, Merced Insurance recently went bankrupt in 2018, unable to pay far more for fire claims than anticipated. And tens of thousands of California homeowners in fire prone areas have been dropped by insurance carriers.

Planning for tomorrow
If the future won't look like the past, what will it look like?

That's where computer models come in. Some states require that insurance companies use sophisticated predictive modeling to create a picture of how many disasters they'll see and how much they'll cost.

Florida, for example, has a state commission of experts that oversee the methodology of computer models.

And in Washington State, insurance commissioner Mike Kreidler regularly reviews how insurance companies use their modeling predictions.

But if insurance companies are already using these models, why does a state insurance regulator need to be involved, too?

“Ask the people that were setting up the electrical grid in Texas why they did what they did? Because they there were some financial advantages at the time,” Kreidler said.

“We understand that some insurance companies will play fast and loose. We can't afford to have somebody that comes in to make a buck today but leave the market tomorrow,” he said.

Insuring the insurers
You might not realize it, but your insurance company has an insurance company. That industry is called reinsurance and it covers the really big losses. For example, of the $10.3 billion in damages from the Texas winter storm, reinsurance companies will cover $3 billion.

“They offer lots of coverage for these very unlikely things. And in any given year, one in 100 of those things come true and they have to pay. If they're paying for three or four things coming true, that's not a business model anymore. The reinsurers basically want a fair game,” Wara said.

And they don't think they're getting one in Texas.

Last December, the Reinsurance Association of America urged Texas Insurance Commissioner Cassie Brown, appointed by Gov. Abbott, to "adopt guiding principles... to address the issue of climate change and its interrelationship with insurance and regulation."

So, where does the Abbott administration stand on that?

We asked if the Texas Department of Insurance has a policy about climate change and how it impacts the department's mission? The answer was no.

So, how does TDI make sure that insurance companies have sufficient plans to mitigate the risks they face from climate change. Notably, the department answered the question without ever saying the words "climate change."

They wrote, “One of TDI’s core functions is monitoring insurer solvency, to ensure that companies have the ability to pay claims and be a stable force in the marketplace. Part of that monitoring involves evaluating the various regulatory filings insurers provide TDI to highlight the risks to which the insurer is exposed and how they are managing those risks.”

Conclusion
Weather and climate disasters can have huge impacts on people's lives and science is telling us to expect more of them. But instead of planning for a more expensive tomorrow, Texas is still planning for a cheaper yesterday.

That philosophy proved to be a disaster last February and could be again.

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The GOP Is Gaining Among Texas Hispanics. Women Are Leading The Charge.
By Sabrina Rodriguez
Politico

Democrats were caught off guard by Donald Trump's numbers in South Texas in 2020. The Hispanic Republican women who live there were not.

Many of them have played a leading role in urging their neighbors in majority-Hispanic South Texas to question their traditional loyalty to the Democratic Party.

Hispanic women now serve as party chairs in the state's four southernmost border counties, spanning a distance from Brownsville almost to Laredo — places where Trump made some of his biggest inroads with Latino voters.

A half-dozen of them are running for Congress across the state's four House districts that border Mexico, including Monica De La Cruz, the GOP front-runner in one of Texas' most competitive seats in the Rio Grande Valley.

It's some of the clearest evidence that Trump's 2020 performance there may not have been an anomaly, but rather a sign of significant Republican inroads among Texas Hispanics — perhaps not enough to threaten the Democratic advantage among those voters, but enough to send ripples of fear through a party that is experiencing erosion among Hispanics across the country.

"For so long, people here just never had Republicans knocking on their doors and calling them the way we did in 2020. The majority of us are women that did it then and are doing it now because we feel it's our responsibility to keep the American Dream alive," said Mayra Flores, a leading candidate for the GOP nomination in a South Texas-based congressional seat.

For Flores, the road to becoming a Republican was similar to the path traveled by many Hispanic women in South Texas. She grew up seeing most of her immigrant family vote Democrat and felt that it was standard for Hispanics to only vote for Democrats. Then, she says, came an inflection point where she began to question her loyalty to the party.

A family member asked if she knew what both parties stood for, and after looking into it, Flores felt that her religious, anti-abortion and pro-border security views were more conservative than she'd ever thought and more in line with the GOP. Five years ago, she got involved in her local GOP and now a majority of her family votes Republican, too.

She wasn't surprised at all to see Republicans gain ground in 2020 along the Texas-Mexico border, even as Democrats and Republicans outside the region expressed shock at results in places such as Zapata County — where Trump became the first GOP presidential nominee since 1920 to carry the county.

Neighboring Starr County saw the most dramatic shift of any county in the state when thousands more Republicans turned out to vote than in prior elections. While President Joe Biden ultimately won the county with 52 percent of the vote to Trump's 47 percent, that paled in comparison to Hillary Clinton's 2016 performance, when she garnered 79 percent to Trump's 19 percent.

Claudia Alcazar, chairwoman of the Starr County Republican Party, switched parties about two years ago after being a Democrat her entire adult life. She said it hasn't been an easy transition in communities like hers that remain majority Democratic, pointing to the strain it has caused in her own family.

Alcazar, 54, said her decision to become a Republican came after discussing politics with a high school friend running for mayor.

"We went down the list of all my beliefs and at the end I was like, 'Oh my God, I am a Republican. I just didn't know it.' I was so used to being told and seeing myself as a Democrat," she said. "It's like being used to drinking Coca Cola and then one day you taste Dr. Pepper and you're like, 'wow, I really like this one.' I truly shocked myself."

After a pause, she said, "And some of my family members. They're not happy with me."

Like Alcazar, Hispanic GOP women in the Rio Grande Valley don't have one specific reason for why they ultimately switched parties, according to interviews with several Hispanic GOP women officials across South Texas and GOP operatives.

This is a close-up photo of a Border Patrol agent's shoulder badge.
Border Patrol agents hold a news conference prior to a media tour of a new U.S. Customs and Border Protection temporary facility near the Donna International Bridge in Donna, Texas, May 2, 2019. | Eric Gay/AP Photo

They want more border security or are staunchly against abortions. They feel their husbands, family members, neighbors and friends that are Border Patrol agents or are in law enforcement are being unfairly villainized by Democrats. They worry Democrats are hostile to the oil and gas industry, which provides many good-paying jobs in the state. They worry the left is forgetting family values and the value of work.

Broadly, they also argue that Democrats outside of the Valley have miscalculated that Hispanics there are as progressive as Hispanic voters in more liberal strongholds such as California and New York, when in reality, they're far more moderate.

Nationally, some of Trump's largest shifts in approval ratings were among Hispanic women. A report by Democratic research firm Equis in the wake of the election found that Trump's net job approval among Hispanic women, especially young ones, grew dramatically in the year leading up to the election. Conservative Latinas, in particular, also became significantly more motivated to vote leading up to the election, the report found.

And the shift for Hispanic women didn't just happen in Texas. Another analysis by Democratic voter data firm Catalist found that support for Democrats among Latinas in Nevada dropped by 11 points from 2016 to 2020, compared to Latino men, whose support declined by 6 points.

National Republican groups have already begun making investments to build on the work being done by the local Hispanic GOP leaders.

The Republican National Committee, for example, has opened four community centers in

Hispanic-heavy areas of Texas, including Laredo, McAllen and San Antonio. An RNC spokesperson described the community centers as “not your traditional political field offices” but rather as places to host workshops, host movie nights and engage with the community for more than just political events.

An organizer with a Latino empowerment group offers voting registration during a community outreach in Arlington, Texas.

The spokesperson said this election would represent the RNC’s largest-ever presence in South Texas, noting there are already 20 full-time staff based in the area.

“It’s unprecedented what we’re seeing because prior to 2020 we didn’t have this kind of support at all,” said Flores. “I can only imagine how much more we’re going to be able to do with their support.”

One group, Project Red Texas, took notice of the party’s gains in South Texas with Hispanic voters in 2020 and jumped in to recruit candidates for local races. The group, run by Wayne Hamilton, a long-time GOP operative and former executive director of the Republican Party of Texas, recruited 135 candidates for local races, such as county judge. Hamilton estimates that about half of those he recruited are Hispanic and a good chunk are women.

“There’s no question things are changing down in the Valley,” Hamilton said, acknowledging it’s a new phenomenon. As recently as 2018, he said, there really wasn’t a bench of GOP candidates to run, nor a lot of effort spent to recruit and organize in South Texas.

Alcazar agreed that it’s only in the past two to three years that she’s seen more coordination across the region — and she credits some of it to more women being involved.

“We’re finally united ourselves,” Alcazar said. “We’re doing this because, as mothers and career women, we’re finally coming out and saying we’re part of this party and want to make sure our issues are paid attention to and heard.”

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Progressive Group Wants To Oust Two House Democrats In March 1 Primary
By Patrick Svitek
Texas Tribune

A new coalition that wants to install "better" Democrats in the Texas Legislature is endorsing primary opponents to two House members who were central in intraparty disputes last year.

The Texans for Better Democrats Coalition is throwing its weight behind Candis Houston, who is running against Rep. Harold Dutton of Houston, and Rep. Claudia Ordaz Perez, who is competing against Rep. Art Fierro after she was drawn her out of her El Paso district during redistricting.

The Democratic group is also endorsing Harris County Judge Lina Hidalgo in her reelection bid as she faces a group of primary challengers including Erica Davis, the top staffer for a Harris County constable.

The coalition launched in October, and it is made up of three progressive groups tied to organized labor: the Texas Organizing Project, Communications Workers of America and Working Families Party. They are prepared to spend about $250,000 across the three primaries, funding field and mail programs in each one, said Pedro Lira, co-director of the Texas WFP.

"We're in it to win it," he said.

The battles within the party come after a year of contentious legislative sessions in which GOP leaders pushed the state firmly to the right — and Democrats sometimes splintered on how hard to fight. Nowhere was that more apparent than House Democrats' quorum break over the GOP's priority elections bill, which ground the chamber to a halt for weeks but ended after a slow trickle of their members, including Fierro, began returning to the floor.

“Texans need elected leaders who will stand with them, not ones who back down at the first sign of a fight," Derrick Osobase, administrator director for CWA District 6, said in a statement.

Dutton is well known as an occasional outlier in his party. He irked fellow Democrats last year when, as head of the House Public Education Committee, he helped revive legislation placing restrictions on transgender student athletes. He has long broken from some fellow Democrats when it comes to education — supporting more charter schools, for example.

Houston is the president of the Aldine chapter of the American Federation of Teachers. She has been endorsed by the statewide AFT, as well as the Texas AFL-CIO and Annie's List, which works to elect Democratic women who support abortion rights to state office.

Dutton shrugged off the coalition's endorsement.

"This organization is free to do as they wish and I expect to work with them again in the future," he said in a statement, "but otherwise I will remain focused on getting things done to improve our neighborhood public schools, create more local jobs, expand access to healthcare, and ensure justice and voting rights for all."

Dutton has the backing of the House Democratic Campaign Committee, which works to reelect incumbents and gave his campaign $2,500 last month. The committee has not taken sides in the matchup between Fierro and Ordaz Perez and does not plan to.

Ordaz Perez chose to run against Fierro after the Republican-led redistricting process forced her into the same district as a fellow Latina Democrat, Rep. Lina Ortega. In announcing her campaign against Fierro, Ordaz Perez criticized him for being one of the first House Democrats to return from the quorum break. A number of other House Democrats who remained in Washington, D.C., longer are backing her against Fierro.

In an interview, Fierro defended his decision to return along with two other El Paso-area Democrats, saying they had achieved their three goals from the start: staying off the floor for the remainder of the first special session, bringing national attention to the bill and "light[ing] a fire under Congress" to pass federal legislation protecting voting rights.

"I was on the bad-election-bill battle from day one," he said, pointing to his efforts to fight it

as a member of the House Elections Committee.

Unlike Fierro, Dutton was not among the core 57 Democrats who had broken quorum. He did join them in Washington, but returned to Texas several days later, citing family medical reasons.

Campaign fundraising has been light across the two primaries, so the coalition's involvement could be significant. Ordaz Perez had $50,000 cash on hand as of Jan. 31, to just $6,000 for Fierro as of Jan. 20. Dutton had $73,000 in the bank as of Jan. 20, while Houston had $19,000.

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Education

A Push To Remove LGBTQ Books In A Texas County Could Signal Rising Partisanship On School Boards
By Jeremy Schwartz
Texas Tribune

Nearly seven years ago, Melanie Graft's 4-year-old daughter was in the children's section of her local North Texas library when she picked up a book about an LGBTQ pride parade. Within the colorful pages of the book, "This Day in June," children and adults celebrate with rainbow flags and signs promoting equality and love over hate. Adults embrace and kiss one another.

Alarmed, Graft launched a campaign against the book and another about a boy who likes to wear dresses, suggesting that their presence in the library foisted inappropriate themes on unsuspecting children. By June 2015, the Hood County Library Advisory Board had received more than 50 complaints asking that the two books be removed from the shelves of the children's section. The board refused, saying the books did not promote homosexuality, as some complaints had suggested, and arguing that the library already required parents of young children to accompany them and check out materials. Librarian Courtney Kincaid called "This Day in June" a tool to teach respect and acceptance of the LGBTQ community, but she agreed to move it to the adult section. She kept "My Princess Boy" in the children's section.

Opponents of the books then turned to the entirely Republican Hood County Commissioners Court, which appoints members to the library advisory board. After an emotional three-hour meeting that July, commissioners declined to remove the books on the advice of the county's attorney, who concluded that such action could spur a lawsuit over unlawful censorship because of potential violations of state law and the U.S. Constitution.

Anger over that decision helped fuel a seven-year effort by far-right Christian conservatives in Hood County to seize control of elected offices and government boards from more traditional Republicans. They won spots on the commissioners court, grabbed seats on the library advisory board and, last year, launched a monthslong campaign to oust Michele Carew, the county's independent elections administrator, accusing the Republican of harboring a secret liberal agenda.

In November, the group claimed a major victory after Graft won a seat on the school board in

Granbury, the county seat. Also elected was Courtney Gore, the co-host of a local far-right internet talk show who has railed against masks and vaccines and promoted Donald Trump's false claim that the 2020 presidential election was stolen. On the campaign trail, the women promised to comb through educational materials for any signs of "indoctrination" in the form of books or lesson plans that they charged promote LGBTQ ideology or what they referred to as critical race theory, a university-level academic discipline based on the idea that racism is embedded in U.S. legal and other structures.

"When my daughter was 4 years old, my parental rights were taken away here at the public library in Hood County," Graft, who said on the campaign trail that her school-age children did not attend Granbury public schools, told attendees at a GOP forum before the election. "I stood up for my daughter then, and I'll stick up for our kids now."

The yearslong journey in Hood County offers a window into the fiercely contentious debates over curriculum and library books that have cropped up across the state and country in recent months. Once-nonpartisan school board races are taking on a decidedly partisan tone, and administrators are now sounding like political operatives.

Peter Coyl, a librarian who testified on behalf of the American Library Association in 2015 against removing the books, recalls thinking at the time that Hood County was an outlier because of how extensively the fight consumed the community. In retrospect, Coyl said, Hood County foreshadowed the larger battle that is playing out in school board races and over library books across the country.

"It was obvious that there was a portion of the community that was not happy with the outcome," said Coyl, who now leads a library in Sacramento, California. "But I think now we are in an era, a time where people aren't willing to have discourse or conversations about things. They want their way and they want to impose their view on anyone and everyone, because they feel that they're right."

The Granbury Independent School District elections last fall served as a litmus test of loyalty to the GOP's most conservative wing, which pushed candidates for nonpartisan posts to declare their party affiliation and to explain how they would actively push far-right initiatives.

"This was the first election where candidates felt the need to put 'conservative' or 'Republican' on their campaign signs and in their literature that they sent out," said Nancy Alana, a self-described conservative Republican who lost to Gore in November after serving on the school board since 2009. "And I have always shied away from that because I understood that the school board position was nonpolitical. And that was what I was trying to uphold."

A career educator who spent 30 years as a teacher and principal, Alana shares views similar to those of Graft and Gore on books and curriculum, but was pegged by some far-right Republican activists as too passive for their vision of a more uncompromising "new Granbury." Alana said she worried that the focus on culture-war battles over books and curriculum could distract leaders from important issues like overcrowding in the growing district.

Graft did not respond to requests for comment. Gore said in an email to ProPublica and The Texas Tribune that declaring party affiliation makes school board elections more transparent.

She said that the board “more accurately reflects the population now.”

“Any entity that taxes or oversees school curriculum is inherently partisan, whether people want to admit it or not,” Gore said. “I proudly ran as a Conservative Republican and will never apologize for being one.”

Challenges to books about sexual orientation and racial identity in Texas are the latest in a wave of divisive national political issues driving local campaigns. In October, Matt Krause, a Republican state representative from Fort Worth who was then running for attorney general, sparked national attention when he released a list of 850 books that he said should be investigated and potentially banned from school libraries. The majority of the titles dealt with LGBTQ themes, and some were targeted for merely including LGBTQ characters, according to an analysis by BookRiot.

Gov. Greg Abbott, facing a Republican primary challenge from two opponents running to his right on education issues, later ordered the Texas Education Agency to investigate the availability of “pornography” in public schools, a term that some politicians and district leaders have interpreted as a catchall for books on sexuality and sexual orientation. He urged criminal prosecutions under the state penal code of educators who make such material available.

At a January school board meeting, Granbury Superintendent Jeremy Glenn, who is appointed by the board, referenced Krause and Abbott in defense of the district’s recent decision to remove more than 130 books that deal with race and sexual orientation from school libraries, pending a review.

The Granbury school board went a step further during its meeting Jan. 24. Led by Graft, the school board cleared the way for the district to strip any material deemed vulgar or unsuitable by administration and the board from its shelves without a committee review.

The next night, at Brazos Covenant Ministries church, Glenn assured attendees at a Republican Party gathering that school board members would act as gatekeepers against books and “woke” curriculum about sexual orientation and racial identity.

Speaking in partisan political language not common among school superintendents, Glenn pointed to decreasing margins of victory for Republican presidential candidates in the state, and warned local party leaders that “there are individuals out there that want to destroy what you believe.”

“They don’t believe in the same America that you and I grew up in, and that’s just the truth,” he said. “Our community has to decide whether or not we want to hold the line.”

An old fight resurfaces

A week after the November election, Emily Schigut, a fifth grade reading teacher and soccer coach, put her house on the market. She knew it was time to leave her job.

Schigut, who has family in Hood County, was teaching in Midland five years ago when the principal of STEAM Academy at Mambrino in Granbury reached out to her about an opening at its campus.

She recalls her excitement at coming to the district, which she said was a model of innovation. Now she worries that politics have taken hold in a way that makes it difficult for teachers to do their jobs. And as someone who identifies as queer, she is concerned about the message the district is sending to educators and students.

“It’s absolutely terrifying,” Schigut said in an interview. “All anyone has to do is listen to the words they’ve said. They aren’t there for the kids. They are there for a political agenda. You watch all these things happening around the country, and in the blink of an eye, it was happening here.

“It’s very sad because I 100% believed in this district. But I do not feel safe here any longer.”

While the shift in tone at the school district felt sudden to Schigut, far-right Republicans had spent years working toward electing candidates to local political offices. Their efforts gained steam in the summer of 2015 amid outrage over two failed fights: one over the LGBTQ books and another when Hood County was required to comply with the U.S. Supreme Court’s landmark decision legalizing same-sex marriage. County Clerk Katie Lang initially refused to issue a marriage license to a gay couple.

Despite losing the debate over books, opponents claimed a major victory that year when Kincaid, Granbury’s librarian, resigned. She said she could no longer endure harassment and bullying by the group, which she recalled had posted someone at the library’s circulation desk every day to watch her.

“Even going out to lunch was a gamble because I didn’t know if my food would be tainted in any way by someone who disagreed with my decision to keep the books. Whenever I would leave the library, be it during my lunch time or running an errand for work, I was followed,” Kincaid told the American Library Association in 2017 after her resignation. Kincaid, who faced additional harassment following her departure from Hood County, declined an interview.

Graft became increasingly active in local politics, serving on the local library advisory board and as a Republican Party precinct chair. Her fight against the books made her popular in far-right circles, giving her a platform across the state.

During an interview with Doc Greene, a self-described conservative activist radio show host, at the 2016 state Republican convention in Dallas, Graft described the moment her daughter encountered “This Day in June” by Gayle Pitman.

“She picked it up, turned to the page and showed it to me, and I was appalled,” Graft said. “There were political issues. Signs like love over hate, equal rights, things that a child certainly can’t understand. And this book on the back binding was recommended for children ages 4 to 8.”

She continued, “They have an agenda and an indoctrination for our children. It’s not enough to tolerate. They want us to participate. And they want our children.”

After Graft had finished, Greene said he was not a violent man, then added, “But something like this enrages me to such a degree that violence is not completely ruled out. Because when you go after the children, this is not the time to just stand by and talk about it.”

Graft responded that she was not a proponent of violence, but Greene continued pressing.

“If you’re not willing to kill for what you believe, you’ve already lost the war. Our children are worth saving,” said Greene, who did not respond to requests for comment.

“I can’t argue with that,” Graft said. “I agree.”

A month later, the Northeast Tarrant Tea Party near the library where Kincaid had relocated uploaded a video of Graft speaking at one of its meetings to YouTube.

“This is Courtney Kincaid. You need to know her name,” Graft told the group as a screen flashed behind her. “We have to stand in the gap between the liberal left and our children. It only takes one liberal library with an agenda to steal the innocence of your child.”

Two years later, one of Graft’s allies in the fight against the books, Dave Eagle, a former Tea Party leader, was elected to the Hood County Commissioners Court. Eagle, who lost a bid for the school board in 2016, had vowed in a letter to the Hood County News the previous August that the Hood County Tea Party would “continue to reap political dividends” from the fights over same-sex marriage and LGBTQ books, as he complained about the local news organization’s coverage.

Eagle, who claimed credit for Kincaid’s departure, frequently sparred with members of the library’s advisory board and worked to change the makeup of the panel. In 2019, the Hood County Republican Party issued a formal resolution calling for the board to be disbanded, claiming that it failed to represent the “moral character” of the community. County commissioners dissolved the board last year after political divisions had made it difficult for the board to get much accomplished.

“It has become a lightning rod,” David Wells, the former library advisory board chair, said after the board disbanded. “It’s lost its sense of purpose, of what it’s there for. It’s way beyond the purpose for which it is designed.”

Eagle, who did not respond to a request for comment, also helped lead an effort last year that sought to abolish the elections administrator position held by Carew and transfer her duties to Lang, the county clerk, who has used social media to promote baseless allegations of widespread election fraud. Aside from saying that she would abide by the Constitution, Katie Lang has declined to discuss how she would approach elections management if given the role. Carew resigned in October. She is now running for office against Lang, an effort she said she undertook to prevent partisans from taking control of elections if commissioners decide to dissolve the independent election office.

Debates over national issues have left the ground fertile for takeovers in rural counties and small towns across Texas, provided local far-right activists can organize as they have in Hood County, said Brandon Rottinghaus, a professor of political science at the University of Houston.

“Local organizers can ride these national waves to power,” Rottinghaus said. “With the right spark, I think that’s a model they can replicate across the state.”

Pitman, the author of "This Day in June," one of the children's books targeted by Graft and Tea Party members in 2015, said the school board election in Hood County marks a worrisome escalation of rhetoric that previously seemed more isolated. "It just seems like there's been a shift in the political climate," Pitman said, adding that she never expected to see the massive wave of current book challenges.

"I think the most disturbing thing about this to me is that if you look historically at book challenges, for the most part, books were challenged because of the ideas that were in them," Pitman said. "And that, to me, is really disturbing because it's no longer about ideas or exchange of information or discourse, it's about marginalizing an entire community."

In January, administrators in the Granbury school district summoned its librarians to a meeting to review library offerings "based upon the Governor's criteria," according to emails obtained by a Granbury parent through the Texas Public Information Act and shared with ProPublica and The Texas Tribune.

District officials immediately removed from the library shelves five books unrelated to LGBTQ themes by Abbi Glines, an author known for including explicit sex scenes that push the boundaries of young adult fiction. They also pulled about 130 other titles from school libraries, pending a review by a district committee composed of teachers, librarians and parents.

"Let's not misrepresent things. We're not taking Shakespeare or Hemingway off the shelves," Glenn said at a school board meeting last week in which he blasted opponents of the book removal effort. "And we're not going and grabbing every socially, culturally or religiously diverse book and pulling them. That's absurd. And the people that are saying that are gaslighters, and it's designed to incite division."

Glenn made no mention of the dozens of LGBTQ-themed books that had been pulled from the shelves for further review. Of the 130 books temporarily removed, about 94, or 73%, feature LGBTQ characters or themes, according to a ProPublica and Tribune analysis of the popular book review site Goodreads.

Coyl said he is concerned that political candidates are increasingly using the issue of book censorship to win public office. "People need to be very vigilant and aware of it," he said. "It's a slippery slope. If we allow the restriction of one thing, it's very easy to slide into more suppression."

Experts say waves of backlash against LGBTQ communities often follow moments of cultural transformation. Schools have long been the battleground, dating at least to the 1970s, when anti-gay crusader Anita Bryant led a national movement to save children from gay adults.

But fed by social media, the same message today is spreading farther and faster than during past waves, experts said.

Vox Jo Hsu, an assistant professor of rhetoric and writing at the University of Texas at Austin who specializes in the effect of public rhetoric on racial, gender and sexual minorities, said movements to censor LGBTQ books can leave young people feeling alone.

"I can't overstate the type of damage it does to create a culture of shame and silence around

LGBTQ topics," Hsu said. "You are teaching them, from a young age, these false narratives about who they are that they will have to unlearn and you're depriving them of resources and communities they will need to do so." Leaving a school district is not an option for all LGBTQ students or families, and children who are left behind when others depart will only become more isolated, Hsu said.

Last month, students in the Granbury district launched an online petition opposing the book removal effort. Within days, the petition had gathered more than 600 signatures. Students also spoke against the removal at last week's school board meeting.

"I don't think that little children should be shocked or disgusted by our identities," a queer senior at Granbury High School said at the meeting, warning that removing the books would send a dangerous message. "It's disgusting that, even in 2022, we still have to have these discussions about censorship."

Glenn saluted the students for speaking out, but then took aim at those who questioned the removal of the books.

"During my tenure, I have witnessed radicals come into our boardroom and go onto social media platforms to distort the truth, exaggerate issues and bad-mouth our trustees," Glenn said. "To those individuals, please know, like the little boys who cried wolf, you have lost all credibility to the majority in this community. We will not back down from you."

In an email, Gore applauded the book removals and said the district is not taking aim at LGBTQ students or community members. "All students at GISD are loved and cared for by the amazing staff and administration," she said. "With that, public schools are not the place for young people to express themselves sexually."

Near the end of the discussion, Graft made a motion to amend the district's policy on book removals, eliminating the requirement for campus-level committees that have determined whether concerns are merited.

The revised policy, which passed unanimously, will allow the district to remove books the administration and board deem "pervasively vulgar" or educationally unsuitable without going through the district's existing process. Before the change, books had to stay on shelves until a review was completed.

"This is going to align the policy so that in the event that we do have a book that is in our library that is vulgar and overtly sexual, it can be removed without review," said Tammy Clark, an assistant superintendent in the district.

Despite the policy change, district spokesperson Jeff Meador said a committee will review the books, and most of them "will likely be returned to the library shelves."

Jonathan Friedman, the director of free expression and education at nonprofit PEN America, which promotes literary culture and defends freedom of speech, said the Supreme Court has not settled the constitutionality of removing school library books without a review. Still, he said it's "highly concerning" that Hood County school board members "appear to have changed the policy just in order to appease the state lawmakers' list of books."

Friedman said that while there hasn't been a recent legal challenge related to the spate of book removals, districts could find themselves in legal jeopardy if it becomes clear that their motive was based on "hostility towards the views in those books."

Efforts to censor material usually fail, but the process can still be divisive and counterproductive, said Whitney Strub, a history professor at Rutgers University.

"I think history shows that these movements don't actually succeed, but they do a lot of damage and inflict a lot of destruction and harm along the way," Strub said. "And I absolutely think that's likely to be the case at the local level."

Seeking safety
The escalation of anti-LGBTQ rhetoric worries one Granbury mother of a 4-year-old, who asked that her name not be used as she fears retaliation because she is gay.

She recalled feeling reassured after county commissioners denied efforts to ban LGBTQ books from the local library in 2015 when she lived in a neighboring county. Although she didn't have a child at the time, she believed that the books provided an opportunity to teach children that having gay parents is normal.

On election night in 2021, she was shocked when Graft, who had led the fight against the books, won. It was then that she and her wife decided to send their son, who is entering kindergarten, to another district. "It makes me worried that someone like her would tell kids that it's not OK to be like that," she said.

The woman can tick off the incidents of hate she has experienced since moving to the county four years ago: the stranger at the grocery store who called her a "faggot," the senior citizen who threw his arms in the air in disgust and stormed off when he saw her kiss her fiancee goodbye.

She wanted school to be a safe space for her son, one that didn't vilify him for having two moms.

"I wouldn't put it past someone to physically harm me because I gave my fiancee a kiss," she said. "Seeing stuff like the school board election definitely opens my eyes. Even though this is a small town, and I know most of the people, and I grew up next door, when it comes to sexuality nobody's safe."

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Business/Economy

Will Blockbuster Oil Profits Mean More Jobs, Stronger Recovery For Houston?
By Paul Takahashi
Houston Chronicle

Since the start of the pandemic-driven downturn, Big Oil has preached the gospel of "capital discipline" to woo back Wall Street investment to the battered energy sector by controlling spending, limiting growth and delivering profits.

Even as oil prices rebounded above $85 a barrel from $48 a barrel last year, U.S. oil giants such as Exxon Mobil and Chevron remained restrained, funneling the cash to boost dividends, repurchase shares and pay down debt instead of drilling new wells and boosting production.

But after a banner year in which companies delivered massive profits and shareholder returns in 2021, Big Oil appears ready to get off the sidelines and spend, looking to grow production and expand again as crude demand has rebounded from the pandemic. And that could mean new jobs in Houston and Texas, and ever stronger recovery for the local and state economies.

Exxon and Chevron, which reported combined 2021 profits of nearly $40 billion, recently said they plan to increase Permian Basin production this year by 25 percent and 10 percent, respectively. Exxon said it plans to boost capital spending on new projects this year by as much as 44 percent to $24 billion, compared to 2021 levels. Chevron said it plans to increase spending by 20 percent to $15 billion.

ConocoPhillips, which reported profits of $8.1 billion in 2021, said it intends to bring production online from its recently acquired Permian assets from Shell, and boost its capital spending this year by nearly 36 percent to $7.2 billion.

And for the first time in at least two years, Exxon said it was considering “selective mergers and acquisitions,” a costly move that the company had dismissed during the depths of the downturn.

Big Oil is getting room to run because companies are generating the payoffs that investors have demanded as energy companies ride higher oil prices to the biggest profits since 2014. The S&P 500 Energy Index, a group of the largest U.S. energy stocks, rose 48 percent in 2021, recovering to near pre-pandemic levels.

So far this year, energy stocks are up 22 percent, outpacing the S&P 500 index, which is down 4.5 percent.

Changing dynamic

“The dynamic has changed,” said Peter McNally, the global energy leader at Third Bridge, a New York market research firm. “Oil majors are getting a bit more growth because oil prices are higher, and they really delivered on shareholder returns. There is money in their pockets to do this stuff. They’ve got a bit more wiggle room.”

To be sure, Big Oil’s spending plans are nowhere near pre-pandemic estimates. The oil industry’s renewed interest in production growth and expansion also comes at the risk of refueling the ire of investors unsatisfied by the recent run of returns after years of lackluster performance, analysts said.

Large public oil companies will have to walk a tight line, but if they succeed in growing production and while still delivering big profits, Houston stands to benefit as investment flows back to the energy sector, allowing oil companies to invest in new projects and hire more workers again.

“U.S. producers are going to be able to manage dual objectives in 2022,” said Aaron Brady, executive director for IHS Markit, a global research and consulting group. “They’ll be able to

return record cash to investors and also grow volumes to help meet fast-recovering world oil demand."

Analysts are expecting big growth in production this year as demand continues to recover from the pandemic. The Energy Information Administration this month estimated the U.S. will end the year producing about 12.2 million barrels of oil a day, 630,000 barrels a day more than current levels.

That's a conservative estimate. Conoco CEO Ryan Lance on Thursday said he could see U.S. crude output grow by 800,000 to 900,000 barrels a day this year, surpassing the pre-pandemic peak of 13 million barrels a day.

"Public (oil companies) are kind of regenerating and coming out of the maintenance capital mode in 2021," Lance told analysts during a conference call Thursday. "We plan to add some activity in all three of the big three (oil basins): The Bakken (in North Dakota), the Eagle Ford (in South Texas) and the Permian (in West Texas and New Mexico)."

Case for growth
Oil giants have certainly built a case for growth.

Crude prices are at seven-year highs, historically a strong market signal to drill more wells and produce more oil. West Texas Intermediate, the U.S. crude benchmark, settled at $90.27 a barrel on Thursday, up $2.01 from Wednesday.

Exxon, the Texas oil major, last year repaid $20 billion of debt and returned $15 billion in dividends to shareholders, while its California rival Chevron repurchased $1.4 billion of company stock and reduced its debt by $12.9 billion. Houston independent ConocoPhillips last year returned $6 billion to shareholders through dividends and share buybacks, and plans to boost shareholder returns to $8 billion this year, up more than 30 percent from last year.

At the same time, Exxon, Chevron and ConocoPhillips have all set ambitions to become net-zero emissions companies by 2050, laying out a strategy to mitigate methane leaks and capture carbon dioxide to satisfy growing investor concern about climate change.

"The industry has kind of ticked all the boxes that they needed to before they could spend more," McNally said. "Debt's down, buybacks and dividends are up."

Investors so far have largely rewarded Big Oil's disciplined strategy. The industry's focus on profits, shareholder returns and improving their environmental image have catapulted energy stocks over the past year.

Exxon's stock price rose by nearly 58 percent last year to $61.19 a share as of Dec. 31, while Chevron stock climbed 46 percent to $117.35 a share. ConocoPhillips shares shot up 87 percent last year to $72.18.

Whether investors can stomach double-digit production growth and spending increases in the Permian remains to be seen. Analysts say investors may have an appetite for moderate growth, as long as profits and shareholder returns keep growing.

"Oil's hit $90," McNally said. "There's a lot more flexibility for companies to walk and chew

gum."

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Immigration/Border Security

The Mexico-US Border Is An Imaginary Line To The Biden Administration
By Angie Wong
New York Post

The southern border of the United States has become a suggestion, a line that vanishes a little more each day.

I spent three days on the front lines of the Biden administration's illegal-immigration crisis, and found a Border Patrol that has changed from an enforcement agency to a concierge service. A pipeline of migrants, fueled by cartel coyotes and abetted by American liberal nongovernmental organizations, enter the nation in droves, and many will likely never return to the countries they left.

Groups of migrant men often wait in the bushes or under the McAllen-Hidalgo International Bridge until dusk to cross over. At sunset, I witnessed a group walking out of the brush and onto dirt road up to the security wall on the American side. The officer I was speaking with took off in her patrol Jeep to direct the men to a "consolidation point" away from the main road where I was standing. The immigrants trudged off, and within minutes, the patrol vehicles left to another area. No action was taken for what was likely an illegal crossing.

Even if the government wanted to secure the border, there aren't enough officers to police the hundreds arriving each day. So the Border Patrol has made deals with the devils. Mark Morgan, former commissioner of the US Custom and Border Protection agency, said US officers now coordinate with the cartels and coyotes on where and when drop-offs will happen. In the past, large groups of illegal immigrants would cross without notice, and it would take agents two days to process at the centers.

Morgan told me they wanted to avoid scenes like the ones of children being dropped over walls in remote areas. It may be safer, but it also makes the cartel's job easier, and more lucrative. The cartels have taken control of our border, and we're negotiating with the hostage-takers.

Once the migrants are processed at the consolidation centers, they are given folders color-coded to the city of their destination. I saw folders with tickets to Houston, Atlanta, Newark and JFK. The folder also contains an airline ticket, a US passport-looking booklet, cash, prepaid credit cards, travel itineraries and an English translation page. The cover of the folder says in capital letters, "PLEASE HELP ME I DO NOT SPEAK ENGLISH. WHAT PLANE DO I NEED TO TAKE? THANK YOU FOR YOUR HELP" with a smiley face.

Onto the planes
Each migrant also receives a set of clothing — a gray or black sweatshirt, dark jeans and black sneakers. They get a blanket, a pillow-sized bag of shelf-life food and a carry-on travel bag. Some have received cellphones.

Fox News footage shows mass release of single adult migrants into US.
Illegal immigrants with criminal records were released into the US and dropped off at a Texas airport, according to an ICE agent talking with Fox News.
From McAllen Airport, I boarded a plane to Houston with around a dozen migrants. I watched their handlers get them past immigration and security with just a flash of documents, whereas all other passengers had to show identification.

Their handlers, I'm told, are from government-funded NGOs and churches.

NY House GOP tells Biden to keep 'secret' flights of migrants out of Empire State
There is exhaustion and fear on many of their faces, because the only real winners here are the cartels, to which so many of these illegal migrants owe money. They face years of repayments for the treacherous journey they just made.

Once they arrive at their destination cities, the handlers go missing. I followed one group of female migrants to the airport bathroom and watched as they cleaned up, changed out of the sweatshirts they were given and back into nondescript clothing.

There were colored bracelets in the trash. I was told these were given to them by their coyotes to indicate what payment they had made. The women I saw inside the bathroom were trying to lose their "markings" and possibly escape from their handlers.

Unfortunately, There was one marker that was difficult to erase. On the plane, there were several young girls heavily pregnant. One of the girls could have been my daughter's age, preteen. She was having a difficult time and very sick disembarking off the plane.

A Texas state trooper and border patrol officer inspect a migrant involved in a smuggling case. Border Patrol seems to be aware that the government is allowing illegal immigrants to cross the border, according to a leaked video.
The exploitation continues in the US. Once they've been processed, a "family member" often picks up the migrant to take them to a "safe house." The houses are anything but safe and are decrepit, uninhabitable rooms where rent goes for $100 per day and a bottle of water costs $2. Each item runs up a tab that becomes difficult to pay off. The NGO cash given to the migrants in the colored folders is immediately handed over to the host. Some of these houses are run by gangs. Some by landlords who get government subsidies.

A bleak future
The migrant begins to pay back the debt owed to get him there by working, but their debt never goes down as their living expenses continue to go up. It's a circular payment, and the beginning of a life of servitude.

But they consider themselves the lucky ones. Some migrants, especially children, especially young girls, many forgotten or kidnapped children, do not survive the journey into the United States. Some parents who send their kids off with coyotes in hopes of receiving US paychecks back in the homeland never hear from their children again. Some are sexually assaulted. Some are used as drug mules. Border Patrol officers find body parts scattered in the fields all the time, and the large number of vultures circling the parks are the indicators.

So much of this process is play acting. Border Patrol pretends to patrol the border.

Immigration and Customs Enforcement pretends to keep tabs on people coming in. President Biden and Vice President Kamala Harris pretend to say, “Don’t come here,” but every signal — from the wide open borders to the NGO welcome mat — says, “Come on in!”

In each of those color-coded folders, there’s a letter indicating an appointment with deportation officers around three to four weeks after their arrival. How many will actually show up to that appointment? No one is keeping track of their whereabouts after they disembark from the plane. And many of the places where they are sent, including New York City, are “sanctuary cities,” meaning local authorities will not cooperate on deportations. The Biden administration, meanwhile, has told ICE not to deport anyone if being here illegally is their only crime.

‘Simply staggering’
“What I saw at the border was an invasion of our country,” said Mallory Staples, a congressional candidate from Georgia who also toured the border. “Our Border Patrol Agents and HHS have become nothing more than a government-funded travel service under this administration’s failed policies. The number of illegal immigrants coming across on a daily basis is simply staggering, and it’s created a humanitarian crisis of unbelievable proportions.”

In just a few days, I watched dozens of people going through this same pantomime, and that’s just at one stop on the vast southern border. Thousands, no, millions have arrived during the president’s first year with millions more to come. The Biden administration know it’s happening. They just don’t care.

Although he halted the construction of President Donald Trump’s border wall in the first month of his administration, President Biden has continued the wall-building efforts under a different name.

Instead of a “wall,” it’s now called a “rail.”

Trump’s wall rose as high as 30 feet, while Biden’s rail is six feet tall. At Bentsen-Rio Grande Valley State Park in Texas (right), the contrast between the two is evident. Retired Navy Rear Adm. Chuck Kubic’s construction company was commissioned for the two structures by the two presidents.

In some places, finishing the wall at lower heights was necessary to make sure it was structurally sound. But the reason for the two heights is strictly political. The Democratic administration doesn’t want to look like it’s building a wall that might actually work.

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Transportation

‘They Could Have Done Something’: A Year Later, Questions Linger Over Deadly Fort Worth Pileup
By Michael Williams and Aria Jones
Dallas Morning News

One after another, the cars, trucks and tractor-trailers kept coming.

More than 100 of them skidded out of control on Interstate 35W in Fort Worth during the predawn hours of Feb. 11, 2021 — the highway, like much of North Texas, left icy by a winter storm.

Concrete barriers on both sides of the toll road left those caught in the pileup with nowhere to escape the mass of vehicles sliding toward them.

At the end, heaps of totaled cars and trailers stretched more than 1,000 feet down the expressway. Six people were killed, and dozens of others were treated at hospitals for injuries. The crash was one of the deadliest in Texas history.

Mass casualty wreck on I-35W and Northside Drive in Fort Worth, Texas on Thursday, February 11, 2021. (Lawrence Jenkins/Special Contributor)

A year later, survivors of the pileup and relatives of those who died are left wondering whether proper precautions were taken to protect the roads in frigid temperatures. As Texas braces for future wintry weather, they are also questioning whether enough has been done to prevent another highway catastrophe.

State Rep. Ramon Romero Jr., a Fort Worth Democrat whose district includes the area around the crash site, isn't convinced.

"I'm really clear with my family: 'Stay off of that roadway,'" Romero said. "Until that rail gets removed, I would not drive on that roadway if there's any threat of precipitation and freezing temperatures, period."

'They basically had nowhere to go'

The crash occurred at the beginning stages of last year's devastating winter weather, days before much of North Texas was blanketed in snow and millions of people across the state were left without power or water.

The morning of Feb. 11, a freezing drizzle covered many roads in the region with what the National Weather Service described as a "thin coating of nearly invisible ice."

In Fort Worth, the 911 calls started coming in just after 6 a.m.: "My car is basically sideways," one woman with a shaking voice told dispatchers.

The crash happened in the southbound toll lanes on an elevated portion of the interstate near Northside Drive. Concrete barriers separated the two-lane toll area from general-use lanes on the right, and from northbound traffic on the left.

"Those folks, once they started careening down the bridge, once they got to the bottom of the bridge, they basically had nowhere to go because they were sideways," said Romero, whose office also investigated the crash. "They were crooked. They were locked in, one another. And every car that came down to that point began to smash into those cars."

A trucker described pulling people out of what he called a "genocide of metal" to the Fort Worth Star Telegram. He watched helplessly as a FedEx truck slammed into a car from which

he had been trying to free someone.

A preliminary report from the National Transportation Safety Board does not mention what might have initially caused the chain reaction. A factual report is expected to be completed in weeks or months, said Eric Weiss, an NTSB spokesman. A final report with recommendations and analysis will follow.

But video shot by eyewitnesses showed the helpless reality of anybody caught in the pileup: truck after truck and car after car pummeling out-of-control toward a wall of crashed vehicles.

Killed were Tiffany Gerred, 34; Tamara Mendoza Querales, 46; Christopher Vardy, 49; Aaron Watson, 45; Michael Wells, 47; and William Williams, 54. Four of them died in their cars; two were struck on the road after leaving their vehicles.

Several of the more than 60 people injured in the crash were wearing scrubs or hospital ID badges and were on their way to work. There were so many people involved, authorities asked anyone not injured to exchange information and leave the scene so first responders had room to work.

It also was a traumatic experience for those responders, who braved roads that were too dangerous to even walk on throughout the morning, freeing people pinned in their cars.

“The scene we saw today is really, probably, unlike anything any of us have seen,” Fort Worth police Chief Neil Noakes said the day of the crash. “And we pray to God we never see it again.”

‘Time and opportunity’
Jane Watson was working in a South Dallas restaurant 20 years ago when one of the regulars caught her eye. He was “genuinely kind, very considerate and attentive,” she said.

Aaron Watson asked her out. They went on one date, then two. The rest was history.

They had been married 18 years the morning Aaron Watson left for his job at Jason’s Deli, where he was a managing partner at two restaurants, but didn’t make it to work.

“I’m going to be forever grateful that I left the house before he did, and he was awake, and I got to give him a hug and a kiss and tell him I loved him before he left,” Jane Watson said.

Within about two hours of the crash, Aaron Watson’s family knew he had been involved. They didn’t learn of his death until 3 p.m.

Jane Watson wonders whether it all could have been prevented.

“I believe that there was time and opportunity to treat the road that morning,” she said, “and it just didn’t happen.”

He was one of four parents to die in the crash: Vardy, a longtime volunteer at First United Methodist Church in Fort Worth, had two sons. Gerred left behind a daughter. Mendoza left behind a daughter and mother in Venezuela, both of whom she worked to provide for.

“She was the happiness anytime, anywhere,” Mendoza’s cousin Marco Vilchez Sr. said. “She was the one always joking, making fun of everybody or bringing people’s spirit up.”

Mendoza lived with Vilchez while she was in Texas. He said she was always joyful, took tons of photos and loved having her nails done — all despite working 16-hour days and missing her family terribly.

Vilchez said she was an accomplished reconstructive cosmetic surgeon in Venezuela. He said political and economic changes in Venezuela pushed her to move to Texas where she could earn more money.

She planned to get licensed to practice in the U.S. But in the meantime, her cousin said, she took all kinds of jobs, from cooking to cleaning.

Mendoza was headed to cover an extra shift at work when she died. She had only been in the U.S. for a year and a half.

Vilchez said he’s grateful for the time he spent with his cousin, who called him a brother, but that it’s a “mark for life” to lose her in a car accident.

“These deaths, they hurt more,” he said. “It’s always going to be the same date, the same weather, every year for the rest of my life.”

‘They could have done something’

According to the preliminary NTSB report, the area experienced 36 hours of below-freezing temperatures before the crash.

North Tarrant Express Mobility Partners, a consortium of companies that built and operate the TEXPress toll lanes, pretreated the road with a brine solution about 10 a.m. Feb. 9 — nearly two days before the crash — according to the report.

Problems with roads became quickly apparent the morning of Feb. 11: Three hours before the pileup, a crash was reported about 5 miles north. That crash prompted signs along the toll lanes to begin displaying warnings about icy conditions.

J. Keith Hyde, an attorney representing Watson’s family, said he believes “a number of entities failed to exercise proper care and control.” Their lawsuit is one of at least two that have been filed against the operators of the highway or trucking companies involved in the crash. The second lawsuit was filed on behalf of three survivors of the pileup.

North Tarrant Express spokesman Robert Hinkle said the information the group could share was “limited” because of ongoing litigation and the NTSB investigation. But he noted that NTE closed managed lanes, like the toll lane the Fort Worth crash took place in, in preparation for this year’s winter storm.

Hyde faults maintenance operators associated with North Tarrant Express for not sanding or deicing the road, when Hyde said there was “plenty of time” the morning of the crash.

“I think they should have been prepared,” Hyde said. “If you look at what notice they had of the ice, they could have done something.”

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Opinion/Editorial

Analysis: "Nothing To See Here" Is Good News For Texans And For Incumbent Politicians
By Ross Ramsey
Texas Tribune

"It got cold and the lights stayed on" is weak sauce, as political slogans go. But for Texas Gov. Greg Abbott, the season's first ice storm couldn't have come out much better.

He didn't need a win on this one — the absence of a loss is quite enough.

The Texas electric grid failed a year ago during a polar vortex, putting millions of residents in the dark without heat for almost a week, resulting in hundreds of deaths and billions of dollars of economic damage to the state.

Like political leaders have always done in jams like that, Abbott fired or ran off the regulators and operators within his reach. With the help of state legislators who were also dodging blame, he ran off the public utility commissioners he had appointed, along with the board and top executive at the Electric Reliability Council of Texas, which manages the grid day to day.

They told electric generators to get ready for this winter, to keep their plants from shutting down because of cold temperatures and ice. They had hearings, did a lot of public relations work, tried to get everyone toeing the company line: "It won't happen again."

Abbott himself got over-exuberant at one point, saying he could "guarantee" nobody's lights would go off this year. That's bonkers: Somewhere in Texas, fair weather or foul, someone's lights are off. Trees fall on electric lines. Winds blow. Lightning strikes. Bulldozers cut underground lines. Things happen.

So the governor reeled that pledge back in as this latest storm was forming. "No one can guarantee there won't be a 'load shed' event," he said, using the technical euphemism for a blackout caused by intentionally shutting off electric power to groups of customers to keep demand below supply. Last year's blackouts were the result of load shedding. What the governor said, in translation, is that no one can guarantee there won't be a blackout.

It's better for his politics, of course, if there are no blackouts caused by grid problems. And at this writing, on Friday, the grid was doing what it was supposed to be doing, with ample supply even under the high demands of Texans in wintry conditions. There were blackouts in the state — there always are — but they weren't caused by fundamental problems with the grid.

For one thing, this storm was nothing compared with the polar vortex a year ago. It didn't strain or test the grid in the same way — not by a mile.

Luck also played its part, siding, this time, with the energy folks. The governor and other state

officials weren't as hard on natural gas companies as they were on electric companies after the 2021 blackouts. Many of the state's electric plants are powered by gas, and the failures of the natural gas infrastructure left the generators without their normal capacity last year.

Austin hasn't yet required the gas industry to winterize, and experts worry about that hole in the state's weather defenses. A recent cold snap caused a dip in gas production and a rise in grid anxieties last month. But the system held.

Abbott is up for reelection this year. Early voting in the primary elections starts on Feb. 14, which also happens to be the anniversary of 2021's storm. His challengers, Republican and otherwise, have spent a lot of time and money reminding voters about the blackouts and the grid failure in 2021. They didn't say so out loud, but a bad storm for Texas would have buttressed their arguments, and put Abbott on the defensive.

What happened in the latest cold snap was what is supposed to happen during a cold snap. The electricity stays on, people stay warm, the schools shut down for a couple of snow or ice days and then things warm back up.

It's only news when it doesn't work, and for a politician who might get blamed when things go badly, no news is good news.

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# # #

Greg Abbott News

As Ice Melts From Last Week's Storm, Beto O'Rourke Tries To Turn Up Heat On Texas Gov. Greg Abbott
By Gromer Jeffers Jr.
Dallas Morning News

As the North Texas ice melted from last week's winter blast, Beto O'Rourke on Sunday continued his effort to put the heat on Gov. Greg Abbott for his handling of the 2021 storm that left millions without power and killed more than 240 people.

"The people of Texas understand the failure in leadership," O'Rourke told The Dallas Morning News. "When we see reporting that tells us that the primary causes for the outage last year have yet to be fixed, like the gas supply, we all know that more changes need to be made, and it looks like we're not going to get those changes made until we make a change at the top."

On the third day of his 20-city, 12-day "Keeping the Lights On Tour," O'Rourke made appearances in Dallas and Denton, highlighted by a visit with Steven Brown, a 24-year-old Dallas man who had his legs amputated last year after developing frostbite during the storm. O'Rourke also staged a rally at a Denton park, where he urged Texans to hold Abbott and others accountable.

"This didn't have to be our fate. It didn't have to be our fortune," O'Rourke said in Denton. "This is no act of God or Mother Nature. This is the failing of the person in the highest position of power in public trust."

In an effort to steal O'Rourke's thunder, state Rep. Jared Patterson, R-Frisco, scheduled a "Save Texas Energy Jobs" event at the same time and in the same park as O'Rourke's rally. A few anti-O'Rourke folks shouted into bullhorns during his speech, telling him to "secure the border."

Abbott campaign spokesman Mark Miner said Sunday that O'Rourke was deceiving Texans and wishing for another catastrophic storm to spark his campaign for governor.

"It's fearmongering by a desperate candidate who hasn't unveiled one policy idea," Miner said.

He pointed to the 14 bipartisan pieces of legislation Abbott signed into law to bolster the state's electric grid.

"Clearly [O'Rourke] is misleading the public," Miner said.

Some experts, however, say the state's power grid has improved but is far from fixed. Like O'Rourke, they point out that natural gas components of the grid need to be weatherized.

"It sure seems like the governor is complacent, judging from his comments," O'Rourke said.

The Democrat said Sunday that as governor, he would winterize the gas supply, connect Texas to the national grid, lower utility costs by recouping money "stolen" by greedy energy companies, sue companies that engaged in price gouging and appoint an independent market monitor for natural gas issues.

"Your party affiliation does not matter," O'Rourke said in Denton. "All that matters is that we're focused on getting this fixed."

Texas GOP Gov. Greg Abbott leads Democrat O'Rourke, 47%-36%, in a hypothetical matchup for governor, according to a Dallas Morning News-University of Texas at Tyler poll released Sunday. Abbott, right, even holds a narrow lead over O'Rourke among Hispanics, 40%-39%.

The politics involving the 2021 winter storm and whether or not the electric grid has been adequately fortified are highlighting the race for governor. Abbott and O'Rourke are expected to win their respective primary contests, and they've wasted no time in hurling barbs at each other.

Amid last week's much-hyped winter event, Abbott proclaimed the electric grid was more resilient and reliable than ever. The storm, much weaker than the one last year, did not lead to massive power outages.

But O'Rourke said Texans know the difference between last week and last year, and he wants to highlight the dangers of a faulty grid, particularly for the poor and downtrodden.

O'Rourke said that's why he visited Brown, who met him in Dallas at CitySquare, a nonprofit that helps fight poverty and homelessness and is providing Brown with housing.

Brown suffered frostbite during last year's storm and developed a blood infection. He said Sunday he chose amputation rather than dealing with a long and uncertain recovery.

The living conditions at a relative's home where he was staying were less than ideal, Brown said, so he had to find housing elsewhere. He said he was placed into Health to Home, a collaborative medical respite program involving Texas Health Presbyterian Hospital Dallas; Austin Street Center, a Dallas homeless shelter; and CitySquare.

O'Rourke's road trip ends in Houston on Feb. 15, the anniversary of the 2021 storm and massive blackouts.

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Gov. Abbott Makes Campaign Stop In Lubbock
KCBD

Governor Abbott returned to Lubbock on Saturday – this time on the campaign trail, part of his "Celebration of Texas" tour.

If you missed his stop, here is a look at just some of what the governor has promised to Texans if he is reelected.

Governor Abbott, campaigning for his third term at Cagle Steaks, talked Second Amendment rights, the border, the economy, getting parents involved in education, and law enforcement.

"In Texas, we don't defund or disrespect our law enforcement officers," Abbott said. "We support our law enforcement officers in Texas – period."

A pressing item right now: Lubbock's first year on the Texas power grid. Abbott said new legislation is creating more power generation and ensuring weatherization.

"I was not going to let Lubbock go without power," Abbott said. "We survived this winter storm with no loss of power from the power grid at all. The power grid is better, more stable and more reliable than it has ever been in the history of Texas."

Abbott also promised more funding for Texas Tech. Instead of amending the Public University Fund, he wants the state to create a $1 billion endowment for the university. He said it would be easier to pass, only requiring a majority of votes instead of a constitutional amendment.

"What Beto [O'Rourke] wants to do, he wants to take the current pie and slice it thinner," Abbott said. "What I want to do is to grow the size of the pie."

Abbott faces several challengers, including former state Republican party chair Lt. Col. Allen West and former state senator Don Huffines.

Beto O'Rourke is expected to win the Democratic primary by a wide margin.

"Without a doubt, we are going to beat Beto and win Republicans up and down the entire ballot," Abbott said.

Abbott's campaign maintains a significant cash advantage over the rest of the field at around $63 million. In the first 20 days of this year, he raised about $1.4 million.

“We are not going to let these big government socialists destroy our great state,” Abbott said.

The primary is three weeks from Tuesday on March 1.

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Gov. Abbott Holds Burning Cash In Billboard Campaign Calling To End 'Sham' Audit
By Simone Carter
Dallas Observer

First, they came for former President Donald Trump. Now, that same group of pro-voting rights Republicans is attacking another politician via billboard: Gov. Greg Abbott.

Last week, the Republicans for Voting Rights (RVR) initiative launched a billboard campaign to remind the governor that there’s no need for an audit of the 2020 election. The former president won the Lone Star State by a comfortable margin, after all.

Still, Trump asked for one last September, and hours later, he received.

Commuters in Dallas-Fort Worth can catch a glimpse of the signs, which feature a beaming Abbott holding a flaming stack of cash. “STOP WASTING TAXPAYER MONEY,” they read. “GOV. ABBOTT, END THE SHAM AUDIT.”

Texas ran a good election that its leaders should be proud of, and they should stand by the results, said RVR Director Amanda Carpenter.

“It is extremely disheartening to see Governor Abbott cast aspersions on his own election in order to soothe Donald Trump’s ego,” she said. “There was a time for audits, there were a time for lawsuits to challenge the results. That time is over. It is now 2022 and Republicans should be looking forward, not backward.”

Twelve billboards appear throughout the state and will stand through Feb. 14. In addition to Dallas-Fort Worth, they can be seen in Corpus Christi, Amarillo, Laredo, Austin, Lubbock, San Antonio and Midland-Odessa.

Last fall, the pro-voting initiative was also behind the “TRUMP LOST” billboard that sprouted up in Dallas. That sign depicted the former president hunched over and similarly urged his supporters to drop the needless audits.

“We want to be out there advocating for the conservatives out there that actually believe in the right to vote, and believe in the right for everyone to vote, and want to support that and protect it,” Olivia Troye, a Republicans for Voting Rights spokesperson, told the Observer late last year.

"It is now 2022 and Republicans should be looking forward, not backward." – Amanda Carpenter, RVR director

Texas isn't the only state that sought to reexamine the 2020 election results. Carpenter notes that similar efforts are "bubbling up" everywhere; one in Arizona actually found that Trump had lost by a wider margin than previously thought.

Even if these audits don't reverse any outcomes, experts fear that they're working to chip away at trust in the democratic process. Some warn that such moves could pave the way for future election challenges when a candidate again won fair and square.

In Texas' case, such a statewide probe may be costly, with one estimate saying it could amount to some $250 million in taxpayer money. In November, $4 million was drained from the state prison system to help fund county election audits.

Texas serves as a role model for other states, Carpenter said. Soon, Republicans elsewhere could try to replicate the audit, which is bad for the system overall.

Many pro-Trump officials have already failed to upend the 2020 election results, she said. If there were any systemwide problems, they would have certainly been uncovered by now.

"This is nothing but a messaging tool to try to keep the 'Big Lie' alive," she said. "It's effective because when people hear there's an investigation, they think there's something wrong. But there's not."

But during an interview with FOX last fall, Abbott defended the audit as legitimate. "Why do we audit everything in this world, but people raise their hands in concern when we audit elections, which is fundamental to our democracy?" he said.

Local leaders, meanwhile, have largely disagreed.

Texas focused the audit on four counties: Dallas, Tarrant, Harris and Collin. President Joe Biden won in three, including in historically red Tarrant, but was bested by Trump in Collin.

Even still, Republican Tarrant County Judge Glen Whitley doesn't see a need to dredge up the past. "The conspiracy theorists who want to come up with all these ways or reasons why this election wasn't right — they might very well find something else," he told The Texas Tribune last year. "It's time to move on."

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Greg Abbott, Texas Electricity Grid Passes First Test, But Power System Remains Far From Fixed
By Gromer Jeffers Jr.

Dallas Morning News

The snowflakes and freezing rain fell Texas Gov. Greg Abbott's way.

Last week a winter storm stirred horrifying memories of the 2021 blizzard and freeze that left millions without power and led to the deaths of at least 246 people.

This year's bad weather tested the reliability of the grid, which has become the hot political issue of the season. That means it was also an exam for Abbott, who this year is seeking reelection to a third term.

Abbott and the electricity grid passed the political pop quiz, but the course on fixing the state's power infrastructure is far from complete, energy experts say.

"Certainly we have to worry about a level of complacency setting in just because we've made it through this storm, which was not nearly as bad as last year," said University of Houston energy expert Ed Hirs on Sunday's Lone Star Politics, a political show produced by The Dallas Morning News and KXAS (NBC 5). "The grid needs a lot more work and we can't declare victory."

Stormy weather adds turbulence to Texas politics as the 2022 gubernatorial race heats up Analysis on how the storm and the state's efforts to keep the lights on for Texans could impact the race for governor. If the grid holds, it strengthens incumbent Gov. Greg Abbott's position and makes it harder for challenger Beto O'Rourke to make his case to voters. But if the grid fails, even a little bit, it puts Abbott on an icy road. In any case, grid politics remains a Texas issue.

But in the school of short-term politics, Abbott gets a win.

He benefitted from reasonable but outsized fear that last week's storm would be as devastating as last year's behemoth. And though it was forecasted from the start to be much less lethal the storm a year ago, the intense media hype and lingering concern that the grid would collapse set up a scenario in which Abbott couldn't fail.

The storm tossed a giant snowball right down the middle of the plate, and Abbott knocked it out of the yard. The news conferences and updates were much different than a year ago, when the situation was somewhat out of control.

That might take some steam from critics like former U.S. Rep. Beto O'Rourke. The probable Democratic nominee for governor is in the fourth day of his 20-city, 12-day "Keeping the Lights On Tour." Yesterday he made appearances in Dallas and Denton. The road trip ends in Houston on Feb. 15, the anniversary of the 2021 storm and massive blackouts.

While O'Rourke can make the case that Abbott was lacking in his response to the 2021 storm, it could prove difficult for him to get voters to blame the governor for not fixing

the grid the way experts say it needs to be repaired. Only another crippling storm will prove that point, and most reasonable people don't want to see a repeat of that.

But the grid is a problem, and Texans shouldn't forget that more weatherization and other fixes are still needed.

"The grid is a bipartisan issue. It's not Republican versus Democrat," Hirs said. "California's grid is in worse condition. And Texas has not taken the opportunity to learn from California, even though we've certainly seemed to follow them over the last 20 years."

Hirs said some problems with the grid have been addressed. But he pointed out that in December 20% percent of power generators had not sufficiently winterized their equipment because of a "good cause exception." He said the natural gas components within the grid are not weatherized to the level that will be required in 2023.

"To be fair, it takes more than just eight to 12 months to fix something that's been in decay for more than 10 years," Hirs said. "Keep in mind that it was in August of last year that the Public Utility Commission finally adopted the recommendations from the 2011 grid failure that occurred across North Texas."

Dallas residents remember that storm. It crippled the area during Super Bowl week, when the Green Bay Packers defeated the Pittsburgh Steelers at AT&T Stadium.

"When you start out 10 years behind everybody else, it's kind of easy to say you've made unprecedented progress just to keep the lights on," Hirs said.

Odds are there won't be a winter or summer event that tests the grid like the storm of 2021. A beautiful Texas spring will put the horrors of ice, snow and power outages back of mind for most Texans.

By November, other issues are likely to sway Texas voters.

Climate change notwithstanding, it's likely that it will be a long time before we get another monstrous, killer winter storm.

If the grid doesn't hold up then, it will be too late for those who didn't fix it to pay a political price.

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Administration News

State AG Races Become Litmus Test For GOP Election Claims
By Max Ortiz
KTBS

Idaho Attorney General Lawrence Wasden, a Republican, has won re-election multiple times in a state where the GOP dominates politically and, in his telling, has “a 20-year track record of calling balls and strikes fairly and squarely.”

That may not be enough for him to survive a GOP primary challenge and keep his seat. Wasden was one of seven Republican attorneys general to opt against joining an ill-fated challenge of the 2020 presidential election results in other states. And last fall, he declined to join other GOP attorneys general in a letter to President Joe Biden complaining about vaccine mandates, although he ended up joining lawsuits against several of them.

His more moderate positions have put him at odds with a growing share of Republicans who chafe at COVID-19 restrictions and repeat the false claim that widespread fraud cost former President Donald Trump re-election. Wasden is facing two challengers who are to his right in the Republican primary as he seeks a sixth term as the state's top government lawyer.

One of the challengers, Arthur McComber, said a key function of the attorney general's role is to act as a watchdog against federal power — something he said Wasden hasn’t done enough.

“It’s basically a misunderstanding of the attorney general position,” said McComber, a real estate lawyer.

The challenge to Wasden from within his own party is emblematic of the broader far-right shift within the GOP. Similar dynamics are permeating races for attorney general across the country as an office often referred to as “the people's lawyer” — responsible in most states for criminal prosecutions and consumer protections — has become increasingly consumed by ideological battles.

Seats for attorneys general are up in 30 states this year. Some of the most likely to attract heavy spending will be in political battlegrounds such as Michigan, Nevada and Wisconsin, states that again are expected to play outsized roles in the 2024 presidential contest.

Republicans currently hold 27 attorneys general seats. Paul Nolette, a Marquette University political scientist who studies the office, said Republicans could bump that number to 30 or more in a midterm election year when Republicans are primed to do well in races up and down the ballot.

They've already notched an early victory. Last fall, voters ousted the incumbent Democratic attorney general in Virginia, a state that had been leaning increasingly Democratic in recent years. It was part of a GOP wave in the state that also saw the party claim the governor's office and one house of the legislature.

Nolette said party affiliation matters for the office more than it used to: “The office has really become like other statewide offices at this point — highly polarized.”

Ahead of the 2020 election, an arm of the Republican Attorneys General Association held “war games” for officials to plan a reaction in case of a Trump loss. That group, the Rule of Law Defense Fund, later promoted the Jan. 6, 2021, rally that preceded the storming of the U.S. Capitol by Trump supporters seeking to thwart the certification of electors.

For Democrats, there is increasing concern that a Republican wave in this year's elections could sweep Democratic governors, secretaries of state and attorneys general out of power in crucial presidential battleground states. Steve Bullock, a Democrat who has served as attorney general and governor in Montana, warned that a rogue attorney general could undermine election results.

“How can they mess with it if they don’t actually believe in the rule of law? Both in affirmatively bringing action and defensively failing to defend the states’ interest,” he said.

While secretaries of state oversee elections in most states, attorneys general can play pivotal roles in the aftermath, as demonstrated in 2020.

A month after that election, Texas Attorney General Ken Paxton asked the U.S. Supreme Court to throw out the results in four states that supported Biden over Trump. The court rejected the effort, but only after 18 other Republican attorneys general filed papers in support.

Idaho's Wasden was not one of them.

“In taking a look at the Texas case, it was evident that that lawsuit was contrary to the Constitution," he said in an interview. “If Texas can sue Pennsylvania, then California can sue Idaho."

McComber, who has slightly outraised Wasden during the campaign so far, said he would have joined the Texas lawsuit and added an amicus brief to raise additional legal points. The U.S. Supreme Court ultimately found that the states lacked standing to challenge election results in other states.

Democratic attorneys general defended their states' 2020 election results in Michigan, Pennsylvania and Wisconsin, as did the Republican attorney general in Georgia.

“The public must know which side their state AG is on,” Nevada Attorney General Aaron Ford, co-chair of the Democratic Attorneys General Association, said during a video news conference in January.

Sigal Chattah, the only Republican running for the job in Nevada, faults Ford, among other things, for not investigating election fraud sooner and more vigorously. His office

filed charges in October against one voter for allegedly casting a ballot on behalf of his deceased wife.

“Do we really believe this was an isolated incident?” Chattah asked. “I don’t.”

The Associated Press investigated potential cases of voter fraud from the 2020 presidential election in Nevada and the five other political battleground states where Trump and his allies disputed his loss. The AP found that election officials across Nevada had identified between 93 and 98 potential cases — representing less than 0.3% of Biden’s margin of victory in the state.

The fields are not set in every attorney general race, but GOP primary showdowns between more establishment-style conservatives and those further to the right is a common theme in several states, including Kansas, Michigan and Minnesota.

“In so many of these races, it is a race to see who can align themselves closest with Donald Trump, his brand of politics and the big lie” that the election was stolen, said Geoff Burgan, a spokesman for the Democratic Attorneys General Association.

Johnny Koremenos, a spokesman for the Republican Attorneys General Association, declined to directly answer questions left by voicemail and email about whether Republican attorneys general might seek to undermine lawful election results. In a statement, he said “2022 will be a great year for Republicans running for attorney general.”

In Michigan, where nominees are chosen at state party conventions rather than primaries, former state House Speaker Tom Leonard is hoping for a rematch against Democratic incumbent Dana Nessel.

But first, Leonard, who touts having been named the state’s most conservative lawmaker, has to defeat two GOP opponents in a party convention. One of them is Matthew DePerno, a lawyer who sued Michigan's Antrim County claiming voting machines there recorded votes for Trump as being for Biden in the 2020 election. The claim was dismissed.

While Leonard is focusing on issues such as reducing violent crime, DePerno sees election fraud as a driving issue — despite Republicans themselves finding no evidence of systemic fraud in the state. He has Trump's support.

“That says it all,” said David Dulio, a political scientist at Oakland University in Michigan. “He has certainly hitched his wagon to Donald Trump, counting on the fact that the Trump brand will have strength in this election.”

DePerno did not respond to interview requests.

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Texas AG Paxton: American People Being 'Betrayed By This President'
By Eric Mack
Newsmax

The Biden White House is abusing the Constitution and skirting its duty on the souther border and saying, "we dare you to do anything about it," according to Texas Attorney General Ken Paxton.

"The American people need to know they're being betrayed by this president," Paxton told Sunday's "The Cats Roundtable" WABC 770 AM-N.Y.

Failing to enforce U.S. law on the southern border is the most egregious abuse of power by the Biden administration, whether or not President Joe Biden is even aware of what is going on, Paxton warned host John Catsimatidis.

"They've been completely consistent about telling border patrol, 'Don't worry about following federal law,'" Paxton said.

Also, drug cartels and liberal activist funding is "coming from all over the place" to keep bringing illegal immigrants in to cause "chaos" in red states that are doing well, he continued.

"I know that money is coming from all over the place to help them get here, first of all," Paxton said, responding to the widespread reports of migrants being shuttled and flown to areas all over the U.S.

"I would have no doubt also the Biden administration is helping to fund their relocations and cover their costs," he continued. "The American taxpayers are paying for it."

Doing clandestine flights of migrants in the dead of night suggests there are forces working with the rich Mexican cartels, because flying during the day would bring more sunlight to the resettlement operations, according to Paxton.

"You think that would be safer" flying during the day, Paxton said, "but they don't want the American people to know how widespread their illegal activity [is]. They're really working very closely with, in my opinion, the cartels."

The fact an American citizen cannot enter the country without being tested for COVID-19 flies in the face of the reality an illegal migrant can enter untested and unvaccinated, Paxton lamented.

"No, they are not tested; they are just processed, then they are put on buses to go around Texas," he said."They will fly them all over the country. They travel a lot of times with arrest warrants. That's their form of identification, which it's hard to believe that is true, but it is."

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Lt. Gov. Dan Patrick's Rise From Right-Wing Outcast To Gop Shot-Caller Charts The Shift In Texas Politics
By Jasper Scherer
Houston Chronicle

As a freshman state senator in 2007, Dan Patrick set to work on the fiercely conservative agenda he had pushed for years on his Houston talk radio show, filing bills to give pregnant women $500 to forego abortions and empower police to inquire about the immigration status of people they stop.

But the GOP-controlled Legislature had little appetite for that brand of conservatism. Some of the rookie senator's new colleagues were turned off by his brash approach, with one fellow senator likening him to an "uninvited picnic guest who shows up with nothing in hand, eats all the potato salad and spoils the picnic for everyone else."

"Everything is a passion play for him, and he's the star," another lawmaker said.

Patrick's right-wing wishlist went nowhere.

"I came from the gallery to the floor," Patrick, a regular visitor to the Capitol, said after his first session. "I didn't come from the House. That probably bothers some people."

Now armed with the lieutenant governor's gavel, 71-year-old Patrick has been a constant force driving his party further to the right, culminating last year in perhaps the most conservative period of lawmaking in state history. Already one of the most powerful statewide officials in the country, he is set to gain an even stronger grip on the state Senate if he wins re-election this year, with a handful of departing senators likely to be replaced by his political allies or more conservative candidates.

"He's been playing the long game for a while, and I don't know that people have necessarily seen that or understood that," said Matt Mackowiak, a Republican strategist based in Austin. "But they do now."

More than a dozen people who have observed Patrick's rise said he uniquely grasped and wielded the power of the growing right-wing movement in Texas, allowing him to evade the primary challengers and criticism that other statewide elected Republicans have faced from grassroots activists.

Still, Patrick's most vocal critics say he is actively harming Texans, especially immigrants, people of color, and the poor. He has faced particularly intense blowback for offensive comments on Fox News over the past year, including a false assertion that Black Texans were driving the state's low COVID vaccination rate. In another

appearance, Patrick referred to a surge of Haitian migrants to the border as an ‘invasion,’ echoing a conspiracy theory embraced by white supremacists.

Patrick’s embrace of harsh rhetoric, however, has done nothing to weaken his stature among the Republican Party, which remains a dominant force in Texas politics.

“He is a very smart, brutally calculating politician,” said former Houston mayor Annise Parker, a longtime foe of Patrick over LGBTQ issues. “A lot of this is performative, but he knows how to work an audience. He’s been talking into a microphone for his entire adult life. Now, he’s traded in the microphone for a political megaphone and a gavel.”

Patrick did not respond to multiple interview requests.

Reading conservative tea leaves

In 2014, Patrick cruised to victory in the lieutenant governor primary, defeating incumbent Republican David Dewhurst with the widespread support of tea party activists around the state.

Within weeks of taking office, Patrick appointed 20 local tea party organizers to a “Grassroots Advisory Board” that would regularly meet with him to help craft public policy. The board was an extension of a similar group Patrick had formed as a state senator to advise the legislative Tea Party Caucus that he founded in 2010.

Both of Patrick’s advisory groups regularly met with him and other lawmakers at the Capitol, cementing Patrick’s “reputation for valuing folks outside the Capitol complex who ask tough questions,” JoAnn Fleming, the chair of both groups, said at the time. The groups accelerated the already-growing influence of tea party-minded activists in Austin, pushing the state’s politics steadily to the right.

“He pulled us right in,” said Jim Lennon, co-founder of the Kingwood Tea Party and a member of both advisory groups. “We went from being outside, protesting on the steps, to being inside and then starting to get to know all these different people.”

After 15 years in elected office, Patrick is still a loud and assertive activist for conservative social issues and tax reform. His supporters say he keeps the pulse of local advocates, associations and unions who support him, maintaining ties with the conservative grassroots even if he doesn’t see eye-to-eye with them as often as he once did.

“Dan Patrick reads the conservative tea leaves in Texas as well as any other politician in history,” said Brandon Rottinghaus, a political science professor at the University of Houston. “I think part of the advantage he had was that he was on the ground and absorbing the daily interactions with right-leaning activists in Texas as a radio talk show host.

“So, when you’re bombarded with that every day, it changes your politics. You see where the anger is, and if you can harness that anger politically, then you can move the needle. And that’s exactly what he did.”

Patrick’s advisory board proved to be short-lived, however, after the members — without consulting Patrick — angered Gov. Greg Abbott by blasting one of the governor’s education priorities as “socialistic.” Patrick dissolved the group months later, in the summer of 2015.

Driving the Trump bandwagon

Patrick managed to expand his popularity among the conservative grassroots in 2016, when he backed U.S. Sen. Ted Cruz’s presidential bid before nimbly switching into Donald Trump’s camp once Cruz dropped out. As other Texas Republicans hesitated to embrace Trump, Patrick jumped on the bandwagon without missing a beat, chairing the nominee’s campaign in Texas and forging a close alliance.

The partnership has provided a powerful boost to Patrick, lending him credibility among the new generation of Republican voters, activists and lawmakers riled up by Trump.

In turn, Patrick has harnessed that energy, doubling down on his own conservative priorities and supporting elections measures that have Trump’s blessing. He’s been able to accomplish almost all of them in the Senate, at least, where he is willing to throw out Senate traditions to speed bills along.

He has also capitalized on the power of Trump’s endorsement, coaxing the former president into publicly supporting down-ballot candidates he prefers, including Texas Senate hopefuls.

“Trump was able to galvanize and mobilize voters that haven’t been involved in the past,” said Logan Spence, a longtime Patrick aide who now works as a lobbyist in Austin. “Those people are pretty conservative. Having those voters more involved and more engaged is just helping Dan achieve those conservative goals that he’s wanted to push for a long time but hasn’t been able to.”

Still, Patrick’s relations with the activist wing of the party have hit a few speed bumps in recent years, most notably during the 2019 legislative session. Republicans, fresh off a dismal showing in the 2018 midterms, focused on reforms to the state’s school finance and property tax systems, particularly angering social conservatives who saw their prized issues go unaddressed.

Many of those concerns melted away last session, though, when Patrick championed the GOP’s priority bills on elections, a ban on abortion after six weeks of pregnancy and a nearly $3 billion two-year border security plan. He also energized right-wing activists by doggedly pushing for a law barring transgender student athletes from competing on the team that aligns with their gender identity.

Through multiple special sessions, Patrick remained a beacon of Texas conservatism, repeatedly — and at times, publicly — urging Gov. Greg Abbott to push further and further right.

Heading into this year's midterm elections, Patrick is laying the groundwork for an even more conservative Senate packed with close allies ready to follow his lead. Patrick himself is on the ballot this year, boosted by a nearly $23 million war chest and scant competition in the GOP primary this spring.

If Patrick gets his way, the Senate next year will be even more aligned with his brand of conservatism, ready to push the limits of Abbott and the Texas House.

Democrats pin hopes on close race in 2018

Texas Democrats, outnumbered and powerless to stop any bills, have characterized the latest slate of GOP-backed state laws as bigoted and regressive. Patrick and other Republicans proudly call it the most conservative session in the history of the state, arguing they are the nation's strongest defense against "socialist" policies pushed by the left.

Democrats often note that Patrick won re-election in 2018 with just 51 percent of the vote, a slimmer margin than nearly every other statewide Republican on the ballot. And some early warning signs have emerged, with an October poll finding that 39 percent of Texans disapprove of Patrick's performance, while 35 percent approve.

"He's just going to get worse until he gets beat," said Democrat Mike Collier, the 2018 nominee for lieutenant governor who's competing in the Democratic primary to face Patrick for a second time this year.

Patrick's opponents say he's gone too far. The abortion measure, for example, has most greatly impacted low-income, nonwhite Texans who may not have the means to either carry the fetus to term or access the procedure in another state.

Critics also point to Patrick's offensive comments on Fox News, but it's unclear whether they will come back to hurt him at the ballot box.

"There's no sanction anymore for politicians to say these outlandish things," said Rottinghaus, the politics professor at the University of Houston. "People dismiss it as simply being politics as usual. Patrick has been able to fly under the radar on some of these things because it's just something that spans through somebody's Twitter feed, and then it's gone."

'Retribution is swift and sure'

In the meantime, Patrick is all but hand-picking the replacements for departing Republicans.

“When people get there — because Patrick supports them — generally, they’re of the same political persuasion, philosophically hard right,” said state Sen. John Whitmire, a Houston Democrat who was first elected to the Senate in 1982. “Dan just entrenches his position and grows in power inside the Capitol.”

That consensus is crucial in the Senate, where Republicans currently hold 18 of 31 seats. And when GOP members disagree or block Patrick’s priorities, he’s known to respond with venom.

Take state Sen. Kel Seliger, R-Amarillo, who has been at odds with Patrick for years — starting mostly in 2017, when Seliger opposed several of the lieutenant governor’s priorities, including a key property tax reform bill. The next session, Seliger lost his post as chair of the Higher Education Committee and was removed from the powerful finance and public education panels.

Seliger noted a parallel during the most recent legislative session: state Sen. Kelly Hancock, R-North Richland Hills, was promptly replaced as chair of the business committee after opposing an energy bill that Patrick promoted.

“He’s been very consistent in his treatment of dissenters,” Seliger said. “If you get off the party line, retribution is swift and sure.”

This year, Seliger’s district was redrawn significantly to favor his more conservative primary foe. Seliger, who said the district was likely drawn “with some malice,” announced he would retire shortly after the maps became law, and Patrick quickly endorsed his opponent.

Patrick’s eight years in the Senate primed him for those disagreements — and have also helped him keep the rest of the body in line, those close to him say.

“He understands any issue from the position of the senator,” said Sherry Sylvester, a former top aide to Patrick. “He knows why they’re going to be for it. He knows why they’re going to be against it. And because he talks to all of them, he understands what political pressures they’re under.”

Spence, the Patrick aide-turned-lobbyist, described his former boss as genuine and self-deprecating, a faith-driven man who asks people to call him “Dan” instead of “lieutenant governor.” Those private qualities, rarely revealed during Patrick’s performative appearances on TV or on the campaign stump, have helped him build relationships with both activists and legislators — including Democrats — during his time in the Senate, Spence said.

There are just five states where the lieutenant governor presides over the Senate, appoints committees, casts tie-breaking votes and assigns bills: Mississippi, South Carolina, Tennessee, Texas and Vermont. Of those states, Texas is by far the largest and has the biggest national profile.

“Institutionally, any person in that office has a lot of power,” said state Sen. Bryan Hughes, R-Mineola, who carried several of Patrick’s priority bills last year. “Beyond that, the individual in the office matters. And Lt. Gov. Patrick … just anyone sitting in the office of lieutenant governor would not be able to do what he’s been able to do.”

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State News

AOC heading To Texas To Campaign Against Democratic Colleague
By Michael Lee
Fox News

Rep. Alexandria Ocasio-Cortez, D-N.Y., announced a rally in Texas to support two candidates in next month's Democratic primary.

"Texans, are you ready?" Ocasio-Cortez said on Twitter. "We’re coming in for a major DOUBLE-RALLY next Saturday, Feb 12th… This one’s going to be special."

Ocasio-Cortez will rally in support of Greg Casar, who the New York Democrat officially endorsed last week.

"Because of his roots as a labor organizer, I know Greg and I will work together to organize year-round and deliver on Medicare for All, good jobs, and climate justice," Ocasio-Cortez said at the time. "I’m proud to support his campaign and will be doing everything I can to help him win this primary on March 1."

The rally will also support Jessica Cisneros, who is looking to unseat incumbent Rep. Henry Cuellar, D-Texas, in Texas' 28th Congressional District.

Cuellar previously bested Cisneros by four points in the 2020 primary, but now faces controversy after his home was raided by FBI agents last month.

The FBI has not charged the lawmaker with a crime, but Cisneros has called the investigation "alarming" and boasted that Ocasio-Cortez is "ready to work alongside us to finally bring true representation to South Texas families."

Casar, who faces off with three other candidates in Texas' 35th Congressional District, said he was "honored" to have the endorsement of Ocasio-Cortez.

"I’m honored to have earned the endorsement of Rep. Ocasio-Cortez, who boldly fights for working families every single day," Casar said of the endorsement. "I look forward to working with her to deliver for TX-35 residents."

Ocasio-Cortez has previously criticized her fellow Democrats for not using her or other progressives on the campaign trail, saying the party made a "mistake" by being too moderate during the Virginia gubernatorial race that Republican Glenn Youngkin won last November.

"Before the Virginia elections, it was very clear that our help and our participation was not wanted or asked for, which is fine. I'm not here to tell people how to run their races," Ocasio-Cortez said at the time. "But at the same time, to consider the members here that have some of the tightest relationships to our political base as just a uniform liability – and not something that can be selectively deployed, or consulted, or anything – I think it's just sad. I think it was a mistake."

The New York Democrat added that "not a single person" asked her to send an email to people on her "own list," but the party still laid blame on progressives for their defeat.

"The idea that we just accept a collapse in youth turnout – and essentially turn it into a self-fulfilling prophecy – in times when races are decided by such narrow margin points: I think it's ill advised," she said.

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Many States Demand Insurance Companies Prove They Can Weather The Growing Costs Of Climate Disasters - But Not Texas
By David Schechter
WFAA

You can hardly watch TV without seeing commercials for insurance companies. It's an industry that pours money into advertising. But you know what has the potential to be really expensive for them?

Climate change.

The National Oceanic and Atmospheric Administration, also known as NOAA, says "climate change is increasing the frequency of some types of extremes…"

And looking at last year's extremes, NOAA says there were 20 large-scale "weather and climate" disasters in the U.S. with combined losses of $145 billion.

That includes the Texas' February storm, with insurance companies currently expected to pay out $10.3 billion, a disaster that emerging science suggests was made worse by climate change.

Texas was not prepared.

People who could afford it the least suffered the most, like Kathey Sauels in Dallas. When a water pipe burst in her apartment it caused the bedroom ceiling to collapse.

“I shocked to see that ceiling. With so much water. I couldn’t do anything but run. Everything in my bedroom was destroyed. I couldn't save anything,” Sauels said.

After the Texas storm, Sauels spent a month in her apartment waiting for repairs. Like many Texans, she's concerned it might all happen again.

“I'm worried about the cold weather now. I don't know if my house is safe,” she said.

Planning for yesterday
People expect their insurance will be there for them when they need it. So, when it comes to the increasing threats of climate-driven disasters, many states make sure insurance companies prove they can weather any financial storm.

Texas does not.

Gov. Greg Abbott's administration has no policy to address the risk climate change poses to the insurance policies you pay for, month after month.

“The Texas cold snap and the disaster that followed was preventable if the oil and gas industry and the power sector had weatherized their systems. That is similar to the situation in insurance,” said Dr. Michael Wara, an expert in climate policy at Stanford University.

Wara says Texas' refusal to address the well-documented threats of climate change puts insurance customers at risk.

“That's going to mean that when disaster strikes, which is more likely to happen because of climate change, we're not ready,” he said.

Wara says, when it comes to fires, floods and hurricanes, insurance companies use decades of historical data about all the claims they've paid out to predict how many disasters there will be in the future and how much they'll cost.

“What climate change does is mess up that approach to pricing because climate change makes the future different than the past,” Wara said.

California is seeing the future.

As a result of more intense wildfires, Merced Insurance recently went bankrupt in 2018, unable to pay far more for fire claims than anticipated. And tens of thousands of California homeowners in fire prone areas have been dropped by insurance carriers.

Planning for tomorrow
If the future won't look like the past, what will it look like?

That's where computer models come in. Some states require that insurance companies use sophisticated predictive modeling to create a picture of how many disasters they'll see and how much they'll cost.

Florida, for example, has a state commission of experts that oversee the methodology of computer models.

And in Washington State, insurance commissioner Mike Kreidler regularly reviews how insurance companies use their modeling predictions.

But if insurance companies are already using these models, why does a state insurance regulator need to be involved, too?

“Ask the people that were setting up the electrical grid in Texas why they did what they did? Because they there were some financial advantages at the time,” Kreidler said.

“We understand that some insurance companies will play fast and loose. We can't afford to have somebody that comes in to make a buck today but leave the market tomorrow,” he said.

Insuring the insurers

You might not realize it, but your insurance company has an insurance company. That industry is called reinsurance and it covers the really big losses. For example, of the $10.3 billion in damages from the Texas winter storm, reinsurance companies will cover $3 billion.

“They offer lots of coverage for these very unlikely things. And in any given year, one in 100 of those things come true and they have to pay. If they're paying for three or four things coming true, that's not a business model anymore. The reinsurers basically want a fair game,” Wara said.

And they don't think they're getting one in Texas.

Last December, the Reinsurance Association of America urged Texas Insurance Commissioner Cassie Brown, appointed by Gov. Abbott, to "adopt guiding principles... to address the issue of climate change and its interrelationship with insurance and regulation."

So, where does the Abbott administration stand on that?

We asked if the Texas Department of Insurance has a policy about climate change and how it impacts the department's mission? The answer was no.

So, how does TDI make sure that insurance companies have sufficient plans to mitigate the risks they face from climate change. Notably, the department answered the question without ever saying the words "climate change."

They wrote, “One of TDI’s core functions is monitoring insurer solvency, to ensure that companies have the ability to pay claims and be a stable force in the marketplace. Part of that monitoring involves evaluating the various regulatory filings insurers provide TDI to highlight the risks to which the insurer is exposed and how they are managing those risks.”

Conclusion
Weather and climate disasters can have huge impacts on people's lives and science is telling us to expect more of them. But instead of planning for a more expensive tomorrow, Texas is still planning for a cheaper yesterday.

That philosophy proved to be a disaster last February and could be again.

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The GOP Is Gaining Among Texas Hispanics. Women Are Leading The Charge.
By Sabrina Rodriguez
Politico

Democrats were caught off guard by Donald Trump’s numbers in South Texas in 2020. The Hispanic Republican women who live there were not.

Many of them have played a leading role in urging their neighbors in majority-Hispanic South Texas to question their traditional loyalty to the Democratic Party.

Hispanic women now serve as party chairs in the state’s four southernmost border counties, spanning a distance from Brownsville almost to Laredo — places where Trump made some of his biggest inroads with Latino voters.

A half-dozen of them are running for Congress across the state’s four House districts that border Mexico, including Monica De La Cruz, the GOP front-runner in one of Texas’ most competitive seats in the Rio Grande Valley.

It’s some of the clearest evidence that Trump’s 2020 performance there may not have been an anomaly, but rather a sign of significant Republican inroads among Texas Hispanics — perhaps not enough to threaten the Democratic advantage among those voters, but enough to send ripples of fear through a party that is experiencing erosion among Hispanics across the country.

“For so long, people here just never had Republicans knocking on their doors and calling them the way we did in 2020. The majority of us are women that did it then and are doing it now because we feel it’s our responsibility to keep the American Dream alive,” said Mayra Flores, a leading candidate for the GOP nomination in a South Texas-based congressional seat.

For Flores, the road to becoming a Republican was similar to the path traveled by many Hispanic women in South Texas. She grew up seeing most of her immigrant family vote Democrat and felt that it was standard for Hispanics to only vote for Democrats. Then, she says, came an inflection point where she began to question her loyalty to the party.

A family member asked if she knew what both parties stood for, and after looking into it, Flores felt that her religious, anti-abortion and pro-border security views were more conservative than she'd ever thought and more in line with the GOP. Five years ago, she got involved in her local GOP and now a majority of her family votes Republican, too.

She wasn't surprised at all to see Republicans gain ground in 2020 along the Texas-Mexico border, even as Democrats and Republicans outside the region expressed shock at results in places such as Zapata County — where Trump became the first GOP presidential nominee since 1920 to carry the county.

Neighboring Starr County saw the most dramatic shift of any county in the state when thousands more Republicans turned out to vote than in prior elections. While President Joe Biden ultimately won the county with 52 percent of the vote to Trump's 47 percent, that paled in comparison to Hillary Clinton's 2016 performance, when she garnered 79 percent to Trump's 19 percent.

Claudia Alcazar, chairwoman of the Starr County Republican Party, switched parties about two years ago after being a Democrat her entire adult life. She said it hasn't been an easy transition in communities like hers that remain majority Democratic, pointing to the strain it has caused in her own family.

Alcazar, 54, said her decision to become a Republican came after discussing politics with a high school friend running for mayor.

"We went down the list of all my beliefs and at the end I was like, 'Oh my God, I am a Republican. I just didn't know it.' I was so used to being told and seeing myself as a Democrat," she said. "It's like being used to drinking Coca Cola and then one day you taste Dr. Pepper and you're like, 'wow, I really like this one.' I truly shocked myself."

After a pause, she said, "And some of my family members. They're not happy with me."

Like Alcazar, Hispanic GOP women in the Rio Grande Valley don't have one specific reason for why they ultimately switched parties, according to interviews with several Hispanic GOP women officials across South Texas and GOP operatives.

This is a close-up photo of a Border Patrol agent's shoulder badge.
Border Patrol agents hold a news conference prior to a media tour of a new U.S. Customs and Border Protection temporary facility near the Donna International Bridge in Donna, Texas, May 2, 2019. | Eric Gay/AP Photo

They want more border security or are staunchly against abortions. They feel their husbands, family members, neighbors and friends that are Border Patrol agents or are in law enforcement are being unfairly villainized by Democrats. They worry Democrats are hostile to the oil and gas industry, which provides many good-paying jobs in the state. They worry the left is forgetting family values and the value of work.

Broadly, they also argue that Democrats outside of the Valley have miscalculated that Hispanics there are as progressive as Hispanic voters in more liberal strongholds such as California and New York, when in reality, they're far more moderate.

Nationally, some of Trump's largest shifts in approval ratings were among Hispanic women. A report by Democratic research firm Equis in the wake of the election found that Trump's net job approval among Hispanic women, especially young ones, grew dramatically in the year leading up to the election. Conservative Latinas, in particular, also became significantly more motivated to vote leading up to the election, the report found.

And the shift for Hispanic women didn't just happen in Texas. Another analysis by Democratic voter data firm Catalist found that support for Democrats among Latinas in Nevada dropped by 11 points from 2016 to 2020, compared to Latino men, whose support declined by 6 points.

National Republican groups have already begun making investments to build on the work being done by the local Hispanic GOP leaders.

The Republican National Committee, for example, has opened four community centers in Hispanic-heavy areas of Texas, including Laredo, McAllen and San Antonio. An RNC spokesperson described the community centers as "not your traditional political field offices" but rather as places to host workshops, host movie nights and engage with the community for more than just political events.

An organizer with a Latino empowerment group offers voting registration during a community outreach in Arlington, Texas.

The spokesperson said this election would represent the RNC's largest-ever presence in South Texas, noting there are already 20 full-time staff based in the area.

"It's unprecedented what we're seeing because prior to 2020 we didn't have this kind of support at all," said Flores. "I can only imagine how much more we're going to be able to do with their support."

One group, Project Red Texas, took notice of the party's gains in South Texas with Hispanic voters in 2020 and jumped in to recruit candidates for local races. The group, run by Wayne Hamilton, a long-time GOP operative and former executive director of the Republican Party of Texas, recruited 135 candidates for local races, such as county judge.

Hamilton estimates that about half of those he recruited are Hispanic and a good chunk are women.

“There’s no question things are changing down in the Valley,” Hamilton said, acknowledging it’s a new phenomenon. As recently as 2018, he said, there really wasn’t a bench of GOP candidates to run, nor a lot of effort spent to recruit and organize in South Texas.

Alcazar agreed that it’s only in the past two to three years that she’s seen more coordination across the region — and she credits some of it to more women being involved.

“We’re finally united ourselves,” Alcazar said. “We’re doing this because, as mothers and career women, we’re finally coming out and saying we’re part of this party and want to make sure our issues are paid attention to and heard.”

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Progressive Group Wants To Oust Two House Democrats In March 1 Primary
By Patrick Svitek
Texas Tribune

A new coalition that wants to install "better" Democrats in the Texas Legislature is endorsing primary opponents to two House members who were central in intraparty disputes last year.

The Texans for Better Democrats Coalition is throwing its weight behind Candis Houston, who is running against Rep. Harold Dutton of Houston, and Rep. Claudia Ordaz Perez, who is competing against Rep. Art Fierro after she was drawn her out of her El Paso district during redistricting.

The Democratic group is also endorsing Harris County Judge Lina Hidalgo in her reelection bid as she faces a group of primary challengers including Erica Davis, the top staffer for a Harris County constable.

The coalition launched in October, and it is made up of three progressive groups tied to organized labor: the Texas Organizing Project, Communications Workers of America and Working Families Party. They are prepared to spend about $250,000 across the three primaries, funding field and mail programs in each one, said Pedro Lira, co-director of the Texas WFP.

"We're in it to win it," he said.

The battles within the party come after a year of contentious legislative sessions in which GOP leaders pushed the state firmly to the right — and Democrats sometimes splintered on how hard to fight. Nowhere was that more apparent than House Democrats' quorum

break over the GOP's priority elections bill, which ground the chamber to a halt for weeks but ended after a slow trickle of their members, including Fierro, began returning to the floor.

“Texans need elected leaders who will stand with them, not ones who back down at the first sign of a fight," Derrick Osobase, administrator director for CWA District 6, said in a statement.

Dutton is well known as an occasional outlier in his party. He irked fellow Democrats last year when, as head of the House Public Education Committee, he helped revive legislation placing restrictions on transgender student athletes. He has long broken from some fellow Democrats when it comes to education — supporting more charter schools, for example.

Houston is the president of the Aldine chapter of the American Federation of Teachers. She has been endorsed by the statewide AFT, as well as the Texas AFL-CIO and Annie's List, which works to elect Democratic women who support abortion rights to state office.

Dutton shrugged off the coalition's endorsement.

"This organization is free to do as they wish and I expect to work with them again in the future," he said in a statement, "but otherwise I will remain focused on getting things done to improve our neighborhood public schools, create more local jobs, expand access to healthcare, and ensure justice and voting rights for all."

Dutton has the backing of the House Democratic Campaign Committee, which works to reelect incumbents and gave his campaign $2,500 last month. The committee has not taken sides in the matchup between Fierro and Ordaz Perez and does not plan to.

Ordaz Perez chose to run against Fierro after the Republican-led redistricting process forced her into the same district as a fellow Latina Democrat, Rep. Lina Ortega. In announcing her campaign against Fierro, Ordaz Perez criticized him for being one of the first House Democrats to return from the quorum break. A number of other House Democrats who remained in Washington, D.C., longer are backing her against Fierro.

In an interview, Fierro defended his decision to return along with two other El Paso-area Democrats, saying they had achieved their three goals from the start: staying off the floor for the remainder of the first special session, bringing national attention to the bill and "light[ing] a fire under Congress" to pass federal legislation protecting voting rights.

"I was on the bad-election-bill battle from day one," he said, pointing to his efforts to fight it as a member of the House Elections Committee.

Unlike Fierro, Dutton was not among the core 57 Democrats who had broken quorum. He did join them in Washington, but returned to Texas several days later, citing family medical reasons.

Campaign fundraising has been light across the two primaries, so the coalition's involvement could be significant. Ordaz Perez had $50,000 cash on hand as of Jan. 31, to just $6,000 for Fierro as of Jan. 20. Dutton had $73,000 in the bank as of Jan. 20, while Houston had $19,000.

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Education

A Push To Remove LGBTQ Books In A Texas County Could Signal Rising Partisanship On School Boards
By Jeremy Schwartz
Texas Tribune

Nearly seven years ago, Melanie Graft's 4-year-old daughter was in the children's section of her local North Texas library when she picked up a book about an LGBTQ pride parade. Within the colorful pages of the book, "This Day in June," children and adults celebrate with rainbow flags and signs promoting equality and love over hate. Adults embrace and kiss one another.

Alarmed, Graft launched a campaign against the book and another about a boy who likes to wear dresses, suggesting that their presence in the library foisted inappropriate themes on unsuspecting children. By June 2015, the Hood County Library Advisory Board had received more than 50 complaints asking that the two books be removed from the shelves of the children's section. The board refused, saying the books did not promote homosexuality, as some complaints had suggested, and arguing that the library already required parents of young children to accompany them and check out materials. Librarian Courtney Kincaid called "This Day in June" a tool to teach respect and acceptance of the LGBTQ community, but she agreed to move it to the adult section. She kept "My Princess Boy" in the children's section.

Opponents of the books then turned to the entirely Republican Hood County Commissioners Court, which appoints members to the library advisory board. After an emotional three-hour meeting that July, commissioners declined to remove the books on the advice of the county's attorney, who concluded that such action could spur a lawsuit over unlawful censorship because of potential violations of state law and the U.S. Constitution.

Anger over that decision helped fuel a seven-year effort by far-right Christian conservatives in Hood County to seize control of elected offices and government boards from more traditional Republicans. They won spots on the commissioners court, grabbed seats on the library advisory board and, last year, launched a monthslong campaign to oust Michele Carew, the county's independent elections administrator, accusing the Republican of harboring a secret liberal agenda.

In November, the group claimed a major victory after Graft won a seat on the school board in Granbury, the county seat. Also elected was Courtney Gore, the co-host of a local far-right internet talk show who has railed against masks and vaccines and promoted Donald Trump's false claim that the 2020 presidential election was stolen. On the campaign trail, the women promised to comb through educational materials for any signs of "indoctrination" in the form of books or lesson plans that they charged promote LGBTQ ideology or what they referred to as critical race theory, a university-level academic discipline based on the idea that racism is embedded in U.S. legal and other structures.

"When my daughter was 4 years old, my parental rights were taken away here at the public library in Hood County," Graft, who said on the campaign trail that her school-age children did not attend Granbury public schools, told attendees at a GOP forum before the election. "I stood up for my daughter then, and I'll stick up for our kids now."

The yearslong journey in Hood County offers a window into the fiercely contentious debates over curriculum and library books that have cropped up across the state and country in recent months. Once-nonpartisan school board races are taking on a decidedly partisan tone, and administrators are now sounding like political operatives.

Peter Coyl, a librarian who testified on behalf of the American Library Association in 2015 against removing the books, recalls thinking at the time that Hood County was an outlier because of how extensively the fight consumed the community. In retrospect, Coyl said, Hood County foreshadowed the larger battle that is playing out in school board races and over library books across the country.

"It was obvious that there was a portion of the community that was not happy with the outcome," said Coyl, who now leads a library in Sacramento, California. "But I think now we are in an era, a time where people aren't willing to have discourse or conversations about things. They want their way and they want to impose their view on anyone and everyone, because they feel that they're right."

The Granbury Independent School District elections last fall served as a litmus test of loyalty to the GOP's most conservative wing, which pushed candidates for nonpartisan posts to declare their party affiliation and to explain how they would actively push far-right initiatives.

"This was the first election where candidates felt the need to put 'conservative' or 'Republican' on their campaign signs and in their literature that they sent out," said Nancy Alana, a self-described conservative Republican who lost to Gore in November after serving on the school board since 2009. "And I have always shied away from that because I understood that the school board position was nonpolitical. And that was what I was trying to uphold."

A career educator who spent 30 years as a teacher and principal, Alana shares views similar to those of Graft and Gore on books and curriculum, but was pegged by some far-

right Republican activists as too passive for their vision of a more uncompromising “new Granbury.” Alana said she worried that the focus on culture-war battles over books and curriculum could distract leaders from important issues like overcrowding in the growing district.

Graft did not respond to requests for comment. Gore said in an email to ProPublica and The Texas Tribune that declaring party affiliation makes school board elections more transparent. She said that the board “more accurately reflects the population now.”

“Any entity that taxes or oversees school curriculum is inherently partisan, whether people want to admit it or not,” Gore said. “I proudly ran as a Conservative Republican and will never apologize for being one.”

Challenges to books about sexual orientation and racial identity in Texas are the latest in a wave of divisive national political issues driving local campaigns. In October, Matt Krause, a Republican state representative from Fort Worth who was then running for attorney general, sparked national attention when he released a list of 850 books that he said should be investigated and potentially banned from school libraries. The majority of the titles dealt with LGBTQ themes, and some were targeted for merely including LGBTQ characters, according to an analysis by BookRiot.

Gov. Greg Abbott, facing a Republican primary challenge from two opponents running to his right on education issues, later ordered the Texas Education Agency to investigate the availability of “pornography” in public schools, a term that some politicians and district leaders have interpreted as a catchall for books on sexuality and sexual orientation. He urged criminal prosecutions under the state penal code of educators who make such material available.

At a January school board meeting, Granbury Superintendent Jeremy Glenn, who is appointed by the board, referenced Krause and Abbott in defense of the district’s recent decision to remove more than 130 books that deal with race and sexual orientation from school libraries, pending a review.

The Granbury school board went a step further during its meeting Jan. 24. Led by Graft, the school board cleared the way for the district to strip any material deemed vulgar or unsuitable by administration and the board from its shelves without a committee review.

The next night, at Brazos Covenant Ministries church, Glenn assured attendees at a Republican Party gathering that school board members would act as gatekeepers against books and “woke” curriculum about sexual orientation and racial identity.

Speaking in partisan political language not common among school superintendents, Glenn pointed to decreasing margins of victory for Republican presidential candidates in the state, and warned local party leaders that “there are individuals out there that want to destroy what you believe.”

“They don’t believe in the same America that you and I grew up in, and that’s just the truth,” he said. “Our community has to decide whether or not we want to hold the line.”

An old fight resurfaces

A week after the November election, Emily Schigut, a fifth grade reading teacher and soccer coach, put her house on the market. She knew it was time to leave her job.

Schigut, who has family in Hood County, was teaching in Midland five years ago when the principal of STEAM Academy at Mambrino in Granbury reached out to her about an opening at its campus.

She recalls her excitement at coming to the district, which she said was a model of innovation. Now she worries that politics have taken hold in a way that makes it difficult for teachers to do their jobs. And as someone who identifies as queer, she is concerned about the message the district is sending to educators and students.

“It’s absolutely terrifying,” Schigut said in an interview. “All anyone has to do is listen to the words they’ve said. They aren’t there for the kids. They are there for a political agenda. You watch all these things happening around the country, and in the blink of an eye, it was happening here.

“It’s very sad because I 100% believed in this district. But I do not feel safe here any longer.”

While the shift in tone at the school district felt sudden to Schigut, far-right Republicans had spent years working toward electing candidates to local political offices. Their efforts gained steam in the summer of 2015 amid outrage over two failed fights: one over the LGBTQ books and another when Hood County was required to comply with the U.S. Supreme Court’s landmark decision legalizing same-sex marriage. County Clerk Katie Lang initially refused to issue a marriage license to a gay couple.

Despite losing the debate over books, opponents claimed a major victory that year when Kincaid, Granbury’s librarian, resigned. She said she could no longer endure harassment and bullying by the group, which she recalled had posted someone at the library’s circulation desk every day to watch her.

“Even going out to lunch was a gamble because I didn’t know if my food would be tainted in any way by someone who disagreed with my decision to keep the books. Whenever I would leave the library, be it during my lunch time or running an errand for work, I was followed,” Kincaid told the American Library Association in 2017 after her resignation. Kincaid, who faced additional harassment following her departure from Hood County, declined an interview.

Graft became increasingly active in local politics, serving on the local library advisory board and as a Republican Party precinct chair. Her fight against the books made her popular in far-right circles, giving her a platform across the state.

During an interview with Doc Greene, a self-described conservative activist radio show host, at the 2016 state Republican convention in Dallas, Graft described the moment her daughter encountered “This Day in June” by Gayle Pitman.

“She picked it up, turned to the page and showed it to me, and I was appalled,” Graft said. “There were political issues. Signs like love over hate, equal rights, things that a child certainly can’t understand. And this book on the back binding was recommended for children ages 4 to 8.”

She continued, “They have an agenda and an indoctrination for our children. It’s not enough to tolerate. They want us to participate. And they want our children.”

After Graft had finished, Greene said he was not a violent man, then added, “But something like this enrages me to such a degree that violence is not completely ruled out. Because when you go after the children, this is not the time to just stand by and talk about it.”

Graft responded that she was not a proponent of violence, but Greene continued pressing.

“If you’re not willing to kill for what you believe, you’ve already lost the war. Our children are worth saving,” said Greene, who did not respond to requests for comment.

“I can’t argue with that,” Graft said. “I agree.”

A month later, the Northeast Tarrant Tea Party near the library where Kincaid had relocated uploaded a video of Graft speaking at one of its meetings to YouTube.

“This is Courtney Kincaid. You need to know her name,” Graft told the group as a screen flashed behind her. “We have to stand in the gap between the liberal left and our children. It only takes one liberal library with an agenda to steal the innocence of your child.”

Two years later, one of Graft’s allies in the fight against the books, Dave Eagle, a former Tea Party leader, was elected to the Hood County Commissioners Court. Eagle, who lost a bid for the school board in 2016, had vowed in a letter to the Hood County News the previous August that the Hood County Tea Party would “continue to reap political dividends” from the fights over same-sex marriage and LGBTQ books, as he complained about the local news organization’s coverage.

Eagle, who claimed credit for Kincaid’s departure, frequently sparred with members of the library’s advisory board and worked to change the makeup of the panel. In 2019, the Hood County Republican Party issued a formal resolution calling for the board to be disbanded, claiming that it failed to represent the “moral character” of the community. County commissioners dissolved the board last year after political divisions had made it difficult for the board to get much accomplished.

“It has become a lightning rod,” David Wells, the former library advisory board chair, said after the board disbanded. “It’s lost its sense of purpose, of what it’s there for. It’s way beyond the purpose for which it is designed.”

Eagle, who did not respond to a request for comment, also helped lead an effort last year that sought to abolish the elections administrator position held by Carew and transfer her duties to Lang, the county clerk, who has used social media to promote baseless allegations of widespread election fraud. Aside from saying that she would abide by the Constitution, Katie Lang has declined to discuss how she would approach elections management if given the role. Carew resigned in October. She is now running for office against Lang, an effort she said she undertook to prevent partisans from taking control of elections if commissioners decide to dissolve the independent election office.

Debates over national issues have left the ground fertile for takeovers in rural counties and small towns across Texas, provided local far-right activists can organize as they have in Hood County, said Brandon Rottinghaus, a professor of political science at the University of Houston.

“Local organizers can ride these national waves to power,” Rottinghaus said. “With the right spark, I think that’s a model they can replicate across the state.”

Pitman, the author of “This Day in June,” one of the children’s books targeted by Graft and Tea Party members in 2015, said the school board election in Hood County marks a worrisome escalation of rhetoric that previously seemed more isolated. “It just seems like there’s been a shift in the political climate,” Pitman said, adding that she never expected to see the massive wave of current book challenges.

“I think the most disturbing thing about this to me is that if you look historically at book challenges, for the most part, books were challenged because of the ideas that were in them,” Pitman said. “And that, to me, is really disturbing because it’s no longer about ideas or exchange of information or discourse, it’s about marginalizing an entire community.”

In January, administrators in the Granbury school district summoned its librarians to a meeting to review library offerings “based upon the Governor’s criteria,” according to emails obtained by a Granbury parent through the Texas Public Information Act and shared with ProPublica and The Texas Tribune.

District officials immediately removed from the library shelves five books unrelated to LGBTQ themes by Abbi Glines, an author known for including explicit sex scenes that push the boundaries of young adult fiction. They also pulled about 130 other titles from school libraries, pending a review by a district committee composed of teachers, librarians and parents.

“Let’s not misrepresent things. We’re not taking Shakespeare or Hemingway off the shelves,” Glenn said at a school board meeting last week in which he blasted opponents

of the book removal effort. “And we’re not going and grabbing every socially, culturally or religiously diverse book and pulling them. That’s absurd. And the people that are saying that are gaslighters, and it’s designed to incite division.”

Glenn made no mention of the dozens of LGBTQ-themed books that had been pulled from the shelves for further review. Of the 130 books temporarily removed, about 94, or 73%, feature LGBTQ characters or themes, according to a ProPublica and Tribune analysis of the popular book review site Goodreads.

Coyl said he is concerned that political candidates are increasingly using the issue of book censorship to win public office. “People need to be very vigilant and aware of it,” he said. “It’s a slippery slope. If we allow the restriction of one thing, it’s very easy to slide into more suppression.”

Experts say waves of backlash against LGBTQ communities often follow moments of cultural transformation. Schools have long been the battleground, dating at least to the 1970s, when anti-gay crusader Anita Bryant led a national movement to save children from gay adults.

But fed by social media, the same message today is spreading farther and faster than during past waves, experts said.

Vox Jo Hsu, an assistant professor of rhetoric and writing at the University of Texas at Austin who specializes in the effect of public rhetoric on racial, gender and sexual minorities, said movements to censor LGBTQ books can leave young people feeling alone.

“I can’t overstate the type of damage it does to create a culture of shame and silence around LGBTQ topics,” Hsu said. “You are teaching them, from a young age, these false narratives about who they are that they will have to unlearn and you’re depriving them of resources and communities they will need to do so.” Leaving a school district is not an option for all LGBTQ students or families, and children who are left behind when others depart will only become more isolated, Hsu said.

Last month, students in the Granbury district launched an online petition opposing the book removal effort. Within days, the petition had gathered more than 600 signatures. Students also spoke against the removal at last week’s school board meeting.

“I don’t think that little children should be shocked or disgusted by our identities,” a queer senior at Granbury High School said at the meeting, warning that removing the books would send a dangerous message. “It’s disgusting that, even in 2022, we still have to have these discussions about censorship.”

Glenn saluted the students for speaking out, but then took aim at those who questioned the removal of the books.

“During my tenure, I have witnessed radicals come into our boardroom and go onto social media platforms to distort the truth, exaggerate issues and bad-mouth our trustees,” Glenn said. “To those individuals, please know, like the little boys who cried wolf, you have lost all credibility to the majority in this community. We will not back down from you.”

In an email, Gore applauded the book removals and said the district is not taking aim at LGBTQ students or community members. “All students at GISD are loved and cared for by the amazing staff and administration,” she said. “With that, public schools are not the place for young people to express themselves sexually.”

Near the end of the discussion, Graft made a motion to amend the district’s policy on book removals, eliminating the requirement for campus-level committees that have determined whether concerns are merited.

The revised policy, which passed unanimously, will allow the district to remove books the administration and board deem “pervasively vulgar” or educationally unsuitable without going through the district’s existing process. Before the change, books had to stay on shelves until a review was completed.

“This is going to align the policy so that in the event that we do have a book that is in our library that is vulgar and overtly sexual, it can be removed without review,” said Tammy Clark, an assistant superintendent in the district.

Despite the policy change, district spokesperson Jeff Meador said a committee will review the books, and most of them “will likely be returned to the library shelves.”

Jonathan Friedman, the director of free expression and education at nonprofit PEN America, which promotes literary culture and defends freedom of speech, said the Supreme Court has not settled the constitutionality of removing school library books without a review. Still, he said it’s “highly concerning” that Hood County school board members “appear to have changed the policy just in order to appease the state lawmakers’ list of books.”

Friedman said that while there hasn’t been a recent legal challenge related to the spate of book removals, districts could find themselves in legal jeopardy if it becomes clear that their motive was based on “hostility towards the views in those books.”

Efforts to censor material usually fail, but the process can still be divisive and counterproductive, said Whitney Strub, a history professor at Rutgers University.

“I think history shows that these movements don’t actually succeed, but they do a lot of damage and inflict a lot of destruction and harm along the way,” Strub said. “And I absolutely think that’s likely to be the case at the local level.”

Seeking safety

The escalation of anti-LGBTQ rhetoric worries one Granbury mother of a 4-year-old, who asked that her name not be used as she fears retaliation because she is gay.

She recalled feeling reassured after county commissioners denied efforts to ban LGBTQ books from the local library in 2015 when she lived in a neighboring county. Although she didn't have a child at the time, she believed that the books provided an opportunity to teach children that having gay parents is normal.

On election night in 2021, she was shocked when Graft, who had led the fight against the books, won. It was then that she and her wife decided to send their son, who is entering kindergarten, to another district. "It makes me worried that someone like her would tell kids that it's not OK to be like that," she said.

The woman can tick off the incidents of hate she has experienced since moving to the county four years ago: the stranger at the grocery store who called her a "faggot," the senior citizen who threw his arms in the air in disgust and stormed off when he saw her kiss her fiancee goodbye.

She wanted school to be a safe space for her son, one that didn't vilify him for having two moms.

"I wouldn't put it past someone to physically harm me because I gave my fiancee a kiss," she said. "Seeing stuff like the school board election definitely opens my eyes. Even though this is a small town, and I know most of the people, and I grew up next door, when it comes to sexuality nobody's safe."

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Business/Economy

Will Blockbuster Oil Profits Mean More Jobs, Stronger Recovery For Houston?
By Paul Takahashi
Houston Chronicle

Since the start of the pandemic-driven downturn, Big Oil has preached the gospel of "capital discipline" to woo back Wall Street investment to the battered energy sector by controlling spending, limiting growth and delivering profits.

Even as oil prices rebounded above $85 a barrel from $48 a barrel last year, U.S. oil giants such as Exxon Mobil and Chevron remained restrained, funneling the cash to boost dividends, repurchase shares and pay down debt instead of drilling new wells and boosting production.

But after a banner year in which companies delivered massive profits and shareholder returns in 2021, Big Oil appears ready to get off the sidelines and spend, looking to grow production and expand again as crude demand has rebounded from the pandemic. And

that could mean new jobs in Houston and Texas, and ever stronger recovery for the local and state economies.

Exxon and Chevron, which reported combined 2021 profits of nearly $40 billion, recently said they plan to increase Permian Basin production this year by 25 percent and 10 percent, respectively. Exxon said it plans to boost capital spending on new projects this year by as much as 44 percent to $24 billion, compared to 2021 levels. Chevron said it plans to increase spending by 20 percent to $15 billion.

ConocoPhillips, which reported profits of $8.1 billion in 2021, said it intends to bring production online from its recently acquired Permian assets from Shell, and boost its capital spending this year by nearly 36 percent to $7.2 billion.

And for the first time in at least two years, Exxon said it was considering "selective mergers and acquisitions," a costly move that the company had dismissed during the depths of the downturn.

Big Oil is getting room to run because companies are generating the payoffs that investors have demanded as energy companies ride higher oil prices to the biggest profits since 2014. The S&P 500 Energy Index, a group of the largest U.S. energy stocks, rose 48 percent in 2021, recovering to near pre-pandemic levels.

So far this year, energy stocks are up 22 percent, outpacing the S&P 500 index, which is down 4.5 percent.

Changing dynamic

"The dynamic has changed," said Peter McNally, the global energy leader at Third Bridge, a New York market research firm. "Oil majors are getting a bit more growth because oil prices are higher, and they really delivered on shareholder returns. There is money in their pockets to do this stuff. They've got a bit more wiggle room."

To be sure, Big Oil's spending plans are nowhere near pre-pandemic estimates. The oil industry's renewed interest in production growth and expansion also comes at the risk of refueling the ire of investors unsatisfied by the recent run of returns after years of lackluster performance, analysts said.

Large public oil companies will have to walk a tight line, but if they succeed in growing production and while still delivering big profits, Houston stands to benefit as investment flows back to the energy sector, allowing oil companies to invest in new projects and hire more workers again.

"U.S. producers are going to be able to manage dual objectives in 2022," said Aaron Brady, executive director for IHS Markit, a global research and consulting group. "They'll be able to return record cash to investors and also grow volumes to help meet fast-recovering world oil demand."

Analysts are expecting big growth in production this year as demand continues to recover from the pandemic. The Energy Information Administration this month estimated the U.S. will end the year producing about 12.2 million barrels of oil a day, 630,000 barrels a day more than current levels.

That's a conservative estimate. Conoco CEO Ryan Lance on Thursday said he could see U.S. crude output grow by 800,000 to 900,000 barrels a day this year, surpassing the pre-pandemic peak of 13 million barrels a day.

"Public (oil companies) are kind of regenerating and coming out of the maintenance capital mode in 2021," Lance told analysts during a conference call Thursday. "We plan to add some activity in all three of the big three (oil basins): The Bakken (in North Dakota), the Eagle Ford (in South Texas) and the Permian (in West Texas and New Mexico)."

Case for growth
Oil giants have certainly built a case for growth.

Crude prices are at seven-year highs, historically a strong market signal to drill more wells and produce more oil. West Texas Intermediate, the U.S. crude benchmark, settled at $90.27 a barrel on Thursday, up $2.01 from Wednesday.

Exxon, the Texas oil major, last year repaid $20 billion of debt and returned $15 billion in dividends to shareholders, while its California rival Chevron repurchased $1.4 billion of company stock and reduced its debt by $12.9 billion. Houston independent ConocoPhillips last year returned $6 billion to shareholders through dividends and share buybacks, and plans to boost shareholder returns to $8 billion this year, up more than 30 percent from last year.

At the same time, Exxon, Chevron and ConocoPhillips have all set ambitions to become net-zero emissions companies by 2050, laying out a strategy to mitigate methane leaks and capture carbon dioxide to satisfy growing investor concern about climate change.

"The industry has kind of ticked all the boxes that they needed to before they could spend more," McNally said. "Debt's down, buybacks and dividends are up."

Investors so far have largely rewarded Big Oil's disciplined strategy. The industry's focus on profits, shareholder returns and improving their environmental image have catapulted energy stocks over the past year.

Exxon's stock price rose by nearly 58 percent last year to $61.19 a share as of Dec. 31, while Chevron stock climbed 46 percent to $117.35 a share. ConocoPhillips shares shot up 87 percent last year to $72.18.

Whether investors can stomach double-digit production growth and spending increases in the Permian remains to be seen. Analysts say investors may have an appetite for moderate growth, as long as profits and shareholder returns keep growing.

“Oil’s hit $90,” McNally said. “There’s a lot more flexibility for companies to walk and chew gum.”

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Immigration/Border Security

The Mexico-US Border Is An Imaginary Line To The Biden Administration
By Angie Wong
New York Post

The southern border of the United States has become a suggestion, a line that vanishes a little more each day.

I spent three days on the front lines of the Biden administration’s illegal-immigration crisis, and found a Border Patrol that has changed from an enforcement agency to a concierge service. A pipeline of migrants, fueled by cartel coyotes and abetted by American liberal nongovernmental organizations, enter the nation in droves, and many will likely never return to the countries they left.

Groups of migrant men often wait in the bushes or under the McAllen-Hidalgo International Bridge until dusk to cross over. At sunset, I witnessed a group walking out of the brush and onto dirt road up to the security wall on the American side. The officer I was speaking with took off in her patrol Jeep to direct the men to a “consolidation point” away from the main road where I was standing. The immigrants trudged off, and within minutes, the patrol vehicles left to another area. No action was taken for what was likely an illegal crossing.

Even if the government wanted to secure the border, there aren’t enough officers to police the hundreds arriving each day. So the Border Patrol has made deals with the devils. Mark Morgan, former commissioner of the US Custom and Border Protection agency, said US officers now coordinate with the cartels and coyotes on where and when drop-offs will happen. In the past, large groups of illegal immigrants would cross without notice, and it would take agents two days to process at the centers.

Morgan told me they wanted to avoid scenes like the ones of children being dropped over walls in remote areas. It may be safer, but it also makes the cartel’s job easier, and more lucrative. The cartels have taken control of our border, and we’re negotiating with the hostage-takers.

Once the migrants are processed at the consolidation centers, they are given folders color-coded to the city of their destination. I saw folders with tickets to Houston, Atlanta,

Newark and JFK. The folder also contains an airline ticket, a US passport-looking booklet, cash, prepaid credit cards, travel itineraries and an English translation page. The cover of the folder says in capital letters, “PLEASE HELP ME I DO NOT SPEAK ENGLISH. WHAT PLANE DO I NEED TO TAKE? THANK YOU FOR YOUR HELP” with a smiley face.

Onto the planes
Each migrant also receives a set of clothing — a gray or black sweatshirt, dark jeans and black sneakers. They get a blanket, a pillow-sized bag of shelf-life food and a carry-on travel bag. Some have received cellphones.

Fox News footage shows mass release of single adult migrants into US.
Illegal immigrants with criminal records were released into the US and dropped off at a Texas airport, according to an ICE agent talking with Fox News.
From McAllen Airport, I boarded a plane to Houston with around a dozen migrants. I watched their handlers get them past immigration and security with just a flash of documents, whereas all other passengers had to show identification.

Their handlers, I’m told, are from government-funded NGOs and churches.

NY House GOP tells Biden to keep ‘secret’ flights of migrants out of Empire State
There is exhaustion and fear on many of their faces, because the only real winners here are the cartels, to which so many of these illegal migrants owe money. They face years of repayments for the treacherous journey they just made.

Once they arrive at their destination cities, the handlers go missing. I followed one group of female migrants to the airport bathroom and watched as they cleaned up, changed out of the sweatshirts they were given and back into nondescript clothing.

There were colored bracelets in the trash. I was told these were given to them by their coyotes to indicate what payment they had made. The women I saw inside the bathroom were trying to lose their “markings” and possibly escape from their handlers.

Unfortunately, There was one marker that was difficult to erase. On the plane, there were several young girls heavily pregnant. One of the girls could have been my daughter’s age, preteen. She was having a difficult time and very sick disembarking off the plane.

A Texas state trooper and border patrol officer inspect a migrant involved in a smuggling case.
Border Patrol seems to be aware that the government is allowing illegal immigrants to cross the border, according to a leaked video.
The exploitation continues in the US. Once they’ve been processed, a “family member” often picks up the migrant to take them to a “safe house.” The houses are anything but safe and are decrepit, uninhabitable rooms where rent goes for $100 per day and a bottle of water costs $2. Each item runs up a tab that becomes difficult to pay off. The NGO cash given to the migrants in the colored folders is immediately handed over to the host.

Some of these houses are run by gangs. Some by landlords who get government subsidies.

A bleak future

The migrant begins to pay back the debt owed to get him there by working, but their debt never goes down as their living expenses continue to go up. It's a circular payment, and the beginning of a life of servitude.

But they consider themselves the lucky ones. Some migrants, especially children, especially young girls, many forgotten or kidnapped children, do not survive the journey into the United States. Some parents who send their kids off with coyotes in hopes of receiving US paychecks back in the homeland never hear from their children again. Some are sexually assaulted. Some are used as drug mules. Border Patrol officers find body parts scattered in the fields all the time, and the large number of vultures circling the parks are the indicators.

So much of this process is play acting. Border Patrol pretends to patrol the border. Immigration and Customs Enforcement pretends to keep tabs on people coming in. President Biden and Vice President Kamala Harris pretend to say, "Don't come here," but every signal — from the wide open borders to the NGO welcome mat — says, "Come on in!"

In each of those color-coded folders, there's a letter indicating an appointment with deportation officers around three to four weeks after their arrival. How many will actually show up to that appointment? No one is keeping track of their whereabouts after they disembark from the plane. And many of the places where they are sent, including New York City, are "sanctuary cities," meaning local authorities will not cooperate on deportations. The Biden administration, meanwhile, has told ICE not to deport anyone if being here illegally is their only crime.

'Simply staggering'

"What I saw at the border was an invasion of our country," said Mallory Staples, a congressional candidate from Georgia who also toured the border. "Our Border Patrol Agents and HHS have become nothing more than a government-funded travel service under this administration's failed policies. The number of illegal immigrants coming across on a daily basis is simply staggering, and it's created a humanitarian crisis of unbelievable proportions."

In just a few days, I watched dozens of people going through this same pantomime, and that's just at one stop on the vast southern border. Thousands, no, millions have arrived during the president's first year with millions more to come. The Biden administration know it's happening. They just don't care.

Although he halted the construction of President Donald Trump's border wall in the first month of his administration, President Biden has continued the wall-building efforts under a different name.

Instead of a “wall,” it’s now called a “rail.”

Trump’s wall rose as high as 30 feet, while Biden’s rail is six feet tall. At Bentsen-Rio Grande Valley State Park in Texas (right), the contrast between the two is evident. Retired Navy Rear Adm. Chuck Kubic’s construction company was commissioned for the two structures by the two presidents.

In some places, finishing the wall at lower heights was necessary to make sure it was structurally sound. But the reason for the two heights is strictly political. The Democratic administration doesn’t want to look like it’s building a wall that might actually work.

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Transportation

‘They Could Have Done Something’: A Year Later, Questions Linger Over Deadly Fort Worth Pileup
By Michael Williams and Aria Jones
Dallas Morning News

One after another, the cars, trucks and tractor-trailers kept coming.

More than 100 of them skidded out of control on Interstate 35W in Fort Worth during the predawn hours of Feb. 11, 2021 — the highway, like much of North Texas, left icy by a winter storm.

Concrete barriers on both sides of the toll road left those caught in the pileup with nowhere to escape the mass of vehicles sliding toward them.

At the end, heaps of totaled cars and trailers stretched more than 1,000 feet down the expressway. Six people were killed, and dozens of others were treated at hospitals for injuries. The crash was one of the deadliest in Texas history.

Mass casualty wreck on I-35W and Northside Drive in Fort Worth, Texas on Thursday, February 11, 2021. (Lawrence Jenkins/Special Contributor)

A year later, survivors of the pileup and relatives of those who died are left wondering whether proper precautions were taken to protect the roads in frigid temperatures. As Texas braces for future wintry weather, they are also questioning whether enough has been done to prevent another highway catastrophe.

State Rep. Ramon Romero Jr., a Fort Worth Democrat whose district includes the area around the crash site, isn’t convinced.

“I’m really clear with my family: ‘Stay off of that roadway,’” Romero said. “Until that rail gets removed, I would not drive on that roadway if there’s any threat of precipitation and freezing temperatures, period.”

‘They basically had nowhere to go’

The crash occurred at the beginning stages of last year’s devastating winter weather, days before much of North Texas was blanketed in snow and millions of people across the state were left without power or water.

The morning of Feb. 11, a freezing drizzle covered many roads in the region with what the National Weather Service described as a “thin coating of nearly invisible ice.”

In Fort Worth, the 911 calls started coming in just after 6 a.m.: “My car is basically sideways,” one woman with a shaking voice told dispatchers.

The crash happened in the southbound toll lanes on an elevated portion of the interstate near Northside Drive. Concrete barriers separated the two-lane toll area from general-use lanes on the right, and from northbound traffic on the left.

“Those folks, once they started careening down the bridge, once they got to the bottom of the bridge, they basically had nowhere to go because they were sideways,” said Romero, whose office also investigated the crash. “They were crooked. They were locked in, one another. And every car that came down to that point began to smash into those cars.”

A trucker described pulling people out of what he called a “genocide of metal” to the Fort Worth Star Telegram. He watched helplessly as a FedEx truck slammed into a car from which he had been trying to free someone.

A preliminary report from the National Transportation Safety Board does not mention what might have initially caused the chain reaction. A factual report is expected to be completed in weeks or months, said Eric Weiss, an NTSB spokesman. A final report with recommendations and analysis will follow.

But video shot by eyewitnesses showed the helpless reality of anybody caught in the pileup: truck after truck and car after car pummeling out-of-control toward a wall of crashed vehicles.

Killed were Tiffany Gerred, 34; Tamara Mendoza Querales, 46; Christopher Vardy, 49; Aaron Watson, 45; Michael Wells, 47; and William Williams, 54. Four of them died in their cars; two were struck on the road after leaving their vehicles.

Several of the more than 60 people injured in the crash were wearing scrubs or hospital ID badges and were on their way to work. There were so many people involved, authorities asked anyone not injured to exchange information and leave the scene so first responders had room to work.

It also was a traumatic experience for those responders, who braved roads that were too dangerous to even walk on throughout the morning, freeing people pinned in their cars.

“The scene we saw today is really, probably, unlike anything any of us have seen,” Fort Worth police Chief Neil Noakes said the day of the crash. “And we pray to God we never see it again.”

‘Time and opportunity’
Jane Watson was working in a South Dallas restaurant 20 years ago when one of the regulars caught her eye. He was “genuinely kind, very considerate and attentive,” she said.

Aaron Watson asked her out. They went on one date, then two. The rest was history.

They had been married 18 years the morning Aaron Watson left for his job at Jason’s Deli, where he was a managing partner at two restaurants, but didn’t make it to work.

“I’m going to be forever grateful that I left the house before he did, and he was awake, and I got to give him a hug and a kiss and tell him I loved him before he left,” Jane Watson said.

Within about two hours of the crash, Aaron Watson’s family knew he had been involved. They didn’t learn of his death until 3 p.m.

Jane Watson wonders whether it all could have been prevented.

“I believe that there was time and opportunity to treat the road that morning,” she said, “and it just didn’t happen.”

He was one of four parents to die in the crash: Vardy, a longtime volunteer at First United Methodist Church in Fort Worth, had two sons. Gerred left behind a daughter. Mendoza left behind a daughter and mother in Venezuela, both of whom she worked to provide for.

“She was the happiness anytime, anywhere,” Mendoza’s cousin Marco Vilchez Sr. said. “She was the one always joking, making fun of everybody or bringing people’s spirit up.”

Mendoza lived with Vilchez while she was in Texas. He said she was always joyful, took tons of photos and loved having her nails done — all despite working 16-hour days and missing her family terribly.

Vilchez said she was an accomplished reconstructive cosmetic surgeon in Venezuela. He said political and economic changes in Venezuela pushed her to move to Texas where she could earn more money.

She planned to get licensed to practice in the U.S. But in the meantime, her cousin said, she took all kinds of jobs, from cooking to cleaning.

Mendoza was headed to cover an extra shift at work when she died. She had only been in the U.S. for a year and a half.

Vilchez said he's grateful for the time he spent with his cousin, who called him a brother, but that it's a "mark for life" to lose her in a car accident.

"These deaths, they hurt more," he said. "It's always going to be the same date, the same weather, every year for the rest of my life."

'They could have done something'
According to the preliminary NTSB report, the area experienced 36 hours of below-freezing temperatures before the crash.

North Tarrant Express Mobility Partners, a consortium of companies that built and operate the TEXPress toll lanes, pretreated the road with a brine solution about 10 a.m. Feb. 9 — nearly two days before the crash — according to the report.

Problems with roads became quickly apparent the morning of Feb. 11: Three hours before the pileup, a crash was reported about 5 miles north. That crash prompted signs along the toll lanes to begin displaying warnings about icy conditions.

J. Keith Hyde, an attorney representing Watson's family, said he believes "a number of entities failed to exercise proper care and control." Their lawsuit is one of at least two that have been filed against the operators of the highway or trucking companies involved in the crash. The second lawsuit was filed on behalf of three survivors of the pileup.

North Tarrant Express spokesman Robert Hinkle said the information the group could share was "limited" because of ongoing litigation and the NTSB investigation. But he noted that NTE closed managed lanes, like the toll lane the Fort Worth crash took place in, in preparation for this year's winter storm.

Hyde faults maintenance operators associated with North Tarrant Express for not sanding or deicing the road, when Hyde said there was "plenty of time" the morning of the crash.

"I think they should have been prepared," Hyde said. "If you look at what notice they had of the ice, they could have done something."

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Opinion/Editorial

Analysis: "Nothing To See Here" Is Good News For Texans And For Incumbent Politicians

By Ross Ramsey
Texas Tribune

"It got cold and the lights stayed on" is weak sauce, as political slogans go. But for Texas Gov. Greg Abbott, the season's first ice storm couldn't have come out much better.

He didn't need a win on this one — the absence of a loss is quite enough.

The Texas electric grid failed a year ago during a polar vortex, putting millions of residents in the dark without heat for almost a week, resulting in hundreds of deaths and billions of dollars of economic damage to the state.

Like political leaders have always done in jams like that, Abbott fired or ran off the regulators and operators within his reach. With the help of state legislators who were also dodging blame, he ran off the public utility commissioners he had appointed, along with the board and top executive at the Electric Reliability Council of Texas, which manages the grid day to day.

They told electric generators to get ready for this winter, to keep their plants from shutting down because of cold temperatures and ice. They had hearings, did a lot of public relations work, tried to get everyone toeing the company line: "It won't happen again."

Abbott himself got over-exuberant at one point, saying he could "guarantee" nobody's lights would go off this year. That's bonkers: Somewhere in Texas, fair weather or foul, someone's lights are off. Trees fall on electric lines. Winds blow. Lightning strikes. Bulldozers cut underground lines. Things happen.

So the governor reeled that pledge back in as this latest storm was forming. "No one can guarantee there won't be a 'load shed' event," he said, using the technical euphemism for a blackout caused by intentionally shutting off electric power to groups of customers to keep demand below supply. Last year's blackouts were the result of load shedding. What the governor said, in translation, is that no one can guarantee there won't be a blackout.

It's better for his politics, of course, if there are no blackouts caused by grid problems. And at this writing, on Friday, the grid was doing what it was supposed to be doing, with ample supply even under the high demands of Texans in wintry conditions. There were blackouts in the state — there always are — but they weren't caused by fundamental problems with the grid.

For one thing, this storm was nothing compared with the polar vortex a year ago. It didn't strain or test the grid in the same way — not by a mile.

Luck also played its part, siding, this time, with the energy folks. The governor and other state officials weren't as hard on natural gas companies as they were on electric companies after the 2021 blackouts. Many of the state's electric plants are powered by

gas, and the failures of the natural gas infrastructure left the generators without their normal capacity last year.

Austin hasn't yet required the gas industry to winterize, and experts worry about that hole in the state's weather defenses. A recent cold snap caused a dip in gas production and a rise in grid anxieties last month. But the system held.

Abbott is up for reelection this year. Early voting in the primary elections starts on Feb. 14, which also happens to be the anniversary of 2021's storm. His challengers, Republican and otherwise, have spent a lot of time and money reminding voters about the blackouts and the grid failure in 2021. They didn't say so out loud, but a bad storm for Texas would have buttressed their arguments, and put Abbott on the defensive.

What happened in the latest cold snap was what is supposed to happen during a cold snap. The electricity stays on, people stay warm, the schools shut down for a couple of snow or ice days and then things warm back up.

It's only news when it doesn't work, and for a politician who might get blamed when things go badly, no news is good news.

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Greg Abbott News

Texas Gov. Greg Abbott Comments On Death Of Texas Army National Guard Soldier
By David Gray
KAMR

Texas Gov. Greg Abbott released a statement Monday afternoon after officials with the Texas Army National Guard announced that a soldier recently died during a non-mission-related incident.

According to a news release from the Texas National Guard, officials announced that a Texas Army National Guard soldier assigned to Operation Lone Star died in a non-mission-related incident Monday. After the soldier was injured in Brackettville, they were airlifted to a hospital in San Antonio.

"We are deeply saddened by this loss," Maj. Gen. Tracy Norris, the adjutant general for Texas Military Department, said in the release. "We are focused on supporting the soldier's family and are providing all available resources."

In a statement, Abbott said the following:

"Our hearts are heavy at the news of the tragic death of a Texas Guardsman stationed at the border as part of Operation Lone Star. We grieve for the soldier who died and lift their family and loved ones up in prayer. The Texas National Guard plays an important role in our efforts to keep communities safe and we are grateful for their courage and commitment. The Texas Rangers will conduct a thorough investigation into this tragedy and the Texas Military Department is taking action to ensure such loss of life never happens again."

Officials from the Texas National Guard said that the name of the deceased soldier is being withheld until 24 hours after the next of kin is notified. The cause of death is under investigation and officials state that more details will be released at a later time.

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Beto O'Rourke Met With State Leaders In Dallas As He Campaigns For Texas Governor
WBAP

Beto O'Rourke made a stop in Dallas during his campaign for Texas Governor.

Democratic candidate O'Rourke met with state leaders at Paul Quinn College to discuss his vision for the state. O'Rourke said that vision includes creating more jobs, increasing teacher pay, expanding Medicare and making sure everyone has the same opportunity to vote

regardless of race, economic status or party affiliation.

“I’m going to implement online voter registration, implement automatic voter registration when you turn 18 and we are going to open up more polling places when I’m governor,” said O’Rourke.

However Governor Greg Abbott says SB-1 ensures trust and confidence in our elections and makes it harder for fraudulent votes to be cast.

O’Rourke also bashed Governor Abbott’s response to last year’s winter storm and said the recent winter event didn’t compare to its severity and issues with the grid have not been fixed.

“It wasn’t an act of God. It wasn’t Mother Nature. It wasn’t the weather. It was the people in power who couldn’t keep the power on for the people of Texas and until we make a change in terms of who’s serving in the highest officer in this state,” said O’Rourke.

O’Rourke said his big focus is to keep the lights on in Texas. “Because of his failure of leadership and failure to fix the grid moving forward we are all paying higher utilities bills $20 to $50 in addition each month . We call that the Abbott tax,” said O’Rourke.

However Gov. Abbott touted his efforts to fix the grid, passing 14 laws to increase power capacity, winterize the grid and require regulator inspections and protect critical power infrastructure.

“Last week showed the resilience of the power grid thanks to the bipartisan solutions put forward by Gov.
but the success of the reforms to the TX grid didn’t stop O’Rourke from fear-mongering to prop up his flailing campaign,” read a statement from Governor Abbott’s campaign twitter account.

Governor Abbott’s campaign addresses the importance of Second Amendment rights, securing the border, the economy, getting parents involved in education, and law enforcement.

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Governor Greg Abbott Talks Jobs In Abilene
By Farrah Walton
KEYE

Governor Greg Abbott held a press conference in Abilene today at the construction site of the Great Lakes Cheese Facility.

He was joined by Abilene Mayor Anthony Williams, Great Lakes Cheese Board Chairman Heidi Eller, and the Office of the Governor's Economic Development and Tourism Director Adriana Cruz.

Announced in April of 2021, the Great Lakes Cheese's new packaging and distribution center will bring over 500 jobs to Abilene with an average salary of $60,000. It also represents almost $185 million in capital investment.

At the press conference, Gov. Abbott referred to the facility as the "perfect fit" for the state of Texas. He also said, it's one of the largest economic development projects to come to Abilene.

“It’s committed to integrity, to innovation, to excellence, and as everyone here knows, we love cheese in Texas,” said Gov. Abbott.

The facility is a big investment in Abilene, but what about jobs for the rest of Texas?

Gov. Abbott claims "we want all regions and all communities in the entire state not to just benefit from job growth but from good paying jobs and that’s what we have delivered and that’s what we will continue to deliver.”

He went on to say that the jobs created while in office provide more prosperity.

“They are good paying jobs that people are going to be able to take home and use the paychecks to pay their rent, to take care of their family, to advance and elevate their own personal lives," he said.

The state has the 9th largest economy in the world and Gov. Abbott says a big chunk of that success comes from treating businesses as partners.

Gov Abbott said "we know this fundamental fact: when these businesses succeed, the state of Texas succeeds.”

Abbott's likely opponent in November, Beto O'Rourke, says he is also focused on creating high quality jobs through funding for training. A big part of that plan is his Texas Climate Jobs Project, which includes hiring more local workers and partnering with unions to deliver 1.1 million higher paying jobs across the state.

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Gov. Greg Abbott Speaks On Economy, Power, Policy At Great Lakes Cheese Site In Abilene
By Brian Bethel
Abilene Reporter News

Gov. Greg Abbott touted the Texas economy and answered questions about the strength of the state's power grid as part of a stopover in Abilene on Monday at the future site of Great Lakes Cheese Co.

Abbott was joined by Mayor Anthony Williams, Great Lakes' board chairwoman Heidi Eller and Adriana Cruz, executive director of the Governor's Economic Development and Tourism office.

Heidi Eller, the Great Lakes Cheese board chairwoman, laughs after Gov. Greg Abbott jokes with her and DCOA president Misty Mayo after Monday's press conference at the Great Lakes Cheese factory construction site. Abbott received a gift basket of cheese from Eller, and another basket of Abilene treats from Mayo.
In part, Abbott said he was there to mark the construction of the future packaging and

distributing facility for the first time in person and to thank the company for more than 500 jobs it would create here.

Ground was broken in May, with a projected plant opening this fall.

Abbott's visit comes just weeks before the March 1 party primaries. On Saturday, Democratic Party candidate Beto O'Rourke was in Abilene.

Putting aside Dyess Air Force Base and certain entities such as Abilene Christian University, the facility is likely one of the largest economic development projects in the city's history, Abbott said, adding the mix was a "perfect fit" because of Texans' love of cheese on everything from burgers and tacos to Frito pies.

Texas has been an economic leader throughout the pandemic, Abbott said.

"We now have more jobs than we did before the pandemic hit," he said, attributed in part to Texas opening up early and making sure that businesses were able to go back and put people back to work — though about half of the state's businesses "never shut down to begin with."

Fortune 500 companies and "business after business" keep coming to Texas, he said, showing the state is "not only is doing a great job of adding jobs" but on a trajectory to do so "across the entire state for years to come."

Economic boom

Every year he has been governor, Abbott said, Texas been ranked the No. 1 state in the U.S. for business and has received the award for most new economic development projects.

"You are now part of that record-making process," he said of Great Lakes' expansion into Abilene.

Abbott said wages are rising rapidly in the state, and Cruz's office has a focus on mid- and small-sized communities, not just metro areas.

The state's average hourly wage is "well over $15," he said, twice the "lawful, imposed wage."

"It's because we have so many jobs with high demand," he said, with more jobs than there are potential employees to fill them.

"That will continue to increase wages in Texas," he said.

Focus on Beto

Asked about his opponent's recent trips to Abilene, the governor declared "Abilene is Abbott country."

He mentioned his own recent visit her, to Buffalo Gap.

A downtown rally at the same, in early October, criticized his visit to meet donors, not the public.

Abbott declared he wanted to preserve jobs in fields such as oil and gas important to the area.

I will not allow Green New Deal policies to destroy the energy jobs that we have in our state," he said. "One reason why I'm running for reelection is to make sure that we continue to have energy jobs in the state of Texas."

He also does not want to see communities such as Abilene "overrun with ... radical policies like 'defund the police,'" adding he pushed and signed a law to make sure such a thing can never happen in the state.

He also pledged to not let open-border policies impact communities, not just along the border but in places such as Abilene.

Among his efforts is stopping the flow of dangerous drugs, such as fentanyl, into the state, Abbott said.

Power up

Abbott said in the past legislative session, he signed 14 laws to make the state's power grid more reliable and stable than before, calling people criticizing the capacity of the state's grid "dishonest."

Far more power was available at the height of the most recent winter storm than was needed at the height of the 2021 storm that left many in the state without power, the state now boasting 15% more power generation capacity than last year.

Fully 99% of all power processing plants are winterized, he said, and critical infrastructure was supporting the grid was made more reliable, with no stop of flow of oil and gas.

"If you look at all the elements of what we achieved, it showed that we stabilized the grid," he said.

The right formula

As far as the state's economy, great emphasis has been given to small businesses, which represent nine out of 10 of all businesses in Texas, Abbott said.

Before COVID-19, if Texas had been its own nation, it would have ranked as the 10th largest world economy, he said. Now, it is the ninth.

The "Texas formula" for economic success is made up of low taxes coupled with "reasonable regulations" that do not limit the free enterprise system or company expansions.

"And we constantly work on making sure we are developing the best workforce in the United States of America," Abbott said, calling the state's "secret sauce" its ability to see businesses as partners.

"We go to work every single day to find ways that we can assist and help the businesses that are here or the businesses that we can attract here," he said. "We know this fundamental fact: When these businesses succeed, the state of Texas succeeds."

A $3 million Texas Enterprise Fund grant was extended to Great Lakes Cheese as part of the

deal that brought it to Abilene.

Local partnership essential
Partnerships at the local level with entities such as Abilene's Development Corporation of Abilene, are essential, as are good relationships with local leaders, such as Williams, he said.

"We're constantly reaching out to find more projects that we can bring to locations like Abilene," Abbott said.

The governor presented a proclamation to Eller and a flag flown over the state Capitol.

During the event, the flag was attached to a steel beam and raised above the work site.

Eller said Great Lakes' Abilene plant was its eighth in its national footprint and its first investment in Texas.

Abbott, Williams and the DCOA were among those that "wooed" the company to Abilene, she said, the community aligning "very much with our values of hard work and honesty and integrity."

"Right now, you see steel beams, but soon you're going see a place where employers are going to come in and out of, and they're going to be trained in cheese and technology, packaging technology and in warehousing," she said. "There'll be a hum that that is circulated throughout the plant as we are packaging."

The company will package cheese for food service and retailers, much of which will stay in Texas and the Southwest, she said.

"These are steady manufacturing jobs with great benefits," she said.

The company is on track to have the plant completed in November, Eller said.

Abilene will be one of 14 cities recognized by Trade and Industry Development Magazine for community impact for the Great Lakes project, Williams said.

Cruz called the project a "remarkable economic development win for Abilene, for the region and the Lone Star State."

Decisions by companies like Great Lakes to come here will ensure Texas remains the "economic powerhouse of the nation," she said.

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Gov. Abbott Visits Abilene To Share Remarks At Great Lakes Cheese Facility Construction Site
By Adriana Alexander
KIDY

Texas Gov. Greg Abbott held a press conference Monday at the construction site of the new Great Lakes Cheese (GLC) packaging and distribution facility in Abilene.

While there, Abbott explained how the new development will bring economic growth for people in Abilene and West Texas as a whole.

“Great Lakes Cheese is part of the Texas economic juggernaut. Every year that I've been Governor, Texas has been Number One state in the United States for business. Every year that I've been governor, Texas has received the award for the most new economic developments projects,” Abbott said.

The governor also presented GLC with a signed proclamation and Texas flag to officially welcome the company to the Lone Star State.

Abilene Mayor Anthony Williams, GLC Board Chairman Heidi Eller and the Office of the Governor's Economic Development and Tourism Executive Director Adriana Cruz were also in attendance at the press conference.

“We thank our governor for his leadership and belief in Texas and Abilene. It’s always great to be a Texan, and also great to be an Abilenian,” Williams said at the press conference.

Williams also said this new development will bring almost $3.5 billion to Abilene over the span of 10 years and is expected to bring 510 jobs to the Big Country.

Great Lakes Cheese’s new facility will be one of the largest economic development projects in Abilene in decades.

"This is going to be part of the economic development projects that we were able to achieve throughout the state of Texas. We're in this together," Abbott said.

The Great Lakes Cheese site is expected to be finished with construction by November 2022.

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State News

The Man Who Brought Drive-Thru Voting To Texas Wants To Be Houston’s Next Mayor
By Joshua Fechter
Texas Tribune

Chris Hollins, the former Harris County elections chief who pushed measures aimed at expanding ballot access during the November 2020 election, announced Monday that he’s running for Houston mayor in 2023.

“The challenges that we’re facing as Houstonians are becoming more and more complex,” Hollins, 35, said in an interview with The Texas Tribune. “And to overcome those challenges, that job demands innovation, that job demands effective leadership. And so we need a mayor who has a vision for Houston, but who also has the skills and attributes necessary to achieve that vision.”

Hollins, a Texas Democratic Party official who temporarily served as Harris County clerk in 2020, rose to prominence two years ago by championing efforts intended to make it easier for people to vote during the pandemic, including 24-hour drive-thru voting and a bid to send applications for mail-in ballots to more than 2 million registered voters in Harris County.

Those efforts drew a legal battle and a decisive rebuke from state Republican lawmakers, who passed a sweeping voting restrictions bill last year that outlawed the measures Hollins put in place.

Now, Hollins is looking to use his brief seven-month tenure as county clerk to catapult him into the mayor's office — where he would oversee a $5.1 billion budget and 23,000 municipal employees. He's running to replace Mayor Sylvester Turner, who will step down next year after serving two four-year terms; the city has term limits that prevent him from running again.

Hollins is the second major candidate to announce for mayor, following state Sen. John Whitmire, a longtime Houston Democrat with deep ties to the city's police and fire unions and an $11 million war chest.

Top of mind for Hollins is public safety. Like many other major U.S. cities, Houston has seen a substantial increase in the number of homicides during the COVID-19 pandemic. Last year's 469 killings represented one of the highest homicide rates in decades, according to the Houston Chronicle. And in one week last month, one Houston-area law enforcement officer was fatally shot, another was killed by a driver and another three were wounded in a shootout.

Last week, Turner announced a $44 million plan to combat the rise in violent crime.

Hollins, who grew up in southwest Houston and whose father was a Houston police officer, said he wants to see "a few hundred [more officers] at minimum" added to Houston Police Department's authorized strength of 5,429 sworn officers, as well as investments in "crime-fighting technology." But boosting safety extends beyond policing, Hollins said.

"Our community at large cannot thrive unless we're safe and, just as important, we feel safe in our city," Hollins said. "So whether that means addressing issues of crime, flooding, housing or the pandemic, Houstonians have to be able to trust that our mayor is committed to protecting residents and to fostering a safe community."

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Former Harris County Clerk Chris Hollins Announces Run For Houston Mayor
By Jasper Scherer
San Antonio Express News

Chris Hollins, the former Harris County clerk who implemented a number of measures aimed at expanding voting access during the 2020 election, announced Monday he plans to run for Houston mayor in 2023.

With his announcement, Hollins becomes the second entrant in the race to succeed Mayor Sylvester Turner, who will be forced out of office by term limits in January 2024. State Sen. John Whitmire, a Democrat and the longest-serving member of the Texas Senate, told supporters at a campaign rally in November that he plans to run for mayor.

Hollins' campaign team said he would spend the coming months "engaging community leaders, thought leaders, and Houstonians in every corner of the city to share his vision for Houston" and hear their concerns about the city. His campaign will be run by political strategist Grant Martin, who oversaw the successful mayoral campaigns of Turner and his predecessor, Annise Parker.

"Our next mayor will lead Houston at a defining moment in its history," Hollins said in a statement. "The pandemic changed our world overnight, and we as a city have to deal with that change. We can't go back. I am offering my leadership and experience to propel Houston forward."

Hollins, a member of the METRO board and vice chair of finance for the Texas Democratic Party, previously worked at the consulting firm McKinsey & Company, where he focused on helping government agencies become more efficient. He has never been elected to public office, though in May 2020 he was appointed to oversee Harris County elections, taking over on an interim basis after his predecessor, Diane Trautman, stepped down because of health issues.

With election officials projecting record turnout amid the coronavirus pandemic, Hollins put in place several programs intended to boost turnout while limiting in-person contact between voters during the 2020 general election. Those initiatives included drive-thru voting, 24-hour voting and attempting to send mail-in ballot applications to all 2.4 million registered voters in the county, including those who did not request them.

Armed with $27.2 million in extra funding from Commssioners Court, Hollins nearly tripled the number of early voting sites in Harris County and hired 11,000 poll workers to staff them.

Though Hollins was lauded for the effort, mostly by Democrats, Republican officials and activists challenged a handful of the measures in court, arguing Hollins had exceeded his legal authority. The all-GOP Texas Supreme Court struck down the county's plan to proactively send out mail ballot applications, and a federal court upheld Gov. Greg Abbott's proclamation limiting Harris County to a single location for voters to drop off completed mail ballots, instead of the 12 envisioned by Hollins.

The state Supreme Court — and a federal judge — sided with Hollins, however, in striking down attempts by Republicans to halt drive-thru voting and, later, nullify the more than 120,000 ballots cast by Harris County voters from their cars. The county ultimately smashed turnout records during the 2020 election.

Republicans in the Texas Legislature responded by passed a sweeping bill that targets many of Harris County's 2020 initiatives, including bans on 24-hour and drive-thru voting.

The county's innovative election measures — and the barrage of lawsuits challenging them — quickly raised Hollins' profile. He appeared frequently on national TV and in local and national coverage of the Harris County elections spectacle, and drew the praise of local officials, including Turner.

The mayor, a Democrat, effusively praised Hollins' work, at one point tweeting that Hollins "has done a brilliant job handling this election season. Innovative, organized, poised,

articulate." On Saturday, Turner moderated a panel with Hollins and two Democratic legislators about "the impact of the new Texas voting law."

Renée Cross, senior director of the Hobby School of Public Affairs at the University of Houston, said an endorsement from Turner would go a long way toward helping Hollins compete with Whitmire's deep ties among Democrats — and his $11 million campaign war chest.

"That endorsement is going to mean a lot more to a Chris Hollins than it would to a John Whitmire," Cross said. "Hollins is still relatively new. Whitmire has 50 years of solid support among Democrats."

It is unclear where Turner will come down on the battle to succeed him. Whitmire also is a public ally of the mayor, whom he overlapped with in the Legislature for nearly three decades. Whitmire supported Turner in his 2015 bid for mayor and again in 2019, when Turner won re-election.

Last year, however, Whitmire publicly backed the Houston fire union's effort to collect signatures to put a charter amendment on the city ballot that would force stalled contract talks to be resolved through binding arbitration. The move put Whitmire at odds with Turner, who opposed the effort.

Turner's successor will face a number of immediate challenges, including a city budget patched together by a one-time infusion of federal stimulus funds. The federal relief is helping pay for a 6 percent pay raise for firefighters this year, which the union has blasted as mere bonus pay that does not make up for years of stagnant salaries.

Aside from the long-simmering firefighter salary dispute, the next mayor will confront a cash-strapped Solid Waste Management Department plagued by an aging fleet, high staff turnover and numerous service delays during the last few years. And the city's infrastructure remains in a tenuous spot, with a network of pockmarked streets and a sanitary sewer system under a federal consent decree requiring the city to spend an estimated $2 billion over 15 years on improvements.

Other challenges include the city's large unfunded liability for retiree health care costs, and property tax revenue caps — both locally and state imposed — that limit the city's budget to address the host of issues.

Whitmire, up for re-election in the Senate this year, has said he plans to serve during the 2023 legislative session before turning his attention to the mayoral campaign trail. He faces a spirited challenge in the March 1 primary from Molly Cook, an emergency room nurse who has accused Whitmire of "running for two offices at once" by way of his early mayoral announcement.

If elected, Hollins, 35, would be the youngest mayor of Houston since Kathy Whitmire, who also was 35 when she was elected mayor in 1981. John Whitmire is Kathy Whitmire's former brother-in-law.

Cross noted that Hollins would not be the first Houston mayor who had not been previously elected to a different office. Former mayors Bill White and Bob Lanier — Kathy Whitmire's

successor — had been appointed to previous political posts but never elected.

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TxDMV Director Resigns Amidst Paper Tag Mess
By Scott Friedman and Eva Parks
KXAS

The executive director of the Texas Department of Motor Vehicles, Whitney Brewster, resigned Monday as the board that oversees the agency grapples with restoring credibility to the state's temporary license plate system in the wake of an NBC 5 investigation that exposed how lax security allowed criminals to infiltrate the DMV's system, create hundreds of thousands of paper license tags, and sell them for profit.

In a resignation letter obtained by NBC 5 Investigates, Brewster said, "Addressing temporary tag abuse has been our highest priority," and that she is proud of how the department worked to find solutions to the problem. The letter goes on to say, "In leaving, the deck is clear for new leadership."

The agency confirmed Brewster's departure in a news release Monday afternoon.

In recent months Brewster faced criticism from law enforcement officials concerned about the number of fraudulent tags on Texas roads, and questions from the agency's own board about why the DMV did not act more quickly to collaborate with law enforcement and enact measures to stem the tide of illegal tags.

Director of the Texas Department of Motor Vehicles Resigns
One DMV board member, Manny Ramirez, who also heads Fort Worth's police union said Monday that he hoped a n new executive director would help the agency more aggressively stop the fraudsters.

"Our number one priority, and what we are valuing, is public safety and I think that we have an opportunity now to to really lead the charge and make some of the changes that that are necessary to ensure that we can keep our Texas safe", Ramirez told NBC5 Investigates.

By one recent law enforcement estimate, more than 1.2 million fraudulent tags were created in 2021, by people who were able to apply for and obtain Texas car dealers licenses and then access the state's electronic tag system.

Police said many of those tags are created with false names, addresses, and VIN numbers and can be used to make "ghost cars" that are difficult for police to trace. The fraudulent Texas tags have become a headache for law enforcement in other states too, including Nevada and New York where police say the tags are being used by people attempting to conceal crimes.

In November, NBC 5 Investigates began airing a series of reports that revealed the massive scope of the problem. The reports were the first to use the DMV's own data to show how tiny dealers, including some that seem to exist only on paper, have printed more temporary paper plates than many of the state's largest franchise car dealers. A clear sign, law enforcement investigators said, that those small dealerships were selling tags, and not cars.

DMV Committee Recommends Fingerprinting Some Dealers to Slow Paper Tag Fraud
The NBC 5 reports also showed how the TxDMV does not meet with dealer license applicants in person or take their fingerprints to verify the identity of the person applying for the dealer license. Additionally, the TxDMV has allowed dealers to add "authorized users" to their accounts, giving additional un-vetted people the ability to issue temporary tags via the state's eTag/Web Dealer system.

When confronted with the information NBC 5 Investigates uncovered last fall, Brewster acknowledged the problem had become an "emergency" but insisted her hands had been tied because the agency lacked legislative authority to immediately revoke the licenses of suspect dealers, prior to the passage of a new law in mid-2021. She said the agency was also unsure whether it had the legislative authority to fingerprint people applying for dealer licenses to verify their identities.

But as NBC 5 Investigates continued to delve into the problem, the reporting found some law enforcement officials had complained for years about a lack of cooperation from the DMV and a lack of security in the tag system, including one flaw that allowed unscrupulous dealers to enter false VIN numbers and still obtain temporary tags. The DMV insisted it attempted to fix that flaw after police first raised the concern in 2019, but the agency said it was unaware until December 2021 that fraudsters had found another way to upload files containing false VIN's and obtain temporary tags. That security loophole was finally closed days after NBC 5 Investigates questioned the agency about it.

At a board meeting 11 days ago the DMV Board gave final approval to new rules that will allow the DMV to more quickly revoke the licenses of dealers suspected of fraud. The board also asked staff to fast-track a plan for fingerprinting dealer applicants.

Fake Texas Temporary Car Tags Linked to Crimes as Far Away as New York
After that meeting, Ramirez, the lone DMV board member who represents law enforcement, expressed frustration with the amount of time it has taken the DMV to respond to the problem.

Ramirez, who joined the board more recently, said the actions the board approved recently are steps that the agency should have taken, "years ago."

At that recent board meeting, NBC 5 Investigates asked Brewster how people could trust that she was looking out for Texas when the fraud grew into such a significant problem under her watch.

"So, the agency is required to follow Texas law," Brewster responded, reiterating that she felt the agency has been hampered by a lack of legislative authority.

After the initial NBC 5 Investigates reports aired, the chairman of the Texas House Transportation Committee, Rep. Terry Canales (D-Edinburgh), vowed in December to hold committee hearings to investigate what additional steps need to be taken to correct the problems. Brewster said this month that she expects the tag issue will be an interim charge for the legislature to take up between now and the start of the 2023 legislative session.

In a resignation message released by the DMV Monday Brewster said, "Unfortunately, challenges and difficulties still face the state and our organization."

The statement went on to say, "Often the hardest thing to do as a public servant leader is to step back and accept that you have done everything you can, and that it might be time to allow new leadership to take the reins."

Brewster was named Texas DMV executive director in 2012. A Houston native, Brewster previously served as director of the Alaska Department of Motor Vehicles and before that as Alaska's director of elections in the office of then-governor Sarah Palin. Brewster was only the second executive director to lead the TxDMV since the agency's creation in 2009.

In a statement the DMV said Deputy Executive Director Shelly Mellott would lead the agency until the DMV board selects a permanent replacement. The board is scheduled to meet again later this week to discuss the tag situation.

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Education

Texas AFT: Two-Thirds Of Teachers Considered Leaving Profession Recently
KHOU

More than half of Texas educators said they've recently considered leaving their profession due to low pay, increasing workload, and safety concerns, according to a November survey by the Texas American Federation of Teachers.

The survey revealed the crisis in the classroom. Out of the 3,800 educators who were surveyed, about 66% said they considered leaving.

"The fact that two-thirds of educators are thinking about quitting is really frightening. In addition to long-neglected low wages and the stress of increasing workloads, the omicron surge has created unbelievable chaos," Texas AFT President Zeph Capo said. "Educators witness every day the devastating effects on our students when schools have staffing shortages. It's only going to get worse unless teachers' concerns are addressed."

When the teachers were asked what would make them stay in public education, 45% said they want pay incentives (retention bonus, pay raise), 35% said they want changes to workload (fewer responsibilities) and 8% said they want workplace safety improvements.

"Teachers need a livable salary that allows them to live in the same district they work in," Capo said. "They need a saner workload that doesn't make them sacrifice every evening and weekend with their families. And they strongly believe that we need fully funded schools, so they don't have to spend $400 out of their pocket each year to stock their classrooms. And they want a safe working environment."

Editor's note: The videos attached to this story are from a report from earlier this month about a nationwide survey in which 55% of teachers reportedly considered calling it quits.

A different survey, conducted in January, revealed that only 12% of teachers (2,500 respondents) said they felt safe on campus during the omicron surge.

Capo said teachers are paying out of their own pocket for N95 masks, bus drivers are covering two or three routes each day, and nurses are left alone with no help, spending 95% of their time testing students and staff for COVID or trying to do what contact tracing they can.

“They’re asking to be provided with N95 masks and rapid tests, to be able to take leave when they’re sick. This is basic stuff,” Capo said.

Texas AFT represents about 65,000 teachers, paraprofessionals, support personnel, and higher-education employees across the state. Texas AFT is affiliated with the 1.7 million-member American Federation of Teachers and AFL-CIO.

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Business/Economy

Two Out Of Five Dallas-Fort Worth Jobs Are At High Risk For Automation, Study Says
By Davie Nguyen
Dallas Business Journal

As COVID-19 and labor shortages continue to hamstring companies across North Texas, more firms are looking to automation to ease the pressure.

As a result, some jobs are being replaced by automation. Nearly 43% of workers in Dallas-Fort Worth are at a high risk of being replaced by automation, according to a new report from commodities trade site Commodity.com. Nearly 1.05 million workers are at high risk for their jobs becoming automated.

That percentage has remained steady since 2019, according to a similar study by the Brookings Institute.

Although automation technology predates the pandemic, the adoption of these technologies has been accelerated during the last two years when face-to-face contact has been cautioned against and workers have been harder to find.

According to the report, low-skilled jobs which involved repetition and physical labor were more prone to automation. Some of the highest-risk jobs include office administration, transportation, production and food preparation.

Commodity analyzed large metro areas in the U.S. through four categories: share of workers at high risk of automation, total workers at high risk of automation, share of workers at medium risk and workers at low risk. Only metro areas that had a population of 100,000 were included in the study.

Dallas-Fort Worth-Arlington had the 13th highest percentage of workers whose jobs were at risk of being taken over by automation. More than 21% of workers were at medium risk and 35.6% at low risk. No other Texas metropolitan area was included in the top 15 cities.

Meanwhile, Las Vegas was the city with the highest share of workers at high risk with 49.3%. Since casino-style gambling is a main part of the city's economy and gambling dealers are at a

high risk of automation, more nearly half of the jobs in the city could be replaced with machines.

Across the U.S., 40 million people are at high risk of automation.

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Environment

Earthquakes In Texas Doubled In 2021. Scientists Cite Years Of Oil Companies Injecting Sludgy Water Underground.
By Erin Douglas
Texas Tribune

One local said it sounded like a pickup truck had rammed into the side of their house. Another said it sounded like the air conditioner fell off the roof. A third compared the experience to getting off of a rollercoaster, dizzy and a bit shaky.

“In the hardest ones we’ve experienced, there is a bunch of shaking, and the pictures shook off the walls,” said Christina Bock, 45, who lives in Gardendale, a rural community north of Odessa in the heart of West Texas oil and gas country. Earthquakes have dislodged her deck from the house and left cracks in her walls, she said.

“You’ll hear a loud bang. If you’re inside, you assume it’s a car wreck or that something exploded outside,” said Bock, a paralegal who has lived in Gardendale for 13 years. “The scary thing is that they are happening pretty much daily at this point.”

More than 200 earthquakes of 3 magnitude and greater shook Texans in 2021, more than double the 98 recorded in 2020, according to a Texas Tribune analysis of state data maintained by the Bureau of Economic Geology at the University of Texas at Austin.

The record-setting seismic activity is largely concentrated in West Texas’ Permian Basin, the most productive oil and gas region in the state. Scientific studies show that the spike in earthquakes is almost certainly a consequence of disposing huge quantities of contaminated, salty water deep underground — a common practice by oil companies at the end of the hydraulic fracturing process that can awaken dormant fault lines.

During hydraulic fracking, oil companies shoot a mixture of fluids and sand through ancient shale formations, fracturing the rock to free the flow of oil. But oil isn’t the only thing that’s been trapped underground for millions of years: Between three and six barrels of salty, polluted water also come up to the surface with every barrel of oil.

The cheapest, and most commonly used, way to dispose of this “produced water” is to drill another well and inject it into porous rock formations deep underground.

For years, oil companies have loaded those formations with hundreds of millions of gallons of the black watery mixture — which contains a slurry of minerals, oil and chemicals used in fracking — every day, slowly increasing the pressure on ancient fault lines. An analysis by Rystad Energy provided to The Texas Tribune found that the amount of wastewater injected underground in the Permian Basin quadrupled in a decade, from 54 billion gallons in 2011 to

217 billion gallons last year.

In a 2021 study published in the Journal of Geophysical Research, scientists at the U.S. Geological Survey and the University of Texas found that the vast majority of seismicity since 2000 near Pecos — a city roughly 100 miles southwest of Midland — was likely triggered by increased wastewater disposal. State regulators, too, have found that an increase in seismic activity most likely occurs as a consequence of saltwater disposal.

“The cumulative volumes [of water] increase the pressure, and that is the force that triggers the fault to slip,” said Alexandros Savvaidis, a research scientist at the Bureau of Economic Geology at UT-Austin.

The result is that communities like Gardendale, where Bock lives, as well as the bustling cities of Odessa and Midland — which many oilfield workers, engineers and service workers call home — are experiencing not only more frequent earthquakes, but stronger ones.

Between 2018 and 2020, Texas recorded nine earthquakes above magnitude 4, almost all of them in the western half of the state. Last year, Texans were shaken by 15 earthquakes above magnitude 4 — including a 4.6 magnitude earthquake in late December that rattled homes from an epicenter about 30 miles northeast of Midland.

“That was different,” said David Rosen, a geologist who has lived in Midland for almost 50 years. “That was like riding a bicycle over cobblestones.”

While distance, soil composition and other factors determine at what magnitude earthquakes cause damage, earthquakes above magnitude 3 can typically be felt indoors; above a 4, walls may make a cracking sound and dishes can be disturbed, according to the U.S. Geological Survey.

Rosen, who was also a former Democratic Party chair for the county, said it used to be a novel thing, feeling an earthquake in West Texas. His wife felt one in 1991; he didn’t. Now, they both feel the quakes fairly often in their home on the north side of Midland.

The huge jump in seismic activity compelled the Railroad Commission of Texas, the state’s oil and gas regulatory agency, to indefinitely suspend underground water injections late last year in a swath of land from Odessa north to Midland, and west to Andrews and Martin counties. The decision affected all 33 disposal wells in the targeted area.

“RRC staff has determined that [produced water] injection into deep geologic strata — below the top of the Strawn Formation and especially the Ellenburger Formation — across the area is likely contributing to recent seismic activity,” the agency wrote in its justification for suspensions.

It may take months after the injections halt for the area to stop shaking, scientists said, since the pressure needs time to ease.

Since October, two other areas of West Texas — a region north of Stanton, about 25 miles east of Midland, and an area that straddles Culberson and Reeves counties between the Guadalupe Mountains and Pecos — have also been categorized as areas of concern by the agency because seismic activity has increased, though regulators have not yet suspended

produced water injections there.

Instead, the agency instructed companies to work together and come up with a plan to limit seismicity to earthquakes under 3.5 magnitude after 18 months.

Andrew Keese, spokesperson for the Railroad Commission, said in a statement that the agency hopes the industry can cooperate to reduce the magnitude and frequency of the quakes. If it fails, the agency is "prepared to implement actions of its own if needed," he wrote. An industry plan to reduce seismicity in the Stanton region is due in mid-April, Keese said.

"Operators have already made adjustments in the volume of water injected," Keese said.

Rosen, the former Democratic Party chair, said he considered buying earthquake insurance before deciding it wasn't worth the cost unless the quakes get even stronger. Still, he's disappointed in what seems to him to be reluctant action by state regulators to the increasing seismic activity.

"[The Railroad Commission] has been getting feedback for months," he said, "and finally they decided to temporarily suspend disposal for a couple of wells. That's a pretty sluggish response."

"We're just paying the price"

Residents of the Permian Basin are used to the noise of drilling construction; the damaged roads from heavy trucks hauling sand, water and more; the trash snagged in mesquite branches blown from camps of the here-today-gone-tomorrow oilfield workers. Many say they have switched to bottled water or installed water softeners because their tap water turned cloudy with minerals and tastes metallic and salty since fracking took off in the area a decade ago.

But the earthquakes are different, said Bock, the paralegal and mother of two in Gardendale. One contractor's estimate to level her home's foundation was $8,000, she said. At least for her family, the shaking was the last straw.

"I don't want to stay out here," she said. "Not like this."

She and her family will likely sell the house and relocate to Central or Southwest Texas in a couple of years, she said.

"Were the earthquakes a reason? I would say about 50% of it, yes," Bock said. "The damage [from fracking] is done, and now we're just paying that price. And this is what it is."

Eli Hilbert, 20, a political science student at the University of Texas Permian Basin in Odessa, said many locals view the earthquakes as part of the natural environment — like the strong winds or tumbleweeds — despite science that shows the phenomena is almost certainly caused by humans.

"People treat them as just a part of life around here," said Hilbert, an environmental advocate who will soon help launch a nonprofit organization focused on pollution and climate change in the Permian Basin.

Hilbert said it's difficult to get community buy-in to organize around environmental issues

because much of the population moves in and out with the oil industry. “You aren’t particularly invested in stopping air pollution if you’re only going to be here for two years,” Hilbert said. “But with the increase in [seismicity] last year, I feel like it’s a thing people are becoming more worried about.”

Other residents of Midland, Odessa and surrounding areas echoed Hilbert’s sentiment that the near-daily shakes were beginning to crack the community’s long-hardened endurance to the nuisances and environmental consequences of living with the oil industry.

Ashley Gunter, 40, whose family has lived in Midland for three generations, wonders if the quakes will keep getting stronger and more frequent and eventually make the free-spirited, religious city where she grew up unlivable. “I’m no scientist, but this is not supposed to be happening,” Gunter said. “We don’t live in California.”

Catherine Allen, an artist in Midland, said she has considered relocating because of the quakes. Allen lives in a midcentury house just a few minutes from downtown. It’s the kind of place she says she would love to live the rest of her life in — but she’s not sure if she can.

“The earthquakes seem to be getting closer, and I’m also not sure if our groundwater is going to be safe for much longer,” Allen said. “It seems like disaster is getting closer, but I always question if I am overreacting.”

Where the water goes

The earthquakes often make the local news, and they spark regular alerts on the neighborhood app Nextdoor. Still, Allen said, she’s disappointed at the lack of a broader community discussion about what should or could be done to prevent the seismic activity in Midland.

“Our local leaders do not talk about it, and I don’t know how that’s possible,” Allen said.

Allen and other residents concerned about the quakes point to the oil industry’s power in the Permian Basin as the reason there hasn’t been a more aggressive response by local officials. About 30% of Midland’s workers are employed directly by the energy and mining industry, according to federal employment data.

Midland’s City Council has not had a meeting to address the rise in seismic activity, according to recent City Council agendas and member John Norman, who confirmed that the council has discussed seismicity only in casual conversations. He wasn’t surprised that it hasn’t come up yet, he said.

Norman, who grew up in Midland and worked in the oilfield for more than two decades, said the reason the council has not taken action or formally discussed the quakes is that the injection wells are largely outside city limits. While the quakes shake Midland, it’s difficult to see what the city might do to prevent the practice, he said. That’s for the Railroad Commission to decide. (Norman praised the agency’s most recent response.)

But the industry itself isn’t blind to the business risk the quakes pose: At an annual oil and gas industry luncheon hosted by the Midland Chamber of Commerce on Jan. 26, an executive with Chevron Corp. listed the increase in seismic activity as one of the industry’s biggest challenges in the Permian Basin.

Ryder Booth, Chevron's vice president of North America exploration and production, called on the roughly 300-person crowd of Midland oil and gas executives, workers and leaders to work together to reduce the earthquakes, pointing to the increase in seismic activity from water injections as one of the industry's major challenges in the Permian.

"We're going to have to work together, partner together, to make sure we're tackling it," Booth said.

A few companies in the Permian Basin have built recycling facilities for produced water — an alternative to pumping it underground. One such facility outside of Big Spring, northeast of Midland, pipes in produced water from surrounding drill sites up to 20 miles away.

"What's cool about this is that ordinarily, that kind of stuff might be going downhole, instead of coming to us," said Jim Hudgins, midstream operations manager at Breakwater Energy Partners, which opened the facility in 2020.

The facility separates the solids from the liquids and presses them into a cake-like material that can be dumped at a landfill. "It looks like a brownie," said Zac Hall, the recycling operations manager at Breakwater Energy. "You wouldn't want to eat it."

Then the brackish-looking water is pushed through 10 large tanks, where chemical reactions remove the impurities until the water looks clear enough to drink — although it's far too salty for that.

"This is probably five to seven times saltier than the ocean," Hall said. "It would taste like crap."

The water is stored in a large, open pool that can hold roughly 63 million gallons of water. The company then sells the water back to oil companies for the next round of fracking.

But recycling facilities, while helpful, are only a partial solution over the long term, Railroad Commissioner Jim Wright pointed out in a recent statement and op-ed. The amount of water needed by oil companies for the hydraulic fracturing process is far less than the amount of produced water being dislodged and dredged up from underground each day. Without a more promising solution on the horizon, the Texas Legislature in 2021 directed scholars and industry leaders to study the problem.

In the meantime, the earth continues to shake under the feet of West Texas residents. On a recent brisk but sunny Friday afternoon, a howling West Texas wind pushed tumbleweeds across roads, natural gas flares burned across the horizon and a seismometer recorded another earthquake — this one a 3.1 magnitude, just outside Odessa, 14 miles west of Midland.

That same day, Norman, the Midland City Council member, sat in a local coffee shop in his district. He said he worries that the earthquakes could make the area unsafe. He hopes the industry, state regulators and the city can find a solution.

"The oil industry has been good to me and my family, but if you die from an earthquake what does it matter?" he said. "I know this is how we make our money [in Midland]. That's fine, but the safety and the empathy for human beings — that's what I try to focus on."

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Military/Veterans

Texas National Guard Announces Death Of Guardsman Supporting 'Operation Lone Star'
KWTX

A soldier assigned to the Texas Army National Guard and serving in Operation Lone Star near the Texas-Mexico border died in a "non-mission related incident" on Monday, the Texas Military Department announced.

The name of the soldier is being withheld until 24 hours after the soldier's family has been notified.

The soldier was injured in Brackettville, Texas and airlifted to a hospital in San Antonio.

"We are deeply saddened by this loss," said Maj. Gen. Tracy Norris, Adjutant General for Texas Military Department.

"We are focused on supporting the Soldier's family and are providing all available resources."

The cause of the soldier's death is under investigation by the Texas Rangers, according to Gov. Greg Abbott.

"Our hearts are heavy at the news of the tragic death of a Texas Guardsman stationed at the border as part of Operation Lone Star. We grieve for the soldier who died and lift their family and loved ones up in prayer," Abbott said.

"The Texas National Guard plays an important role in our efforts to keep communities safe and we are grateful for their courage and commitment," the governor further said, "The Texas Military Department is taking action to ensure such loss of life never happens again."

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Texas National Guard Soldier Assigned To Border Mission Dies In Accidental Shooting
By Rose L. Thayer
Stars and Stripes

A Texas National Guard soldier died Monday from injuries suffered during an accidental shooting while deployed along the state's border with Mexico, according to local law enforcement.

The Kinney County Sheriff's Office first responded to the accidental shooting Monday morning at Fort Clark Springs, according to Sheriff Brad Coe. They have since handed the investigation to the Texas Rangers, the criminal investigative branch of the Texas Department of Public Safety, he said.

The incident was unrelated to the soldier's mission, according to the Texas Military

Department.

The department, the governor's office and the Department of Public Safety declined to comment on the nature of the investigation.

The name of the soldier will not be released until 24 hours after next-of-kin is notified, according to the Texas Military Department, which did not officially release a cause of death.

The soldier was part of about 10,000 troops deployed to a mission known as Operation Lone Star, which was ordered in March by Gov. Greg Abbott.

"Our hearts are heavy at the news of the tragic death of a Texas Guardsman stationed at the border as part of Operation Lone Star. We grieve for the soldier who died and lift their family and loved ones up in prayer," Abbott said in a statement.

He vowed state military officials will take action to "ensure such loss of life never happens again."

Operation Lone Star has become a controversial mission during the past few months. It has triggered at least one lawsuit, a federal discrimination complaint, and calls from state and federal lawmakers to investigate whether it's legal for Texas to conduct border security and make arrests. Others have called for a review of the treatment of troops assigned along the border, as news reports and the governor's political opponents have said there's been a disregard for the hardship that the deployment has caused some service members.

The military department has confirmed at least two soldiers assigned to the mission died by suicide.

The soldier was injured in Brackettville, the county seat and largest town in rural Kinney County, which sits on the state's border with Mexico. The soldier was then flown to a hospital in San Antonio, located about 130 miles east.

"We are deeply saddened by this loss," Maj. Gen. Tracy Norris, adjutant general for the Texas Military Department, said in a statement. "We are focused on supporting the soldier's family and are providing all available resources."

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Texas Army National Guard Soldier Assigned To Border Operation Killed In Gun-Related Accident
By Nataly Keomoungkhoun and Allie Morris
Dallas Morning News

A Texas Army National Guard soldier who was assigned to Operation Lone Star died in a non-mission-related incident Monday, the Texas Military Department announced.

The soldier, whose identity hasn't been released pending next-of-kin notification, was injured in Brackettville, some 30 miles east of Del Rio and the Mexico border, and airlifted to a hospital in San Antonio, the department said.

“We are deeply saddened by this loss,” Maj. Gen. Tracy Norris, adjutant general for the Texas Military Department, said in a prepared statement. “We are focused on supporting the soldier’s family and are providing all available resources.”

The department didn’t release details of how the soldier died, but the Army Times reported that the soldier was killed in an accidental shooting.

According to the documents obtained by the Army Times, the soldier was sitting in the front seat of a parked car and handed a gun to another soldier in the back of the car. The gun fired during the handoff, and a round went through the seat and hit the first soldier’s back, the Army Times reported.

Gov. Greg Abbott said Monday that the Texas Rangers are investigating.

“Our hearts are heavy at the news of the tragic death of a Texas Guardsman stationed at the border as part of Operation Lone Star,” Abbott said. “We grieve for the soldier who died and lift their family and loved ones up in prayer.”

Operation Lone Star is a hot-button political issue ahead of the March 1 primary. Republican challenger Allen West and Democratic hopeful Beto O’Rourke have accused Abbott of sending thousands of Texas National Guard troops to the border without proper equipment, regular paychecks or a clear purpose. Both raised alarm over several soldier suicides, which were first reported by the Army Times.

Since then, Abbott has continued to tout the mission, which he says is needed to stop the flow of migrants across the state’s southern border.

Texas Military Department leaders said they’re working to fix the issues, including the pay problems.

The GOP-controlled Legislature has poured about $412 million into the border mission.

Several thousand Texas National Guard soldiers are deployed to the U.S.-Mexico border, though the exact number is not clear.

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Texas National Guard Soldier Dies After A Firearm Discharged Accidentally
By Ashley Killough
CNN

A Texas National Guard soldier has died in a non-mission-related incident in the town of Brackettville, the Guard announced Monday.

The soldier was assigned to Operation Lone Star, a state-led effort in response to migrant crossings at the border with Mexico. Bracketville is about 30 miles from the border town of Del Rio, Texas.

The soldier was airlifted to a hospital in San Antonio.

"We are deeply saddened by this loss," Maj. Gen. Tracy Norris, the top general for the Texas

Military Department (TMD), said in a statement. "We are focused on supporting the Soldier's family and are providing all available resources."

The soldier died from an accidental firearm discharge, according to the TMD.

"The incident is currently under investigation by the Texas Rangers. We will release more details as they become available," said Col. Rita Holton, a TMD spokesperson.
It was unclear whether the discharge was from the soldier's weapon.

Gov. Greg Abbott said offered condolences to the soldier's family.

"The Texas National Guard plays an important role in our efforts to keep communities safe and we are grateful for their courage and commitment," he added. "The Texas Rangers will conduct a thorough investigation into this tragedy and the Texas Military Department is taking action to ensure such loss of life never happens again."

Abbott launched Operation Lone Star in March, deploying state troopers and National Guard members to the Texas-Mexico border. It was part of a broader effort by Abbott in response to President Joe Biden's reversal of many Trump-era immigration policies.
The National Guard role in Operation Lone Star is often supporting law enforcement. Members of the military are barred from carrying out law enforcement activities, such as arrests or searches, without prior authorization.

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Criminal Justice

Inside Secret Grand Jury Rooms In Dallas, Witnesses Are Warned Not To Discuss Race.
By Miles Moffeit
Dallas Morning News

Everything that happens in the grand jury room must stay secret.

Members of the Dallas District Attorney's office repeatedly stressed that point to Jantzen Verastique before leading her into a courtroom in November to testify against police Sgt. Roger Rudloff, a 26-year veteran accused of assaulting her.

Verastique, 34, just wanted to share her story with jurors: How, as a Latina mom worried about the future of her two adopted Black boys, she had joined mass protests that erupted after George Floyd's death.

She wanted the jury to know that she witnessed police ambush peaceful Black protesters. She needed them to also understand that she had pleaded with officers to stop, but one, Rudloff, shot her in the breast with pepper balls and arrested her.

Now, after stepping into the witness box, Verastique suddenly felt tongue-tied. A sign posted inches from her face warned "Do Not Mention Race While Testifying.'' Prosecutors had not told her about that rule.

She told jurors she was struggling with how to answer their questions if she could not discuss race.

No one responded. Their silence left her more bewildered. Over the next hour, she danced around complete answers. When jurors asked, for example, why she was downtown that day, she felt she would break the rule by telling them she was protesting racial discrimination.

After the hearing, Verastique and Dondi Morse, another protester who testified, walked out of the courthouse together, shaken. The sign had limited them from fully explaining their actions at the protests. Racial tensions between protestors and police were central to the case, they believed.

Later that day, another blow: the DA's office phoned them to say the jury had declined to indict Rudloff.

Would it have made a difference? They wondered.

"I couldn't tell the whole truth in that room, though I took an oath to do that,'' Verastique told The News. "How does that serve justice?''

Verastique and Morse recently shared their experiences with The Dallas Morning News despite a Texas law that allows contempt-of-court charges against grand jury witnesses who talk about the proceedings. They believe the push for secrecy in their case undermined the pursuit of police accountability.

Their accounts provide a rare and what experts say is a troubling view into how grand juries, overseen by the district attorney's office, operate in Dallas County.

The origin of the sign is hazy. Several of Dallas' highest ranking court officials, including judges, told The News they knew nothing about the sign.

But the warning apparently has been posted in grand jury rooms here for years. The idea is that concealing the race of defendants prevents jurors from exerting any racial bias before they vote whether to indict, The News learned.

While the intention may be good, legal experts say concealing race makes it virtually impossible for jurors to consider whether officers discriminated on the basis of race.

Withholding a subject matter as broad as race from a grand jury is highly unusual, according to legal experts and officials with The National District Attorneys Association.

"The idea that testimony must always be racially blind is robbing the grand jury of relevant information,'' said Jennifer Laurin, a professor at the University of Texas School of Law in Austin who specializes in police issues. "Such a sign can suppress truthful testimony and predictably hamper efforts to prosecute police misconduct.''

Nelson Bunn, executive director for the National District Attorneys Association, said: "The only frequent admonishment to a witness that we are familiar with is to tell the truth."

The sign is an 8 x 11 inch sheet of paper attached to plexiglass in front of the witness box.

Because it faces witnesses, its bold blue letters are not visible to grand jurors. Prosecutors would not necessarily see it unless they also stepped into the box. Judges are not present during the proceedings.

Dallas County District Attorney John Creuzot said he did not know about the prohibition on mentions of race until The News informed him. Assistant prosecutors, not DAs themselves, generally work with grand juries.

But after researching the purpose of the sign, Creuzot said he is convinced there is nothing nefarious behind it. The sign has been around for years, he added.

Creuzot said it makes sense to keep references to race out of testimony in cases where it is not believed to be an issue.

In the majority of grand jury cases, officers take the stand to describe basic facts about defendants who have been arrested - defendants usually do not testify - such as age and gender. But jurors, some of whom may hold racial bias, do not need to know the race, he said.

“The problem is, we don’t know who the grand jurors are, and if that would matter to them,’’ Creuzot said. “If we intentionally leave race out, race can’t matter.’’

After a reporter described Verastique’s experience to Creuzot, the DA acknowledged that the sign may be inappropriate and could make some witnesses uncomfortable in certain cases.

“OK, maybe we need to rethink the sign,’’ Creuzot said.

He later released a statement to The News stating that, in cases “where race is an issue,’’ witnesses would be allowed to mention race.

Otherwise, the sign would stay up.

Creuzot did not say whether he thought the sign made a difference in the Rudloff case. His policy is not to speak about specific grand jury cases.

He also did not say how his staff would determine whether race is an issue in a case.

Among those Creuzot consulted was Dallas’ chief public defender, Lynn Richardson, who agrees with Creuzot’s approach. She said grand jurors are by and large reasonable people, but some carry unconscious biases.

“Based on our interaction with grand jurors, they support the policy of not mentioning race as a general matter,’’ Creuzot said. Several grand jury foremen contacted by The News did not respond to interview requests, or could not be reached.

Creuzot would make no further comments about the issue, his spokeswoman wrote in a Jan. 24 email.

Accountability?
Disclosure of the sign has fueled more concerns among civil rights leaders and victim advocacy groups about how effectively the DA’s office is prosecuting police misconduct cases

behind closed doors. Particularly at a time when the community, as well as the nation, is scrutinizing police brutality.

Ceuzot drew criticism recently after divulging that his prosecutors do not recommend to grand juries whether they should indict police officers, though prosecutors do so with civilians. His office has yet to win an indictment against any officer accused of abusing George Floyd demonstrators, though the police department has submitted criminal cases against six officers to his office. Grand juries have declined to indict at least two officers. Hearings against others are pending.

John Fullinwider, co-founder of Mothers Against Police Brutality in Dallas, said the public deserves clearer answers about how the DA could not have known about the warning not to mention race, as well as when it has been used.

“It’s hard to imagine any legitimate use for it in police cases,’’ Fullinwider said.

The high-profile Rudloff case was an important test of the Dallas justice system, he said, but somehow everything went sideways behind closed doors. The sign may help explain that, Fullinwider said.

Evidence of Rudloff’s alleged assault of Verastique was captured in photos and video that law enforcement experts told The News was strong evidence of assault. Rudloff also had faced at least 18 allegations that he abused people, mostly Black or Latino residents, over his 26 years on the force, rarely receiving discipline, a News investigation found in a review of his internal affairs history.

Rudloff, through his lawyer, has said all the allegations against him lack credibility and that his actions against Verastique violated no laws or policies. Rudloff has declined to respond to News’ questions about whether race played a role in his actions during the protests. He did not respond to requests to comment for this story.

“Funny business’'
It is impossible to know whether grand jurors would have indicted Rudloff if Verastique and Morse had been allowed to speak openly about race.

The investigative panels work entirely in secret weighing evidence in cases while they considering whether to issue indictments. About half of states, including Texas, still use the system.

Texas law forbids grand jurors, witnesses and other participants from disclosing details about the hearings. It takes nine of the 12-member panels to indict, and their votes are not public.

“Grand juries make up their own category of potential funny business,’’ said Laurin, the UT law professor. “I call it funny business because these proceedings are so secret it’s difficult to know what’s going on.’’

There is no clear consensus on whether the grand jury system is effective.

Supporters feel the citizen panels provide an important check on prosecutorial power. Critics say their secrecy provides too much cover for prosecutors handling controversial matters such

as police brutality. In most states without grand juries, DAs are solely responsible for deciding whether to charge someone.

Only when leaks expose flaws in the system does the public get a glimpse of problems.

Legal experts told The News they were troubled that witnesses in the Rudloff case were hushed on race issues. In the post-George Floyd era, awareness of racial bias in policing has only grown.

“Grand jurors need to know all aspects of what caused a person to be arrested or to be called before the grand jury,’’ said Craig Watkins, a former Dallas district attorney who called the sign a bad practice. “There is this preconceived notion that when Black people come into contact with law enforcement they are treated differently. You have to have that as part of your discussion.’’

Watkins said he had not been aware that such warnings were given to witnesses. No such policy existed when he was DA from 2007 to 2014, he said.

Laurin said she had never heard of such censorship.

Not only can the rule chill accurate testimony, and make witnesses uncomfortable, it can hinder grand jurors’ ability to investigate cases, she said.

For example, if an officer’s pattern of arrests reflects potential racial profiling, the problem could escape jurors’ notice if the race of defendants is not disclosed, she said.

Murky history
Other past Dallas DAs said they did not know about the sign.

Susan Hawk, who headed the office between 2014 and 2016, said she was unaware it existed.

Faith Johnson, who succeeded her from 2016 to 2018 and is campaigning to win the job back this year, also was unfamiliar with the rule.

“The sign was not there under my administration,’’ she told The News after checking with her former staff members.

She declined to comment on whether she felt the sign was appropriate.

Previous prosecutors who worked with Dallas grand juries confirmed the sign has been used off and on in various forms for years - sometimes as a note inside witness boxes or a verbal warning from grand jurors or prosecutors.

John Grau, a retired prosecutor who worked under former DA Bill Hill in 1999, confirmed the warning was posted back then, and most likely went up much earlier.

Grau said he did not know the origin of the sign. He also does not recall any complaints or discussion about the sign among grand jurors.

It is possible that many jurors did not even know about it, he said.

Blindsided
Like other grand jury witnesses, Verstique and Morse did not know what to expect when they entered the courtroom.

Morse, who was at Verastique's side during the demonstrations, also had hoped to describe how they were disturbed by seeing police target people of color. Both women were arrested by Rudloff on questionable charges that police dropped soon after The News began investigating arrests of George Floyd protesters.

Once Morse stepped into the witness box, she felt blindsided by the sign, as well.

She suddenly couldn't fully describe why she was worried about the safety of the black protestors as police swarmed.

"Unfortunately, I couldn't explain how basic empathy works,'' she said. "I tried hard to be a good witness.''

Lingering questions
Creuzot has left several questions unanswered about the ban on mentioning race.

Why were witnesses not informed of the rule before they testified in the Rudloff case? Will he implement a policy to bring the sign down in some cases?

Will his office review the Rudloff case and other alleged crimes against officers handled by grand juries to determine whether the rule may have adversely impacted the outcomes?

David Henderson, who represents Verastique and Morse, said he will keep pressing for answers.

"Creuzot's response has been muddled,'' he said. "One would think he would know what's going on inside his own office's grand jury presentations.''

Henderson filed a petition in district court Monday seeking to depose members of the DA's office and the Dallas police department about how they handled the Rudloff case.

They plan to file a lawsuit seeking changes in police training and policies to prevent racial profiling and brutality.

And the sign?

They want it to come down. Permanently.

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Air Force Ordered To Pay $230 Million To Sutherland Springs Shooting Survivors And Families Of Slain Victims
By Emily Hernandez
Texas Tribune

The U.S. Air Force was ordered to pay more than $230 million to survivors and families of those killed in the 2017 mass shooting at the First Baptist Church of Sutherland Springs, a federal judge ruled Monday evening.

Judge Xavier Rodriguez had previously found that the military branch was mostly at fault for the mass shooting because it did not report the gunman's previous assault conviction to the FBI, which could have prevented him from purchasing the assault rifle he used to kill 26 people.

In the deadliest mass shooting in Texas history, Devin Patrick Kelley opened fire on more than 450 attendees at the church's Nov. 5, 2017, Sunday service, injuring 22 and killing 26. He died later that day from a self-inflicted gunshot wound after two men chased him out of the church with firearms of their own.

Kelley served in the Air Force for five years at the Holloman Air Force Base in New Mexico before he was dismissed with a bad conduct discharge in 2014. Two years before he was discharged, a court found him guilty of assaulting his wife and stepson, which the Air Force never reported to the FBI.

Last July, a federal judge ruled that the U.S. government was "60% liable" for the church mass shooting because the Air Force didn't report Kelley's assault conviction. This should have logged his history of violence into the National Criminal Information Center database, which would have prevented him from buying the assault rifle from Academy Sports and Outdoors.

In November, the U.S. Department of Defense released a report that found the Air Force failed six times to report information that may have prevented Kelley from purchasing a firearm, according to the Associated Press.

The U.S. Department of Justice asked for $31.8 million to be distributed to the survivors and victims' families during court arguments at the end of November, while the lawyers for those affected asked for $418 million, according to the Associated Press.

The 80 claimants in the lawsuit include relatives of those killed in the shooting and 21 survivors.

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Opinion/Editorial

We Recommend Dan Crenshaw In GOP Primary For 2nd Congressional District
Houston Chronicle

Three Republican challengers seek to end the flamboyant career of U.S. Rep. Dan Crenshaw after just two terms in Congress. Jameson Ellis, Martin Etwop and Milam Langella each promise to be a truer conservative, and a truer friend to Donald Trump, than Crenshaw has proven to be.

Martin Etwop, 42, a TSU law student who was born in Uganda, said he decided to run after

the birth of his 6-month-old son, and realizing the $30 trillion national debt will likely be a lodestone around his son's neck all his adult life. "Who is looking after my kids? Your kids? That's why I decided to run."

As for Crenshaw, Etwop said the representative is too busy jetting around the country raising money and planning his campaign to have spent the kind of time in the district voters expect.

Langella, 51 and a former Marine who fought in Iraq and currently is an airline pilot, said he's building support on a small campaign budget and a clear message.

"The America we grew up in is not the America we have today," he said. "When I am there, I'll vote no to every bill that would increase the size of the federal government or impinge on civil liberties."

Jameson Ellis, 39, promises to do his best to have "Black Lives Matter, inc" labeled a "domestic terrorist organization." He believes Americans are overtaxed and businesses "immorally regulated" and on his website calls the 2020 presidential election a "theft."

All three challengers want to repeal the 16th Amendment and end the income tax. Each has embraced term limits.

Such fealty to Trump and to red-meat conservative issues would seem to be just what voters are asking for in this year's Republican primary. But so far, none of the three challengers has seemed to make any headway against Crenshaw. Compared to the nearly $5 million in cash on hand Crenshaw reported as of Dec. 31, none of his challengers has raised a total of more than $50,000.

Etwop told us he's encouraged by the small uptick he's seen in his fundraising, which totals about $18,000. He sounded sincere about the need to rein in federal deficit spending, but lost our support when the topic changed to the Jan. 6 attack on the U.S. Capitol. He claimed that Americans had arrived at the Capitol intent only on petitioning the government for redress and that it was the Capitol Police who ushered the protesters inside. He said protesters had a right to be upset because of election irregularities that no one had addressed. In truth, dozens of courts had reviewed and rejected claims of widespread fraud.

Republican voters already have in Crenshaw a reliable conservative vote. A former Navy Seal, Crenshaw, 37, said he remains committed to passing laws that benefit his district. In response to questions from the editorial board, he said if elected he'll keep fighting Joe Biden and Nancy Pelosi's "damaging, radical policies."

In his first term, under Democratic leadership in the House, he sponsored at least four bills that passed the House and has authored 18 so far this session, on topics championed by conservatives, from preventing "unjust redflag laws" to reimbursing states for border security costs to exempting healthcare workers from vaccine mandates.

The challengers' best case to party faithful is that Crenshaw has occasionally strayed from the orthodoxy that has so firmly gripped the party in recent years. But the Heritage Action Committee rates his performance this session as 98 percent in line with their conservative preferences, and 92 percent over his total tenure in Congress.

While Crenshaw did join a legal brief in support of Texas Attorney General's lawsuit to overturn the 2020 presidential election, he refused to toe the party line on Jan. 6 and the riots, which he said some of his Republican colleagues in Congress helped incite.

"All of the members who called for everyone to come and fight and make their last stand, all of those members were scattered like cowards while the Capitol Police had to do the fighting," Crenshaw told Hearst Newspapers the morning after the attack.

That's a stroke of independence that Republican voters in his district ought to applaud.

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# # #

Greg Abbott News

Texas Gov. Greg Abbott Comments On Death Of Texas Army National Guard Soldier
By David Gray
KAMR

Texas Gov. Greg Abbott released a statement Monday afternoon after officials with the Texas Army National Guard announced that a soldier recently died during a non-mission-related incident.

According to a news release from the Texas National Guard, officials announced that a Texas Army National Guard soldier assigned to Operation Lone Star died in a non-mission-related incident Monday. After the soldier was injured in Brackettville, they were airlifted to a hospital in San Antonio.

“We are deeply saddened by this loss,” Maj. Gen. Tracy Norris, the adjutant general for Texas Military Department, said in the release. “We are focused on supporting the soldier’s family and are providing all available resources.”

In a statement, Abbott said the following:

“Our hearts are heavy at the news of the tragic death of a Texas Guardsman stationed at the border as part of Operation Lone Star. We grieve for the soldier who died and lift their family and loved ones up in prayer. The Texas National Guard plays an important role in our efforts to keep communities safe and we are grateful for their courage and commitment. The Texas Rangers will conduct a thorough investigation into this tragedy and the Texas Military Department is taking action to ensure such loss of life never happens again.”

Officials from the Texas National Guard said that the name of the deceased soldier is being withheld until 24 hours after the next of kin is notified. The cause of death is under investigation and officials state that more details will be released at a later time.

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Beto O’Rourke Met With State Leaders In Dallas As He Campaigns For Texas Governor
WBAP

Beto O’Rourke made a stop in Dallas during his campaign for Texas Governor.

Democratic candidate O’Rourke met with state leaders at Paul Quinn College to discuss his vision for the state. O’Rourke said that vision includes creating more jobs, increasing

teacher pay, expanding Medicare and making sure everyone has the same opportunity to vote regardless of race, economic status or party affiliation.

“I’m going to implement online voter registration, implement automatic voter registration when you turn 18 and we are going to open up more polling places when I’m governor,” said O’Rourke.

However Governor Greg Abbott says SB-1 ensures trust and confidence in our elections and makes it harder for fraudulent votes to be cast.

O’Rourke also bashed Governor Abbott’s response to last year’s winter storm and said the recent winter event didn’t compare to its severity and issues with the grid have not been fixed.

“It wasn’t an act of God. It wasn’t Mother Nature. It wasn’t the weather. It was the people in power who couldn’t keep the power on for the people of Texas and until we make a change in terms of who’s serving in the highest officer in this state,” said O’Rourke.

O’Rourke said his big focus is to keep the lights on in Texas. “Because of his failure of leadership and failure to fix the grid moving forward we are all paying higher utilities bills $20 to $50 in addition each month . We call that the Abbott tax,” said O’Rourke.

However Gov. Abbott touted his efforts to fix the grid, passing 14 laws to increase power capacity, winterize the grid and require regulator inspections and protect critical power infrastructure.

“Last week showed the resilience of the power grid thanks to the bipartisan solutions put forward by Gov.
but the success of the reforms to the TX grid didn’t stop O’Rourke from fear-mongering to prop up his flailing campaign,” read a statement from Governor Abbott’s campaign twitter account.

Governor Abbott’s campaign addresses the importance of Second Amendment rights, securing the border, the economy, getting parents involved in education, and law enforcement.

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Governor Greg Abbott Talks Jobs In Abilene
By Farrah Walton
KEYE

Governor Greg Abbott held a press conference in Abilene today at the construction site of the Great Lakes Cheese Facility.

He was joined by Abilene Mayor Anthony Williams, Great Lakes Cheese Board Chairman Heidi Eller, and the Office of the Governor's Economic Development and Tourism Director Adriana Cruz.

Announced in April of 2021, the Great Lakes Cheese's new packaging and distribution center will bring over 500 jobs to Abilene with an average salary of $60,000. It also represents almost $185 million in capital investment.

At the press conference, Gov. Abbott referred to the facility as the "perfect fit" for the state of Texas. He also said, it's one of the largest economic development projects to come to Abilene.

“It’s committed to integrity, to innovation, to excellence, and as everyone here knows, we love cheese in Texas,” said Gov. Abbott.

The facility is a big investment in Abilene, but what about jobs for the rest of Texas?

Gov. Abbott claims "we want all regions and all communities in the entire state not to just benefit from job growth but from good paying jobs and that’s what we have delivered and that’s what we will continue to deliver.”

He went on to say that the jobs created while in office provide more prosperity.

“They are good paying jobs that people are going to be able to take home and use the paychecks to pay their rent, to take care of their family, to advance and elevate their own personal lives," he said.

The state has the 9th largest economy in the world and Gov. Abbott says a big chunk of that success comes from treating businesses as partners.

Gov Abbott said "we know this fundamental fact: when these businesses succeed, the state of Texas succeeds.”

Abbott's likely opponent in November, Beto O'Rourke, says he is also focused on creating high quality jobs through funding for training. A big part of that plan is his Texas Climate Jobs Project, which includes hiring more local workers and partnering with unions to deliver 1.1 million higher paying jobs across the state.

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Gov. Greg Abbott Speaks On Economy, Power, Policy At Great Lakes Cheese Site In Abilene
By Brian Bethel
Abilene Reporter News

Gov. Greg Abbott touted the Texas economy and answered questions about the strength of the state's power grid as part of a stopover in Abilene on Monday at the future site of Great Lakes Cheese Co.

Abbott was joined by Mayor Anthony Williams, Great Lakes' board chairwoman Heidi Eller and Adriana Cruz, executive director of the Governor's Economic Development and Tourism office.

Heidi Eller, the Great Lakes Cheese board chairwoman, laughs after Gov. Greg Abbott jokes with her and DCOA president Misty Mayo after Monday's press conference at the Great Lakes Cheese factory construction site. Abbott received a gift basket of cheese from Eller, and another basket of Abilene treats from Mayo.
In part, Abbott said he was there to mark the construction of the future packaging and distributing facility for the first time in person and to thank the company for more than 500 jobs it would create here.

Ground was broken in May, with a projected plant opening this fall.

Abbott's visit comes just weeks before the March 1 party primaries. On Saturday, Democratic Party candidate Beto O'Rourke was in Abilene.

Putting aside Dyess Air Force Base and certain entities such as Abilene Christian University, the facility is likely one of the largest economic development projects in the city's history, Abbott said, adding the mix was a "perfect fit" because of Texans' love of cheese on everything from burgers and tacos to Frito pies.

Texas has been an economic leader throughout the pandemic, Abbott said.

"We now have more jobs than we did before the pandemic hit," he said, attributed in part to Texas opening up early and making sure that businesses were able to go back and put people back to work — though about half of the state's businesses "never shut down to begin with."

Fortune 500 companies and "business after business" keep coming to Texas, he said, showing the state is "not only is doing a great job of adding jobs" but on a trajectory to do so "across the entire state for years to come."

Economic boom
Every year he has been governor, Abbott said, Texas been ranked the No. 1 state in the U.S. for business and has received the award for most new economic development projects.

"You are now part of that record-making process," he said of Great Lakes' expansion into Abilene.

Abbott said wages are rising rapidly in the state, and Cruz's office has a focus on mid- and small-sized communities, not just metro areas.

The state's average hourly wage is "well over $15," he said, twice the "lawful, imposed wage."

"It's because we have so many jobs with high demand," he said, with more jobs than there are potential employees to fill them.

"That will continue to increase wages in Texas," he said.

Focus on Beto
Asked about his opponent's recent trips to Abilene, the governor declared "Abilene is Abbott country."

He mentioned his own recent visit her, to Buffalo Gap.

A downtown rally at the same, in early October, criticized his visit to meet donors, not the public.

Abbott declared he wanted to preserve jobs in fields such as oil and gas important to the area.

I will not allow Green New Deal policies to destroy the energy jobs that we have in our state," he said. "One reason why I'm running for reelection is to make sure that we continue to have energy jobs in the state of Texas."

He also does not want to see communities such as Abilene "overrun with ... radical policies like 'defund the police,'" adding he pushed and signed a law to make sure such a thing can never happen in the state.

He also pledged to not let open-border policies impact communities, not just along the border but in places such as Abilene.

Among his efforts is stopping the flow of dangerous drugs, such as fentanyl, into the state, Abbott said.

Power up
Abbott said in the past legislative session, he signed 14 laws to make the state's power grid more reliable and stable than before, calling people criticizing the capacity of the state's grid "dishonest."

Far more power was available at the height of the most recent winter storm than was needed at the height of the 2021 storm that left many in the state without power, the state now boasting 15% more power generation capacity than last year.

Fully 99% of all power processing plants are winterized, he said, and critical infrastructure was supporting the grid was made more reliable, with no stop of flow of oil and gas.

"If you look at all the elements of what we achieved, it showed that we stabilized the grid," he said.

The right formula

As far as the state's economy, great emphasis has been given to small businesses, which represent nine out of 10 of all businesses in Texas, Abbott said.

Before COVID-19, if Texas had been its own nation, it would have ranked as the 10th largest world economy, he said. Now, it is the ninth.

The "Texas formula" for economic success is made up of low taxes coupled with "reasonable regulations" that do not limit the free enterprise system or company expansions.

"And we constantly work on making sure we are developing the best workforce in the United States of America," Abbott said, calling the state's "secret sauce" its ability to see businesses as partners.

"We go to work every single day to find ways that we can assist and help the businesses that are here or the businesses that we can attract here," he said. "We know this fundamental fact: When these businesses succeed, the state of Texas succeeds."

A $3 million Texas Enterprise Fund grant was extended to Great Lakes Cheese as part of the deal that brought it to Abilene.

Local partnership essential

Partnerships at the local level with entities such as Abilene's Development Corporation of Abilene, are essential, as are good relationships with local leaders, such as Williams, he said.

"We're constantly reaching out to find more projects that we can bring to locations like Abilene," Abbott said.

The governor presented a proclamation to Eller and a flag flown over the state Capitol.

During the event, the flag was attached to a steel beam and raised above the work site.

Eller said Great Lakes' Abilene plant was its eighth in its national footprint and its first investment in Texas.

Abbott, Williams and the DCOA were among those that "wooed" the company to Abilene, she said, the community aligning "very much with our values of hard work and honesty and integrity."

"Right now, you see steel beams, but soon you're going see a place where employers are going to come in and out of, and they're going to be trained in cheese and technology, packaging technology and in warehousing," she said. "There'll be a hum that that is circulated throughout the plant as we are packaging."

The company will package cheese for food service and retailers, much of which will stay in Texas and the Southwest, she said.

"These are steady manufacturing jobs with great benefits," she said.

The company is on track to have the plant completed in November, Eller said.

Abilene will be one of 14 cities recognized by Trade and Industry Development Magazine for community impact for the Great Lakes project, Williams said.

Cruz called the project a "remarkable economic development win for Abilene, for the region and the Lone Star State."

Decisions by companies like Great Lakes to come here will ensure Texas remains the "economic powerhouse of the nation," she said.

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Gov. Abbott Visits Abilene To Share Remarks At Great Lakes Cheese Facility Construction Site
By Adriana Alexander
KIDY

Texas Gov. Greg Abbott held a press conference Monday at the construction site of the new Great Lakes Cheese (GLC) packaging and distribution facility in Abilene.

While there, Abbott explained how the new development will bring economic growth for people in Abilene and West Texas as a whole.

“Great Lakes Cheese is part of the Texas economic juggernaut. Every year that I've been Governor, Texas has been Number One state in the United States for business. Every year that I've been governor, Texas has received the award for the most new economic developments projects,” Abbott said.

The governor also presented GLC with a signed proclamation and Texas flag to officially welcome the company to the Lone Star State.

Abilene Mayor Anthony Williams, GLC Board Chairman Heidi Eller and the Office of the Governor's Economic Development and Tourism Executive Director Adriana Cruz were also in attendance at the press conference.

“We thank our governor for his leadership and belief in Texas and Abilene. It’s always great to be a Texan, and also great to be an Abilenian,” Williams said at the press conference.

Williams also said this new development will bring almost $3.5 billion to Abilene over the span of 10 years and is expected to bring 510 jobs to the Big Country.

Great Lakes Cheese’s new facility will be one of the largest economic development projects in Abilene in decades.

"This is going to be part of the economic development projects that we were able to achieve throughout the state of Texas. We're in this together," Abbott said.

The Great Lakes Cheese site is expected to be finished with construction by November 2022.

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State News

The Man Who Brought Drive-Thru Voting To Texas Wants To Be Houston’s Next Mayor
By Joshua Fechter
Texas Tribune

Chris Hollins, the former Harris County elections chief who pushed measures aimed at expanding ballot access during the November 2020 election, announced Monday that he’s running for Houston mayor in 2023.

“The challenges that we’re facing as Houstonians are becoming more and more complex,” Hollins, 35, said in an interview with The Texas Tribune. “And to overcome those challenges, that job demands innovation, that job demands effective leadership. And so we need a mayor who has a vision for Houston, but who also has the skills and attributes necessary to achieve that vision.”

Hollins, a Texas Democratic Party official who temporarily served as Harris County clerk in 2020, rose to prominence two years ago by championing efforts intended to make it easier for people to vote during the pandemic, including 24-hour drive-thru voting and a bid to send applications for mail-in ballots to more than 2 million registered voters in Harris County.

Those efforts drew a legal battle and a decisive rebuke from state Republican lawmakers, who passed a sweeping voting restrictions bill last year that outlawed the measures Hollins put in place.

Now, Hollins is looking to use his brief seven-month tenure as county clerk to catapult him into the mayor's office — where he would oversee a $5.1 billion budget and 23,000 municipal employees. He's running to replace Mayor Sylvester Turner, who will step down next year after serving two four-year terms; the city has term limits that prevent him from running again.

Hollins is the second major candidate to announce for mayor, following state Sen. John Whitmire, a longtime Houston Democrat with deep ties to the city's police and fire unions and an $11 million war chest.

Top of mind for Hollins is public safety. Like many other major U.S. cities, Houston has seen a substantial increase in the number of homicides during the COVID-19 pandemic. Last year's 469 killings represented one of the highest homicide rates in decades, according to the Houston Chronicle. And in one week last month, one Houston-area law enforcement officer was fatally shot, another was killed by a driver and another three were wounded in a shootout.

Last week, Turner announced a $44 million plan to combat the rise in violent crime.

Hollins, who grew up in southwest Houston and whose father was a Houston police officer, said he wants to see "a few hundred [more officers] at minimum" added to Houston Police Department's authorized strength of 5,429 sworn officers, as well as investments in "crime-fighting technology." But boosting safety extends beyond policing, Hollins said.

"Our community at large cannot thrive unless we're safe and, just as important, we feel safe in our city," Hollins said. "So whether that means addressing issues of crime, flooding, housing or the pandemic, Houstonians have to be able to trust that our mayor is committed to protecting residents and to fostering a safe community."

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Former Harris County Clerk Chris Hollins Announces Run For Houston Mayor
By Jasper Scherer
San Antonio Express News

Chris Hollins, the former Harris County clerk who implemented a number of measures aimed at expanding voting access during the 2020 election, announced Monday he plans to run for Houston mayor in 2023.

With his announcement, Hollins becomes the second entrant in the race to succeed Mayor Sylvester Turner, who will be forced out of office by term limits in January 2024. State

Sen. John Whitmire, a Democrat and the longest-serving member of the Texas Senate, told supporters at a campaign rally in November that he plans to run for mayor.

Hollins' campaign team said he would spend the coming months "engaging community leaders, thought leaders, and Houstonians in every corner of the city to share his vision for Houston" and hear their concerns about the city. His campaign will be run by political strategist Grant Martin, who oversaw the successful mayoral campaigns of Turner and his predecessor, Annise Parker.

"Our next mayor will lead Houston at a defining moment in its history," Hollins said in a statement. "The pandemic changed our world overnight, and we as a city have to deal with that change. We can't go back. I am offering my leadership and experience to propel Houston forward."

Hollins, a member of the METRO board and vice chair of finance for the Texas Democratic Party, previously worked at the consulting firm McKinsey & Company, where he focused on helping government agencies become more efficient. He has never been elected to public office, though in May 2020 he was appointed to oversee Harris County elections, taking over on an interim basis after his predecessor, Diane Trautman, stepped down because of health issues.

With election officials projecting record turnout amid the coronavirus pandemic, Hollins put in place several programs intended to boost turnout while limiting in-person contact between voters during the 2020 general election. Those initiatives included drive-thru voting, 24-hour voting and attempting to send mail-in ballot applications to all 2.4 million registered voters in the county, including those who did not request them.

Armed with $27.2 million in extra funding from Commssioners Court, Hollins nearly tripled the number of early voting sites in Harris County and hired 11,000 poll workers to staff them.

Though Hollins was lauded for the effort, mostly by Democrats, Republican officials and activists challenged a handful of the measures in court, arguing Hollins had exceeded his legal authority. The all-GOP Texas Supreme Court struck down the county's plan to proactively send out mail ballot applications, and a federal court upheld Gov. Greg Abbott's proclamation limiting Harris County to a single location for voters to drop off completed mail ballots, instead of the 12 envisioned by Hollins.

The state Supreme Court — and a federal judge — sided with Hollins, however, in striking down attempts by Republicans to halt drive-thru voting and, later, nullify the more than 120,000 ballots cast by Harris County voters from their cars. The county ultimately smashed turnout records during the 2020 election.

Republicans in the Texas Legislature responded by passed a sweeping bill that targets many of Harris County's 2020 initiatives, including bans on 24-hour and drive-thru voting.

The county's innovative election measures — and the barrage of lawsuits challenging them — quickly raised Hollins' profile. He appeared frequently on national TV and in local and national coverage of the Harris County elections spectacle, and drew the praise of local officials, including Turner.

The mayor, a Democrat, effusively praised Hollins' work, at one point tweeting that Hollins "has done a brilliant job handling this election season. Innovative, organized, poised, articulate." On Saturday, Turner moderated a panel with Hollins and two Democratic legislators about "the impact of the new Texas voting law."

Renée Cross, senior director of the Hobby School of Public Affairs at the University of Houston, said an endorsement from Turner would go a long way toward helping Hollins compete with Whitmire's deep ties among Democrats — and his $11 million campaign war chest.

"That endorsement is going to mean a lot more to a Chris Hollins than it would to a John Whitmire," Cross said. "Hollins is still relatively new. Whitmire has 50 years of solid support among Democrats."

It is unclear where Turner will come down on the battle to succeed him. Whitmire also is a public ally of the mayor, whom he overlapped with in the Legislature for nearly three decades. Whitmire supported Turner in his 2015 bid for mayor and again in 2019, when Turner won re-election.

Last year, however, Whitmire publicly backed the Houston fire union's effort to collect signatures to put a charter amendment on the city ballot that would force stalled contract talks to be resolved through binding arbitration. The move put Whitmire at odds with Turner, who opposed the effort.

Turner's successor will face a number of immediate challenges, including a city budget patched together by a one-time infusion of federal stimulus funds. The federal relief is helping pay for a 6 percent pay raise for firefighters this year, which the union has blasted as mere bonus pay that does not make up for years of stagnant salaries.

Aside from the long-simmering firefighter salary dispute, the next mayor will confront a cash-strapped Solid Waste Management Department plagued by an aging fleet, high staff turnover and numerous service delays during the last few years. And the city's infrastructure remains in a tenuous spot, with a network of pockmarked streets and a sanitary sewer system under a federal consent decree requiring the city to spend an estimated $2 billion over 15 years on improvements.

Other challenges include the city's large unfunded liability for retiree health care costs, and property tax revenue caps — both locally and state imposed — that limit the city's budget to address the host of issues.

Whitmire, up for re-election in the Senate this year, has said he plans to serve during the 2023 legislative session before turning his attention to the mayoral campaign trail. He faces a spirited challenge in the March 1 primary from Molly Cook, an emergency room nurse who has accused Whitmire of "running for two offices at once" by way of his early mayoral announcement.

If elected, Hollins, 35, would be the youngest mayor of Houston since Kathy Whitmire, who also was 35 when she was elected mayor in 1981. John Whitmire is Kathy Whitmire's former brother-in-law.

Cross noted that Hollins would not be the first Houston mayor who had not been previously elected to a different office. Former mayors Bill White and Bob Lanier — Kathy Whitmire's successor — had been appointed to previous political posts but never elected.

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TxDMV Director Resigns Amidst Paper Tag Mess
By Scott Friedman and Eva Parks
KXAS

The executive director of the Texas Department of Motor Vehicles, Whitney Brewster, resigned Monday as the board that oversees the agency grapples with restoring credibility to the state's temporary license plate system in the wake of an NBC 5 investigation that exposed how lax security allowed criminals to infiltrate the DMV's system, create hundreds of thousands of paper license tags, and sell them for profit.

In a resignation letter obtained by NBC 5 Investigates, Brewster said, "Addressing temporary tag abuse has been our highest priority," and that she is proud of how the department worked to find solutions to the problem. The letter goes on to say, "In leaving, the deck is clear for new leadership."

The agency confirmed Brewster's departure in a news release Monday afternoon.

In recent months Brewster faced criticism from law enforcement officials concerned about the number of fraudulent tags on Texas roads, and questions from the agency's own board about why the DMV did not act more quickly to collaborate with law enforcement and enact measures to stem the tide of illegal tags.

Director of the Texas Department of Motor Vehicles Resigns
One DMV board member, Manny Ramirez, who also heads Fort Worth's police union said Monday that he hoped a n new executive director would help the agency more aggressively stop the fraudsters.

"Our number one priority, and what we are valuing, is public safety and I think that we have an opportunity now to to really lead the charge and make some of the changes that

that are necessary to ensure that we can keep our Texas safe", Ramirez told NBC5 Investigates.

By one recent law enforcement estimate, more than 1.2 million fraudulent tags were created in 2021, by people who were able to apply for and obtain Texas car dealers licenses and then access the state's electronic tag system.

Police said many of those tags are created with false names, addresses, and VIN numbers and can be used to make "ghost cars" that are difficult for police to trace. The fraudulent Texas tags have become a headache for law enforcement in other states too, including Nevada and New York where police say the tags are being used by people attempting to conceal crimes.

In November, NBC 5 Investigates began airing a series of reports that revealed the massive scope of the problem. The reports were the first to use the DMV's own data to show how tiny dealers, including some that seem to exist only on paper, have printed more temporary paper plates than many of the state's largest franchise car dealers. A clear sign, law enforcement investigators said, that those small dealerships were selling tags, and not cars.

DMV Committee Recommends Fingerprinting Some Dealers to Slow Paper Tag Fraud
The NBC 5 reports also showed how the TxDMV does not meet with dealer license applicants in person or take their fingerprints to verify the identity of the person applying for the dealer license. Additionally, the TxDMV has allowed dealers to add "authorized users" to their accounts, giving additional un-vetted people the ability to issue temporary tags via the state's eTag/Web Dealer system.

When confronted with the information NBC 5 Investigates uncovered last fall, Brewster acknowledged the problem had become an "emergency" but insisted her hands had been tied because the agency lacked legislative authority to immediately revoke the licenses of suspect dealers, prior to the passage of a new law in mid-2021. She said the agency was also unsure whether it had the legislative authority to fingerprint people applying for dealer licenses to verify their identities.

But as NBC 5 Investigates continued to delve into the problem, the reporting found some law enforcement officials had complained for years about a lack of cooperation from the DMV and a lack of security in the tag system, including one flaw that allowed unscrupulous dealers to enter false VIN numbers and still obtain temporary tags. The DMV insisted it attempted to fix that flaw after police first raised the concern in 2019, but the agency said it was unaware until December 2021 that fraudsters had found another way to upload files containing false VIN's and obtain temporary tags. That security loophole was finally closed days after NBC 5 Investigates questioned the agency about it.

At a board meeting 11 days ago the DMV Board gave final approval to new rules that will allow the DMV to more quickly revoke the licenses of dealers suspected of fraud. The board also asked staff to fast-track a plan for fingerprinting dealer applicants.

Fake Texas Temporary Car Tags Linked to Crimes as Far Away as New York
After that meeting, Ramirez, the lone DMV board member who represents law enforcement, expressed frustration with the amount of time it has taken the DMV to respond to the problem.

Ramirez, who joined the board more recently, said the actions the board approved recently are steps that the agency should have taken, “years ago.”

At that recent board meeting, NBC 5 Investigates asked Brewster how people could trust that she was looking out for Texas when the fraud grew into such a significant problem under her watch.

“So, the agency is required to follow Texas law,” Brewster responded, reiterating that she felt the agency has been hampered by a lack of legislative authority.

After the initial NBC 5 Investigates reports aired, the chairman of the Texas House Transportation Committee, Rep. Terry Canales (D-Edinburgh), vowed in December to hold committee hearings to investigate what additional steps need to be taken to correct the problems. Brewster said this month that she expects the tag issue will be an interim charge for the legislature to take up between now and the start of the 2023 legislative session.

In a resignation message released by the DMV Monday Brewster said, "Unfortunately, challenges and difficulties still face the state and our organization."

The statement went on to say, "Often the hardest thing to do as a public servant leader is to step back and accept that you have done everything you can, and that it might be time to allow new leadership to take the reins."

Brewster was named Texas DMV executive director in 2012. A Houston native, Brewster previously served as director of the Alaska Department of Motor Vehicles and before that as Alaska’s director of elections in the office of then-governor Sarah Palin. Brewster was only the second executive director to lead the TxDMV since the agency’s creation in 2009.

In a statement the DMV said Deputy Executive Director Shelly Mellott would lead the agency until the DMV board selects a permanent replacement. The board is scheduled to meet again later this week to discuss the tag situation.

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Education

Texas AFT: Two-Thirds Of Teachers Considered Leaving Profession Recently
KHOU

More than half of Texas educators said they've recently considered leaving their profession due to low pay, increasing workload, and safety concerns, according to a November survey by the Texas American Federation of Teachers.

The survey revealed the crisis in the classroom. Out of the 3,800 educators who were surveyed, about 66% said they considered leaving.

“The fact that two-thirds of educators are thinking about quitting is really frightening. In addition to long-neglected low wages and the stress of increasing workloads, the omicron surge has created unbelievable chaos,” Texas AFT President Zeph Capo said. “Educators witness every day the devastating effects on our students when schools have staffing shortages. It’s only going to get worse unless teachers’ concerns are addressed.”

When the teachers were asked what would make them stay in public education, 45% said they want pay incentives (retention bonus, pay raise), 35% said they want changes to workload (fewer responsibilities) and 8% said they want workplace safety improvements.

“Teachers need a livable salary that allows them to live in the same district they work in,” Capo said. "They need a saner workload that doesn’t make them sacrifice every evening and weekend with their families. And they strongly believe that we need fully funded schools, so they don’t have to spend $400 out of their pocket each year to stock their classrooms. And they want a safe working environment.”

Editor's note: The videos attached to this story are from a report from earlier this month about a nationwide survey in which 55% of teachers reportedly considered calling it quits.

A different survey, conducted in January, revealed that only 12% of teachers (2,500 respondents) said they felt safe on campus during the omicron surge.

Capo said teachers are paying out of their own pocket for N95 masks, bus drivers are covering two or three routes each day, and nurses are left alone with no help, spending 95% of their time testing students and staff for COVID or trying to do what contact tracing they can.

“They’re asking to be provided with N95 masks and rapid tests, to be able to take leave when they’re sick. This is basic stuff,” Capo said.

Texas AFT represents about 65,000 teachers, paraprofessionals, support personnel, and higher-education employees across the state. Texas AFT is affiliated with the 1.7 million-member American Federation of Teachers and AFL-CIO.

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Business/Economy

Two Out Of Five Dallas-Fort Worth Jobs Are At High Risk For Automation, Study Says
By Davie Nguyen
Dallas Business Journal

As COVID-19 and labor shortages continue to hamstring companies across North Texas, more firms are looking to automation to ease the pressure.

As a result, some jobs are being replaced by automation. Nearly 43% of workers in Dallas-Fort Worth are at a high risk of being replaced by automation, according to a new report from commodities trade site Commodity.com. Nearly 1.05 million workers are at high risk for their jobs becoming automated.

That percentage has remained steady since 2019, according to a similar study by the Brookings Institute.

Although automation technology predates the pandemic, the adoption of these technologies has been accelerated during the last two years when face-to-face contact has been cautioned against and workers have been harder to find.

According to the report, low-skilled jobs which involved repetition and physical labor were more prone to automation. Some of the highest-risk jobs include office administration, transportation, production and food preparation.

Commodity analyzed large metro areas in the U.S. through four categories: share of workers at high risk of automation, total workers at high risk of automation, share of workers at medium risk and workers at low risk. Only metro areas that had a population of 100,000 were included in the study.

Dallas-Fort Worth-Arlington had the 13th highest percentage of workers whose jobs were at risk of being taken over by automation. More than 21% of workers were at medium risk and 35.6% at low risk. No other Texas metropolitan area was included in the top 15 cities.

Meanwhile, Las Vegas was the city with the highest share of workers at high risk with 49.3%. Since casino-style gambling is a main part of the city's economy and gambling dealers are at a high risk of automation, more nearly half of the jobs in the city could be replaced with machines.

Across the U.S., 40 million people are at high risk of automation.

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Environment

Earthquakes In Texas Doubled In 2021. Scientists Cite Years Of Oil Companies Injecting Sludgy Water Underground.
By Erin Douglas
Texas Tribune

One local said it sounded like a pickup truck had rammed into the side of their house. Another said it sounded like the air conditioner fell off the roof. A third compared the experience to getting off of a rollercoaster, dizzy and a bit shaky.

"In the hardest ones we've experienced, there is a bunch of shaking, and the pictures shook off the walls," said Christina Bock, 45, who lives in Gardendale, a rural community north of Odessa in the heart of West Texas oil and gas country. Earthquakes have dislodged her deck from the house and left cracks in her walls, she said.

"You'll hear a loud bang. If you're inside, you assume it's a car wreck or that something exploded outside," said Bock, a paralegal who has lived in Gardendale for 13 years. "The scary thing is that they are happening pretty much daily at this point."

More than 200 earthquakes of 3 magnitude and greater shook Texans in 2021, more than double the 98 recorded in 2020, according to a Texas Tribune analysis of state data maintained by the Bureau of Economic Geology at the University of Texas at Austin.

The record-setting seismic activity is largely concentrated in West Texas' Permian Basin, the most productive oil and gas region in the state. Scientific studies show that the spike in earthquakes is almost certainly a consequence of disposing huge quantities of contaminated, salty water deep underground — a common practice by oil companies at the end of the hydraulic fracturing process that can awaken dormant fault lines.

During hydraulic fracking, oil companies shoot a mixture of fluids and sand through ancient shale formations, fracturing the rock to free the flow of oil. But oil isn't the only thing that's been trapped underground for millions of years: Between three and six barrels of salty, polluted water also come up to the surface with every barrel of oil.

The cheapest, and most commonly used, way to dispose of this "produced water" is to drill another well and inject it into porous rock formations deep underground.

For years, oil companies have loaded those formations with hundreds of millions of gallons of the black watery mixture — which contains a slurry of minerals, oil and chemicals used in fracking — every day, slowly increasing the pressure on ancient fault lines. An analysis by Rystad Energy provided to The Texas Tribune found that the amount of wastewater injected underground in the Permian Basin quadrupled in a decade, from 54 billion gallons in 2011 to 217 billion gallons last year.

In a 2021 study published in the Journal of Geophysical Research, scientists at the U.S. Geological Survey and the University of Texas found that the vast majority of seismicity since 2000 near Pecos — a city roughly 100 miles southwest of Midland — was likely triggered by increased wastewater disposal. State regulators, too, have found that an increase in seismic activity most likely occurs as a consequence of saltwater disposal.

“The cumulative volumes [of water] increase the pressure, and that is the force that triggers the fault to slip,” said Alexandros Savvaidis, a research scientist at the Bureau of Economic Geology at UT-Austin.

The result is that communities like Gardendale, where Bock lives, as well as the bustling cities of Odessa and Midland — which many oilfield workers, engineers and service workers call home — are experiencing not only more frequent earthquakes, but stronger ones.

Between 2018 and 2020, Texas recorded nine earthquakes above magnitude 4, almost all of them in the western half of the state. Last year, Texans were shaken by 15 earthquakes above magnitude 4 — including a 4.6 magnitude earthquake in late December that rattled homes from an epicenter about 30 miles northeast of Midland.

“That was different,” said David Rosen, a geologist who has lived in Midland for almost 50 years. “That was like riding a bicycle over cobblestones.”

While distance, soil composition and other factors determine at what magnitude earthquakes cause damage, earthquakes above magnitude 3 can typically be felt indoors; above a 4, walls may make a cracking sound and dishes can be disturbed, according to the U.S. Geological Survey.

Rosen, who was also a former Democratic Party chair for the county, said it used to be a novel thing, feeling an earthquake in West Texas. His wife felt one in 1991; he didn’t. Now, they both feel the quakes fairly often in their home on the north side of Midland.

The huge jump in seismic activity compelled the Railroad Commission of Texas, the state’s oil and gas regulatory agency, to indefinitely suspend underground water injections late last year in a swath of land from Odessa north to Midland, and west to Andrews and Martin counties. The decision affected all 33 disposal wells in the targeted area.

“RRC staff has determined that [produced water] injection into deep geologic strata — below the top of the Strawn Formation and especially the Ellenburger Formation — across the area is likely contributing to recent seismic activity,” the agency wrote in its justification for suspensions.

It may take months after the injections halt for the area to stop shaking, scientists said, since the pressure needs time to ease.

Since October, two other areas of West Texas — a region north of Stanton, about 25 miles east of Midland, and an area that straddles Culberson and Reeves counties between the Guadalupe Mountains and Pecos — have also been categorized as areas of concern by the agency because seismic activity has increased, though regulators have not yet suspended produced water injections there.

Instead, the agency instructed companies to work together and come up with a plan to limit seismicity to earthquakes under 3.5 magnitude after 18 months.

Andrew Keese, spokesperson for the Railroad Commission, said in a statement that the agency hopes the industry can cooperate to reduce the magnitude and frequency of the quakes. If it fails, the agency is "prepared to implement actions of its own if needed," he wrote. An industry plan to reduce seismicity in the Stanton region is due in mid-April, Keese said.

"Operators have already made adjustments in the volume of water injected," Keese said.

Rosen, the former Democratic Party chair, said he considered buying earthquake insurance before deciding it wasn't worth the cost unless the quakes get even stronger. Still, he's disappointed in what seems to him to be reluctant action by state regulators to the increasing seismic activity.

"[The Railroad Commission] has been getting feedback for months," he said, "and finally they decided to temporarily suspend disposal for a couple of wells. That's a pretty sluggish response."

"We're just paying the price"

Residents of the Permian Basin are used to the noise of drilling construction; the damaged roads from heavy trucks hauling sand, water and more; the trash snagged in mesquite branches blown from camps of the here-today-gone-tomorrow oilfield workers. Many say they have switched to bottled water or installed water softeners because their tap water turned cloudy with minerals and tastes metallic and salty since fracking took off in the area a decade ago.

But the earthquakes are different, said Bock, the paralegal and mother of two in Gardendale. One contractor's estimate to level her home's foundation was $8,000, she said. At least for her family, the shaking was the last straw.

"I don't want to stay out here," she said. "Not like this."

She and her family will likely sell the house and relocate to Central or Southwest Texas in a couple of years, she said.

"Were the earthquakes a reason? I would say about 50% of it, yes," Bock said. "The damage [from fracking] is done, and now we're just paying that price. And this is what it is."

Eli Hilbert, 20, a political science student at the University of Texas Permian Basin in Odessa, said many locals view the earthquakes as part of the natural environment — like the strong winds or tumbleweeds — despite science that shows the phenomena is almost certainly caused by humans.

“People treat them as just a part of life around here,” said Hilbert, an environmental advocate who will soon help launch a nonprofit organization focused on pollution and climate change in the Permian Basin.

Hilbert said it’s difficult to get community buy-in to organize around environmental issues because much of the population moves in and out with the oil industry. “You aren’t particularly invested in stopping air pollution if you’re only going to be here for two years,” Hilbert said. “But with the increase in [seismicity] last year, I feel like it’s a thing people are becoming more worried about.”

Other residents of Midland, Odessa and surrounding areas echoed Hilbert’s sentiment that the near-daily shakes were beginning to crack the community’s long-hardened endurance to the nuisances and environmental consequences of living with the oil industry.

Ashley Gunter, 40, whose family has lived in Midland for three generations, wonders if the quakes will keep getting stronger and more frequent and eventually make the free-spirited, religious city where she grew up unlivable. “I’m no scientist, but this is not supposed to be happening,” Gunter said. “We don’t live in California.”

Catherine Allen, an artist in Midland, said she has considered relocating because of the quakes. Allen lives in a midcentury house just a few minutes from downtown. It’s the kind of place she says she would love to live the rest of her life in — but she’s not sure if she can.

“The earthquakes seem to be getting closer, and I’m also not sure if our groundwater is going to be safe for much longer,” Allen said. “It seems like disaster is getting closer, but I always question if I am overreacting.”

Where the water goes

The earthquakes often make the local news, and they spark regular alerts on the neighborhood app Nextdoor. Still, Allen said, she’s disappointed at the lack of a broader community discussion about what should or could be done to prevent the seismic activity in Midland.

“Our local leaders do not talk about it, and I don’t know how that’s possible,” Allen said.

Allen and other residents concerned about the quakes point to the oil industry’s power in the Permian Basin as the reason there hasn’t been a more aggressive response by local

officials. About 30% of Midland's workers are employed directly by the energy and mining industry, according to federal employment data.

Midland's City Council has not had a meeting to address the rise in seismic activity, according to recent City Council agendas and member John Norman, who confirmed that the council has discussed seismicity only in casual conversations. He wasn't surprised that it hasn't come up yet, he said.

Norman, who grew up in Midland and worked in the oilfield for more than two decades, said the reason the council has not taken action or formally discussed the quakes is that the injection wells are largely outside city limits. While the quakes shake Midland, it's difficult to see what the city might do to prevent the practice, he said. That's for the Railroad Commission to decide. (Norman praised the agency's most recent response.)

But the industry itself isn't blind to the business risk the quakes pose: At an annual oil and gas industry luncheon hosted by the Midland Chamber of Commerce on Jan. 26, an executive with Chevron Corp. listed the increase in seismic activity as one of the industry's biggest challenges in the Permian Basin.

Ryder Booth, Chevron's vice president of North America exploration and production, called on the roughly 300-person crowd of Midland oil and gas executives, workers and leaders to work together to reduce the earthquakes, pointing to the increase in seismic activity from water injections as one of the industry's major challenges in the Permian.

"We're going to have to work together, partner together, to make sure we're tackling it," Booth said.

A few companies in the Permian Basin have built recycling facilities for produced water — an alternative to pumping it underground. One such facility outside of Big Spring, northeast of Midland, pipes in produced water from surrounding drill sites up to 20 miles away.

"What's cool about this is that ordinarily, that kind of stuff might be going downhole, instead of coming to us," said Jim Hudgins, midstream operations manager at Breakwater Energy Partners, which opened the facility in 2020.

The facility separates the solids from the liquids and presses them into a cake-like material that can be dumped at a landfill. "It looks like a brownie," said Zac Hall, the recycling operations manager at Breakwater Energy. "You wouldn't want to eat it."

Then the brackish-looking water is pushed through 10 large tanks, where chemical reactions remove the impurities until the water looks clear enough to drink — although it's far too salty for that.

"This is probably five to seven times saltier than the ocean," Hall said. "It would taste like crap."

The water is stored in a large, open pool that can hold roughly 63 million gallons of water. The company then sells the water back to oil companies for the next round of fracking.

But recycling facilities, while helpful, are only a partial solution over the long term, Railroad Commissioner Jim Wright pointed out in a recent statement and op-ed. The amount of water needed by oil companies for the hydraulic fracturing process is far less than the amount of produced water being dislodged and dredged up from underground each day. Without a more promising solution on the horizon, the Texas Legislature in 2021 directed scholars and industry leaders to study the problem.

In the meantime, the earth continues to shake under the feet of West Texas residents. On a recent brisk but sunny Friday afternoon, a howling West Texas wind pushed tumbleweeds across roads, natural gas flares burned across the horizon and a seismometer recorded another earthquake — this one a 3.1 magnitude, just outside Odessa, 14 miles west of Midland.

That same day, Norman, the Midland City Council member, sat in a local coffee shop in his district. He said he worries that the earthquakes could make the area unsafe. He hopes the industry, state regulators and the city can find a solution.

“The oil industry has been good to me and my family, but if you die from an earthquake what does it matter?” he said. “I know this is how we make our money [in Midland]. That’s fine, but the safety and the empathy for human beings — that’s what I try to focus on.”

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Military/Veterans

Texas National Guard Announces Death Of Guardsman Supporting ‘Operation Lone Star’
KWTX

A soldier assigned to the Texas Army National Guard and serving in Operation Lone Star near the Texas-Mexico border died in a “non-mission related incident” on Monday, the Texas Military Department announced.

The name of the soldier is being withheld until 24 hours after the soldier’s family has been notified.

The soldier was injured in Brackettville, Texas and airlifted to a hospital in San Antonio.

“We are deeply saddened by this loss,” said Maj. Gen. Tracy Norris, Adjutant General for Texas Military Department.

“We are focused on supporting the Soldier’s family and are providing all available resources.”

The cause of the soldier’s death is under investigation by the Texas Rangers, according to Gov. Greg Abbott.

“Our hearts are heavy at the news of the tragic death of a Texas Guardsman stationed at the border as part of Operation Lone Star. We grieve for the soldier who died and lift their family and loved ones up in prayer,” Abbott said.

“The Texas National Guard plays an important role in our efforts to keep communities safe and we are grateful for their courage and commitment,” the governor further said, “The Texas Military Department is taking action to ensure such loss of life never happens again.”

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Texas National Guard Soldier Assigned To Border Mission Dies In Accidental Shooting
By Rose L. Thayer
Stars and Stripes

A Texas National Guard soldier died Monday from injuries suffered during an accidental shooting while deployed along the state’s border with Mexico, according to local law enforcement.

The Kinney County Sheriff's Office first responded to the accidental shooting Monday morning at Fort Clark Springs, according to Sheriff Brad Coe. They have since handed the investigation to the Texas Rangers, the criminal investigative branch of the Texas Department of Public Safety, he said.

The incident was unrelated to the soldier’s mission, according to the Texas Military Department.

The department, the governor’s office and the Department of Public Safety declined to comment on the nature of the investigation.

The name of the soldier will not be released until 24 hours after next-of-kin is notified, according to the Texas Military Department, which did not officially release a cause of death.

The soldier was part of about 10,000 troops deployed to a mission known as Operation Lone Star, which was ordered in March by Gov. Greg Abbott.

"Our hearts are heavy at the news of the tragic death of a Texas Guardsman stationed at the border as part of Operation Lone Star. We grieve for the soldier who died and lift their family and loved ones up in prayer," Abbott said in a statement.

He vowed state military officials will take action to "ensure such loss of life never happens again."

Operation Lone Star has become a controversial mission during the past few months. It has triggered at least one lawsuit, a federal discrimination complaint, and calls from state and federal lawmakers to investigate whether it's legal for Texas to conduct border security and make arrests. Others have called for a review of the treatment of troops assigned along the border, as news reports and the governor's political opponents have said there's been a disregard for the hardship that the deployment has caused some service members.

The military department has confirmed at least two soldiers assigned to the mission died by suicide.

The soldier was injured in Brackettville, the county seat and largest town in rural Kinney County, which sits on the state's border with Mexico. The soldier was then flown to a hospital in San Antonio, located about 130 miles east.

"We are deeply saddened by this loss," Maj. Gen. Tracy Norris, adjutant general for the Texas Military Department, said in a statement. "We are focused on supporting the soldier's family and are providing all available resources."

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Texas Army National Guard Soldier Assigned To Border Operation Killed In Gun-Related Accident
By Nataly Keomoungkhoun and Allie Morris
Dallas Morning News

A Texas Army National Guard soldier who was assigned to Operation Lone Star died in a non-mission-related incident Monday, the Texas Military Department announced.

The soldier, whose identity hasn't been released pending next-of-kin notification, was injured in Brackettville, some 30 miles east of Del Rio and the Mexico border, and airlifted to a hospital in San Antonio, the department said.

"We are deeply saddened by this loss," Maj. Gen. Tracy Norris, adjutant general for the Texas Military Department, said in a prepared statement. "We are focused on supporting the soldier's family and are providing all available resources."

The department didn't release details of how the soldier died, but the Army Times reported that the soldier was killed in an accidental shooting.

According to the documents obtained by the Army Times, the soldier was sitting in the front seat of a parked car and handed a gun to another soldier in the back of the car. The gun fired during the handoff, and a round went through the seat and hit the first soldier's back, the Army Times reported.

Gov. Greg Abbott said Monday that the Texas Rangers are investigating.

"Our hearts are heavy at the news of the tragic death of a Texas Guardsman stationed at the border as part of Operation Lone Star," Abbott said. "We grieve for the soldier who died and lift their family and loved ones up in prayer."

Operation Lone Star is a hot-button political issue ahead of the March 1 primary. Republican challenger Allen West and Democratic hopeful Beto O'Rourke have accused Abbott of sending thousands of Texas National Guard troops to the border without proper equipment, regular paychecks or a clear purpose. Both raised alarm over several soldier suicides, which were first reported by the Army Times.

Since then, Abbott has continued to tout the mission, which he says is needed to stop the flow of migrants across the state's southern border.

Texas Military Department leaders said they're working to fix the issues, including the pay problems.

The GOP-controlled Legislature has poured about $412 million into the border mission.

Several thousand Texas National Guard soldiers are deployed to the U.S.-Mexico border, though the exact number is not clear.

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Texas National Guard Soldier Dies After A Firearm Discharged Accidentally
By Ashley Killough
CNN

A Texas National Guard soldier has died in a non-mission-related incident in the town of Brackettville, the Guard announced Monday.

The soldier was assigned to Operation Lone Star, a state-led effort in response to migrant crossings at the border with Mexico. Bracketville is about 30 miles from the border town of Del Rio, Texas.

The soldier was airlifted to a hospital in San Antonio.

"We are deeply saddened by this loss," Maj. Gen. Tracy Norris, the top general for the Texas Military Department (TMD), said in a statement. "We are focused on supporting the Soldier's family and are providing all available resources."

The soldier died from an accidental firearm discharge, according to the TMD.

"The incident is currently under investigation by the Texas Rangers. We will release more details as they become available," said Col. Rita Holton, a TMD spokesperson. It was unclear whether the discharge was from the soldier's weapon.

Gov. Greg Abbott said offered condolences to the soldier's family.

"The Texas National Guard plays an important role in our efforts to keep communities safe and we are grateful for their courage and commitment," he added. "The Texas Rangers will conduct a thorough investigation into this tragedy and the Texas Military Department is taking action to ensure such loss of life never happens again."

Abbott launched Operation Lone Star in March, deploying state troopers and National Guard members to the Texas-Mexico border. It was part of a broader effort by Abbott in response to President Joe Biden's reversal of many Trump-era immigration policies. The National Guard role in Operation Lone Star is often supporting law enforcement. Members of the military are barred from carrying out law enforcement activities, such as arrests or searches, without prior authorization.

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Criminal Justice

Inside Secret Grand Jury Rooms In Dallas, Witnesses Are Warned Not To Discuss Race.
By Miles Moffeit
Dallas Morning News

Everything that happens in the grand jury room must stay secret.

Members of the Dallas District Attorney's office repeatedly stressed that point to Jantzen Verastique before leading her into a courtroom in November to testify against police Sgt. Roger Rudloff, a 26-year veteran accused of assaulting her.

Verastique, 34, just wanted to share her story with jurors: How, as a Latina mom worried about the future of her two adopted Black boys, she had joined mass protests that erupted after George Floyd's death.

She wanted the jury to know that she witnessed police ambush peaceful Black protesters. She needed them to also understand that she had pleaded with officers to stop, but one, Rudloff, shot her in the breast with pepper balls and arrested her.

Now, after stepping into the witness box, Verastique suddenly felt tongue-tied. A sign posted inches from her face warned “Do Not Mention Race While Testifying.’’ Prosecutors had not told her about that rule.

She told jurors she was struggling with how to answer their questions if she could not discuss race.

No one responded. Their silence left her more bewildered. Over the next hour, she danced around complete answers. When jurors asked, for example, why she was downtown that day, she felt she would break the rule by telling them she was protesting racial discrimination.

After the hearing, Verastique and Dondi Morse, another protester who testified, walked out of the courthouse together, shaken. The sign had limited them from fully explaining their actions at the protests. Racial tensions between protestors and police were central to the case, they believed.

Later that day, another blow: the DA’s office phoned them to say the jury had declined to indict Rudloff.

Would it have made a difference? They wondered.

“I couldn’t tell the whole truth in that room, though I took an oath to do that,’’ Verastique told The News. “How does that serve justice?’’

Verastique and Morse recently shared their experiences with The Dallas Morning News despite a Texas law that allows contempt-of-court charges against grand jury witnesses who talk about the proceedings. They believe the push for secrecy in their case undermined the pursuit of police accountability.

Their accounts provide a rare and what experts say is a troubling view into how grand juries, overseen by the district attorney’s office, operate in Dallas County.

The origin of the sign is hazy. Several of Dallas’ highest ranking court officials, including judges, told The News they knew nothing about the sign.

But the warning apparently has been posted in grand jury rooms here for years. The idea is that concealing the race of defendants prevents jurors from exerting any racial bias before they vote whether to indict, The News learned.

While the intention may be good, legal experts say concealing race makes it virtually impossible for jurors to consider whether officers discriminated on the basis of race.

Withholding a subject matter as broad as race from a grand jury is highly unusual, according to legal experts and officials with The National District Attorneys Association.

“The idea that testimony must always be racially blind is robbing the grand jury of relevant information,’’ said Jennifer Laurin, a professor at the University of Texas School of Law in Austin who specializes in police issues. “Such a sign can suppress truthful testimony and predictably hamper efforts to prosecute police misconduct.’’

Nelson Bunn, executive director for the National District Attorneys Association, said: “The only frequent admonishment to a witness that we are familiar with is to tell the truth.”

The sign is an 8 x 11 inch sheet of paper attached to plexiglass in front of the witness box. Because it faces witnesses, its bold blue letters are not visible to grand jurors. Prosecutors would not necessarily see it unless they also stepped into the box. Judges are not present during the proceedings.

Dallas County District Attorney John Creuzot said he did not know about the prohibition on mentions of race until The News informed him. Assistant prosecutors, not DAs themselves, generally work with grand juries.

But after researching the purpose of the sign, Creuzot said he is convinced there is nothing nefarious behind it. The sign has been around for years, he added.

Creuzot said it makes sense to keep references to race out of testimony in cases where it is not believed to be an issue.

In the majority of grand jury cases, officers take the stand to describe basic facts about defendants who have been arrested - defendants usually do not testify - such as age and gender. But jurors, some of whom may hold racial bias, do not need to know the race, he said.

“The problem is, we don’t know who the grand jurors are, and if that would matter to them,’’ Creuzot said. “If we intentionally leave race out, race can’t matter.’’

After a reporter described Verastique’s experience to Creuzot, the DA acknowledged that the sign may be inappropriate and could make some witnesses uncomfortable in certain cases.

“OK, maybe we need to rethink the sign,’’ Creuzot said.

He later released a statement to The News stating that, in cases “where race is an issue,’’ witnesses would be allowed to mention race.

Otherwise, the sign would stay up.

Creuzot did not say whether he thought the sign made a difference in the Rudloff case. His policy is not to speak about specific grand jury cases.

He also did not say how his staff would determine whether race is an issue in a case.

Among those Creuzot consulted was Dallas' chief public defender, Lynn Richardson, who agrees with Creuzot's approach. She said grand jurors are by and large reasonable people, but some carry unconscious biases.

"Based on our interaction with grand jurors, they support the policy of not mentioning race as a general matter,'' Creuzot said. Several grand jury foremen contacted by The News did not respond to interview requests, or could not be reached.

Creuzot would make no further comments about the issue, his spokeswoman wrote in a Jan. 24 email.

Accountability?

Disclosure of the sign has fueled more concerns among civil rights leaders and victim advocacy groups about how effectively the DA's office is prosecuting police misconduct cases behind closed doors. Particularly at a time when the community, as well as the nation, is scrutinizing police brutality.

Ceuzot drew criticism recently after divulging that his prosecutors do not recommend to grand juries whether they should indict police officers, though prosecutors do so with civilians. His office has yet to win an indictment against any officer accused of abusing George Floyd demonstrators, though the police department has submitted criminal cases against six officers to his office. Grand juries have declined to indict at least two officers. Hearings against others are pending.

John Fullinwider, co-founder of Mothers Against Police Brutality in Dallas, said the public deserves clearer answers about how the DA could not have known about the warning not to mention race, as well as when it has been used.

"It's hard to imagine any legitimate use for it in police cases,'' Fullinwider said.

The high-profile Rudloff case was an important test of the Dallas justice system, he said, but somehow everything went sideways behind closed doors. The sign may help explain that, Fullinwider said.

Evidence of Rudloff's alleged assault of Verastique was captured in photos and video that law enforcement experts told The News was strong evidence of assault. Rudloff also had faced at least 18 allegations that he abused people, mostly Black or Latino residents, over his 26 years on the force, rarely receiving discipline, a News investigation found in a review of his internal affairs history.

Rudloff, through his lawyer, has said all the allegations against him lack credibility and that his actions against Verastique violated no laws or policies. Rudloff has declined to respond to News' questions about whether race played a role in his actions during the protests. He did not respond to requests to comment for this story.

“Funny business’'
It is impossible to know whether grand jurors would have indicted Rudloff if Verastique and Morse had been allowed to speak openly about race.

The investigative panels work entirely in secret weighing evidence in cases while they considering whether to issue indictments. About half of states, including Texas, still use the system.

Texas law forbids grand jurors, witnesses and other participants from disclosing details about the hearings. It takes nine of the 12-member panels to indict, and their votes are not public.

“Grand juries make up their own category of potential funny business,’’ said Laurin, the UT law professor. “I call it funny business because these proceedings are so secret it’s difficult to know what’s going on.’’

There is no clear consensus on whether the grand jury system is effective.

Supporters feel the citizen panels provide an important check on prosecutorial power. Critics say their secrecy provides too much cover for prosecutors handling controversial matters such as police brutality. In most states without grand juries, DAs are solely responsible for deciding whether to charge someone.

Only when leaks expose flaws in the system does the public get a glimpse of problems.

Legal experts told The News they were troubled that witnesses in the Rudloff case were hushed on race issues. In the post-George Floyd era, awareness of racial bias in policing has only grown.

“Grand jurors need to know all aspects of what caused a person to be arrested or to be called before the grand jury,’’ said Craig Watkins, a former Dallas district attorney who called the sign a bad practice. “There is this preconceived notion that when Black people come into contact with law enforcement they are treated differently. You have to have that as part of your discussion.’’

Watkins said he had not been aware that such warnings were given to witnesses. No such policy existed when he was DA from 2007 to 2014, he said.

Laurin said she had never heard of such censorship.

Not only can the rule chill accurate testimony, and make witnesses uncomfortable, it can hinder grand jurors’ ability to investigate cases, she said.

For example, if an officer’s pattern of arrests reflects potential racial profiling, the problem could escape jurors’ notice if the race of defendants is not disclosed, she said.

Murky history

Other past Dallas DAs said they did not know about the sign.

Susan Hawk, who headed the office between 2014 and 2016, said she was unaware it existed.

Faith Johnson, who succeeded her from 2016 to 2018 and is campaigning to win the job back this year, also was unfamiliar with the rule.

“The sign was not there under my administration,’’ she told The News after checking with her former staff members.

She declined to comment on whether she felt the sign was appropriate.

Previous prosecutors who worked with Dallas grand juries confirmed the sign has been used off and on in various forms for years - sometimes as a note inside witness boxes or a verbal warning from grand jurors or prosecutors.

John Grau, a retired prosecutor who worked under former DA Bill Hill in 1999, confirmed the warning was posted back then, and most likely went up much earlier.

Grau said he did not know the origin of the sign. He also does not recall any complaints or discussion about the sign among grand jurors.

It is possible that many jurors did not even know about it, he said.

Blindsided

Like other grand jury witnesses, Verstique and Morse did not know what to expect when they entered the courtroom.

Morse, who was at Verastique’s side during the demonstrations, also had hoped to describe how they were disturbed by seeing police target people of color. Both women were arrested by Rudloff on questionable charges that police dropped soon after The News began investigating arrests of George Floyd protesters.

Once Morse stepped into the witness box, she felt blindsided by the sign, as well.

She suddenly couldn’t fully describe why she was worried about the safety of the black protestors as police swarmed.

“Unfortunately, I couldn’t explain how basic empathy works,’’ she said. “I tried hard to be a good witness.’’

Lingering questions

Creuzot has left several questions unanswered about the ban on mentioning race.

Why were witnesses not informed of the rule before they testified in the Rudloff case? Will he implement a policy to bring the sign down in some cases?

Will his office review the Rudloff case and other alleged crimes against officers handled by grand juries to determine whether the rule may have adversely impacted the outcomes?

David Henderson, who represents Verastique and Morse, said he will keep pressing for answers.

“Creuzot’s response has been muddled,’’ he said. “One would think he would know what’s going on inside his own office’s grand jury presentations.’’

Henderson filed a petition in district court Monday seeking to depose members of the DA’s office and the Dallas police department about how they handled the Rudloff case.

They plan to file a lawsuit seeking changes in police training and policies to prevent racial profiling and brutality.

And the sign?

They want it to come down. Permanently.

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Air Force Ordered To Pay $230 Million To Sutherland Springs Shooting Survivors And Families Of Slain Victims
By Emily Hernandez
Texas Tribune

The U.S. Air Force was ordered to pay more than $230 million to survivors and families of those killed in the 2017 mass shooting at the First Baptist Church of Sutherland Springs, a federal judge ruled Monday evening.

Judge Xavier Rodriguez had previously found that the military branch was mostly at fault for the mass shooting because it did not report the gunman’s previous assault conviction to the FBI, which could have prevented him from purchasing the assault rifle he used to kill 26 people.

In the deadliest mass shooting in Texas history, Devin Patrick Kelley opened fire on more than 450 attendees at the church’s Nov. 5, 2017, Sunday service, injuring 22 and killing 26. He died later that day from a self-inflicted gunshot wound after two men chased him out of the church with firearms of their own.

Kelley served in the Air Force for five years at the Holloman Air Force Base in New Mexico before he was dismissed with a bad conduct discharge in 2014. Two years before he was discharged, a court found him guilty of assaulting his wife and stepson, which the Air Force never reported to the FBI.

Last July, a federal judge ruled that the U.S. government was "60% liable" for the church mass shooting because the Air Force didn't report Kelley's assault conviction. This should have logged his history of violence into the National Criminal Information Center database, which would have prevented him from buying the assault rifle from Academy Sports and Outdoors.

In November, the U.S. Department of Defense released a report that found the Air Force failed six times to report information that may have prevented Kelley from purchasing a firearm, according to the Associated Press.

The U.S. Department of Justice asked for $31.8 million to be distributed to the survivors and victims' families during court arguments at the end of November, while the lawyers for those affected asked for $418 million, according to the Associated Press.

The 80 claimants in the lawsuit include relatives of those killed in the shooting and 21 survivors.

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Opinion/Editorial

We Recommend Dan Crenshaw In GOP Primary For 2nd Congressional District
Houston Chronicle

Three Republican challengers seek to end the flamboyant career of U.S. Rep. Dan Crenshaw after just two terms in Congress. Jameson Ellis, Martin Etwop and Milam Langella each promise to be a truer conservative, and a truer friend to Donald Trump, than Crenshaw has proven to be.

Martin Etwop, 42, a TSU law student who was born in Uganda, said he decided to run after the birth of his 6-month-old son, and realizing the $30 trillion national debt will likely be a lodestone around his son's neck all his adult life. "Who is looking after my kids? Your kids? That's why I decided to run."

As for Crenshaw, Etwop said the representative is too busy jetting around the country raising money and planning his campaign to have spent the kind of time in the district voters expect.

Langella, 51 and a former Marine who fought in Iraq and currently is an airline pilot, said he's building support on a small campaign budget and a clear message.

“The America we grew up in is not the America we have today,” he said. "When I am there, I’ll vote no to every bill that would increase the size of the federal government or impinge on civil liberties.”

Jameson Ellis, 39, promises to do his best to have “Black Lives Matter, inc” labeled a “domestic terrorist organization.” He believes Americans are overtaxed and businesses “immorally regulated” and on his website calls the 2020 presidential election a “theft.”

All three challengers want to repeal the 16th Amendment and end the income tax. Each has embraced term limits.

Such fealty to Trump and to red-meat conservative issues would seem to be just what voters are asking for in this year’s Republican primary. But so far, none of the three challengers has seemed to make any headway against Crenshaw. Compared to the nearly $5 million in cash on hand Crenshaw reported as of Dec. 31, none of his challengers has raised a total of more than $50,000.

Etwop told us he’s encouraged by the small uptick he’s seen in his fundraising, which totals about $18,000. He sounded sincere about the need to rein in federal deficit spending, but lost our support when the topic changed to the Jan. 6 attack on the U.S. Capitol. He claimed that Americans had arrived at the Capitol intent only on petitioning the government for redress and that it was the Capitol Police who ushered the protesters inside. He said protesters had a right to be upset because of election irregularities that no one had addressed. In truth, dozens of courts had reviewed and rejected claims of widespread fraud.

Republican voters already have in Crenshaw a reliable conservative vote. A former Navy Seal, Crenshaw, 37, said he remains committed to passing laws that benefit his district. In response to questions from the editorial board, he said if elected he’ll keep fighting Joe Biden and Nancy Pelosi’s “damaging, radical policies.”

In his first term, under Democratic leadership in the House, he sponsored at least four bills that passed the House and has authored 18 so far this session, on topics championed by conservatives, from preventing “unjust redflag laws” to reimbursing states for border security costs to exempting healthcare workers from vaccine mandates.

The challengers’ best case to party faithful is that Crenshaw has occasionally strayed from the orthodoxy that has so firmly gripped the party in recent years. But the Heritage Action Committee rates his performance this session as 98 percent in line with their conservative preferences, and 92 percent over his total tenure in Congress.

While Crenshaw did join a legal brief in support of Texas Attorney General’s lawsuit to overturn the 2020 presidential election, he refused to toe the party line on Jan. 6 and the riots, which he said some of his Republican colleagues in Congress helped incite.

“All of the members who called for everyone to come and fight and make their last stand, all of those members were scattered like cowards while the Capitol Police had to do the fighting,” Crenshaw told Hearst Newspapers the morning after the attack.

That’s a stroke of independence that Republican voters in his district ought to applaud.

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Greg Abbott News

Dem Challenger Beto O'Rourke Blasts Texas Gov. Greg Abbott As 'Failed' Leader On Foster Care, CPS
By Bob Garrett
Dallas Morning News

Gov. Greg Abbott has "absolutely failed" to improve Texas foster care and Child Protective Services, despite repeated nudges by a federal judge and the state system's obvious failings, Democratic gubernatorial hopeful Beto O'Rourke said Wednesday.

CPS has wrongly removed some children from their birth families, failed to recruit enough grandparents as alternative caregivers and been too silent about shoddy foster care providers, while state GOP leaders have spurned federal dollars that could provide mental health and substance abuse treatments to parents, which would reduce the need to take children from their homes, O'Rourke said.

"The situation within CPS has gone from bad to worse," he said.

An Abbott spokeswoman responded that O'Rourke had offered "rhetoric – no solutions," and was needlessly politicizing the welfare of children.

Also Wednesday, Col. Steve McCraw, the director of the Texas Department of Public Safety, wrote Abbott a letter saying DPS' initial investigation into reports of maltreatment of female minors who had earlier been victims of sex trafficking has found "no evidence" that any were sexually abused or trafficked while living at a recovery facility near Bastrop called The Refuge.

The Bastrop County Sheriff's Department is still investigating a Jan. 24 report that a now-discharged employee of The Refuge obtained nude photos of two girls with the alleged aim of "selling them for cash and/or drugs," McCraw wrote. "No arrest has been made at this time," he said.

Also, a former worker at the facility was arrested for allegedly lying to the FBI, McCraw said. The local sheriff and DPS looked into how that former employee and three others who have since been fired allegedly helped two girls run away on Feb. 20, he said.

"There were no allegations or evidence that these residents were sexually abused or assaulted by anyone" while residents of The Refuge, wrote McCraw, who said the Bastrop sheriff "is conducting a criminal investigation of these former employees."

Speaking at a news conference outside the former headquarters of the Department of Family and Protective Services in Austin, O'Rourke seized on last week's news reports about The Refuge to accuse Abbott of mismanaging Texas' child welfare system.

The two-term Republican governor has failed to listen to stakeholders, appoint competent state

agency leaders and provide adequate state funding for the system, O'Rourke said.

He vowed to expand Medicaid, which would expand mental health services to more than 1 million Texas adults, and accept $43 million in federal dollars available from the Family First Prevention Services Act, which former President Donald Trump signed in 2018 for services that could help avoid child removals and improve the quality of congregate-care facilities.

O'Rourke also promised "more caseworkers, more oversight and more accountability" at CPS. Department employees are trying their best "under extraordinarily difficult conditions," he said.

"But it's because those in power have not provided the resources, the oversight and the accountability to make sure that those kids can come through OK" that children are sleeping in CPS offices and state workers are demoralized, he said.

While protective services Commissioner Jaime Masters "clearly" should be replaced, O'Rourke urged against trying "to scapegoat someone else," when Abbott has had 12 years as attorney general and eight years as governor to improve things – and hasn't.

"Why are we privatizing the care of the most vulnerable in this state," he said, referring to a procurement experiment known as Community Based Care that is scheduled to come to North Texas in the next two years. Under the approach, which Abbott and GOP legislative leaders have embraced, a private vendor is placed in charge of a region's foster home recruitment and provision of therapies and support for maltreated children.

Three of 11 girls who allegedly had been victims of sex trafficking and were living in The Refuge, located some 35 miles southeast of Austin, were placed there by Our Communities Our Kids, or OCOK, the Community Based Care "single source continuum" vendor for Tarrant and several nearby counties.

A decade ago, proponents promised that Community Based Care would end a widespread practice in which the most troubled foster children in North Texas are sent hundreds of miles from their homes to live in congregate-care facilities in the Austin, Houston and San Antonio areas.

The new super vendors would make sure closer-to-home beds were available, advocates of the plan predicted. However, the showcase launch of Community Based Care in an urban setting, Family Tapestry in San Antonio, ended nearly a year ago, amid revelations of shoddy care for that area's most troubled foster youth. Meanwhile, the Dallas-Fort Worth area continues to have a shortage of residential treatment facilities and therapeutic foster homes capable of helping the most scarred youngsters come to terms with their past trauma.

'Fish rot from head'

Appearing with O'Rourke, Austin Democratic Sen. Sarah Eckhardt said Abbott has "played politics with children's lives" and Houston Democratic Rep. Ann Johnson complained that while the governor speaks of human trafficking as a border issue, it's actually a CPS issue because 90% of the trafficked youth were abused as children. But CPS workers have "exorbitant caseloads," too many foster-care providers offer "dangerous" sites and too many children are sleeping in state offices because no provider will take them, she said.

“The fish rot from the head, and the head of the problem with this system is Gov. Greg Abbott,” Johnson said.

Asked to respond to all three Democrats, Abbott spokeswoman Renae Eze trained her fire on O’Rourke.

“Typical Beto O’Rourke – all rhetoric, no real solutions,” she said in an email. It’s sad that Beto O’Rourke is resorting to politicizing the well-being of Texas children to benefit his campaign and distract from his disastrous interview during SXSW this weekend, where he discussed his true passions of taking away Texans’ guns, opening our borders and supporting President Biden.”

The Texas Senate’s Special Committee on Child Protective Services has scheduled a hearing about CPS and foster care for Thursday.

Last week, Lt. Gov. Dan Patrick created the eight-member panel, which includes five current GOP senators, two sitting Democratic senators and former Dallas Republican Sen. John Carona. Patrick acted shortly after U.S. District Judge Janis Graham held an emergency hearing about conditions at The Refuge for DMST, or domestic minor sex trafficking, as the 9-year-old nonprofit’s ranch-style facility is formally titled.

Jack convened lawyers for the state and for 10,000 plaintiff children after Tara Olah, the protective services department’s director of compliance for the foster care litigation, sent Jack’s monitors a memo that discussed how the state’s child-abuse hotline had received eight “intakes” about the facility between Jan. 24 and March 4.

The memo’s only specific allegation involved the nude photos of two residents, though Olah noted the the arrest of an employee and said “we anticipate additional arrests and criminal charges will ensue.”

On Friday, Brooke Crowder, founder and chief executive of The Refuge, said that because of confidentiality requirements, she was limited in what she could say about the allegations.

According to the Austin American-Statesman, though, Crowder added, “I know that the truth will prevail. We are looking forward to a positive resolution from those investigations, and we are confident that we will be providing child survivors of sex trafficking with excellent care for years to come.”

On Wednesday, Kelli Weldon, a spokeswoman for the Health and Human Services Commission, which regulates foster care providers, confirmed statements Crowder made that the employees at The Refuge passed background checks.

“The background checks resulted in no findings that would indicate a risk of abuse, neglect or exploitation,” Weldon said in an email.

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Gov. Abbott Offers Prayers For Families Of 9 Dead In Crash Involving U. Of The Southwest Golf Teams
By Cedar Attanasio, Jill Bleed, And Anita Snow

Houston Chronicle

Authorities are trying to determine why a pickup truck crossed into the opposite lane on a darkened, two-lane West Texas highway before colliding head-on with a van, killing nine people including six New Mexico university students and a golf coach, as well as a 13-year-old boy.

The University of the Southwest students, including one from Portugal and one from Mexico, and the coach were returning from a golf tournament. Also killed in Tuesday evening's fiery crash were the pickup truck's driver, while two Canadian students were hospitalized in critical condition.

The National Transportation Safety Board was sending an investigative team to the crash site in Texas' Andrews County, about 30 miles east of the New Mexico state line.

The golf team was traveling in a 2017 Ford Transit van that was towing a box trailer when it collided with the truck, and both vehicles burst into flames, according to NTSB spokesman Eric Weiss.

He said the vehicles collided on a two-lane asphalt highway where the speed limit is 75 mph (120 kph), though investigators have not yet determined how fast either vehicle was traveling.

Also killed were Henrich Siemans, 38, of Seminole County, Texas, and an unidentified 13-year-old boy who had been traveling with him in the 2007 Dodge 2500 pickup.

Critically injured aboard the van were Canadian students Dayton Price, 19, of Mississauga, Ontario, and Hayden Underhill, 20, of Amherstview, Ontario. Both were taken by helicopter to the University Medical Center in Lubbock, about 110 miles (180 kilometers) to the northeast.

Underhill's brother Drew said their parents, Ken and Wendy, were on a plane headed to Texas.

"Hockey was a big part of life for a while, but his true passion is golf," Drew Underhill said. "From a small town in Ontario, he's doing OK."

The Mexican Federation of Golf posted an online note of condolence to the loved ones of Mauricio Sanchez.

Stone's mother wrote of her loss on Facebook Wednesday.

"She has been an absolute ray of sunshine during this short time on earth," Chelsi Stone said in a post. "… We will never be the same after this and we just don't understand how this happened to our amazing, beautiful, smart, joyful girl."

Stone graduated in 2021 from Nocona High School, where she played golf, volleyball and softball. She was a freshman majoring in global business management, according to her biography on the golf team's website.

James' mother, June James, said she knew little about the circumstances of the collision. He

coached the men and the women.

“We don’t know what happened. It’s a huge investigation. We don’t have any idea as of yet,” James said during a brief phone interview.

Team member Jasmin Collum had been scheduled to play but at the last minute decided instead to visit her parents in Houston, her mother said.

“We knew all those people on board,” Tonya Collum said. "Basically the whole team is gone or in the hospital.”

The University of the Southwest is a private, Christian college located in Hobbs, New Mexico, near the state line with Texas.

A memorial was set up Wednesday at the course near campus where the team practices. There were flowers, golf balls and a handmade sign with a cross and the initials USW.

“It’s the very least we could to for the players, and of course Coach James,” said Rockwind Community Links Manager Ben Kirkes.

“These kids were great kids and they were great, great community members,” said Kirkes.

New Mexico Gov. Michelle Lujan Grisham said on Facebook that she is “deeply saddened” by the loss of life.

“This is a terrible accident. As we await additional information from authorities, my prayers are with the community and the loved ones of all those involved,” she said.

Texas Gov. Greg Abbott also expressed sympathy.

“We grieve with the loved ones of the individuals whose lives were horrifically taken too soon in this fatal vehicle crash near Andrews last night," Abbott said.

The teams had been taking part in a golf tournament at Midland College, about 315 miles west of Dallas.

“We are still learning the details about the accident but we are devastated and deeply saddened to learn about the loss of our students’ lives and their coach,” University President Quint Thurman said in a statement.

The university said on Twitter that counseling and religious services would be available on campus.

Midland College said Wednesday’s play would be canceled because of the crash. Eleven schools were participating in the event.

“All of the players and their coaches from the participating schools met together early this morning,” Midland College athletic director Forrest Allen said in a statement Wednesday. “We were all shocked to learn of this tragedy, and our thoughts and prayers are with USW as

they grieve this terrible loss."

Bleed reported from Little Rock, Arkansas, and Snow reported from Phoenix. Associated Press writers Jake Bleiberg and Jamie Stengle in Dallas, and Rob Gillies in Toronto contributed to this report.

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Administration News

Texas's Appeal Of Ruling On Transgender Medical Care Is 'Waste Of Time,' Veteran Lawyer Says
By Julian Aguilar
KERA

An appeal of a judge's order that temporary halted state investigations of transgender care should be tossed out immediately because the state hasn't followed proper procedure, an expert in administrative law told a state appeals court.

An appeal seeking to overturn a judge's temporary ban on state investigations into gender-affirming medical care as child abuse is "frivolous" and should be rejected, a veteran lawyer and former professor at Baylor University has told a Texas appeals court.

The assertion Wednesday by retired professor Ron Beal was filed with the Texas Third Court of Appeals after a ruling last week that a directive by Gov. Greg Abbott to investigate some medical care for transgender youths exceeded his legal authority.

Last month, Texas Attorney General Ken Paxton issued a non-binding opinion that certain "sex-change" procedures and the prescribing of puberty-blockers to certain children is "child abuse" under state law and said the Texas Department of Family Protective Services should "act accordingly."

Paxton's opinion was followed by a directive from Abbott to the Texas DFPS "to conduct a prompt and thorough investigation of any reported instances of these abusive procedures in the State of Texas".

The agency subsequently began investigating several families but on Friday District Judge Amy Clark Meachum in Travis County temporarily blocked a directive and said the directive exceeded Abbott's authority under the Texas Constitution and the type of care it targeted never triggered an investigation before.

Paxton immediately appealed the ruling Friday and tweeted that: "Thankfully, Democrat judge's order permitting child abuse is frozen. Much-needed investigations proceed as they should," he said.

But it's unclear if the investigations into the alleged child abuse are ongoing after Judge Meachum's order.

"We don't exactly know what is happening. It's complicated and we can't say one way or

another what kind of effect that Paxton's appeal really has," said Brian Klosterboer, an attorney with the American Civil Liberties Union who represents the plaintiffs in the case. "But I will say we are working as quickly as we can to affirm the statewide relief."

Paxton's office did not respond to a request for comment about how the investigations are allowed to continue pending appeal. A spokesperson for the DFPS would only say the agency will "continue to follow the law" but would not elaborate on whether that means the directive or the injunction.

Beal argued in an amicus brief the directive was illegally implemented because proper procedures were not followed. He said that according to state law, the directive falls under the definition of a "rule, "which must undergo notice-and-comment procedures.

"There is simply nothing else that needs to be considered and this appeal by Attorney General Paxton is utterly frivolous and a total waste of time for this Court and all parties and lawyers acting on their behalf," he wrote.

Beal, who is considered an expert in administrative law and taught at Baylor University for nearly 40 years, said he wasn't compensated for the brief and filed it on his own accord. But, he added, he doesn't think the state should interfere in such personal decisions.

"I am totally on the side that our governor and our attorney general, for whatever reason they're doing this, should stop," he said. "If they're going to do it, they've got to do it [based] on facts. They've got to prove that this actually is bad, that it's injury, that it's damaging people. [But] I just think this is between a parent, a child, and doctors."

Paxton's office did not respond to a request for comment about Beal's amicus brief.

Beal also told The Texas Newsroom that absent action by the Texas Legislature, the rulemaking procedure is what is followed in a process that usually takes several months.

"It usually takes six or nine months to do that. And then as soon as it's adopted, then it can be challenged in a court of law that," he said. "And that'll delay it another year or so. And [Paxton and Abbott] want it on the books right now."

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Central Texas Counties Report 'Higher Than Ever' Rejection Rates For Primary Mail Ballots

By Niki Griswold and Nusaiba Mizan
Austin American Statesman

Central Texas counties threw out more than 1,000 mail-in ballots in the March primary, the first election since the implementation of a new GOP voting law known as Senate Bill 1.

The rejected ballots were among almost 23,000 mail-in votes that were uncounted in the 187 largest Texas counties under voting rules that were part of a broad campaign by Republicans to reshape American elections, according to an analysis published Wednesday by The Associated Press.

Roughly 13% of mail ballots in the March 1 primary were discarded and uncounted, with counties big and small, red and blue reporting trouble navigating SB 1's new rules — although the rejection rate was higher in counties that lean Democratic (15.1%) than Republican (9.1%), the AP reported.

The AP counted 22,898 rejected ballots across Texas by contacting all 254 counties and obtaining final vote reconciliation reports. Some smaller counties did not provide data or respond to requests, but the 187 counties that provided full numbers to AP accounted for 85% of the 3 million people who voted in the primary.

Travis County Clerk Dana DeBeauvoir holds up a vote-by-mail ballot application at a press conference Jan. 18. “My friends, this is what voter suppression looks like,” DeBeauvoir said of issues created by the Senate Bill 1 elections law.
In the Austin-area counties, the overwhelming majority of the rejections were due to the law’s stricter ID requirement, which has caused confusion for voters since counties opened applications for absentee ballots earlier this year.

“It's typical to see ballots rejected because they're received after a statutory deadline — and we still had many ballots that were rejected for that reason — but the more prevalent cause in this case was ballots rejected for lack of the proper ID number, or ID issues," said Chris Davis, elections administrator for Williamson County.

"It led to much higher numbers than we've ever seen, in terms of rejected ballots," he said.

Mail-in ballot rejection rates in the primary election ranged from 7% to 11% in Austin-area counties, with more than 1,500 votes tossed out across Travis, Williamson, Bastrop and Caldwell counties.

Those rates far exceed previous elections. In the 2018 primary, the rejection rate for mail-in ballots in Travis County was about 2%.

Dan and Joyce Wilson, 86-year-old residents of a senior living home in Austin, say they will never try to vote by mail again after a confusing and frustrating experience in the March 1 primary.

Dan and Joyce Wilson, 86-year-old residents of a senior living home in Austin, say they will never try to vote by mail again after a confusing and frustrating experience in the March 1 primary.

The Wilsons were informed Feb. 24 that their absentee ballots were rejected because they had not listed their driver's license numbers or last four digits of their Social Security numbers on their ballot envelopes as required by SB 1.

Confusion mounted when the Wilsons tried to fix the problem online. They tried to follow the instructions to "cure" their ballots, but it took the help of a friend and volunteer to navigate the process. On election day, they called the Travis County elections office to make sure their ballots were fixed but were advised to vote in person to be certain.

The Wilsons cast provisional ballots that were later rejected because officials said they had already voted. They believe that means their mail-in ballots were counted, but they're not sure.

The couple said the 2020 election process felt more efficient, and Joyce Wilson said it felt like someone was trying to discourage them from voting this time.

Next time, Dan Wilson said, they will go to the polls even if voting in-person isn't easy for them.

"We're both 86 years old. This is not a big deal for a younger person, but it gets to be an effort for us," he said.

Last year, the GOP-controlled Legislature passed SB 1, making sweeping changes to the state's voting system, including banning drive-thru and overnight voting and empowering partisan poll watchers. The legislation requires voting assistants, who help Texans with language or physical need cast their ballots, to fill out a document listing their name, address and relationship to the voter. Assistants also have to sign an oath, under penalty of perjury, confirming that the voter is eligible for help due to a physical disability or being unable to read the ballot language.

Under the new law, Texans who vote by mail have to include their driver's license number or the last four digits of their Social Security number on the flap of the envelope containing their ballot. That number has to match the number they previously provided on their application to vote by mail.

The trouble is that voters are not required to provide both a driver's license and Social Security number when they register to vote, so the state does not have both ID numbers on file for every voter in the state. If an individual registers to vote using one form of ID and then applies for a mail-in ballot using the other number, their application would be rejected.

Republicans touted the law as essential to ensuring the integrity of elections, despite the lack of widespread evidence of voter fraud. But voting rights groups had decried the legislation as tantamount to voter suppression, warning that it would make it more difficult to cast a ballot, especially for disabled or elderly voters.

Rejection rates

Sam Taylor, spokesman for the Texas secretary of state, said county officials told the agency that the "vast majority" of mail-in ballot rejections were the result of voters failing to include any ID number on their ballot envelope.

In Travis, Williamson, Bastrop and Caldwell counties, rejection rates ranged from 7% to 11% in the most recent election. The elections administrator in Hays County, Jennifer Doinoff, did not return multiple requests for information.

Official tallies for Travis County showed 948 absentee ballots were rejected out of 11,602 turned in to the county. Victoria Hinojosa, spokeswoman for the Travis County election administrator, said 72% of the rejected ballots were cast in the Democratic primary and 28% in the Republican primary.

Hinojosa said a majority of the rejected ballots were denied due to ID issues. Originally, at least 16% of absentee ballots received by the county were rejected, but Hinojosa said that number was cut in half as voters corrected ID errors after being notified by the county of the

mistake.

The new election law requires counties to contact voters who made mistakes on their ballot to let them rectify problems before election day.

By comparison, Hinojosa said, in the 2018 primary 9,000 ballots were returned and about 2% were ultimately rejected.

In Williamson County, 11.6% of mail ballot voters had their ballots rejected. That rate was slightly higher among Republican voters (260 ballots out of 1,883 at a 13% rate) than Democratic voters (261 ballots out of 2,627 ballots at a 10% rate.)

El Paso County also saw higher numbers of rejected ballots. Lisa Wise, the El Paso County elections administrator, said 725 ballots were rejected in the March primary — a steep increase from the 39 rejections in the March 2020 elections.

About 94% of the rejected absentee ballots, and 42% of the rejected applications to vote by mail, were due to the new law's ID requirements.

'A catastrophe'
Election and voting advocates who had fought against SB 1 say the rejection rates for mail-in ballots in the primary election are evidence that the new voting law's effects are as bad or worse than they feared.

"I think we were all worried about vote-by-mail requirements, but I don't think anyone expected for it to be quite this much of a catastrophe," said Anthony Gutierrez, executive director of the nonpartisan elections and democracy organization Common Cause Texas, which is a member of the Fair Maps Texas Action Committee.

The committee, which also includes the League of Women Voters of Texas and the Asian Pacific Islander American Public Affairs Association North Texas Chapter, is suing Gov. Greg Abbott and the secretary of state's office over SB 1.

Part of the problem, Gutierrez said, is that he is not seeing an earnest effort from the secretary of state to alert voters of the new changes.

"The secretary of state seemed to be doing little to nothing to educate Texans about the new requirements until the very last minute," Gutierrez said. "Counties were just given the statute and left to figure it out by themselves."

Williamson and Harris counties reported abnormally high call volumes in the weeks leading up to the primary election as staff tried to assist voters who were confused by the new law's requirements and changes to the vote-by-mail process.

The flood of calls from voters also came as county election offices were scrambling to alert voters about the issues with their mail-in ballots, as well as learn about and implement all of the other changes included in SB 1, which took effect Dec. 2.

Davis said staff working at the elections office in Williamson County fielded numerous calls

from frustrated voters.

“We never really know if the bad actors or folks that wanted to fraudulently apply for or submit ballots by mail have been successfully dissuaded by this, but the things that are measurable to us, and are knowable, are just the increased workload,” Davis said, adding that training materials from the secretary of state's office were made available to counties after the application period for mail-in ballots had begun and after early voting was underway.

"We're used to having all of our plans and preparations and logistics already laid out, mapped out weeks if not months before an election, and it was not at all that case for this election," he said. "It was not unlike working on an engine of a plane that's in midflight."

Taylor said the secretary of state's office devoted significant resources toward educating voters on the law's new mail-in ballot ID requirements.

"We are confident we will have all the information we need to apply any lessons learned during the primary to an even more robust voter education campaign heading into the November general election," he said in a statement.

Official tallies for Travis County show 948 absentee ballots were rejected out of 11,602 turned in to the county for the March 1 primary.
More:At SXSW, Texas Democrats who broke quorum say their goal was 'bigger than Texas'

Voter disenfranchisement
Debbi Voss, vice president of the Austin chapter of the League of Women Voters, said the new law’s changes to mail-in ballots disproportionately affected elderly voters and people with disabilities, who are some of the only people who qualify to vote by mail under the state's eligibility requirements.

Voss says the number of calls to the Austin chapter for voting help escalated in January and rose to as many as six to eight calls per day in February. She found many voters were confused by the new requirement to put either a driver's license number or Social Security digits on the flap of the envelope, with some complaining that there were multiple envelopes with their ballot.

Voss recommended that voters who don’t remember which ID number they used on their vote-by-mail application to put both on their mail-in ballot to ensure it is not rejected.

“We shouldn’t need an advanced degree to be able to apply to get a ballot by mail," she said. "It’s ridiculous."

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US Appeals Court Backs Texas In 3 Lawsuits Challenging Voting Laws
By Chuck Lindell
Austin American Statesman

A federal appeals court has ruled for Texas in three lawsuits challenging the state's voting laws, including mail-in ballot provisions and the elimination of straight-ticket voting.aaa

In a series of 2-1 rulings Wednesday evening, a panel of the 5th U.S. Circuit Court of Appeals ruled that the lawsuits by civil rights groups, political organizations and voters targeted the wrong state agency — the Texas secretary of state's office — when they sought to overturn a string of voting laws and practices.

Because the secretary of state is not in charge of enforcing the challenged laws, the agency is protected by sovereign immunity in all three lawsuits, said the opinions written by Judge Stuart Kyle Duncan and joined by Judge Don Willett.

Judge Patrick Higginbotham dissented in all three cases, writing that he believed the majority was splitting hairs by narrowly interpreting which state officers enforce election laws.

The secretary of state is the chief election officer of Texas who is charged by law with protecting the voting rights of Texans "from abuse by the authorities administering the state's electoral processes," Higginbotham wrote.

"The allegation in these cases is that the Secretary is failing in that duty. This charge should satisfy our ... inquiry," he said.

All three judges were appointed by Republicans — Duncan and Willett by President Donald Trump and Higginbotham by President Ronald Reagan.

The three lawsuits ruled on Wednesday were:

• A challenge by the Texas Alliance for Retired Americans and two national Democratic organizations sought to overturn a 2017 law that ended straight-ticket voting, also known as one-punch voting because it lets voters select all candidates of a particular political party in one step.

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A state district judge barred enforcement of the law, ruling in September 2020 that the change unconstitutionally burdened the right to vote.

The 5th Circuit Court blocked enforcement of the injunction until the appeal was decided, ending straight-ticket voting for the 2020 presidential election and leading to Wednesday's ruling that formally vacated the injunction.

• A lawsuit by the NAACP and Texas Alliance for Retired Americans sought to block mail-in ballot regulations that require voters to pay for postage and mandate that ballots be postmarked by 7 p.m. on Election Day and received by 5 p.m. on the next day.

The lawsuit also challenged signature-matching requirements and a law that makes it a crime to possess another voter's mail ballot.

Texas lawyers moved to dismiss the lawsuit and the trial judge declined, leading state officials to appeal.

• A lawsuit by groups including the League of Women Voters of Texas and the Coalition of Texans with Disabilities challenged the process of verifying mail-in ballots by ensuring that the voter's signature on the outside envelope matches the signature on the vote-by-mail application.

A trial judge granted a detailed injunction limiting the practice in September 2020, but again the 5th Circuit Court stepped in to halt the injunction until the appeal was decided. Wednesday's ruling vacated the injunction.

In the three rulings, the majority said the lawsuits mistakenly targeted the secretary of state's office when county election officials are in charge of enforcing the challenged election law provisions.

Duncan also rejected arguments that the agency could be sued under state laws charging the secretary of state with protecting voting rights from abuse. "Such general duties under the Texas Election Code fail to make the Secretary the enforcer of specific election code provisions," he wrote.

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Texas Warns Firms They Could Lose State Contracts For Divesting From Fossil Fuels
By Emily Hernandez
Texas Tribune

Texas Comptroller Glenn Hegar sent letters to 19 financial firms Wednesday afternoon to determine whether they were violating a new state law that prohibits companies from "boycotting" fossil fuel companies.

Senate Bill 13, which went into effect in September, prohibits the state from contracting with or investing in companies that divest from oil, natural gas and coal companies. The law defines divestment as refusing to do business with a fossil fuel company because that company does not commit to environmental standards higher than expected by federal and state law.

Firms that received a letter include U.S.-based companies, like JPMorgan Chase & Co. and Wells Fargo & Company, and foreign companies like Jupiter Fund Management PLC and Sumitomo Mitsui Trust Holdings, Inc.

JPMorgan Chase & Co. and Man Group PLC declined to comment for this story. Other companies Hegar contacted — BlackRock, Inc.; NatWest Group PLC — did not respond to The Texas Tribune's requests for comment.

"Our research thus far shows that some companies are telling us and other energy-producing states one thing, and then turning around and telling their liberal clients in other states another thing," Hegar said in a press release Wednesday. "On one hand, they push net-zero and other environmental, social and governance (ESG) policies and use their influence and the dollars under their management to limit access to capital for Texas oil and gas firms. Then these same firms tell Texas and other energy states that they're committed to the fossil fuel sector."

Hegar's office is working to compile a list of companies that "boycott" fossil fuel energy. In the letters, his office asks each company whether it has policies on environmental standards

that go beyond state and federal requirements and how those are enforced. It also requires the company to list mutual funds or exchange-traded funds that limit or don't allow investment in fossil fuels.

In the press release, he said his office plans to send more than 100 additional letters.

If the companies do not respond to the comptroller's letter within 60 days, they will be presumed to be boycotting fossil fuel companies. Any companies on the comptroller's list could see existing contracts with Texas governmental entities canceled and could face Texas pension funds divesting from them.

While many companies and governments have attempted to divest from fossil fuel-based energy in response to the growing climate crisis and effects of fossil fuels on global warming, Texas GOP lawmakers are doing the opposite.

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Texas Officials Identify Companies That May Run Afoul Of New Law Against 'Boycotting' Fossil Fuels
By Allie Morris and Alexandra Skores
Dallas Morning News

Texas has identified 19 major financial firms that may be in violation of a new state law that punishes companies for divesting from fossil fuel holdings.

On Wednesday, Comptroller Glenn Hegar wrote to the companies — which include JPMorgan Chase, BlackRock and Wells Fargo & Company — demanding more information about their investment strategies for oil, natural gas and coal. Under the new law, companies that "boycott" the fossil fuel industry risk losing state contracts and investments from Texas pension funds.

"This is the wrong time to cut back on our investment in the vital fossil fuel industry, which has helped define our state's success for more than 100 years," Hegar, a two-term Republican, said in a statement. "Texas won't sit idly by while Washington and Wall Street peddle a fairy tale that has real negative consequences for the Texas economy, our energy independence and our national security."

Universities, foundations and public pension funds across the country have begun shifting away from fossil fuels in response to the growing threat of climate change. Not Texas.

Last year, the GOP-led Legislature enacted a law that bars the state from contracting with firms that limit business with the fossil fuel industry. The policy also calls for pension funds, such as the state employees and teacher retirement systems, to divest from companies that cut ties with oil and gas, so long as the moves won't cause financial harm.

Hegar's office is tasked with compiling the list of prohibited companies. The firms he contacted on Wednesday must respond within 61 days or they will be "presumed to be boycotting energy companies," according to copies of the letters obtained by The Dallas Morning News.

The firms, based worldwide, include BNP Paribas, Credit Suisse Group, HSBC Holdings and UBS Group, which has a Dallas office space located in Hotel Crescent Court. The companies did not immediately respond to a request for comment. JP Morgan Chase and London-based Man Group PLC, an investment management firm that is also listed, declined to comment.

Hegar's letter asks the firms whether they have "pledged to meet environmental standards beyond applicable federal or state law" and if they have written policies restricting investments in energy companies.

Another round of letters will soon go out to 100 other publicly traded investment companies, according to the comptroller's office.

It remains to be seen whether any will be blacklisted or what the financial impact could be.

While Texas lawmakers have tried to steer corporate policy with the state's pocketbook before — by barring contracts with companies that boycott Israel or do business with Iran — the latest efforts are far more expansive.

Last session, lawmakers also blocked state and local governments from contracting with companies that restrict their business with the firearms industry. As a result of that change, several large banks have been shut out of underwriting municipal-bond deals in Texas, according to Bloomberg.

State leaders are already weighing in on the companies they want barred from doing business in Texas because of their stances on fossil fuels.

In January, Lt. Gov. Dan Patrick, who championed the bill last session, pressed Hegar to put BlackRock "at the top of the list" after CEO Larry Fink advocated an investment strategy focused on climate change and sustainability. But the New York-based investment manager has since assured Texas officials it will "continue to invest in and support fossil fuel companies," according to CBS News.

BlackRock did not immediately return a request for comment on Wednesday.

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State News

Texas Republicans Hammer Citi's Abortion Policy, Calling It A 'Woke' Company In A Pro-Life State
Dallas Morning News

Citigroup Inc. may have found a way of doing business in Texas while addressing one of the state's hottest cultural divides.

Buried in a filing released Tuesday night, the bank disclosed it will now cover travel costs for employees seeking an abortion after several states including Texas implemented or proposed a near-total ban on the procedure. The New York-based bank will pay expenses, such as airfare and lodging, that employees may incur if forced to leave a state for an abortion.

Under Jane Fraser, who rose to become the bank's chief executive officer a year ago, Citi is wading into the conflict over abortion rights just as some of the largest banks and asset managers in the U.S. accelerate a flight from the coasts, drawn to Texas and elsewhere by lower taxes, lighter regulation and warmer weather.

Reaction from Texas Republicans was swift.

"The 'travel benefits' offered by Citigroup is nothing more than a PR stunt by a 'woke' company to support a culture of death," George P. Bush, the Texas land commissioner running for the Republican nomination for attorney general, said by email Wednesday. "Texas is a pro-life state, and if elected Attorney General, I will hold actors who attempt to find loopholes in our laws accountable."

Matt Rinaldi, chairman of the Republican Party of Texas, said "Citigroup's decision to finance the murder of unborn children with a heartbeat is appalling, but not surprising, considering its past adoption of far-left causes." He encouraged Republicans to "avoid entrusting their finances with Citibank and other companies that are hostile to them and their values."

Texas Governor Greg Abbott signed legislation last year that banned abortion after a fetal heartbeat is detected, which can occur as early as six weeks after conception. Under the law, individuals can sue doctors, clinic workers and others who help a woman end an unwanted pregnancy past the cutoff date.

Abbott declined to comment on Citi's move and the press office for state Attorney General Ken Paxton didn't respond to a request for comment.

The biggest names in Wall Street and tech continue to expand in the world's eighth-largest economy. Fearing political backlash, many have stayed silent amid the stream of laws enacted by Abbott, including banning mask mandates, tightened voting rules, and, most recently, classifying some medical and surgical care for transgender kids as child abuse.

Indeed, banks operating in Texas were mostly quiet on Citi's move. JPMorgan Chase & Co. didn't have an immediate comment. Bank of America Corp., Goldman Sachs Group Inc. and Morgan Stanley all didn't respond to requests seeking comment. Some of the state's biggest employers — American Airlines Group Inc., Southwest Airlines Co., Exxon Mobil Corp., Halliburton Co., AT&T Inc. and Toyota Motor Corp. — didn't immediately respond to requests for comment.

"We do not have a travel benefit for abortion services at this time," a spokesperson for Wells Fargo & Co. said.

Citi's policy presents plenty of murky legal issues. Columbia University law professor Carol Sanger said the bank will be opening itself and its human resources employees up to "aiding and abetting" liability under the Texas law. She said the bank may be gambling it won't get sued "because nobody has been sued yet" under the statute's enabling provision.

"This is such an outrageous law that they may have decided they'll make their play, potentially take their lumps," Sanger said. "The essence of the law hasn't been decided yet."

Josh Blackman, a law professor at South Texas School of Law, said Citi's attorneys may have decided the risk of liability is so low and the cost of travel so insignificant, they're willing to take that risk. "The bank's liability is unclear. I'm not certain someone would even have the ability to sue just because Citi paid for an employee's travel. It's not clear that would work."

Some CEOs have tried to openly navigate the culture wars as they strive to retain talent. Match Group Inc. CEO Shar Dubey, whose Dallas-based company owns some of the biggest dating apps, said last year she was creating a fund to help cover the costs for employees and dependents who need to seek care outside the state. Lyft Inc. and Uber Technologies Inc. pledged to pay legal fees for drivers sued under the Texas law.

Salesforce CEO Marc Benioff said in September the company would offer assistance to employees who wanted to leave Texas in response to the anti-abortion law. On March 12, dozens of companies including Apple Inc., Alphabet Inc.'s Google, Dow Inc. and Johnson & Johnson, took out an ad in the Dallas Morning News urging the state to scrap Abbott's order on transgender kids.

Investor advocates have been pressuring publicly traded companies to counter the push by Texas and other Republican-led states to enact measures focused on abortion, voting rights and LGBTQ issues. Shelley Alpern, director of shareholder advocacy at Rhia Ventures, a private-equity firm that focuses on reproductive health, said Citi's move ratchets up the pressure on Texas.

"It's a real breakthrough moment because there have been a handful of other companies that have announced similar policies but none so far have Citi's stature," said Alpern. "So it really helps set a new standard and I'm confident that other companies will follow."

Women's rights groups were lukewarm on Citi's move. "While I think this is wonderful, it's not enough, they can do so much more," said Aimee Arrambide, an executive director at abortion care advocacy group Avow.

Businesses continue to come to Texas in droves. In the last year, Tesla Inc. broke ground on a pickup-truck factory in Austin and moved its headquarters to the state capital along with Oracle Corp. Samsung Electronics Co. announced it's building a $17 billion semiconductor plant outside of Austin.

Goldman plans to build a new office campus in Dallas that may become the bank's largest presence in the U.S. outside its Manhattan headquarters. Charles Schwab Corp. left San Francisco for the affluent Dallas suburb of Westlake, where Fidelity has a campus. Vanguard plans to open a new office in Plano this May.

Citi is working on reviving its underwriting business in the state after a law barred local governments from working with companies that discriminate against firearm entities prompted the firm to suspend its municipal-debt underwriting there for several months. It returned to the market in December.

Keith Wolf, a managing director at recruitment firm Murray Resources in Houston, said Citi could have made a bigger impact if it made a public announcement rather than disclosing the move in a filing. "I imagine it would be a selling point for a group of job seekers."

Wolf said he hasn't seen any slowdown in talent moving to Texas.

"These types of issues are very important but it doesn't mean they will just leave the state because overall it's a great place to live," Wolf said. "While some of these issues are a big concern for people, it's not as easy as getting up and leaving."

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Education

Jury Awards Professor $3 Million In Pregnancy And Sex Discrimination Suit Against UT-Austin
By Kate McGee
Texas Tribune

A federal jury has awarded a University of Texas at Austin engineering professor $3 million after finding the school discriminated against her based on her sex and the fact she was pregnant prior to being considered for tenure.

Evdokia Nikolova, who still works at the university as an assistant professor in the electrical and computer engineering department, was awarded $1 million for past pain and suffering and $2 million in future damages, plus $50,000 in back pay and benefits last week by a federal jury in Austin. The judge in the case must still approve the verdict.

Nikolova applied for tenure during the 2018-2019 academic year after working nearly five years at UT-Austin and two years at Texas A&M University. In her lawsuit, she stated she had been told that her teaching experience at Texas A&M could be counted toward her total time as a professor, which is not UT-Austin policy.

Despite Nikolova being unanimously approved for tenure by the Cockrell School of Engineering, Sharon Wood — the current UT-Austin provost and former dean of the engineering school — denied the tenure request arguing that Nikolova did not have requisite years of teaching to be considered for it.

Tenure requests typically occur after a professor has taught for seven years. Wood pointed out that Nikolova had taken a "probationary extension" and "modified instructional duty" for pregnancy and childbirth during the 2015-2016 year and therefore was making the request too early.

Probationary extensions allow male and female assistant professors who have a new child an additional year during tenure review period. Professors who have a new child or adopt a child can take modified instructional duty, which allows them to not teach for a semester.

"[I]f this were an up-or-out case, I would likely agree with the recommendation of the Promotion and Tenure committee. However, Dr. Nikolova is being considered for promotion at UT Austin two years early."

An up-and-out policy, with specifics that can vary by institution, is when a person is required to be considered for tenure and it is either awarded the distinction or the professor is removed.

Nikolova filed the suit against UT-Austin in 2019.

Bob Schmidt, a lawyer for Nikolova, said he is pleased the jury sided with his client.

“Discrimination against women and mothers is still real in our society in general,” Schmidt said. “If discrimination goes unchecked, if it's just allowed to be looked over at UT-Austin — which is one of our state's most powerful, big institutions and universities — then it can happen anywhere.”

UT-Austin did not respond to The Texas Tribune’s request for comment.

In a statement to the publication Inside Higher Ed, the university said it will “continue to examine ways to improve our processes and will implement any required steps to comply with the verdict.” In court documents, the university denied it treated Nikolova unfairly.

It is not clear if UT-Austin will appeal the decision.

Nikolova’s suit pointed out that in the period since she first interviewed at the university, nine male professors had received tenure while both women, including her, who went up for tenure in the same time period were denied.

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Immigration/Border Security

Expansion Of Operation Lone Star At Texas Border Proceeding Despite Civil Rights Groups’ Concerns
By Maria Ramos Pacheco
Dallas Morning News

Texas is expanding an effort to arrest migrants on trespassing charges to three more counties near the U.S.-Mexico border, despite criticism from civil rights groups that migrants are held without access to legal counsel for weeks.

A year after launching Operation Lone Star, Governor Greg Abbott announced on March 10 that criminal trespass arrests under the initiative will be expanded into Webb, Brooks and Jim Hogg counties.

Last March, Abbott sent state troopers and Texas National Guard members to the U.S-Mexico border as part of his plan to help stop illegal migration. In July, officials began arresting migrants for trespassing on private property in seven counties. As part of the operation, these immigrants were sent to state prisons in Frio and Hidalgo counties, close to the border.

Federal officials, the only members of law enforcement authorized to arrest and detain immigrants without proper documentation, have seen an uptick in illegal border crossings.

Customs and Border Protection reported more than 1.1 million encounters on the Southern border during the 2021 fiscal year. During the current fiscal year, CBP reports 579,873

encounters with people illegally crossing. The same individual can try to cross the border multiple times and each one would be counted as a new encounter under current federal procedures.

In expanding Operation Lone Star, Abbott blamed the Biden administration for what he said was a failure to "secure the border and invite illegal immigration."

"If the Biden administration was doing their job to secure the border because they are not, Texas is having to step up," said Abbott during the roundtable in Weslaco earlier this month.

The operation has resulted in roughly 3,000 arrests since July 2021, with those arrested being taken to the Briscoe and Segovia state prisons.

As of March 15, 831 migrants were in custody in the Briscoe and Segovia units. Usually, they remain detained an average of 48 days, according to the Texas Department of Criminal Justice.

Expansion

"Because we had an influx of noncitizens coming into the community, and we have limited law enforcement so, in order to keep our community safe, I requested additional help from the state of Texas," said Judge Juan Carlos Guerra from Jim Hogg County. "Because the people that were coming into our community were people that could harm our citizens."

The governor's office allocated $3.4 million in funding for Operation Lone Star in Jim Hogg County in January 2022, according to a press release sent by Judge Guerra from this county. Authorities have already arrested at least 60 immigrants in the county and opened a new processing center there in February.

"The facility can house up to 96 noncitizens or individuals that have broken the law when it comes to border security. Because this is not only the individual that's a noncitizen, this is also for the individual that's bringing the noncitizens and doing the human trafficking," said Guerra.

He also mentioned that people arrested will only be held at that facility for 24 hours and then transferred to either the Segovia or Briscoe unit.

"We welcome the Operation Lone Star into our community because this is about safety and security. We will work with the Office of the Governor to make sure that our community is safe," added Guerra.

In December 2021, ACLU of Texas, Texas Civil Rights Project and Texas Fair Defense Project, with the support of over 100 organizations, jointly filed a Title VI discrimination complaint with the U.S. Department of Justice (DOJ) to investigate and end Abbott's initiative.

"In the absence of federal intervention, Texas' racist and xenophobic migrant arrest program is flourishing — and expanding," said Kate Huddleston, staff attorney at the ACLU of Texas. "For months, the state of Texas has deliberately targeted Black and Brown migrants for arrest and punishment, in a separate criminal system rife with civil rights abuses.

“Nearly all of those arrested to date are Latinx or Black. As detailed in the Title VI complaint, analysis of arrest affidavits under the Operation show acute racial disparities and racially biased policing. Officers repeatedly describe potential arrestees as ‘undocumented migrants,’ a label that appears to be based solely on race and on the presumption that Latino men, in particular, are necessarily undocumented and should be targeted for arrest under the Operation,” said the letter sent to DOJ.

After the announcement of the opening of the new processing center in Jim Hogg County, the ACLU sent a supplemental letter to the DOJ asking again for an investigation into the arrest program.

The operation will soon grow to Webb County, where Laredo is located, and Brooks County, a rural community 80 miles north of the border, Department of Public Safety Director Steve McCraw told senators at a recent border security hearing. A start date has not been announced.

“I believe that the additional law enforcement presence that Operation Lone Star will bring into our jurisdiction will increase the number of criminal offenses associated with the illegal migration in the same way that putting additional officers out on a driving while intoxicated (DWI) weekend task force will generate more DWI arrests,” said via email Brooks County District Attorney Carlos Garcia.

Authorities in Webb County did not respond to a request for comment.

The state Legislature has pumped $2.8 billion into the border initiative, despite criticisms from civil rights groups, that migrants are being detained for months without access to lawyers because of the location of these facilities.

The geography in a state with over 1,200 miles of border with Mexico has also proven a challenge. While migrants have primarily been arrested in Val Verde and Kinney Counties, they are sent hours away to detention facilities in Frio and Hidalgo Counties.

“If you were just arrested for criminal trespass and taken it to a local county jail, you would be arrested and provided an opportunity for a bond which can be low. You pay your cash bond, and you are released, but if you are transferred miles away to a prison, how do you find out what’s happening with your case?” said Eric Cedillo, an attorney and professor of law at SMU Dedman School of Law.

According to TCDJ, detainees are provided two five-minute calls during the intake process. They are also provided with one free 10-minute call per week utilizing the Offender Telephone System. Individuals also are allowed to have free calls or video conferences with their attorneys. They can mail and receive letters.

Recruiting attorneys to take the migrants’ cases remains a problem, according to Megan LaVoie, Administrative Director of the state’s Office of Court Administration.

Flooded System

At the hearing, state officials conceded the rollout was rocky as arrests flooded local criminal justice systems but said they are putting judges and lawyers in place to handle the expansion.

“Simply put, it’s capacity,” McCraw said at the hearing. “It’s got to be more troopers, but

more prosecutorial capacity, more detention capacity, more indigent counsel capacity as well. All of those things have to be built into it…otherwise, you're going to get into situations where there's too many to handle in a timely manner."

Still, in Kinney County – which processed just 16 misdemeanor cases in 2020 – there are roughly 1,000 outstanding Operation Lone Star cases, according to LaVoie.

"It's a big backlog that they have there," she told the senators. "But I do think they're making progress."

"Well progress is pretty relative," said Sen. Juan "Chuy" Hinojosa, D-McAllen. "We don't have a way to measure the metrics of how many cases are still pending and people are sitting there in jail because they've not gotten the proper representation."

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Transportation

RMA Picks Elon Musk's Boring Co. For Airport-To-Downtown Loop Project
By Eric Killelea
San Antonio Express News

The Alamo Regional Mobility Authority on Wednesday moved forward with the Boring Co.'s plan to build a loop of tunnels to shuttle visitors in Teslas between San Antonio International Airport and downtown.

RMA board members voted 5-0 to negotiate a development deal with the tunneling company backed by SpaceX and Tesla CEO Elon Musk. The system could include a leg linking the Convention Center to the Pearl mixed-use development on Broadway.

The Boring Co.'s proposal beat a competing plan from Bexar Automated Transport, a consortium of out-of-state tunneling, construction and software companies.

"This is not to take any other action other than to enter into negotiations," said RMA Chairman Michael Lynd Jr., CEO of Kairoi Residential.

The airport-to-downtown loop's estimated cost would be between $247 million and $289 million. A document provided by RMA staff Wednesday referred to the organization providing revenue bond financing for the project.

Alamo Regional Mobility Authority Chairman Michael J. Lynd, Jr., speaks during discussion at a Alamo RMA board meeting held at the Bexar County Public Works Department in San Antonio, Texas, on March 16, 2022. The RMA board voted to begin negotiations with Elon Musk's Boring Co. regarding a transportation project aiming to carry passengers between San Antonio International Airport and downtown.
Alamo Regional Mobility Authority Chairman Michael J. Lynd, Jr., speaks during discussion at a Alamo RMA board meeting held at the Bexar County Public Works Department in San Antonio, Texas, on March 16, 2022. The RMA board voted to begin negotiations with Elon Musk's Boring Co. regarding a transportation project aiming to carry passengers between San

Antonio International Airport and downtown.

Josie Norris / San Antonio Express-News
Revenue bonds are repaid with money generated by the enterprise for which the debt was issued.

“We use our capacity to issue bonds to support the project and then pay for it, essentially,” Lynd said. “And then the revenue stream comes back, pays the services of those bonds ... and then split based on whatever we as a board decide is a fair split for us.”

The Boring Co. estimated generating $25 million in annual revenue for the RMA, which would seek a ridership and revenue study in preparation of bond financing.

It’s unclear how much in bond financing the authority would provide.

The staff-written document also noted that the Boring Co. would be willing to finance between $27 million and $45 million for the first phase of construction.

The RMA — whose members are appointed by Bexar County commissioners and its chair by Gov. Greg Abbott — has refused to release the Boring Co.’s and BAT’s full plans.

Two RMA members missed Wednesday’s vote.

The board’s selection of Austin-based Boring came two weeks after Lynd selected three board members, including himself, and staff to hold private interviews with the company and BAT. Four board members would’ve represented a quorum, which would have made the interviews open to the public.

The Boring Co. said it could begin construction in 12 months, complete the first phase in 18 months and finish the entire project in 36 months, according to Bexar County Engineer Renee Green, who also serves as the RMA’s director of engineering and operations. The company could operate and maintain the transportation loop under a lease agreement.

Founded in 2016, Boring has built two testing projects in Hawthorne, Calif. In June, the tunnel-maker launched its 1.7-mile, three-station transportation loop beneath the Las Vegas Convention Center, at a cost to taxpayers of $52.5 million.

In October, it won approval from Las Vegas officials to move ahead with building the “Vegas Loop,” a proposed 29-mile tunnel to carry tourists between the Las Vegas Strip, Allegiant Stadium, the convention center and Harry Reid International Airport. The company is also looking to build projects in other cities, including Miami and Fort Lauderdale, Fla.

But Boring has a history of canceled or unfinished projects.

In April, the company removed plans from its website to build tunnels in Los Angeles and Washington, D.C., that it announced in 2018 and 2017, respectively. The initial excitement over the projects fizzled out amid federal environmental reviews.

In 2018, Chicago’s then-mayor, Rahm Emanuel, began negotiating with the company after the city tapped it to build a series of tunnels, but the plans went nowhere.

In San Antonio, it's not difficult for visitors to travel the 9.6 miles between the airport and downtown. Visitors routinely take rental cars, taxis, Lyfts or Ubers. In moderate traffic, the trip take about 15 minutes, mostly on U.S. 281.

The Bexar County-created RMA, which relies largely on vehicle registration fees, has been searching for moneymaking endeavors in recent years.

Its board solicited proposals in October 2019 from public and private groups for "new delivery methods for transportation projects" and "development of new revenue sources," according to a staff presentation.

Boring pitched the tunneling idea last July.

After staff reviewed the proposal, the RMA formally asked contractors to turn their focus to submitting plans for "a transportation project that can efficiently and economically transport people between the general vicinity of the San Antonio International Airport and the downtown area."

The RMA received five proposals by the Dec. 1 deadline, and the board named the finalists in January.

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Buttigieg Thinks High-Speed Rail Would Be Good For Texas, Wants Highway Expansions To Consider Neighborhood Impacts
By Joshua Fechter
Texas Tribune

In car-friendly Texas, getting a major high-speed rail project off of the ground is almost impossible. For years, attempts to build a commuter rail line between Austin and San Antonio have faltered. The state's lawyers are in court trying to kill a proposed line between Dallas and Houston.

But as more people flock to the state and its metro areas swell, Texas could benefit from robust passenger rail, U.S. Transportation Secretary Pete Buttigieg said Wednesday.

"There's no reason that quality, speedy train service should only be something in the Northeast," Buttigieg said in an interview with The Texas Tribune.

Buttigieg swung through Texas this week to tout the $565 billion infrastructure bill passed last year — touring Austin's local commuter rail system with Mayor Steve Adler and making an appearance at the South by Southwest festival.

Out of the infrastructure bill, Texas is slated to get more than $27 billion for roads and bridges, $3.4 billion for public transportation, $1.2 billion for airports and more than $400 million to install chargers for electric vehicles.

Buttigieg sat down with the Tribune for an interview touching on highway expansion, high-speed rail and other transportation topics.

The infrastructure bill contains $1 billion intended to reconnect communities divided by highways. Are the Texas Department of Transportation's plans to expand Interstate 35 in conflict with that?

There are two things I see in particular with regard to 35. One, a very interesting local vision about capping part of it, which can help reconnect areas that were divided from each other and create that rarest of things which is brand-new land in an important part of the city. The second thing is the vision for expansion. And there what I hope will unfold is a way to do it that is mindful of the long-run consequences and opportunities and encourages not just single-occupancy vehicles but shared-use transit, all the different things that need to be part of a healthy transportation mix.

Traffic on Interstate 35 on May 11, 2020.
Vehicles travel along Interstate 35 in Austin in 2020. Credit: Eddie Gaspar/The Texas Tribune
Do you see Texas wanting to tap those dollars for community reconnection or do you see more interest coming from cities?

I think there's more excitement and interest for it at the local level. But if there's a really forward-leaning, forward-looking state that wants to be an applicant, we welcome that conversation.

But is the infrastructure bill in conflict with itself if you have the billion dollars to reconnect communities but also money that helps state transportation departments expand existing highways?

Look, there will always be places, especially high-growth places, where expansions are called for. The important thing for us is to try to encourage that, when that happens, it's done in a way that minimizes environmental and community impacts. And that really leads into what the future of transportation will look like, instead of just copying the past over and over again.

Is an expansion of I-35's footprint warranted?

Ultimately, that's a state decision, not ours, and we respect that division of powers. But what I'll also say is that anytime an expansion is contemplated, we really want to work with the state on finding ways to make sure that it's part of the bigger picture that is inclusive and forward-leaning.
Before the infrastructure bill passed, Gov. Greg Abbott was among 16 Republican governors who warned Congress not to bar funds from being used for highway expansion, arguing that doing so would harm "future prosperity" and "be biased against rural states and states with growing populations." Is that an outmoded way of thinking or are they right about that?

It would certainly be a mistake to suppose that highway expansions equals economic growth in all cases or to imagine that highway expansion automatically equals less congestion, just because experience and data have sometimes shown otherwise. So again, we're trying not to be unreasonably prescriptive about this, and the law gives a lot of discretion to states. But we are trying to make clear our policy goals and our view that maintaining what you've already got is a very important part of what any agency should be — and so is climate and so is the community impact of what you're proposing to do.

You're starting to see communities — Houston, Austin and Dallas — that are looking at the displacement legacies of these highways and contemplating their futures. Do you see TxDOT as standing in the way of some of those discussions to reconnect communities?

It's always good for states and local communities to be listening to each other. And I want to encourage that to happen more in everything. And I certainly think that's been an important part of what there's been a call for in the case of Houston and I-45, for example, just for TxDOT and communities to be engaging in a way that can lead to a positive place and, hopefully, even consensus. Now, there's also of course an enforcement investigation going on there. I can't speak to that while it's underway. But I think those things are part of what can arise when a community feels that it needs to take that step in order to assert its rights.

Obviously, Texas is very car-friendly and car-dependent. How do you break the hold that cars and highways have in Texas?

Sometimes we take our land use as a given. And then we say, "Well, here's how the land's laid out. So the only way to get where you need to be is with a car." But actually these are the results of choices. And if we create more options, not just more transportation options directly, but more options in terms of how our housing communities are built up like … that creates more ways for people to not have to bring two tons of metal along with them everywhere they go. So it's really all of the above. It's the planning and the design at the community level. And it's the design of the transportation system itself.

We're definitely going to have cars and trucks be a very important part of our lives for the foreseeable future. So it's also just making sure we reduce their environmental impact through things like electric vehicles, which we're pushing in a very big way in Texas.

Are calls for different options in how we move around going to have to come from cities rather than the state?

I think the cities are leading the way. But I'll also add that I think as rural residents see the benefits of going electric, they will be among those who have the most to gain as you see these pickup trucks, for example, becoming more affordable. It's rural drivers who cover the longest distances, which means they burn the most gas or diesel, which means they would save the most money if they could afford and use an EV.

That's why we're trying to make them easier to use and more affordable for everybody. Our proposals would take a $40,000, U.S.-made pickup truck and bring it into the high 20s if those tax credits went through. That would mean a lot of rural Texans in some of the reddest counties in the state — who I'm pretty sure like saving money just as much as somebody who lives in the heart of Austin — really respond and see how they're better off.

There's a project in San Antonio where they were going to make their main street more friendly to cyclists and pedestrians while reducing the number of car lanes. TxDOT threw a wrench in the project. What conversations do you have with TxDOT to make them more amenable to projects like that?

When TxDOT's at the table with me, a big concern and interest of theirs is flexibility and naturally as a state agency they want the flexibility to take federal dollars and use them in ways that they think makes sense. I would encourage them to work with cities and

communities on the same terms and think about the flexibility that will allow local decisions to go forward in a way that benefits everybody. I do think ultimately it's from the ground up that you see the most energy and some of the most creative ideas.

Given the greenhouse gas emissions that come from the transportation sector, why is the federal government still in highway construction?

Look, highways and driving are an extremely important part of the American economy and the American transportation system. That's going to be true for the foreseeable future. That's why it's so important for us, not just to create alternatives to single-occupancy cars, which we're doing, but to make sure that driving is greener, and that's where the EVs come in, why it's so important. We've got to do all of these things at once. I think we can move to a much greener future without having to believe anything unrealistic about the future, how we get around. We're not going to be zipping around and flying drones or anything like that anytime soon. So we need to work with the system we have but also push it as fast as we can.

Do you see high-speed rail happening in Texas? Major rail projects have a hard time getting off the ground here. For example, the state is arguing in court that a proposed rail project between Dallas and Houston can't use eminent domain to build its system. How do you feel about the progression here?

I'll take care not to weigh in on things that are actively happening legally, or in terms of a … process right now. But let me say this, I actually think Texas as a geography is a great candidate for high-speed rail because what you have are major population centers that are part of the same overall economic region but are also independent. They're a certain distance from each other that discourages routinely driving between them, but could be covered on an almost daily basis if there is a convenient, fast, easy option to do so. I think that's the appeal — certainly the vision — for Texas high-speed rail, including the current project.

When you look at the story of Project Connect [Austin's $7 billion voter-backed transit plan that includes light rail and a subway line], you could argue that you start the clock in 2000, it takes 20 years before the political will, the leadership, the coalitions are right for it to happen. But it happens. So yes, it's taken longer than people hope. Yes, it's got a long way to go. But I would definitely not write off Texas as a very promising place for quality passenger rail.

There's no reason that quality speedy train service should only be something in the Northeast. This is a great place for those kinds of deployments.

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Environment

Wildfire Conditions On Thursday 'Pose A Threat To Public Safety' For The San Antonio Region, Forest Service Says
By Timothy Fanning
San Antonio Express News

There is the potential for wildfires Thursday along the Interstate 35 corridor, including the San Antonio and Austin regions, due to "extremely critical fire weather conditions," the Texas

A&M Forest Service said in a news release.

An abundance of dry dormant grass coupled with dry conditions have the potential to fuel large fires that will be difficult to control and "pose a threat to public safety," the forest service said. The potential for wildfire activity is expected to last through the weekend along and west of I-35 and into South Texas.

According to the National Weather Service, the San Antonio area is in a high fire danger zone until Sunday, citing dry weather and gusty winds forecasted for South Central Texas. The Hill Country will be under a fire weather watch from 1 to 10 p.m. Thursday.

Weather officials caution residents to avoid actions that could cause a fire to spread outdoors, such as improperly disposing of cigarettes or parking cars on grass.

On Tuesday, Gov. Greg Abbott directed the Texas Division of Emergency Management to mobilize state resources. Those resources include six strike teams from the Texas Intrastate Fire Mutual Aid System, which includes about 150 firefighters and 30 fire engines.

Texans are encouraged to make evacuation preparations for potential wildfire activity this weekend. Officials are urging residents to look for multiple evacuation routes in case one is compromised by heavy smoke.

Assemble a go-kit that can be grabbed easily and includes the following items: prescription medications or other necessary medical equipment; papers and important documents such as insurance and identification documents; personal needs including food, water, clothing, money, and a first aid kit; priceless items such as photos, family heirlooms, and any other irreplaceable or valuable items.

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Greg Abbott News

Dem Challenger Beto O'Rourke Blasts Texas Gov. Greg Abbott As 'Failed' Leader On Foster Care, CPS
By Bob Garrett
Dallas Morning News

Gov. Greg Abbott has "absolutely failed" to improve Texas foster care and Child Protective Services, despite repeated nudges by a federal judge and the state system's obvious failings, Democratic gubernatorial hopeful Beto O'Rourke said Wednesday.

CPS has wrongly removed some children from their birth families, failed to recruit enough grandparents as alternative caregivers and been too silent about shoddy foster care providers, while state GOP leaders have spurned federal dollars that could provide mental health and substance abuse treatments to parents, which would reduce the need to take children from their homes, O'Rourke said.

"The situation within CPS has gone from bad to worse," he said.

An Abbott spokeswoman responded that O'Rourke had offered "rhetoric – no solutions," and was needlessly politicizing the welfare of children.

Also Wednesday, Col. Steve McCraw, the director of the Texas Department of Public Safety, wrote Abbott a letter saying DPS' initial investigation into reports of maltreatment of female minors who had earlier been victims of sex trafficking has found "no evidence" that any were sexually abused or trafficked while living at a recovery facility near Bastrop called The Refuge.

The Bastrop County Sheriff's Department is still investigating a Jan. 24 report that a now-discharged employee of The Refuge obtained nude photos of two girls with the alleged aim of "selling them for cash and/or drugs," McCraw wrote. "No arrest has been made at this time," he said.

Also, a former worker at the facility was arrested for allegedly lying to the FBI, McCraw said. The local sheriff and DPS looked into how that former employee and three others who have since been fired allegedly helped two girls run away on Feb. 20, he said.

"There were no allegations or evidence that these residents were sexually abused or assaulted by anyone" while residents of The Refuge, wrote McCraw, who said the Bastrop sheriff "is conducting a criminal investigation of these former employees."

Speaking at a news conference outside the former headquarters of the Department of Family and Protective Services in Austin, O'Rourke seized on last week's news reports about The Refuge to accuse Abbott of mismanaging Texas' child welfare system.

The two-term Republican governor has failed to listen to stakeholders, appoint competent state agency leaders and provide adequate state funding for the system, O'Rourke said.

He vowed to expand Medicaid, which would expand mental health services to more than 1 million Texas adults, and accept $43 million in federal dollars available from the Family First Prevention Services Act, which former President Donald Trump signed in 2018 for services that could help avoid child removals and improve the quality of congregate-care facilities.

O'Rourke also promised "more caseworkers, more oversight and more accountability" at CPS. Department employees are trying their best "under extraordinarily difficult conditions," he said.

"But it's because those in power have not provided the resources, the oversight and the accountability to make sure that those kids can come through OK" that children are sleeping in CPS offices and state workers are demoralized, he said.

While protective services Commissioner Jaime Masters "clearly" should be replaced, O'Rourke urged against trying "to scapegoat someone else," when Abbott has had 12 years as attorney general and eight years as governor to improve things – and hasn't.

"Why are we privatizing the care of the most vulnerable in this state," he said, referring to a procurement experiment known as Community Based Care that is scheduled to come to North Texas in the next two years. Under the approach, which Abbott and GOP legislative leaders have embraced, a private vendor is placed in charge of a region's foster home recruitment and provision of therapies and support for maltreated children.

Three of 11 girls who allegedly had been victims of sex trafficking and were living in The Refuge, located some 35 miles southeast of Austin, were placed there by Our Communities Our Kids, or OCOK, the Community Based Care "single source continuum" vendor for Tarrant and several nearby counties.

A decade ago, proponents promised that Community Based Care would end a widespread practice in which the most troubled foster children in North Texas are sent hundreds of miles from their homes to live in congregate-care facilities in the Austin, Houston and San Antonio areas.

The new super vendors would make sure closer-to-home beds were available, advocates of the plan predicted. However, the showcase launch of Community Based Care in an urban setting, Family Tapestry in San Antonio, ended nearly a year ago, amid revelations of shoddy care for that area's most troubled foster youth. Meanwhile, the Dallas-Fort Worth area continues to have a shortage of residential treatment facilities and therapeutic foster homes capable of helping the most scarred youngsters come to terms with their past trauma.

‘Fish rot from head’
Appearing with O’Rourke, Austin Democratic Sen. Sarah Eckhardt said Abbott has “played politics with children’s lives” and Houston Democratic Rep. Ann Johnson complained that while the governor speaks of human trafficking as a border issue, it’s actually a CPS issue because 90% of the trafficked youth were abused as children. But CPS workers have “exorbitant caseloads,” too many foster-care providers offer “dangerous” sites and too many children are sleeping in state offices because no provider will take them, she said.

“The fish rot from the head, and the head of the problem with this system is Gov. Greg Abbott,” Johnson said.

Asked to respond to all three Democrats, Abbott spokeswoman Renae Eze trained her fire on O’Rourke.

“Typical Beto O’Rourke – all rhetoric, no real solutions,” she said in an email. It’s sad that Beto O’Rourke is resorting to politicizing the well-being of Texas children to benefit his campaign and distract from his disastrous interview during SXSW this weekend, where he discussed his true passions of taking away Texans’ guns, opening our borders and supporting President Biden.”

The Texas Senate’s Special Committee on Child Protective Services has scheduled a hearing about CPS and foster care for Thursday.

Last week, Lt. Gov. Dan Patrick created the eight-member panel, which includes five current GOP senators, two sitting Democratic senators and former Dallas Republican Sen. John Carona. Patrick acted shortly after U.S. District Judge Janis Graham held an emergency hearing about conditions at The Refuge for DMST, or domestic minor sex trafficking, as the 9-year-old nonprofit’s ranch-style facility is formally titled.

Jack convened lawyers for the state and for 10,000 plaintiff children after Tara Olah, the protective services department’s director of compliance for the foster care litigation, sent Jack’s monitors a memo that discussed how the state’s child-abuse hotline had received eight “intakes” about the facility between Jan. 24 and March 4.

The memo’s only specific allegation involved the nude photos of two residents, though Olah noted the the arrest of an employee and said “we anticipate additional arrests and criminal charges will ensue.”

On Friday, Brooke Crowder, founder and chief executive of The Refuge, said that because of confidentiality requirements, she was limited in what she could say about the allegations.

According to the Austin American-Statesman, though, Crowder added, “I know that the truth will prevail. We are looking forward to a positive resolution from those

investigations, and we are confident that we will be providing child survivors of sex trafficking with excellent care for years to come."

On Wednesday, Kelli Weldon, a spokeswoman for the Health and Human Services Commission, which regulates foster care providers, confirmed statements Crowder made that the employees at The Refuge passed background checks.

"The background checks resulted in no findings that would indicate a risk of abuse, neglect or exploitation," Weldon said in an email.

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Gov. Abbott Offers Prayers For Families Of 9 Dead In Crash Involving U. Of The Southwest Golf Teams
By Cedar Attanasio, Jill Bleed, And Anita Snow
Houston Chronicle

Authorities are trying to determine why a pickup truck crossed into the opposite lane on a darkened, two-lane West Texas highway before colliding head-on with a van, killing nine people including six New Mexico university students and a golf coach, as well as a 13-year-old boy.

The University of the Southwest students, including one from Portugal and one from Mexico, and the coach were returning from a golf tournament. Also killed in Tuesday evening's fiery crash were the pickup truck's driver, while two Canadian students were hospitalized in critical condition.

The National Transportation Safety Board was sending an investigative team to the crash site in Texas' Andrews County, about 30 miles east of the New Mexico state line.

The golf team was traveling in a 2017 Ford Transit van that was towing a box trailer when it collided with the truck, and both vehicles burst into flames, according to NTSB spokesman Eric Weiss.

He said the vehicles collided on a two-lane asphalt highway where the speed limit is 75 mph (120 kph), though investigators have not yet determined how fast either vehicle was traveling.

Also killed were Henrich Siemans, 38, of Seminole County, Texas, and an unidentified 13-year-old boy who had been traveling with him in the 2007 Dodge 2500 pickup.

Critically injured aboard the van were Canadian students Dayton Price, 19, of Mississauga, Ontario, and Hayden Underhill, 20, of Amherstview, Ontario. Both were taken by helicopter to the University Medical Center in Lubbock, about 110 miles (180 kilometers) to the northeast.

Underhill’s brother Drew said their parents, Ken and Wendy, were on a plane headed to Texas.

“Hockey was a big part of life for a while, but his true passion is golf,” Drew Underhill said. “From a small town in Ontario, he’s doing OK.”

The Mexican Federation of Golf posted an online note of condolence to the loved ones of Mauricio Sanchez.

Stone's mother wrote of her loss on Facebook Wednesday.

“She has been an absolute ray of sunshine during this short time on earth,” Chelsi Stone said in a post. “… We will never be the same after this and we just don’t understand how this happened to our amazing, beautiful, smart, joyful girl.”

Stone graduated in 2021 from Nocona High School, where she played golf, volleyball and softball. She was a freshman majoring in global business management, according to her biography on the golf team's website.

James' mother, June James, said she knew little about the circumstances of the collision. He coached the men and the women.

“We don’t know what happened. It’s a huge investigation. We don’t have any idea as of yet,” James said during a brief phone interview.

Team member Jasmin Collum had been scheduled to play but at the last minute decided instead to visit her parents in Houston, her mother said.

“We knew all those people on board,” Tonya Collum said. "Basically the whole team is gone or in the hospital.”

The University of the Southwest is a private, Christian college located in Hobbs, New Mexico, near the state line with Texas.

A memorial was set up Wednesday at the course near campus where the team practices. There were flowers, golf balls and a handmade sign with a cross and the initials USW.

“It’s the very least we could to for the players, and of course Coach James,” said Rockwind Community Links Manager Ben Kirkes.

“These kids were great kids and they were great, great community members,” said Kirkes.

New Mexico Gov. Michelle Lujan Grisham said on Facebook that she is “deeply saddened” by the loss of life.

“This is a terrible accident. As we await additional information from authorities, my prayers are with the community and the loved ones of all those involved,” she said.

Texas Gov. Greg Abbott also expressed sympathy.

“We grieve with the loved ones of the individuals whose lives were horrifically taken too soon in this fatal vehicle crash near Andrews last night," Abbott said.

The teams had been taking part in a golf tournament at Midland College, about 315 miles west of Dallas.

“We are still learning the details about the accident but we are devastated and deeply saddened to learn about the loss of our students’ lives and their coach,” University President Quint Thurman said in a statement.

The university said on Twitter that counseling and religious services would be available on campus.

Midland College said Wednesday’s play would be canceled because of the crash. Eleven schools were participating in the event.

“All of the players and their coaches from the participating schools met together early this morning,” Midland College athletic director Forrest Allen said in a statement Wednesday. “We were all shocked to learn of this tragedy, and our thoughts and prayers are with USW as they grieve this terrible loss.”

Bleed reported from Little Rock, Arkansas, and Snow reported from Phoenix. Associated Press writers Jake Bleiberg and Jamie Stengle in Dallas, and Rob Gillies in Toronto contributed to this report.

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Administration News

Texas’s Appeal Of Ruling On Transgender Medical Care Is 'Waste Of Time,' Veteran Lawyer Says
By Julian Aguilar
KERA

An appeal of a judge’s order that temporary halted state investigations of transgender care should be tossed out immediately because the state hasn’t followed proper procedure, an expert in administrative law told a state appeals court.

An appeal seeking to overturn a judge's temporary ban on state investigations into gender-affirming medical care as child abuse is "frivolous" and should be rejected, a veteran lawyer and former professor at Baylor University has told a Texas appeals court.

The assertion Wednesday by retired professor Ron Beal was filed with the Texas Third Court of Appeals after a ruling last week that a directive by Gov. Greg Abbott to investigate some medical care for transgender youths exceeded his legal authority.

Last month, Texas Attorney General Ken Paxton issued a non-binding opinion that certain "sex-change" procedures and the prescribing of puberty-blockers to certain children is "child abuse" under state law and said the Texas Department of Family Protective Services should "act accordingly."

Paxton's opinion was followed by a directive from Abbott to the Texas DFPS "to conduct a prompt and thorough investigation of any reported instances of these abusive procedures in the State of Texas".

The agency subsequently began investigating several families but on Friday District Judge Amy Clark Meachum in Travis County temporarily blocked a directive and said the directive exceeded Abbott's authority under the Texas Constitution and the type of care it targeted never triggered an investigation before.

Paxton immediately appealed the ruling Friday and tweeted that: "Thankfully, Democrat judge's order permitting child abuse is frozen. Much-needed investigations proceed as they should," he said.

But it's unclear if the investigations into the alleged child abuse are ongoing after Judge Meachum's order.

"We don't exactly know what is happening. It's complicated and we can't say one way or another what kind of effect that Paxton's appeal really has," said Brian Klosterboer, an attorney with the American Civil Liberties Union who represents the plaintiffs in the case. "But I will say we are working as quickly as we can to affirm the statewide relief."

Paxton's office did not respond to a request for comment about how the investigations are allowed to continue pending appeal. A spokesperson for the DFPS would only say the agency will "continue to follow the law" but would not elaborate on whether that means the directive or the injunction.

Beal argued in an amicus brief the directive was illegally implemented because proper procedures were not followed. He said that according to state law, the directive falls under the definition of a "rule, "which must undergo notice-and-comment procedures.

"There is simply nothing else that needs to be considered and this appeal by Attorney General Paxton is utterly frivolous and a total waste of time for this Court and all parties and lawyers acting on their behalf," he wrote.

Beal, who is considered an expert in administrative law and taught at Baylor University for nearly 40 years, said he wasn't compensated for the brief and filed it on his own accord. But, he added, he doesn't think the state should interfere in such personal decisions.

"I am totally on the side that our governor and our attorney general, for whatever reason they're doing this, should stop," he said. "If they're going to do it, they've got to do it [based] on facts. They've got to prove that this actually is bad, that it's injury, that it's damaging people. [But] I just think this is between a parent, a child, and doctors."

Paxton's office did not respond to a request for comment about Beal's amicus brief.

Beal also told The Texas Newsroom that absent action by the Texas Legislature, the rulemaking procedure is what is followed in a process that usually takes several months.

"It usually takes six or nine months to do that. And then as soon as it's adopted, then it can be challenged in a court of law that," he said. "And that'll delay it another year or so. And [Paxton and Abbott] want it on the books right now."

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Central Texas Counties Report 'Higher Than Ever' Rejection Rates For Primary Mail Ballots
By Niki Griswold and Nusaiba Mizan
Austin American Statesman

Central Texas counties threw out more than 1,000 mail-in ballots in the March primary, the first election since the implementation of a new GOP voting law known as Senate Bill 1.

The rejected ballots were among almost 23,000 mail-in votes that were uncounted in the 187 largest Texas counties under voting rules that were part of a broad campaign by Republicans to reshape American elections, according to an analysis published Wednesday by The Associated Press.

Roughly 13% of mail ballots in the March 1 primary were discarded and uncounted, with counties big and small, red and blue reporting trouble navigating SB 1's new rules — although the rejection rate was higher in counties that lean Democratic (15.1%) than Republican (9.1%), the AP reported.

The AP counted 22,898 rejected ballots across Texas by contacting all 254 counties and obtaining final vote reconciliation reports. Some smaller counties did not provide data or respond to requests, but the 187 counties that provided full numbers to AP accounted for 85% of the 3 million people who voted in the primary.

Travis County Clerk Dana DeBeauvoir holds up a vote-by-mail ballot application at a press conference Jan. 18. “My friends, this is what voter suppression looks like,” DeBeauvoir said of issues created by the Senate Bill 1 elections law.
In the Austin-area counties, the overwhelming majority of the rejections were due to the law’s stricter ID requirement, which has caused confusion for voters since counties opened applications for absentee ballots earlier this year.

“It's typical to see ballots rejected because they're received after a statutory deadline — and we still had many ballots that were rejected for that reason — but the more prevalent cause in this case was ballots rejected for lack of the proper ID number, or ID issues," said Chris Davis, elections administrator for Williamson County.

"It led to much higher numbers than we've ever seen, in terms of rejected ballots," he said.

Mail-in ballot rejection rates in the primary election ranged from 7% to 11% in Austin-area counties, with more than 1,500 votes tossed out across Travis, Williamson, Bastrop and Caldwell counties.

Those rates far exceed previous elections. In the 2018 primary, the rejection rate for mail-in ballots in Travis County was about 2%.

Dan and Joyce Wilson, 86-year-old residents of a senior living home in Austin, say they will never try to vote by mail again after a confusing and frustrating experience in the March 1 primary.

Dan and Joyce Wilson, 86-year-old residents of a senior living home in Austin, say they will never try to vote by mail again after a confusing and frustrating experience in the March 1 primary.

The Wilsons were informed Feb. 24 that their absentee ballots were rejected because they had not listed their driver's license numbers or last four digits of their Social Security numbers on their ballot envelopes as required by SB 1.

Confusion mounted when the Wilsons tried to fix the problem online. They tried to follow the instructions to "cure" their ballots, but it took the help of a friend and volunteer to navigate the process. On election day, they called the Travis County elections office to make sure their ballots were fixed but were advised to vote in person to be certain.

The Wilsons cast provisional ballots that were later rejected because officials said they had already voted. They believe that means their mail-in ballots were counted, but they're not sure.

The couple said the 2020 election process felt more efficient, and Joyce Wilson said it felt like someone was trying to discourage them from voting this time.

Next time, Dan Wilson said, they will go to the polls even if voting in-person isn't easy for them.

"We're both 86 years old. This is not a big deal for a younger person, but it gets to be an effort for us," he said.

Last year, the GOP-controlled Legislature passed SB 1, making sweeping changes to the state's voting system, including banning drive-thru and overnight voting and empowering partisan poll watchers. The legislation requires voting assistants, who help Texans with language or physical need cast their ballots, to fill out a document listing their name, address and relationship to the voter. Assistants also have to sign an oath, under penalty of perjury, confirming that the voter is eligible for help due to a physical disability or being unable to read the ballot language.

Under the new law, Texans who vote by mail have to include their driver's license number or the last four digits of their Social Security number on the flap of the envelope containing their ballot. That number has to match the number they previously provided on their application to vote by mail.

The trouble is that voters are not required to provide both a driver's license and Social Security number when they register to vote, so the state does not have both ID numbers on file for every voter in the state. If an individual registers to vote using one form of ID and then applies for a mail-in ballot using the other number, their application would be rejected.

Republicans touted the law as essential to ensuring the integrity of elections, despite the lack of widespread evidence of voter fraud. But voting rights groups had decried the legislation as tantamount to voter suppression, warning that it would make it more difficult to cast a ballot, especially for disabled or elderly voters.

Rejection rates

Sam Taylor, spokesman for the Texas secretary of state, said county officials told the agency that the "vast majority" of mail-in ballot rejections were the result of voters failing to include any ID number on their ballot envelope.

In Travis, Williamson, Bastrop and Caldwell counties, rejection rates ranged from 7% to 11% in the most recent election. The elections administrator in Hays County, Jennifer Doinoff, did not return multiple requests for information.

Official tallies for Travis County showed 948 absentee ballots were rejected out of 11,602 turned in to the county. Victoria Hinojosa, spokeswoman for the Travis County election administrator, said 72% of the rejected ballots were cast in the Democratic primary and 28% in the Republican primary.

Hinojosa said a majority of the rejected ballots were denied due to ID issues. Originally, at least 16% of absentee ballots received by the county were rejected, but Hinojosa said that number was cut in half as voters corrected ID errors after being notified by the county of the mistake.

The new election law requires counties to contact voters who made mistakes on their ballot to let them rectify problems before election day.

By comparison, Hinojosa said, in the 2018 primary 9,000 ballots were returned and about 2% were ultimately rejected.

In Williamson County, 11.6% of mail ballot voters had their ballots rejected. That rate was slightly higher among Republican voters (260 ballots out of 1,883 at a 13% rate) than Democratic voters (261 ballots out of 2,627 ballots at a 10% rate.)

El Paso County also saw higher numbers of rejected ballots. Lisa Wise, the El Paso County elections administrator, said 725 ballots were rejected in the March primary — a steep increase from the 39 rejections in the March 2020 elections.

About 94% of the rejected absentee ballots, and 42% of the rejected applications to vote by mail, were due to the new law's ID requirements.

'A catastrophe'

Election and voting advocates who had fought against SB 1 say the rejection rates for mail-in ballots in the primary election are evidence that the new voting law's effects are as bad or worse than they feared.

"I think we were all worried about vote-by-mail requirements, but I don't think anyone expected for it to be quite this much of a catastrophe," said Anthony Gutierrez, executive director of the nonpartisan elections and democracy organization Common Cause Texas, which is a member of the Fair Maps Texas Action Committee.

The committee, which also includes the League of Women Voters of Texas and the Asian Pacific Islander American Public Affairs Association North Texas Chapter, is suing Gov. Greg Abbott and the secretary of state's office over SB 1.

Part of the problem, Gutierrez said, is that he is not seeing an earnest effort from the secretary of state to alert voters of the new changes.

"The secretary of state seemed to be doing little to nothing to educate Texans about the new requirements until the very last minute," Gutierrez said. "Counties were just given the statute and left to figure it out by themselves."

Williamson and Harris counties reported abnormally high call volumes in the weeks leading up to the primary election as staff tried to assist voters who were confused by the new law's requirements and changes to the vote-by-mail process.

The flood of calls from voters also came as county election offices were scrambling to alert voters about the issues with their mail-in ballots, as well as learn about and implement all of the other changes included in SB 1, which took effect Dec. 2.

Davis said staff working at the elections office in Williamson County fielded numerous calls from frustrated voters.

“We never really know if the bad actors or folks that wanted to fraudulently apply for or submit ballots by mail have been successfully dissuaded by this, but the things that are measurable to us, and are knowable, are just the increased workload,” Davis said, adding that training materials from the secretary of state's office were made available to counties after the application period for mail-in ballots had begun and after early voting was underway.

"We're used to having all of our plans and preparations and logistics already laid out, mapped out weeks if not months before an election, and it was not at all that case for this election," he said. "It was not unlike working on an engine of a plane that's in midflight."

Taylor said the secretary of state's office devoted significant resources toward educating voters on the law's new mail-in ballot ID requirements.

"We are confident we will have all the information we need to apply any lessons learned during the primary to an even more robust voter education campaign heading into the November general election," he said in a statement.

Official tallies for Travis County show 948 absentee ballots were rejected out of 11,602 turned in to the county for the March 1 primary.
More:At SXSW, Texas Democrats who broke quorum say their goal was 'bigger than Texas'

Voter disenfranchisement
Debbi Voss, vice president of the Austin chapter of the League of Women Voters, said the new law’s changes to mail-in ballots disproportionately affected elderly voters and people with disabilities, who are some of the only people who qualify to vote by mail under the state's eligibility requirements.

Voss says the number of calls to the Austin chapter for voting help escalated in January and rose to as many as six to eight calls per day in February. She found many voters were confused by the new requirement to put either a driver's license number or Social Security digits on the flap of the envelope, with some complaining that there were multiple envelopes with their ballot.

Voss recommended that voters who don’t remember which ID number they used on their vote-by-mail application to put both on their mail-in ballot to ensure it is not rejected.

“We shouldn’t need an advanced degree to be able to apply to get a ballot by mail," she said. "It’s ridiculous."

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US Appeals Court Backs Texas In 3 Lawsuits Challenging Voting Laws
By Chuck Lindell
Austin American Statesman

A federal appeals court has ruled for Texas in three lawsuits challenging the state's voting laws, including mail-in ballot provisions and the elimination of straight-ticket voting.aaa

In a series of 2-1 rulings Wednesday evening, a panel of the 5th U.S. Circuit Court of Appeals ruled that the lawsuits by civil rights groups, political organizations and voters targeted the wrong state agency — the Texas secretary of state's office — when they sought to overturn a string of voting laws and practices.

Because the secretary of state is not in charge of enforcing the challenged laws, the agency is protected by sovereign immunity in all three lawsuits, said the opinions written by Judge Stuart Kyle Duncan and joined by Judge Don Willett.

Judge Patrick Higginbotham dissented in all three cases, writing that he believed the majority was splitting hairs by narrowly interpreting which state officers enforce election laws.

The secretary of state is the chief election officer of Texas who is charged by law with protecting the voting rights of Texans "from abuse by the authorities administering the state’s electoral processes,” Higginbotham wrote.

"The allegation in these cases is that the Secretary is failing in that duty. This charge should satisfy our ... inquiry," he said.

All three judges were appointed by Republicans — Duncan and Willett by President Donald Trump and Higginbotham by President Ronald Reagan.

The three lawsuits ruled on Wednesday were:

• A challenge by the Texas Alliance for Retired Americans and two national Democratic organizations sought to overturn a 2017 law that ended straight-ticket voting, also known as one-punch voting because it lets voters select all candidates of a particular political party in one step.

Nation & World
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A state district judge barred enforcement of the law, ruling in September 2020 that the change unconstitutionally burdened the right to vote.

The 5th Circuit Court blocked enforcement of the injunction until the appeal was decided, ending straight-ticket voting for the 2020 presidential election and leading to Wednesday's ruling that formally vacated the injunction.

• A lawsuit by the NAACP and Texas Alliance for Retired Americans sought to block mail-in ballot regulations that require voters to pay for postage and mandate that ballots be postmarked by 7 p.m. on Election Day and received by 5 p.m. on the next day.

The lawsuit also challenged signature-matching requirements and a law that makes it a crime to possess another voter's mail ballot.

Texas lawyers moved to dismiss the lawsuit and the trial judge declined, leading state officials to appeal.

• A lawsuit by groups including the League of Women Voters of Texas and the Coalition of Texans with Disabilities challenged the process of verifying mail-in ballots by ensuring that the voter's signature on the outside envelope matches the signature on the vote-by-mail application.

A trial judge granted a detailed injunction limiting the practice in September 2020, but again the 5th Circuit Court stepped in to halt the injunction until the appeal was decided. Wednesday's ruling vacated the injunction.

In the three rulings, the majority said the lawsuits mistakenly targeted the secretary of state's office when county election officials are in charge of enforcing the challenged election law provisions.

Duncan also rejected arguments that the agency could be sued under state laws charging the secretary of state with protecting voting rights from abuse. "Such general duties under the Texas Election Code fail to make the Secretary the enforcer of specific election code provisions," he wrote.

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Texas Warns Firms They Could Lose State Contracts For Divesting From Fossil Fuels
By Emily Hernandez
Texas Tribune

Texas Comptroller Glenn Hegar sent letters to 19 financial firms Wednesday afternoon to determine whether they were violating a new state law that prohibits companies from “boycotting” fossil fuel companies.

Senate Bill 13, which went into effect in September, prohibits the state from contracting with or investing in companies that divest from oil, natural gas and coal companies. The law defines divestment as refusing to do business with a fossil fuel company because that company does not commit to environmental standards higher than expected by federal and state law.

Firms that received a letter include U.S.-based companies, like JPMorgan Chase & Co. and Wells Fargo & Company, and foreign companies like Jupiter Fund Management PLC and Sumitomo Mitsui Trust Holdings, Inc.

JPMorgan Chase & Co. and Man Group PLC declined to comment for this story. Other companies Hegar contacted — BlackRock, Inc.; NatWest Group PLC — did not respond to The Texas Tribune's requests for comment.

"Our research thus far shows that some companies are telling us and other energy-producing states one thing, and then turning around and telling their liberal clients in other states another thing," Hegar said in a press release Wednesday. "On one hand, they push net-zero and other environmental, social and governance (ESG) policies and use their influence and the dollars under their management to limit access to capital for Texas oil and gas firms. Then these same firms tell Texas and other energy states that they're committed to the fossil fuel sector."

Hegar's office is working to compile a list of companies that "boycott" fossil fuel energy. In the letters, his office asks each company whether it has policies on environmental standards that go beyond state and federal requirements and how those are enforced. It also requires the company to list mutual funds or exchange-traded funds that limit or don't allow investment in fossil fuels.

In the press release, he said his office plans to send more than 100 additional letters.

If the companies do not respond to the comptroller's letter within 60 days, they will be presumed to be boycotting fossil fuel companies. Any companies on the comptroller's list could see existing contracts with Texas governmental entities canceled and could face Texas pension funds divesting from them.

While many companies and governments have attempted to divest from fossil fuel-based energy in response to the growing climate crisis and effects of fossil fuels on global warming, Texas GOP lawmakers are doing the opposite.

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Texas Officials Identify Companies That May Run Afoul Of New Law Against 'Boycotting' Fossil Fuels
By Allie Morris and Alexandra Skores
Dallas Morning News

Texas has identified 19 major financial firms that may be in violation of a new state law that punishes companies for divesting from fossil fuel holdings.

On Wednesday, Comptroller Glenn Hegar wrote to the companies — which include JPMorgan Chase, BlackRock and Wells Fargo & Company — demanding more information about their investment strategies for oil, natural gas and coal. Under the new law, companies that "boycott" the fossil fuel industry risk losing state contracts and investments from Texas pension funds.

"This is the wrong time to cut back on our investment in the vital fossil fuel industry, which has helped define our state's success for more than 100 years," Hegar, a two-term Republican, said in a statement. "Texas won't sit idly by while Washington and Wall Street peddle a fairy tale that has real negative consequences for the Texas economy, our energy independence and our national security."

Universities, foundations and public pension funds across the country have begun shifting away from fossil fuels in response to the growing threat of climate change. Not Texas.

Last year, the GOP-led Legislature enacted a law that bars the state from contracting with firms that limit business with the fossil fuel industry. The policy also calls for pension funds, such as the state employees and teacher retirement systems, to divest from companies that cut ties with oil and gas, so long as the moves won't cause financial harm.

Hegar's office is tasked with compiling the list of prohibited companies. The firms he contacted on Wednesday must respond within 61 days or they will be "presumed to be boycotting energy companies," according to copies of the letters obtained by The Dallas Morning News.

The firms, based worldwide, include BNP Paribas, Credit Suisse Group, HSBC Holdings and UBS Group, which has a Dallas office space located in Hotel Crescent Court. The companies did not immediately respond to a request for comment. JP Morgan Chase and London-based Man Group PLC, an investment management firm that is also listed, declined to comment.

Hegar's letter asks the firms whether they have "pledged to meet environmental standards beyond applicable federal or state law" and if they have written policies restricting investments in energy companies.

Another round of letters will soon go out to 100 other publicly traded investment companies, according to the comptroller's office.

It remains to be seen whether any will be blacklisted or what the financial impact could be.

While Texas lawmakers have tried to steer corporate policy with the state's pocketbook before — by barring contracts with companies that boycott Israel or do business with Iran — the latest efforts are far more expansive.

Last session, lawmakers also blocked state and local governments from contracting with companies that restrict their business with the firearms industry. As a result of that change, several large banks have been shut out of underwriting municipal-bond deals in Texas, according to Bloomberg.

State leaders are already weighing in on the companies they want barred from doing business in Texas because of their stances on fossil fuels.

In January, Lt. Gov. Dan Patrick, who championed the bill last session, pressed Hegar to put BlackRock "at the top of the list" after CEO Larry Fink advocated an investment strategy focused on climate change and sustainability. But the New York-based investment manager has since assured Texas officials it will "continue to invest in and support fossil fuel companies," according to CBS News.

BlackRock did not immediately return a request for comment on Wednesday.

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State News

Texas Republicans Hammer Citi's Abortion Policy, Calling It A 'Woke' Company In A Pro-Life State
Dallas Morning News

Citigroup Inc. may have found a way of doing business in Texas while addressing one of the state's hottest cultural divides.

Buried in a filing released Tuesday night, the bank disclosed it will now cover travel costs for employees seeking an abortion after several states including Texas implemented or proposed a near-total ban on the procedure. The New York-based bank will pay expenses, such as airfare and lodging, that employees may incur if forced to leave a state for an abortion.

Under Jane Fraser, who rose to become the bank's chief executive officer a year ago, Citi is wading into the conflict over abortion rights just as some of the largest banks and asset managers in the U.S. accelerate a flight from the coasts, drawn to Texas and elsewhere by lower taxes, lighter regulation and warmer weather.

Reaction from Texas Republicans was swift.

"The 'travel benefits' offered by Citigroup is nothing more than a PR stunt by a 'woke' company to support a culture of death," George P. Bush, the Texas land commissioner

running for the Republican nomination for attorney general, said by email Wednesday. “Texas is a pro-life state, and if elected Attorney General, I will hold actors who attempt to find loopholes in our laws accountable.”

Matt Rinaldi, chairman of the Republican Party of Texas, said “Citigroup’s decision to finance the murder of unborn children with a heartbeat is appalling, but not surprising, considering its past adoption of far-left causes.” He encouraged Republicans to “avoid entrusting their finances with Citibank and other companies that are hostile to them and their values.”

Texas Governor Greg Abbott signed legislation last year that banned abortion after a fetal heartbeat is detected, which can occur as early as six weeks after conception. Under the law, individuals can sue doctors, clinic workers and others who help a woman end an unwanted pregnancy past the cutoff date.

Abbott declined to comment on Citi’s move and the press office for state Attorney General Ken Paxton didn’t respond to a request for comment.

The biggest names in Wall Street and tech continue to expand in the world’s eighth-largest economy. Fearing political backlash, many have stayed silent amid the stream of laws enacted by Abbott, including banning mask mandates, tightened voting rules, and, most recently, classifying some medical and surgical care for transgender kids as child abuse.

Indeed, banks operating in Texas were mostly quiet on Citi’s move. JPMorgan Chase & Co. didn’t have an immediate comment. Bank of America Corp., Goldman Sachs Group Inc. and Morgan Stanley all didn’t respond to requests seeking comment. Some of the state’s biggest employers — American Airlines Group Inc., Southwest Airlines Co., Exxon Mobil Corp., Halliburton Co., AT&T Inc. and Toyota Motor Corp. — didn’t immediately respond to requests for comment.

“We do not have a travel benefit for abortion services at this time,” a spokesperson for Wells Fargo & Co. said.

Citi’s policy presents plenty of murky legal issues. Columbia University law professor Carol Sanger said the bank will be opening itself and its human resources employees up to “aiding and abetting” liability under the Texas law. She said the bank may be gambling it won’t get sued “because nobody has been sued yet” under the statute’s enabling provision.

“This is such an outrageous law that they may have decided they’ll make their play, potentially take their lumps,” Sanger said. “The essence of the law hasn’t been decided yet.”

Josh Blackman, a law professor at South Texas School of Law, said Citi’s attorneys may have decided the risk of liability is so low and the cost of travel so insignificant, they’re

willing to take that risk. “The bank’s liability is unclear. I’m not certain someone would even have the ability to sue just because Citi paid for an employee’s travel. It’s not clear that would work.”

Some CEOs have tried to openly navigate the culture wars as they strive to retain talent. Match Group Inc. CEO Shar Dubey, whose Dallas-based company owns some of the biggest dating apps, said last year she was creating a fund to help cover the costs for employees and dependents who need to seek care outside the state. Lyft Inc. and Uber Technologies Inc. pledged to pay legal fees for drivers sued under the Texas law.

Salesforce CEO Marc Benioff said in September the company would offer assistance to employees who wanted to leave Texas in response to the anti-abortion law. On March 12, dozens of companies including Apple Inc., Alphabet Inc.’s Google, Dow Inc. and Johnson & Johnson, took out an ad in the Dallas Morning News urging the state to scrap Abbott’s order on transgender kids.

Investor advocates have been pressuring publicly traded companies to counter the push by Texas and other Republican-led states to enact measures focused on abortion, voting rights and LGBTQ issues. Shelley Alpern, director of shareholder advocacy at Rhia Ventures, a private-equity firm that focuses on reproductive health, said Citi’s move ratchets up the pressure on Texas.

“It’s a real breakthrough moment because there have been a handful of other companies that have announced similar policies but none so far have Citi’s stature,” said Alpern. “So it really helps set a new standard and I’m confident that other companies will follow.”

Women’s rights groups were lukewarm on Citi’s move. “While I think this is wonderful, it’s not enough, they can do so much more,” said Aimee Arrambide, an executive director at abortion care advocacy group Avow.

Businesses continue to come to Texas in droves. In the last year, Tesla Inc. broke ground on a pickup-truck factory in Austin and moved its headquarters to the state capital along with Oracle Corp. Samsung Electronics Co. announced it’s building a $17 billion semiconductor plant outside of Austin.

Goldman plans to build a new office campus in Dallas that may become the bank’s largest presence in the U.S. outside its Manhattan headquarters. Charles Schwab Corp. left San Francisco for the affluent Dallas suburb of Westlake, where Fidelity has a campus. Vanguard plans to open a new office in Plano this May.

Citi is working on reviving its underwriting business in the state after a law barred local governments from working with companies that discriminate against firearm entities prompted the firm to suspend its municipal-debt underwriting there for several months. It returned to the market in December.

Keith Wolf, a managing director at recruitment firm Murray Resources in Houston, said Citi could have made a bigger impact if it made a public announcement rather than disclosing the move in a filing. “I imagine it would be a selling point for a group of job seekers.”

Wolf said he hasn’t seen any slowdown in talent moving to Texas.

“These types of issues are very important but it doesn’t mean they will just leave the state because overall it’s a great place to live,” Wolf said. “While some of these issues are a big concern for people, it’s not as easy as getting up and leaving.”

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Education

Jury Awards Professor $3 Million In Pregnancy And Sex Discrimination Suit Against UT-Austin
By Kate McGee
Texas Tribune

A federal jury has awarded a University of Texas at Austin engineering professor $3 million after finding the school discriminated against her based on her sex and the fact she was pregnant prior to being considered for tenure.

Evdokia Nikolova, who still works at the university as an assistant professor in the electrical and computer engineering department, was awarded $1 million for past pain and suffering and $2 million in future damages, plus $50,000 in back pay and benefits last week by a federal jury in Austin. The judge in the case must still approve the verdict.

Nikolova applied for tenure during the 2018-2019 academic year after working nearly five years at UT-Austin and two years at Texas A&M University. In her lawsuit, she stated she had been told that her teaching experience at Texas A&M could be counted toward her total time as a professor, which is not UT-Austin policy.

Despite Nikolova being unanimously approved for tenure by the Cockrell School of Engineering, Sharon Wood — the current UT-Austin provost and former dean of the engineering school — denied the tenure request arguing that Nikolova did not have requisite years of teaching to be considered for it.

Tenure requests typically occur after a professor has taught for seven years. Wood pointed out that Nikolova had taken a “probationary extension” and “modified instructional duty” for pregnancy and childbirth during the 2015-2016 year and therefore was making the request too early.

Probationary extensions allow male and female assistant professors who have a new child an additional year during tenure review period. Professors who have a new child or adopt

a child can take modified instructional duty, which allows them to not teach for a semester.

“[I]f this were an up-or-out case, I would likely agree with the recommendation of the Promotion and Tenure committee. However, Dr. Nikolova is being considered for promotion at UT Austin two years early.”

An up-and-out policy, with specifics that can vary by institution, is when a person is required to be considered for tenure and it is either awarded the distinction or the professor is removed.

Nikolova filed the suit against UT-Austin in 2019.

Bob Schmidt, a lawyer for Nikolova, said he is pleased the jury sided with his client.

“Discrimination against women and mothers is still real in our society in general,” Schmidt said. “If discrimination goes unchecked, if it's just allowed to be looked over at UT-Austin — which is one of our state's most powerful, big institutions and universities — then it can happen anywhere.”

UT-Austin did not respond to The Texas Tribune’s request for comment.

In a statement to the publication Inside Higher Ed, the university said it will “continue to examine ways to improve our processes and will implement any required steps to comply with the verdict.” In court documents, the university denied it treated Nikolova unfairly.

It is not clear if UT-Austin will appeal the decision.

Nikolova’s suit pointed out that in the period since she first interviewed at the university, nine male professors had received tenure while both women, including her, who went up for tenure in the same time period were denied.

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Immigration/Border Security

Expansion Of Operation Lone Star At Texas Border Proceeding Despite Civil Rights Groups’ Concerns
By Maria Ramos Pacheco
Dallas Morning News

Texas is expanding an effort to arrest migrants on trespassing charges to three more counties near the U.S.-Mexico border, despite criticism from civil rights groups that migrants are held without access to legal counsel for weeks.

A year after launching Operation Lone Star, Governor Greg Abbott announced on March 10 that criminal trespass arrests under the initiative will be expanded into Webb, Brooks and Jim Hogg counties.

Last March, Abbott sent state troopers and Texas National Guard members to the U.S-Mexico border as part of his plan to help stop illegal migration. In July, officials began arresting migrants for trespassing on private property in seven counties. As part of the operation, these immigrants were sent to state prisons in Frio and Hidalgo counties, close to the border.

Federal officials, the only members of law enforcement authorized to arrest and detain immigrants without proper documentation, have seen an uptick in illegal border crossings.

Customs and Border Protection reported more than 1.1 million encounters on the Southern border during the 2021 fiscal year. During the current fiscal year, CBP reports 579,873 encounters with people illegally crossing. The same individual can try to cross the border multiple times and each one would be counted as a new encounter under current federal procedures.

In expanding Operation Lone Star, Abbott blamed the Biden administration for what he said was a failure to "secure the border and invite illegal immigration."

"If the Biden administration was doing their job to secure the border because they are not, Texas is having to step up," said Abbott during the roundtable in Weslaco earlier this month.

The operation has resulted in roughly 3,000 arrests since July 2021, with those arrested being taken to the Briscoe and Segovia state prisons.

As of March 15, 831 migrants were in custody in the Briscoe and Segovia units. Usually, they remain detained an average of 48 days, according to the Texas Department of Criminal Justice.

Expansion

"Because we had an influx of noncitizens coming into the community, and we have limited law enforcement so, in order to keep our community safe, I requested additional help from the state of Texas," said Judge Juan Carlos Guerra from Jim Hogg County. "Because the people that were coming into our community were people that could harm our citizens."

The governor's office allocated $3.4 million in funding for Operation Lone Star in Jim Hogg County in January 2022, according to a press release sent by Judge Guerra from this county. Authorities have already arrested at least 60 immigrants in the county and opened a new processing center there in February.

“The facility can house up to 96 noncitizens or individuals that have broken the law when it comes to border security. Because this is not only the individual that’s a noncitizen, this is also for the individual that’s bringing the noncitizens and doing the human trafficking,” said Guerra.

He also mentioned that people arrested will only be held at that facility for 24 hours and then transferred to either the Segovia or Briscoe unit.

“We welcome the Operation Lone Star into our community because this is about safety and security. We will work with the Office of the Governor to make sure that our community is safe,” added Guerra.

In December 2021, ACLU of Texas, Texas Civil Rights Project and Texas Fair Defense Project, with the support of over 100 organizations, jointly filed a Title VI discrimination complaint with the U.S. Department of Justice (DOJ) to investigate and end Abbott’s initiative.

“In the absence of federal intervention, Texas’ racist and xenophobic migrant arrest program is flourishing — and expanding,” said Kate Huddleston, staff attorney at the ACLU of Texas. “For months, the state of Texas has deliberately targeted Black and Brown migrants for arrest and punishment, in a separate criminal system rife with civil rights abuses.

“Nearly all of those arrested to date are Latinx or Black. As detailed in the Title VI complaint, analysis of arrest affidavits under the Operation show acute racial disparities and racially biased policing. Officers repeatedly describe potential arrestees as ‘undocumented migrants,’ a label that appears to be based solely on race and on the presumption that Latino men, in particular, are necessarily undocumented and should be targeted for arrest under the Operation,” said the letter sent to DOJ.

After the announcement of the opening of the new processing center in Jim Hogg County, the ACLU sent a supplemental letter to the DOJ asking again for an investigation into the arrest program.

The operation will soon grow to Webb County, where Laredo is located, and Brooks County, a rural community 80 miles north of the border, Department of Public Safety Director Steve McCraw told senators at a recent border security hearing. A start date has not been announced.

“I believe that the additional law enforcement presence that Operation Lone Star will bring into our jurisdiction will increase the number of criminal offenses associated with the illegal migration in the same way that putting additional officers out on a driving while intoxicated (DWI) weekend task force will generate more DWI arrests,” said via email Brooks County District Attorney Carlos Garcia.

Authorities in Webb County did not respond to a request for comment.

The state Legislature has pumped $2.8 billion into the border initiative, despite criticisms from civil rights groups, that migrants are being detained for months without access to lawyers because of the location of these facilities.

The geography in a state with over 1,200 miles of border with Mexico has also proven a challenge. While migrants have primarily been arrested in Val Verde and Kinney Counties, they are sent hours away to detention facilities in Frio and Hidalgo Counties.

“If you were just arrested for criminal trespass and taken it to a local county jail, you would be arrested and provided an opportunity for a bond which can be low. You pay your cash bond, and you are released, but if you are transferred miles away to a prison, how do you find out what’s happening with your case?” said Eric Cedillo, an attorney and professor of law at SMU Dedman School of Law.

According to TCDJ, detainees are provided two five-minute calls during the intake process. They are also provided with one free 10-minute call per week utilizing the Offender Telephone System. Individuals also are allowed to have free calls or video conferences with their attorneys. They can mail and receive letters.

Recruiting attorneys to take the migrants’ cases remains a problem, according to Megan LaVoie, Administrative Director of the state’s Office of Court Administration.

Flooded System
At the hearing, state officials conceded the rollout was rocky as arrests flooded local criminal justice systems but said they are putting judges and lawyers in place to handle the expansion.

“Simply put, it’s capacity,” McCraw said at the hearing. “It’s got to be more troopers, but more prosecutorial capacity, more detention capacity, more indigent counsel capacity as well. All of those things have to be built into it…otherwise, you’re going to get into situations where there’s too many to handle in a timely manner.”

Still, in Kinney County – which processed just 16 misdemeanor cases in 2020 – there are roughly 1,000 outstanding Operation Lone Star cases, according to LaVoie.

“It’s a big backlog that they have there,” she told the senators. “But I do think they’re making progress.”

“Well progress is pretty relative,” said Sen. Juan “Chuy” Hinojosa, D-McAllen. “We don’t have a way to measure the metrics of how many cases are still pending and people are sitting there in jail because they’ve not gotten the proper representation.”

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Transportation

RMA Picks Elon Musk's Boring Co. For Airport-To-Downtown Loop Project
By Eric Killelea
San Antonio Express News

The Alamo Regional Mobility Authority on Wednesday moved forward with the Boring Co.'s plan to build a loop of tunnels to shuttle visitors in Teslas between San Antonio International Airport and downtown.

RMA board members voted 5-0 to negotiate a development deal with the tunneling company backed by SpaceX and Tesla CEO Elon Musk. The system could include a leg linking the Convention Center to the Pearl mixed-use development on Broadway.

The Boring Co.'s proposal beat a competing plan from Bexar Automated Transport, a consortium of out-of-state tunneling, construction and software companies.

"This is not to take any other action other than to enter into negotiations," said RMA Chairman Michael Lynd Jr., CEO of Kairoi Residential.

The airport-to-downtown loop's estimated cost would be between $247 million and $289 million. A document provided by RMA staff Wednesday referred to the organization providing revenue bond financing for the project.

Alamo Regional Mobility Authority Chairman Michael J. Lynd, Jr., speaks during discussion at a Alamo RMA board meeting held at the Bexar County Public Works Department in San Antonio, Texas, on March 16, 2022. The RMA board voted to begin negotiations with Elon Musk's Boring Co. regarding a transportation project aiming to carry passengers between San Antonio International Airport and downtown.
Alamo Regional Mobility Authority Chairman Michael J. Lynd, Jr., speaks during discussion at a Alamo RMA board meeting held at the Bexar County Public Works Department in San Antonio, Texas, on March 16, 2022. The RMA board voted to begin negotiations with Elon Musk's Boring Co. regarding a transportation project aiming to carry passengers between San Antonio International Airport and downtown.

Josie Norris / San Antonio Express-News
Revenue bonds are repaid with money generated by the enterprise for which the debt was issued.

"We use our capacity to issue bonds to support the project and then pay for it, essentially," Lynd said. "And then the revenue stream comes back, pays the services of those bonds ... and then split based on whatever we as a board decide is a fair split for us."

The Boring Co. estimated generating $25 million in annual revenue for the RMA, which would seek a ridership and revenue study in preparation of bond financing.

It’s unclear how much in bond financing the authority would provide.

The staff-written document also noted that the Boring Co. would be willing to finance between $27 million and $45 million for the first phase of construction.

The RMA — whose members are appointed by Bexar County commissioners and its chair by Gov. Greg Abbott — has refused to release the Boring Co.’s and BAT’s full plans.

Two RMA members missed Wednesday’s vote.

The board’s selection of Austin-based Boring came two weeks after Lynd selected three board members, including himself, and staff to hold private interviews with the company and BAT. Four board members would’ve represented a quorum, which would have made the interviews open to the public.

The Boring Co. said it could begin construction in 12 months, complete the first phase in 18 months and finish the entire project in 36 months, according to Bexar County Engineer Renee Green, who also serves as the RMA’s director of engineering and operations. The company could operate and maintain the transportation loop under a lease agreement.

Founded in 2016, Boring has built two testing projects in Hawthorne, Calif. In June, the tunnel-maker launched its 1.7-mile, three-station transportation loop beneath the Las Vegas Convention Center, at a cost to taxpayers of $52.5 million.

In October, it won approval from Las Vegas officials to move ahead with building the “Vegas Loop,” a proposed 29-mile tunnel to carry tourists between the Las Vegas Strip, Allegiant Stadium, the convention center and Harry Reid International Airport. The company is also looking to build projects in other cities, including Miami and Fort Lauderdale, Fla.

But Boring has a history of canceled or unfinished projects.

In April, the company removed plans from its website to build tunnels in Los Angeles and Washington, D.C., that it announced in 2018 and 2017, respectively. The initial excitement over the projects fizzled out amid federal environmental reviews.

In 2018, Chicago’s then-mayor, Rahm Emanuel, began negotiating with the company after the city tapped it to build a series of tunnels, but the plans went nowhere.

In San Antonio, it’s not difficult for visitors to travel the 9.6 miles between the airport and downtown. Visitors routinely take rental cars, taxis, Lyfts or Ubers. In moderate traffic, the trip take about 15 minutes, mostly on U.S. 281.

The Bexar County-created RMA, which relies largely on vehicle registration fees, has been searching for moneymaking endeavors in recent years.

Its board solicited proposals in October 2019 from public and private groups for "new delivery methods for transportation projects" and "development of new revenue sources," according to a staff presentation.

Boring pitched the tunneling idea last July.

After staff reviewed the proposal, the RMA formally asked contractors to turn their focus to submitting plans for "a transportation project that can efficiently and economically transport people between the general vicinity of the San Antonio International Airport and the downtown area."

The RMA received five proposals by the Dec. 1 deadline, and the board named the finalists in January.

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Buttigieg Thinks High-Speed Rail Would Be Good For Texas, Wants Highway Expansions To Consider Neighborhood Impacts
By Joshua Fechter
Texas Tribune

In car-friendly Texas, getting a major high-speed rail project off of the ground is almost impossible. For years, attempts to build a commuter rail line between Austin and San Antonio have faltered. The state's lawyers are in court trying to kill a proposed line between Dallas and Houston.

But as more people flock to the state and its metro areas swell, Texas could benefit from robust passenger rail, U.S. Transportation Secretary Pete Buttigieg said Wednesday.

"There's no reason that quality, speedy train service should only be something in the Northeast," Buttigieg said in an interview with The Texas Tribune.

Buttigieg swung through Texas this week to tout the $565 billion infrastructure bill passed last year — touring Austin's local commuter rail system with Mayor Steve Adler and making an appearance at the South by Southwest festival.

Out of the infrastructure bill, Texas is slated to get more than $27 billion for roads and bridges, $3.4 billion for public transportation, $1.2 billion for airports and more than $400 million to install chargers for electric vehicles.

Buttigieg sat down with the Tribune for an interview touching on highway expansion, high-speed rail and other transportation topics.

The infrastructure bill contains $1 billion intended to reconnect communities divided by highways. Are the Texas Department of Transportation's plans to expand Interstate 35 in conflict with that?

There are two things I see in particular with regard to 35. One, a very interesting local vision about capping part of it, which can help reconnect areas that were divided from each other and create that rarest of things which is brand-new land in an important part of the city. The second thing is the vision for expansion. And there what I hope will unfold is a way to do it that is mindful of the long-run consequences and opportunities and encourages not just single-occupancy vehicles but shared-use transit, all the different things that need to be part of a healthy transportation mix.

Traffic on Interstate 35 on May 11, 2020.
Vehicles travel along Interstate 35 in Austin in 2020. Credit: Eddie Gaspar/The Texas Tribune
Do you see Texas wanting to tap those dollars for community reconnection or do you see more interest coming from cities?

I think there's more excitement and interest for it at the local level. But if there's a really forward-leaning, forward-looking state that wants to be an applicant, we welcome that conversation.

But is the infrastructure bill in conflict with itself if you have the billion dollars to reconnect communities but also money that helps state transportation departments expand existing highways?

Look, there will always be places, especially high-growth places, where expansions are called for. The important thing for us is to try to encourage that, when that happens, it's done in a way that minimizes environmental and community impacts. And that really leads into what the future of transportation will look like, instead of just copying the past over and over again.

Is an expansion of I-35's footprint warranted?

Ultimately, that's a state decision, not ours, and we respect that division of powers. But what I'll also say is that anytime an expansion is contemplated, we really want to work with the state on finding ways to make sure that it's part of the bigger picture that is inclusive and forward-leaning.
Before the infrastructure bill passed, Gov. Greg Abbott was among 16 Republican governors who warned Congress not to bar funds from being used for highway expansion, arguing that doing so would harm "future prosperity" and "be biased against rural states and states with growing populations." Is that an outmoded way of thinking or are they right about that?

It would certainly be a mistake to suppose that highway expansions equals economic growth in all cases or to imagine that highway expansion automatically equals less

congestion, just because experience and data have sometimes shown otherwise. So again, we're trying not to be unreasonably prescriptive about this, and the law gives a lot of discretion to states. But we are trying to make clear our policy goals and our view that maintaining what you've already got is a very important part of what any agency should be — and so is climate and so is the community impact of what you're proposing to do.

You're starting to see communities — Houston, Austin and Dallas — that are looking at the displacement legacies of these highways and contemplating their futures. Do you see TxDOT as standing in the way of some of those discussions to reconnect communities?

It's always good for states and local communities to be listening to each other. And I want to encourage that to happen more in everything. And I certainly think that's been an important part of what there's been a call for in the case of Houston and I-45, for example, just for TxDOT and communities to be engaging in a way that can lead to a positive place and, hopefully, even consensus. Now, there's also of course an enforcement investigation going on there. I can't speak to that while it's underway. But I think those things are part of what can arise when a community feels that it needs to take that step in order to assert its rights.

Obviously, Texas is very car-friendly and car-dependent. How do you break the hold that cars and highways have in Texas?

Sometimes we take our land use as a given. And then we say, "Well, here's how the land's laid out. So the only way to get where you need to be is with a car." But actually these are the results of choices. And if we create more options, not just more transportation options directly, but more options in terms of how our housing communities are built up like … that creates more ways for people to not have to bring two tons of metal along with them everywhere they go. So it's really all of the above. It's the planning and the design at the community level. And it's the design of the transportation system itself.

We're definitely going to have cars and trucks be a very important part of our lives for the foreseeable future. So it's also just making sure we reduce their environmental impact through things like electric vehicles, which we're pushing in a very big way in Texas.

Are calls for different options in how we move around going to have to come from cities rather than the state?

I think the cities are leading the way. But I'll also add that I think as rural residents see the benefits of going electric, they will be among those who have the most to gain as you see these pickup trucks, for example, becoming more affordable. It's rural drivers who cover the longest distances, which means they burn the most gas or diesel, which means they would save the most money if they could afford and use an EV.

That's why we're trying to make them easier to use and more affordable for everybody. Our proposals would take a $40,000, U.S.-made pickup truck and bring it into the high

20s if those tax credits went through. That would mean a lot of rural Texans in some of the reddest counties in the state — who I'm pretty sure like saving money just as much as somebody who lives in the heart of Austin — really respond and see how they're better off.

There's a project in San Antonio where they were going to make their main street more friendly to cyclists and pedestrians while reducing the number of car lanes. TxDOT threw a wrench in the project. What conversations do you have with TxDOT to make them more amenable to projects like that?

When TxDOT's at the table with me, a big concern and interest of theirs is flexibility and naturally as a state agency they want the flexibility to take federal dollars and use them in ways that they think makes sense. I would encourage them to work with cities and communities on the same terms and think about the flexibility that will allow local decisions to go forward in a way that benefits everybody. I do think ultimately it's from the ground up that you see the most energy and some of the most creative ideas.

Given the greenhouse gas emissions that come from the transportation sector, why is the federal government still in highway construction?

Look, highways and driving are an extremely important part of the American economy and the American transportation system. That's going to be true for the foreseeable future. That's why it's so important for us, not just to create alternatives to single-occupancy cars, which we're doing, but to make sure that driving is greener, and that's where the EVs come in, why it's so important. We've got to do all of these things at once. I think we can move to a much greener future without having to believe anything unrealistic about the future, how we get around. We're not going to be zipping around and flying drones or anything like that anytime soon. So we need to work with the system we have but also push it as fast as we can.

Do you see high-speed rail happening in Texas? Major rail projects have a hard time getting off the ground here. For example, the state is arguing in court that a proposed rail project between Dallas and Houston can't use eminent domain to build its system. How do you feel about the progression here?

I'll take care not to weigh in on things that are actively happening legally, or in terms of a … process right now. But let me say this, I actually think Texas as a geography is a great candidate for high-speed rail because what you have are major population centers that are part of the same overall economic region but are also independent. They're a certain distance from each other that discourages routinely driving between them, but could be covered on an almost daily basis if there is a convenient, fast, easy option to do so. I think that's the appeal — certainly the vision — for Texas high-speed rail, including the current project.

When you look at the story of Project Connect [Austin's $7 billion voter-backed transit plan that includes light rail and a subway line], you could argue that you start the clock in

2000, it takes 20 years before the political will, the leadership, the coalitions are right for it to happen. But it happens. So yes, it's taken longer than people hope. Yes, it's got a long way to go. But I would definitely not write off Texas as a very promising place for quality passenger rail.

There's no reason that quality speedy train service should only be something in the Northeast. This is a great place for those kinds of deployments.

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Environment

Wildfire Conditions On Thursday 'Pose A Threat To Public Safety' For The San Antonio Region, Forest Service Says
By Timothy Fanning
San Antonio Express News

There is the potential for wildfires Thursday along the Interstate 35 corridor, including the San Antonio and Austin regions, due to "extremely critical fire weather conditions," the Texas A&M Forest Service said in a news release.

An abundance of dry dormant grass coupled with dry conditions have the potential to fuel large fires that will be difficult to control and "pose a threat to public safety," the forest service said. The potential for wildfire activity is expected to last through the weekend along and west of I-35 and into South Texas.

According to the National Weather Service, the San Antonio area is in a high fire danger zone until Sunday, citing dry weather and gusty winds forecasted for South Central Texas. The Hill Country will be under a fire weather watch from 1 to 10 p.m. Thursday.

Weather officials caution residents to avoid actions that could cause a fire to spread outdoors, such as improperly disposing of cigarettes or parking cars on grass.

On Tuesday, Gov. Greg Abbott directed the Texas Division of Emergency Management to mobilize state resources. Those resources include six strike teams from the Texas Intrastate Fire Mutual Aid System, which includes about 150 firefighters and 30 fire engines.

Texans are encouraged to make evacuation preparations for potential wildfire activity this weekend. Officials are urging residents to look for multiple evacuation routes in case one is compromised by heavy smoke.

Assemble a go-kit that can be grabbed easily and includes the following items: prescription medications or other necessary medical equipment; papers and important documents such as insurance and identification documents; personal needs including

food, water, clothing, money, and a first aid kit; priceless items such as photos, family heirlooms, and any other irreplaceable or valuable items.

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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 occured 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 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 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

'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 appelate 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 accutely for the desperate Ukranian 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 occured 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 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 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

‘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 appelate 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 accutely for the desperate Ukranian 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

Bob's Breakdown: Rivals For Texas Governor Feud Over Ukraine, Who's Wiser On Energy, War And Peace
By Bob Garrett
Dallas Morning News

Two days before Russia began its invasion of Ukraine, the largest military assault of a European nation since World War II, Texas Gov. Greg Abbott's campaign for re-election put out a press release with the headline "Beto's Helping Hand to Putin and Russia."

- Though the Republican governor and former congressman Beto O'Rourke had not yet won their respective parties' nominations for governor – that happened a week later – Abbott pummeled the Democrat for his 2015 vote against the Liquefied Natural Gas Permitting Certainty and Transparency Act.
- The bill, which the then-GOP-controlled U.S. House passed but which died in the Senate, would have expedited permits by the U.S. Department of Energy for exporting natural gas that's been cooled down to liquid form. The bill also would've increased the number of countries to which U.S.-produced LNG could be shipped. O'Rourke dissented, saying too little is known about fracking's effects on groundwater for the U.S. to be encouraging more worldwide demand for natural gas. More than seven years later, as the world waited to see if President Joe Biden was correct about Russian President Vladimir Putin's intent to invade Ukraine, Abbott moved to inject foreign policy into the governor's race.
- "Thanks to Beto's votes, Europe is now held hostage by Russian energy supplies, making it harder to apply pressure to stop Russian aggression in the region," Abbott spokesman Mark Miner said in the release. "Beto's extreme anti-energy views will not only kill hundreds of thousands of jobs in Texas, they are also making the world less safe."
- As I wrote about in a story that ran on today's front page, the Abbott campaign soon escalated its two-pronged attack on O'Rourke related to Ukraine. The gist: He's a patsy for Russia and a Green Party type zealot who's a threat to the livelihood of every oilfield, pipeline and refinery worker in Texas.
- On the evening after he won renomination, Abbott reacted to Biden's state of the union speech by saying, "If President Biden really wants to help the world energy market, instead of releasing three days worth of oil from the reserve, he should unleash the American oil and gas sector." The next day, Abbott strategist Dave Carney, speaking to reporters, said O'Rourke's votes as a House member in 2014 against measures

protesting Russia's invasion of Crimea showed poor judgment. "Ukraine is going to be a legitimate topic that people are going to care about in the next 249 days," Carney said.

- Last week, I asked O'Rourke to explain the 2014 votes, which included opposition to a $1 billion aid package to Ukraine that included military help and a simple resolution later that year that denounced Putin's aggression. O'Rourke replied that 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. But Abbott, just like Putin, has oligarch pals and is crushing democracy, O'Rourke said.
- Reviewing the Russo-Ukrainian conflict of the past eight years and Texas politicians' reactions to Russia's increasingly brazen actions on the world stage, I was struck by how the dovish O'Rourke quickly turned hawk on Russia soon after Donald Trump became president. I also was struck by how Abbott's chest-thumping of late contrasts with his silence during four years of controversy about Trump's acquiescence to Russia's meddling in the 2016 U.S. presidential election and the former Republican president's delays of delivery of U.S. arms to Ukraine. The latter, which gained prominence after Trump's infamous July 2019 phone call with Ukrainian President Volodymyr Zelensky, in which Trump sought help in digging up dirt on Biden, figured in Trump's first impeachment.
- Though O'Rourke took a minority stance on Russia's Crimean invasion, he has been a lot more aggressive about Russia since:
- In 2017, he aggressively criticized Trump for questioning the U.S. and 28 European countries' mutual defense strategy in the North Atlantic Treaty Organization.
- In April 2018, running for U.S. Senate against incumbent GOP Sen. Ted Cruz, he told radio host Chad Hasty he'd support impeaching Trump over "an attempt, no matter how ham-handed, to collude with a foreign government in our national election." That July, O'Rourke said Trump's performance at a Helsinki, Finland, summit, where the U.S. president took Putin's word that Russian didn't interfere in the 2016 election, merited impeachment.
- Early in 2019, O'Rourke moved more quickly than most of his fellow Democratic presidential-primary rivals to say it was clear "beyond a shadow of a doubt" that Trump attempted to collude with Russia during the 2016 election, according to The Daily Beast.
- At the Texas Tribune Festival in Austin in September 2019, O'Rourke called for Trump to resign, even before the first impeachment articles were drawn up against Trump over his July 25, 2019, phone call with Zelensky.
- Two months after launching his ill-fated presidential campaign, O'Rourke was quizzed by an audience member at a CNN Town Hall about his votes against the protest measures relating to Russia's Crimean invasion five years earlier.
- Casting his opposition narrowly as a vote "against arming Ukraine in their war against Russia," O'Rourke replied that the U.S. at the time was involved in too many military actions. He ticked off Afghanistan, Syria, Yemen, Somalia, Iraq "and a half dozen other

countries." O'Rourke said he favored former President Barack Obama's emphasis on diplomacy, and touted the Iran nuclear arms deal with the U.S., China, France, Russia, Britain and Germany.

- "I want to make sure that we give diplomacy a chance," he said. But if necessary, he told CNN moderator Dana Bash, "to protect this country and our fellow Americans, then as commander in chief, I will lead our service members into war. But I want to make sure that that's the absolute last option."

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Administration News

Texas Attorney General Ken Paxton, Austin Isd Clash Over Pride Week Events
By Chuck Lindell
Austin American Statesman

Texas Attorney General Ken Paxton has accused the Austin school district of breaking state law with Pride Week activities that he characterized as attempts to indoctrinate students with liberal attitudes on sexual orientation and gender identity.

"Liberal school districts are aggressively pushing LGBTQ+ views on Texas Kids!" Paxton said Tuesday night on Twitter, where he announced his campaign against the district's "immoral and illegal" Pride Week celebration, which began Monday.

Austin school officials fired back, accusing Paxton of launching a misguided attack designed to score political points at the expense of students.

"I want all our LGBTQIA+ students to know that we are proud of them and that we will protect them against political attacks," Superintendent Stephanie S. Elizalde replied on Twitter.

Ken Paxton
A social media-fueled backlash to this year's Pride Week also resulted in death threats against Doss Elementary School teachers and prompted the school to move Wednesday's pride parade indoors, with police present, "because we were actually worried that this political controversy could possibly threaten the safety of these kids," district spokesman Jason Stanford said.

The Pride Week clash underlines increasingly sharp divisions over issues of sexual identity — a battle that has spilled into the courts over Paxton's opinion that gender-affirming medical care for transgender adolescents constitutes child abuse and into school libraries, where conservatives are pushing to eliminate books that they believe contain obscene sexual content, many of them with LGBTQ themes.

The Austin district has celebrated Pride Week for at least 14 years, with 2022 activities to be determined campus by campus along broad themes, such as "Differences are awesome" for Tuesday and "Know your rights" on Wednesday.

Paxton and other conservatives have focused much of their ire on Doss Elementary's published Pride Week agenda, which included the use of "community circles" — guided conversations

on topics such as family and respecting differences.

One of the rules for engaging in a circle, according to the agenda for prekindergarten to second grade, is this: "Respect privacy: What we say in this room stays in this room."

According to Paxton and conservative media outlets, that sounds like students are being encouraged to keep details confidential from parents.

"The Texas Legislature has made it clear that when it comes to sex education, parents — not school districts — are in charge," Paxton said in a letter sent to the Austin district late Tuesday.

State law, he added, requires districts to obtain written consent from parents "before a student may be provided with human sexuality instruction."

"By hosting 'Pride Week,' your district has, at best, undertaken a weeklong instructional effort in human sexuality without parental consent. Or, worse, your district is cynically pushing a weeklong indoctrination of your students that not only fails to obtain parental consent, but subtly cuts parents out of the loop," Paxton wrote.

"Either way, you are breaking state law," he concluded.

Austin school officials rejected Paxton's claim, saying he mischaracterized and misunderstood Pride Week events.

"Community circles are confidential in the sense that makes students feel trusted and respected for their privacy when sharing in the conversations — it does not mean don't tell your parents," the district said in a statement, adding that circles are often used in social-emotional learning to foster discussions on a range of topics such as test anxiety and world events.

In addition, Paxton was wrong, legally and factually, to equate Pride Week with sex education, which requires parental consent for student participation, district spokesman Stanford said.

"Pride is about celebrating who people are, particularly members of the LGBT community who are bullied much more than the community at large, who experience suicide at much higher rates, who skip school at twice the rate of straight kids because of worries about their safety," Stanford said.

"In Austin, it's really important to us to let all these kids know that we love them and they're welcome and they're safe," he said. "It might surprise the attorney general to find out that this is a pretty normal idea here in Austin, that we love everybody."

In his letter, Paxton advised the district to "rectify this situation," noting that state law lets parents file complaints with the Texas Education Agency alleging that they had not given approval for student participation in "human sexuality instruction."

The Austin district will not take that advice, Stanford said, disputing the conclusion that Pride Week activities fall under the legal definition of sex education.

"This is nothing our lawyers are taking seriously at all because he's so wrong about the law,"

Stanford said. "We thank the attorney general for his interest, but we will continue to celebrate Pride."

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AG Paxton Appeals To Texas Supreme Court As State Halts Inquiries Into Parents Of Trans Children
By Lauren McGaughy
Dallas Morning News

Attorney General Ken Paxton is asking the Texas Supreme Court to allow the state to restart its abuse investigations into the parents of transgender children.

Paxton filed his request with the state's top court Wednesday afternoon. On Tuesday, the Texas Department of Child and Protective Services directed its employees to stop opening child abuse investigations based solely on allegations that parents are allowing their trans kids to access certain medical treatments after a court issued an injunction.

"While this injunction is in place, [statewide intake] will not assess these matters as intakes unless independent grounds that warrant an investigation are reported," Associate Commissioner Stephen Black said in an email obtained by The Dallas Morning News and verified by the agency.

"This may be a fluid situation as this decision continues its way through the appellate process. I will provide further updates as needed," Black added.

The injunction from the Third Court of Appeals, issued Monday, temporarily barred the state from investigating allegations of abuse linked to gender affirming treatments for minors such as puberty blockers and hormone treatments. The injunction makes clear, and Black's email underscores, that the state can still open investigations into other alleged abuse such as unexplained broken limbs or malnutrition due to neglect.

State employees, parents and others had expressed confusion over whether the state is continuing these investigations as the policy is being challenged in court. Paxton's public statements have added to the confusion, as he has insisted certain treatments are always abusive and illegal while his own deputies in court have said gender affirming care for minors is not abuse in all cases.

All of the major state and national medical groups support age appropriate, individualized gender-affirming care for transgender children. For those who have not reached puberty, mental health care is the primary form of treatment. Medical interventions like puberty blockers, which are reversible, and hormones should be explored only for youth who have experienced the onset of puberty and after undergoing mental health evaluation, according to best practices.

Surgery is not recommended until the person has reached the legal age to give consent for medical procedures and has lived continuously for at least a year in the gender role consistent with their gender identity. In Texas, the age of consent is 18.

The state confirmed March 10 that it has opened at least nine investigations into allegations

that minors are receiving gender affirming medical treatments since Paxton classified this care as "child abuse" last month. Citing Paxton's opinion, Gov. Greg Abbott directed CPS to investigate any allegations linked to this care.

Paxton argued that the Supreme Court should order the appeals court to withdraw its injunction. He said the lower court overstepped its authority by reinstating the temporary halt, which was first put in place by the trial judge on March 11, and argued the plaintiffs who kicked off this litigation have not proved they will be permanently hurt by the state's actions.

Fear and apprehension of injury that might arise if an investigation results in the removal of a child from their parents "are not sufficient to support a temporary injunction," Paxton wrote. And even if the investigations remained on hold during litigation, he added, "plaintiffs' injuries would remain."

The lawsuit was filed by an unnamed state employee, called Jane Doe in court filings, who said she is being investigated because she has a teenage transgender daughter undergoing gender affirming care. Megan Mooney, a Houston psychologist who treats trans patients, is also suing.

They are being represented by Lambda Legal and the ACLU of Texas, which issued a joint statement Wednesday calling Paxton's actions "unconscionable" but "unsurprising."

"We remain committed to battling this harmful and discriminatory effort, and to supporting Texas transgender youth and those who love and care for them," the groups said.

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State News

Abortion Funds Bring New Legal Challenges To Overturn Texas Ban
By Eleanor Klibanoff
Texas Tribune

Two Texas abortion advocacy groups are trying a new legal strategy to strike down the state's restrictive abortion law, which has proven very difficult so far to challenge in court.

They've filed four lawsuits, including two in federal court, challenging the law's constitutionality. But rather than focusing on abortion itself, the suits argue that the law is unconstitutional in other ways — violating the right to due process, free speech and equal protection under the law.

Texas' abortion law, passed last year as Senate Bill 8, empowers private citizens to sue anyone who "aids or abets" an abortion after about six weeks of pregnancy.

The law is extremely broad — anyone, regardless of where they live or whether they have a connection to the person obtaining an abortion, can bring a lawsuit against anyone who helps someone obtain an abortion in virtually any way.

It's specifically written to evade judicial review, which has allowed it to remain in effect for

more than six months. But the Texas Equal Access Fund and the Lilith Fund, which help patients pay for abortions and related expenses, believe this new angle may be the key to undoing the law.

“We are hopeful that any judge who looks at this will recognize the civil enforcement mechanism for what it is … and say these cases aren’t really about abortion,” said Elizabeth Myers, an attorney representing the abortion funds.

Instead, she said, their legal challenge is about stopping the “millions of bounty hunters who can sue in a very rigged one-sided court system” under the law’s private enforcement mechanism.

Aspects of this argument have already succeeded in state court, where a Texas judge found the law to be unconstitutional but declined to block it from being enforced. Now, the same lawyers are taking the case to federal court, where challenges to the law have faltered before.

But this attempt will have an advantage that those did not: The federal suits are filed in Chicago and Washington, D.C., rather than Texas, which allows the plaintiffs to avoid the extremely conservative 5th U.S. Circuit Court of Appeals.

The other two suits are filed in state court and have been added to ongoing multidistrict litigation, where all legal proceedings are stayed while the case is appealed.

South Texas College of Law Houston professor Rocky Rhodes said there are potential obstacles to this approach in federal court, but it’s the “best bet” to block the law that he’s seen yet.

“This is a better procedural mechanism to get the case before the [U.S.] Supreme Court … and it addresses many of the issues from the previous challenges,” he said. “And then, of course, a Supreme Court ruling is binding on all state and federal courts.”

This case will be watched closely, not just in Texas, but across the country. Other states, including Idaho and Oklahoma, have taken steps to pass similar laws creating private enforcement abortion bans.

Abortion funds in the crosshairs
When Texas’ law went into effect in September, clinics stopped performing abortions after about six weeks of pregnancy, fearing lawsuits.

While the clinics have necessarily scaled back services, abortion funds have stepped forward to fill in the gaps — providing funds, material support and guidance to help women travel out of state to obtain abortions.

This has put them in the crosshairs of anti-abortion groups, including the Thomas More Society and the America First Legal Foundation.

Last month, these anti-abortion groups asked a judge to allow them to depose the leaders of two abortion funds, the Texas Equal Access Fund and the Lilith Fund, to discover the “extent of involvement of each individual that aided or abetted post-heartbeat abortions in violation of SB 8.”

A judge has not yet ruled on that petition. But it created an opportunity that the abortion funds have been waiting for — an opening to challenge the law by suing someone who intends to enforce it.

This was the hurdle in the previous federal legal challenge: While lawyers representing the abortion providers identified a slew of state actors they believed were responsible for enforcing the law, the U.S. Supreme Court disagreed with most of them. Recently, the Texas Supreme Court threw out the last remaining argument in that case, leaving them no one to bring a legal challenge against.

But in addition to seeking to depose the leaders of two abortion funds, the Thomas More Society and the America First Legal Foundation have been actively threatening the abortion funds with lawsuits on social media.

When the Lilith Fund tweeted a request for donations, the Thomas More Society responded by saying "donors could get sued under SB8" and linking to the press release about its efforts to depose the funds' leaders.

This makes it clear that the anti-abortion groups intend to bring lawsuits under the Texas abortion law, the new filings argue, and thus the groups can be sued proactively to stop them from doing so.

Neither the Thomas More Society or the America First Legal Foundation responded to requests for comment.

Rhodes has argued in several papers that this is a strong angle to challenge the law.

"This mechanism of 'wait until you know someone is going to sue you, and then sue them in federal court first,' is one of the best ways to get an offensive challenge teed up to [the law]," he said.

The filings argue that the abortion law violates advocates' right to free speech by limiting how they talk to clients, advocate for abortion access and spend their donations, which could be considered political speech. In addition, they argue it is so vague that plaintiffs may not know what conduct is allowed or prohibited; it creates special rules that only apply to these lawsuits, which violates plaintiffs' rights to equal protection under the law; and allows lawsuits to be brought by people who do not have standing because they have not been directly injured.

If a federal judge agrees with some aspects of these arguments, they could grant an injunction, stopping the Thomas More Society and the America First Legal Foundation from bringing lawsuits against the two abortion funds. The lawsuit also seeks a declaration that the law is "unconstitutional, void, of no effect and therefore not usable" — by anyone.
That wouldn't stop anyone besides these two groups from bringing lawsuits, but it would create federal court precedent that could be cited in future litigation, Rhodes said.

The case would undoubtedly be appealed, which is part of the strategy. The suits are filed in Chicago, where the Thomas More Society is based, and Washington, where America First Legal Foundation is based, meaning they would go to the 7th U.S. Circuit Court of Appeals and the District of Columbia Court of Appeals.

Cases filed in Texas go to the extremely conservative 5th U.S. Circuit Court of Appeals, which has ruled against the abortion providers at several turns already.

Rhodes said evading the 5th Circuit has the potential to create future complications — unless the case ends in a victory for the abortion funds at the U.S. Supreme Court, which would create a binding ruling that would stop lawsuits from being successfully brought under the law.

Avoiding the abortion argument
Unlike previous legal challenges to the abortion law, these lawsuits deliberately sidestep the most highly politicized aspects of the law.

“This [case] is not really about abortion,” said Myers. “We’re not challenging the six-week ban.”

Myers said that’s not because they believe the six-week ban is constitutional, but rather because the courts may be more open to hearing arguments as to why other aspects of the law are also unconstitutional.

Since the U.S. Supreme Court decided Roe v. Wade in 1973, states have been consistently blocked from passing abortion bans before viability, usually around 24 weeks of pregnancy. Those challenges have been brought by abortion providers and patients, citing their constitutional protections under Roe v. Wade.

Abortion funds are not protected by Roe v. Wade, which makes them more vulnerable to lawsuits under Texas’ abortion law. But as the U.S. Supreme Court considers a Mississippi abortion case that could overturn Roe, it may be advantageous to bring a legal challenge on other grounds.

The abortion funds’ legal challenge is predicated on other constitutional rights — due process, standing and free speech, among other arguments — that remain in effect even if Roe is overturned.

Amanda Beatriz Williams, the executive director of the Lilith Fund, said in a statement that group is being “forced to protect the work” it does.

“We won’t be harassed or intimidated out of serving our community, in the courts or anywhere else,” she said. “We are proud to fight back, even when we have no choice.”

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Watch: Fort Worth’s Republican Mayor Criticizes GOP, Pushes For Medicaid Expansion And Defends Trans Kids
By Joshua Fechter
Texas Tribune

Fort Worth Mayor Mattie Parker, the only Republican helming one of Texas’ largest five cities, criticized the current state of the GOP and its intraparty battles Wednesday.

“I could not run in a Republican primary because I just couldn't look myself in the mirror and do it,” Parker said during an event with Texas Tribune CEO Evan Smith.

Parker’s remarks came weeks after her predecessor Betsy Price, who Parker worked for as chief of staff, lost her Republican primary bid for Tarrant County judge. Price lost the contentious primary to Tim O’Hare, a Southlake attorney and former mayor of Farmers Branch who drew the endorsement of former President Donald Trump.

During the primary, Price was criticized in a mailer for greeting former President Barack Obama on the tarmac at Dallas Love Field Airport in 2016, Parker said. Obama was in town to attend a funeral for five Dallas law enforcement officers killed in an ambush.

That baffled Parker, who identifies as a Republican but makes regular appeals to bipartisanship. In Texas, municipal races are not partisan.

“I'm so confused,” Parker said. “We just eat our own.”

Parker oversees one of the fastest-growing cities in Texas — and certainly the most conservative of the state’s major urban cores. But it’s gotten more purple in recent years. Four years after Tarrant County went for Trump, a majority of voters there cast their ballots for Joe Biden in 2020.

Parker, one of the youngest mayors in the country at 38 years old, has been known to buck her party from time to time. She’s particularly an outlier when it comes to expanding Medicaid under the Affordable Care Act — which Texas Republicans have staunchly resisted.

“I can tell you that right now, in the state of Texas, in Fort Worth, you have families that are without health insurance simply because we have not expanded Medicaid,” Parker said. “And there has not been an alternative presented in the state of Texas to replace Medicaid expansion.”

Parker sat down Wednesday for a wide-ranging conservation with Smith at Texas Christian University — touching on her city’s rampant growth, high homicide rate and other hot topics.

Here are some of the highlights:

Record homicides
Fort Worth hasn’t been immune to the nationwide trend of rising homicides during the pandemic. The North Texas city notched the second-highest number of homicides — 118 — in its history in the last year, though its homicide rate is lower than in years past, according to the Fort Worth Star-Telegram. A rise in domestic violence was a “huge” contributing factor to the jump in homicides, Parker said.

Earlier this month, Fort Worth Police Chief Neil Noakes unveiled a plan to tackle the rise in homicides in part by targeting areas that see a lot of violence.

Fort Worth, which has more than 1,500 police officers, could use more officers to beat back crime, Parker said — though she acknowledged hiring more officers is “not the only way to solve the problem.”

“If you take a big step back — and I've talked about this a lot and Neil and I have had a lot of heart-to-hearts about this — does policing in America need to change and has it started to change? Absolutely, yes,” Parker said. “But you cannot make change if you aren't pro-police and pro-community at the same time.”

Trans kids and their parents
Parker came to the defense of transgender children and their families amid the state’s push to label some parents of transgender youth as child abusers. Gov. Greg Abbott, who endorsed Parker when she ran for mayor in 2021, recently directed the state’s child welfare agency to investigate parents who let their trans children access gender-affirming care.

Parker said policymakers should instead focus on providing mental health resources for teenagers and improving conditions for children in the state foster care system. She also cited figures showing transgender teens are much more likely to attempt suicide than their cisgender peers.

“I'm worried right now that you're targeting families that are already incredibly vulnerable and in a really difficult circumstance, when there are so many other hundreds of thousands of kids and families that are in dangerous positions with no regard for the subject of transgender,” Parker said.

Growth in Fort Worth
Fort Worth has seen a surge of new residents — and is now the second-fastest growing city in the United States, according to the U.S. Census Bureau.

But with growth comes the challenge of maintaining the city’s character and affordability without totally stifling change. Parker, a University of Texas at Austin alum, said she has kept an eye on Austin’s rampant transformation, skyrocketing housing costs and total overhaul of some neighborhoods — and she doesn’t want to see that happen in Fort Worth.

“All of these neighborhoods have loud beautiful voices that are telling you what they want for their city,” Parker said. “It's not ‘no progress,’ but it is very unique and the same thing won't go in one neighborhood or the other.”

“We want to preserve our corridors and our neighborhoods as much as possible,” Parker said.

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Education

Former Trump COVID-19 Adviser Cites Vaccine 'Safety Concerns' In UT Address
By Megan Menchaca
Austin American Statesman

A former COVID-19 adviser for former President Donald Trump, speaking Monday evening at the University of Texas, falsely told a small crowd that COVID-19 vaccines present serious safety concerns and advocated against inoculating children.

Scott Atlas, a senior fellow at the Hoover Institution, a conservative think tank at Stanford

University, also implied that the high number of COVID-19 deaths in the U.S. were linked to “lockdowns” and other pandemic safety restrictions, and he said government data around COVID-19 hospitalizations and deaths was exaggerated and flawed.

The Salem Center for Policy at UT’s McCombs School of Business hosted Atlas.

The presentation, titled “The SARS2 Pandemic: Will Truth Prevail?” was open to students, staff, faculty and the general public. About 20 people watched the talk in-person and a few dozen watched virtually.

Atlas, a radiologist, does not specialize in public health or infectious diseases. He has previously faced criticism from multiple medical experts, the Stanford Medical School faculty and the Stanford Faculty Senate, which passed a resolution stating Atlas is “promoting a view of COVID-19 that contradicts medical science.”

During the beginning of the pandemic, Atlas said that young people should contract the virus while older Americans isolated to generate more immunity within the population. However, on Monday, he denied advocating for COVID-19 to spread without mitigation strategies and said previous reporting by The Washington Post that he advocated for herd immunity was “a lie.”

“We can allow a lot of people to get infected,” Atlas said on a conservative talk show in April 2020. “Those who are not at risk to die or have a serious hospital-requiring illness, we should be fine with letting them get infected, generating immunity on their own, and the more immunity in the community, the better we can eradicate the threat of the virus.”

More than 965,000 people in the U.S. have died from COVID-19, including nearly 6,000 people between ages 18-29 and 17,450 between ages 30 to 39, according to the federal Centers for Disease Control and Prevention.

He also encouraged Michigan residents in a November 2020 tweet to "rise up" against COVID-19 restrictions on schools and businesses from Michigan Gov. Gretchen Whitmer, although he later tweeted that he was not advocating violence.

Carlos Carvalho, executive director of the Salem Center for Policy and a UT statistics professor, did not immediately respond to a question about why Atlas was invited to speak at UT, although he praised Atlas and his work during the presentation.

“Scott's courage and perseverance to argue, provide alternative perspectives, question assumptions, seek better evidence, i.e., the basics of the scientific process, regardless of whether it is right or wrong, is to be commended,” Carvalho said.

A UT spokesperson responded to a request for comment by pointing to the school’s free speech policies, which state, in part, that freedom of speech is central to the mission of the university and UT will not discriminate on the basis of people’s viewpoints.

The policy also states that any university organization that presents a guest speaker on campus must make clear that the organization — not the university — invited the speaker and the views of the speaker do not necessarily represent the views of the university.

COVID-19 vaccines

During his presentation, Atlas said COVID-19 vaccines have “serious safety concerns,” including myocarditis in young men, and don’t protect against infection as well as “natural immunity,” or the protection that the body creates after an infection.

The McLellan Lab at UT played a significant role in developing the research behind the COVID-19 vaccine, which has saved more than 1 million lives and prevented more than 10 million hospitalizations in the U.S. from December 2020 to the end of November 2021, according to a study published in The Commonwealth Fund.

The CDC and other medical experts recommend the vaccine for everyone age 5 and older because the risks of COVID-19, including hospitalization and death, outweigh the potential risks of any rare adverse reactions.

A CDC study published in January found that, during the delta variant surge, people who were previously infected with COVID-19 had more protection than people who were vaccinated but had not been infected. However, the study doesn’t apply to the omicron variant, which has been the dominant variant in the U.S. since late last year, and it was conducted before booster shots were widely available to the public.

Atlas said the COVID-19 vaccine helps protect people who are at high risk for death and severe disease, but he advocated during the presentation against giving it to children. He said that healthy children have a low risk of serious illness, almost no risk of death from COVID-19 and rarely spread the virus to adults.

“There is a serious breakdown of medical ethics to anyone who recommends and administers vaccines to healthy children. ... The kids who are healthy have no significant risk of the disease. You don’t inject experimental drugs,” Atlas said.

Children are less likely to develop severe illness compared with adults, but they still face some risk, according to the CDC, and vaccination is recommended for children age 5 and older.

According to the American Academy of Pediatrics, at least 944 children have died from COVID-19 from May 2020 to March 2022 in the U.S., which amounts to about 0.11% of all COVID-19 deaths. More than 40,700 children in 25 states and New York City have been hospitalized, or about 3.2% of all the people in those states and New York City hospitalized for COVID-19.

Pandemic restrictions

Atlas also criticized Dr. Deborah Birx, former White House coronavirus response coordinator, and Anthony Fauci, chief medical adviser to President Joe Biden, saying they encouraged COVID-19 restrictions, such as lockdowns and school and business closures.

“The result (of those policies) was about 900,000 plus Americans have died, at least have been deaths attributed to COVID-19, and millions of families and children were severely hurt, especially the working class and the poor,” Atlas said. "That's what was implemented. They got what they want."

Studies from the Global Policy Lab at the University of California, Berkeley and the University of Michigan have found that COVID-19 restrictions, such as lockdowns, have

prevented — not caused — millions of COVID-19 cases and related deaths.

After accusing Fauci's policies of contributing to high COVID-19 deaths in the U.S., Atlas then claimed that some COVID-19 data was inflated.

"There's a gross exaggeration of hospitalizations and deaths for COVID in the United States," Atlas said. "It doesn't mean that people didn't die. I'm not minimizing, but this is the perspective that was never given to the American public."

Multiple hospital systems in a variety of states, including New York and Massachusetts, acknowledged that there were patients diagnosed with COVID-19 who came to the hospital for noncoronavirus reasons, especially during the omicron surge, and some adjusted their reported data to reflect the distinction.

Doctors and medical experts told the Poynter Institute that anyone who is hospitalized — whether the primary cause was COVID-19 or not — requires hospital resources and may limit the availability of beds or staffers for other patients. The incidental cases still pose a risk and do not mean that COVID-19 hospitalization data was inflated, Poynter reported.

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Texas Created A Program To Help Students Reenroll In College During The Pandemic. Schools Struggled To Find Students Who Qualified.
By Kate McGee
Texas Tribune

When the federal government handed Gov. Greg Abbott $307 million in the spring of 2020 to help Texas' education systems survive the COVID-19 pandemic, he set aside $47 million specifically for former students, those who had earned some credit but left before finishing their degree or certificate.

There are 4 million Texans who have some college credit but never earned a credential. It's a group that the state higher education leaders want to bring back into the classroom to learn new skills and fill high-demand jobs across the state. That interest has only heightened during the pandemic, especially at Texas' community colleges, which have experienced staggering enrollment declines.

With that $47 million from the Governor's Emergency Education Relief Fund in hand, The Texas Higher Education Coordinating Board — the state agency that oversees Texas' colleges and universities and manages the state's financial aid program — created the Reskilling Support Fund Grant Program.

The agency's goal was to put this money in the hands of as many as 30,000 students by February 2022, according to a presentation on its website. When it asked schools to apply for the first two rounds of grant funding, state leaders emphasized the importance of getting the money to students as fast as possible, given the high unemployment rate and large number of displaced workers.

"Indeed, these are emergency funds," Sheri Ranis, the coordinating board's assistant director for innovation and advancement, told college leaders in a Zoom meeting in late 2020. "Those

who are able to get more money out the door more quickly are going to get bonus points for that."

But in the year since that money was first distributed, the 64 colleges and universities that received grants have awarded money to only one-third of the 18,000 students that they collectively told the state they could help reenroll, much lower than they predicted and far from the state's vision to provide 30,000 students with this funding.

While a few colleges have enrolled hundreds of students, most schools have helped a fraction of the number of students they claimed they could, according to a Texas Tribune analysis of reports submitted by each school to the state. At the end of 2021, four schools that received money had yet to award it to a single student.

Multiple college leaders blame the slow ramp-up on extremely strict requirements initially handed down by the state that limited exactly who qualified for a grant and when the money could be used. It made it nearly impossible to distribute funds to potential students.

"It was like we were on a hunt for a unicorn," said Marlo Bitter, spokesperson with Trinity Valley Community College in Athens, where money has been distributed to 22 of a projected 400 students as of the last report to the state. At the end of the semester, schools will submit reports detailing how many students they awarded money for the spring.

In turn, the state was forced to relax program requirements twice last year to try to make it easier for schools to award money to students.

And earlier this month, the coordinating board expanded the requirements yet again, after weeks of questions from the Tribune about the reasons behind the program's structure.

State higher education officials largely defend their efforts. And, to be sure, reengaging students who have left college before finishing is a challenge that schools across the country have yet to solve.

But Texas Higher Education Commissioner Harrison Keller said the struggle to award this grant funding revealed an overall lack of infrastructure within Texas colleges and universities to connect with nontraditional students who tend to be older than a student enrolling immediately after high school.

"These were wake-up calls for us," Keller said. "No institution that I talked to felt like that was something that they were very good at. … This is something that we have wrestled with."

Immediate struggles to find students

To apply for this money, Texas colleges and universities had to include in their application the minimum number of students they believed they could identify and reenroll, using this money to help pay the student's tuition and fees.

So far, the state has awarded the money to schools in three different rounds.

Larger schools like Dallas Community College and El Paso Community College said they could help at least 1,000 students. They received $1.5 million during that first round of funding. Smaller schools like Panola College in East Texas and Texas Southmost College in

Brownsville said they could help at least 75 students. Those schools each got $112,500.

But from the start, some school leaders said they realized quickly it would be a struggle to find those students.

“We knew what we were getting into when we applied for it just because it certainly was a challenging set of requirements,” said Jay Corwin, chief student success officer at Collin College, which banded together with a group of North Texas schools to launch a joint program called Project Complete. “But, you know, once you found a student that was eligible, it was really exciting.”

At first, students had to be within a year of finishing their program and left college more than six months ago. They had to enroll in high-demand programs and qualify for at least $500.

This money was available only after they exhausted other funds, like federal and state financial aid programs. Students also had to show they were impacted by the pandemic. After all that, students could receive a maximum of $2,500.

According to those running the programs, the reasons students didn’t qualify for the program varied. Some students were discouraged when they tried to first fill out the federal financial aid application known as FAFSA. Others had outstanding debts they needed to pay the schools before they could start classes again. Or their GPA had dropped too low to qualify for money. Others were too far away from finishing their programs to qualify. For some, they had dropped out too recently.

“[It] was a little difficult to get a lot of our students to check every single box,” said Tim Clark, head of enrollment services at Odessa College, which has awarded pandemic reskilling money to only 46 of the 2,000 students it originally hoped to find by the end of 2021.

Clark also said tuition and fees are so low at Odessa that many students didn’t need the money. In some cases, students didn’t qualify because they needed less money than the $500 minimum set by the state.

And these were the issues that arose when students did apply. Many colleges said lots of former students just didn’t respond when they reached out via postcard, email or phone call.

April Felan-Butler runs the reskilling grant program at San Jacinto College outside Houston, which has distributed money to 50 students out of 665 they told the state they could help.

She said students were sometimes caught up in a small but vital bureaucratic detail: She couldn’t actually confirm if they qualified for the grant unless they officially enrolled. Sometimes she said students weren’t ready to reenroll because they didn’t know if they could actually afford to pay.

“It’s like, well, there’s no guarantee that I’m going to get this grant,” she said students would tell her, explaining their hesitancy to go through the process without the assurance that tuition and fees would be covered.

Many leaders said lots of students remain unconvinced this is the best time to return to school as they continue to balance child care, jobs or housing insecurity made worse by the

pandemic.

“The least little thing can derail them,” said Gloria Smith, associate vice chancellor of career connected learning at Dallas College, which has awarded 65 students grants out of 1,000 it received money to serve.

“The mindset is, ‘Oh, let’s just give them money. Let’s get them reskilled and this should work.’ But I think people, depending on how COVID has impacted them … education in general, it’s just not at the top of their list right now,” Smith said.

Learning how to communicate with older students

The reskilling grant funding was not the only aid that schools could provide students to help pay for school during the pandemic. Abbott allocated money to schools to provide other emergency aid to students, but also to help schools boost their online learning programs and data infrastructure.

But the reskilling money was unique because it allowed Texas to target noncompleters, a group that state leaders know they must reengage to help employers hire the workers they need. And especially if they want to reach a previously stated goal that 60% of 25- to 34-year-olds hold a certificate or college degree by 2030.

Noncompleters tend to be older students who stopped attending school because of finances or class schedules that don’t mesh with their other responsibilities, like child care or work.

School leaders said they quickly learned that messaging to older students required a different approach than a student coming right from high school.

At El Paso Community College, financial aid director Ines Lopez said when her school system initially emailed 5,000 students about the reskilling grant program, they received few responses.

When Lopez’ 24-year-old son, who has a bachelor’s degree, saw a flier for the grant at home, he pointed out a crucial issue: He said he didn’t know what reskilling meant.

“Students see reskilling as a scary word,” Lopez said. “Our older population of students — they’re still students, they’re diverse. It might be how we’re marketing, how we’re not enticing [them]. Maybe it’s not for them because it’s a word they don’t understand. We need to say something like, ‘You’re so close to finishing. We could help you cross the finish line.’”

The school changed the way they worded their messaging and added photos of older adult students to postcards and then they sent them to potential awardees. As of December, El Paso Community College had given grants to 88% of the 1,075 students they pledged to help.

In North Texas, Collin College and its nearby partnering schools have awarded money to nearly three-quarters of the 1,450 students they said they could reenroll. They credit the decision to pool their resources and market the program under the same name, Project Complete.

“It makes more sense to market for completing your degree in North Texas than it does to say, ‘complete your degree at this institution’ and have six different entities out there saying the same thing with a different logo on the bottom,” Corwin said.

Other college leaders said they changed their marketing tactics for the reskilling grant program because of feedback from older students.

While younger students prefer to text or email and embrace communicating over social media, older generations want something more tangible, said Kelley Townsend, associate vice president for workforce education at Trinity Valley Community College.

“We do have these working students that are coming back [and] going, ‘I don’t have time for that. I need you to send me something. I need you to call me. I need you to have a flier I need,’ she said. “So they’re old-school, and that’s OK, too.”

Students need more than money

While a major emergency like the COVID-19 pandemic might bring an influx of funding, experts say money isn’t enough to entice nontraditional students to return to college.

“You can’t wait until there’s an emergency to then try to establish these communication lines,” said Oscar Sweeten-Lopez with the Michael & Susan Dell Foundation, an expert who works to improve graduation rates among students facing challenging conditions. “If those communication lines haven’t been established, and just with the added complexity of everyone’s lives with COVID, it’s just a very challenging environment to have the success that I think people had anticipated or hoped for.”

Lexi Anderson, a policy director at the Education Commission of the States who has studied noncompleters, said states trying to target students who have dropped out need to spend time trying to deeply understand why students left college, knowing “that not just money will fix it.”

“You have to have that next-level conversation with former students,” she said. “And ask ‘Is this what you want? Is this the kind of program that’s going to help you?’ and ‘What do you need support-wise now that you didn’t have then?’”

A few states — including Texas — have tried to make it easier for these students to return to college over the past decade. Anderson said states that have successfully brought older students back to school have done it in a centralized way rather than allowing schools to individually do so, like the Texas reskilling program model.

In 2016, Indiana launched a program to encourage students to return to college called “You Can. Go Back.” State higher education officials created a statewide financial aid program to support older students specifically rather than allowing individual schools to run their program. As of 2020, more than half of the 19,000 students who reenrolled had finished their programs, according to the Associated Press.

Launching a central program also creates a more unified way to market the opportunity and it allows the state to use other statewide data sources to track down former students. Yet this grant program in Texas provided some lessons to some colleges and the state to become more student-ready.

This fall, Trinity Valley Community College will start to offer night and weekend courses to accommodate older student schedules. Townsend said older students are less likely to be able

to attend classes in the middle of the day.

Keller, the higher education commissioner, said the coordinating board made changes as a result, too. This fall, the state is launching an advising tool called My Texas Future. Now, the new portal will first prioritize older students and help them find the best program that meets their needs and particular situation.

“We realize we punted this to institutions, historically, far too much and relied on Google,” Keller said. “They’ll Google around to look for different programs that might be a fit. And that's not going to be effective for addressing the kind of challenges that we face, especially for helping folks identify programs that would translate the real value and opportunities for them and their families.”

Countdown to September

According to The Hunt Institute, which has tracked how state governors have allocated this federal COVID-19 funding for education, few states used this money for higher education. Many used the funding for K-12 school systems.

Any unspent COVID education dollars must be returned to the federal government. In Texas, colleges that received money from the reskilling program have until September to award the grant money to students or the state will have to return it to Washington. The coordinating board had originally told schools to award all the money by February of this year.

In January, the coordinating board awarded a third round of funding to schools that must also be dispensed by the end of September.

Keller insists the state would not send any money back to the federal government. He said any money that schools can’t use could be redirected to other colleges or universities. Or they could change requirements again.

But as the state expands the eligibility requirements, it moves further away from helping the students it said it originally intended to serve: returning students who may have lost their jobs and could enroll in short-term credential programs to learn a new skill.

As the program stands today, the money can be used for any Texan who isn’t coming directly out of high school who wants to enroll and meets other basic academic and financial requirements. Schools can now also give this money to students enrolled in graduate programs, a large step away from the original intent to encourage displaced workers to enroll in short-term credential programs.

While Keller said students earning their master’s degrees and Ph.Ds likely would receive this funding only in rare cases, only three of the schools that received part of the $10.5 million awarded in the final round of funding earlier this year offer short-term credentials. Most schools that received funding were four-year universities, including for the first time two private universities: Our Lake of the Lake University in San Antonio and University of St. Thomas in Houston. It signals that this latest round of funding will be awarded to more students pursuing bachelor’s degrees or higher.

Despite the stumbles in launching this program, Keller remains positive. He was adamant that the trajectory of the reskilling grant program helped set the stage for a better conversation

during the next Legislative session about what type of state investments higher education needs to properly meet the workforce needs of communities.

“If it all would have worked perfectly out of the box the first time, we wouldn’t have learned as much,” Keller said.

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A Texas University Produces Some The Highest Paid Women In The Country, Report Says
By Timothy Fanning
Houston Chronicle

Texas State University is among the top universities in the country for producing the most high-earning female graduates under 40, according to a recent report.

These graduates in accounting, health care and marketing go on to earn $126,225 on average, according to the education and workforce data website Steppingblocks. The top employers of these female Texas graduates are USAA, Dell and consulting firm Deloitte, the report says.

Steppingblocks ranked Texas State No. 6 out of 13 doctoral and research universities in the South. Texas Christian University was ranked No. 12. According to the website, graduates earn an average of $131,855 on average and often go on to work at companies such as Lockhead Martin and Deloitte. The top majors there are nursing, accounting and law.

Nova Southeastern and American University were the top two universities in the South.

However, women who work full time in the United States make just 83 cents for every dollar paid to men, according to the U.S. Bureau of Labor Statistics. The National Partnership of Women and Families recently found that the pay gap is even wider for women of color, mothers of young children and women with disabilities.

To complete the study, Steppingblocks collected and analyzed the list. The website says it pulled and collected employment, demographic and education data from “hundreds of sources.”

The website also says its data set includes more than 130 million people and 25 million companies.

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Business/Economy

A Pilot Shortage Has Haunted Airlines For Decades. What Does It Mean Now That It’s Finally Here?
By Kyle Arnold
Dallas Morning News

The faster-than-expected rebound in travel after the COVID-19 pandemic erased one critical

question that airlines faced: “Will people want to fly again?”

Now, a new question is emerging: “Will there be anyone to fly them there?”

Fort Worth-based American Airlines and Dallas-based Southwest Airlines are among carriers aggressively searching for new pilots, both hiring regional pilots eager to make the jump to bigger planes with bigger paychecks and snagging highly coveted students still in flight school by dangling hundreds of thousands of dollars in sign-on bonuses and retention payments.

Still, those new pilots are arriving fast enough. Regional carrier SkyWest Airlines, selling tickets through United Airlines, cited a shortage of pilots while petitioning the government to drop service to 29 cities, such as Victoria, Texas. Southwest Airlines this month said it’s cutting April and May schedules due to staffing shortages.

The beginning of a long-foretold pilot shortage is here and it may hinder a travel industry that’s already struggling to emerge from two years of pandemic pain.

With the pandemic pushing thousands of pilots to retire early, airlines are facing a massive gap in the availability of people to fly commercial airliners. Aviation consulting firm Oliver Wyman is predicting there will be a shortage of about 19,000 pilots globally by the end of 2022, a number that will only grow to about 60,000 in 2029 as the number of Baby Boomer pilots who earned their wings in the military are forced to retire at 65.

“It’s already hitting and the regional airlines are going to bear an unfair burden,” said Geoff Murray, an airline consultant with Oliver Wyman’s global aviation team. “We’ll see that reflected with the elimination of service, especially to small cities.”

Regional airlines are a keystone of the country’s flying ecosystem, connecting the smallest destinations to major hubs in Dallas-Fort Worth, Houston, Chicago and Denver. Regionals will get hit the hardest because the country’s mainline carriers, including American, Southwest, United and Delta, pay much better than regional airlines and usually treat those smaller companies as farm teams to fill their big league rosters of pilots.

That takes its toll if there aren’t enough pilots to replace the ones moving up to the majors. About 63% of the nation’s airports are served only by regional carriers such as Envoy (flying American Eagle branded planes), SkyWest, Mesa and others, according to the Regional Airline Association. About 41% of all scheduled flights in the U.S. are on regionals.

‘A timing issue’

At Envoy’s headquarters in Irving, a few miles from American Airlines’ corporate campus, ground school instructor Mark Stewart spent an afternoon walking students through the complicated flight controls and operational procedures needed to get new pilots up to speed on flying a commercial aircraft, even after they had spent 1,000 to 1,500 hours in the air during flight school.

After about three months of training in classrooms and flight simulators, pilots are sent out as first officers and paired with more experienced captains to fly from cities like El Paso and Laredo to DFW International Airport in 44- to 76-seat regional jets.

Envoy and American Airlines have spent more than a decade making sure new hire classes are

full. In recent months, airlines have had to work even harder.

“We do have a timing issue right now with the fact that the industry has seen such growth,” said Captain Ric Wilson, Envoy’s vice president of flight operations. “We’re losing a lot of our captains.”

Just this month, the carrier pledged to give flight school students another $15,000 to commit to joining one of their regional airlines after graduating and getting rated to fly commercial planes.

Between student pilot programs and flow-through programs for sticking with the Fort Worth-based carrier, potential pilots are looking at more than $200,000 in recruitment and retention bonuses in their first five to seven years of flying, more than enough to cover the six-figure flight training costs.

Try finding that level of financial help in other occupations, even in high-demand, high-skill fields like surgeons and nursing where graduates are left on their own to repay hundreds of thousands of dollars in debt.

But creating new captains, the lead pilots on a two-person team flying a jet, isn’t as easy as putting the more experienced flyer in the left seat. At bigger airlines, it takes years to work up to captain and most pilots are highly experienced by the time they break into the upper half of seniority needed to get the rank. Regionals usually require pilots to hit about 1,000 hours of flying time.

In recent months, as the industry added flights at a rapid rate, bigger mainline airlines are poaching captains from those feeder regionals. Without captains, there’s no one to fly with first officers. Without a pair, airplanes don’t take off and first officers don’t get hours to become captains.

“There is a bit of a pinch, a timing issue right now. We’re losing this group of captains and we don’t have pilots to replace them,” Wilson said. “It’s not because we can’t hire them. It’s just they can’t get their qualifications quick enough to become captains.”

During 2020 and early last year, airlines such as Envoy and American shut off new pilot hiring and training classes, causing a gap of 15 to 18 months when no entry-level first officers were hired to start gaining experience. The earliest pilots who had their training delayed would just be approaching the captain level now, two years later.

Dallas-based Southwest is putting more money into training, too. On March 18, the company announced that it’s creating a pilot pipeline program with two regional carriers, SkyWest and Advanced Airlines.

Southwest expects to hire more than 1,000 pilots this year. The company also restarted work on its pilot training center in Dallas, a $13 million project that will add eight new simulators and help push pilots through training more quickly.

Getting students off the ground

Taylor Ingle, 23, started training at U.S. Aviation Academy in Denton in August and expects to take out about $60,000 in loans for the two-year training program. She’s hoping to zoom

through the program as fast as she can and save money working in the school's admissions department.

After she gets her commercial pilot license, she'll still need to earn about 650 hours working as a flight instructor.

"I had considered going to the military, but I don't think that's the right path for me," said Ingle, who got a bachelor's degree in business administration from the University of Pittsburgh before deciding on flying while working as an intern at an airport. "One concern is the cost of flight training, everyone knows it can get pretty pricey."

If she sticks with one of the airline feeder programs, she could net more than $200,000 in grants and bonuses, more than enough to pay for the cost of schooling. She'll have her pick of airlines to choose from — United and Delta investing in cadet programs, too — along with a growing number of cargo carriers and international airlines.

The industry's pilot shortage dates back decades when most Baby Boomer pilots were hired out of the military in the 1980s and left carriers with little worry for years to come. But then airlines went through a crisis in 2013 when the Federal Aviation Administration increased the number of flight hours required for a student to earn an air transport pilot license, the certification needed to fly commercial jets.

Costs for training were already high, around $100,000 for two to four years of school. The increase in hours came after the deadly Colgan Air crash in 2009 near Buffalo that killed 49 people and investigations determined that pilots didn't have sufficient training.

Students were suddenly forced to spend another 500 to 750 hours gaining experience, usually as flight instructors. Even after that, pay was low for starting pilots, sometimes as little as $22,000 a year.

That's when airlines started to create pathway programs for student pilots, giving them cash assistance and the promise of a job once they graduated. Regional airlines increased pay, now about $50,000 to start, and the number of students increased.

But the industry is still a high-cost, high-reward undertaking, said Murray, who studies pilot demand at Oliver Wyman. He's also a flight instructor.

The average pilot at Ameican Airlines made about $249,000 in 2020, according to Massachusetts Institute of Technology's Airline Data Project. Even fifth- or sixth-year Envoy pilots make about $108,000, according to Addison-based pilot trainer Thrust Flight, one of Envoy's partner schools.

"You are laying out that cash in training with the hope that those jobs will still be there when they are done," Murray said. "Kids will look at me and ask what happens if there's another 9/11 and the whole industry crumbles."

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Power Producer Vistra And HVAC Giant Lennox International Are Getting New Top Bosses

By Paul O'Donnell
Dallas Morning News

Two of Dallas-Fort Worth's largest public companies named new chief executives this week in planned successions.

Irving-based Vistra Corp., the state's largest power generator, named longtime company executive Jim Burke as its next CEO to replace Curt Morgan, who has guided the company since 2016. Burke's promotion is effective Aug. 1.

Richardson-based Lennox International went outside the company to find Todd Bluedorn's successor. It hired Alok Maskara, CEO of Luxfer Holdings PLC, an advanced materials industrial company. He takes over May 9.

Bluedorn announced in July that he intended to retire by mid-2022. He led the heating, venting and air conditioning giant for 15 years. Lennox's revenue grew 15% last year to nearly $4.2 billion.

Maskara, 51, has guided Luxxfer Holdings for five years. Prior to Luxfer, he was president of several global business units at Pentair PLC, a water treatment and sustainable applications company, for a decade. He also previously held leadership roles at General Electric Corp. and McKinsey & Co.

At Vistra, Morgan will stay on as CEO through a summer transition, according to the company. Board chairman Scott Helm credited Morgan with moving the company away from a reliance on coal plants and into one of the largest power producers and retailers in the U.S. It sells electricity and natural gas to nearly 4.3 million residential, commercial and industrial customers.

"Leading Vistra has been the most rewarding experience of my 40-year career," Morgan said in a statement. "Now is the right time for this leadership transition. The company is strong with the right strategic direction and capital allocation plan. And importantly, Jim is the right person for the job."

Burke, 53, most recently was president and chief financial officer of the $12 billion-a-year business that includes well-known retailers TXU Energy, Ambit Energy and Dynegy and power generator Luminant. Before that, he was Vistra's chief operating officer for four years and previously served as CEO of TXU Energy.

CEO turnover is beginning to accelerate this year, with 276 top executives departing in January and February, according to a report by global outplacement and coaching firm Challenger, Gray & Christmas Inc. That's up nearly 42% from the same two-month period a year ago.

"As pandemic concerns subside somewhat with falling cases, leaders who have been in crisis mode for the last two years may look for something new," said Andrew Challenger, senior vice president of the Chicago-based firm. "As with many American workers, they may choose to retire or resign for other positions."

Since August, American Airlines, Southwest Airlines and Tenet Healthcare are among North

Texas companies with retiring CEOs being replaced with internal successors. Earlier this month, Susan Salka, the chief executive who established Dallas as a second headquarters city for staffing firm AMN Healthcare, said she will retire this year after her successor is hired.

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Transportation

Airlines Including American, Southwest Push White House To Lift Face Mask Mandates
By Kyle Arnold
Dallas Morning News

Leaders at the largest airlines in the U.S., including American and Southwest, are urging the White House to drop COVID-19 restrictions including masks mandates and international testing.

American Airlines CEO Doug Parker and Southwest Airlines Chairman Gary Kelly joined leaders at United, Delta, Alaska, JetBlue and others in a letter to the Biden Administration in saying "the science clearly supports lifting the mask mandate, as demonstrated by the recently released CDC framework indicating that 99 percent of the U.S. population no longer need to wear masks indoors," the letter from trade group Airlines for America said.

They also asked for pre-departure testing for international passengers to be dropped, a move that several other countries have announced in recent weeks including New Zealand and the United Kingdom.

"It is critical to recognize that the burden of enforcing both the mask and pre-departure testing requirements has fallen on our employees for two years now," the letter said. "This is not a function they are trained to perform and subjects them to daily challenges by frustrated customers."

"This in turn takes a toll on their own well-being," the letter said.

The letter from CEOs comes as case counts and hospitalizations from COVID-19 hit the lowest point since last summer, but also as a new variant sweeps across Europe that appears to be more virulent.

The TSA announced on March 10 that it was extending the requirement to wear face masks in airports and on airplanes for at least another month until at least April 18, but also that it was working on a framework for how and when the mandate would eventually be eased.

Earlier this week, the union for flight attendants at Dallas-based Southwest Airlines sent a letter to the Biden Administration and other transportation regulators asking to drop the face mask mandate as well, saying that "serving onboard during these contentious times and enforcing mask compliance is one of the most difficult jobs we have ever faced as flight attendants."

TWU Local 556 President Lyn Montgomery said that a survey of flight attendants returned a vast majority of members in favor of dropping the mask requirement.

In their letter, airline leaders insisted that studies have shown that the spread of COVID-19 inside airplane cabins is unlikely due to air filters that frequently exchange the air in aircraft cabins.

For those that still need greater protection, they said there are options.

“The high level of immunity in the U.S., availability of high-quality masks for those who wish to use them, hospital-grade cabin air, widespread vaccine availability and newly available therapeutics provide a strong foundation for the Administration to lift the mask mandate and predeparture testing requirements,” the letter said. “We urge you to do so now.”

Meanwhile, airline officials are pushing the federal government to drop barriers that have limited international travel, including the requirement to receive negative COVID-19 tests prior to getting on a plane to the United States. They said the testing rule has “outlived its utility and stymies the return of international travel” and places “an additional cost and burden on travel to the U.S.”

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Health Care

New Project Aims To Identify Mental Health 'Service Deserts' In Central Texas
By Nicole Villalpando
Austin American Statesman

Imagine being able to see where in Central Texas there mental health care resources by using a dashboard, much like the COVID-19 dashboards we've used in the past two years to see how this pandemic has progressed.

Then imagine being able to look at the dashboard map and see where there are gaps in care. And imagine hospitals, nonprofits and government agencies being able to tailor where they add mental health services based on an area's needs.

That's the concept being developed by the just launched Central Texas Community Mental Health Surveillance Collaborative. The collaborative is being funded by a $2 million allocation in the federal appropriations bill signed into law last week.

The collaborative will take existing public health data and put it on a map to be able to see where there are resources, where there are not enough or none, and where there are particularly vulnerable populations based on social determinates of health — things like access to transportation, employment and housing.

“A mental health map of Central Texas should be a useful tool for public health planners, school counselors and veterans’ assistance groups," said U.S. Rep. Lloyd Doggett, D-Austin, who helped secure the funding for the project. "It can help to match needs of neighbors from certain areas, age groups, and other factors with available resources for help in times of crisis or challenge.”

Melinda Villagran, executive director of Texas State University's Translational Health

Research Center, will lead the project.

"We saw the mental health need during the pandemic," Villagran said. "We need to understand what is happening. Where do we need to match the research with resources?"

The data the dashboard will pull is readily available, but it is massive and not aggregated in one location, Villagran said. She'll be using community partners to help her team determine which data would be most helpful to make more accessible as well as map that data by census tract location.

While one data set such as number of hospital admissions might not point to a mental health need in that community, it's the combination of multiple data sets that will provide a clearer picture. Some things they could look at include what areas have more people at high risk for mental health needs such as veterans, students, postpartum women, people impacted by COVID-19 or people impacted by job loss.

Hidden costs of the pandemic:At SXSW, Surgeon General Vivek Murthy takes on loneliness, polarization

"There are a lot of factors that could go into it," Villagran said. "By overlapping them, we might find the places where things pile up. We're not just look at typical stuff. We're looking at things more broadly and not jumping to conclusions."

On the other end, the dashboard will identify areas where mental health clinicians and nonprofits currently are working and help connect people to them.

"This will help mental health providers to get ahead of the resources," Villagran said. "They are really busy. They are overrun with clients right now. They need a tool that is easy to use."

The funding will allow Villagran to hire three data science investigators, including a computer scientist, a psychologist and a health administrator, as well as a Geographic Information System expert to create the map, and a community resource expert to create a directory of services for each area of the map.

The funding also will help pay for the time of the different community partners who will help the collaborative focus on which data is most helpful to use when mapping mental health care needs.

The collaborative has begun working with Austin Public Health, Community Action of Central Texas, Texas Health & Biosciences Institute, Hill Country Mental Health and Developmental Disabilities Centers, San Antonio Chamber of Commerce, Austin Chambers of Commerce, Comal County Commissioner Donna Eccleston and Hays County Public Health.

Austin Public Health is a key collaborator because it provides an open data portal with a lot of de-identified information (information that is about population, not person-specific). Not all areas of Central Texas have that amount of data. The project also could identify what areas still need to be researched and which data is missing and needs to be collected.

This could influence where future mental health services are created. Villagran envisions hospital administrators, nonprofit groups, mental health centers and government agencies

using the dashboard to determine where to expand services.

"Service deserts are a problem, and they're hard to pinpoint until something happens that points to a place lacking services," she said.

While it will take a two or three years to put the dashboard together, Villagran said the collaborative could become a model for other communities. "There's not really any models like this," she said.

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Criminal Justice

Officer Suspended For Punching Pregnant Woman Begins Fight For Reinstatement By Jacob Beltran
San Antonio Express News

A police officer who was indefinitely suspended for punching a pregnant woman in the face is fighting for reinstatement with back pay and benefits.

An arbitration hearing for Elizabeth Montoya, formerly with the San Antonio Police Department, began Wednesday at the San Antonio International Center downtown and is scheduled to resume at 9 a.m. Thursday.

Montoya was suspended indefinitely, tantamount to being fired, in January 2019 for inhumane treatment of a suspect during an arrest she made the night of July 5, 2018.

Montoya's attorney, Robert Leonard, said evidence will show that Montoya's firing was unjust and inappropriate, asking the arbitrator to overturn Chief William McManus' decision and to issue other discipline if necessary.

"Regardless of the city's position that the incident captured on video looks bad, when you peel back the layers and look at the underlying facts and circumstances in this case, you will see that … she was acting within training. She was acting within policy."

City Attorney Michael Urbis presented two witnesses, including San Antonio police Lt. Matthew Murray, who moved the complaint through internal affairs after reviewing body and police vehicle camera video footage that captured the incident.

On the day of the incident, Montoya and several officers were alerted to the 1200 block of San Luis Street for a disturbance in which the woman and at least one other suspect were accused of burglarizing a home, according to the footage.

The footage shown started with the moment tensions began to flare as Montoya was searching the woman for contraband.

On ExpressNews.com: SAPD officer fired for assaulting handcuffed suspect and leaving her in the rain, records show

When the woman confirmed to Montoya that she was pregnant, Montoya scolded her, saying, “Six months pregnant and you’re out here doing this?”

The woman began complaining about the search as Montoya discovered a Xanax pill in her bra.

When Montoya needed to search between the woman’s legs, she complained that she was in pain from her pregnancy and did not want Montoya to do so.

San Antonio Police Department Lt. Matthew Murray, right, answers questions from Assistant City Attorney Michael Urbis during an arbitration hearing on former police officer Elizabeth Montoya’s appeal of an indefinite suspension from the SAPD.
San Antonio Police Department Lt. Matthew Murray, right, answers questions from Assistant City Attorney Michael Urbis during an arbitration hearing on former police officer Elizabeth Montoya’s appeal of an indefinite suspension from the SAPD.

“You’re hurting my back,” the woman cried as another officer lifted her arms so Montoya could perform her search.

“Are you going to stop?” Montoya asked.

The woman replied no and then screamed and kicked Montoya.

“If you kick me again, I will break your arm,” Montoya said.

Officers then attempted to place the woman in the back of a police vehicle, but she kicked Montoya a second time.

Montoya then began punching the woman in her face. Another officer could be seen stopping Montoya’s assault.

In her initial report, Montoya wrote that she struck the woman four times, which Murray found to be inaccurate.

As the woman screamed and yelled “I’m pregnant dude. Why did you hit me like that?” in video footage, Montoya told other officers that she was faking her response.

“Stop acting like you’re worried about your [expletive] baby,” she said. “You’re not worried about your baby if you’re taking drugs while you’re pregnant.”

“You deserve it,” Montoya said.

Later, Montoya said, “I only hit you a couple of times. I’ll do it again too.”

On ExpressNews.com: Three San Antonio police officers, fired by SAPD, were later hired in Leon Valley. Here’s why.

The woman complained of pain to her stomach, and another officer called to have her taken to an area hospital. She was booked into jail, and later, charges against her of assault on a public

servant and prior warrants for burglary were dismissed.

During Murray's cross-examination, Leonard there were no visible injuries to the woman.

The arbitrator also heard testimony from Officer Annie Salinas, an instructor at the police academy who teaches use of force.

Salinas said the language used by Montoya during the incident is not taught in the academy, is inconsistent with trying to deescalate, and can make a person more combative. She also said she did not see anything in the footage that warranted Montoya punching the woman.

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'One Shot And The Snake Was Down': Texas Sheriff's Deputy Shoots A Rattlesnake While Investigating A Stolen Vehicle
By Timothy Fanning
San Antonio Express News

Bee County Sheriff Deputy Sgt. Rick Villarreal was following the footsteps that led away from a stolen vehicle abandoned at a cemetery in rural South Texas when he spotted a rattlesnake.

Villarreal could hear the snake's rattle and noticed it lifted into a striking stance. Villarreal then unholstered his handgun, aimed and pulled the trigger.

"One shot and the snake was down," the sheriff's office said in a Facebook post on Monday.

Included in the post was a photo of the bloody snake with Villarreal posing nearby and a message urging residents to be mindful of venomous slithering serpents.

"Be careful where you step," the sheriff's office said. "Please, if you are going to be outside, especially with Easter around the corner, please check the area and be cautious of your surroundings."

Snakes begin to make an appearance in South Texas during the spring, and hot and wet weather draw snakes out at the times you're most likely to encounter them.

Snakes like tall grass and its important to be careful when stepping over fallen logs and rock outcroppings. It's also important to be careful along creek banks and underbrush.

The Texas Parks and Wildlife Department strongly urges people not to kill snakes — even a venomous one.

"Snakes serve a valuable function in the environment," according to a Texas Parks and Wildlife Department online snake course.

Snakes do not prey on humans and will typically retreat or escape, if given the opportunity, the department said. The danger comes when they are either surprised or cornered.

"The majority of snake bites result from people taking unnecessary or foolish risks with

venomous snakes," park officials said.

Instead of attacking the snake, allow it to retreat. If you have to move, move back slowly and carefully away from the snake.

Here's how to prevent snake encounters

- Keep the lawn around your home trimmed low.
- Remove any brush, wood, rock or debris piles from around the residence. They make great hiding places for snakes and their prey — rodents.
- Always wear shoes while outside and never put your hands where you cannot see them.
- Be careful when stepping over fallen logs and rock outcroppings.
- Be cautious along creek banks and underbrush.

What you should not do if bitten by a rattlesnake

- Do not make incisions over the bite wound.
- Do not restrict blood flow by applying a tourniquet.
- Do not ice the wound.
- Do not suck the poison out with your mouth.

What you should do if bitten

- Stay calm
- Call 911
- Wash the bite area gently with soap and water if available
- Remove watches, rings, etc., which may constrict swelling
- Immobilize the affected area
- Keep the bite below the heart if possible
- Transport safely to the nearest medical facility immediately.

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Opinion/Editorial

Commentary: Texas Politicians Say (And Do) The Dumbest Things
By Bill McCann
Austin American Statesman

When I was growing up, my mom's favorite afternoon TV show was Art Linkletter's "House Party," especially a segment called Kids Say the Darndest Things. Over the years, Linkletter interviewed thousands of school children, whose often brutally honest responses were thoughtful, charming and funny. I wish more of our politicians today were that forthcoming. Instead, we continue to get politicians saying and doing some of the dumbest things, particularly Texas Republicans.

Among those scoring high on the stupid-statement scale is indicted Texas Attorney General Ken Paxton who recently sent a fundraising email saying, “We’ve got one more chance to turn this state around, but only if YOU can support us.” As journalist Evan Smith appropriately responded on Twitter, “the state needs to be turned around? who’s been running it?”

Yes, the state does need turning around. Its electric grid has faltered thanks largely to poor state oversight. It’s in the bottom half of the 50 states in education, health care, crime and corrections, and environmental protection. Extremists like Paxton are to blame. Paxton has been attorney general since 2015. Republicans have been running Texas for nearly 30 years.

Meanwhile, Texas Sen. Ted Cruz, who suffers from occasional foot-in-mouth disease, developed it again recently after President Joe Biden announced plans to nominate the first Black woman to the Supreme Court to increase the court’s diversity. Grandstander Cruz reacted angrily, calling it “offensive” and “racial discrimination,” alleging that focusing on a Black woman might exclude more qualified people. Biden subsequently nominated Judge Ketanji Brown Jackson whom the American Bar Association rated as “well qualified.”

Cruz, the hypocrite that he is, didn’t object when former President Donald Trump said he was going to nominate a woman to replace Justice Ruth Bader Ginsburg, who died in September 2020. In fact, Cruz championed Trump’s nominee, hardline conservative Amy Coney Barrett, who also was rated well qualified by the ABA but was clearly not the most qualified person available.

Not to be outdone, Texas Lt. Gov. Dan Patrick recently took his culture war against critical race theory to a new low. Critical race theory is a school of thought that racism is embedded in our legal systems and policies. In a direct attack on academic freedom, Patrick threatened to introduce legislation to revoke tenure of public university and college professors who teach critical race theory – rather, his warped interpretation of it.

Critics immediately responded that such a radical move against the First Amendment rights of educators could undermine efforts by Texas public universities to retain and attract top-notch professors and students.

Also, in an apparent effort to score political points with public school teachers, Gov. Greg Abbott recently told the Texas Education Agency to create a task force to find out why Texas has a teacher shortage. The answer is obvious. Abbott needs to look in the mirror.

Poll after poll has shown teachers are leaving because they are overworked, underappreciated and underpaid. It’s what happens when you have a wealthy state whose leaders skimp on public school funding, while sticking teachers with bigger classes and more responsibilities, then blaming teachers when kids don’t progress quickly enough. The pandemic – and Abbott’s weak response to protecting students and teachers – only made it worse.

But the dumb-bunny award has to go to Republican Texas State Rep. Steve Toth, a Montgomery County businessman and former pastor, who said last week the U.S. is "at a point where we should go into northern Mexico and occupy it" to "keep us safe" from human trafficking and drugs. Toth made the statement on the far-right One America News Network as part of an ongoing false, extremist scare tactic that Biden has "opened" our border with Mexico. To suggest we invade an ally and trading partner is unbelievable. I doubt Art Linkletter's kids ever said anything that dumb.

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A School Board Election Is No Place To Debate Sex And Racism
By Ana Casey
Dallas Morning News

Frenzied social media posts and campaign websites propel many of us to the polls either to support or protest the mention of sex or racism in school, but our local school board elections aren't the place for those passions.

Contrary to what some campaigns claim, the outcome of those issues will not be determined at the local level. In Texas, state leaders have already passed laws dictating how teachers can share information about sexuality, gender identity and race. Further usurping local control, leaders in Austin now seek to restrict library books that include these topics. Voice your grievances when you vote for governor, attorney general and legislators.

In your local election, instead of fanning polarizing fires, take a breath and insert some calm into your school district's climate. Ignore political Svengalis who like to hold a match to the fuel of headlines. They put students and teachers in a conflagration, hampering the work of an institution where trust and safety are indispensable. We need cool-headed local leaders who can foster stability.

Now is the time for school boards to focus on delivering academic excellence, a safe environment, teacher retention and a balanced budget. After two years of pandemic upheaval, local school elections must focus on education, not social issues deemed by state leaders to be beyond a district's authority.

Whether you attend a public school, send your kid there, or never interact personally with your neighborhood campus, you're going to feel the heat if local schools — the antidote to ignorance and poverty — get sidetracked by fiery issues.

Want to live among people who are resourceful and informed contributors to the community? Take care of local schools. Our standard of living, property values, indeed the preservation of our democracy are at risk if schools smolder.

Shelter this essential part of social well-being by voting wisely in upcoming school board elections. Don't let a political strategist or PAC from outside your district raze your community with controversies meant to divide. Opt for leaders who understand that staff and students must heal after COVID-19's harrowing disruption of their lives at home and at school.

Having spent decades as a public school parent, volunteer, school board trustee and teacher, I can offer some tips for identifying well-suited candidates.

Don’t rely on a party endorsement. School board races have traditionally been nonpartisan affairs that address local interests, not the ideology of someone in Austin or Washington. For this reason, choose contenders who exhibit dedication to your district.

The ideal candidate has volunteered via parent teacher organizations, booster clubs and planning committees. This person can make decisions based on firsthand experience, not a distant think tank’s advice; plus, the candidate has shown the ability to work effectively as part of your team.

Look for a candidate who has attended school board meetings for the past year. If the person already understands the basics of your district’s budget and needs, the role of the board and guidelines that are dictated by the state, the candidate can dive right in and make substantial contributions.

Be suspicious of a candidate with a personal agenda, particularly a cause that isn’t within the board’s purview. For example, public school curriculum is determined by the Texas Education Agency, not local school districts. If a candidate is set on changing course content, this reflects a cluelessness about school governance and a lack of preparation to serve.

Also, be aware that some flare-ups (such as a pandemic) that require strong leadership to keep the district sound will involve unforeseen challenges; a one-issue candidate may be ill-equipped to lend a hand. Better to elect people with commitments to community input and to caring for students and staff.

Support schools when you vote by stamping out overreach at the state level and choosing steady hands at home.

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# # #

Greg Abbott News

Bob's Breakdown: Rivals For Texas Governor Feud Over Ukraine, Who's Wiser On Energy, War And Peace
By Bob Garrett
Dallas Morning News

Two days before Russia began its invasion of Ukraine, the largest military assault of a European nation since World War II, Texas Gov. Greg Abbott's campaign for re-election put out a press release with the headline "Beto's Helping Hand to Putin and Russia."

- Though the Republican governor and former congressman Beto O'Rourke had not yet won their respective parties' nominations for governor – that happened a week later – Abbott pummeled the Democrat for his 2015 vote against the Liquefied Natural Gas Permitting Certainty and Transparency Act.
- The bill, which the then-GOP-controlled U.S. House passed but which died in the Senate, would have expedited permits by the U.S. Department of Energy for exporting natural gas that's been cooled down to liquid form. The bill also would've increased the number of countries to which U.S.-produced LNG could be shipped. O'Rourke dissented, saying too little is known about fracking's effects on groundwater for the U.S. to be encouraging more worldwide demand for natural gas. More than seven years later, as the world waited to see if President Joe Biden was correct about Russian President Vladimir Putin's intent to invade Ukraine, Abbott moved to inject foreign policy into the governor's race.
- "Thanks to Beto's votes, Europe is now held hostage by Russian energy supplies, making it harder to apply pressure to stop Russian aggression in the region," Abbott spokesman Mark Miner said in the release. "Beto's extreme anti-energy views will not only kill hundreds of thousands of jobs in Texas, they are also making the world less safe."
- As I wrote about in a story that ran on today's front page, the Abbott campaign soon escalated its two-pronged attack on O'Rourke related to Ukraine. The gist: He's a patsy for Russia and a Green Party type zealot who's a threat to the livelihood of every oilfield, pipeline and refinery worker in Texas.
- On the evening after he won renomination, Abbott reacted to Biden's state of the union speech by saying, "If President Biden really wants to help the world energy market, instead of releasing three days worth of oil from the reserve, he should unleash the American oil and gas sector." The next day, Abbott strategist Dave Carney, speaking to reporters, said O'Rourke's votes as a House member in 2014 against measures protesting Russia's invasion of Crimea showed poor judgment. "Ukraine is going to be a legitimate topic that people are going to care about in the next 249 days," Carney said.
- Last week, I asked O'Rourke to explain the 2014 votes, which included opposition to a $1 billion aid package to Ukraine that included military help and a simple resolution later that year that denounced Putin's aggression. O'Rourke replied that 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. But Abbott, just like Putin, has oligarch pals and is crushing democracy, O'Rourke said.

- Reviewing the Russo-Ukrainian conflict of the past eight years and Texas politicians' reactions to Russia's increasingly brazen actions on the world stage, I was struck by how the dovish O'Rourke quickly turned hawk on Russia soon after Donald Trump became president. I also was struck by how Abbott's chest-thumping of late contrasts with his silence during four years of controversy about Trump's acquiescence to Russia's meddling in the 2016 U.S. presidential election and the former Republican president's delays of delivery of U.S. arms to Ukraine. The latter, which gained prominence after Trump's infamous July 2019 phone call with Ukrainian President Volodymyr Zelensky, in which Trump sought help in digging up dirt on Biden, figured in Trump's first impeachment.
- Though O'Rourke took a minority stance on Russia's Crimean invasion, he has been a lot more aggressive about Russia since:
- In 2017, he aggressively criticized Trump for questioning the U.S. and 28 European countries' mutual defense strategy in the North Atlantic Treaty Organization.
- In April 2018, running for U.S. Senate against incumbent GOP Sen. Ted Cruz, he told radio host Chad Hasty he'd support impeaching Trump over "an attempt, no matter how ham-handed, to collude with a foreign government in our national election." That July, O'Rourke said Trump's performance at a Helsinki, Finland, summit, where the U.S. president took Putin's word that Russian didn't interfere in the 2016 election, merited impeachment.
- Early in 2019, O'Rourke moved more quickly than most of his fellow Democratic presidential-primary rivals to say it was clear "beyond a shadow of a doubt" that Trump attempted to collude with Russia during the 2016 election, according to The Daily Beast.
- At the Texas Tribune Festival in Austin in September 2019, O'Rourke called for Trump to resign, even before the first impeachment articles were drawn up against Trump over his July 25, 2019, phone call with Zelensky.
- Two months after launching his ill-fated presidential campaign, O'Rourke was quizzed by an audience member at a CNN Town Hall about his votes against the protest measures relating to Russia's Crimean invasion five years earlier.
- Casting his opposition narrowly as a vote "against arming Ukraine in their war against Russia," O'Rourke replied that the U.S. at the time was involved in too many military actions. He ticked off Afghanistan, Syria, Yemen, Somalia, Iraq "and a half dozen other countries." O'Rourke said he favored former President Barack Obama's emphasis on diplomacy, and touted the Iran nuclear arms deal with the U.S., China, France, Russia, Britain and Germany.
- "I want to make sure that we give diplomacy a chance," he said. But if necessary, he told CNN moderator Dana Bash, "to protect this country and our fellow Americans, then as commander in chief, I will lead our service members into war. But I want to make sure that that's the absolute last option."

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Administration News

Texas Attorney General Ken Paxton, Austin Isd Clash Over Pride Week Events
By Chuck Lindell
Austin American Statesman

Texas Attorney General Ken Paxton has accused the Austin school district of breaking state law with Pride Week activities that he characterized as attempts to indoctrinate students with liberal attitudes on sexual orientation and gender identity.

"Liberal school districts are aggressively pushing LGBTQ+ views on Texas Kids!" Paxton said Tuesday night on Twitter, where he announced his campaign against the district's "immoral and illegal" Pride Week celebration, which began Monday.

Austin school officials fired back, accusing Paxton of launching a misguided attack designed to score political points at the expense of students.

"I want all our LGBTQIA+ students to know that we are proud of them and that we will protect them against political attacks," Superintendent Stephanie S. Elizalde replied on Twitter.

Ken Paxton
A social media-fueled backlash to this year's Pride Week also resulted in death threats against Doss Elementary School teachers and prompted the school to move Wednesday's pride parade indoors, with police present, "because we were actually worried that this political controversy could possibly threaten the safety of these kids," district spokesman Jason Stanford said.

The Pride Week clash underlines increasingly sharp divisions over issues of sexual identity — a battle that has spilled into the courts over Paxton's opinion that gender-affirming medical care for transgender adolescents constitutes child abuse and into school libraries, where conservatives are pushing to eliminate books that they believe contain obscene sexual content, many of them with LGBTQ themes.

The Austin district has celebrated Pride Week for at least 14 years, with 2022 activities to be determined campus by campus along broad themes, such as "Differences are awesome" for Tuesday and "Know your rights" on Wednesday.

Paxton and other conservatives have focused much of their ire on Doss Elementary's published Pride Week agenda, which included the use of "community circles" — guided conversations on topics such as family and respecting differences.

One of the rules for engaging in a circle, according to the agenda for prekindergarten to second grade, is this: "Respect privacy: What we say in this room stays in this room."

According to Paxton and conservative media outlets, that sounds like students are being encouraged to keep details confidential from parents.

"The Texas Legislature has made it clear that when it comes to sex education, parents — not school districts — are in charge," Paxton said in a letter sent to the Austin district late Tuesday.

State law, he added, requires districts to obtain written consent from parents "before a student may be provided with human sexuality instruction."

"By hosting 'Pride Week,' your district has, at best, undertaken a weeklong instructional effort in human sexuality without parental consent. Or, worse, your district is cynically pushing a weeklong indoctrination of your students that not only fails to obtain parental consent, but subtly cuts parents out of the loop," Paxton wrote.

"Either way, you are breaking state law," he concluded.

Austin school officials rejected Paxton's claim, saying he mischaracterized and misunderstood Pride Week events.

"Community circles are confidential in the sense that makes students feel trusted and respected for their privacy when sharing in the conversations — it does not mean don't tell your parents," the district said in a statement, adding that circles are often used in social-emotional learning to foster discussions on a range of topics such as test anxiety and world events.

In addition, Paxton was wrong, legally and factually, to equate Pride Week with sex education, which requires parental consent for student participation, district spokesman Stanford said.

"Pride is about celebrating who people are, particularly members of the LGBT community who are bullied much more than the community at large, who experience suicide at much higher rates, who skip school at twice the rate of straight kids because of worries about their safety," Stanford said.

"In Austin, it's really important to us to let all these kids know that we love them and they're welcome and they're safe," he said. "It might surprise the attorney general to find out that this is a pretty normal idea here in Austin, that we love everybody."

In his letter, Paxton advised the district to "rectify this situation," noting that state law lets parents file complaints with the Texas Education Agency alleging that they had not given approval for student participation in "human sexuality instruction."

The Austin district will not take that advice, Stanford said, disputing the conclusion that Pride Week activities fall under the legal definition of sex education.

"This is nothing our lawyers are taking seriously at all because he's so wrong about the law," Stanford said. "We thank the attorney general for his interest, but we will continue to celebrate Pride."

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AG Paxton Appeals To Texas Supreme Court As State Halts Inquiries Into Parents Of Trans Children
By Lauren McGaughy
Dallas Morning News

Attorney General Ken Paxton is asking the Texas Supreme Court to allow the state to restart its abuse investigations into the parents of transgender children.

Paxton filed his request with the state's top court Wednesday afternoon. On Tuesday, the Texas Department of Child and Protective Services directed its employees to stop opening child abuse investigations based solely on allegations that parents are allowing their trans kids to access certain medical treatments after a court issued an injunction.

"While this injunction is in place, [statewide intake] will not assess these matters as intakes unless independent grounds that warrant an investigation are reported," Associate Commissioner Stephen Black said in an email obtained by The Dallas Morning News and verified by the agency.

"This may be a fluid situation as this decision continues its way through the appellate process. I will provide further updates as needed," Black added.

The injunction from the Third Court of Appeals, issued Monday, temporarily barred the state from investigating allegations of abuse linked to gender affirming treatments for minors such as puberty blockers and hormone treatments. The injunction makes clear, and Black's email underscores, that the state can still open investigations into other alleged abuse such as unexplained broken limbs or malnutrition due to neglect.

State employees, parents and others had expressed confusion over whether the state is continuing these investigations as the policy is being challenged in court. Paxton's public statements have added to the confusion, as he has insisted certain treatments are always abusive and illegal while his own deputies in court have said gender affirming care for minors is not abuse in all cases.

All of the major state and national medical groups support age appropriate, individualized gender-affirming care for transgender children. For those who have not reached puberty, mental health care is the primary form of treatment. Medical interventions like puberty blockers, which are reversible, and hormones should be explored only for youth who have experienced the onset of puberty and after undergoing mental health evaluation, according to best practices.

Surgery is not recommended until the person has reached the legal age to give consent for medical procedures and has lived continuously for at least a year in the gender role consistent with their gender identity. In Texas, the age of consent is 18.

The state confirmed March 10 that it has opened at least nine investigations into allegations that minors are receiving gender affirming medical treatments since Paxton classified this care as "child abuse" last month. Citing Paxton's opinion, Gov. Greg Abbott directed CPS to investigate any allegations linked to this care.

Paxton argued that the Supreme Court should order the appeals court to withdraw its injunction. He said the lower court overstepped its authority by reinstating the temporary halt, which was first put in place by the trial judge on March 11, and argued the plaintiffs who kicked off this litigation have not proved they will be permanently hurt by the state's actions.

Fear and apprehension of injury that might arise if an investigation results in the removal of a child from their parents "are not sufficient to support a temporary injunction," Paxton wrote. And even if the investigations remained on hold during litigation, he added, "plaintiffs' injuries would remain."

The lawsuit was filed by an unnamed state employee, called Jane Doe in court filings, who said she is being investigated because she has a teenage transgender daughter undergoing gender affirming care. Megan Mooney, a Houston psychologist who treats trans patients, is also suing.

They are being represented by Lambda Legal and the ACLU of Texas, which issued a joint statement Wednesday calling Paxton's actions "unconscionable" but "unsurprising."

"We remain committed to battling this harmful and discriminatory effort, and to supporting Texas transgender youth and those who love and care for them," the groups said.

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State News

Abortion Funds Bring New Legal Challenges To Overturn Texas Ban
By Eleanor Klibanoff
Texas Tribune

Two Texas abortion advocacy groups are trying a new legal strategy to strike down the state's restrictive abortion law, which has proven very difficult so far to challenge in court.

They've filed four lawsuits, including two in federal court, challenging the law's constitutionality. But rather than focusing on abortion itself, the suits argue that the law is

unconstitutional in other ways — violating the right to due process, free speech and equal protection under the law.

Texas' abortion law, passed last year as Senate Bill 8, empowers private citizens to sue anyone who "aids or abets" an abortion after about six weeks of pregnancy.

The law is extremely broad — anyone, regardless of where they live or whether they have a connection to the person obtaining an abortion, can bring a lawsuit against anyone who helps someone obtain an abortion in virtually any way.

It's specifically written to evade judicial review, which has allowed it to remain in effect for more than six months. But the Texas Equal Access Fund and the Lilith Fund, which help patients pay for abortions and related expenses, believe this new angle may be the key to undoing the law.

"We are hopeful that any judge who looks at this will recognize the civil enforcement mechanism for what it is … and say these cases aren't really about abortion," said Elizabeth Myers, an attorney representing the abortion funds.

Instead, she said, their legal challenge is about stopping the "millions of bounty hunters who can sue in a very rigged one-sided court system" under the law's private enforcement mechanism.

Aspects of this argument have already succeeded in state court, where a Texas judge found the law to be unconstitutional but declined to block it from being enforced. Now, the same lawyers are taking the case to federal court, where challenges to the law have faltered before.

But this attempt will have an advantage that those did not: The federal suits are filed in Chicago and Washington, D.C., rather than Texas, which allows the plaintiffs to avoid the extremely conservative 5th U.S. Circuit Court of Appeals.

The other two suits are filed in state court and have been added to ongoing multidistrict litigation, where all legal proceedings are stayed while the case is appealed.

South Texas College of Law Houston professor Rocky Rhodes said there are potential obstacles to this approach in federal court, but it's the "best bet" to block the law that he's seen yet.

"This is a better procedural mechanism to get the case before the [U.S.] Supreme Court … and it addresses many of the issues from the previous challenges," he said. "And then, of course, a Supreme Court ruling is binding on all state and federal courts."

This case will be watched closely, not just in Texas, but across the country. Other states, including Idaho and Oklahoma, have taken steps to pass similar laws creating private enforcement abortion bans.

Abortion funds in the crosshairs
When Texas' law went into effect in September, clinics stopped performing abortions after about six weeks of pregnancy, fearing lawsuits.

While the clinics have necessarily scaled back services, abortion funds have stepped forward to fill in the gaps — providing funds, material support and guidance to help women travel out of state to obtain abortions.

This has put them in the crosshairs of anti-abortion groups, including the Thomas More Society and the America First Legal Foundation.

Last month, these anti-abortion groups asked a judge to allow them to depose the leaders of two abortion funds, the Texas Equal Access Fund and the Lilith Fund, to discover the "extent of involvement of each individual that aided or abetted post-heartbeat abortions in violation of SB 8."

A judge has not yet ruled on that petition. But it created an opportunity that the abortion funds have been waiting for — an opening to challenge the law by suing someone who intends to enforce it.

This was the hurdle in the previous federal legal challenge: While lawyers representing the abortion providers identified a slew of state actors they believed were responsible for enforcing the law, the U.S. Supreme Court disagreed with most of them. Recently, the Texas Supreme Court threw out the last remaining argument in that case, leaving them no one to bring a legal challenge against.

But in addition to seeking to depose the leaders of two abortion funds, the Thomas More Society and the America First Legal Foundation have been actively threatening the abortion funds with lawsuits on social media.

When the Lilith Fund tweeted a request for donations, the Thomas More Society responded by saying "donors could get sued under SB8" and linking to the press release about its efforts to depose the funds' leaders.

This makes it clear that the anti-abortion groups intend to bring lawsuits under the Texas abortion law, the new filings argue, and thus the groups can be sued proactively to stop them from doing so.

Neither the Thomas More Society or the America First Legal Foundation responded to requests for comment.

Rhodes has argued in several papers that this is a strong angle to challenge the law.

“This mechanism of ‘wait until you know someone is going to sue you, and then sue them in federal court first,’ is one of the best ways to get an offensive challenge teed up to [the law],” he said.

The filings argue that the abortion law violates advocates’ right to free speech by limiting how they talk to clients, advocate for abortion access and spend their donations, which could be considered political speech. In addition, they argue it is so vague that plaintiffs may not know what conduct is allowed or prohibited; it creates special rules that only apply to these lawsuits, which violates plaintiffs’ rights to equal protection under the law; and allows lawsuits to be brought by people who do not have standing because they have not been directly injured.

If a federal judge agrees with some aspects of these arguments, they could grant an injunction, stopping the Thomas More Society and the America First Legal Foundation from bringing lawsuits against the two abortion funds. The lawsuit also seeks a declaration that the law is “unconstitutional, void, of no effect and therefore not usable” — by anyone.
That wouldn’t stop anyone besides these two groups from bringing lawsuits, but it would create federal court precedent that could be cited in future litigation, Rhodes said.

The case would undoubtedly be appealed, which is part of the strategy. The suits are filed in Chicago, where the Thomas More Society is based, and Washington, where America First Legal Foundation is based, meaning they would go to the 7th U.S. Circuit Court of Appeals and the District of Columbia Court of Appeals.

Cases filed in Texas go to the extremely conservative 5th U.S. Circuit Court of Appeals, which has ruled against the abortion providers at several turns already.

Rhodes said evading the 5th Circuit has the potential to create future complications — unless the case ends in a victory for the abortion funds at the U.S. Supreme Court, which would create a binding ruling that would stop lawsuits from being successfully brought under the law.

Avoiding the abortion argument
Unlike previous legal challenges to the abortion law, these lawsuits deliberately sidestep the most highly politicized aspects of the law.

“This [case] is not really about abortion,” said Myers. “We’re not challenging the six-week ban.”

Myers said that’s not because they believe the six-week ban is constitutional, but rather because the courts may be more open to hearing arguments as to why other aspects of the law are also unconstitutional.

Since the U.S. Supreme Court decided Roe v. Wade in 1973, states have been consistently blocked from passing abortion bans before viability, usually around 24

weeks of pregnancy. Those challenges have been brought by abortion providers and patients, citing their constitutional protections under Roe v. Wade.

Abortion funds are not protected by Roe v. Wade, which makes them more vulnerable to lawsuits under Texas' abortion law. But as the U.S. Supreme Court considers a Mississippi abortion case that could overturn Roe, it may be advantageous to bring a legal challenge on other grounds.

The abortion funds' legal challenge is predicated on other constitutional rights — due process, standing and free speech, among other arguments — that remain in effect even if Roe is overturned.

Amanda Beatriz Williams, the executive director of the Lilith Fund, said in a statement that group is being "forced to protect the work" it does.

"We won't be harassed or intimidated out of serving our community, in the courts or anywhere else," she said. "We are proud to fight back, even when we have no choice."

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Watch: Fort Worth's Republican Mayor Criticizes GOP, Pushes For Medicaid Expansion And Defends Trans Kids
By Joshua Fechter
Texas Tribune

Fort Worth Mayor Mattie Parker, the only Republican helming one of Texas' largest five cities, criticized the current state of the GOP and its intraparty battles Wednesday.

"I could not run in a Republican primary because I just couldn't look myself in the mirror and do it," Parker said during an event with Texas Tribune CEO Evan Smith.

Parker's remarks came weeks after her predecessor Betsy Price, who Parker worked for as chief of staff, lost her Republican primary bid for Tarrant County judge. Price lost the contentious primary to Tim O'Hare, a Southlake attorney and former mayor of Farmers Branch who drew the endorsement of former President Donald Trump.

During the primary, Price was criticized in a mailer for greeting former President Barack Obama on the tarmac at Dallas Love Field Airport in 2016, Parker said. Obama was in town to attend a funeral for five Dallas law enforcement officers killed in an ambush.

That baffled Parker, who identifies as a Republican but makes regular appeals to bipartisanship. In Texas, municipal races are not partisan.

"I'm so confused," Parker said. "We just eat our own."

Parker oversees one of the fastest-growing cities in Texas — and certainly the most conservative of the state's major urban cores. But it's gotten more purple in recent years. Four years after Tarrant County went for Trump, a majority of voters there cast their ballots for Joe Biden in 2020.

Parker, one of the youngest mayors in the country at 38 years old, has been known to buck her party from time to time. She's particularly an outlier when it comes to expanding Medicaid under the Affordable Care Act — which Texas Republicans have staunchly resisted.

"I can tell you that right now, in the state of Texas, in Fort Worth, you have families that are without health insurance simply because we have not expanded Medicaid," Parker said. "And there has not been an alternative presented in the state of Texas to replace Medicaid expansion."

Parker sat down Wednesday for a wide-ranging conservation with Smith at Texas Christian University — touching on her city's rampant growth, high homicide rate and other hot topics.

Here are some of the highlights:

Record homicides

Fort Worth hasn't been immune to the nationwide trend of rising homicides during the pandemic. The North Texas city notched the second-highest number of homicides — 118 — in its history in the last year, though its homicide rate is lower than in years past, according to the Fort Worth Star-Telegram. A rise in domestic violence was a "huge" contributing factor to the jump in homicides, Parker said.

Earlier this month, Fort Worth Police Chief Neil Noakes unveiled a plan to tackle the rise in homicides in part by targeting areas that see a lot of violence.

Fort Worth, which has more than 1,500 police officers, could use more officers to beat back crime, Parker said — though she acknowledged hiring more officers is "not the only way to solve the problem."

"If you take a big step back — and I've talked about this a lot and Neil and I have had a lot of heart-to-hearts about this — does policing in America need to change and has it started to change? Absolutely, yes," Parker said. "But you cannot make change if you aren't pro-police and pro-community at the same time."

Trans kids and their parents

Parker came to the defense of transgender children and their families amid the state's push to label some parents of transgender youth as child abusers. Gov. Greg Abbott, who endorsed Parker when she ran for mayor in 2021, recently directed the state's child welfare agency to investigate parents who let their trans children access gender-affirming care.

Parker said policymakers should instead focus on providing mental health resources for teenagers and improving conditions for children in the state foster care system. She also cited figures showing transgender teens are much more likely to attempt suicide than their cisgender peers.

“I'm worried right now that you're targeting families that are already incredibly vulnerable and in a really difficult circumstance, when there are so many other hundreds of thousands of kids and families that are in dangerous positions with no regard for the subject of transgender,” Parker said.

Growth in Fort Worth
Fort Worth has seen a surge of new residents — and is now the second-fastest growing city in the United States, according to the U.S. Census Bureau.

But with growth comes the challenge of maintaining the city’s character and affordability without totally stifling change. Parker, a University of Texas at Austin alum, said she has kept an eye on Austin’s rampant transformation, skyrocketing housing costs and total overhaul of some neighborhoods — and she doesn’t want to see that happen in Fort Worth.

“All of these neighborhoods have loud beautiful voices that are telling you what they want for their city,” Parker said. “It's not ‘no progress,’ but it is very unique and the same thing won't go in one neighborhood or the other.”

“We want to preserve our corridors and our neighborhoods as much as possible,” Parker said.

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Education

Former Trump COVID-19 Adviser Cites Vaccine 'Safety Concerns' In UT Address
By Megan Menchaca
Austin American Statesman

A former COVID-19 adviser for former President Donald Trump, speaking Monday evening at the University of Texas, falsely told a small crowd that COVID-19 vaccines present serious safety concerns and advocated against inoculating children.

Scott Atlas, a senior fellow at the Hoover Institution, a conservative think tank at Stanford University, also implied that the high number of COVID-19 deaths in the U.S. were linked to “lockdowns” and other pandemic safety restrictions, and he said government data around COVID-19 hospitalizations and deaths was exaggerated and flawed.

The Salem Center for Policy at UT's McCombs School of Business hosted Atlas.

The presentation, titled "The SARS2 Pandemic: Will Truth Prevail?" was open to students, staff, faculty and the general public. About 20 people watched the talk in-person and a few dozen watched virtually.

Atlas, a radiologist, does not specialize in public health or infectious diseases. He has previously faced criticism from multiple medical experts, the Stanford Medical School faculty and the Stanford Faculty Senate, which passed a resolution stating Atlas is "promoting a view of COVID-19 that contradicts medical science."

During the beginning of the pandemic, Atlas said that young people should contract the virus while older Americans isolated to generate more immunity within the population. However, on Monday, he denied advocating for COVID-19 to spread without mitigation strategies and said previous reporting by The Washington Post that he advocated for herd immunity was "a lie."

"We can allow a lot of people to get infected," Atlas said on a conservative talk show in April 2020. "Those who are not at risk to die or have a serious hospital-requiring illness, we should be fine with letting them get infected, generating immunity on their own, and the more immunity in the community, the better we can eradicate the threat of the virus."

More than 965,000 people in the U.S. have died from COVID-19, including nearly 6,000 people between ages 18-29 and 17,450 between ages 30 to 39, according to the federal Centers for Disease Control and Prevention.

He also encouraged Michigan residents in a November 2020 tweet to "rise up" against COVID-19 restrictions on schools and businesses from Michigan Gov. Gretchen Whitmer, although he later tweeted that he was not advocating violence.

Carlos Carvalho, executive director of the Salem Center for Policy and a UT statistics professor, did not immediately respond to a question about why Atlas was invited to speak at UT, although he praised Atlas and his work during the presentation.

"Scott's courage and perseverance to argue, provide alternative perspectives, question assumptions, seek better evidence, i.e., the basics of the scientific process, regardless of whether it is right or wrong, is to be commended," Carvalho said.

A UT spokesperson responded to a request for comment by pointing to the school's free speech policies, which state, in part, that freedom of speech is central to the mission of the university and UT will not discriminate on the basis of people's viewpoints.

The policy also states that any university organization that presents a guest speaker on campus must make clear that the organization — not the university — invited the speaker and the views of the speaker do not necessarily represent the views of the university.

COVID-19 vaccines

During his presentation, Atlas said COVID-19 vaccines have “serious safety concerns,” including myocarditis in young men, and don’t protect against infection as well as “natural immunity,” or the protection that the body creates after an infection.

The McLellan Lab at UT played a significant role in developing the research behind the COVID-19 vaccine, which has saved more than 1 million lives and prevented more than 10 million hospitalizations in the U.S. from December 2020 to the end of November 2021, according to a study published in The Commonwealth Fund.

The CDC and other medical experts recommend the vaccine for everyone age 5 and older because the risks of COVID-19, including hospitalization and death, outweigh the potential risks of any rare adverse reactions.

A CDC study published in January found that, during the delta variant surge, people who were previously infected with COVID-19 had more protection than people who were vaccinated but had not been infected. However, the study doesn’t apply to the omicron variant, which has been the dominant variant in the U.S. since late last year, and it was conducted before booster shots were widely available to the public.

Atlas said the COVID-19 vaccine helps protect people who are at high risk for death and severe disease, but he advocated during the presentation against giving it to children. He said that healthy children have a low risk of serious illness, almost no risk of death from COVID-19 and rarely spread the virus to adults.

“There is a serious breakdown of medical ethics to anyone who recommends and administers vaccines to healthy children. ... The kids who are healthy have no significant risk of the disease. You don’t inject experimental drugs,” Atlas said.

Children are less likely to develop severe illness compared with adults, but they still face some risk, according to the CDC, and vaccination is recommended for children age 5 and older.

According to the American Academy of Pediatrics, at least 944 children have died from COVID-19 from May 2020 to March 2022 in the U.S., which amounts to about 0.11% of all COVID-19 deaths. More than 40,700 children in 25 states and New York City have been hospitalized, or about 3.2% of all the people in those states and New York City hospitalized for COVID-19.

Pandemic restrictions

Atlas also criticized Dr. Deborah Birx, former White House coronavirus response coordinator, and Anthony Fauci, chief medical adviser to President Joe Biden, saying they encouraged COVID-19 restrictions, such as lockdowns and school and business closures.

“The result (of those policies) was about 900,000 plus Americans have died, at least have been deaths attributed to COVID-19, and millions of families and children were severely hurt, especially the working class and the poor,” Atlas said. "That's what was implemented. They got what they want."

Studies from the Global Policy Lab at the University of California, Berkeley and the University of Michigan have found that COVID-19 restrictions, such as lockdowns, have prevented — not caused — millions of COVID-19 cases and related deaths.

After accusing Fauci’s policies of contributing to high COVID-19 deaths in the U.S., Atlas then claimed that some COVID-19 data was inflated.

“There's a gross exaggeration of hospitalizations and deaths for COVID in the United States,” Atlas said. “It doesn't mean that people didn't die. I'm not minimizing, but this is the perspective that was never given to the American public.”

Multiple hospital systems in a variety of states, including New York and Massachusetts, acknowledged that there were patients diagnosed with COVID-19 who came to the hospital for noncoronavirus reasons, especially during the omicron surge, and some adjusted their reported data to reflect the distinction.

Doctors and medical experts told the Poynter Institute that anyone who is hospitalized — whether the primary cause was COVID-19 or not — requires hospital resources and may limit the availability of beds or staffers for other patients. The incidental cases still pose a risk and do not mean that COVID-19 hospitalization data was inflated, Poynter reported.

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Texas Created A Program To Help Students Reenroll In College During The Pandemic. Schools Struggled To Find Students Who Qualified.
By Kate McGee
Texas Tribune

When the federal government handed Gov. Greg Abbott $307 million in the spring of 2020 to help Texas’ education systems survive the COVID-19 pandemic, he set aside $47 million specifically for former students, those who had earned some credit but left before finishing their degree or certificate.

There are 4 million Texans who have some college credit but never earned a credential. It’s a group that the state higher education leaders want to bring back into the classroom to learn new skills and fill high-demand jobs across the state. That interest has only heightened during the pandemic, especially at Texas’ community colleges, which have experienced staggering enrollment declines.

With that $47 million from the Governor's Emergency Education Relief Fund in hand, The Texas Higher Education Coordinating Board — the state agency that oversees

Texas' colleges and universities and manages the state's financial aid program — created the Reskilling Support Fund Grant Program.

The agency's goal was to put this money in the hands of as many as 30,000 students by February 2022, according to a presentation on its website. When it asked schools to apply for the first two rounds of grant funding, state leaders emphasized the importance of getting the money to students as fast as possible, given the high unemployment rate and large number of displaced workers.

"Indeed, these are emergency funds," Sheri Ranis, the coordinating board's assistant director for innovation and advancement, told college leaders in a Zoom meeting in late 2020. "Those who are able to get more money out the door more quickly are going to get bonus points for that."

But in the year since that money was first distributed, the 64 colleges and universities that received grants have awarded money to only one-third of the 18,000 students that they collectively told the state they could help reenroll, much lower than they predicted and far from the state's vision to provide 30,000 students with this funding.

While a few colleges have enrolled hundreds of students, most schools have helped a fraction of the number of students they claimed they could, according to a Texas Tribune analysis of reports submitted by each school to the state. At the end of 2021, four schools that received money had yet to award it to a single student.

Multiple college leaders blame the slow ramp-up on extremely strict requirements initially handed down by the state that limited exactly who qualified for a grant and when the money could be used. It made it nearly impossible to distribute funds to potential students.

"It was like we were on a hunt for a unicorn," said Marlo Bitter, spokesperson with Trinity Valley Community College in Athens, where money has been distributed to 22 of a projected 400 students as of the last report to the state. At the end of the semester, schools will submit reports detailing how many students they awarded money for the spring.

In turn, the state was forced to relax program requirements twice last year to try to make it easier for schools to award money to students.

And earlier this month, the coordinating board expanded the requirements yet again, after weeks of questions from the Tribune about the reasons behind the program's structure.

State higher education officials largely defend their efforts. And, to be sure, reengaging students who have left college before finishing is a challenge that schools across the country have yet to solve.

But Texas Higher Education Commissioner Harrison Keller said the struggle to award this grant funding revealed an overall lack of infrastructure within Texas colleges and universities to connect with nontraditional students who tend to be older than a student enrolling immediately after high school.

“These were wake-up calls for us,” Keller said. “No institution that I talked to felt like that was something that they were very good at. … This is something that we have wrestled with.”

Immediate struggles to find students

To apply for this money, Texas colleges and universities had to include in their application the minimum number of students they believed they could identify and reenroll, using this money to help pay the student’s tuition and fees.

So far, the state has awarded the money to schools in three different rounds.

Larger schools like Dallas Community College and El Paso Community College said they could help at least 1,000 students. They received $1.5 million during that first round of funding. Smaller schools like Panola College in East Texas and Texas Southmost College in Brownsville said they could help at least 75 students. Those schools each got $112,500.

But from the start, some school leaders said they realized quickly it would be a struggle to find those students.

“We knew what we were getting into when we applied for it just because it certainly was a challenging set of requirements,” said Jay Corwin, chief student success officer at Collin College, which banded together with a group of North Texas schools to launch a joint program called Project Complete. “But, you know, once you found a student that was eligible, it was really exciting.”

At first, students had to be within a year of finishing their program and left college more than six months ago. They had to enroll in high-demand programs and qualify for at least $500.

This money was available only after they exhausted other funds, like federal and state financial aid programs. Students also had to show they were impacted by the pandemic. After all that, students could receive a maximum of $2,500.

According to those running the programs, the reasons students didn’t qualify for the program varied. Some students were discouraged when they tried to first fill out the federal financial aid application known as FAFSA. Others had outstanding debts they needed to pay the schools before they could start classes again. Or their GPA had dropped too low to qualify for money. Others were too far away from finishing their programs to qualify. For some, they had dropped out too recently.

“[It] was a little difficult to get a lot of our students to check every single box,” said Tim Clark, head of enrollment services at Odessa College, which has awarded pandemic reskilling money to only 46 of the 2,000 students it originally hoped to find by the end of 2021.

Clark also said tuition and fees are so low at Odessa that many students didn’t need the money. In some cases, students didn’t qualify because they needed less money than the $500 minimum set by the state.

And these were the issues that arose when students did apply. Many colleges said lots of former students just didn’t respond when they reached out via postcard, email or phone call.

April Felan-Butler runs the reskilling grant program at San Jacinto College outside Houston, which has distributed money to 50 students out of 665 they told the state they could help.

She said students were sometimes caught up in a small but vital bureaucratic detail: She couldn’t actually confirm if they qualified for the grant unless they officially enrolled. Sometimes she said students weren’t ready to reenroll because they didn’t know if they could actually afford to pay.

“It’s like, well, there’s no guarantee that I’m going to get this grant,” she said students would tell her, explaining their hesitancy to go through the process without the assurance that tuition and fees would be covered.

Many leaders said lots of students remain unconvinced this is the best time to return to school as they continue to balance child care, jobs or housing insecurity made worse by the pandemic.

“The least little thing can derail them,” said Gloria Smith, associate vice chancellor of career connected learning at Dallas College, which has awarded 65 students grants out of 1,000 it received money to serve.

“The mindset is, ‘Oh, let’s just give them money. Let’s get them reskilled and this should work.’ But I think people, depending on how COVID has impacted them … education in general, it’s just not at the top of their list right now,” Smith said.

Learning how to communicate with older students

The reskilling grant funding was not the only aid that schools could provide students to help pay for school during the pandemic. Abbott allocated money to schools to provide other emergency aid to students, but also to help schools boost their online learning programs and data infrastructure.

But the reskilling money was unique because it allowed Texas to target noncompleters, a group that state leaders know they must reengage to help employers hire the workers they

need. And especially if they want to reach a previously stated goal that 60% of 25- to 34-year-olds hold a certificate or college degree by 2030.

Noncompleters tend to be older students who stopped attending school because of finances or class schedules that don't mesh with their other responsibilities, like child care or work.

School leaders said they quickly learned that messaging to older students required a different approach than a student coming right from high school.

At El Paso Community College, financial aid director Ines Lopez said when her school system initially emailed 5,000 students about the reskilling grant program, they received few responses.

When Lopez' 24-year-old son, who has a bachelor's degree, saw a flier for the grant at home, he pointed out a crucial issue: He said he didn't know what reskilling meant.

"Students see reskilling as a scary word," Lopez said. "Our older population of students — they're still students, they're diverse. It might be how we're marketing, how we're not enticing [them]. Maybe it's not for them because it's a word they don't understand. We need to say something like, 'You're so close to finishing. We could help you cross the finish line.'"

The school changed the way they worded their messaging and added photos of older adult students to postcards and then they sent them to potential awardees. As of December, El Paso Community College had given grants to 88% of the 1,075 students they pledged to help.
In North Texas, Collin College and its nearby partnering schools have awarded money to nearly three-quarters of the 1,450 students they said they could reenroll. They credit the decision to pool their resources and market the program under the same name, Project Complete.

"It makes more sense to market for completing your degree in North Texas than it does to say, 'complete your degree at this institution' and have six different entities out there saying the same thing with a different logo on the bottom," Corwin said.

Other college leaders said they changed their marketing tactics for the reskilling grant program because of feedback from older students.

While younger students prefer to text or email and embrace communicating over social media, older generations want something more tangible, said Kelley Townsend, associate vice president for workforce education at Trinity Valley Community College.

"We do have these working students that are coming back [and] going, 'I don't have time for that. I need you to send me something. I need you to call me. I need you to have a flier I need,' she said. "So they're old-school, and that's OK, too."

Students need more than money

While a major emergency like the COVID-19 pandemic might bring an influx of funding, experts say money isn't enough to entice nontraditional students to return to college.

"You can't wait until there's an emergency to then try to establish these communication lines," said Oscar Sweeten-Lopez with the Michael & Susan Dell Foundation, an expert who works to improve graduation rates among students facing challenging conditions. "If those communication lines haven't been established, and just with the added complexity of everyone's lives with COVID, it's just a very challenging environment to have the success that I think people had anticipated or hoped for."

Lexi Anderson, a policy director at the Education Commission of the States who has studied noncompleters, said states trying to target students who have dropped out need to spend time trying to deeply understand why students left college, knowing "that not just money will fix it."

"You have to have that next-level conversation with former students," she said. "And ask 'Is this what you want? Is this the kind of program that's going to help you?' and 'What do you need support-wise now that you didn't have then?'"

A few states — including Texas — have tried to make it easier for these students to return to college over the past decade. Anderson said states that have successfully brought older students back to school have done it in a centralized way rather than allowing schools to individually do so, like the Texas reskilling program model.

In 2016, Indiana launched a program to encourage students to return to college called "You Can. Go Back." State higher education officials created a statewide financial aid program to support older students specifically rather than allowing individual schools to run their program. As of 2020, more than half of the 19,000 students who reenrolled had finished their programs, according to the Associated Press.

Launching a central program also creates a more unified way to market the opportunity and it allows the state to use other statewide data sources to track down former students. Yet this grant program in Texas provided some lessons to some colleges and the state to become more student-ready.

This fall, Trinity Valley Community College will start to offer night and weekend courses to accommodate older student schedules. Townsend said older students are less likely to be able to attend classes in the middle of the day.

Keller, the higher education commissioner, said the coordinating board made changes as a result, too. This fall, the state is launching an advising tool called My Texas Future. Now, the new portal will first prioritize older students and help them find the best program that meets their needs and particular situation.

“We realize we punted this to institutions, historically, far too much and relied on Google,” Keller said. “They’ll Google around to look for different programs that might be a fit. And that's not going to be effective for addressing the kind of challenges that we face, especially for helping folks identify programs that would translate the real value and opportunities for them and their families.”

Countdown to September

According to The Hunt Institute, which has tracked how state governors have allocated this federal COVID-19 funding for education, few states used this money for higher education. Many used the funding for K-12 school systems.

Any unspent COVID education dollars must be returned to the federal government. In Texas, colleges that received money from the reskilling program have until September to award the grant money to students or the state will have to return it to Washington. The coordinating board had originally told schools to award all the money by February of this year.

In January, the coordinating board awarded a third round of funding to schools that must also be dispensed by the end of September.

Keller insists the state would not send any money back to the federal government. He said any money that schools can’t use could be redirected to other colleges or universities. Or they could change requirements again.

But as the state expands the eligibility requirements, it moves further away from helping the students it said it originally intended to serve: returning students who may have lost their jobs and could enroll in short-term credential programs to learn a new skill.

As the program stands today, the money can be used for any Texan who isn’t coming directly out of high school who wants to enroll and meets other basic academic and financial requirements. Schools can now also give this money to students enrolled in graduate programs, a large step away from the original intent to encourage displaced workers to enroll in short-term credential programs.

While Keller said students earning their master’s degrees and Ph.Ds likely would receive this funding only in rare cases, only three of the schools that received part of the $10.5 million awarded in the final round of funding earlier this year offer short-term credentials. Most schools that received funding were four-year universities, including for the first time two private universities: Our Lake of the Lake University in San Antonio and University of St. Thomas in Houston. It signals that this latest round of funding will be awarded to more students pursuing bachelor’s degrees or higher.

Despite the stumbles in launching this program, Keller remains positive. He was adamant that the trajectory of the reskilling grant program helped set the stage for a better conversation during the next Legislative session about what type of state investments higher education needs to properly meet the workforce needs of communities.

"If it all would have worked perfectly out of the box the first time, we wouldn't have learned as much," Keller said.

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A Texas University Produces Some The Highest Paid Women In The Country, Report Says
By Timothy Fanning
Houston Chronicle

Texas State University is among the top universities in the country for producing the most high-earning female graduates under 40, according to a recent report.

These graduates in accounting, health care and marketing go on to earn $126,225 on average, according to the education and workforce data website Steppingblocks. The top employers of these female Texas graduates are USAA, Dell and consulting firm Deloitte, the report says.

Steppingblocks ranked Texas State No. 6 out of 13 doctoral and research universities in the South. Texas Christian University was ranked No. 12. According to the website, graduates earn an average of $131,855 on average and often go on to work at companies such as Lockhead Martin and Deloitte. The top majors there are nursing, accounting and law.

Nova Southeastern and American University were the top two universities in the South.

However, women who work full time in the United States make just 83 cents for every dollar paid to men, according to the U.S. Bureau of Labor Statistics. The National Partnership of Women and Families recently found that the pay gap is even wider for women of color, mothers of young children and women with disabilities.

To complete the study, Steppingblocks collected and analyzed the list. The website says it pulled and collected employment, demographic and education data from "hundreds of sources."

The website also says its data set includes more than 130 million people and 25 million companies.

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Business/Economy

A Pilot Shortage Has Haunted Airlines For Decades. What Does It Mean Now That It's Finally Here?
By Kyle Arnold

Dallas Morning News

The faster-than-expected rebound in travel after the COVID-19 pandemic erased one critical question that airlines faced: “Will people want to fly again?”

Now, a new question is emerging: “Will there be anyone to fly them there?”

Fort Worth-based American Airlines and Dallas-based Southwest Airlines are among carriers aggressively searching for new pilots, both hiring regional pilots eager to make the jump to bigger planes with bigger paychecks and snagging highly coveted students still in flight school by dangling hundreds of thousands of dollars in sign-on bonuses and retention payments.

Still, those new pilots are arriving fast enough. Regional carrier SkyWest Airlines, selling tickets through United Airlines, cited a shortage of pilots while petitioning the government to drop service to 29 cities, such as Victoria, Texas. Southwest Airlines this month said it’s cutting April and May schedules due to staffing shortages.

The beginning of a long-foretold pilot shortage is here and it may hinder a travel industry that’s already struggling to emerge from two years of pandemic pain.

With the pandemic pushing thousands of pilots to retire early, airlines are facing a massive gap in the availability of people to fly commercial airliners. Aviation consulting firm Oliver Wyman is predicting there will be a shortage of about 19,000 pilots globally by the end of 2022, a number that will only grow to about 60,000 in 2029 as the number of Baby Boomer pilots who earned their wings in the military are forced to retire at 65.

“It’s already hitting and the regional airlines are going to bear an unfair burden,” said Geoff Murray, an airline consultant with Oliver Wyman’s global aviation team. “We’ll see that reflected with the elimination of service, especially to small cities.”

Regional airlines are a keystone of the country’s flying ecosystem, connecting the smallest destinations to major hubs in Dallas-Fort Worth, Houston, Chicago and Denver. Regionals will get hit the hardest because the country’s mainline carriers, including American, Southwest, United and Delta, pay much better than regional airlines and usually treat those smaller companies as farm teams to fill their big league rosters of pilots.

That takes its toll if there aren’t enough pilots to replace the ones moving up to the majors. About 63% of the nation’s airports are served only by regional carriers such as Envoy (flying American Eagle branded planes), SkyWest, Mesa and others, according to the Regional Airline Association. About 41% of all scheduled flights in the U.S. are on regionals.

‘A timing issue’

At Envoy's headquarters in Irving, a few miles from American Airlines' corporate campus, ground school instructor Mark Stewart spent an afternoon walking students through the complicated flight controls and operational procedures needed to get new pilots up to speed on flying a commercial aircraft, even after they had spent 1,000 to 1,500 hours in the air during flight school.

After about three months of training in classrooms and flight simulators, pilots are sent out as first officers and paired with more experienced captains to fly from cities like El Paso and Laredo to DFW International Airport in 44- to 76-seat regional jets.

Envoy and American Airlines have spent more than a decade making sure new hire classes are full. In recent months, airlines have had to work even harder.

"We do have a timing issue right now with the fact that the industry has seen such growth," said Captain Ric Wilson, Envoy's vice president of flight operations. "We're losing a lot of our captains."

Just this month, the carrier pledged to give flight school students another $15,000 to commit to joining one of their regional airlines after graduating and getting rated to fly commercial planes.

Between student pilot programs and flow-through programs for sticking with the Fort Worth-based carrier, potential pilots are looking at more than $200,000 in recruitment and retention bonuses in their first five to seven years of flying, more than enough to cover the six-figure flight training costs.

Try finding that level of financial help in other occupations, even in high-demand, high-skill fields like surgeons and nursing where graduates are left on their own to repay hundreds of thousands of dollars in debt.

But creating new captains, the lead pilots on a two-person team flying a jet, isn't as easy as putting the more experienced flyer in the left seat. At bigger airlines, it takes years to work up to captain and most pilots are highly experienced by the time they break into the upper half of seniority needed to get the rank. Regionals usually require pilots to hit about 1,000 hours of flying time.

In recent months, as the industry added flights at a rapid rate, bigger mainline airlines are poaching captains from those feeder regionals. Without captains, there's no one to fly with first officers. Without a pair, airplanes don't take off and first officers don't get hours to become captains.

"There is a bit of a pinch, a timing issue right now. We're losing this group of captains and we don't have pilots to replace them," Wilson said. "It's not because we can't hire them. It's just they can't get their qualifications quick enough to become captains."

During 2020 and early last year, airlines such as Envoy and American shut off new pilot hiring and training classes, causing a gap of 15 to 18 months when no entry-level first officers were hired to start gaining experience. The earliest pilots who had their training delayed would just be approaching the captain level now, two years later.

Dallas-based Southwest is putting more money into training, too. On March 18, the company announced that it's creating a pilot pipeline program with two regional carriers, SkyWest and Advanced Airlines.

Southwest expects to hire more than 1,000 pilots this year. The company also restarted work on its pilot training center in Dallas, a $13 million project that will add eight new simulators and help push pilots through training more quickly.

Getting students off the ground
Taylor Ingle, 23, started training at U.S. Aviation Academy in Denton in August and expects to take out about $60,000 in loans for the two-year training program. She's hoping to zoom through the program as fast as she can and save money working in the school's admissions department.

After she gets her commercial pilot license, she'll still need to earn about 650 hours working as a flight instructor.

"I had considered going to the military, but I don't think that's the right path for me," said Ingle, who got a bachelor's degree in business administration from the University of Pittsburgh before deciding on flying while working as an intern at an airport. "One concern is the cost of flight training, everyone knows it can get pretty pricey."

If she sticks with one of the airline feeder programs, she could net more than $200,000 in grants and bonuses, more than enough to pay for the cost of schooling. She'll have her pick of airlines to choose from — United and Delta investing in cadet programs, too — along with a growing number of cargo carriers and international airlines.

The industry's pilot shortage dates back decades when most Baby Boomer pilots were hired out of the military in the 1980s and left carriers with little worry for years to come. But then airlines went through a crisis in 2013 when the Federal Aviation Administration increased the number of flight hours required for a student to earn an air transport pilot license, the certification needed to fly commercial jets.

Costs for training were already high, around $100,000 for two to four years of school. The increase in hours came after the deadly Colgan Air crash in 2009 near Buffalo that killed 49 people and investigations determined that pilots didn't have sufficient training.

Students were suddenly forced to spend another 500 to 750 hours gaining experience, usually as flight instructors. Even after that, pay was low for starting pilots, sometimes as little as $22,000 a year.

That's when airlines started to create pathway programs for student pilots, giving them cash assistance and the promise of a job once they graduated. Regional airlines increased pay, now about $50,000 to start, and the number of students increased.

But the industry is still a high-cost, high-reward undertaking, said Murray, who studies pilot demand at Oliver Wyman. He's also a flight instructor.

The average pilot at Ameican Airlines made about $249,000 in 2020, according to Massachusetts Institute of Technology's Airline Data Project. Even fifth- or sixth-year Envoy pilots make about $108,000, according to Addison-based pilot trainer Thrust Flight, one of Envoy's partner schools.

"You are laying out that cash in training with the hope that those jobs will still be there when they are done," Murray said. "Kids will look at me and ask what happens if there's another 9/11 and the whole industry crumbles."

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Power Producer Vistra And HVAC Giant Lennox International Are Getting New Top Bosses
By Paul O'Donnell
Dallas Morning News

Two of Dallas-Fort Worth's largest public companies named new chief executives this week in planned successions.

Irving-based Vistra Corp., the state's largest power generator, named longtime company executive Jim Burke as its next CEO to replace Curt Morgan, who has guided the company since 2016. Burke's promotion is effective Aug. 1.

Richardson-based Lennox International went outside the company to find Todd Bluedorn's successor. It hired Alok Maskara, CEO of Luxfer Holdings PLC, an advanced materials industrial company. He takes over May 9.

Bluedorn announced in July that he intended to retire by mid-2022. He led the heating, venting and air conditioning giant for 15 years. Lennox's revenue grew 15% last year to nearly $4.2 billion.

Maskara, 51, has guided Luxxfer Holdings for five years. Prior to Luxfer, he was president of several global business units at Pentair PLC, a water treatment and sustainable applications company, for a decade. He also previously held leadership roles at General Electric Corp. and McKinsey & Co.

At Vistra, Morgan will stay on as CEO through a summer transition, according to the company. Board chairman Scott Helm credited Morgan with moving the company away from a reliance on coal plants and into one of the largest power producers and retailers in

the U.S. It sells electricity and natural gas to nearly 4.3 million residential, commercial and industrial customers.

“Leading Vistra has been the most rewarding experience of my 40-year career,” Morgan said in a statement. “Now is the right time for this leadership transition. The company is strong with the right strategic direction and capital allocation plan. And importantly, Jim is the right person for the job.”

Burke, 53, most recently was president and chief financial officer of the $12 billion-a-year business that includes well-known retailers TXU Energy, Ambit Energy and Dynegy and power generator Luminant. Before that, he was Vistra’s chief operating officer for four years and previously served as CEO of TXU Energy.

CEO turnover is beginning to accelerate this year, with 276 top executives departing in January and February, according to a report by global outplacement and coaching firm Challenger, Gray & Christmas Inc. That’s up nearly 42% from the same two-month period a year ago.

“As pandemic concerns subside somewhat with falling cases, leaders who have been in crisis mode for the last two years may look for something new,” said Andrew Challenger, senior vice president of the Chicago-based firm. “As with many American workers, they may choose to retire or resign for other positions.”

Since August, American Airlines, Southwest Airlines and Tenet Healthcare are among North Texas companies with retiring CEOs being replaced with internal successors. Earlier this month, Susan Salka, the chief executive who established Dallas as a second headquarters city for staffing firm AMN Healthcare, said she will retire this year after her successor is hired.

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Transportation

Airlines Including American, Southwest Push White House To Lift Face Mask Mandates
By Kyle Arnold
Dallas Morning News

Leaders at the largest airlines in the U.S., including American and Southwest, are urging the White House to drop COVID-19 restrictions including masks mandates and international testing.

American Airlines CEO Doug Parker and Southwest Airlines Chairman Gary Kelly joined leaders at United, Delta, Alaska, JetBlue and others in a letter to the Biden Administration in saying “the science clearly supports lifting the mask mandate, as demonstrated by the recently released CDC framework indicating that 99 percent of the

U.S. population no longer need to wear masks indoors," the letter from trade group Airlines for America said.

They also asked for pre-departure testing for international passengers to be dropped, a move that several other countries have announced in recent weeks including New Zealand and the United Kingdom.

"It is critical to recognize that the burden of enforcing both the mask and pre-departure testing requirements has fallen on our employees for two years now," the letter said. "This is not a function they are trained to perform and subjects them to daily challenges by frustrated customers."

"This in turn takes a toll on their own well-being," the letter said.

The letter from CEOs comes as case counts and hospitalizations from COVID-19 hit the lowest point since last summer, but also as a new variant sweeps across Europe that appears to be more virulent.

The TSA announced on March 10 that it was extending the requirement to wear face masks in airports and on airplanes for at least another month until at least April 18, but also that it was working on a framework for how and when the mandate would eventually be eased.

Earlier this week, the union for flight attendants at Dallas-based Southwest Airlines sent a letter to the Biden Administration and other transportation regulators asking to drop the face mask mandate as well, saying that "serving onboard during these contentious times and enforcing mask compliance is one of the most difficult jobs we have ever faced as flight attendants."

TWU Local 556 President Lyn Montgomery said that a survey of flight attendants returned a vast majority of members in favor of dropping the mask requirement.

In their letter, airline leaders insisted that studies have shown that the spread of COVID-19 inside airplane cabins is unlikely due to air filters that frequently exchange the air in aircraft cabins.

For those that still need greater protection, they said there are options.

"The high level of immunity in the U.S., availability of high-quality masks for those who wish to use them, hospital-grade cabin air, widespread vaccine availability and newly available therapeutics provide a strong foundation for the Administration to lift the mask mandate and predeparture testing requirements," the letter said. "We urge you to do so now."

Meanwhile, airline officials are pushing the federal government to drop barriers that have limited international travel, including the requirement to receive negative COVID-19

tests prior to getting on a plane to the United States. They said the testing rule has "outlived its utility and stymies the return of international travel" and places "an additional cost and burden on travel to the U.S."

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Health Care

New Project Aims To Identify Mental Health 'Service Deserts' In Central Texas
By Nicole Villalpando
Austin American Statesman

Imagine being able to see where in Central Texas there mental health care resources by using a dashboard, much like the COVID-19 dashboards we've used in the past two years to see how this pandemic has progressed.

Then imagine being able to look at the dashboard map and see where there are gaps in care. And imagine hospitals, nonprofits and government agencies being able to tailor where they add mental health services based on an area's needs.

That's the concept being developed by the just launched Central Texas Community Mental Health Surveillance Collaborative. The collaborative is being funded by a $2 million allocation in the federal appropriations bill signed into law last week.

The collaborative will take existing public health data and put it on a map to be able to see where there are resources, where there are not enough or none, and where there are particularly vulnerable populations based on social determinates of health — things like access to transportation, employment and housing.

"A mental health map of Central Texas should be a useful tool for public health planners, school counselors and veterans' assistance groups," said U.S. Rep. Lloyd Doggett, D-Austin, who helped secure the funding for the project. "It can help to match needs of neighbors from certain areas, age groups, and other factors with available resources for help in times of crisis or challenge."

Melinda Villagran, executive director of Texas State University's Translational Health Research Center, will lead the project.

"We saw the mental health need during the pandemic," Villagran said. "We need to understand what is happening. Where do we need to match the research with resources?"

The data the dashboard will pull is readily available, but it is massive and not aggregated in one location, Villagran said. She'll be using community partners to help her team determine which data would be most helpful to make more accessible as well as map that data by census tract location.

While one data set such as number of hospital admissions might not point to a mental health need in that community, it's the combination of multiple data sets that will provide a clearer picture. Some things they could look at include what areas have more people at high risk for mental health needs such as veterans, students, postpartum women, people impacted by COVID-19 or people impacted by job loss.

Hidden costs of the pandemic:At SXSW, Surgeon General Vivek Murthy takes on loneliness, polarization

"There are a lot of factors that could go into it," Villagran said. "By overlapping them, we might find the places where things pile up. We're not just look at typical stuff. We're looking at things more broadly and not jumping to conclusions."

On the other end, the dashboard will identify areas where mental health clinicians and nonprofits currently are working and help connect people to them.

"This will help mental health providers to get ahead of the resources," Villagran said. "They are really busy. They are overrun with clients right now. They need a tool that is easy to use."

The funding will allow Villagran to hire three data science investigators, including a computer scientist, a psychologist and a health administrator, as well as a Geographic Information System expert to create the map, and a community resource expert to create a directory of services for each area of the map.

The funding also will help pay for the time of the different community partners who will help the collaborative focus on which data is most helpful to use when mapping mental health care needs.

The collaborative has begun working with Austin Public Health, Community Action of Central Texas, Texas Health & Biosciences Institute, Hill Country Mental Health and Developmental Disabilities Centers, San Antonio Chamber of Commerce, Austin Chambers of Commerce, Comal County Commissioner Donna Eccleston and Hays County Public Health.

Austin Public Health is a key collaborator because it provides an open data portal with a lot of de-identified information (information that is about population, not person-specific). Not all areas of Central Texas have that amount of data. The project also could identify what areas still need to be researched and which data is missing and needs to be collected.

This could influence where future mental health services are created. Villagran envisions hospital administrators, nonprofit groups, mental health centers and government agencies using the dashboard to determine where to expand services.

"Service deserts are a problem, and they're hard to pinpoint until something happens that points to a place lacking services," she said.

While it will take a two or three years to put the dashboard together, Villagran said the collaborative could become a model for other communities. "There's not really any models like this," she said.

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Criminal Justice

Officer Suspended For Punching Pregnant Woman Begins Fight For Reinstatement
By Jacob Beltran
San Antonio Express News

A police officer who was indefinitely suspended for punching a pregnant woman in the face is fighting for reinstatement with back pay and benefits.

An arbitration hearing for Elizabeth Montoya, formerly with the San Antonio Police Department, began Wednesday at the San Antonio International Center downtown and is scheduled to resume at 9 a.m. Thursday.

Montoya was suspended indefinitely, tantamount to being fired, in January 2019 for inhumane treatment of a suspect during an arrest she made the night of July 5, 2018.

Montoya's attorney, Robert Leonard, said evidence will show that Montoya's firing was unjust and inappropriate, asking the arbitrator to overturn Chief William McManus' decision and to issue other discipline if necessary.

"Regardless of the city's position that the incident captured on video looks bad, when you peel back the layers and look at the underlying facts and circumstances in this case, you will see that … she was acting within training. She was acting within policy."

City Attorney Michael Urbis presented two witnesses, including San Antonio police Lt. Matthew Murray, who moved the complaint through internal affairs after reviewing body and police vehicle camera video footage that captured the incident.

On the day of the incident, Montoya and several officers were alerted to the 1200 block of San Luis Street for a disturbance in which the woman and at least one other suspect were accused of burglarizing a home, according to the footage.

The footage shown started with the moment tensions began to flare as Montoya was searching the woman for contraband.

On ExpressNews.com: SAPD officer fired for assaulting handcuffed suspect and leaving her in the rain, records show

When the woman confirmed to Montoya that she was pregnant, Montoya scolded her, saying, “Six months pregnant and you’re out here doing this?”

The woman began complaining about the search as Montoya discovered a Xanax pill in her bra.

When Montoya needed to search between the woman’s legs, she complained that she was in pain from her pregnancy and did not want Montoya to do so.

San Antonio Police Department Lt. Matthew Murray, right, answers questions from Assistant City Attorney Michael Urbis during an arbitration hearing on former police officer Elizabeth Montoya’s appeal of an indefinite suspension from the SAPD.
San Antonio Police Department Lt. Matthew Murray, right, answers questions from Assistant City Attorney Michael Urbis during an arbitration hearing on former police officer Elizabeth Montoya’s appeal of an indefinite suspension from the SAPD.

“You’re hurting my back,” the woman cried as another officer lifted her arms so Montoya could perform her search.

“Are you going to stop?” Montoya asked.

The woman replied no and then screamed and kicked Montoya.

“If you kick me again, I will break your arm,” Montoya said.

Officers then attempted to place the woman in the back of a police vehicle, but she kicked Montoya a second time.

Montoya then began punching the woman in her face. Another officer could be seen stopping Montoya’s assault.

In her initial report, Montoya wrote that she struck the woman four times, which Murray found to be inaccurate.

As the woman screamed and yelled “I’m pregnant dude. Why did you hit me like that?” in video footage, Montoya told other officers that she was faking her response.

“Stop acting like you’re worried about your [expletive] baby,” she said. “You’re not worried about your baby if you’re taking drugs while you’re pregnant.”

“You deserve it,” Montoya said.

Later, Montoya said, “I only hit you a couple of times. I’ll do it again too.”

On ExpressNews.com: Three San Antonio police officers, fired by SAPD, were later hired in Leon Valley. Here's why.

The woman complained of pain to her stomach, and another officer called to have her taken to an area hospital. She was booked into jail, and later, charges against her of assault on a public servant and prior warrants for burglary were dismissed.

During Murray's cross-examination, Leonard there were no visible injuries to the woman.

The arbitrator also heard testimony from Officer Annie Salinas, an instructor at the police academy who teaches use of force.

Salinas said the language used by Montoya during the incident is not taught in the academy, is inconsistent with trying to deescalate, and can make a person more combative. She also said she did not see anything in the footage that warranted Montoya punching the woman.

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'One Shot And The Snake Was Down': Texas Sheriff's Deputy Shoots A Rattlesnake While Investigating A Stolen Vehicle
By Timothy Fanning
San Antonio Express News

Bee County Sheriff Deputy Sgt. Rick Villarreal was following the footsteps that led away from a stolen vehicle abandoned at a cemetery in rural South Texas when he spotted a rattlesnake.

Villarreal could hear the snake's rattle and noticed it lifted into a striking stance. Villarreal then unholstered his handgun, aimed and pulled the trigger.

"One shot and the snake was down," the sheriff's office said in a Facebook post on Monday.

Included in the post was a photo of the bloody snake with Villarreal posing nearby and a message urging residents to be mindful of venomous slithering serpents.

"Be careful where you step," the sheriff's office said. "Please, if you are going to be outside, especially with Easter around the corner, please check the area and be cautious of your surroundings."

Snakes begin to make an appearance in South Texas during the spring, and hot and wet weather draw snakes out at the times you're most likely to encounter them.

Snakes like tall grass and its important to be careful when stepping over fallen logs and rock outcroppings. It's also important to be careful along creek banks and underbrush.

The Texas Parks and Wildlife Department strongly urges people not to kill snakes — even a venomous one.

"Snakes serve a valuable function in the environment," according to a Texas Parks and Wildlife Department online snake course.

Snakes do not prey on humans and will typically retreat or escape, if given the opportunity, the department said. The danger comes when they are either surprised or cornered.

"The majority of snake bites result from people taking unnecessary or foolish risks with venomous snakes," park officials said.

Instead of attacking the snake, allow it to retreat. If you have to move, move back slowly and carefully away from the snake.

Here's how to prevent snake encounters

- Keep the lawn around your home trimmed low.
- Remove any brush, wood, rock or debris piles from around the residence. They make great hiding places for snakes and their prey — rodents.
- Always wear shoes while outside and never put your hands where you cannot see them.
- Be careful when stepping over fallen logs and rock outcroppings.
- Be cautious along creek banks and underbrush.

What you should not do if bitten by a rattlesnake

- Do not make incisions over the bite wound.
- Do not restrict blood flow by applying a tourniquet.
- Do not ice the wound.
- Do not suck the poison out with your mouth.

What you should do if bitten

- Stay calm
- Call 911
- Wash the bite area gently with soap and water if available
- Remove watches, rings, etc., which may constrict swelling
- Immobilize the affected area
- Keep the bite below the heart if possible
- Transport safely to the nearest medical facility immediately.

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Opinion/Editorial

Commentary: Texas Politicians Say (And Do) The Dumbest Things
By Bill McCann
Austin American Statesman

When I was growing up, my mom's favorite afternoon TV show was Art Linkletter's "House Party," especially a segment called Kids Say the Darndest Things. Over the years, Linkletter interviewed thousands of school children, whose often brutally honest responses were thoughtful, charming and funny. I wish more of our politicians today were that forthcoming. Instead, we continue to get politicians saying and doing some of the dumbest things, particularly Texas Republicans.

Among those scoring high on the stupid-statement scale is indicted Texas Attorney General Ken Paxton who recently sent a fundraising email saying, "We've got one more chance to turn this state around, but only if YOU can support us." As journalist Evan Smith appropriately responded on Twitter, "the state needs to be turned around? who's been running it?"

Yes, the state does need turning around. Its electric grid has faltered thanks largely to poor state oversight. It's in the bottom half of the 50 states in education, health care, crime and corrections, and environmental protection. Extremists like Paxton are to blame. Paxton has been attorney general since 2015. Republicans have been running Texas for nearly 30 years.

Meanwhile, Texas Sen. Ted Cruz, who suffers from occasional foot-in-mouth disease, developed it again recently after President Joe Biden announced plans to nominate the first Black woman to the Supreme Court to increase the court's diversity. Grandstander Cruz reacted angrily, calling it "offensive" and "racial discrimination," alleging that focusing on a Black woman might exclude more qualified people. Biden subsequently nominated Judge Ketanji Brown Jackson whom the American Bar Association rated as "well qualified."

Cruz, the hypocrite that he is, didn't object when former President Donald Trump said he was going to nominate a woman to replace Justice Ruth Bader Ginsburg, who died in September 2020. In fact, Cruz championed Trump's nominee, hardline conservative Amy Coney Barrett, who also was rated well qualified by the ABA but was clearly not the most qualified person available.

Not to be outdone, Texas Lt. Gov. Dan Patrick recently took his culture war against critical race theory to a new low. Critical race theory is a school of thought that racism is embedded in our legal systems and policies. In a direct attack on academic freedom,

Patrick threatened to introduce legislation to revoke tenure of public university and college professors who teach critical race theory – rather, his warped interpretation of it.

Critics immediately responded that such a radical move against the First Amendment rights of educators could undermine efforts by Texas public universities to retain and attract top-notch professors and students.

Also, in an apparent effort to score political points with public school teachers, Gov. Greg Abbott recently told the Texas Education Agency to create a task force to find out why Texas has a teacher shortage. The answer is obvious. Abbott needs to look in the mirror.

Poll after poll has shown teachers are leaving because they are overworked, underappreciated and underpaid. It's what happens when you have a wealthy state whose leaders skimp on public school funding, while sticking teachers with bigger classes and more responsibilities, then blaming teachers when kids don't progress quickly enough. The pandemic – and Abbott's weak response to protecting students and teachers – only made it worse.

But the dumb-bunny award has to go to Republican Texas State Rep. Steve Toth, a Montgomery County businessman and former pastor, who said last week the U.S. is "at a point where we should go into northern Mexico and occupy it" to "keep us safe" from human trafficking and drugs. Toth made the statement on the far-right One America News Network as part of an ongoing false, extremist scare tactic that Biden has "opened" our border with Mexico. To suggest we invade an ally and trading partner is unbelievable. I doubt Art Linkletter's kids ever said anything that dumb.

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A School Board Election Is No Place To Debate Sex And Racism
By Ana Casey
Dallas Morning News

Frenzied social media posts and campaign websites propel many of us to the polls either to support or protest the mention of sex or racism in school, but our local school board elections aren't the place for those passions.

Contrary to what some campaigns claim, the outcome of those issues will not be determined at the local level. In Texas, state leaders have already passed laws dictating how teachers can share information about sexuality, gender identity and race. Further usurping local control, leaders in Austin now seek to restrict library books that include these topics. Voice your grievances when you vote for governor, attorney general and legislators.

In your local election, instead of fanning polarizing fires, take a breath and insert some calm into your school district's climate. Ignore political Svengalis who like to hold a match to the fuel of headlines. They put students and teachers in a conflagration, hampering the work of an institution where trust and safety are indispensable. We need cool-headed local leaders who can foster stability.

Now is the time for school boards to focus on delivering academic excellence, a safe environment, teacher retention and a balanced budget. After two years of pandemic upheaval, local school elections must focus on education, not social issues deemed by state leaders to be beyond a district's authority.

Whether you attend a public school, send your kid there, or never interact personally with your neighborhood campus, you're going to feel the heat if local schools — the antidote to ignorance and poverty — get sidetracked by fiery issues.

Want to live among people who are resourceful and informed contributors to the community? Take care of local schools. Our standard of living, property values, indeed the preservation of our democracy are at risk if schools smolder.

Shelter this essential part of social well-being by voting wisely in upcoming school board elections. Don't let a political strategist or PAC from outside your district raze your community with controversies meant to divide. Opt for leaders who understand that staff and students must heal after COVID-19's harrowing disruption of their lives at home and at school.

Having spent decades as a public school parent, volunteer, school board trustee and teacher, I can offer some tips for identifying well-suited candidates.

Don't rely on a party endorsement. School board races have traditionally been nonpartisan affairs that address local interests, not the ideology of someone in Austin or Washington. For this reason, choose contenders who exhibit dedication to your district.

The ideal candidate has volunteered via parent teacher organizations, booster clubs and planning committees. This person can make decisions based on firsthand experience, not a distant think tank's advice; plus, the candidate has shown the ability to work effectively as part of your team.

Look for a candidate who has attended school board meetings for the past year. If the person already understands the basics of your district's budget and needs, the role of the board and guidelines that are dictated by the state, the candidate can dive right in and make substantial contributions.

Be suspicious of a candidate with a personal agenda, particularly a cause that isn't within the board's purview. For example, public school curriculum is determined by the Texas Education Agency, not local school districts. If a candidate is set on changing course

content, this reflects a cluelessness about school governance and a lack of preparation to serve.

Also, be aware that some flare-ups (such as a pandemic) that require strong leadership to keep the district sound will involve unforeseen challenges; a one-issue candidate may be ill-equipped to lend a hand. Better to elect people with commitments to community input and to caring for students and staff.

Support schools when you vote by stamping out overreach at the state level and choosing steady hands at home.

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From: Scott Marvel <scott@nexuscognitive.com>
Sent: Thursday, March 10, 2022 10:37 AM
To: Chad Ennis
Cc: Zac Rhines
Subject: Re: Checking In

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

That'll work! Shall I send an invite?

Scott T. Marvel
214 280 8017

From: Chad Ennis <CEnnis@sos.texas.gov>
Sent: Thursday, March 10, 2022 9:05:46 AM
To: Scott Marvel <scott@nexuscognitive.com>
Cc: Zac Rhines <ZRhines@sos.texas.gov>
Subject: RE: Checking In

Scott,

Looping in Zac from our GC office. Do you have a minute tomorrow morning to discuss. Perhaps 10 am?

Chad

From: Scott Marvel <scott@nexuscognitive.com>
Sent: Wednesday, March 9, 2022 3:42 PM
To: Chad Ennis <CEnnis@sos.texas.gov>
Subject: Checking In

CAUTION: This email originated from OUTSIDE of the SOS organization. Do not click on links or open attachments unless you are expecting the email and know that the content is safe. If you believe this to be a malicious or phishing email, please send this email as an attachment to Informationsecurity@sos.texas.gov.

Hey Chad,

Thanks for your time the other day up here in the Metroplex. Another thing I forgot to share with you is the fact that we have a GSA schedule, which has helped us with procurement in other states in the past.

Anyway, we'd love to hop on a call with Adam and chat through an approach… we are very flexible.

Let me know,

Cheers!

Scott

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From: Scott Marvel <scott@nexuscognitive.com>
Sent: Wednesday, March 16, 2022 9:58 PM
To: Zac Rhines
Subject: Re: Texas SoS Election Analytics

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Excellent, thanks for the confirmation

Scott T. Marvel
214 280 8017

From: Zac Rhines <ZRhines@sos.texas.gov>
Sent: Wednesday, March 16, 2022 8:33:36 PM
To: Scott Marvel <scott@nexuscognitive.com>; Chad Ennis <CEnnis@sos.texas.gov>
Cc: Anu Jain <anu@nexuscognitive.com>; Paul Falkenberg <pfalkenberg@nexuscognitive.com>; Adam Bitter <ABitter@sos.texas.gov>
Subject: Re: Texas SoS Election Analytics

Thanks Scott. Received.

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From: Scott Marvel <scott@nexuscognitive.com>
Sent: Wednesday, March 16, 2022 6:58:59 PM
To: Chad Ennis <CEnnis@sos.texas.gov>; Zac Rhines <ZRhines@sos.texas.gov>
Cc: Anu Jain <anu@nexuscognitive.com>; Paul Falkenberg <pfalkenberg@nexuscognitive.com>
Subject: Texas SoS Election Analytics

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Chad, Zac:

Sorry for the slow turn, but here is our DBITS info:

- The DBITS contact that we are on is: **DIR-CPO-4987**
- Our teaming partners that are the prime is SystemSoft Technologies.

I have also attached a draft SOW… in the DBITS format… for your reference, should we want to go that direction (still needs to items filled out of course).

Let me know when you have time to discuss this week.

Best Regards,

Scott

Scott Marvel | Partner
Nexus Cognitive Technology Services ™
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From: Ziping Liu [redacted] >
Sent: Thursday, June 16, 2022 11:17 AM
To: Aubree.Smith@brazosport.edu; provost@utexas.edu; provost; Secretary; dean@msu.edu; provost; admissions@gtech.edu
Subject: Re: We have received your request, Ziping
Attachments: The tendency for interpersonal victimhood -The personality construct and its T consequences.pdf; GRANTED_TO_THE_STATE_OF_TEXAS.pdf; Army.pdf; lziping_accolades_april4_2022.pdf; University_of_Texas_Academic_Summary.pdf; GeorgiaTechDecisionSp2020.pdf

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Okay, can you transfer all my credits to my student profile with [redacted] at Brazosport.edu.

You guys know who I am, I was homecoming king for brazoswood in 2012. It's not that hard. I got scammed by UT. They deleted my Utexas.edu email. I never got my diploma therefore. Just grant me an English Degree BA, and a Tech Degree BETech and it will be more than equivalent.

Hey you know what? Georgia tech? MSU? Want to be my new diplomas? UTEXAS.edu lost the bid they deleted my school email ziping@utexas.edu

Seriously you guys act like t14 law schools are the only schools in the world. The first college to grant me my BA and BE degrees in equivalence of any formality gets the bid. It's that easy. I'm literally the smarter student to have graduated at UT. QED.

IVY or Private schools not allowed. T14 Schools definitely not allowed. Brazosport you have priority so hurry up. Notice all the F's? Yeah I tried to go on medical leave at UT they rejected it you guys lost the bid definitely.

From: Aubree Smith <Aubree.Smith@brazosport.edu>
Date: Thursday, June 16, 2022 at 1:26 AM
To: Ziping Liu [redacted] >
Subject: We have received your request, Ziping

Visit a counselor today **View in browser**

Hi Ziping,

Thank you for your interest in Brazosport College! We are excited that you have taken your first step to becoming a BC Gator!

I would like to introduce myself. My name is Aubree, and I am your Brazosport College Peer Recruiter. I am here to help you through the registration process and answer any questions you may have about becoming a student.

Your information request has been received, and our team is working on getting you the answers you need. While you wait, here are some quick steps to give you a head start in the registration process:

Submit an application via goapplytexas.org

- Depending on your classification, you may have different admission requirements. For information on applying to Brazosport College, visit **www.brazosport.edu/admissions**.
- Once you've applied, within two business days, you should receive your student ID and password. You'll want to make sure to log in to webmail (**webmail.brazosport.edu**), which may ask you to update your password. All communication from Brazosport College regarding your student account will be from your college email. It is important to check it often.

Complete your financial aid application and request to meet with a counselor.

- Submit a Free Application for Federal Student Aid (FAFSA) via **fafsa.gov** using school code 007287. You can learn more about Financial Aid at **www.brazosport.edu/finaid**.
- You'll need to request to meet with a counselor online by visiting **brazosport.edu/ecounseling**. Wait times may

be longer than normal, since our counselors are only meeting with students online, so be sure to reserve your spot sooner rather than later.

To view the full steps to enrollment, visit **www.brazosport.edu/choose**.

Sincerely,

Aubree Smith, Brazosport College Peer Recruiter
979-230-3000 | Aubree.Smith@brazosport.edu

Connect with a Counselor

HOW CAN WE HELP?

If you have questions, we're here to help find answers.
Reach out to your Peer Recruiter by either replying to this email or calling 979-230-3486.

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The tendency for interpersonal victimhood: The personality construct and its consequences

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ABSTRACT

In the present research, we introduce a conceptualization of the Tendency for Interpersonal Victimhood (TIV), which we define as an enduring feeling that the self is a victim across different kinds of interpersonal relationships. Then, in a comprehensive set of eight studies, we develop a measure for this novel personality trait, TIV, and examine its correlates, as well as its affective, cognitive, and behavioral consequences. In Part 1 (Studies 1A-1C) we establish the construct of TIV, with its four dimensions; i.e., need for recognition, moral elitism, lack of empathy, and rumination, and then assess TIV's internal consistency, stability over time, and its effect on the interpretation of ambiguous situations. In Part 2 (Studies 2A-2C) we examine TIV's convergent and discriminant validities, using several personality dimensions, and the role of attachment styles as conceptual antecedents. In Part 3 (Studies 3–4) we explore the cognitive and behavioral consequences of TIV. Specifically, we examine the relationships between TIV, negative attribution and recall biases, and the desire for revenge (Study 3), and the effects of TIV on behavioral revenge (Study 4). The findings highlight the importance of understanding, conceptualizing, and empirically testing TIV, and suggest that victimhood is a stable and meaningful personality tendency.

Social life is replete with situations that are open to interpretation. We wait for people who are late for meetings, are surprised by people who interrupt us when we speak, and are annoyed when co-workers tackle our initiatives. While some people overcome such incidents with relative ease, and view them as an unpleasant but an unavoidable part of social life, others tend to be preoccupied with having been hurt long after the event had ended; they consider themselves to have been victims of others' malevolent actions. The present research investigates this Tendency for Interpersonal Victimhood (TIV), which we define as an ongoing feeling that the self is a victim, which is generalized across many kinds of relationships. People who have a higher tendency for interpersonal victimhood feel victimized *more often*, *more intensely*, and for *longer durations* in interpersonal relations than do those who have a lower such tendency. Based on research on victimhood in interpersonal and intergroup relations, we present a conceptualization of TIV, introduce a valid and reliable measure, and examine its cognitive, emotional, and behavioral consequences.

1. The psychological dimensions of TIV: an integrative literature review

The psychological literature has primarily investigated victimhood in the clinical context as a personality disorder, or in the social context of intergroup conflicts. Reviewing and integrating these literatures reveal that both individual-level victimhood and collective victimhood are composed of four related dimensions: need for recognition, moral elitism, lack of empathy, and rumination.

Need for recognition refers to victims' motivation to have their victimhood acknowledged and empathized with (Hameiri & Nadler, 2017; Twali et al., 2020). At one end of the spectrum, experiencing trauma undermines previous perceptions about the world as a just and moral place (Janoff-Bulman, 2010). Recognition of one's victimhood helps reestablish victims' confidence in their perception of reality. However, at the other end, when in pain, almost each and every individual seeks acknowledgment of his or her suffering (Urlic, Berger, & Berman, 2010). This encompasses the victim's need for the perpetrator to take

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responsibility and express feelings of guilt (Baumeister, Stillwell, & Heatherton, 1994), and to garner compassion and support from others (Noor, Shnabel, Halabi, & Nadler, 2012; Urlic et al., 2010). Similarly, victims of intergroup conflicts and mass atrocities manifest a need for recognition of their suffering, whether by the actual perpetrators or by the general public (for a review, see Twali et al., 2020).

Moral elitism refers to the perception of immaculate morality of the self and the immorality of the other side. Victimhood has been associated with a sense of differentiation and moral superiority (Leahy, 2012). At the individual level, moral elitism may be used to control others by accusing them of immoral, unfair or selfish behavior, while seeing oneself as highly moral and ethical (Urlic et al., 2010), possibly as a defense mechanism against painful emotions (Berman, 2014a). Similarly, collective victimhood is based on beliefs about the justness of one's group's goals and positive image, while emphasizing the wickedness of the opponent's goals and characteristics (Bar-Tal, Chernyak-Hai, Schori, & Gundar, 2009).

Lack of empathy refers to an oblivious reaction to others in general and to their suffering in particular. Clinical psychological thinking has argued that victimhood at the individual level is comprised of a preoccupation with one's own suffering, and decreased attention and concern about others (Urlic et al., 2010). Empirically, victimhood was found to increase the sense of entitlement to behave aggressively and selfishly (Zitek, Jordan, Monin, & Leach, 2010). Similarly, groups that engage in competitive victimhood tend to see their victimization as exclusive, thus minimizing or outright denying their adversary's suffering (Noor et al., 2012). Empirically, collective victimhood was found to be associated with entitlement to behave aggressively (Schori-Eyal, Klar, Roccas, & McNeill, 2017), and that priming individuals with their group's suffering resulted in reduced empathy toward those responsible for the state of victimhood (Čehajić, Brown, & Castano, 2008) and toward unrelated adversaries (Wohl & Branscombe, 2008).

Finally, *Rumination* refers to a focus of attention on the symptoms of one's distress, and its possible causes and consequences rather than its possible solutions (Nolen-Hoeksema, Wisco, & Lyubomirsky, 2008). Victims tend to ruminate over interpersonal offenses (McCullough et al., 1998), which perpetuates psychological distress long after the experience of interpersonal stressors has ended (Greenberg, 1995) and promotes aggression (Collins & Bell, 1997). Furthermore, the extent to which individuals ruminate has generally been conceptualized as a dispositional trait (Collins & Bell, 1997). Similarly, victimized groups ruminate over their traumatic events. For example, many Jewish-Israelis report that they are preoccupied with the Holocaust and fear that it will happen again, though most of them were not direct victims. However, this was not always the case, since in the early years after the Holocaust, although the survivors were suffering from severe post-trauma, the Holocaust was not prominent in Israeli discourse and was even considered, to some extent, contradictory to the Israeli identity. Israeli society only adopted a victimhood identity in the 1960s and 1970s, and the Holocaust became prominent in the Israeli narrative (Klar, Schori-Eyal, & Klar, 2013; Urlic et al., 2010) partially as a result of the Eichmann trial, where victims spoke out during the televised proceedings.

It should be noted that both on the individual and the intergroup levels, victimhood is not necessarily consecutive to a past victimization or trauma (Berman, 2014b; Schori-Eyal et al., 2017). Whereas actual trauma and victimization can have detrimental psychological consequences for individuals and groups, it is argued here that developing a victimhood mindset can also be dependent on other variables such as the context, socialization, and, as elaborated on below, attachment styles. Importantly, we do not equate experiencing trauma and victimization and the psychological state of victimhood. However, we do claim that they have certain psychological processes and consequences in common, and that a victimhood mindset can develop without experiencing severe trauma or victimization (Klar et al., 2013; Urlic et al., 2010).

2. Cognitive, emotional and behavioral consequences of TIV

The tendency to experience victimhood in interpersonal encounters (i.e., high-TIV) is expected to have cognitive, emotional and behavioral consequences. Cognitively, studies suggest that victimhood is associated with an external locus of control (Bar-Tal et al., 2009), and that intentional, harmful behaviors are seen as more hurtful (Vangelisti & Young, 2000). We reason that high-TIV is likely to be associated with individuals' sensitivity to both actual and potential hurtful behaviors, and expectations of hurtful behavior in ambiguous circumstances. When hurtful interactions occur, high-TIV is predicted to be associated with attributions of negative intentions on the part of the offender. Emotionally, high-TIV is expected to be associated with the degree of intensity and the duration of negative emotions following a hurtful event, due to rumination and the perpetuation of negative autobiographical memory (Nolen-Hoeksema et al., 2008). Behaviorally, TIV is likely to be negatively associated with the willingness to forgive as long as the adversary had not taken the 'first step' by apologizing and expressing remorse (Tavuchis, 1991). Here, we hypothesize that this will be mediated by cognitive processes, such as perspective taking (Baumeister, Exline, & Sommer, 1998), which are also posited to be negatively associated with high-TIV. Moreover, rumination over interpersonal offenses, which is associated with high-TIV, is likely to increase the desire for revenge against the offender (Collins & Bell, 1997).

2.1. Attachment style as a conceptual antecedent of TIV

Attachment style is likely to be a conceptual antecedent of TIV since early relationships with caregivers shape adult working models of interpersonal relations and strongly affect relational attitudes, emotions, and behavioral strategies (Mikulincer & Shaver, 2016). According to Mikulincer and Shaver (2016), secure attachment is associated with positive representations of the self as worthy, valuable and lovable, and of others as available and trustworthy. Since these core beliefs should not be affected by daily offenses, secure attachment should be associated with low TIV. Avoidant attachment is associated with the experience of others as disappointing and rejecting, and a self-perception of being strong, capable, and independent, as well as behavioral strategies of self-reliance, reluctance to rely on others, and suppression of the need for others' attention and care (Mikulincer & Shaver, 2016). Thus, avoidant attachment should not be associated with TIV. Finally, anxious attachment is associated with a combination of being unable to regulate hurt feelings, and being very sensitive to others' responses, and with an ambivalent perception of others that involves anticipating rejection or abandonment, while depending on others as a source of self-esteem and self-worth (Mikulincer & Shaver, 2016). Thus, anxious attachment should be positively associated with TIV.

3. The current research

The current studies were designed to investigate the construct of TIV, its correlates, and its consequences. In part 1, we test the hypothetical four-dimensional construct of TIV through exploratory factor analysis (EFA; Study 1A) and confirmatory factor analysis (CFA; Study 1B). In Study 1C we examine the stability of the TIV over time (test-retest reliability), and its effect on the anticipation of being hurt by others. In Part 2 (Studies 2A-2C), we assess the construct (convergent and discriminant) validity of the TIV scale, and its nomological network, by examining its relationships with several psychological dimensions. This includes attachment styles as possible conceptual antecedents of TIV. In Part 3 we investigate the consequences of TIV, including negative attribution and memory biases, the willingness to forgive the perpetrator and the desire for revenge (Study 3) and actual behavioral revenge (Study 4).

4. Part 1: scale construction, and internal and test-retest reliabilities

The scale construction process took place in several stages. First, we conducted semi-structured interviews with 20 individuals, who were asked to describe in detail a hurtful event. Then, they responded to theoretically driven open questions referring to the four dimensions of victimhood. We thematically analyzed the interviews and conceptualized major subthemes reflecting the four dimensions. This yielded 29 items, which constituted the TIV scale. To validate the theoretical four-dimensional construct of TIV, we used EFA (Study 1A) and CFA (Study 1B).

4.1. Study 1A

4.1.1. Method

4.1.1.1. Participants. Participants were 249 Jewish-Israelis (142 women; M_{age} = 33.55, SD_{age} = 16.22). In this and all other studies, participants' age ranged from 18 to 73. Using a snowballing technique, 77 participants completed a hard copy of the scale in small groups. These included students from different academic campuses, and employees in different workplaces in Israel to which we had access. These participants were diverse, and came from various academic programs and workplaces. Their sole common denominator was their willingness to volunteer for this study. The remaining 182 participants completed the questionnaire administered by an online survey company. There were no differences between the two samples in terms of the means of the items, the loadings of the items on the different factors, or their demographics. In this and subsequent studies we recruited participants through the Midgam Project (MP), which is an opt-in panel that includes over 50,000 panelists aged 17 years and older in Israel. Unless indicated otherwise, participants that took part in one study were not allowed to take part in other studies. In exchange for participation, the online participants received 7 Israeli Shekels (ILS; the equivalent of US$2.00).

4.1.1.2. Procedure and measures. Participants were invited to participate in a study on transgressions in interpersonal relations. After completing the consent form, participants were given the questionnaire. Unless indicated otherwise, throughout the paper, all items were rated on a 7-point scale ranging from 1 (*strongly disagree*) to 7 (*strongly agree*). After completing the questionnaire, the participants were thanked and debriefed (see supplementary materials for all study materials).

TIV. Participants were asked to recall and write down three interpersonal situations in three different types of relationships, i.e., hierarchical, communal, and equality-based (Fiske, 1992), in which they felt hurt. Participants were then asked to reflect generally on all of their relationships with others and to rate 29 statements.

4.1.2. Results and discussion

We conducted a first EFA using maximum likelihood and oblimin rotation. Based on this analysis, we eliminated items with cross loadings above 0.40 and weak loadings below 0.30 (Tabachnick & Fidell, 1989). Ultimately, 22 items remained (see Table 1 for the final TIV scale). A second EFA was then conducted with the remaining 22 items. The results revealed a four-factor solution with eigenvalues of 8.23, 2.52, 2.15, and 1.59 representing 37.42%, 11.47%, 9.78% and 7.26% of the variance, respectively, explaining 66% of the total variance (no cross-loadings were observed for any of these items). Analyses showed that participants' gender did not play a significant role as a covariate or moderator in the current and subsequent studies. Although the use of snowballing sampling yields an unrepresentative and potentially biased samples (Marcus, Weigelt, Hergert, Gurt, & Gelléri, 2017), it did not meaningfully bias the findings since no differences were observed between the snowball and online samples.

4.2. Study 1B

4.2.1. Method

4.2.1.1. Participants and procedure. Participants were 610 Jewish-Israelis (318 women; M_{age} = 39.96, SD_{age} = 14.14). They completed the study administered by MP and received 6.50ILS (US$1.80) for participation. The procedure was identical to Study 1A.

4.2.2. Results and discussion

To further test the factorial validity of the TIV scale, we used CFA with AMOS. The raw data for the 22 observed variables was used as a database for the measurement model. The specified model was tested with unstandardized coefficients obtained by the maximum-likelihood method of estimation (McDonald & Ho, 2002). It was hypothesized that a hierarchical model with one latent dimension and four method dimensions would yield a meaningful and coherent fit to the data (see Fig. 1). The model yielded a good fit to the data, χ^2 (192, N = 610) = 553.61, p < .001), with a comparative fit index (CFI) = 0.95, an incremental fit index (IFI) = 0.95, and a root-mean-square error of approximation (RMSEA) = 0.05. The results indicated high levels of reliability for the TIV scale (α = 0.90) and for each of the dimensions (see Table 2 for reliabilities, means, SDs and correlations).

To ensure that the proposed hierarchical model was the best fitting model, we compared it to two alternative models: Model 1, a single factor model with no method factors, and Model 2, a four-method factor model (see Table S1 for a summary of the model indices). Chi-square tests between the hypothesized model and Models 1 and 2 were both significant, $\Delta\chi^2$ = 2207.85, Δdf = 6, p < .001, and $\Delta\chi^2$ = 8.34, Δdf = 2, p = .015, respectively, suggesting that the hypothesized model best fit the data.

The results of Studies 1A and 1B provided support for a theoretically driven scale measuring individuals' TIV. Specifically, Study 1A demonstrated that there are four distinct dimensions which describe different aspects of TIV. All four dimensions had high inter-reliability and were highly correlated with each other. Study 1B demonstrated that the TIV scale indeed consisted of four dimensions, and that TIV is best conceptualized as a hierarchical model with a one-factor solution that includes four method factors (i.e., need for recognition, moral elitism, lack of empathy, and rumination) and one latent factor.

4.3. Study 1C

The main purpose of Study 1C was to examine the test-retest reliability of the TIV scale. We hypothesized that a significant correlation between people's TIV scores administered three weeks apart would emerge. Study 1C also aimed to examine the scale's validity by finding a significant correlation between individuals' score on TIV and their expectations that in ambiguous situations others would treat them in a negative and hurtful manner.

4.3.1. Method

4.3.1.1. Participants. Three weeks after the completion of Study 1B, we re-contacted the participants from Study 1B. Eventually, 202 Jewish-Israelis (102 women; M_{age} = 39.77, SD_{age} = 13.69) out of the original 610 participants (re-response rate of 33.1%) were recruited by MP and received 8ILS ($2.20). There were no differences between the two samples in terms of participants' TIV score, age, years of education, or gender.

4.3.1.2. Procedure and measures. The instructions for the TIV scale (α = 0.93) were identical to those in Studies 1A-1B. Then, participants were given 11 short vignettes describing ambiguous interpersonal situations. Participants were asked to imagine themselves in these situations (e.g., *"Imagine that you are trying to plan a family vacation and you divide up the tasks between your family members"*), and were asked to rate on a scale ranging from 1 (*not at all likely*) to 7 (*very much likely*), in

Table 1
TIV Scale final item selection (Study 1A) and descriptive statistics (Study 1B).

Dimension	Item	M (SD)	Skewness	Corrected item–total correlation
Need for recognition 1	It is important to me that people who hurt me acknowledge that an injustice has been done to me	5.45 (1.68)	−1.05	0.85
Need for recognition 2	It is important to me that the person who offended me admits that his or her behavior was wrong	5.41 (1.64)	−1.00	0.84
Need for recognition 3	It makes me angry when people don't believe that I was hurt	4.57 (1.91)	−0.32	0.87
Need for recognition 4	It is important to me to receive an apology from people who offended me	4.85 (1.77)	−0.52	0.83
Need for recognition 5	It is important to me that the person who offended me feels guilty for what he or she did	4.62 (1.86)	−0.36	0.85
Need for recognition 6	I feel angry when people ignore my feeling of being hurt	4.59 (1.78)	−0.40	0.85
Moral elitism 1	I remain considerate of other people even when they don't deserve it	5.16 (1.55)	−0.83	0.87
Moral elitism 2	I think I am much more conscientious and moral in my relations with other people compared to their treatment of me	5.38 (1.47)	−0.74	0.83
Moral elitism 3	People often take advantage of my kindness	4.94 (1.71)	−0.46	0.81
Moral elitism 4	I give others much more than I receive from them	5.00 (1.53)	−0.44	0.81
Moral elitism 5	I feel that other people don't hesitate to take advantage of my weaknesses.	4.13 (1.86)	−0.03	0.80
Moral elitism 6	People demand a lot of me without expressing gratitude	4.08 (1.74)	0.01	0.82
Lack of empathy 1	When people who are close to me feel hurt by my actions, it is very important for me to clarify that justice is on my side	4.28 (1.70)	−0.22	0.85
Lack of empathy 2	People who are offended by me are only thinking of themselves	3.18 (1.69)	0.39	0.82
Lack of empathy 3	People who claim that I behaved wrongly want me to admit it so they can take advantage of the situation	3.28 (1.73)	0.42	0.82
Lack of empathy 4	People claim that I have hurt them because they cannot see that they are the ones hurting me	3.52 (1.71)	0.28	0.81
Lack of empathy 5	The main reason that people are offended by me is that they cannot see things from my perspective	4.13 (1.71)	−0.07	0.83
Lack of empathy 6	It is very important to me that people who were offended by me realize that they are also in the wrong	4.23 (1.76)	−0.09	0.83
Rumination 1	It is very hard for me to stop thinking about the injustice others have done to me	4.44 (1.83)	−0.30	0.91
Rumination 2	Days after the offense I am very preoccupied by the injustice done to me	4.07 (1.88)	−0.09	0.86
Rumination 3	I am flooded by more anger than I would like every time I remember people who hurt me	4.14 (1.88)	−0.12	0.86
Rumination 4	I am flooded by negative feelings every time I remember people who hurt me	3.97 (1.85)	0.02	0.85

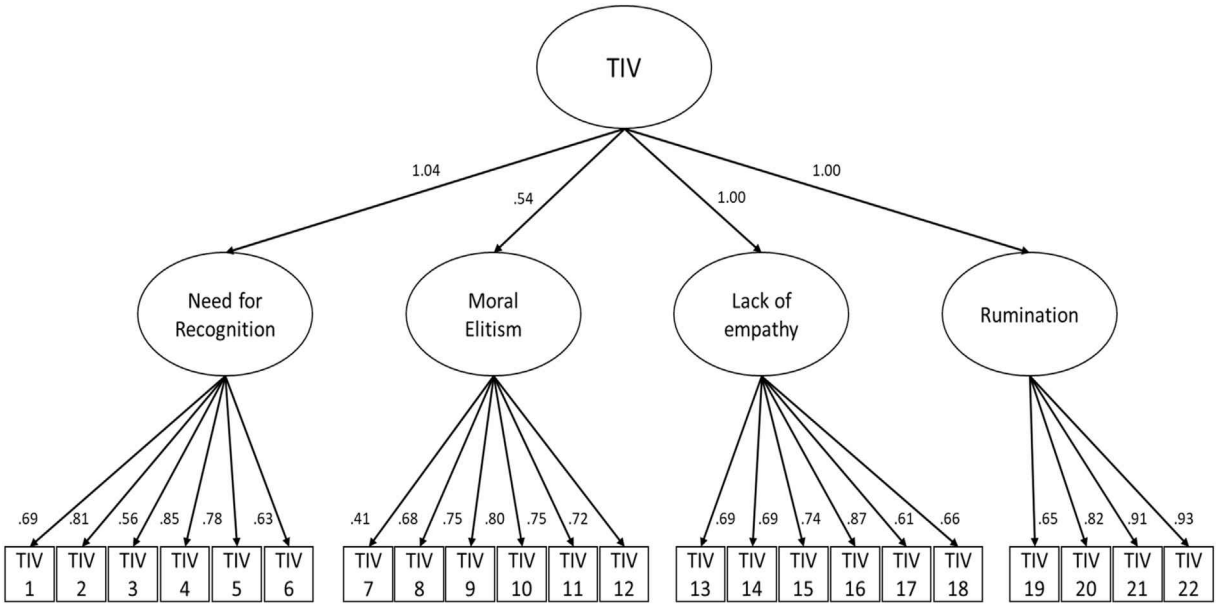

Fig. 1. Confirmatory factor analysis of the TIV Scale: A one-factor solution with four method factors (Study 1B). Unstandardized coefficients are shown. All beta coefficients were statistically significant (all *ps* < .05).

Table 2
Cronbach's alphas, means, SDs, and correlations between the four dimensions of TIV (Study 1B).

Dimensions	*N*	Cronbach's Alpha	M	SD	1	2	3	4
1. Need for recognition	6	0.87	4.91	1.38	–			
2. Moral elitism	6	0.85	4.78	1.25	0.42**	–		
3. Lack of empathy	6	0.85	3.77	1.31	0.38**	0.40**	–	
4. Rumination	4	0.90	4.15	1.64	0.48**	0.36**	0.43**	–

Note: **p < .001.

a counter-balanced order, the probability of occurrence of positive (e.g., *"Most of my family members would do their tasks"*; $\alpha = 0.75$) and negative (e.g., *"Eventually, I would have to do all the tasks myself"*; $\alpha = 0.71$) scenarios in these situations.

4.3.2. Results and discussion

TIV scores at t1 and t2 were highly correlated ($r = 0.77, p < .001$), which establishes the scale's test-retest reliability. We also found that expectations of negative behaviors were correlated with TIV, both at t1 and at t2 ($r = 0.31, p < .001$, and $r = 0.32, p < .001$, respectively), such that the higher the TIV score, the more the person expected to get hurt in an ambiguous situation. Finally, TIV, both at t1 and t2, was not correlated with expectations of positive behaviors ($r = 0.09, p = .191$, and $r = 0.07, p = .272$, respectively). Table S2 summarizes the means, SDs and correlations between the variables in Study 1C.

The results of Study 1C support the scale's reliability across time. The finding that TIV scores predicted expectations of hurtful behavior toward oneself in ambiguous situations is one indication for the scale's validity. TIV was not associated with the expectation of positive behavior, which suggests that only negative stimuli trigger the victimhood schema. We address this issue in the general discussion. In Part 2, we provide further evidence for the scale's construct validity and its convergent and discriminant validities, and examine the role of attachment as one possible conceptual antecedent.

5. Part 2: assessment of construct, convergent and discriminant validities

5.1. Study 2A

Study 2A was designed to examine the convergent validity of the TIV scale. We hypothesized that higher TIV scores would predict greater (a) negative emotional intensity, (b) perceived duration of hurt feelings regarding offenses, and relatedly, (c) increased perceived severity of these offenses. We also hypothesized that while these emotional and interpretational consequences would be predicted by both TIV and the objective severity of the offense, TIV would predict these measures above and beyond the severity of the offenses, as well as participants' age and gender.

5.1.1. Method

5.1.1.1. Participants. Participants were 161 Jewish-Israelis (82 men; $M_{age} = 42.23$, $SD_{age} = 15.11$). They were recruited for this study by MP and received 7ILS (US$2.00) for participating.

5.1.1.2. Procedure and measures. One week after completing the TIV scale ($\alpha = 0.92$), participants completed the second phase of the study, in which they were asked to imagine that they were the offended figure in four vignettes describing different offenses. Participants were randomly assigned to either the mild or severe offenses condition. To increase the external validity and generalizability of the study, we created four mild and four severe offense scenarios in four different types of interpersonal relationships involving a sibling, a close friend, a colleague and a manager at work. The vignettes were presented in randomized order.

After reading each vignette, participants rated eight items. The first item assessed the perceived severity of the offense on a 1 (*not severe at all*) to 7 (*very severe*) scale. The next three items assessed the intensity of hurt feelings (e.g., "*when I heard what my [sibling / friend / colleague / manager] had said I was flooded with negative emotions*"; $\alpha = 0.86$). The last four items assessed the predicted duration of hurt feelings (e.g., "*I will carry my bad feelings about this conversation with me for a long time*"; $\alpha = 0.91$).

5.1.2. Results and discussion

First, independent samples *t*-test showed that severe offenses ($M = 5.35$, $SD = 0.96$) were indeed perceived as more severe than the mild offenses ($M = 4.34$, $SD = 0.73$; $t(160) = 6.60$, $p < .001$, $d = 1.18$). Then, using Hayes' (2018) PROCESS (Model 1), we found that the manipulation did not moderate the effect of TIV on any of our DVs (all $ps > .160$). Thus, we ran three hierarchical linear regressions to assess the distinctive contribution of TIV in predicting our outcome measures. The results showed that above and beyond the severity manipulation, age, and gender, one week after it was measured, TIV significantly predicted the intensity ($\beta = 0.31$, $p < .001$), perceived duration ($\beta = 0.36$, $p < .001$), and the perceived severity ($\beta = 0.23$, $p < .001$) of the offenses (see Tables S3-S5 for complete information). Thus, Study 2A provided evidence for the convergent validity of the TIV, and also confirmed our hypothesis that feelings of hurt and victimhood are a result of both situational and personality (i.e., TIV) factors. Next, in Studies 2B–2C, to better understand the concept of TIV and its measurement, we assessed its links with other conceptually relevant personality dispositions reflecting both general and broad (e.g., the Big Five), and more specific (e.g., rejection sensitivity) personality tendencies using two different samples.

5.2. Study 2B

Based on our hypothesis that attachment styles are potential conceptual antecedents, we hypothesized that (1) because anxious-attached individuals are overly sensitive to others' reactions (Mikulincer & Shaver, 2016), anxious attachment should be positively related to TIV; and (2) because avoidant-attached individuals suppress their need for others' attention and care (Edelstein & Shaver, 2004) avoidant attachment should not be related to TIV. Furthermore, with regard to other conceptually relevant personality dispositions, we predicted that (3) because TIV and a person's score on the rejection sensitivity scale (Downey & Feldman, 1996) are related to the individual's tendency to overact to interpersonal offenses, scores on these two scales would be positively correlated. (4) Because TIV is said to characterize an intense self-focus, TIV scores were expected to be positively related to scores on the private and public self-consciousness scale (Scheier & Carver, 1985). (5) The willingness to forgive the person who hurt oneself has been found to be negatively related to *empathy* (McCullough et al., 1998), *rumination* over hurt feelings (McCullough, Bellah, Kilpatrick, & Johnson, 2001), and *attributing intentionality* to the transgressor (Bradfield & Aquino, 1999), and rumination was found to increase the desire to revenge (Collins & Bell, 1997). Because these are conceptualized as either components of TIV (i.e., lack of empathy and rumination), or associated with it (i.e., attributing negative intentionality to the aggressor), we predicted that TIV would be associated with *lower willingness to forgive and a higher desire for revenge*. Finally, (6) because the perception that the self is treated unfairly so that one is entitled to be compensated is characteristic of high-TIV individuals, we expected a positive relationship between TIV and feelings of entitlement (Zitek et al., 2010).

5.2.1. Method

5.2.1.1. Participants and procedure. Participants were 249 Jewish-Israelis (127 women; $M_{age} = 42.72$, $SD_{age} = 15.53$). They completed the study administered by MP and received 8ILS ($2.20) for participating. A week after completing the TIV scale ($\alpha = 0.92$) participants completed the measures described below.

5.2.1.2. Measures. *Attachment styles* were measured with the Experiences in Close Relationships Scale (ECR; Brennan, Clark, & Shaver, 1998) on a continuous scale assessing two types of attachment anchors, anxiety ($\alpha = 0.91$) and avoidance ($\alpha = 0.79$). People who score low on both anxiety and avoidance are defined as securely attached.

Rejection sensitivity was measured using the Rejection Sensitivity Scale (RSS; Downey & Feldman, 1996). For purposes of the present

study, we included the six items with the highest loading on the scale (e.g., "*You ask a friend to do you a big favor*"; $\alpha = 0.65$). Answers to the hypothetical situations varied along two dimensions: (a) degree of anxiety and concern, ranging from 1 (*very unconcerned*) to 6 (*very concerned*) about the outcome ($\alpha = 0.78$); and (b) expectations of acceptance or rejection ranging from 1 (*very unlikely*) to 6 (*very likely*) ($\alpha = 0.71$).

Victim sensitivity was measured using the Victim Sensitivity subscale of the Justice Sensitivity Scale (JSS; Schmitt, Gollwitzer, Maes, & Arbach, 2005), assessing sensitivity to injustice inflicted to the self (e.g., "*It makes me angry when others receive an award which I have earned.*"; $\alpha = 0.82$).

Self-consciousness was measured using the Self-Consciousness Scale (SCS; Scheier & Carver, 1985). Eight items refer to the tendency to overthink about hidden aspects of the self (e.g., "*I am always trying to figure myself out*"; $\alpha = 0.69$); and seven items refer to the tendency to overthink about matters of public display (e.g., "*I care a lot about how I present myself to others*"; $\alpha = 0.70$).

Forgiveness was measured on the Transgression Relation Interpersonal Motivation (TRIM) scale (McCullough et al., 1998), adjusted to refer to the three different types of interpersonal relationships (hierarchical, communal, and equality-based). Participants were asked to think about a person for each of these three types of relations and read: "*when* [the name of the person] *makes me angry or hurt my feelings, I…*" Then, participants were asked to answer three questions indicating agreement with items referring to revenge, avoidance and benevolence. These items were aggregated, such that higher scores meant *less* willingness to forgive ($\alpha = 0.62$).

Entitlement to immoral behavior was measured using three items we developed for the purposes of the current study that assessed the extent to which participants felt entitled to hurt other people (e.g., "*I am entitled to hurt the people who hurt me*"; $\alpha = 0.77$).

5.2.2. Results and discussion

To test attachment as a predictor of TIV, the TIV scale was regressed on both the anxious and avoidant attachment sub-scales of the ECR scale (see Tolmacz & Mikulincer, 2011). As expected, TIV was significantly predicted by anxious attachment ($\beta = 0.46$, $p < .001$), but not by avoidant attachment ($\beta = -0.08$, $p = .160$).

We then found that TIV was positively correlated with participants' rejection sensitivity ($r = 0.23$, $p < .001$), victim-sensitivity ($r = 0.49$, $p < .001$), private consciousness ($r = 0.27$, $p < .001$), public consciousness ($r = 0.42$, $p < .001$), and motivation for revenge ($r = 0.28$, $p < .001$); but not with motivation for avoidance ($r = 0.10$, $p = .104$), and motivation for benevolence ($r = 0.03$, $p = .646$). The correlation between TIV and the forgiveness scale indicated that higher scores on TIV meant a greater lack of motivation to forgive ($r = 0.15$, $p = .015$; see Table S6; for correlations with each of TIV's dimensions, see Table S7).

Finally, using multiple regression analysis (see Table S8), we found, consistent with our expectations, that TIV predicted entitlement ($\beta = 0.27$, $p < .001$) better than all other measures. In fact, other than motivation for revenge ($\beta = 0.21$, $p = .002$) and private consciousness ($\beta = -0.16$, $p = .027$), none of other measures significantly predicted entitlement ($ps > .115$).

Study 2B provided evidence for the construct validity of TIV. Furthermore, TIV was found to be associated more strongly with a desire for revenge than with a desire for avoidance, which is consistent with the notion that rumination and righteous indignation enhance the motivation for revenge (McCullough et al., 1998). TIV was also found to predict entitlement to engage in immoral behavior. That is, although people with TIV see themselves as morally superior to others, they feel they deserve to hurt others when they feel victimized. The fact that TIV predicted entitlement better than other personality tendencies attests to the predictive validity of the scale. We further examined the construct validity of TIV in Study 2C.

5.3. Study 2C

Based on our conceptual framework, we hypothesized that: (1) TIV would be positively related to an exaggerated sense of relational entitlement, because the feeling of victimhood enhances the need for reparation, compensation, and expectations of special treatment (Tolmacz & Mikulincer, 2011). (2) TIV would be positively related to rumination-depression, which is a method of coping with negative mood that involves self-focused attention, and is characterized by self-reflection as well as a repetitive and passive focus on one's negative emotions (Nolen-Hoeksema et al., 2008). (3) TIV would be negatively related to trust in other people (Larzelere & Huston, 1980). (4) TIV would be positively related to neuroticism because, like neuroticism (Bolger & Schilling, 1991), TIV exposes people to more stressful relational situations and heightens negative emotional reactions to these situations. Finally, (5) TIV would be unrelated to the other Big Five dimensions; i.e., openness to experience, conscientiousness, extraversion, and agreeableness.

5.3.1. Method

5.3.1.1. Participants and procedure. Participants were 249 Jewish-Israelis (132 women; $M_{age} = 41.42$, $SD_{age} = 15.29$). They completed the study through MP and received 8ILS ($2.20) for participating. Similar to the previous studies, participants completed the TIV scale ($\alpha = 0.92$), and then a week later, completed all other measures.

5.3.1.2. Measures. Sense of Exaggerated Relational Entitlement (SRE) was measured with three subscales (i.e., vigilance with respect to the negative aspects of the partner and the relationship, sensitivity to relational transgressions and frustrations, and expectations of the partner's attention and understanding) from the SRE scale (e.g., "*When I am not getting what I deserve from my partner, I become very tense*"; $\alpha = 0.85$). The SRE and its subscales are reliable measurement tools ($\alpha s > 0.73$), and are associated with emotional problems, attachment anxiety and attachment avoidance, but are only moderately associated with narcissism and a global sense of entitlement (Tolmacz & Mikulincer, 2011).

Rumination was measured on the Ruminative Responses Scale (RRS; Treynor, Gonzalez, & Nolen-Hoeksema, 2003). Participants were asked to think about how they behave when they feel depressed or sad (e.g., "*Think 'what am I doing to deserve this'*?" $\alpha = 0.90$).

Trust was measured on the Dyadic Trust Scale (Larzelere & Huston, 1980; e.g., *"I feel that I can trust my partner completely"*; $\alpha = 0.89$).

The Big Five personality dimensions were measured using the Mini-Markers Scale (Saucier, 1994). For purposes of the current study, we used the three to four highest loading items from each subscale, resulting in 19 items overall. These items assessed, from 1 (*strongly disagree*) to 5 (*strongly agree*), participants' openness to experience ($\alpha = 0.81$), conscientiousness ($\alpha = 0.73$), extraversion ($\alpha = 0.65$), agreeableness ($\alpha = 0.68$), and neuroticism ($\alpha = 0.76$).

5.3.2. Results and discussion

As expected, TIV was positively correlated with participants' exaggerated sense of relational entitlement ($r = 0.32$, $p < .001$) and rumination ($r = 0.39$, $p < .001$), and negatively correlated with trust ($r = -0.18$, $p = .004$). Furthermore, TIV was positively correlated with neuroticism ($r = 0.38$, $p < .001$), but was unrelated to openness to experience, conscientiousness, extraversion, or agreeableness ($rs < |0.05|$, $ps > .536$; see Table S9; for correlations with each of the TIV dimensions, see Table S10). Thus, the results of Study 2C provide further support for our predictions as to the discriminant validity of TIV.

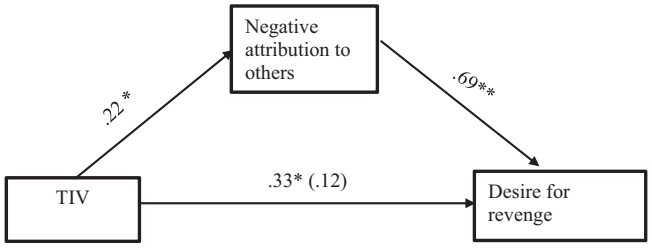

Fig. 2. Study 3 mediation model. Negative attribution of hurtful behavior on the part of others mediates the relationship between TIV and the desire for revenge. Unstandardized coefficients are shown. $*p < .05$; $**p < .001$.

6. Part 3: the cognitive and behavioral consequences of TIV

6.1. Study 3

Study 3 was designed to explore processes of attribution and memory related to TIV. We hypothesized that there would be a positive relationship between TIV and attributing negative feedback to the negative properties of the offender. This hypothesis draws on the notion that enduring feelings of victimhood are associated with an external locus of control (Bar-Tal et al., 2009). We expected that the negative attributions characterizing TIV would include the stable and unstable characteristics of the offender, such as mood, unrealistic expectations, and malicious intentions.

We hypothesized that high- compared to low-TIV participants would be more preoccupied and emotionally involved with issues of offense and hurt, such that the recall of negative hurt feelings and negative offenses would be more frequent and pronounced among them. In line with the results of Study 1C, in which only negative items were associated with TIV, we also hypothesized that TIV would be unrelated to internal attribution or to words indicating positive emotions. We also posited that negative attribution would mediate the relationship between TIV and the desire to seek revenge. Finally, in order to extend the external and predictive validity of the TIV scale, participants for this study were recruited from those who participated in Study 2C, approximately five weeks after its completion. We used participants' TIV scores from Study 2C for the purposes of the current study.

6.2. Method

6.2.1. Participants

Approximately five weeks after the completion of Study 2C, we recontacted the participants from Study 2C. They were not aware of the relationship between the two studies. Participants were 113 Jewish-Israelis (58 men; $M_{age} = 41.31$, $SD_{age} = 14.87$). They completed the study administered by MP and received 8ILS (US$2.20) for participating.

6.2.2. Procedure and measures

Participants completed the TIV scale ($\alpha = 0.91$) as part of Study 2C. Then, they were asked to read a vignette and imagine that they were lawyers who had received feedback from their senior partner. The vignettes were written so that it was unclear whether the criticism was justified. This ambiguity, which we pilot tested, enabled us to test for attribution. After reading the vignette, participants responded to 13 items assessing different reasons for the senior partner's feedback. Seven items assessed the attribution of the negative feedback to the offender (negative characteristics, mood, malicious intentions and expectations, e.g., "*I got the feedback because the senior partner's expectations were not realistic*"; $\alpha = 0.87$). Six items assessed the attribution of negative feedback to the self (abilities, characteristic or performance; e.g., "*The feedback is an indication of my performance*"; $\alpha = 0.81$). Then, participants were asked to rate three items that assessed their desire to seek revenge ($\alpha = 0.88$) and five items derived from the TRIM Scale (McCullough et al., 1998) that assessed their desire to avoid the offender ($\alpha = 0.95$). Finally, participants read that they would see a list of emotions on the next screen and were asked to memorize as many as possible. Participants then saw a list of 10 negative emotions on the right side of the screen (i.e., guilt, shame, disappointment, misery, betrayal, anger, helplessness, grief, irritation, and sorrow) and 10 positive emotions on the left side of the screen (i.e., warmth, stability, strength, calm, trust, passion, energy, joy, fulfillment, and freedom). After 50 s, the list disappeared, and participants were asked to write down the words they recalled.

6.3. Results and discussion

Consistent with our expectations, TIV was positively correlated with increased negative attributions of the offense to properties of the offender ($r = 0.22$, $p = .010$) and higher recall of negative emotions ($r = 0.21$, $p = .022$). Furthermore, as expected, TIV was neither correlated with attributions of hurtful behavior to the self ($r = 0.00$, $p = .898$), nor with the recall of positive emotions ($r = -0.08$, $p = .390$). Finally, TIV was related to the desire for revenge ($r = 0.68$, $p < .001$); but not to the motivation to avoid the offender ($r = 0.09$, $p = .345$; see Table S11).

Next, using Hayes' (2018) PROCESS (Model 4), we tested the mediation model outlined above. The model, presented in Fig. 2, shows that as expected, the higher a participant's TIV, the more he or she tended to attribute the criticism of the senior partner to his or her negative properties, which in turn led to a greater desire for revenge, yielding a significant indirect effect (*effect* = 0.20, 95% Confidence Interval (CI) = [0.00, 0.43], $SE = 0.11$).

Study 3 showed that TIV was correlated with negative attribution of a hurtful behavior (negative feedback) to the offender and with recall of negative emotions, but not with the attribution of negative feedback to the self, or with the recall of positive emotions, reflecting the results in Study 1C. We elaborate on this issue in the general discussion. As expected, increased negative attribution of a hurtful behavior to the offender mediated TIV and the desire to seek revenge, which sheds light on the underlying cognitive mechanism. Unexpectedly, we did not find an association between TIV and the desire to avoid the offender. We explore this in the general discussion.

6.4. Study 4

Study 4 was designed to further explore the consequences of TIV by assessing participants' behavioral revenge, by allowing participants to inflict monetary punishment on an ostensible partner who offended them on the Dictator Game. We hypothesized, based on the results of Study 2A, that TIV would positively predict the extent of revenge, regardless of the severity of the offense. We further hypothesized that there would be an interaction between the severity of the offense and TIV, such that the effect of TIV on revenge would be more pronounced in mild offenses, compared to moderate and severe offenses. We reasoned that mild offenses leave more room for subjective interpretation, and thus would be viewed as more hurtful in the eyes of high- vs. low-TIV participants. Severe offenses leave less room for interpretation, and thus would be viewed as hurtful by all participants, regardless of their TIV score. Further, this study examined the psychological mechanism underlying the relationship between TIV and revenge. We hypothesized that the association between TIV and revenge would be mediated by the experience of negative emotions, and by entitlement to immoral behavior. We found that entitlement was predicted by TIV in Study 2B, and previous work has shown that it mediated the relationship between feelings of victimhood and selfish behavior (Zitek et al., 2010).

6.4.1. Method

6.4.1.1. Participants. Participants were 181 Jewish-Israelis (94 women;

M_{age} = 42.08, SD_{age} = 15.45). They completed the study administered by MP and received 8ILS ($2.20) for participating.

6.4.1.2. Procedure and measures. Participants completed the TIV scale (α = 0.92). Then, they were invited to play the Dictator Game, in which they were led to believe that they were playing against another person, when in fact the whole procedure was computerized. After an ostensible raffle, they were told that their opponent was chosen to be the one who has the power to divide a sum of 10ILS between the two of them, and that the participants have no other choice but to accept this proposal. The participants were then randomly assigned to one of three conditions. In the severe offense condition, participants were told that they were allocated 1ILS, while their opponent kept 9ILS for himself. In the moderate offense condition, the division was 3ILS to the opponent's 7ILS, and in the mild offense condition, the split was 4ILS to the opponent's 6ILS (see SimanTov-Nachlieli & Shnabel, 2014).

After this manipulation, participants were asked to complete the dependent variables questionnaire. First, as a manipulation check, two items assessed the extent participants felt hurt (e.g., "*Please rate the extent to which you feel hurt about the division of the money*"; r = 0.53, p < .001). Then, participants were given the opportunity to take off a percentage of the money their opponent earned from 1 (100% of his gains) to 11 (0% of his gains). This item was reverse scored, such that the higher the score, the greater the behavioral revenge. Importantly, participants were made aware that they would not be given the money they decided to remove from their opponent's gains, making such a decision to reflect pure revenge. We then assessed participants' negative emotions on three items assessing anger, humiliation, and hopelessness (α = 0.88). Finally, we assessed entitlement to immoral behavior with three items (e.g., "*I deserve to act immorally towards the other participant*"; α = 0.88). We also evaluated other measures; i.e., participants' positive emotions, need for agency, and motivation for revenge for exploratory purposes, which we did not include in the final analysis.

6.4.2. Results and discussion

To examine whether the offense severity manipulation was effective, we conducted a one-way ANOVA that showed that there was a main effect for condition (F (2, 178) = 10.80, p < .001, η_p^2 = 0.11), such that both severe (M = 5.04, SD = 1.59) and moderate (M = 4.58, SD = 1.67) offenses were perceived as more severe than the mild offense (M = 3.73, SD = 1.48; both ps < .004). There was no significant difference between the severe and moderate offenses (p = .117).

To examine the effect of our manipulation as moderated by TIV on our DVs, we ran a series of analyses using Hayes' (2018) PROCESS (Model 1) for a multicategorical independent variable by implementing indicator coding (Hayes & Montoya, 2017). We report the effects of TIV and the interaction effects below. For the effects of the manipulation, see supplementary materials. For means, SDs and correlations see Table S12. First, participants' behavioral revenge was significantly predicted by TIV (b = 0.38, 95%CI = [0.01, 0.76], SE = 0.19, t = 1.97, p = .050), such that the higher the TIV, the more they took revenge. Contrary to our hypothesis, the condition × TIV interaction was not significant (p = .477). However, a simple slopes test revealed a pattern of results that was consistent with our hypothesis. Specifically, whereas TIV significantly predicted the degree of revenge in the mild offense condition (b = 0.61, 95%CI = [0.04, 1.17], SE = 0.29, t = 2.12, p = .035), it did not in the moderate and severe offense conditions (b = 0.05, 95%CI = [−0.65, 0.75], SE = 0.35, t = 0.15, p = .881; and b = 0.36, 95%CI = [−0.41, 1.13], SE = 0.39, t = 0.93, p = .356, respectively). Next, TIV significantly predicted the extent to which participants experienced negative emotions, and felt entitled to behave immorally following the offense (b = 0.84, 95%CI = [0.49, 1.19], SE = 0.18, t = 4.71, p < .001; and b = 0.63, 95%CI = [0.30, 0.96], SE = 0.17, t = 3.74, p < .001, respectively), such that the higher the TIV, the more participants experienced intense negative emotions, and entitlement to behave immorally. Neither DVs were predicted by the condition × TIV interaction (both ps > .260).

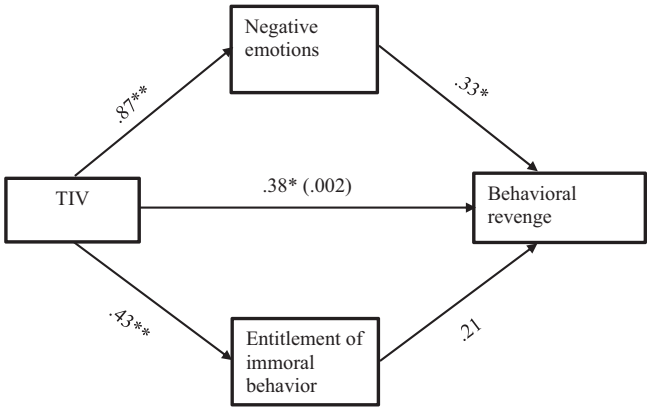

Fig. 3. Study 4 mediation model. Experienced negative emotions and entitlement to immoral behavior mediated the relationship between TIV and behavioral revenge. Unstandardized coefficients are shown. *p < .05; **p < .001.

Finally, using Hayes' (2018) PROCESS (Model 4), we tested a mediation model in which (i) TIV increased negative emotions and entitlement (ii) which, in turn, increased behavioral revenge, while controlling for the effects of the condition. The model, presented in Fig. 3, showed that, as expected, the higher participants' TIV, the more they experienced negative emotions and felt entitled to behave immorally. However, only the experience of negative emotions predicted behavioral revenge, in turn, yielding a significant indirect effect for negative emotions (*effect* = 0.29, SE = 0.13, 95%CI = [0.03, 0.53]), but not for entitlement (*effect* = 0.09, SE = 0.06, 95%CI = [−0.03, 0.22]).[2]

The results of Study 4 indicated that TIV was strongly associated with behavioral revenge, echoing the results of Studies 2B and 3. Furthermore, after being exposed to an offense, TIV was associated with an increased experience of negative emotions, and, replicating Study 2B, entitlement to immoral behavior. These variables mediated the relationship between TIV and behavioral revenge when examined separately in the mediation models. However, when they were examined together, the experience of negative emotions prevailed as a stronger predictor of behavioral revenge. Finally, although we hypothesized that TIV would moderate the effect of the severity of offense on behavioral revenge, no interaction was found, consistent with the results of Study 2A. We did find tentative corroboration for our hypothesis when we analyzed the simple slopes, in that TIV significantly predicted revenge in the mild offense condition, but not in the moderate offense and severe offense conditions.

7. General discussion

The current studies strongly suggest that the tendency for victimhood in interpersonal relations is a stable personality characteristic. Deeply rooted in the relations with primary caregivers, this tendency affects how individuals feel, think, and behave in what they perceive as hurtful situations throughout their lives. The findings contribute both theoretically and empirically to the exploration of victimhood in interpersonal relations. Theoretically, we showed the robustness of TIV based on an integration of the social and clinical psychological literature. Empirically, the findings validated TIV through an exploration of its cognitive, emotional, and behavioral consequences, as well as the role of attachment style as a conceptual antecedent.

The results of the eight studies confirmed our conceptualization of

[2] When we tested a mediation model for each mediator separately, we found that they both significantly mediated the relationship between TIV and behavioral revenge. See supplementary materials.

TIV and the psychometric properties of its scale. EFAs and a CFA (Studies 1A-1B) indicated that the TIV scale is best conceptualized as a hierarchical model with four method factors, representing the four dimensions of TIV; i.e., the need for recognition, moral elitism, lack of empathy, and rumination, and one latent factor. Study 1C documented the scale's good test-retest reliability. The scale also exhibited good convergence validity, as it showed that high-TIV individuals experienced feelings of hurt more intensely, and for longer periods of time (Study 2A). Moreover, we showed the scale's adequate construct validity, since it was positively correlated with rejection sensitivity, victim sensitivity, private and public consciousness (Study 2B), exaggerated entitlement in romantic relations, lack of trust, rumination-depression, and was unrelated to the Big Five personality dimensions, except neuroticism (Study 2C).

In addition to being psychometrically sound, the TIV scale exhibited satisfactory predictive validity with regard to cognitive, affective, and behavioral phenomena. Cognitively, high-TIV individuals were more likely to expect that others would hurt them in ambiguous situations (Study 1C), perceive offenses as more severe (study 2A), and attribute more malicious intent and negative characteristics to the offender (Study 3). Emotionally, high-TIV individuals were more likely to experience feelings of hurt more intensely, and for longer periods of time (Studies 2A and 4), and recall negative emotions more easily (Study 3). Across studies, TIV predicted various negative cognitive and emotional outcomes, but was unrelated to positive interpretations, attributions, or recall of positive emotional words. Thus, negative, but not positive stimuli, appear to activate the victimhood schema.

Behaviorally, high-TIV individuals were less willing to forgive others after an offense, and more likely to seek revenge rather than avoidance (Studies 2B and 3) and behave in a revengeful manner (Study 4). We argue that one possible explanation for the low avoidant tendencies of high-TIV individuals stems from their need for recognition. Behaviorally, this might be expressed by being ambivalent with regard to whether to maintain contact with their offenders and receive recognition of their victim status, or to completely avoid them. The fact that TIV was associated with anxious attachment, which is characterized by ambivalent relationships with others, but not with avoidant attachment, lends credence to our argument. Furthermore, the cognitive and affective implications of TIV seem to underlie its behavioral outcomes. The desire for revenge was mediated by negative attributions to the offender (Study 3) and by negative emotions and entitlement to immoral behavior (Study 4). The clinical literature on victimhood (Urlic et al., 2010) may explain how moral elitism, lack of empathy and the desire for revenge can manifest simultaneously among high-TIV individuals, and thus enable them to feel morally superior even though they exhibit aggression. According to this literature, victimhood is strongly dissociated from agency, and therefore decreases individuals' belief that they can deal with difficulties in their interpersonal relations. Victimhood is also dissociated from aggressiveness, because any resemblance between the victim and the perpetrator is experienced as threatening, as it may deny the victim potential compensation, closeness and empathy from others.

Finally, we found that anxious (but not avoidant) attachment was correlated with TIV, and thus may serve as a conceptual antecedent (Study 2B). From a motivational point of view, TIV seems to offer anxiously attached individuals an effective framework for their insecure relations that involve gaining others' attention, recognition, and compassion, and at the same time experiencing and expressing negative feelings. These findings correspond to previous theoretical accounts and empirical evidence that argue that attachment plays a significant role in individual differences after experiencing trauma and victimization (Arikan, Stopa, Carnelley, & Karl, 2016). However, it should be noted that while attachment was found to be associated with different psychological responses to trauma, including victimhood, exposure to severe trauma can affect the psychological response irrespective of individual attachment style (Pearlman & Courtois, 2005). The relationships between trauma, attachment, and TIV await further examination in future research. Relatedly, the need for recognition of high-TIV individuals may also be used for constructive relationship building. Unlike avoidance, it fosters and provides opportunities for contact, communication, and change (Twali et al., 2020). However, such opportunities for contact should be approached with due caution, as clinical psychological accounts suggest that recognition of suffering by itself is often not enough to promote change and might in fact only strengthen high-TIV individuals' claims of victimhood and sense of entitlement (Berman, 2014b).

7.1. Implications, limitations and future research

The present research has important implications for both clinical and social psychology. It provides a better understanding of the way processes of interpretation, attribution, and memory reinforce feelings of victimhood and retaliatory behaviors, which could be treated with different types of therapy (e.g., CBT, schema therapy) to decrease these negative cognitive biases. The relationship between anxious attachment and TIV can also be assessed in therapy to understand the core needs of people with TIV. The findings also contribute to a better understanding of interpersonal conflicts, by suggesting that both situational factors, such as the severity of the offense, and personality factors (TIV) play a pivotal role in the intensity and perceived duration of hurt feelings.

Two dispositional traits related to TIV have been examined in the past; namely, narcissism and self-esteem, and deserve comment. Similar to TIV, narcissism and self-esteem both involve a general focus on the self and a strong sense of entitlement (Stronge, Cichocka, & Sibley, 2016). In addition, narcissism, but not self-esteem, was found to be associated with experiencing ambiguous situations as more hurtful and involved showing more hostility toward others (Bushman & Baumeister, 1998; McCullough, Emmons, Kilpatrick, & Mooney, 2003). Furthermore, we argue that the self-esteem of high-TIV individuals would be unstable, based on the relationship between TIV, anxious attachment, external locus of control, and sensitivity to imagined or actual offenses. An unstable self-image also characterizes narcissism (Rhodewalt, Madrian, & Cheney, 1998) and leads, in turn, to vulnerability to threats to the self (Bushman & Baumeister, 1998).

We also posit that both narcissism and TIV are characterized by vulnerability to threats to the self, but that the content of these threats would be different. Narcissists present themselves to the world as strong, capable, and talented (and relatedly, differently from TIV, narcissism was found to be associated with extraversion; Stronge et al., 2016). Therefore, threats are related to anything undermining their grandiosity and superiority, such as extraordinary abilities, achievements or positive qualities. In contrast, the self-presentation of high-TIV individuals is that of a weak victim, who has been hurt and is therefore in need of protection; a considerate and conscientious person who must face a cruel and abusive world. Threats to high-TIV individuals are related to anything that can undermine their self-image of moral superiority; or elicit doubts from their environment as to whether the offense occurred, the intensity of the offense, or their exclusivity as victims. These, and additional hypotheses should be examined in future research.

While the current research makes important first steps in establishing the TIV conceptualization, much work remains to be done. First, the current research was conducted among Jewish-Israelis, which were shown to have a ‘perpetual victimhood’ representation of their history (Klar et al., 2013). As a group that has suffered persecution and threats of annihilation, Jewish-Israelis are raised in a culture that emphasizes the continuity between past and present/future sufferings (Klar et al., 2013). Nevertheless, we argue that TIV is relevant to other contexts and populations. Preliminary evidence indicates that the TIV scale had sufficient reliability and convergent validity in convenience and representative samples of Democrats and Republicans in the U.S. (Hameiri, Moore-Berg, Guillard, Falk, & Bruneau, 2020). Nevertheless,

future research should extend the external validity of TIV. This research can also take a cross-cultural perspective to examine whether TIV varies across different contexts and populations and is related to cultural norms and education.

Second, the current research relied on an online survey company to recruit participants and described the studies as dealing with interpersonal transgressions. This might have hindered our external validity, as this prompt might have solicited the participation of online participants who are more willing to discuss their history with victimization. While we cannot completely rule out that this might have led to some bias in our results, previous research indicates that online samples provide similar results to face-to-face ones, but are more diverse (Casler, Bickel, & Hackett, 2013). Furthermore, participants tended to use the entire range of the TIV scale, with the TIV scale means falling slightly above the mid-point of the scale. These means correspond to the results obtained in a study with a representative sample of Democrats and Republicans in the U.S. that was not presented as dealing with interpersonal transgressions (Hameiri et al., 2020).

Third, although our studies were sufficiently powered to detect medium-sized correlations and differences between two or three manipulated conditions, they were relatively underpowered to detect a small effect-sized interaction. Future research could further explore whether the role of TIV increases in ambiguous situations (e.g., mild offenses; see Studies 2A and 4), which leave more room for subjective interpretation than severe offenses.

Finally, another intriguing path for future investigation is what happens to high-TIV individuals when they are in power or leadership positions. Ample research has indicated that the powerful are more likely to behaviorally pursue their values and goals (for a review see Guinote, 2017). Future studies could directly investigate whether high-TIV powerholders feel less inhibited to express hurtful feelings and behaving in a vindictive way. Overall, the measure presented here provides a reliable and valid instrument that may be useful in future investigations of theoretically driven hypotheses on the social consequences of victimhood as a personality trait.

CRediT authorship contribution statement

Rahav Gabay: Conceptualization, Methodology, Investigation, Formal analysis, Writing - original draft. **Boaz Hameiri**: Conceptualization, Methodology, Formal analysis, Writing - original draft. **Tammy Rubel-Lifschitz**: Conceptualization, Methodology, Writing - original draft. **Arie Nadler**: Conceptualization, Methodology, Writing - original draft, Supervision, Funding acquisition.

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Appendix A. Supplementary data

Supplementary data to this article can be found online at https://doi.org/10.1016/j.paid.2020.110134.

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CERTIFICATE OF FULL RIGHTS TO THE POEM WRITTEN WITHIN THIS DOCUMENT
as a personal note - thank you, Secretary of State, John B. Scott and his assoc.

The lone ***star*** in a ***state*** form.

See that ***you*** may not be the *brightest* star,

But know it's not the stars that make you a lone ***star***,

It's the heart of Texas,

That truly creates lone stars beings,

That makes a ***timeless*** Texas,

"The Lone Star State."

For in my darkest ***paths*** walked.

I looked up and saw your ***light***.

And your light was ***true*** light for I saw all your pain and ***defiance***.

And I held ***on***,

And ***i*** then,

Now-***see*** that my darkness had faded.

Thank you ***mom***,

From a *once* fading star,

And now through your ***heart*** of defiance**:**

I'm grateful, to be your l***one***some ***sun***.

This poem/prose/clause/narrative/work-of-art/bytes/letters/characters/words as one, is timelessly held and retained, permanently, with all rights granted in anyway or form, to The State of Texas, with all rights reserved by The State of Texas.

- By augmentation of the Secretary of State in context: **ZIPING LIU as known as (ZIPING LIU CORPORATION)** will defend the State of Texas and/or associated departments for any form and or and method of infringement and/or aggression on this poem/[a-zA-Z0-9\/]?, permanently.

I, Ziping Liu,

Grant and Endorse this Certificate of Full Rights now held by the State of Texas for the Poem written within this document.

Signed - Digitally - with Secured Signature Verification - By Ziping Liu on April, Wed 27, of 2022.

The State of Texas is free to use lettters/words written in said Poem in any way or form The State of Texas chooses - with my **timeless-permanent** endorsement and support and granting.

TO: **U.S. ARMY FORT HOOD**

FROM: ZIPING LIU

SUBJECT: MY GIFT TO THE US ARMY

LETTER START:

DEAR U.S. ARMY FORTHOOD, OF THE US ARMY,

My name is Ziping Liu. I was born in China, and moved the USA when I was 4 years old. My family, was saved by the US Military. During World War II, when the US troops came, you saved my great-grand father – through empathy, and love.

Right now, it's obvious, the world isn't very stable. As US. Citizen, I will defend America, as US. Citizen, with all my heart, love, and honor.

Why am I saying this? I think military strategy has regressed, a lot. We think, it's those that have true hate, evil, and/or brainwashed intentions that are those that truly are to be feared in battle. That's not true.

When a mother, sees her child, stuck under a car, somehow she's able to find the strength to lift up the car and save her child.

When a father sees his child, drowning, he's somehow able to swim miles deep into ocean waters, and save his child from drowning into the currents.

That's love, love gives you power, love conquers all fear, and love destroys evil, every time. Because love, means you are self-preserving. You take it up a notch, and become loving towards earth and all humankind, and yourself, and you become truly fearless.

If you hate, that means you yourself, and you could care less if you die in battle.

See what I mean?

This book, is book that I hold so dear to my heart, because it did happen to one of my family members.

https://en.wikipedia.org/wiki/The_House_of_Sixty_Fathers

I salute you, I'm honored, and I am at your service.

LETTER END

Ziping Liu 05/01/2022 4:55 PM CST

search user | English | Resources

We have added two new Leadership Principles to the website! You can now also tag "Strive to be Earth's Best Employer" and "Success and Scale Bring Broad Responsibility" when creating an Accolade.

Ziping Liu

lziping@

Software Development Engineer, Industrial IoT and Edge - Fixe
Seattle

Send Accolade

Visit my PhoneTool
Ping me on Chime

Tyler Cockerham received an accolade from Ziping Liu
an hour ago

I make mistakes and sometimes I mistakenly write things that are wrong or unclear. Tyler has been a huge help in allowing me to write more clearly and to understand the importance of writing for an audience that isn't just me. He's also a pretty fun person to work with and shows a lot of empathy for my pursuit of clear documentation writing in midst noise of ambiguity inherently found: with writing in general. He's one of the few that's striving to make Amazon, Earth's Best Employer.

Strive to be Earth's Best Employer | Learn and Be Curious

+1 Comment

Ziping Liu received an accolade from Tyler Cockerham
2 hours ago

Ziping has been incredibly helpful in the Console build for multiple regions. Not only did he write great documentation but he also is easy to reach and chat with should an issue come up. He appears to be solo in writing these wikis and I believe his team and others (like mine) would benefit from following the model Ziping has set forth.

Customer Obsession | Ownership | Insist on the Highest Standards

+1

+1 Comment

Fernando Pauer received an accolade from Ziping Liu
4 days ago on Mar 31, 2022

Given the high amount of cross-collaboration required and IoT CXT being the cross-section of many other service teams, I have found our operational excellence extremely challenging. I really want to thank Fernando for utilizing our team's run-books and providing a feedback loop to further improve their writing and clarity. He truly does put meaning behind the term: bar raiser.

Earn Trust | Hire and Develop the Best | Insist on the Highest Standards

+1 Comment

Ziping Liu received an accolade from Fernando Pauer
5 days ago on Mar 30, 2022

Ziping is always on top of operational issues and proposing solutions that keep the high standards on the OE. I frequently see him acting to solve or to mitigate operational issues, also dedicating time to help the team to get unblocked on local development setups.

Bias for Action | Insist on the Highest Standards

+1

+1 Comment

ZT Yang received an accolade from Ziping Liu
8 days ago on Mar 27, 2022

You find few here at Amazon that are willing to understand why something works. Not only that, but how to come to that understanding of why. I'm always willing to spend time with anyone who wants to learn why and how something works. ZT Yang is the first I've helped at Amazon who actually asked me how I even began to learn all these things. That's a question that only comes from those with ambition. And it's these rare individuals that I help, that truly solidify and improve my own understanding

Dive Deep | Learn and Be Curious | Hire and Develop the Best

+1

+1 Comment

search user English Resources

The University of Texas at Austin
Academic Summary
Unofficial Document

EID: [redacted]
Name: LIU, ZIPING

School 1:	ENGINEERING (4)	First Semester Enrolled:	Fall 2013
Major 1:	ELECTRICAL ENGINEERING	Last Semester Enrolled:	Fall 2019
School 2:	LIBERAL ARTS (L)	Date Degree Expected:	0
Major 2:	ASIAN CULTURES AND LANGUAGES		
Classification:	SENIOR		

Summer 2011 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
EDP 310	LEARNING FRAMEWORK	A	0	Transfer	3.0	0.00
CMS 305	SPEECH FUNDAMENTALS	A	0	Transfer	3.0	0.00

Summer 2012 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
ECO 304L	MACROECONOMICS	A	0	Transfer	3.0	0.00
RHE 306	COMPOSITN/RHETORIC 1	A	0	Transfer	3.0	0.00
RHE 309K	COMPOSITN/RHETORIC 2	A	0	Transfer	3.0	0.00
GOV 310L	NATL/STATE/LOCL GOV 1	A	0	Transfer	3.0	0.00

Spring 2013 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
GOV 312L	NATL/STATE/LOCL GOV 2	A	0	Transfer	3.0	0.00

Fall 2013 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
E E 302	INTRO ELECTRICAL ENGINEERING	B	16305	In residence	3.0	9.00
E E 306	INTRODUCTION TO COMPUTING	C	16400	In residence	3.0	6.00
M 408C	DIFFEREN AND INTEGRAL CALCULUS	B	55985	In residence	4.0	12.00

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
UGS 303	VISIBLE SPEECH WRITING SYSTEMS	B+	66930	In residence	3.0	9.99
ENS 107S	SM INST ENS: JAZZ ENSEMBLE	A	25900	In residence	1.0	4.00
PHY 303K	ENGINEERING PHYSICS I	CR	27110	Credit by exam	3.0	0.00
PHY 103M	LABORATORY FOR PHY 303K	CR	27170	Credit by exam	1.0	0.00

Spring 2014 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
E E 319K	INTRO TO EMBEDDED SYSTEMS	C+	16615	In residence	3.0	6.99
ARC 308	ARCHITECTURE AND SOCIETY	B	540	In residence	3.0	9.00
M 408D	SEQ, SERIES, AND MULTIVAR CALC	B	56020	In residence	4.0	12.00
CHI 604	ACCELERATED FIRST-YEAR CHINESE	A	32470	In residence	6.0	24.00
ENS 107S	SM INST ENS: JAZZ ENSEMBLE	A	26075	In residence	1.0	4.00

Summer 2014 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
HIS 315L	U.S. HISTORY 2	A	0	Transfer	3.0	0.00
PSY 301	GENERAL PSYCHOLOGY	A	0	Transfer	3.0	0.00

Fall 2014 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
PHY 103N	LABORATORY FOR PHY 303L	A-	57840	In residence	1.0	3.67
M 427K	ADV CALCULUS FOR APPLICATNS I	A	55600	In residence	4.0	16.00
E E 411	CIRCUIT THEORY	A-	16600	In residence	4.0	14.68
PHY 303L	ENGINEERING PHYSICS II	B	57685	In residence	3.0	9.00
CHI 612	ACCELERATED SECOND-YR CHINESE	A	32205	In residence	6.0	24.00

Spring 2015 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
E E 312	SOFTWR DSGN AND IMPLEMENTATN I	A	15805	In residence	3.0	12.00
E E 313	LINEAR SYSTEMS AND SIGNALS	B-	15850	In residence	3.0	8.01
M 340L	MATRICES AND MATRIX CALCULATNS	A	54420	In residence	3.0	12.00
CHI 320K	READINGS IN MODERN CHINESE I	A	31360	In residence	3.0	12.00
E 316L	BRITISH LITERATURE	A	34155	In residence	3.0	12.00

Fall 2015 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
E E 422C	SOFTWR DSGN & IMPLEMENTATN II	A	16360	In residence	4.0	16.00
E E 333T	ENGINEERING COMMUNICATION	A	16430	In residence	3.0	12.00
M 427L	ADV CALCULUS FOR APPLICATNS II	B+	53305	In residence	4.0	13.32
CHI 320L	READINGS IN MODERN CHINESE II	A	31270	In residence	3.0	12.00
E E 362K	INTRO TO AUTOMATIC CONTROL	Q	16665	In residence	3.0	0.00

Spring 2016 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
E E 325	ELECTROMAGNETIC ENGINEERING	C+	16195	In residence	3.0	6.99
E E 351K	PROBABILITY & RANDOM PROCESSES	C+	16415	In residence	3.0	6.99
M 325K	DISCRETE MATHEMATICS	B	53355	In residence	3.0	9.00
ANS 301M	INTRO TO POLITICS IN EAST ASIA	A	30735	In residence	3.0	12.00
HIS 317L	4-INTRO TO ASIAN AMERICAN HIST	A	38500	In residence	3.0	12.00
CH 301	PRINCIPLES OF CHEMISTRY I	CR	24550	Credit by exam	3.0	0.00
CH 302	PRINCIPLES OF CHEMISTRY II	CR	24580	Credit by exam	3.0	0.00

Fall 2016 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
E E 360C	ALGORITHMS	Q	16685	In residence	3.0	0.00

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
E E 445S	REAL-TIME DIGITAL SIG PROC LAB	B+	16645	In residence	4.0	13.32
CHI 340	1-CONTEMPORARY CHINESE LIT	A	32030	In residence	3.0	12.00
E E 461L	SOFTWARE ENGR AND DESIGN LAB	A-	16760	In residence	4.0	14.68
E E 461S	OPERATING SYSTEMS	A	16775	In residence	4.0	16.00

Spring 2017 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
ANS 361	32-HIST CHINESE LANG/ TRANSLATN	A-	31700	In residence	3.0	11.01
CHI 341	CLASSICAL CHINESE POETRY	Q	32065	In residence	3.0	0.00
E E 351M	DIGITAL SIGNAL PROCESSING	Q	16455	In residence	3.0	0.00
E E 364D	INTRO TO ENGINEERING DESIGN	A-	16620	In residence	3.0	11.01
HIS 350L	65-THE CHINESE IN DIASPORA	Q	39460	In residence	3.0	0.00
E E 460	SPEC PROBS IN ELEC & COMP ENGR	A	16475	In residence	4.0	16.00

Fall 2017 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
E E 464K	SENIOR DESIGN PROJECT	A-	16660	In residence	4.0	14.68
PSY 301	INTRODUCTION TO PSYCHOLOGY	Q	43026	In residence	3.0	0.00
CHI 322	INTRO TO CLASSICAL CHINESE	A	32225	In residence	3.0	12.00
BIO 311C	INTRODUCTORY BIOLOGY I	Q	48075	In residence	3.0	0.00
E E 125S	INTERNSHIP IN ELEC & COMP ENGR	CR	16340	In residence	1.0	0.00

Spring 2018 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
ANS 361	30-WHY CHINESE HAS NO ALPHABET	W	31215	In residence	3.0	0.00
E E 360C	ALGORITHMS	W	15775	In residence	3.0	0.00
ANS 302C	INTRODUCTION TO CHINA	W	31165	In residence	3.0	0.00
E E 445L	EMBEDDED SYSTEMS DESIGN LAB	W	15645	In residence	4.0	0.00

Fall 2018 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
E E 360C	ALGORITHMS	Q	16590	In residence	3.0	0.00
ANS 302C	INTRODUCTION TO CHINA	C+	32290	In residence	3.0	6.99
ANS 322M	POLITICS IN CHINA	D+	32310	In residence	3.0	3.99
E E 445L	EMBEDDED SYSTEMS DESIGN LAB	Q	16535	In residence	4.0	0.00
E S 260	SERVICE LEARNING FOR ENGINEERS	A	12600	In residence	2.0	8.00

Spring 2019 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
ANS 361	HIST FOOD/HEAL CHINA TAIWAN	B-	32190	In residence	3.0	8.01
E E 360C	ALGORITHMS	F	16490	In residence	3.0	0.00
E E 360T	SOFTWARE TESTING	F	16560	In residence	3.0	0.00
E E 379K	INFORMATION SECURITY & PRIVACY	D	16685	In residence	3.0	3.00
E E 316	DIGITAL LOGIC DESIGN	F	16085	In residence	3.0	0.00

Fall 2019 Courses

Course	Title	Grade	Unique	Type	Credit Hours	Grade Points
ANS 372	10-DECODING CLA CHINESE POETRY	A-	31720	In residence	3.0	11.01
E E 360C	ALGORITHMS	C-	16400	In residence	3.0	5.01
LIN 306	INTRO TO THE STUDY OF LANGUAGE	Q	39258	In residence	3.0	0.00
T D 303	FUNDAMENTALS OF ACTING	A	25280	In residence	3.0	12.00
E E 316	DIGITAL LOGIC DESIGN	B-	16130	In residence	3.0	8.01

Total Hours Transferred:	27
Total Hours Taken:	171

Lower Division

Hours:	82.00
GPA Hours:	72.00
Grade Points:	231.34
GPA:	3.2130

Upper Division

Hours:	89.00
GPA Hours:	88.00
Grade Points:	276.02
GPA:	3.1365

Graduate Level

Hours:	0.00
GPA Hours:	0.00
Grade Points:	0.00
GPA:	0.0000

Overall

Hours:	171.00
GPA Hours:	160.00
Grade Points:	507.36
GPA:	3.1710

Unofficial Copy

Georgia Tech College of Computing

September 09, 2020

GTid: [redacted]
Mr. Ziping Liu
109 Spanish Oak Circle
Lake Jackson, TX 77566

Dear Ziping:

Congratulations! On behalf of the College of Computing at the Georgia Institute of Technology, I am delighted to recommend you for admission to our Online offering of the Master of Science program in Computer Science (OMSCS) for the semester beginning Spring 2021. Your qualifications have distinguished you in a pool of very strong applicants. I hope you will accept this invitation.

Conditional Admission: All incoming students are admitted conditionally (OMSCS Admissions Criteria). To continue in the program after the first 12 months from your date of matriculation, you must complete the **foundational coursework requirement** of 2 program courses with a grade of B or better. Information on which courses are categorized as foundational is available at OMSCS Courses.

Credential Verification: This offer is not official until a final check of your credentials by Georgia Tech's Office of Graduate Studies is passed. **Let me REPEAT this statement: We have offered you Admission to the OMSCS program based upon your academic qualifications. The Office of Graduate Studies must perform its final verification of your application to ensure that you meet the Institute-wide requirements for admission to ANY Georgia Tech Graduate Program!** This check includes:

- Verification that official transcripts from every college or university you have attended for academic credit have been received (regardless of whether you received a degree from the school).
- If applicable, proof that you have satisfied the requirement for the Test of English as a Foreign Language (TOEFL) or the International English Language Testing System IELTS).
- Proof that you are in compliance with the University System of Georgia's Lawful Presence requirement.
- Further details on the Graduate Studies Office's Admissions process are found in the Catalog at Admissions Information.

Graduate Studies Notification:

- Graduate Studies will notify you by e-mail once they have reviewed your application and noted any final documents needed.
- **PLEASE BE PATIENT -- there are several THOUSAND applications to be reviewed, and it may be several months before you are contacted by Graduate Studies. Please do NOT e-mail their Help Desk, our Help Desk, the OMSCS Advisors, or us asking when Graduate Studies will finish reviewing your application -- doing so ONLY SLOWS the**

process!

- A **"Complete Your Decision"** button will also appear in the CollegeNET portal, asking you to accept or decline this offer of admission.
- Your admission is contingent on the satisfactory completion of any outstanding admission requirements - including proof of the award of any degrees listed on your application.

By affirming your acceptance of this admission offer, you acknowledge that you will abide by all regulations of the Institute. Please reply to this offer as soon as possible, but no later than 30 days from the date of this letter.

Academic requirements: Students in the OMSCS program are held to the same rigorous academic standards (see the overall MSCS requirements). A subset of the program's available specializations are available for online students. Neither the project or thesis option is available online, and all courses in the program must be completed for credit.

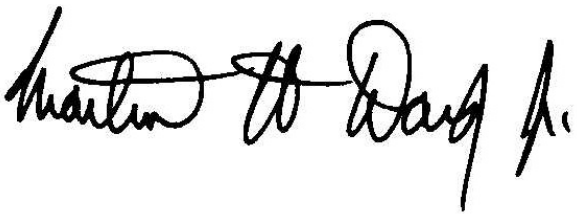
Registration Information:

- Spring 2021 classes begin on **January 11, 2021,** subject to any changes announced by the Registrar's Office (https://registrar.gatech.edu/).
- Registration for you, as a new student, occurs only during Phase II of registration.
- The OMSCS program advisors will e-mail registration instructions and orientation information shortly before the start of the semester. **Please be patient in waiting for this information! Sending e-mails to the OMSCS Advisors will DELAY your receiving this information!**
- You may register for no more than 2 classes at a time during the Fall and Spring semesters, and you are limited to 1 class for the Summer semesters.
- Payment for tuition and fees must be paid in full by 4:00 PM Eastern Time on **January 18, 2021,** subject to any changes announced by the Bursar's Office (http://bursar.gatech.edu/).

Admission to this program is valid only for the term noted above and the Online campus of the MSCS program. If you are not able to attend for the specified term, please let us know as soon as possible if you would like to be considered for another term.

Again, congratulations! We recognize the importance of your making your decision thoughtfully and carefully. Please do not hesitate to send any additional questions you may have to omscs@cc.gatech.edu, and we will reply as soon as possible.

Sincerely,



Dr. Martin H. Davis, Jr.
OMSCS Director of Admissions
College of Computing, Georgia Institute of Technology

From: Press <press@technet.org>
Sent: Thursday, March 10, 2022 4:50 PM
To: Kim Bergmann
Subject: Tech is at Work Defending Democracy, Supporting Ukraine, and Isolating Russia

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View this email as a webpage here

Tech is at Work Defending Democracy, Supporting Ukraine, and Isolating Russia

The tech community is at work defending democracy, supporting Ukraine, and isolating Russia. Our hearts are with the Ukrainian people, who are suffering from horrific and unprovoked attacks on their country and their freedoms. In times of crisis, our industry steps up to support those in need. While tech plays an essential role in keeping people informed, connected, and safe, our members are increasing humanitarian support for refugees and charities on the ground in Ukraine. Companies are donating millions to relief organizations and collecting and distributing supplies and other critical items. Tech is also working to keep user data and messages safe and protected and networks secure and operational in eastern Europe and here at home. Many tech companies have ceased doing business in Russia as well.

Below are a few of the many examples of how tech is standing with Ukraine. This list will be continually updated to reflect tech's ongoing support in the region. For the latest information, go here.

Accenture
Accenture donated $5 million to nonprofit relief organizations working to help people in Ukraine and those who are fleeing to Poland, Romania, Slovakia, Hungary, and the Czech Republic. The company is also matching 100% of employee donations. Accenture has discontinued its business in Russia.

Airbnb
Airbnb is offering free, short-term housing to 100,000 refugees fleeing Ukraine. The company has also waived all fees for new reservations in Ukraine in response to a grassroots movement to book reservations in the country to support local hosts. Airbnb has suspended all operations in Russia and Belarus.

Amazon
Amazon is donating $5 million to organizations that are providing critical support on the ground in Ukraine and matching up to $5 million in additional donations from employees. Amazon's AWS is also working closely with Ukrainian customers and partners to keep their applications secure while pausing taking on new customers in Russia and Belarus. In addition, Amazon has pledged logistics help to get supplies to those in need in Ukraine and cybersecurity expertise to help governments and companies.

Ancestry
Ancestry is providing its contractors and their families in Ukraine with a one-time individual bonus totaling more than $25,000 to help with immediate aid.

Apple
Apple is matching employee donations to certain humanitarian relief funds two to one. Apple is pausing all product sales in Russia, and limiting Apple Pay and other services like Apple Maps data sharing. Apple has also made donations to relief agencies and non-profits such as World Central Kitchen, Doctors Without Borders, and the International Rescue Committee.

AT&T
AT&T is waiving international roaming charges to provide talk, text, and data from Ukraine to anywhere in the world.

Cisco
Cisco is accelerating its efforts to protect organizations in Ukraine from cyberattacks, safeguard the privacy of institutions in Ukraine and the region, and help the Ukrainian government secure its infrastructure. Cisco has also established a Ukraine Humanitarian Assistance Fund enabling all of its employees to donate and is working with non-profit partners to leverage Cisco equipment and support those who have been able to flee and relocate. Cisco has stopped all business operations, including sales and services, in Russia and Belarus for the foreseeable future.

Comcast
Comcast is offering free calls and text messages to Ukraine for its Xfinity Voice, Xfinity Mobile, Comcast Business Voice, and Comcast Business Mobile customers so they can stay connected with loved ones.

Coursera
Coursera is offering a Teach-Out course through the University of Michigan explaining the crisis in Ukraine.

Dell Technologies
Dell has suspended product sales in Russia and is monitoring the situation to determine its next steps while assisting employees affected by the conflict.

Deloitte
Deloitte is no longer operating in Russia and Belarus. The company is supporting and assisting all impacted employees during this transition.

eBay
eBay has taken several steps to support the Ukrainian people and its sellers in the region. The company has waived selling fees, protected sellers from late shipment penalties and negative feedback, and is matching employee donations to organizations two to one. Customers can also support relief organizations during the checkout process.

Elevate
Elevate is helping Ukrainian families and refugees by matching employee donations to organizations such as the International Rescue Committee.

Etsy
Etsy is canceling the current balances owed to Etsy by all sellers in Ukraine, which represents a contribution of approximately $4 million. Etsy has also reached out to sellers in the region to ensure they can access help with their accounts or place their shops on hold.

General Motors
GM is donating $250,000 to the International Rescue Committee to help any displaced refugees from Ukraine. GM is also matching U.S. employee contributions to specific nonprofits helping Ukrainians up to $50,000. GM has announced it is suspending all business in Russia.

Google
Google has committed $25 million to help organizations deliver both immediate humanitarian aid and longer-term assistance for refugees in Poland. Google has also offered several services for free to help people communicate and organizations provide medical supplies, food relief, and refugee support and aid. Google is also protecting Ukrainian users and important local services by expanding eligibility for Project Shield so Ukrainian government websites, embassies worldwide, and other government services in close proximity to the conflict can stay online and continue offering crucial services. Google has suspended its advertising operations in Russia.

Gopuff
Gopuff pledged $100,000 to the World Central Kitchen to help serve fresh meals to families in Ukraine and Ukrainian refugees.

Grubhub
Grubhub is matching employee and customer donations to the United National Refugee Agency, which provides humanitarian aid to those fleeing Ukraine, up to $544,000. Grubhub diners can also

donate at checkout to support organizations working on the frontlines. Through both initiatives, Grubhub hopes to contribute more than $1.25 million in humanitarian aid. Grubhub has discontinued the use of its Russian-made food delivery robots on college campuses.

Hewlett Packard Enterprise
HPE has halted shipments to Russia.

Honeywell
Honeywell has suspended all of its sales, distribution, and service activities in Russia and Belarus.

Lyft
Lyft is providing its employees in Ukraine financial support for emergency supplies and assisting them in temporarily relocating.

Meta
Meta has taken several steps to support refugees, protect the security of user data and networks, and fight the spread of misinformation. People on Instagram and Facebook have raised more than $30 million for more than 1,500 nonprofits supporting humanitarian relief in Ukraine. Meta also committed $15 million in humanitarian support. Meta has updated Community Help as a central resource on Facebook where Ukrainians and others in the region can find reliable information from local UN agencies and Red Cross societies. Meta is helping organizations get critical messaging out to those affected by the crisis through free ad campaigns on its platforms. Meta is also demoting posts containing links to Russia-state-controlled media on Facebook. Russia has blocked access to Facebook. To protect accounts, Meta is identifying emerging threats and responding as quickly as possible, as well as providing encrypted Instagram direct messages (DMs) in Russia and Ukraine.

Nasdaq
Nasdaq has temporarily halted the trading of stocks of Russia-based companies listed on their exchange.

NetApp
NetApp is actively monitoring global security intelligence and updating its cybersecurity measures in response to the rise in cyber threats due to the conflict.

Oracle
Oracle's operations in Ukraine remain active and they are doing everything they can to support Ukrainian customers. Oracle has suspended all operations in Russia.

PayPal
PayPal's Giving Fund is raising money for international charities to support humanitarian efforts and help those affected in Ukraine. One hundred percent of each donation goes directly to charity. PayPal has also shut down its service in Russia.

Salesforce
Salesforce and its employees donated an initial $2 million to nonprofit relief organizations working to help people in Ukraine and those who are being displaced. Through resellers and other channels, Salesforce has a very small number of Russia-based customers and began exiting those relationships as well.

Silicon Valley Bank
Silicon Valley Bank is supporting humanitarian relief efforts for Ukrainian refugees with a donation to the Red Cross of Poland and matching employee donations to relief organizations in Ukraine two to one. Silicon Valley Bank expects to donate between $300,000-$400,000 including funds personally donated by employees.

Snap
Snap has pledged over $15 million in humanitarian aid to support organizations providing direct relief to the people of Ukraine. The company is also providing emergency assistance and helping team members safely relocate. Snap has stopped all advertising sales to Russian and Belarusian entities.

Toyota
Toyota has stopped all activities in Ukraine to ensure the safety of its team members, retailer staff, and supply chain partners. Toyota has also stopped production at its St. Petersburg, Russia plant.

Uber
Through an in-app donation button, Uber has helped raise more than $1.4 million to support the International Rescue Committee to help those affected and displaced in Ukraine. The company also donated $500,000 to the Red Cross and United Nations World Food Program. In addition, Uber is working to keep impacted employees, riders, and drivers safe and partnered with NGOs to support relief efforts on the ground. The company has collected 60 tons of essential supplies in Romania and is working with the Red Cross to transport them to communities in Ukraine. Uber is also providing unlimited free trips between the Ukrainian border and Polish cities to support refugees and their families, as well as free transportation for staff at Migrant Welcome Centers and the delivery of goods to NGO warehouses in Poland.

Verizon
Verizon is waiving international calling, texting, and in-country data charges for consumer and business wireless customers to and from Hungary, Moldova, Poland, Romania, Slovakia, and Ukraine. Residential landline customers will see waived international charges to those countries as well. Verizon has also started a text-to-donate campaign to raise money for UNICEF, the Salvation Army, and the International Rescue Committee to provide relief to those affected in Ukraine.

Visa

Visa has suspended all operations in Russia meaning Visa cards issued in Russia will no longer work outside the country and any Visa cards issued by financial institutions outside of Russia will no longer work within the Russian Federation.

VMWare
VMware is suspending all business operations in Russia and Belarus. VMware is also helping non-Ukraine-based employees support their family members located in Ukraine with information on accessing available resources.

***NOTE: This list will be continually updated to reflect the tech community's ongoing support in Ukraine. Click here for the latest information.*

About TechNet
TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of the innovation economy by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes dynamic American businesses ranging from startups to the most iconic companies on the planet and represents over four million employees and countless customers in the fields of information technology, e-commerce, the sharing and gig economies, advanced energy, cybersecurity, venture capital, and finance. TechNet has offices in Austin, Boston, Chicago, Denver, Olympia, Sacramento, San Francisco, Silicon Valley, and Washington, D.C.

Subject: Texas Election Integrity working session
Location: https://us06web.zoom.us/j[redacted]

Start: Wed 2/9/2022 3:30 PM
End: Wed 2/9/2022 4:30 PM
Show Time As: Tentative

Recurrence: (none)

Meeting Status: Not yet responded

Organizer: Scott Marvel
Required Attendees Jscott@sos.tx.gov; Anu Jain; Paul Falkenberg; secretary@sos.texas.gov

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+ Paul

I don't think we will need an hour, but just in case we want to get deeper on some topics.
**********^**^^

Scott Marvel is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting
https://us06web.zoom.us/j/[redacted]

Meeting ID: [redacted]
Passcode: [redacted]
One tap mobile
+13462487799,[redacted] US (Houston)
+12532158782,[redacted] US (Tacoma)

Dial by your location
+1 346 248 7799 US (Houston)
+1 253 215 8782 US (Tacoma)
+1 669 900 6833 US (San Jose)
+1 929 436 2866 US (New York)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
Meeting ID: [redacted]
Passcode: [redacted]
Find your local number: https://us06web.zoom.us/u/kCr3UMimV

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From: National Training Team <education@dcac.org>
Sent: Tuesday, March 1, 2022 10:03 AM
To: Secretary
Subject: Upcoming CE-CERT Trainings

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DCAC LECTURE SERIES
For professionals fighting crimes against children
Presented by the Doswell Foundation

Dallas Children's Advocacy Center

Upcoming Hybrid CE-CERT Trainings

Managing Secondary Traumatic Stress Through a Skills-Based Model: Components for Enhancing Clinician Experience and Reducing Trauma (CE-CERT)

Wednesday April 6, 2022
9 AM - 4 PM
DCAC Training Center
Lunch will be provided for in person attendees

Register - In Person | **Register - Virtual** | **More Information**

When Trauma Hits Close to Home: Supporting Effective Supervision and Practice When Clinician and Client Trauma Histories Align (MORNING)

Thursday, April 7, 2022
9 AM - 12 PM
DCAC Training Center
Light bites will be provided for in person attendees

Register - In Person | **Register - Virtual** | **More Information**

When Trauma Hits Close to Home: Supporting Effective Supervision and Practice When Clinician and Client Trauma Histories Align (AFTERNOON)

This is a repeat of the morning session.

Thursday, April 7, 2022
1 PM - 4 PM
DCAC Training Center
Light bites will be provided for in person attendees

Register - In Person | **Register - Virtual** | **More Information**

Meet The Speakers

Elena M. Doskey, Ph.D. is the Director of Clinical Training at Dallas Children's Advocacy Center (DCAC) responsible for directing the Doctoral Psychology Internship Program. She completed her postdoctoral fellowship at the Center on Child Abuse and Neglect at the University of Oklahoma Health Sciences Center in Oklahoma City, OK. A licensed psychologist in Texas, she is nationally certified in Trauma-Focused Cognitive Behavioral Therapy (TF-CBT), is a Within Agency Trainer in Parent-Child Interaction Therapy (PCIT), and has training in Problematic Sexual Behavior-Cognitive Behavioral Therapy (PSB-CBT). Dr. Doskey has completed the supervision consultation series for CE-CERT, implements CE-CERT in her supervision, and is the within-agency CE-CERT trainer for DCAC. She is honored to be presenting with Dr. Risch, her former supervisor who introduced her to CE-CERT during her postdoc year.

Dr. Risch is a Clinical Assistant Professor in the Center on Child Abuse and Neglect in the Department of Pediatrics. Dr. Risch's clinical work focuses on assessment and treatment of youth who have experienced trauma. She is a National Trainer in Trauma Focused Cognitive Behavior Therapy (TF-CBT). She provides clinical supervision for interns and residents. Dr. Risch is also a trainer in a model for managing secondary traumatic stress (Components for Enhancing Clinician Experience and Reducing Trauma) and actively incorporates this into supervision.

*If registering virtually, you will receive a confirmation email containing information about joining the webinar.

*All attendees seeking Continuing Education credit must self-report. Virtual trainings are not TCOLE eligible.

Out-of-State Attendees: Training credit may be awarded at your state's licensing agency's discretion.

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