No. 03-22-00126-CV

IN THE COURT OF APPEALS
FOR THE THIRD DISTRICT OF TEXAS AT AUSTIN

GREG ABBOTT, in his official capacity as the Governor of the State of Texas; JAIME MASTERS, in her official capacity as the Commissioner of the Texas Department of Family and Protective Services; and the TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES,

Appellants,

v.

JANE DOE, individually and as a parent and next friend of MARY DOE, a minor; JOHN DOE, individually and as a parent and next friend of MARY DOE, a minor; and DR. MEGAN MOONEY,

Appellees.

On Appeal from the 353rd Judicial District of Travis County, Texas
Cause No. D-1-GN-22-000977, Hon. Amy Clark Meachum

BRIEF OF *AMICUS CURIAE* AMERICAN OVERSIGHT

Respectfully submitted,

Laura Lee Prather
Catherine L. Robb
Haynes and Boone, LLP
600 Congress Avenue, Suite 1300
Austin, Texas 78701
Telephone: (512) 867-8400
laura.prather@haynesboone.com
catherine.robb@haynesboone.com

Counsel for Amici Curiae

TABLE OF CONTENTS

TABLE OF CONTENTS i
TABLE OF AUTHORITIES ii
IDENTITY OF AMICI AND DISCLOSURE OF INTEREST 1
SUMMARY OF ARGUMENT 3
ARGUMENT 6
A. Abbott's Directive Mandated a Rule Change for DFPS Investigations. 6
B. DFPS Changed Its Policies to Comply with the Governor's Directive. 9
1. New Policies and Procedures in the DFPS Rule Had an Immediate Impact on Families and Medical Providers. 10
2. DFPS Implemented New Communication Protocols as Part of the DFPS Rule. 12
3. DFPS Changed Staffing Procedures in Response to Abbott's Directive as Part of the DFPS Rule. 13
4. Other Affected Entities Outside of DFPS Changed Its Procedures in Response to the DFPS Rule. 16
C. DFPS Staff Recognized that the Operationalization of Abbott's Directive Constituted a Rule Change by Seeking Guidance and Expressing Discomfort with the New Rule. 16
CONCLUSION 18
CERTIFICATE OF COMPLIANCE 20
CERTIFICATE OF SERVICE 21

TABLE OF AUTHORITIES

Cases **Page(s)**

Gaston v. State,
63 S.W.3d 893 (Tex. App.—Dallas 2001, no pet.) 2

Tex. Ass'n of Bus. v. City of Austin,
565 S.W.3d 425 (Tex. App.—Austin 2018, pet. denied) 2

Statutes

TEX. GOV. CODE § 552.111 ..... 7, 8, 10

TEX. GOV'T CODE § 2001.001, *et seq.* 3

TEX. GOV'T CODE § 2001.003(6) 3

TEX. R. APP. P. 11 2

Tex. R. Evid. 201 2

Other Authorities

Tex. Dep't of Family & Protective Servs. Records Regarding State Directive Classifying Gender-Affirming Care As 'Child Abuse,' American Oversight, https://www.americanoversight.org/document/texas-department-of-family-and-protective-services-records-regarding-state-directive-classifying-gender-affirming-care-as-child-abuse 4

Child Protective Investigations (CPI), Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/Investigations/ 16

Child Protective Services Handbook 2113.1, Tex. Dep't of Family and Protective Servs., https://www.dfps.state.tx.us/handbooks/cps/files/CPS_pg_2000.asp 9

Child Protective Services Handbook 2281.2, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_2200.asp#CPS_2281_2 18

Cindy Williams, LinkedIn, https://www.linkedin.com/in/cindy-williams-567352122 12

CPI/CPS Glossary, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/About_DFPS/Data_Book/Child_Protective_Services/Resources/glossary.asp 11

Executives, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/About_DFPS/Executives/default.asp 7

Jarita Wharton, LinkedIn, https://www.linkedin.com/in/wharton-jarita-44385549 13

Matthew Gilbert, Government Salaries Explorer, Tex. Trib., https://salaries.texastribune.org/employees/matthew-gilbert-11932/ 16

Nathan Ulmer, LinkedIn, https://www.linkedin.com/in/nathan-ulmer-8841096a 9

Patricia Salinas, LinkedIn, https://www.linkedin.com/in/patricia-salinas-med-lpc-25567370 13

Patrick Crimmins, LinkedIn, https://www.linkedin.com/in/patrick-crimmins-111646a1 7

Statewide Intake, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/About_DFPS/Statewide_Intake/ 10

Stephen Black, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/About_DFPS/Executives/Black_Stephen.asp 7

IDENTITY OF AMICI AND DISCLOSURE OF INTEREST

Amicus curiae American Oversight is a nonpartisan, nonprofit section 501(c)(3) organization committed to promoting transparency in government, educating the public and other stakeholders about government activities, and ensuring the accountability of government officials, particularly through the use of public records requests. As part of its regular activities, Amicus filed requests under the Texas Public Information Act ("PIA") seeking information regarding Governor Abbott's directive to the Texas Department of Family and Protective Services ("DFPS") to investigate families of transgender adolescents receiving gender-affirming care. Specifically, on April 4, 2022, Amicus submitted a PIA request to DFPS seeking records "regarding the Texas directive that classifies gender-affirming care as child abuse," including analyses, reports, and email communications. In response, American Oversight received records from DFPS, including contemporaneous communications reflecting DFPS's own understanding of and actions implementing the directive.

Where, as here, records obtained by American Oversight shed light on a matter before an executive, legislative, or judicial authority, American Oversight has an interest in ensuring that these records are brought to the attention of the relevant authority. By submitting this brief, Amicus seeks to make the Court aware of records it has obtained through the PIA, in order to ensure government accountability for statements and representations relevant to this matter. Amicus also seeks to make

available records from DFPS demonstrating that DFPS's adoption of and actions implementing the Governor's directive to investigate gender-affirming care as child abuse constituted a new rule under the Texas Administrative Procedure Act ("APA").

American Oversight submits this amicus brief pursuant to Texas Rule of Appellate Procedure 11. *See Tex. Ass'n of Bus. v. City of Austin*, 565 S.W.3d 425, 434 (Tex. App.—Austin 2018, pet. denied) ("[A]nyone who follows the applicable procedural rules can file an amicus brief with a court.").[1] No persons or parties to this case have made any monetary contribution to the preparation or submission of this amicus brief.

[1] The Court may take judicial notice of documents that were released by a governmental body to the public. TEX. R. EVID. 201(b)(2), (d); *see also Gaston v. State*, 63 S.W.3d 893, 900 (Tex. App.—Dallas 2001, no pet.) ("As a general rule, appellate courts take judicial notice of facts outside the record . . . to determine jurisdiction over an appeal.") In any event, the records produced to Amicus and included in this brief are directly related to and underscore what the District Court found. (Order Granting Pls.' Application for Temporary Injunction, 1CR234.) Even if this Court declines to review the records produced to Amicus on appeal, their very existence demonstrates that the Court should not find in favor of the government and should, at the very least, remand to the lower court for additional fact finding on the relevant questions, to include the addition of government documents, such as those described in this brief, to the record.

SUMMARY OF ARGUMENT

A key question in this case is whether Appellants Governor Greg Abbott, former DFPS Commissioner Jaime Master, and DFPS violated Texas law by requiring DFPS to investigate gender-affirming care as child abuse. Central to that question is whether DFPS's rule announced in the February 22, 2022 DFPS statement adopting the Governor's directive to DFPS (the "Abbot Directive" regarding an opinion from Attorney General Ken Paxton) and DFPS's subsequent implementation thereof (collectively the "DFPS Rule"), constitute a new "rule" for purposes of Texas's Administrative Procedure Act.[2] TEX. GOV'T CODE § 2001.001, *et seq.* Appellees and Appellants are at extreme odds on this issue, which has significant implications for determining whether Appellants violated the law, and therefore whether the Court has jurisdiction to hear this case.

The APA defines a "rule" as "a state agency statement of general applicability that: (i) implements, interprets, or prescribes law or policy; or (ii) describes the procedure or practice requirements of a state agency." TEX. GOV'T CODE § 2001.003(6). Appellants maintain that the DFPS Rule is not a "rule" under Texas law. (Appellants Br. at 7; *see also id. at* 14-15.) By contrast, Appellees argue that the DFPS Rule constituted a dramatic change in the State's treatment of transgender

[2] Amicus uses terms as defined by Appellees in Appellees' Brief, filed July 5, 2022. Specifically, "Abbott's Directive" is defined as the "[d]irective issued by Greg Abbott on February 22, 2022 directing DFPS to investigate reports of 'gender transitioning procedures' as 'child abuse' and ordering all licensed professionals to report such 'abuse'." "DFPS Rule" is defined as "[t]he instant challenged rule announced in DFPS's statement adopting Abbott's Directive and DFPS's subsequent implementation thereof." Appellees' Br. at xii.

adolescents, their families, and medical professionals who offer care for gender dysphoria. (Appellees' Br. at 45-47.) The District Court determined that DFPS's "rulemaking and implementation" was improper and in violation of the APA. 1CR234.

Amicus is committed to government transparency through the use of public records requests, and, consistent with that mission, submitted a request to DFPS soon after Abbott's Directive and the DFPS Rule, seeking records regarding the agency's change in policy. (Exhibit A.) DFPS responded to this request by producing 928 pages of records to Amicus. (Exhibit B.)[3] These records provide a contemporaneous view of the agency's response to the Attorney General's opinion and Abbott's Directive. Specifically, the records demonstrate a clear understanding from DFPS officials up to the highest level and employees that Abbott's Directive was a mandate from the Governor to DFPS requiring the agency to change its procedures and practices regarding families with adolescents who are receiving gender-affirming care. These public records show that: 1) the DFPS Rule was a direct response to Abbott's Directive; 2) DFPS put new procedures and practices in place almost immediately to implement Abbott's Directive; and 3) DFPS staff reacted with

[3] In an effort not to overburden the Court, the full production can be found on American Oversight's website at https://www.americanoversight.org/document/texas-department-of-family-and-protective-services-records-regarding-state-directive-classifying-gender-affirming-care-as-child-abuse. American Oversight regularly adds its own watermark and Bates number to the bottom of productions posted publicly on its website. Exhibits C-X constitute excerpted pages from the production found on American Oversight's website and include the watermark and Bates numbers added by American Oversight.

confusion and, in some cases, strong disagreement with the change in policy and procedure. The records produced to Amicus indicate that Appellants intended, and DFPS staff interpreted, the statements from the Governor and agency to mandate the classification of gender-affirming care as "child abuse" and require investigation—logically leading to removal proceedings of transgender adolescents and potentially prosecutions against parents—based solely on the allegation that gender affirming care is being provided, and that DFPS implemented new policies and practices accordingly.

Amicus files this brief to advise the Court that contemporaneous records from within DFPS around the time of Abbott's Directive and the DFPS Rule support Appellees' position that the agency's implementation of new policies and procedures constitutes improper rulemaking under the APA.

ARGUMENT

Contemporaneous records show that the DFPS Rule was understood by DFPS staff and other relevant entities to be a new generally applicable policy and interpretation, including changed procedures and limits on how certain cases would be assessed, investigated, and prosecuted. Specifically, Abbott's Directive was understood by DFPS officials up to the highest level, including former DFPS Commissioner Jaime Masters, to be a mandate to the agency, which then instituted the DFPS Rule in response. Records show that the DFPS Rule was understood to be a change in policies and procedures, as shown by the opening of new investigations; changes in staffing procedures; and requests for guidance on the changes to investigations and removal proceedings from outside of the agency. The rule change also was clear from DFPS staff reaction.

A. Abbott's Directive Mandated a Rule Change for DFPS Investigations.

Records produced to Amicus show that the Governor's February 22, 2022 letter was understood by top DFPS personnel to be a mandate for a rule change. Even before Abbott's Directive was sent, DFPS officials were discussing its policy implications in response to a tweet from the Governor announcing: "The Texas Dept. of Family & Protective Services will enforce [the Attorney General's] ruling and investigate & refer for prosecution any such abuse." (Ex. C.) DFPS Director of Communications Patrick

Crimmins[4] circulated the Governor's tweet at 9:58 AM on February 22 to Commissioner Masters, as well as other top DFPS officials including General Counsel Vicki Kozikoujekian and Deputy Commissioner Corliss Lawson.[5] In the version of the email circulating the tweet that was produced to Amicus, the paragraph following the tweet is redacted under TEX. GOV. CODE § 552.111 and labeled a "Policy Discussion." Thus, even before DFPS had received Abbott's Directive, the agency was aware of and preparing for the policy implications of a directive from the Governor.

By 5:14 PM that same day, Director of Communications Crimmins reported to top DFPS officials that he had circulated the statement crafted by DFPS in response to Abbott's Directive to eight media sources announcing that, "[i]n accordance with Governor Abbott's directive today to Commissioner Masters," the agency will now be following the Attorney General's opinion and start investigating reports of gender affirming care as child abuse. (Ex. D).

The next day, Stephen Black, Associate Commissioner for Statewide Intake,[6] emailed several DFPS employees the following message:

> A legal opinion was released by the AG's office on February 21, 2022. The governor subsequently provided further direction to DFPS to these reported matters.

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[4] Patrick Crimmins, LinkedIn, https://www.linkedin.com/in/patrick-crimmins-111646a1. If an individual identified in Amicus's brief is identified by their title in the cited email communication, Amicus does not provide a citation to their job title. However, if they are not identified in the email communication, Amicus has cited the best available public source for that individual's job title.

[5] Executives, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/About_DFPS/Executives/default.asp.

[6] Stephen Black, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/About_DFPS/Executives/Black_Stephen.asp.

> Those two documents are attached to this communication which gives guidance and direction regarding how the department is to handle intakes related to gender transitioning.
>
> Please consult with your PA regarding any questions you may have.

(Ex. E.) Attached to the email message were files labeled "AG Ken Paxton"s (sic) Legal Opinion" and "Gov Greg Abbott"s (sic) letter to DFPS Commissioner Masters." *Id.* It is clear from this message that a high-ranking DFPS staff member understood Abbott's Directive to set new requirements for "intakes related to gender transitioning" such that he instructed DFPS staff to read Abbott's Directive for "guidance and direction" regarding the department's handling of these specific matters going forward.

On February 24, 2022, Supervisor Kyndall Trahan wrote the following message to more than a dozen DFPS employees:

> FYI – Essentially the Governor wants reporters (professional and personnel) to report any parents that are encouraging/allowing/involved in allowing their minor children, who identify as transgendered (sic), to go through the transition process. Governor Abbott is also mandating that DFPS investigate these parents and to have SWI process the intakes for field response.

(Exhibit F.) DFPS management clearly understood the change in policy to be coming directly from the Governor. According to one supervisor, Brittany Bailey, "[t]his new change is coming straight from state office." (Ex. G.) Furthermore, Abbott's Directive was not understood to be merely a suggestion, but a new *mandate* for DFPS to institute a rule change requiring the agency to investigate parents of adolescents receiving gender-affirming care.

Another supervisor confirmed on March 1 that DFPS's shift in policy was based on Abbott's Directive. Protective Services Intake Supervisor Nathan Ulmer[7] emailed several DFPS staff stating:

> I read Abbott's letter more thoroughly and it appears that allowing a child to take hormone blockers is also something we now constitute as PHAB [physical abuse],[8] not just the physical reassignment surgery. Our directive is more accurately explained in the governor's letter verse (sic) AG's opinion.

(Ex. H.) DFPS management's communications reflect the agency's understanding that Abbott's Directive dictated that DFPS change its policies and behavior to "now" recognize and require investigation of gender-affirming care as "physical abuse."

B. DFPS Changed Its Policies to Comply with the Governor's Directive.

Public records show a slew of new policies put in place immediately after Abbott's Directive. The wave of changes implemented at DFPS in the days after Abbott's Directive, including the opening of new cases, establishment of new secrecy provisions, adjustments to staffing practices, and provision of guidance to partner entities, clearly substantiate the claim that the Governor's directive necessitated a new rule for the agency and the agency took every step necessary to adopt and implement that rule.

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[7] Nathan Ulmer, LinkedIn, https://www.linkedin.com/in/nathan-ulmer-8841096a.

[8] Child Protective Services Handbook 2113.1, Tex. Dep't of Family and Protective Servs., https://www.dfps.state.tx.us/handbooks/cps/files/CPS_pg_2000.asp (abbreviating "physical abuse" as PHAB).

1. New Policies and Procedures in the DFPS Rule Had an Immediate Impact on Families and Medical Providers.

Though DFPS's public announcement of the rule change stated that the agency, at that point, had "no pending investigations of child abuse involving the procedures described in [the Attorney General's] opinion," (Ex. D), by the next day it had several possible investigations in the intake stage. (Ex. I.) Director of Investigation and Alternative Response Marta Talbert emailed DFPS staff stating:

> I believe we have three right now in the intake stage—or being worked on by SWI [Statewide Intake Division[9]]. Stephen will send me the case numbers as soon as he has them for us to be aware in order to assist our staff with these cases.

Id. The opening of intakes was clearly precipitated by the rule change—as Statewide Intake Supervisor J.R. Uribe-Woods wrote on February 23, 2022, despite "sexual reassignment surgery for non-medical purposes" already being classified as physical abuse in the agency's guidelines, "[s]o far I have not seen this situation come up, nor have I heard it come up prior to this change in guidelines." (Ex. J.) The immediate opening of new potential investigations where none had existed before, despite the fact that there is no reason to believe the number of children receiving gender-affirming medical care changed between February 22 and February 23, demonstrates the implementation of a new rule.

These intakes were not only opened but required to *stay* open and escalate to full

[9] Statewide Intake, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/About_DFPS/Statewide_Intake/.

investigations, contradicting DFPS's usual process for assessing families. On February 25, 2022, Supervisor Tracy Giancola at the Children's Advocacy Center of Collin County emailed staff stating that screeners in the field "have been informed that they may not PN [Priority None[10]]" any transgender-related cases. (Ex. K.) According to DFPS's Glossary of Terms, PN is the lowest of three priority groups assigned by statewide intake during screening "based on the immediacy of risk and severity of harm to the child."[11] Following Abbott's Directive and the adoption of the DFPS Rule, DFPS changed its standard procedure to prohibit staff from making a "priority none" finding in any case involving a transgender adolescent and required elevation of these cases regardless of the observed behavior of the families. This meant that, in contrast to normal procedures, families had no chance of avoiding a full, invasive investigation even if the intake screener would have normally determined that there were no safety concerns.

The effects of the rule changes on families and medical professionals were recognized by stakeholders outside of DFPS. Tarrant County Assistant District Attorney (ADA) Cindy Williams[12] sent an email on February 25, 2022, indicating that

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[10] "A report may be classified as a PN" or Priority None by statewide intake "when there is a history of abuse or neglect, but no current or foreseeable risk; or an incident of abuse or neglect may have met legal definitions at the time that the past incident occurred, but at the time of the new intake report, there are no current safety concerns and there is no known risk of recurrence in the foreseeable future." CPI/CPS Glossary, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/About_DFPS/Data_Book/Child_Protective_Services/Resources/glossary.asp.

[11] *Id.*

[12] Cindy Williams, LinkedIn, https://www.linkedin.com/in/cindy-williams-567352122.

"[t]his is being received by DFPS as a directive to remove certain children . . ." (Ex. L.) And ADA Williams did not expect this change to be merely hypothetical, stating that she had "requested direction from" another Tarrant County employee "on how she would like us to proceed with a request for removal." *Id.* ADA Williams also recognized the effect of the mandate on not just families but medical professionals, stating "[w]ith the new mandate to report placed on doctors/medical professionals, I suspect we shall see more of these cases being investigated." *Id.* Those involved in the process, both inside and outside DFPS, recognized the concrete impacts of the DFPS Rule on families and medical professionals—a surge in full, invasive investigations into families, including those initiated by new mandated reporting from medical professionals, where there would ordinarily be no safety concerns. These investigations necessarily resulted in increased risk of removals of transgender adolescents from their families.

2. DFPS Implemented New Communication Protocols as Part of the DFPS Rule.

Email communications show DFPS management imposing new requirements for communicating about the investigations stemming from Abbott's Directive. Several directors and supervisors emphasized that discussion of these cases was to happen by phone, not emails or texts. On February 24, 2022, CPI Regional Director for Region 3 East Toni Sutton wrote "[p]lease ensure we are not communicating about these cases via email and text, internally and externally, due to the sensitive nature."

(Ex. M.) On February 25, 2022, Investigations Program Director Patricia Salinas[13] circulated a similar warning, stating "[i]f you get any intakes regarding this issue, please immediately CALL ME to staff; no emails or texts are allowed." (Ex. N.) Investigations Supervisor Alexis Lipham specified that employees should "**only call**" with questions regarding the Attorney General's opinion and Governor's letter, (Ex. O, emphasis in original), and CPI supervisor Maria Monrreal told her staff "[f]or these type of cases, I will not be sending an email or text that you have been assinged (sic) this case. I would be calling you." (Ex. P.)

Not only were staff instructed not to put anything in writing internally, but they also were asked not to put anything in writing to the families being investigated. On February 24, 2022, DFPS Investigative Program Director Jarita Wharton[14] wrote "[it] is being asked that these cases are worked thoroughly without text messages/emails to the family etc." (Ex. Q.) The commands from directors and supervisors to their staff against putting information in writing, as well as the repeated and consistent instructions not to email or text about these cases even with the families under investigation, are indicators that the agency departed from the usual practices and procedures in implementing Abbott's Directive, as part of the new DFPS Rule.

3. DFPS Changed Staffing Procedures in Response to Abbott's Directive as Part of the DFPS Rule.

Contemporaneous emails show that, in response to Abbott's Directive, DFPS

[13] Patricia Salinas, LinkedIn, https://www.linkedin.com/in/patricia-salinas-med-lpc-25567370.
[14] Jarita Wharton, LinkedIn, https://www.linkedin.com/in/wharton-jarita-44385549.

quickly instituted a policy change and elevated cases arising out of the rule change to certain DFPS employees, rather than individual field staff. The change was so sudden that some supervisors were not even sure if they had any employees in that class or who those employees were.

Emails in the days following Abbott's Directive and the adoption of the DFPS Rule show a change in DFPS practice regarding the individuals who would be investigating these cases. On February 24, 2022, Investigative Program Director Wharton told coworkers "[w]e will need to discuss having a designated caseworker handle these special cases when they come up." (Ex. Q.) On February 25, 2022, DFPS employee Martin Lopez emailed other employees stating: "Basically, we do have to investigate these cases, kind of. Actually the worker V's in the region are [investigating] so if you get one let me know because Im (sic) certain we do not have any worker V's." (Ex. R.) The message further reflects the change in policy, stating:

> Gender-Transitioning Cases and our practice moving forward. We will need to investigate these cases and legal action can be taken based on medical procedures that have been performed on the child towards gender transitioning. . . . These cases will need to be worked by the Worker V caseworkers in the region.

Id. The assignment of any gender-transitioning cases to the Worker V class of workers is reflected in a February 25, 2022 email from another DFPS supervisor, Stacy Weston, who wrote, "Worker V's (which I don't even know who they are....) will be assigned to do these." (Ex. S.) On February 24, 2022, CPI Regional Director Sutton wrote that cases arising from the rule change "will be investigated by our worker V's" and

emphasized that if the office "receive[s] intakes about this, please ensure I am notified immediately." (Ex. M.) Other communications show assignments arising out of the change going to Worker IV for the Region, rather than Worker V, but also specifying that these cases will not be assigned "to individual field staff." (Ex. T.) Investigations Program Director Salinas changed procedure to involve herself in staffing cases, indicating that cases arising out of Abbott's Directive and the DFPS Rule were not following usual procedure for staffing. (Ex. N.) Regardless of where DFPS planned to assign these cases, communications make clear that changes to staffing procedures were precipitated by the knowledge that these cases were being handled in new and different ways than other matters. CPI Regional Director Keith Gailes admitted as much on February 24, 2022, stating that his office "need[s] to ensure our high performing workers are assigned these cases because there will be a lot of eyes on them." (Ex. U.)

Not only were these cases singled out and elevated for special staffing, but the staff assigned to these cases were stripped of authority to make individualized determinations in these cases. As discussed in Section 2.a, *supra*, one supervisor made it clear to staff that screeners assessing families could not assess any family reported in matters subject to the Abbott Directive as "priority none" and close the case before the investigation stage. (Ex. K.) Instead, DFPS changed its standard procedure to prohibit staff closing any case involving a transgender adolescent at the intake stage

and required elevation of these cases without regard to the employees' experiences with a family and professional judgment about the risk of harm.

4. Other Affected Entities Outside of DFPS Changed Its Procedures in Response to the DFPS Rule.

Records show that at least one other affected entity also recognized the DFPS Rule as a new rule that necessitated a change in its own procedures. An email from Tarrant County ADA Williams, sent in response to an email circulating the Attorney General's opinion and Governor's Directive, said:

> CPI [Child Protective Investigations[15]] will not remove before they have staffed the case with state office, and [DFPS Director[16]] Matt Gilbert has stated he will include our office in those staffings. I have requested direction from Sharen on how she would like us to proceed with a request for removal. I will keep you apprised of any changes.

(Ex. L.) The statement explaining that prosecutors would be included on staffing for cases arising out of Abbott's Directive indicates a change in existing practice. ADA Williams also noted that further changes might come in response to her request for more guidance, as evidenced by her promise to keep the email recipients apprised of those changes.

C. DFPS Staff Recognized that the Operationalization of Abbott's Directive Constituted a Rule Change by Seeking Guidance and Expressing Discomfort with the New Rule.

In addition to the changes in procedure and practice from DFPS managers,

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[15] Child Protective Investigations (CPI), Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/Investigations/.

[16] Matthew Gilbert, Government Salaries Explorer, Tex. Trib., https://salaries.texastribune.org/employees/matthew-gilbert-11932/.

contemporaneous communications from DFPS employees show a clear recognition of the existence of a new rule and confusion regarding how to implement the rule change. Top agency officials recognized that the agency was breaking new ground with DFPS's rule change. On February 24, 2022, Supervisor Trahan stated: "I know there are lots of feelings around this and more questions than answers right now. Upper management is very involved as this is totally new ground for the agency." (Exhibit F.) Another supervisor, Brittany Bailey, circulated the Attorney General's opinion and Governor's letter and specified that this was a "new change." (Ex. G.) Among DFPS employees, email communications reflect that they did not see Abbott's Directive and DFPS Rule as business as usual in the agency.

Furthermore, strong discontentment among DFPS staff in response to the rule change makes evident that this rule change was anything but the status quo. One worker asked "[c]an we be forced to do this?" and stated "I refuse to punish those that are part of the community simply because they are trans." (Ex. V.) In a separate email, that employee also said, "I have told my boss I will resign before I RTB [Reason to Believe[17]] on a family whose child is transitioning." (Ex. W, see also Ex. X). The strong employee reaction, including and up to threatening resignation, substantiates the claim that this was a significant shift in policy for DFPS. Records show that, on every level

[17] Child Protective Services Handbook 2281.2, Tex. Dep't of Family & Protective Servs., https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_2200.asp#CPS_2281_2.

of the chain of command, agency staff recognized the enormity of the changes made by Abbott's Directive and as part of the DFPS Rule.

CONCLUSION

The contemporaneous records Amicus American Oversight obtained through a public information request to DFPS demonstrate that, for DFPS top officials, including former Commissioner Masters, management, and staff, as well as families of transgender youth and medical professionals providing gender-affirming care, the status quo undoubtedly changed. Furthermore, that change impacted the Texas families and medical professionals now the subjects of DFPS's new scrutiny. New investigations were opened, policies and procedures regarding communication, new staffing rules, and a prohibition on finding that such matters represented low or no risk were put into place, and those charged with prosecuting child abuse had to seek guidance from DFPS. These records show that, as a result of the Abbott's Directive and the DFPS Rule, DFPS was prepared not just to investigate but remove children and initiate prosecutions. The agency's own records bolster Appellees' claim that DFPS's implementation of Abbott's Directive was a rule change under the APA and warrants the relief that they request.

For the reasons stated above, Amicus American Oversight respectfully urges the Court to consider these records of the Appellant as they relate to the existence of a rule under the APA and affirm the District Court's temporary injunction.

DATED: November 30, 2022

Respectfully submitted,

HAYNES AND BOONE, LLP

By: /s/ *Catherine L. Robb*

Laura Lee Prather
State Bar No. 16234200
laura.prather@haynesboone.com
Catherine L. Robb
State Bar No. 24007924
catherine.robb@haynesboone.com
600 Congress Avenue, Suite 1300
Austin, Texas 78701
Telephone: (512) 867-8400
Telecopier: (512) 867-8470

ATTORNEYS FOR AMICI CURIAE AMERICAN OVERSIGHT

CERTIFICATE OF COMPLIANCE

I certify on behalf of Amicus Curiae American Oversight that this Amicus brief contains 4,411 words according to the word count feature of the Microsoft Word software used to prepare this brief, excluding portions of the brief exempt from the word count under Texas Rule of Appellate Procedure 9.4(i)(1).

/s/ Catherine L. Robb
Catherine L. Robb

CERTIFICATE OF SERVICE

I certify that on November 30, 2022, a true and correct copy of the above and foregoing Amicus brief has been served to all attorneys of record registered to receive filings through the e-filing system to the counsel listed below:

Paul D. Castillo
Texas State Bar No. 24049461
Shelly L. Skeen
Texas State Bar No. 24010511
Nicholas "Guilly" Guillory
Texas State Bar No. 24122392
LAMBDA LEGAL DEFENSE AND EDUCATION FUND, INC.
3500 Oak Lawn Ave, Unit 500
Dallas, Texas 75219
Phone: (214) 219-8585
pcastillo@lambdalegal.org
sskeen@lambdalegal.org
nguillory@lambdalegal.org

Karen L. Loewy
LAMBDA LEGAL DEFENSE AND EDUCATION FUND, INC.
1776 K Street, N.W., 8th Floor
Washington, DC 20006-2304
Phone: 202-804-6245
kloewy@lambdalegal.org

Camilla B. Taylor
LAMBDA LEGAL DEFENSE AND EDUCATION FUND, INC.
65 E. Wacker Place, Suite 2000
Chicago, IL 60601-7245
Phone: (312) 663-4413
ctaylor@lambdalegal.org

Omar Gonzalez-Pagan
M. Currey Cook
LAMBDA LEGAL DEFENSE AND EDUCATION FUND, INC.
120 Wall Street, 19th Floor
New York, New York 10005-3919
Phone: (212) 809-8585
ogonzalez-pagan@lambdalegal.org
ccook@lambdalegal.org

Brian Klosterboer
Texas State Bar No. 24107833
Andre Segura
Texas State Bar No. 24107112
Savannah Kumar
Texas State Bar No. 24120098
AMERICAN CIVIL LIBERTIES
UNION FOUNDATION OF TEXAS
5225 Katy Fwy., Suite 350
Houston, Texas 77007
Phone: (713) 942-8146
Fax: (346) 998-1577
bklosterboer@aclutx.org
asegura@aclutx.org
skumar@aclutx.org

Brandt Thomas Roessler
Texas State Bar No. 24127923
Nischay K. Bhan
Texas State Bar No. 24105468
BAKER BOTTS L.L.P.
30 Rockefeller Plaza
New York, New York 10112-4498
Phone: (212) 408-2500
brandt.roessler@bakerbotts.com
nischay.bhan@bakerbotts.com

Derek R. McDonald
Texas State Bar No. 00786101
Maddy R. Dwertman
Texas State Bar No. 24092371
David B. Goode
Texas State Bar No. 24106014
John Ormiston
Texas State Bar No. 24121040
BAKER BOTTS L.L.P.
98 San Jacinto Blvd, Ste 1500
Austin, Texas 78701-4078
Phone: 512-322-2500
derek.mcdonald@bakerbotts.com
maddy.dwertman@bakerbotts.com
david.goode@bakerbotts.com
john.ormiston@bakerbotts.com

Donald P. Wilcox
Texas Bar No: 21449000
rocky.wilcox@texmed.org
Kelly M. Walla
Texas Bar No. 24028201
kelly.walla@texmed.org
Eamon J. Reilly
Texas Bar No. 24085548
eamon.reilly@texmed.org
Texas Medical Association
401 West 15th Street
Austin, Texas 78701-1632
Telephone: (512) 370-1336
Fax: (512) 370-1636
Chase Strangio
James Esseks
Anjana Samant
Kath Xu
AMERICAN CIVIL
LIBERTIES
UNION FOUNDATION
125 Broad Street, 18th Floor
New York, New York 10004

Counsel for Appellees

Ron Beal
Texas Bar No. 24005041
2530 Wooddale Circle
Waco, TX 76710
(254) 366-4198
Ron_Beal@baylor.edu

Holt M. Lackey
Texas Bar No. 24047763
hlackey@equalrights.law
Ellwanger Law, LLLP
8310-1 N. Capital of Texas Hwy
Ste. 190
Austin, Texas 78731
(737) 808-2238

Amici Curiae

Courtney Corbello
Assistant Attorney General
Texas SBN 24097533
Ryan G. Kercher
Assistant Attorney General
Texas SBN 24060998
Judd E. Stone II
Solicitor General
Texas SBN 24076720
Natalie D. Thompson
Assistant Solicitor General
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548, Capitol Station
Austin, Texas 78711
Phone: (512) 463-2120
Fax: (512) 320-0667
courtney.corbello@oag.texas.gov
ryan.kercher@oag.texas.gov
judd.stone@oag.texas.gov

Ken Paxton
Attorney General of Texas
Brent Webster
First Assistant Attorney General
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 12548 (MC 059)
Austin, Texas 78711
Phone: (512) 936-1700
Fax: (512) 474-2697

Counsel for Appellants

/s/ Catherine L. Robb
Catherine L. Robb
Counsel for Amicus Curiae

EXHIBIT A

AMERICAN OVERSIGHT

April 04, 2022

VIA ONLINE PORTAL

Texas Department of Family and Protective Services
4900 N. Lamar Blvd
Austin, TX 78751
Via Online Portal

Re: Public Information Request

Dear Public Information Officer:

Pursuant to the Texas Public Information Act, as codified at Tex. Code ch. 552, American Oversight makes the following request for public records.

Despite concerns expressed by medical professionals, Texas Attorney General Ken Paxton and Governor Greg Abbott asserted that gender-affirming treatments constitute child abuse and instructed the Department of Family and Protective Services to investigate parents of transgender children.[1]

American Oversight seeks records with the potential to shed light on state officials' response to this directive.

Requested Records

American Oversight requests that your office promptly produce the following:

1. All final assessments, reports, analyses, recommendations, or guidance prepared by your office, other state or local offices, or independent experts, regarding the Texas directive that classifies gender-affirming care as child abuse.[2]

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the officials listed below containing any of the following key terms:

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[1] Ryan Grenoble, *Texas Governor Directs State Agency to Investigate Trans Therapy as 'Child Abuse,'* Huff. Post (Feb. 23, 2022, 2:47PM EST), https://www.huffpost.com/entry/greg-abbott-trans-health-care-kids-child-abuse_n_6216644ce4b0d1388f0e4273.

[2] If further identifying information is needed, please see Letter from Greg Abbott, Governor of Texas, to Hon. Jaime Masters, Commissioner, Texas Department of Family and Protective Services, Feb. 22, 2022, https://gov.texas.gov/uploads/files/press/O-MastersJaime202202221358.pdf.

Key Terms:

a. "gender transition"
b. "gender transitioning"
c. Trans
d. Transgender
e. LGBTQ
f. LGBT
g. Paxton
h. KP-0401
i. Krause
j. Sterilize
k. sterilization
l. "puberty suppression"
m. "puberty blocking"
n. "puberty-blocking"
o. supraphysiologic
p. "sex change"
q. "sex-change"
r. "gender dysphoria"

Officials:

i. Commissioner Jaime Masters
ii. Deputy Commissioner Corliss Lawson
iii. Chief of Staff Julie Frank
iv. Associate Commissioner for Investigations Robert Richman
v. Associate Commissioner for Child Protective Services Deneen Dryden

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited its request to emails **sent** by the specified officials. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means, for example, that both Commissioner Masters' response to an email containing one of the listed key terms and the initial received message are responsive to this request and should be produced.

For items 1 and 2, please provide all responsive records from February 1, 2022, through the date the search is conducted.

American Oversight seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the term "record" in its broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voice mail messages and transcripts, notes, or minutes of any meetings, telephone conversations or discussions. Our request includes any attachments to these

records. **No category of material should be omitted from search, collection, and production.**

In addition, American Oversight insists that your office use the most up-to-date technologies to search for responsive information and take steps to ensure that the most complete repositories of information are searched. American Oversight is available to work with you to craft appropriate search terms. **However, custodian searches are still required; governmental authorities may not have direct access to files stored in .PST files, outside of network drives, in paper format, or in personal email accounts.**

Please search all records regarding official business. **You may not exclude searches of files or emails in the personal custody of your officials, such as personal email accounts.** Emails conducting government business sent or received on the personal account of a governmental authority's officer or employee constitutes a record for purposes of the Texas Public Information Act.[3]

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document. If a request is denied in whole, please state specifically that it is not reasonable to segregate portions of the record for release.

Please take appropriate steps to ensure that records responsive to this request are not deleted by your office before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

To ensure that this request is properly construed, that searches are conducted in an adequate but efficient manner, and that extraneous costs are not incurred, American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your office can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in electronic format by email or in PDF or TIF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

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[3] Tex. Code § 552.002(a-2); *see also Adkisson v. Paxton*, 459 S.W.3d 761, 773 (Tex. App. 2015).

Fee Waiver Request

In accordance with Tex. Code § 552.267(a), American Oversight requests a waiver of fees associated with processing this request for records, because such a waiver "is in the public interest because providing the copy of the information primarily benefits the general public." The requested records are directly related to the work of state officials, with the potential to shed light on state officials' response to the passage of a directive which restricts transgender minors' access to gender-affirming care by labeling it as child abuse. This matter is a subject of substantial public interest in Texas.[4] Accordingly, release of records that may help the public understand the operations and activities of state officials is in the public interest.

Release of the requested records will primarily benefit the public.[5] As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the requested records is not in American Oversight's financial interest, but is rather in the public interest. American Oversight is committed to transparency and makes the responses governmental authorities provide to public records requests publicly available. As noted, the subject of this request is a matter of public interest, and the public would benefit from an enhanced understanding of the government's activities through American Oversight's analysis and publication of these records. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and Twitter.[6]

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through numerous substantive analyses posted to its website.[7] Examples reflecting this commitment to the public disclosure of documents and the creation of editorial content include the posting of records related to the organization's investigations into misconduct and corruption in state governments;[8] the posting of records related to the Trump Administration's contacts

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[4] Sneha Dey and Karen Brooks Harper, *Transgender Texas Kids Are Terrified After Governor Orders that Parents Be Investigated for Child Abuse*, Texas Tribune (Feb. 28, 2022, Updated 11AM Central), https://www.texastribune.org/2022/02/28/texas-transgender-child-abuse/.

[5] Tex. Code § 552.267(a).

[6] American Oversight currently has approximately 15,700 followers on Facebook and 118,100 followers on Twitter. American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Mar. 29, 2022); American Oversight (@weareoversight), Twitter, https://twitter.com/weareoversight (last visited Mar. 29, 2022).

[7] *News*, American Oversight, https://www.americanoversight.org/blog.

[8] *State Investigations*, American Oversight, https://www.americanoversight.org/states.

with Ukraine and analyses of those contacts;[9] posting records and editorial content about the federal government's response to the Coronavirus pandemic;[10] posting records received as part of American Oversight's "Audit the Wall" project to gather and analyze information related to the administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;[11] the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an analysis of what those records demonstrated regarding the Department's process for issuing such waivers;[12] and posting records and analysis of federal officials' use of taxpayer dollars to charter private aircraft or use government planes for unofficial business.[13]

Accordingly, American Oversight qualifies for a fee waiver. If your office denies our request for a fee waiver, please notify American Oversight of any anticipated fees or costs in excess of $40 prior to incurring such costs or fees.

Conclusion

We share a common mission to promote transparency in government. American Oversight looks forward to working with your county on this request. If you do not understand any part of this request, have any questions, or foresee any problems in fully releasing the requested records, please contact Emma Lewis at records@americanoversight.org or (202) 919-6303. Also, if American Oversight's request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

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[9] *Trump Administration's Contacts with Ukraine*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-contacts-with-ukraine.

[10] *See generally The Trump Administration's Response to Coronavirus*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus; *see, e.g., CDC Calendars from 2018 and 2019: Pandemic-Related Briefings and Meetings*, American Oversight, https://www.americanoversight.org/cdc-calendars-from-2018-and-2019-pandemic-related-briefings-and-meetings.

[11] *See generally Audit the Wall*, American Oversight, https://www.americanoversight.org/investigation/audit-the-wall; *see, e.g., Border Wall Investigation Report: No Plans, No Funding, No Timeline, No Wall*, American Oversight, https://www.americanoversight.org/border-wall-investigation-report-no-plans-no-funding-no-timeline-no-wall.

[12] *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance; *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, American Oversight, https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents.

[13] *See generally Swamp Airlines: Chartered Jets at Taxpayer Expense*, American Oversight, https://www.americanoversight.org/investigation/swamp-airlines-private-jets-taxpayer-expense; *see, e.g., New Information on Pompeo's 2017 Trips to His Home State*, American Oversight, https://www.americanoversight.org/new-information-on-pompeos-2017-trips-to-his-home-state.

Sincerely,

/s/ Emma Lewis
Emma Lewis
on behalf of
American Oversight

EXHIBIT B

Subject: [Records Center] Public Information Request :: R002219-040422
Date: Friday, August 19, 2022 at 3:06:00 PM Eastern Daylight Time
From: TXDFPS Records Management Group
To: AO Records

08/19/2022

Emma Lewis
1030 15th Street NW, Suite B255
Washington, DC 20005

RE: OPEN RECORDS REQUEST of April 04, 2022., Reference # R002219-040422.

Dear Emma Lewis,

This e-mail is regarding your request for records submitted on April 04, 2022 for information about:

"Please see attached request (TX-DFPS-22-0329)"

We have reviewed your request and prepared the responsive records. Please log in to the Public Records Center at the following link to retrieve your request documents.

Public Information Request - R002219-040422

IMPORTANT: The DFPS Records Portal uses the browser popup feature as part of the downloading process of responsive documents so it is highly recommended to check your browser to ensure popup blockers have been disabled before attempting to download any documents, otherwise it could adversely affect your ability to

download the information. Also, our portal system is optimized for use with Google Chrome. Using a browser other than Google Chrome could result in technical issues when attempting to access your account and / or downloading documents.

Additionally, we have determined that some of the information requested is subject to redaction under the Public Information Act under the following exemptions:

552.101: Information that is confidential by law, either constitutional, statutory, or by judicial decision including common law privacy concerns.552.117: Confidentiality of Certain Addresses, Telephone Numbers, Social Security Numbers, and Personal Family Information.
552.136: Confidentiality of Credit Card, Debit Card, Charge Card, and Access Device Numbers.
552.137: Confidentiality of Certain E-Mail Addresses.
Family Code 261.201: CPS investigations and services - no request to AG required on this exception. Prior determination OR2003-5590.
Please let us know if you have any questions. You may contact us by replying to this e-mail.

Sincerely,

DFPS Open Records Coordinator
512-929-6764
1-877-764-7230

EXHIBIT C

From:	Crimmins,Patrick (DFPS)
To:	Masters,Jaime D (DFPS); Kozikoujekian,Vicki (DFPS); Frank,Julie (DFPS); Richman,Robert (DFPS); Talbert,Marta L (DFPS); Lawson,Corliss (DFPS); Dryden,Deneen (DFPS)
Cc:	Gonzales,Marissa L (DFPS); Tennyson,Susan (DFPS)
Subject:	Governor on AG Opinion/DMN Request for Information
Date:	Tuesday, February 22, 2022 9:58:49 AM
Attachments:	image001.png

Earlier today the Governor tweeted this:

552.111 Policy Discussion

Dear Mr. Crimmins,

I have a couple questions regarding Texas AG Ken Paxton's opinion yesterday regarding gender-

affirming care for transgender minors. He is interpreting state law to read that this care, including puberty suppression and hormone therapy, should be defined as "child abuse."

This morning, Gov. Abbott promised the state would implement his opinion.

1) What is DFPS' process for implementing attorney general opinions like this? Must there be new rules written? Public comment taken? How long might that process take? Will the agency proactively undertake investigations, or will it only tackle those complaints it receives from the outside?
2) Will there be any policy changes at DFPS that take place immediately? If so, what are they?
3) What is the agency's general response to the opinion?
4) Last year, the agency agreed that surgical interventions for transgender children is abuse. Have there been any reports of this kind of abuse to the agency and, if so, what were they and what was the outcome of the investigation?

I would very much appreciate a response by the end of the day. This is in the public interest as transgender children and their parents are eager to know what this opinion means for the future of their access to care.

Regards,
Lauren McGaughy

--

Lauren McGaughy
Investigative Reporter
The Dallas Morning News
Mobile: 512-423-6024
Google Voice: 512-436-3641
She/Her

EXHIBIT D

From:	Crimmins,Patrick (DFPS)
To:	Masters,Jaime D (DFPS); Frank,Julie (DFPS); Lawson,Corliss (DFPS); Steele,Jason D (DFPS); Richman,Robert (DFPS); Talbert,Marta L (DFPS); Reeves,Natalie (DFPS); Kozikoujekian,Vicki (DFPS)
Cc:	Gonzales,Marissa L (DFPS)
Subject:	Media Update/AG Opinion
Date:	Tuesday, February 22, 2022 5:14:18 PM
Attachments:	AG Opinion Statement.docx

To catch you up, the attached statement was sent to the media outlets listed. Media is being very aggressive on this and we can expect requests for new intakes. Media is also contacting local prosecutors to gauge their reaction. The first stories should be posted online soon.

Dallas Morning News
Houston Chronicle
Texas Tribune
New York Times
New York Post
Austin American-Statesman
Fort Worth Star-Telegram
KXAN-TV

Patrick Crimmins
Director of Communications
Texas Department of Family and Protective Services
(512) 929-6727 office
(512) 787-5090 cell

Statement on Governor's Letter/AG Opinion

In accordance with Governor Abbott's directive today to Commissioner Masters, we will follow Texas law as explained in Attorney General opinion KP-0401.

At this time, there are no pending investigations of child abuse involving the procedures described in that opinion. If any such allegations are reported to us, they will be investigated under existing policies of Child Protective Investigations.

EXHIBIT E

From:	Black,Stephen D (DFPS)
To:	Hardie,Sherrie F (DFPS); Melcer,Janine F (DFPS); Steinberg,Mathew (DFPS); Zappler,Dina (DFPS)
Cc:	Berthot,Amanda (DFPS)
Subject:	Message to Staff
Date:	Wednesday, February 23, 2022 2:52:48 PM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf

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A legal opinion was released by the AG's office on February 21, 2022. The governor subsequently provided further direction to DFPS to these reported matters.

Those two documents are attached to this communication which gives guidance and direction regarding how the department is to handle intakes related to gender transitioning.

Please consult with your PA regarding any questions you may have.

Stephen Black
SWI Associate Commissioner
512-960-9352

EXHIBIT F

From:	Morris,Ruth J (DFPS)
To:	Valmont,Crystal R (DFPS)
Subject:	FW: Attorney General Opinion
Date:	Tuesday, March 1, 2022 4:55:00 PM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf image002.png

---

Have you seen this?

From: Bell,Tiffany (DFPS) <Tiffany.Bell2@dfps.texas.gov>
Sent: Tuesday, March 1, 2022 1:42 PM
To: Morris,Ruth J (DFPS) <Ruth.Morris@dfps.texas.gov>
Subject: FW: Attorney General Opinion

From: Trahan,Kyndall (DFPS) <Kyndall.Trahan@dfps.texas.gov>
Sent: Thursday, February 24, 2022 9:48 AM
To: Mayon,Lashanda (DFPS) <Lashanda.Mayon@dfps.texas.gov>; Frank,Courtney (DFPS) <Courtney.Frank@dfps.texas.gov>; Wiltz,Lechanda (DFPS) <Lechanda.Wiltz@dfps.texas.gov>; Jones,Sade (DFPS) <Sade.Jones@dfps.texas.gov>; Tyler,Christiana L (DFPS) <Christiana.Tyler@dfps.texas.gov>; Bell,Tiffany (DFPS) <Tiffany.Bell2@dfps.texas.gov>; Balser,Jodi L. (DFPS) <Jodi.Balser@dfps.texas.gov>; Derry,Tiffany (DFPS) <Tiffany.Derry@dfps.texas.gov>; Lambert,Kellie (DFPS) <Kellie.Lambert@dfps.texas.gov>; Marks,Tracey (DFPS) <Tracey.Marks@dfps.texas.gov>; Ponthieu,Minda (DFPS) <Minda.Ponthieu@dfps.texas.gov>; Simon,Savannah (DFPS) <Savannah.Simon@dfps.texas.gov>; Woods,Kristen (DFPS) <Kristen.Woods@dfps.texas.gov>
Cc: Bailey,Brittany (DFPS) <Brittany.Bailey@dfps.texas.gov>
Subject: FW: Attorney General Opinion

FYI –
Essentially the Governor wants reporters (professional and personnel) to report any parents that are encouraging/allowing/involved in allowing their minor children, who identify as transgendered, to go through the transition process. Governor Abbott is also mandating that DFPS investigate these parents and to have SWI process the intakes for field response.
I know there are lots of feelings around this and more questions than answers right now. Upper management is very involved as this is totally new ground for the agency. If you get a case that I miss, please let me know immediately so I can report it up the chain.
Please know that this email is not the platform for opinions or discussion on this topic. If we need to meet privately, my door is always open.
Thanks,
Kyndall

From: Prewitt,Amanda R. (DFPS)
Sent: Wednesday, February 23, 2022 7:47 PM
To: Trahan,Kyndall (DFPS) <Kyndall.Trahan@dfps.texas.gov>; Bailey,Brittany (DFPS) <Brittany.Bailey@dfps.texas.gov>; Murphy,Lana (DFPS) <Lana.Murphy@dfps.texas.gov>; Nellar,Pansy (DFPS) <Pansy.Nellar@dfps.texas.gov>; Parrott,Katheryn (DFPS) <Katheryn.Parrott@dfps.texas.gov>; Cameron,Crystal (DFPS) <Crystal.Cameron@dfps.texas.gov>; Mczeal,Scheerish A (DFPS) <Scheerish.Mczeal@dfps.texas.gov>

Cc: Boshuizen,Steven (DFPS) <Steven.Boshuizen@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Amanda R. Prewitt
Child Protective Investigations Program Director: Region 4
420 Athens Brick Road, Athens Texas 75751
☎State Cell: 903-368-0064 | ☎Fax: 512-276-3581
☎Report abuse: 1-800-252-5400
✉ E-mail: Amanda.Prewitt@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

From: Liles,Lou R (DFPS) <Lou.Liles@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 6:53 PM
To: Prewitt,Amanda R. (DFPS) <Amanda.Prewitt@dfps.texas.gov>; Phillips,Deirdre (DFPS) <Deirdre.Phillips@dfps.texas.gov>; Peterson,Nicole (DFPS) <Nicole.Peterson@dfps.texas.gov>; Claude,Jennifer L (DFPS) <Jennifer.Claude@dfps.texas.gov>; Chesnut,Andrew (DFPS) <Andrew.Chesnut@dfps.texas.gov>; Boshuizen,Steven (DFPS) <Steven.Boshuizen@dfps.texas.gov>
Subject: Fwd: Attorney General Opinion
If you receive any of these intakes I need to know immediately. Please share with all of your supervisors

---

From: Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 4:18 PM
To: Liles,Lou R (DFPS)
Subject: Fwd: Attorney General Opinion

From: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:54:57 PM
To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>
Subject: FW: Attorney General Opinion

See email below and attachments—email/attachments sent to SWI staff. I believe we have three right now in the intake stage—or being worked on by SWI. Stephen will send me the case numbers as soon as he has them for us to be aware in order to assist our staff with these cases.
Thanks,
Marta

Marta Talbert
Director of Investigation and Alternative Response

512-438-3357
marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:46 PM
To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion

fyi
Stephen Black
512-960-9352

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

Hello SWI,
A legal opinion was released by the AG's office on February 21, 2022. The governor subsequently provided further direction to DFPS to these reported matters.
Those two documents are attached to this communication which gives guidance and direction regarding how the department is to handle intakes related to gender transitioning.
Please consult with your PA regarding any questions you may have.
Stephen Black
SWI Associate Commissioner
512-960-9352

EXHIBIT G

From:	Bailey,Brittany (DFPS)
To:	Dennis,Sheretta (DFPS); Easily,Randi (DFPS); Frank,Courtney (DFPS); Jordan,Willie (DFPS); Mobley,Bethany (DFPS); Moses,Courtney (DFPS); Vanwright,Charles (DFPS)
Subject:	FW: Attorney General Opinion
Date:	Thursday, February 24, 2022 9:52:18 AM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf image002.png image001.png

Good morning Team, please take some to review this email and the attachments with it thoroughly. This new change is coming straight from state office and Kydnall provided a brief overview (see below). But please take the time out to read and let me know if there are any questions.

Brittany Bailey

CPI Supervisor Unit 16

Department of Family & Protective Services

4200 Jimmy Johnson Blvd Port Arthur, TX 77642

Cell: 409-550-0331

Fax: 512-276-3078

From: Trahan,Kyndall (DFPS) <Kyndall.Trahan@dfps.texas.gov>
Sent: Thursday, February 24, 2022 9:48 AM
To: Mayon,Lashanda (DFPS) <Lashanda.Mayon@dfps.texas.gov>; Frank,Courtney (DFPS) <Courtney.Frank@dfps.texas.gov>; Wiltz,Lechanda (DFPS) <Lechanda.Wiltz@dfps.texas.gov>; Jones,Sade (DFPS) <Sade.Jones@dfps.texas.gov>; Tyler,Christiana L (DFPS) <Christiana.Tyler@dfps.texas.gov>; Bell,Tiffany (DFPS) <Tiffany.Bell2@dfps.texas.gov>; Balser,Jodi L. (DFPS) <Jodi.Balser@dfps.texas.gov>; Derry,Tiffany (DFPS) <Tiffany.Derry@dfps.texas.gov>; Lambert,Kellie (DFPS) <Kellie.Lambert@dfps.texas.gov>; Marks,Tracey (DFPS) <Tracey.Marks@dfps.texas.gov>; Ponthieu,Minda (DFPS) <Minda.Ponthieu@dfps.texas.gov>; Simon,Savannah (DFPS) <Savannah.Simon@dfps.texas.gov>; Woods,Kristen (DFPS) <Kristen.Woods@dfps.texas.gov>
Cc: Bailey,Brittany (DFPS) <Brittany.Bailey@dfps.texas.gov>
Subject: FW: Attorney General Opinion

FYI –

Essentially the Governor wants reporters (professional and personnel) to report any parents that are encouraging/allowing/involved in allowing their minor children, who identify as transgendered, to go through the transition process. Governor Abbott is also mandating that DFPS investigate these

parents and to have SWI process the intakes for field response.
I know there are lots of feelings around this and more questions than answers right now. Upper management is very involved as this is totally new ground for the agency. If you get a case that I miss, please let me know immediately so I can report it up the chain.
Please know that this email is not the platform for opinions or discussion on this topic. If we need to meet privately, my door is always open.
Thanks,
Kyndall

From: Prewitt,Amanda R. (DFPS)
Sent: Wednesday, February 23, 2022 7:47 PM
To: Trahan,Kyndall (DFPS) <Kyndall.Trahan@dfps.texas.gov>; Bailey,Brittany (DFPS) <Brittany.Bailey@dfps.texas.gov>; Murphy,Lana (DFPS) <Lana.Murphy@dfps.texas.gov>; Nellar,Pansy (DFPS) <Pansy.Nellar@dfps.texas.gov>; Parrott,Katheryn (DFPS) <Katheryn.Parrott@dfps.texas.gov>; Cameron,Crystal (DFPS) <Crystal.Cameron@dfps.texas.gov>; Mczeal,Scheerish A (DFPS) <Scheerish.Mczeal@dfps.texas.gov>
Cc: Boshuizen,Steven (DFPS) <Steven.Boshuizen@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Amanda R. Prewitt
Child Protective Investigations Program Director: Region 4
420 Athens Brick Road, Athens Texas 75751
☎State Cell: 903-368-0064 | ☎Fax: 512-276-3581
☎Report abuse: 1-800-252-5400
✉ E-mail: Amanda.Prewitt@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

From: Liles,Lou R (DFPS) <Lou.Liles@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 6:53 PM
To: Prewitt,Amanda R. (DFPS) <Amanda.Prewitt@dfps.texas.gov>; Phillips,Deirdre (DFPS) <Deirdre.Phillips@dfps.texas.gov>; Peterson,Nicole (DFPS) <Nicole.Peterson@dfps.texas.gov>; Claude,Jennifer L (DFPS) <Jennifer.Claude@dfps.texas.gov>; Chesnut,Andrew (DFPS) <Andrew.Chesnut@dfps.texas.gov>; Boshuizen,Steven (DFPS) <Steven.Boshuizen@dfps.texas.gov>
Subject: Fwd: Attorney General Opinion
If you receive any of these intakes I need to know immediately. Please share with all of your supervisors

---

From: Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 4:18 PM
To: Liles,Lou R (DFPS)
Subject: Fwd: Attorney General Opinion

From: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:54:57 PM
To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Gilbert,Matthew (DFPS)

<Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>

Subject: FW: Attorney General Opinion

See email below and attachments—email/attachments sent to SWI staff. I believe we have three right now in the intake stage—or being worked on by SWI. Stephen will send me the case numbers as soon as he has them for us to be aware in order to assist our staff with these cases.

Thanks,

Marta

Marta Talbert

Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)

Sent: Wednesday, February 23, 2022 3:46 PM

To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>

Subject: FW: Attorney General Opinion

fyi

Stephen Black

512-960-9352

From: Black,Stephen D (DFPS)

Sent: Wednesday, February 23, 2022 3:31 PM

To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>

Subject: Attorney General Opinion

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Please consult with your PA regarding any questions you may have.

Stephen Black

SWI Associate Commissioner

512-960-9352

EXHIBIT H

From: Ulmer,Nathan (DFPS)
To: Rodriguez,Ruby A (DFPS); Scott,Shane K (DFPS); Wilson Morris,Pansie (DFPS); Munoz,Eric (DFPS); Blau,Tracie (DFPS); Matthews,Rebecca (DFPS); Jackson,Leslie (DFPS); Henry,Michael B (DFPS)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 6:39:58 PM
Attachments: AG Ken Paxton"s Legal Opinion.pdf
Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf

I read Abbott's letter more thoroughly and it appears that allowing a child to take hormone blockers is also something we now constitute as PHAB, not just the physical reassignment surgery. Our directive is more accurately explained in the governor's letter verse AG's opinion.
Nathan

From: Black,Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

EXHIBIT I

Cc: Boshuizen,Steven (DFPS) <Steven.Boshuizen@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Amanda R. Prewitt
Child Protective Investigations Program Director: Region 4
420 Athens Brick Road, Athens Texas 75751
☎State Cell: 903-368-0064 | ☎Fax: 512-276-3581
☎Report abuse: 1-800-252-5400
✉ E-mail: Amanda.Prewitt@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

From: Liles,Lou R (DFPS) <Lou.Liles@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 6:53 PM
To: Prewitt,Amanda R. (DFPS) <Amanda.Prewitt@dfps.texas.gov>; Phillips,Deirdre (DFPS) <Deirdre.Phillips@dfps.texas.gov>; Peterson,Nicole (DFPS) <Nicole.Peterson@dfps.texas.gov>; Claude,Jennifer L (DFPS) <Jennifer.Claude@dfps.texas.gov>; Chesnut,Andrew (DFPS) <Andrew.Chesnut@dfps.texas.gov>; Boshuizen,Steven (DFPS) <Steven.Boshuizen@dfps.texas.gov>
Subject: Fwd: Attorney General Opinion
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Sent: Wednesday, February 23, 2022 4:18 PM
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To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>
Subject: FW: Attorney General Opinion

See email below and attachments—email/attachments sent to SWI staff. I believe we have three right now in the intake stage—or being worked on by SWI. Stephen will send me the case numbers as soon as he has them for us to be aware in order to assist our staff with these cases.
Thanks,
Marta

Marta Talbert
Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:46 PM
To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion

fyi

Stephen Black
512-960-9352

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

Hello SWI,

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Please consult with your PA regarding any questions you may have.

Stephen Black
SWI Associate Commissioner
512-960-9352

EXHIBIT J

From:	Uribe-Woods,JR (DFPS)
To:	Moore,Morgan (DFPS)
Subject:	FW: Attorney General Opinion
Date:	Wednesday, February 23, 2022 7:35:00 PM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf image002.png

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In reply to your text.
Not fully sure what this means for us at SWI, but during the most recent legislative session our policy changed because of Texas law to add PHAB for "sexual reassignment surgery for non-medical purposes." (see #18 under PHAB in CPI Guidelines).
So far I have not seen this situation come up, nor have I heard it come up prior to this change in guidelines. I will discuss further during the unit meeting tonight.

J.R. Uribe-Woods
Statewide Intake Supervisor
Wed-Sat, 7:00pm - 5:30am
(512) 460-8464 *(work cell)*
(512) 929-6405 *(office)*

Texas Department of
Family and Protective Services
Statewide Intake

From: Black,Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

EXHIBIT K

From:	Giancola,Tracy L (DFPS)
To:	Bazile,Chastity (DFPS); Grigsby,Devon C (DFPS); Johnson,Shannon D (DFPS); Munoz,Gustavo (DFPS); Richards,Kelly (DFPS); Stovall,Megan (DFPS); Washington,Meredith (DFPS)
Subject:	Gender Related Cases
Date:	Friday, February 25, 2022 6:07:31 PM
Attachments:	Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf AG Ken Paxton"s Legal Opinion.pdf image001.png

Hello all~
Attached please find information pertaining to transgender related cases screeners will be sending to the field. They have been informed they may not PN any of these cases. With that being said, it doesn't necessarily mean we won't be closing case(s) administratively. We will be learning more about the new law and expectations of the Department.
Please be sensitive, mindful and cognizant of this law and child abuse cases and refrain from posting personal comments/opinions on social media, etc.. We will discuss as more information is learned and in our next unit meeting.
Thank you in advance!
Tracy

Tracy L. Giancola, LMSW
Supervisor II
Child Protective Investigations
Children's Advocacy Center of Collin County
2205 Los Rios Boulevard
Plano, Texas 75074
Direct Phone Number: (972) 633-6696
Mobile PhoneNumber: (469) 247-3228

Texas Department of
Family and Protective Services
Child Protective Investigations

EXHIBIT L

From:	Cindy Williams
To:	Perry R. Pack; Aulstin Gardiner; Robin O. Dettmer; Ginette A. Harrell; Deanna L. Belknap; Loretta L. Hewitt; Kimberly K. Pearson
Subject:	FW: "sex change" procedures = child abuse
Date:	Friday, February 25, 2022 3:44:01 PM
Attachments:	Gov Feb 22 2022 letter.pdf

FYI –

This is being received by DFPS as a directive to remove certain children when sex change measures are being taken or underway. Doctors and teachers are also being mandated to report any such conduct that they become aware of.

Right now, there is a case in Denton Co that falls under this directive, and one pending investigation in Tarrant that may fall under this. With the new mandate to report placed on doctors/medical professionals, I suspect we shall see more of these cases being investigated.

CPI will not remove before they have staffed the case with state office, and Matt Gilbert has stated he will include our office in those staffings. I have requested direction from Sharen on how she would like us to proceed with a request for removal. I will keep you apprised of any changes.

From: Leslie L. Hunt
Sent: Wednesday, February 23, 2022 10:29 AM
To: Sharen Wilson <SWilson@tarrantcountytx.gov>; Cindy Williams <CMWilliams2@tarrantcountytx.gov>
Cc: Larry M. Moore <LMMoore@tarrantcountytx.gov>
Subject: "sex change" procedures = child abuse

The AG issued an opinion yesterday stating that gender-affirming care constitutes child abuse under Texas law. Today, Governor Abbott is calling on DFPS to investigate cases involving elective procedures for gender transitioning. The Governor's letter to DFPS, along with the AG ruling is attached hereto.

-Leslie

LESLIE L. HUNT
Chief – Civil Division
Phone: 817-884-2662

EXHIBIT M

From:	Hendrix,Latosha (DFPS)
To:	Dean,Monikka L (DFPS); Saldivar III,Julian (DFPS); Brinkley,Brandy (DFPS)
Subject:	FW: Attorney General Opinion
Date:	Monday, February 28, 2022 4:11:12 PM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf image003.png image001.png

---

We will discuss during sup meeting today.
Thanks,

Latosha Hendrix
CPI Program Director
Dallas/Outlying AHR Investigations
7950 Elmbrook Drive | Dallas, Texas 75247
817-727-0386 (cell)
512-276-3550 (fax)
Latosha.Hendrix@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

One Team – One Goal, Making a Difference

From: Chancellor,Veronica M (DFPS) <Veronica.Chancellor@dfps.texas.gov>
Sent: Friday, February 25, 2022 2:22 PM
To: Hendrix,Latosha (DFPS) <Latosha.Hendrix@dfps.texas.gov>; Green,Lakeshia (DFPS) <Lakeshia.Green@dfps.texas.gov>; Morrow,Belinda (DFPS) <Belinda.Morrow@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Team we will discuss further on our 3pm meeting.
TY

From: Sutton,Toni (DFPS) <Marie.Sutton@dfps.texas.gov>
Sent: Thursday, February 24, 2022 3:46 PM
To: Riles,Vincent A (DFPS) <Vincent.Riles2@dfps.texas.gov>; Riley,Leighann (DFPS) <Mary.Riley@dfps.texas.gov>; Chancellor,Veronica M (DFPS) <Veronica.Chancellor@dfps.texas.gov>; Coaston,Marva (DFPS) <Marva.Coaston2@dfps.texas.gov>; Ferbrache,Belinda (DFPS) <Belinda.Ferbrache@dfps.texas.gov>
Subject: FW: Attorney General Opinion

As follow up to our meeting please review the attached documents. As we receive intakes about this, please ensure I am notified immediately. These cases will be investigated by our worker V's – for now Tonita Day. Investigations will be conducted according to current policy. Please ensure we are not communicating about these cases via email and text, internally and externally, due to the sensitive nature. Call me if there are any questions.

Toni Sutton, LCSW
CPI Regional Director
Region 3 East
214.583.4037 (office)

469.340.9561 (mobile)
8700 N Stemmons FWY
Dallas, TX 75247
marie.sutton@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:46 PM
To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion

fyi
Stephen Black
512-960-9352

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Please consult with your PA regarding any questions you may have.
Stephen Black
SWI Associate Commissioner
512-960-9352

NOTICE: There has been a change to my email address. Effective immediately, my new email address is: Marta.Talbert@dfps.texas.gov.

EXHIBIT N

From: Salinas,Patricia (DFPS)
To: Esquivel,Maria V (DFPS); Banda,Sonia (DFPS); Cantu Rodriguez,Sharon (DFPS); Castillo,Esmeralda (DFPS); Castillo,Geronimo (DFPS); Esqueda,Daniel G (DFPS); Reyes,Ramiro (DFPS); Lara,Selina (DFPS); Ledbetter,Tina (DFPS); Luna,Laura L (DFPS); Scott,Christina (DFPS)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 7:02:34 PM
Attachments: image001.png
AG Ken Paxton"s Legal Opinion.pdf
Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf

Please review. We will discuss in our next meeting.
If you get any intakes regarding this issue, please immediately CALL ME to staff; no emails or texts are allowed.
Thank you
Patti

From: Requenez,Janie I (DFPS) <Janie.Requenez@dfps.texas.gov>
Sent: Friday, February 25, 2022 11:44 AM
To: Cano,Martha J (DFPS) <Martha.Cano@dfps.texas.gov>; Leticia.Rodriguez@dfps.state.tx.us; Patricia.Salinas@dfps.state.tx.us
Subject: FW: Attorney General Opinion

Just another reminder....these need to be escalated.
janie

From: Yzaguirre,Marina C (DFPS)
Sent: Wednesday, February 23, 2022 9:49 PM
To: Amaro,Kristy (DFPS) <Kristy.Amaro@dfps.texas.gov>; Guerra,Betzabel (DFPS) <Betzabel.Guerra@dfps.texas.gov>; Requenez,Janie I (DFPS) <Janie.Requenez@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Fyi---if we receive any intakes that pertain to this particular issue they must be escalated up for further guidance and direction.
Thanks!

MARINA YZAGUIRRE, MSSW
Child Protective Investigations
Regional Director
Region 11
Edinburg, Tx 78539
Off. 956-316-8238
Mbl. 956-802-4921

Texas Department of
Family and Protective Services

From: Talbert,Marta L (DFPS)
Sent: Wednesday, February 23, 2022 3:55 PM
To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS)

<Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>

Subject: FW: Attorney General Opinion

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Thanks,

Marta

Marta Talbert

Director of Investigation and Alternative Response

512-438-3357

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Sent: Wednesday, February 23, 2022 3:46 PM

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Stephen Black

SWI Associate Commissioner

512-960-9352

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EXHIBIT O

From: Lipham,Alexis P (DFPS)
To: Bailey,James (DFPS); Garza,Stephanie (DFPS); Hodges,Lora M (DFPS); Latham,Bailey (DFPS); Messer,Abigail (DFPS); Reyna,Miranda (DFPS); Silva,Alura (DFPS); Brady,Mary (DFPS); Garza,Dawn (DFPS); King,Amie (DFPS); Mclellan,Madisyn (DFPS); Morris-Brown,Elizabeth (DFPS); Quillin,Vella (DFPS)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 10:20:50 AM
Attachments: AG Ken Paxton"s Legal Opinion.pdf
Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf
image002.png
image001.png

All,
Please review these when you have time. One of them is pretty lengthy. We discussed this on our supervisor call yesterday. If you receive an intake regarding this material let your supervisor know immediately as it will have to be staffed all of the way up. If you have questions, please **only call,** Amie or I, regarding this material, and we will discuss further. This is information that will be discussed at our next unit meetings as well, but here is the material to read in the meantime.

Alexis Lipham

Investigations Supervisor – Unit 04

325/574-0932

3610 Vine Street, Abilene, Texas, 79602

Texas Department of
Family and Protective Services
Child Protective Services

From: Etheredge,Todd (DFPS) <Todd.Etheredge@dfps.texas.gov>
Sent: Thursday, February 24, 2022 2:38 PM
To: Chavira,Ninfa (DFPS) <Ninfa.Chavira@dfps.texas.gov>; Cross,Angie J (DFPS) <Angie.Cross@dfps.texas.gov>; King,Amie (DFPS) <Amie.King@dfps.texas.gov>; Lipham,Alexis P (DFPS) <Alexis.Lipham@dfps.texas.gov>; Meador,Angela G (DFPS) <Angela.Meador@dfps.texas.gov>; Montoya,Erica A (DFPS) <Erica.Montoya@dfps.texas.gov>; Speaks,Ginger L (DFPS) <Ginger.Speaks@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Please review
Thank you,

Todd Etheredge
Children Protective Investigations and Alternative Response Program Director
3610 Vine Street
Abilene, Texas 79602
Office (325) 691-8149
Cell (325) 514-5041

Texas Department of
Family and Protective Services
Investigations

From: Harmon,Tonya (DFPS)
Sent: Thursday, February 24, 2022 9:48 AM
To: Vangelderen,John (DFPS) <John.Vangelderen@dfps.texas.gov>; Etheredge,Todd (DFPS) <Todd.Etheredge@dfps.texas.gov>; Hanson,Michelle R (DFPS) <Michelle.Hanson@dfps.texas.gov>; Castillo,Lilia (DFPS) <Lilia.Castillo@dfps.texas.gov>; Cash,Crystal (DFPS) <Crystal.Cash@dfps.texas.gov>
Cc: Ward,Shannon M (DFPS) <Shannon.Ward@dfps.texas.gov>
Subject: FW: Attorney General Opinion

We will be discussing on our leadership call. Thanks, Tonya

From: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:55 PM
To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>
Subject: FW: Attorney General Opinion

See email below and attachments—email/attachments sent to SWI staff. I believe we have three right now in the intake stage—or being worked on by SWI. Stephen will send me the case numbers as soon as he has them for us to be aware in order to assist our staff with these cases.
Thanks,
Marta

Marta Talbert
Director of Investigation and Alternative Response
512-438-3357
marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:46 PM
To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion

fyi
Stephen Black
512-960-9352

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

Hello SWI,
A legal opinion was released by the AG's office on February 21, 2022. The governor subsequently provided further direction to DFPS to these reported matters.

Those two documents are attached to this communication which gives guidance and direction regarding how the department is to handle intakes related to gender transitioning.
Please consult with your PA regarding any questions you may have.
Stephen Black
SWI Associate Commissioner
512-960-9352

EXHIBIT P

From:	Monrreal Maria B (DFPS)
To:	Gonzalez Adabel (DFPS); Azoca Allisa (DFPS); Cavazos Ovidio (DFPS); Espinoza Jessica (DFPS); Paez Raquel (DFPS)
Subject:	FW: New AG Opinion/DFPS
Date:	Friday, February 25, 2022 9:48:54 AM
Attachments:	kp-0401_0.pdf image001.png image003.png

All,

I want for us to go over this together on this. For these type of cases, I will not be sending an email or text that you have been assinged this case. I would be calling you. If we get a case like this, I need to call Jovita to let her know.

Maria Monrreal
CPI Supervisor II, Unit 05
Adjusted Schedule: *Sunday thru Wednesday 8 AM – 7 PM*
maria.monrreal@dfps.texas.gov
Office: 1919 Austin Ave. McAllen, TX 78501
State Cell 956-802-6591
Texas Department of
Family and Protective Services
Child Protective Services

From: Shives,Jovita M (DFPS)
Sent: Thursday, February 24, 2022 10:46 PM
To: Salinas,Leonel (DFPS) <Leonel.Salinas@dfps.texas.gov>; Gorena,Damaryce Rubi (DFPS) <Damaryce.Gorena@dfps.texas.gov>; Monrreal,Maria B (DFPS) <Maria.Monrreal@dfps.texas.gov>; Salinas,Leonel (DFPS) <Leonel.Salinas@dfps.texas.gov>; Cruz,Elizabeth (Laredo) (DFPS) <Elizabeth.Cruz@dfps.texas.gov>; Rodriguez,Joycelyn (DFPS) <Joycelyn.Rodriguez3@dfps.texas.gov>
Cc: Torres,Virginia (DFPS) <Virginia.Torres@dfps.texas.gov>
Subject: FW: New AG Opinion/DFPS

FYI

From: Phillips,Kathleen V (DFPS)
Sent: Wednesday, February 23, 2022 7:11 AM
To: Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>; Amaro,Kristy (DFPS) <Kristy.Amaro@dfps.texas.gov>; Cano,Martha J (DFPS) <Martha.Cano@dfps.texas.gov>; Escaname,Belinda (DFPS) <Belinda.Escaname@dfps.texas.gov>; Guerra,Betzabel (DFPS) <Betzabel.Guerra@dfps.texas.gov>; Rangel,Rey (DFPS) <Rey.Rangel@dfps.texas.gov>; Requenez,Janie I (DFPS) <Janie.Requenez@dfps.texas.gov>; Rodriguez,Leticia G (DFPS) <Leticia.Rodriguez@dfps.texas.gov>; Salinas,Patricia (DFPS) <Patricia.Salinas@dfps.texas.gov>; Salinas-Maldonado,Olga (DFPS) <Olga.Salinas-Maldonado@dfps.texas.gov>; Shives,Jovita M (DFPS) <Jovita.Shives@dfps.texas.gov>
Cc: Vela,Robert J (DFPS) <Robert.Vela@dfps.texas.gov>; Barrera,Denise S (DFPS) <Denise.Barrera@dfps.texas.gov>
Subject: RE: New AG Opinion/DFPS

I have attached the opinion.

Kathy Phillips
Managing Attorney
Region 11
Texas Department of Family and Protective Services
361-878-7481 Office
361-944-1824 Cell
kathleen.phillips@dfps.texas.gov

From: Yzaguirre,Marina C (DFPS)
Sent: Tuesday, February 22, 2022 4:28 PM
To: Amaro,Kristy (DFPS) <Kristy.Amaro@dfps.texas.gov>; Cano,Martha J (DFPS) <Martha.Cano@dfps.texas.gov>; Escaname,Belinda (DFPS) <Belinda.Escaname@dfps.texas.gov>; Guerra,Betzabel (DFPS) <Betzabel.Guerra@dfps.texas.gov>; Rangel,Rey (DFPS) <Rey.Rangel@dfps.texas.gov>; Requenez,Janie I (DFPS) <Janie.Requenez@dfps.texas.gov>; Rodriguez,Leticia G (DFPS) <Leticia.Rodriguez@dfps.texas.gov>; Salinas,Patricia (DFPS) <Patricia.Salinas@dfps.texas.gov>; Salinas-Maldonado,Olga (DFPS) <Olga.Salinas-Maldonado@dfps.texas.gov>; Shives,Jovita M (DFPS) <Jovita.Shives@dfps.texas.gov>
Cc: Vela,Robert J (DFPS) <Robert.Vela@dfps.texas.gov>; Barrera,Denise S (DFPS) <Denise.Barrera@dfps.texas.gov>; Phillips,Kathleen V (DFPS) <Kathleen.Phillips@dfps.texas.gov>
Subject: FW: New AG Opinion/DFPS

Fyi---please be sure to escalate up to your PA and me if one of these kinds of cases presents itself in our region.

Thanks!

MARINA YZAGUIRRE, MSSW
Child Protective Investigations
Regional Director
Region 11
Edinburg, Tx 78539
Off. 956-316-8238
Mbl. 956-802-4921

Texas Department of
Family and Protective Services

From: Talbert,Marta L (DFPS)
Sent: Tuesday, February 22, 2022 11:56 AM
To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>
Subject: FW: New AG Opinion/DFPS

fyi

Marta Talbert
Director of Investigation and Alternative Response
512-438-3357
marta.talbert@dfps.texas.gov

From: Crimmins,Patrick (DFPS)
Sent: Monday, February 21, 2022 3:41 PM
To: Black,Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>; Dryden,Deneen (DFPS) <Deneen.Dryden@dfps.texas.gov>; Frank,Julie (DFPS) <Julie.Frank@dfps.texas.gov>; Kanne,Lisa M (DFPS) <Lisa.Kanne@dfps.texas.gov>; Kozikoujekian,Vicki (DFPS) <Vicki.Kozikoujekian@dfps.texas.gov>; Lawson,Corliss (DFPS) <Corliss.Lawson@dfps.texas.gov>; Martinez,Jose A (DFPS) <Jose.Martinez@dfps.texas.gov>; Masters,Jaime D (DFPS) <Jaime.Masters@dfps.texas.gov>; Mency,Eric (DFPS) <Eric.Mency@dfps.texas.gov>; Rasco,Sasha (DFPS) <Sasha.Rasco@dfps.texas.gov>; Richman,Robert (DFPS) <Robert.Richman@dfps.texas.gov>; Watson,Chance R (DFPS) <Chance.Watson@dfps.texas.gov>; Wold,Kezeli A (DFPS) <Kezeli.Wold@dfps.texas.gov>
Cc: Gonzales,Marissa L (DFPS) <Marissa.Gonzales@dfps.texas.gov>; Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: RE: New AG Opinion/DFPS

Here is text of press release if link won't work

AG Paxton Declares So-Called Sex-Change Procedures on Children and Prescription of

Puberty Blockers to be "Child Abuse" Under Texas Law

AUSTIN – Attorney General Ken Paxton released a formal attorney general opinion concluding that performing certain "sex-change" procedures on children, and prescribing puberty-blockers to them, is "child abuse" under Texas law. The holding comes at a critical time when more and more Texans are seeing the horrors that flow from the merging of medicine and misguided ideology.

Specifically, the opinion concludes that certain procedures done on minors such as castration, fabrication of a "penis" using tissue from other body parts, fabrication of a "vagina" involving the removal of male sex organs, prescription of puberty-suppressors and infertility-inducers, and the like are all "abuse" under section 261.001 of the Texas Family Code.

"There is no doubt that these procedures are 'abuse' under Texas law, and thus must be halted," said Attorney General Paxton. "The Texas Department of Family and Protective Services (DFPS) has a responsibility to act accordingly. I'll do everything I can to protect against those who take advantage of and harm young Texans."

This opinion comes after Attorney General Paxton opined in an October 2019 letter to DFPS, stating that the "transition" of James Younger—the biological male son of Jeff Younger—to a "female" through puberty-blocking drugs, among other things, was "abuse" under at least three definitions set out in the Family Code, and that DFPS, therefore, had an independent duty to investigate.

The opinion also follows Gov. Abbott's August 2021 letter to DFPS requesting a determination of "whether genital mutilation of a child for purposes of gender transitioning through reassignment surgery constitutes child abuse." The Commissioner of DFPS replied that "genital mutilation of a child through reassignment surgery is child abuse."

Read the opinion here.

From: Crimmins,Patrick (DFPS)

Sent: Monday, February 21, 2022 3:02 PM

To: Black,Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>; Dryden,Deneen (DFPS) <Deneen.Dryden@dfps.texas.gov>; Frank,Julie (DFPS) <Julie.Frank@dfps.texas.gov>; Kanne,Lisa M (DFPS) <Lisa.Kanne@dfps.texas.gov>; Kozikoujekian,Vicki (DFPS) <Vicki.Kozikoujekian@dfps.texas.gov>; LAWSON,corliss <corliss.lawson@dfps.texas.gov>; Martinez,Jose A (DFPS) <Jose.Martinez@dfps.texas.gov>; Masters,Jaime D (DFPS) <Jaime.Masters@dfps.texas.gov>; Mency,Eric (DFPS) <Eric.Mency@dfps.texas.gov>; Rasco,Sasha (DFPS) <Sasha.Rasco@dfps.texas.gov>; Richman,Robert (DFPS) <Robert.Richman@dfps.texas.gov>; Watson,Chance R (DFPS) <Chance.Watson@dfps.texas.gov>; Wold,Kezeli A (DFPS) <Kezeli.Wold@dfps.texas.gov>

Cc: Gonzales,Marissa L (DFPS) <Marissa.Gonzales@dfps.texas.gov>; Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>

Subject: New AG Opinion/DFPS

Hi Commissioner – the media has contacted me about the AG's new opinion, which he has publicized in a press release (below). Our comment is that we will be reviewing.....

Patrick

https://mail.google.com/mail/u/0/#inbox/FMfcgzGmvBpdjpHcwNrpCmxpxvvWdjWP

https://texasattorneygeneral.gov/sites/default/files/global/KP-0401.pdf?utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=

Patrick

Patrick Crimmins
Director of Communications
Texas Department of Family and Protective Services
(512) 929-6727 office
(512) 787-5090 cell

EXHIBIT Q

From: Wharton,Jarita N (DFPS)
To: Edison,Althea (DFPS)
Cc: Jones,Fredrick A (DFPS)
Subject: Attorney General Opinion
Date: Thursday, February 24, 2022 9:02:00 AM
Attachments: AG Ken Paxton"s Legal Opinion.pdf
Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf

Good Morning,

FYI-

A legal opinion was released by the AG's office on February 21, 2022. The governor subsequently provided further direction to DFPS to these reported matters.

These two documents are attached to this communication which gives guidance and direction regarding how the department is to handle intakes related to gender transitioning.

**This is something that we need to discuss with the PD's.

We will need to discuss having a designated caseworker handle these special cases when they come up. It is being asked that these cases are worked thoroughly without text messages/emails to the family etc.

Thanks,

Jarita

EXHIBIT R

From:	Terry,Maria R (DFPS)
To:	Posey,Nicole (DFPS); Quintero,Jaclyn (DFPS); Moorer,Costina (DFPS); Koppels,Sean (DFPS); Clendening,Michaela (DFPS); Anderson,Tockneea M (DFPS)
Subject:	FW: Attorney General Opinion
Date:	Friday, February 25, 2022 4:12:49 PM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf image002.png image001.png

---

Everyone you need to stay off of social media with any opinions based on the following. We will be investigating these cases. This will get messy.

From: Lopez,Martin U (DFPS)
Sent: Friday, February 25, 2022 3:58 PM
To: Barnhart,Haley (DFPS) <Haley.Barnhart@dfps.texas.gov>; Giancola,Tracy L (DFPS) <Tracy.Giancola@dfps.texas.gov>; Hohmann,Ruth E (DFPS) <Ruth.Hohmann@dfps.texas.gov>; Sanich,Stephanie L (DFPS) <Stephanie.Sanich@dfps.texas.gov>; Terry,Maria R (DFPS) <Maria.Terry@dfps.texas.gov>; Weston,Stacy L (DFPS) <Stacy.Weston@dfps.texas.gov>
Subject: FW: Attorney General Opinion

FYI we can discuss this more Monday. Basically we do have to investigate these cases, kind of. Actually the worker V's in the region are so if you get one let me know because Im certain we do not have any worker V's.
I know people are not going to be happy but as you need to let them know we d work for the State. Please tell them to be careful what they post on social media regarding this too. Im also trying to get more info from Alyson about the legal ramifications, I will let you al know what she says.

Time Item Owner

3:30p Gender-Transitioning Cases and our practice moving forward. We will need to investigate these cases and legal action can be taken based on medical procedures that have been performed on the child toward gender transitioning. PA

These cases will need to be worked by the Worker V caseworkers in the region.

Dallas County DA's office has already stated that they will not file these cases. Legal action will need to be filed through the Regional Attorney.

Staff need to be clear that as state employees their public/social media opinions must be neutral to non-existent.

From: Riles,Vincent A (DFPS)
Sent: Friday, February 25, 2022 3:39 PM
To: Boldon,Loretta (DFPS) <Loretta.Boldon@dfps.texas.gov>; Gordon,Lauren (DFPS) <Lauren.Gordon@dfps.texas.gov>; Hughes,Kamesha D (DFPS) <Kamesha.Hughes@dfps.texas.gov>; Lopez,Martin U (DFPS) <Martin.Lopez@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Vincent Riles, MS, LPC

CPI Program Administrator
Office 214-583-4181
Cell 214-543-0576
Fax 512-276-3531
Vincent.Riles2@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

From: Sutton,Toni (DFPS)
Sent: Thursday, February 24, 2022 10:37 AM
To: Riles,Vincent A (DFPS) <Vincent.Riles2@dfps.texas.gov>; Riley,Leighann (DFPS) <Mary.Riley@dfps.texas.gov>; Chancellor,Veronica M (DFPS) <Veronica.Chancellor@dfps.texas.gov>; Coaston,Marva (DFPS) <Marva.Coaston2@dfps.texas.gov>; Ferbrache,Belinda (DFPS) <Belinda.Ferbrache@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Toni Sutton, LCSW
CPI Regional Director
Region 3 East
214.583.4037 (office)
469.340.9561 (mobile)
8700 N Stemmons FWY
Dallas, TX 75247
marie.sutton@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

From: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:55 PM
To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>
Subject: FW: Attorney General Opinion

See email below and attachments—email/attachments sent to SWI staff. I believe we have three right now in the intake stage—or being worked on by SWI. Stephen will send me the case numbers as soon as he has them for us to be aware in order to assist our staff with these cases.
Thanks,
Marta

Marta Talbert
Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:46 PM
To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion

fyi

Stephen Black
512-960-9352

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Those two documents are attached to this communication which gives guidance and direction regarding how the department is to handle intakes related to gender transitioning.

Please consult with your PA regarding any questions you may have.

Stephen Black
SWI Associate Commissioner
512-960-9352

NOTICE: There has been a change to my email address. Effective immediately, my new email address is: Marta.Talbert@dfps.texas.gov.

EXHIBIT S

From: Weston,Stacy L (DFPS)
To: Ratliff,Hannah (DFPS); Day,Diana (DFPS); Martin,Ingrid (DFPS); Mogaka,Tom N (DFPS); Opel,Jarrod W (DFPS); Piacente,Abra (DFPS); Stubbs,Marisa K (DFPS)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 4:11:51 PM
Attachments: AG Ken Paxton"s Legal Opinion.pdf
Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf
image002.png
image001.png

PLEASE SEE BELOW AND ATTACHED ~ VERY IMPORTANT!!!!!
This is actually on the news right now in my living room, so you all have probably already heard about it. Worker V's (which I don't even know who they are....) will be assigned to do these. I'm sure there will be more information to come down.
And, we all know everyone likely has an opinion BUT.....read below!!!!!!!
I will continue to provide information as it comes. Please make sure you read all of this though!!

Stacy Weston
Child Protective Investigations Supervisor II
Children's Advocacy Center of Collin County
2205 Los Rios, Plano, TX 75074
Office #: 972-633-6641
Mobile #: 214-901-4664
Fax #: 512-276-3546
stacy.weston@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

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Sent: Friday, February 25, 2022 3:58 PM
To: Barnhart,Haley (DFPS) <Haley.Barnhart@dfps.texas.gov>; Giancola,Tracy L (DFPS) <Tracy.Giancola@dfps.texas.gov>; Hohmann,Ruth E (DFPS) <Ruth.Hohmann@dfps.texas.gov>; Sanich,Stephanie L (DFPS) <Stephanie.Sanich@dfps.texas.gov>; Terry,Maria R (DFPS) <Maria.Terry@dfps.texas.gov>; Weston,Stacy L (DFPS) <Stacy.Weston@dfps.texas.gov>
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From: Riles,Vincent A (DFPS)
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To: Boldon,Loretta (DFPS) <Loretta.Boldon@dfps.texas.gov>; Gordon,Lauren (DFPS) <Lauren.Gordon@dfps.texas.gov>; Hughes,Kamesha D (DFPS) <Kamesha.Hughes@dfps.texas.gov>; Lopez,Martin U (DFPS) <Martin.Lopez@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Vincent Riles, MS, LPC
CPI Program Administrator
Office 214-583-4181
Cell 214-543-0576
Fax 512-276-3531
Vincent.Riles2@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

From: Sutton,Toni (DFPS)
Sent: Thursday, February 24, 2022 10:37 AM
To: Riles,Vincent A (DFPS) <Vincent.Riles2@dfps.texas.gov>; Riley,Leighann (DFPS) <Mary.Riley@dfps.texas.gov>; Chancellor,Veronica M (DFPS) <Veronica.Chancellor@dfps.texas.gov>; Coaston,Marva (DFPS) <Marva.Coaston2@dfps.texas.gov>; Ferbrache,Belinda (DFPS) <Belinda.Ferbrache@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Toni Sutton, LCSW
CPI Regional Director
Region 3 East
214.583.4037 (office)
469.340.9561 (mobile)
8700 N Stemmons FWY
Dallas, TX 75247
marie.sutton@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

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Sent: Wednesday, February 23, 2022 3:55 PM
To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>
Subject: FW: Attorney General Opinion

See email below and attachments—email/attachments sent to SWI staff. I believe we have three right now in the intake stage—or being worked on by SWI. Stephen will send me the case numbers as soon as he has them for us to be aware in order to assist our staff with these cases.
Thanks,
Marta

Marta Talbert
Director of Investigation and Alternative Response
512-438-3357
marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:46 PM
To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion

fyi
Stephen Black
512-960-9352

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

Hello SWI,
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Stephen Black
SWI Associate Commissioner
512-960-9352

NOTICE: There has been a change to my email address. Effective immediately, my new email address is: Marta.Talbert@dfps.texas.gov.

EXHIBIT T

From:	Jones,Katherine (DFPS)
To:	Matthews,Cheri (DFPS); Parsons,Joshua (DFPS); Valdez,Selena (DFPS); Berogan,Brittany (DFPS)
Subject:	Fwd: Attorney General Opinion
Date:	Thursday, February 24, 2022 12:34:45 PM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf image002.png

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Again, answer questions of staff however cases will not be going to individual field staff. Any cases in this category will be investigated by Worker IV for the Region.

From: Riley,Leighann (DFPS) <Mary.Riley@dfps.texas.gov>
Sent: Thursday, February 24, 2022 11:58 AM
To: Williams,Nicole H (DFPS); Jones,Katherine (DFPS); Gibson,John (DFPS); Nichols,Jennifer (DFPS)
Subject: FW: Attorney General Opinion

From: Sutton,Toni (DFPS)
Sent: Thursday, February 24, 2022 10:37 AM
To: Riles,Vincent A (DFPS) <Vincent.Riles2@dfps.texas.gov>; Riley,Leighann (DFPS) <Mary.Riley@dfps.texas.gov>; Chancellor,Veronica M (DFPS) <Veronica.Chancellor@dfps.texas.gov>; Coaston,Marva (DFPS) <Marva.Coaston2@dfps.texas.gov>; Ferbrache,Belinda (DFPS) <Belinda.Ferbrache@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Toni Sutton, LCSW
CPI Regional Director
Region 3 East
214.583.4037 (office)
469.340.9561 (mobile)
8700 N Stemmons FWY
Dallas, TX 75247
marie.sutton@dfps.texas.gov

Texas Department of Family and Protective Services
Child Protective Investigations

From: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:55 PM
To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>
Subject: FW: Attorney General Opinion

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believe we have three right now in the intake stage—or being worked on by SWI. Stephen will send me the case numbers as soon as he has them for us to be aware in order to assist our staff with these cases.
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Director of Investigation and Alternative Response
512-438-3357
marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:46 PM
To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion

fyi
Stephen Black
512-960-9352

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

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EXHIBIT U

From:	Peterson,Nicole (DFPS)
To:	Baker,Tonya (DFPS); Brunson,Bethany A (DFPS); Estrada,Sara (DFPS); Harry,Jessica (DFPS); Johnson,Melinda (DFPS); Woods,Dana (DFPS)
Subject:	Fwd: Attorney General Opinion
Date:	Thursday, February 24, 2022 10:29:33 AM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf image001.png

---

From: Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>
Sent: Thursday, February 24, 2022 10:28:15 AM
To: Liles,Lou R (DFPS) <Lou.Liles@dfps.texas.gov>; Peterson,Nicole (DFPS) <Nicole.Peterson@dfps.texas.gov>; Kelly,Eurika (DPFS) <Eurika.Kelly@dfps.texas.gov>; Walton,Michelle (DFPS) <Jerri.Walton@dfps.texas.gov>; Prewitt,Amanda R. (DFPS) <Amanda.Prewitt@dfps.texas.gov>; Chesnut,Andrew (DFPS) <Andrew.Chesnut@dfps.texas.gov>; Boshuizen,Steven (DFPS) <Steven.Boshuizen@dfps.texas.gov>; Claude,Jennifer L (DFPS) <Jennifer.Claude@dfps.texas.gov>; Phillips,Deirdre (DFPS) <Deirdre.Phillips@dfps.texas.gov>
Subject: Attorney General Opinion

Leaders,
I need to know immediately if we receive a case that meets the criteria as describe in the above attachments. The RD, PA, PD, Supervisor and worker will staff prior to initiation. We need to ensure our high performing workers are assigned these cases because there will be a lot of eyes on them.
Thanks,

Texas Department of
Family and Protective Services

Keith D. Gailes

CPI Regional Director, Regions 4/5
3103 Summerhill Road
Texarkana, Texas 75503
(903) 791-3304 Office
(903) 791-3262 Fax
"Every Case Matters."

EXHIBIT V

From: Santiago,Shaun (DFPS)
To: Adams,Stefanie (DFPS)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:27:24 AM
Attachments: AG Ken Paxton"s Legal Opinion.pdf
Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf

Stefanie

Whats your take on this? Can we be forced to do this? This is an infringement on civil liberties and as part of the community I refuse to punish those that are part of the community simply because they are trans. We have trans workers here at DFPS, what kind of message are we sending to them?

From: Polk,Marilyn D (DFPS) <Marilyn.Polk@dfps.texas.gov>
Sent: Thursday, February 24, 2022 9:05 AM
To: Bluford,Jamilla K (DFPS) <Jamilla.Bluford@dfps.texas.gov>; Douglas,Diepriye (DFPS) <Diepriye.Douglas@dfps.texas.gov>; Hammon,Stephanie A (DFPS) <Stephanie.Hammon@dfps.texas.gov>; Santiago,Shaun (DFPS) <Shaun.Santiago@dfps.texas.gov>; Vidrine,Lineshia (DFPS) <Lineshia.Vidrine@dfps.texas.gov>
Cc: Polk,Marilyn D (DFPS) <Marilyn.Polk@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Good Morning Team Polk,
Please review and let me know if you have any questions.

Thank You
Marilyn Polk, M.A
CPI Division
Houston, TX 77054
Office (713) 394-4060
Cell (713) 269-4545

From: Sanders,Monica L (DFPS)
Sent: Thursday, February 24, 2022 8:42 AM
To: Polk,Marilyn D (DFPS) <Marilyn.Polk@dfps.texas.gov>; Garrett,Kendrick L (DFPS) <Kendrick.Garrett@dfps.texas.gov>
Cc: Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>
Subject: FW: Attorney General Opinion

PLEASE explain to the PDs that they must notify PA/RD if their program receives an assignment from SWI on these.

Immediately.

We must treat these as normal investigations. I will discuss this at Tuesday's BB meeting.

From: Sanders,Monica L (DFPS)
Sent: Thursday, February 24, 2022 8:05 AM
To: Polk,Marilyn D (DFPS) <Marilyn.Polk@dfps.texas.gov>; Garrett,Kendrick L (DFPS) <Kendrick.Garrett@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Please try to get through this and share and process with the PDs.

From: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
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To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>; Gailes,Keith D (DFPS) <Keith.Gailes@dfps.texas.gov>; Wharton,Jarita N (DFPS) <Jarita.Wharton@dfps.texas.gov>; Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>; Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>
Subject: FW: Attorney General Opinion

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Thanks,
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Director of Investigation and Alternative Response
512-438-3357
marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:46 PM
To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion

fyi
Stephen Black
512-960-9352

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

EXHIBIT W

From:	Santiago,Shaun (DFPS)
To:	Aguirre, Francie (CAO)
Subject:	FW: Abbot/Paxton Opinion
Date:	Thursday, February 24, 2022 10:15:00 AM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf image001.png

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Francie
What is going to be HCAO stance when this makes it to your office? I have told my boss I will resign before I RTB on a family whose child is transitioning

From: Santiago,Shaun (DFPS)
Sent: Thursday, February 24, 2022 10:09 AM
To: Shaunbroughton74@aol.com
Subject: Abbot/Paxton Opinion

Shaun Santiago
CPI/Alternative Response Program Director
2525 Murworth Drive
Houston TX 77054
Cell: 713-876-5394
Shaun.santiago@dfps.texas.gov

Texas Department of
Family and Protective Services
Child Protective Investigations

EXHIBIT X

From:	Santiago,Shaun (DFPS)
To:	Rushing,Rachel C (DFPS); Rangel,Rey (DFPS)
Subject:	FW: Attorney General Opinion
Date:	Thursday, February 24, 2022 9:32:26 AM
Attachments:	AG Ken Paxton"s Legal Opinion.pdf Gov Greg Abbott"s letter to DFPS Commissioner Masters.pdf

---

I will resign

From: Polk,Marilyn D (DFPS) <Marilyn.Polk@dfps.texas.gov>
Sent: Thursday, February 24, 2022 9:05 AM
To: Bluford,Jamilla K (DFPS) <Jamilla.Bluford@dfps.texas.gov>; Douglas,Diepriye (DFPS) <Diepriye.Douglas@dfps.texas.gov>; Hammon,Stephanie A (DFPS) <Stephanie.Hammon@dfps.texas.gov>; Santiago,Shaun (DFPS) <Shaun.Santiago@dfps.texas.gov>; Vidrine,Lineshia (DFPS) <Lineshia.Vidrine@dfps.texas.gov>
Cc: Polk,Marilyn D (DFPS) <Marilyn.Polk@dfps.texas.gov>
Subject: FW: Attorney General Opinion

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Guyton,Lisa M (DFPS) <Lisa.Guyton@dfps.texas.gov>; Cunningham,Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>; Baquero,Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>; Yzaguirre,Marina C (DFPS) <Marina.Yzaguirre@dfps.texas.gov>

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Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)

Sent: Wednesday, February 23, 2022 3:46 PM

To: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>

Subject: FW: Attorney General Opinion

fyi

Stephen Black

512-960-9352

From: Black,Stephen D (DFPS)

Sent: Wednesday, February 23, 2022 3:31 PM

To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>

Subject: Attorney General Opinion

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SWI Associate Commissioner

512-960-9352

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Cristi Maxwell on behalf of Catherine Robb
Bar No. 24007924
cristi.maxwell@haynesboone.com
Envelope ID: 70568501
Status as of 11/30/2022 1:51 PM CST

Associated Case Party: American Professional Society on the Abuse of Children and Eight Child Advocacy Organizations

Name	BarNumber	Email	TimestampSubmitted	Status
Greg R.Wehrer		greg.wehrer@squirepb.com	11/30/2022 1:29:38 PM	SENT

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Laura LeePrather		laura.prather@haynesboone.com	11/30/2022 1:29:38 PM	SENT
Cristi LMaxwell		cristi.maxwell@haynesboone.com	11/30/2022 1:29:38 PM	SENT
Paul Castillo	24049461	pcastillo@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Madeleine Dwertman	24092371	maddy.dwertman@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Karlene Dunn Poll	24027297	Karlene@slatelaw.com	11/30/2022 1:29:38 PM	SENT
Derek Raymond McDonald	786101	derek.mcdonald@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Shelly L. Skeen	24010511	slskeen@gmail.com	11/30/2022 1:29:38 PM	SENT
David Goode	24106014	david.goode@usdoj.gov	11/30/2022 1:29:38 PM	SENT
Meredith Parekh	24075953	mparekh@drtx.org	11/30/2022 1:29:38 PM	SENT
Catherine Robb		Catherine.robb@haynesboone.com	11/30/2022 1:29:38 PM	SENT
Andre Segura	24107112	asegura@aclutx.org	11/30/2022 1:29:38 PM	SENT
Holt Lackey		hlackey@equalrights.law	11/30/2022 1:29:38 PM	SENT
Brian Klosterboer	24107833	bklosterboer@aclutx.org	11/30/2022 1:29:38 PM	SENT
Ellwanger Law		docketing@equalrights.law	11/30/2022 1:29:38 PM	SENT
Maria Williamson		maria.williamson@oag.texas.gov	11/30/2022 1:29:38 PM	SENT
Savannah Kumar	24120098	skumar@aclutx.org	11/30/2022 1:29:38 PM	SENT
Brandt Roessler	24127923	brandt.roessler@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Currey Cook		ccook@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Camilla Taylor		ctaylor@lambdalegal.org	11/30/2022 1:29:38 PM	SENT

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Cristi Maxwell on behalf of Catherine Robb
Bar No. 24007924
cristi.maxwell@haynesboone.com
Envelope ID: 70568501
Status as of 11/30/2022 1:51 PM CST

Case Contacts

Carey Wallick		carey.wallick@haynesboone.com	11/30/2022 1:29:38 PM	SENT
Ryan Kercher		ryan.kercher@oag.texas.gov	11/30/2022 1:29:38 PM	SENT
Chase Strangio		cstrangio@aclu.org	11/30/2022 1:29:38 PM	SENT
James Esseks		jesseks@aclu.org	11/30/2022 1:29:38 PM	SENT
Shelly Skeen		sskeen@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Greg Wehrer		Greg.Wehrer@squirepb.com	11/30/2022 1:29:38 PM	SENT
Rafael Langer-Osuna		rafael.langerosuna@squirepb.com	11/30/2022 1:29:38 PM	SENT
Kath Xu		kxu@aclu.org	11/30/2022 1:29:38 PM	ERROR
Mary KellyPersyn		marykelly@persynlaw.com	11/30/2022 1:29:38 PM	SENT
Karen Loewy		kloewy@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Ana Saldana		asaldana@reedsmith.com	11/30/2022 1:29:38 PM	SENT
Craig MFinger		cfinger@bhfs.com	11/30/2022 1:29:38 PM	SENT
Martha LFitzgerald		mfitzgerald@bhfs.com	11/30/2022 1:29:38 PM	SENT
Amalia YSax-Bolder		asax-bolder@bhfs.com	11/30/2022 1:29:38 PM	SENT
David Brown		DBrown@transgenderlegal.org	11/30/2022 1:29:38 PM	SENT
Jean Strout		jstrout@youthlaw.com	11/30/2022 1:29:38 PM	SENT
Brenda StarAdams		badams@youthlaw.org	11/30/2022 1:29:38 PM	SENT

Associated Case Party: Jane Doe

Name	BarNumber	Email	TimestampSubmitted	Status
Susan Kennedy	24051663	susan.kennedy@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Nischay Bhan	24105468	Nischay.bhan@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
John Ormiston	24121040	john.ormiston@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Christine Choi		cchoi@aclu.org	11/30/2022 1:29:38 PM	SENT

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Envelope ID: 70568501
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Associated Case Party: Jane Doe

Carolina Caicedo		ccaicedo@aclu.org	11/30/2022 1:29:38 PM	SENT
Parul Aggarwal		Parul.aggarwal@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Maia Zelkind		mzelkind@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Anjana Samant		asamant@aclu.org	11/30/2022 1:29:38 PM	SENT
Raylynn Howell		Raylynn.Howell@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Stacy Benson		Stacey.Benson@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Brian Klosterboer		bklosterboer@aclutx.org	11/30/2022 1:29:38 PM	SENT
Maddy Dwertman		maddy.dwertman@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Currey Cook		ccook@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Camilla Taylor		ctaylor@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Chase Strangio		cstrangio@aclu.org	11/30/2022 1:29:38 PM	SENT
James Esseks		jesseks@aclu.org	11/30/2022 1:29:38 PM	SENT
Savannah Kumar		skumar@aclutx.org	11/30/2022 1:29:38 PM	SENT
Andre Segura		asegura@aclutx.org	11/30/2022 1:29:38 PM	SENT
Brandt Roessler		brandt.roessler@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Derek McDonald		derek.mcdonald@bakerbotts.com	11/30/2022 1:29:38 PM	SENT
Omar Gonzalez-Pagan		ogonzalez-pagan@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Michele Clanton-Lockhart		mclanton@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Paul Castillo		pcastillo@lambdalegal.org	11/30/2022 1:29:38 PM	SENT
Shelly Skeen		slskeen@gmail.com	11/30/2022 1:29:38 PM	SENT
Shelly L.Skeen		ssskeen@lambdalegal.org	11/30/2022 1:29:38 PM	ERROR
Nicholas Guillory		nguillory@lambdalegal.org	11/30/2022 1:29:38 PM	ERROR
Sharon McGowen		smcgowan@lambdalegal.org	11/30/2022 1:29:38 PM	ERROR
Stephen Paul		spaul@lambdalegal.org	11/30/2022 1:29:38 PM	ERROR
Kath Xu		kxu@aclu.org	11/30/2022 1:29:38 PM	ERROR

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Cristi Maxwell on behalf of Catherine Robb
Bar No. 24007924
cristi.maxwell@haynesboone.com
Envelope ID: 70568501
Status as of 11/30/2022 1:51 PM CST

Associated Case Party: Jane Doe

David Goode		david.goode@bakerbotts.com	11/30/2022 1:29:38 PM	ERROR

Associated Case Party: Greg Abbott

Name	BarNumber	Email	TimestampSubmitted	Status
Judd Stone	24076720	judd.stone@oag.texas.gov	11/30/2022 1:29:38 PM	SENT
Natalie Thompson	24088529	natalie.thompson@oag.texas.gov	11/30/2022 1:29:38 PM	SENT
Ryan Kercher		ryan.kercher@oag.texas.gov	11/30/2022 1:29:38 PM	SENT
Courtney Corbello		courtney.corbello@oag.texas.gov	11/30/2022 1:29:38 PM	SENT

Associated Case Party: RoyL.Austin

Name	BarNumber	Email	TimestampSubmitted	Status
Alan York		ayork@reedsmith.com	11/30/2022 1:29:38 PM	SENT

Associated Case Party: RoyLAustin

Name	BarNumber	Email	TimestampSubmitted	Status
Alan York		ayork@reedsmith.com	11/30/2022 1:29:38 PM	SENT
Alan York		ayork@reedsmith.com	11/30/2022 1:29:38 PM	SENT

Associated Case Party: Transgender Education Network of Texas

Name	BarNumber	Email	TimestampSubmitted	Status
J. Richard Hammett	24001054	jrichard.hammett@bakermckenzie.com	11/30/2022 1:29:38 PM	SENT
M'Alyssa Mecenas		Malyssa.Mecenas@bakermckenzie.com	11/30/2022 1:29:38 PM	SENT

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Cristi Maxwell on behalf of Catherine Robb
Bar No. 24007924
cristi.maxwell@haynesboone.com
Envelope ID: 70568501
Status as of 11/30/2022 1:51 PM CST

Associated Case Party: Transgender Education Network of Texas

Karen Wagner		karen.wagner@bakermckenzie.com	11/30/2022 1:29:38 PM	SENT

Associated Case Party: Ronald Beal

Name	BarNumber	Email	TimestampSubmitted	Status
Ronald Beal		ron_beal@baylor.edu	11/30/2022 1:29:38 PM	SENT

Associated Case Party: Texas Medical Association

Name	BarNumber	Email	TimestampSubmitted	Status
Kelly Walla		kelly.walla@texmed.org	11/30/2022 1:29:38 PM	SENT
Eamon Reilly		eamon.reilly@texmed.org	11/30/2022 1:29:38 PM	SENT
Eamon Reilly		eamon.reilly@texmed.org	11/30/2022 1:29:38 PM	SENT
Kelly Walla		kelly.walla@texmed.org	11/30/2022 1:29:38 PM	SENT