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,
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”

O. “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
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.

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

⁵ Tex. Code § 552.267(a).
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.


Sincerely,

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

To monitor the progress or update this request please log into the Public Records Center

GovQA logo
Earlier today the Governor tweeted this:

Texas Attorney General: “There is no doubt" that gender transition of minors is ‘child abuse’ under Texas law.

The Texas Dept. of Family & Protective Services will enforce this ruling and investigate & refer for prosecution any such abuse.

dallasnews.com/news/politics/

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

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Lauren McGaughy
Investigative Reporter
The Dallas Morning News
Mobile: 512-423-6024
Google Voice: 512-436-3641
She/Her
EXHIBIT D
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.
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
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>
If you receive any of these intakes I need to know immediately. Please share with all of your supervisors.

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
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
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 Kyndall 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

FYI –
Essentially the Governor wants reporters (professional and personnel) to report any parents that are encouraging/allowing/involving 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
-E-mail: Amanda.Prewitt@dfps.texas.gov

If you receive any of these intakes I need to know immediately. Please share with all of your supervisors

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

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)
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

f.y.i

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
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
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

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.

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Sent: Wednesday, February 23, 2022 4:18 PM
To: Liles, Lou R (DFPS)

Subject: Fwd: Attorney General Opinion

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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>; Sutton, Toni (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.

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Marta

Marta Talbert
Director of Investigation and Alternative Response
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
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)

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
Hello SWI,
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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
EXHIBIT K
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

The material in this e-mail is intended only for the use of the individual to whom it is addressed and may contain information that is confidential, privileged, and exempt from disclosure under applicable law. If you are not the intended recipient, be advised that the unauthorized review, use, disclosure, duplication, distribution, or the taking of any action in reliance on this information is strictly prohibited. Any review, retransmission, dissemination or other use of, or taking of any action by persons or entities other than the intended recipient will be considered a violation of confidentiality and legal action may be taken. If you have received this e-mail in error, please notify the sender by return email, delete and/or destroy all electronic and paper copies of the original message and any attachments immediately. Please note that neither the Texas Department of Family and Protective Services nor the sender accepts any responsibility for viruses and it is your responsibility to scan attachments (if any). Thank You.
EXHIBIT L
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

LES

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

-----

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

-----

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)
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

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

---

**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.Wharnton@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>
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

---

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

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
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
martata@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.

TX-DFPS-22-0329-A-000152
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
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 assigned 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

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>
      <Cruz,Elizabeth (Laredo) (DFPS) <Elizabeth.Cruz@dfps.texas.gov>>; Rodriguez,Joycelyn (DFPS) <Joycelyn.Rodriguez3@dfps.texas.gov>
      <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)
      <Kirsty.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

CONFIDENTIALITY NOTICE: This message and all attachments are confidential and may be protected by the attorney-client or other privileges. Any review, use, disclosure, or distribution by persons other than the intended recipient is prohibited and may be unlawful. If you believe this message has been sent to you in error, please notify the sender and delete this message and copy of it (in any form) without disclosing it. Unless expressly stated in this e-mail, nothing in this message should be construed as a digital or electronic signature.
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>; Vela, Robert J (DFPS) <Robert.Vela@dfps.texas.gov>; Barrera, Denise S (DFPS) <Denise.Barrera@dfps.texas.gov>; Phillips, Kathleen V (DFPS) <Kathleen.Philips@dfps.texas.gov>  
Cc: Talbert, Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>; 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>; Sutton, Tonyi (DFPS) <tonyi.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>  
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

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>; Sutton, Tonyi (DFPS) <tonyi.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>  
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
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)
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>; Martirez,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>; Gonzales,Marissa L (DFPS) <Marissa.Gonzales@dfps.texas.gov>; Talbert,Marta L (DFPS) <Marta.Talbert@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
Director of Communications
Texas Department of Family and Protective Services
(512) 929-6727 office
(512) 787-5090 cell
EXHIBIT Q
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
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
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
Hello SWI,

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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.
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

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 they need to be reminded that they work for the State. Please tell them to be careful what they post on social media regarding this too. The Department has a social media policy that all employees must adhere to. I’m also trying to get more info from Alyson about the legal ramifications, I will let you al know what she says.

Time Item Owner
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**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

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
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>; Sands,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 <dlfpsswiaust0193@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
NOTICE: There has been a change to my email address. Effective immediately, my new email address is: Marta.Talbert@dfps.texas.gov.
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

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f.y.i
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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 (DFPS) <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,

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

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Stephen Black
SWI Associate Commissioner
512-960-9352
EXHIBIT W
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)
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
EXHIBIT X
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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Thank You
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CPI Division
Houston, TX 77054
Office (713) 394-4060
Cell (713) 269-4545

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Sent: Thursday, February 24, 2022 8:42 AM

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Subject: FW: Attorney General Opinion

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512-438-3357
martataльнert@dfps.texas.gov

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SWI Associate Commissioner
512-960-9352
Automated Certificate of eService

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Jordan Kadjar on behalf of Kennon Wooten
Bar No. 24046624
jkadjar@scottdoug.com
Envelope ID: 74758832
Filing Code Description: Other Brief
Filing Description: BRIEF OF AMICUS CURIAE AMERICAN OVERSIGHT
Status as of 4/18/2023 3:48 PM CST

Associated Case Party: PFLAG, Inc.

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<td>Derek McDonald</td>
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<td><a href="mailto:derek.mcdonald@bakerbotts.com">derek.mcdonald@bakerbotts.com</a></td>
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<td>Madeleine Dwertman</td>
<td>24092371</td>
<td><a href="mailto:maddy.dwertman@bakerbotts.com">maddy.dwertman@bakerbotts.com</a></td>
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<td>David Goode</td>
<td>24106014</td>
<td><a href="mailto:david.goode@usdoj.gov">david.goode@usdoj.gov</a></td>
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<td>Brandt Roessler</td>
<td>24127923</td>
<td><a href="mailto:brandt.roessler@bakerbotts.com">brandt.roessler@bakerbotts.com</a></td>
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<td>Karen Loewy</td>
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<td><a href="mailto:kloewy@lambdalegal.org">kloewy@lambdalegal.org</a></td>
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<td>Savannah Kumar</td>
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<td><a href="mailto:skumar@aclutx.org">skumar@aclutx.org</a></td>
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<td>Carolina Caicedo</td>
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<td><a href="mailto:ccaicedo@aclu.org">ccaicedo@aclu.org</a></td>
<td>4/18/2023 12:43:34 PM</td>
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<td>Michele Clanton-Lockhart</td>
<td></td>
<td><a href="mailto:mclanton@lambdalegal.org">mclanton@lambdalegal.org</a></td>
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<td>Paul Castillo</td>
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<td>24107833</td>
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<td>Nischay Bhan</td>
<td>24105468</td>
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<td>Andre Segura</td>
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<td>Currey Cook</td>
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<td>Maddy Dwertman</td>
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<td>24121040</td>
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<td>Susan Kennedy</td>
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<td>Johnathan Stone</td>
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<td>Meredith Parekh</td>
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<td><a href="mailto:mparekh@drtx.org">mparekh@drtx.org</a></td>
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<td>Thomas Ray</td>
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<td>Maddy Dwertman</td>
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<td><a href="mailto:Maddy.dwertman@bakerbotts.com">Maddy.dwertman@bakerbotts.com</a></td>
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<td>Shelly Skeen</td>
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<td><a href="mailto:sskeen@lambdalegal.org">sskeen@lambdalegal.org</a></td>
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<td>Nicholas Guillory</td>
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Jordan Kadjar on behalf of Kennon Wooten
Bar No. 24046624
jkadjar@scottdoug.com
Envelope ID: 74758832
Filing Code Description: Other Brief
Filing Description: BRIEF OF AMICUS CURIAE AMERICAN OVERSIGHT
Status as of 4/18/2023 3:48 PM CST

Case Contacts

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<tr>
<th>Name</th>
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<tr>
<td>Omar Gonzalez-Pagan</td>
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<td>Camilla Taylor</td>
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<td>Alan York</td>
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<td>Christine Choi</td>
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<td>Kennon L.Wooten</td>
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Associated Case Party: Transgender Education Network of Texas

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<td>J. Richard Hammett</td>
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<td><a href="mailto:jrichard.hammett@bakermckenzie.com">jrichard.hammett@bakermckenzie.com</a></td>
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Associated Case Party: Greg Abbott

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