

From: [Chris Craft](#)
To: [Craft, Christopher M \(DFPS\)](#)
Date: Tuesday, March 1, 2022 4:05:09 PM
Attachments: [petition - doe v. abbott - final 1 2.pdf](#)

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https://www.lambdalegal.org/sites/default/files/legal-docs/downloads/petition_-_doe_v._abbott_-_final_1_2.pdf

Cordially,

Chris Craft

From: [Chavez,Robin \(DFPS\)](#)
To: [Chavez,Robin \(DFPS\)](#)
Date: Tuesday, March 1, 2022 1:42:53 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

From: [Sanchez,Christina \(DFPS\)](#)
To: amyrosetejada@gmail.com
Date: Saturday, February 26, 2022 6:28:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)

From: [Marisa Stubbs](#)
To: [Stubbs,Marisa K \(DFPS\)](#)
Date: Friday, February 25, 2022 1:56:04 PM
Attachments: [PDF document.pdf](#)
[abbott-letter-to-masters.pdf](#)

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<https://s3.documentcloud.org/documents/21272649/abbott-letter-to-masters.pdf>

Marisa Stubbs

From: [Florey, Dawn K \(DFPS\)](#)
To: [Lazalde, Reyna \(DFPS Contractor\)](#)
Date: Wednesday, February 23, 2022 9:58:21 PM
Attachments: [Attorney General Opinion How Gender Reassignment is Child Abuse.pdf](#)

Just for you to read and maybe fill out the log. Tracy found it I'm just sharing with you for tomorrow

From: [Nava, Tracy L \(DFPS Contractor\)](#)
To: [Lazalde, Reyna \(DFPS Contractor\)](#)
Date: Wednesday, February 23, 2022 7:55:59 PM
Attachments: [Attorney General Opinion How Gender Reassignment is Child Abuse.pdf](#)

Here you go...

Best Regards,

Tracy Nava
S.A.V.E. Intern
817-548-4528
<https://www.cptctx.org/save>

From: [Howard, Shakia \(DFPS\)](#)
To: [Harris, Tara S \(DFPS\)](#)
Date: Wednesday, February 23, 2022 11:48:01 AM
Attachments: [O-MastersJaime202202221358.pdf](#)

Thank you,
Shakia S. Howard
CVS Specialist II, Unit D4
Brittany Moorning, Supervisor
8700 N. Stemmons Fwy
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(512) 276-3246 (Fax)

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

From: [Phillips,Kathleen V \(DFPS\)](#)
To: [Adams,Stefanie \(DFPS\)](#); [Anderson,Regina \(DFPS\)](#); [Arriaga,Dennis \(DFPS\)](#); [Britt,Dewey D \(DFPS\)](#); [Cordray,Glenna \(DFPS\)](#); [Kinsler,Brenda L \(DFPS\)](#); [Palmquist,Laura R \(DFPS\)](#); [Surratt,Michele L \(DFPS\)](#); [Tai,Eric T. \(DFPS\)](#); [Valdez,Lucinda \(DFPS\)](#)
Subject: letter
Date: Wednesday, February 23, 2022 10:31:00 AM
Attachments: [O-MastersJaime202202221358.pdf](#)

fyi

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From: [Walker, Mary \(DFPS\)](#)
To: [Walker, Mary \(DFPS\)](#)
Subject: News Clips3/1/22
Date: Tuesday, March 1, 2022 10:20:00 AM

STAR-TELEGRAM

Paxton legal opinion on transgender youth uses misleading citations, 'shocking' parallels

<https://www.star-telegram.com/news/politics-government/state-politics/article258890593.html>

Paxton legal opinion on transgender youth uses misleading citations, 'shocking' parallels

BY EMILY BRINDLEY

UPDATED MARCH 01, 2022 9:08 AM

The Texas attorney general's recent legal opinion that called transgender health care for minors "child abuse" cited sources in a misleading way and drew parallels that researchers say simply do not exist, according to an analysis by the Star-Telegram.

Attorney General Ken Paxton issued a legal opinion on Feb. 18, saying that certain types of gender-affirming health care, including puberty blockers and surgery, should be classified as child abuse when used for minors. Several days later, Gov. Greg Abbott issued a letter directing state agencies to investigate transgender health care for youth as abuse.

Gender-affirming care can include a host of services, from counseling sessions to surgery. However, surgeries are rare for minors, and medical experts already recommend that such surgeries be delayed until after a transgender person turns 18.

In his non-binding opinion, Paxton cites a number of sources, including research articles, to bolster his argument. Researchers say some of these citations were inaccurate.

One researcher said Paxton distorted her work for political purposes and that she's "mortified" her research was included in the opinion.

Alexandra Minna Stern, a professor of history at the University of Michigan, studies the history of forced sterilization in the United States. Paxton's office drew a parallel between forced sterilization and gender affirmation surgeries

for minors.

“I’m adamantly opposed to this interpretation and it does not align with my research and the conclusions of my research,” she said. “If they knew anything about my scholarship more generally, they would know that I am someone whose research demonstrates the harm of the very types of policies they’re trying to enact on marginalized people.”

The attorney general’s office did not return requests for comment.

Paxton faces three Republican challengers in Tuesday’s primary: Texas Land Commissioner George P. Bush, U.S. Rep. Louie Gohmert and former Texas Supreme Court Justice Eva Guzman.

MISLEADING CITATIONS

In his opinion, Paxton cited the work of Dr. Cecilia Dhejne, a Stockholm-based researcher, to support the idea that gender-affirming health care could be harmful to transgender children.

Dhejne led a 2011 study that found that transgender people who have undergone gender-affirmation surgery have worse mental health outcomes than the general population.

Dhejne did not respond to a request for comment. However, in the text of the 2011 study, Dhejne and her team caution specifically against using the study to conclude that gender-affirming surgery is problematic, noting that the study did not compare the mental health outcomes of people before and after gender-affirming surgery.

The study’s “results should not be interpreted such as sex reassignment per se increases morbidity and mortality. Things might have been even worse without sex reassignment,” the study says.

Dhejne and her colleagues wrote instead that the study shows a need for better support for transgender people after they undergo surgery.

Paxton also asserts that there has been a recent “spike” in minors receiving gender-affirming “procedures.” He cited the Society for Evidence Based Gender Medicine, an anti-trans advocacy group.

The link in Paxton’s citation leads to a graph showing an increase in youth referrals to the United Kingdom’s Gender Identity Development Service. That national clinic provides a range of care, including counseling; the number of clinic referrals is not necessarily the number of medical interventions like the legal opinion implies.

Similarly, Paxton’s opinion cited the World Professional Association for Transgender Health and said that transgender people should typically be adults before receiving the listed types of gender-affirming care.

In a statement to the Star-Telegram, WPATH said that Paxton applied the citation too broadly. While WPATH does state in its standards of care that genital surgery should typically wait until a transgender person reaches the age of majority, Paxton’s opinion applied that standard to less-invasive interventions, too, including puberty blockers.

“It’s disheartening to see the Texas Attorney General’s opinion referencing WPATH to bolster an overall argument completely at odds with WPATH guidance,” the organization said in a written statement. “The citation is accurate but does not apply here because the AG’s opinion is arguing against reversible blockers while the cited WPATH content relates to gender affirming surgery.”

The legal opinion also includes a list of potential health risks associated with gender-affirming health care. The source for that list, however, is not a research study but a slide presentation made by LGBTQ advocacy organization Fenway Health.

Like nearly all health care, surgical and hormonal interventions are associated with some risks; however, the attorney general’s legal opinion appears to inflate some of the risks listed in the Fenway Health source material. Paxton’s list includes “hepatotoxicity,” which is liver disease, and does not mention that the Fenway presentation includes a question mark after that potential risk. The attorney general’s list of risks also includes “serious mental health effects,” while the Fenway presentation simply says “mental health effects.” The legal opinion names no other sources for its list of potential harms.

Fenway Health did not reply to a request for comment, but has posted on social media opposing Abbott and Paxton’s stances, with Fenway’s Dr. Alex Keuroghlian saying the stances are “entirely divorced from medical evidence, consensus and mainstream practice.”

QUESTIONABLE PARALLELS

Stern, the University of Michigan professor, said she didn’t know that her work had been cited in Paxton’s opinion until the Star-Telegram reached out to her. She said she’d never seen her work on forced sterilization used in the way that Paxton’s legal opinion used it: to argue against transgender health care for

youth.

“They didn’t really read the article closely, which is all about the horrors of state reproductive abuse, mainly in institutions. This is not about choices being made with parents and doctors in the child’s best interest, so they’re really twisting it,” Stern said.

But that’s not the only section of the legal opinion that has experts scratching their heads.

Paxton’s legal opinion also draws parallels between health care for trans youth and the opioid epidemic and factitious disorder imposed on another.

To loop opioids into the conversation, the attorney general essentially argues that there are times when health systems may recommend an intervention that is ultimately harmful to patients.

“There is always the potential for novel medical determinations to promote purported remedies that may not improve patient outcomes and can even result in tragic harms. The same potential for harm exists for minors who have engaged in the type of procedures or treatments above,” the opinion says.

Jaclyn Hughto, a research professor at Brown University who is not cited in the legal opinion itself, said it was “quite shocking” to see the attorney general draw a parallel between the opioid epidemic and gender-affirming health care.

“It absolutely felt like the intention was to create fear in the general population,” Hughto said. “The opioid epidemic is greatly impacting people today and by drawing a parallel, or trying to draw a parallel, it seems like it’s intended to make people think that providing gender-affirming care to transgender youth is going to result in all these unintended consequences.”

Hughto, whose research focuses on the health of sexual and gender minorities and people living with substance use disorders, said there are several key differences between opioids and gender-affirming care. Most notably, she said, the opioid epidemic was spurred by profit-making pharmaceutical companies that were uninterested in scientific studies. On the flip side, Hughto said, gender-affirming care is sought by parents and medical professionals with the backing of research studies.

“When you actually break down the argument, it very much falls apart,” Hughto said.

In the case of factitious disorder imposed on another — a relatively rare occurrence, previously known as Munchausen syndrome by proxy, in which

caregivers seek unnecessary and harmful medical treatment for a dependent — the attorney general argues there is a similarity to gender-affirming care because both involve the “imposition of unnecessary medical procedures upon children.”

Brenda Bursch, a psychologist and professor at UCLA whose specialties include illness falsification, said in an email that the parallel doesn’t track. Factitious disorder imposed on another is harmful to the child, Bursch said, while research has shown that gender-affirming care helps to improve a transgender child’s mental health.

“While any child can be the victim of any type of child abuse, appropriately seeking gender-affirming care is protective, not harmful,” she said.

The state Department of Family and Protective Services, whose material was cited as the reference for the attorney general’s analogy to factitious disorder imposed by another, declined to comment on the use of its material in the opinion. Department spokesperson Marissa Gonzalez said only that the department “will comply with Texas law as described in the opinion and the Governor’s directive.”

The DFPS’ cited material does not compare factitious disorder to transgender health care.

THE BACKDROP

Paxton’s legal opinion didn’t come out of nowhere.

In August 2021, the office of Abbott asked the state Department of Family and Protective Services to decide whether “reassignment surgery” for transgender youth constitutes child abuse. Several days later, DFPS issued a letter that classified gender-affirming surgery as “genital mutilation” and child abuse. In response to DFPS’ letter, state Rep. Matt Krause — a Republican from Fort Worth who had previously advanced anti-transgender legislation and who is now running for Tarrant County district attorney — requested in late August that the attorney general’s office provide clarification on whether other forms of gender-affirming care also count as child abuse.

Paxton’s office took several months to respond to Krause, issuing a legal opinion on Feb. 18. His opinion, which does not change state law, contends that other types of transgender health care for minors also constitute child abuse. Paxton’s legal opinion specifically states that prescribing puberty-blocking drugs to minors is child abuse, as is gender-affirming surgery.

Several days later, Abbott issued a letter in support of Paxton’s opinion. The governor also directed the DFPS to investigate any claims of such health care as abuse, and wrote that there could be “criminal penalties” for teachers, nurses and doctors who don’t report. It’s unclear whether such penalties would actually be enforced.

Both Abbott and Paxton framed the move as an effort to protect children, similar to the framing used several months ago when the Texas Legislature passed a bill banning transgender students from participating in sports teams that align with their gender identity.

Over the last week, critics have rejected that framing: more than 30,000 people have signed a petition against the letter and opinion; five Texas district attorneys issued a joint statement decrying the “cruel directives”; the American Civil Liberties Union called the directives, and similar actions in other states, part of “a nationwide crisis of politicians using their power to attack trans kids”; and a White House spokesperson denounced the decisions.

KSTX TEXAS PUBLIC RADIO

Texas leaders direct state agencies to investigate gender-affirming care for transgender youth as ‘child abuse’

[Texas leaders direct state agencies to investigate gender-affirming care for transgender youth as ‘child abuse’ | TPR](#)

TUESDAY on "The Source" — Texas GOP leaders continue to target and create barriers for transgender youth, most recently by threatening criminal penalties for parents, teachers and doctors who allow or fail to report gender-affirming care for kids as “child abuse.”

Last week, Texas Attorney General Ken Paxton released [a new legal interpretation](#) asserting that under state law, certain types of medical care for trans youth such as hormone therapy treatments and puberty blockers

can constitute child abuse.

The legal opinion was then reinforced by a [directive from Gov. Greg Abbott](#) that state agencies – including the Department of Family and Protective Services, the Health and Human Services Commission, the Texas Medical Board and the Texas Education Agency – should investigate certain medical treatments for transgender children as abuse.

Abbott said Texas law imposes reporting requirements on all licensed professionals who have direct contact with children and that state agencies [are required](#) to conduct “a prompt and thorough investigation of any reported instances of these abusive procedures in the State of Texas.”

Last [legislative session](#), state lawmakers failed to pass a [bill](#) which also classified gender-affirming health care as child abuse.

The nation’s and state’s top medical groups remain opposed to the classification of gender-affirming care as abuse, and continue to urge leaders and lawmakers not to target children’s access to such treatments.

They say evidence-backed options are [safe and critical to the mental health](#) of transgender and gender-diverse kids, and that state leaders’ actions last week “[directly threaten the health and well-being of transgender youth](#).”

Transgender [advocates](#) say Abbott and Paxton are using transgender kids as pawns for political gain as they both run for reelection.

Nearly [14,000 Texans](#) between the ages 13 and 17 self-identified as transgender in 2017.

What do these developments mean for the future of transgender children in Texas, and their doctors, teachers and parents?

Guests:

[Marin Wolf](#), health care reporter for the Dallas Morning News

[Andrea Segovia](#), senior field and policy strategist for the Transgender Education Network of Texas

[Joe Gonzales](#), Bexar County District Attorney

[Shavik Kumar, MD](#), family physician and Texas State Lead for the Committee to Protect Health Care

**This interview will be recorded on Tuesday, March 1.*

KERA RADIO

Texas families and advocates worry over gender-affirming care for trans kids

[Texas families and advocates worry over gender-affirming care for trans kids | TPR](#)

KERA | By Sara Willa Ernst/ Elena Rivera | KERA

Published February 28, 2022 at 6:34 PM CST

Pilar Hernandez was hoping the nightmare for her family was over.

For months last year, transgender advocates in Texas fought a group of bills in the Legislature seeking to ban transition care by arresting parents and delicensing doctors who provide transition care to children. [Several of those bills died](#), but the ordeal scared Hernandez, the mother of a 17-year-old transgender boy in Houston.

Last week, those fears resurfaced: Attorney General Ken Paxton [issued an opinion](#) that defined providing access to certain gender-affirming treatment as child abuse, leaving some parents worried about the safety of their families and some advocates concerned about the well-being of trans kids in Texas.

"I had this fantasy that this year we'll be able to at least rest a little," Hernandez said while fighting back tears. "I think we all have post traumatic stress syndrome from last year, so this brings everything back."

The AG's definition is opposed by major medical organizations, such as the American Academy of Pediatrics, the Pediatric Endocrine Society and the American Medical Association, which say these treatments are within the [standards of care](#) and [often lifesaving](#).

They're also opposed by families who have reaped the benefits of these medications. Hernandez said her family has considered moving out of state for her son's sake, though it's not an option they want to resort to.

Her son Alexander began taking testosterone a few years ago and said the treatment has significantly improved his gender dysphoria and anxiety.

Pilar Hernandez is the mother of a 17-year-old transgender boy in Houston.

"I feel great about it," Alexander said. "It's one of the best things I've done for my health just all around."

In the nonbinding opinion, Paxton classified gender reassignment surgery — which is rare for kids — as abuse under Texas law. He also did the same for puberty blockers, testosterone and estrogen treatments, which are more common, less invasive and often reversible.

"There is no doubt that these procedures are 'abuse' under Texas law, and thus must be halted," Paxton wrote in a statement accompanying the opinion. "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."

Three days later, Abbott issued his directive to DFPS, noting a requirement to report abuse among all licensed professionals in Texas.

A spokesperson told The Texas Newsroom that the Department will follow the law "as explained by the Attorney General opinion" but there were no pending cases on the matter as of last Monday.

[Several district and county attorneys](#) in Texas' democratic regions have openly opposed Paxton's opinion and said they refuse to investigate such cases as abuse.

"I will not prosecute any parent, any facility, or anyone else for providing medically appropriate care to transgender children," said Harris County DA Kim Ogg. "I will continue to enforce the Constitution and the state's criminal laws to assure the greatest degree of freedom and order that we can achieve."

There's also an open question of whether schools will be a safe space for trans kids. In the letter, Abbott said licensed professionals like teachers are mandatory reporters of child abuse.

Jackie Anderson – the president of Houston Federation of Teachers, the union representing Houston ISD teachers – said this interpretation of child abuse is disruptive to the education of students.

"We are supposed to snitch on parents who are seeking medical and emotional assistance for their kids?" Anderson said in an email. "Really?"

Houston ISD did not respond to questions about whether the district is expecting teachers to report transgender students and their families to the authorities. However, in a statement, Superintendent Millard House II said, "it's the responsibility of our district to protect all its students, including our transgender students."

Some school districts contacted by Houston Public Media said they were waiting for guidance from their legal council or the Texas Association of School Boards. Others did not respond to requests for comment. Austin's largest school district [told KUT](#) staff should reassure trans students and their families that they not be reported.

Organizations like the [Transgender Education Network of Texas \(TENT\)](#) say they aren't surprised by such statements from Texas leaders.

"Time after time, it's no longer a shock but it's a disappointment," said Andrea Segovia, senior field and policy advisor for TENT. "You're talking about kids that are just trying to figure out who they are."

She's concerned about the mental health impact these statements have on trans youth.

"If you keep seeing how much your state leadership hates you, do you ever feel like it's gonna get better?" Segovia said. "We say the state of Texas would rather see dead kids than trans kids thrive. And it's absolutely true, because we keep seeing these attacks on kids."

That's a concern shared by other trans care providers. Cece Cox, CEO of the Dallas-based community organization [Resource Center](#), said statements like the ones issued by Abbott and Paxton have the effect of publicly challenging the humanity of trans Texans.

But Cox also stressed that challenges to transgender rights are happening all across the nation, making it all the more important to support families targeted by such actions.

"Texas is not this crazy outlier," Cox said. "There's negative bills and positive bills being filed all across the United States. We all have to stick together in this along the way."

Providers like Dallas-based therapist Diana Diduck aren't sure how the statements on mandated reporting will affect her work with patients, many of whom she helps navigate through gender dysphoria, depression and anxiety.

She said it's an important and vulnerable step to seek care, which now feels threatened.

"Am I supposed to not provide care?" Diduck said. "Am I supposed to not refer the family to a pediatrician or an endocrinologist or to a psychologist for further evaluation? I'm very confused as to what this could mean."

Meanwhile, some transgender kids are doing their best to keep optimistic, both for themselves and their community.

Student Hayden Cohen is a non-binary 17-year-old and co-president of their schools' Gay Straight Alliance at Houston ISD. Last Wednesday, they received a rush of panicked messages from members of the club.

Cohen told everyone to keep calm, and noted it wasn't even clear yet whether such guidance from the AG would stand up under legal scrutiny.

"If anything comes up, there are resources," Cohen said. "This isn't something we need to worry too much about just yet."

"Take a deep breath," they said. "It'll be OK."

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**By Sara Willa Ernst/ Elena Rivera | KERA
KRIS-TV**

Supporters of LGBTQIA+ community react to Abbott's statement

[Supporters of LGBTQIA+ community react to Abbott's statement \(kristv.com\)](#)

By: [Eran Hami](#)

Posted at 5:21 PM, Feb 27, 2022

and last updated 12:54 PM, Feb 28, 2022

CORPUS CHRISTI, Texas — This week Gov. Greg Abbott issued an opinion that a number of sex change procedures completed on minors, constitutes child abuse.

Following a similar letter by [Texas Attorney General Ken Paxton](#), Abbott gave his opinion to the Texas Department of Family and Protective services. Abbott wants licensed professionals and the general public to report parents of transgender children. He called on the department to investigate these parents for child abuse.

On Sunday, supporters of the LGBTQ community in Corpus Christi gathered for a monthly Diva Brunch. There we heard from people on what they thought on Abbott's comments.

“It really bothered me as a trans-woman because I feel like Greg Abbott

is trying to further marginalize a population that is already living on the fringes of society,” said Lisa Perry, the 2021 Miss Gay Corpus Christi.

Many local leaders attended the fundraising brunch. Of them were Eric Holguin, president of LULAC Para Todos and Dr. Nancy Vera, president of Corpus Christi American Federation of Teachers. They called Abbott's opinion an attack on children.

“We’re a community of family and family means we accept and love everyone,” said Holguin. “And that’s something we at LULAC Para Todos really advocate for, is whether you’re transgender, or gay, or bisexual, or non-binary whatever you identify as you should be accepted into community unconditionally.”

"As a 35 year educator, where I've educated the gamuts, from rich to poor, gay and straight, LGBTQIA+, students who have been battered and all sorts of issues I think it's an asinine idea," Vera said. "That Gov. Abbott has had to try to dismiss transgender students in the classroom. I think it's an obscenity as far as I'm concerned. I think that his off-the-cuff ideas or mandates don't need to be in our classrooms. We need to accept children for who they are and teach them equitably and teach them about themselves.”

Holguin and Perry both said Abbott's comments were a political ploy

“I think he’s pushing his own personal agenda and as a representative he needs to really represent his community,” Perry said. “And his community is not cis white men. His community is a diverse group of people. And he really needs to accept and love and support all of his community.”

Members from both sides of the political aisle were out at the Diva Brunch.

"We don't really see events like this in Corpus Christi so it's dying to see it," Holguin said. "And we're open to everyone attending whether you're Republican or Democrat, as long as you believe and support the LGBTQIA+ community, then you're more than welcomed and accepted and loved here."

"I think that means it's a coming together of a community," said Vera. "A community where everyone is accepted no matter what. And we in Corpus Christi are that kind of community."

The Diva Brunch is a monthly event that was created this year. Each Brunch raises money to be donated to a different non-profit organization. Sunday's Brunch raised \$1,500 for South Texas Animal Rescue.

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New York Times

Supreme Court to Hear Challenge to Law on Adopting Native American Children

The Indian Child Welfare Act of 1978 gives preference to adoption solutions that would keep Native children within the tribal community.

<https://www.nytimes.com/2022/02/28/us/supreme-court-native-american-children.html>

By Adam Liptak

Feb. 28, 2022

WASHINGTON — The Supreme Court agreed on Monday to hear a challenge to the constitutionality of the Indian Child Welfare Act of 1978, which makes it hard to remove Native American children from their parents, their tribes and their heritage.

The law, which calls for special procedures in adoptions, was rooted in the sovereignty of Indian nations and a history of abusive child welfare practices involving Native American children. Before the law was enacted, hundreds of thousands of Native children were taken from their homes, sometimes by force, and placed in institutions or with families with no ties to their tribes.

Family courts ordinarily base their decisions on the best interests of the child before them.

The 1978 law said that where Native American children are concerned, those interests include protecting their relationships with their tribes.

"The tribe has an interest in the child which is distinct from but on a parity with the interest of

the parents,” Justice William J. Brennan Jr. wrote in a 1989 decision, *Mississippi Band of Choctaw Indians v. Holyfield*. This was, Justice Brennan added, “a relationship that many non-Indians find difficult to understand.”

Legal scholars say that if the rationale for striking down the law survives, it could also threaten laws that guard tribal casinos and water and land rights.

Three states — Texas, Louisiana and Indiana — and seven people sued the federal government to challenge the law, saying it was an impermissible intrusion into matters traditionally governed by state law and a violation of equal protection principles by putting a thumb on the legal scale based on the race of one of the parties.

Lawyers for the states told the Supreme Court that the law “creates a child-custody regime for Indian children that is determined by a child’s genetics and ancestry,” adding that “this race-based system is designed to make the adoption and fostering of Indian children by non-Indian families a last resort through various legal mechanisms that play favorites based on race.”

Several tribes, including the Cherokee and the Navajo, two of the country’s largest, intervened in the case to defend the law. In the Supreme Court, they called the states’ race-discrimination argument inflammatory. The 1978 law, they wrote, “is tied to membership in Indian tribes — which is about politics, not race.”

The tribes and the federal government told the court that the law has been effective but that Native American children remain more likely to be removed from their homes than other children.

In its brief, Texas said that was a result of societal conditions. “The United States and tribes make no effort,” lawyers for Texas wrote in a brief, “to disprove the common-sense conclusion that today, the high numbers of adoptions and fostering of Indian children are often a sign, not the cause, of the high risk of neglect, violence, gang activity, drug abuse, alcoholism and suicide among Indian children.”

The challengers mostly prevailed before a federal trial court and a divided three-judge panel of the United States Court of Appeals for the Fifth Circuit, in New Orleans. The full Fifth Circuit reheard the case, issuing a fractured decision that caused both sides to seek Supreme Court review.

The Supreme Court granted review in four appeals, including *Haaland v. Brackeen*, No. 21-476. The court will hear arguments in its next term, which begins in October.

Supreme Court to review Native American child adoption law

[Supreme Court to review Native American child adoption law \(ktrc.com\)](#)

By [The Associated Press](#)

WASHINGTON (AP) — The Supreme Court has agreed to review a case involving a federal law that gives Native Americans preference in adoptions of Native children.

The high court said Monday it would take the case that presents the most significant legal challenges to the Indian Child Welfare Act since it was passed in 1978. The law has long been championed by Native American leaders as a means of preserving their families and culture.

The law gives Native American families priority in foster care and adoption proceedings involving Native children, and it places reporting and other requirements on states. A federal appeals court in April [upheld the law and Congress' authority to enact it](#). But the judges also found some of the law's provisions unconstitutional, including preferences for placing Native American children with Native adoptive families and in Native foster homes.

The case won't be argued until after the high court begins its new term in October.

Texas, Louisiana, Indiana and seven individuals — three non-Native couples and the biological mother of a Native American child that was adopted by a non-Native family — had sued over provisions in the law. The children are enrolled or potentially could be enrolled as Navajo or Cherokee, White Earth Band of Ojibwe, and Ysleta del Sur Pueblo.

A federal district court in Texas initially sided with the group of plaintiffs in 2018 and struck down much of the law, ruling it was unconstitutional because it was race-based and violates the Equal Protection Clause.

But in 2019, a three-judge federal appeals court panel voted 2-1 to reverse the district court and uphold the law. The full court then agreed to hear the case, and struck some provisions. It upheld the determination that the law is based on the political relationship between the 574 federally recognized tribes and the U.S. government, not race.

The Biden administration asked the Supreme Court to review the case, arguing that the provisions should not have been struck.

Before the Indian Child Welfare Act was passed, between 25% and 35% of Native American children were being taken from their homes and placed with adoptive families, in foster care or in institutions. Most were placed with white families or in boarding schools in attempts to assimilate them.

Copyright 2022 The Associated Press. All rights reserved.

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

From: coastalbend@list.naswtx.org on behalf of [Hampton, Tiffanie A. \(via coastalbend list\)](#)
To: coastalbend@list.naswtx.org
Subject: [CoastalBend] FW: Social Workers oppose efforts
Date: Thursday, February 24, 2022 10:19:36 AM

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

From: NASW-TX Advocacy <aboleware.naswtx@socialworkers.org>
Sent: Thursday, February 24, 2022 10:13 AM
To: Hampton, Tiffanie A. <Tiffanie.Hampton@va.gov>
Subject: [EXTERNAL] Social Workers Support Trans Kids & Families



NASW-TX Continues to Oppose any Efforts to Redefine Child Abuse to Include Gender Affirming Care

The National Association of Social Workers – Texas Chapter (NASW-TX) stands opposed to any efforts to change the definition of child abuse to include “gender affirming care” as referenced in the Texas Attorney General’s non-binding opinion KP-0401 released on February 18, 2022, as well as Gov. Abbott's February 22, 2022 letter to the Department of Family and Protective Services (DFPS) Commissioner "directing" DFPS to investigate such accusations. These continued attempts to change the definition of child abuse are in direct opposition to social work values, principles, and our Code of Ethics and pose danger to transgender youth and their families.

NASW-TX reminds licensed social workers that this a non-binding legal opinion and they still have professional discretion on mandatory reporting. No rules on reporting were changed through this opinion, nor through the Governor's letter.

As mental health professionals working in a variety of settings, social workers are called to care for all Texans. Redefining child abuse to include gender affirming care would endanger how mental health professionals serve people in the LGBTQ community. The social work Code of Ethics provides a framework for how social workers empower and support the self-determination of all people, as well as engage in conversations about identity. Those conversations within a therapeutic or any social work relationship should never be defined as child abuse.

This position aligns with our previous advocacy actions regarding this policy issue:

- We signed on to a joint letter supporting gender affirming care as evidence-based care for transgender youth in November 2019.
- We publicly testified against legislation that would have redefined child abuse to

- include gender affirming care during the 87th Legislative Session in 2021.
- We submitted multiple joint letters to DFPS and the Governor's Office during August 2021 in response to this issue.

NASW-TX continues to urge Texas leadership to heed the advice of the legal, medical and mental health professional communities about how these proposed actions would endanger youth and families while negatively impacting the licensed professionals who serve as mandatory reports of child abuse. This non-binding legal opinion does not require DFPS to implement modifications to its current practices and rules which guide the investigation of reports of child abuse and neglect in Texas. We therefore ask the DFPS leadership team to stand in support of all Texas children and families by rejecting this harmful and discriminatory opinion.

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From: coastalbend@list.naswtx.org on behalf of [Hampton, Tiffanie A. \(via coastalbend list\)](#)
To: coastalbend@list.naswtx.org
Subject: [CoastalBend] FW: URGENT: NASWTX Response to AG opinion
Date: Thursday, February 24, 2022 10:29:44 AM
Attachments: [image004.png](#)
[image005.png](#)
[NASWTX AG Statement Feb 2022 FINAL.pdf](#)
[AG Opinion KP-0401.pdf](#)

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Official NASW/TX Statement Re: Att General's non-binding opinion on Gender Affirming Care

NASWTX Full statement attached, will be posted on social media and sent to ALL emails (both member and nonmember) in the next hour or so.

NASW-TX Continues to Oppose any Efforts to Redefine Child Abuse to Include Gender Affirming Care

The National Association of Social Workers – Texas Chapter (NASW-TX) stands opposed to any efforts to change the definition of child abuse to include “gender affirming care” as referenced in the Texas Attorney General’s non-binding opinion KP-0401 released on February 18, 2022, as well as Gov. Abbott's February 22, 2022 letter to the Department of Family and Protective Services (DFPS) Commissioner "directing" DFPS to investigate such accusations. These continued attempts to change the definition of child abuse are in direct opposition to social work values, principles, and our Code of Ethics and pose danger to transgender youth and their families.

NASW/TX reminds licensed social workers that this a non-binding legal opinion and they still have professional discretion on mandatory reporting. No rules on reporting were changed through this opinion, nor through the Governor's letter.

We are also working with mental health and child welfare partners on a joint-letter. If you’d like to sign your org on or sign on as an individual – [see here](#).

Alison Mohr Boleware, LMSW
Government Relations Director
National Association of Social Workers –
Texas Chapter

Pronouns: she/her/hers

810 W. 11th Street
Austin, Texas 78701

Working remotely, use:
432-425-2061 (Cell)



[@naswtx_advocacy](#)

Aboleware.naswtx@socialworkers.org

Get involved: check out our [Advocacy Toolkit](#) and take action on our [Advocacy Alerts!](#)

**SOCIAL WORK
ADVOCACY DAY
IS GOING
VIRTUAL!**

N A S W
National Association of Social Workers
TEXAS CHAPTER



March 4

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From: naswtex.naswtx@socialworkers.org
To: jessica.perales@dfps.state.tx.us
Subject: [MARKETING] Statement: NASW-TX Continues to Oppose any Efforts to Redefine Child Abuse to Include Gender Affirmi
Date: Wednesday, February 23, 2022 2:39:49 PM

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FULL STATEMENT ON THE ATTORNEY GENERAL'S OPINION

NASW-TX stands opposed to any efforts to change the definition of child abuse to include "gender affirming care" as referenced in the Texas Attorney General's non-binding opinion KP-0401 released on February 18, 2022, as well as Gov. Abbott's February 22, 2022 letter to the Department of Family and Protective Services (DFPS) Commissioner "directing" DFPS to investigate such accusations. These continued attempts to change the definition of child abuse are in direct opposition to social work values, principles, and our Code of Ethics and pose danger to transgender youth and their families.

NASW-TX reminds licensed social workers that this a non-binding legal opinion and they still have professional discretion on mandatory reporting. No rules on reporting were changed through this opinion, nor through the Governor's letter.

February 23, 2022

NASW-TX Continues to Oppose any Efforts to Redefine Child Abuse to Include Gender Affirming Care

The National Association of Social Workers – Texas Chapter (NASW-TX) stands opposed to any efforts to change the definition of child abuse to include "gender affirming care" as referenced in the Texas Attorney General's non-binding opinion KP-0401 released on February 18, 2022, as well as Gov. Abbott's February 22, 2022 letter to the Department of Family and Protective Services (DFPS) Commissioner "directing" DFPS to investigate such accusations. These continued attempts to change the definition of child abuse are in direct opposition to social work values, principles, and our Code of Ethics and pose danger to transgender youth and their families.

NASW/TX reminds licensed social workers that this a non-binding legal opinion and they still have professional discretion on mandatory reporting. No rules on reporting were changed through this opinion, nor through the Governor's letter.

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This position aligns with our previous advocacy actions regarding this policy issue:

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- We publicly testified against legislation that would have redefined child abuse to include gender affirming care during the 87th Legislative Session in 2021.
- We submitted multiple joint letters to DFPS and the Governor's Office during August 2021 in response to this issue.

NASW-TX continues to urge Texas leadership to heed the advice of the legal, medical and mental health professional communities about how these proposed actions would endanger youth and families while negatively impacting the licensed professionals who serve as mandatory reports of child abuse. This non-binding legal opinion does not require DFPS to implement modifications to its current practices and rules which guide the investigation of reports of child abuse and neglect in Texas. We therefore ask the DFPS leadership team to stand in support of all Texas children and families by rejecting this harmful and discriminatory opinion.

National Association of Social Workers, Texas Chapter (NASW/Texas)

810 West 11th Street

Austin, TX 78701

512-474-1454

naswtex.naswtx@socialworkers.org

www.naswtx.org



To unsubscribe from all emails from the National Association of Social Workers, Texas Chapter, visit <http://www.naswtx.org/members/EmailOptPreferences.aspx?id=35397387&e=jessica.perales@dfps.state.tx.us&h=6850ab8681cde5f01380cf65205363c951f4dbdf>. We'll stop sending you emails about resources & member benefits, webinars & CEs, licensing support, career/jobs, chapter news, advocacy, and other topics useful to social workers.

From: [PACesConnection](#)
To: [Dougherty,Veronica \(DFPS\)](#)
Subject: [New Blog Post] Texas Governor Pushes to Investigate Medical Treatments for Trans Youth as 'Child Abuse' [nytimes.com]
Date: Friday, February 25, 2022 2:13:30 PM

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New Blog Post

Texas Governor Pushes to Investigate Medical Treatments for Trans Youth as 'Child Abuse' [nytimes.com]

 Natalie Audage (PACes Connection Staff)

By Azeen Ghorayshi, Photo: Callaghan O'Hare/The New York Times, The New York Times, February 23, 2022

Gov. Greg Abbott told state health agencies in Texas on Tuesday that medical treatments provided to transgender adolescents, widely considered to be the standard of care in medicine, should be classified as “child abuse” under existing state law.

His statements, made in a [letter](#) to the Texas Department of Family and Protective Services, followed [an opinion](#) on Friday by Attorney General Ken Paxton that said providing medical treatments like puberty-suppressing drugs and hormones to transgender teenagers should be investigated as child abuse.

Governor Abbott specified that the reporting requirements applied to “all licensed professionals who have direct contact with children who may be subject to such abuse, including doctors, nurses, and teachers, and provides criminal penalties for failure to report such child abuse.”

[\[Please click here to read more.\]](#)

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PACEsConnection

You received this based on your notification settings. You can [adjust your settings](#) or [unsubscribe](#) anytime.

From: [Hicks,Brenda \(DFPS\)](#)
To: [Powell,Andrea \(DFPS\)](#); [Musokwa,Dorothy \(DFPS\)](#); [Cuellar,Teresa \(DFPS\)](#); [Brown,Jamonica A \(DFPS\)](#); [Douglas,Sheila \(DFPS\)](#); [Hicks,Jacqueline \(DFPS\)](#); [Huitareo,Stephanie \(DFPS\)](#); [Lewis,Kaylee \(DFPS\)](#); [Linares,Jaquelyne \(DFPS\)](#); [Peacock,Payton \(DFPS\)](#); [Simmons,Semone \(DFPS\)](#); [Stobaugh,Bethany \(DFPS\)](#); [Brown,Cree \(DFPS\)](#); [Campbell,Khadeem \(DFPS\)](#); [Creeks,Mikhia \(DFPS\)](#); [Gorden,Natiya \(DFPS\)](#); [Massey,Roosevelt \(DFPS\)](#); [Miller,Tambra \(DFPS\)](#); [Ridout,Tiavonna \(DFPS\)](#); [Rochard,Chelsea \(DFPS\)](#); [Stafford,Stephanie \(DFPS\)](#); [Brown,Dawn D \(DFPS\)](#); [Bustos,Esbeydi \(DFPS\)](#); [Cavazos,Scarlett \(DFPS\)](#); [Darwin,Sara \(DFPS\)](#); [Joneswilliams,Kewanna N \(DFPS\)](#); [Massey,Sharbra L \(DFPS\)](#); [Ramey,Lashonta \(DFPS\)](#); [Reyna,Veronica \(DFPS\)](#); [Romero,Claudia \(DFPS\)](#); [Thomas,Tanjila \(DFPS\)](#); [Carrisalez,Fabian \(DFPS\)](#); [Chavez,Lidia \(DFPS\)](#); [Gray-Harrison,Blaire \(DFPS\)](#); [Howard,Shakia \(DFPS\)](#); [Jones,Daisy \(DFPS\)](#); [Landaverde,Odalys \(DFPS\)](#); [Moorning,Brittany D \(DFPS\)](#); [Sanchez,Jorge \(DFPS\)](#); [Santos,Ryan \(DFPS\)](#); [Smith,Tabitha K \(DFPS\)](#)
Subject: RE: 9:30 a.m. Program Meeting Today
Date: Wednesday, February 23, 2022 10:11:12 AM
Attachments: [O-MastersJaime202202221358.pdf](#)
[image001.png](#)

Please find Governor Abbott's letter to the Commissioner.
Respectfully,

Brenda Hicks

CPS Supervisor -Unit 0H
8700 N Stemmons Frwy #104
Dallas, TX 75247
Cell: 214-507-0598
Fax: 512-276-3531
Email: Brenda.hicks@dfps.texas.gov
Hotline: 1-800-252-5400

From: Powell,Andrea (DFPS)
Sent: Wednesday, February 23, 2022 9:00 AM
To: Musokwa,Dorothy (DFPS) <Dorothy.Musokwa@dfps.texas.gov>; Cuellar,Teresa (DFPS) <Teresa.Cuellar@dfps.texas.gov>; Brown,Jamonica A (DFPS) <Jamonica.Brown@dfps.texas.gov>; Douglas,Sheila (DFPS) <Sheila.Douglas@dfps.texas.gov>; Hicks,Jacqueline (DFPS) <Jacqueline.Hicks@dfps.texas.gov>; Huitareo,Stephanie (DFPS) <Stephanie.Huitareo@dfps.texas.gov>; Lewis,Kaylee (DFPS) <Kaylee.Lewis@dfps.texas.gov>; Linares,Jaquelyne (DFPS) <Jaquelyne.Linares@dfps.texas.gov>; Peacock,Payton (DFPS) <Payton.Peacock@dfps.texas.gov>; Simmons,Semone (DFPS) <Semone.Simmons2@dfps.texas.gov>; Stobaugh,Bethany (DFPS) <Bethany.Stobaugh@dfps.texas.gov>; Brown,Cree (DFPS) <Cree.Brown@dfps.texas.gov>; Campbell,Khadeem (DFPS) <Khadeem.Campbell@dfps.texas.gov>; Creeks,Mikhia (DFPS) <Mikhia.Creeks@dfps.texas.gov>; Gorden,Natiya (DFPS) <Natiya.Gorden@dfps.texas.gov>; Massey,Roosevelt (DFPS) <Roosevelt.Massey@dfps.texas.gov>; Miller,Tambra (DFPS) <Tambra.Miller@dfps.texas.gov>; Ridout,Tiavonna (DFPS) <Tiavonna.Ridout@dfps.texas.gov>; Rochard,Chelsea (DFPS) <Chelsea.Rochard@dfps.texas.gov>; Stafford,Stephanie (DFPS) <Stephanie.Stafford@dfps.texas.gov>; Brown,Dawn D (DFPS) <Dawn.Brown@dfps.texas.gov>; Bustos,Esbeydi (DFPS) <Esbeydi.Bustos@dfps.texas.gov>; Cavazos,Scarlett (DFPS) <Scarlett.Cavazos@dfps.texas.gov>; Darwin,Sara (DFPS) <Sara.Darwin@dfps.texas.gov>; Hicks,Brenda (DFPS) <Brenda.Hicks@dfps.texas.gov>; Joneswilliams,Kewanna N (DFPS) <Kewanna.Joneswilliams@dfps.texas.gov>; Massey,Sharbra L

(DFPS) <Sharbra.Massey@dfps.texas.gov>; Ramey,Lashonta (DFPS)
<Lashonta.Ramey@dfps.texas.gov>; Reyna,Veronica (DFPS) <Veronica.Reyna@dfps.texas.gov>;
Romero,Claudia (DFPS) <Claudia.Romero2@dfps.texas.gov>; Thomas,Tanjila (DFPS)
<Tanjila.Thomas@dfps.texas.gov>; Carrisalez,Fabian (DFPS) <Fabian.Carrisalez@dfps.texas.gov>;
Chavez,Lidia (DFPS) <Lidia.Chavez2@dfps.texas.gov>; Gray-Harrison,Blaire (DFPS)
<Blair.Grayharrison@dfps.texas.gov>; Howard,Shakia (DFPS) <Shakia.Howard@dfps.texas.gov>;
Jones,Daisy (DFPS) <Daisy.Jones2@dfps.texas.gov>; Landaverde,Odalys (DFPS)
<Odalys.Landaverde@dfps.texas.gov>; Moorning,Brittany D (DFPS)
<Brittany.Moorning@dfps.texas.gov>; Sanchez,Jorge (DFPS) <Jorge.Sanchez@dfps.texas.gov>;
Santos,Ryan (DFPS) <Ryan.Santos@dfps.texas.gov>; Smith,Tabitha K (DFPS)
<Tabitha.Smith@dfps.texas.gov>

Subject: 9:30 a.m. Program Meeting Today

Importance: High

Good Morning All,

This is a reminder that our Virtual Program Meeting is today at 9:30 a.m. Please arrive on time, have your cameras on, and be prepared for Program and Agency updates. Bring your thoughts and ideas for us to continue moving forward as a team. During our last meeting I asked all to be prepared with thoughts and ideas of what you would like our Program's mission, vision, and values to look like. We will be creating them today. The link for today's meeting is below.

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Thanks,

Andrea L. Powell, MSW

Conservatorship Program Director

Units 0H, E0, D4, F9, Q0

8700 N. Stemmons Fwy, Suite 104

Dallas, TX. 75247

(214) 689-7274 (Office Phone)

(469) 323-6356 (Business Cell)

(512) 276-3565 (Fax)

Andrea.Powell@dfps.texas.gov

"Protecting The Unprotected"



TEXAS
Health and Human
Services

Texas Department of Family
and Protective Services

From: [Molly Mead](#)
To: [Sosa, Phoebe \(DFPS\)](#); [Nicole Curcio](#); tinseisin@mail.utexas.edu; j.begley@outlook.com
Subject: Fwd: A Short Note on Protecting Our Trans & Non-Binary Students
Date: Thursday, February 24, 2022 11:08:18 AM

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----- Forwarded message -----

From: **Molly Mead** <molly.mead@dvisd.net>
Date: Thu, Feb 24, 2022 at 10:55 AM
Subject: A Short Note on Protecting Our Trans & Non-Binary Students
To: Baty Distribution Group <batyelem@dvisd.net>

Good Morning Staff,

As _____ Social worker, I feel called to provide the following information given Gov. Abbott's announcement regarding transgender children, [KP-0401](#), released on February 18, 2022, as well as his February 22, 2022 [letter to the Department of Family and Protective Services \(DFPS\) Commissioner](#) directing DFPS to investigate such accusations.

This statement has provided guidance to the Texas DFPS to begin investigating all transgender children in the state and their parents as child abusers. Our LGBTQIA+ students grapple with the implications of social injustice on a daily basis and this will be an added challenge to their safety. These continued attempts to change the definition of child abuse are in direct opposition to social work values, principles, and our Code of Ethics and pose danger to transgender & non-binary youth and their families.

NASW-TX reminds licensed social workers that this is a non-binding opinion, and that they maintain professional discretion on mandatory reporting. **I would like to convey to staff the same message; that no rules on reporting were changed through this opinion, nor through the Governor's letter.**

I invite you to sign this petition facilitated by Trevor Project (<https://actnow.io/I4COEul>) and share the link with fellow educators.

If you're interested in further information or discussing how we can continue to facilitate _____ being a safety net for our children, please reach out to me! I'd love to make this an ongoing conversation.

--
Sincerely,

Molly Mead LMSW
Baty Elementary School Social Worker
molly.mead@dvisd.net

--

Sincerely,

Molly Mead LMSW
Baty Elementary School Social Worker
molly.mead@dvisd.net

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](#)

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

From: [Santiago.Shaun \(DFPS\)](mailto:Santiago.Shaun@dfps.texas.gov)
To: Shaunbroughton74@aol.com
Subject: Abbot/Paxton Opinion
Date: Thursday, February 24, 2022 10:08:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

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



**Texas Department of
Family and Protective Services**
Child Protective Investigations

From: [Nabours,Patricia \(DFPS\)](#)
To: [Williams,Lauren \(DFPS\)](#)
Subject: FW: Abbott letter 02/22/22
Date: Wednesday, February 23, 2022 9:42:00 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

FYI. Hot off of the press from yesterday. Thought you would be interested in this!

From: Pat Nabours <patnabours78@gmail.com>
Sent: Wednesday, February 23, 2022 7:14 PM
To: Nabours,Patricia (DFPS) <Patricia.Nabours@dfps.texas.gov>
Subject: Abbott letter 02/22/22

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<https://gov.texas.gov/uploads/files/press/O-MastersJaime202202221358.pdf>

Sent from my iPad

From: [Pat Nabours](#)
To: [Nabours,Patricia \(DFPS\)](#)
Subject: Abbott letter 02/22/22
Date: Wednesday, February 23, 2022 8:17:40 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

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<https://gov.texas.gov/uploads/files/press/O-MastersJaime202202221358.pdf>

Sent from my iPad

From: [Surratt, Michele L \(DFPS\)](#)
To: [Chavez, Terri D \(DFPS\)](#)
Subject: FW: Abbott letter to DFPS
Date: Thursday, February 24, 2022 4:19:34 PM
Attachments: [Abbott Letter.pdf](#)

From: Kimberly Toulet <KToulet@mcounty.com>
Sent: Wednesday, February 23, 2022 12:59 PM
To: Surratt, Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>
Subject: Abbott letter to DFPS

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Michele:
Have you received any direction on how the Department intends to handle this?
Thanks,
Kimberly Toulet
First Assistant County Attorney
432.688.4490 | ktoulet@mcounty.com



From: [Kimberly Toulet](#)
To: [Surratt,Michele L \(DFPS\)](#)
Subject: Abbott letter to DFPS
Date: Wednesday, February 23, 2022 1:01:54 PM
Attachments: [Abbott Letter.pdf](#)

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Michele:
Have you received any direction on how the Department intends to handle this?
Thanks,
Kimberly Toulet
First Assistant County Attorney
432.688.4490 | ktoulet@mcounty.com



Texas Bar College
Professionalism Through Education

From: [Cochrangreen, Jennifer \(DFPS\)](#)
To: [Cochrangreen, Jennifer \(DFPS\)](#)
Subject: FW: ACLU Lawsuit
Date: Wednesday, March 2, 2022 8:51:27 AM
Attachments: [doe v. abbott - petition.pdf](#)

From: Kinsler, Brenda L (DFPS)
Sent: Tuesday, March 1, 2022 6:45 PM
To: Bradley, Kathryn (DFPS) <Kathryn.Bradley@dfps.texas.gov>; Dodd, Katharine (DFPS) <Katharine.Dodd@dfps.texas.gov>; Cochrangreen, Jennifer (DFPS) <Jennifer.Cochrangreen@dfps.texas.gov>; Walker, Pamela (DFPS) <Pamela.Walker@dfps.texas.gov>; Bailey, Jamie J (DFPS) <Jamie.Bailey@dfps.texas.gov>; Savage, Patrice (DFPS) <Cecilia.Savage@dfps.texas.gov>
Subject: FW: ACLU Lawsuit

Thought you might be interested.

Brenda L. Kinsler

Managing Attorney Regions 4, 5, and 7

Department of Family and Protective Services

Ph: (512) 550-8833

Board Certified Child Welfare Law



***Please note that my email address has changed to Brenda.kinsler@dfps.texas.gov ***

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From: Phillips, Kathleen V (DFPS)
Sent: Tuesday, March 1, 2022 12:50 PM
To: Adams, Stefanie (DFPS) <Stefanie.Adams@dfps.texas.gov>; Anderson, Regina (DFPS) <Regina.Anderson@dfps.texas.gov>; Arriaga, Dennis (DFPS) <Dennis.Arriaga@dfps.texas.gov>; Britt, Dewey D (DFPS) <Dewey.Britt@dfps.texas.gov>; Cordray, Glenna (DFPS) <Glenna.Cordray@dfps.texas.gov>; Kinsler, Brenda L (DFPS) <Brenda.Kinsler@dfps.texas.gov>; Palmquist, Laura R (DFPS) <Laura.Palmquist@dfps.texas.gov>; Surratt, Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>; Tai, Eric T. (DFPS) <Eric.Tai@dfps.texas.gov>; Valdez, Lucinda (DFPS) <Lucinda.Valdez@dfps.texas.gov>

Subject: ACLU Lawsuit

Kathy Phillips

Managing Attorney

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kathleen.phillips@dfps.texas.gov

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From: [Kinsler,Brenda L \(DFPS\)](#)
To: [Bradley,Kathryn \(DFPS\)](#); [Dodd,Katharine \(DFPS\)](#); [Cochrangreen,Jennifer \(DFPS\)](#); [Walker,Pamela \(DFPS\)](#); [Bailey,Jamie J \(DFPS\)](#); [Savage,Patrice \(DFPS\)](#)
Subject: FW: ACLU Lawsuit
Date: Tuesday, March 1, 2022 6:45:29 PM
Attachments: [doe v. abbott - petition.pdf](#)

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From: Phillips,Kathleen V (DFPS)

Sent: Tuesday, March 1, 2022 12:50 PM

To: Adams,Stefanie (DFPS) <Stefanie.Adams@dfps.texas.gov>; Anderson,Regina (DFPS) <Regina.Anderson@dfps.texas.gov>; Arriaga,Dennis (DFPS) <Dennis.Arriaga@dfps.texas.gov>; Britt,Dewey D (DFPS) <Dewey.Britt@dfps.texas.gov>; Cordray,Glenna (DFPS) <Glenna.Cordray@dfps.texas.gov>; Kinsler,Brenda L (DFPS) <Brenda.Kinsler@dfps.texas.gov>; Palmquist,Laura R (DFPS) <Laura.Palmquist@dfps.texas.gov>; Surratt,Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>; Tai,Eric T. (DFPS) <Eric.Tai@dfps.texas.gov>; Valdez,Lucinda (DFPS) <Lucinda.Valdez@dfps.texas.gov>

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From: [Britt,Dewey D \(DFPS\)](#)
To: [Alvey,Todd L \(DFPS\)](#); [Ferguson,Pamela D \(DFPS\)](#); [Panger,Julie \(DFPS\)](#); [Schulte,Megan \(DFPS\)](#); [Amanda Martin](#); [Amy Rodriguez \(arodriguez@hutchinsoncnty.com\)](#); [Anna Hord](#); [Cheryl Nelson \(cherylnelsonlaw@gmail.com\)](#); [Courtney Wiggins](#); [Craig C. Jones \(cjones@hutchinsoncnty.com\)](#); [Daniel Trout \(danieltrout@co.potter.tx.us\)](#); [Joe Meraz \(j.meraz@countylaw.com\)](#); [Katy Rendon \(KRendon@lubbockcounty.gov\)](#); [Melinda Powell \(melindapowell@co.potter.tx.us\)](#); [Neal Burt \(nburt@co.lubbock.tx.us\)](#); [Pam Cervantes](#); [Scott M. Higginbotham \(mcatty@moore-tx.com\)](#); [Teresa Gutierrez](#); [Tirey, Jim \(halecountyattorney@gmail.com\)](#); [Ward, Deirdre](#)
Subject: FW: ACLU Lawsuit
Date: Tuesday, March 1, 2022 4:07:56 PM
Attachments: [doe v. abbott - petition.pdf](#)

FYI.

Interesting read.

Dewey Duane Britt
Department of Family and Protective Services
Managing Attorney
Region 01
State Bar No. 03025220
1622 10th Street
Lubbock, TX 79401
806.742.9172 ofc
512.927.5707 fax
806.231.6608 cell

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Sent: Tuesday, March 1, 2022 12:50 PM
To: Adams,Stefanie (DFPS) <Stefanie.Adams@dfps.texas.gov>; Anderson,Regina (DFPS) <Regina.Anderson@dfps.texas.gov>; Arriaga,Dennis (DFPS) <Dennis.Arriaga@dfps.texas.gov>; Britt,Dewey D (DFPS) <Dewey.Britt@dfps.texas.gov>; Cordray,Glenna (DFPS) <Glenna.Cordray@dfps.texas.gov>; Kinsler,Brenda L (DFPS) <Brenda.Kinsler@dfps.texas.gov>; Palmquist,Laura R (DFPS) <Laura.Palmquist@dfps.texas.gov>; Surratt,Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>; Tai,Eric T. (DFPS) <Eric.Tai@dfps.texas.gov>; Valdez,Lucinda (DFPS) <Lucinda.Valdez@dfps.texas.gov>

Subject: ACLU Lawsuit

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From: [Anderson, Regina \(DFPS\)](#)
To: [Means, Randell \(DFPS\)](#); [Skloss, Wendi \(DFPS\)](#); [Galvan, John Q \(DFPS\)](#); [Saint, James \(DFPS\)](#); [Scott, Anne \(DFPS\)](#); [Cherry, Veronica E \(DFPS\)](#)
Subject: FW: ACLU Lawsuit
Date: Tuesday, March 1, 2022 2:25:00 PM
Attachments: [doe v. abbott - petition.pdf](#)

From: Phillips, Kathleen V (DFPS)
Sent: Tuesday, March 1, 2022 12:50 PM
To: Adams, Stefanie (DFPS) <Stefanie.Adams@dfps.texas.gov>; Anderson, Regina (DFPS) <Regina.Anderson@dfps.texas.gov>; Arriaga, Dennis (DFPS) <Dennis.Arriaga@dfps.texas.gov>; Britt, Dewey D (DFPS) <Dewey.Britt@dfps.texas.gov>; Cordray, Glenna (DFPS) <Glenna.Cordray@dfps.texas.gov>; Kinsler, Brenda L (DFPS) <Brenda.Kinsler@dfps.texas.gov>; Palmquist, Laura R (DFPS) <Laura.Palmquist@dfps.texas.gov>; Surratt, Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>; Tai, Eric T. (DFPS) <Eric.Tai@dfps.texas.gov>; Valdez, Lucinda (DFPS) <Lucinda.Valdez@dfps.texas.gov>

Subject: ACLU Lawsuit

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From: [Phillips,Kathleen V \(DFPS\)](#)
To: [Lennan,John J \(DFPS\)](#)
Subject: FW: ACLU Lawsuit
Date: Tuesday, March 1, 2022 2:20:20 PM
Attachments: [doe v. abbott - petition.pdf](#)

Kathy Phillips
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From: Phillips,Kathleen V (DFPS)
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Subject: ACLU Lawsuit
Kathy Phillips
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From: [Palmquist, Laura R \(DFPS\)](#)
To: [Dominguez, Corine \(DFPS\)](#)
Subject: FW: ACLU Lawsuit
Date: Tuesday, March 1, 2022 1:17:00 PM
Attachments: [doe v. abbott - petition.pdf](#)

Corine – if program approaches you on an investigation involving a transgender child, let me know asap. We will handle that together. Also...see the attached petition.

From: Phillips, Kathleen V (DFPS)
Sent: Tuesday, March 1, 2022 12:50 PM
To: Adams, Stefanie (DFPS) <Stefanie.Adams@dfps.texas.gov>; Anderson, Regina (DFPS) <Regina.Anderson@dfps.texas.gov>; Arriaga, Dennis (DFPS) <Dennis.Arriaga@dfps.texas.gov>; Britt, Dewey D (DFPS) <Dewey.Britt@dfps.texas.gov>; Cordray, Glenna (DFPS) <Glenna.Cordray@dfps.texas.gov>; Kinsler, Brenda L (DFPS) <Brenda.Kinsler@dfps.texas.gov>; Palmquist, Laura R (DFPS) <Laura.Palmquist@dfps.texas.gov>; Surratt, Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>; Tai, Eric T. (DFPS) <Eric.Tai@dfps.texas.gov>; Valdez, Lucinda (DFPS) <Lucinda.Valdez@dfps.texas.gov>

Subject: ACLU Lawsuit

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From: [Phillips,Kathleen V \(DFPS\)](#)
To: [Adams,Stefanie \(DFPS\)](#); [Anderson,Regina \(DFPS\)](#); [Arriaga,Dennis \(DFPS\)](#); [Britt,Dewey D \(DFPS\)](#); [Cordray,Glenna \(DFPS\)](#); [Kinsler,Brenda L \(DFPS\)](#); [Palmquist,Laura R \(DFPS\)](#); [Surratt,Michele L \(DFPS\)](#); [Tai,Eric T. \(DFPS\)](#); [Valdez,Lucinda \(DFPS\)](#)
Subject: ACLU Lawsuit
Date: Tuesday, March 1, 2022 12:49:59 PM
Attachments: [doe v. abbott - petition.pdf](#)

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From: [Phillips, Kathleen V \(DFPS\)](#)
To: [Smith, Michelle L \(DFPS\)](#); [Skipper, Shaun S \(DFPS\)](#); [Skipper, Allison \(DFPS\)](#)
Subject: AG Opinion
Date: Tuesday, March 1, 2022 10:44:59 AM
Attachments: [kp-0401_0.pdf](#)

In regard to the AG opinion about gender reassignment, if program contacts you with any questions or wanting to staff a case with this issue, you need to notify me immediately and do not give any advice in regard to this subject.

Leg me know if you have any questions.

Kathy Phillips

Managing Attorney

Region 11

Texas Department of Family and Protective Services

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361-944-1824 Cell

kathleen.phillips@dfps.texas.gov

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From: [Crimmins,Patrick \(DFPS\)](#)
To: ["Goldenstein, Taylor"](#)
Cc: [Gonzales,Marissa L \(DFPS\)](#)
Subject: RE: AG opinion
Date: Tuesday, February 22, 2022 4:18:33 PM
Attachments: [AG Opinion Statement.docx](#)

Taylor – please see attached

From: Crimmins,Patrick (DFPS)
Sent: Tuesday, February 22, 2022 2:32 PM
To: Goldenstein, Taylor <Taylor.Goldenstein@chron.com>
Cc: Gonzales,Marissa L (DFPS) <Marissa.Gonzales@dfps.texas.gov>
Subject: RE: AG opinion

Hi Taylor – we've been reviewing the opinion and should have a response for you today.....

Patrick

From: Goldenstein, Taylor <Taylor.Goldenstein@chron.com>
Sent: Tuesday, February 22, 2022 11:18 AM
To: patrick.crimmins@dfps.state.tx.us
Subject: AG opinion

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Hi Patrick,

Hope you're well! I am reaching out to ask what the AG's latest opinion that certain types of health care for transgender children constitute child abuse, in line with your agency's August opinion that reassignment surgery is abuse (but it seems his is a little broader since it extends to hormone therapy and other medications).

1. What, logistically, will change, if anything with this new AG opinion?
2. Also, how has your office's policy been going since August? Can you tell me how many investigations you've initiated and whether anyone has actually been charged or whether legal action has been taken?
3. How exactly does DFPS enforce this, since it doesn't have jurisdiction over the health care facilities? What is within the agency's power to do if it learns of alleged abuse of this kind?
4. Since the AG opinion is non-binding, does that mean this will eventually need to be tested in court or solidified through a new state law?

Thanks for your time,

Taylor

--

Taylor Goldenstein

Austin bureau reporter | Houston Chronicle/Hearst Newspapers

o 512-439-2891 m 512-200-2910

e taylor.goldenstein@chron.com

Twitter: [@taygoldenstein](https://twitter.com/taygoldenstein)



From: [Surratt, Michele L \(DFPS\)](#)
To: [Pipes, Glenn \(DFPS\)](#); [Walker, Clarence \(DFPS\)](#)
Subject: FW: AG Opinion in re Sex Change = Abuse
Date: Wednesday, March 2, 2022 4:31:19 PM
Attachments: [Attorney General Opinion No. KP-0401 -Sex changes and abuse.pdf](#)

From: Kinsler, Brenda L (DFPS)
Sent: Tuesday, February 22, 2022 10:39 AM
To: Phillips, Kathleen V (DFPS) <Kathleen.Phillips@dfps.texas.gov>; Britt, Dewey D (DFPS) <Dewey.Britt@dfps.texas.gov>; Arriaga, Dennis (DFPS) <Dennis.Arriaga@dfps.texas.gov>; Anderson, Regina (DFPS) <Regina.Anderson@dfps.texas.gov>; Palmquist, Laura R (DFPS) <Laura.Palmquist@dfps.texas.gov>; Valdez, Lucinda (DFPS) <Lucinda.Valdez@dfps.texas.gov>; Surratt, Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>; Tai, Eric T. (DFPS) <Eric.Tai@dfps.texas.gov>; Adams, Stefanie (DFPS) <Stefanie.Adams@dfps.texas.gov>; Cordray, Glenna (DFPS) <Glenna.Cordray@dfps.texas.gov>
Cc: Kozikoujekian, Vicki (DFPS) <Vicki.Kozikoujekian@dfps.texas.gov>
Subject: AG Opinion in re Sex Change = Abuse

Interesting opinion.

Brenda L. Kinsler

Managing Attorney Regions 4, 5, and 7

Department of Family and Protective Services

Ph: (512) 550-8833

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From: [Kozikoujekian,Vicki \(DFPS\)](#)
To: [Price,Kellie \(DFPS\)](#)
Subject: FW: AG Opinion in re Sex Change = Abuse
Date: Tuesday, February 22, 2022 12:40:00 PM
Attachments: [Attorney General Opinion No. KP-0401 -Sex changes and abuse.pdf](#)

Did not see you on the list.

From: Kinsler,Brenda L (DFPS) <Brenda.Kinsler@dfps.texas.gov>
Sent: Tuesday, February 22, 2022 10:39 AM
To: Phillips,Kathleen V (DFPS) <Kathleen.Phillips@dfps.texas.gov>; Britt,Dewey D (DFPS) <Dewey.Britt@dfps.texas.gov>; Arriaga,Dennis (DFPS) <Dennis.Arriaga@dfps.texas.gov>; Anderson,Regina (DFPS) <Regina.Anderson@dfps.texas.gov>; Palmquist,Laura R (DFPS) <Laura.Palmquist@dfps.texas.gov>; Valdez,Lucinda (DFPS) <Lucinda.Valdez@dfps.texas.gov>; Surratt,Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>; Tai,Eric T. (DFPS) <Eric.Tai@dfps.texas.gov>; Adams,Stefanie (DFPS) <Stefanie.Adams@dfps.texas.gov>; Cordray,Glenna (DFPS) <Glenna.Cordray@dfps.texas.gov>
Cc: Kozikoujekian,Vicki (DFPS) <Vicki.Kozikoujekian@dfps.texas.gov>
Subject: AG Opinion in re Sex Change = Abuse

Interesting opinion.

Brenda L. Kinsler

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Department of Family and Protective Services

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From: [Kinsler, Brenda L \(DFPS\)](#)
To: [Phillips, Kathleen V \(DFPS\)](#); [Britt, Dewey D \(DFPS\)](#); [Arriaga, Dennis \(DFPS\)](#); [Anderson, Regina \(DFPS\)](#); [Palmquist, Laura R \(DFPS\)](#); [Valdez, Lucinda \(DFPS\)](#); [Surratt, Michele L \(DFPS\)](#); [Tai, Eric T. \(DFPS\)](#); [Adams, Stefanie \(DFPS\)](#); [Cordray, Glenna \(DFPS\)](#)
Cc: [Kozikoujekian, Vicki \(DFPS\)](#)
Subject: AG Opinion in re Sex Change = Abuse
Date: Tuesday, February 22, 2022 10:39:14 AM
Attachments: [Attorney General Opinion No. KP-0401 -Sex changes and abuse.pdf](#)

Interesting opinion.

Brenda L. Kinsler

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From: [Arriaga,Dennis \(DFPS\)](#)
To: [Mikeska,William \(DFPS\)](#); [Roberson,Tom \(DFPS\)](#); [Smith,Lacey \(DFPS\)](#); [Bradley,Marilyn \(DFPS\)](#); [Morales,Teresa B \(DFPS\)](#); [Keiler-Green,Emily \(DFPS\)](#); [Schneider,Brandt \(DFPS\)](#); [Martinez,Rafael O \(DFPS\)](#); [Cuadrado,Melissa J \(DFPS\)](#)
Subject: Attorney General Opinion
Date: Tuesday, February 22, 2022 11:33:06 AM
Attachments: [Attorney General Opinion No. KP-0401 -Sex changes and abuse.pdf](#)

Just an FYI.

From: [Beaudoin, Lashonna R. \(DFPS\)](#)
To: [Barnaby, Uriah \(DFPS\)](#); [Geiselhart, Loree W. \(DFPS\)](#); [Mckoy, Nicoya N. \(DFPS\)](#); [Romero, Gorky \(DFPS\)](#); [Smith, Deitra M. \(DFPS\)](#)
Subject: Attorney General Opinion
Date: Wednesday, March 2, 2022 2:58:26 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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 PD regarding any questions you may have.

Thanks,

LaShonna Beaudoin

Investigative and Alternative Response Program Director

3 Northpoint

Houston, Tx 77060

281-405-3428 office

832-454-4512 cell

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

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

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>; Balsler,Jodi L. (DFPS) <Jodi.Balsler@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: Gales,Keith D (DFPS) <Keith.Gales@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>; Gales,Keith D (DFPS) <Keith.Gales@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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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Mitchell, Jimmie \(DFPS\)](#)
To: [Garza, Clara \(DFPS\)](#); [Jackson, Amy \(DFPS\)](#); [King, Cullen \(DFPS\)](#); [Mcelhinney, Kara \(DFPS\)](#); [Molina, Maria \(DFPS\)](#); [Peterman, Ashley \(DFPS\)](#); [Turner, Stacy \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 2:49:36 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

From: Abascal-Roemer, Allison J (DFPS) <Allison.Abascalroemer@dfps.texas.gov>

Sent: Tuesday, March 1, 2022 2:31 PM

To: Dominguez, Mark A (DFPS) <Mark.Dominguez@dfps.texas.gov>; Evens, Kristin (DFPS) <Kristin.Evens@dfps.texas.gov>; Malik, Elisha (DFPS) <Elisha.Malik@dfps.texas.gov>; Mitchell, Jimmie (DFPS) <Jimmie.Mitchell@dfps.texas.gov>

Subject: FW: Attorney General Opinion

So this goes to the email I sent last week. If we get any inv. in that voice any concerns regarding children and any gender changing procedures notify me immediately so we can notify the chain of command.

Allison Abascal-Roemer

Inv. Rural Program Director

Child Protective Investigations

819 Water St. suite 230 Kerrville, TX

830-792-4303 ex 0230 office

830-928-5174 cell

NOTICE: There has been a change to my email address. Effective immediately, my new email address is:

Allison.AbascalRoemer@dfps.texas.gov

From: Tyler, Michelle L (DFPS)

Sent: Tuesday, March 1, 2022 2:07 PM

To: Alcoser, Vanessa (DFPS) <Vanessa.Alcoser@dfps.texas.gov>; Abascal-Roemer, Allison J (DFPS) <Allison.Abascalroemer@dfps.texas.gov>; Beavers, Gwen E (DFPS) <Gwen.Beavers@dfps.texas.gov>; Moore, Maddison Y (DFPS) <Maddison.Moore@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Please see attached. We need to know if we get any of these reports in.

Michelle Tyler

CPI Program Administrator

Region 8

10223 Nacogdoches Rd.

San Antonio, Texas

210-262-1922



Texas Department of
Family and Protective Services
Investigations

From: Cunningham, Michelle S (DFPS) <Michelle.Cunningham@dfps.texas.gov>

Sent: Tuesday, March 1, 2022 12:27 PM

To: Tyler,Michelle L (DFPS) <Michelle.Tyler@dfps.texas.gov>; Ross,Jarlene (DFPS) <Jarlene.Ross@dfps.texas.gov>

Subject: FW: Attorney General Opinion

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If the supervisor or PD can forward the intakes to us ASAP. I am sure this is something we are asked about often.

*Michelle Cunningham, MSW
Child Protective Investigations
Regional Director (R8)
10223 Nacogdoches Rd.
San Antonio, Texas
Office phone 210-871-3106
Cell Phone 830-433-0924*

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From: [Malik,Elisha \(DFPS\)](#)
To: [Weers,Debbie \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 2:37:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

For unit meeting

Warm regards,

 Elisha Malik

Rural Investigations and Alternative Response Supervisor
Unit 32 Comal and Kendall County
Child Protective Investigations
115 Green Valley St
New Braunfels, Texas 78130
Cell: 210.262.7431
Fax: 512.934.9620

From: Abascal-Roemer,Allison J (DFPS)
Sent: Tuesday, March 1, 2022 2:31 PM
To: Dominguez,Mark A (DFPS) <Mark.Dominguez@dfps.texas.gov>; Evens,Kristin (DFPS) <Kristin.Evens@dfps.texas.gov>; Malik,Elisha (DFPS) <Elisha.Malik@dfps.texas.gov>; Mitchell,Jimmie (DFPS) <Jimmie.Mitchell@dfps.texas.gov>
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From: Tyler,Michelle L (DFPS)
Sent: Tuesday, March 1, 2022 2:07 PM
To: Alcoser,Vanessa (DFPS) <Vanessa.Alcoser@dfps.texas.gov>; Abascal-Roemer,Allison J (DFPS) <Allison.Abascalroemer@dfps.texas.gov>; Beavers,Gwen E (DFPS) <Gwen.Beavers@dfps.texas.gov>; Moore,Maddison Y (DFPS) <Maddison.Moore@dfps.texas.gov>
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Michelle Tyler

CPI Program Administrator

Region 8
10223 Nacogdoches Rd.
San Antonio, Texas
210-262-1922



Texas Department of
Family and Protective Services

Investigations

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Office phone 210-871-3106
Cell Phone 830-433-0924*

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From: [Walker,Lynette \(DFPS\)](#)
To: [Montgomery,Andrea \(DFPS Contractor\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 2:31:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: Estupinan,Jennifer (DFPS) <Jennifer.Estupinan@dfps.texas.gov>
Sent: Tuesday, March 1, 2022 2:24 PM
To: Justice,Tyiesha (DFPS) <Tyiesha.Justice@dfps.texas.gov>; Walker,Lynette (DFPS) <Lynette.Walker@dfps.texas.gov>; Wilson,Chasidy (DFPS) <Chasidy.Wilson@dfps.texas.gov>; Robinson,Tasia (DFPS) <Tasia.Robinson@dfps.texas.gov>; Mackeen,Jessica E (DFPS) <Jessica.Mackeen@dfps.texas.gov>; Warren,Tiffani (DFPS) <Tiffani.Warren@dfps.texas.gov>; Lyles,Brittany (DFPS) <Brittany.Lyles@dfps.texas.gov>
Subject: FW: Attorney General Opinion
Importance: High
Information that we are discussing during the conference call today.

From: Douglas,Diepriye (DFPS) <Diepriye.Douglas@dfps.texas.gov>
Sent: Tuesday, March 1, 2022 11:43 AM
To: Estupinan,Jennifer (DFPS) <Jennifer.Estupinan@dfps.texas.gov>; Ludwig,Tamala (DFPS) <Tamala.Ludwig@dfps.texas.gov>; Mcdonnell,Maria (DFPS) <Maria.Mcdonnell2@dfps.texas.gov>; Rayson,Kearia A (DFPS) <Kearia.Rayson@dfps.texas.gov>; Rosolino,Juliana G (DFPS) <Juliana.Rosolino@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Good morning all,

I am not sure if you have heard of this (see attached) however if you get a case that falls into this category, **immediately notify me** before sending a worker out. We need to staff it up.

Call me if you need to discuss further.

Kind regards,

Diepriye Douglas, MSW, LCSW

CPI Program Director of Investigation and Alternative Response

6300 Chimney Rock Rd

Houston, TX 77081

Cell: 832 449 0502

Fax 512 276 3011

Child Abuse Hotline 800 252 5400

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>; Gailles,Keith D (DFPS) <Keith.Gailles@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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512-438-3357

marta.talbert@dfps.texas.gov

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

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Subject: FW: Attorney General Opinion

fyi

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512-960-9352

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Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 2:31:00 PM
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Inv. Rural Program Director

Child Protective Investigations

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Region 8

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San Antonio, Texas

210-262-1922



Texas Department of
Family and Protective Services
Investigations

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SWI Associate Commissioner

512-960-9352

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To: [Alcozer,Vanessa \(DFPS\)](#); [Abascal-Roemer,Allison J \(DFPS\)](#); [Beavers,Gwen E \(DFPS\)](#); [Moore,Maddison Y \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 2:07:29 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
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[image001.png](#)

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CPI Program Administrator
Region 8
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San Antonio, Texas
210-262-1922



Texas Department of
Family and Protective Services
Investigations

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Date: Tuesday, March 1, 2022 1:41:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

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>; Balsler, Jodi L. (DFPS) <Jodi.Balsler@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

From: [Cunningham,Michelle S \(DFPS\)](#)
To: [Tyler,Michelle L \(DFPS\)](#); [Ross,Jarlene \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 12:26:45 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Be sure to share with the PD's, as we will need to know about any intakes that come in related to this topic.

If the supervisor or PD can forward the intakes to us ASAP. I am sure this is something we are asked about often.

*Michelle Cunningham, MSW
Child Protective Investigations
Regional Director (R8)
10223 Nacogdoches Rd.
San Antonio, Texas
Office phone 210-871-3106
Cell Phone 830-433-0924*

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

From: Talbert,Marta L (DFPS)
Sent: Tuesday, March 1, 2022 12:20 PM
To: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>; Toni Sutton (DFPS) <marie.sutton@dfps.state.tx.us>; Gilbert,Matthew (DFPS) <Matthew.Gilbert2@dfps.texas.gov>; 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

I want to double check---we currently only have three intakes/investigations regarding the legal opinion-Whether certain medical procedures performed on children constitute child abuse??

Correct?—Two out of Lisa's area and One out of Matts' area.

Tonya had one but found out doesn't meet so closing the case—has this been closed?

Need answer quickly.

Marta Talbert

Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

From: [Talbert, Marta L \(DFPS\)](#)
To: [Harmon, Tonya \(DFPS\)](#); [Toni Sutton \(DFPS\)](#); [Gilbert, Matthew \(DFPS\)](#); [Gailles, Keith D \(DFPS\)](#); [Wharton, Jarita N \(DFPS\)](#); [Sanders, Monica L \(DFPS\)](#); [Guyton, Lisa M \(DFPS\)](#); [Cunningham, Michelle S \(DFPS\)](#); [Baquero, Myrna I \(DFPS\)](#); [Yzaquierre, Marina C \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 12:22:43 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

I want to double check---we currently only have three intakes/investigations regarding the legal opinion-Whether certain medical procedures performed on children constitute child abuse??
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Tonya had one but found out doesn’t meet so closing the case—has this been closed?
Need answer quickly.

Marta Talbert

Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

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

From: [Talbert, Marta L \(DFPS\)](#)
To: [Harmon, Tonya \(DFPS\)](#); [Toni Sutton \(DFPS\)](#); [Gilbert, Matthew \(DFPS\)](#); [Gailles, Keith D \(DFPS\)](#); [Wharton, Jarita N \(DFPS\)](#); [Sanders, Monica L \(DFPS\)](#); [Guyton, Lisa M \(DFPS\)](#); [Cunningham, Michelle S \(DFPS\)](#); [Baquero, Myrna I \(DFPS\)](#); [Yzaquierre, Marina C \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 12:20:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

I want to double check---we currently only have three intakes/investigations regarding the legal opinion-Whether certain medical procedures performed on children constitute child abuse??
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Tonya had one but found out doesn’t meet so closing the case—has this been closed?
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Marta Talbert

Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

From: [Douglas,Diepriye \(DFPS\)](#)
To: [Vidrine,Lineshia \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 11:47:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

This is what I sent to my staff

Kind regards,

Diepriye Douglas, MSW, LCSW
CPI Program Director of Investigation and Alternative Response
6300 Chimney Rock Rd
Houston, TX 77081
Cell: 832 449 0502
Fax 512 276 3011
Child Abuse Hotline 800 252 5400

From: Douglas,Diepriye (DFPS)
Sent: Tuesday, March 1, 2022 11:43 AM
To: Estupinan,Jennifer (DFPS) <Jennifer.Estupinan@dfps.texas.gov>; Ludwig,Tamala (DFPS) <Tamala.Ludwig@dfps.texas.gov>; Mcdonnell,Maria (DFPS) <Maria.Mcdonnell2@dfps.texas.gov>; Rayson,Kearia A (DFPS) <Kearia.Rayson@dfps.texas.gov>; Rosolino,Juliana G (DFPS) <Juliana.Rosolino@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Good morning all,

I am not sure if you have heard of this (see attached) however if you get a case that falls into this category, **immediately notify me** before sending a worker out. We need to staff it up. Call me if you need to discuss further.

Kind regards,

Diepriye Douglas, MSW, LCSW
CPI Program Director of Investigation and Alternative Response
6300 Chimney Rock Rd
Houston, TX 77081
Cell: 832 449 0502
Fax 512 276 3011
Child Abuse Hotline 800 252 5400

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.

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

Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Douglas,Diepriye \(DFPS\)](#)
To: [Estupinan,Jennifer \(DFPS\)](#); [Ludwig,Tamala \(DFPS\)](#); [Mcdonnell,Maria \(DFPS\)](#); [Rayson,Kearia A \(DFPS\)](#); [Rosolino,Juliana G \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 11:43:13 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Good morning all,
I am not sure if you have heard of this (see attached) however if you get a case that falls into this category, **immediately notify me** before sending a worker out. We need to staff it up. Call me if you need to discuss further.

Kind regards,

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CPI Program Director of Investigation and Alternative Response

6300 Chimney Rock Rd

Houston, TX 77081

Cell: 832 449 0502

Fax 512 276 3011

Child Abuse Hotline 800 252 5400

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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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

From: [Truss, Stacey L \(DFPS\)](#)
To: [Cruz, Teresa \(DFPS\)](#); [Inyangala, Dorothy \(DFPS\)](#); [Jacksoncooper, Marquesa S \(DFPS\)](#); [Patel, Shefali \(DFPS\)](#); [Young, Aaricka \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 11:25:54 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

Please let me know if you receive any cases surrounding our Transgender Community. Before cases can be routed out please let me know because I need to let Monica and Kendrick know.

Thank You

Stacey Truss

Stacey Truss

CPI Program Director

Investigations and Alternative Response

6300 Chimney Rock Rd

Houston TX 77081

281 797 5421 cell

stacey.truss@dfps.texas.gov



From: Garrett, Kendrick L (DFPS) <Kendrick.Garrett@dfps.texas.gov>
Sent: Thursday, February 24, 2022 8:52 AM
To: Beaudoin, Lashonna R (DFPS) <Lashonna.Beaudoin@dfps.texas.gov>; Heath, Claudia M (DFPS) <Claudia.Heath@dfps.texas.gov>; Phynon, Domeka (DFPS) <Domeka.Phynon@dfps.texas.gov>; Truss, Stacey L (DFPS) <Stacey.Truss@dfps.texas.gov>
Subject: FW: Attorney General Opinion

FYI

Kind Regards,

Kendrick L. Garrett

Region 6A Program Administrator

DFPS/CPI (Alternative Response & Investigations)

832-454-7311 business cell

Kendrick.garrett@dfps.texas.gov



Texas Department of
Family and Protective Services

Child Protective Investigations

From: Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>
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>
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>; Gailles,Keith D (DFPS) <Keith.Gailles@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>
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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

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512-960-9352

From: Black,Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpswiaust0193@dfps.texas.gov>
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Please consult with your PA regarding any questions you may have.
Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Guerra, Marissa \(DFPS\)](#)
To: [Aguilar, Melissa \(DFPS\)](#)
Subject: Fwd: Attorney General Opinion
Date: Tuesday, March 1, 2022 9:36:54 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)
[image005.png](#)

From: Montoya, Erika (DFPS) <Erika.Montoya@dfps.texas.gov>
Sent: Tuesday, March 1, 2022 8:34 AM
To: Zachary, Adriana A (DFPS); Blair-Santaella, Kimberly (DFPS); Rodriguez, Joel (DFPS); Flores, Aaron (DFPS); Guerra, Marissa (DFPS); Reyes, Sonia (DFPS)
Subject: FW: Attorney General Opinion
Team:
We will discuss this thoroughly on Thursday's unit meeting. Please bring your questions and be ready for a very honest, genuine, open discussion.
Thank you kindly,



Erika Monique Montoya, MS, LPCA, NCC
Supervisor II/Military Liaison
7400 Diana Dr. El Paso TX, 79904
Region 10
Mobile: 915.356.4089
Fax: 512.929.5789
erika.montoya@dfps.texas.gov
DFPS Hotline: 1.800.252.5400

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From: Garcia, John A (DFPS)
Sent: Monday, February 28, 2022 4:26 PM
To: Carreon, Frankie T (DFPS) <Frankie.Carreon@dfps.texas.gov>; Martinez, Amanda (DFPS) <Amanda.Martinez@dfps.texas.gov>; Montoya, Erika (DFPS) <Erika.Montoya@dfps.texas.gov>; Morales, Carmelo (DFPS) <Carmelo.Morales@dfps.texas.gov>; Rubio, Veronica G (DFPS) <Veronica.Rubio@dfps.texas.gov>; Salazar, Teresa (DFPS) <Teresa.Salazar@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Importance: High

We will be reviewing this Tuesday morning. Thanks.

John Anthony Garcia

CPS Investigations Program Director

501 Hawkins

El Paso, Texas 79915

Office 915-521-3865

Work Cell 915-929-8532

Fax. 512-927-5788

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are not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any review, dissemination or copying of this email and its attachments, if any, or the information contained herein is prohibited. If you have received this email in error, please immediately notify the sender by return email and delete this email from your system.



**Texas Department of
Family and Protective Services**
Child Protective Investigations

Mission

We promote safe and healthy families and protect children and vulnerable adults from abuse, neglect, and exploitation.

Vision

Improving the lives of those we serve.

Values

We are Accountable, Respectful, Diverse, Collaborative, Professional

From: Baquero, Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>

Sent: Thursday, February 24, 2022 8:04 AM

To: Johnson, Christin (DFPS) <Christin.Johnson@dfps.texas.gov>; Ortega, Edna V (DFPS) <Edna.Ortega@dfps.texas.gov>; Garcia, John A (DFPS) <John.Garcia@dfps.texas.gov>; Wicker, Joseph (DFPS) <Joseph.Wicker@dfps.texas.gov>; Lopez, Isaac (DFPS) <Isaac.Lopez@dfps.texas.gov>; Valdez, Deric J (DFPS) <Deric.Valdez@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Importance: High

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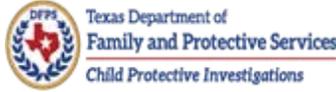
Myrna

From: [Montoya,Erika \(DFPS\)](#)
To: [Zachary,Adriana A \(DFPS\)](#); [Blair-Santaella,Kimberly \(DFPS\)](#); [Rodriguez,Joel \(DFPS\)](#); [Flores,Aaron \(DFPS\)](#); [Guerra,Marissa \(DFPS\)](#); [Reyes,Sonia \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Tuesday, March 1, 2022 9:34:57 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)
[image005.png](#)

Team:

We will discuss this thoroughly on Thursday's unit meeting. Please bring your questions and be ready for a very honest, genuine, open discussion.

Thank you kindly,



Erika Monique Montoya, MS, LPCA, NCC
Supervisor II/Military Liaison
7400 Diana Dr. El Paso TX, 79904
Region 10
Mobile: 915.356.4089
Fax: 512.929.5789
erika.montoya@dfps.texas.gov
DFPS Hotline: 1.800.252.5400

Confidentiality Notice: The information contained in this email communication and document(s) attached are for the exclusive use of the addressee(s) and may contain confidential, privileged and/or non-disclosable information. Thus, the dissemination or copying of this communication and attached document(s) to any person(s) other than the addressee(s) is prohibited. If the recipient(s) of this email communication is not the addressee(s), such recipient(s) is strictly prohibited from reading, photocopying, distributing or otherwise using this email or its contents and/or attachment(s) in any way. If you received this message in error, please contact the sender listed above by any contact means listed.

From: Garcia,John A (DFPS)
Sent: Monday, February 28, 2022 4:26 PM
To: Carreon,Frankie T (DFPS) <Frankie.Carreon@dfps.texas.gov>; Martinez,Amanda (DFPS) <Amanda.Martinez@dfps.texas.gov>; Montoya,Erika (DFPS) <Erika.Montoya@dfps.texas.gov>; Morales,Carmelo (DFPS) <Carmelo.Morales@dfps.texas.gov>; Rubio,Veronica G (DFPS) <Veronica.Rubio@dfps.texas.gov>; Salazar,Teresa (DFPS) <Teresa.Salazar@dfps.texas.gov>
Subject: FW: Attorney General Opinion
Importance: High

We will be reviewing this Tuesday morning. Thanks.

John Anthony Garcia
CPS Investigations Program Director
501 Hawkins
El Paso, Texas 79915
Office 915-521-3865
Work Cell 915-929-8532
Fax. 512-927-5788

CONFIDENTIALITY NOTICE

The information in this email may be confidential and/or privileged. This email is intended to be reviewed by only the individual or organization named above. If you are not the intended recipient or an authorized representative of the intended recipient, you are hereby notified that any review, dissemination or copying of this email and its attachments, if any, or the information contained herein is prohibited. If you have received this email in error, please immediately notify the sender by return email and delete this email from your system.



Texas Department of
Family and Protective Services
Child Protective Investigations

Mission

We promote safe and healthy families and protect children and vulnerable adults from abuse, neglect, and exploitation.

Vision

Improving the lives of those we serve.

Values

We are Accountable, Respectful, Diverse, Collaborative, Professional

From: Baquero, Myrna I (DFPS) <Myrna.Baquero@dfps.texas.gov>

Sent: Thursday, February 24, 2022 8:04 AM

To: Johnson, Christin (DFPS) <Christin.Johnson@dfps.texas.gov>; Ortega, Edna V (DFPS) <Edna.Ortega@dfps.texas.gov>; Garcia, John A (DFPS) <John.Garcia@dfps.texas.gov>; Wicker, Joseph (DFPS) <Joseph.Wicker@dfps.texas.gov>; Lopez, Isaac (DFPS) <Isaac.Lopez@dfps.texas.gov>; Valdez, Deric J (DFPS) <Deric.Valdez@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Importance: High

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

Myrna

From: [Martinez,Amanda \(DFPS\)](#)
To: [Amaya,Stephanie \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Monday, February 28, 2022 5:34:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

Effing bull poop.

From: Garcia,John A (DFPS)
Sent: Monday, February 28, 2022 4:26 PM
To: Carreon,Frankie T (DFPS) <Frankie.Carreon@dfps.texas.gov>; Martinez,Amanda (DFPS) <Amanda.Martinez@dfps.texas.gov>; Montoya,Erika (DFPS) <Erika.Montoya@dfps.texas.gov>; Morales,Carmelo (DFPS) <Carmelo.Morales@dfps.texas.gov>; Rubio,Veronica G (DFPS) <Veronica.Rubio@dfps.texas.gov>; Salazar,Teresa (DFPS) <Teresa.Salazar@dfps.texas.gov>
Subject: FW: Attorney General Opinion
Importance: High

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(DFPS) <Joseph.Wicker@dfps.texas.gov>; Lopez,Isaac (DFPS) <Isaac.Lopez@dfps.texas.gov>;
Valdez,Deric J (DFPS) <Deric.Valdez@dfps.texas.gov>

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Myrna

From: [Garcia, John A \(DFPS\)](#)
To: [Carreon, Frankie T \(DFPS\)](#); [Martinez, Amanda \(DFPS\)](#); [Montoya, Erika \(DFPS\)](#); [Morales, Carmelo \(DFPS\)](#); [Rubio, Veronica G \(DFPS\)](#); [Salazar, Teresa \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Monday, February 28, 2022 5:26:35 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

We will be reviewing this Tuesday morning. Thanks.

John Anthony Garcia
CPS Investigations Program Director
501 Hawkins
El Paso, Texas 79915
Office 915-521-3865
Work Cell 915-929-8532
Fax. 512-927-5788

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Subject: FW: Attorney General Opinion

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related to gender transitioning.

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

Myrna

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



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

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

From: [Chavez,Gloria \(DFPS\)](#)
To: [Mainali,Mona \(DFPS\)](#); [Barnett,Lexus \(DFPS\)](#); [Delvalle,Patricia \(DFPS\)](#); [Pacheco,Victoria \(DFPS\)](#); [Fisher,Kalayah \(DFPS\)](#); [Dalton,Daniel \(DFPS\)](#); [Hawthorne,Hillary \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Monday, February 28, 2022 10:36:41 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)
[image001.png](#)

Just FYI.
Thanks,
Gloria Chavez

Alternative Response Supervisor, Unit 66
8700 N. Stemmons Fwy. Suite 104
Dallas, Tx 75247
Business Cell: 214-458-0454
Email: gloria.chavez@dfps.texas.gov



Texas Department of
Family and Protective Services
Child Protective Investigations

From: Williams,Nicole H (DFPS) <Nicole.Williams@dfps.texas.gov>
Sent: Thursday, February 24, 2022 1:16 PM
To: Adams,Crystal (DFPS) <Crystal.Adams@dfps.texas.gov>; Brooks,Tammy R (DFPS) <Tammy.Brooks@dfps.texas.gov>; Brown,Ariva (DFPS) <Ariva.Brown2@dfps.texas.gov>; Hannah,Marnette N (DFPS) <Marnette.Hannah@dfps.texas.gov>; Chisanga,Chikwanda M (DFPS) <Chikwanda.Chisanga@dfps.texas.gov>; Chavez,Gloria (DFPS) <Gloria.Chavez@dfps.texas.gov>
Subject: FW: Attorney General Opinion

We will discuss briefly in our meeting at 2pm

Nicole Hawley Williams
Child Protective Services
Alternative Response Program Director
8700 N. Stemmons Frwy
Dallas, TX 75247
214-686-8558 cell
512-276-3833 fax
Nicole.Williams@dfps.texas.gov



Texas Department of
Family and Protective Services
Child Protective Investigations

From: Riley,Leighann (DFPS)
Sent: Thursday, February 24, 2022 11:59 AM
To: Williams,Nicole H (DFPS) <Nicole.Williams@dfps.texas.gov>; Jones,Katherine (DFPS) <Katherine.Jones@dfps.texas.gov>; Gibson,John (DFPS) <John.Gibson@dfps.texas.gov>; Nichols,Jennifer (DFPS) <Jennifer.Nichols@dfps.texas.gov>
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

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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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.

From: [Hohmann,Ruth E \(DFPS\)](#)
To: [Washington,Alexius \(DFPS\)](#); [Brown,Ashley N \(DFPS\)](#); [Hodges,Derek \(DFPS\)](#); [Golden,Jacqueline \(DFPS\)](#); [Crawford,Nicholas \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Monday, February 28, 2022 9:14:59 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)
[image001.png](#)

Do not post about this on social media!
Thx

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
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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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CPI Regional Director

Region 3 East

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469.340.9561 (mobile)

8700 N Stemmons FWY

Dallas, TX 75247

marie.sutton@dfps.texas.gov



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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 <dldfpswiaust0193@dfps.texas.gov>

Subject: Attorney General Opinion

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SWI Associate Commissioner

512-960-9352

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From: [Amin, Tammy L \(DFPS\)](#)
To: tonieplonowski@yahoo.com
Subject: FW: Attorney General Opinion
Date: Saturday, February 26, 2022 10:51:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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

From: [Salinas,Patricia \(DFPS\)](#)
To: [Esquivel,Maria V \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 7:02:46 PM
Attachments: [image001.png](#)
[AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Agenda item

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>; Gailles,Keith D (DFPS) <Keith.Gailles@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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marta.talbert@dfps.texas.gov

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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 <dldfpswiaust0193@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.

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



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>; Gailles,Keith D (DFPS) <Keith.Gailles@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

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To: [Bruton, Shanon \(DFPS\)](#); [Rodriguez, Kassandra \(DFPS\)](#); [Dixon, Jordan \(DFPS\)](#); [Singleton, Keshia \(DFPS\)](#); [Moore, Machell \(DFPS\)](#); [Jenkins, Jordan \(DFPS\)](#); [Martinez-Alvizo, Cristal \(DFPS\)](#); [Singleton, Keshia \(DFPS\)](#); [James, Laquanda \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 4:58:31 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)
[image001.png](#)
[image004.png](#)

Good afternoon,
Please see the attached.
Thank you,

Montasia Walls, M.A.

Investigations Supervisor

CPI | Unit 73

8700 N. Stemmons Fwy

Dallas, Texas, 75247

Mobile: 469.805.4736

Office: 214.583.4063

Email: Montasia.Walls@dfps.texas.gov

To Report Child Abuse or Neglect: 1.800.252.5400



Texas Department of
Family and Protective Services
Child Protective Investigations

From: Hughes, Kamesha D (DFPS) <Kamesha.Hughes@dfps.texas.gov>
Sent: Friday, February 25, 2022 4:02 PM
To: Caldwell, Thelma (DFPS) <Thelma.Caldwell@dfps.texas.gov>; Craven, Meilani (DFPS) <Meilani.Craven@dfps.texas.gov>; Mitchell, Angelica (DFPS) <Angelica.Mitchell2@dfps.texas.gov>; Scott, Melissa (DFPS) <Melissia.Scott@dfps.texas.gov>; Walls, Montasia (DFPS) <Montasia.Walls@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Thank you,
Kamesha Hughes,
Program Director
8700 N. Stemmons Fwy, Ste 104
Dallas, TX 75247
(214) 583-4032/Office
(469) 657-9268/Mobile
(512) 919-1018/Fax



Texas Department of
Family and Protective Services
Child Protective Investigations

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

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<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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512-438-3357

marta.talbert@dfps.texas.gov

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Stephen Black

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Stephen Black

SWI Associate Commissioner

512-960-9352

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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 I'm 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. I'm also trying to get more info from Alyson about the legal ramifications, I will let you all 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

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

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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

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Sent: Thursday, February 24, 2022 10:37 AM

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Subject: FW: Attorney General Opinion

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Region 3 East

214.583.4037 (office)

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Marta

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marta.talbert@dfps.texas.gov

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SWI Associate Commissioner

512-960-9352

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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



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CPI Program Administrator

Office 214-583-4181

Cell 214-543-0576

Fax 512-276-3531

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Child Protective Investigations

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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



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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 <dldfppswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

Hello SWI,

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Those two documents are attached to this communication which gives

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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.

From: [Lopez, Martin U \(DFPS\)](#)
To: [Barnhart, Haley \(DFPS\)](#); [Giancola, Tracy L \(DFPS\)](#); [Hohmann, Ruth E \(DFPS\)](#); [Sanich, Stephanie L \(DFPS\)](#); [Terry, Maria R \(DFPS\)](#); [Weston, Stacy L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 3:58:02 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)
[image001.png](#)

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 I'm 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. I'm also trying to get more info from Alyson about the legal ramifications, I will let you all 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: [Baldon, Loretta \(DFPS\) <Loretta.Baldon@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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Subject: FW: Attorney General Opinion

fyi
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512-960-9352

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Subject: Attorney General Opinion

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Stephen Black

SWI Associate Commissioner

512-960-9352

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To: Lopez program
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 3:54:39 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)
[image001.png](#)

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. Also please let the investigators know that as a State Employee they cannot be posting stuff on social media with their stance

Time Item Owner

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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



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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



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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

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Subject: FW: Attorney General Opinion

fyi

Stephen Black

512-960-9352

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

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Subject: Attorney General Opinion

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SWI Associate Commissioner

512-960-9352

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From: [Morrow,Belinda \(DFPS\)](#)
To: [Gonzalez,Katie C \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 3:48:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image003.png](#)
[image001.png](#)

FYI....

If you receive any case with this, you **MUST** call me. I added you to my weekly PD check in to discuss it then.

Thanks,

Belinda Morrow
Child Protective Services
Investigation Program Director
Region 3 East
214-673-7992 Work Cell



Texas Department of
Family and Protective Services
Child Protective Investigations

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

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To: [Gonzalez, Katie C \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 3:46:24 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov. Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image003.png](#)
[image001.png](#)

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Belinda Morrow

Child Protective Services

Investigation Program Director

Region 3 East

214-673-7992 Work Cell



**Texas Department of
Family and Protective Services**

Child Protective Investigations

From: Chancellor, Veronica M (DFPS)

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

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Sent: Thursday, February 24, 2022 3:46 PM

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Region 3 East

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8700 N Stemmons FWY

Dallas, TX 75247

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Texas Department of
Family and Protective Services
Child Protective Investigations

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Vincent Riles, MS, LPC
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Fax 512-276-3531
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Texas Department of
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Child Protective Investigations

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Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 3:07:34 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image003.png](#)
[image001.png](#)

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Child Protective Services
Investigation Program Director
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Family and Protective Services
Child Protective Investigations

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Date: Friday, February 25, 2022 2:47:23 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: [Davis,Tad \(DFPS\)](#)
To: [Kapoor,Shabnam \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 2:47:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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.
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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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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Green,Lakeshia \(DFPS\)](#)
To: [Boldon,Loretta \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 2:41:58 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image003.png](#)

Yall probably meeting on this

From: Chancellor,Veronica M (DFPS)
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>
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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



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From: [Hammon,Stephanie A \(DFPS\)](#)
To: [Rohr,Rosa L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 2:38:45 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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Subject: FW: Attorney General Opinion

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Subject: Attorney General Opinion

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512-960-9352

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Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 2:22:33 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image003.png](#)

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SWI Associate Commissioner

512-960-9352

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From: [Liles, Lou R. \(DFPS\)](#)
To: [McFarland, Tasha A. \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 12:50:56 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov. Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: [Lazaro,Deborah \(DFPS\)](#)
To: txkh1@gmail.com
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 12:20:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: Black,Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
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From: [Requenez,Janie I \(DFPS\)](#)
To: [Cano,Martha J \(DFPS\)](#); Leticia.Rodriguez@dfps.state.tx.us; Patricia.Salinas@dfps.state.tx.us
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 11:46:34 AM
Attachments: [image001.png](#)
[AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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



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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>; Gailles,Keith D (DFPS) <Keith.Gailles@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>
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512-960-9352

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From: [Requenez,Janie I \(DFPS\)](#)
To: [Cano,Martha J \(DFPS\)](#); Leticia.Rodriguez@dfps.state.tx.us; Patricia.Salinas@dfps.state.tx.us
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 11:44:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
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[image001.png](#)

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Texas Department of
Family and Protective Services

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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



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>
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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: Vangelder, John (DFPS) <John.Vangelder@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

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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

From: [Harmon, Tonya \(DFPS\)](#)
To: [Vandygriff, Shawn \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 9:02:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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>; Gailles, Keith D (DFPS) <Keith.Gailles@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>
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From: [Moore,Lindey \(DFPS\)](#)
To: [Fonseca,Elda \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Friday, February 25, 2022 8:29:40 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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From: [Westbrook, Debra \(DFPS\)](#)
To: mdkwestbrook@yahoo.com
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 8:50:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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From: [Visser,Rhonda A \(DFPS\)](#)
To: [Visser,Rhonda A \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 6:19:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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From: [ESTY,STACY A \(DFPS\)](#)
To: [Johnson,Brittany \(DFPS\)](#); [Boyd,Sharlina \(DFPS\)](#); [Mendez,Lisa K. \(DFPS\)](#); [Johnson,Angelle C \(DFPS\)](#); [Curry,Shelena D. \(DFPS\)](#); [Perez,Magdalena \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 6:09:23 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

FYI .. This is what has been on the news

From: Gaynor,Sarah J. (DFPS)
Sent: Thursday, February 24, 2022 5:43 PM
To: Addison,Stephanie M (DFPS) <Stephanie.Addison@dfps.texas.gov>; ESTY,STACY A (DFPS) <Stacy.ESTY@dfps.texas.gov>; Kelly,Toni L (DFPS) <Toni.Kelly@dfps.texas.gov>; Taylor-Owens,Jennifer L (DFPS) <Jennifer.Taylor-Owens@dfps.texas.gov>
Subject: FW: Attorney General Opinion
Please read attachments

Sarah Gaynor

Cell: 832-454-7263

From: Thomas,Montorea (DFPS) <Montorea.Thomas@dfps.texas.gov>
Sent: Thursday, February 24, 2022 4:46 PM
To: Cage,Natasha (DFPS) <Natasha.Cage@dfps.texas.gov>; Gaynor,Sarah J. (DFPS) <Sarah.Gaynor@dfps.texas.gov>; Jones,Alina S (DFPS) <Alina.Jones@dfps.texas.gov>
Subject: FW: Attorney General Opinion
See below. FYI

Montorea R. Thomas, MSW

Department of Family & Protective Services
Service Program Administrator/Region 6A
CVS, Court, PAL, Kinship, DDS, EDS, FGDM Liaison
2525 Murworth Dr.
Houston, TX 77054

 **Office:** (713)394-4139

 **Cell:** (713) 301-9810

 **Fax:** (512) 276-3017

 **Email:** montorea.thomas@dfps.texas.gov



From: Broussard-White,CJ (DFPS)
Sent: Thursday, February 24, 2022 4:40 PM
To: Easley,Shaundricka L (DFPS) <Shaundricka.Easley@dfps.texas.gov>; Lee,John L (DFPS) <John.Lee@dfps.texas.gov>; Reynolds,David E (DFPS) <David.Reynolds@dfps.texas.gov>; Thomas,Montorea (DFPS) <Montorea.Thomas@dfps.texas.gov>; Jones,Alina S (DFPS) <Alina.Jones@dfps.texas.gov>; Clark,Jennifer L. (DFPS) <Jennifer.Clark@dfps.texas.gov>; Levit,Lindy

(DFPS) <Lindy.Levit@dfps.texas.gov>; Plummer,Lataisha M. (DFPS) <Lataisha.Plummer@dfps.texas.gov>; Marks,Iker R (DFPS) <Iker.Marks@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Team,
Please see below and attached.
cj

From: Sanders,Monica L (DFPS)

Sent: Thursday, February 24, 2022 1:47 PM

To: Broussard-White,CJ (DFPS) <CJ.BroussardWhite@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Just an FYI
Notification from Gov. Abbott/AG Paxton

From: Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>

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.

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From: Sanders,Monica L (DFPS)

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To: [Addison, Stephanie M \(DFPS\)](#); [ESTY, STACY A \(DFPS\)](#); [Kelly, Toni L \(DFPS\)](#); [Taylor-Owens, Jennifer L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 5:43:43 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov. Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
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To: [Reyna, Debra M \(DFPS\)](#); [Saldivar, Vanessa \(DFPS\)](#); [Daniels, Ebony \(DFPS\)](#)
Subject: Fwd: Attorney General Opinion
Date: Thursday, February 24, 2022 5:10:16 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Alina Jones
Harris County Court & PAL Program Director
C: 832.360.6923

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To: Easley, Shaundricka L (DFPS) <Shaundricka.Easley@dfps.texas.gov>; Lee, John L (DFPS) <John.Lee@dfps.texas.gov>; Reynolds, David E (DFPS) <David.Reynolds@dfps.texas.gov>; Thomas, Montorea (DFPS) <Montorea.Thomas@dfps.texas.gov>; Jones, Alina S (DFPS) <Alina.Jones@dfps.texas.gov>; Clark, Jennifer L. (DFPS) <Jennifer.Clark@dfps.texas.gov>; Levit, Lindy (DFPS) <Lindy.Levit@dfps.texas.gov>; Plummer, Lataisha M. (DFPS) <Lataisha.Plummer@dfps.texas.gov>; Marks, Iker R (DFPS) <Iker.Marks@dfps.texas.gov>
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Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 5:07:07 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

Thank you,

Isaac K. Lopez

Program Director

Region 09 INV/AR

622 S. Oakes Ste. L

San Angelo, TX, 76903

O: 325-657-8940

C: 325-315-7569

Mission

We promote safe and healthy families and protect children and vulnerable adults from abuse, neglect, and exploitation.

Vision

Improving the lives of those we serve.

Values

We are Accountable, Respectful, Diverse, Collaborative, Professional



**Texas Department of
Family and Protective Services**

Child Protective Investigations

From: Baquero, Myrna I (DFPS)

Sent: Thursday, February 24, 2022 9:04 AM

To: Johnson, Christin (DFPS) <Christin.Johnson@dfps.texas.gov>; Ortega, Edna V (DFPS) <Edna.Ortega@dfps.texas.gov>; Garcia, John A (DFPS) <John.Garcia@dfps.texas.gov>; Wicker, Joseph (DFPS) <Joseph.Wicker@dfps.texas.gov>; Lopez, Isaac (DFPS) <Isaac.Lopez@dfps.texas.gov>; Valdez, Deric J (DFPS) <Deric.Valdez@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Importance: High

NOTE: All before you share this I want us to have a conversation. Deric please schedule a teams call for late this afternoon or tomorrow morning. Is everyone available at 4 pm central time? I am also available tomorrow morning.

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Myrna

From: [Thomas, Montorea \(DFPS\)](#)
To: [Cage, Natasha \(DFPS\)](#); [Gaynor, Sarah J. \(DFPS\)](#); [Jones, Alina S \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 4:45:45 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
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[image001.png](#)

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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

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Subject: FW: Attorney General Opinion

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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

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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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SWI Associate Commissioner

512-960-9352

From: [Ratliff,Janet \(DFPS\)](#)
To: [Jones,Larissa \(HHSC\)](#)
Subject: Fwd: Attorney General Opinion
Date: Thursday, February 24, 2022 4:42:10 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

From: Ratliff,Janet (DFPS) <Janet.Ratliff@dfps.texas.gov>
Sent: Thursday, February 24, 2022 4:41:26 PM
To: Wells,Shauna (DFPS) <Shauna.Wells@dfps.texas.gov>
Subject: Fwd: Attorney General Opinion

From: Meador,Angela G (DFPS) <Angela.Meador@dfps.texas.gov>
Sent: Thursday, February 24, 2022 2:50:33 PM
To: Ratliff,Janet (DFPS) <Janet.Ratliff@dfps.texas.gov>; Yoder,Jeffrey A (DFPS) <Jeffrey.Yoder@dfps.texas.gov>; Galaviz,Eduardo (DFPS) <Eduardo.Galaviz@dfps.texas.gov>; Nelson,Chrisstena D (DFPS) <Chrisstena.Nelson@dfps.texas.gov>; Coston,Stephanie (DFPS) <Stephanie.Coston@dfps.texas.gov>; Coulter,Kandi (DFPS) <Kandi.Coulter@dfps.texas.gov>
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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
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To: Vangelderren,John (DFPS) <John.Vangelderren@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>

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SWI Associate Commissioner
512-960-9352

From: [Lee, John L \(DFPS\)](#)
To: [McKentie, Teara S \(DFPS\)](#); [William, Alisa M \(DFPS\)](#); [Brown, Paulla E. \(DFPS\)](#); [Powell, Deedra R \(DFPS\)](#); [Stewart, Cynthia D \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 4:42:05 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Please see below and attachments.

John Lee
Region 6A Conservatorship Program Administrator
2525 Murworth
Houston, Texas 77054
Office: 713.394.4050
Cell: 832.454.5725

From: Broussard-White, CJ (DFPS) <CJ.BroussardWhite@dfps.texas.gov>
Sent: Thursday, February 24, 2022 4:40 PM
To: Easley, Shaundricka L (DFPS) <Shaundricka.Easley@dfps.texas.gov>; Lee, John L (DFPS) <John.Lee@dfps.texas.gov>; Reynolds, David E (DFPS) <David.Reynolds@dfps.texas.gov>; Thomas, Montorea (DFPS) <Montorea.Thomas@dfps.texas.gov>; Jones, Alina S (DFPS) <Alina.Jones@dfps.texas.gov>; Clark, Jennifer L. (DFPS) <Jennifer.Clark@dfps.texas.gov>; Levit, Lindy (DFPS) <Lindy.Levit@dfps.texas.gov>; Plummer, Lataisha M. (DFPS) <Lataisha.Plummer@dfps.texas.gov>; Marks, Iker R (DFPS) <Iker.Marks@dfps.texas.gov>
Subject: FW: Attorney General Opinion
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Subject: Fwd: Attorney General Opinion
Date: Thursday, February 24, 2022 4:41:30 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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Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 4:41:03 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
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512-960-9352

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To: [Monk, Sakara N \(DFPS\)](#); [Mendoza, Carolina \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 3:48:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image003.png](#)

Notify me and I'll notify Toni.

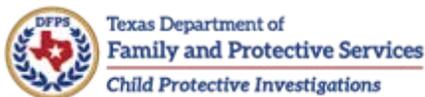
From: Sutton, Toni (DFPS) <Marie.Sutton@dfps.texas.gov>
Sent: Thursday, February 24, 2022 3:46 PM
To: Riles, Vincent A (DFPS) <Vincent.Riles2@dfps.texas.gov>; Riley, Leighann (DFPS) <Mary.Riley@dfps.texas.gov>; Chancellor, Veronica M (DFPS) <Veronica.Chancellor@dfps.texas.gov>; Coaston, Marva (DFPS)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



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512-960-9352

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From: [Sutton,Toni \(DFPS\)](#)
To: [Riles,Vincent A \(DFPS\)](#); [Riley,Leighann \(DFPS\)](#); [Chancellor,Veronica M \(DFPS\)](#); [Coaston,Marva \(DFPS\)](#); [Ferbrache,Belinda \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 3:46:27 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
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[image003.png](#)

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To: DL DFPS SWI AUST0193 <dldfppswiaust0193@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

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

From: [Coaston, Marva \(DFPS\)](#)
To: [Monk, Sakara N \(DFPS\)](#); [Mendoza, Carolina \(DFPS\)](#)
Subject: Attorney General Opinion
Date: Thursday, February 24, 2022 3:38:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)
[image001.png](#)

FYI!

From: Sutton, Toni (DFPS) <Marie.Sutton@dfps.texas.gov>
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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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

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From: [Harty, Kimberly \(DFPS\)](#)
To: [Rodriguez, Michael \(DFPS\)](#); [Perea, Nicholas \(DFPS\)](#); [Njatcha, Cynthia \(DFPS\)](#); [Organ, Kalee \(DFPS\)](#); [Rietz, Emily \(DFPS\)](#); [Kendall-Ball, Jennifer \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 3:27:03 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

This is the email I was referencing.

Thanks,

Kimberly Harty

Alternative Response Supervisor II

1622 10th St. Lubbock, Texas 79401

Office: (806) 742-9140

Cell: (806) 543- 8272

Fax: (512) 927-5745

CONFIDENTIALITY NOTICE: This communication, and any attachments, contains confidential information under §552.139 of the Texas Public Information Act and/or other applicable state and federal laws. Because of the secure content, this message is intended solely for the use of the addressees named above. If you have received this message in error, please notify the sender immediately, delete this e-mail from your system, and destroy any copies you have made of this communication or any attachments. Recipients may not forward this communication to unauthorized persons, and must segregate copies of this e-mail and any attachments from any publicly accessible records. Unauthorized interception of this e-mail may be prosecuted as a violation of federal criminal law.



From: Castillo, Lilia (DFPS) <Lilia.Castillo@dfps.texas.gov>

Sent: Thursday, February 24, 2022 12:00 PM

To: Harris, Cortney (DFPS) <Cortney.Harris@dfps.texas.gov>; Harty, Kimberly (DFPS) <Kimberly.Harty@dfps.texas.gov>; Hurtt, Lawrence (DFPS) <Lawrence.Hurtt@dfps.texas.gov>; Jones, Darnisha T (DFPS) <Darnisha.Jones@dfps.texas.gov>; Moses, Sommer (DFPS) <Sommer.Moses@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Lilia M. Castillo

CPI Investigation Program Director

Lubbock

806-281-7217

From: Harmon, Tonya (DFPS)

Sent: Thursday, February 24, 2022 9:48 AM

To: Vangelder, John (DFPS) <John.Vangelder@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

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Marta Talbert

Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

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To: Talbert, Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion

fyi

Stephen Black
512-960-9352

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To: DL DFPS SWI AUST0193 <dldfpswiaust0193@dfps.texas.gov>
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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Templeton, Kelly \(DFPS\)](#)
To: [Ferguson, Penelope K \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 3:19:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Hi Penny –

I am sure you have received these, but just in case not, I wanted to forward to you. One of the screeners sent to me. It will be interesting to see how this will play out.

Kelly Templeton
Child Safety Specialist
Region 1
1622 10th street
Lubbock, Tx. 79401
Office: 806-742-9167
Cell: 806-224-5597

From: [Meador,Angela G \(DFPS\)](#)
To: [Ratliff,Janet \(DFPS\)](#); [Yoder,Jeffrey A \(DFPS\)](#); [Galaviz,Eduardo \(DFPS\)](#); [Nelson,Chrisstena D \(DFPS\)](#); [Coston,Stephanie \(DFPS\)](#); [Coulter,Kandi \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 2:50:36 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Ill have more info after meeting with Todd this afternoon.

From: Etheredge,Todd (DFPS)
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: Vangelderren,John (DFPS) <John.Vangelderren@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>
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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>

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Director of Investigation and Alternative Response

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marta.talbert@dfps.texas.gov

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Subject: FW: Attorney General Opinion

fyi

Stephen Black

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SWI Associate Commissioner

512-960-9352

From: [Etheredge, Todd \(DFPS\)](#)
To: [Chavira, Ninfa \(DFPS\)](#); [Cross, Angie J \(DFPS\)](#); [King, Amie \(DFPS\)](#); [Lipham, Alexis P \(DFPS\)](#); [Meador, Angela G \(DFPS\)](#); [Montoya, Erica A \(DFPS\)](#); [Speaks, Ginger L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 2:37:43 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

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



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512-438-3357

marta.talbert@dfps.texas.gov

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From: [Phillips,Deirdre \(DFPS\)](#)
To: [Burnette,Ashley \(DFPS\)](#); [Drennan,Kelsey M. \(DFPS\)](#); [Galindo,Jessica \(DFPS\)](#); [Strange,Sogunda \(DFPS\)](#); [Wilson,Loresha \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 2:32:48 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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>
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marta.talbert@dfps.texas.gov

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Sent: Wednesday, February 23, 2022 3:46 PM
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512-960-9352

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--

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To: [Burnette,Ashley \(DFPS\)](#); [Drennan,Kelsey M. \(DFPS\)](#); [Galindo,Jessica \(DFPS\)](#); [Strange,Sogunda \(DFPS\)](#); [Wilson,Loresha \(DFPS\)](#)
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Date: Thursday, February 24, 2022 2:30:53 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
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512-438-3357

marta.talbert@dfps.texas.gov

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

Subject: FW: Attorney General Opinion

fyi

Stephen Black

512-960-9352

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

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Sanders,Monica L \(DFPS\)](#)
To: [Broussard-White,CJ \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 1:47:45 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Just an FYI Notification from Gov. Abbott/AG Paxton

From: Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>
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>
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>; Gailles,Keith D (DFPS) <Keith.Gailles@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

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 <dldfpswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Calderon,Porsche \(DFPS\)](#)
To: [Ross,Shenel \(DFPS\)](#); [Bowes,Akeelah \(DFPS\)](#); [Mitchell,Derona \(DFPS\)](#); [Callens,Donna \(DFPS\)](#); [Williams,Dominique \(DFPS\)](#)
Cc: [Bryant,Edwin \(DFPS\)](#); [Osegueda,Franklin \(DFPS\)](#); [Matthews,Chelsia \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 1:24:46 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

From: Phynon,Domeka (DFPS) <Domeka.Phynon@dfps.texas.gov>
Sent: Thursday, February 24, 2022 12:52 PM
To: Alaniz,Jose (DFPS) <Jose.Alaniz@dfps.texas.gov>; Dorchak,James (DFPS) <James.Dorchak@dfps.texas.gov>; Moore,Adrienne (DFPS) <Adrienne.Moore@dfps.texas.gov>; Munoz,Luis (DFPS) <Luis.Munoz@dfps.texas.gov>; Calderon,Porsche (DFPS) <Porsche.Calderon@dfps.texas.gov>; Matthews,Kirby (DFPS) <Kirby.Matthews2@dfps.texas.gov>; Salazar,Melanie (DFPS) <Melanie.Salazar@dfps.texas.gov>; Taylor,Jasmine (DFPS) <Jasmine.Taylor@dfps.texas.gov>
Subject: FW: Attorney General Opinion

FYI

Domeka Phynon

CPI Investigation and Alternative Response (AR) Program Director

3 NorthPoint Drive Suite 248

Houston, TX 77060

Fax: (512)276-3011

Business: (281)847-7000

Cell: (713)413-7176

From: Garrett,Kendrick L (DFPS) <Kendrick.Garrett@dfps.texas.gov>
Sent: Thursday, February 24, 2022 8:52 AM
To: Beaudoin,Lashonna R (DFPS) <Lashonna.Beaudoin@dfps.texas.gov>; Heath,Claudia M (DFPS) <Claudia.Heath@dfps.texas.gov>; Phynon,Domeka (DFPS) <Domeka.Phynon@dfps.texas.gov>; Truss,Stacey L (DFPS) <Stacey.Truss@dfps.texas.gov>
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Kind Regards,

Kendrick L. Garrett

Region 6A Program Administrator

DFPS/CPI (Alternative Response & Investigations)

832-454-7311 business cell

Kendrick.garrett@dfps.texas.gov



Texas Department of
Family and Protective Services
Child Protective Investigations

From: Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>
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

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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Williams, Nicole H \(DFPS\)](#)
To: [Adams, Crystal \(DFPS\)](#); [Brooks, Tammy R \(DFPS\)](#); [Brown, Ariva \(DFPS\)](#); [Hannah, Marnette N \(DFPS\)](#); [Chisanga, Chikwanda M \(DFPS\)](#); [Chavez, Gloria \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 1:16:44 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)
[image001.png](#)

We will discuss briefly in our meeting at 2pm

Nicole Hawley Williams
Child Protective Services
Alternative Response Program Director
8700 N. Stemmons Frwy
Dallas, TX 75247
214-686-8558 cell
512-276-3833 fax
Nicole.Williams@dfps.texas.gov



Texas Department of
Family and Protective Services
Child Protective Investigations

From: Riley, Leighann (DFPS)
Sent: Thursday, February 24, 2022 11:59 AM
To: Williams, Nicole H (DFPS) <Nicole.Williams@dfps.texas.gov>; Jones, Katherine (DFPS) <Katherine.Jones@dfps.texas.gov>; Gibson, John (DFPS) <John.Gibson@dfps.texas.gov>; Nichols, Jennifer (DFPS) <Jennifer.Nichols@dfps.texas.gov>
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
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To: [Alaniz,Jose \(DFPS\)](#); [Dorchak,James \(DFPS\)](#); [Moore,Adrienne \(DFPS\)](#); [Munoz,Luis \(DFPS\)](#); [Calderon,Porsche \(DFPS\)](#); [Matthews,Kirby \(DFPS\)](#); [Salazar,Melanie \(DFPS\)](#); [Taylor,Jasmine \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 12:52:05 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

FYI

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Texas Department of
Family and Protective Services

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Subject: FW: Attorney General Opinion

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Stephen Black

SWI Associate Commissioner

512-960-9352

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](#)

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

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marta.talbert@dfps.texas.gov

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From: [Chancellor,Veronica M \(DFPS\)](#)
To: [Day,Tonita \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 12:12:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Hello Tonita, I wanted to share this information with you and also to let you know for right now intakes received that fit this category will be assigned to you for completion. We will talk more once additional information is received.

Thanks

From: Sutton,Toni (DFPS) <Marie.Sutton@dfps.texas.gov>
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>
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Subject: FW: Attorney General Opinion

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From: [Castillo,Lilia \(DFPS\)](#)
To: [Harris,Cortney \(DFPS\)](#); [Harty,Kimberly \(DFPS\)](#); [Hurt,Lawrence \(DFPS\)](#); [Jones,Darnisha T \(DFPS\)](#); [Moses,Sommer \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 12:00:01 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Lilia M. Castillo
CPI Investigation Program Director
Lubbock
806-281-7217

From: Harmon,Tonya (DFPS)
Sent: Thursday, February 24, 2022 9:48 AM
To: Vangelder,John (DFPS) <John.Vangelder@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

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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.

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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Riley, Leighann \(DFPS\)](#)
To: [Williams, Nicole H \(DFPS\)](#); [Jones, Katherine \(DFPS\)](#); [Gibson, John \(DFPS\)](#); [Nichols, Jennifer \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 11:58:47 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

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>; Gailles, Keith D (DFPS) <Keith.Gailles@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

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
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512-960-9352

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Subject: Attorney General Opinion

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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.

From: [Raschke, Daniel J \(DFPS\)](#)
To: [Brown, Kristen \(DFPS\)](#); [Gossett, Yashika \(DFPS\)](#); [Raines, Karley \(DFPS\)](#); [Strong, Bailey \(DFPS\)](#); [Tave, Ashley \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 11:57:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

From: Prewitt, Amanda R. (DFPS) <Amanda.Prewitt@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 7:45 PM
To: Hickerson, Felicia (DFPS) <Felicia.Hickerson@dfps.texas.gov>; Kirkpatrick, Jennifer (DFPS) <Jennifer.Kirkpatrick@dfps.texas.gov>; Gonzalez, Mario H (DFPS) <Mario.Gonzalez@dfps.texas.gov>; Cole, Monica (DFPS) <Monica.Cole@dfps.texas.gov>; Raschke, Daniel J (DFPS) <Daniel.Raschke@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Please review and share with staff. Please keep in mind if you get any reports of this nature (gender reassignment, transitioning, etc) I need you to immediately notify me of such so I can pass it up the chain. Make sure you are reviewing intakes and that staff know to keep an eye out for this too. This is our current hot topic!

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>; Gales, Keith D (DFPS) <Keith.Gales@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

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 <dldfpswiaust0193@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

From: [Hanson,Michelle R \(DFPS\)](#)
To: [Campbell,Summer \(DFPS\)](#); [Desmond,Nicole A \(DFPS\)](#); [Heugatter,Brooke \(DFPS\)](#); [Latimer,Marc \(DFPS\)](#); [Matthews,Jana \(DFPS\)](#); [MORENO,AMANDA G \(DFPS\)](#); [Rice,Christopher \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 11:02:50 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Michelle Hanson
CPI Program Director Region 02
925 Lamar Street
Wichita Falls, Texas 76301
940-531-8396

From: Harmon,Tonya (DFPS) <Tonya.Harmon@dfps.texas.gov>
Sent: Thursday, February 24, 2022 9:48 AM
To: Vangelder,John (DFPS) <John.Vangelder@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
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Thanks,
Marta

Marta Talbert

Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

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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

From: [Perez, Maria C \(DFPS\)](#)
To: [Williams, Christopher \(DFPS\)](#); [Hobbs, Beth A \(DFPS\)](#); [Martin, Jeremy L \(DFPS\)](#); [Womack, Renee \(DFPS\)](#); [Chini, Theresa L \(DFPS\)](#); [Dygart, Ashley \(DFPS\)](#); [Gonzalez, Brenda N \(Region 08\) \(DFPS\)](#); [Livingston, Nilza E \(DFPS\)](#); [Maldonado, Jennifer \(DFPS\)](#); [Martinez, Audra C \(DFPS\)](#); [Pena, Frances C \(DFPS\)](#); [Pena, Maria L \(DFPS\)](#); [Robles, Norma \(DFPS\)](#); [Rodriguez, Noelia \(DFPS\)](#); [Rosas, Diana \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:59:14 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Good morning, we need to have a short meeting at 11:30 AM to discuss this. I will be sending an invite via Teams, shortly.

Thank you,

Mary Perez,

SWI/CPI Screener Supervisor

Regions 8, 10 & 11

(956) 969-9255, office

(956) 373-0110, cell

From: Allen, Brenda O (DFPS)
Sent: Wednesday, February 23, 2022 4:25 PM
To: Stancik, Abigail (DFPS) <Abigail.Stancik@dfps.texas.gov>; Malrey, Kristi D (DFPS) <Kristi.Malrey@dfps.texas.gov>; Ball, Tommy (DFPS) <Tommy.Ball2@dfps.texas.gov>; Jeter, Scott M. (DFPS) <Scott.Jeter@dfps.texas.gov>; Shavers, Christin L. (DFPS) <Christin.Shavers@dfps.texas.gov>; Perez, Maria C (DFPS) <Maria.Perez1@dfps.texas.gov>; Gonzalez, Brenda N (Region 08) (DFPS) <Brenda.Gonzalez2@dfps.texas.gov>
Subject: FW: Attorney General Opinion

We will have a meeting tomorrow to discuss this and then you can share info with your staff.

Brenda Allen

SWI Screener Program Administrator

Cell: 281-782-8934

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfppswiaust0193@dfps.texas.gov>
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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Sutton, Toni \(DFPS\)](#)
To: [Riles, Vincent A \(DFPS\)](#); [Riley, Leighann \(DFPS\)](#); [Chancellor, Veronica M \(DFPS\)](#); [Coaston, Marva \(DFPS\)](#); [Ferbrache, Belinda \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:37:22 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

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>); Gailles, Keith D (DFPS) <Keith.Gailles@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>

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SWI Associate Commissioner

512-960-9352

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From: [Campbell, Mckaylie \(DFPS\)](#)
To: [Templeton, Kelly \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:36:39 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

Did you see this?



Texas Department of
Family and Protective Services
Child Protective Investigations

McKaylie Campbell
SWI CPI Investigation/Alternative Response Screener II
806-543-7174 cell

From: Shavers, Christin L. (DFPS)
Sent: Thursday, February 24, 2022 10:21 AM
To: Aguirre, Patricia J (DFPS) <Patricia.Aguirre@dfps.texas.gov>; Bohach, Cassara N (DFPS) <Cassara.Bohach@dfps.texas.gov>; Campbell, McKaylie (DFPS) <McKaylie.Campbell@dfps.texas.gov>; Duenes, Kathie (DFPS) <Kathie.Duenes@dfps.texas.gov>; Johnson, Rhonda (DFPS) <Rhonda.Johnson@dfps.texas.gov>; Kissinger, Rhonda M (DFPS) <Rhonda.Kissinger@dfps.texas.gov>; McFarland, Trannie (DFPS) <Trannie.Mcfarland@dfps.texas.gov>; Rankin, Iris V (DFPS) <Iris.Rankin@dfps.texas.gov>; Rodriguez, Deidre (DFPS) <Deidre.Rodriguez@dfps.texas.gov>; Thomas, Tinya R (DFPS) <Tinya.Thomas@dfps.texas.gov>; Thornton, Debra C (DFPS) <Debra.Thornton2@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Did y'all get this?

Thanks,

Christin Shavers

SWI Screener Supervisor

Regions 1, 2, 7, & 9

512-968-0260

Christin.shavers@dfps.texas.gov

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black

SWI Associate Commissioner
512-960-9352

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To: mckayliec@gmail.com
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:36:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[image001.png](#)



Texas Department of
Family and Protective Services
Child Protective Investigations

McKaylie Campbell
SWI CPI Investigation/Alternative Response Screener II
806-543-7174 cell

From: Shavers, Christin L. (DFPS)
Sent: Thursday, February 24, 2022 10:21 AM
To: Aguirre, Patricia J (DFPS) <Patricia.Aguirre@dfps.texas.gov>; Bohach, Cassara N (DFPS) <Cassara.Bohach@dfps.texas.gov>; Campbell, McKaylie (DFPS) <Mckaylie.Campbell@dfps.texas.gov>; Duenes, Kathie (DFPS) <Kathie.Duenes@dfps.texas.gov>; Johnson, Rhonda (DFPS) <Rhonda.Johnson@dfps.texas.gov>; Kissinger, Rhonda M (DFPS) <Rhonda.Kissinger@dfps.texas.gov>; McFarland, Trannie (DFPS) <Trannie.Mcfarland@dfps.texas.gov>; Rankin, Iris V (DFPS) <Iris.Rankin@dfps.texas.gov>; Rodriguez, Deidre (DFPS) <Deidre.Rodriguez@dfps.texas.gov>; Thomas, Tinya R (DFPS) <Tinya.Thomas@dfps.texas.gov>; Thornton, Debra C (DFPS) <Debra.Thornton2@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Did y'all get this?

Thanks,
Christin Shavers
SWI Screener Supervisor
Regions 1, 2, 7, & 9
512-968-0260
Christin.shavers@dfps.texas.gov

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

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 (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,



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."

From: [Claude,Jennifer L \(DFPS\)](#)
To: [Cruz-Vazquez,Jose \(DFPS\)](#); [Farmer,Kellie \(DFPS\)](#); [May,Krystella \(DFPS\)](#); [Perodin,Reta \(DFPS\)](#); [Rodgers,Leslie \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:29:02 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

From: Gailles,Keith D (DFPS) <Keith.Gailles@dfps.texas.gov>
Sent: Thursday, February 24, 2022 10:28 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,



Texas Department of
Family and Protective Services

Keith D. Gailles

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

From: [Gailes,Keith D.\(DFPS\)](#)
To: [Liles,Lou R.\(DFPS\)](#); [Peterson,Nicole.\(DFPS\)](#); [Kelly,Eurika.\(DFPS\)](#); [Walton,Michelle.\(DFPS\)](#); [Prewitt,Amanda R.\(DFPS\)](#); [Chesnut,Andrew.\(DFPS\)](#); [Boshuizen,Steven.\(DFPS\)](#); [Claude,Jennifer L.\(DFPS\)](#); [Phillips,Deirdre.\(DFPS\)](#)
Subject: Attorney General Opinion
Date: Thursday, February 24, 2022 10:28:18 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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CPI Regional Director, Regions 4/5

*3103 Summerhill Road
Texarkana, Texas 75503*

(903) 791-3304 Office

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"Every Case Matters."

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>
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 <dldfpswiaust0193@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

From: [Shavers,Christin L. \(DFPS\)](#)
To: [Aquirre,Patricia J \(DFPS\)](#); [Bohach,Cassara N \(DFPS\)](#); [Campbell,Mckaylie \(DFPS\)](#); [Duenes,Kathie \(DFPS\)](#); [Johnson,Rhonda \(DFPS\)](#); [Kissinger,Rhonda M \(DFPS\)](#); [Mcfarland,Trannie \(DFPS\)](#); [Rankin,Iris V \(DFPS\)](#); [Rodriquez,Deidre \(DFPS\)](#); [Thomas,Tinya R \(DFPS\)](#); [Thornton,Debra C \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:21:25 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Did y'all get this?

Thanks,

Christin Shavers

SWI Screener Supervisor

Regions 1, 2, 7, & 9

512-968-0260

Christin.shavers@dfps.texas.gov

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>

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SWI Associate Commissioner

512-960-9352

From: [Santiago,Shaun \(DFPS\)](#)
To: [Davis,Tad \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:12:05 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

This is BS

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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>
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Houston, TX 77054
Office (713) 394-4060
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Subject: FW: Attorney General Opinion

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marta.talbert@dfps.texas.gov

From: Black,Stephen D (DFPS)

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Subject: FW: Attorney General Opinion

fyi

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512-960-9352

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Martinez, Dalila \(DFPS\)](#)
To: [Melcer, Janine F \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:11:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

Good morning,

I am slowly starting to get questions about this from my workers...

- Will PPM be providing any guidance for assessment on these calls?
- What exactly would cause something to be an intake and what possible allegation/allegations (MDNG/EMAB) we would be using for this?
- If the child is in a placement outside of the home who is listed as an AP for the allegation?
- Would we only take an intake if the child is receiving hormone treatment/surgical procedures for gender reassignment?
- What priority should be assigned to these intakes?

Thank you,

Dalila Martinez

DFPS SWI Supervisor II Unit 26

Tuesday-Saturday 8AM-4:30 PM

Cell (737) 249-8369



Texas Department of
Family and Protective Services

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfsswiaust0193@dfps.texas.gov>
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SWI Associate Commissioner

512-960-9352

From: [Santiago,Shaun \(DFPS\)](#)
To: [Levit,Lindy \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 10:04:57 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

There you go Lindy

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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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Marta Talbert

Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

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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>

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Stephen Black

SWI Associate Commissioner

512-960-9352

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 time 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



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>; Balsler, Jodi L. (DFPS) <Jodi.Balsler@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: Gailles,Keith D (DFPS) <Keith.Gailles@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)

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Cc: [Bailey, Brittany \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:48:43 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

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

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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>; Toni Sutton (DFPS <marie.sutton@dfps.state.tx.us>;

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<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

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 <dldfpswiaust0193@dfps.texas.gov>

Subject: Attorney General Opinion

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Harmon, Tonya \(DFPS\)](#)
To: [Vangelder, John \(DFPS\)](#); [Etheredge, Todd \(DFPS\)](#); [Hanson, Michelle R \(DFPS\)](#); [Castillo, Lilia \(DFPS\)](#); [Cash, Crystal \(DFPS\)](#)
Cc: [Ward, Shannon M \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:48:34 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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

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>
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SWI Associate Commissioner

512-960-9352

From: [Hardie, Sherrie F \(DFPS\)](#)
To: [Barker-White, Thomas M \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:46:34 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Sounds about right. We will take it case by case. There have been some that came through yesterday.
Sherrie

From: Barker-White, Thomas M (DFPS) <Thomas.Barker-White@dfps.texas.gov>

Sent: Wednesday, February 23, 2022 6:15 PM

To: Hardie, Sherrie F (DFPS) <Sherrie.Hardie@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Reading through the legalese, we're taking a case if the parents are surgically or chemically supporting transition. Does that sound about right?

Thomas Barker-White

SWI Supervisor

Sun, Mon, Wed, Thur 2p – 12:30a

State Cell: 512-460-8438

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>

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

To: DL DFPS SWI AUST0193 <dldfpswiaust0193@dfps.texas.gov>

Subject: Attorney General Opinion

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Santiago,Shaun \(DFPS\)](#)
To: [Johnson,Andrea L \(DFPS\)](#); [Rhodes,Jocelyn \(DFPS\)](#); [Stewart,Daylon \(DFPS\)](#); [Taylor,Cassandra L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:37:17 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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>
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Immediately.
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512-960-9352

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

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SWI Associate Commissioner
512-960-9352

From: [Parrott, Katheryn \(DFPS\)](#)
To: [Bryant, Kasi \(DFPS\)](#); [Clark, Kaitlin \(DFPS\)](#); [Medina, Skylar \(DFPS\)](#); [Johnson, Michelle \(DFPS\)](#); [Emerson, Mary \(DFPS\)](#); [Hancock, Baleigh \(DFPS\)](#); [Lavender, Amy \(DFPS\)](#); [Budwine, Shalisa \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:34:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Please see attached.

Take care,
Katheryn Parrott
Child Protective Investigations Supervisor
Office: 409-385-1641
Cell: 409-289-5171
Fax: 512-276-3077

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>
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☎ State Cell: 903-368-0064 | ☎ Fax: 512-276-3581
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**Texas Department of
Family and Protective Services**
Child Protective Investigations

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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

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CPI Division

Houston, TX 77054

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Cell (713) 269-4545

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SWI Associate Commissioner

512-960-9352

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To: [Deshotel, Kathryn C \(DFPS\)](#); [Gill, Rogerick \(DFPS\)](#); [Rose, Lisa \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:22:24 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Please see attached

From: Prewitt, Amanda R. (DFPS) <Amanda.Prewitt@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 7:45 PM
To: Hickerson, Felicia (DFPS) <Felicia.Hickerson@dfps.texas.gov>; Kirkpatrick, Jennifer (DFPS) <Jennifer.Kirkpatrick@dfps.texas.gov>; Gonzalez, Mario H (DFPS) <Mario.Gonzalez@dfps.texas.gov>; Cole, Monica (DFPS) <Monica.Cole@dfps.texas.gov>; Raschke, Daniel J (DFPS) <Daniel.Raschke@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Please review and share with staff. Please keep in mind if you get any reports of this nature (gender reassignment, transitioning, etc) I need you to immediately notify me of such so I can pass it up the chain. Make sure you are reviewing intakes and that staff know to keep an eye out for this too. This is our current hot topic!

Amanda R. Prewitt

Child Protective Investigations Program Director: Region 4
420 Athens Brick Road, Athens Texas 75751
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Family and Protective Services
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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>; Toni Sutton (DFPS) <marie.sutton@dfps.state.tx.us>; Gailles, Keith D (DFPS) <Keith.Gailles@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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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

From: [Justice, Alyssa N \(DFPS\)](#)
To: [Martinez, Dalila \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:20:00 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)
[image002.png](#)
[image004.png](#)

Good morning

I know we take each call on a case by case basis, but I was wondering what would cause something to be an intake and what possible allegation/allegations we would be using for this.

Thanks!

Alyssa Justice, PSIS III
Sat, Tues-Fri. 9 a.m.-5:30 p.m.
Texarkana Office
Cell: 903-277-2746
Work Cell: 737-239-5726

From: Martinez, Dalila (DFPS)
Sent: Thursday, February 24, 2022 9:17 AM
To: Aparicio, Alexandra (DFPS) <Alexandra.Aparicio@dfps.texas.gov>; Burke, Jill (DFPS) <Jill.Burke@dfps.texas.gov>; Byron, William J (DFPS) <William.Byron@dfps.texas.gov>; Humphreys, Paul D (DFPS) <Paul.Humphreys2@dfps.texas.gov>; Justice, Alyssa N (DFPS) <Alyssa.Justice@dfps.texas.gov>; Crandall, Najeana (DFPS) <Najeana.Crandall@dfps.texas.gov>; Meaney, Sheila (DFPS) <Sheila.Meaney2@dfps.texas.gov>
Subject: FW: Attorney General Opinion

Good morning,

Please let me know if you have any questions so that I can forward along to Janine for clarification.

Thank you,

Dalila Martinez

DFPS SWI Supervisor II Unit 26

Tuesday-Saturday 8AM-4:30 PM

Cell (737) 249-8369



Texas Department of
Family and Protective Services

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfpswiaust0193@dfps.texas.gov>
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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Martinez, Dalila \(DFPS\)](#)
To: [Aparicio, Alexandra \(DFPS\)](#); [Burke, Jill \(DFPS\)](#); [Byron, William J \(DFPS\)](#); [Humphreys, Paul D \(DFPS\)](#); [Justice, Alyssa N \(DFPS\)](#); [Crandall, Najeeana \(DFPS\)](#); [Meaney, Sheila \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:17:51 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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Please let me know if you have any questions so that I can forward along to Janine for clarification.

Thank you,
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DFPS SWI Supervisor II Unit 26
Tuesday-Saturday 8AM-4:30 PM
Cell (737) 249-8369



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SWI Associate Commissioner
512-960-9352

From: [Polk, Marilyn D \(DFPS\)](#)
To: [Bluford, Jamilla K \(DFPS\)](#); [Douglas, Diepriye \(DFPS\)](#); [Hammon, Stephanie A \(DFPS\)](#); [Santiago, Shaun \(DFPS\)](#); [Vidrine, Lineshia \(DFPS\)](#)
Cc: [Polk, Marilyn D \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:05:14 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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.

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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>
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Subject: FW: Attorney General Opinion

fyi

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Baquero, Myrna I \(DFPS\)](#)
To: [Johnson, Christin \(DFPS\)](#); [Ortega, Edna V \(DFPS\)](#); [Garcia, John A \(DFPS\)](#); [Wicker, Joseph \(DFPS\)](#); [Lopez, Isaac \(DFPS\)](#); [Valdez, Deric J \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 9:04:26 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

NOTE: All before you share this I want us to have a conversation. Deric please schedule a teams call for late this afternoon or tomorrow morning. Is everyone available at 4 pm central time? I am also available tomorrow morning.

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

Myrna

From: [Wharton, Jarita N \(DFPS\)](#)
To: [Edison, Althea \(DFPS\)](#)
Cc: [Jones, Fredrick A \(DFPS\)](#)
Subject: Attorney General Opinion
Date: Thursday, February 24, 2022 9:02:42 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Good Morning,

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****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

From: [Phynon,Domeka \(DFPS\)](#)
To: [Hammon,Stephanie A \(DFPS\)](#)
Subject: Fwd: Attorney General Opinion
Date: Thursday, February 24, 2022 8:53:41 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

Domeka Phynon
CPI Investigation and Alternative Response (AR) Program Director
3 Northpoint Drive Suite 248
Houston, TX 77060
Fax (512)276-3011
Cell (713)413-7176

From: Garrett,Kendrick L (DFPS) <Kendrick.Garrett@dfps.texas.gov>
Sent: Thursday, February 24, 2022 8:51:54 AM
To: Beaudoin,Lashonna R (DFPS) <Lashonna.Beaudoin@dfps.texas.gov>; Heath,Claudia M (DFPS) <Claudia.Heath@dfps.texas.gov>; Phynon,Domeka (DFPS) <Domeka.Phynon@dfps.texas.gov>; Truss,Stacey L (DFPS) <Stacey.Truss@dfps.texas.gov>

Subject: FW: Attorney General Opinion

FYI

Kind Regards,

Kendrick L. Garrett

Region 6A Program Administrator

DFPS/CPI (Alternative Response & Investigations)

832-454-7311 business cell

Kendrick.garrett@dfps.texas.gov



Texas Department of
Family and Protective Services

Child Protective Investigations

From: Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>
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>
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SWI Associate Commissioner

512-960-9352

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To: [Beaudoin,Lashonna R \(DFPS\)](#); [Heath,Claudia M \(DFPS\)](#); [Phynon,Domeka \(DFPS\)](#); [Truss,Stacey L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 8:52:11 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

FYI

Kind Regards,

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Region 6A Program Administrator

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**Texas Department of
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SWI Associate Commissioner
512-960-9352

From: [May, Krystella \(DFPS\)](#)
To: [Collins, Randy \(DFPS\)](#); [Garza, Andy \(DFPS\)](#); [Peters, Maddison \(DFPS\)](#); [Vela, Bianca \(DFPS\)](#); [Willey, Maloree \(DFPS\)](#); [Wright, Lindsey \(DFPS\)](#); [Zuniga, Bridgett \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 8:45:12 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Krystella Pressley Crawford

Investigations Supervisor
1225 West Church St.
Livingston, Tx 77351
Office: (936) 327-6726
Cell: (936) 553-1443
Fax: (512) 276-3076
Abuse Hotline: 1-800-252-5400

From: Claude, Jennifer L (DFPS) <Jennifer.Claude@dfps.texas.gov>
Sent: Thursday, February 24, 2022 8:19 AM
To: Cruz-Vazquez, Jose (DFPS) <Jose.Cruzvazquez@dfps.texas.gov>; Farmer-Perry, Kellie (DFPS) <Kellie.Farmerperry@dfps.texas.gov>; May, Krystella (DFPS) <Krystella.May@dfps.texas.gov>; Perodin, Reta (DFPS) <Reta.Perodin@dfps.texas.gov>; Rodgers, Leslie (DFPS) <Leslie.Rodgers@dfps.texas.gov>
Subject: FW: Attorney General Opinion

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

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Cc: [Sanders,Monica L \(DFPS\)](#)
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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Parrott,Katheryn \(DFPS\)](#)
To: [Shoek,Robin G \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 8:41:49 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Take care,
Katheryn Parrott
Child Protective Investigations Supervisor
Office: 409-385-1641
Cell: 409-289-5171
Fax: 512-276-3077

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: Gales,Keith D (DFPS) <Keith.Gales@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

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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 <dldfpswiaust0193@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

From: [Rodgers,Leslie \(DFPS\)](#)
To: [Fenton,Tammy \(DFPS\)](#); [Fontnett,Kenya D \(DFPS\)](#); [Galvan,Shari \(DFPS\)](#); [Harper-Reising,Linda \(DFPS\)](#); [Irvine,Keith C \(DFPS\)](#); [Jones,Breona \(DFPS\)](#); [Jones,Janice D \(DFPS\)](#); [Roberts,Sharonica \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 8:35:55 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Please be sure to look over the attachments.

From: Claude,Jennifer L (DFPS) <Jennifer.Claude@dfps.texas.gov>
Sent: Thursday, February 24, 2022 8:19 AM
To: Cruz-Vazquez,Jose (DFPS) <Jose.Cruzvazquez@dfps.texas.gov>; Farmer-Perry,Kellie (DFPS) <Kellie.Farmerperry@dfps.texas.gov>; May,Krystella (DFPS) <Krystella.May@dfps.texas.gov>; Perodin,Reta (DFPS) <Reta.Perodin@dfps.texas.gov>; Rodgers,Leslie (DFPS) <Leslie.Rodgers@dfps.texas.gov>
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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>
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marta.talbert@dfps.texas.gov

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Subject: FW: Attorney General Opinion

fyi

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SWI Associate Commissioner

512-960-9352

From: [Claude,Jennifer L \(DFPS\)](#)
To: [Cruz-Vazquez,Jose \(DFPS\)](#); [Farmer,Kellie \(DFPS\)](#); [May,Krystella \(DFPS\)](#); [Perodin,Reta \(DFPS\)](#); [Rodgers,Leslie \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 8:19:41 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Sanders,Monica L \(DFPS\)](#)
To: [Polk,Marilyn D \(DFPS\)](#); [Garrett,Kendrick L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 8:05:54 AM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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

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>
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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Moore,Morgan \(DFPS\)](#)
To: [Allen,Darian O \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 9:50:38 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

From: Uribe-Woods,JR (DFPS)
Sent: Wednesday, February 23, 2022 7:36 PM
To: Moore,Morgan (DFPS) <Morgan.Moore@dfps.texas.gov>
Subject: FW: Attorney General Opinion

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 <dldfpswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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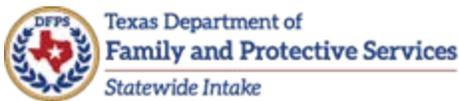
SWI Associate Commissioner

512-960-9352

From: [Uribe-Woods, JR \(DFPS\)](#)
To: [Allen, Darian O \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 9:50:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

J.R. Uribe-Woods
Statewide Intake Supervisor

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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Yzaguirre, Marina C \(DFPS\)](#)
To: [Amaro, Kristy \(DFPS\)](#); [Guerra, Betzabel \(DFPS\)](#); [Requenez, Janie I \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 9:49:06 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

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>; Gailles, Keith D (DFPS) <Keith.Gailles@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>

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SWI Associate Commissioner

512-960-9352

From: [Gomez, George O. \(DFPS\)](#)
To: [Nunez, Ricky \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 9:26:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Here's the latest on that topic we just staffed.

Best Regards,

George Gomez

TDFPS, SWI Supervisor II, Unit 14

Su-Th, 9p-5:30a

512.929.6784 ext. 5133

Work Cell: 512.460.8468



From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
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From: [Gonzalez,Mario H \(DFPS\)](#)
To: [Cassett,Jessica M \(DFPS\)](#); [Harris,Jessica \(DFPS\)](#); [Mejia,Priscilla \(DFPS\)](#); [Roberts,Cody \(DFPS\)](#); [Robertson,Christi \(DFPS\)](#); [Wolfe,Kevin \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 8:02:55 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Team, please review. I know there will be lots of opinions. We will talk about it in the morning.

From: Prewitt,Amanda R. (DFPS)
Sent: Wednesday, February 23, 2022 7:45 PM
To: Hickerson,Felicia (DFPS) <Felicia.Hickerson@dfps.texas.gov>; Kirkpatrick,Jennifer (DFPS) <Jennifer.Kirkpatrick@dfps.texas.gov>; Gonzalez,Mario H (DFPS) <Mario.Gonzalez@dfps.texas.gov>; Cole,Monica (DFPS) <Monica.Cole@dfps.texas.gov>; Raschke,Daniel J (DFPS) <Daniel.Raschke@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Please review and share with staff. Please keep in mind if you get any reports of this nature (gender reassignment, transitioning, etc) I need you to immediately notify me of such so I can pass it up the chain. Make sure you are reviewing intakes and that staff know to keep an eye out for this too. This is our current hot topic!

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



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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 <dldfpswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Prewitt,Amanda R. \(DFPS\)](#)
To: [Trahan,Kyndall \(DFPS\)](#); [Bailey,Brittany \(DFPS\)](#); [Murphy,Lana \(DFPS\)](#); [Nellar,Pansy \(DFPS\)](#); [Parrott,Katheryn \(DFPS\)](#); [Cameron,Crystal \(DFPS\)](#); [Mczeal,Scheerish A \(DFPS\)](#)
Cc: [Boshuizen,Steven \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 7:47:03 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

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>
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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>; Gales,Keith D (DFPS) <Keith.Gales@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>
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SWI Associate Commissioner

512-960-9352

From: [Prewitt,Amanda R. \(DFPS\)](#)
To: [Hickerson,Felicia \(DFPS\)](#); [Kirkpatrick,Jennifer \(DFPS\)](#); [Gonzalez,Mario H \(DFPS\)](#); [Cole,Monica \(DFPS\)](#); [Raschke,Daniel J \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 7:45:31 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Please review and share with staff. Please keep in mind if you get any reports of this nature (gender reassignment, transitioning, etc) I need you to immediately notify me of such so I can pass it up the chain. Make sure you are reviewing intakes and that staff know to keep an eye out for this too. This is our current hot topic!

Amanda R. Prewitt

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Stephen Black

SWI Associate Commissioner

512-960-9352

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](#)

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 <dldfppswiaust0193@dfps.texas.gov>
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SWI Associate Commissioner

512-960-9352

From: [Corbitt, Melisha \(DFPS\)](#)
To: Melisha.corbitt@gmail.com
Subject: Fw: Attorney General Opinion
Date: Wednesday, February 23, 2022 7:26:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:30 PM
To: DL DFPS SWI AUST0193 <dldfpsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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From: [Chesnut,Andrew \(DFPS\)](#)
To: [Hurley,Lesley M \(DFPS\)](#); [Miller,Sarah D. \(DFPS\)](#); [Rojas,Francisca \(DFPS\)](#); [Sartain,Brittani M \(DFPS\)](#); [Stutts,Jeremy R \(DFPS\)](#)
Subject: Fw: Attorney General Opinion
Date: Wednesday, February 23, 2022 7:13:12 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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>
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From: [Peterson, Nicole \(DFPS\)](#)
To: [Baker, Tonya \(DFPS\)](#); [Brunson, Bethany A \(DFPS\)](#); [Estrada, Sara \(DFPS\)](#); [Harry, Jessica \(DFPS\)](#); [Woods, Dana \(DFPS\)](#); [Johnson, Melinda \(DFPS\)](#)
Subject: Fwd: Attorney General Opinion
Date: Wednesday, February 23, 2022 6:58:23 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: Liles, Lou R (DFPS) <Lou.Liles@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 6:53:01 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>
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Subject: Fwd: Attorney General Opinion
Date: Wednesday, February 23, 2022 6:53:31 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
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SWI Associate Commissioner

512-960-9352

From: [Barker-White, Thomas M \(DFPS\)](#)
To: [Hardie, Sherrie F \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 6:15:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Reading through the legalese, we're taking a case if the parents are surgically or chemically supporting transition. Does that sound about right?

Thomas Barker-White

SWI Supervisor

Sun, Mon, Wed, Thur 2p – 12:30a

State Cell: 512-460-8438

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
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From: [Cunningham,Michelle S \(DFPS\)](#)
To: [Tyler,Michelle L \(DFPS\)](#); [Ross,Jarlene \(DFPS\)](#)
Cc: [Boubel,Rebecca \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 5:57:26 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Fyi....

*Michelle Cunningham, MSW
Child Protective Investigations
Regional Director (R8)
10223 Nacogdoches Rd.
San Antonio, Texas
Office phone 210-871-3106
Cell Phone 830-433-0924*

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

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>; Gailles,Keith D (DFPS) <Keith.Gailles@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>
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To: [Kozikoujekian, Vicki \(DFPS\)](#)
Cc: [Richman, Robert \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 5:39:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Vicki,

We have three intakes regarding the duty on DFPS to investigate the parents of a child who is subjected to abusive gender-transitioning procedures. I think Stephen has been talking to you but me and the RDs have some questions regarding these investigation. Do you have time tomorrow to talk about this? I have a call with the RDs tomorrow morning at 8, I can add you if you have the time or we can talk anytime that is convenient for you.

[REDACTED]

Marta Talbert

Director of Investigation and Alternative Response

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From: [Florey, Dawn K \(DFPS\)](#)
To: [Lazalde, Reyna \(DFPS Contractor\)](#)
Date: Wednesday, February 23, 2022 9:58:21 PM
Attachments: [Attorney General Opinion How Gender Reassignment is Child Abuse.pdf](#)

Just for you to read and maybe fill out the log. Tracy found it I'm just sharing with you for tomorrow



KEN PAXTON
ATTORNEY GENERAL OF TEXAS

February 18, 2022

The Honorable Matt Krause
Chair, House Committee on General
Investigating
Texas House of Representatives
Post Office Box 2910
Austin, Texas 78768-2910

Opinion No. KP-0401

Re: Whether certain medical procedures performed on children constitute child abuse (RQ-0426-KP)

Dear Representative Krause:

You ask whether the performance of certain medical and chemical procedures on children—several of which have the effect of sterilization—constitute child abuse.¹ You specifically ask about procedures falling under the broader category of “gender reassignment surgeries.” Request Letter at 1. You state that such procedures typically are performed to “transition individuals with gender dysphoria to their desired gender,” and you identify the following specific “sex-change procedures”:

- (1) sterilization through castration, vasectomy, hysterectomy, oophorectomy, metoidioplasty, orchiectomy, penectomy, phalloplasty, and vaginoplasty; (2) mastectomies; and (3) removing from children otherwise healthy or non-diseased body part or tissue.

Id. at 1 (footnotes omitted). Additionally, you ask whether “providing, administering, prescribing, or dispensing drugs to children that induce transient or permanent infertility” constitutes child abuse. *See id.* at 1–2. You include the following categories of drugs: (1) puberty-suppression or puberty-blocking drugs; (2) supraphysiologic doses of testosterone to females; and (3) supraphysiologic doses of estrogen to males. *See id.*

¹*See* Letter from Honorable Matt Krause, Chair, House Comm. on Gen. Investigating, to Honorable Ken Paxton, Tex. Att’y Gen. at 1 (Aug. 23, 2021), <https://www2.texasattorneygeneral.gov/opinions/opinions/51paxton/rq/2021/pdf/RQ0426KP.pdf> (“Request Letter”); *see also* Letter from Honorable Jaime Masters, Comm’r, Tex. Dept. of Family & Protective Servs., to Honorable Greg Abbott, Governor, State of Tex. at 1 (Aug. 11, 2021), https://gov.texas.gov/uploads/files/press/Response_to_August_6_2021_OOG_Letter_08.11.2021.pdf (on file with the Op. Comm.) (hereinafter “Commissioner’s Letter”).

You qualify your question with the following statement: “Some children have a medically verifiable genetic disorder of sex development or do not have the normal sex chromosome structure for male or female as determined by a physician through genetic testing that require procedures similar to those described in this request.” *Id.* at 2. In other words, in rare circumstances, some of the procedures you list are borne out of medical necessity. For example, a minor male with testicular cancer may need an orchiectomy. This opinion does not address or apply to medically necessary procedures.

I. Executive Summary

Based on the analysis herein, each of the “sex change” procedures and treatments enumerated above, when performed on children, can legally constitute child abuse under several provisions of chapter 261 of the Texas Family Code.

- These procedures and treatments can cause “mental or emotional injury to a child that results in an observable and material impairment in the child’s growth, development, or psychological functioning.” TEX. FAM. CODE § 261.001(1)(A).
- These procedures and treatments can “caus[e] or permit[] the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child’s growth, development, or psychological functioning.” *Id.* § 261.001(1)(B).
- These procedures and treatments can cause a “physical injury that results in substantial harm to the child.” *Id.* § 261.001(1)(C).
- These procedures and treatments often involve a “failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child[,]” particularly by parents, counselors, and physicians. *Id.* § 261.001(1)(D).

In addition to analysis under the Family Code, we discuss below the fundamental right to procreation, issues of physical and emotional harm associated with these procedures and treatments, consent laws in Texas and throughout the country, and existing child abuse standards. Each of the procedures and treatments you ask about can constitute child abuse when performed on minor children.

II. Nature and context of the question presented

Forming the basis for your request, you contend that the “sex change” procedures and treatments you ask about are typically performed to transition individuals with gender dysphoria to their desired gender. *See* Request Letter at 1. The novel trend of providing these elective sex changes to minors often has the effect of permanently sterilizing those minor children. While you refer to these procedures as “sex changes,” it is important to note that it remains medically impossible to truly change the sex of an individual because this is determined biologically at

conception. No doctor can replace a fully functioning male sex organ with a fully functioning female sex organ (or vice versa). In reality, these “sex change” procedures seek to destroy a fully functioning sex organ in order to cosmetically create the illusion of a sex change.

Beyond the obvious harm of permanently sterilizing a child, these procedures and treatments can cause side effects and harms beyond permanent infertility, including serious mental health effects, venous thrombosis/thromboembolism, increased risk of cardiovascular disease, weight gain, decreased libido, hypertriglyceridemia, elevated blood pressure, decreased glucose tolerance, gallbladder disease, benign pituitary prolactinoma, lowered and elevated triglycerides, increased homocysteine levels, hepatotoxicity, polycythemia, sleep apnea, insulin resistance, chronic pelvic pain, and increased cancer and stroke risk.²

While the spike in these procedures is a relatively recent development,³ sterilization of minors and other vulnerable populations without clear consent is not a new phenomenon and has an unsettling history. Historically weaponized against minorities, sterilization procedures have harmed many vulnerable populations, such as African Americans, female minors, the disabled, and others.⁴ These violations have been found to infringe upon the fundamental human right to procreate. Any discussion of sterilization procedures in the context of minor children must, accordingly, consider the fundamental right that is at stake: the right to procreate. Given the uniquely vulnerable nature of children, and the clear dangers of sterilization demonstrated throughout history, it is important to emphasize the crux of the question you present today—whether facilitating (parents/counselors) or conducting (doctors) medical procedures and treatments that could permanently deprive minor children of their constitutional right to procreate, or impair their ability to procreate, before those children have the legal capacity to consent to those procedures and treatments, constitutes child abuse.

The medical evidence does not demonstrate that children and adolescents benefit from engaging in these irreversible sterilization procedures. The prevalence of gender dysphoria in children and adolescents has never been estimated, and there is no scientific consensus that these sterilizing procedures and treatments even serve to benefit minor children dealing with gender dysphoria. As stated by the Centers for Medicare and Medicaid Services, “There is not enough high-quality evidence to determine whether gender reassignment surgery improves health outcomes for Medicare beneficiaries with gender dysphoria and whether patients most likely to benefit from these types of surgical intervention can be identified prospectively.”⁵ Also, “several studies show a higher rate of regret at being sterilized among younger women than among those

²See Timothy Cavanaugh, M.D., *Cross-Sex Hormone Therapy*, FENWAY HEALTH (2015), <https://www.lgbtqiahealtheducation.org/wp-content/uploads/Cross-Sex-Hormone-Therapy1.pdf>.

³SOCIETY FOR EVIDENCE BASED GENDER MEDICINE, <https://segm.org/> (demonstrating a spike in referrals to Gender Identify Development Services around the mid-2010s).

⁴Alexandra Stern, Ph.D., *Forced sterilization policies in the US targeted minorities and those with disabilities – and lasted into the 21st Century*, (Sept. 23, 2020), <https://ihpi.umich.edu/news/forced-sterilization-policies-us-targeted-minorities-and-those-disabilities-and-lasting-21st>.

⁵Centers for Medicare and Medicaid Services, Decision Memo for Gender Dysphoria and Gender Reassignment Surgery (CAG-00446N) (Aug. 30, 2016), <http://www.lb7.uscourts.gov/documents/17-264URL1DecisionMemo.pdf>.

who were sterilized at a later age.” 43 FED. REG. at 52,151, 52,152. This further indicates that minor children are not sufficiently mature to make informed decisions in this context.

There is no evidence that long-term mental health outcomes are improved or that rates of suicide are reduced by hormonal or surgical intervention. “Childhood-onset gender dysphoria has been shown to have a high rate of natural resolution, with 61-98% of children reidentifying with their biological sex during puberty. No studies to date have evaluated the natural course and rate of gender dysphoria resolution among the novel cohort presenting with adolescent-onset gender dysphoria.”⁶ One of the few relevant studies monitored transitioned individuals for 30 years. It found high rates of post-transition suicide and significantly elevated all-cause mortality, including increased death rates from cardiovascular disease and cancer, although causality could not be established.⁷ The lack of evidence in this field is why the Centers for Medicare & Medicaid Services rejected a nationwide coverage mandate for adult gender transition surgeries during the Obama Administration. Similarly, the World Professional Association for Transgender Health states that with respect to irreversible procedures, genital surgery should not be carried out until patients reach the legal age of majority to give consent for medical procedures in a given country.⁸

Generally, the age of majority is eighteen in Texas. TEX. CIV. PRAC. & REM. CODE § 129.001. With respect to consent to sterilization procedures, Medicaid sets the age threshold even higher, at twenty-one years old. Children and adolescents are promised relief and asked to “consent” to life-altering, irreversible treatment—and to do so in the midst of reported psychological distress, when they cannot weigh long-term risks the way adults do, and when they are considered by the State in most regards to be without legal capacity to consent, contract, vote, or otherwise. Legal and ethics scholars have suggested that it is particularly unethical to radically intervene in the normal physical development of a child to “affirm” a “gender identity” that is at odds with bodily sex.⁹

State and federal governments have “wide discretion to pass legislation in areas where there is medical and scientific uncertainty.” *Gonzales v. Carhart*, 550 U.S. 124, 163 (2007). Thus, states routinely regulate the medical profession and routinely update their regulations as new trends arise and new evidence becomes available. In the opioid context, for instance, states responded to an epidemic caused largely by pharmaceutical companies and medical professionals. Dismissing as “opioidphobic” any concern that “raising pain treatment to a ‘patients’ rights’ issue could lead to overreliance on opioids,” these experts created new pain standards and assured doctors that

⁶SOCIETY FOR EVIDENCE BASED GENDER MEDICINE, <https://segm.org/>.

⁷See Cecilia Dhejne, et al., *Long-term Follow-up of Transsexual Persons Undergoing Sex Reassignment Surgery: Cohort Study in Sweden*, 6 PLOS ONE, Issue 2, 5 (Feb. 22, 2011) (19 times the expected norm overall (Table 2), and 40 times the norm for biological females (Table s1)), <https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0016885>.

⁸WORLD PROFESSIONAL ASS’N FOR TRANSGENDER HEALTH, *Standards of Care for the Health of Transsexual, Transgender, and Gender-Nonconforming People* at 59 (7th ed. 2012), available at https://www.wpath.org/media/cms/Documents/SOC%20v7/SOC%20V7_English2012.pdf?t=1613669341.

⁹Ryan T. Anderson & Robert P. George, Physical Interventions on the Bodies of Children to “Affirm” their “Gender Identity” Violate Sound Medical Ethics and Should Be Prohibited, PUBLIC DISCOURSE: THE JOURNAL OF THE WITHERSPOON INSTITUTE (Dec. 8, 2019), <https://www.thepublicdiscourse.com/2019/12/58839/>.

prescribing more opioids was largely risk free.¹⁰ *Id.* As we know now, the results were—indeed, *are*—nothing short of tragic.¹¹ There is always the potential for novel medical determinations to promote purported remedies that may not improve patient outcomes and can even result in tragic harms. The same potential for harm exists for minors who have engaged in the type of procedures or treatments above.

The State’s power is arguably at its zenith when it comes to protecting children. In the Supreme Court’s words, that is due to “the peculiar vulnerability of children.” *Bellotti v. Baird*, 443 U.S. 622, 634 (1979); *see also Ginsberg v. New York*, 390 U.S. 629, 640 (1968) (“The State also has an independent interest in the well-being of its youth.”). The Supreme Court has explained that children’s “inability to make critical decisions in an informed, mature manner” makes legislation to protect them particularly appropriate. *Bellotti*, 443 U.S. at 634. The procedures that you ask about impose significant and irreversible effects on children, and we therefore address them with extreme caution, mindful of the State’s duty to protect its children. *See generally T.L. v. Cook Children’s Med. Ctr.*, 607 S.W.3d 9, 42 (Tex. App.—Fort Worth 2020), *cert. denied*, 141 S. Ct. 1069 (2021) (“Children, by definition, are not assumed to have the capacity to take care of themselves. They are assumed to be subject to the control of their parents, and if parental control falters, the State must play its part as *parens patriae*. In this respect, the [child]’s liberty interest may, in appropriate circumstances, be subordinated to the State’s *parens patriae* interest in preserving and promoting the welfare of the child.”) (citation omitted).

III. To the extent that these procedures and treatments could result in sterilization, they would deprive the child of the fundamental right to procreate, which supports a finding of child abuse under the Family Code.

A. The procedures you describe can and do cause sterilization.

The surgical and chemical procedures you ask about can and do cause sterilization.¹² Similarly, the treatments you ask about often involve puberty-blocking medications. Such medications suppress the body’s production of estrogen or testosterone to prevent puberty and are being used in this context to pause the sexual development of a person that occurs during puberty. The use of these chemical procedures for this purpose is not approved by the federal Food and Drug Administration and is considered an “off-label” use of the medications. These chemical procedures prevent a person’s body from developing the capability to procreate. There is insufficient medical evidence available to demonstrate that discontinuing the medication resumes a normal puberty process. *See generally Hennessy-Waller v. Snyder*, 529 F. Supp. 3d 1031, 1042 (D. Ariz. 2021), citing *Bell v. Tavistock and Portman NHS Foundation Trust*, 2020 EWHC 3274,

¹⁰*See* David W. Baker, *The Joint Commission’s Pain Standards: Origins and Evolution* 4 (May 5, 2017) (footnotes omitted), <https://perma.cc/RZ42-YNRC> (“[N]o large national studies were conducted to examine whether the standards improved pain assessment or control.”).

¹¹*See generally* U.S. HEALTH & HUMAN SERVS., WHAT IS THE U.S. OPIOID EPIDEMIC?, <https://www.hhs.gov/opioids/about-the-epidemic/index.html>.

¹²*See* Philip J. Cheng, *Fertility Concerns of the Transgender Patient*, *TRANSL ANDROL UROL.* 2019;9(3):209-218 (explaining that hysterectomy, oophorectomy, and orchiectomy “results in permanent sterility”), <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6626312/>.

¶ 134 (Dec. 1, 2020) (referring to *Bell's* conclusion that a clinic's practice of prescribing puberty-suppressing medication to individuals under age 18 with gender dysphoria and determining such treatment was experimental). Thus, because the procedures you inquire about can and do result in sterilization, they implicate a minor child's constitutional right to procreate.

B. The United States Constitution protects a fundamental right to procreation.

The United States Supreme Court recognizes that the right to procreate is a fundamental right under the Fourteenth Amendment. *See Skinner v. Oklahoma*, 316 U.S. 535, 541 (1942). Almost a century ago, the Court explained the unique concerns sterilization poses respecting this fundamental right:

The power to sterilize, if exercised, may have subtle, far reaching and devastating effects. In evil or reckless hands it can cause races or types which are inimical to the dominant group to wither and disappear. There is no redemption for the individual whom the law touches. Any experiment which the State conducts is to his irreparable injury. He is forever deprived of a basic liberty.

Id. To the extent the procedures you describe cause permanent damage to reproductive organs and functions of a child before that child has the legal capacity to consent, they unlawfully violate the child's constitutional right to procreate. *See generally* 43 FED. REG. at 52,146–52,152 (discussing ripeness for coercion and regret rates among minor children).

C. Because children are legally incompetent to consent to sterilization, procedures and treatments that result in a child's sterilization are unauthorized and infringe on the child's fundamental right to procreate.

Under Texas law, a minor is a person under eighteen years of age that has never been married and never declared an adult by a court. *See* TEX. CIV. PRAC. & REM. CODE § 129.001; TEX. FAM. CODE §§ 1.104, 101.003 (including a minor on active duty in the military, one who does not live with a parent or guardian and who manages their own financial affairs, among others). State law recognizes seven instances in which a minor can consent to certain types of medical treatment on their own. *See id.* § 32.003. None of the express provisions relating to a minor's ability to consent to medical treatment addresses consent to the procedures used for "gender-affirming" treatment. *See generally id.*

The lack of authority of a minor to consent to an irreversible sterilization procedure is consistent with other law. The federal Medicaid program does not allow for parental consent, has established a minimum age of 21 for consent to sterilization procedures, and imposes detailed requirements for obtaining that consent. 42 C.F.R. §§ 441.253(a); 441.258 ("Consent form requirements"). Federal Medicaid funds may not be used for any sterilization without complying with the consent requirements, meaning a doctor may not be reimbursed for sterilization procedures performed on minors. *Id.* § 441.256(a).

The higher age limit for sterilization procedures was implemented due to a number of special concerns, including historical instances of forced sterilization. *See* 43 FED. REG. 52146, 52148. “[M]inors and other incompetents have been sterilized with federal funds and . . . an indefinite number of poor people have been improperly coerced into accepting a sterilization operation under the threat that various federally supported welfare benefits would be withdrawn unless they submitted to irreversible sterilization.” *Relf v. Weinberger*, 372 F. Supp. 1196, 1199 (D.D.C. 1974), *vacated*, 565 F.2d 722 (D.C. Cir. 1977). In addition, the 21-year minimum age-of-consent rule accounted for concerns that minors were more susceptible to coercion than those over 21 and that younger women had higher rates of regret for sterilization than those who were sterilized at a later age. 43 FED. REG. at 52,151 (pointing to comments suggesting that “persons under 21 are more susceptible to coercion than those over 21 and are more likely to lack the maturity to make an informed decision” and acknowledging “these considerations favor protecting such individuals by limiting their access to the procedure”); *see id.* at 52,151–52,152 (pointing to “several studies [that] show a higher rate of regret at being sterilized among younger women than among those who were sterilized at a later age”).

Regarding parental consent, Texas law generally recognizes a parent’s right to consent to a child’s medical care. TEX. FAM. CODE § 151.001(a)(6) (“A parent of a child has the following rights and duties: . . . (6) the right to consent to the child’s . . . medical and dental care, and psychiatric, psychological, and surgical treatment . . .”). But this general right to consent to certain medically necessary procedures does not extend to elective (not medically necessary) procedures and treatments that infringe upon a minor child’s constitutional right to procreate. Indeed, courts have analyzed the imposition of unnecessary medical procedures upon children in similar circumstances in the past to determine whether doing so constitutes child abuse.

One such situation that the law has addressed is often referred to as “Munchausen by proxy” or “factitious disorder imposed on another”:

[A] psychological disorder that is characterized by the intentional feigning, exaggeration, or induction of the symptoms of a disease or injury in oneself or another and that is accompanied by the seeking of excessive medical care from various doctors and medical facilities typically resulting in multiple diagnostic tests, treatments, procedures, and hospitalizations. Unlike the malingerer, who consciously induces symptoms to obtain something of value, the patient with a factitious disorder consciously produces symptoms for unconscious reasons, without identifiable gain.¹³

In situations such as this, an individual intentionally seeks to procure—often by deceptive means, such as exaggeration—unnecessary medical procedures or treatments either for themselves or others, usually their children. In Texas, courts have found that these “Munchausen by proxy” situations can constitute child abuse. *See generally Williamson v. State*, 356 S.W.3d 1, 19–21 (Tex. App.—Houston [1st Dist.] 2010, pet. ref’d) (recognizing that an unnecessary medical procedure

¹³*Factitious disorder*, MERRIAM-WEBSTER.COM DICTIONARY, <https://www.merriam-webster.com/dictionary/factitious%20disorder>.

may cause serious bodily injury, supporting a charge of injury to a child under section 22.04 of the Penal Code).¹⁴

In the context of elective sex change procedures for minors, the Legislature has not provided any avenue for parental consent, and no judicial avenue exists for the child to proceed with these procedures and treatments without parental consent. By comparison, Texas law respecting abortion requires parental consent and, in extenuating circumstances, permits non-parental consent for a minor to obtain an abortion. TEX. OCC. CODE § 164.052(19) (requiring written consent of a child's parent before a physician may perform an abortion on an unemancipated minor); TEX. FAM. CODE § 33.003 (authorizing judicial approval of a minor's abortion without parental consent in limited circumstances). But the Texas Legislature has not decided to make those same allowances for consent to sterilization, and thus a parent cannot consent to sterilization procedures or treatments that result in the permanent deprivation of a minor child's constitutional right to procreate.¹⁵ Thus, no avenue exists for a child to consent to or obtain consent for an elective procedure or treatment that causes sterilization.

IV. The procedures and treatments you describe can constitute child abuse under the Family Code.

Having established the legal and cultural context of this opinion request, we now consider whether these procedures and treatments qualify as child abuse under the Family Code. *See* Request Letter at 1. Where, as a factual matter, one of these procedures or treatments cannot result in sterilization, a court would have to go through the process of evaluating, on a case-by-case basis, whether that procedure violates any of the provisions of the Family Code—and whether the procedure or treatment poses a similar threat or likelihood of substantial physical and emotional harm. Thus, where a factual scenario involving non-medically necessary, gender-based procedures or treatments on a minor causes or threatens to cause harm or irreparable harm¹⁶ to the child—comparable to instances of Munchausen syndrome by proxy or criminal injury to a child—or demonstrates a lack of consent, etc., a court could find such procedures to constitute child abuse under section 261.001.

A. The Texas Legislature defines child abuse broadly.

Family Code chapter 261 provides for the reporting and investigation of abuse or neglect of a child. *See* TEX. FAM. CODE §§ 261.001–.505; *see also* TEX. PENAL CODE § 22.04 (providing for the offense of injury to a child). Section 261.001 defines abuse through a broad and nonexclusive list of acts and omissions. TEX. FAM. CODE § 261.001(1); *see also In re Interest of*

¹⁴*See also* Tex. Dep't of Fam. & Protective Servs., Tex. Practice Guide for Child Protective Servs. Att'ys, § 7, at 15 (2018), https://www.dfps.state.tx.us/Child_Protection/Attorneys_Guide/default.asp.

¹⁵Federal Medicaid programs will not reimburse for these types of procedures on minors, regardless of whether the child or parent consents, because of the numerous concerns outlined in the Federal Register provisions discussed above. *See* 43 FED. REG. at 52,146–52,159.

¹⁶For example, a non-medically necessary procedure or treatment that seeks to alter a minor female's breasts in such a way that would or could prevent that minor female from having the ability to breastfeed her eventual children likely causes irreparable harm and could form the basis for a finding of child abuse.

S.M.R., 434 S.W.3d 576, 583 (Tex. 2014). Of course, this broad definition of abuse would apply to and include criminal acts against children, such as “female genital mutilation”¹⁷ or “injury to a child.”¹⁸

Your questions implicate several components of section 261.001(1). Subsection 261.001(1)(A) identifies “mental or emotional injury to a child that results in an observable and material impairment in the child’s growth, development, or psychological functioning.” Subsection 261.001(1)(B) provides that “causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child’s growth, development, or psychological functioning” is abuse. Subsection 261.001(1)(C) includes as abuse a “physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child.” And subsection 261.001(1)(D) includes “failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child.”

Offering some clarity to the scope of “abuse” under subsection 261.001(1), the Texas Department of Family and Protective Services (“Department”) adopted rules giving meaning to the key terms and phrases used in the definition. The Department acknowledges that emotional abuse is a subset of abuse that includes “[m]ental or emotional injury to a child that results in an observable and material impairment in the child’s growth, development, or psychological functioning.” 40 TEX. ADMIN. CODE § 707.453(a) (Tex. Dept. of Fam. & Protective Servs., What is Emotional Abuse?). The Department’s rules provide that “[m]ental or emotional injury” means

[t]hat a child of any age experiences significant or serious negative effects on intellectual or psychological development or functioning. . . . and exhibits behaviors indicative of observable and material impairment mean[ing] discernable and substantial damage or deterioration to a child’s emotional, social, and cognitive development.

Id. § 707.453(b)(1)–(2).

With respect to physical injuries, the Department further clarified the meaning of the phrase “[p]hysical injury that results in substantial harm to the child,” explaining that it means in relevant part a

¹⁷A person commits an offense if the person: (1) knowingly circumcises, excises, or infibulates any part of the labia majora or labia minora or clitoris of another person who is younger than 18 years of age; (2) is a parent or legal guardian of another person who is younger than 18 years of age and knowingly consents to or permits an act described by Subdivision (1) to be performed on that person; or (3) knowingly transports or facilitates the transportation of another person who is younger than 18 years of age within this state or from this state for the purpose of having an act described by Subdivision (1) performed on that person. TEX. HEALTH & SAFETY CODE § 167.001.

¹⁸A person commits an offense if he intentionally, knowingly, recklessly, or with criminal negligence, by act or intentionally, knowingly, or recklessly by omission, causes to a child, elderly individual, or disabled individual: (1) serious bodily injury; (2) serious mental deficiency, impairment, or injury; or (3) bodily injury. TEX. PENAL CODE § 22.04.

real and significant physical injury or damage to a child that includes but is not limited to . . . [a]ny of the following, if caused by an action of the alleged perpetrator directed toward the alleged victim: . . . *impairment of or injury to any bodily organ or function; . . .*

Id. § 707.455(b)(2)(A) (emphasis added). The Department’s rules also define a “[g]enuine threat of substantial harm from physical injury” to include the

declaring or exhibiting the intent or determination to inflict real and significant physical injury or damage to a child. The declaration or exhibition does not require actual physical contact or injury.

Id. § 707.455(b)(1) (emphasis added).

Subsection 261.001(1) and these rules define “abuse” broadly to include mental or emotional injury in addition to a physical injury. To the extent the specific procedures about which you ask may cause mental or emotional injury or physical injury within these provisions, they constitute abuse.

Further, the Legislature has explicitly defined “female genital mutilation” and made such act a state jail felony. *See* TEX. HEALTH & SAFETY CODE § 167.001(a)–(b). While the Legislature has not elsewhere defined the phrase “genital mutilation”, nor specifically for males of any age,¹⁹ the Legislature’s criminalization of a particular type of genital mutilation supports an argument that analogous procedures that include genital mutilation—potentially including gender reassignment surgeries—could constitute “abuse” under the Family Code’s broad and non-exhaustive examples of child abuse or neglect.²⁰ *See* TEX. FAM. CODE § 261.001(1)(A)–(M); *see generally* Commissioner’s Letter at 1 (concluding that genital “mutilation may cause a genuine threat of substantial harm from physical injury to the child”). Thus, many of the procedures and treatments you ask about can constitute “female genital mutilation,” a standalone criminal act. But even where these procedures and treatments may not constitute “female genital mutilation” under Texas law, a court could still find that these procedures and treatments constitute child abuse under section 261.001 of the Family Code.

B. Each of these procedures and treatments can constitute abuse under Texas Family Code § 261.001(1)(A), (B), (C), or (D).

The Texas Family Code is clear—causing or permitting substantial harm to the child or the child’s growth and development is child abuse. Courts have held that an unnecessary surgical

¹⁹Your letter does not mention nor request an analysis under federal law. However, under federal law, there are at least two definitions of female genital mutilation, 8 U.S.C § 1374 and 18 U.S.C. § 116. For purposes of this opinion, we have not considered federal statutes, nor have we undertaken any analysis under state or federal constitutions beyond that included here.

²⁰The Eighty-seventh Legislature considered multiple bills that would have amended Family Code subsection 261.001(1) to expressly include in the definition of abuse the performing of surgery or other medical procedures on a child for the purpose of gender transitioning or gender reassignment. Those bills did not pass. *See, e.g.,* Tex. H.B. 22, 87th Leg., 3d C.S. (2021).

procedure that removes a healthy body part from a child can constitute a real and significant injury or damage to the child. *See generally Williamson v. State*, 356 S.W.3d 1, 19–21 (Tex. App.—Houston [1st Dist.] 2010, pet. ref'd) (recognizing that an unnecessary medical procedure may cause serious bodily injury, supporting a charge of injury to a child under section 22.04 of the Penal Code). The *Williamson* case involved a “victim of medical child abuse, sometimes referred to as Munchausen Syndrome by Proxy.” *Id.* at 5. Munchausen syndrome by proxy is “where an alleged perpetrator . . . attempts to gain medical procedures and issues for [their] child for secondary gain for themselves [A]s a result, the children are subjected to multiple diagnostic tests, therapeutic procedures, sometimes operative procedures, in order to treat things that aren’t really there.” *Williamson*, 356 S.W.3d at 11. In the *Williamson* case, the abuse was perpetrated on the child when he was five and six years old by his mother. *Id.* The evidence showed that two surgeries performed on the child “were not medically necessary and that [his mother] knowingly and intentionally caused the unnecessary procedures to be performed by fabricating, exaggerating, and inducing the symptoms leading to the surgeries.” *Id.*

Similarly, in *Austin v. State*, a court of appeals upheld the conviction for felony injury of a child of a mother suffering from Munchausen syndrome by proxy who injected her son with insulin. *See* 222 S.W.3d 801, 804 (Tex. App.—Austin 2007, pet. ref'd); *see also In re McCabe*, 580 S.E.2d 69, 73 (N.C. Ct. App. 2003) (concluding that abuse through Munchausen syndrome by proxy was abuse under state statute defining abuse in a similar manner as chapter 261); *Matter of Aaron S.*, 625 N.Y.S.2d 786, 793 (Fam. Ct. 1993), *aff’d sub nom. Matter of Suffolk Cnty. Dep’t of Soc. Servs on Behalf of Aaron S.*, 626 N.Y.S.2d 227 (App. Div. 1995) (finding that a mother neglected her son by subjecting him to a continuous course of medical treatment for condition which he did not have and that he was a neglected child under state statute governing abuse of a child). In guidance documents published for its child protective services attorneys, the Texas Department of Family and Protective Services explains that “Munchausen by proxy syndrome is relatively rare, but when it occurs, it is frequently a basis for a finding of child abuse.”²¹ Whether motivated by Munchausen syndrome by proxy or otherwise, it is clear that unnecessary medical treatment inflicted on a child by a parent can constitute child abuse under the Family Code.

By definition, procedures and treatments resulting in sterilization cause “physical injury that results in substantial harm to the child, or the genuine threat of substantial harm from physical injury to the child” by surgically altering key physical body parts of the child in ways that render entire body parts, organs, and the entire reproductive system of the child physically incapable of functioning. Thus, such procedures and treatments can constitute child abuse under section 261.001(1)(C). Even where the procedure or treatment does not involve the physical removal or alteration of a child’s reproductive organs (*i.e.* puberty blockers), these procedures and treatments can cause “mental or emotional injury to a child that results in an observable and material impairment in the child’s growth, development, or psychological functioning” by subjecting a child to the mental and emotional injury associated with lifelong sterilization—an impairment to

²¹TEX. DEP’T OF FAM. & PROTECTIVE SERVS., TEX. PRACTICE GUIDE FOR CHILD PROTECTIVE SERVS. ATT’YS, § 7, at 15 (2018), https://www.dfps.state.tx.us/Child_Protection/Attorneys_Guide/default.asp (citing *Reid v. State*, 964 S.W.2d 723 (Tex. App.—Amarillo 1998, pet. ref'd) (mem. op.) (expert testimony admitted regarding general acceptance of Munchausen diagnosis as a form of child abuse)).

one's growth and development. Therefore, a court could find these procedures and treatments to be child abuse under section 261.001(1)(A). Further, attempts by a parent to consent to these procedures and treatments on behalf of their child may, if successful, "cause or permit the child to be in a situation in which the child sustains a mental or emotional injury that results in an observable and material impairment in the child's growth, development, or psychological functioning[,]" and could be child abuse under section 261.001(1)(B). Additionally, the failure to stop a doctor or another parent from conducting these treatments and procedures on a minor child can constitute a "failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child[,]" and this "failure to make a reasonable effort to prevent" can also constitute child abuse under section 261.001(1)(D). Any person that conducts or facilitates these procedures or treatments could be engaged in child abuse, whether that be parents, doctors, counselors, etc.

It is important to note that anyone who has "a reasonable cause to believe that a child's physical or mental health or welfare has been adversely affected by abuse or neglect by any person shall immediately make a report" as described in the Family Code. TEX. FAM. CODE § 261.101(a). Further, "[i]f a professional has reasonable cause to believe that a child has been abused or neglected or may be abused or neglected, or that a child is a victim of an offense under Section 21.11, Penal Code, and the professional has reasonable cause to believe that the child has been abused as defined by Section 261.001, the professional shall make a report not later than the 48th hour after the hour the professional first has reasonable cause to believe that the child has been or may be abused or neglected or is a victim of an offense under Section 21.11, Penal Code." TEX. FAM. CODE § 261.101(b). The term includes teachers, nurses, doctors, day-care employees, employees of a clinic or health care facility that provides reproductive services, juvenile probation officers, and juvenile detention or correctional officers. *Id.* A failure to report under these circumstances is a criminal offense. TEX. FAM. CODE § 261.109(a).

S U M M A R Y

Each of the “sex change” procedures and treatments enumerated above, when performed on children, can legally constitute child abuse under several provisions of chapter 261 of the Texas Family Code.

When considering questions of child abuse, a court would likely consider the fundamental right to procreation, issues of physical and emotional harm associated with these procedures and treatments, consent laws in Texas and throughout the country, and existing child abuse standards.

Very truly yours,



KEN PAXTON
Attorney General of Texas

BRENT E. WEBSTER
First Assistant Attorney General

LESLEY FRENCH
Chief of Staff

MURTAZA F. SUTARWALLA
Deputy Attorney General for Legal Counsel

AARON REITZ
Deputy Attorney General for Legal Strategy

RALPH M. MOLINA
Special Counsel to the First Assistant Attorney General

VIRGINIA K. HOELSCHER
Chair, Opinion Committee

CHARLOTTE M. HARPER
Assistant Attorney General, Opinion Committee

From: [Moore,Morgan \(DFPS\)](#)
To: [Allen,Darian O \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 9:50:38 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

From: Uribe-Woods,JR (DFPS)
Sent: Wednesday, February 23, 2022 7:36 PM
To: Moore,Morgan (DFPS) <Morgan.Moore@dfps.texas.gov>
Subject: FW: Attorney General Opinion

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 <dldfpswiaust0193@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

From: [Uribe-Woods, JR \(DFPS\)](#)
To: [Allen, Darian O \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 9:50:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
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[image002.png](#)

J.R. Uribe-Woods
Statewide Intake Supervisor
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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Yzaguirre, Marina C \(DFPS\)](#)
To: [Amaro, Kristy \(DFPS\)](#); [Guerra, Betzabel \(DFPS\)](#); [Requenez, Janie I \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 9:49:06 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov. Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

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>; Gailles, Keith D (DFPS) <Keith.Gailles@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)

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Nabours,Patricia \(DFPS\)](#)
To: [Williams,Lauren \(DFPS\)](#)
Subject: FW: Abbott letter 02/22/22
Date: Wednesday, February 23, 2022 9:42:00 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

FYI. Hot off of the press from yesterday. Thought you would be interested in this!

From: Pat Nabours [REDACTED]
Sent: Wednesday, February 23, 2022 7:14 PM
To: Nabours,Patricia (DFPS) <Patricia.Nabours@dfps.texas.gov>
Subject: Abbott letter 02/22/22

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<https://gov.texas.gov/uploads/files/press/O-MastersJaime202202221358.pdf>

Sent from my iPad



GOVERNOR GREG ABBOTT

February 22, 2022

The Honorable Jaime Masters
Commissioner
Texas Department of Family and Protective Services
701 West 51st Street
Austin, Texas 78751

Dear Commissioner Masters:

Consistent with our correspondence in August 2021, the Office of the Attorney General (OAG) has now confirmed in the enclosed opinion that a number of so-called “sex change” procedures constitute child abuse under existing Texas law. Because the Texas Department of Family and Protective Services (DFPS) is responsible for protecting children from abuse, I hereby direct your agency to conduct a prompt and thorough investigation of any reported instances of these abusive procedures in the State of Texas.

As OAG Opinion No. KP-0401 makes clear, it is already against the law to subject Texas children to a wide variety of elective procedures for gender transitioning, including reassignment surgeries that can cause sterilization, mastectomies, removals of otherwise healthy body parts, and administration of puberty-blocking drugs or supraphysiologic doses of testosterone or estrogen. *See* TEX. FAM. CODE § 261.001(1)(A)–(D) (defining “abuse”). Texas law imposes reporting requirements upon all licensed professionals who have direct contact with children who may be subject to such abuse, including doctors, nurses, and teachers, and provides criminal penalties for failure to report such child abuse. *See id.* §§ 261.101(b), 261.109(a-1). There are similar reporting requirements and criminal penalties for members of the general public. *See id.* §§ 261.101(a), 261.109(a).

Texas law also imposes a duty on DFPS to investigate the parents of a child who is subjected to these abusive gender-transitioning procedures, and on other state agencies to investigate licensed facilities where such procedures may occur. *See* TEX. FAM. CODE § 261.301(a)–(b). To protect Texas children from abuse, DFPS and all other state agencies must follow the law as explained in OAG Opinion No. KP-0401.

Sincerely,

A handwritten signature in black ink that reads "Greg Abbott".

Greg Abbott
Governor

The Honorable Jaime Masters

February 22, 2022

Page 2

GA:jsd

Enclosure

cc: Ms. Cecile Young, Executive Commissioner, Health and Human Services Commission
Mr. Stephen B. Carlton, Executive Director, Texas Medical Board
Ms. Katherine A. Thomas, Executive Director, Texas Board of Nursing
Dr. Tim Tucker, Executive Director, Texas State Board of Pharmacy
Mr. Darrell Spinks, Executive Director, Texas Behavioral Health Executive Council
Mr. Mike Morath, Commissioner, Texas Education Association
Ms. Cristina Galindo, Chair, Texas State Board of Educator Certification
Ms. Camille Cain, Executive Director, Texas Juvenile Justice Department

From: [Gomez, George O. \(DFPS\)](#)
To: [Nunez, Ricky \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 9:26:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Here's the latest on that topic we just staffed.

Best Regards,

George Gomez

TDFPS, SWI Supervisor II, Unit 14

Su-Th, 9p-5:30a

512.929.6784 ext. 5133

Work Cell: 512.460.8468



From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Pat Nabours](#)
To: [Nabours,Patricia \(DFPS\)](#)
Subject: Abbott letter 02/22/22
Date: Wednesday, February 23, 2022 8:17:40 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

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<https://gov.texas.gov/uploads/files/press/O-MastersJaime202202221358.pdf>

Sent from my iPad

From: [Gonzalez,Mario H \(DFPS\)](#)
To: [Cassett,Jessica M \(DFPS\)](#); [Harris,Jessica \(DFPS\)](#); [Mejia,Priscilla \(DFPS\)](#); [Roberts,Cody \(DFPS\)](#); [Robertson,Christi \(DFPS\)](#); [Wolfe,Kevin \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 8:02:55 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Team, please review. I know there will be lots of opinions. We will talk about it in the morning.

From: Prewitt,Amanda R. (DFPS)
Sent: Wednesday, February 23, 2022 7:45 PM
To: Hickerson,Felicia (DFPS) <Felicia.Hickerson@dfps.texas.gov>; Kirkpatrick,Jennifer (DFPS) <Jennifer.Kirkpatrick@dfps.texas.gov>; Gonzalez,Mario H (DFPS) <Mario.Gonzalez@dfps.texas.gov>; Cole,Monica (DFPS) <Monica.Cole@dfps.texas.gov>; Raschke,Daniel J (DFPS) <Daniel.Raschke@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Please review and share with staff. Please keep in mind if you get any reports of this nature (gender reassignment, transitioning, etc) I need you to immediately notify me of such so I can pass it up the chain. Make sure you are reviewing intakes and that staff know to keep an eye out for this too. This is our current hot topic!

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: Gailles,Keith D (DFPS) <Keith.Gailles@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

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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)
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To: DL DFPS SWI AUST0193 <dldfpswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Nava, Tracy L \(DFPS Contractor\)](#)
To: [Lazalde, Reyna \(DFPS Contractor\)](#)
Date: Wednesday, February 23, 2022 7:55:59 PM
Attachments: [Attorney General Opinion How Gender Reassignment is Child Abuse.pdf](#)

Here you go...

Best Regards,

Tracy Nava
S.A.V.E. Intern
817-548-4528
<https://www.cptctx.org/save>

From: [Prewitt,Amanda R. \(DFPS\)](#)
To: [Trahan,Kyndall \(DFPS\)](#); [Bailey,Brittany \(DFPS\)](#); [Murphy,Lana \(DFPS\)](#); [Nellar,Pansy \(DFPS\)](#); [Parrott,Katheryn \(DFPS\)](#); [Cameron,Crystal \(DFPS\)](#); [Mczeal,Scheerish A \(DFPS\)](#)
Cc: [Boshuizen,Steven \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 7:47:03 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Amanda R. Prewitt

Child Protective Investigations Program Director: Region 4

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512-960-9352

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Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 7:45:31 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
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[image002.png](#)

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☎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: Gales,Keith D (DFPS) <Keith.Gales@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>; Gales,Keith D (DFPS) <Keith.Gales@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 <dldfpswiaust0193@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

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](#)

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 <dldfsswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Corbitt,Melisha \(DFPS\)](mailto:Corbitt,Melisha@DFPS)
To: Melisha.corbitt@gmail.com
Subject: Fw: Attorney General Opinion
Date: Wednesday, February 23, 2022 7:26:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: Black,Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:30 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

From: [Chesnut,Andrew \(DFPS\)](#)
To: [Hurley,Lesley M \(DFPS\)](#); [Miller,Sarah D. \(DFPS\)](#); [Rojas,Francisca \(DFPS\)](#); [Sartain,Brittani M \(DFPS\)](#); [Stutts,Jeremy R \(DFPS\)](#)
Subject: Fw: Attorney General Opinion
Date: Wednesday, February 23, 2022 7:13:12 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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>
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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>; 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>
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SWI Associate Commissioner
512-960-9352

From: [Peterson,Nicole \(DFPS\)](#)
To: [Baker,Tonya \(DFPS\)](#); [Brunson,Bethany A \(DFPS\)](#); [Estrada,Sara \(DFPS\)](#); [Harry,Jessica \(DFPS\)](#); [Woods,Dana \(DFPS\)](#); [Johnson,Melinda \(DFPS\)](#)
Subject: Fwd: Attorney General Opinion
Date: Wednesday, February 23, 2022 6:58:23 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: Liles,Lou R (DFPS) <Lou.Liles@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 6:53:01 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>
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SWI Associate Commissioner

512-960-9352

From: [Liles, Lou R \(DFPS\)](#)
To: [Prewitt, Amanda R. \(DFPS\)](#); [Phillips, Deirdre \(DFPS\)](#); [Peterson, Nicole \(DFPS\)](#); [Claude, Jennifer L \(DFPS\)](#); [Chesnut, Andrew \(DFPS\)](#); [Boshuizen, Steven \(DFPS\)](#)
Subject: Fwd: Attorney General Opinion
Date: Wednesday, February 23, 2022 6:53:31 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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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>; Gailles, Keith D (DFPS) <Keith.Gailles@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>
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marta.talbert@dfps.texas.gov

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

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512-960-9352

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Barker-White, Thomas M \(DFPS\)](#)
To: [Hardie, Sherrie F \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 6:15:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Reading through the legalese, we're taking a case if the parents are surgically or chemically supporting transition. Does that sound about right?

Thomas Barker-White

SWI Supervisor

Sun, Mon, Wed, Thur 2p – 12:30a

State Cell: 512-460-8438

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfppswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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SWI Associate Commissioner

512-960-9352

From: [Cunningham,Michelle S \(DFPS\)](#)
To: [Tyler,Michelle L \(DFPS\)](#); [Ross,Jarlene \(DFPS\)](#)
Cc: [Boubel,Rebecca \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 5:57:26 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Fyi....

*Michelle Cunningham, MSW
Child Protective Investigations
Regional Director (R8)
10223 Nacogdoches Rd.
San Antonio, Texas
Office phone 210-871-3106
Cell Phone 830-433-0924*

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

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>; Gailles,Keith D (DFPS) <Keith.Gailles@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>
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marta.talbert@dfps.texas.gov

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SWI Associate Commissioner

512-960-9352

From: [Allen, Brenda O \(DFPS\)](#)
To: [Stancik, Abigail \(DFPS\)](#); [Malrey, Kristi D \(DFPS\)](#); [Ball, Tommy \(DFPS\)](#); [Jeter, Scott M. \(DFPS\)](#); [Shavers, Christin L. \(DFPS\)](#); [Perez, Maria C \(DFPS\)](#); [Gonzalez, Brenda N \(Region 08\) \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 4:24:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Please do not discuss this with your staff yet. We will have a meeting tomorrow to discuss this and then you can share info with your staff.

Brenda Allen

SWI Screener Program Administrator

Cell: 281-782-8934

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>
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From: [Gailles,Keith D \(DFPS\)](#)
To: [Liles,Lou R \(DFPS\)](#)
Subject: Fwd: Attorney General Opinion
Date: Wednesday, February 23, 2022 4:18:04 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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>; Gailles,Keith D (DFPS) <Keith.Gailles@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>
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From: [Reeves,Natalie \(DFPS\)](#)
To: [Salinas,Alex \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 4:00:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Natalie Reeves, LPC-S, LCCA
Deputy Director of Investigations & Alternative Response
512.929.6913
Natalie.Reeves@dfps.texas.gov

From: Talbert,Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 3:55 PM
To: Green,Jerome (DFPS) <Jerome.Green@dfps.texas.gov>; Reeves,Natalie (DFPS) <Natalie.Reeves@dfps.texas.gov>
Subject: FW: Attorney General Opinion

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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

From: [Talbert, Marta L \(DFPS\)](#)
To: [Harmon, Tonya \(DFPS\)](#); [Gilbert, Matthew \(DFPS\)](#); [Toni Sutton \(DFPS\)](#); [Gailles, Keith D \(DFPS\)](#); [Wharton, Jarita N \(DFPS\)](#); [Sanders, Monica L \(DFPS\)](#); [Guyton, Lisa M \(DFPS\)](#); [Cunningham, Michelle S \(DFPS\)](#); [Baquero, Myrna I \(DFPS\)](#); [Yzaquierre, Marina C \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 3:55:35 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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 <dldfpswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

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

From: [Talbert,Marta L \(DFPS\)](#)
To: [Green,Jerome \(DFPS\)](#); [Reeves,Natalie \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 3:55:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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

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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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

From: [Talbert,Marta L \(DFPS\)](#)
To: [Harmon,Tonya \(DFPS\)](#); [Gilbert,Matthew \(DFPS\)](#); [Toni Sutton \(DFPS\)](#); [Gailles,Keith D \(DFPS\)](#); [Wharton,Jarita N \(DFPS\)](#); [Sanders,Monica L \(DFPS\)](#); [Guyton,Lisa M \(DFPS\)](#); [Cunningham,Michelle S \(DFPS\)](#); [Baquero,Myrna I \(DFPS\)](#); [Yzaquirre,Marina C \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 3:54:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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 <dldfpswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Holiday,Kelley \(DFPS\)](#)
To: [Steinberg,Christine D \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 3:50:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

I wish this had not been sent out. People are immediately going to ask “so what does this mean to us”. It should have come through PPM with updated intake guidelines and assessment guidance. Does the mere existence of one of these procedures meet the legal definition or do we have to have the impact on the minor for EMAB like any other EMAB intake?

Just because it “could have” an emotional impact, so could ***not*** doing it.
Kelley

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,

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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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Black, Stephen D \(DFPS\)](#)
To: [Talbert, Marta L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 3:45:54 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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

From: [Mcmillen, Lydia \(DFPS\)](#)
To: [REDACTED]
Subject: FW: Attorney General Opinion
Date: Wednesday, February 23, 2022 3:32:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov. Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)
[image003.png](#)

Lydia McMillen, PSIS IV
Sat, Tues-Fri. 6 a.m.-3:30 p.m.
Texarkana Office
Cell: 903-717-2727

From: Black, Stephen D (DFPS)
Sent: Wednesday, February 23, 2022 3:31 PM
To: DL DFPS SWI AUST0193 <dldfsswiaust0193@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.

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

Stephen Black
SWI Associate Commissioner
512-960-9352

From: [Black, Stephen D. \(DFPS\)](#)
To: [DL DFPS SWI AUST0193](#)
Subject: Attorney General Opinion
Date: Wednesday, February 23, 2022 3:31:15 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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

From: [Quevison, Jaya \(DFPS\)](#)
To: [Irving, Angela C \(DFPS\)](#)
Subject: FW: News Clips 2/23/2022
Date: Wednesday, February 23, 2022 3:29:00 PM

From: Upchurch, Rebecca (DFPS)
Sent: Wednesday, February 23, 2022 2:18 PM
To: Amin, Tammy L (DFPS) <Tammy.Amin@dfps.texas.gov>; Emmrich, Rebecca (DFPS) <Rebecca.Emmrich@dfps.texas.gov>; Holiday, Goodman W (DFPS) <Goodman.Holiday@dfps.texas.gov>; Holley, Sara N (DFPS) <Sara.Holley@dfps.texas.gov>; Lucero, Rebecca (DFPS) <Rebecca.Lucero@dfps.texas.gov>; Mcmillen, Lydia (DFPS) <Lydia.Mcmillen@dfps.texas.gov>; Quevison, Jaya (DFPS) <Jaya.Quevison@dfps.texas.gov>; Sterling, Andrea (DFPS) <Andrea.Sterling@dfps.texas.gov>; Strand, Hillary L (DFPS) <Hillary.Strand2@dfps.texas.gov>; Upchurch, Rebecca (DFPS) <Rebecca.Upchurch@dfps.texas.gov>
Subject: FW: News Clips 2/23/2022
FYI

From: Melcer, Janine F (DFPS) <Janine.Melcer@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 10:31 AM
To: Upchurch, Rebecca (DFPS) <Rebecca.Upchurch@dfps.texas.gov>; Steinberg, Mathew (DFPS) <Mathew.Steinberg@dfps.texas.gov>; Wells, Karen L (DFPS) <Karen.Wells@dfps.texas.gov>; Liles, Blair (DFPS) <Blair.Liles@dfps.texas.gov>; Lazaro, Deborah (DFPS) <Deborah.Lazaro@dfps.texas.gov>; Koppelman, Margaret (DFPS) <Margaret.Koppelman@dfps.texas.gov>; Martinez, Dalila (DFPS) <Dalila.Martinez@dfps.texas.gov>; Lopez, Abelardo (DFPS) <Abelardo.Lopez@dfps.texas.gov>; Lopez, Abelardo (DFPS) <Abelardo.Lopez@dfps.texas.gov>
Subject: FW: News Clips 2/23/2022

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 10:30:37 AM (UTC-06:00) Central Time (US & Canada)
To: Allen, Brenda O (DFPS) <Brenda.Allen@dfps.texas.gov>; Berthot, Amanda (DFPS) <Amanda.Berthot@dfps.texas.gov>; Bethel, Sonja E (DFPS) <Sonja.Bethel@dfps.texas.gov>; Demars, Amanda (DFPS) <Amanda.Demars@dfps.texas.gov>; Hardie, Sherrie F (DFPS) <Sherrie.Hardie@dfps.texas.gov>; Imhoff, Larry (DFPS) <Larry.Imhoff@dfps.texas.gov>; Melcer, Janine F (DFPS) <Janine.Melcer@dfps.texas.gov>; Steinberg, Mathew (DFPS) <Mathew.Steinberg@dfps.texas.gov>; Zappler, Dina (DFPS) <Dina.Zappler@dfps.texas.gov>
Subject: FW: News Clips 2/23/2022

fyi
Stephen Black
512-960-9352

From: Crimmings, Patrick (DFPS) <PATRICK.CRIMMINGS@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 10:25 AM
To: Olah, Tara (DFPS) <Tara.Olah@dfps.texas.gov>; 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>

Subject: News Clips 2/23/2022



Texas Department of
Family and Protective Services

DFPS News Clips

February 23, 2022

(Full stories reprinted below for your convenience)

Dallas Morning News

Texas Gov. Abbott: Agencies must investigate gender-affirming care for trans kids as ‘child abuse’

Confusion, defiance mark reactions to new interpretation of state law targeting certain medical treatments for transgender children.

<https://www.dallasnews.com/news/politics/2022/02/22/texas-gov-abbott-agencies-must-investigate-gender-affirming-care-for-trans-kids-as-child-abuse/>

Houston Chronicle

Texas CPS says it will treat hormone treatments for transgender kids as possible child abuse

<https://www.houstonchronicle.com/politics/texas/article/abbott-paxton-gender-affirming-care-child-abuse-16938490.php>

NBC – News

Texas AG says transition care for minors is child abuse under state law

Advocates say Ken Paxton’s opinion is politically motivated, but that it could have grave consequences for trans youth and their families.

<https://www.nbcnews.com/nbc-out/out-politics-and-policy/texas-ag-says-transition-care-minors-child-abuse-state-law-rcna17176>

New York Post

Texas parents may be guilty of ‘child abuse’ if they help kids transition: AG

<https://nypost.com/2022/02/22/texas-ag-its-abuse-if-parents-help-kids-transition-genders/>

The Texan

Abbott Directs DFPS to Investigate Use of Puberty Blockers as Child Abuse After Attorney General

Opinion

Abbott had previously promised to issue the DFPS directive once Attorney General Ken Paxton finished an opinion on the topic.

<https://thetexan.news/abbott-directs-dfps-to-investigate-use-of-puberty-blockers-as-child-abuse-after-attorney-general-opinion/>

CBN- TV

TX Attorney General: Puberty-Blockers and 'Sex-Changes' on Children Are Child Abuse Under State Law

<https://www1.cbn.com/cbnnews/2022/february/tx-attorney-general-puberty-blockers-and-sex-changes-on-children-are-child-abuse-under-state-law>

KXAN-TV

Abbott says parents, doctors should face ‘abuse’ investigations for transgender health care

<https://www.kxan.com/news/texas-politics/abbott-says-parents-doctors-should-face-abuse-investigations-for-transgender-health-care/>

KEYE-TV and KFOX-TV

Gov. Abbott directs DFPS to investigate gender transition procedure as child abuse

<https://cbsaustin.com/news/local/gov-abbott-directs-dfps-to-investigate-gender-transition-procedure-as-child-abuse-texas-sex-change-sexchange-gregabbott-texas-elpaso-childabuse>

WOAI-TV

Gov. Abbott directs DFPS to investigate gender-transitioning procedures as child abuse

<https://news4sanantonio.com/news/local/gov-abbott-directs-dfps-to-investigate-gender-transitioning-procedures-as-child-abuse-department-family-protective-services-attorney->

From: [Ficke Kevin \(DFPS\)](#)
To: [Galvan Raquel R \(DFPS\)](#)
Subject: Fwd: New AG Opinion/DFPS
Date: Wednesday, February 23, 2022 3:07:52 PM
Attachments: [kp-0401_0.pdf](#)
[image001.png](#)
[image002.png](#)

See below

From: Vela,Robert J (DFPS) <Robert.Vela@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 8:47 AM
To: Turner,Andrea D (DFPS); Ficke,Kevin (DFPS); Ruiz,Robert (DFPS); Madsen,Clint (DFPS); Enriquez,Eduardo (DFPS)
Subject: FW: New AG Opinion/DFPS

Good Morning,
Please see below regarding AG's opinion on child abuse on sex changes of minors.
Thanks,
Robert J. Vela
Regional Director - Special Investigations Division
Regions 8 and 11
1919 Austin Avenue
McAllen, Texas 78501
Cell (956)279-5798
Office (956)664-4882



CONFIDENTIALITY NOTICE: This electronic transmission and any attachments constitute confidential information which is intended only for the named recipient(s) and may be legally privileged. If you have received this communication in error, please contact the sender above immediately. Any disclosure, copying, and distribution or the taking of any action concerning the contents of this communication by anyone other than the named recipient(s) is strictly prohibited.

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

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>

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>; Gales,Keith D (DFPS) <Keith.Gales@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/FMfcgzGmvBpdjpHcwNrpCmxxpVvWdjWP>

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

[utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=](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

From: [Melcer, Janine F \(DFPS\)](#)
To: [Allen, Brenda O \(DFPS\)](#)
Subject: FW: Message to Staff
Date: Wednesday, February 23, 2022 2:55:50 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Janine Melcer, SWI PA
512-960-9273 (business cell)
512-929-6970 (office)
Department of Family and Protective Services Statewide Intake (SWI)

From: Hardie, Sherrie F (DFPS)
Sent: Wednesday, February 23, 2022 2:54 PM
To: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>; Melcer, Janine F (DFPS) <Janine.Melcer@dfps.texas.gov>; Steinberg, Mathew (DFPS) <Mathew.Steinberg@dfps.texas.gov>; Zappler, Dina (DFPS) <Dina.Zappler@dfps.texas.gov>; Berthot, Amanda (DFPS) <Amanda.Berthot@dfps.texas.gov>

Subject: FW: Message to Staff

This looks to be a good message.
Sherrie

From: Black, Stephen D (DFPS) <Stephen.Black@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 2:53 PM
To: Hardie, Sherrie F (DFPS) <Sherrie.Hardie@dfps.texas.gov>; Melcer, Janine F (DFPS) <Janine.Melcer@dfps.texas.gov>; Steinberg, Mathew (DFPS) <Mathew.Steinberg@dfps.texas.gov>; Zappler, Dina (DFPS) <Dina.Zappler@dfps.texas.gov>
Cc: Berthot, Amanda (DFPS) <Amanda.Berthot@dfps.texas.gov>
Subject: Message to Staff

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

From: [Jones, Stacie \(DFPS\)](#)
To: [Jones, Stacie \(DFPS\)](#)
Subject: Gov Abbott
Date: Wednesday, February 23, 2022 2:53:38 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

<https://gov.texas.gov/uploads/files/press/O-MastersJaime202202221358.pdf>

Stacie Michel Jones LMSW

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](#)

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

From: [Nava, Tracy L \(DFPS Contractor\)](#)
To: [Florey, Dawn K \(DFPS\)](#)
Subject: Re: policy-if you don't like this one let me know
Date: Wednesday, February 23, 2022 2:12:00 PM
Attachments: [Attorney General Opinion How Gender Reassignment is Child Abuse.pdf](#)

I read the one you sent me, and I have also attached another interesting read I found about how gender reassignment surgery could be considered child abuse under the current legislature (I found it on social media, it is getting a lot of attention there).

I will be ready to discuss both tomorrow.

Best Regards

Tracy Nava
S.A.V.E. Intern
817-548-4528
<https://www.cptctx.org/save>

From: Florey, Dawn K (DFPS) <Dawn.Florey@dfps.texas.gov>
Sent: Wednesday, February 23, 2022 10:25 AM
To: Nava, Tracy L (DFPS Contractor) <Tracy.Nava@dfps.texas.gov>
Subject: policy-if you don't like this one let me know

7000 Background Checks for DFPS Volunteers and Interns

Background Checks September 2019

The DFPS Background Checks program completes background checks on DFPS volunteers and interns.

A background check has two parts, as follows:

- A [Texas name-based criminal history check](#).
- A [DFPS history check](#).

If a background check reveals any criminal or DFPS history for a person, the Background Checks staff considers the history to determine whether the potential volunteer or intern would put DFPS clients or [resources](#) at risk. See [7430 Risk Assessment](#) for the criteria for assessing risk.

The Background Checks staff also does an [FBI criminal history check](#) in certain circumstances. See [7210 FBI Criminal History Check](#).

A person who has [cleared](#) a background check under another DFPS Background Checks policy is also required to clear a background check under this policy before being allowed to volunteer or intern with DFPS.

7320 Criminal History

Background Checks September 2019

The Background Checks staff uses the charts in [Appendix 3000-1: Criminal History Chart for DFPS Employees, Volunteers, Interns, Prospective Employees, and Non-DFPS Staff](#) to determine whether to allow a person to

volunteer or intern with DFPS.

References to DFPS employment in the charts also apply to volunteering and interning.

The charts indicate the following:

- The criminal convictions that are absolute bars to DFPS employment. These convictions cause a person to be ineligible to volunteer or intern with DFPS.
- The criminal convictions that are likely or possible [contraindications](#) to DFPS employment. These convictions require further review (risk assessment) to determine whether the person is eligible to volunteer or intern with DFPS. See [7430 Risk Assessment](#).

2440 Assessing the Results of Background Checks

2441 Assessing DFPS and Criminal History Records

[Background Checks February 2018](#)

BC makes its initial determination about whether to allow direct contact with DFPS clients based on the following determination charts:

[Appendix 2000-1](#): PCS Background Check Criminal History Chart

[Appendix 2000-2](#): PCS Background Check DFPS History Chart

The charts indicate:

- the criminal convictions that are absolute bars to direct contact with DFPS clients;
- the criminal convictions that are eligible for a risk evaluation;
- the DFPS findings on abuse, neglect, or exploitation that are absolute bars to direct contact with DFPS clients;
- the DFPS findings on abuse, neglect, or exploitation that are contraindications to direct contact with DFPS clients; and
- the DFPS findings on abuse, neglect, or exploitation that are cleared.

Although DFPS background checks determine whether a PCS contractor's staff person may or may not have direct contact with DFPS clients, the determination does not prohibit the contractor's staff person from remaining employed or volunteering with the contractor. The decision to hire, terminate employment, or remove a volunteer is made at the discretion of the contractor; however, the contractor ensures that staff who are not cleared by DFPS have no direct contact with DFPS clients.

2442 Assessing Sex Offender Registry Records

[Background Checks February 2018](#)

BC receives information regarding sex offender registration as part of the criminal history background check process. If the subject of a PCS background check is currently a registered sex offender in Texas or any other state, this person will be barred from direct contact with DFPS clients or client information.

2443 Assessing Juvenile History Records

[Background Checks February 2018](#)

DFPS receives certain juvenile history records from DPS and the FBI in the course of conducting a criminal background check.

BC reviews juvenile history records and assesses the risk to clients based on the following factors:

- the age of the victim, if applicable;
- the age of the juvenile at the time of the incident noted in the juvenile

- history;
 - the length of time since the incident occurred;
 - the severity of the incident in the juvenile history;
 - whether the incident would justify a bar according to this background check policy, if the incident is similar to an adult crime;
 - a pattern of any type of juvenile history or adult criminal history;
 - the role that the PCS contractor or contractor's staff person played in the incident;
 - the current position and responsibilities of the contractor or the contractor's staff person;
 - the contractor's history of compliance with DFPS policies;
 - whether the contractor or contractor's staff person has taken any measures toward rehabilitation; and
 - whether any additional factors mitigate the risk to DFPS clients.
- If BC determines that there is a risk of immediate harm because of the juvenile history, BC consults with DFPS legal staff to seek approval to take action; that is to:
- require the contractor to submit a risk evaluation on the person who is the subject of the juvenile history; or
 - inform the contractor that the subject of the juvenile history cannot have direct contact with DFPS clients.

2444 Assessing Incomplete, Inconclusive, or Contested Criminal History Records

Background Checks February 2018

BC notifies PCS contractors about incomplete or inconclusive criminal history records that require further action. Subjects of a background check have the opportunity to contest the results of a check that BC has identified as belonging to them.

BC makes a final determination about a background check only after issues related to incomplete, inconclusive, or contested criminal history records have been resolved.

Incomplete Records

To resolve incomplete criminal history records, contractors must provide BC with documentation from the applicable Texas court, county attorney, district attorney, or arresting agency.

Inconclusive Records

An inconclusive criminal history record is one that BC is unable to confirm as belonging to the subject of the background check, based on the information available.

To resolve inconclusive criminal history records, BC may require a PCS contractor or contractor's staff person to submit to a fingerprint-based criminal history check.

Contested Records

If the subject of a background check indicates that the criminal history provided from either the DPS or the FBI does not belong to him or her, DFPS staff explain to the person that he or she may formally contest the information.

For information on reviewing and contesting Texas name-based criminal history results, see:

[Criminal History Error Resolution External Link](#)

[Crime Records Service PDF Document External Link](#)

For information on reviewing and contesting FBI results, see:

[Identification Record Request / Criminal Background Check External Link](#)
[Challenge of a Criminal Record External Link](#)

The subject of the background check may also direct questions to BC representative who sent notification about the results of the background check.

2450 Making a Determination

2451 Cleared

[Background Checks February 2021](#)

A background check is cleared when the results show the following:

- No record of crimes that DFPS monitors.
 - No record of sex offender registration.
 - No DFPS history that contraindicates direct contact with DFPS clients.
- DFPS does not notify the contractor about crimes that are not listed on the PCS Background Check Criminal History Chart or not monitored by DFPS. When Background Checks staff determines that a background check is clear, they electronically notify the [ABCS requestor](#) or contractor.

2452 Absolute Bar

[Background Checks February 2021](#)

Background Checks staff notifies the contractor if he or she determines that any of the following is true about a PCS contractor or contractor's employee:

- He or she is a registered sex offender.
- He or she as a criminal conviction or history of abuse, neglect, or exploitation that justifies an absolute bar on direct contact with DFPS clients.

2453 Eligible for a Risk Evaluation on DPS Criminal History

[Background Checks February 2021](#)

The contractor may request a risk evaluation for a person who has a DPS criminal conviction that is noted as eligible in [Appendix 2000-1: PCS Background Check Criminal History Chart](#). Background Checks staff completes a risk evaluation for DPS Criminal History to determine whether the crime poses a risk to the health or safety of children and therefore justifies a bar to direct contact with DFPS clients.

DFPS also reserves the right to determine that a risk evaluation for DPS Criminal History is required, if the subject has a history of either of the following:

- Certain juvenile incidents or crimes.
- Adult crimes not included in [Appendix 2000-1: PCS Background Check Criminal History Chart](#).

If a DPS criminal conviction is eligible for a risk evaluation or Background Checks staff determines that a risk evaluation is required, Background Checks staff does the following:

- Sends a notification letter electronically to the contract manager, contractor, or contractor's employee.
- Includes [Form 2973c Request for Risk Evaluation Based on Criminal](#)

[History Results PDF Document.](#)

If the PCS contractor decides to request a risk evaluation for a DPS criminal conviction, the PCS contractor does the following:

- Completes Form 2973c.
- Gathers the documentation required in the form.
- Returns the form and documentation to Background Checks staff for review within 30 days of the date noted on notification letter from Background Checks.

Background Checks staff must approve the risk evaluation before the PCS contractor or contractor's employee may have direct contact with DFPS clients.

If additional time is needed to complete the request for a DPS risk evaluation, the contractor may request an extension before the 30-day deadline.

If the contractor does not complete the request for a DPS risk evaluation within the 30-day deadline (or 60-day deadline, if a 30-day extension is approved), then the contractor or contractor's employee is barred from having direct contact with DFPS clients.

Once Background Checks staff receives a request for a DPS risk evaluation, he or she uses the documentation submitted to assess the risk that the contractor or contractor's employee poses to DFPS clients.

To assess the risk to clients, Background Checks staff considers such factors as the following:

- Whether the person has taken any measures toward rehabilitation.
- The length of time since the crime occurred.
- The severity of the crime.
- Whether there is a pattern of any type of crime.
- The role that the contractor or the contractor's employee played in the crime.
- The current or prospective position and responsibilities of the contractor or the contractor's employee.
- The contractor's history of compliance with DFPS policies.
- Whether any additional factors mitigate the risk to DFPS clients.

2454 Eligible for a Risk Evaluation on FBI Criminal History

[Background Checks February 2021](#)

Per a 2019 FBI Audit, DFPS does not release information to the PCS contractor regarding criminal history results returned in the FBI Criminal History check. DFPS works directly with the subject to obtain any required court documents or additional information regarding the FBI results.

The subject may request an FBI risk evaluation for himself or herself when the person's FBI results include a criminal conviction that is noted as eligible in [Appendix 2000-1: PCS Background Check Criminal History Chart](#).

Background Checks staff conducts a risk evaluation for FBI Criminal History to determine whether the crime poses a risk to the health or safety of children and therefore justifies a bar to direct contact with DFPS clients.

DFPS also reserves the right to determine that an FBI risk evaluation is required, if the subject has a history of either of the following:

- Certain juvenile incidents or crimes.
- Adult crimes not included in [Appendix 2000-1: PCS Background Check Criminal History Chart](#).

If an FBI criminal conviction listed on the on the person's FBI Criminal History Results is either of the following:

- Eligible for a risk evaluation.
- Background Checks staff determines that a risk evaluation is required, then he or she takes the following actions:
 - Sends a notification letter electronically to the subject of the background check.
 - Includes [Form 2973c Request for Risk Evaluation Based on Criminal History ResultsPDF Document](#).

If the subject decides to request an FBI risk evaluation, he or she does the following:

- Completes [Form 2973cPDF Document](#).
- Gathers the documentation required in the form.
- Returns the form and documentation to Background Checks for review within 30 days of the date noted on Background Checks's notification letter.

Background Checks staff must approve the FBI risk evaluation before the PCS contractor or contractor's employee may have direct contact with DFPS clients.

If additional time is needed to complete the request for an FBI risk evaluation, the subject may request an extension before the 30-day deadline.

If the subject does not complete the request for an FBI risk evaluation within the 30-day deadline (or 60-day deadline, if a 30-day extension is approved), then the subject is barred from having direct contact with DFPS clients.

Once Background Checks staff receives a complete request for an FBI risk evaluation, he or she uses the documentation submitted to assess the risk that the contractor or contractor's employee poses to DFPS clients.

To assess the risk to clients, Background Checks staff considers such factors as the following:

- Whether the person has taken any measures toward rehabilitation.
- The length of time since the crime occurred.
- The severity of the crime.
- Whether there is a pattern of any type of crime.
- The role that the contractor or the contractor's employee played in the crime.
- The current or prospective position and responsibilities of the contractor or the contractor's employee.
- The contractor's history of compliance with DFPS policies.
- Whether any additional factors mitigate the risk to DFPS clients.

Once Background Checks staff has reached a determination regarding the FBI risk evaluation, he or she will notify the contractor via email whether the subject is cleared or barred.

If a subject is barred due to FBI criminal history, the contractor must contact the subject to obtain information regarding the criminal history returned on the FBI background check.

2455 Contraindication

Background Checks February 2021

Background Checks staff completes a risk assessment to determine whether the contractor or employee may have direct contact with DFPS clients if the following are true:

A PCS contractor or contractor's employee has a finding of abuse, neglect, or exploitation that contraindicates direct contact with DFPS clients.

The finding does not justify an absolute bar (as defined in [2452 Absolute Bar](#)).

To assess the risk to clients, Background Checks staff reviews the case documentation and consider such factors as the following:

- The length of time since the abuse, neglect, or exploitation occurred.
- The severity of the abuse, neglect, or exploitation.
- A pattern of any type of abuse, neglect, or exploitation.
- The role that the contractor or contractor's staff played in the case.
- The current position and responsibilities of the contractor or the contractor's employee.
- The contractor's history of compliance with DFPS policies.
- Whether any additional factors mitigate the risk to DFPS clients.

If necessary, Background Checks staff may seek additional information from any of the following:

- The contractor.
- The contractor's employee (the subject of the background check).
- A DFPS program employee who has either direct knowledge about the investigation or specific knowledge about the contractor or contractor's staff.

Based on the results of the assessment, Background Checks staff notifies the contractor and the DFPS contract manager that the contractor or contractor's employee is either of the following:

- Cleared and may have direct contact with DFPS clients.
- Barred and must not have direct contact with DFPS clients.

Background Checks staff does not share the details of a DFPS history check on abuse, neglect, or exploitation with the contractor. The contractor is informed that the contractor or contractor's employee may not have direct contact with DFPS clients.

When a finding raises concern for the health and safety of others, including immediate concerns, Background Checks staff refers to the procedures for emergency and nonemergency disclosure in the policy handbook of the DFPS program that conducted the investigation.

See:

Child Protective Services Handbook, [1290 Release Hearings When CPI Releases Investigation Findings](#)

Child Care Investigations Handbook, [7727 Emergency Release](#)

Adult Protective Services Handbook, [14300 Due Process for Non-EMR \(Employee Misconduct Registry\) Cases](#)

HHSC Provider Investigations Handbook[External Link](#)

For information on conducting reviews of background check determinations, see [1320 Reviewing Background Check Decisions](#).

Thank you,

Dawn Florey, LCSW

Program Supervisor – S.A.V.E. & Tarrant County Crisis Intervention Programs

Unit N2

401 W. Sanford, Suite 2400

Arlington, Texas 76011

Cell: 817-727-7276

ECI Liaison

**“The work will wait while you show the child the rainbow,
but the rainbow won't wait while you do the work.”**

From: [Gonzales, Marissa L \(DFPS\)](#)
To: bethania@snopes.com
Subject: RE: Snopes reporter with question about Gov. Abbott's order on transgender children's health care
Date: Wednesday, February 23, 2022 1:59:00 PM
Attachments: [AG Opinion Statement.docx](#)
[image001.png](#)
[image002.png](#)

Hi, Bethania. I've attached DFPS' statement on this issue. Thanks.

Marissa Gonzales

Media Relations Director

TX Dept. of Family and Protective Services

(817) 312-4144



From: Bethania Palma <bethania@snopes.com>
Sent: Wednesday, February 23, 2022 12:53:43 PM
To: Wilson, Mark D (DFPS) <Mark.Wilson@dfps.texas.gov>
Subject: Snopes reporter with question about Gov. Abbott's order on transgender children's health care

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Hi Mark,

I'm a reporter for the fact checking website Snopes. I had a couple of questions about the [letter](#) from Gov. Abbott directing DFPS to investigate reports of alleged child abuse involving health care for transgender children.

My first questions are about general process by which DFPS operates, ie. how it launches investigations and files criminal charges. My other questions are about how DFPS will deal with the directive from Abbott:

- How does DFPS typically launch child abuse investigations. Is it usually driven by reports of abuse from the public and/or mandated reporters and/or does DFPS independently launch investigations if there is evidence of child abuse?
- When an investigation is launched does it require a law enforcement agency (ie. DA or county attorney) to file criminal charges? How does the process normally play out?
- Does DFPS plan to adopt Paxton's opinion as the interpretation of state law?
- How will DFPS interpret an opinion that appears to [contradict](#) standards of medical care, and how will DFPS investigate reports that involve patients receiving standard medical care?

Thanks in advance, I am on deadline for end-of-day today.

Bethania Palma

Snopes

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.

From: [Kimberly Toulet](#)
To: [Surratt,Michele L \(DFPS\)](#)
Subject: Abbott letter to DFPS
Date: Wednesday, February 23, 2022 1:01:54 PM
Attachments: [Abbott Letter.pdf](#)

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Michele:
Have you received any direction on how the Department intends to handle this?
Thanks,
Kimberly Toulet
First Assistant County Attorney
432.688.4490 | ktoulet@mcounty.com



Texas Bar College
Professionalism Through Education

From: [Arriaga,Dennis \(DFPS\)](#)
To: [Martinez,Rafael O \(DFPS\)](#); [Mikeska,William \(DFPS\)](#); [Keiler-Green,Emily \(DFPS\)](#); [Cuadrado,Melissa J \(DFPS\)](#); [Roberson,Tom \(DFPS\)](#); [Bradley,Marilyn \(DFPS\)](#); [Schneider,Brandt \(DFPS\)](#); [Morales,Teresa B \(DFPS\)](#); [Smith,Lacey \(DFPS\)](#)
Subject: Letter from Governor
Date: Wednesday, February 23, 2022 12:26:38 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

FYI

From: [Palmquist, Laura R. \(DFPS\)](#)
To: [Dominguez, Corine \(DFPS\)](#)
Subject: FW: letter
Date: Wednesday, February 23, 2022 12:20:00 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

From: Phillips, Kathleen V (DFPS)

Sent: Wednesday, February 23, 2022 10:32 AM

To: Adams, Stefanie (DFPS) <Stefanie.Adams@dfps.texas.gov>; Anderson, Regina (DFPS) <Regina.Anderson@dfps.texas.gov>; Arriaga, Dennis (DFPS) <Dennis.Arriaga@dfps.texas.gov>; Britt, Dewey D (DFPS) <Dewey.Britt@dfps.texas.gov>; Cordray, Glenna (DFPS) <Glenna.Cordray@dfps.texas.gov>; Kinsler, Brenda L (DFPS) <Brenda.Kinsler@dfps.texas.gov>; Palmquist, Laura R (DFPS) <Laura.Palmquist@dfps.texas.gov>; Surratt, Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>; Tai, Eric T. (DFPS) <Eric.Tai@dfps.texas.gov>; Valdez, Lucinda (DFPS) <Lucinda.Valdez@dfps.texas.gov>

Subject: letter

fyi

Kathy Phillips

Managing Attorney

Region 11

Texas Department of Family and Protective Services

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From: [Lennan, John J. \(DFPS\)](#)
To: [Gonzales, Marissa L. \(DFPS\)](#)
Subject: Media - Travis County - Abbott orders state agency to treat gender-affirming care as child abuse
Date: Wednesday, February 23, 2022 11:57:53 AM

Published this morning ... currently listed as homepage lead story

Abbott orders state agency to treat gender-affirming care as child abuse



[Chuck Lindell](#)

Austin American-Statesman

Published 9:30 a.m. CT Feb. 23, 2022 Updated 10:12 a.m. CT Feb. 23, 2022

[Texas Gov. Greg Abbott: gender-affirming care reported as child abuse \(statesman.com\)](#)

Responding to conservative Republican opposition to gender-affirming care for young transgender Texans, Gov. Greg Abbott on Tuesday ordered the state child welfare agency to investigate reports of "gender-transitioning procedures" as child abuse.

The move came one day after Texas Attorney General Ken Paxton issued a written opinion defining gender-affirming care as child abuse under state laws — and months after state lawmakers considered but did not pass similar bills when the Legislature met last year.

Transgender advocates accused Abbott and Paxton of twisting state law to meet their political goals and biases, particularly after efforts to define gender-affirming medical care as child abuse died last year in the Texas House after passage in the Senate.

Religious and social conservatives praised the move.

"This (Paxton) opinion means nothing if it's not enforced," said Rep. Matt Schaefer, R-Tyler. "The truth is, though, that we need a special session immediately to address this now that we have the backing of the attorney general's office. We are not going to back down on this — this is a hill we are ready to die on."

The Texas Pediatric Society, Texas Medical Association and Texas Academy of Family Physicians opposed last year's legislative efforts to limit gender-affirming

care, including puberty blockers, which doctors described as reversible medication that delays the onset of physical changes to allow time for transgender Texans to consider more permanent options.

Several Republican bills also sought to outlaw hormone therapy involving testosterone and estrogen for minors. Doctors testified last year at Capitol hearings that the treatments introduce body changes that are permanent and are generally recommended after age 16. Surgery is generally offered around age 18 and never to young children, they testified.

Texas Freedom Network President Val Benavidez said the state action could deny "life-saving care for transgender youth."

"Transgender people already experience stigma and discrimination, harassment and violence simply because of who they are," Benavidez said, adding that politicians are using vulnerable youths as political pawns. "Regardless of opposition from child welfare and medical groups, Paxton and the Texas GOP continue to create barriers and laws that strip transgender children and their families of civil and equal rights."

Equality Texas, an LGBTQ advocacy group, said all children deserve to grow up healthy and learn to take care of their bodies in a way that helps them live full, happy lives.

"For transgender kids, this might include gender-affirming care that has been endorsed by pediatricians and proven to help kids' mental health and future well-being," the organization said in a statement.

Abbott, in Tuesday's letter to the Texas Department of Family and Protective Services, ordered the agency to conduct "a prompt and thorough investigation of any reported instances of these abusive procedures in the State of Texas."

"As (Paxton's opinion) makes clear, it is already against the law to subject Texas children to a wide variety of elective procedures for gender transitioning, including reassignment surgeries that can cause sterilization, mastectomies, removals of otherwise healthy body parts, and administration of puberty-blocking drugs or supraphysiologic doses of testosterone or estrogen," Abbott wrote.

The governor added that state law requires licensed professionals who have direct contact with children — including doctors, nurses and teachers — to report instances of "such abuse," with criminal penalties available for those who fail to report.

"There are similar reporting requirements and criminal penalties for members of the general public," Abbott wrote.

Texas law also requires the Department of Family and Protective Services to investigate parents who allow gender-affirming care for their children, Abbott told the agency.

From: [Howard, Shakia \(DFPS\)](#)
To: [Harris, Tara S \(DFPS\)](#)
Date: Wednesday, February 23, 2022 11:48:01 AM
Attachments: [O-MastersJaime202202221358.pdf](#)

Thank you,
Shakia S. Howard
CVS Specialist II, Unit D4
Brittany Moorning, Supervisor
8700 N. Stemmons Fwy
Ste. 104
Dallas, TX. 75247
(682) 219-9722 (Business Cell)
(512) 276-3246 (Fax)

From: [Madsen Clint \(DFPS\)](#)
To: [Cardona-Mcquill Hortencia \(DFPS\)](#); [Espinosa Jesus \(DFPS\)](#); [Galvez Danny \(DFPS\)](#); [Garcia Jesse O \(DFPS\)](#); [Gomez Erica \(DFPS\)](#); [Gonzalez Eli \(DFPS\)](#); [Gonzalez Jose \(DFPS\)](#); [Gutierrez Porfirio \(DFPS\)](#); [Hein Conrad \(DFPS\)](#)
Subject: FW: New AG Opinion/DFPS
Date: Wednesday, February 23, 2022 11:36:04 AM
Attachments: [kp-0401_0.pdf](#)
[image001.png](#)
[image002.png](#)
[image003.png](#)

Please see the attachment and emails below regarding AG's opinion on child abuse on sex changes of minors. Let me know if you have any questions.

Clint Madsen
Special Investigations Program Director
Region 11 (North) Unit 12
(210) 461-2703 (cell)



From: Vela,Robert J (DFPS)
Sent: Wednesday, February 23, 2022 8:47 AM
To: Turner,Andrea D (DFPS) <Andrea.Turner@dfps.texas.gov>; Ficke,Kevin (DFPS) <Kevin.Ficke@dfps.texas.gov>; Ruiz,Robert (DFPS) <Robert.Ruiz@dfps.texas.gov>; Madsen,Clint (DFPS) <Clint.Madsen@dfps.texas.gov>; Enriquez,Eduardo (DFPS) <Eduardo.Enriquez@dfps.texas.gov>
Subject: FW: New AG Opinion/DFPS

Good Morning,
Please see below regarding AG's opinion on child abuse on sex changes of minors.
Thanks,
Robert J. Vela
Regional Director - Special Investigations Division
Regions 8 and 11
1919 Austin Avenue
McAllen, Texas 78501
Cell (956)279-5798
Office (956)664-4882



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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

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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>; Gailles,Keith D (DFPS) <Keith.Gailles@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/FMfcgzGmvBpdjpHcwNrpCmxxpWdjWP>

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

[utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=](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

From: [Phillips,Kathleen V \(DFPS\)](#)
To: [Adams,Stefanie \(DFPS\)](#); [Anderson,Regina \(DFPS\)](#); [Arriaga,Dennis \(DFPS\)](#); [Britt,Dewey D \(DFPS\)](#); [Cordray,Glenna \(DFPS\)](#); [Kinsler,Brenda L \(DFPS\)](#); [Palmquist,Laura R \(DFPS\)](#); [Surratt,Michele L \(DFPS\)](#); [Tai,Eric T. \(DFPS\)](#); [Valdez,Lucinda \(DFPS\)](#)
Subject: letter
Date: Wednesday, February 23, 2022 10:31:49 AM
Attachments: [O-MastersJaime202202221358.pdf](#)

fyi

Kathy Phillips

Managing Attorney

Region 11

Texas Department of Family and Protective Services

361-878-7481 Office

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kathleen.phillips@dfps.texas.gov

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From: [Phillips,Kathleen V \(DFPS\)](#)
To: [Adams,Stefanie \(DFPS\)](#); [Anderson,Regina \(DFPS\)](#); [Arriaga,Dennis \(DFPS\)](#); [Britt,Dewey D \(DFPS\)](#); [Cordray,Glenna \(DFPS\)](#); [Kinsler,Brenda L \(DFPS\)](#); [Palmquist,Laura R \(DFPS\)](#); [Surratt,Michele L \(DFPS\)](#); [Tai,Eric T. \(DFPS\)](#); [Valdez,Lucinda \(DFPS\)](#)
Subject: letter
Date: Wednesday, February 23, 2022 10:31:00 AM
Attachments: [O-MastersJaime202202221358.pdf](#)

fyi

Kathy Phillips

Managing Attorney

Region 11

Texas Department of Family and Protective Services

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From: [Lennan, John J. \(DFPS\)](#)
To: [Phillips, Kathleen V. \(DFPS\)](#)
Subject: letter
Date: Wednesday, February 23, 2022 10:28:00 AM
Attachments: [O-MastersJaime202202221358.pdf](#)

Attached letter

From: [Hicks,Brenda \(DFPS\)](#)
To: [Powell,Andrea \(DFPS\)](#); [Musokwa,Dorothy \(DFPS\)](#); [Cuellar,Teresa \(DFPS\)](#); [Brown,Jamonica A \(DFPS\)](#); [Douglas,Sheila \(DFPS\)](#); [Hicks,Jacqueline \(DFPS\)](#); [Huitareo,Stephanie \(DFPS\)](#); [Lewis,Kaylee \(DFPS\)](#); [Linares,Jaquelyne \(DFPS\)](#); [Peacock,Payton \(DFPS\)](#); [Simmons,Semone \(DFPS\)](#); [Stobaugh,Bethany \(DFPS\)](#); [Brown,Cree \(DFPS\)](#); [Campbell,Khadeem \(DFPS\)](#); [Creeks,Mikhia \(DFPS\)](#); [Gorden,Natiya \(DFPS\)](#); [Massey,Roosevelt \(DFPS\)](#); [Miller,Tambra \(DFPS\)](#); [Ridout,Tiavonna \(DFPS\)](#); [Rochard,Chelsea \(DFPS\)](#); [Stafford,Stephanie \(DFPS\)](#); [Brown,Dawn D \(DFPS\)](#); [Bustos,Esbeydi \(DFPS\)](#); [Cavazos,Scarlett \(DFPS\)](#); [Darwin,Sara \(DFPS\)](#); [Joneswilliams,Kewanna N \(DFPS\)](#); [Massey,Sharbra L \(DFPS\)](#); [Ramey,Lashonta \(DFPS\)](#); [Reyna,Veronica \(DFPS\)](#); [Romero,Claudia \(DFPS\)](#); [Thomas,Tanjila \(DFPS\)](#); [Carrisalez,Fabian \(DFPS\)](#); [Chavez,Lidia \(DFPS\)](#); [Gray-Harrison,Blaire \(DFPS\)](#); [Howard,Shakia \(DFPS\)](#); [Jones,Daisy \(DFPS\)](#); [Landaverde,Odalys \(DFPS\)](#); [Moorning,Brittany D \(DFPS\)](#); [Sanchez,Jorge \(DFPS\)](#); [Santos,Ryan \(DFPS\)](#); [Smith,Tabitha K \(DFPS\)](#)
Subject: RE: 9:30 a.m. Program Meeting Today
Date: Wednesday, February 23, 2022 10:11:12 AM
Attachments: [O-MastersJaime202202221358.pdf](#)
[image001.png](#)

Please find Governor Abbott's letter to the Commissioner.
Respectfully,

Brenda Hicks

CPS Supervisor -Unit 0H
8700 N Stemmons Frwy #104
Dallas, TX 75247
Cell: 214-507-0598
Fax: 512-276-3531
Email: Brenda.hicks@dfps.texas.gov
Hotline: 1-800-252-5400

From: Powell,Andrea (DFPS)
Sent: Wednesday, February 23, 2022 9:00 AM
To: Musokwa,Dorothy (DFPS) <Dorothy.Musokwa@dfps.texas.gov>; Cuellar,Teresa (DFPS) <Teresa.Cuellar@dfps.texas.gov>; Brown,Jamonica A (DFPS) <Jamonica.Brown@dfps.texas.gov>; Douglas,Sheila (DFPS) <Sheila.Douglas@dfps.texas.gov>; Hicks,Jacqueline (DFPS) <Jacqueline.Hicks@dfps.texas.gov>; Huitareo,Stephanie (DFPS) <Stephanie.Huitareo@dfps.texas.gov>; Lewis,Kaylee (DFPS) <Kaylee.Lewis@dfps.texas.gov>; Linares,Jaquelyne (DFPS) <Jaquelyne.Linares@dfps.texas.gov>; Peacock,Payton (DFPS) <Payton.Peacock@dfps.texas.gov>; Simmons,Semone (DFPS) <Semone.Simmons2@dfps.texas.gov>; Stobaugh,Bethany (DFPS) <Bethany.Stobaugh@dfps.texas.gov>; Brown,Cree (DFPS) <Cree.Brown@dfps.texas.gov>; Campbell,Khadeem (DFPS) <Khadeem.Campbell@dfps.texas.gov>; Creeks,Mikhia (DFPS) <Mikhia.Creeks@dfps.texas.gov>; Gorden,Natiya (DFPS) <Natiya.Gorden@dfps.texas.gov>; Massey,Roosevelt (DFPS) <Roosevelt.Massey@dfps.texas.gov>; Miller,Tambra (DFPS) <Tambra.Miller@dfps.texas.gov>; Ridout,Tiavonna (DFPS) <Tiavonna.Ridout@dfps.texas.gov>; Rochard,Chelsea (DFPS) <Chelsea.Rochard@dfps.texas.gov>; Stafford,Stephanie (DFPS) <Stephanie.Stafford@dfps.texas.gov>; Brown,Dawn D (DFPS) <Dawn.Brown@dfps.texas.gov>; Bustos,Esbeydi (DFPS) <Esbeydi.Bustos@dfps.texas.gov>; Cavazos,Scarlett (DFPS) <Scarlett.Cavazos@dfps.texas.gov>; Darwin,Sara (DFPS) <Sara.Darwin@dfps.texas.gov>; Hicks,Brenda (DFPS) <Brenda.Hicks@dfps.texas.gov>; Joneswilliams,Kewanna N (DFPS) <Kewanna.Joneswilliams@dfps.texas.gov>; Massey,Sharbra L

(DFPS) <Sharbra.Massey@dfps.texas.gov>; Ramey,Lashonta (DFPS)
<Lashonta.Ramey@dfps.texas.gov>; Reyna,Veronica (DFPS) <Veronica.Reyna@dfps.texas.gov>;
Romero,Claudia (DFPS) <Claudia.Romero2@dfps.texas.gov>; Thomas,Tanjila (DFPS)
<Tanjila.Thomas@dfps.texas.gov>; Carrisalez,Fabian (DFPS) <Fabian.Carrisalez@dfps.texas.gov>;
Chavez,Lidia (DFPS) <Lidia.Chavez2@dfps.texas.gov>; Gray-Harrison,Blaire (DFPS)
<Blair.Grayharrison@dfps.texas.gov>; Howard,Shakia (DFPS) <Shakia.Howard@dfps.texas.gov>;
Jones,Daisy (DFPS) <Daisy.Jones2@dfps.texas.gov>; Landaverde,Odalys (DFPS)
<Odalys.Landaverde@dfps.texas.gov>; Moorning,Brittany D (DFPS)
<Brittany.Moorning@dfps.texas.gov>; Sanchez,Jorge (DFPS) <Jorge.Sanchez@dfps.texas.gov>;
Santos,Ryan (DFPS) <Ryan.Santos@dfps.texas.gov>; Smith,Tabitha K (DFPS)
<Tabitha.Smith@dfps.texas.gov>

Subject: 9:30 a.m. Program Meeting Today

Importance: High

Good Morning All,

This is a reminder that our Virtual Program Meeting is today at 9:30 a.m. Please arrive on time, have your cameras on, and be prepared for Program and Agency updates. Bring your thoughts and ideas for us to continue moving forward as a team. During our last meeting I asked all to be prepared with thoughts and ideas of what you would like our Program's mission, vision, and values to look like. We will be creating them today. The link for today's meeting is below.

Microsoft Teams meeting

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+1 469-998-7368, [REDACTED] States, Dallas

Phone Conference ID: [REDACTED]

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[Learn More](#) | [Meeting options](#)

Thanks,

Andrea L. Powell, MSW

Conservatorship Program Director

Units 0H, E0, D4, F9, Q0

8700 N. Stemmons Fwy, Suite 104

Dallas, TX. 75247

(214) 689-7274 (Office Phone)

(469) 323-6356 (Business Cell)

(512) 276-3565 (Fax)

Andrea.Powell@dfps.texas.gov

"Protecting The Unprotected"



TEXAS
Health and Human
Services

Texas Department of Family
and Protective Services

From: [Barrera Denise S \(DFPS\)](#)
To: [Ybarra Ryan \(DFPS\)](#); [Gonzalez Denysse Y \(DFPS\)](#)
Subject: FW: New AG Opinion/DFPS
Date: Wednesday, February 23, 2022 8:48:25 AM
Attachments: [kp-0401_0.pdf](#)
[image001.png](#)

FYI
dsb

From: Phillips, Kathleen V (DFPS) <Kathleen.Phillips@dfps.texas.gov>

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

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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

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>; Gales, Keith D (DFPS) <Keith.Gales@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>

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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.”

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Patrick

<https://mail.google.com/mail/u/0/#inbox/FMfcgzGmvBpdjpHcwNrpCmxxvWdjWP>
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

From: [Vela Robert J \(DFPS\)](#)
To: [Turner Andrea D \(DFPS\)](#); [Ficke Kevin \(DFPS\)](#); [Ruiz Robert \(DFPS\)](#); [Madsen Clint \(DFPS\)](#); [Enriquez Eduardo \(DFPS\)](#)
Subject: FW: New AG Opinion/DFPS
Date: Wednesday, February 23, 2022 8:47:10 AM
Attachments: [kp-0401_0.pdf](#)
[image001.png](#)
[image002.png](#)

Good Morning,
Please see below regarding AG's opinion on child abuse on sex changes of minors.
Thanks,
Robert J. Vela
Regional Director - Special Investigations Division
Regions 8 and 11
1919 Austin Avenue
McAllen, Texas 78501
Cell (956)279-5798
Office (956)664-4882



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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>
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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

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[utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=](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

From: [Gonzales, Marissa L \(DFPS\)](#)
To: [Boyette, Chris](#)
Cc: [Sarisohn, Hannah](#)
Subject: RE: Media Request: Defining gender-affirming care for transgender youth as child abuse
Date: Wednesday, February 23, 2022 8:05:00 AM
Attachments: [AG Opinion Statement.docx](#)
[image001.png](#)
[image002.png](#)

Hi, Chris. Please find DFPS' statement attached. Thanks.

Marissa Gonzales

Media Relations Director

TX Dept. of Family and Protective Services

(817) 312-4144



From: Boyette, Chris <chris.boyette@warnermedia.com>
Sent: Wednesday, February 23, 2022 5:30 AM
To: Gonzales, Marissa L (DFPS) <Marissa.Gonzales@dfps.texas.gov>
Cc: Sarisohn, Hannah <hannah.sarisohn@warnermedia.com>
Subject: Media Request: Defining gender-affirming care for transgender youth as child abuse
Importance: High

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Hello,

I am seeking comment on AG Paxton's and Gov Abbott's recent notes on defining gender-affirming care for transgender youth as child abuse.

Does the Texas Department of Family and Protective Services agree with Paxton's legal opinion and will it comply?

I look forward to hearing from you as soon as possible. Thanks. I'm copying a colleague on this email. Please reply all.

Best,

Chris Boyette (*he/him*)

CNN National News Editor

Newsroom: 404.827.1568

Mobile: 347.802.7812

Twitter: @Chris__Boyette

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.

From: [Phillips Kathleen V \(DFPS\)](#)
To: [Yzaguirre Marina C \(DFPS\)](#); [Amaro Kristy \(DFPS\)](#); [Cano Martha J \(DFPS\)](#); [Escaname Belinda \(DFPS\)](#); [Guerra Betzabel \(DFPS\)](#); [Rangel Rey \(DFPS\)](#); [Requenez Janie I \(DFPS\)](#); [Rodriguez Leticia G \(DFPS\)](#); [Salinas Patricia \(DFPS\)](#); [Salinas-Maldonado Olga \(DFPS\)](#); [Shives Jovita M \(DFPS\)](#)
Cc: [Vela Robert J \(DFPS\)](#); [Barrera Denise S \(DFPS\)](#)
Subject: RE: New AG Opinion/DFPS
Date: Wednesday, February 23, 2022 7:11:51 AM
Attachments: [kp-0401_0.pdf](#)
[image001.png](#)

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

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Regional Director

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<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/FMfcgzGmvBpdjpHcwNrpCmxxvWdjWP>

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

[utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=](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

From: [Gonzales, Marissa L \(DFPS\)](#)
To: Will.DuPree@kxan.com
Subject: RE: KXAN request for Texas DFPS
Date: Tuesday, February 22, 2022 4:28:00 PM
Attachments: [AG Opinion Statement.docx](#)
[image002.png](#)
[image003.png](#)
[image004.png](#)

Will, please find DFPS statement attached. Thanks.

Marissa Gonzales
Media Relations Director
TX Dept. of Family and Protective Services
(817) 312-4144



From: Gonzales, Marissa L (DFPS)
Sent: Tuesday, February 22, 2022 2:40 PM
To: Will.DuPree@kxan.com
Subject: RE: KXAN request for Texas DFPS
Hi, Will. We've been reviewing the opinion and should have a response for you later this afternoon. Thanks.

From: Will DuPree <Will.DuPree@kxan.com>
Sent: Tuesday, February 22, 2022 12:02 PM
To: Wilson, Mark D (DFPS) <Mark.Wilson@dfps.texas.gov>
Subject: KXAN request for Texas DFPS

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Good afternoon, Mark:

My name is Will DuPree, and I work at KXAN here in Austin. I'm reaching out today about this tweet posted by Gov. Abbott:

https://twitter.com/GregAbbott_TX/status/1496114209238794247. It's referencing the opinion shared by Attorney General Ken Paxton about gender-affirming care for transgender children.

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

What information can you share about how the DFPS will enforce this ruling? What will that entail? When does it go into effect?

Please let me know what you can pass along. I'm working on a story that will air tonight at 6 p.m., so I hope you can share a response by this afternoon. Thanks for the help.

Take care,

Will DuPree

Digital Anchor / Reporter

KXAN | KNVA | KBVO | Border Report

908 W Martin Luther King Jr Blvd

Austin, TX 78701

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From: [Crimmins,Patrick \(DFPS\)](#)
To: ["Goldenstein, Taylor"](#)
Cc: [Gonzales,Marissa L \(DFPS\)](#)
Subject: RE: AG opinion
Date: Tuesday, February 22, 2022 4:18:33 PM
Attachments: [AG Opinion Statement.docx](#)

Taylor – please see attached

From: Crimmins,Patrick (DFPS)
Sent: Tuesday, February 22, 2022 2:32 PM
To: Goldenstein, Taylor <Taylor.Goldenstein@chron.com>
Cc: Gonzales,Marissa L (DFPS) <Marissa.Gonzales@dfps.texas.gov>
Subject: RE: AG opinion

Hi Taylor – we’ve been reviewing the opinion and should have a response for you today.....
Patrick

From: Goldenstein, Taylor <Taylor.Goldenstein@chron.com>
Sent: Tuesday, February 22, 2022 11:18 AM
To: patrick.crimmins@dfps.state.tx.us
Subject: AG opinion

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Hi Patrick,

Hope you're well! I am reaching out to ask what the AG's latest opinion that certain types of health care for transgender children constitute child abuse, in line with your agency's August opinion that reassignment surgery is abuse (but it seems his is a little broader since it extends to hormone therapy and other medications).

1. What, logistically, will change, if anything with this new AG opinion?
2. Also, how has your office's policy been going since August? Can you tell me how many investigations you've initiated and whether anyone has actually been charged or whether legal action has been taken?
3. How exactly does DFPS enforce this, since it doesn't have jurisdiction over the health care facilities? What is within the agency's power to do if it learns of alleged abuse of this kind?
4. Since the AG opinion is non-binding, does that mean this will eventually need to be tested in court or solidified through a new state law?

Thanks for your time,
Taylor

--

Taylor Goldenstein

Austin bureau reporter | Houston Chronicle/Hearst Newspapers

o 512-439-2891 m 512-200-2910

e taylor.goldenstein@chron.com

Twitter: [@taygoldenstein](https://twitter.com/taygoldenstein)



From: [Hicks,Brenda \(DFPS\)](#)
To: [Hicks,Brenda \(DFPS\)](#)
Subject: Letter to Commission
Date: Tuesday, February 22, 2022 3:47:38 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

<https://gov.texas.gov/uploads/files/press/O-MastersJaime202202221358.pdf>

From: [Karimjee,Sophia A \(DFPS\)](#)
To: [Gregg,Quyona \(DFPS\)](#); [Brady,Denise A \(DFPS\)](#); [Mclaughlin,Katharine \(DFPS\)](#); [Attie,Kristen \(DFPS\)](#); [Villa,Lauren Z \(DFPS\)](#)
Subject: FW: KP-0401.pdf
Date: Tuesday, February 22, 2022 12:42:23 PM
Attachments: [KP-0401.pdf](#)

Just FYI. I saw this on the news yesterday as well.

Sophia Karimjee | Associate General Counsel for Policy and Program Support

DFPS Office of General Counsel

P.O. Box 149030 | Austin, TX | 78714-9030 | Mailcode E-611

(512) 929-6688 (office) | (512) 289-2196 (cell)

(512) 339-5876 (fax)

Sophia.Karimjee@dfps.texas.gov

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From: Kozikoujekian,Vicki (DFPS)

Sent: Tuesday, February 22, 2022 12:40 PM

To: Karimjee,Sophia A (DFPS) <Sophia.Karimjee@dfps.texas.gov>

Subject: FW: KP-0401.pdf

In case you have not seen this AG Opinion regarding gender transition and child abuse.

From: [Kozikoujekian,Vicki \(DFPS\)](#)
To: [Price,Kellie \(DFPS\)](#)
Subject: FW: AG Opinion in re Sex Change = Abuse
Date: Tuesday, February 22, 2022 12:40:00 PM
Attachments: [Attorney General Opinion No. KP-0401 -Sex changes and abuse.pdf](#)

Did not see you on the list.

From: Kinsler,Brenda L (DFPS) <Brenda.Kinsler@dfps.texas.gov>
Sent: Tuesday, February 22, 2022 10:39 AM
To: Phillips,Kathleen V (DFPS) <Kathleen.Phillips@dfps.texas.gov>; Britt,Dewey D (DFPS) <Dewey.Britt@dfps.texas.gov>; Arriaga,Dennis (DFPS) <Dennis.Arriaga@dfps.texas.gov>; Anderson,Regina (DFPS) <Regina.Anderson@dfps.texas.gov>; Palmquist,Laura R (DFPS) <Laura.Palmquist@dfps.texas.gov>; Valdez,Lucinda (DFPS) <Lucinda.Valdez@dfps.texas.gov>; Surratt,Michele L (DFPS) <Michele.Surratt@dfps.texas.gov>; Tai,Eric T. (DFPS) <Eric.Tai@dfps.texas.gov>; Adams,Stefanie (DFPS) <Stefanie.Adams@dfps.texas.gov>; Cordray,Glenna (DFPS) <Glenna.Cordray@dfps.texas.gov>
Cc: Kozikoujekian,Vicki (DFPS) <Vicki.Kozikoujekian@dfps.texas.gov>
Subject: AG Opinion in re Sex Change = Abuse

Interesting opinion.

Brenda L. Kinsler

Managing Attorney Regions 4, 5, and 7

Department of Family and Protective Services

Ph: (512) 550-8833

Board Certified Child Welfare Law



***Please note that my email address has changed to Brenda.kinsler@dfps.texas.gov ***

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From: [Kozikoujekian,Vicki \(DFPS\)](#)
To: [Karimjee,Sophia A \(DFPS\)](#)
Subject: FW: KP-0401.pdf
Date: Tuesday, February 22, 2022 12:39:00 PM
Attachments: [KP-0401.pdf](#)

In case you have not seen this AG Opinion regarding gender transition and child abuse.

From: [Arriaga,Dennis \(DFPS\)](#)
To: [Mikeska,William \(DFPS\)](#); [Roberson,Tom \(DFPS\)](#); [Smith,Lacey \(DFPS\)](#); [Bradley,Marilyn \(DFPS\)](#); [Morales,Teresa B \(DFPS\)](#); [Keiler-Green,Emily \(DFPS\)](#); [Schneider,Brandt \(DFPS\)](#); [Martinez,Rafael O \(DFPS\)](#); [Cuadrado,Melissa J \(DFPS\)](#)
Subject: Attorney General Opinion
Date: Tuesday, February 22, 2022 11:33:06 AM
Attachments: [Attorney General Opinion No. KP-0401 -Sex changes and abuse.pdf](#)

Just an FYI.

From: [Phillips, Kathleen V \(DFPS\)](#)
To: [Smith, Michelle L \(DFPS\)](#); [Skipper, Shaun S \(DFPS\)](#); [Skipper, Allison \(DFPS\)](#)
Subject: FW: Notification of Opinion: KP-0401
Date: Tuesday, February 22, 2022 10:40:46 AM
Attachments: [kp-0401_0.pdf](#)

Attached is 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

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From: Office of TX Attorney General <TXAttorneyGeneral@public.govdelivery.com>
Sent: Tuesday, February 22, 2022 9:41 AM
To: kathleen.phillips@dfps.state.tx.us
Subject: Notification of Opinion: KP-0401

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Ken Paxton Attorney General of Texas



Request for Opinion

Re: Whether certain medical procedures performed on children constitute child abuse
([RQ-0426-KP](#))

Opinion: [KP-0401](#)

Summary

Each of the “sex change” procedures and treatments enumerated above, when performed on children, can legally constitute child abuse under several provisions of chapter 261 of the Texas Family Code.

When considering questions of child abuse, a court would likely consider the fundamental right to procreation, issues of physical and emotional harm associated with these procedures and treatments, consent laws in Texas and throughout the country, and existing child abuse standards.

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From: [Kinsler,Brenda L \(DFPS\)](#)
To: [Phillips,Kathleen V \(DFPS\)](#); [Britt,Dewey D \(DFPS\)](#); [Arriaga,Dennis \(DFPS\)](#); [Anderson,Regina \(DFPS\)](#); [Palmquist,Laura R \(DFPS\)](#); [Valdez,Lucinda \(DFPS\)](#); [Surratt,Michele L \(DFPS\)](#); [Tai,Eric T. \(DFPS\)](#); [Adams,Stefanie \(DFPS\)](#); [Cordray,Glenna \(DFPS\)](#)
Cc: [Kozikoujekian,Vicki \(DFPS\)](#)
Subject: AG Opinion in re Sex Change = Abuse
Date: Tuesday, February 22, 2022 10:39:14 AM
Attachments: [Attorney General Opinion No. KP-0401 -Sex changes and abuse.pdf](#)

Interesting opinion.

Brenda L. Kinsler

Managing Attorney Regions 4, 5, and 7

Department of Family and Protective Services

Ph: (512) 550-8833

Board Certified Child Welfare Law



***Please note that my email address has changed to Brenda.kinsler@dfps.texas.gov ***

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From: [Ellison, Thomas W \(DFPS\)](#)
To: [Pipes, Glenn \(DFPS\)](#)
Subject: FW: Child Welfare in the News - February 22, 2022
Date: Tuesday, February 22, 2022 10:13:32 AM

Tom Ellison, MSSW
PAL Coordinator Region 9
3401 North "A" Street
Midland Tx, 79705
432.686.2259 office
432.553.4158 cell
512.927.5780 fax
www.texasyouthconnection.org

From: Child Welfare Information Gateway Library <cwin@communications.childwelfare.gov>
Sent: Tuesday, February 22, 2022 9:59 AM
To: Ellison, Thomas W (DFPS) <Thomas.Ellison@dfps.texas.gov>
Subject: Child Welfare in the News - February 22, 2022

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A free service to connect child welfare and related professionals to daily news.

Child Welfare In the News is a collection of news stories from across the country, and the world, on key topics related to child welfare. The included articles do not imply endorsement of any view expressed in a resource and may not reflect the opinions of Child Welfare Information Gateway, the Children's Bureau, or staff. For more information, please read our [About Child Welfare in the News](#).

CA: Advocates and Officials Press Case for Overhauling Key Adoption and Child Welfare Law

Imprint - February 21, 2022

Billed as the first protest of its kind in California, attendees at the Jan. 18 rally united in one particularly urgent appeal: Pressure state lawmakers to push back against a federal law that incentivizes adoption with federal funds and, they say, places unreasonable timelines and barriers on families who are already facing difficulties. The 1997 Adoption and Safe Families Act's central provision states that if a child has been in foster care for 15 out of 22 months, and parents have not corrected maltreatment concerns to the court's satisfaction, local child welfare agencies are required to pursue termination of parental rights. The law includes exceptions - which some national data suggests states take frequent advantage of. But the timelines typically fall heaviest on the incarcerated and parents working through substance use disorder programs, those at the Sacramento rally argued.

<https://imprintnews.org/child-welfare-2/advocates-and-officials-asfa-overhaul/62671>

CO: \$76 million could fix Colorado's youth mental health system, study finds as kids are sent out of state for care (Includes audio)

Colorado Sun - February 21, 2022

The operators of Colorado's youth residential treatment centers, where children with the most

acute mental health struggles go to recover, have warned for years that the system could fall apart without more funding. More than 1,000 beds, and 44 youth treatment centers, have closed since 2007. Of the 40 centers left in Colorado, only a handful are willing to take young people with the most severe mental and behavioral health problems.

<https://coloradosun.com/2022/02/21/childrens-mental-health-residential-beds/>

FL: House community-based care proposal could sap \$17M from Southeast Florida to boost funding elsewhere

Florida Politics - February 22, 2022

The House budget plan could send more than \$127 million in new funding to community-based care agencies. But while most of the state would see a boost in funding from that plan, providers in Miami-Dade, Monroe, and Broward counties could see their funding cut. Multiple foster care providers in Southwest Florida ahead of Session sought a change in state funding formulas to address inequities. And the House might wipe out any problems for those providers. But with the increase in funding comes a change in how dollars are allocated. That change could see more than \$17 million cut from the budget of Citrus Health Network, which serves as the provider in Miami-Dade and Monroe counties. Citrus' budget sits at around \$77.5 million in Fiscal Year 2021-22. That \$17 million figure represents a 22% cut and could result in significant services being scaled back.

Also: Fiscal Year 2022-23 Florida House Proposed General Appropriations Act:

<https://bit.ly/35gV2ue>

<https://floridapolitics.com/archives/498915-community-based-care-wins-big-in-house-budget-but-will-the-senate-go-along/>

FL: Fatherhood initiative draws concern: Black kids labeled in state law as 'special needs' children

Florida Phoenix - February 21, 2022

Last week, the state House approved the policy initiative called HB 7065, entitled, "An act relating to child welfare." But what happened on the House floor that day sparked questions and concerns by lawmakers from the Florida Legislative Black Caucus, about language in existing state law that defines a "special needs child" as a child "of black or racially mixed parentage." That particular language doesn't specify the race of other children. State Rep. Patricia Williams, a Democrat representing part of Broward County, pushed to amend the fatherhood bill in the House, to take away the term "special needs child" and replace it with a "difficult to place" child. The amendment failed. State Rep. Thad Altman, the fatherhood bill sponsor in the House last week, said, "unfortunately, at this point in time, we have multiple bills in play, as far as multiple statutory references, it would be difficult to make such a change; it would be cumbersome. I can understand that these words have meaning in both vernacular and statute, we have a specific definition of a special needs, adoptive child."

Also: HB7065: An act relating to child welfare:

<https://flsenate.gov/Session/Bill/2022/7065/BillText/e1/PDF>

<https://floridaphoenix.com/2022/02/21/fatherhood-initiative-draws-concern-black-kids-labeled-in-state-law-as-special-needs-children/>

IL: New research shows trauma and inequity created worsening mental health for Chicago's young men of color (Includes audio)

WBBM - February 21, 2022

The youth research group Ujima, which is made up of young men between the ages of 14 and 19 who live in the Albany Park, Austin, North Lawndale, Roseland, and West Ridge neighborhoods, conducted a study to answer one question: "As boys and young men of color, what are the challenges we face and what are the resources we need to support our mental health and

wellbeing?" asked Ujima member Jermal Ray. They found 66% of young men say they're struggling with mental health and another 59% said they'd consider professional counseling if given the chance. Other findings show that trauma is often normalized for young men of color and that they feel they cannot share their full experiences and emotions with mental health providers without negative repercussions.

Also: Report: Changing the Beat of Mental Health: Amplifying Our Voice: <https://bit.ly/3JJ4Tb0>
<https://www.audacy.com/wbbm780/news/local/trauma-inequity-worsening-mental-health-for-men-of-color>

IN: Bill expanding DCS info required in child fatality reports passes Senate committee (Includes video)

WTHR - February 21, 2022

New legislation expanding what the Indiana Department of Child Services is required to include in their end-of-year child fatality reports moved out of the Senate Child and Family Services Committee by a unanimous vote on Monday. House Bill 1247, authored by Rep. Ryan Laurer, R-Columbus, would require DCS to include if a deceased child had a prior history with DCS, and the location and status of the child at the time of death. The agency would also have to indicate whether a child had an open case with DCS at the time of their death.

Also: House Bill 1247: <http://iga.in.gov/legislative/2022/bills/house/1247/>
<https://www.wthr.com/article/life/family/bill-expanding-what-dcs-must-include-in-child-fatality-reports-advances-indiana-statehouse/531-61299aeb-f107-4fd7-aba8-e45508e9ba80>

NE: New study finds correlations between foster care and missing children (Includes video)

KLKN - February 21, 2022

Researchers have uncovered alarming correlations with Nebraska children placed in out-of-home care that go missing. More research is sure to follow, but for now, experts have to plan for what changes need to be made. Nebraska's Foster Care Review office conducted an analysis digging into the missing person population and started to notice patterns. Out of all of the missing person reports in the state, two-thirds were minors, and a significant number of those missing children were involved in out-of-home care placement.

Also: Special Report: Examining Missingness among Children in Out-of-Home Care Placements in Nebraska: <https://bit.ly/3s9osTW>
<https://www.klknv.com/new-study-finds-correlations-between-foster-care-and-missing-children/>

NH: What do you do when you've institutionalized children as young as age 7 in a place that was the subject of a "cascade of complaints" alleging abuse? If you're New Hampshire, you give 'em a \$9.8 million contract, of course! (Opinion)

NCCPR Child Welfare Blog - February 21, 2022

On the surface, this story from New Hampshire may seem like just another example of children institutionalized in a place that has been the subject of multiple allegations of abuse. In fact, it's much more. It's a story about the willingness of regulators to bend over backwards to dismiss complaints against such places.

Also: Report: System Review 2020-01: Review of Complaints about Nashua Children's Home: <https://bit.ly/3H8wWyT>
<https://www.nccprblog.org/2022/02/childabuseNH.html>

NM: New Mexico's first Native family court points to success keeping kids in tribal communities

Youth Today - February 21, 2022

Veronica Krupnick, a member of the Hopi Tribe who also has Navajo and Jemez Pueblo heritage,

was six years old when she entered New Mexico's child welfare system, ultimately severing her connections to her family, community and culture. Today, a case like Krupnick's would come before New Mexico's Native family court, which was inaugurated in January, 2020, with the intention of helping prevent the separation of Indigenous children from their families and tribes. The court, based in Albuquerque, is dedicated to hearing child welfare cases that fall under the Indian Child Welfare Act, or ICWA. Child welfare advocates, attorneys and court officials say the court has already achieved success in keeping families together by strengthening tribal involvement.

<https://youthtoday.org/2022/02/new-mexicos-first-native-family-court-points-to-success-keeping-kids-in-tribal-communities/>

TX: New child abuse laws change the way judges rule in court (Includes video)

KSAT - February 21, 2022

On the heels of two child deaths in San Antonio, allegedly from abuse, KSAT is taking a look at new laws passed last year that affect abuse and Child Protective Services cases. Several laws passed in September 2021 have an impact on the way CPS and child abuse cases are interpreted. "The trend is with these legislative changes are heightened thresholds, heightened requirements of proof for judges, like me, to consider removal orders or protection orders," said Judge Monique Diaz of the 150th District Court.

Also: House Bill 567: <https://legiscan.com/TX/bill/HB567/2021>

Also: House Bill 3379: <https://legiscan.com/TX/bill/HB3379/2021>

<https://www.ksat.com/news/local/2022/02/22/new-child-abuse-laws-change-the-way-judges-rule-in-court/>

TX: Texas Attorney General Ken Paxton: Gender-affirming care for transgender children is abuse (Includes audio)

Dallas Morning News - February 21, 2022

Attorney General Ken Paxton has issued a new interpretation of state law that says certain types of medical care for transgender children are abuse, a dramatic change contrary to medical standards that if implemented could make Texas one of the most aggressive states in targeting trans youth access to health care. On Monday, Paxton issued an opinion stating his office believes gender-affirming health care for transgender youth - including treatments like hormone therapy and puberty blockers - is a form of child abuse. The move comes despite opposition from the top medical and child welfare groups, who oppose blanket bans to care.

Also: Opinion No. KP-0401: <https://www.documentcloud.org/documents/21271867-kp-0401>

<https://www.dallasnews.com/news/politics/2022/02/21/texas-attorney-general-ken-paxton-health-care-for-transgender-children-is-abuse/>

TX: Commissioners distributing \$1.5 million

Uvalde Leader-News - February 20, 2022

Uvalde County employees as well as some local non-profits will soon have several thousand dollars more after county commissioners agreed last Monday to distribute over \$1.5 million in coronavirus relief funds. The Humane Society of Uvalde will receive \$9,454.57; and the Uvalde County Child Welfare Board, CASA, St. Henry De Osso Family Project, Herby Ham Activity Center, Southwest Family Life Center, and the Uvalde Food Pantry will get \$14,182.31 each.

<https://www.uvaldeleadernews.com/articles/commissioners-distributing-1-5-million/>

US: When Foster Youth Have Their Own Kids, Our Support Disappears (Opinion)

Imprint - February 21, 2022

Attend any meeting or conference discussing the child protection system and you'll hear

advocates coalesce upon our need to support kids aging out of foster care. Let's extend the amount of time they can stay in the system. Let's provide them with financial assistance. Let's give them housing. These policy solutions fit into what we know about youth who have experienced so much trauma in their lives. They need significant support to overcome the barriers they face and to achieve their hopes and dreams. Because they have the same hopes and dreams that all young adults do. To their credit, policymakers in Washington and around the country have heeded those calls. But when these older youth have children, the system starts singing a different tune, one much less nurturing.

<https://imprintnews.org/opinion/when-foster-youth-have-their-own-kids-our-support-disappears/62731>

US: This Is the Difference Between a Family Surviving and a Family Sinking (Opinion) (Requires subscription)

New York Times - February 18, 2022

Last summer the vast majority of American families with children saw money appear in their bank accounts without doing anything at all. Thanks to legislation passed by Democrats earlier in the year, an expanded Child Tax Credit automatically sent out \$300 each month through the rest of the year for every child under 6 and \$250 for older ones to people who regularly file taxes. It showcased what government can do when it works at its most efficient: seamlessly deliver meaningful benefits without requiring people to take much, or really any, action. But for the roughly 2.3 million children whose families hadn't recently filed income taxes, the Child Tax Credit showcased all the worst instincts of governmental bureaucracy.

<https://www.nytimes.com/2022/02/18/opinion/sunday/child-tax-credit-poverty-benefits.html?searchResultPosition=1>

We are always eager to get your feedback or to know how you are using Child Welfare in the News. To comment on this service, contact cwn@childwelfare.gov.

From: [Shives Jovita M \(DFPS\)](#)
To: [Salinas Leonel \(DFPS\)](#); [Gorena Damaryce Rubi \(DFPS\)](#); [Monrreal Maria B \(DFPS\)](#); [Salinas Leonel \(DFPS\)](#); [Cruz Elizabeth \(Laredo\) \(DFPS\)](#); [Rodriguez Joycelyn \(DFPS\)](#)
Cc: [Torres Virginia \(DFPS\)](#)
Subject: FW: New AG Opinion/DFPS
Date: Thursday, February 24, 2022 10:46:00 PM
Attachments: [kp-0401_0.pdf](#)
[image001.png](#)

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

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>
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



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>; Gales, Keith D (DFPS) <Keith.Gales@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/FMfcgzGmvBpdjpHcwNrpCmxxvWdjWP>
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

From: [Westbrook, Debra \(DFPS\)](#)
To: [REDACTED]
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 8:50:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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

From: [Smith,Stephanie A \(DFPS\)](#)
To: [Welch,Sarah \(DFPS\)](#)
Subject: information
Date: Thursday, February 24, 2022 6:30:12 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: [Smith, Stephanie A \(DFPS\)](#)
To: [Welch, Sarah \(DFPS\)](#)
Subject: what I gathered
Date: Thursday, February 24, 2022 6:21:21 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: [Smith,Stephanie A \(DFPS\)](#)
To: [REDACTED]
Subject: FW: Here you go
Date: Thursday, February 24, 2022 6:21:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov. Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

From: [Visser,Rhonda A \(DFPS\)](#)
To: [Visser,Rhonda A \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 6:19:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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

From: [ESTY,STACY A \(DFPS\)](#)
To: [Johnson,Brittany \(DFPS\)](#); [Boyd,Sharlina \(DFPS\)](#); [Mendez,Lisa K. \(DFPS\)](#); [Johnson,Angelle C \(DFPS\)](#); [Curry,Shelena D. \(DFPS\)](#); [Perez,Magdalena \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 6:09:23 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

FYI .. This is what has been on the news

From: Gaynor,Sarah J. (DFPS)
Sent: Thursday, February 24, 2022 5:43 PM
To: Addison,Stephanie M (DFPS) <Stephanie.Addison@dfps.texas.gov>; ESTY,STACY A (DFPS) <Stacy.ESTY@dfps.texas.gov>; Kelly,Toni L (DFPS) <Toni.Kelly@dfps.texas.gov>; Taylor-Owens,Jennifer L (DFPS) <Jennifer.Taylor-Owens@dfps.texas.gov>
Subject: FW: Attorney General Opinion
Please read attachments

Sarah Gaynor

Cell: 832-454-7263

From: Thomas,Montorea (DFPS) <Montorea.Thomas@dfps.texas.gov>
Sent: Thursday, February 24, 2022 4:46 PM
To: Cage,Natasha (DFPS) <Natasha.Cage@dfps.texas.gov>; Gaynor,Sarah J. (DFPS) <Sarah.Gaynor@dfps.texas.gov>; Jones,Alina S (DFPS) <Alina.Jones@dfps.texas.gov>
Subject: FW: Attorney General Opinion
See below. FYI

Montorea R. Thomas, MSW

Department of Family & Protective Services
Service Program Administrator/Region 6A
CVS, Court, PAL, Kinship, DDS, EDS, FGDM Liaison
2525 Murworth Dr.
Houston, TX 77054

 **Office:** (713)394-4139

 **Cell:** (713) 301-9810

 **Fax:** (512) 276-3017

 **Email:** montorea.thomas@dfps.texas.gov



From: Broussard-White,CJ (DFPS)
Sent: Thursday, February 24, 2022 4:40 PM
To: Easley,Shaundricka L (DFPS) <Shaundricka.Easley@dfps.texas.gov>; Lee,John L (DFPS) <John.Lee@dfps.texas.gov>; Reynolds,David E (DFPS) <David.Reynolds@dfps.texas.gov>; Thomas,Montorea (DFPS) <Montorea.Thomas@dfps.texas.gov>; Jones,Alina S (DFPS) <Alina.Jones@dfps.texas.gov>; Clark,Jennifer L. (DFPS) <Jennifer.Clark@dfps.texas.gov>; Levit,Lindy

(DFPS) <Lindy.Levit@dfps.texas.gov>; Plummer,Lataisha M. (DFPS)
<Lataisha.Plummer@dfps.texas.gov>; Marks,Iker R (DFPS) <Iker.Marks@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Team,
Please see below and attached.
cj

From: Sanders,Monica L (DFPS)

Sent: Thursday, February 24, 2022 1:47 PM

To: Broussard-White,CJ (DFPS) <CJ.BroussardWhite@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Just an FYI
Notification from Gov. Abbott/AG Paxton

From: Sanders,Monica L (DFPS) <Monica.Sanders@dfps.texas.gov>

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>

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>;
Gailles,Keith D (DFPS) <Keith.Gailles@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

From: [Crimmins,Patrick \(DFPS\)](#)
To: [Preyor-Johnson, Nancy](#)
Subject: RE: Statement on Transgender affirming care as child abuse
Date: Thursday, February 24, 2022 5:50:00 PM
Attachments: [AG Opinion Statement.docx](#)

Attached is our statement. Here is some helpful investigations information, and a link to current investigations policy which remains in place as is; there is no new policy.

<http://www.dfps.state.tx.us/Investigations/default.asp>

https://www.dfps.state.tx.us/handbooks/CPS/Files/CPS_pg_2000.asp#CP S_2113

Patrick

From: Preyor-Johnson, Nancy <Nancy.Preyor-Johnson@express-news.net>
Sent: Thursday, February 24, 2022 5:45 PM
To: Crimmins,Patrick (DFPS) <PATRICK.CRIMMINS@dfps.texas.gov>
Subject: Statement on Transgender affirming care as child abuse

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Hi, Patrick.

Can you please confirm information in this article and get me additional information on your policy? Do you have a memo from Paxton? A new policy?

<https://www.houstonchronicle.com/politics/texas/article/abbott-paxton-gender-affirming-care-child-abuse-16938490.php>

Nancy M. Preyor-Johnson
San Antonio Express-News
Editorial Board Associate Editor | Columnist

From: [Gaynor, Sarah J. \(DFPS\)](#)
To: [Addison, Stephanie M \(DFPS\)](#); [ESTY, STACY A \(DFPS\)](#); [Kelly, Toni L \(DFPS\)](#); [Taylor-Owens, Jennifer L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 5:43:43 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov. Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

Please read attachments

Sarah Gaynor

Cell: 832-454-7263

From: Thomas, Montorea (DFPS) <Montorea.Thomas@dfps.texas.gov>
Sent: Thursday, February 24, 2022 4:46 PM
To: Cage, Natasha (DFPS) <Natasha.Cage@dfps.texas.gov>; Gaynor, Sarah J. (DFPS) <Sarah.Gaynor@dfps.texas.gov>; Jones, Alina S (DFPS) <Alina.Jones@dfps.texas.gov>
Subject: FW: Attorney General Opinion
See below. FYI

Montorea R. Thomas, MSW

Department of Family & Protective Services
Service Program Administrator/Region 6A
CVS, Court, PAL, Kinship, DDS, EDS, FGDM Liaison
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To: Easley, Shaundricka L (DFPS) <Shaundricka.Easley@dfps.texas.gov>; Lee, John L (DFPS) <John.Lee@dfps.texas.gov>; Reynolds, David E (DFPS) <David.Reynolds@dfps.texas.gov>; Thomas, Montorea (DFPS) <Montorea.Thomas@dfps.texas.gov>; Jones, Alina S (DFPS) <Alina.Jones@dfps.texas.gov>; Clark, Jennifer L. (DFPS) <Jennifer.Clark@dfps.texas.gov>; Levit, Lindy (DFPS) <Lindy.Levit@dfps.texas.gov>; Plummer, Lataisha M. (DFPS) <Lataisha.Plummer@dfps.texas.gov>; Marks, Iker R (DFPS) <Iker.Marks@dfps.texas.gov>
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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Jones, Alina S \(DFPS\)](#)
To: [Reyna, Debra M \(DFPS\)](#); [Saldivar, Vanessa \(DFPS\)](#); [Daniels, Ebony \(DFPS\)](#)
Subject: Fwd: Attorney General Opinion
Date: Thursday, February 24, 2022 5:10:16 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Alina Jones
Harris County Court & PAL Program Director
C: 832.360.6923

From: Broussard-White, CJ (DFPS) <CJ.BroussardWhite@dfps.texas.gov>
Sent: Thursday, February 24, 2022 4:40:29 PM
To: Easley, Shaundricka L (DFPS) <Shaundricka.Easley@dfps.texas.gov>; Lee, John L (DFPS) <John.Lee@dfps.texas.gov>; Reynolds, David E (DFPS) <David.Reynolds@dfps.texas.gov>; Thomas, Montorea (DFPS) <Montorea.Thomas@dfps.texas.gov>; Jones, Alina S (DFPS) <Alina.Jones@dfps.texas.gov>; Clark, Jennifer L. (DFPS) <Jennifer.Clark@dfps.texas.gov>; Levit, Lindy (DFPS) <Lindy.Levit@dfps.texas.gov>; Plummer, Lataisha M. (DFPS) <Lataisha.Plummer@dfps.texas.gov>; Marks, Iker R (DFPS) <Iker.Marks@dfps.texas.gov>
Subject: FW: Attorney General Opinion
Team,
Please see below and attached.
cj

From: Sanders, Monica L (DFPS)
Sent: Thursday, February 24, 2022 1:47 PM
To: Broussard-White, CJ (DFPS) <CJ.BroussardWhite@dfps.texas.gov>
Subject: FW: Attorney General Opinion
Just an FYI
Notification from Gov. Abbott/AG Paxton

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

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Subject: FW: Attorney General Opinion

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Thanks,

Marta

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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 <dldfpswiaust0193@dfps.texas.gov>

Subject: Attorney General Opinion

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Stephen Black

SWI Associate Commissioner

512-960-9352

Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 5:07:07 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

Thank you,

Isaac K. Lopez

Program Director
Region 09 INV/AR
622 S. Oakes Ste. L
San Angelo, TX, 76903
O: 325-657-8940
C: 325-315-7569

Mission

We promote safe and healthy families and protect children and vulnerable adults from abuse, neglect, and exploitation.

Vision

Improving the lives of those we serve.

Values

We are Accountable, Respectful, Diverse, Collaborative, Professional



Texas Department of
Family and Protective Services

Child Protective Investigations

From: Baquero, Myrna I (DFPS)

Sent: Thursday, February 24, 2022 9:04 AM

To: Johnson, Christin (DFPS) <Christin.Johnson@dfps.texas.gov>; Ortega, Edna V (DFPS) <Edna.Ortega@dfps.texas.gov>; Garcia, John A (DFPS) <John.Garcia@dfps.texas.gov>; Wicker, Joseph (DFPS) <Joseph.Wicker@dfps.texas.gov>; Lopez, Isaac (DFPS) <Isaac.Lopez@dfps.texas.gov>; Valdez, Deric J (DFPS) <Deric.Valdez@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Importance: High

NOTE: All before you share this I want us to have a conversation. Deric please schedule a teams call for late this afternoon or tomorrow morning. Is everyone available at 4 pm central time? I am also available tomorrow morning.

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Myrna

From: [Thomas, Montorea \(DFPS\)](#)
To: [Cage, Natasha \(DFPS\)](#); [Gaynor, Sarah J. \(DFPS\)](#); [Jones, Alina S \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 4:45:45 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov. Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image001.png](#)

See below. FYI

Montorea R. Thomas, MSW

Department of Family & Protective Services
Service Program Administrator/Region 6A
CVS, Court, PAL, Kinship, DDS, EDS, FGDM Liaison
2525 Murworth Dr.

Houston, TX 77054

 **Office:** (713)394-4139

 **Cell:** (713) 301-9810

 **Fax:** (512) 276-3017

 **Email:** montorea.thomas@dfps.texas.gov



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marta.talbert@dfps.texas.gov

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fyi

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512-960-9352

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

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

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Stephen Black

SWI Associate Commissioner

512-960-9352

From: [Ratliff,Janet \(DFPS\)](#)
To: [Jones,Larissa \(HHSC\)](#)
Subject: Fwd: Attorney General Opinion
Date: Thursday, February 24, 2022 4:42:10 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

From: Ratliff,Janet (DFPS) <Janet.Ratliff@dfps.texas.gov>
Sent: Thursday, February 24, 2022 4:41:26 PM
To: Wells,Shauna (DFPS) <Shauna.Wells@dfps.texas.gov>
Subject: Fwd: Attorney General Opinion

From: Meador,Angela G (DFPS) <Angela.Meador@dfps.texas.gov>
Sent: Thursday, February 24, 2022 2:50:33 PM
To: Ratliff,Janet (DFPS) <Janet.Ratliff@dfps.texas.gov>; Yoder,Jeffrey A (DFPS) <Jeffrey.Yoder@dfps.texas.gov>; Galaviz,Eduardo (DFPS) <Eduardo.Galaviz@dfps.texas.gov>; Nelson,Chrisstena D (DFPS) <Chrisstena.Nelson@dfps.texas.gov>; Coston,Stephanie (DFPS) <Stephanie.Coston@dfps.texas.gov>; Coulter,Kandi (DFPS) <Kandi.Coulter@dfps.texas.gov>
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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: Vangelderren,John (DFPS) <John.Vangelderren@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

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From: [Lee, John L \(DFPS\)](#)
To: [McKentie, Teara S \(DFPS\)](#); [William, Alisa M \(DFPS\)](#); [Brown, Paulla E. \(DFPS\)](#); [Powell, Deedra R \(DFPS\)](#); [Stewart, Cynthia D \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 4:42:05 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Please see below and attachments.

John Lee
Region 6A Conservatorship Program Administrator
2525 Murworth
Houston, Texas 77054
Office: 713.394.4050
Cell: 832.454.5725

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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 <dldfpswiaust0193@dfps.texas.gov>
Subject: Attorney General Opinion

Hello SWI,

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Stephen Black
SWI Associate Commissioner
512-960-9352

From: [MELANIE BALLARDO](#)
To: Emma.Menchaca@dfps.state.tx.us
Subject: Brief Presentation Request
Date: Thursday, February 24, 2022 4:36:31 PM
Attachments: [O-MastersJaime202202221358.pdf](#)

WARNING: This email is from outside the DFPS system. Do not click on links or attachments unless you expect them from the sender and know the content is safe.

Hello Ms. Menchaca,

Considering Governor Abbot letter sent out on Feb 22, our district administration is needing guidance/clarification. Would it be possible to schedule a brief meeting/presentation to provide guidance/clarification on this area?

It would be maybe a 15/30-minute presentation or if you could direct me to guideline that we can use to present or provide to them as guidance.

Feel free to call me at your convenience.

Thank You,

Melanie Ballard, Ph.D.
SEL Supervisor
Intake/Student Engagement Department
904 Hester Avenue
Donna, Texas 78537
P: 956.461.4322 ext.
F: 956.464.
meballardo@donnaisd.net

"Around here we don't look backwards for very long. We keep moving forward, opening new doors, and doing new things, because we're curious and curiosity keeps leading us down new paths." ~
Walt Disney

Confidentiality Notice: This email message, including all attachments, is for the sole use of the intended recipient(s) and may contain confidential student and/or employee information. Unauthorized use and/or disclosure is prohibited under the federal Family Education Rights & Privacy Act (20 U.S.C. 1232g, 34 CFR Part 99.19 TAC 24.2, Texas Government Code 552.023, Texas Education Code 23.355,29 CFR 1630.14 (b) (c). If you are not the intended recipient, you may not use, disclose, copy or disseminate this information. Please call the sender immediately or reply by email and destroy all copies of the original message including attachments.

Discrimination Notice: Donna ISD along with M.A.P. Munoz does not discriminate on the basis of race, religion, color, national origin, sex, or disability in providing education services, activities, and programs, including vocational programs, in accordance with Title VI of the Civil Rights Act of 1964, as amended; Title IX of the Educational Amendments of 1972; section 504 of the Rehabilitation Act of 1973, as amended.

From: [Rushing,Rachel C \(DFPS\)](#)
To: [Smith,Stephanie A \(DFPS\)](#)
Subject: Here you go
Date: Thursday, February 24, 2022 3:58:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

If you have any questions about it, you can give me a call, but here is what was published.

From: [Coaston, Marva \(DFPS\)](#)
To: [Monk, Sakara N \(DFPS\)](#); [Mendoza, Carolina \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 3:48:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image003.png](#)

Notify me and I'll notify Toni.

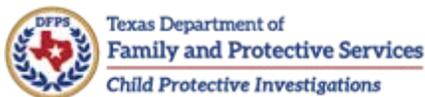
From: Sutton, Toni (DFPS) <Marie.Sutton@dfps.texas.gov>
Sent: Thursday, February 24, 2022 3:46 PM
To: Riles, Vincent A (DFPS) <Vincent.Riles2@dfps.texas.gov>; Riley, Leighann (DFPS) <Mary.Riley@dfps.texas.gov>; Chancellor, Veronica M (DFPS) <Veronica.Chancellor@dfps.texas.gov>; Coaston, Marva (DFPS)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



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Sent: Wednesday, February 23, 2022 3:46 PM
To: Talbert, Marta L (DFPS) <Marta.Talbert@dfps.texas.gov>
Subject: FW: Attorney General Opinion
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512-960-9352

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SWI Associate Commissioner

512-960-9352

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To: [Monk, Sakara N \(DFPS\)](#); [Mendoza, Carolina \(DFPS\)](#)
Subject: Attorney General Opinion
Date: Thursday, February 24, 2022 3:38:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov. Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)
[image001.png](#)

FYI!

From: Sutton, Toni (DFPS) <Marie.Sutton@dfps.texas.gov>
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>
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214.583.4037 (office)
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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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Director of Investigation and Alternative Response

512-438-3357

marta.talbert@dfps.texas.gov

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512-960-9352

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From: [Harty, Kimberly \(DFPS\)](#)
To: [Rodriguez, Michael \(DFPS\)](#); [Perea, Nicholas \(DFPS\)](#); [Njatcha, Cynthia \(DFPS\)](#); [Organ, Kalee \(DFPS\)](#); [Rietz, Emily \(DFPS\)](#); [Kendall-Ball, Jennifer \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 3:27:03 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

This is the email I was referencing.

Thanks,

Kimberly Harty

Alternative Response Supervisor II

1622 10th St. Lubbock, Texas 79401

Office: (806) 742-9140

Cell: (806) 543- 8272

Fax: (512) 927-5745

CONFIDENTIALITY NOTICE: This communication, and any attachments, contains confidential information under §552.139 of the Texas Public Information Act and/or other applicable state and federal laws. Because of the secure content, this message is intended solely for the use of the addressees named above. If you have received this message in error, please notify the sender immediately, delete this e-mail from your system, and destroy any copies you have made of this communication or any attachments. Recipients may not forward this communication to unauthorized persons, and must segregate copies of this e-mail and any attachments from any publicly accessible records. Unauthorized interception of this e-mail may be prosecuted as a violation of federal criminal law.



From: Castillo, Lilia (DFPS) <Lilia.Castillo@dfps.texas.gov>

Sent: Thursday, February 24, 2022 12:00 PM

To: Harris, Cortney (DFPS) <Cortney.Harris@dfps.texas.gov>; Harty, Kimberly (DFPS) <Kimberly.Harty@dfps.texas.gov>; Hurtt, Lawrence (DFPS) <Lawrence.Hurtt@dfps.texas.gov>; Jones, Darnisha T (DFPS) <Darnisha.Jones@dfps.texas.gov>; Moses, Sommer (DFPS) <Sommer.Moses@dfps.texas.gov>

Subject: FW: Attorney General Opinion

Lilia M. Castillo

CPI Investigation Program Director

Lubbock

806-281-7217

From: Harmon, Tonya (DFPS)

Sent: Thursday, February 24, 2022 9:48 AM

To: Vangelder, John (DFPS) <John.Vangelder@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

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SWI Associate Commissioner
512-960-9352

From: [Templeton, Kelly \(DFPS\)](#)
To: [Ferguson, Penelope K \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 3:19:00 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

Hi Penny –

I am sure you have received these, but just in case not, I wanted to forward to you. One of the screeners sent to me. It will be interesting to see how this will play out.

Kelly Templeton
Child Safety Specialist
Region 1
1622 10th street
Lubbock, Tx. 79401
Office: 806-742-9167
Cell: 806-224-5597

From: [Meador,Angela G \(DFPS\)](#)
To: [Ratliff,Janet \(DFPS\)](#); [Yoder,Jeffrey A \(DFPS\)](#); [Galaviz,Eduardo \(DFPS\)](#); [Nelson,Chrisstena D \(DFPS\)](#); [Coston,Stephanie \(DFPS\)](#); [Coulter,Kandi \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 2:50:36 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)
[image002.png](#)

Ill have more info after meeting with Todd this afternoon.

From: Etheredge,Todd (DFPS)
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: Vangelderren,John (DFPS) <John.Vangelderren@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>
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SWI Associate Commissioner

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To: [Chavira,Ninfa \(DFPS\)](#); [Cross,Angie J \(DFPS\)](#); [King,Amie \(DFPS\)](#); [Lipham,Alexis P \(DFPS\)](#); [Meador,Angela G \(DFPS\)](#); [Montoya,Erica A \(DFPS\)](#); [Speaks,Ginger L \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 2:37:43 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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512-960-9352

From: [Phillips,Deirdre \(DFPS\)](#)
To: [Burnette,Ashley \(DFPS\)](#); [Drennan,Kelsey M. \(DFPS\)](#); [Galindo,Jessica \(DFPS\)](#); [Strange,Sogunda \(DFPS\)](#); [Wilson,Loresha \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 2:32:48 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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>
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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: **Deirdre.Phillips@dfps.texas.gov**.

From: [Phillips,Deirdre \(DFPS\)](#)
To: [Burnette,Ashley \(DFPS\)](#); [Drennan,Kelsey M. \(DFPS\)](#); [Galindo,Jessica \(DFPS\)](#); [Strange,Sogunda \(DFPS\)](#); [Wilson,Loresha \(DFPS\)](#)
Subject: FW: Attorney General Opinion
Date: Thursday, February 24, 2022 2:30:53 PM
Attachments: [AG Ken Paxton's Legal Opinion.pdf](#)
[Gov Greg Abbott's letter to DFPS Commissioner Masters.pdf](#)

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: Gales,Keith D (DFPS) <Keith.Gales@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>; Gales,Keith D (DFPS) <Keith.Gales@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>