



TCDLA Board of Directors Meeting  
Minutes

Saturday, September 4, 2010, 10:00 am  
Wyndham Conference Center  
Austin Texas

**Introduction**

Bill Harris calls the meeting to order. A quorum was present.

**Roll Call:**

**Officers**

P Bill Harris, President  
E Gary Trichter, Pres-Elect  
E Lydia Clay-Jackson, 1st VP  
P Bobby Mims, 2nd VP  
P Emmett Harris, Treasurer  
P Sam Bassett, Secretary  
P Greg Westfall, Voice editor

**Directors**

P John Ackerman  
E Susan Anderson  
P Kerri Anderson-Donica  
P Stephen Baer  
P Robert Barrera  
P Lawrence Boyd  
P Jaime Carrillo  
E Jason Cassel  
P Clay Conrad  
A Harold Danford  
P James Darnell  
E Nicole DeBorde  
E Emily Detoto  
E Danny Easterling  
E Steven Green

P Michael Gross  
A John Heath  
P Theodore Hargrove  
P Sam Lock  
E Constance Luedicke  
A James Makin  
A Jim Marcus  
A Reynaldo Merino  
P Patrick Metze  
P David Moore  
A Marshall Murphy  
P John Niland  
P David O'Neil  
P Kelly Pace  
E Tom Pappas  
E Shawn Paschall  
P Bruce Ponder  
P William Price  
A George Scharmen  
P Fred Stangl  
P George Taylor  
P William Vitz  
A James Whalen  
E Reagan Wynn  
E Gary Alan Udashen

A Russell Wilson  
P Warren Alan Wolf

**Associate Directors**

P Heather Barbieri  
P Micah Belden  
E Rick Berry  
E Kristi Couvillon  
P Melissa Hannah  
A Craig Henry  
P Jo Ann Jacinto  
P Adam Kobs  
P Jani Maselli  
E Anthony Odiorne  
P Stephanie Patten  
P Carole Powell  
A Ray Rodriguez Jr.  
P Sarah Roland  
E Clay Steadman  
P Charles Coby Waddill

Key: P = Present; E = Absent but Excused; A = Unexcused Absence

\*Conference Phone

**Past Presidents in Attendance:** Mark Daniel, Rick Hagen, Daniel Hurley\*

**Staff:** Joseph Martinez, Cynthia Hampton, Philip Wischkaemper, Dawn Thornburgh, Melissa Schank, Karen Haro

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**Minutes** from the June 2010 Board meeting in San Antonio are approved.

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Joseph thanks TCDLEI officers and board members for the new home office. Thanks to the staff for the reception at the new building.

**Comments from Bill Harris**

New Board members are introduced.

DWI committee—bill announces he has changed the Chair/Vice-Chair designations to Co-Chairs.

State Bar Guidelines for Non-Capital Cases. Susan Anderson and Richard Anderson attended the meeting on behalf of TCDLA. Substantial changes were made to the proposed guidelines.

We have two members of TCDLA on the NACDL office chain. Congratulations to Jim Levine and Gerry Morris.

Bill Harris tables discussion of SDR until the next board meeting.

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**iPhone App Report – Grant Scheiner**

Grant states the iPhone application is currently the best in the nation. Bill Harris asks what the status is on the Blackberry and Android phone. Grant proposes it will cost \$10,000 to get the process started.

Grant is commended for his work on this very successful and popular project.

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**Financial Statements (2009)**

Bill Harris introduces Archie Montemayor (auditor). The audit was finished in May.

Archie speaks briefly regarding standards of financial statements and says ours are clean.

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**Pro Bono Award**

- Motion to approve Pro Bono Award to be given members of TCDLA who have done the most significant pro bono over a course of a year. (State Bar definition of pro bono – representation of an individual without compensation – will apply)
  - Motion Carries
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**“Bad Cop” Database**

Bill Harris forms a committee to create a database of police officers who have been proven to engage in brutality or have lied in court. Greg Westfall, Sam Lock, Coby Waddill, and Tony Vitz commit to help Bill create the database.

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**NACDL Reception.**

Discussion. Will cost \$10,000.

- Motion (John Ackerman) to approve up to \$10,000 with the condition of no charge for the attendees of the reception, and that TCDLA be given maximum publicity. (We want to honor Jim Levine and Gerry Morris.)
  - Motion Seconded
  - Proposed amendment (Micah Belden) that we only approve \$5000. Not accepted.
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- Motion carries (1 Nay vote).
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### **Legislative Contacts**

Bill asks for a motion that all legislative contacts be routed through and approved by the legislative committee.

- Motion to approve a matter of adopted policy that states that no one should speak on behalf of TCDLA regarding legislation without approval.
  - Motion carries.
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### **Executive Director's Report**

Approval of I-990's by electronic vote is acknowledged and memorialized in the minutes.

**Fallen Heroes:** Joseph calls for a moment of silence for Annie Lesser of Dallas.

### **Staff Awards**

Joseph recognizes Diana Vandiver as the first person to retire from TCDLA.

Philip Wischkaemper is recognized and congratulated on his new job. Celebratory cake is shared by all.

Joseph introduces new staff, Karen Haro and Nicole Golan.

Membership is now at 3133.

### **Complimentary Memberships.**

Discussion on giving them to people who have been lapsed for awhile. So far staff has applied them only to new members, not renewals.

- Motion to invite old members to re-join after 3 years.
- Motion carries (15-14).

### **Private Grants**

Joseph reports we are waiting to hear on two grants, Tides and Vaughn.

### **Capital Assistance Report**

Philip reports there were 550 on the Row in 2001, about 350 now. 20+ executions per year.

He is overseeing the progress on the Punishment Manual and the Annotated Texas Constitution.

The Forensics program is close to ready.

### **2009-2010 Directory**

Joseph states the directory is finished and has been mailed to the membership.

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### **CDLP Report**

David Moore reports: over 2,500 lawyers trained. David asks for volunteers and assistance with advertising for seminars in different locales.

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**Publication Report:**

Cynthia reports there are 40 publications and new ones are coming soon. Next fall everything will be new after the next session. Non-Penal Code Crimes and Transportation Codes are in the final stages.

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**Grievance Filings**

Emmett reports they are still working on criteria for filing grievances on behalf of TCDLA.

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**Online Voice:**

Greg Westfall reports: Voice will be online soon; in the final stages.

- Motion to approve \$5,000 to finish project.
  - Motion carries.
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**Rusty Report**

Grant Scheiner reports.

Jeffrey Feiger is suggested as a headline speaker.

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**Members Trip:**

Bill has decided on a cruise this year

Deadline for deposit is September 11, 2010.

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**Committee Reports.** The following committees reported:

- Corrections & Parole – Dave O’Neil
  - Death Penalty – John Niland
  - DWI – Larry Boyd
  - Strategic Planning – Joseph Martinez
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**New/Old Business**

Bill Harris asks Greg if he has anything to report regarding Board Certification. Greg states no.

**Member Comments**

Angela Moore talks about funding for PD offices and court’ appointed fees.

Clay Conrad discusses making TCDLA less dependent on the Criminal Court of Appeals. He suggests one way is to make CDLP a separate non-profit.

Bill Harris suggests putting this on the Agenda for the next meeting.

- Motion to put on the December Board Meeting’s agenda.
  - Motion carries.
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**Adjourn: 12:50 pm**

Respectfully submitted,  
Joseph A. Martinez  
Executive Director