Proceedings before the

General Investigating Committee on

The July 2025 Flooding Events

House of Representatives

Austin, Texas

PUBLIC HEARING

INVITED TESTIMONY

IN CONNECTION WITH COMMITTEE INQUIRY

AUTHORIZED BY HOUSE RESOLUTION 177,

89TH LEGISLATURE, 2D CALLED SESSION

April 28, 2026

The committee met pursuant to notice at 10:01 a.m. in Room E2.016, Capitol Extension, Hon. Morgan Meyer, chairman, presiding. The proceedings were transcribed by Melinda M. Walker, CSR, RPR, CMRS, and Tabitha Morrow, CSR, RPR, RN, Kennedy Reporting Service.

Present: Representatives Meyer, Moody, Darby, Dyson, and Gamez.

The committee met concurrently with the Senate General Investigating Committee on The July 2025 Flooding Events.

TABLE OF CONTENTS

	PAGE
PROCEEDINGS, APRIL 28, 2026	3
CALL TO ORDER	3
ROLL CALL	3
PANEL ONE: EASTLAND FAMILY	5
BRITT EASTLAND, DIRECTOR OF CAMP MYSTIC CYPRESS LAKE	
RICHARD EASTLAND, HEAD CHEF AND KITCHEN SUPERVISOR	
EDWARD EASTLAND, CO-DIRECTOR OF CAMP MYSTIC GUADALUPE	
MARY LIZ EASTLAND, CO-DIRECTOR OF CAMP MYSTIC GUADALUPE	
PANEL TWO: TEXAS DIVISION OF EMERGENCY MANAGEMENT	187
NIM KIDD, CHIEF OF THE TEXAS DIVISION OF EMERGENCY MANAGEMENT	
PANEL THREE: DEPARTMENT OF STATE HEALTH SERVICES	443
DR. JENNIFER SHUFORD, DSHS COMMISSIONER	
ADAM BUUCK, DSHS ASSOCIATE DEPUTY COMMISSIONER	
RYAN BANE, DSHS DIRECTOR OF LEGAL SERVICES	
NYCIA DEAL, HHS DEPUTY CHIEF COUNSEL	
PANEL FOUR: FLOOD SURVIVOR PARENTS/WITNESSES	253
JULIE SPRUNT MARSHALL	
SCHUYLER MARSHALL	
BOLTON WALTERS	
GRANT GRIFFIN	
PHILLIP ROBERSON	
CHARLEE JOHNSON	
FLETCHER CORDELL	
KATHERINE HOFFMAN	
PANEL FIVE: HEAVEN'S 27 PANEL ^	347
CICI STEWARD	
CARRIE HANNA	
MALORIE LYTAL	
ALLI NAYLOR	
PATRICK MARSH	
MICHAEL McCOWN	
MATTHEW CHILDRESS	
PROCEEDINGS ADJOURNED	501
REPORTERS' CERTIFICATES	502

CHAIRMAN MEYER: The House General Investigative Committee on the July 2025 Flooding Events will now come to order.

The clerk will call the roll.

THE CLERK: Chair Meyer?

CHAIRMAN MEYER: Here.

THE CLERK: Vice Chair Moody?

VICE CHAIR MOODY: Present.

THE CLERK: Representative Darby?

REP. DARBY: Present.

THE CLERK: Representative Dyson?

REP. DYSON: Here.

THE CLERK: Representative Gamez?

REP. GAMEZ: Here.

CHAIRMAN MEYER: A quorum is present.

Chairman Flores.

CHAIRMAN FLORES: Thank you, Chairman Meyer.

Members, the Chair now calls the Senate General Investigating Committee on the July 2025 Flooding Events to order.

Clerk will call the roll.

THE CLERK: Chairman Flores?

CHAIRMAN FLORES: Present.

THE CLERK: Vice Chair Perry?

VICE CHAIR PERRY: Here.
THE CLERK: Senator Hughes?
SEN. HUGHES: Here.
THE CLERK: Senator Holkhorst?
SEN. HOLKHORST: Here.
THE CLERK: Senator Menendez?
SEN. MENENDEZ: Present.
CHAIRMAN FLORES: A quorum is present.
Chairman Meyer? I'll call -- are you ready to proceed?
So, today, we will hear invited testimony to give additional context on the information that we learned yesterday. We will hear from the Eastland family, relevant state agencies, and finally, the families of campers, both survivors and victims.
Members of the public can leave comments through the comment portal linked on both meeting notices.
And with that, I will open up invited testimony and call up our first panel of witnesses.
The Chair calls Britt Eastland, Richard Eastland, Edward Eastland, and Mary Liz Eastland. If you all would come forward, please, and take a seat.
Good morning. Thank y'all for being here. And if you would, on -- begin on -- from my left. So

we'll begin -- just state your name, your title.

MR. R. EASTLAND: My name is Richard Eastland.

CHAIRMAN FLORES: And speak into the mic and you may begin.

MR. R. EASTLAND: Oh, sorry. My name is Richard Eastland. I -- I run the kitchen.

CHAIRMAN FLORES: You can -- you can move the microphone up so -- so people can hear. Your name, your -- your title, and can you speak into the mic.

MR. R. EASTLAND: Hello. My name is Richard Eastland, and I run the kitchens at Camp Mystic.

MR. B. EASTLAND: Good morning. My name is Britt Eastland, and I'm a director at Camp Mystic Cypress Lake.

MRS. EASTLAND: Good morning. My name is Mary Liz Eastland, and I am a director at Camp Mystic Guadalupe River.

MR. E. EASTLAND: My name is Edward Eastland, and I'm also a director at Camp Mystic Guadalupe River.

CHAIRMAN FLORES: So you may begin.

MR. E. EASTLAND: My name is Edward Eastland, and I'm here testifying on behalf of my family, myself, and Camp Mystic. I would like to thank

the Lieutenant Governor and Speaker for forming these committees, and I would like to thank the senators and representatives for serving on them. And I would like to thank the investigators for taking the time to interview us and to really listen to us. Thank you for your presentation yesterday. Judge Massengale was right yesterday, and I want to speak directly to the Heaven's 27 families.

I think about the night of the flood every moment of every day. We tried our hardest that night, and it wasn't enough to save your daughters. We were devastated, alongside you. I regret not communicating more with each of you earlier, and I'm so sorry.

Every morning, waking up is hard. Every moment of every day is hard, and yet, that pain feels like nothing compared to what you're going through. To talk openly about our pain feels like I'm insulting you. So I've largely remained quiet.

This flood we did not see coming. And Ms. Garrett pointed out yesterday that my father Dick Eastland was on his toes that night actively searching for information about the weather. He started looking at the weather 30 minutes before we were even in a flood warning. He looked upstream of us at the UGRA and GBRA river sensors, and those river gauge sensors were

offline so we could only rely on the gauges downstream of us.

We looked at the radar. The storm was moving to the northeast and to the southwest of us. There was nothing behind it, so it felt like it had to end soon.

Instead, for reasons I still do not understand, that storm cell stopped in its tracks completely above us, anchored to our location, and swirled around us for four hours straight. And as the flood warnings updated, it is clear that even the experts didn't understand exactly what was happening on the ground at the time.

At 3:19, the National Weather Service was predicting this to be a 5-year flood. At 3:33 a.m., they predicted it to be a 10-year flood. Ms. Garrett pointed out yesterday that my dad was underwater at 3:51 a.m., and at 4:00 a.m., when we were close to the peak of the flood, the National Weather Service was predicting this to be only a 25-year flood.

My father called on us to start evacuating the cabins closest to our dam at 3:00 a.m., when it became apparent that this heavy rain event was growing into a large flood. It was the same thing he had done in 1978 and in 1987. During those floods, water never

got inside any of the cabins.

Our evacuation that night started off as precautionary and then quickly changed to an emergency. I understand completely when people point out the things we could have done that morning. I think about those things every day. A flood three feet lower would have made a lot of our actions seem better, and a flood three feet higher would have made a lot of our actions seem worse.

I do believe that all of our actions that morning were based on reason, from the knowledge we had from previous floods and in the moment. Our concept of high ground has now changed forever.

Even with this flood being what it was, we feel like we have failed our parents. When you drop your children off with us, you're putting them in our care, the same way you all surely feel when your children's friends sleep over at your house. You would fight for them. You would put your life on the line for them to keep them safe. And if harm came to them, you would be devastated.

These girls were our youngest campers and their amazing counselors who we watched grow up. The world was a better place with them in it, and the anger at us for not being able to keep them safe feels

completely reasonable.

I have no excuses. I have the truth of what actions I took that night, and my family is here with me, and we are honored to answer any questions you have: Sorry.

CHAIRMAN FLORES: Thank you for your statement. Does anyone else wish to testify?

(No response.)

MR. B. EASTLAND: I don't think so, Mr. Chairman, but we're available to answer any questions.

CHAIRMAN FLORES: Members any questions?

Senator Perry.

VICE CHAIR PERRY: Thank you, Mr. Chair, and thank you for being here and being willing to openly public.

To be clear, everybody lost something that day, including Texas, and I -- I don't want to -- to discount the efforts as late as they were. I -- I don't question you weren't doing what you thought was best at the time, but I do have some -- some concerns and some things that we went through yesterday for sure. But specifically, it's just about where we go from here a little bit.

So I think owning a camp or managing a

business, period, if it's licensed with the State of Texas it's a privilege. I don't think we dole out licenses haphazardly. I think that we do it with some forethought and expectation that you're serving the public good.

So would you agree -- and I'm going to speak to Edward mainly because you were kind of in the line of fire. You were in that tranche. But what would you say that -- that being able to run a camp this long in history, is that a privilege?

MR. E. EASTLAND: Absolutely, yes, sir.

VICE CHAIR PERRY: So -- and I was looking at the transcripts of the first day, second day, third day, and there was a kind of a -- and I don't know how to explain it any different. You're currently under an application to renew a license, and there's 27 deficiencies on that application.

And I would have thought after coming out of July '25 that every I, every T, everything on that application would have been pristine with all answers, all questions, any -- any -- any particular area that you could have shored up that we got it, we got the message, we -- we recognize short falls, we -- but -- but what I read through the transcripts was really concerning from an attitude perspective. And what I

mean by that, when you were presented -- you personally were presented with the question, Are you responsible for that, I think your response was, Yes. And then the details of that application, you were very removed from, that someone else did it, and this -- this finger pointing.

And second piece of that was, it was an upload from prior year information was one of the remarks. And so it just floored me that after all that the families and the state and y'all have been through as a family that the response could be anything but, I made a mistake; I guess, I didn't read it right or I don't know what you're asking me. But it was more of, We just did status quo; we just followed suit and uploaded what was on the previous information on those lines.

So it's kind of cavalier. I don't mean that to be disrespectful, but this nonchalant kind of process that we're just going to move forward as everything's okay now.

And so what would you say to that -- that perspective that I walked away from looking at -- that I don't know who did that or somebody else loaded it and then 27 deficiencies post-event, how do you -- how do you reconcile that?

MR. E. EASTLAND: Yes, sir. I believe you were referring to the -- the description of activities that -- that was uploaded. It was my brother Richard and -- and our -- our now full-time employee, Glenn Juenke did the application, and I -- I believe that description of activities was something that we had used years prior. It was a PDF, and it had references to the Guadalupe River, and that was -- that was a mistake.

VICE CHAIR PERRY: Let me ask this. Is -- is the application different than the prior applications now that the law -- there was different sections and different things on there it asked for -- and we'll have DSHS up later as --

MR. E. EASTLAND: Yes, sir.

VICE CHAIR PERRY: -- some holes in that.

MR. E. EASTLAND: Yes, sir, it was different.

VICE CHAIR PERRY: But you personally didn't get involved in -- in responding -- to the new sections even or did you?

MR. E. EASTLAND: No, sir, I did not.

VICE CHAIR PERRY: Okay. It's not -- it's important to know this, and -- and it's not meant to be anything other than just information I think for the committees. But what was an average -- because you run

the camp for two months, right, two 30-day periods?

MR. E. EASTLAND: There are -- at Guadalupe River there -- before this, it was two 30-day periods and then one two-week session.

VICE CHAIR PERRY: What would Camp Cypress two 30-day periods look like as far as gross revenues go? You got 900 applications on file. What -- what is a gross and a net revenue for y'all?

MR. E. EASTLAND: We didn't -- we didn't have the same sessions at --

VICE CHAIR PERRY: But -- but going forward, what could you expect under a Cypress, 9/0/00 kids, two months. So it'd be 1,800 kids, I'm guessing what -- what is a typical gross and net revenue off of camp operations for a summer? And you can use the prior -- you can use Mystic -- so you can use Mystic then. What was the typical revenue summer for a camp?

MR. E. EASTLAND: I don't want to guess. I don't -- I don't have that in front of me, I'm sorry.

VICE CHAIR PERRY: Anybody on the panel have a clue what the gross revenues for a two-month camp operation looks like for Mystic?

MR. B. EASTLAND: I think -- thank you, Senator.

I think with the enrollment we see for --

if we're able to, God willing, open Cypress Lake camp this summer we -- based on the tuition we set, I -- I think our estimates for gross revenue with -- with the enrollment was between three and four million.

VICE CHAIR PERRY: So for one month or for both months?

MR. B. EASTLAND: No, for the six weeks. We had scheduled six 10-day sessions, so that way if there was any girls that wanted to come from Guadalupe River camp, they could combine their sessions with their friends and their cabin mates, and then we -- we shortened our three sessions at Cypress Lake so that those girls could come with their friends and cabin mates.

VICE CHAIR PERRY: So roughly six million gross?

MR. B. EASTLAND: No, sir. For -- for both -- for all six sessions that if -- if we had over 850 enrolled still, my estimation was between 3 and 4 million gross.

VICE CHAIR PERRY: Okay. Three and 4 gross and service business. My background of a CPA, usually net around 50 percent of that, so to speak, and have some general overhead.

So a lot was made yesterday about the

ability to find counselors. It's hard to find counselors, and it's hard to find workers, period. It's just a different environment today.

What's your pay for a counselor? How much do you pay for senior-level counselor?

MRS. EASTLAND: That -- yes, you're right. It depends on their age. But it's around a thousand dollars per counselor.

VICE CHAIR PERRY: For -- for the camp?

MRS. EASTLAND: Yes, uh-huh.

VICE CHAIR PERRY: And if you --

CHAIRMAN FLORES: If you could stop for just a moment, if you could please state your name --

MRS. EASTLAND: I'm sorry, Mary Liz Eastland.

In a normal summer, like a 2025 summer, normal sessions, different than what we would try to be doing this summer, it was around a thousand, but it changed for different certifications you had or different heads of things, you know.

VICE CHAIR PERRY: So --

MRS. EASTLAND: So I say a thousand dollars is a ballpark.

VICE CHAIR PERRY: So comparing to a private sector job where a kid might work at Starbucks,

it'd be $15, $16 an hour for 20, 30 hours. They're not doing it for the money, obviously.

MRS. EASTLAND: Correct, correct.

VICE CHAIR PERRY: But at the same time, being the market we have, if you can't find people who want to work, then typically you would raise the cost of what you're paying. So did you -- did you raise the amounts that you were paying to try to bring more counselors in?

MRS. EASTLAND: We -- we include bonuses for bringing friends, things like that, and then each year we do increase the pay a certain percentage just in general.

VICE CHAIR PERRY: But you really didn't do anything different --

MRS. EASTLAND: No, sir.

VICE CHAIR PERRY: -- with -- with that --

MRS. EASTLAND: I didn't have a hard time finding counselors for second term 2025. It was our most popular term.

VICE CHAIR PERRY: Okay. My understanding is you get a deposit, a 50 percent deposit.

MRS. EASTLAND: For campers?

VICE CHAIR PERRY: For this next -- this -- this current licensing, you've gotten deposits on file?

MR. E. EASTLAND: Yes, sir. The deposit -- the application deposit is $400, just flat.

VICE CHAIR PERRY: Okay. It's just -- it's just a flat application fee. It's not actually a deposit?

MR. E. EASTLAND: Yes, sir.

VICE CHAIR PERRY: Okay.

MR. E. EASTLAND: Fully refundable.

VICE CHAIR PERRY: Fully refundable.

Have you used any of that money to bring this next camp up to speed to meet the new criteria? And I understand it's a little higher ground, but clearly, there are things that you didn't have until after the bill's passed. So how much of your resource -- and you may have borrowed money to do it. I don't know where you're getting your money, how that's working, but how much have you invested in this new camp?

MR. B. EASTLAND: Thank you, Senator. If it's okay if I talk --

VICE CHAIR PERRY: Sure.

MR. B. EASTLAND: -- being the director for Camp Mystic Cypress Lake.

We -- first off, thank you all for forming this committee. We really appreciate all your efforts

and -- and -- and improvements going into the future based on everything that's happened.

I'd also like to point out that -- appreciate y'all appointing these investigators, Ms. Garrett, Judge Massengale, Kim and Heather, they've all been so professional and very kind and respectful to all the people they've interviewed.

We have supported the Heaven's 27 legislation, and we knew that, if we were ever going to again be able to operate camp, we needed to go above and beyond. And we had no plans to open the Camp Mystic Guadalupe River campus this summer especially, and because Cypress Lake did not have any -- sustained any flood damage, we were fortunate, but we knew, still, we needed to go above and beyond all this great legislation.

And so we got together with area camps. We were grateful to know that funding would be coming for government-funded flood alarm and alert systems, but we got -- we wanted to get ahead of it to show any parents that had concerns that we were going to go ahead and make sure these were implemented before the summer. And so we've -- probably before this summer, our hill country area camps, west Kerr County will have over a hundred river sentry towers, a company that was formed

after the flood from Liberty, Texas.

And also, we -- it's not part of the legislation, but we are putting in two huge generators that will back up the office and our dining hall. So we will have power to communicate with emergency personnel. Given that, as y'all know, cell service is still pretty bad in our area, we're working to get a tower as well on our -- one of our large hills so our whole community can benefit and so we will be able to have power and water for our pump in case of emergency.

Also, I don't think it was part of the legislation for walkie-talkies. I think most camps did not have walkie-talkies in cabins, but we are going to have walkie-talkies in every cabin with NOAA weather alerts. That way counselors can automatically hear any weather alerts in their cabin with their campers. And we are going to implement extensive training on evacuations, not just for flood, but for fire, tornado, intruder.

And we're going to specifically for some of those evacuations and emergencies, we're going to have training for our counselors in the -- they always come a day and a half before campers come, and we will train them, and within 48 hours, we will conduct drills for our campers and staff.

We have now a gatehouse at Cypress Lake outside the entrance. We're going to have 24-hour security at all times this summer, again, if we're allowed to operate.

And we -- we have done a flood risk assessment center that proves that all cabins are out of the 500-year floodplain at Cypress Lake, and all of them except two are out of the thousand-year floodplain.

And we have already made corrections to those deficiencies that you -- you named, and we will be submitting them probably today or tomorrow.

VICE CHAIR PERRY: So -- so kind of go to your dad. Is it fair to say, pretty heavy-handed as far as outside what he thought was right? Let me ask it this way. All of these things should have being done anyway, even under current code, evacuation plans. Shelter in place is not an evac plan by definition, right? And so now you all have an evac plan. Now you're going to do muster. Now you're going to do all these things.

But I want to remind people, that stuff was already supposed to be done. And I'm -- I've said it a hundred times yesterday. I'm almost certain none of the other camps were doing any of it either, and if I'm wrong on that, I apologize. But just -- just the flavor

of that -- of that industry right now.

So your dad actually evac'd in prior floods, so it wasn't something that he wasn't willing or wanting to do or could do or he just chose not to do it for -- for different reasons. But my -- my thought here is hindsight's 20/20 for both eyes, both lens, but at the same time, that doesn't excuse the outcome or the consequences.

So I'll say it this way. I don't think -- and I'm going to separate the conversations from keeping the camp open or not. I think Mystic is -- is a camp. I think at the end of the day who operates that camp is -- is really a different conversation.

And when DSHS comes up, the line of questioning I'll have for them is at what point -- and they're going to just say, well, it's up to the legislature. And I want to be clear at least from this legislator, not legislature, but this -tor, that there's a point where the consequences of not doing your job is so significant and so consequential that you don't have the privilege of running a business that you were prior to.

And -- and I think that -- that comes from a lot of different policy perspectives, but our -- our -- our system of justice is -- has a large deterrent

factor in it. And in my perspective is, if y'all are left as a operator in any form or fashion, what deterrent does that send to another operator that, I can have kids die on my watch and still be an operator?

I -- I think we're in a really hard position here because there is no easy answer, and there's no -- there's no answer that doesn't impact people. But -- but I just don't believe, honestly, with the investigative facts that lined out -- and I'll use the very experience that your dad had and the fact that in prior floods he exercised good judgment, but he missed it on this one.

And then when you compound it with the -- the whole air of disconnect from communications, well, that's great. I want my kids to be disconnected from phones, but you still have to have a level of responsibility and accountability in your leadership teams that have to be connected. And that was just a significant -- and I'll bet you again every camp has that policy.

But here's where I'm at. We have to make a decision going forward. So I said it yesterday, the rehashing of this issue for parents and have to relive this whole scenario every day of their lives all over again is somewhat contingent upon how y'all react after

this hearing, because what we're going to hear from DSHS today is literally because of Government Code and short -- shortsightedness of it not being able to accommodate a camp owner that has had loss of life other than an accidental, something they should have been able to prevent. It's going to allow a process play out past the camp season.

So legally y'all probably get to stay in existence, but I will tell you from this guy's perspective -- and I don't know what my other members are -- whatever statute tweaks, whatever laws we make, or whatever rules we have to devise, y'all will not be an operator next session -- next season, if I can have anything to say with that, because you just missed it and it was tragic.

But Mystic itself can stay with a different operator, but that's where I've evolved to after going through this twice now, yesterday and at the sites. You just -- there just has to be a certain level of finality to it, and -- and leaving you as an operator doesn't provide that finality. And, again, I -- I -- loss of life on both sides.

CHAIRMAN FLORES: Chairman Meyer.

CHAIRMAN MEYER: Members, any questions?

Speaker Moody.

VICE CHAIR MOODY: Thank you, Mr. Chairman.

Thank you all for -- for being here and -- and participating with the investigators. As they've reported to us, you've sat with them for a number of hours and have given unfettered access so that they can do their job, and that allows us to do our job. So I want to thank you for that.

It's hard -- it's hard not to recognize -- and I think Casey said yesterday -- there's a -- there's a crater of trauma. I kind of think about it when you drop, you know, a rock in water and how it ripples out, those -- the ripples of trauma are all over that region, within your own family, with the other families that we're going to hear from later today. We've heard from members of the community. And -- and so we -- we are not -- we're not ignorant of that. In fact, it's -- I think it sits very heavily in -- in this room.

And so I want to ask each one of you what are the -- I know you are all people of deep faith. Part of the mission that y'all engage in is faith-based and -- and rooted in faith. I'd like to ask each one of you, what are you individually doing? I can hear it in your -- your voice, Edward, right?

MR. E. EASTLAND: Yes.

VICE CHAIR MOODY: You talked about that

there's not a day that goes by, and we heard the timeline of events, and you're a real person that went through that. And we heard -- we can sit and look at a timeline, but that was what was going on and the things that you were experiencing.

What are you doing? What are the rest of y'all doing to deal with your grief and your trauma? What have you been doing since this? Because, as you said, it sits in your mind every day, as well it should.

So what -- what are you doing to -- to bring yourself to a point of healing or trying to process what is really incomprehensible?

MR. E. EASTLAND: So I -- I have a lot of wonderful people who are helping me, especially my wife. We've never been closer. My faith has never been stronger. I'm also getting counseling. I think we all are.

But I just have a mantra ever since, just do the next right thing, and I'm trying to do that, and sometimes it's hard to find out what the next right thing is. And the amount of time that has gone by is -- it doesn't -- it feels like this happened last week still for me. It -- it -- it's not necessarily -- every hour is different. Every hour. I have good hours. I have bad hours. It's just all I can do is do the next

right thing, and that's what I've been living by.

VICE CHAIR MOODY: Okay. Would y'all -- would y'all be comfortable sharing? What does that personal process look -- look like for the other three of you here?

MRS. EASTLAND: I think it's similar. Edward and I have a similar process. We work together a lot and we work with professionals, counseling, and -- and different things. And I think we just -- I've always just said do this hour and whatever that next thing in the hour is and just keeping our family together and -- and taking care of what's right in front of us.

MR. B. EASTLAND: Thank you, Representative Moody.

I also am receiving therapy counseling. I -- I had -- I meet with someone different than the therapist that I meet with -- I go also with my wife and I also have been trying to just pour into my family and our close friends and -- and we're just -- we pray every day to God to -- we'll never understand why this happened, but we just try and like -- as Edward and Mary Liz said, we're just trying to do the next best thing every day and lean on Him.

And there's not a -- there's not a day that

goes by that we don't pray for these precious girls and their families, and -- and for so many in our community, and we just -- we -- the last thing we want to do is create any more pain for these wonderful families that are grieving. We feel like we'd be just like them, very angry, when their most precious treasure was taken from them. And we just -- we -- but we just pray that there will be kindness through this process as facts continue to come out.

We just believe -- I read Ephesians 4:32 this morning, and we just pray that as the facts continue to come out that -- that hearts will heal and -- and that people will understand that we did our absolute best in unmanageable circumstances.

And I think -- I just want to say one other thing, that I appreciate Ms. Garrett stating that -- appreciate all the work she's done in the past couple of months in her investigation. But I know time was limited, and she wasn't able to talk to experts that we believe, hydrologists and engineers, that if the investigation could continue, will, you know, help determine the magnitude of this flood and -- and also hopefully, you know, understanding everything, but talking to people in our community that were affected. I think that helps get a big picture of what happened,

but we just -- we're just praying that -- we know time will help.

MR. R. EASTLAND: Hello, Representative Moody.

Like my other family members, I did seek counseling. I've been lax in it. I am -- I don't know. The grief has been in waves. There's some days where you can function and some days where you can't. I don't think I've -- I've done a very good job of dealing with the grief. And I find -- I find peace in my family and I find peace in our community.

VICE CHAIR MOODY: I appreciate that. And I asked that because none of these things is happening in a vacuum. Right? It's our understanding that folks have applied and want to come back to be in your care. And so I think it's important to ask where -- where you all are at in that process because how does that -- and whoever wants to weigh in on this, how do you think your personal journey in dealing with that trauma and grief will impact how you manage and care for children as you're still moving through what is an incredibly difficult process?

MR. E. EASTLAND: Well, we -- so a few weeks ago we had -- we had open houses at -- at the campus at Cypress Lake, and I was -- and I told a lot of

the parents this. I was anxious to -- to see how I would react when they came, but it was the most amazing two weekends being surrounded by campers, by wonderful parents, and it felt -- it felt like the best thing for us at the time. And it was wonderful.

And I -- I -- I know that it -- it sounds like -- I mean, we've changed -- we've changed definitely, but we are -- we are in that -- that camping industry that only -- only people in it understand, and we -- we absolutely love what we do, and we -- we just have this -- this incredible peace with -- with working at a summer camp.

MRS. EASTLAND: But I will say, I think we're willing to take a step back if -- if camp can go on, but that's okay with us. We are willing to step back and -- and take a pause as -- as this family I think that's appropriate, okay, and I'm -- we're willing to do that.

VICE CHAIR MOODY: I appreciate -- I appreciate you saying that.

And you had mentioned Ephesians 4:32 which talks about kindness and compassion. It's -- it's in short supply in our world in general, but when there's such grief and trauma, it's through kindness and compassion that possibly there's a level of healing that

can take place.

And I don't think that's a short journey. I don't think it's a journey that can be traveled in the next handful of weeks. I think it's a lifelong journey for everybody that went through this, and so I appreciate you sharing that with us because we can talk about code provisions and bureaucracy and checklists -- and I'm sure we're going to a lot of work on those things -- but those are empty words on paper if they don't meet with people on the ground that are doing the right thing as best they can one day at a time.

And I know that -- I won't speak for all my colleagues, but I'm not here to create a checklist. I'm here to try to figure out how we change a culture of complacency that we were, you know, very clearly talked to about, and to Senator Perry's point, I don't think this is limited. I think this is probably pervasive.

And as a young father who's sending my son to camp this summer for the first time, you know, I think about these things in a more profound way than I ever have. And -- and we need to -- we need to figure out how to do that in a way that -- that works -- works for everybody and is respectful of the very profound loss that's taken place, yours and everybody else's.

So thank you for sharing. I know that's

personal to share and so I appreciate you doing that.

I want to talk about communication. I know we -- last summer heard from officials from Kerr County, City of Kerrville, the river authority, and for those of us that sat on those committees, I don't think you'll find many of us that were satisfied with the level of communication going on on the ground.

And so if you -- we did not get to hear from y'all at that point in time, and so if any of you or multiple of you want to weigh in on local communication, either from the county, city, emergency personnel, in -- in the run-up to the -- to the flood or I'd say, you know, we heard a lot about post-event, just chaos. Anything that you'd like to add to some of that from your perspective operating the camp?

MRS. EASTLAND: I'll speak to some of that. You mentioned beforehand before the event, Edward and I do serve on the Hunt Volunteer Fire Department, and we did not getting any communication from them before, if that's a local -- if you're talking about local people.

VICE CHAIR MOODY: Was that because of the inability to receive communication because of -- because of --

MRS. EASTLAND: No.

VICE CHAIR MOODY: -- issues with or that

it was possible to receive communications; you just didn't?

MRS. EASTLAND: I'm talking about you -- maybe July 3rd. We could have gotten an email -- if -- if information had been given to the county and then dispersed among the volunteer fire departments, we would have gotten an email about that. Any kind of alert would have come that way and we didn't receive that. So there's a local issue there, whether they saw the TDEM alerts or what they knew before or what -- what they zoomed in on. You know, those things that were brought up yesterday, I'm not sure where our community leaders fell in that, and I can't speak on that. But I know that we didn't get any information from our local fire department, and I don't think they had any information.

Post-flood, I will echo the chaos. We -- we -- I did the best that I could, and I did not do well. I will admit that. I didn't do perfectly, and I don't admit to doing perfectly, and I tried my best to communicate with everybody that I could with the resources I had.

And then once the Texas Rangers took over there was more, but then there was still a disconnect with the EOC and who -- who was giving information to whom. And there was a lot of disconnect there.

VICE CHAIR MOODY: Okay.

MRS. EASTLAND: That's from my perspective. I don't know if anybody else wants to add.

VICE CHAIR MOODY: Do you have anything else to add on that front?

MR. E. EASTLAND: I don't -- I don't believe so, but what -- what specific -- do you mean with the -- the -- the first people who came out to camp with their -- with their communications?

VICE CHAIR MOODY: Well, I think some -- and I'd like to hear about that because I think just knowing what that interaction looked like for y'all there, who is it -- who is it, what are they saying, what are they doing, and then pre that -- I mean, I know that we're going to hear from TDEM a little bit later, and I understand -- we heard from them for a significant amount of time last summer about their decision to deploy resources to the area in anticipation of -- of the flood.

So, you know, there were -- there were things moving on the ground. There's a disconnect here somewhere, and -- and that's what I'm trying to drive at, what we're --

MRS. EASTLAND: That's kind of my point in mentioning our local volunteer fire department. I don't

think they knew any of -- I don't know that -- I can't speak to it but from what the information we got on our end as members we did not hear about any deployment of resources to our county, to our area specifically. I don't know that that's true or not. I'm just telling you what I know from my --

VICE CHAIR MOODY: That wasn't information that flowed down to you?

MRS. EASTLAND: Correct, correct.

And then the first person that came on the scene at Camp Mystic that I saw was the game warden, and I gave him the list of people that we were missing at the time and the number, 27. And there was a lot of false information. I think they mentioned the -- on Facebook's everybody saying, Everybody at Mystic was found, and I specifically was texting people that I knew that person to please take that down; that is not true. I wanted to make sure true information was getting out quickly as I could, and the first person I was able to get that to was the game warden, who was the first person I saw on site. I don't know if y'all saw anybody else on site before that.

MR. R. EASTLAND: Richard Eastland.

On the 5th, Governor came out and Chief Kidd came out as well, and my brothers and my

sister-in-laws, they were in town. So I was the only one at the camp to guide them around. I showed them the buildings and what happened in a sort of a similar tour that y'all did.

But -- but Chief Kidd and Governor Abbott did ask, What do y'all need? And I asked for two things. I said, We need security here at the camp because people were coming in. I was afraid of just somebody coming in and messing with something. And then I specifically said, And we need more people looking. We need more search and rescue. And I will say they stepped up, and they did a very good job on both of those things.

VICE CHAIR MOODY: Okay. It -- it -- in prior years, was it normal for the local emergency personnel to communicate with you about risks or anything else in the area? Was that a common type of communication? Was -- or was it always lacking?

MRS. EASTLAND: No. Our Hunt Volunteer Fire Department is very good about sending information. Typically, it's about burn bans in our area, and so we -- we frequently get emails from them about local needs and about training and about -- I mean, it's a lot of lovely older men volunteers that -- that send a lot of different emails and would have sent that information

had they had it.

MR. B. EASTLAND: If I may speak, also, Representative Moody. Going back to July 4th, I was very impressed by the response by TDEM definitely after the flood. I can't say to the fact what TDEM -- to my knowledge, our local officials did not know what TDEM was laying out in the days before the flood, but after the flood happened when we had no power, no WiFi, no electricity, and I found out a little bit after 7:00 a.m. just the nightmare that appeared to be happening at the campus next door, Camp Mystic Guadalupe River. I was at Camp Mystic Cypress Lake.

I went up with -- with one of my sons and with Glenn Juenke to the highest point I could get to. We got one bar of service and started making calls to 911. I made two different 911 calls. I'm not blaming anybody. The wireless was still pretty bad, a horrible time to come in by helicopter, but when no one was coming fast enough in my mind, I made a phone call to a contact that I knew might be able to get somebody, and he put me in touch with Nim Kidd right away. It was sometime after nine o'clock, and Nim Kidd told me with all confidence that he would be sending help, and shortly after, probably less than an hour, the game wardens showed up a little after 10:00 a.m. and started

taking control. So that's my perspective on -- on what happened on July 4th, that morning.

VICE CHAIR MOODY: Okay. Okay. I know we've had some conversation about counselors, ages of counselors, who they were supervising, the number per cabin. My legislative director was a Mystic camper and -- and so had a little bit of personal experience in understanding the history of -- of the camp just from -- from within our own office.

I think we talked about yesterday, we're trying to identify when that ratio started to struggle to stay at three, because I think as Ms. Garrett pointed out yesterday, even the most, you know, routine things could become problematic if you're short-staffed in the cabins. So when -- when did that -- when did that start to erode, I guess for better -- for lack of a better term?

MRS. EASTLAND: I want to just take a minute to recognize our amazing counselors. We have an amazing group of counselors that return year after year, and they were heroes that night, they really were. And I told them that that next day, that they were incredible. And we have counselors that come and come for three and four years and then go off, and they are leaders in our country, and it's really incredible. And

they -- we watch them grow up, and I just can't say enough wonderful things about our counselors. I think we have the best counselors in the state, but maybe I'm biased.

I don't think there was an erosion. I think -- the industry standard is interesting for counselors and, I think y'all have done a really good job with your new act, the Camp Safety Act, to put the ratio such in the cabins that you did. I think that would be really wonderful going forward in camp safety.

We didn't have that before in terms of in the cabin ratios, and so I think that's a really good addition that you did, and I would keep that. A lot of other camps often ask us how do you keep your campers coming so long, because we actually have -- industry standard, for example, our son, this will be his last year as a camper, and he's 16. He will be a counselor at 17 still in high school. So we have always had campers go until 17 and then become counselors later, just to set a little bit of an industry standard there.

And if you look back in our memory books, similar to what Ms. Garrett did, you will see that back in the eighties even, we had two counselors in Twins often because of the size of the cabin and the number of campers in the cabin. It's not always about -- it's

more about what -- how many campers are in a cabin. For example, I was a counselor in 2003, and I had 13 campers with one other counselor.

So it's not necessarily an issue or an erosion issue. It's just how we staff within the camp in our -- in our business. I'm not sure how other people staff. I don't know that they have three in a cabin in other places. I don't know what that standard is which is why I'm thankful that you put that in there so that we can have a better industry standard across the board and -- and we support that.

VICE CHAIR MOODY: Okay. So not necessarily something that eroded over time, but it was staffing decisions made each individual session --

MRS. EASTLAND: Yes, correct.

VICE CHAIR MOODY: -- as to what -- okay.

What -- and I'll -- might come back with some more questions, but I just want to angle this and whoever wants to answer. Obviously we're going over everything in pretty fine detail, but based on your -- your judgment, your personal judgment, you know, do you think you met or exceeded the safety expectations of campers in the summer of 2025?

MR. B. EASTLAND: Thank you, Representative. This is pretty slim.

I believe based on what we knew then we acted reasonably and -- but now that we know what this river can do, we're thankful for the legislation, and we're ready -- everyone I think in the camping community is ready to make changes, and we're thankful for the great legislation y'all put forward.

MRS. EASTLAND: I've been more instrumental in the Infirmary side, and I have worked with our camp doctor who's our medical director, and we -- we have a good plan in place for safety and medical. And so I can -- I can speak to that. And then I also -- I think that we've improved a lot of safety in different areas that maybe haven't been touched on. For example, we used to do a river water safety, but it wasn't an American Red Cross lifeguarding course. And so in 2011 and -12, I became a lifeguard and then also became a lifeguard instructor and ever since then increased our water safety in lifeguarding, and that's just one example of things that we've done to increase safety before this.

VICE CHAIR MOODY: Okay. I think that phrase used yesterday quite a bit was a "culture of complacency." You do things the way you do things now because you always did them that way before. You know, this worked in 1978, 1987, so it'll work now. And,

again, whoever wants to -- to weigh in on that I'd like y'all to give us your perspective because that's -- that's what we keep hearing and it being talked about. You all are the operators. Can you talk to me about a culture of complacency? Is that something that -- honestly hindsight is 20/20, is that something that you can reflect on and look back at, and do you have something to tell this committee about that?

MR. R. EASTLAND: It's a very good question, Representative. I -- I don't think that we had a culture of complacency. I disagree with that. I think my father was very diligent that night. I know that we failed these families behind us. I do know that. And if we could change anything about it, if we could have done the things that y'all have thought of, that we have thought of, we would do it. But we -- just like every year, we would think how can we make camp more fun, we would also think how can we make camp more safe. And over the years, we see those little things. We do those little things.

The -- that night, I don't think my dad was complacent. He was diligent. He was up early. He was checking for information 30 minutes before that 1:14 a.m. warning. I know people are upset that he didn't act on what we know now, but he was looking for

that information and he couldn't find it.

VICE CHAIR MOODY: Thank you. I appreciate that.

There was -- I think it was a text message shared with us where there's reference to a four-inch rise in the water -- four-inch rise in the water I think is what it stated. I think it was a text to --

MR. R. EASTLAND: -- to maybe my mother?

VICE CHAIR MOODY: -- maybe your mother.

MRS. EASTLAND: It was four inches of rain.

VICE CHAIR MOODY: It was four inches of rain or four inches of rise?

MR. R. EASTLAND: Four inches of rise.

VICE CHAIR MOODY: Okay. All right.

SEN. HUGHES: 7:33 a.m., Rep -- 2:33 a.m., four inches.

VICE CHAIR MOODY: Yeah. And is there any significance to that amount? We've heard some testimony there is some significance to that marker. What is the significance to y'all when you -- when that's a data point that's known at, you know, 2:00 -- about 2:30 in the morning?

MR. R. EASTLAND: Yes. I think Ms. Garrett specifically talked about how that would have meant something to my father because he served on the UGRA.

When he called Edward and he said, you know, we've had two inches of rain that meant something to my father. When he texted my mother and he said, We've had four inches of rain, that meant something.

And I think that does go to that 1:14 alert. You look at -- here, let me just pull up what the information was. So a lot of talk about that 1:14 flash flood warning has been about just the warning itself. You were warned. But the context of the rainfall amount is important. They said between one to two inches of rain had fallen. The expected rainfall rate is two to three inches in one hour. And additional rainfall amounts of one to three inches are possible in the warned area.

And y'all -- if you -- like, the flash flood watch from July -- July 3rd talked about one to three inches expected and up to I think five to seven inches isolated. But you don't know what that does to our basin, right? That -- that amount, you don't know if it's tremendous or less, but to my father it did mean that -- it meant something.

The amount of rain we got in a 24-hour period in that basin was 16 inches. It was 16 inches, and even more importantly, it was almost 12 inches -- I think it's 11.94 inches of rain in a three-hour period.

And it's about the time that that rain was coming down -- because over a longer amount of time, it's not as bad. Shorter amount of time, it's very bad. And that was not accurately showing what was happening. Those warnings were not showing what was happening on the ground.

And so when I say my dad was in the dark looking for that information, he couldn't find it because the radar wasn't showing it. The National Weather Service wasn't showing it, and the gauges that were upstream of us on the South Fork were no longer in service.

VICE CHAIR MOODY: All right. Thank you all for that. I may have some other questions when we circle back around but that's what I have for now. Thank you so much.

CHAIRMAN FLORES: Chair Hughes.

SEN. HUGHES: Thank you, Mr. Chairman.

Thanks to each of you for being here. No one -- I don't believe anyone has any doubt for your love of those children and your love in what you do and what your family has done there. Many of us represent folks back home who lost children and then other Mystic families who did not, and we know that it's a close knit community and a -- really a unique community, and y'all

certainly know that as well.

We have to talk about these things, and we don't apologize for that. We have to ask these questions, and we thank you for cooperating with us.

With the chair's discretion, I want to have a few and we'll probably come back and visit again before we're done. But I want to go back on a couple of things that Speaker Moody spaded up, which I also had in my notes.

And, Mrs. Eastland, on counselors, I want to learn a little bit more about that. Thank you for -- you mentioned it in your remarks, and then Speaker Moody asked you about it. So Ms. Garrett talked about speaking with other families, other Mystic families from years past, and I want to say even folks I've heard from, there is this sense that there were -- that the default was three counselors per cabin. But it sounds like we were wrong about that. I'm not fussing at you. I want to understand.

We were talking about an erosion. I think Ms. Garrett was trying to say maybe it's hard to get counselors. She was maybe trying to figure out why, but what -- is that -- is that a false impression that the default used to be three counselors per cabin? I know there's ratios overall, but getting back to cabins,

regardless of what the law was, was that the default at one time or are we just -- we were mistaken about that, the three counselors per cabin?

MRS. EASTLAND: I think that's a good default, yes, but I think it is all dependent on the size of the cabin and the number of campers in the cabin. So it's not necessarily default for each cabin. For example, the Twins I and Twins II cabins are small, and my father-in-law actually wanted to remodel and make them bigger, and I said, No, because I liked them smaller with the smaller amount of campers.

And so then you go into larger cabins, like one of our cabins on the hill is called Hang Over, and that has maybe 40 campers, you know. So there's just -- it's different for different-sized buildings and different amount of campers in that age group. It is a -- not a default -- a goal is to have three in cabins, yes, but there are varying degrees of need for different reasons.

SEN. HUGHES: So that's helpful. So the goal would be to have three but depending on the cabin, that may or may not be the case?

MRS. EASTLAND: Correct. Like, I had 13 campers. It would have been a lot to have three counselors when I was a counselor with just one other

counselor in 2003.

SEN. HUGHES: And so, if we were talking about Bubble, for example, or Twins I and II, as smaller cabins, are you saying they would tend to have less than three anyway or --

MRS. EASTLAND: Yes.

SEN. HUGHES: I don't want to put words in your mouth. I want to understand.

MRS. EASTLAND: Yes, sir, and like I said, looking back even starting in the eighties, there were oftentimes two counselors in Twins and Bubble because of the number of campers in those cabins.

SEN. HUGHES: And let me pause for a minute and ask if anybody else remembers that differently. I'll ask each of you. Is that your -- nobody's lying, but is that everybody else's recollection? Y'all have been there at different times, some of us are different ages. Everybody agree with that. Mr. Eastland?

MR. R. EASTLAND: Yes, sir, when I was growing up it was not uncommon for two counselors or three counselors. It was -- it was -- it depended upon the cabin.

SEN. HUGHES: Mr. Eastland?

MR. B. EASTLAND: Thank you, Senator.

Yes, that's my recollection, and also,

that's actually what we did at Cypress Lake camp which opened in 2020. It's about half the size of the larger Guadalupe River camp, and it was -- because our cabins are smaller sizes, we often just had -- we had less counselors, and we -- we had about two for every cabin.

SEN. HUGHES: Mr. Eastland?

MR. E. EASTLAND: Yes, sir, I agree with that.

SEN. HUGHES: Along those lines, let's talk about the ages and experience of the counselors, we -- that term at, I guess, counselor at that -- that came up. So based on what we heard yesterday and based on your experience, tell us, if I'm a first-year counselor, what am I called? Am I treated differently? Am I categorized differently than a more experienced counselor?

MRS. EASTLAND: You're categorized differently, but you do the same work as the other counselors, if that makes sense.

SEN. HUGHES: It does. Thank you. It does.

And I think we know the answer. What is the age of the youngest counselors, the counselors?

MRS. EASTLAND: We ask that they have finished high school, and if you've not been a Mystic

camper before, we ask that you have potentially had a year of college, that there are variances to all these unwritten rules in our -- within our business, but typically, if you have not been a camper before, we like you to have had a year of college. And if you've been a camper with us, then you can come after high school.

SEN. HUGHES: Do we ever have any under 17?

MRS. EASTLAND: Not under 17, no, sir.

SEN. HUGHES: So maybe some still in high school. Might that be a variance depending on the circumstances?

MRS. EASTLAND: No -- no, sir. You cannot be a counselor if you are a high school student, but according to your birthday, you might have a summer birthday that makes you younger for your grade, et cetera. So you might be 17 in that regard.

SEN. HUGHES: Yes, ma'am. That was me. I understand that. Okay.

Everybody else agree with that? Is that your understanding of how that worked? Any -- any corrections or clarifications? We need to understand this very well. Mr. Eastland.

MR. E. EASTLAND: Yes, sir. We -- we focus more on their grade level than their actual age. So things like -- like you can't come to camp until you've

finished second grade. You can't be a counselor until you've finished high school.

SEN. HUGHES: Okay. Mr. Eastland.

MR. B. EASTLAND: Yes, thank you, Senator. I agree with what my brother and sister-in-law said.

MR. R. EASTLAND: I agree completely.

SEN. HUGHES: Thank you very much. And so I understand that all the counselors do the same work, regardless of their level of experience. Whether we have two or three campers per cabin, what's our policy on experience versus first-year counselors in a given cabin? Is there a policy about that?

MRS. EASTLAND: No, not necessarily. My policy is, you know, everybody wants to be on Senior Hill because they think that's fun. But the age of the counselor matters to me. You know, I'm not going to put a 18-year-old with 15-year-olds because that's a difficult age gap to help control them basically.

And so the younger counselors I put with the younger campers because they also were just campers and they are incredible at answering all the several questions 8-year-olds have about all the things, you know, and so they do a wonderful job -- actually do a wonderful job with the younger campers.

SEN. HUGHES: Okay. Thank you. For my

next question, we're going to focus on the flats.

MRS. EASTLAND: Okay.

SEN. HUGHES: Okay. So not Senior Hill, so generally younger girls. Then Senior Hill, but cabin-by-cabin there's a relative age difference in the girls; is that fair to say?

MRS. EASTLAND: Yes, sir, eight years old through 13 -- 12, 13. It's basically elementary age on the flats to keep it simple.

SEN. HUGHES: So for the youngest girls on the flats, is there a policy about whether they have experienced counselors? Is it just whoever wants to serve in a given cabin? Tell us how that process works and how it worked going into July of last year.

MRS. EASTLAND: Yes. On their application they can say, specify what -- they can specify the age group they want, and they can specify even a cabin that they want. And so oftentimes, the Twins counselors do specify, I want the babies, and so that's great, and we put them in there. Doesn't -- the experience of the counselor doesn't matter in that scenario to me because they know camp and the traditions very well, and they are better than a brand new counselor with babies that have questions about what kind of shoes to wear to activity or where something is or what clothes to wear

that day. Every counselor that's been a camper knows all those answers very well.

SEN. HUGHES: Everybody agree with that? Thank you.

MR. E. EASTLAND: Yes, sir.

SEN. HUGHES: Thank you. Thank you.

There was -- we heard testimony based on interviews that on the flats those cabins with the older girls tended to be more popular. Again, we're talking about the flats, older than those elementary school girls, that it was maybe more difficult to fill those spots in Bubbles and Twins because the little girls needed more help, needed more care. Did you hear that -- did you hear that testimony yesterday?

MRS. EASTLAND: Yes, sir, I did.

SEN. HUGHES: Is that your -- what do you -- tell us what you think about it. Is that accurate?

MRS. EASTLAND: Well, like I just mentioned, a lot of these counselors asked to be in the baby cabins. And so I don't know how else to answer that except that they either asked for it or they enjoy it. So I don't know if that answers your question, but it's not difficult to staff the Twins cabins.

SEN. HUGHES: Okay. So, if there were two

counselors rather than three in Bubble and in Twins, that was not because of a lack of counselors. That was a policy decision we made based on all the circumstances?

MRS. EASTLAND: Yes, sir.

SEN. HUGHES: And that -- was that the case in July of last year?

MRS. EASTLAND: Yes, sir. Those were smaller cabins with fewer campers. So, like I said, all the different variables that go into putting counselors in cabins would have pertained then as well.

SEN. HUGHES: Thank you.

I've got a couple -- did you want to say something, Mr. Eastland? Okay. I apologize. Thank you. I didn't want to misread the cue. Thanks.

And I'll ask a couple of questions now to the entire panel, and we may go down or I may just see who volunteers. But the flash flood warning, I think everybody here knows the difference between a watch and a warning, and we're going to make -- I think one thing we might think about doing, we probably need to do is make sure that maybe we even teach that in K through 12 so everybody knows the difference between a watch and a warning, what that means. My able team member suggested that.

But there was testimony yesterday about -- some of the lawyers said there had been X number of flash flood warnings, and then there was a question about how many had been during camp season. So my question, let's start with some numbers, if you know. In the last five years, how many flash flood warnings for the camp -- the area covering the camp during camp season, if you know? And I don't know the answer to these questions. This is not a -- this is not a trap. We need to know the answer to these questions. Anybody know?

MR. R. EASTLAND: No, and I would probably be the one to know more than my brothers and my sister-in-law. But that -- that's probably what -- what Ms. Garrett said might be accurate, that -- that during the summer months there -- maybe there were only three flash flood warnings since 2009. Is that what you're asking, Senator?

SEN. HUGHES: Well, thank you for your answer. I was starting with five years, but I think 2009 -- that's okay -- 2009 was the measure she described it. So you believe she's right; the only --

MR. R. EASTLAND: I have not looked at the data. I haven't -- the only -- the only one that I've looked at is from -- one from '21. It was an extremely

similar warning that led to a one-foot rise, but I'm not sure if that was during the summer months or not, I'm sorry.

SEN. HUGHES: And so, if we're talking about the warnings received during camp, flash flood warnings and not -- and I don't want to suggest we ignore watches. We sure can't do that, but we're talking about warnings.

MR. R. EASTLAND: Yes, sir.

SEN. HUGHES: So would -- would it be fair to say that they are not common? Flash flood warnings are not a common occurrence.

MR. R. EASTLAND: I would say they're not a common occurrence. There's an engineer told me that maybe you get four a year. So I'm not sure if that's true or not but --

SEN. HUGHES: So -- go ahead. I didn't mean to cut you off.

MR. R. EASTLAND: No, no.

SEN. HUGHES: Okay. In the context of Camp Mystic camp season are flash flood warnings a common occurrence?

MR. B. EASTLAND: I would say we've had a lot of droughts, and so I would answer that, that it's -- it is not common for the ten years that I've

been there that we've gotten flash flood warnings. But I will agree with what my mother said that, from what I've looked at and -- and the hydrologist that's talked to us, that in the last 25 years, it's been on average through the whole year about four a year. And so close to a hundred flash flood warnings that, my understanding, estimated about one to three inches of rain.

SEN. HUGHES: But during camp season? Do you have a sense for what the number is during the camp -- during camp season over that period, Mr. Eastland?

MR. B. EASTLAND: I know they've happened when I've been there, and I know they've happened when I was a kid growing up out there, but I can't give you a number.

SEN. HUGHES: Any thought on that, Mrs. Eastland?

MRS. EASTLAND: I don't have any thoughts on it. I've been at camp during flooding events, but I don't know if they were warnings or watches. I'm not sure.

THE COURT: Mr. Eastland?

MR. E. EASTLAND: Yes, I agree. I'm sorry, I don't have the exact number, but it's happened before,

yes, sir.

SEN. HUGHES: Speaker Moody was talking about the four inches -- and Mr. Speaker, I apologize for interrupting. I was -- I just happened to have the time stamp and I thought that might be helpful. Thank you for letting me interrupt. I'd like to visit a little bit more about that. Again, do -- you have the best information on a lot of this that we're looking for, the folks who are available to testify.

And so, Mr. Eastland, you mentioned that that four inches would have meant something to your father. There was communication at two inches. There was communication. Now we have four inches. That was at 2:33. How many other flooding events or how many other storms do you remember during camp season when we got four inches in that timeframe?

MR. R. EASTLAND: I would say I don't know about where previous floods that I had grown up out there, where we were at four inches, but I do know that my dad -- my father would have known that because he was so instrumental in getting the '89, 1990 automated, like, flood system Kerr County used, and he would look at that data upstream of us. And so those numbers that would come in would mean something to him. It would mean, oh, they had three inches here, and what that

would mean for us down river.

MR. B. EASTLAND: And I'd add to that, Senator, that I thank Ms. Garrett for showing that video that I guess we posted back in 2018 in the off-season in October of flooding that was happening at Mystic -- and my family can correct me if I'm wrong -- but I believe that was like a four-inch rain -- flood that happened, which is -- is a large flood in Camp Mystic.

SEN. HUGHES: So is it -- is it common -- was it common to receive four inches in that timeframe?

MR. R. EASTLAND: Four inches was not common. Four inches was not, but it wasn't the sort of thing that would cause what happened. It was 12 inches. That is what caused what happened, 12 inches in three hours.

I asked an engineer recently, because of the -- the watch number, the outlier was seven inches, and I said, Well, if we had -- if we had received seven inches in the sort of same timespan, and he said, Well, okay, you know, you got 90 percent of that rain in -- in the first three hours, what that would be like. And he said that if it was a six-hour period, you would have a 50-year flood, and if it -- if it was -- if it was a three-hour period with seven inches of rain, it would probably go about six inches into Bug House. I know

y'all all went into Bug House. It's the last cabin on the end by the dam, and you can see the roof there where it went up. It got 11 inches inside that building.

So my point here is --

MR. B. EASTLAND: Eleven feet.

MR. R. EASTLAND: Yes, sorry, 11 feet inside of that building. My point is, if those numbers had been what -- what was actually happening, that would have been the kind of flood, and that was the kind of flood he was looking for, still a very serious flood, but he was looking and seeing if that was going to happen.

SEN. HUGHES: Mr. Eastland, that four inches, 2:33 a.m. -- and I realize you were there and you were doing a lot -- at 2:33 a.m. when your dad seemed to think that -- recognized that was a big deal, do you remember that happening before, four inches in that time period?

MR. E. EASTLAND: I believe it was maybe mentioned to me that night by my dad. When he first called me, he said the two inches in the last hour, but I don't -- I don't remember -- I don't think we had a conversation about the four inches. I know he texted my mom that.

SEN. HUGHES: Do you remember other storms

where you got four inches in that amount of time?

MR. E. EASTLAND: Oh, yes, sir.

SEN. HUGHES: During camp season while campers were present?

MR. E. EASTLAND: Yes, sir.

SEN. HUGHES: How common was that?

MR. E. EASTLAND: That's a good question. I can -- we probably had -- that's a good question. I don't -- I don't have the answer right off of the top of my head, but I'm sure we could look up the data.

SEN. HUGHES: Any thought on that, Mrs. Eastland?

MRS. EASTLAND: I -- I don't know the exact inches that we've gotten in previous floods that I've participated in at camp as a camper and counselor, but if -- there have been rises in the river for sure, and I don't know the inches of that, but if it's four inches, then I've seen that, yes, sir.

SEN. HUGHES: No question that -- that your father was looking at the weather and looking at all those apps and looking at those gauges, and no question about that. And -- and my next question is difficult and I -- and I apologize and it's going to require speculation, but as we go through the timeline -- again, 2:33 was four inches and then we'd had the counselors

come up from the end of the road to -- to let us know water was coming in. And then at 2:55, when Francis radios from the gatehouse, water is in the gatehouse.

And you may know, Mr. Eastland, from communications that night, I apologize. Is that when -- is -- was that the trigger? Was that when your -- your late father said, Okay, we need to evacuate those girls? I'm asking. It -- it appears to me that's what did it, but we don't know if he was looking at these numbers, looking for a number or a level or an event. Is that what -- it appears chronologically that that's what did it, but do you know and then can you speculate if you don't know?

MR. E. EASTLAND: Yes, sir. When Francis called from the gate, I was -- I was trying to reach her for a while and -- and her radio cut off, and I -- I kept repeating, Francis, can you hear me. And my dad after one time I said that interrupted me and said we need to start getting campers out of Bug House.

SEN. HUGHES: It's right around 3:00 a.m., is that your recollection?

MR. E. EASTLAND: Yes, sir, correct.

SEN. HUGHES: Mr. Eastland.

MR. B. EASTLAND: I could be wrong, Senator, but Edward, I think it's important -- was it

still precautionary? I wasn't over there. But to my understanding, it was still precautionary for Bug House.

MR. E. EASTLAND: Yes, it was.

SEN. HUGHES: When you stay "still precautionary" -- well, go ahead and then I'll ask you what you mean.

MR. E. EASTLAND: Yes. So the water hadn't actually reached the floor of Bug House at that point. When we drove down there, it was -- it was touching the backside of the cabin.

SEN. HUGHES: That was at 2:37 or thereabouts?

MR. E. EASTLAND: And I believe y'all saw Bug House. It's on a hill, and one side of it almost looks like it's two stories. You know, the front door is on the higher part and so there's a corner that's closer to the -- the river that -- that -- that was, I believe in '78 and '87 -- I don't know if it was touching that corner, but that's what caused my dad to -- to want to get them out just out of precaution.

MR. R. EASTLAND: Senator, you said 2:37. I think he's talking about three o'clock.

MR. E. EASTLAND: Oh, I'm sorry.

SEN. HUGHES: Oh, I'm sorry. 2:37 was driving -- was driving back down there with the

counselors to check you out and -- but three o'clock is the point where the water was where you're describing?

MR. E. EASTLAND: Yes, sir.

SEN. HUGHES: I'm asking. I'm not telling it. Is that right?

MR. E. EASTLAND: That's correct.

SEN. HUGHES: Thank you.

Mr. Eastland, you wanted to say something.

MR. B. EASTLAND: Just a reminder, I think Ms. Garrett and Judge Massengale did a good job reminding everybody that they've interviewed that those -- for a whole area that was the most demonic, angry thunder and lightning storm that really anybody's ever seen. And so, at that point, what Edward's saying it's precautionary.

At that time, when I was at Cypress Lake checking the water levels of Cypress Creek and checking our campers and counselors and making sure I didn't need to evacuate anybody, and it -- fortunately, it didn't get close enough to me to evacuate. But my concern at that time was, if we got girls out, it was very likely they were going to be struck by lightning.

SEN. HUGHES: Mr. Eastland, I want to ask you a couple more things about those events right around that time. There's a photograph from -- our timestamp

is 2:14 a.m., and this was some folks from the grounds crew who had moved the canoes, which was the thing to do. That was understandable, of course, and they were in that garage which is not far from the office, a little bit higher ground, right? It has the second story above it. Do you remember that photograph with them gathered in the garage?

MR. E. EASTLAND: Yes, sir. I took that photo.

SEN. HUGHES: I was going to ask because I couldn't remember if you were in it. So you took that photo. I know things were happening fast. I know it wasn't long before you were by yourself. You, Mr. Juenke, and your father were in different places trying to -- trying to help. Do you know if there was any more communication or do you remember when the last time y'all talked to that group of workers in the garage after that photograph was taken at 2:14? And what -- just -- we know the water got up close to them but not up to that level is my understanding. Do you know when the last time you had any communication with -- with those -- those men there in the garage?

MR. E. EASTLAND: Yes, sir. I believe it was right around the time that photo was taken. We -- we had -- after they had moved the waterfront equipment

before 2:00 a.m. -- it didn't take them long, probably took them 5 or 10 minutes -- and they were driving back to their cabin, and at this point the water on Edmunson Creek, also called Bubble Gum Creek, was coming up. And the road back to their cabin crosses that creek, and so they couldn't make it back to their cabins. So they -- they stopped at the garage and -- and I guess sought shelter under there just from the rain.

SEN. HUGHES: Was it unusual for Edmunson Creek, Bubble Gum Creek, to block their way back -- back to their cabin?

MR. E. EASTLAND: No, sir.

SEN. HUGHES: Okay. So they're at the garage. Did you or your father give them any instructions, any direction, what they could do to help, what they should be doing? What was your communication with them like? What was yours first? And we'll ask about your father.

MR. E. EASTLAND: We -- well, we -- we had drove from the office to check and see if they made it back to their cabin. We -- we -- after I sent that picture to my wife, she was suggesting we could use some beds that campers are usually in -- in the Infirmary, that there were no campers in there. So they could -- they could sleep there for the night. We didn't expect

what happened that night at that point.

SEN. HUGHES: So there was no communication with them about assisting or -- at that point, evacuation was not yet -- had not yet reached our -- we didn't think we were at the level to think about evacuation at that point; is that right?

MR. E. EASTLAND: Correct, yes, sir.

SEN. HUGHES: Okay. And then do you know if your father had any communication with them beyond that?

MR. E. EASTLAND: I don't believe so, no, sir.

SEN. HUGHES: Was there a walkie -- did they have a walkie-talkie?

MR. E. EASTLAND: I believe they -- they did because they came after a walkie-talkie call. I didn't see -- see someone with it on them, but I assume they had one, yes, sir.

CHAIRMAN MEYER: But the communications that took place after that when you were trying to evacuate the girls, any communication with them? Did they hear the traffic and come help or they -- anything like that?

MR. E. EASTLAND: I don't believe they responded on any of our radio calls. I didn't hear

them.

SEN. HUGHES: Were they asked -- let me say that properly. Were they asked to come help?

MR. E. EASTLAND: I don't believe so.

SEN. HUGHES: Mr. Eastland, did you have something on that? You were heading for the microphone I thought.

MR. B. EASTLAND: I was just going to confirm about the radio call, Senator. Yes, I heard one of our men named Alberto at 1:45, you know, confirm that he would come over when my father radioed Edward and to get some of the men to come over.

SEN. HUGHES: And that was coming over to move the equipment?

MR. B. EASTLAND: That's correct.

SEN. HUGHES: Okay. So they had a walkie-talkie at that point?

MR. B. EASTLAND: That's correct.

SEN. HUGHES: Okay. Did you -- now -- now, we understand that you were in a position to overhear the walkie-talkie communication that night. That's my recollection; is that right?

MR. B. EASTLAND: That's correct.

SEN. HUGHES: Did you -- once the decision was made at 3:00 a.m. to start moving girls out of that

first cabin, was there ever any communication with those workers to come help or any communication with them at all that you recall hearing?

MR. B. EASTLAND: Not that I recall.

SEN. HUGHES: So they were never asked to come help?

MR. B. EASTLAND: That's correct, but just speculating, again, I was there at Cypress Lake at 3:00 a.m., and I -- I think it was still precautionary. I don't think anyone even at 3:00 a.m. knew what that river was going to do in a matter of seconds and minutes.

SEN. HUGHES: Mr. Eastland, anything on that? Do you know anything about communication with those men? They weren't too far from you, as I recall. Help us out with what was going on, what you were doing at that time.

MR. R. EASTLAND: At that time, I was not -- I was not aware of the flood.

SEN. HUGHES: Oh, that's right.

MR. R. EASTLAND: So I was with them later on in -- in the morning, but -- but at that time period I was not -- I was not aware they were there.

REP. DARBY: With the indulgence of the chairs, I may have a couple more questions, but I want

to -- I want to ask about one more thing at this point.

Mr. Eastland -- and -- and we're not here to parse your words or to take anything out of context. I made some notes, and you were talking about the plans for opening, and you said -- and I may have this wrong, but I wrote down, No plans to open the Guadalupe camp, this summer especially.

Did you -- again, I'm not fussing at you. Tell us about that. Now, we realize there's no application pending for the Guadalupe camp, but what about going forward?

MR. B. EASTLAND: Well, we're praying about that every day. We don't -- we don't know what the right thing is to do, Senator. So we have no plans for this summer to open Guadalupe River camp, but we've heard from hundreds of families. It's not been an easy decision for us to even open Cypress Lake, but we've heard from hundreds of families that they are asking us to please open and they trust us, and they're asking us to provide healing for their daughters.

SEN. HUGHES: Would opening that camp, hypothetically, down the road, would that involve putting girls back in the cabins that flooded?

MR. R. EASTLAND: Absolutely not. We just as a family decided we would never put anyone in a cabin

that had flooded nor would we put any campers or counselors in a building -- any building that was below that July 4th line if -- if we were ever going to rebuild, which I -- like Britt said, we don't know. It's uncertain right now. It would never be below that line.

SEN. HUGHES: We don't have the map in front of us, but how much of the flats would be available to you if you were going to follow that, which is a good rule, by the way. Thank you. But how much of the flats would be available to reuse based on that criteria?

MR. R. EASTLAND: It would be -- it would have to be on the hillside if we were going to build cabins in that location. Those cabins that were on the hillside right below it, I think they flooded maybe six feet on the inside above the floor level. So, I mean, that gives you maybe some perspective of, like, how high up we would have to go on that hill to build there.

SEN. HUGHES: Mr. Chairman, I may have a few questions later if that's okay, but I'll pass for now.

CHAIRMAN MEYER: Chair recognizes Chair Darby.

REP. DARBY: Thank you. I appreciate you

being here.

Several of us on this committee heard testimony in Kerrville. Certainly, we had Senate committee meetings on the bills that came out of those meetings and in the House as well. And so it's good that you're here before us today, and thank you for being here, for being candid, and -- and honest.

I want to ask some questions -- and you know, the morning is kind of -- I have a lot of questions. I'm not going to -- I'm not going to burden you today nor this committee with all the questions that I do have.

But do each of you believe that the investigative report that we received yesterday is -- is substantially correct? Does it accurately reflect the situation on the ground that you were a part of that night? I presume -- you were here yesterday, and so I presume each of you heard that. So that is that -- so I would like each of you to comment on, do you believe that that report is an accurate -- substantially accurate report?

MR. R. EASTLAND: Yes, sir. Thank you, Representative Darby. I feel like it is an extremely fair report. I -- I feel -- I feel like Judge Massengale and Ms. Garrett did a very good job. Like my

brother Edward said, they really listened to us and they -- they heard us, and I thought her report was extremely accurate, and I had a small little -- there were a couple little errors here and there, but they weren't substantial.

The only thing I took I guess issue with was -- was the counselor thing that we -- we addressed earlier and then the alert -- the warnings themselves. But, overall, I thought it was fantastic.

REP. DARBY: Okay.

MR. B. EASTLAND: Thank you, Representative Darby.

I -- I agree also that it was accurate in a lot of ways. My only opinion is it could be improved upon even more if the committee, you know, recognizes that I believe Ms. Garrett admitted that she wasn't able to confirm things about the floodplain, that we believe there's been some misinformation on in the media and things like that. But she wasn't able to talk to a hydrologist and engineers that had studied this.

And then the second group I think would be important to -- and it could be -- I know the Texas Rangers are involved and we welcome that. We've been cooperating with them, and it looks like they are going to -- possibly do a broader scope, but I think to

understand the magnitude of the flood affecting our entire community, including Camp Mystic, you have to interview some of the people affected outside of Camp Mystic.

REP. DARBY: Okay.

MRS. EASTLAND: I thought the report was very well done. One thing that we have seen as a family is water lines and a timestamp, which I think would be helpful for you all to see that, alongside their reporting and their mapping. If you -- if you do incremental times of where water level was, I think that that's important, too.

REP. DARBY: Well, we'll stop there. I, for one -- I'm sure the committee would also be receptive. If you have information that you would like to supplement our investigative report, I think the committee chairs and the committee would welcome that so, we'd like to see that.

MRS. EASTLAND: Okay.

REP. DARBY: Especially to your point about flood maps. Any -- any information you have, I think that would be important information to receive for this committee. Okay.

MR. E. EASTLAND: Yes, sir, I agree with my brothers and my wife, that they did a really good job,

and especially the times of where my father and Glenn and I were, I feel like that's -- that's been all over the place where, you know, I -- I knew what was true, and they really listened to me and -- and confirmed it with, you know, the cell phone data and the pictures and text messages. So I thought they did a really good job with that.

REP. DARBY: With regard to Senate Bill 1 and House Bill 1, both chambers worked very hard to try to make some -- make some changes in not only in the statute but in the culture that we've learned about over the last few days. Did we go too far? Did we -- did we get it right? Is there things that -- that from your perspective we should implement? And I'll ask about some of the things you've additionally done. But how about those two bills? There are some that say we went way too far. There's some that criticize us because of the broad brush that we -- that we put on paper. From your perspective, did we get it right?

MRS. EASTLAND: I think you got a lot of things right. Like I said, I think you did a really wonderful job on some of the ratios that we talked about, and I think we would love to help you and -- and get more dialed down on the things that -- that we do need. And I think it was a wonderful start, and we are

so thankful that the parents championed that, and I think you got a lot of it right. I don't have it in front of me, but the things that we needed to change were good.

REP. DARBY: Okay.

MR. E. EASTLAND: I do think -- and correct me if I'm wrong -- I think most of the issue is with the fiber optics requirement and we already had that. We had that in 2016. And I do understand that some of the camps were upset about that because it would cost so much to get those. Personally, I know fiber optics is the best. I think -- I think a lot of these camps maybe have Starlink or -- or -- or with -- what do you call it -- DSL? But -- but I -- I don't know if the fiber is something that -- that y'all could help the other camps on if they really -- you know, I think it costs several hundred thousand dollars for some of them to get it.

REP. DARBY: You know, the legislation created equipment that needed to be bought, changes in policy, and we required a new application form for DSHS. Everybody's been going through that right now. But I want to -- we rely upon our operators to be forthcoming and truthful in their representations. Of course, we require our agency to verify; trust but verify.

And so I'd like to direct your attention to

February of -- 23rd of 2026, and I'm going to quote this. Camp Mystic Cypress Lake is in compliance with all aspects of the state's new camp safety laws. There is consequently no regulatory basis to deny Camp Mystic Cypress Link its license. This was in February of '26.

In March of '26, another release. Camp Mystic Cypress Link campus is in compliance with all aspects of the state's new camp safety laws and has implemented additional safety measures that exceed the requirements of those laws. And I'll repeat that last part. The camp has implemented additional safety measures that exceeded the requirements of those laws.

Senator Perry mentioned earlier that the Department of State Health Services had noted 22 deficiencies just this past week. I guess, firstly, who authorized those compliance statements that were issued in March and February, and on what basis were they made?

MR. B. EASTLAND: Thank you, Representative Darby.

I'll speak to that. First, I want to go back to your first question. I also agree with my brothers and my sister-in-law that -- I appreciate all the work y'all did to put in a great -- great legislation for -- the new safety legislation that was passed in August. I do wish that -- I do think it can

be improved on. I do wish more camps in Texas were consulted on to -- to make it even better but I do -- I do agree that it's -- it's a good law. And I also liked that, in the new legislation, it -- it requires -- now that we know what this river can do, it requires better evacuation for camps that are even above the floodplain.

But that statement was just -- it was based on a lot of work by my brother Richard, by -- by Glenn, and we were -- yeah, just going to the statement that we put out because we've got a -- we've had close to 900 families enrolled. But as you can imagine, given a lot of the tension that's out there and questions in the media about the license application process, a lot of families are wanting to make plans, and we're getting a lot of calls and questions about it. And we were confident, based on everything we put into that and we were -- we believed we had a perfect application, but we did make some mistakes, and as I mentioned earlier, we've made those corrections.

REP. DARBY: Is -- one of the mistakes that people draw my attention to is -- is I guess the standard -- maybe you mentioned this, Richard -- that you drew from prior applications language about usage of the Guadalupe River. And I think that's created quite a -- quite an emotional crisis is the fact that,

according to the information you provided, part of the Guadalupe facility was being utilized, and if I can remember right, it had to do with, we're going to canoe, we're going to swim, and we're going to snorkel in the river.

Can -- can you -- can you understand the emotional trauma just the idea of that puts forth?

MR. R. EASTLAND: Absolutely, I can understand that.

REP. DARBY: Okay.

MR. R. EASTLAND: It's hard for me to get in the Guadalupe right now so I completely understand.

The -- the mistake was mine. I -- I took over the licensing process, and the -- the new amendment section required several things. They required us to map our borders. They required us to show the FEMA firm map, if any cabins were within the 100-year floodplain there on that map, to -- to show if they were over a thousand feet away from a floodway. And -- and so that was largely the amendment that I -- or the document that I worked on.

And in that submitting of that, there was also a small part on submitting your typical -- a typical schedule and activities descriptions. And I -- while doing the process, I -- I hadn't seen that. And

then I -- Oh, here's this document that we submit every year, and so I submitted it with it. And I really regret it because I did not mean to cause that trauma, and I did not intend for anyone to believe that we were going to use the Guadalupe for -- for this summer.

REP. DARBY: So it's your position, I guess the family's position, no part of the Guadalupe will be used if or when the license for operation of --

MR. R. EASTLAND: Absolutely, and there were other things in there, like camp craft, that said they were going to explore all 715 acres. That's not going to happen, but things like that. It is going to be confined to the Cypress Lake campus.

REP. DARBY: Okay. Now, you did mention additional improvements. I presume, did you say that you're going to file the revised application that addresses the deficiencies soon? Is that right?

MR. R. EASTLAND: Yes, sir.

REP. DARBY: And you're also indicating on that application that you've made some improvements that weren't required by statute but you thought were a good idea, including two generators that you installed, and I happen to agree with you. That sound -- that sounds like a necessary part.

Walkie-talkies installed in each cabin, I

think we had language in the bills that address that.

24-hour security at the gatehouse, and I thought we had that any way. I mean, that just speaks to common sense to me that you'd have somebody at the gate 24 hours and -- and would not let them leave at 2:00 in the morning or the night watchman leave at 2:00 in the morning.

So are we -- is it your testimony today that the application that you will submit over the next few days or weeks will address all these deficiencies and address any other improvements that you've made to the property that would -- would support the granting of the license.

MR. R. EASTLAND: That is my testimony. Glenn, who we hired to be our emergency coordinator, he's largely handling the emergency plan and how we're going to drill, and -- and so he is largely taking care of those -- those corrections. But -- but -- but with talking with him, I believe that is correct, sir.

REP. DARBY: Okay. Let's talk about the PA system. As you know, we -- the committee made a field trip last week, and each of us stood by the Twins I and II cabins. And it was particularly impactful looking to my right, within a few yards, the PA system speaker. Then looking to my left and seeing the stairway to the

Polish -- what do you call it, commissary? What -- what is that room?

MR. R. EASTLAND: The first floor was our commissary, and the second floor -- it's called a Polar Palace. It was called that before we got Polish --

REP. DARBY: Polar, okay. So what -- what's so striking about this is that there were, in Casey's view, several opportunities to -- to act in a certain direction. I would love each of your assessments. And I recognize the problem is that most of the adults were cut off from the flats, but yet there were still some adults at the flats, either in the garage, the maintenance area, or the -- I think we have the -- what do you call them, the three -- Big Three counselors. There's still counselors, but they've been -- I guess they're seasoned folks, and they were down in the flats. I understand, Liz, you were not -- you and Britt were not. Richard was there.

But I guess my problem is you had access to a system that could have communicated with the camp, everyone at the camp. Why -- why weren't -- what happened? Why couldn't somebody at three o'clock have said everybody head to higher ground? I mean, what --

MR. E. EASTLAND: So, again --

REP. DARBY: Walk me through that.

MR. E. EASTLAND: I've been through this night thousands of times, and what you were saying is a good point. I would say but in that moment and how fast it rose, it did not -- it -- it did not occur to us to run inside the office and make an announcement. Every minute was spent trying to get to the next cabin that needed help.

And there's a lot of things -- and y'all do make good points. I'll give you that. It's not -- I don't want to make an excuse for not using it, but in that moment, I was -- I was trying to get to the next cabin every time.

REP. DARBY: I get it and that -- you know, we're all faced hopefully never with a tragedy that played out on July the 4th, but we're all faced with emergencies in our lives and that of our families, and we are human and humans react differently under pressure. That's why hopefully we have plans, we have talked about it in advance, we have rehearsed it, we've planned for it, we've taught it.

So I think, you know, one of the concerns this committee has, of course, was the lack of a plan that had all those aspects of it. Even though required by statute, it did not exist. I think that the testimony and the report is very clear that, if there

was a plan, it was in Dick Eastland's head, and then he -- you -- you at this table executed it as he instructed you to do so.

So I just -- I just -- it's hard to believe that -- that you getting on a PA system as a final, last-ditch effort to get people to safety, that was not even considered nor executed. And that -- that's a nightmare. That's a nightmare.

And so, what we're about -- what we're trying to do here is create impetus and action on behalf of camp owners to develop a plan in conjunction with DSHS and TDEM and other professionals that map out a plan and then asking for that plan to be rehearsed, taught to the counselors, instructive to the students, and then -- and then actual -- actually acted out in real-time to demonstrate the effectiveness of the plan.

So is -- is that -- was that never considered by the camp? I mean, did you ever have an idea that maybe we should rehearse this or maybe we come up with a last-ditch warning on the PA system just to get everybody activated?

MR. B. EASTLAND: Thank you, Representative.

As you know, I was on the other side, but I think what happened that night when it became not

precautionary anymore, the evacuations from Bubble -- or Bug House, Look Inn, you know, all the way through Tumble Inn, when it became that trigger point, that y'all made a good point in -- in discussing it. The -- those -- those adults that were on the flats, they were cut off.

As you probably heard testimony and read the transcript from the last TRO hearing, Glenn talked about it not coming from the Guadalupe River. There was rapids coming from Edmunson Creek, and there was no way to safely now come, and that's when, you know, Edward went to Twins and my dad had already gotten to Bubble Inn, and Glenn stayed at Wiggle Inn.

But I -- yes, I -- I hope that the scope can continue to be broadened. I think if -- if Ms. Garrett or if the Texas Rangers are able to speak to other camps in the area, my understanding is because of the nature of that lightning storm and how angry it was, most camps would probably testify that they would have not sent their kids out in a lightning storm and they -- they wouldn't have heard the PA system anyway. But there isn't a day that goes by we didn't wish we tried those things.

REP. DARBY: Well, most of the deaths occurred in Twins I and II and Bubble Inn. I get it.

It's lightning, it's loud, it's raining, a lot of chaos, but I would suspect that they would hear the speaker that was located right next to those cabins. And at the last minute, the fear of lightning striking them would be minimal compared to the real prospect of them being overcome by the water.

I really have a problem with the word "precautionary removal." Precaution ought to be a part of the mantra of every camp owner in this state. They need -- everyone needs to be precautionary, I would have rather as we listened to that video of Taps being played the night before and knowing about TDEM's warning, their prepositioning swift water boats to the Guadalupe River, the forecast involved, I just hope -- I pray that, instead of having Taps, you congregate everybody up there in their bed rolls and say, We're going to have a slumber party. We're going to move everybody to safety. It's going to rain heavily tonight, and just with utmost view to protect each one of you, we're going to inconvenience you -- inconvenience you a little bit, and we're all just going to have a big slumber party.

I just hope that as we move through this and other camp owners move through this process that the word "precautionary" is really meaningfully deployed and not just talked about.

I do have one final question regarding the Upper Guadalupe River Authority. Richard, you had mentioned that the gauges upstream no longer were in service. I believe your dad was a member of the board for the river authority, was he not?

MR. R. EASTLAND: He was. I know at least two -- two times in which he was a board member, in the eighties and maybe early nineties, and then -- and then most recently.

REP. DARBY: So he was a board member at the time of the tragedy on July 4th?

MR. R. EASTLAND: Yes, sir. Yes, sir.

REP. DARBY: One of the frustrations that the committee had in Kerrville related to the opportunities that the board had and the City of Kerrville had to deploy not only gauges but warning sirens. They applied for grants. They applied for state, federal funds to fund that. They had the taxing authority, and they had over $3 million, my recollection is, in an account that they'd raised through ad valorem taxes.

But yet, when the grants came through, the board made a decision not to take those funds and install those devices but to wait until they got more money coming from third parties than they had to raise

themselves or they had to spend themselves.

Did your dad ever talk to you about that?

MR. R. EASTLAND: Not specifically about -- about the UGRA, no -- no, sir.

REP. DARBY: Why were the gauges no longer in service?

MR. R. EASTLAND: In I believe 1999, maybe 2000, they essentially became obsolete and -- and I believe the system was shut down in many ways. That was the --

REP. DARBY: That was the impetus by which your dad and others on the board --

MR. R. EASTLAND: Yes.

REP. DARBY: -- wanted to obtain new equipment --

MR. R. EASTLAND: Yes, sir.

REP. DARBY: -- new protections, and I agree with that. But I'm at a loss to understand why, confronted with the dangers involved in not having that equipment, that -- and you had the resources -- and they had the resources available to pay for it, that they did not do so. But that's a question for another day, I guess. Do you have something to add to that?

MR. R. EASTLAND: Yes, sir. Though I'm not sure about what was going on with UGRA, it was my

understanding that they were in the process of doing that but -- but maybe I'm wrong. I might be.

But I do know that in 2018 specifically asking for these things. Ms. Garrett put up an email that he had sent to us. It had -- a couple of emails, the one -- the video that you saw, but there was another one where he did say or he specifically talked about it.

The only limitations of the river level sensors upstream. During a major flood event that info can be crucial to buy precious time before it hits downstream. Back in the old days there was a level sensor at location nine, South Fork Ranch, but it was removed years ago. To me, that is the most crucial, as it will buy us about 30 minutes during an event. Location 13 at West Perkins would be good as well.

He was always trying to get that information because that information was important to him.

MR. B. EASTLAND: And Representative Darby, I'd also mention that you may have heard testimony from the transcript of -- of Glenn Juenke in -- in the prior TRO hearing. He testified that my dad and him were looking not just at UGRA gauges near it. They were looking at Guadalupe-Blanco River Authority gauges which should have been working and they weren't working

either.

And I do know one last thing that my dad was stressed about before July 4th. Actually, I had a conversation with him at lunch at camp on July 2nd or July 3rd. GBRA was heavily pushing for many in the area to spend money and be a part of a campaign to protect mussels -- endangered mussels in our river, and it was going to cost camps a lot of money to protect.

And so I -- we've done a public records request from GBRA to see why those gauges were not working that night upstream from us in our area and also asking how much money was spent on the Protect the Mussels campaign versus making sure these gauges were protecting our community.

MR. R. EASTLAND: Sorry, I would like to just add one more thing. I don't know if -- the USGS gauges that we have on our basin, there's one at Hunt, at Schumacher Crossing, which is about six-and-a-half miles downstream from us, and the North Fork and the South Fork had converged at that point. And then the second one is on the North Fork, but we did not have one on the South Fork.

I do know that there is now plans to be a new USGS gauge upriver of us I think at the Links Haven [Phonetic] Dam, and obviously, I'm very happy about

that.

REP. DARBY: Good, as I am.

Just one question. When do you anticipate counselors arriving at Cypress Lake?

MR. B. EASTLAND: We have scheduled opening day for our first session for campers on May 30th, and the week prior we -- we start getting staff in, but the cabin counselors wouldn't arrive until May 28th to start their orientation and training.

REP. DARBY: The statute provides you have 45 days by which to cure the deficiency. So it's your intention to cure those deficiencies quickly so that the DSHS can review your corrective matters and pass upon whether or not they comply with the statute or you comply with the statute. Is that your plan?

MR. B. EASTLAND: That's correct, Representative.

REP. DARBY: Okay. Thank you.

Thank you, Mr. Chairman.

CHAIRMAN FLORES: Senator Menendez.

SEN. MENENDEZ: Thank you, Mr. Chairman.

To the Eastlands, thank you for being here. I'm sure this is not an easy task. Appreciate your candor.

I would like to bring a focus back to the

events leading up to the Fourth of July. I think we have clearly made everyone aware that Mr. Dick -- Dick Eastland was very aware of the weather events. He served on the Upper Guadalupe River Authority board. He knew the area. As a matter of fact if I'm not mistaken if I remember correctly yesterday's presentation, he and your mom had been working there since they graduated from college, something like that, correct? Because apparently his grandmother purchased the camp in 1939; is that correct?

MR. E. EASTLAND: That's correct, yes, sir.

SEN. MENENDEZ: Okay. So, if my math, it's been 87 years that he -- that they owned that facility -- his -- his grandmother had owned that facility, correct?

MR. E. EASTLAND: Yes, sir. My great-grandmother in 1939 purchased the camp.

SEN. MENENDEZ: And so he grew up there. Obviously all of y'all grew up there. You were in that area.

I think sometimes when the word "complacency" is brought up, it's thought of as in a -- in deliberative complacency. I think sometimes complacency can occur from the fact that this is just what's always worked.

In the state, we review agencies every 12 years at a minimum. Whether they need it or not, we go through them. We take them apart. We look at everything. I'm not sure if you all took apart your procedures every 12 years or not. Did you have anything like that? Did you do anything where every so many years you would look at every procedure you did, everything you did? Is there, Hey, are we doing this right, have we checked this? Is there something like that? Can any of you testify that you did something like that?

MR. E. EASTLAND: Go ahead.

MR. B. EASTLAND: I know every offseason we -- we have several meetings as a family and with staff to find out, Senator, what we can improve on, what other camps are doing. We're members of a very wonderful campus -- members of C.A.M.P., a very wonderful organization called Camping Association for Mutual Progress. We have a fall meeting, we have a spring meeting, where we share ideas, share things that happened at our camp, things to improve on, safety things. And so it is a year -- a yearlong process that we're always evaluating and trying to do better.

SEN. MENENDEZ: Okay. Thank you.

On June 27th, there was a -- last year,

counselors arrived for training; is that correct?

MRS. EASTLAND: Yes, sir.

SEN. MENENDEZ: Okay. Who was in charge of the training of the counselors?

MRS. EASTLAND: Edward and I do the training of the counselors with the Big Three.

SEN. MENENDEZ: Okay. In that training, do you go over the medical information? I have a little cutout here that was on a slide yesterday that said, Medical information for counselors. Counselor responsibilities.

Do y'all go over that with them?

MRS. EASTLAND: Yes, sir, uh-huh.

SEN. MENENDEZ: And the slide I saw had number 3, floods, and then under three, it said, A, stay in your cabins, exclamation mark. Then after that it says, You will be informed of proper procedures over the PA system.

Is that what you were aware of?

MRS. EASTLAND: Yes.

SEN. MENENDEZ: So then if you're a counselor and you've gone through this training on June 27th, and it's storming on July 3rd or the evening, early morning hours of July the 4th, and you had just been trained a few days earlier, we stay here because we

will get information over the PA system, would you not expect that that's what they would understand since that's what you told them, correct?

MRS. EASTLAND: Yes.

SEN. MENENDEZ: But that's not what happened, correct?

MRS. EASTLAND: Correct.

SEN. MENENDEZ: Then on number C, it says, When in doubt, get help, exclamation point.

MRS. EASTLAND: Yes.

SEN. MENENDEZ: So if you're a counselor in Twins I and II, and there's only two counselors and the other counselor has the night off, how do you get help and leave the kids behind?

MRS. EASTLAND: You go to a neighboring cabin, and say, Hey, I need to go run to the Infirmary with this camper; I need to go to the office. And that's typically what happens.

SEN. MENENDEZ: That's what you tell them to do?

MRS. EASTLAND: Yes, sir.

SEN. MENENDEZ: Okay. All right. Because then under Counselor Responsibilities, At least one counselor should be in the cabin at all times, correct?

MRS. EASTLAND: Yes, sir.

SEN. MENENDEZ: Yeah, that makes sense.

I -- we've heard a lot about just -- apparently not the decision to go from three to two camp counselors, but apparently, all of you have said you agreed that the investigations report -- that the investigator's report, Judge Massengale and Ms. Garrett's report, was accurate and you felt good about it. I think there was one exception. You'd like to see more hydrological experts or floodplain maps, but other than that I think you felt it was a good report; is that correct?

MRS. EASTLAND: Yes. Like I said, I think it's important to see incremental water levels along decision-making decisions.

SEN. MENENDEZ: But in her report -- in her presentation yesterday, she presented to us that over the years that -- and in interviews with other people that had been there for years, they had been experiencing three camp counselors and not the two.

MRS. EASTLAND: I agree that is a good rule of thumb, but I don't think -- I think that's opinion, not fact.

SEN. MENENDEZ: So the question that I have is, is -- so was safety ever taken into consideration when only having two counselors and maybe the ones with

the youngest campers, the ones that needed the most help?

MRS. EASTLAND: Was safety?

SEN. MENENDEZ: Yeah, the safety of the campers.

MRS. EASTLAND: Yes.

SEN. MENENDEZ: Was it taken into consideration -- would we -- let's say if you have a cabin with 15-year-olds, they can -- they're much more able-bodied to be able to wade through two feet, three feet of water than an eight-year-old or a nine-year-old, would you not agree?

MRS. EASTLAND: It depends on the water I guess. I don't -- I don't know.

SEN. MENENDEZ: Well, I'm just comparing a 15-year-old to an 8-year-old with size to be able to move through water. Wouldn't a 15-year-old be stronger and bigger than an 8- or 9-year-old?

MRS. EASTLAND: Yes. My children waded through water that night.

SEN. MENENDEZ: Yes agreed. But they had, my understanding, is two adults with them at the time, or three. I think it was you, Tweety, and the other -- the lady who works for you.

MRS. EASTLAND: They waded on their own.

SEN. MENENDEZ: Correct, okay.

So the decision -- there was no decision on changing or moving from three to two camp counselors. It was just something as -- as it worked.

The inspection that occurred on July 2nd, the state sent out -- let's go look at the slide. The inspection sent out Inspector Maricela Zamarripa. Did the inspector meet with any one of you when the inspection occurs?

MR. E. EASTLAND: Yes. She -- she mainly met with me, but we also went to -- to Cypress Lake and met with Britt, met with Richard at both kitchens, met with Mary Liz at both infirmaries. So she saw all of us.

SEN. MENENDEZ: So, under the section that says Required Emergency Plans, there's a question that says, Is there a written plan procedure to be implemented in case of a disaster, serious accident, epidemic, fatality, and is it posted in the camp's administrative on-site office and location.

Is that a question that was posed to you?

MR. E. EASTLAND: Yes. She -- she asked for my -- my plan, and there's a binder on the bookshelf right next to where she was sitting.

SEN. MENENDEZ: Okay. Then the next

question is, Are all camp staff and volunteers made aware of the plan of emergency to be implemented during the staff training program or volunteer briefing? And there's an answer. Did she ask you that question?

MR. E. EASTLAND: I believe she did -- you know, I -- I can't remember exactly what she asked on the 3rd, but it was probably something like that.

SEN. MENENDEZ: And the final question is, Is there documentation of this training kept at the camp's administrative -- so, basically, did you document that you had trained the staff, volunteers to be -- so do you have that documentation? Because the answer is yes here.

MR. E. EASTLAND: I don't remember being asked that specifically, but I think -- I don't know -- the documentation of the emergency procedures?

SEN. MENENDEZ: Uh-huh.

MR. E. EASTLAND: She was -- she was able to see that, yes.

SEN. MENENDEZ: But the drills, too. It says, was that, all camp staff and volunteers made aware of this training, and so the question is -- like, just recently, I think it was Richard just said a few minutes ago, Glenn who we hired to be the emergency coordinator will run the drills. I heard him say that.

MR. E. EASTLAND: Yes, sir.

SEN. MENENDEZ: Who was hired to run the drills prior to last year?

MR. E. EASTLAND: I don't believe she asked about drills.

SEN. MENENDEZ: Was anybody running drills?

MR. E. EASTLAND: No, sir.

SEN. MENENDEZ: Okay. That's kind of where I'm trying to get to.

On the application -- who reviews the application for camp counselors? Who -- who evaluates those and hires them?

MRS. EASTLAND: I do.

SEN. MENENDEZ: Okay. So I went and pulled up one of those applications, and I was looking at them, and there were a lot of questions about values, their stance on tattoos, drug use, which is all fair, I guess. But I didn't see a lot of questions about qualifications to be, like, counselors, like, CPR training, water safety training, first aid, or even child safety training.

I'm just trying to figure out, did you -- did those things come -- when you were weighing who you would hire, were their qualifications on how they could assist the children in case of an emergency, were those

important?

MRS. EASTLAND: There are sections on there where they can add the training that they've had.

SEN. MENENDEZ: Okay.

MRS. EASTLAND: I don't have it in front of me, but they can check a box about different training they've had.

SEN. MENENDEZ: Okay.

MRS. EASTLAND: And then there is a question of -- about how you've dealt with kids before, you know, if you've worked with kids before. So there's opportunity to enter that information there, and then we do offer to counselors -- we offer every counselor the opportunity to come to lifeguard and CPR training, and that happens before camp.

CHAIRMAN MEYER: And how -- if you have this application process, how long does it normally take? I mean, do you -- how long -- when do you start, you know, trying to get people to apply and review applications? How long do you normally take in the process to get ready for camp?

MRS. EASTLAND: We open applications typically in November and then --

SEN. MENENDEZ: November the prior, so months prior to the --

MRS. EASTLAND: Yes, sir, because some counselors know their plans early, some learn theirs later. It's just varying on the counselor's part.

SEN. MENENDEZ: So -- but then yesterday we also heard that one of the camp counselors got a friend of hers to apply and she came in and started just recently; is that correct?

MRS. EASTLAND: Yes, sir. Yes, sir. That's -- the process to apply and get hired is the same whether it's three days before or three months before.

SEN. MENENDEZ: Does it give you time to review the application? I mean, do you do background checks on --

MRS. EASTLAND: Yes, we do background checks, and we do an interview process, and I review the application.

SEN. MENENDEZ: Okay.

MRS. EASTLAND: And also provide references. Excuse me, sorry for that --

SEN. MENENDEZ: So that's okay. If they don't have the training, do you require training? I know that you said you offered it. So do you require it if they don't have it? Would you train them?

MRS. EASTLAND: We require it for the lifeguards, yes, sir.

SEN. MENENDEZ: All right. Very good.

Yesterday I heard that there was -- there was a desire to protect the bubble, keeping some parents at arm's length. And I'm just curious, was that one of those things that had been sort of that way because it's always been that way or is that a decision? How did that happen? I mean, the trying to keep parents at arm's length or protecting the bubble, maybe keeping information. I'm not sure. I was trying to see if you could help me with that.

MRS. EASTLAND: I don't know what that exactly means. I was confused about that as well. I don't know -- I don't know what that means.

SEN. MENENDEZ: Okay.

MRS. EASTLAND: That's never been instructed to me as an employee to do any of that.

SEN. MENENDEZ: Thank you. Many of my questions have been answered, but I appreciate your time today.

Thank you, Mr. Chairman.

CHAIRMAN MEYER: Thank you. Chair acknowledges Representative Gamez.

REP. GAMEZ: Thank you, Mr. Chair.

I want to start off by thanking y'all for being here. I know this is extremely hard, but we heard

an extensive -- an extensive investigation yesterday because none of us were there that night. And it sounds like some of the individuals who are sitting at this table weren't even part of the investigation or part of the facts that gave rise to some of the conclusions we heard yesterday. And there are some hostile -- still commenting on them and I understand that.

But there's family -- when we talk about the ripple effect of trauma and that we heard earlier, there's family members here who still answers -- still have questions that need answers, and we might not -- we might not ever get that for them here today, and nothing that we say or do here today is going to -- going to rectify that or -- or heal that, but we need to try to do what we can here as a committee to move forward.

And -- and I don't know if you know but -- I can't speak on behalf of my committee members. I've been receiving what feels like hundreds of emails trying to -- what feels like lobbying or influence a licensing decision that wasn't posted or listed as part of the discussion here today. And so emails that include some pictures of some of the disaster and some of the devastation from the flooding in the aftermath, and I'm going, How did these individuals get these photos for one? And my second question is -- and I hope the answer

is no -- but is Camp Mystic in any way involved in what feels like this coordinated campaign to influence this committee to issue licensure to Camp Mystic?

MR. E. EASTLAND: No, ma'am, absolutely not.

REP. GAMEZ: Because I -- we're receiving these emails before -- what we received is notice of an emergency plan deficiency letter, which indicates some 22 continue -- this was as recently as last week. Some 22 violations, one being the audit category, flash flood warning evacuation plan, and the state notified that you received a mark of insufficient. The note being, The plan does not fully address all required evacuation elements within the flood and flash flood response section.

And so my question is, once you receive -- once Mystic received this notice of emergency deficiency plan letter, did the 800 applicants who have now applied to go back to Camp Mystic, did they receive notice of this audit deficiency?

MR. E. EASTLAND: No, not to my knowledge, no, ma'am.

MR. B. EASTLAND: I don't think we gave them specifics, but I think we notified our families that we got a deficiency and that we're working on

making the corrections. And -- and you're definitely bringing up very good points about our application and that we had deficiencies.

I'm sure many of y'all learned as well that the agency's looking at everything very carefully and under a microscope, and you may have discovered that the 360-plus Texas camps that are applying for renewal license, I think over 300 have received deficiencies. I think they're just being very, very careful, but we're going to make sure we make those corrections.

REP. GAMEZ: And one of our questions yesterday was what type of -- of mass text or mass information protocols did you have in place to notify the families at the time. I understand there was none; is that correct?

MRS. EASTLAND: We didn't have a mass notification system, no, ma'am.

REP. GAMEZ: But now moving forward is that something that -- that you have already fixed or are going to?

MRS. EASTLAND: I can't speak to that for what Britt has done at Cypress Lake but --

REP. GAMEZ: Because it just feels like the barrage of emails or coordinated campaign that we're receiving, these families, it seems like they're not

aware of this emergency plan deficiency letter, and I just want the public to know that there's no amount of coordinated political pressure campaign that is going to influence or stop this committee from doing what we have to do to protect these children and these families.

MR. E. EASTLAND: No, ma'am.

REP. GAMEZ: That being said, we -- I want to go back over a little bit of what Senator Menendez was going over. I'm trying to imagine in my head how -- how excited and enthused everyone must have felt on July 2nd when they were arriving at camp, some of them for their first time. They're thrilled, and then the administrators, y'all have to go through what feels like probably, oh, the nitty-gritty, I need to meet with the health inspector, I need to meet with the Department of Health and Safety. Is that about -- is that about right?

MR. E. EASTLAND: I'm sorry, can you repeat the question?

REP. GAMEZ: I'm sure there was a lot of excitement going on July 2nd. Everybody's arriving at camp for their first time. Children are being dropped off. But the administrators need to do, you know, we need to dot our Is and cross our Ts, and part of that is meeting with DSHS, the Department of Health and Safety,

correct?

MR. E. EASTLAND: Yes, correct.

REP. GAMEZ: And I see we have it printed out as some 16, 20 pages of what appear to be -- we keep talking about check boxes, this check boxes and check boxes of information, correct?

MR. E. EASTLAND: Yes. I believe those questions were on her laptop that I never get to see the full list --

REP. GAMEZ: And the individual sent out to -- to inspect was Maricela Zamarripa, correct?

MR. E. EASTLAND: Yes, correct.

REP. GAMEZ: You -- you don't pick them. You don't know who's coming?

MR. E. EASTLAND: No, we didn't.

REP. GAMEZ: Okay. But you knew they were coming on July 2nd correct?

MR. E. EASTLAND: Yes, they did -- they asked to come the week before and it was in between sessions, and I said you know -- they usually want to come out while we're doing activities and everything. So I said it would be better if you came while we had campers here.

REP. GAMEZ: Okay. And on this -- I'm looking at what -- what's titled Mobile Inspection

Report, and I was imagining her there with her iPad, but you're saying she was there with a laptop?

MR. E. EASTLAND: It was -- it was like a tablet, yes, ma'am.

REP. GAMEZ: A tablet. So there was nothing impeding her from moving around or checking out what she needed to check out, correct?

MR. E. EASTLAND: No, there wasn't.

REP. GAMEZ: Where were -- and I guess, Edward, why were you the one meeting with Ms. Zamarripa from DSHS?

MR. E. EASTLAND: I've met with her. Oh, I've met with the inspector since -- it used to be our brother James who used to do it, but -- but I -- I usually am the -- there might have been one time where I wasn't at camp where Britt probably met with them, but I usually meet with them because I -- I have a lot of the paperwork they need.

REP. GAMEZ: Right. But I'm -- and in particular, it's not just -- you agree with me this Mobile Inspection Report isn't just, you know, it doesn't just end with check boxes. At one point at the end someone signs off?

MR. E. EASTLAND: Correct.

REP. GAMEZ: Is this -- do you recall

signing off on the Mobile Inspection Report? Is this your e-signature under Edward Eastland, Owner/Operator/Manager?

MR. E. EASTLAND: I -- I believe that she had me sign her -- her tablet, yes.

REP. GAMEZ: Did you do it with your finger or --

MR. E. EASTLAND: I think it was my finger.

REP. GAMEZ: Okay. And why do you -- why did you sign-off of on this Mobile Inspection Report in the capacity of owner/operator/manager?

MR. E. EASTLAND: It's just one of my duties. I believe it was just easier to be consistent.

REP. GAMEZ: And along with your duties, I mean, are you not signing off because you are verifying to the Department of Health and Safety that this information that you have signed off on is true and correct?

MR. E. EASTLAND: Yes.

REP. GAMEZ: Okay. You are not doing it under oath, though? Right? I didn't read here that you are signing it under penalty of perjury or --

MR. E. EASTLAND: I'm sorry, can you repeat that?

REP. GAMEZ: Are you signing this document

on your laptop under penalty of perjury or under oath of any sort?

MR. E. EASTLAND: I don't know.

REP. GAMEZ: And I don't think you did. I looked everywhere to see if there was any sort of verification that what you were signing was true and correct, and there isn't on this document. And that's maybe something that we can change in the future, but for right now, we're taking your unverified signature that this information is true and correct; is that correct?

MR. E. EASTLAND: Correct.

REP. GAMEZ: So other than your signature and your affirmation that this information in this document is true and correct, what else was Maricela Zamarripa supposed to do to verify that this document -- that all the yeses in these check boxes are true and correct?

MR. E. EASTLAND: I'm sorry, what else was she supposed to do?

REP. GAMEZ: What else is the state -- the agent that's there on behalf of the state supposed to do to verify that everything that you signed off on these check boxes are true and correct, other than take your word for it?

MR. E. EASTLAND: Oh, she -- she went around camp with us. She also had me produce a lot of paperwork, and we went -- went to the kitchen --

REP. GAMEZ: So you are saying she exercised due diligence; you didn't stop her and say only stay in this room --

MR. E. EASTLAND: Oh, absolutely not.

REP. GAMEZ: You let her walk around, you let her move around. And how long did this mobile inspection take?

MR. E. EASTLAND: It was several hours.

REP. GAMEZ: She wasn't rushing you?

MR. E. EASTLAND: No.

REP. GAMEZ: She wanted to make sure that she got the answers in this -- as a matter -- who gives her the answers to these check boxes?

MR. E. EASTLAND: We all do. It -- I think with regards to what duties we have. Like Mary Elizabeth helped with the medical forms and questions and Richard with the kitchen.

REP. GAMEZ: Right. And they're both identified on this document, but you're the only one that signs it. Is there a reason that they didn't sign-off on it?

MR. E. EASTLAND: No, I don't know that

reason.

REP. GAMEZ: For example, one of the things -- one of the questions are, Are playgrounds and equipment used by campers in compliance with CPSE guidelines, and the answer is, Yes. Just, again, who tells her how to -- how to fill out whether to answer yes or no?

MR. E. EASTLAND: I don't -- I don't ever being -- I don't ever remember being asked about playground equipment. We don't usually --

REP. GAMEZ: There's -- there's almost -- there's over a hundred check box questions here, and you'd agree with me you don't remember all of them?

MR. E. EASTLAND: No, I don't.

REP. GAMEZ: That's fair. But in particular -- and I know Senator Menendez started going over this -- one of the check box questions, one of the hundred of them is, is there a written plan of procedures to be implemented in case of a disaster, and the check box answer says yes. So I'm asking you here, on July 2nd of 2025, what was that written plan of procedures implemented in case of a disaster?

MR. E. EASTLAND: It was in the -- a binder right next to or right next to where she was. It's a bookshelf in my office.

REP. GAMEZ: And you showed it to her?
MR. E. EASTLAND: I believe -- I believe she picked it up when I showed her where it was.
REP. GAMEZ: And Maricela read it and she looked at it and she took her time with it?
MR. E. EASTLAND: I think so. I don't remember how long she had it.
REP. GAMEZ: So you -- you led her to believe that there was, in fact, a plan to be implemented in the case of a disaster?
MR. E. EASTLAND: She asked where my emergency procedures plans were.
REP. GAMEZ: And you showed them to her?
MR. E. EASTLAND: Yes.
REP. GAMEZ: And so I guess my question is, as a state -- as a state agency what else is she supposed to do other than take your word for it that there is, in fact, a plan to be implemented in case of a disaster?
MR. E. EASTLAND: What else -- I'm sorry.
REP. GAMEZ: If we're trying to stop this from happening in the future -- you know, the state can only do so much, right? We're not making you swear to this. We're not making you do this under perjury. What else is the state supposed to do other than take your

word for it that there was a plan to be implemented?

MR. E. EASTLAND: I'm sorry. I'm having trouble with that question.

MR. B. EASTLAND: Representative Gamez, I think you're referring to the posted written one-page emergency plans that we had in all the cabins.

REP. GAMEZ: It's Representative Gamez.

I'm asking, moving forward, what do you recommend that the state do to verify that your plan is, in fact, going to be implemented in the future because we took your word for it in 2025?

MR. B. EASTLAND: Yes. Thank you, Representative Gamez.

We -- we know that this is a huge sticking point. Our written evacuation plan and written emergency plan that we complied with -- with DSHS, that we had in our cabins that's worked for a couple decades at the very least, but no one tells us from DSHS to change. No experts, no engineers, no one recommended that this needed to be changed.

But we appreciate the new legislation based on what this river, now that everybody knows, can do that obviously didn't work on July 25th, but we believe based on everything that was provided that -- all the historical data, everybody recommended things for us to

do that in the hundreds of years of Camp Mystic that it worked then, but we agree with you now that it needs to be changed. And that's why we are -- we have a 60-page plus emergency evacuation plan just like I think other camps are doing now.

REP. GAMEZ: Thank you.

Your second check box question here states, Are all camp staff and volunteers made aware of the plan of emergency to be implemented during the staff training program? When did the staff training program take place?

MRS. EASTLAND: It takes place when they arrive. That night we go over emergency procedures --

REP. GAMEZ: On July 2nd?

MRS. EASTLAND: No. The counselors arrived before the campers on July --

REP. GAMEZ: First?

MRS. EASTLAND: June 27th. We actually started camp June 29th, I believe.

REP. GAMEZ: How long did that training last.

MRS. EASTLAND: It's a day and a half of training.

REP. GAMEZ: What were these camp volunteers or counselors trained on in regards to the

event of a flooding disaster prior to July 2nd?

MRS. EASTLAND: We talk about staying in your cabins because we believe they were on safe high ground and that we would instruct them otherwise, if needed.

REP. GAMEZ: And this is really, really hard for me because I want -- and I know everyone on the dais wants to understand why there weren't three counselors versus two, and the issue of student ratio, camper ratio is a huge issue, but it sounds like this based -- irrespective of if there were three or two young women in those cabins that night, it sounds like, even if there was three, we would have just had one more young lady standing in water waiting to be told what to do, irrespective of the ratio.

And so my question that night is -- and we've established that clearly there's no doubt in anyone's mind that the loud speaker was working -- even when the first evacuation attempt took place -- and I'm so glad that y'all moved even then -- when the first evacuation attempt took place -- and we have three men getting in their cars, trying to single-handedly escort these young ladies out, why didn't someone get on the loud speaker then and say, All hands on deck; we've hit an iceberg?

MR. E. EASTLAND: Again, I -- I've been through the scenario many, many times, and all of these arguments are -- I've thought about. I've thought about all the things we could have done, and again, at that moment, I was trying to get to the next cabin every trip. It -- and I -- I agree that there are some things that y'all suggest and -- and using the PA, I don't know -- I don't know what would have happened. It depended on what time it was.

REP. GAMEZ: And I -- there's no doubt that according to the -- to the investigation that you were -- you were bending over backwards trying to make this -- trying to make this work, but there's still a lot of unanswered questions about what the -- I think they said nine adults were doing -- up close to Uptight.

Why did we not activate the nine adults that were in higher ground in Uptight? We walked that area. You can see from Uptight down the road. If I just peer over, I can see what's going on.

We saw the videos. You can hear. There's thunder and lightning but you can hear little girls screaming for help. So, even if they didn't -- even if all the adults on the hill didn't have cell phones or weren't texting or weren't calling, you could see and hear what was going on.

What were the adults on Uptight doing other than watching? And maybe that's some of the questions that we'll never have answered. I -- were those adults not part of the emergency training and volunteer staff training that took place prior to July 2nd that you're telling the public happened?

MRS. EASTLAND: They weren't a part of my training. I trained the counselors. So...

REP. GAMEZ: Are -- moving forward are any of them -- is everyone -- is everyone who's part of Camp Mystic, of your operation, going to be a part of this training and going to be told that they have agency and free will and the ability to take action if need be?

MR. B. EASTLAND: Yes, absolutely.

REP. GAMEZ: Thank you.

CHAIRMAN FLORES: Senator Kolkhorst.

SEN. KOLKHORST: Thank you.

Thank you, Representative Gamez. You covered a bunch of -- covered a bunch of my questions.

And I know this is hard on y'all, but I represent a little girl from Bellville, Texas, and so these are not personal. It is a very personal tragedy to all these parents out here. So I ask these questions for a little girl from Bellville who's never going to grow up, never going to laugh, play with her sister

again, never get married. I know y'all accept that. You've been working through that.

Edward, you apologized in your opening statements. I think these parents have been waiting for that for a long time. If we could go play this over again, there'd be so many things we'd do differently, and that's what I'm hearing you say.

The number one thing I want y'all to -- they just want answers. Dang, I want to hear -- Mary Liz, I saw a quote in The New York Times where you say, You just don't know how sorry we are --

MRS. EASTLAND: Yeah.

SEN. KOLKHORST: -- was your quote.

MRS. EASTLAND: We're so sorry. Every day -- every minute of every day we're so sorry.

SEN. KOLKHORST: Dang, man. I walked out of here yesterday, and for the first time I think I left a hearing and I said, Just losers everywhere, losers. And we -- we can't win, can't back up time, but what we can do or can do is get better for the future, and that's -- that's just kind of where a mom that is feeling the pain, nothing -- I can never feel y'all's pain enough nor can I live or walk in your shoes.

But the one thing that I think we can all do is we can say, as I said in the camera yesterday, to

every camp owner, anyone that cares for children, my gosh, learn from this. Learn from this.

So I want to hit on a few high points here. In your notebooks, Ms. Garrett, in your presentation yesterday; Senator, you hit on this, says in the notebook, floods, stay in your cabin, two exclamation motions; B, you will be informed on proper procedures over a PA system; and C, when in doubt, get help.

One of the things that I think was most disturbing is knowing that your father knew that river so well, and four inches does make a difference. We all know that area if you're a Texan, many, many generations.

When the two counselors came from Bug Inn and Look Inn, they were seeking help, weren't they?

MR. E. EASTLAND: Yes, they were.

SEN. KOLKHORST: So they were following that, but y'all took them back down to their cabin.

MR. E. EASTLAND: Well, when we took them back down, I think -- I think that was -- I think early on there was a lot of talk that we told girls to stay in their cabins as the floodwaters were coming up, but that wasn't the case. Whenever we went back to the cabin, it was a drainage issue with the water going under their doorway, and it was -- it was very early on. The water

was not even close to their cabin from the river.

SEN. KOLKHORST: That was at 2:37. And here's the thing, I tried to, like, think through this when we walked over there, and we stood on that walkway right between bug hut and --

MR. E. EASTLAND: Look Inn.

SEN. KOLKHORST: Look Inn -- Bug House and Look Inn.

I tried to make it analogous to maybe a pipe bursting in -- in the ceiling, and like, would you tell someone just go get some towels and wipe it up?

MR. E. EASTLAND: They -- they had already put down towels when we got there. It was -- it was -- I guess -- I guess a little semicircle around the door, and it was getting the counselors' belongings wet. The counselors had beds closest to the door.

SEN. KOLKHORST: And, again, I'm pointing these things out not to bring more misery to y'all, but we've got to make sense of this and everyone has got to listen that we just have to be better.

From 1:14 -- and I have to go to this slide, and I believe it was slide 42 yesterday. And, Richard, I think that you read from this -- Mr. Richard Eastland. You read from this, but you stopped at is going to -- flash flood is -- it goes through until

4:15 a.m. I won't read, you know, between one and two inches of rain have fallen. The expected rainfall is two to three inches, and you go on.

But the next line right there is, it says hazard, life-threatening flash flooding, thunderstorms producing flash flooding. Source, radar. Impact, life-threatening flash flooding or -- of creeks and streams, urban areas, highways, streets, and underpasses. Some locations that will experience flash flooding include Kerrville, Ingram, Hunt, Waltonia, Kerr Wildlife Management Area, and Lost Naples State Natural Area. I mean -- and I will just say life-threatening flash flooding, and that's at 1:14.

So we could walk through all these things, and my gosh, I want y'all to know that last night I prayed for y'all, and I'm going to pray for y'all every day forward because I can't imagine what you went through. But from 1:14 until I think Mr. Dick England [sic] at 3:51 when he was submerged, the timeline from Judge Massengale and Ms. Garrett, from three -- on the third attempt, 3:24 to 3:40 a.m., we were minutes away from saving everyone, would you agree?

MR. E. EASTLAND: We were -- we were very close.

SEN. KOLKHORST: And I think what's most

crushing is that some of the girls I think you told to walk, I just don't know at what time or what moment didn't you say to everybody, Let's walk, everybody walk, run, run. Instead of idly walking by, can I get my sister?

I just had to put that in perspective, and we all have to live with this. Did we have the right rules, but the thing is, is that at one point -- and I talked to all the camp directors out there -- common sense -- and I know you're fighting for this, but I have to point this out. It is -- it is so painful, and we are seeking the truth here. We are seeking the truth.

I need to clarify something. On that same slide 42, it said, Code Red, called Edward Eastland's phone. He also received the text alert and read the text at 1:51 a.m. True or false?

MR. E. EASTLAND: At 1:51, that was the first I'd heard that -- that she had a -- a red time, but that -- that makes sense because I got up at 1:45 and I probably saw it then. I didn't remember seeing it until the next day.

SEN. KOLKHORST: Okay. Just to follow up on the counselors, Senator Hughes and Senator Menendez, you drilled down on this.

It -- it seemed -- and one of the parents

reached out to me. It seemed, though, you know, getting counselors was difficult. I want to say -- and I think, Mrs. Eastland, that you said these are terrific people. My gosh, without their action, do y'all agree, without their action, passing people out of windows in the two cabins -- I think that was Chatter Box --

MRS. EASTLAND: Chatter Box and Nut Hut.

SEN. KOLKHORST: Without those heroic actions, like, my staffer and I, when we left your camp last Monday, we were silent for so long, and we broke the silence with, It could have been a hundred children lost, could have been 127.

MRS. EASTLAND: Uh-huh.

SEN. KOLKHORST: So not critical of the counselors at all, but -- but how much advance time do you hire them on, like, especially for that particular session?

MRS. EASTLAND: It varies. It varies.

SEN. KOLKHORST: Do you remember, Mrs. Eastland, on that particular term that started on June 27th, do you remember when y'all finally had a full -- and some argue that we didn't have enough counselors, three in the cabin. Do you remember when you did your last hiring at that time?

MRS. EASTLAND: I don't remember, but I've

heard that three days before from yesterday that I hired somebody, which doesn't sound unreasonable and probably happened.

SEN. KOLKHORST: Three days before the camp began?

MRS. EASTLAND: Uh-huh. The conversation I had with the counselor that wanted her to come, I actually said, No, that's okay, we don't need her because I know we had two brand new counselors that term. That's how popular the term was. And she said, Oh, but we all know her; we'd love to have her. And I said, Okay, have her apply, and she went through the application process.

SEN. KOLKHORST: That's something we need to consider and work through is those last-minute hires that we entrust -- and I mean, I'm talking about policy-wise that I think we all need to wrestle with, and I think we're all coming up with good ideas here, but I -- I don't know if -- if that's a good thing when these girls are going to be in charge of, I mean, babies, eight-year-olds.

I -- I want to go to -- I want to read to you Texas Administrative Code, section 265.15(E), and this has been in code for a long time. Under Medical and Nursing Care in subchapter B, Texas Youth Camps

Safety and Health of Chapter 265, which is General Sanitation, states, Camper death or confirmed cases of waterborne or foodborne diseases, such as -- and it goes through -- it's cholera, dysentery, typhoid, salmonella -- several things shall be reported to the Department of State Health Services'...Standards, and Quality...unit within 24 hours of occurrence in the case of disease, also talks about death.

I think, Mrs. Eastland, you testified during the court case -- and I've got the script here -- that -- have you reported the 27 deaths to the Department of State Health Services, since it's required by code?

MRS. EASTLAND: No, ma'am, I have not, and I testified to that as well, yes.

SEN. KOLKHORST: You did. You did. I actually was watching that live.

MRS. EASTLAND: Yeah.

SEN. KOLKHORST: So I have the blessing, but also, the responsibility of chairing Health and Human Services in the Texas Senate, and I just can't -- I can't get there. Why wouldn't you follow the statute? Even like, I get within 24 hours -- the words yesterday used in the report, "mayhem." We were urged by the investigators to look at the aftermath and how we handle

disasters. Not asking for the 24 hours. I'm asking for ten months later. Why?

MRS. EASTLAND: I can understand your question for sure. I just haven't done it because it -- it's also not only my responsibility. I would say that the camp hasn't reported them either, and I think everyone knows at this point.

SEN. KOLKHORST: But it's required by law and -- and I would just say this. I -- I know people that have sent their children to your camp, aside from these that are grieving out here, and I know that you are, you know, Christian, good people. It's how you've been described to me. One of my friends described Dick Eastland as a father -- second father to her.

And I -- I just -- I have to ask y'all this. It's required by law before we pass Senate Bill 1 of the special session, which we're going to need follow-up bills to that. But the basic statutes that were in law already, we've seen the deficiencies, as Ms. Gamez -- Representative Gamez had pointed out. And as we wrestle with this, and then your 22 deficiencies. I mean, guys, 22 deficiencies.

I'm dealing with camps, quite honestly, Senator Perry, that the only deficiency they're dealing with is the landline that we required in SB 1 because

AT&T and other providers can't get it to them on time. So 22 deficiencies, plus the code that I just quoted, and I for sure thought, Mrs. Eastland, that today, after this -- this is the transcript -- that you were going to answer me and say, Yes, ma'am, I reported those last week.

The culture that was described to us -- and I wrote those down -- about Mr. Eastland, a man who's been so long revered, this shouldn't be his legacy. But a culture that led us to some decisions, and quite honestly, as someone who works on these statutes in the area that I chair, I see that as such a large deficiency and such a defiance of the code that I would ask each of you -- and Mrs. Eastland, you said and it was -- I'm not sure if I heard it -- that if it's the will of the people that y'all not open the camp -- we're talking May 30th. This is April 28th. You have 22 deficiencies. You haven't reported the 27 deaths that are required by law.

And I say this with love and kindness. You both admitted -- all -- I think all four of you, and I'm so glad you're getting therapy. I think that is the right step. I cannot imagine what you're going through. But in light of everything that I've just pointed out, do you really think you're ready to take on 500 children

plus?

And I'm -- I'm not fussing at you. I am here with -- with my colleagues that write the laws that, as we say the license -- the license is a privilege to have. We set a standard. In some of our day cares and in some of the codes that -- in the Health and Safety Codes, if they have one death, we take their license away. Residential treatment centers, day cares, I mean, we shut them down. We shut them down. We've been under federal lawsuit for years how we -- things that happen in residential treatment centers. These are children, too.

And so I just -- I -- I would implore y'all to think through this as you hear these families today, and I don't -- I don't want any more pain on you, but we have to work through what they're going through.

Thank you for your apologies today. We have to learn from this.

Mrs. Eastland, report the 27 deaths. Adhere to the law. Please adhere to the law because we're -- why else would we write these laws? There's a reason to have laws. There's a reason that SB 1 is out there. There's a reason that you've been delivered a letter of twenty- -- what my mind says 22 deficiencies.

Quite honestly, I'm going to read a couple

of these on these deficiencies. I was so shocked by it. Flash flood warning evacuation plan. Parent notification of flood plan. Natural disaster plan. Camper safety training. Floodplain location map. Designated emergency preparedness coordinator. Fire plan. Severe injury, severe illness, death plan. Aquatic emergency plan, amongst other deficiencies.

And when I say this, as y'all are going through so much -- y'all are going through so much. Think this through. Are you ready to take on 500-plus children with 22 deficiencies and something so glaring as you have not reported the 27 deaths that are required by law?

MR. B. EASTLAND: Thank you, Senator.

We -- like I said earlier, the last thing we want to do is create any more pain for these wonderful families that are grieving. And -- but we just know if we -- we just know that, as I said earlier, that as the facts continue to come out, we just pray that people will understand that we did everything we could in this unimaginable flood and we were ready, based on everything that experts, government officials were telling us to do and what we believed based on our almost a hundred years of history. And we believe that through time we will -- we pray that we can reconcile

with these wonderful families, and we believe if we do it right, a year from now, five years from now, ten years from now, they will be glad that we had camp this summer. I know right now it doesn't seem that way, but I really believe that.

And we just -- we just pray through time, and we are ready, Senator. We've talked to hundreds of families, and Catie and I are going to be the directors along with any -- any of my family, and we just -- as I said, we're -- we're making those corrections, and they will be submitted today or tomorrow.

SEN. KOLKHORST: There -- in that report yesterday, and Ms. Garrett, you said that the deficiencies weren't just at Camp Mystic. I think we had testimony to that, Senator Perry.

Ms. Garrett also said something about remembering in 1987 -- I think we were both in college. How many times do we have to make this mistake to not keep our children safe? I'm imploring y'all. You're Christian, good people. Think this through.

May the 30th. This isn't October. This is April 28th. I'm going to keep praying for y'all because I know you're good people.

Mrs. Eastland, report those 27 deaths. Don't be above the law. Please, please, I'm begging

you.

MRS. EASTLAND: Thank you.

CHAIRMAN MEYER: Chair recognizes Representative Dyson.

REP. DYSON: Thank you, Mr. Chairman.

To the Eastlands, I want to thank you for being here. Thank you for providing our investors unfettered access, I believe was the quote yesterday from Ms. Garrett.

Of course, this is very emotional testimony, but we have to drill down and make sure that we do get the facts, and I know we've visited a couple of times today, but I want to drill down on it a little bit more. And I want to start by simply asking, did y'all have an evacuation plan? Yes or no.

MR. B. EASTLAND: Yes, we did. It was posted in every cabin, but we also agree that it didn't work this time.

REP. DYSON: What was that evacuation plan?

MR. B. EASTLAND: We -- as y'all know, the law required -- I think it's section 26 -- 265.15, section K, that we have written emergency plans that include being prepared and instructions to our campers and counselors for situations that include disasters, loss of life, I think illnesses, and serious accidents.

And if y'all look at it again, the top part mentions serious accidents, which could include -- we have a horseback program -- which includes what to do in case you fall off a horse, what people -- folks should do.

The next thing was in regards to tornadoes which was a very specific evacuation plan -- sorry, for fire -- was evacuation plan for fire to go, the flats go to the flag pole, and Senior Hill, go to the Golf Box. It was a very specific evacuation plan.

The next situation, tornadoes, which is stay in place, which is, you know, again, what experts have told us you're supposed to do in a tornado.

The bottom dealt with serious illnesses, what you're supposed to do, reporting it to the nurses if someone's sick.

So the last plan I know that is the sticking point is mentioning the floods, and we hope through time everyone understands the reason that was in there was not required, because none of our cabins were in the floodplain, but my dad was so nervous about girls being curious, going near the water during a flood, was to stay away from that. And -- and so it does mention even that -- I know this is going to a fact issue at trial, but we had an evacuation plan that wasn't required because we were not in the floodplain. But it

said stay in your cabin, stay in place until notified by the office, and that's what we did last -- that's what we did on July 4th, and we -- and we know it didn't work, and we hope through time people understand the magnitude of this flood.

And one last thing I'd mention, Representative Dyson, the video that was shown to y'all -- I appreciate that by Ms. Garrett -- I wish y'all to watch the whole video because about the danger of a flash flood in our area, but it also mentions about stay in place and turn around, don't drown.

CHAIRMAN MEYER: If I might -- Mr. Tyson, I hate -- I'm sorry just because you're on topic. How is that an evacuation plan to stay there? Tell me how that's evacuating anyone to stay there? The evacuation plan is, Counselors, get up, put them in a plan, get them out. So please explain to me how telling someone to stay somewhere is an evacuation plan. That seems like the antithesis of an evacuation plan.

Sorry, Mr. Dyson.

MR. R. EASTLAND: It's a very good question, sir. The evacuation plan is, until we tell you otherwise, that is, or tell you what to do, and I understand that it -- it did not work here. I get it. I understand it. But --

CHAIRMAN MEYER: But explain to me how that's a plan to evacuate. Like I just -- I can't understand, just using the word "evacuation plan" leads me to believe I'm going somewhere. That can't -- that can't be a plan to evacuate. Can we -- can we at least meet there?

MR. R. EASTLAND: Yes, sir.

CHAIRMAN MEYER: Okay.

MR. R. EASTLAND: Yes, sir. Yes, sir.

CHAIRMAN MEYER: Okay.

MR. R. EASTLAND: And I think you all have talked about you said that my father had this plan in his -- in his brain and something he had done in '87 and '78.

The plan -- I just want to say this, that his biggest fear when it came to floods was the girls would be curious about them because floods are interesting, and we feel safe around water. It's different from, like, looking over a cliff. And he was terrified about people wandering down when we're having a flood event because some of these flood events do happen for several days. And so to him, it was important to hammer home to people to stay in your cabins with your counselors, because he was so afraid of kids wandering off, until told otherwise.

CHAIRMAN MEYER: But if they had a plan in place --

MR. R. EASTLAND: Yes, absolutely.

CHAIRMAN MEYER: -- and as we discussed, as the investigator said, we -- you know, the camp was built on obedience and following the rules and so forth and so on. So, if the plan was in place to evacuate, they wouldn't be wandering by the river. They would be evacuating with their camp counselors in an orderly fashion, and that's why the stay in place is not an evacuation plan.

MR. R. EASTLAND: What my father was worried about was the chaos that Ms. Garrett talked about with Nut Hut and Chatter Box. He was worried about --

CHAIRMAN MEYER: Right, but wouldn't you agree, if they had a plan, there wouldn't be the chaos. There was the chaos because there was no plan.

MR. R. EASTLAND: With us -- I'm just talking --

CHAIRMAN MEYER: Understood. I understood. You're talking about those two cabins.

My point to you is this, there wouldn't have been the chaos if there was an evacuation plan. Can you agree with me on that?

MR. R. EASTLAND: I would say yes and no, sir. I don't know. I don't know if -- I think what he was afraid of was that -- that campers and counselors would self-evacuate into a dangerous situation. Does that make sense?

CHAIRMAN MEYER: Not really because that's why they have a plan, and so if the plan is -- is organized and orderly, and that's why in this situation the plan shelter in place clearly did not work, and they were obedient to it to a fault to where these cabins filled with water, and they weren't going anywhere. And so that's why having an evacuation plan is so important.

And these girls listened to y'all. They listened to their counselors. And if there was an evacuation plan, you wouldn't have lost any girls. That's just the reality of the situation.

And I appreciate the tough spot you guys are in, and I appreciate y'all being here, but there's also appreciation of facts and acknowledgment of what actually happened. And so that -- that's my point now. I will have time to ask questions.

I apologize, Mr. Dyson. Please continue with your line of questioning.

MR. R. EASTLAND: Yes, sir.

REP. DYSON: That's all right, Mr. Chair.

I think you took a couple of those questions, but I do want to expand a little bit because we talked about there's obviously -- there's a lot of camps in that area, and my -- my understanding is that the camp community around there is pretty small and that y'all probably know most of the operators, owners that are in that area.

Did y'all ever have any discussions with any of them about flood evacuation plans over these years?

MR. R. EASTLAND: I -- I'm not sure specifically about flood evacuation plans. We do have a yearly meeting with Texas camps where we go over general things like counselor recruitment or, you know, things, but also, we talk about safety and ways to improve safety. The health department usually comes, talks to us about the things they're focusing on, you know, in specific years, things we need to work on.

But I -- I do not recall anything specifically about -- about floods. I will say that, after the 2015 Memorial Day floods, I'm sure that had been a subject, and it was probably talked amongst the camps, but I do not have the personal -- I -- I might not have been there that year to --

MR. B. EASTLAND: Thank you, Representative

Dyson.

I -- I do know that after the 1987 tragedy where camps -- a camp tried to evacuate the property by bus and ten children died, I know there was much discussion amongst camp communities that to never do that again, to -- to not try to evacuate over low water crossings.

REP. DYSON: And I know I'm revisiting this, but I just want to know, when it comes to specifics on flooding events, what was the plan? Was there some type of metric that you're looking for and whether it be your father that was looking for that, what was the plan? Not whether it was written or not, but did y'all have a specific plan?

MR. R. EASTLAND: That is -- his plan was to move the girls to -- to our recreational hall from those cabins.

REP. DYSON: At a certain metric, at a certain time? When -- so when we're talking about a flooding event happening, whether -- not just talking about specifically July 4th and not just talking about that night, but going in there -- because my belief is plans can fail but preparing -- planning is what prepares you.

And so I just want to know, going into this

camp session, what was the plan if a flood were to happen? Do any of y'all know what that plan was going into it?

MR. R. EASTLAND: Like the threshold, the trigger point, the red -- the red button?

REP. DYSON: Well, yeah, and to me, a plan would have a threshold and then an operation part to it that you knew and when all this is triggered, yes. So that threshold would be part of that plan.

MR. R. EASTLAND: I do not know what his threshold or what his -- his trigger point was when he started. We -- we talked about how Francis' call was -- was very much a main part of that, but as Ms. Garrett said, he was also out on the camp looking out at the river, looking and determining whether the kids were still safe in the cabin or whether to move them to Rec Hall.

REP. DYSON: Okay. Mr. Edward Eastland, sorry, just to try and make the record -- and I might just go with y'all's first names to make it a little bit more clear on the record.

MR. E. EASTLAND: That's fine.

REP. DYSON: But going back to what Representative Gamez was asking you about and about this inspection report, where you're asked all these

different questions -- and we visited -- one was asking about the written plan of procedures to be implemented in case of disaster, it goes on. It somewhat parrots the statute, but what I notice is missing out of there it does not specifically ask about evacuation plan, right? Did anyone ever ask y'all about what your specific evacuation plan was for flooding?

MR. E. EASTLAND: I don't believe they asked that directly, but they -- they always checked the emergency procedures book.

REP. DYSON: Okay. And if they checked your book -- but if you were to be asked that question, how would you have answered that question? Since you are the one providing the information to DSHS.

MR. E. EASTLAND: How would I answer that? I would show them the plan, and if they told me it wasn't sufficient, I would have changed it.

REP. DYSON: Okay. And this is a plan that y'all submitted with your permit or only when you had -- how does that work on permitting? Is that something you --

MR. E. EASTLAND: I don't think it's a part of the license application, no.

REP. DYSON: Okay. Okay. All right. Did y'all ever have talk with any county officials about

emergency planning or preparation for floods?

MR. B. EASTLAND: The local -- this is Britt Eastland for the record.

The local safety coordinator Dub Thomas I think at various times tried to get the camps together to talk about things like that, emergency situations, but I don't recall it being -- it had been some time.

REP. DYSON: Okay. So is it safe to say in the area there was not an overall plan about when an evacuation may be needed to happen down by the river for these youth camps?

MR. B. EASTLAND: You mean evacuating our property?

REP. DYSON: Just even evacuating down by the river or flooding at a certain level, any warnings or anything like that, locally, from any emergency planning officials.

MR. B. EASTLAND: I don't -- I don't recall, Representative.

REP. DYSON: Okay. And I think we hit on that y'all didn't really ever -- the camps never really got together to discuss this issue or kind of what best practices would be along the Guadalupe or just in that general area.

MR. B. EASTLAND: Just like I mentioned,

Representative, the best practice was to stay in place, what we were trained by FEMA and many officials, and yeah, so no -- no -- no coordination. I think most camps are like Mystic. We're not in a floodplain, but -- but obviously, now we're appreciative of the new legislation that requires an evacuation plan for flooding, even when you're above the floodplain. And so many camps are working very hard on that in their application.

REP. DYSON: Okay. That's all the questions I have, Mr. Chair.

CHAIRMAN FLORES: Senator Perry.

VICE CHAIR PERRY: Thank you.

Britt, I believe, it's your position that none of those cabins that had loss of life are in the floodplain?

MR. B. EASTLAND: That is correct, Senator. Bug House and Hang Over, their -- their foundation, which is several feet down below the floor is, there's, like, maybe two feet of Bug House in the floodplain, but the floor is like eight feet above that. It's above the floodplain.

VICE CHAIR PERRY: Are you aware that FEMA updated the flood maps in the Guadalupe basin in 2011?

MR. R. EASTLAND: Yes, I believe so.

VICE CHAIR PERRY: All of the relevant cabins, including Bubble Inn, Twins I and II were then located within a floodplain, with exception to -- also Twins I and II were also in the floodway.

Your dad had extensive knowledge. That is undeniable. His time on UGRA as dysfunctional as that river authority was to the point that we saw fit to put them under sunset. That bill didn't pass. So -- so I would not qualify them as legit, but I would say your dad on that board was an asset.

In 2013, the Eastlands were able to carve-out of the floodway and the floodplain through a process through FEMA for Camp Mystic to pull those cabins out. So I want to be really clear. We're playing semantics here. And you've been extremely consistent in setting the stage for the court, and I find that offensive at some level personally.

You know, I know it's your job to defend your livelihood, defend this -- every time you say, you know, I kind of asked the question broadly. I'm going to ask it when I finish here real quickly. Do you think you deserve another bite at the apple? I would argue the deficiencies alone, if we're objective, everybody makes a hundred on a test when they have the answers. Y'all didn't even make it through to passing on the

second round. So I don't even understand how you could legitimately even think you're responsible to be in it.

But I want to squelch this floodplain conversation because, whether it is or isn't, I guess you've got a lot of hydrologists, paying a lot of money to figure out whether they're going to say it is or isn't. But at one point, it was in there to the point that FEMA said it was, and then there's carve-out, and they're no longer allowed at state level now. My bill prohibits carve-outs and waivers. And I would assume knowing this culture and this industry that a lot of politics was applied to get some of those.

But it's disingenuous -- extremely disingenuous to play on the lack of knowledge because this is not a subject matter expertise a lot of people have to say, It's not a floodplain and floodway. Just kind of let that fly over as if y'all just don't understand our cabins were safe.

That -- that's a -- that's a very nuanced answer that plays to the whole culture thing, that plays to how you can pull an application from prior stuff after the events that have transpired. This is all lining up to be -- I said it earlier, I don't know if it's incompetence or arrogance, but y'all seem to have as a family unit this idea that we are above -- I like

the word -- disregard for what we think is good for the state as a whole. And the fact that you've got parents that were not privy to this process the last two days saying we want to come back, and if they still do that's their call, but that's your benchmark for you're qualified? That makes no sense to me.

But this floodplain/floodway conversation is important. It's very detailed. It's very in the weeds. And for you to lay it out there like we didn't have that problem is just disingenuous because your dad got them carved out. Whether they should have been in or should have been out, there was a deliberate effort to pull them out.

I would assume partly because you wanted to fill the cabins. I would assume insurance was getting to a point where it was hard to have that question. Do y'all have insurance by the way for liability for -- for the event that's currently transpiring? I assume so down the road. Do you have insurance to cover that?

MR. R. EASTLAND: For -- for this year?

VICE CHAIR PERRY: No, for your civil process. Do you -- do you have a civil insurance policy?

MR. R. EASTLAND: Yes.

VICE CHAIR PERRY: I'm frustrated and we've

been all over this, and I'm not going to -- a PA system as important as it was would have been worthless if you had not trained the counselors in the cabin to what to do.

So we can keep going around the circle and we can keep chasing this tail, y'all are not ready to handle kids. And I would tell you, the patriarch of the group has done you a tremendous disservice by example and by history and by instilling a fear, I believe, Dad's always right, never question. And it manifested itself into 27 lives lost.

And I would agree 100 percent with Chair Meyers. An evacuation plan by definition means you move, and that's a Captain Obvious moment for anybody that's paying attention.

But I will not let you take this floodway/floodplain conversation to a level where it's not relevant because it's not one of the cabin's issues, when by some little political tweak it pulled it out. And if it isn't in there, it's by fractions, and the idea that the river has never been here before, it happened in '32, not to this level and this height, but it had the same effect. It washed cabins away. So you don't get to rest on that one either.

I'm just floored honestly. Not

specifically to any one of y'all other than you, sir, seem to be setting up the defense, the constant. So my question to all four of you -- if you don't want to answer, I respect this -- do you feel like you have the right to ask the state to grant you another bite at the apple with all that's transpired the last year? Edward.

MR. E. EASTLAND: Can you --

VICE CHAIR PERRY: Do you believe that -- let me ask it this way. If -- and I don't know where DSHS is at on this, but if they were to find you deficient and not issue a license, are y'all going to aggressively pursue the timeframe and the appeals process for the next year and put everybody back through this process today? Will you trust the state?

MR. E. EASTLAND: If we don't have a license, we're not having camp.

VICE CHAIR PERRY: There's an appeal process.

MR. R. EASTLAND: We understand that.

VICE CHAIR PERRY: And there's a process, but that takes 45 days. So you can literally bleed this out to where this camp season is passed, and under the current rules, you get to kind of operate until this is resolved.

MR. R. EASTLAND: We understand that

Senator, and we will not have camp if we don't have a license.

VICE CHAIR PERRY: You will not appeal -- you will not appeal the state's findings?

MR. R. EASTLAND: We'll probably appeal it but we will not have camp.

VICE CHAIR PERRY: You're mixing words --

MR. R. EASTLAND: We won't have camp at Cypress. We will not open Cypress if we do not have a license.

VICE CHAIR PERRY: Okay. Thank you.

MR. B. EASTLAND: Senator, yeah, we plan to correct all the deficiencies, so I think by law we should be able to get a license.

VICE CHAIR PERRY: Okay. If you're able to correct these deficiencies and get a license, just as I said very early on, whatever allows that to happen will be different after next session. So, as a finance model, if I have had my way, only figure this as a one shot.

CHAIRMAN MEYER: Chair recognizes Speaker Moody.

VICE CHAIR MOODY: Thank you, Chairman Meyer.

I just want to be very clear, and obviously

you all have counsel in this process. So I'll echo this as a lawyer if there's something you don't want to answer, you don't have to have answer it. But it seemed clear to me what you said was, intention to clarify any deficiencies that have been submitted to you within the next couple of days is what I think I heard testified to.

If license isn't granted, while you may appeal and avail yourself of the appeal system, the decision that y'all have made as operators is to not operate in 2026 until that appeal is handled. Is that what I -- I just want to make sure that's very clear.

MR. R. EASTLAND: That is correct.

VICE CHAIR MOODY: Okay.

MR. B. EASTLAND: Representative Moody, I believe we are going to talk as a family because I believe there's some kind of misunderstanding. All camps that have applied for renewal do have a valid license, and so I believe that it'll be a family decision. We can't say anything on the record that -- what we'll do in that aspect.

VICE CHAIR MOODY: Okay. Understood. I just wanted to make sure what I was hearing and wanted to give the opportunity to clarify just because I think that is -- I think that's something that people are

interested in hearing.

I do want to go back to -- and I don't want to belabor this point when we're talking about evacuations -- and I think we've gotten to an agreement that the shelter in place is not an evacuation, and as Ms. Garrett said yesterday, shelter in place works until it doesn't, right, and there's a trigger point for that decision-making process, you know, how much time, and again, Edward, you talked about reliving this over and over and over again. I'm sure you've figured out those minutes in your mind, too.

But when we read through those three bullets on a flood -- on flood evacuation, stay in place, as we agree, that's not really an evacuation. Then the second point is, We'll tell you what to do. So I -- and I think, Richard, it may have been you that said, The plan that my dad had was evacuate to Rec Hall, right, that was -- okay. Was that plan that was -- it's clearly not -- it's not on paper, right? It just says, Wait until you hear from us.

Was anybody trained at a point to say, When you hear the word "evacuate" it means one counselor in front, one counselor behind, depending on how we're running there and it means walk to whatever safe site it is? Was that ever conveyed to anybody in training?

MR. R. EASTLAND: No, sir.

VICE CHAIR MOODY: No. So I guess that's the part that I think that's going to trouble folks is there was discipline, there was obedience, and I think people are going to stay put and did stay put, and had that plan, even if it wasn't on paper, had been conveyed to folks, When you hear the word "evacuate," it means X, Y, Z, then I think the instructions become a lot easier because you follow the plan that's in place.

And it -- it's not for us to say whether the plan would have worked to perfection or not. Some plans do and some plans don't, but a plan is something that people can follow and more often than not if it -- it can lead to a safer situation.

And it leads me to -- to talk about what Senator Kolkhorst was mentioning because I think there's a verbal -- there's a verbal instruction, Edward, I think from you to the campers in Jumble to walk to Rec Hall. Is that -- do I have that correct?

MR. E. EASTLAND: Yes, sir, so I had a --

VICE CHAIR MOODY: You were going --

MR. E. EASTLAND: I was in my truck with a full truck from the previous cabin before Jumble House.

VICE CHAIR MOODY: Coming back up?

MR. E. EASTLAND: Yes, I think it was

Tumble Inn 1 was mostly in my truck.

VICE CHAIR MOODY: Okay.

MR. E. EASTLAND: And the counselors were out on the porch, and one of them asked me, Should we walk, and I said, Yes.

VICE CHAIR MOODY: So -- okay. So they made an inquiry, you said yes, and then I think --

MR. E. EASTLAND: Yes, sir.

VICE CHAIR MOODY: Because we have I think a timestamp photo of about 3:26 a.m. of campers from Jumble walking to Rec Hall.

MR. E. EASTLAND: Yes, I believe those were the same campers I told to walk.

VICE CHAIR MOODY: Okay. So somewhere between, you know, 3:20, 3:25, or so, that's when you had given that instruction. Was -- I know you said this a couple of times, and I certainly respect the difficulty of the situation. You said, In that moment I was trying to get to the next cabin, right? We are trying to do what we can.

Was that instruction verbally given to anybody else? Because according to the plan, wait for instruction. They got -- they got that instruction from you, and they did what they were told. Was there any communication to get that same instruction to anyone

else while they were -- because I think in that photo, ankle deep, I think we are looking at ankle deep water. So at that point you thought it was necessary for them to walk and get away from where they were at.

MR. E. EASTLAND: Yes. That -- that water that was -- I believe that was the volleyball court in that -- is that the picture you're referring to?

VICE CHAIR MOODY: Yeah. I -- I think the courts are in the foreground and the grass field is in the back.

MR. E. EASTLAND: Yes. Where they were, it was about ankle deep, but I think that video that one of the Polish workers took was right around the same time around --

VICE CHAIR MOODY: Around Twins. And so traversing different areas, it's going to be at varying heights of water, I get all that. But at least at that moment -- because I know we talked about lightning and other -- there's other dangers and -- right? At that moment, though, when faced with that question, the safest thing to tell the folks in -- the campers in Jumble to do was, yes, get together and walk.

And it -- you're doing your best to go back and forth. Is there any communication to get that word to anybody else, if safe, if this, then -- then walk

because we're probably talking about, right, 20 to 25 more minutes where that would still be an option?

MR. E. EASTLAND: I don't believe that -- I think Glenn had told -- which cabin -- Giggle Box, he gave them instructions on because they couldn't get to Rec Hall at that point.

VICE CHAIR MOODY: They couldn't safely traverse that ground --

MR. E. EASTLAND: So no --

VICE CHAIR MOODY: -- so then they go up the hill.

MR. E. EASTLAND: Yes, sir.

VICE CHAIR MOODY: Okay. Okay. I talked a little bit about the Big Three yesterday. Who was -- who was or when -- who was tasked with and when were they awakened to help evacuate campers?

MR. E. EASTLAND: I know that Glenn woke -- or I don't know if he woke them up. They were probably already awake.

VICE CHAIR MOODY: Okay.

MR. E. EASTLAND: But he had talked to the Big Three.

VICE CHAIR MOODY: Okay. And can anyone -- can any one of you address if you have the -- if you have the information what the Big Three did in any

successive evacuation once they were awakened?

MR. E. EASTLAND: I don't know -- I've seen pictures of them on the porch at Kozy, but I don't -- I don't know their exact actions that night.

VICE CHAIR MOODY: Okay. Do any of y'all have information to that effect. No?

MRS. EASTLAND: No.

MR. E. EASTLAND: No.

VICE CHAIR MOODY: Okay. Thank you.

And I do want to clear up, when we talked about the PA a lot, it was after -- I think the investigators I think were being as -- as legally precise as they could be. They said, We have no information to the contrary that it wasn't working. We know that the power goes out at a certain point. It's within a certain range of time.

If the power is out, it would mean that the PA wouldn't work, right? So whenever that happens, we don't have PA anymore.

MR. E. EASTLAND: Correct.

VICE CHAIR MOODY: Okay. So we do know that we can at least say that, whatever that band of time is, the PA's out, but we do know, if power's on, should be accessible. And I'm not going to get to the point -- we've already talked about utilization or not

utilization. I just want to get to the point was anybody aware that it was not operational up until power going out?

MR. E. EASTLAND: No, sir, I don't know that.

VICE CHAIR MOODY: Okay. All right.

Thank you, Mr. Chairman.

CHAIRMAN FLORES: Members, any follow-up? Any members? Chairman.

CHAIRMAN MEYER: Okay. All right.

I do have a few question, one of which has kind of been asked differently, but I want each one of you to answer it for me, and I'm going to have two follow-ups.

Do you disagree with anything that our investigators presented yesterday? And if you -- please all four answer. Do you disagree with anything they presented yesterday? I understand you have some opinions about could be more here, but do you disagree with any of the facts as our investigators laid them out yesterday?

MR. R. EASTLAND: Yes, sir. The two -- the two facts about the counts of deficiencies and about the flood warnings themselves.

CHAIRMAN MEYER: And can you get more

specific for me, please?

MR. R. EASTLAND: I -- I don't feel like the National Weather Service was accurately describing what was happening, and so I have -- I can go through it with you but -- but I -- I feel like we were not --

CHAIRMAN MEYER: So when they were providing, hey, flash flood, danger, you could drown, that wasn't an accurate statement? What part of it was inaccurate?

MR. R. EASTLAND: I would say -- I would say the level, sir, because -- because the flash flood warnings that do go out throughout the state, a lot of times it's about being in flood-prone areas, right? Like if you go with your family to a national park and you're camping down by the river, you -- you -- we better get to higher ground, right? And I feel like --

CHAIRMAN MEYER: But let me -- let me ask -- I'm sorry, I'm stepping over you.

MR. R. EASTLAND: -- please -- so -- so the content of them themselves as well as -- all right. So there's flash flood warnings, and then there were flood warnings that went out. So let me just say that the 3:19 flood warning that went out by National Weather Service, they -- on the scale of the flooding, they said, Minor flooding is occurring and moderate flooding

is forecast. This is 19 minutes into the evacuation. They said, The river is expected to rise to a crest of 16 feet this morning. It will fall below that flood stage this afternoon.

That -- that Instagram video that Ms. Garrett showed you of the water going over the Cypress Creek, that was October 16th, 2018. That was a flood that had a 19-foot rise, and the time that was taken, it was probably about six inches from the peak.

So what -- what they were saying at 3:19 was you're going to get a flood of about that size, a five-year flood. And then 3:33 a.m., they updated it to a ten-year flood. At 4:00 a.m., they updated it to a 25-year flood because they were not aware of what was actually happening. Their gauges were not accurately getting it, and the radar was not accurately getting it.

So that is what I have the contention about.

CHAIRMAN MEYER: And so that's different than my question, but I do appreciate your -- my question was, are any of the facts as they laid them out -- not whether you agree with the level of the TDEM -- did TDEM issue the warnings as the investigators laid out? So not whether -- you see my point? There's a difference in like as -- as the facts as they laid them

out, do you have any disagreements as -- as they laid them out, that TDEM did, in fact, issue X warning or TDEM -- you see what I'm saying? So, overall, in that report, do you have any disagreement with any facts as the investigators laid them out?

MR. R. EASTLAND: That TDEM did -- did issue, yes.

CHAIRMAN MEYER: Okay. So do you have any -- do you disagree with anything that the investigators laid out just from a factual perspective?

MR. R. EASTLAND: I thought -- I thought that my answer was about the factual --

CHAIRMAN MEYER: No, but -- yeah, but my question is not whether TDEM did it accurately or didn't do it accurately. The report, as a whole, was it factually accurate? Did, in fact, TDEM issue those warnings at the time that the investigators said they did?

MR. R. EASTLAND: They did -- they did issue warnings, yes, sir.

CHAIRMAN MEYER: Okay. So then my question to you -- is to each one of you, as the report as a whole, I believe all four of you have complimented our investigators, a fantastic, thorough job. Just from a factual perspective, do your disagree with any of the

facts as they laid them out?

MR. R. EASTLAND: I think I'm having trouble with the "as they laid them out" because -- that's what I -- like --

CHAIRMAN MEYER: They're not -- they're not saying what TDEM -- the investigators are not commenting on TDEM's accuracy, but all they did was lay out when TDEM did, in fact, issue these warnings and watches. Do you disagree with their timeline of events? Do you disagree with the facts as they laid them out? Because I don't believe the investigators were in TDEM central saying, Hey, this is right or wrong. They just said, Hey, TDEM issued these warnings at these times and these folks received them.

So taking out the accuracy of TDEM's warnings, which I get you have a problem with, do you disagree with any other part -- do you disagree with any factual part of the investigators' report as they laid it out?

MR. R. EASTLAND: No. No, sir, but also, I was talking about the National Weather Service.

CHAIRMAN MEYER: Or National Weather Service or whatever that is. I'm saying, all the investigators did was say, Hey, this National Weather or TDEM or whoever issued these watches and warnings at

these times.

So just as a whole, are there any facts just as they laid them out, not commenting on -- just as they laid them out, do you disagree with any of the facts that the investigators laid out yesterday?

MR. R. EASTLAND: No, sir, other than the fact we were deficient on counselors.

CHAIRMAN MEYER: Okay. Can I get the answer from each one of you, please? Do you disagree with any of the investigators' facts as they laid them out?

MR. B. EASTLAND: I thought it was a great report. The only parts that I disagree with, Mr. Chairman, is that I think she was inferring that we got the notices from TDEM or TDEM had notified our local officials, and that did not happen.

And, also, she said at various times that we were complacent. I disagree with that.

And then just reiterating that I feel like it could be expanded on. I know they only had -- they were given instructions eight months after the flood to investigate, and they did a wonderful job in the two months they investigated. But I wish they would have talked to some of the other people that lost lives in our community, who were affected from this flood, and

some of the experts.

CHAIRMAN MEYER: Understood. And that would be, you wanted them to do something different. You're not disputing the facts as they laid them out, other than what you've just testified to?

MR. B. EASTLAND: That's correct.

CHAIRMAN MEYER: Okay. Very good.

Mrs. Eastland.

MRS. EASTLAND: I don't recall, when I was hearing it, disputing many of the facts. Leslie Eastland was actually in Hunt, Texas, not in Ingram.

CHAIRMAN MEYER: Okay.

MRS. EASTLAND: That was one fact I remembered.

Other than that, I don't -- while they were laying it out, I thought they did a good job but maybe --

CHAIRMAN MEYER: Very good. Thank you.

Mr. Eastland.

MR. E. EASTLAND: I agree that they did a very thorough job. I'm sure there's -- I'm sure there's one or two things that I probably think are -- oh, that didn't happen that way or they did a good job.

CHAIRMAN MEYER: But by and large, you all, consensus, believe the investigators' report as they

laid it out was factually accurate and they did a good job by and large; is that fair to say?

MR. B. EASTLAND: Yes. The only thing I would add, Mr. Chairman, is I disagree with -- she said we did not have an emergency -- a written emergency plan. I know -- if DSHS or any experts would have told us to do something differently, we would have changed it. I know Edward already testified to that, but yes, it obviously didn't work in this case.

CHAIRMAN MEYER: Okay. Then as you sit here today, not what you thought at the time, as you sit here today, do you agree the camp was not prepared for this tragedy? And I want each one of you to answer that question, looking back, hindsight as you sit here today, do you agree the camp was not prepared for this tragedy?

MR. R. EASTLAND: No, we were not prepared for this flood.

CHAIRMAN MEYER: Thank you.

MR. B. EASTLAND: I believe we acted in reasonable -- based on the facts that we knew at the time, but yes, we were not prepared for this -- for this natural disaster.

CHAIRMAN MEYER: Very good. Mrs. Eastland?

MRS. EASTLAND: No, we were not prepared.

CHAIRMAN MEYER: Mr. Eastland?

MR. E. EASTLAND: Not for this level, no, sir.

CHAIRMAN MEYER: And do you agree -- and, again, each one of you to answer, please -- the camp didn't timely call for an evacuation, looking back today?

MR. E. EASTLAND: Looking back today, I think if -- if we had a little more time, I think we could have gotten everybody.

CHAIRMAN MEYER: I would agree with you, but do you believe the camp, looking back today, did not timely call for an evacuation?

MR. E. EASTLAND: If it did not -- sorry, say it one more time.

CHAIRMAN MEYER: Sure. Sitting here today, do you agree that the camp did not call for a timely evacuation?

MR. E. EASTLAND: Sir, you're asking if we didn't try to evacuate?

CHAIRMAN MEYER: Correct. Did you all evacuate timely that night, looking back today?

MR. E. EASTLAND: Did we do it at the right time or did we do it at the speed --

CHAIRMAN MEYER: Did you -- did you do it -- did you call for an evacuation at the right time

to save lives, looking back today?

MR. E. EASTLAND: I think if we had a few more minutes we would have gotten everybody.

CHAIRMAN MEYER: Understood. But do you, looking back today, believe you timely evacuated that camp?

MR. E. EASTLAND: No.

CHAIRMAN MEYER: Okay. Thank you.

Mrs. Eastland.

MRS. EASTLAND: No.

CHAIRMAN MEYER: Mr. Eastland.

MR. B. EASTLAND: Mr. Chairman, with the -- with the -- obviously the knowledge we know now, in 20/20 hindsight, no, we did not.

CHAIRMAN MEYER: Very good. Thank you, sir.

Mr. Eastland.

MR. R. EASTLAND: I do -- I do agree with you, sir. I think -- I think the threshold, the red button as y'all put it, that we should have pushed it earlier but --

CHAIRMAN MEYER: And, again, hindsight, you did not timely evacuate this camp, correct?

MR. R. EASTLAND: Yes, sir. Yes, sir.

CHAIRMAN MEYER: All right. Very good.

All right. I've done some block and tackling, and I apologize if this is a little repetitive. I did try to keep up with everyone's questions, but I want to do -- I want to dab into a couple of things.

So -- and by the way, this one can be anybody answer, and I will appreciate it. Did we -- did y'all testify earlier that you were not aware of the flash flood watch that was in place on July 3rd?

MRS. EASTLAND: I was not aware.

CHAIRMAN MEYER: Okay. Were any of y'all aware?

MR. B. EASTLAND: I was not aware, Mr. Chairman.

CHAIRMAN MEYER: Very good. Thank you.

MR. R. EASTLAND: I was not personally aware of that, yes, sir.

CHAIRMAN MEYER: What is personally? Give me that.

MR. R. EASTLAND: Personally, but I believe my father was.

CHAIRMAN MEYER: Okay. Understood. Thank you.

MR. E. EASTLAND: I don't -- I don't think I was aware, no, sir.

CHAIRMAN MEYER: And then were there any protocols at the camp in the event of a flash flood watch, any protocols in place? And one of y'all can answer this for me.

MRS. EASTLAND: No.

MR. E. EASTLAND: No, I don't believe so, no, sir.

CHAIRMAN MEYER: Okay. Did a flash flood watch require any additional vigilance with respect to monitoring the weather?

MR. B. EASTLAND: I would say yes. If we -- if we knew there was a flash flood -- flash flood watch, we would be more vigilant in watching the forecast.

CHAIRMAN MEYER: Okay. So that's what you would do.

Were there any protocols to do something more different in the event of a flash flood warning? Did a flash flood warning trigger an event other than removing of the canoes perhaps?

MR. R. EASTLAND: No, sir. Again, just -- just about monitoring, seeing where it was, and then taking action based upon that.

MR. B. EASTLAND: Mr. Chairman, and just to correct, I mean, I believe that my father -- he -- it

was the getting two inches of rain that he moved the equipment out.

CHAIRMAN MEYER: Okay. I'm sorry.

MR. R. EASTLAND: It wasn't flooding yet.

CHAIRMAN MEYER: Understood. What was the -- what type of training did camp staff receive about emergency planning for flooding? What was the training?

And, Mrs. Eastland, you may have testified to it earlier. Was the training only stay in place and then we'll come tell you something different or was there more to it that I missed?

MRS. EASTLAND: We talked about what to do in the event of a flood, to go to your cabin and make sure all your campers were there, and we talked about, if you're on time off, what to do if you're on time off and it's raining -- and in a raining event, you know, to call us and -- because the danger is the low-water crossings on 39, and so we talked about that. And those were the main -- but we touched on it a few times throughout orientation.

CHAIRMAN MEYER: Okay. And Mrs. Eastland did the -- did the nurses also receive that type of training?

MRS. EASTLAND: They receive a different training. They aren't with the counselors in training.

CHAIRMAN MEYER: Understood. But did they receive any type of emergency preparedness training for flooding?

MRS. EASTLAND: Similar to that yes, sir.

CHAIRMAN MEYER: Okay. Just similar to what the counselors received?

MRS. EASTLAND: Yes, sir. And they have a different handbook, manual that they abide by.

CHAIRMAN MEYER: Okay. And, Mr. Eastland, what about the kitchen workers, did they receive emergency preparedness training?

MR. R. EASTLAND: I do not believe so, sir.

CHAIRMAN MEYER: Okay. And what about the grounds crew, did they receive emergency preparedness training?

MR. B. EASTLAND: I don't believe so. They were just notified by us when -- when situations would arise.

CHAIRMAN MEYER: Okay. So how many total do we have -- those working in the kitchen and grounds crew, how many -- how many adults total would you say? And I know it varies but give me approximation.

MR. R. EASTLAND: With both camps?

CHAIRMAN MEYER: No, just -- just camp -- well, yeah, both camps, sure.

MR. R. EASTLAND: I hired 24 Polish staff, I believe, for -- for '25, and so that would be camp store workers, dining hall workers, and kitchen workers, and then how many? And 21 men from Mexico.

CHAIRMAN MEYER: Okay. So we had about approximately 45 adults who received zero emergency preparedness training; is that fair to say?

MR. R. EASTLAND: Yes, sir.

CHAIRMAN MEYER: Okay. Very good. All right.

Under the evacuations -- and I know we've gone over this -- so the evacuation plan for the Guadalupe River camp, as it existed before the July 4th flood, in -- and in your own words, what was the evacuation plan? And I know you had mentioned that your father had, Go to Rec Hall. Was that the -- was that the evacuation plan that -- that could be referenced prior to July 4th; is that fair?

MR. B. EASTLAND: You're -- are you meaning evacuation plan for all disasters or specifically to the flood?

CHAIRMAN MEYER: Specifically to the flood.

MR. R. EASTLAND: Yes, sir, you are correct that -- that was an enact -- that was enacted two times that I know of which was '87 and '78. But previous

floods during my childhood, I don't think that -- that it was -- it was enacted.

CHAIRMAN MEYER: Understood. So that was done in '78 and '87, but did Mr. Eastland, prior to this year's camp, sit down with the four of you or sit down with any camp counselors or sit down with any grounds crew or sit down with anybody working in the -- in the commissary and have that discussion, This is our plan in case it floods?

MR. R. EASTLAND: Not -- not that I'm aware of.

CHAIRMAN MEYER: Okay.

MR. B. EASTLAND: I would just only say that -- that plan is -- has been seen by thousands for two decades, the posted emergency plan in our -- and, again, if DSHS or any expert, anybody asked us to update, we would have.

CHAIRMAN MEYER: Understood. But from y'all's testimony, the plan was to go to Rec Hall, right? Is that fair?

MR. R. EASTLAND: That's fair, yes, sir. That's --

CHAIRMAN MEYER: And then my question was, did Mr. Eastland, to your knowledge, tell any of the workers or any of the counselors or even y'all, This is

the plan in case it floods; we're all going to Rec Hall, prior to this past summer?

MRS. EASTLAND: I don't believe so. He never told me that.

CHAIRMAN MEYER: Very good. Thank you, ma'am.

Anyone else?

MR. E. EASTLAND: No, sir. I've heard the stories from the --

CHAIRMAN MEYER: Understood. And I get where you all have arrived at --

MR. E. EASTLAND: -- but not like instructions.

CHAIRMAN MEYER: That was my question. Did he instruct y'all this way, either one of y'all?

MR. B. EASTLAND: That's correct.

CHAIRMAN MEYER: Okay. And then is it fair to say that the point in which campers were no longer shelter in place would actually -- and actually evacuate cabins was a judgment call by your dad?

MR. E. EASTLAND: To begin the evacuation?

CHAIRMAN MEYER: To -- to say, Hey, look, shelter in place is no longer working; is it fair to say that would have been a judgment call made by your Dad?

MR. E. EASTLAND: He did, yes. That night,

he made that call right after Francis' radio call.

CHAIRMAN MEYER: Understood. But there was no objective criteria that triggered evacuation -- and I know we passed legislation that has changed that -- thank you, Chairman Perry and Chairman Darby -- such as NWS flash flood warning or water coming into a cabin? There was, like, no trigger event; it was your father's gut feeling?

MR. B. EASTLAND: Yeah. River sentry towers that we put in, as many as a hundred in our community, that -- it's in real-time -- that is the trigger now that all camps and residents -- it takes the human factor out.

CHAIRMAN MEYER: Understood. And then I'm going to ask this question of the four of y'all, and then I'd like to get to each one of the workers and counselors as well. Did you -- the four of you -- have any assigned responsibility in the event of a flood evacuation?

MRS. EASTLAND: No.

CHAIRMAN MEYER: Mr. Eastland?

MR. E. EASTLAND: No, sir.

CHAIRMAN MEYER: Gentlemen?

MR. R. EASTLAND: No, sir.

MR. B. EASTLAND: Other than my dad?

You're talking about the four of us?

CHAIRMAN MEYER: Correct.

MR. B. EASTLAND: No. We just wait -- wait for instructions from my father.

CHAIRMAN MEYER: Understood. And then I assume but I want to make sure, and one of y'all can answer this. The same is true for the nurses; the same is true for the ground crew; the same is true for the kitchen, none of those individuals, specifically adults or counselors, for that matter, had any assigned responsibility in the event of a flood evacuation; is that fair?

MR. R. EASTLAND: That's fair.

CHAIRMAN MEYER: Okay. All right.

Well, interesting thing from the -- from the -- from the investigators' report that I -- that I noted -- and honestly, I don't think it's been addressed as of yet -- is that the Big Three counselors stated on social media that they were awakened around 3:00 a.m. to help evacuate campers. Do -- but I hadn't heard anything since they did their post. Do we -- do we know if that's true? Do we know if they -- who woke them? Do we know if they actually did evacuate campers? Do we have any knowledge about these statements that they were awoken at 3:00 a.m. and asked to help evacuate?

MR. E. EASTLAND: I -- I don't know. I don't know that -- I didn't know they were awoken to help evacuate. It might have been Glenn coming to their cabin. I think some of the Big Three went over to Rec Hall early on when the campers were first arriving, but I can't tell you exactly what they were doing.

CHAIRMAN MEYER: Okay. Does anyone else have any knowledge about that?

All right. And then Speaker Moody, Mr. Eastland, started going down a path with you. I just want to kind of finish its logical conclusion and get an answer to the question that I asked yesterday as well, and you may have heard me ask it of the investigators. Why did you -- why did you think that at the time, at 3:20, it was proper to instruct Jumble House to evacuate but then not instruct any of the other cabins, like Twins or Bubble Inn, when we know there was a critical, you know, 10-, 15-minute time period in there, why was it -- why should the girls in Jumble House evacuate to the Rec Hall and the girls in Bubble weren't told the same thing or the girls in Twins weren't told the same thing? That is a question in my mind.

MR. E. EASTLAND: Yes, sir. I understand the concern. It was just -- as I was going backwards,

the counselor got my attention in Jumble House, and -- and my priority at that time was to get my truckload of girls back to Rec Hall. I didn't know we were going to run out of time.

CHAIRMAN MEYER: Understood that you didn't know what the future would hold --

MR. E. EASTLAND: Right.

CHAIRMAN MEYER: -- but if you were to tell them -- tell one cabin to evacuate, would it make logical sense to then tell other cabins to evacuate? If that was the correct move because -- as you saw it -- and it was the correct move. And I understand, you know, the course of events and all of that, but that was the correct move there, and I was just wondering why you didn't provide that type of evacuation, Hey, girls, let's get the counselors and get over to Rec Hall.

MR. E. EASTLAND: Absolutely. I wish I had.

CHAIRMAN MEYER: Understood. And then the other question I have -- and I know we've touched on it a little built is -- y'all talked about getting the groundskeepers -- ground crew, and how many were there that helped remove the canoes?

MR. E. EASTLAND: It was either eight or nine.

CHAIRMAN MEYER: Okay. So -- and, again, just going through -- and I realize, you know, that night, a lot was going on, chaos. But you all got on the walkie-talkies to get them to come get the equipment, and I get things changed as the water was rising. But why did it not occur to you, sir, to do the same thing? I mean, I know your dad didn't do it. He didn't ask the grounds crew to help evacuate kids. Why didn't that enter your mind that I have, you know, however many adults, 10 to 15, in that little area we're talking about, to get on a walkie-talkie and say, Hey, look, me, my dad, the night watch, we're doing all we can, but there are 15 of y'all just sitting here. Why did -- why did you not get on the walkie-talkie and say, Hey, come help us? Because y'all did it for the canoes. Why didn't we do it for the girls?

MR. E. EASTLAND: Right, right. I understand that, and -- absolutely, I -- I think we were just -- it was all happening so fast, and those -- those things that would have helped us, again, I go over and over and over again.

CHAIRMAN MEYER: Understood.

MR. E. EASTLAND: And I -- I wish I had done things like that.

CHAIRMAN MEYER: Understood. Understood.

And I do believe Senator Kolkhorst is exactly right. This is -- all of these events that we're going through, all of these questions that we are asking y'all, all camp owners throughout the State of Texas need to be paying attention to this, all of them. All of them should being pay attention to this.

And with that, Mr. Chairman, I have no further questions.

CHAIRMAN FLORES: Thank you, Chairman Meyer.

Thank you all again for being here. This is a terrible, terrible event for everyone. I've heard a lot of -- a lot of questions that I had have been addressed by the panel, and -- and thank you for answering them. I know you didn't have to be here if you didn't want to, given the environment.

So I heard a little bit earlier -- I think it was -- I believe it was you, Mr. Eastland, who said, We were ready, but I'm glad to hear your response that where you said -- because I was going to ask, Do you still think you were ready, and you answered, No, you were not prepared, not ready.

MR. B. EASTLAND: You mean -- Mr. Chairman, you mean getting ready for -- for camp?

CHAIRMAN FLORES: We were ready -- we were

not sure we were ready for the flood and emergency.

MR. B. EASTLAND: Oh.

CHAIRMAN FLORES: We quoted you as, We were ready, and I thought, well, the facts presented showed that you were not. Would you agree with that? And you already agreed with that. I think you've already said that, that you were not ready, well prepared.

MR. B. EASTLAND: We were ready for -- the information that was given to us. Yeah, we weren't ready for this type of natural disaster; that's correct.

CHAIRMAN FLORES: You weren't ready. So I guess the objective here is to find, I think for all of us -- of course, we want to honor everyone who perished that night, the children, your dad, 119 other citizens in Kerr County that I represent, that all of us want to have the end result be that, We are ready for the next one.

And we're very concerned that those, like you and others in the industry that have children, are prepared, that they take emergency management and preparedness seriously.

Now, you may have had a paradigm before the 4th of July that said, Well, this is the way we've always done it, or maybe if the water line doesn't get to that cypress tree down there, well, that's our

measure, not to say yours was, but that kind of mindset cannot continue.

So I'll -- and I'll touch just briefly. You know, I'm not saying that your dad -- you know, it was -- what we're hearing he was -- he loved the children but he was set in that -- he had a lot of knowledge.

So, given the knowledge you have now, four inches of water when you have a flood warning, not a flood watch, but four inches of water meant something to him, I heard. He -- he -- it -- it concerned him. Four inches there meant he knew that that was -- I think -- I can't be in his head, but I can surmise that a man of his experience knew that four inches and a warning was serious and that his mind was probably -- well, things are fixing to get bad.

So, if you hear in the future that you have -- of course, we put it in the statute, but do you have a different mindset on what a flood warning is now? Do you all have a different perspective on what a flood warning is? Whether you think it's going to come or not, are you seriously going to take the actions required when a flood warning is issued and any other camp and anybody else who hears it knows what that means? So I ask you, do -- do you see it differently

now?

MR. R. EASTLAND: Absolutely.

MR. B. EASTLAND: Mr. Chairman, yes, I've always taken flash flood warnings very seriously, but definitely with knowing what we all know -- now know about this river, we are going to take things even more seriously, yes, sir.

MRS. EASTLAND: Yes.

MR. E. EASTLAND: Yes, sir.

CHAIRMAN FLORES: And from the facts as related in the last -- yesterday from the investigation and the facts that we've gotten, I can only imagine, Edward, what was going through your mind and the actions that you were taking, and you did save some children.

But I would -- I would pose to you that the crux of the -- my concern, I guess of all of us, is how you and this industry, how you prepare for emergencies. How your staff is prepared, how everyone has a role and is rehearsed, so when these things come you're ready.

Talked about chaos. This is the -- emergency management is a lot like -- and I assume you would agree -- it's a managed chaos, but it's not -- it's chaos totally if you are not prepared through all layers and especially those that have children in their care in these camps, people that depend on you like what

your dad was quoted as saying, You're safe here; this is the safest place on earth. And you do that by preparation and training at all levels for any contingency, planning for the worst.

And so we have to be assured that you and others in the industry are -- have that mindset, and when we talk about -- we can talk about evacuation. Evacuate means to get out, but how do you go about that is what -- we had -- the evidence showed that -- in the investigation that people didn't know what to do. They didn't know, and even if you said to get out, how and where.

It's basic, but those adults and counselors -- and then the stories of what they did are magnificent, magnificent. The bravery, the care, but they still didn't have -- didn't have any direction. They did not know but -- but they should have known.

Going forward, that's what we should expect, and I know that listening to the facts -- and that's what we wanted, the facts -- that demonstrate that because that was not there, things happened. Because that was not there, there was chaos. There was confusion in the -- in the midst of a -- of a terrible storm and flood. But still, preparation helps navigate that tremendously. Would you not agree with that?

MRS. EASTLAND: Yes, sir.

MR. E. EASTLAND: Yes.

CHAIRMAN FLORES: So, if I was to ask you, what -- what would you tell us that you're going to do moving forward, having learned these facts as they are? What would you tell the parents that you -- if you -- that you've learned from this, moving forward, to make sure this wouldn't happen again what would you say, any of you?

MR. E. EASTLAND: I'm sorry.

CHAIRMAN FLORES: Just answer if you want to. You're not compelled to, please.

MR. R. EASTLAND: I would say that our idea of safety has obviously -- it's increased. It's something we think about all the time now. Could we have done this, could we have done that, and now we're thinking about it in other ways, too.

I think about it, even in the long term, what happens when 10 years go by, what happens when 20 years go by; how can we put things in place where it's taken seriously and where things are in place getting better, they're reviewed, that we're always thinking about safety before anything else.

CHAIRMAN FLORES: Thank you for that.

Well, that's -- I think ultimately the

measure of our success will be in that we are better prepared as a state, in our local communities, as Chairman Meyer said before at all levels, working together to be better prepared, because it will happen again. It's coming back.

And if we just have a hearing and then do nothing, then that's when we're doing a disservice because I don't believe anybody sitting on this dais and I don't believe anybody out there in the audience or anybody listening will have that expectation that we're just going to have a hearing and say, Oh, well, let's move on to the next thing. No, no, no.

We've already passed some legislation and are going to continue into the next session, Chairman Perry and Chairman Meyer, to -- and other members, to continue to make Texas better prepared and working together to make this happen. This shouldn't happen again. It shouldn't have happened in the first place, but it definitely shouldn't happen again, ever.

So I know this has been -- this is difficult, and the healing is going to be slow. But we're still in a position where we have a God that loves us and loves you, and together, we'll -- we'll make our state a safer place and navigate through this together and learn from it. And not say, well, that's what

happened; no, we're going to learn from it and make it better.

Mr. Chairman, thank you.

The Senate General Investigative Committee on July -- thank you all very much.

MRS. EASTLAND: Thank you for having us.

CHAIRMAN FLORES: No, thank you. Thank you. With that, you're dismissed.

CHAIRMAN MEYER: Without objection, the committee will recess until 2:36.

CHAIRMAN FLORES: The Senate General Investigative Committee on the July 2025 flooding events will recess until 2:36, at which time the committee will reconvene at today's hearing.

(Brief recess.)

CHAIRMAN MEYER: The House General Investigating Committee on the July 2025 Flooding Events will now come to order. The clerk will call the roll.

THE CLERK: Chair Meyer.

CHAIRMAN MEYER: Present.

THE CLERK: Vice Chair Moody.

VICE CHAIR MOODY: Present.

THE CLERK: Representative Darby.

REP. MOODY: Present.

THE CLERK: Representative Dyson.

REP. DYSON: Here.

THE CLERK: Representative Gamez.

REP. GAMEZ: Here.

CHAIRMAN MEYER: A quorum is present.

CHAIRMAN FLORES: The Senate General Investigating Committee on the July 2025 Flooding Events will come back to order.

So, at this time, the chair invites Nim Kidd, the Chief of the Texas Division of Emergency Management, TDEM. Welcome, Chief.

For the record, please state your name and title for the record, and speak into the mic and begin your testimony.

CHIEF KIDD: Thank you, chairman. My name is Nim Kidd, I'm Chief of the Texas Division of Emergency Management. It's an honor to be here with you today. It's also an honor to sit here and mourn for and remember the 137 lives that were lost, especially the 27 at Camp Mystic.

My goal through this hearing and this testimony is to improve all systems to prevent any future tragedy like this. I have four phases of my preparation. One is the state agency's, the Texas Division of Emergency Management, roles and responsibility under chapter 418 of the Texas Government

Code, challenges that we face, policy recommendations, and then I'll open up for questions.

As it relates to the state's role and responsibility in emergency management, chapter 418 mentions coordinate and support with local governments and federal partners. Nowhere in chapter 418 are we directed to command or control resources at the local level. Local command and control of resources is reserved for city and county officials.

A couple of you on the dais have served on city councils before, and you know that that responsibility for law enforcement, fire suppression, emergency medical services, and emergency management is reserved for local officials. State law directs mayors and county judges as the authorities having jurisdiction to mandate evacuations, not the Governor nor the State.

As it relates to challenges, through this event and others, we have seen volunteer management, mass fatality management, communications and interoperable communications, and the emergency management and volunteer fire department workforce a challenge.

Our recommendations moving forward is to mandate some sort of volunteer registry system, not for the volunteer organizations active in disaster that we

all know and work with, but for the spontaneous volunteers that show up from all over the place that mostly want to do good work, but we have no idea of their background, skills, or capabilities or motives.

We need to continue to improve the mass fatality response system in the State of Texas. I think most people are unaware that there are 13 medical examiners for the entire State of Texas. The rest is run by justices of the peace elected at the local level. We need to continue to improve operable and interoperable communications, as well as fund those programs. And we need to train and credential emergency management and volunteer firefighters. I want to get into some of the questions and answer about the resources and capabilities. And we need to continue to improve our warning systems across the state.

I think for those of us that have lived in the city under a mayor, regardless of it's a city manager or mayor form of government -- a strong mayor form of government, police chief, fire chief, EMS director, and emergency manager have one boss, and that's the mayor.

But when you get into the unincorporated areas of Texas, your sheriff is usually a county-wide -- always a county-wide elected official and has

responsibility for the law enforcement side.

In the case of Camp Mystic, we believe the Hunt Volunteer Fire Department was responsible for fire and rescue. I believe EMS came from the City of Kerrville. You had multiple competing and overlapping jurisdictions there. When we talk about incident command versus incident management, I really -- I think we should identify and separate those out.

In my line of work, there are events or incidents. Some of those can be a water line break. That's not necessarily an emergency until it impacts part of the community. Emergencies are always best handled at the local level. Those emergencies become disaster when the local government responsible for responding to those incidents and emergencies no longer has the capability or resources to respond. And that's where chapter 418 directs this state agency to coordinate other assets to support those local governments.

Through the testimony that we've previously given, you know that we had resources and assets deployed ahead of the storm. I've heard some testimony today about the TDEM alerts, and I'm grateful that you acknowledge those and use those. But I need to remind you, those are National Weather Service watches and

warnings. Our job is to echo or emphasize or amplify that message to ensure that our local partners that have responsibility are getting that message.

And you may ask, why do you do that? There are 13 independent National Weather Service offices in the State of Texas. Many jurisdictions line up on the boundaries of those, and we see that those different weather service offices can give different forecasts. So we have our statewide calls when we're worried about weather events that are coming in and put the National Weather Service regional headquarters on the call to give a singular forecast to all that will call in.

And we invite all elected officials at the local and state level to join those calls, to call in to get the same weather forecast, to give us a common operating picture, and to ensure that local governments have assets that are ready and, if not, know the process to request additional state resources.

So, Mr. Chairman, I think that will end my opening prepared remarks, and I'm happy to answer any questions.

CHAIRMAN FLORES: Members, any questions?

Senator Perry.

VICE CHAIR PERRY: So I want to be clear. These -- these updates, National Weather Service echos,

I know we as legislators know about them and can dial in, but it's strictly voluntary, correct?

CHIEF KIDD: For our 10:00 a.m. calls?

VICE CHAIR PERRY: Yeah.

CHIEF KIDD: Yes, sir.

VICE CHAIR PERRY: If you want to dial in, anybody -- is that open to the public or --

CHIEF KIDD: No, sir, it's not.

VICE CHAIR PERRY: -- is it just -- just a few elected officials and then pretty much in the government ranks?

CHIEF KIDD: Yes, sir. In accordance with chapter 418, the -- the Disaster Act of Texas, mayors are the emergency management director for the municipal corporations. County judges are the emergency management directors for the unincorporated area of the county. We invite all mayors, all county judges. If they have identified or designated an emergency management coordinator, that coordinator is invited, and then we invite the state agencies of the Emergency Management Council to that call.

VICE CHAIR PERRY: So a lot of the conversation has been there was nothing from the locals to the camps. The locals not only can get information from those briefings, but have all other resources, NWS,

NOAA, they're getting information from everywhere, if they choose to participate in receiving that information, and then the connection from there to the camps is a whole different conversation. We really didn't explore a lot, but there really was no formal process. But to be clear, those are voluntary, some participate, some don't, some do sometimes, some do never time.

But it's fair to state, too, based on the 14-hour hearings that that particular community was, at best, I'd say lax in who is the emergency management coordinator. What was the train of -- I mean, they had labels, but they definitely did not hear the role. Is that kind of your recollection?

CHIEF KIDD: Very close, Senator. So, to answer the first part of what I thought was your question, is, there is no teeth in chapter 418 to mandate that a mayor, a judge, or the emergency management coordinator participate in our calls.

I will tell you, I am appalled by the number of emails and text messages I get asking to be removed from those distribution lists because they think we're giving them too much information. And I ask them to do that in writing and send it to me, and I'm going to share it with everybody else. That usually stops

them from asking again, but we get requests like that from local officials all the time. That's part one.

Part two is we have a form. It's called the Division of Emergency Management, DEM-147. By executive order of the Governor, we ask every year the mayor, the county judge, and the emergency manager to update their contact information with us. State law indicates they are the local officials responsible, and we ask for their contact information. Those are the people we invite to the call.

VICE CHAIR PERRY: Thank you. And then you mentioned registry. What else were the four things? Because I'm going to follow up with a question.

CHIEF KIDD: Yes, sir.

VICE CHAIR PERRY: I think we addressed that in legislation. It did not pass, members. I keep going back to a bill that, had it passed, we'd already -- and implemented -- halfway town the road, but it didn't pass over pure politics. Had nothing to do with the subject matter or the content of the bill, and that's shame on us.

But what were the four things you mentioned?

CHIEF KIDD: So volunteer management of spontaneous volunteers.

VICE CHAIR PERRY: That was in there.
CHIEF KIDD: Mass fatality management --
VICE CHAIR PERRY: That was in there.
CHIEF KIDD: -- dealing with medical examiners and justices of the peace.
Operable and interoperable communication setting a state policy and funding.
VICE CHAIR PERRY: Separate bill.
CHIEF KIDD: Training and -- and credentialing of emergency management personnel.
VICE CHAIR PERRY: Addressed.
CHIEF KIDD: I'm adding volunteer firefighters to that.
VICE CHAIR PERRY: Address.
CHIEF KIDD: We've got to -- we've got to train and certify our volunteer firefighters.
VICE CHAIR PERRY: So we have got work to do next session. We just don't have to start from ground zero.
I appreciate what your agency does. I get daily, especially if it's in my district, y'all do a tremendous job of keeping us in tune and in line with what's going on, be it fire or any other potential problem. So -- and San Angelo is in my district. Y'all deployed early. And what'd we have? One fatality.

CHIEF KIDD: Yes, sir.

VICE CHAIR PERRY: And that community did not see the economic loss because it was coordinated, planned, and act -- kind of like what we've been talking about. If you've got a plan and you've trained on it -- and San Angelo is serious about training on it -- you don't have these catastrophic events to deal with afterwards.

CHAIRMAN FLORES: Thank you, Senator.

CHAIRMAN MEYER: Chair recognizes Speaker Moody.

Chair recognizes Chair Darby.

REP. DARBY: I just wanted to echo Senator Perry's remarks about San Angelo.

I think it's important to note that, on July 3rd, your office recognized the weather conditions to be such that you needed to pre-position assets in areas that might subject -- be subject to flooding. Kerrville is obvious, flood alley. So you positioned a unit there.

You also positioned a unit to San Angelo, Texas, did you not? And San Angelo is a relatively flat community behind three flood control dams. And if you'd have told me on July 3rd you're putting a swift water rescue team in San Angelo, Texas, I probably would have

laughed, but you did. And the rain came, and it came and it came to 14 inches, and it flooded. We lost five hundred-plus homes and one fatality.

I just want to thank you. I don't know if you're Carnac the Magnificent or you just pay attention to what's going on around you, but you have my profound thanks and so does the community of San Angelo.

CHIEF KIDD: Chairman, thank you for that. I -- I -- I don't -- I don't feel like I deserve that, but I'll tell you, we do have a great team, and that great team still has things that we can do better. And everything that we do will never bring these children back. It won't. It -- it won't. But I -- you have my commitment and all of the families behind me have my commitment to do everything we can to prevent this from ever happening again.

And, you know, weather is not science, and I get beat up by some of the meteorologists. It's not science. It's art. And when you look at the hurricane spaghetti models, each one of those is a mathematical model that the people that developed that model believe it to be the one true model, but none of them are right.

And then you blend all of those together in the National Weather Service and the hurricane center puts out what they think the forecast is. You've seen

that cone of uncertainty. One-third of the time hurricane lands outside of that cone. For any of us to think that the weather service can predict exactly how much, when, and how fast it's going to fall, we're kidding ourselves. It doesn't.

The only thing we can do is be prepared. And we've talked a lot about plans. I say this a lot to our team and to anybody that will listen. A plan not written is a fantasy. A plan not trained is fiction. A plan not exercised is forgotten. And a plan not funded is futile. It's not just a plan. You have to train to the plan, exercise the plan, and continue to work on that plan.

REP. DARBY: Can we get an amen on that?

Okay. One question. I reviewed the OIG report on the National Weather Service. Have you -- have you seen that report.

CHIEF KIDD: No, sir, I have not read it.

REP. DARBY: I'm going to read you an excerpt from it. It says, the Austin San Antonio weather forecast agency coordinated with its core partners and the attempt -- and this is on the night of July 3, going into 4. They attempted to call both the Kerr County emergency management coordinator and the sheriff's office starting at approximately 3:38 a.m. but

were unable to reach the sheriff's office until 4:32. This is the sheriff of Kerr County. They started at 3:38. They didn't reach the sheriff's office until 4:32. And they didn't reach the emergency management coordinator, which you and we all agree is an important function there in this whole process. They didn't reach the coordinator until 6:19 a.m.

As there are no river gauges upstream of Hunt on the South Fork of the Guadalupe River, which we now -- now know has just created fatal conditions and the weather agency was unable to reach Kerr County officials, they decided to upgrade the existing flash flood warning to a flash flood emergency -- and I want you to explain the difference between the two -- at 4:03 a.m., based upon observed radar and rain gauge data.

Will you kind of illuminate on that for us and expand a little?

CHIEF KIDD: Yes, sir. I'll do my best. I'll try.

So I think we've talked a lot about the watch is something that could happen. The warning is something is likely to happen. The emergency is it is imminent or happening. It -- it's really about the timing of what event could take place.

And back to the watch. We have places in Texas right now that are under a tornado watch. I'm getting text messages about them. We've got large hail up in the north Texas area, your area.

And so as -- as we look at this path, we're under the watch.

When the National Weather Service, through their technology, their tools sees the potential for it to actually happen within minutes is when you're going to get the warning. The imminent attack or the imminent event is when that emergency is keyed in. And that is a very rare occurrence, extremely rare occurrence. But when that happens, it's usually too late for us to take action at that point. We're now responding to the event instead of doing anything on the preventative or preparation side.

REP. DARBY: Explain Code Red.

CHIEF KIDD: Great question. Code Red is a trade name. Code Red is a reversed telephone system. Over the years, there are -- when we all had copper telephone lines, cities and counties and local officials had your number, could be unlisted or listed telephone number, and it was a computer system that would call your land lines. We've evolved to nobody has land line phones anymore at home. I don't. I have cell phones

now. Even voice over IP phones are tied to the internet, so electrical dependent and internet dependent, not plain old copper telephone like we used to have in the old days.

And so there are cities and counties today that have reverse notification systems, emergency notification systems, or wireless notification systems. Think of them as all the same thing. In most of them, like a school district, for instance, or a water utility district, you have to register with that system in order to get the alert on your phone. If you're their customer or have a kid in their school or have a kid in their university, you register to get on that system.

Jurisdictions in Texas can also activate the WEA, the Wireless Emergency Alert system, under IPAWS, the Integrated Public Alert Warning System, and that's where they can take and draw a polygon around and area, and the theory is they notify every cell phone in that polygon --

REP. DARBY: Kind of a geo fence, if you will --

CHIEF KIDD: Yes, sir, yes, sir.

REP. DARBY: -- around that phone.

CHIEF KIDD: -- regardless of whether you have registered for that system or not. And I'll tell

you, in -- in talk, it's really good. In practice, it's not perfect.

You may recall we did on April the 2nd, we did a statewide test. We had a lot of feedback on that test because many people didn't get the message. Many people didn't register. Some telephone line carriers couldn't produce all of the messages that went out at the same time, and sometimes it took them hours to get it.

We are going to continue to request -- we don't have the authority to mandate local officials participate -- request local officials participate in exercises like this because it trains the responders with responsibility for warning and notification on how to use the system. It highlights the limitations and the capabilities of those systems, and I believe it helps the citizenry understand what those messages are meant for and take action whenever they're requested to do so.

REP. DARBY: Is that something that you can tell this committee or that local emergency coordinators, for example, how many have signed up for this notification --

CHIEF KIDD: We'll produce that information for you.

REP. DARBY: -- and who hasn't?

CHIEF KIDD: Yes, sir.

REP. DARBY: I mean, I would think that would be helpful to know who's participating and who's not, and we can perhaps take a look at requiring some of that response, as opposed to simply allowing them not to opt in for such an important notification, so...

CHIEF KIDD: Thank you sir.

REP. DARBY: We've talked about the local Kerr County officials and -- on vacation or asleep or sick, but I just can't imagine not being able to reach the emergency coordinator until 6:38 in the morning. Of course, that's after the events already happened in Mystic and upstream.

Have you -- and we can -- we can take this offline, but we -- we ought to -- as a -- as collectively as the House and the Senate look at options on who -- who should be designated, what their roles and responsibilities are, and -- and how they -- they report back to the legislature about their performance in that role. And I think I -- I, for one, would welcome your input into that.

CHIEF KIDD: I -- I feel compelled to share that out of 1,470 jurisdictions in Texas, 254 counties, 1,216 cities, there's really only about 480 emergency

management programs across the state out of roughly 1,600. And the reason is because you get into the West Texas area, your county judge is also the emergency management coordinator. They have zero depth in their staff. But then you have so many inter-jurisdictional programs as well, where one county emergency manager may be that point of contact for five or six different cities.

I'll tell you, you can't be a peace officer in Texas anymore without going through a TCOLE-approved academy with approved instructors and approved curriculum and graduate after you take that test. You can't be a firefighter in Texas, a paid firefighter in Texas, without going through a commission on fire protection, certified curriculum, certified instructor, certified academy.

But to be an emergency management coordinator in the State of Texas, you need the signature of a mayor or a judge, period. That needs to change.

REP. DARBY: I hear you. Thank you.

Thank you, Mr. Chairman.

CHAIRMAN FLORES: Senator Menendez, do you have any questions?

Senator Kolkhorst.

SEN. KOLKHORST: Thank you.

Chief, good to see you.

CHIEF KIDD: Yes, ma'am.

SEN. KOLKHORST: I -- I -- I get that Senate Bill 2 did not pass, and there was a lot in there, and -- and we're going to keep working on that. You know, I -- I had some -- I had some hesitations on -- I think a database is good. I don't know about fingerprinting and creating barriers for people that really want to run to the fire. And so I'm going to ask a series of questions here and try to get -- go through our investigators' report here.

We've -- we've made a lot about the 1:14 a.m. alert. That was a warning. This last summer, I think we spoke a lot about different alerts, and alert fatigue has come up.

Senator Hughes, I think you brought that up yesterday.

In your opinion, do you think we have a grasp on what the difference is between a watch and a warning for the general public?

CHIEF KIDD: We do not.

SEN. KOLKHORST: So we don't? Okay. Because I've actually talked to a number of people in Kerr County who survived the flood, believe it or not.

I mean, one lady, it's -- it's the most incredible story. I mean, God wanted her to live, right? And -- and she said as the water was rising, they probably made every mistake under the sun of, you know, they -- they got in their pickup truck and they started to drive and they realized that the electric gate's not going to open and then the truck started to float away and, you know, one thing after another with her 15-year-old son, and it's -- it's quite a story.

So I would ask this. What would you recommend that people understand? And I'm -- you know, we're about the camp, camp directors. We've made a whole lot about that 1:14 a.m. call. What does it mean? I've read aloud today, imminent danger, life-threatening. I mean, what do we do to get past alert fatigue?

CHIEF KIDD: So thank you for the question.

Alert fatigue also comes from us having too many sources of information and not the authorized source. Part of the -- the exercise that we conducted on April the 2nd was to see just how many people would push the message out.

When you think about a county having the capability, a city having the capability, citizens of the city are also citizens of the county. Those systems

need to be coordinated together.

So it's not enough just to have a plan. You have to train and exercise to that plan as well. When you talk about school districts that have it, universities have it, municipal utility districts have it, electrical systems have it -- everybody has the capability to send this message.

And then you have our media partners that also want to send the same messages. And you have the National Weather Service sending messages.

My goal is to make sure people know who the trusted source of information is, and only take action on the information that that source sends them.

And I -- I professionally believe that should come from the local office of emergency management, staffed by local officials that are trained and certified to do the job, and it should come from the National Weather Service. And those should be the only two places that are pushing information out. Nobody else should be pushing it out during a disaster.

SEN. KOLKHORST: So we need to continue to work on that.

CHIEF KIDD: Yes, ma'am.

SEN. KOLKHORST: Again, some bills that didn't pass.

I want to kind of drill down on the timelines that we went over yesterday. So July 3rd, TDEM ramps up communication, activates more -- these are my words -- protocol awareness for floods.

10:00 a.m., TDEM has a call with 468 that have dialed in. Do we know if anyone from Kerr County was on that? And somebody might have --

CHIEF KIDD: We do not.

SEN. KOLKHORST: Can we -- can we know that?

CHIEF KIDD: So the way that we use Zoom to have these calls -- and if you put your information in on the front end, that's captured. If you're just calling in from a telephone number because you're not watching the -- the display, you're just listening --

SEN. KOLKHORST: Which I have done before.

CHIEF KIDD: -- we don't know the numbers that are associated with it.

SEN. KOLKHORST: So we don't know if Kerr County called in. Obviously, Kendall County did. There was more prep.

I want to keep walking on. Okay. At 1:00 p.m., resources deployed. Correct? I have resources on --

CHIEF KIDD: On which -- which day, ma'am?

SEN. KOLKHORST: I could go and find -- I got a -- I got a lot of open programs here. But -- but -- but that resources were deployed. We're told y'all were starting to stage boats in different places, correct?

CHIEF KIDD: We started having coordination calls on the 2nd --

SEN. KOLKHORST: Okay.

CHIEF KIDD: -- and moving resources to have them in place by July 3rd.

SEN. KOLKHORST: Okay.

CHIEF KIDD: But it was a 35 --

SEN. KOLKHORST: This was on July 3rd.

CHIEF KIDD: 35,000-square mile area because the weather service couldn't tell us what was going to fall, where, and how fast and how much.

SEN. KOLKHORST: So -- so that is an important point as well because what we learned was that there's a weather station in Del Rio all the way down to, I think it is Brownsville, and nothing in between.

CHIEF KIDD: Yes, ma'am.

SEN. KOLKHORST: And we're working to fix that --

CHIEF KIDD: Yes, ma'am.

SEN. KOLKHORST: -- and the river gauges,

and I know this isn't your part of it, but we're hoping those get deployed and installed ASAP.

CHIEF KIDD: Yes, ma'am. We are, too.

SEN. KOLKHORST: It -- it got funded.

So I want to kind of move to the point of when the disaster started to happen and -- and I guess the aftermath. So Ms. Garrett really brought out the aftermath and that -- you know, we've gone through everything that happened, timelines. She certainly -- it's called Daylight and Beyond. Okay. So in -- you know, at the evacuation of Bug House tree, we're getting people out of there, bodies found in Mr. Eastland's Tahoe.

And then she hit upon lack of incident command, and I -- I want to go back to this because I think we're -- we're focusing a whole lot -- and we should -- on how to prevent them. We're not going to always prevent a disaster. But as she pointed out, no information, misinformation, death notifications to parents was lacking, delay of resources being deployed -- I think this was on a graph that you had bubbles coming out from a resonating center -- prank calls, autopsy inconsistency, no search and rescue because it seemingly was delayed, and I want to go to this.

The Cajun Navy is calling and saying, we want to help, we've seen this on TV. They were denied, and nobody can answer to me who were they denied by. Who denied the Cajun Navy?

CHIEF KIDD: Have no idea.

SEN. KOLKHORST: That's a problem. That's a problem.

CHIEF KIDD: I can tell you the Cajun Navy doesn't participate in our statewide exercise and communications platforms. They're a volunteer group that chooses not to participate with us directly. If they want to choose to participate with local officials, we would support that, but that's the local official decision to accept them or not.

SEN. KOLKHORST: I have another line that I wrote in my handwriting, off-duty firefighters, et cetera, denied.

And I think it's, Chief, really important that somehow we find out and how we do this -- okay. So I'm the author of Senate Bill 6 after Hurricane Harvey, and if you go back and you read Senate Bill 6 -- and Chairman Perry, we went over that this summer. Chairman Darby, you were on that committee -- and there was some really good stuff on that. And part of that was emergency management director and emergency management

coordinator, and we put it in code and how we're supposed to train those. And the -- the emergency management work group, which y'all assembled, and I think we kind of got to the edge, and we didn't quite like -- I don't think we followed through, I mean.

And so what kind of training -- I know Senate Bill 2 does better about that, but what did we do from Harvey to there that -- kind of Senate Bill 6 was there. It just didn't quite push it over, the -- the -- the real training. You said maybe three hours of training. What is it?

CHIEF KIDD: So chapter 418 today says local officials are required to complete three hours of emergency management training, period.

SEN. KOLKHORST: So, Judge, I want you to know, after Kerrville -- I mean, Chief -- I want you to know after Kerrville -- and we are -- we are reelecting 254 county judges in 254 counties. You're either reelecting them or you're electing them, right? I mean, everyone is up in all 254 counties.

And I have said since our hearings and being in Kerrville, and -- and certainly this reinforces it, I have told my constituents who you elect as a county judge is possibly the most important decision you make with your vote because that person becomes the CEO

during a disaster. Am I right on that?

CHIEF KIDD: Yes, ma'am, you are.

SEN. KOLKHORST: They are the CEO, not the mayor.

CHIEF KIDD: Well, municipal corporations, cities, the mayor is the CEO during a disaster. The county judge is the unincorporated area of the county.

SEN. KOLKHORST: But they have to coordinate.

CHIEF KIDD: They have to talk to each other; that's correct. They don't have to do the same thing. The law gives them the independence and the autonomy to operate separately.

SEN. KOLKHORST: And so we did see through our hearings and much media coverage, there was a number of breakdowns, right?

CHIEF KIDD: Yes, ma'am.

SEN. KOLKHORST: And so when I ask these questions in the aftermath of what our report -- we're putting together a report, and it -- it's from Daylight and Beyond was the title, those hours that -- that happened after that. So, for example, some people claim that the state didn't act for 11 hours. True or false?

CHIEF KIDD: False.

SEN. KOLKHORST: Okay. How quickly did we

act?

CHIEF KIDD: Before the event happened.

SEN. KOLKHORST: But were we deploying that because we --

CHIEF KIDD: Yes, ma'am.

SEN. KOLKHORST: -- know that the Coast Guard evacuated how many of the young ladies from -- from Camp Mystic? I think it was -- gosh -- 165.

CHIEF KIDD: Those were additional resources that we called in, but ma'am, you've heard here on the dais today, we had boats deployed in San Angelo and Kerrville and Menard and other parts of the state before July 4th. The state had assets in place before the rain came that morning. Now, was it enough assets and were they in the right place? I don't think we'll ever have enough assets for the amount of rainfall that we saw at the rate of fall at the place that we saw it fall, but we didn't know where that was going to happen until it happened. But nobody knew that until it --

SEN. KOLKHORST: To your point, something that we discovered -- I remember one of the panels in Kerrville in -- in -- and actually, it was an academic panel. I'm telling you, it was -- it was Texas Tech, then it was University of Texas, then it was Rice

University, all the way down. And they talked about we get better at these rain bursts, right?

CHIEF KIDD: Yes, ma'am.

SEN. KOLKHORST: And we're funding that.

CHIEF KIDD: Yes, ma'am, thank you for that.

SEN. KOLKHORST: And we're going to get better at that so that you can better predict and be able to deploy, right?

CHIEF KIDD: That's right.

SEN. KOLKHORST: And -- and so when we look at what -- and I -- I really -- you know, I -- I wrote down in bold words yesterday, with lines all over it, Where was the incident command for Kerr County? And then I wrote out to the side, Or is it the state? And that was -- that was in the aftermath. This is in the title Daylight and Beyond.

You know, I mean, who -- who is in charge when you have missing bodies and you have dead bodies, and I think the description from Ms. Garrett yesterday was that somebody literally came upon a dead body, and said, What do I do?

And so, who is in charge? Because I don't know the answer to that question. Is it Kerr County or is it the state in -- in how we set up those incident

commands?

CHIEF KIDD: So to try to make this as brief as possible --

SEN. KOLKHORST: All right.

CHIEF KIDD: The National Incident Management System, NIMS, is the governing doctrine for the United States of America as it relates to incident management and emergency management. The Incident Command System, ICS, is the system that we use at all levels of government and governments all over the nation to manage single incidents to complex incidents. So NIMS and ICS are the training guidelines, the roles, the responsibilities, and the doctrine that we put in place. All disasters are local. An incident command post is established at the site of an incident.

We talked about incident into an emergency into a disaster. Catastrophe is the next step. When an incident happens and it becomes an emergency, the local authority having jurisdiction for police or fire or EMS or emergency management are responsible for establishing a command post, a single spot. Resources going to that should come together and support the incident commander, who will assign an organizational structure of plans, operations, logistics, and finance to manage the complexities of that incident.

When there are multiple incident command posts in a jurisdiction, an area command should be established in accordance with national doctrine. When area commands capability are being exceeded, then the emergency operations center is established, and the emergency operations center, emergency management manages the resources that are going to those multiple areas and command posts, but they do not make decisions for the incident commander at the command site. You have to be on scene. You have to be on site to know how to manage that incident.

We manage the resources that go to command posts and staging areas to support those local incident commanders, but if there's no command post established by the locals -- you heard many a times a state agency will come in and start to establish that incident -- or that command post, but then we turn that back over to the locals because that's what the law and the doctrine tells us to do.

SEN. KOLKHORST: So all of that -- and you just said it, and you said it so eloquently and -- but it was really -- it is really kind of complicated.

CHIEF KIDD: Yes, ma'am.

SEN. KOLKHORST: It goes back to that training. So I'm going to give you a couple other

quotes from yesterday.

CHIEF KIDD: Yes, ma'am.

SEN. KOLKHORST: Okay. From Ms. Garrett, Crisis management did not exist at a point. It was, in quotes, it was a disaster, a total lack of incident command. People wanted to take action but no one -- and these are from her interviews, okay. These are from her interviews. People wanted to take action, but no one to tell them what to do. It added to the torment.

This is not from her slides. This is what I extrapolated as she was talking, and it -- and it impacted me so much. I think that through -- and I tried to do this with S.B. 6 way back in 2019. We're going to follow up with another bill Senator Perry has to get all of this right and the training in the local level.

But when we hear that parents were in line -- and I -- and I -- and I mean, like their children are missing, and it wasn't just the children from Mystic. There were a lot of people missing. And -- and how -- again, it was a disaster. And how we parse through that, we're going to need your help as we go into this next session -- this is what interims are for. We tried during the special session. The bill didn't get to the Governor's desk.

And it gives us -- I mean, and those were pretty -- that's a pretty tight timeline we were doing on those 30 days, and I find that in special sessions, sometimes we're reactive, and we have -- and we have to come back and clean up. So we have that opportunity to get this right.

Now, I want to go into one other thing, and it's personal. As I said earlier today to the Eastland family, I sit here as a -- as a senator who represents a little girl that didn't survive this flood, and she should have. She should be alive today. But in the aftermath, I was very cautious to quickly contact the Hollis family and they know that. They knew I was there for them when they needed it.

But this is what haunts me, and you responded to this. But I have to bring this up. Nobody was communicating with them on a daily basis. They wouldn't hear for two, three days their child was missing.

And I know that we tried to originally do kind of the -- the local investigators and so forth, and when I finally called you and I said, I have got -- this family has to hear from somebody every day, and y'all did put in the Texas Rangers and kind of -- and you and I had that conversation. I can tell you exactly where I

was on Highway 105 on my way to Anderson, Texas, when you said, I need to hear this from you, Senator, because I was scared that this was happening.

We are Texas. We are better than anybody else. We're not like what we saw in North Carolina --

CHIEF KIDD: We're not.

SEN. KOLKHORST: -- where we deployed -- you deployed resources to North Carolina for their floods. We fund you at a level that probably no other state in the nation funds, right?

As we drill down and work on this report and this aftermath, I don't ever want any family, whether it's their child or their grandmother, to have to not hear from someone on a daily basis that we are searching for your child, we are searching for your loved one, and I think we have to work through that.

And I say this with -- I mean, like, it will -- it will stick with me, you know. They always say you know where you were, you know, when the president gets shot, you always know where you were. I know exactly where I was on 105 when I'm telling you this story.

And then Blair was great, because she jumped in, and -- I mean, we found a way to communicate with that family. I didn't represent -- I represented

the Hollis family during that. I mean, I don't know what everyone else's experience was, but it had to be similar. It had to be similar.

And it -- it -- and Ms. Garrett gives credence to what you were saying, and the impact crater, that is something that she talked about, was unbelievable and shattering, kind of was a culmination of all of this that we're talking about, the prevention, the 1:14, the action that could have been taken that wasn't, the aftermath, the complete -- you know, the damage that kept being done.

And so I think that you -- you said something to me during this, and we've been through Harvey together and we've been -- I don't know, Katrina, Rita -- I call it Katrita. It all ran together. I mean, I've been through so many of these. And you've said something, When you've seen one disaster, you've seen one disaster. But after every one of them, we -- we rush to pass bills and do better. And we put it in statute. And we put it in code and then we -- we fund certain things. And that's great.

And I cannot wait -- I think -- I think one of the most impactful testimonies, other than what we've seen during this, was knowing that there's technology out there and things that we can deploy in a state that

is very blessed. And we're going to do that.

And I would say to the Water Development Board, you can't get that stuff out there fast enough because we do have to be able to predict the micro bursts. We do have to have to have the warning signals and the sirens. We can do all of that better. So I look forward to working with you.

But I -- I -- when -- when we kind of talked about the delays -- and I think some of the interviews of the 140 people, some of those delays of getting people out, maybe the Cajun Navy could have added to a more expedited -- maybe we could have saved a few more people. Maybe, maybe, maybe not. I know what you were telling me about the longer time goes on, but potentially, we still wouldn't have a little girl missing.

And so I -- I want to drill down on the local decisions to deny firefighters and the Cajun Navy versus the state. And I always think that a government closer to the people is a better government. I say to my state representatives, of which I'm housebroken, you are closer to the people. We represent 700-, 800,000 more people than y'all do. That's why I always listen to my state reps. You're closer to them. I always listen to that mayor, always listen to that county

judge.

But I do think we have, through statute, given DSHS more ability to make sure that our camps are better trained. I picked up on some things today that every adult on every campus of a camp should probably be trained in evacuation. But I think that we look at the elected officials really closely, and we up our game.

And, Senator Perry, the point that you made, it's not that a county judge isn't going to go on vacation or a mayor is not going to go on vacation. That's -- that's fine. You just have to appoint somebody that is in that role after that, and that person has to be trained.

I'm glad that the Kendall County Judge went to bed -- I think your quote was -- uneasy, disturbed, didn't feel right, nervous that something was going to happen. I think those are -- those are indirect quotes, but I think I captured the emotion. And Kendall County fared a whole lot better in this flood than Kerr County with 119 deaths. That's a staggering number.

So I look forward to you helping us be better. We're a very blessed state. We can have those resources and do better. But when it comes down to it, you got to have leaders that are trained, that know what to do.

We just drilled the Eastland family on that, and we learned that there -- there were -- there wasn't enough training, there wasn't proper training. And I -- I think that we have to look inwardly to our elected officials as well.

CHIEF KIDD: Thank you.

SEN. KOLKHORST: Anything you want to add to that?

CHIEF KIDD: We have also got to look at our volunteer fire service.

SEN. KOLKHORST: What do you mean by that because I love them?

CHIEF KIDD: Senator, we've danced around this for years. I love them, too. I started my career almost 35 years ago as a volunteer. There is no state-required training for volunteer firefighters.

SEN. KOLKHORST: Even the Texas A&M Fire School?

CHIEF KIDD: You don't require it of volunteers. You don't mandate it. You mandate that paid firefighters go through a curriculum and graduate from an academy. But I can go volunteer with a fire department in any county in Texas and show up and just say, I want to be here and volunteer.

And some of them are great departments.

They really, really are. There are great volunteer fire departments and great volunteer firefighters all across this state. But you don't mandate what training they get. You don't mandate that they get fire suppression training. You don't mandate that they get swift water rescue training. You don't mandate that they have to have any emergency medical training because they're volunteers. You mandate that for paid fire departments. You mandate that for the cities. But so much of Texas is covered by a volunteer fire department --

SEN. KOLKHORST: It is.

CHIEF KIDD: -- that they --

SEN. KOLKHORST: And they are terrific.

CHIEF KIDD: -- and they are part of the incident command system, and they should be part of the incident command structure. But if we can't even mandate that they get training, what good are they going to be to us on our worst day?

SEN. KOLKHORST: Would you have the state pay for the volunteer fire departments?

CHIEF KIDD: I -- I think you have plenty of emergency services districts out there right now that the citizens of that community are -- are electing to have an emergency service district and be taxed by that district, and you have some that are voting them down.

SEN. KOLKHORST: So if you didn't have an ESD, do you think that we could mandate and -- and -- and supplement?

CHIEF KIDD: I think you should ask the local officials in Kerr County, but I believe there is an ESD in Kerr County right now. They still don't have paid firefighters.

SEN. KOLKHORST: Thank you.

CHAIRMAN MEYER: Chair recognizes Speaker Moody.

VICE CHAIR MOODY: Thank you, Mr. Chairman.

Chief, thank you.

Senator Kolkhorst touched on a couple of things that I want to touch on. I was also very glad to hear that she listens to state representatives. I'm going to -- I'm going to hold her to that next session. Oh, just some? Okay, I got it.

And I think you hit the nail on the head in request versus mandate and something that we need to look at seriously. And you mentioned it in a couple of different ways, but I can tell you one thing, the families that are in this room didn't request to be here. They did not. It's mandatory that they're here because they tragically lost life. So, if they're here in their pain and their grief, then we need to figure

out a way to have a better system for them because a lot of these families out here, they didn't -- they didn't elect the judge in Kerr County.

CHIEF KIDD: They did not.

VICE CHAIR MOODY: They didn't elect the mayor in Kerrville. And I'm not trying to denigrate any elected official or emergency management coordinator, whatever, because I'm sure many of them do the best they can do. But -- and I do agree, when your local boots-on-the-ground, maybe there's some nuance to what you know, that -- that works well.

But you know, when you answered the question, the people didn't know a difference between a watch and a warning, well, we've heard that people don't really. Didn't change their actions much at the local level. But I know you do. I know your top brass does. I know the people that work for -- for y'all do.

And I'm not -- I'm not saying that a massive system statewide is the solution for this because there is -- it's not an either/or in my mind. I think it's a both/and. Because -- and correct me if I'm wrong -- is there anywhere in the code that we give you the ability or anyone at the state the ability to step in and move the locals to the side and take control of the situation?

CHIEF KIDD: Not at the incident command post level, nothing that I'm aware of, and nor that we've ever practiced or -- I don't think we have the authority.

Again, when you -- when you look at chapter 418, the Disaster Act of 1975, and you look up command or control, that always relates to the local level. When you look at our agency's responsibilities and duties, it is coordinate and support.

VICE CHAIR MOODY: Uh-huh. Yeah, yeah. And I think that -- and I -- two very different scenarios, but the idea of incident command and control was something we talked about an enormous amount in Uvalde. And I said, well, the -- the Consolidated Independent School District folks, they showed up there first. Well, they're in control. That's what our teaching -- that's what our -- the doctrine teaches us. That's what the philosophy of law enforcement, they're first on site, they're in control. They were the least qualified to be in control. But that's what everybody was taught. Well, he's in control. He's in charge.

And after that, we have done a lot to change that culture, to make sure that if there are failures there, then we're not going to accept just because you're -- just because you're the one there on

site, if there is someone more qualified -- more qualified, more competent, more able to figure out how to deploy resources, they're going to be in control.

And so we didn't accept doctrine and philosophy because, just like we just talked -- we just talked to the Eastlands for, I don't know how long, about just because this is the way we've always done things doesn't mean that you should continue to do it that way forever. And they all said that. That's, of course, if we know now what we knew then, you know, we're not going to do that going forward.

We have to expect that of us, too. If the answer is that at the local level the response is inadequate, then we need to have a mechanism in place where the state can have experts or a strike force when talking about post-event.

And look, I don't have the solutions here. I don't. I'm trying to just make the point that -- that we have to -- we have to not accept the norms, if time and again, we realize that there are -- like you said, each disaster has its own flavor to it and all different, you know, confluence of things can create crisis.

And -- and there's something here to be done through emergency management, and I don't think

you're going to find anybody up here that's going to, you know, step over the top of their local elected official. I think there's some value there. But we do need to figure out, when it comes down to it, where we have more qualified, more competent folks, how do we take control of the situation? And I'm not saying -- that's one out of a hundred probably, maybe one out of a thousand, but we do need to figure out how we do that in an organized fashion. Otherwise, we will keep having these situations come up.

And look, I don't magically think because some people elected me in El Paso that I know all the answers to everything. Just like the county judge isn't -- isn't an emergency management expert just because, you know, he or she got elected to that position or the mayor, just by virtue of -- of -- of getting elected or, like you said, these other people are just appointed and they get three hours of training, insufficient.

And I just -- there's a big picture here that we need to kind of step -- step back, and I mentioned it yesterday. This is a great state, and we talk about that in a lot of different ways. If we're not going to think critically about how we do this type of work, then we are not doing our job.

And so, I just know that you're going to be

a partner in that. I know that we've heard a lot going back to last summer about the work that you did in -- in this crisis and -- and helping to coordinate the best you could, and I know that you'll be a partner with us in this discussion.

But -- well, I guess I'll just ask you the question. Should there be a situation in which we have the ability to sidestep the locals and start to manage the situation if it's gotten to a point where it is not being managed competently and correctly at the local level?

CHIEF KIDD: And thank you for the opportunity to answer that. In most cases where we have had local officials or local capabilities that have not been up to the size or scope of management that was needed, we have come in and wrapped around them and supported them to continue to move them forward. It's very rare that we get a local elected official that starts to push back once we bring in an overwhelming amount of resources to help support them. It's very rare. I can't even think of a time that that's happened.

VICE CHAIR MOODY: It didn't happen --

CHIEF KIDD: It did not happen in Kerrville either.

But the challenge with that is -- I have been the guy in the water. In San Antonio, I was the lieutenant for the city's technical rescue team. I've shown up in my own city where an incident was started by other competent responders, and I got to tell you, boss, one of the hardest things in the world to do is to take over a situation that is already going bad and turn it around. It's -- it's a better capability if you can bring the resources in to help support the people that are managing it, if they're doing it competently.

And in this case, we know that that did not happen, but we quickly put resources in there and started working in that case.

My fear is, if we put this into law -- if you put this into law that the state can come in and take over, then what keeps every local jurisdiction from just stopping it from the very beginning?

VICE CHAIR MOODY: So there I think is the -- there I think is the trip line that we have to be cognizant of because we talked a lot about complacency. I don't want someone saying, Oh, well, it's not our deal anymore. We know that the state's going to come in and take care of it. So we're going to step back even further.

That's the line we have to walk here. And

I think that's -- that's -- that's going to be the complex part of it. And -- and, you know, the fact of the matter is on the ground, like you said, when you absorb or kind of put the resources around a local control/command element, you know, that's going to be able to hopefully stabilize or at least help you navigate out of that.

And I think we just need to figure out how -- how we best do that, and it doesn't necessarily need to be -- I mean, we talk about training and all of these other things, but it doesn't necessarily need to be a change in statute. I think we just need to understand how that -- how that -- how that works because I -- like I said, I don't know -- I don't know that anybody who also served on that committee during the summer walked away thinking that the citizens in Kerr County had folks at the top levels doing everything they needed to do in that situation. I don't think you could walk away from that hearing and have that opinion.

And so what do -- what do we do? What do we do in a way that does not create complacency, where we pass the buck, Well, the State's going to do it? We do need to figure out. There's a fine line to walk there, but I know that we have your commitment to work with us --

CHIEF KIDD: You do.

VICE CHAIR MOODY: -- as we move forward.

CHIEF KIDD: Yes, sir.

VICE CHAIR MOODY: I thank you for -- I thank you for that.

With that, I don't -- I don't -- I don't have any -- any other questions. There was this -- I know we had some discussion about the mass fatality team and how we need to continue to work on that, and I know Casey brought that up yesterday. I think that's something that is -- has to be worked on.

We saw the same -- the same compounding of grief in Uvalde as we saw here in -- in the -- in the Hill Country. So, you know, you certainly have a commitment to work on that because that's, you know, it's something that is -- it is absolutely horrific when you think about what these families have already been through to then compound on that.

So thank you, sir. Appreciate your time.

CHIEF KIDD: Thank you.

CHAIRMAN FLORES: Senator Menendez.

SEN. MENENDEZ: Thank you, Mr. Chairman.

Chief Kidd, thank you for your service. And it's with pride that I get to tell a lot of folks that you -- you started your career in San Antonio.

Chief, you said it I think two or three times today, and I've heard it before that you feel strongly about the volunteer firefighters having proper training, right?

CHIEF KIDD: Yes, sir.

SEN. MENENDEZ: That's exactly how we feel about these county emergency management people. They need to have proper training.

CHIEF KIDD: Yes, sir.

SEN. MENENDEZ: And -- and I think the way -- what we need to have your help over the next few months is, what does that level of training look like? So that we tell the -- you know, maybe we figure out a way how to communicate to the county judges and mayors around -- if you designated a county emergency manager, this is what their minimum level of training is.

The other thing is, when you get to -- you or your team get to an incident and you arrive, and just like you would arrive at the one that you described where you had to wrap your services around the things you brought to bear because you identified that certain things weren't being done, right?

CHIEF KIDD: Yes, sir.

SEN. MENENDEZ: Maybe we teach them about minimum standards, these are the minimum things you need

to do, and we train them on that so that we don't have this crater -- this crater -- impact crater because they've -- they've been trained in these events. There's one source of information for this, this, this, this, and this is how you do it.

And there's got to be a chain of command, and if the county judge is sick, on vacation, traveling, whatever, number two person is this. And there has to be -- so that when you do arrive, things are moving well because they've been trained and they've practiced, and if not, then you wrap your services around it. I think that's the answer because, no, we don't want them to -- to rely on the state to solve all the problems, but they need to be properly trained.

CHIEF KIDD: Yes, sir.

SEN. MENENDEZ: And we will support you on the training of the volunteer firefighters. I think we need to provide the services, the resources for them, because these are good people that are trying to do their --

CHIEF KIDD: They are.

SEN. MENENDEZ: -- best for their community, and we don't want to be like just discouraging people from --

CHIEF KIDD: No.

SEN. MENENDEZ: -- from doing it.

Thank you, Mr. Chairman.

CHIEF KIDD: Thank you, Senator.

CHAIRMAN MEYER: All right.

Chief Kidd, thank you for -- for being here. I just have a few questions. And, really, if we could -- and I know you all testified for hours at length last summer, but for the benefit of those who maybe didn't watch those hearings or read the transcripts, can you describe for this committee your interaction with Kerr County, you all -- your agency's interaction on July 3 and July 4 of 2025 for the benefit of maybe those folks who didn't -- who aren't aware of -- of the failures that, quite frankly, caused many of my constituents immeasurable pain and grief on top of the pain and grief they were already feeling due to the lacking of coordination, the lacking of information, incorrect information, and the other areas that Ms. Garrett addressed. So, if you could just give me, from your perspective, point of view, the interactions on July 3 and July 4.

CHIEF KIDD: Chairman, thank you for that opportunity. Again, we -- having coordination calls and pre-positioning resources as early as July the 2nd across the state, without knowing exactly where they

would be -- where they would be needed.

Now, those coordination calls happen at 10:00 a.m. every morning, regardless if it's a holiday or a weekend, whenever we have the threat like this. And so those -- all of those local officials in the impacted area -- and statewide actually -- get that notification to be on that call.

Years ago, we targeted it down to only what we thought was the threat area, and we had complaints from others that were like, well, if I had known, I would have been a little more ready to support them as well through mutual aid. So today, statewide calls, everybody gets invited to the call.

We have in 137 of the 254 Texas counties, TDEM has at least one employee that's assigned to that county. Kerr County had a county liaison officer, and that Kerr County liaison officer was embedded with the city office of emergency management, which was different than the county office of emergency management. City is the one that offered us the space.

And so that CLO, county liaison officer, was working with all of the jurisdictional -- the authorities having jurisdiction within that county to make sure they were getting the reports from the National Weather Service and our resource appointments

and allocations, and to be there for anything they felt was an unmet need. A need that they identified at the local level that they weren't able to suit with their own resources, they could have asked our CLO. Our CLO would have sent that back up to the state operations center, and we would have found resources from somewhere in the state to move into support. So that's on the front end of the -- of the rainfall.

I think some of the things that we're asking about -- and it was a great presentation yesterday. I got to watch a little bit of it last night. But some of the things about mass fatality management, notification of the families, identification of remains, those are in a separate part of the law and the Penal Code that really assigns that authority to a justice of the peace. And JPs take that job very seriously, but again, they're locally elected. They're a local elected official. They're not all judges. They're not all lawyers, as you know. They have varying backgrounds, and they have set requirements for training that they need to go to.

The JPs in Kerr County, I believe, did the best they could with what they had on a holiday weekend with -- with their knowledge of the law, and it was much more than they had ever planned or trained or exercised

for, and it was deeply personal to them. They -- they lost friends and family in that community as well.

So what we need to do as a state is to assign, just like we do for firefighters, we have TIFMAS, the Texas Intrastate Fire Mutual Aid System. Today, we have firefighters from nonimpacted parts of Texas that, through the money you give to the Governor in the Disaster Contingency Fund, we are paying those firefighters to be where the fire threat is.

We have the emergency medical task force center made up of hospital physicians, ER nurses, and paramedics on the street that are from unimpacted jurisdictions that we pay to support local communities all over Texas.

We need to do the same thing with the justices of the peace and the medical examiners. That has not happened yet. If we had teams and organizations like that, I think that would have minimized some of the confusion at the local level and would have eliminated some of the unnecessary burden and pain on the families for notification.

CHAIRMAN MEYER: Well, a few more specific questions.

Was there any specific outreach from TDEM to Kerr County officials before the 10:00 a.m. call on

July 3rd?

CHIEF KIDD: Yes, sir.

CHAIRMAN MEYER: And what was that reach out?

CHIEF KIDD: That was phone call, text messages, and they're sitting there in the same office with the city officials there. So it was just conversation.

CHAIRMAN MEYER: And so isn't it correct that TDEM follows up calls like the July 3rd call at 10:00 a.m. with written summaries? And did that happen in this instance?

CHIEF KIDD: The slide deck that we used to present on the call is emailed out to all jurisdictions and all partners.

CHAIRMAN MEYER: And does TDEM have any process for ensuring that local emergency coordinators actually received and acknowledged receiving important communications?

CHIEF KIDD: If you have your read receipts turned on your email, we can see that you read the email or that you at least received it. If you get -- if you get a bounceback, if it's a bad email address, we get that. But once I send the email, I don't know -- I don't have any way of knowing whether you read the

message, acknowledge the message, and are going to take action on the message.

CHAIRMAN MEYER: Understood. Understood.

But as it relates specifically to Kerr County, can you just briefly summarize for me the failures -- failures that occurred at the county level that I know we had legislation addressing on a go-forward basis, but I want to make sure that, you know, everyone here and watching online understand the levels of incompetence that we saw that, again, contributed to additional grief, additional pain for a lot of families in this room and families not in this room.

CHIEF KIDD: Yeah. Chairman, I -- I believe I understand your question, and I -- I just want to say that, remember, our agency is a response agency. It's not an investigative agency, and we are not a regulatory agency. So I can tell you based on -- on observations that we didn't get responses back, but the -- the most direct and best answer to your question is probably from the investigative team that you have together.

CHAIRMAN MEYER: Okay. Very good.

CHIEF KIDD: And the regulatory bodies.

CHAIRMAN MEYER: All right. Very good.

Thank you.

CHIEF KIDD: Thank you, sir.

CHAIRMAN MEYER: Senator Perry.

VICE CHAIR PERRY: Again, I'll go back to S.B. 2, but to be clear -- and -- and I don't have an answer for this today -- and -- and this is hard to say, but a lot of the -- a lot of the -- the -- the casualties had to have DNA to identify. And -- and I would be remiss to say that we had a whole lot of volunteer labs or DNA certifiers. Maybe -- maybe it's academics or somebody, but we got 24-, 72-hour responses on things that would typically take a long time.

So we had a really ad hoc, impromptu network of people that were acquiring the DNA verifications for obvious reasons, the trauma, involved in all of that. And -- and to their credit, they just stepped up and did it. And so a lot of the -- the pain was not knowing, but some of the information sought, there was not a answer to until DNA samples were returned with identifiers.

So it was very complicated, very ad hoc, very chaotic. Absolutely, 100 percent, the local -- lack of local, if you will, coordination, communication, and support, the -- the Cajun stuff, that's definitely one aspect.

But there was a piece of that that I don't know how you manage that other than, had you had an engaged, trained, that on this issue we know to do X, but I don't think we had that, and we should have that, and I think Uvalde had the same situation. But that's just one of those very personal, hard conversations that some people just couldn't identify without DNA samples.

CHAIRMAN FLORES: We go back a long way.

CHIEF KIDD: Yes, sir.

CHAIRMAN FLORES: We've worked hurricanes together and big floods over the years in my previous life. And always thank you for your professionalism and the way you conduct your agency and its response to Texas as a whole.

Just as a preface to a lot of the discussion today, I just want to say from someone who was there on the 4th of July in that afternoon when we got -- Governor Patrick and I arrived there, and so did you.

And I'll preface it by saying that in, in Kerr County, the -- the -- the people there, when you -- when they responded the best they could under the conditions that they had. As a community, you can tell story upon story upon that -- that -- of bravery and rescue and selflessness that the citizens of Kerr

County, cut off from the fire departments, cut off from the city, cut off from county assets, it's -- you know, it's a Hill Country strong and Texas strong, that was a great example in Kerr County of that happening, members.

The officials there were operating at that day with the Kerr County incident command center, and then they had the Kerr -- City of Kerrville and they were working in silos. Would that be a correct statement?

CHIEF KIDD: Yes, sir.

CHAIRMAN FLORES: And they were needing guidance and they were needing assistance and they were overwhelmed. Would that be an accurate statement?

CHIEF KIDD: Yes, sir.

CHAIRMAN FLORES: So I watched you come in and working with our locals and working with Kerr County and working with -- with the City of Kerrville established a unified --

CHIEF KIDD: Yes, sir.

CHAIRMAN FLORES: -- command. Could you tell members what a unified command means?

CHIEF KIDD: Yes, sir. Thank you, Chairman.

And so, back to Speaker Moody's point is, when we realized that the local officials are operating

independently and not working together, we come in and gently encourage them to work together.

We found a suitable facility for them to operate out of together instead of being in two different locations, and we put them into a unified command where each still had responsibility and autonomy for their agencies and their jurisdictions, but they'd encouraged them to work together for a common operating picture to make common decisions and to set a plan for future action for rescue, recovery, and then to move on to financial and -- and fiscal recovery as well.

So those are national incident management system standards and training that we put in place. And it was just that coordination of bringing them together, making them acknowledge their roles and responsibilities, and then encouraging them to work together for a unified decision.

CHAIRMAN FLORES: So it's so important that anybody that's in emergency response, that no matter what level of government that you're at, would you agree that -- that they -- just the -- the training with NIMS and incident command, which is a national standard, that you can go anywhere in the united -- continental United States in any -- and if there's a disaster or emergency of any kind that you would -- everyone would know what

to do and what their roles are and how to roll out emergency management, would you think that would be something that would be highly recommended, either by policy or statute, that we do for emergency management operators in the state?

CHIEF KIDD: I do.

CHAIRMAN FLORES: Thank you.

Also, when you came in, you were -- I talked about -- earlier, I talked about managing chaos. And that's a lot of what emergency management is all about. Would you agree with that statement?

CHIEF KIDD: Yes, sir.

CHAIRMAN FLORES: So you were able to coordinate working with them as to where the needs were and organizing our response as quickly as possible, to -- to bring in assets from all over, and you talk about mutual aid. So tell us -- tell us -- could you tell us more about mutual aid?

CHIEF KIDD: Yes, sir.

Most jurisdictions do not have -- I'll start that over again.

There will never be enough local, state, or federal assets to take care of everybody if we need them at the same time, period. On most days in most cities, I think the general public would be shocked to find out

how many EMS units are available for the next 911 call for their jurisdiction, because they rarely call EMS until they do, and then they figure out why they have a 20- or 30-minute response time. It's because of that lack of unit availability. The general public does not see that and does not know.

What we've been able to do over the -- over 20 years in emergency management now is to build teams of other local governments. For instance, most fire departments -- paid fire department at any given time, two-thirds of their workforce is off duty. So firefighters, EMTs and paramedics, at any given time, two-thirds of them are working another job or they're off. What we do is we hire those off-duty firefighters, EMTs, and paramedics, and assemble them into teams to deploy out to support other local governments.

So today, statewide mutual aid is in place under chapter 418 of the Government Code. City to city, county to county, they can move resources back and forth around and share responsibility for supporting those incidents. And when that gets overwhelmed, they ask the state for help, and we send additional local government people in to support that.

Now, it's not only local governments. It's plenty of game wardens. It's plenty of state troopers.

It's plenty of Texas Rangers. It's plenty of Texas Military Department. But once you get outside of those few state agencies, DSHS, we send in other locals that we bring in, the fire service sends in other locals that we bring in, and that mutual aid is supported and coordinated with state law and gives the protections of those individuals and those sending jurisdictions if something were to happen to those people while they're deployed.

CHAIRMAN FLORES: Thank you.

And -- and what was -- with your leadership and coordination, and of course, you know, our -- our -- our locals working in coordination with you, there was also the issue at U.S. emergency management responders and our -- our locals and their emergency response to the Cajun Navy issue. We had Texas and the nation sending in assets and resources just in -- in -- in true Texas fashion coming to the rescue. Tell us -- tell -- tell us how -- how -- how -- I saw firsthand what you were having to deal with. So can you explain to the members what that -- what that means in terms of emergency management response when you had that much coming in and how to control it?

CHIEF KIDD: Yeah. I'll try my best, Chairman.

And so as a local incident commander, as a company officer and a fire department, a lieutenant or a captain or as a chief officer, like I was in San Antonio, when dispatched to an incident, you go with a known number of resources. A basic structure fire will get you three or four engines, one or two ladder trucks, and one or two chief officers, and that group goes together. First arriving company on scene assumes command of the incident, regardless of rank, until relieved by a higher rank or special authority.

We don't send other resources to that event until the incident commander asks for them because you can quickly overwhelm the command capability. The commander has to build out his organizational structure or her organizational structure to support all incoming resources.

On a multiple alarm fire, big apartment fire, big warehouse fire, when a second alarm gets triggered, those resources generally do not report straight to the scene. They go to what is called a level 2 staging area that's set up by a staging manager, another chief officer that's brought in, or the first arriving second alarm company, so that we start staging those assets so we can qualify and quantify what's available to be used.

The worst thing we can do to an incident commander is give them more resources than they can manage. That's where responders die in the line of duty. And so we manage the organization coming into the event through communications and through command and control of the incident.

As an emergency manager now, my job is to make sure that that incident commander has the resources he or she will need in the time that they call for them. Failures happen when an incident commander doesn't recognize the need quick enough to call for additional resources or doesn't set up the organization to stage those additional resources as they're coming in.

CHAIRMAN FLORES: Just a couple of more things. So -- well, I'll just leave you with this question, Chief.

What advice would you give to the camps to help them be better prepared?

CHIEF KIDD: I was invited to speak to some of the camps at a conference not long ago, and that was the first time I'd ever been invited to speak to them. Again, the statute doesn't direct this state agency to interact directly with the private sector or for-profit organizations. It directs us to support and coordinate local governments.

I do believe that those camps all across the state should absolutely do their best to communicate with their local office of emergency management to make sure they understand they need to have an incident command structure for each camp, and that camp structure needs to be established. And it goes back to the plan. It's got to be written. It's got to be trained. It's got to be exercised. It's got to be funded. It is not a one-and-done. It's not a destination. It's a journey. And no plan survives first contact. It never has. It never will. But that planning process is the priceless piece of knowing what resources are available and who to call and when to call them to make sure that you have what you need on your worst day.

CHAIRMAN FLORES: Thank you, Chief.

Any other questions, members?

(No response.)

CHAIRMAN FLORES: Thank you very much for your testimony. We will stand at ease for five minutes.

CHAIRMAN MEYER: Committee will stand at ease for five minutes. Thank you.

(Brief recess.)

CHAIRMAN MEYER: The House General Investigating Committee on the July 2025 Flooding Events will now come to order. All right.

The Chair calls Bolton Walters, Julie Sprunt, Schuyler Marshall and Grant Griffin. All right. Thank you all for being here and we will start going right to left with Ms. Sprunt.

Please begin.

DR. SPRUNT MARSHALL: Chairman, vice chairs and committee members, thank you for the opportunity to appear before you today. To Casey Garrett, Judge Massengale and your team, thank you for your hard work and excellent presentation yesterday.

My name is Julie Sprunt Marshall. I'm a surgeon here in Austin. My husband, Schuyler, and I are parents to a nine year old daughter, McKenzie. On July 4th McKenzie was a camper in Twins II when she was swept more than a mile down river and survived. I am also a former camper at Camp Mystic. I loved this camp enough to send my daughter to it.

I assumed the Eastland family took our love, loyalty and trust seriously enough to maintain appropriate safety plans. I assumed, since I attended 30 years ago, that the Eastland family would have invested in safe technology to improve safety at Camp Mystic. It has become very clear they did not.

I want answers to the heartbreaking questions my daughter asks me about what happened to her

friends. I hope McKenzie's experience offers this committee a sense of what these children suffered, those that survived and those that did not.

All of our daughters in those cabins were awake with enough time to be evacuated. Our daughters were told to stay in place. They waited, they obeyed the Eastland family's instructions. From the cabin window McKenzie watched flashlights bobbing in the dark as other campers and counselors made their way toward Rec Hall and safety. Over time the girls were moved to the top of the bunk beds as the water rose.

McKenzie told me that eventually she and the other girls understood no more adults were coming to rescue them. She remembers Edward crying out to the sky to stop the rain. The rain did not stop. The water slowly rose in her cabin. The Eastlands' prayers didn't save the girls that night. I worry the Eastlands' prayers going forward are not an appropriate safety plan.

Girls began crying for their mothers, girls were crying that they wanted to go home. I cannot fathom this; we cannot accept it. Had these eight year old girls and their counselors been allowed to run for their lives, there were many safe places to go. We all grew up at that camp; we knew those safe places. Our

girls did not. Instead, they obediently waited and the counselors, heroes themselves, decided that if the water reached their shoulders they would evacuate the girls rather than leaving them to drown in their cabin.

Once the water was two feet from the ceiling the bunk bed tipped, spilling the girls into the water. McKenzie was swept out of the window in total darkness, amid fast moving, churning, debris-filled water. McKenzie fought for her life as the current catapulted her down river. She describes thinking this is what it is like to die, this is it. My daughter tried to grab onto Cypress trees, but could only strip leaves off the branches.

She would lay flat in the river, feet first, but would have to be under the level of debris because it was all so thick. The river pushed her under over and over again, and she would hold her breath as long as she could. The debris was so thick she could barely come up for air. She has told me she thought they should just give up.

She saw flashlights in the distance. She clung to a tree and began yelling "Help," along with another girl from Twins I. The neighbors heard them and put their own lives at risk to rescue both girls. Strangers then; guardian angels and heroes forever, they

pulled them from the water at great risk to their own lives. The neighbors, the Griffin family, texted Britt Eastland at 4:45 a.m. to tell him two of his campers had been found alive down river. Britt did not respond.

When the Griffins notified Camp Mystic about our two daughters, Camp Mystic made no effort to reunite our girls with their cabin mates, nor did they provide updates to us about their location or well-being. They remained in the care of the Griffins, who at that time were strangers to us, whose house was barely standing.

Hours later the girls were evacuated from the Griffin property by helicopter. Given our daughters' experience, these two girls should have at least been medically evaluated by the camp's health officer, Mary Liz Eastland. She made no effort to do this. We were never called that day by the Eastland family.

I want to speak specifically about Mary Liz Eastland, because her failures as a registered nurse and the camp health officer touch directly on my duties in the medical profession. Mary Liz testified under oath earlier this month as camp director, registered nurse, and camp health officer. As the camp health officer she was required to be on site and on call. The Infirmary

was staffed around the clock by licensed nurses that she supervised. She testified that she did not know the camp was under a flash flood watch on July 3rd, she did not know the difference between a watch and a warning, she was not signed up for code red alerts; all things that we are very familiar with, especially in the medical community, especially if you are providing trauma care. She did not go to the Infirmary that night.

When the gatehouse flooded, she knew something unprecedented was happening. When asked what she did with that knowledge and that concern, her answer was simple and emblematic: Nothing. She did not call the nurses to warn them, she did not instruct them to check on the cabins, she never called 9-1-1. She abandoned the campers on Senior Hill and the flats.

Instead of running toward the children for whom she was duty bound to render aid and care, she admitted she never even tried. Instead, she ran the opposite direction, to higher ground, while our children were told to shelter in place. Even worse, they evacuated the nurses from the Guadalupe campus instead of instructing them to stay and help.

After the flood she did not survey the camp for missing or injured children. As Chief Health

Officer she did not know that dead children were on the grounds at the camp for days. She failed her statutory obligation to report camper deaths to DSHS within 24 hours. Months later, and today, she admitted she still has not.

In the aftermath of the flood on July 4th and 5th I was called upon to perform medical evaluations on surviving campers because the camp health officer was nowhere to be found; assessments for concussions, evaluations for lacerations, concern for water inhalation injuries.

In her testimony one exchange horrified me. Counsel put the question squarely, "You knew the property, you knew the flood lines, you knew the access points, your children knew them, and these were first year campers. You had 34 more years of experience than Cile," my daughter's very best friend. "She needed your help me and you abandoned her, didn't you?" Her answer, "Yes." Just days after this astonishing admission of abandonment she was photographed at Camp Mystic with a beaming smile and a Camp Mystic t-shirt on, recruiting campers and counselors for this summer.

I am a surgeon. When my patient needs urgent medical care I do not call families and ask what to do. I know what to do. That duty is mine as a

medical doctor. The state has that deal with me and holds me to a standard. I take that responsibility very seriously. I maintain my certification, I keep safety and planning at the forefront of my medical care, I ensure I answer my pager, especially if I'm on call. If I go out of town, somebody covers my pager.

Mary Liz Eastland should have known her heightened duty of care as a nurse and camp health officer. Instead, those that relied upon her and called out for her were left stranded. Children called 9-1-1 before Mary Liz did. The Eastlands say that returning to camp is for the healing of its campers.

In October my traumatized and grieving daughter received a photocopied handwritten letter from Tweety. It was addressed directly to McKenzie; not to us, her parents. It was mailed without our consent or knowledge. Some of the lines included, "She was a Mystic girl and all shall be well. Camp is even more beautiful in heaven. Can you imagine the heavenly chorus of Dick and our precious Mystic sisters singing songs together?"

This letter arrived while we were counseling McKenzie through her own personal losses and through the deaths of her friends, and while recovery efforts to find Cile's body in that same river were

still ongoing and continue to this day. This letter was the opposite of what my child needed at that time.

My daughter survived. I'm grateful every day, but I want this committee to understand what survival looks like. McKenzie says in a small voice, "I didn't mean to leave the cabin," as if the river that ripped her through a window was a rule she broke. She is sad that she did not get to say sorry to Cile or goodbye. Her last memory of her best friends are the fear and frenzy next to her on a top bunk waiting for capable adults who never came, one of whom is a registered nurse and has plans to take care of 850 children this summer.

My daughter cannot yet fully hold the death of her best friends, so her nine year old mind has transferred the grief onto a pair of stuffed bunnies that she had to drop while swimming for her life. On July 6th she sobbed that her bunnies were supposed to be with her forever, that her bunnies were supposed to watch her grow up, that her bunnies were supposed to be there when she got married. That is what a child-sized container for unthinkable grief looks like, and it's just starting. McKenzie is not alone. This is going to be with them for the rest of their lives.

Camp Mystic has announced that it plans to

reopen this summer and bring 850 girls back, in part they have said to help them heal. The Eastlands have no training in trauma psychology. They are traumatized and suffering from PTSD themselves, understandably so. They are not equipped to care for traumatized children, they were not equipped to keep them alive, and now the plan still feels like going forward it's more dependent on prayers than safety plans.

The camp will be conducting an incredible dangerous experiment on children. Campers will be there without their families, without their support systems, without their prior counselors, testing what will happen at the very first heavy rain, at the first clap of thunder, at the first time a noise startles them awake.

The Eastland family failed to understand the responsibility they accepted when they assumed the care of our children. That failure has been obvious from July 3rd to this date and now they intend to accept that same responsibility again this summer for 850 girls.

We, the parents, are doing the best we can. We are holding children who wake up screaming, we are sitting with friends who are still waiting for their daughters to come home. We are watching the sky every time the forecast calls for rain. We cannot do this

alone.

I'm asking this committee, please, to act. Do not let this camp reopen on the schedule and on the terms set by the people who failed our daughters. Make sure that the next time the rain comes the adults responsible for these children know what a watch and a warning mean. Make sure that the next time the rain comes our daughters are not left waiting for a rescue that's not going to come. Thank you.

CHAIRMAN MEYER: Thank you, Dr. Sprunt.

Members, any questions?

Extremely powerful, moving.

CHAIRMAN FLORES: Members, any questions?

No questions, Mr. Chairman.

CHAIRMAN MEYER: Mr. Griffin, please proceed.

DR. SPRUNT MARSHALL: Mr. Marshall, my husband.

CHAIRMAN MEYER: Mr. Marshall. That would make more sense.

All right. Mr. Marshall, please proceed.

MR. MARSHALL: Committee, thank you for letting me speak in addition to my wife. I'll keep it brief because, thankfully, Ms. Garrett yesterday, her amazing presentation and y'all's excellent questions

today, I think, have covered a lot of the ground.

In the days and weeks after July 4th, I expected the only thing that Camp Mystic would care about would be the families sitting behind me and all -- all their campers that had gone through this horrific traumatizing experience, not just the ones that got washed down the river like McKenzie, but any of those girls that had to sit in the Rec Hall all night. We never heard anything from Camp Mystic. They never checked on McKenzie.

Instead, a couple months later the first thing we heard was the letter recruiting her to come back for this coming summer, along with e-mailed announcement plans to reopen. That was shortly followed by they're hiring a PR firm, putting out statements, putting out news articles that are trying to whitewash the camp. They made statements like, "We didn't get any warning. We couldn't have done anything different. It was a wall of water. We did have a plan." You know, these are easily verifiable false statements, and some of them are the most disingenuous things that I've ever heard. In this circumstance it's just shameful, even today, claiming those cabins weren't in the floodplain.

I think a lot of y'all already touched on this, especially Senator Perry. You know, if you

can't -- those statements, by the way, and the news articles were repeated in litigation, in court, and today. It goes without saying, if you can't trust people under oath, their answers under oath, you can't trust what's on an application, what they're going to tell parents of kids coming back to camp or anything else, and I think y'all get that.

So the main point I wanted to make, the one that comes from my heart, that goes to the impact crater. Every one of those false, disingenuous statements, equivocations, every one of those is like another grenade being thrown into the impact crater. The parents back here have just been in agony, in agony; we've been living it.

Thankfully, our daughter, you know, is alive and we hope will be okay, but we're close enough to these people. They've just been in agony. And to this day they continue to widen that impact crater for everyone who loved those precious, the most, the most precious little girls you've ever seen. So I just ask, please, to anybody who's listening, and anybody that can help with this, let these families have closure and move on. Thank you.

CHAIRMAN MEYER: Thank you, Mr. Marshall.

Members, any questions? Thank you.

CHAIRMAN FLORES: Members, any questions?

CHAIRMAN MEYER: Mr. Walters, please proceed.

MR. WALTERS: Chairman Flores, Chairman Meyer, members of the committee. My wife and I entrusted our eight year old daughter to Camp Mystic last summer. On July 4 that trust nearly cost her her life. This committee's fact finding will help inform whether Camp Mystic's conduct on July 4th met the minimum standards required to take custody of other people's children.

In my family camps are a tradition. My sister was a camper and a counselor at Camp Mystic, but traditions do not satisfy a licensing standard and being beloved does not erase failure. Families are not demanding perfection in a natural disaster. We are demanding accountability for the decisions made before and on July 4th, because child protection standards mean nothing in Texas if we don't enforce them.

A day care with 27 dead children and this evidence already on record would have already been closed. The Eastlands' sworn testimony in court on April 13, 14 and 15 and this committee's hearing this week are all public; anybody can read the transcripts. The facts already established are devastating, and some

facts are just simply clear violations of custodial duties and Texas law.

Before I continue, I do want to acknowledge the unimaginable suffering, unimaginable, of the families of the 27 campers and counselors who lost their lives at Camp Mystic. None of my remarks today are intended to compare the loss of my family with their permanent loss.

In the weeks before camp I had recurring nightmares of my daughter in danger in a river. God clearly placed this, this burden on my heart, for reasons I couldn't comprehend at the time. I never would have thought that danger would be because of the adults.

At drop-off on June 29 I firmly told my daughter to fight to get out of the water, to not rely on adults if she was ever in trouble. What Dick Eastland said after overhearing me and shaking my hand is seared in my memory. His exact words were, "Sir, do not worry. I promise we are going to take very good care of your daughter." That promise was broken.

As flood waters rose on July 4 campers and counselors in Twin I, my daughter's cabin, begged to leave and cried for help. They were frightened for hours. The emergency instructions and Ed Eastland told

them to stay in their cabin and wait for further instructions. No one ever evacuated them. People here today have been onsite. It was 20 steps from my child's cabin to stairs to a safe second story, but nobody told her to take those steps. She's eight years old.

Around 4 a.m. my daughter was forced from her cabin on a mattress, thrown into a raging river. Darkness, debris-filled water; at eight she fought for her life. My daughter was knocked off the mattress, struck by debris, repeatedly pulled under water, struggled to reach the surface multiple times. She swallowed contaminated water; she just couldn't breathe, and she thought, and she had been thinking for hours, she was going to die. She stretched out her arms, last final attempt, and miraculously she caught vines on a tree.

In her first year at camp my daughter faced death and she saw death. Between the flashes of lightning at some point on her journey she had been in another tree and she could see a child about her size face down in the water. She feared that, if she died, no one would ever find her. That's the same fear today for Cile Steward. When a stranger with no duty to act and no guarantee of surviving reached her, my daughter cried out, "Am I going to die today?"

This committee has seen the 433 video. Y'all have seen the unredacted video. Two children of three swept away from Camp Mystic on a stranger's bathroom floor, traumatized. Camp Mystic never searched for my daughter downstream, they didn't rescue her, they didn't evacuate her. As parents we coordinated that day her evacuation with the rescuing family and family friends; not Camp Mystic. When her rescuers drove her on high -- excuse me -- when her rescuers drove over high ground and offered to return her to camp, Camp Mystic did not take her back. The camp had a custodial duty and it neglected and abandoned her twice, once in the cabin and once in the aftermath.

For more than six hours my wife and I did not know whether our daughter was still alive. We knew she had been rescued from the family that rescued her, but that family was in danger. Their home was in peril. The rescuing family were strangers to us at that time. Maybe known to the Eastlands, the were; they were strangers to us. We didn't leave our child with that family; we left her with Camp Mystic. Camp Mystic never told us anything about our daughter, not then and not now.

My daughter has suffered physical injuries and they have healed. The psychological injuries will

last a lifetime. Her memories of the horror have grown sharper over time. She's anxious without cause. She carries herself knowing adults may fail to keep her safe. Her innocence as a child has been taken from her. She's eight. Her older brother has been deeply affected, so have we as her parents.

This committee and Texas leaders must understand all the conditions that produced this catastrophe. No written evacuation plans, no muster sites, unheeded warnings and watches, no adequate training, no drills, complacency, no chain of command that did not begin and end with Dick Eastland, children left in cabins as dangers escalated. Any licensed operation could replicate these decisions. Lax standards and practices fail under pressure. Every family that might send a child to a Texas camp has a stake in the committee's work and in DSHS's determination.

An extraordinary flood does not relieve operators of their duty of care. The public case for reopening has rested largely on false choices and narratives. Edward Eastland himself has destroyed the false narrative in court that it simply happened too fast. He conceded that at 1:45 a.m. he saw the camp flooding and at 3:15 a.m. every child in the flats could

have walked to safety with one loudspeaker instruction, same loudspeaker that could have been used to call 20 able-bodied adults on premise to save my daughter, to evacuate her and the other children.

This committee's independent investigators testified yesterday the same would have been true as late as 3:26 a.m. Further, Dick Eastland knew at 2:33 a.m. about four inches of water, and we've already heard, that's an emergency. The question is not how the river rose, how it was unusual; it's why children were not evacuated as the visible dangers rose for hours.

I thought it was interesting earlier, either Britt Eastland or Richard Eastland made a comment about the River Sentry installations and the exact words were something to the effect of, to take the human factor out. Technology does not take the human factor out. They had technology on July 4, a radio, a loudspeaker, and they didn't use it. If an operator is not capable and not prepared, it doesn't matter how much technology you install.

Second, other camps are deficient, and we've already talked about this. On April 24, DSHS sent Camp Mystic an 11-page letter of deficiency, 22 categories. Those other Texas camps that received deficiency letters, none of them lost campers or

counselors, none of them are reported to be under criminal investigation. All of them are being held to the same new standards. Camp Mystic must answer for its deficiencies, its conduct on July 4th and its deaths.

Third, this is a tragedy across all Kerr County, and we've heard that, but that does not shield Camp Mystic. Other families made life or death decisions on July 4; ours couldn't. We entrusted that decision to a Texas licensed camp. The higher standards for licensed custody exist precisely because parents are absent and the camp stands in their place.

Fourth, you hear this a lot lately, due process. A camp license is not a right; it's a privilege. I'm not sure the Eastlands understand that. The operator must earn that right, that privilege -- excuse me -- by meeting minimum safety and child protection standards. This committee's investigation, the criminal investigation, the civil lawsuits are the due process. Due process does not require the state to renew a license when uncontroverted evidence shows conduct fell below the minimum standards, nor does it require the state to license an operator under investigation for the deaths of children in its care.

Fifth, the new standards need to be revised. Last week the state rep whose district

includes Kerr County asked the governor to call a special session to amend the Heaven's 27 Camp Safety Act, the very law passed because 27 children died at Camp Mystic. Proposed amendments would lower the bar, including for Camp Mystic. If the new standards prevent a camp from being licensed, then the question is not whether the standards are too high; the question is whether the applicant is too willing -- unwilling, too regulation averse or just simply too deficient.

Nothing shocks me anymore. After these last ten -- ten months, nothing shocks me. But they can't even be bothered to file a report on the deaths, can't be bothered to do it; haven't done it.

I'm not asking this committee for retribution; this is for judges, juries and law enforcement to decide. I am asking this committee to complete its investigation and follow the evidence wherever it leads. Questions must be asked, answers must be provided. They cannot be deferred, they cannot be minimized, they cannot be deflected.

The counselors on July 4th can and must be compelled to testify. What they know is critical to ensuring the operating culture and conditions at Camp Mystic are not repeated. Families deserve answers, Texas deserves answers and without these answers this

committee and your colleagues cannot understand what happened on July 4, the utter disarray and chaos of a camp with no real plan, and you cannot prevent the next tragedy because you simply won't know. The events at Camp Mystic were not unimaginable; they were preventible. Multiple opportunities to evacuate were missed for hours. None of this should happen, none of us should be here today.

I have three asks for Texas; not necessarily this committee, but for Texas. One, the committee, DSHS and the Texas Rangers must finish their investigations before any determination on the camp's pending license application; until then, Camp Mystic should not reopen. If its conduct on July 4 met the licensing standard, the state must say so; if not, the state must not license.

Two, pursue every effort to recover Cile Steward and ensure the evidence on the Guadalupe River is preserved.

Three, hold the line on Heaven's 27 Camp Safety Act. Do not dilute the new standards that exist precisely because 27 children died in Camp Mystic's care.

In conclusion, and I thank you for your time today, my daughter still asks why no one let them

leave the cabin. Her mother and I have no clear answer. After nine months and three days of sworn court testimony, neither do the Eastlands. Camp Mystic was entirely unprepared on July 4th, by their own admission. My eight year old would have fared better trusting her own instincts than trusting the adults who failed to evacuate her.

The DSHS licensing decision will not just affect Camp Mystic, it will set the bar for every other Texas license operator. If an institution that lost 27 children can return to business as usual because a summer camp calendar and their supporters demand it, then the Heaven's 27 Camp Safety Act is meaningless. The decision matters to every Texan and to every parent who might send a child to a Texas licensed camp.

Camp Mystic is one of the deadliest mass casualty events involving children in the history of this state. Texas must ensure preventible tragedies like Camp Mystic do not happen. Please finish the investigation. Please make sure that we collect the evidence. Let the evidence decide whether the Eastlands can ever again take custody of other people's children. That decision must not be rushed and it must not be made on faith.

Thank you to the committee and for the

investigators, for your time and diligence.

CHAIRMAN MEYER: Thank you, Mr. Walters. I can guarantee you, there will be no dilution of the Heaven's 27 Act. Mark my words.

MR. WALTERS: Thank you.

CHAIRMAN MEYER: Members, any questions? Thank you.

CHAIRMAN FLORES: Senator Kolkhorst.

SEN. KOLKHORST: Thank you. Thank you, Mr. Chairman.

Thank you for your testimony. I want to clarify a couple of things, Mr. Walters. I'm assuming it's the Griffin family that also rescued your daughter; is that correct?

MR. WALTERS: Correct.

SEN. KOLKHORST: What angels. We heard in description from the investigators -- he asked me to ask questions; I need to clarify something -- and we heard when we were at the camp what angels they were in the description. This is what I want to ask. Both of you, Doctor and Mr. Marshall and Mr. Walters, describe that your children were not received back from Mystic; is that correct?

DR. SPRUNT MARSHALL: Yes, ma'am.

MR. MARSHALL: Correct.

SEN. KOLKHORST: They never went back into the custody of Mystic.

MR. MARSHALL: Correct.

SEN. KOLKHORST: Can y'all speak into the microphone?

DR. SPRUNT MARSHALL: They did not.

SEN. KOLKHORST: Okay. I think this is a real important point we need to make as we look forward in the investigation. So they rejected the return of your children.

DR. SPRUNT MARSHALL: Yes, ma'am.

MR. WALTERS: That is a word I would use, yes.

SEN. KOLKHORST: And so that would be -- in some terms we might have that in statute as abandonment.

MR. WALTERS: Correct.

SEN. KOLKHORST: And I just want to also clarify for the record and for my notes, especially in the Health and Safety Code, that -- Doctor, you made the statement that -- if I can find it -- that you did some of the examinations.

DR. SPRUNT MARSHALL: Yes, ma'am. When we were reunited with our daughter at the elementary school there were a number of other surviving girls, one of whom is -- is our best friend's daughter who went seven

miles down that river, so I medically evaluated her and several other girls. No one from the Eastland family was there.

SEN. KOLKHORST: I want to clarify one more time that Camp Mystic never notified y'all or in any way acknowledged that your children existed after leaving their campgrounds through a flood ever.

MR. MARSHALL: Only to recruit her to come back for next summer.

DR. SPRUNT MARSHALL: I did -- I did receive some texts from Mary Liz and had seen Mary Liz and Edward when I retrieved McKenzie's belongings.

SEN. KOLKHORST: This was what day?

DR. SPRUNT MARSHALL: This was July 7th.

SEN. KOLKHORST: Okay.

DR. SPRUNT MARSHALL: Understandably, so my very best friend, CiCi, is Cile's mom, and their questions were more regarding Cile and not as much questions about McKenzie which at that time -- yes.

SEN. KOLKHORST: Mr. Walters.

MR. WALTERS: On July 4th we learned that our daughter was swept away from Camp Mystic from the Griffin family. They tried to contact us. We were traveling in Tennessee, we had just dropped my son off at his camp. We missed that call. About an hour later

we received a text message. That text message was from the Griffin family and the first time I read it I thought they had kidnapped her. You don't know. You're reading something. What do you mean, you have my daughter? She's at camp. Who is this texting me that they have my daughter?

We called them. We had a three minute conversation with them. In that three minutes I had 20 seconds to say hello to my daughter, but they made it clear that they were in danger. At that point I was never able to reach them again. Now, there's reasons for that, but your mind goes to the worst place. They're in danger, it's flooding; we thought our daughter had died.

At some point later that morning the judge -- and I'm only explaining this so people understand the chaos around these communications. If you don't want the explanation, I can stop. But a judge in Kerr County sent out a message saying don't worry, everyone's accounted for. And my wife in a Twins I mom text thread, guys, don't believe it; we know that's not true. Our daughter was sent down the river and Mystic has not contacted us.

I later did get Mary Liz Eastland's number and I texted her. My text with her is available as

evidence. It was something to the effect of oh, great, so they're okay. I also got a thumbs up emoji. That's it. Didn't know that Grant Griffin had texted Britt Eastland, didn't know that Grant Griffin had traveled over to Camp Mystic to report they had our child and to offer to return them, didn't know that the camp decided that they were in just too much disarray to take them back.

Grant and I have discussed this. He may have been a stranger in July; he's a lifelong friend now. He can't -- our family's not going to let go of him or his family. They rescued my daughter. But he and I have talked about this. It doesn't matter how well-intentioned someone thinks they were being; they had a custodial duty to take my child back and they didn't. That is neglect and that is abandonment. Some people take issue with the word reject. They rejected the children.

SEN. KOLKHORST: And my last question was, where were y'all reunited with your children? This is to my points of the aftermath that we have titled in our report.

DR. SPRUNT MARSHALL: I can -- I can speak to that. We were reunited with McKenzie at the elementary school and my husband then left with her. I

chose to stay with Cile's parents and the parents of girls who are my daughter's best friends, and I spent as much of that time with them in the elementary school and then we moved to the church. And I can say it was chaotic, it was not how people should be finding out the deaths of their children. In my medical experience, I was assigned at some point -- I was assigned at some point to medically evaluate any potential survivors they would have brought to that church, which I was happy to provide, but it still felt very disjointed and -- yes.

SEN. KOLKHORST: Thank you.

MR. WALTERS: I called my mother in a panic that morning, asked her to get up and get in the car and didn't tell her the context. I said, "Go to Kerrville now, please. I'll call you back." She knew exactly what was happening just by the context of that call. My mother arrived about 7:37, I know that from a time stamp on a text, and she spent the entire day there. She saw the chaos. My wife and I were in rural Tennessee. We got back to Texas as soon as we could.

I found out that my daughter was alive on final approach to Austin, Texas. Drove down there, my daughter was reunited with my mother, her grandmother, shortly after 4 o'clock that afternoon. We arrived about 20 minutes later.

Again, we were involved in the evacuation of our daughter; Camp Mystic was not. And it's beyond the scope of your question, but that drive home with my daughter that day, it's something I'll never forget. I'll never forget it.

SEN. KOLKHORST: Thank you. Thank you for answering my questions.

CHAIRMAN MEYER: I actually do have a question.

Nice work, Senator.

So again, letting this set in, you did not know Mr. Griffin; clearly established, never met the man before in your life.

MR. WALTERS: No, sir. I had to do an Internet search as to who these people were.

CHAIRMAN MEYER: All right. Either, either of y'all, never met Mr. Griffin before.

MR. WALTERS: Never.

DR. SPRUNT MARSHALL: No.

CHAIRMAN MEYER: Just laying this out, Mr. Griffin, a complete stranger, has your two daughters, correct?

MR. WALTERS: Correct.

CHAIRMAN MEYER: Mr. Griffin -- Mr. Griffin, I don't want to steal -- I want you to tell

your story, as well.

Mr. Griffin then drives your two daughters who he just met hours before -- you've never met this man -- back to the place that is supposed to take care of your daughters and there is someone at Camp Mystic who tells Mr. Griffin that they will not accept your daughters. Is that correct?

MR. WALTERS: What I was told, and this came out, Grant Griffin and I --

MR. GRIFFIN: I did not take their daughters back.

MR. WALTERS: -- we were walking down the river and he relayed this story several weeks later. At some point he left the home, he drove over on high ground, cut the fence that is adjacent with Mystic, drove down into Mystic and said, "I have these two children. I can bring them back, I can keep them." He can explain the details of that.

CHAIRMAN MEYER: Okay.

MR. WALTERS: And they said, "Keep them."

CHAIRMAN MEYER: Keep the children that you just met and you're a complete stranger to the families rather than us, the camp, who you all have entrusted to take care of your daughters.

MR. WALTERS: Correct. And I found out

within the last couple of weeks, but Mr. Griffin can illuminate if this is correct or not, but he did go back, as I was told, back to Camp Mystic at a later time. They asked him to bring possibly a skid loader to help them. So I was told -- he'll correct the record if that's not true -- but he traveled back even after that conversation. It would have been easy, you can ask him how easy it would have been for him to take them back to Camp Mystic.

Now, the conversation is, is that reasonable? If you're not familiar with custodial issues, if you're not familiar with the concept that we left our child with a camp, then you might think it was compassionate. It's not what should have happened. Our children should have gone back to Camp Mystic; they had custody of our children. It prolonged the pain and it was not right.

CHAIRMAN MEYER: That's completely unbelievable.

Members, any questions? All right.

Thank you, Mr. Walters.

CHAIRMAN FLORES: Members, any questions? All right.

CHAIRMAN MEYER: Mr. Griffin, please.

MR. GRIFFIN: All right. I'm the stranger

down the river that pulled the girls out. Anyway, I live right, right next to Camp Mystic. We share a fence. We boarder them on the same side of the river, known them for years. And by trade I am a carpenter, contractor; that's what I do for a living. And I haven't had a lot -- lot of work or contact with the Eastlands. Last year I did go in and build a new Infirmary on the new camp, the Cypress camp, I did that for them. The year before that I did just some small repair work for Dick. As far as working for them, their character, all of that, you know, I can honestly say they are as good as they get. They're great neighbors.

Anyway, going to July the 4th, I don't want to get into a big spiel on the rain. I know you guys have got an earful on that. But I was up, I got up I think at 1:30, maybe. Tremendous rain; it was crazy. A little after 2 o'clock got up to go pull the kayaks, boats. I mean, that's the first thing we do when there's a flash flood or a warning, you go get your stuff out of the river. That's what we did.

Anyway, the river wasn't up. This was a little bit after 2. The river wasn't up. I say that. It might have been up a foot. You know, it's still well in its banks. There's a draw that comes by our house and kind of our property -- I know a lot of y'all went

up to Mystic and down river there's like -- it's like a bluff that goes down. Well, as soon as that bluff ends there's a draw that comes in and my house is on the side of that draw. I don't know if y'all paid attention or not.

But that night that draw, when I got up out of bed, I told my wife, I said -- and I didn't want to get up, but I said, "I need to go pull those boats up." Got up, went outside and that draw was bigger than I've ever seen it. It was all the way out in our road and it was raining -- I can't even explain the rain. It wasn't coming down in drops; it was like sheets. Incredible.

Anyway, long story short, I guess, in a matter of two hours from a little after 2 to a little after 4 the river, it was 34 feet at my house. Never been that high. You know, we consider -- we consider a big flood 10, 15 feet. A really, really big flood is 20 feet. Anything over 20 feet, it's like crazy big.

And so this river comes up, and it's coming up fast, and I mean fast. And it gets up to that 20-foot mark, which is comparable probably to the 1987 flood, but year 2000 was another big flood that got up at that height. And this is, like I say, 20 feet, maybe a little bit over those floods. And this kept coming up, it got up in our road. It's probably up 22, 23 feet

and, you know, I'm thinking oh, my God, you know, this is the big one, this is our hundred year flood.

And Mr. Flores, I know earlier you were talking about you need to change your mindset. Well, my mindset, and I'm speaking for most of the people on the river, the river is not going to get up that big, it's never got up that big. And I can go back to 1932 flood, which is the biggest on record, and hear stories of my grandparents talking about the high water mark of the '32. You know, that was always a big issue with them, talking about the '32 flood. So it's getting up and it's getting up to the point where this is -- this is -- this is it. This is the '32 flood.

It came into the basement of our house, which it's not really a basement; it's kind of a lower floor that I kind of closed in. We're kind of built on the side of a hill. Water starts coming in and I'm thinking this is it. You know, we get down there. We had a couple couches. We picked one couch up and set it on top of another one and I thought okay, well, I'm going to save the couch. Well, long story short, the river was going to come up another 12 feet higher than that, or close to it.

So it's rising and we kind of went -- and that's another thing; I never called anybody. I didn't

call anybody, and that's -- that's always bothered me, because it's like you're -- you're in -- when the river is up 20 feet or so, you're okay, my neighbors were okay; everybody's okay. And then it's going -- it's going like this (indicating) and all of the sudden you go out of that thinking and you kind of go into survival mode. We're jerking vehicles up to high ground and it's just rising, it's rising quick. And it was about three feet of getting into our house.

And I'm outside, I have stuff floating away. My workshop's up the draw; it's getting flooded. I made a lasso out of a garden hose. I'm trying to catch stuff of mine that's floating down. And finally in unbelief I looked at Lori, my wife, and I said, "We might want to think about just going up the hill. This is crazy." And this was when water was about three to four feet of getting into our house.

And we go in the house and just like that, my daughter was there with her boyfriend from college, and all the sudden she was in a panic. She said there's water coming up through our floor, and so she was picking up stuff off the floor and we just helped her. We started picking stuff up off the floor of the house. By then, you know, you're ankle, calf deep of water and my wife says, "My pictures, the computer." So we were

in the back bedroom then and when my wife said the computer, the pictures, that's in the front of our house which is facing the river.

So we slosh in there and we're picking stuff up. By then it's knee deep, getting thigh deep and that's when I heard a "help me." I thought I heard a "help me." And I told the guys, I said, "Somebody call for help." I was making a beeline for the door. And I think my wife said, no, it's -- my grandson has got little toys that were floating in the water, making all their noises. She said, "It's probably one of those toys." And I said, "No, I don't think so."

So my daughter's boyfriend, and he's a big stout kid, he was right on my heels. I went out the door and heard, and we heard, "Help me, help me," and he said, "There's two of them." And of course by then we had no electricity. That had probably been gone for at least 30 minutes, so we had flashlights. And he hit the first girl out there and I couldn't see -- I couldn't see the other one. She was clinging onto a tree maybe 15, 20 feet away.

So anyway, and the water at that point, it wasn't like I was jumping into a turbulent raging river, because the river, it was backing into my house and that draw was flooding at the same time, so it was kind of

making a swirl, I guess, there in that area, and I think that's what brought the girls there. It kind of made an eddy where they were -- they were washed down and they just kind of just pushed over to that area.

And so I jump in. As soon as I saw that little girl, I jumped in. And as soon as I did I was like, oh, you idiot. I still had my rubber boots on, I still had my rain jacket on. I said you're going to sink. But there was so much debris coming in that, you know, I just went, and she was coming toward me at the same time. Anyway, I got her to Willis; that's my daughter's boyfriend. I said, "Get her inside and get back with the light," because it was -- I couldn't see, I couldn't see the other girl. She was kind of hanging onto the backside of a tree.

And he came out, seemed like forever, but he came out with a light. Actually, my wife did and I'm in the water. I'm probably hanging on, I'm hanging onto something, just waiting on him. And he came out, he looked at me and he said, "I got this," and he just jumped in the water and went over there and went to that tree and caught her, got her on him. And then -- and then he told me, he said, "I can't move," because the water was pushing debris against his legs. And I said, "Well, just get her to me," and I swam over there and

got her, got her back. And then once he was free of her, he was able to get free from the debris and swim back.

So we got the girls, got them inside. We have a two story, so we were able to take them upstairs. And the water got up to like 28 inches in our house and probably about the time we got the girls there, it started to recede. So we got the girls upstairs, my wife and daughter got dry clothes on them. And then my wife asked them, "Do you guys know your parents' phone numbers?" And they did.

Of course, at this time, for one thing, in that area the cell phone service is not good at all, you know. And with power we have the cell phone boosters, so cell phones are okay, but at that point it was all in and out. And so she got the numbers from the girls -- they both knew their phone numbers -- and called, no answer. And then she texted.

And that was another thing at that time. Also I texted Dick Eastland, "Hey, we have these two girls," and then I didn't get a response. You know, I didn't know Dick had already been swept away. And I texted Britt a little bit after that. But you might send a text and you might not get it for an hour. That's just the way things were there. So I know Britt

told me later, he said, "I didn't get your text until like 7:30 or something," and when he did I got a reply back from him. I just said, "I have these two girls," and Britt's reply was, "Oh, thank God." I think it was, "Oh, thank God." Anyway, that was -- that was kind of it.

And so a little bit later in the morning I told my wife -- the girls were fine. I think they might have got a little bit of sleep; I don't know. We had our dogs in the house, which we don't keep dogs in our house, but they were in there during the flood, and so they were kind of a little bit of comfort on the girls. You know, they could pet them.

But I told my wife, I'm like, "I don't know, I don't know what we should do." And it was at that point there where we really didn't have any cell phone service and everybody's phones were going dead. So I told my wife -- and this was probably around 9 o'clock maybe -- I said, "I've got to go over there, I've got to go to Mystic." And we share a fence line, but there's no gate, there's no road between us.

And so I get on -- we have a Polaris Ranger, I get in it. I go up to the top of the hill, which I'm pretty close to the Mystic sign. Y'all probably all saw the Mystic sign there. Well, there's a

fence in front of Mystic sign. Well, that's our -- our boundary. So I go up there and I just cut the fence, drive through in the buggy and drive down. And when you come off that hill you're kind of coming down I believe that's Edmunson Creek or, what do they call it, Bubble Gum Creek or something. But I'm driving down that road and the river is still flooding, but it's -- it's gone down, but everything is still -- there's a lot of water, it's still flooding.

But I drive down there and I come across Craig. I don't know if y'all have met Craig; he's one of the directors. And I stopped him and I just said, "Craig, I don't know if you know, but I have these two girls," and I said, "I don't know what I should do, you know." And Craig, he was in shock, obviously, with everything that was going on and he just kind of had a blank look on his face.

And, you know, I'll disagree with Bolton. They were never rejected, the girls. He just -- Craig just said, "I just -- I don't know." He said, "We've got no food, we've got no water, we've got no electricity." He said, "Dick's gone. We're missing 27 girls." And I said, "Craig," I said, "We've got the girls, we have dry clothes on them, we have food, we have water." I said, "I will -- I will hang onto them."

I'm the one that offered to keep them. I said, "I will hang on to these girls." I said, "If they get anxious, start crying, want to come back," I said, "I'm bringing them back over here." And he said, "I think that's a good idea," and that -- and that was it.

And then at that time Craig asked me, he said, "Can you operate a skid loader?" I said, "Yes, sir. What do you need me to do?" Well, the road going across Edmunson Creek -- and one thing, after the flood, when the waters recede there is muck this thick and you just can't drive. It's like being on ice. You can't. They needed to get vehicles across Edmun- -- that creek. So I went up and got a skid loader and I cleared it out so they could drive and also did a little bit on the Cypress Creek crossing, as well. I didn't go all the way across it. It was still, still quite a bit of water. I told Craig, I said, "I think I can go all the way across," and he said, "No, don't chance it. Just do this." And so I probably spent 30, 40 minutes there.

And when I got there, you've heard the stories already on the cars floating and all that and it was a wreck; I mean, a total, a total wreck there. I mean, just a disaster, war zone. There was cars just piled up on top of each other. And, you know, in my opinion, the girls we had, they were a lot better off

with us there than being back at camp. And I know Bolton will probably disagree with me, but I really think that was the best thing for them, to stay with us at that point with all the chaos that was going on and everything. And I know the Eastlands, they know me, they know our family, they knew they were in good hands. There was no reason to reject them from staying with us.

So, anyway, I did that little bit of work and then I went back. And, you know, as I got on top of the hill I could get cell phone service there and there's a friend of mine who's a mutual friend with Bolton and his family. He texted me and he said, hey, do you have this girl and gave me the name. And he said, "The family says that Lori Griffin," who's my wife, "had called or left a message saying she had the girl." And I texted back and said, "Yes, I do."

I know we could have, we could have done better communicating with these parents. I can't imagine what they were thinking, going through; some stranger's got my kid. I would have been going berserk myself. We just had a problem with communication. It was not -- it was almost zero until you go up on top of the hill where I was at.

And so I don't know if it was at this point or a little bit later my friend who was kind of being

the middle -- middle man between me and the Walters family, he texted me and said, "Don't send the girls. Don't send the girls back to camp. There's a private helicopter coming to get them." And I told him, I said, "Okay." I said, "If a helicopter comes, you're going to have to land right where I'm at, because it's up on the hill, it's clear, there's a clear spot." He said, "Okay, drop me a pin," and I did.

And I said, "When are they coming?" And he replied back, "It could be ten minutes or it could be two hours." And I'm like -- and through this whole time it's raining off and on. So, you know, we don't even want to take the girls out. They're safe, dry in the house. And so I told him, "Okay. I'm going to the house." I said, "I'll listen for them."

And in the meantime, the helicopters were coming. First it was the state police and then pretty soon the Black Hawks. Before this they were coming, flying the river. And they would come by the house and I would just, if I was there I would walk out on our deck and I would just give them a thumbs up: Hey, we're okay here, just keep -- because I knew there was, I knew it was bad, but we were safe. I'm telling these guys go, just go.

And I guess after about an hour or so of

waiting on this private helicopter all the sudden I heard a helicopter right above our house and it was a Black Hawk, one of the military. And if you know anything about those things, they are so powerful and it was -- there were tree limbs snapping off, flying through the air everywhere and I thought they were going to knock the house down. And I was like oh, my God.

So I run out there and I'm trying to wave those guys like you've got to go and then I realized they were letting a guy down on a rope. And as soon as he hit the ground, I ran over there to him and I said, "Hey, you've got to go back up and move this helicopter. You're going to blow the house down." I said, "I've got two little girls with me. Fly up on the -- go up on the hill; there's a spot to land. I will bring the girls to you." And that's what they did, and then we took the girls up there and they got on the helicopter.

And I told the guy coming to get them, I said, "Look, there's supposed to be a private helicopter coming for these girls." I said, "Can you radio and let them know that you've got them?" And he said, "No, I can't do that, because we don't communicate with the private sector." And so I said, "Okay. Well, tell me where you're taking them." And he said, "It will either be the airport or the Ingram High School." So I said,

"Okay, I can let them know."

And right about that time, I don't know if the girls were on that helicopter yet or not, but here come the -- here comes the private helicopter. But he came over, kind of made a little circle and flew back, so I was like, okay, he knows, too. So that's about it.

CHAIRMAN MEYER: Thank you. I know myself and everyone on this dais, on this committee, and everyone listening knows that you, your family, your daughter's boyfriend are all heroes. Absolutely, there's no other word that can describe it. And for all the testimony that we've heard over the last two days, to have you come here and provide that light for us, that there are heroes out there who did do the right thing, thank you.

Members, any questions?

Thank you.

CHAIRMAN FLORES: Members, any questions.

Mr. Griffin, thank God for you and your family.

MR. GRIFFIN: Thank you.

(Clapping)

CHAIRMAN MEYER: Thank you all for your testimony.

Chair calls the next panel, Phillip

Roberson, Charlee Johnson, Fletcher Cordell and Katherine Hoffman.

All right. Mr. Roberson, you can begin.

MR. ROBERSON: First of all, I'd like to thank Ms. Garrett for having me, listening to my story, inviting me here today. I really believe she cares, truly cares about everyone in this process. She really strives for transparency and objectivity.

I'm sure you guys saw the 119 signs as you drove in out of Hunt. I represent the views of the rest of Kerr County, what we went through. My views are mine alone. I live on Highway 39 across from Camp Rio Vista.

On July 4th I had two daughters at Camp Mystic and I was at home with my wife, Lindsey, and my 15 year old son, Jack.

CHAIRMAN MEYER: Sir, do you mind pulling the microphone just a little closer.

MR. ROBERSON: You bet.

CHAIRMAN MEYER: Thank you, sir. I appreciate it.

MR. ROBERSON: Is that better? Is that better? Okay.

Jack and I -- Jack was headed for camp a few days afterwards, and so we were hanging out some time, for us to spend some time together before he left,

so we were watching a movie between about midnight and 2 a.m. and we saw the 114 warning. And the warning we got said one to two inches had fallen and there could possibly be another three or four inches, and that's about what fell last year, July 27th. There was a flood, our dock was covered, and that's what we thought that we would get again. That report must have forgotten about the other billion gallons that fell 40 miles up river on the Johnson ranch, because that's what hit us.

The warning that we got, it was basically like getting a high wind advisory and then an F5 tornado. We weren't complacent; we were just dealing with the information we were provided. After the warning I looked out the window and the river was in its banks, it was barely drizzling. And then my son and I kind of argued over who had to go down and check on the boats. Like Mr. Griffin said, that's the first thing you do when you live on the water; you check on the boats, secure them. We certainly weren't expecting, you know, what happened afterwards.

And, quite frankly, we did have some alarm fatigue. They had been going on for, you know, several days before. And, you know, after a while I guess there was some complacency in that. After a while they're

just going off. I think we need a better system for that, like everyone here has said.

I went to bed about 2:30 a.m. watching the storm, watching it on the radar, and it looked like it would pass over in under an hour. According to the conversations I had with my good friend, Charlie Hastings, who is no longer with us -- I am sure you know the story. He was our Kerr County flood administrator; he was a good friend. He and I spent a lot of time together after the flood. He has a full model of this, a full hydrologic model that you can watch the weather on one screen, you can watch the water rise on the other. I basically wanted to make sure that the velocities were low enough that, in a worst case scenario, that my home would hold up and he was very generous in spending time with me on that.

According to Charlie, two feet of rain hit over an 800,000 acre area and drained into the river basin and it came through like a tsunami. I think what's been described at times here has been, you know, a flood. The water rises and you have plenty of time. It came through like a tsunami, and it came through in three waves.

So I went to bed watching -- watching the radar. About 5 I woke up to a loud noise. The power

was off, it was pitch black, stepped out of bed into a couple of inches of water and I looked out our back door where my office is and there was water rushing by the foundation. I woke up my wife, told her to go upstairs to find our son and I went -- I went for our bathroom to our master closet to get clothes and get shoes. I know it's a weird thing to want, but I was afraid -- there was stuff hitting the house and I was afraid the house was going to come down and I was going to have to carry someone out. I had no idea the severity at the time.

I got trapped in the bathroom. It quickly blew out the windows and slammed the door behind me. And I'm telling you, in a matter of five minutes, the time it took me to panic a little bit and break through a solid core door, the water had risen from about my ankles, maybe midway up my knees up to -- up to my chest. I was scared to death I was going to drown in my bathroom, which would have been humiliating.

I basically swam through our house. There was water blasting through the house, it was like a river, and I caught the stair banister as it sucked me by and I pulled myself up the stairs. And as I popped up out of the water, the house was full of propane, so I broke out a window with the top of the toilet tank and I crawled out on the roof.

And as I got out there, standing barefoot in broken glass, I could see my truck up the road wrapped around a tree with the lights on and one door open, kind of crunched to where it wouldn't close. And I knew Lindsey and Jack had tried to get out and they had been washed away. I stood up there for two hours believing my son and my wife were dead. I had no idea -- my daughters were at Mystic; I had no idea how they were. They were swept down river.

My son, who will barely talk about it, he got sucked under a neighbor's fence, a bull wire fence, and got trapped. He was down there counting. He spends a lot of time in the water and he knows how long he can hold his breath. My favorite -- favorite person in the whole world is down there drowning, but there was nothing I could do.

My wife got to a tree and then got hit by a house, like actually run over by a house. Jack freed himself somehow. He swam out of his pajama pants. And Lindsey, I don't know how -- they fought brave and they fought hard and they got lucky. There's just no explanation for how they're here. They both made it to trees, little scraggly trees, hung to the top, 20 feet up.

And as the water -- the sun came up, the

water came down. It was like someone pulled the plug in a bathtub. And I thought I was all alone, but as the sun came up, there were people in trees everywhere. I crawled back through the window and I heard a scream and it was my son. He had gotten down out of his tree and come to find me and he thought I was underneath our mattress. Our dog was sitting on top of it. Somehow our Portuguese Water Dog had ridden it out on top of the mattress.

And we looked outside and people were just wandering around like zombies. It was -- it was the most horrific thing that hopefully I'll ever see. The things I saw on the roof, cars full of people floating by, our neighbors holding an infant out the window of a second floor two doors down. It's going to be with me for the rest of my life.

I don't have a side here. The Eastlands are my friends, but they have their own battle to fight. The side I want is for common sense changes at the county level, and I don't know that we have the people in the county to do it. We need help.

Senator Perry, I mean, you and I have going to disagree on the LOMA/LOMR issue. I filed a LOMR, LOMR-F. It's what the process is, according to FEMA. We got a hydrologic study, we got survey shots done,

signed by a floodplain manager, a PE engineer. And if that's not the process, someone tell us what the process is, because there's hundreds, maybe thousands of them filed in Kerr County. That's always been the process and now if it truly was a waiver and you signed a piece of paper and paid some money, I would get that. That's a waiver, that's a carve out. That's not what these are. However, that's kind of a side note. I mean, let's talk about safety.

I've heard a lot of talk about evacuate, evacuate, evacuate. And in cases, in certain cases that's what you do, you should evacuate. In a lot of cases it's shelter in place, if you're in high ground above the hundred where we were. If Jack and Lindsey had just stayed with me and stayed in the house, they would have been fine. That's not always the case; I'll be the first to say that. But as we make new rules and new laws, let's do this objectively and really think about every situation and not just one term that keeps getting brought up over and over. Let's think about the best thing to do in all situations.

In the aftermath of all of this we have largely been left out of the conversation. We didn't have any input into SB 1 and some of that does affect us. A lot of it is a camp bill; you're right. And

there is a lot of great stuff on the bill. The ladders on the cabins, I'm installing a ladder on the side of my carport. There's a lot of really good stuff in there. The LOMR/LOMA stuff I don't necessarily agree with, but I think more time should have been spent on it. Let's do these things right.

And I know that there's more coming. I just want to make sure that it's thought through and I want to get the best -- the best new rules and the best new legislation out there to keep everyone safe. I mean, we're just individuals who live on the river. We shouldn't have to hire professional PR or lobbyists to be heard in all this and we really have been largely ignored until -- until we met Ms. Garrett. She was wonderful, she's smart, she's thoughtful. She is really -- I don't know where you found her, but she's run a great process in all of this.

I just finally respectfully ask you to consider the people that have to live with this stuff day in and day out when you pass these laws, listen to us. That's all I have.

CHAIRMAN MEYER: Thank you, Mr. Roberson.

Members, any questions? I see none. Thank you for being here.

CHAIRMAN FLORES: Members, any questions?

I'm very sorry for your loss. Thank you for your testimony.

CHAIRMAN MEYER: Ms. Johnson, please proceed.

MS. JOHNSON: Members of the committee, thank you for the opportunity to be here today. My name is Charlee Johnson and I'm here with my husband, Michael. I'm speaking on behalf of our family of four. Our daughter Anna, age 11, and our son Craig, age 9.

Our daughter, Anna, was at Camp Mystic on July 4th. She was in the Jumble House cabin and, as you heard in the account yesterday, she left her cabin on foot in the 3 o'clock hour, spent the night in the Rec Hall and was helicopter evacuated out. The facts laid out yesterday confirmed our belief that her successful evacuation came down to a matter of minutes or less, and this is not lost on us, and it's one of the many reasons why we're here today.

When I got the call to participate in this investigation from Ms. Garrett, I'll be completely honest with you, my husband and I were both nervous. We were nervous for several reasons. One, for exposing our family to more trauma. We're doing our best and everything we can now to ensure our 11 year old daughter stays protected. Second, we were also nervous about how

our messages would be perceived across multiple groups at an incredibly sensitive time. For the Heaven's 27 behind me, they lost their daughters, and we're speaking about our daughter's survival. We are incredibly sensitive to the grief and the pain that these families have to live every day.

To the broader hill country community and those who experienced devastating loss of life, we recognize it's outside the scope of this investigation, but we certainly pay our respects to all families that lost. And for the youth camp community, as you'll hear shortly, we've done a significant amount of work to support camps, implement safety best practices across Texas and now nationally. We have earned this community's trust and we want the committee to hear about the work we're doing with the camp industry.

While we were nervous initially, we're here today because this tragedy is now part of our story and, like so many of you said yesterday, we can't bring lives back, but we can and we will do everything in our power to make sure something like this never happens again.

In the week following July 4th my friend and now business partner sent me this quote from Fred Rogers. He said, "When I was a boy, I would see scary things in the news and my mother would say to me, 'Look

for the helpers. You will always find people who are helping.' To this day, especially in times of disaster, I remember my mother's words and I'm always comforted by realizing that there are still so many helpers, so many caring people in this world."

I wish I wasn't sitting in this chair right now, but I know that there's no other option for me. This disaster became part of our story and we are choosing to take action. We are choosing to be helpers to the families that are grieving and to a community that cares for millions of kids annually so that nobody ever has to sit before a committee like this one and have the same conversation.

There's two things that I want to share with you all today. I'm going to briefly share Anna's story, most of which you heard yesterday, and then I'm going to switch gears to a very different conversation and that's to the forward looking action we're taking with The Safety Navigator that is supporting the youth camp industry to implement safety best practices.

On June 29th we took Anna to the bus drop-off location in Houston and she happily boarded with her second year bus buddy and cabin mate, Greta Toranzo. The girls were excited and nervous; they were happy to see each other. They exchanged bracelets and

were giddy about their second summer at camp together. We loaded them up on the bus and they were gone.

After drop-off Michael and I logged in at least twice a day or more to catch a glimpse of her smiling faces and all the girls in the photo feed. It was the highlight of our days, and over the course of that week we saw happy girls enjoying the magic of summer camp.

But on July 4th everything changed. I woke up early, checked my work e-mails and headed out for a walk with a friend. At 8:02 a.m. the Jumble House mom's text thread started dinging. "Really bad flooding. Has anyone heard anything?" "The girls are safe. They're on Sky High." "Our girls are all safe. They were taken care of." And then the photo came through, the one you saw yesterday of the girls walking through water to the Rec Hall, and that's when I knew something was wrong.

Then the text that changed everything, the first one. "They aren't all safe. My daughter's missing." And then the second one at 11:15 a.m., Anna's bus buddy, her cabin mate, her first camp friend, Greta, missing. The horror continued every minute of every hour for us until my husband picked up Anna at the elementary school after she was evacuated by helicopter. Michael and Anna FaceTimed me immediately. We all

cried. We told her we loved her and she asked where her friend Greta was. That question from a ten year old girl, safe but not whole, that question is what drives me every single day.

When Anna -- when Anna returned home the next day she began slowly talking about what happened. She was ten years old at the time and the way she talked about it was very matter of fact and in short versed. We listened on her schedule and at her pace and her account is as follows: She woke up in the middle of the night to storms; girls in her cabin were scared. When lightning flashed she could tell the water was rising by the sight of the canoes outside the cabin window.

They were told to stay on their beds until the director instructed them to get to Rec Hall. Her account included instructions to grab her things like pillows and blankets and go. She grabbed her things and went. She does not remember anyone else being with her when she did; no adults, no counselors. This is when it became very clear to me that this was not an orderly evacuation. It was chaos. In fact, they were not evacuated. Instead, they were left to navigate the darkness themselves. Ten years old, 3 a.m., darkness, rushing water. No child should have to navigate themselves to safety under these conditions.

Anna spent the night in the Rec Hall. She said girls were singing and praying. They were upset about not knowing where their friend was. Some had to use the restroom, some got sick and she could tell the water was rising when the lightning would flash. Then the water went down and the sun came up. They moved out of the Rec Hall and walked to Cypress Lake where they waited in the dining hall. They changed clothes, they heard very -- many false stories about where their friends were and then she was evacuated by helicopter and bused to the elementary school.

Anna got on the bus on June 29th with her buddy and first camp friend. She returned home via helicopter. Greta went home to heaven with 26 of her camp sisters. I shared this story with Casey and I repeat it again here today so that the appropriate parties in this committee can review the facts and assess what happened and make a decision and we, as a community, can take action to ensure this never happens again.

There's no rule book on how to deal with disasters and tragedy. As a family we spent July and August making sure Anna was okay, making sure we were okay and navigating our new normal. We went to funerals, we stayed connected to families who lost

their daughters and in those early weeks I thought daily how can we help?

And then in August we watched what the Heaven's 27 families did, turning unimaginable grief into courageous advocacy and leading the charge on new laws designed to improve safety best practices at Texas camps. In their darkest moments they were the ones showing up as helpers.

My cousin and I came to the capitol the night the Senate passed the laws. We felt deeply the intention of the laws, to ensure that camps are both safe and fun. We heard the pleas from the families and we left that night asking ourselves what happens next? Who is going to ensure these laws are implemented effectively, in a way that drives true safety best practices? Who is going to support the implementation to make sure leading safety practices are adopted and not just compliance boxes ticked?

We could have taken a wait and see approach, but if you meet us, you'll learn quickly that's not our style. We saw families grieving, we saw communities shaken and we saw an industry deeply impacted. I referred back to Mr. Rogers, "In times of disasters, look for the helpers," and then we started creating answers to some of those questions.

Our answer is a nonprofit organization called The Safety Navigator led by myself and two cofounding partners, Marley and Ted. The idea is simple. We've activated a network of professional safety experts, all volunteers, to support the youth camp community and make sure kids are safe at summer camp. Safety best practices exist in many industries today and have for decades. Camps don't need to start from scratch and safety should be supported. Nobody should have to design these things on their own.

I've spent 20 years of my professional career in oil and gas and mining in business roles, but I've been surrounded by safety experts, I've been surrounded by a deep safety culture and world class systems specifically designed and built to protect people. These are the types of resources we're bringing to camps.

Before we launched this effort in January we tested the concept with three groups. First and foremost, our number one priority was the Heaven's 27 families. We told them that we saw this as a step two to the work they led to pass the new laws. They pushed the laws; we would support the implementation.

Then we went to the safety professionals across various industries. We told them what we wanted

to do and we asked for help. We did not get a single no. We have volunteer representatives supporting our efforts from high risk industries like oil and gas and mining, major sports arenas, former military and special forces officers and individuals with local and state emergency management experience, and the list goes on. This is a powerful group that keeps growing.

And finally, we went to the youth camp community. We've done a lot of work to build trust in this community and, for good reason, they had questions. We were outsiders six months ago. Outside of being a camper as a kid and sending my child to camp, we were new to their industry. Unfortunately, bad actors turn up in times of disaster, so we spent a lot of time sharing who we were and what we wanted to build and we asked camps to come to the table to help us build it. To their credit, they have. We have amazing camp leaders now from across the country supporting our efforts to build a best in class safety resource that will support camps in all environments, all sizes and regardless of financial.

The platform is open access and it's free, because every camp operator should have access to safety best practices and the limiting factor cannot be money. One conversation at a time, we answered the camps'

questions respectfully and honestly and the momentum started building.

One of my favorite responses from a camp leader captures it well. He said, "You're needed in this community and you're going to need to have a lot of these conversations, but I get it. One thing I know about safety is, you can never be good enough. The value of the network you're building is clear, and I'm in." This particular camp operator had good safety foundations in place, but he said, "I want to make sure that I don't have any blind spots."

In December last year we ran a codesign workshop with 40 camp leaders in our safety network to create a blueprint of what we were about to build. That was a major milestone for us. Another major sign that we had in December that's quite personal for us is, we made our first trip back to where this all started. We were in the hill country and on our way out we pulled over to the memorial site on the side of the Guadalupe River and paid our respect to the 27 girls. As we were leaving we received a message that our 501(c)(3) nonprofit designation had been approved by the IRS in less than one month's time during government shut down. This is one of the many signs we received loud and clear from the heavens above and, no doubt, one of the

strongest.

Today The Safety Navigator is a free open access platform. It includes more than 30 templates that camps can download and customize for their specific camp environments. The priority template for us in Texas this year was the emergency action plan for all of the reasons discussed today and yesterday. This template was designed by a group of safety experts and a collection of camp leaders. We also have an interactive risk assessment tool that helps camps across the country understand what their major risk and hazards are. It's not always floods; it might be tornadoes, wild fires, et cetera.

And last week we launched a safety and emergency action plan training series designed for camp staff, counselors and campers to not only plan, but to practice the plans.

Lastly, the platform includes the option for camps to request direct access to our network of volunteer safety experts for one-on-one supported conversations. In less than three months we have close to 600 camp users actively engaging with the platform. Last week, as I mentioned, we launched our training program across three camp locations in Texas. We had over 100 camp staff in the room in person and on our

final day our live stream connected with another 200 camp staff across 40 states, two Canadian provinces and we had one participant from Germany.

It's one thing for me to tell you it's working; it's another for you to hear it from camps directly. I have two quotes from last week. "The training was fantastic and made such a difference in helping me understand how to make our emergency action plan trainable. What you have built in such a short amount of time is seriously impressive."

The second, "For me the biggest win was getting more buy-in from our team on the importance of safety and how simple it can be. On the three-hour car ride home my colleague was telling me everything he wanted to start, including in our EAP. You broke through and I know my camp will be better because of it."

Our work isn't about making sure documents are filed and in binders or that the boxes are checked. This is about transforming a culture of safety in an industry that serves 26 million children a year. This is not a compliance exercise, we are not inspectors, certifiers or accreditors. We are leading and supporting a transformational change and, again, from the position of the helper.

Our team doesn't feel like we chose this mission. We feel like the mission chose us and we're answering the call. We formed privately, quickly and have done a lot with a little, but we're now asking this committee for help. Imagine what we could do with the power of the State of Texas behind us. Imagine what Texas could do to lead this effort nationally.

This started as a classic Texans helping Texans story, but we are now growing a national movement and Texas has the opportunity to lead it. Twenty-six million children attend camp every year in this country, millions of them right here in this state. They deserve more than good intent; they deserve systems, tools and trained people standing behind every camp gate.

To this committee, we are simply asking for a conversation about how the power of the state can get behind the movement that's already working. To the Heaven's 27 families, we see you, we honor your girls and we are all in on this mission with you. To the camp community, we are your helpers and we're just getting started in this work together. We didn't choose for this disaster to be part of our story, but we are choosing every single day to be part of the answer. Thank you.

CHAIRMAN MEYER: Thank you.

Members, any questions? The Chair recognizes Speaker Moody.

VICE CHAIR MOODY: Thank you, Ms. Johnson. I appreciate that. And two words of thanks, to begin with. Thank you for answering Ms. Garrett's call and I know that sharing all of that and being a part of that story that you didn't ask to be a part of was difficult to do, but it's incredibly important, so thank you for doing that.

Thank you also for answering the call to be a helper. This is -- this is the kind of work that we need to focus on looking forward. And as stated earlier, I'm not interested in checked boxes; I'm interested in changing the culture of the way things are done so that people are safe and kids are safe, and that's the work you've dedicated yourself to, so I want to thank you for that.

In your time, I know you've just been operating a short period of time, I think I would be remiss if I didn't ask, a lot of people have said yes, a lot of people have leaned in with you. Have you had any hurdles to where you're at now, trying to get up and running and helping camps out? Are there hurdles that we need to hear about, as well?

MS. JOHNSON: Starting something this fast

is always challenging, but our mission is so strong. The safety community, as I said, has jumped in with us. We did not receive a single no from a safety person. The deep passion that these experts have for what they do reigned very clearly and they connected with our mission.

We were new to the camp community, as I mentioned, so we spent a lot of time last year building that trust and respect and we have it and there's an openness from the community to lean into this work with us. And I think there were comments yesterday asking the camp community to listen. Many are and many are wanting to improve the foundations of safety that they have today.

We are a team of three, and so our hurdle is scaling this nationally. We need funding, we need state support with resources, resources like the ones that were discussed earlier with Chief Kidd. Emergency management coordinators, folks within the state that have access to resources and people that can help us amplify this movement. That's our greatest hurdle, so that we can move this across the nation quickly.

VICE CHAIR MOODY: In the work you've done so far what interactions have you had with state agencies as you've started to deploy some of these

resources to these camps?

MS. JOHNSON: We have talked to individuals from state agencies that are supporting us as individuals, but we have not been able to have formal conversations with state agencies to this date, which is why I'm here asking for help.

VICE CHAIR MOODY: That's what I'm trying to drill down on. Which agencies?

MS. JOHNSON: Any of them.

VICE CHAIR MOODY: Anybody. So we have individual people that are within agencies discussing things with you, but essentially not a -- not a top level coordination.

MS. JOHNSON: And that's what we're asking for, is a meeting with the appropriate officials.

VICE CHAIR MOODY: I'm glad you asked, because we're going to get an answer for you and I assume it's going to be another yes. Thank you.

CHAIRMAN FLORES: Senator Perry.

VICE CHAIR PERRY: Thank you, Mr. Chair.

Real quick, have you reached out to the Mystic group and, if so, what was the response? Because clearly, based on their first round of applications, if that's your work, they didn't get the message. It seems to be a very incestuous kind of culture with camps, that

they want to keep everything close to the vest. But have you had conversations with Mystic about your services, your plug-in and access and, if so, what was the response?

MS. JOHNSON: Representatives from Camp Mystic contacted us, as did many others from the camp community which, once word started getting out about what we were doing, they contacted us and we spoke with them early this year and shared with them what we were building with our platform. Our platform, as I mentioned, is open access to the public and it's free of charge for anyone. What we told the Mystic representatives in that meeting was that they, as everybody else, have access to the platform but, due to open investigations and active litigations, we could not provide any direct support beyond what is available on the platform.

VICE CHAIR PERRY: So to be clear, your platform would have been a help, though, in filling out the new requirements of the Heaven's 27 bill.

MS. JOHNSON: There are templates like emergency action plans that are available on the platform that anyone can download and use to be submitted.

VICE CHAIR PERRY: Thank you.

CHAIRMAN MEYER: Members, any other questions?

Thank you, Ms. Johnson. I've got one quick statement real quick. I just want to echo Speaker Moody's statements and we are here to help you on your mission. Do not hesitate to reach out and ask.

MS. JOHNSON: Thank you.

CHAIRMAN FLORES: Senator Menendez.

SEN. MENENDEZ: Thank you, Mr. Chairman.

Ms. Johnson, first of all, thank you for -- I was just looking on your LinkedIn. It appears you have given up your corporate career, a successful career, to do this work.

MS. JOHNSON: That's correct.

SEN. MENENDEZ: The Safety Navigator, free safety platform built specifically for youth camps. One of the things that -- and I'm -- I'm -- I'm fairly confident that you'll have that meeting that you're looking for with state agencies. But I think, too, that maybe you could help us with maybe minimum standards in terms of what -- what it would look like -- we need to revisit possibly how they verify certain things. We've found out that certain things in the inspection process -- and I'm not sure where the -- where the breakdown was, I felt Representative Gamez did an

incredible job of highlighting the lack of capacity to nail down who was responsible. Was it -- was it because it was not under perjury that Mr. Edward Eastland signed the document, but we don't know whether -- where is this mysterious emergency plan that nobody can find? If they did do drills, how did they verify those drills? So all of those things that we need to find.

So I think I look forward to working with you and your group and I appreciate the fact that it's free of charge, so it can be for any kind of camp. It doesn't have to be a summer camp; it can be an after school camp, inner city camp, anything to that effect, correct?

MS. JOHNSON: That's correct.

SEN. MENENDEZ: Okay, thank you. Thank you very much.

Thank you, Mr. Chairman.

SEN. KOLKHORST: I have a quick, quick follow-up.

CHAIRMAN FLORES: Senator Hughes. Senator Kolkhorst.

SEN. KOLKHORST: What agencies do you need to meet with? Just name them right now.

MS. JOHNSON: TDEM, TEEX and DSHS.

SEN. KOLKHORST: And one more question.

How do you fund yourself?

MS. JOHNSON: We are a nonprofit organization. We have successfully raised close to $250,000 since December. We have an active raise now to get the funds that we need to sustain this and scale this, but funding would definitely be another hurdle; one that we're working on now.

SEN. KOLKHORST: And follow-up. TDEM, TEEX and DSHS all at the same time or separately?

MS. JOHNSON: Separately for separate reasons.

SEN. KOLKHORST: Okay, great. It will happen.

CHAIRMAN MEYER: All right. Thank you, Ms. Johnson.

All right. Mr. Cordell, please proceed.

MR. CORDELL: Good afternoon. My name is Fletcher Cordell. My daughter, Olivia, was at Camp Mystic in the Hangout cabin on July 4th. I'm happy to talk about that. I appreciate the opportunity to also echo a lot of the comments that have been shared with Ms. Garrett and her team and how they've approached and their sensitivity. Very impressive, as was watching their work on the feed yesterday. And there was a lot of discussion at our house about showing up for the same

reasons everybody else probably has, which is protecting your daughter. I also think that a big part, if not the main part, of being a father is showing up, and so I'm showing up.

And before I talk about our experience, I want to read something I wrote that's inspired by Heaven's '27, if that's okay. All right, ladies. I need you. "Well, what to say. What do you say? Hello, how are you, how was your day? It's an odd thing to feel this connection when distance and pain blur love and affection, and it does leave me reeling and haunted and healing and feeling the feelings that hang in the air, the tension, the fear, the dread, the despair. So here are some words; you can take them or leave them.

"We all love our angels, we love and we grieve them. And we look to the sky and ask why, God, oh, why? Why did you take them? You didn't stop it. The thunder, the rain, so why, why, why so much pain? We're hurting oh, God; we hurt and we miss them. Help us to understand, what was their mission? Are you that callous, that heartless, that cruel? But then who am I to question his plan? A mortal, a father, a man, a fool to question his providence and dispute what he wants for us: to pray, to love, to live and let live.

"And then one day after hitting my knees I

asked once again the question of why for these girls that we miss. The answer? Don't know, but maybe it's this. And this isn't a lecture; these are my thoughts, my attempt at conjecture.

"Later that day the Coast Guard was approaching, flying to rescue and hoping and hoping, but the weather with malice was refusing to leave and you cannot find what you cannot see. And so the flight time required, which normally takes two hours, was extended, upended and turned into seven. And I wondered was there another mission that day, invisible, undetected, but well underway. Where are they, where are they, the crew members asked, flying feet off the ground, hearts beating with fear. And right when it seemed they might not succeed, hey, follow us, our friends are over here. It's more of a suggestion than an answer to the question, but it's one I happen to believe. How many angels are needed to part heavens? What do you know? It's exactly 27."

I never asked Olivia directly when we picked her up from the reunification center and we were driving to my sister's house in Austin to spend the night. And it was, of course, as everybody knows, raining again and dark, raining, you know; mentally struggling to focus on the road, so I had my ear pods in

on silent mode because I just didn't want to get -- be fortunate enough to have my daughter survive and then I blow the whole thing being reckless in driving. So I couldn't hear the conversation in the back of the car, which was my wife and my sister and Olivia. And so I learned later, you know, there were obviously a few questions and answers that were exchanged back there, but my job was my job right then, which was to get us wherever we were going safely.

And then in the days that followed I didn't ask her, either, because I knew that the time would come. And I also never want -- wanted or want her to confuse her dad with an inquisitor and I didn't want her to think that I confused her as a survivor and not Olivia. I have my story, she has hers; they merge at some point, but daughter and dad first. As long as that's in place, we can handle the survivor/parent of survivor thing together, however she needs.

Our day started similar timelines, putting on bathing suits to go do July 4th things. And the texts start coming in and, like a lot of things, they're meant well. People, hey, have you -- you know, lot of rain; I'm glad everybody's okay. Oh, wait, they're not, you know, just kind of -- and then it crescendoes into bathing suit off, load the car. About the time we got

the e-mail from Mystic that was very brief and to the point and desperate and that feeling of an institution, whether it's Mystic or a hospital or the capitol saying help us, we are in bad shape and it outlined the situation, as you've probably heard. If your daughter was at Cypress, she's accounted for. If your daughter was at Senior Hill, which is in Guadalupe but up, she's accounted for. Didn't name the flats; didn't have to. It just said if you have heard from us this morning, then you know that she is not accounted for and if you haven't, then she is.

So we got in the car to leave and, even reading that letter, it was just so mind blowing for a lot of different reasons. I mean, to go from getting ready to go to the pool to what do you mean, flood washed away? I saw the same picture and realized this is not just a problem, this is biblical, literally. Read the Bible as many times as you want; that ain't in the play book.

So we get in the car, head south to head to the hill country. Didn't know where at that point yet. I can't remember the exact time the reunification stuff came through; maybe that was like 2 or something o'clock. So about 11:30 we load up.

I ran back inside. I forgot my phone

charger and I grabbed it out of the closet -- it's connected to our bathroom -- and I started to walk back to the car. I stopped in the bathroom and looked in the mirror and I just look, and this guy is alone and scared and how am I going to do this? Meaning show up, get in the car, drive, be strong.

And so I got on my hands -- I got on my knees on the floor mat, put my elbows on the vanity and prayed and the first prayer was thy will be done, not mine, because I knew that would help me execute if I could turn the outcome over. And I did say selfish prayers after that in the car, but I had to lead with the one that said don't know.

And, you know, a lot of times when I talk it's like -- about Mystic to people, because it doesn't take a break, and that's okay. It's part of the survivor part of it, is like it's easy for me to say, and it is and it isn't. A lot it isn't. You know, this collision, every millisecond of every second of every minute of every hour of these like atomic particles of gratitude, heartbreak and guilt all the time. And you can either take that and have a red button and push it and say I give up, it's too much and you can do what atomic energy can do, which is destroy, or you cannot. And it's hard not to hit the button, because the button,

like all instinctive decisions, makes you feel good at the time to get mad or to let it go, but it's not healthy and it's not the right thing to do for your daughter and to honor those that lost their daughters by not showing up, by doing the wrong thing.

So many people -- my connection to Mystic is cosmic in a way that is hard to explain. I grew up, I went to Rio Vista for two summers. Camp's not really my jam. I'm more of a sleep in, Doritos situation. I like air conditioning. My dad went there, my uncle went there. But I do remember the Mystic dance; that was the stand out. I can pause archery; let's go dance. Mary Seal, I still remember her name, pen pal, first girlfriend.

And then in 1994, I am at the Fiji house where I went to college at Texas in August of '94 and I meet a fellow named Richard Eastland who I had known of and he had known of me because my uncle is his god father. So we both grew up, two separate worlds; never met. Oh, yes, you have a godson named Richard, right; oh, you have a nephew named Fletcher. My uncle wanted us to meet face to face; makes sense. So we did at the Fiji house, party before, you know, pledgeship starts and 30 minutes had a nice chat and that was the last time I saw him until the 7th of this past July.

And later that week I met another fellow, Cullen Childress, who was my pledge trainer and, of course, his brother and Chloe's father, Matt, got to know Wendy. So here I am, Cullen is -- I feel like I know Chloe because I know her blood and I talk to Chloe a lot. She helps me through stuff. She is a machine. I've never met her, but I know her, because I know her blood.

I mean, Cullen was a huge part -- I mean, you're 18 years old, you spend ten months together with simulated hardships, learning how to stay a unit and how, when one fails, they all fail; you stay together and that, while it may be good to be one, it is great to be many. Matt was so kind, so kind.

So then in July on the 7th I went down to Mystic. That was a Monday, I believe. I tried to go on Sunday but the roads were -- the highways were still flooded. And I went because Olivia -- this was two days after the first letter home from camp, which was -- the reunification center, of course, was the first jolt of horror, you know. People as close as these ladies are to me that checked in and got a different update: Either I presume she is still unaccounted for or she's accounted for, but we need to go talk about it, and people that I know that I saw a day before or 30 years

before.

And we never heard Olivia's name called by the yellow shirt microphone man. I counted scuff marks for hours on the floor of that gymnasium. The crazy thing is that when we got that e-mail and it said something to hang your proverbial hat on, because we had not heard from Mystic, i.e. she's accounted for, it sure seemed awful early to have everything locked in and loaded. I would certainly understand, even with all best efforts, that it might not be a hundred percent accurate. So no phone call is positive.

We're driving south, it takes forever. The closer you get to Ingram, the harder it is and the longer it takes to get to Ingram, because now I've got to ask guys in Suburbans next to me how do you drive across a river? And we take turns, dads helping dads: You go first, stay on the upside; I'll go next. All that nonsense.

And then the phone rings. I'm like, you know, shit, here we go. And we're on somebody's yard. You know, we're not even on a road, because everything's closed. Some ranch somewhere has got my tire skid marks on them. We pull over and answer the phone and this lady says are you -- "May I speak to the parents of Olivia Cordell; Molly Cordell, Phillip," my first name.

And, "Yes, this is her speaking." And she said, "Well, have you heard from camp about your daughter today?" Um-um, don't want to. And she said, "Well, I just want to let you know she's standing right here next to me." And we said, "Can we talk to her?" And she said, "Yeah." She gave us the phone. It's the only time in my life with any of my children where, when we talked on the phone, it did not sound like her. I don't know if it was the stress in our ears or in her voice, but it's the only time I've ever said Olivia Cordell, like ours? I mean, it just didn't sound like her.

And we went to the reunification and we sat there and never heard her name called. One time when the roll call reunification, the fellow was reading, got to an Olivia, but he was having trouble reading the last name because he was getting handwritten notes to read from. So after about a couple decades, it felt like, he got to the last name and it wasn't ours. Well, unbeknownst to me, my wife, showing up in her mom way, went over to the other building where the girls were held when they were ready to be reunited to go home, because we had gotten a call, technically.

So I was sitting there like this, just again trying to see how high I could get in the scuff counting time passing. And I can see Molly kind of

coming up towards me, the silhouette of your wife, peripheral vision. So I looked up thinking I don't know anything, is what I'm going to tell her. And before I got to her head, there was Olivia right in front of her, eclipsed by her mother's silhouette. And until that point I didn't -- I didn't think we had her, and that's when the guilt started, right there, immediately. When I say collision of gratitude and heartbreak and guilt, it is instantaneously, and then you feel guilty for feeling guilty.

But what this experience has affirmed in me is, I'm so grateful that years ago before this happened I decided to try and be the best version of me that I could be as a dad, as a husband, and as a fellow to help people, and my story has helped people and I'm so grateful they've told me that. When I say my story, I mean the things that I used as resources to help me through that day and the days since: faith, connection, love, honesty, feeling feelings that you can get through stuff.

And on the 7th when I went back down, when I went to Mystic itself to look for my daughter's charm bracelet, which was a mission that was not going to be successful and I knew that, but I needed a mission; it didn't matter what I was going to look for. She felt

bad that she had lost her charm bracelet because she left it out on her trunk. So here's my daughter, she's feeling guilty for losing her charm bracelet. Here we go, Academy; it's muck boot time, I'm getting in the car, goodbye and go get her things. And I'm in her cabin, I'm taking a break because it's hot. I mean, the drive down there and around there is, of course, prehistoric biblical, zombie, world war whatever; it's unbelievable.

And about 50 yards -- I'm out on the stoop -- about 50 yards away, just Hangout, set back a little, there's a guy walking, looked like another dad or something walking and he goes, "Hey, do you need any help?" And I said, "No, man. I'm looking for a needle in a mud pit. It ain't happening. You good? You need anything? Your daughter good?" "Your daughter good?" "Yeah." "Okay."

So he starts to walk up to the cabin to introduce himself and I've got, you know, sludge and dead fish, gloves and things and I was like, you know. But then I saw him get closer and he goes, "Hi, I'm Richard." And I said, "Richard Richard? Fletcher." So 30 years later, since 1994 at the Fiji house, here's Richard and he is walking along the camp that day with what's happened to him and his family, lost his dad and

lost these girls, and he is approaching at the point strangers and saying, "Can I get in the mud with you and help you with whatever it is you're doing?" And that says something about a man or any person. It sure stuck with me.

And the questions when I ask myself about whether it's parents of Heaven's 27, the Eastlands, everybody in this room and Edward Eastland, in particular, who saved my daughter -- there's three links in the survival chain for Olivia. Edward Eastland drove I believe his pickup truck down along the river to the cabins. I don't know how many visits he made. I just know that he got down there and my daughter sat on the wheel well of his pickup truck at four in the morning in a flood and I believe he reversed, she told me he reversed a straight line all the way back to the main building at four in the morning in the dark. Rearview mirror, I imagine, was a little full of 15 or 20 little girl heads. Tough gig, and I can't even imagine.

I said, "Richard, Edward, how do I thank him?" He said, "Man he ain't thinking about the wins; he is thinking about the losses. Thinking is not something he's down for right now," and I understood.

And then I went to Marble Falls to buy a metal detector, not because I thought I'd find a

bracelet, but because I could donate it to the camp. So I came back. I didn't see Richard. As I'm messing around with the metal detector, I then see Richard. So this is a couple hours later. They say, "Richard is out surveying property." I found out what that meant and I watched Richard in a buggy as I'm near Hangout doing nonsense with the metal detector and I see Richard in what looked like, you know, a ranch car, whatever, with parents, one set at a time, driving them down past Bug House, down to the grove area, spending a lot of time down there, coming back, that dismount and that pain, and I realized at that moment what surveying the property meant. And I watched that for an hour before I had to go, one after the other. And I watched -- Richard couldn't see me because of where I was standing. I watched him get in his car between each one, bawl his eyes out and then rally and show up and do it again.

So where I'm standing, here's an example of how my life is affected, a practical example. I don't own any other blazers besides this one, but I have had anxiety all day because it happens to be a certain shade of green. I have a bracelet that my daughter made me that's a green bracelet. It doesn't say Mystic but, you know, it's for them. I took it off, because I don't want to upset anybody. So it's hard, even with my

daughter living. It's nothing -- my worst day is nothing like their worst day, the Heaven's 27, not even close. I just don't want to add to people's pain.

CHAIRMAN MEYER: Thank you, Mr. Cordell. We appreciate your testimony.

Members, any questions?

Thank you so much for being here.

CHAIRMAN FLORES: Members any questions?

CHAIRMAN MEYER: All right.

Mrs. Hoffman, please proceed.

MS. HOFFMAN: Thank you. I don't have a name plate, so my name is Katherine Hoffman. There may have been a little miscommunication, but my name is Katherine Hoffman. I am here on behalf of my daughter who was in the Twins I cabin at Camp Mystic on the night of July the 3rd and survived the flood. Thank you for having me here today.

Over the last nine-and-a-half months I have begun each day with two overwhelming emotions. I feel absolute and utter gratitude that my daughter somehow survived that night, but it is always weighted with the heaviness that others did not. I offer my daughter's experience to shed light on the suffering of the survivors, while also very respectfully acknowledging that there is no greater loss than the death of a child.

The following is a testimony of her story, the broad structure of which she told my husband and I on the night of July the 4th as we drove home from Ingram Elementary. Some of the details have emerged since that time, but they are all details that she has specifically recalled directly to me.

She awoke following a startling boom of thunder some time in the 3 o'clock hour on the morning of the 4th, frogs hopping through ankle deep water that covered the floor of the cabin as a sole counselor calmed 12 little girls with reassuring words and favorite stuffies. The water continued to rise. Girls moved from single beds and lower bunks and crowded in on three top bunks, one of which was my daughter's.

Perched on the higher beds, water spouting through holes in the wall, 12 girls yelled for help. They were trapped, the green screen door forced closed by the pressure of the water pushing across the porch. The girls continued to shout, though this time my daughter counted down three, two, one to give a signal for the girls to scream in unison. She thought maybe they can't hear us over the roar of the water and if we shout together, we will be louder. Still, they were locked in. Even if help came, they could not escape until the water pressure equalized and the door opened.

The cold water inched up toward the ceiling of the cabin and the air space closed in.

The beds started to tip and her counselor signaled it was time to leave. My daughter navigated through murky water over a number of floating trunks and through bed frames, finally swimming underwater through the door which, with the water higher, could now open. She bumped her head on the top of the wood frame as she exited and grabbed onto one of the stone porch pillars outside of the Twins I door.

When she looked back at the door from the pillar, it was closed. The current was strong and she lost her grip and was swept away into the darkness. She screamed, and after taking water into her lungs she knew she had to swim. She did not fight the current. She recalled later, "Mommy, the current was a ten out of ten and when it would go down to a nine out of ten, I would do my biggest stroke."

She could see very faint lights that showed the cabins and navigated her way to a square stone pillar on the porch of Tumble Inn. She grabbed onto the pillar, the water pushing at her back. She maneuvered her body to the leeward side of the pillar -- which, by the way, I did not know what the leeward side meant; she recalled this on July the 4th and I had to ask my

daughter what is the leeward side and she told me she learned that in school -- sheltered from the current that heaved trunks and mattress across the opposite side.

She could hear someone screaming from a tree and would scream back, but it was difficult to communicate more than just say "Help." A truck with its lights oriented toward the cabins rested against a nearby tree and gave a bit of light. She clung to the pillar and watched as mattress with crickets, bedside lamps still turned on and alarm clocks passed by her. The water continued to rise. She scooted up the column until her chin scraped against the sharp edges of the top of the cement pillar, her head bumping against the roof. The water continued to rise.

As she recounted on the night of July 4th, "Mommy, when the water reached my neck I thought I was going to die. I thought of my best friends at school and corgi so I could die a good death." Thankfully, she managed to hold on until the water receded. As she recalled, it was like someone had pulled the plug in the bathtub and the water started to go down. She said, "When I could finally touch my toes to the porch, I went like this (sighing)." She gave me a heavy sigh and she said, "I thought I might live."

This was one example of many times -- I don't -- I'm not sharing the full story -- that she thought she would die and has told me she thought she would die specifically in this story.

My daughter carries tough memories with her. Often in the late evening when the burden of these memories becomes too much, the weight of the thoughts spills out. "Mommy, she was just a few trunks behind me. I should have saved her. I should be dead instead. It was my fault." And in the shock at her words I pause, I take a breath and then I reply, faking the calm for the sake of my daughter, "You did the right thing. Children are not supposed to save other children. You were all trying to survive in the water and it was not your responsibility as an eight year old to save others." Her questions continue, "Then whose responsibility was it? We called for help and no one came. Why didn't anyone call 9-1-1?" Her questions are the ones that I have, too. How do I answer?

And on another night, "Mommy, we had a fire drill today at school. I don't think it is likely that we would have a fire, but I am really glad we practice. I know exactly where to go and what to do." And after a pause she asks, "Why didn't we do a flood drill before the flood?" My momma heart sinks with her question.

What do I say?

It is with deepest respect and gratitude that I thank, and everyone should thank, the Heaven's 27 parents and the quick action of lawmakers in the passage of the Camp Safety Act. Thank you. On September 5th you gave me the gift of powerfully healing words that I can offer my child during these gut wrenching conversations, reassuring words that I can speak that help to rebuild her sense of safety and security; safety and security stolen from her on the night of the flood.

It is an incredible testament to these families that during their lowest hours of unfathomable suffering, which I cannot even fathom -- I am close to this tragedy and I do not understand their grief, it is so deep -- they push for legislative change so that no other children die, no other parent has to experience the deep void that they feel and so that kids who survived the unimaginable on July 4th have the possibility to be brave and go forward with the reassurance that laws are in place to keep them safe. Thank you.

I can now tell my daughter with full confidence that this will never happen again, and so I do and this is what I say. "I do not have all the answers from the night of the flood, but the parents of

your friends helped to pass a law that now requires all counselors in cabins to be able to communicate and requires camps to practice evacuation procedures in the first days of camp so this cannot happen again. The new law would have required you to evacuate way before the water got to your cabin and everyone would have survived." And she says, "I really wish that had happened, Mommy. I miss my friends. I wish they hadn't died." And I say, "Me, too." And after a long pause she says, "Momma, tomorrow can we write the Rangers? I want to tell them to work hard and not give up trying to find Cile." I reply, "Yes, we will do that tomorrow."

The pre-bedtime conversations that used to consist of birthday parties, books, math puzzles and excitement about performing at school assembly have been replaced with the darkest, heaviest moments that then become the burden that I carry as a mother. I have given some specific examples of tough conversations to give you a window into my daughter's challenges. These conversations are not the full picture. There are moments I choose not to share today.

My daughter endured many points during her story that she thought she would die. She helplessly watched others struggle for their lives. This type of an emotional burden is heavy for any human, much less an

8-and-a-half year old girl. When considering future legislation it is imperative to consider the cost of this collective emotional trauma.

I tuck her in. Before going to Mystic my daughter would choose between Taps and Twinkle Twinkle for her bedtime song and now we just sing Twinkle Twinkle. Thank you.

CHAIRMAN MEYER: Thank you, Mrs. Hoffman, for that very powerful story.

Members, do you have any questions? The Chair recognizes Representative Gamez.

REP. GAMEZ: Thank you, Chairman.

I just want to thank everyone for the bravery that it took to come up here and share your story today. Thank you. Particularly for Ms. Charlee Johnson. Thank you for your work, thank you for your service. If I'm not mistaken, you might already have someone vying for you in the Texas Department of Emergency Management. I think you have an old acquaintance or friend there who's very excited to meet with you and we're looking forward to working together.

MS. JOHNSON: Thank you.

CHAIRMAN FLORES: Members, any questions? No questions. Thank you.

CHAIRMAN MEYER: Thank you.

The Chair calls next panel, CiCi Steward, Carrie Hanna, Malorie Little and Alli Naylor. I'm sorry; it's Malorie Lytal.

Mrs. Steward, would you like to begin?

MS. STEWARD: I'm going rogue for a second. I did prepare a statement, but any time I've publicly spoken I always talk about the importance of hearing from the survivors and the families and the trauma and the impact crater. I'm glad we have that term now. Most of those were really, really insightful and hard to hear and I'm glad that they were shared. So thank y'all to the survivors who are speaking out in support of the trauma and the help that is needed for the families and the victims that survived.

So chairs, vice chairs and members of this joint committee, thank you for the opportunity to appear before you today. My testimony has changed a bit in light of what we heard from the Eastland family today.

I haven't seen y'all yet, so thank you for making eye contact with me for the first time in almost ten months.

I thank you in advance for your indulgence. There's a lot to address. My name is CiCi Steward and I'm here on behalf of myself, my husband, Will Steward, and our youngest daughter Millie who I would never

succumb to an environment like this; but most of all, I'm here to speak for our oldest daughter, my precious Cile. I didn't even bring a photo today because I know that each of you know who she is and you have seen this photo and it continues.

Tomorrow will mark ten months since I hugged and held my eight year old daughter for the last time. Ten months since she spoke her last words to me, "Don't worry, Mommy. I'll be okay." But we all know she was not okay; no child in Bubble Inn, Twins I or Twins II could have been. The horrors that Cile and the other children and counselors endured that night, the darkness, the thrashing, the desperate fight for breath and survival play on an endless loop in my mind. It is a place no mother should ever have to imagine and yet one I cannot escape.

Our family will always live in two halves: before July 4th and after. And in conversations with friends I don't even have to say July 4th; it's before and after. Since I testified before you in September, I cannot believe that I am here again today with the same desperation I had over seven months ago. Cile is still out there somewhere in the ruin of that river and our families are still pleading for answers and accountability.

On April 20th, a week ago yesterday, the same day that each of you had your Camp Mystic site visit, I was also in Hunt, Texas. It was raining hard, a stark reminder, I hope, of the reason you all are out there. I stood along the banks of the river calling out to my sweet baby's spirit, asking her to help us bring her home.

Yesterday Inspector Garrett raised the issue of the lack of incident command in the first 24 hours, which certainly merits investigation and change. We know those first 24 hours, as Chief Nim Kidd said, as well, and we all know, are the most important critical hours. That said, my family has only endured this purgatory because of the valiant and dedicated efforts of the State of Texas to find Cile. So I do want to thank each of you, Governor Abbott, Lieutenant Governor Patrick, Speaker Burrows and especially Nim Kidd and the Texas Rangers that are -- have sacrificed so much over the last ten years -- it feels like it, but also not -- last ten months.

So why are we here? We know a lot of why, but Camp Mystic was licensed by the state and entrusted by the state as a for profit business whose business was taking care of and protecting our children. The Eastland family swore to you and our families that Camp

Mystic was safe, prepared and ready, and now we all know that they lied to us up until today when they --

Representative Meyer, you pressed them for that answer. You had to explain multiple times what you were asking, but I'm glad that you finally got the answer: No, they were not prepared. So thank you for that.

Those lies of safety preparedness and readiness caused the greatest mass casualty event involving children in the history of the state; more than Uvalde, more than Sandy Hook. The Eastlands admitted under oath that they abandoned my daughter, they abandoned all of our daughters. They left Cile with an impossible and unforgivable choice: Drown in her cabin or fight violent flood waters in the dark in a blind desperate, desperate effort to save herself. The Eastlands can blame no one but themselves for the planning, training and equipment they chose not to invest in.

You've heard plenty by now of the Eastlands' evacuation plan. The Eastlands cavalierly insist, hey, we had a plan; you just didn't like it. Well, excuse my language, but damn right, we didn't like it. Their so-called plan killed our daughters. Seven inches of rain, twelve inches of rain, four inches of

rain, it does not matter; shelter in place was a death sentence camouflaged as safety.

Dick Eastland enforced a culture of obedience so powerful that their staff, including the directors of the camp and his children, were afraid to assist helpless children if it meant defying Dick's orders. The title Director demands diligence, not deference to Dad.

The Eastlands operated on obedience, faith and complacency and called it a plan. They rolled the dice each year and waited for the river to prove them wrong and ultimately, while our children waited for rescue that would never come, the family obligated to protect them, was improvising, sleeping or saving themselves and still none seemed to know where Richard was that night but, boy, was he an authority today.

The Eastlands have proven themselves incapable of protecting children. They made decisions for themselves that they admittedly denied for everyone else. The Eastlands are trying to bully their way into a license to operate camp in just a few weeks and they told you today that they will appeal and keep operating if you deny that license.

The Eastlands claim Cypress Lake is higher, it's different, it's unconnected, it's safe. But it's

the same ownership, the same leadership, the same staff, the same culture, the same poor judgment. The State of Texas cannot, under any kind of scenario, certify to a parent that this family is qualified to ever watch children again. Nothing the Eastlands could do will eliminate the fundamental failure, failures that killed my daughter, the reckless and incompetent judgment of the Eastland family.

You can install sirens, you can promise you will do better next time or do the next right thing, also a song from Frozen II. You cannot install judgment, you cannot retrofit character. If the operators stop being fit or possibly were never fit, the premise of any license collapses with them. The Eastland family could transfer this entire camp to the arid desert of Big Bend with nary a drop of water in sight and it would not make a difference. No camp will be safe for any child as long as the Eastlands are associated with it.

This committee may think it has no bearing on that decision, but you do and you should. DSHS has asked you for your findings. Nothing should stop you or the State of Texas from preventing future tragedy. Isn't that why we're here?

And isn't Camp Mystic, the Eastland family,

in open defiance, in violation of the very laws you helped pass in our daughters' names, as evident in their much discussed 11 page deficiencies letter from DSHS? They cannot even be bothered to comply with the most basic requirements for licensure. Submitting incomplete and outdated documents, calling it a mistake, an administrative oopsie-daisy by the guy who runs the kitchen, as if safety and compliance should not be their utmost priority, especially while under an active criminal investigation.

Senator Kolkhorst, thank you for addressing the Eastlands' failures to report deaths to DSHS, not within 24 hours, not by the date of our hearing a couple weeks ago, and not even now, today. When Mary Liz was asked about this in court it was the first time she had even read the law that governs her conduct. She was the health officer. It was her job to know, it was her job to report; she did neither and still hasn't. She is defiant and blames the camp for not reporting the deaths, the camp of which she is a director and owner. There is, however, one child she perhaps hasn't had to report yet, and that's Cile.

The Eastland family markets its camp as a Christian ministry, a camp whose walls and songs and traditions all testify to the same thing, that the

adults in charge are serving something higher than themselves, but the way the Eastlands have chosen to treat my family has been callous, absent, false and demeaning. I expected that the first name on their lips every morning would be the name of the child not yet brought home, but I didn't hear Cile's name from them until I publicly demanded that they acknowledge her and that she was still missing back in September. I expected a ministry to minister to the families it had broken before it ministered to itself.

My family was forced to file for an injunction to stop them from further destroying evidence so we can find out what happened to our daughters. We just want answers; we deserve that. It took four days of hard fought testimony, it took a judicial order twice to command them to stop and, even then, they have appealed it.

And at one point one of Camp Mystic's own lawyers in front of me in open court approached my attorneys and told them they were going to burn in hell. The lawyers of a Christian ministry camp told my lawyers that they are going to burn in hell for trying to help me find my daughter and learn the truth about what happened. And when questioned about it the lawyer, Thomas Wright, said, "Oh, did I say that?" And he

turned around and smirked. You can see it all on the video. He was proud.

So in just a few weeks we'll be back in court. Lord knows what we'll see. The Eastlands want to move our case to arbitration, a closed door proceeding to further shield themselves from public scrutiny and oversight; this, despite their promises of transparency and wanting answers and having nothing to hide. Sure. The Eastland family's desire for truth rings as hollow as Britt Eastland's quote last week and again today in which he stated, "The last thing we want to do is create any more pain for our parents who are grieving heavily."

It certainly seems that way, Britt.

So to the Eastlands -- I don't know how to do this. Do not insult me by pretending that reopening is anything more than your family's attempt at self preservation. Do not degrade me by pretending you care about safeguarding or reducing my pain. Do not ever tell our families that one day we will be happy that you opened camp this summer. You have no right to contemplate or presume our happiness. How dare you. Shame on you. You stole our happiness on July 4th.

I had to leave this chamber when I heard that so I didn't scream out loud. They believe that

invocations of faith and ministry will shield them from consequences, but when a camp's response to the death of 27 children is to reopen, rebrand and raise money, that is not a ministry; it is a business. You heard them loud and clear. Despite your pleas for them to take a step back and reflect and learn and heal, Britt Eastland defiantly told you that, God willing, they'll be able to open this summer and make 3 to $4 million by doing so and apparently one day I'll thank him for it.

Off script, also. Considering the camper to counselor ratio, I went to camp there ten years and I was a counselor for two years and I almost always had three counselors. And what never seemed to be asked or addressed is, it's almost $8,000 to attend camp for one month and if they pay a counselor $1,000, well, let's just get another 8 grand in the pocket instead of paying a counselor for 1,000, even the youngest ones who need the most help, as admitted. That's my anecdote on that.

So Britt -- I got lost from my anecdote. After you God willing you'll be able to open, Britt, it's not God's decision; it's apparently yours. Walk away, tend to your flock, own your trauma, your own family that is clearly broken. Cut the bleeding and stop the agony of our families. And if the Eastlands won't do the right thing, I ask the state to do it for

them. None of them are equipped. How many more deaths are enough?

So these days -- I'm almost finished or maybe not. These days I find myself considering Cile's legacy, how she'll be remembered. It is not what I imagined for her and certainly not what she imagined for herself, but I cannot bear the idea of Cile remaining known as Cile Steward, age eight, unaccounted for, the only Mystic camper who has yet to be recovered.

I haven't shared much publicly about Cile, who she was, what she loved, and who she wanted to be. I've been consumed with her recovery and fighting for accountability for what happened to her, not with telling the world about her. And frankly, I cherish every memory of her life and want to keep it close to my heart. But Cile's legacy is not a statistic, it is not a weather event. It is a parent's worst nightmare, but she was my daughter and her absence is like the sky spread over everything. Cile would never want our pain to be the only thing that survived her. She was extraordinary, she was loved, and she was stolen from us.

A hummingbird's heart beats a thousand times a minute, its wings flapping so fast that they hum and vibrate. Cile moved through the world like a

hummingbird, quick and bright and nimble, always in motion and hard to pin down, even when she was standing right in front of you. Like my daughter, a hummingbird's life is often tragically short, but both burn bright while they're here. Full speed, full color and far too brief. She was brave in the loud way that little girls are brave when they think nothing in the world can hurt them, because the adults who loved them have promised them that nothing will.

She was my twin and not in the way that mothers sometimes mean. Something intrinsic in her was wired the same way in me; the same temperament, the same humor, the same loveable defiance. She felt things at high volume. She loved with the same ferocity. I recognized her the way you recognize your own reflection. My family and childhood friends delighted in hearing my parenting stories about Cile and how hard it was to parent myself.

I will spend the rest of my life walking past mirrors and seeing the woman she should have been and what was taken from us at Camp Mystic wasn't only her body, it was all of that motion, all the places she was still going to go, the whole long life she was owed. She was music, laughter and play in our lives; that's what's missing from our home now, and the shape of that

silence is agonizing.

Neither a storm nor a river took her from us. The Eastlands' complacency, hubris and choices took her from her family, from her life and from her future. You have to look at what happened and decide whether it counts. We can never give meaning to what happened, but we can all work together to give it purpose, to make sure that nothing like this ever happens again.

I am not here to ask you to do anything that is not already within your power. I am asking you to use it, protect it, and strengthen it. Camp Mystic's license should not be renewed. If a child dies at a Texas camp this summer, it will not be because we lack the information to prevent it, it will be because we did not act on it.

You can't rely on the Eastland family. They are defiant and blame everyone, but account to no one. Clearly this family will not walk away willingly, they think they are above the law, so we need the State of Texas to make a decision to -- we need the State of Texas to make a -- sorry; I got it. We need the State of Texas to make a decision the Eastlands refuse to make. We must get this right this time, now. Thank you.

CHAIRMAN MEYER: Thank you, Mrs. Steward.

That is incredibly powerful and we, the State of Texas, will not rest until we find Cile for you and your family.

Members, questions? The Chair recognizes Representative Gamez.

REP. GAMEZ: Thank you, Mr. Chair.

Ms. Steward, I'm so sorry for your loss and to everyone on this dais. I'm so sorry. I thank you for your bravery in that. You mentioned something that I hadn't heard before. You're stating that Camp Mystic is asking to push these issues into arbitration? They're alleging there's a mandatory arbitration clause in this?

MS. STEWARD: Yes, I believe that's the week of the 13th and 14th of May, a mere two weeks before their first session to start.

REP. GAMEZ: I'm so sorry that you're continuing to go through this. I'm appalled. I don't believe that was the purpose of arbitration or the intent ever to allow that to happen. I don't believe it would serve the public interest or the welfare of the future camp attendees in the State of Texas to hinder and prevent this information from coming to light, so thank you for letting us know about that. That's something that we can definitely commit ourselves to

looking into.

MS. STEWARD: Thank you. That would be great. To add to that, we have sat through four full -- well, counting today, five full days of testimony. Each day I think it can't get worse than that, yet each day it is worse. I have no idea what -- what else they want to hide other than what they haven't told us, but it's clearly necessary and a public interest, like you said, that we get all the facts, the information, so we can prevent anything like this happening again. So thank you for your support in that.

CHAIRMAN FLORES: Members, any questions? No questions.

CHAIRMAN MEYER: Thank you, Mrs. Steward. I appreciate all of you-all's bravery in being here, telling your story. We all know how incredibly tough this is. Y'all are so strong; it's just amazing to me, for sure.

All right. Mrs. Hanna, please proceed.

MS. HANNA: Thank you for taking the time to be here yesterday and today. We appreciate you listening to us and we are grateful to Ms. Garrett and her team for trusting us here.

My name is Carrie Hanna and I'm here on behalf of my husband, Doug, and our three daughters,

Hadley, Harper and Hunter, and all of our 27 families. Our beautiful, magical and brilliant daughter Hadley was not even eight-and-a-half years old when she died on July 4th.

She was a gentle soul who was a friend to everyone and her heart was always bursting with kindness. She loved to give hugs, play with her sisters, friends and cousins and teach her friends gymnastics at recess. Hadley was the biggest ray of sunshine, always smiling, singing, dancing or doing cartwheels as she went along her way. She left every room with her smile, her laughter, and her love, spreading her joy to those she met.

Our angel, beautiful on the inside and out, observant, compassionate, caring, kind, silly, smart, full of love and life, a vibrant ray of light, Hadley was our family's biggest cheerleader and the glue that held us together. She was the hardest worker and always set out to accomplish her goals, but her future was stolen when she was left in her cabin due to complacency and neglect. Where was the duty of care? Now our family is shattered and forever changed. All of our lives are changed.

Instead of properly mourning the loss of our beloved Hadley and trying to help our other two

daughters grieve, we are here, fighting for answers and accountability since we were given no information about that night or her death by Camp Mystic and the Eastlands.

I was a Mystic camper and counselor for 14 years starting in the summer of 1990. During my time at Mystic I was working eastern (phonetic), M Girl, Cup Counselor, Tribe Coordinator and Ag Award Winner, all extremely high honors. I say this to show you how deep my love for Mystic was. Some of my best friends are girls I met at Mystic over 30 years ago. I wanted nothing more than to be able to have girls and send them there each summer. The thought of them enjoying summers on the Guadalupe River, growing closer to God, making lifelong friends, learning new skills, being away from technology and the stress of the school year was a privilege I hoped to get them.

Last summer our oldest daughter, Harper, was starting her third year of camp in Jumble House. Hadley was in Twins II for her first summer. Harper was excited to show Hadley the ropes and they often spent time throughout the year working on their activity schedule for when they arrived at camp. I was lucky enough to chaperon the Mystic Dallas bus on June 29th. I went to see Hadley at her cabin before I left for the

airport to say goodbye. I don't remember if I gave her a hug or kiss. She seemed happy and I was relieved.

Leading up to camp and even the night before she left Hadley was worried about being away from me for a month. She was my mini me and best friend. I promised her she would be safe and okay. I told her camp was the safest place she could be and she would make new friends and learn new skills, words Dick echoed to me as I left camp that day. The last time I ever tucked my child into bed I lied to her. She not only wasn't safe, but she died because of reckless action that came too late.

Unfortunately, five days later the camp of my dreams turned into a living nightmare I can't wake up from. Usually our imaginations are worse than the truth, but in this case the truth is far worse than our imaginations. Hadley, Harper and all the campers should have woken up on July 4th and celebrated the holiday with their friends. Instead, Hadley waited in her cabin for hours while the lightning and thunder boomed, it filled with water around her and then she was sucked out of a window by the raging water. Mere feet away were stairs to an upstairs two-bedroom apartment. That higher ground could have saved her life, all of their lives.

Hadley was strong, so, so strong. I thought if she could just hold on to something she would be okay. Instead, she and two other little girls were knocked out of a tree and died. In total, 5 of the 12 girls from her cabin died. Unfortunately, the little details my husband and I know have been given to us by fellow eight year old survivors that have been brave beyond their years and ultimately should not be the ones providing us with this information.

Our precious, hilarious, kind, caring, silly, loving little girl who always wanted to help others died because there was no plan, because the PA systems were not used, because there were not enough adults helping, because no one in authority heeded the warnings, because the sweet 18, 19 year old counselors did not have proper training on these types of situations. Every counselor on the flats was put in a terrible and hopeless position.

And let me be clear, I don't blame a single counselor for anything that happened that night. These were sweet eight and nine year olds, soon-to-be third grade girls, who were never told where they could possibly go in an emergency. They were told to stay in place unless someone from the office told them otherwise, a rule that proved to be fatal. No one in

leadership arrived at Hadley's cabin until it was too late.

To the best of our knowledge, the water started rising a little after 1 a.m. on the 4th. I woke up at 7 to text after text telling me that two little girls, one from Hadley's cabin, and the other from Twins I, had been found down river by a neighbor and asking if I had heard anything. The answer was nothing.

While, after Doug left for camp, I received a call from a friend in Paris, France telling me Hadley was unaccounted for. She couldn't provide me with any other information. When I talked to Mary Liz Eastland later she said Hadley and 26 others, plus Dick, were unaccounted for. Again, I didn't get a straight answer on what that meant and if I should drive down to camp myself.

I finally left for Kerrville around 5 p.m. after spending the day without any information or news. On Saturday, July 5th, I made Doug drive me out to camp. We had gone 24 hours with basically zero information from the Eastlands or law enforcement and I needed to yell for Hadley and all the missing girls. At Hadley's cabin we found her pajama bottoms hanging from the outside of the bathroom window. We learned later those were the bottoms she had been wearing that night.

We had a meeting at the church with officials at 10 o'clock the night of the 5th and were once again without answers. We were told to come back the next morning at 7 to give DNA and that there would finally be some information. I personally asked if there were children in the morgue whose parents hadn't been identified. I had originally heard this in the media. The answer was, yes, there were five little girls whose parents were in the process of being notified and one unidentified. It turns out it was our sweet Hadley Rebecca. The only way the Rangers knew for sure it was her was after I told them she had alternating green and yellow nail polish on her fingernails.

Hadley was found around 2 p.m. on Saturday. For 18 hours we held on to hope that she would be found alive. The child laying in a makeshift morgue could not have looked more different than our beautiful girl. It is a sight I can't get out of my mind. It haunts me day and night. It is all I think about. I think about how much she suffered and how scared she had to have been when her cabin was being taken over with water and once she was swept out into the cold and dark.

It kills me I couldn't help her. I constantly ask myself how things could have gone so

wrong. The overwhelming lack of foresight, awareness, preplanning, training, and response in the situation is mind boggling. This is not the first flood and it certainly won't be the last. How did things go so wrong?

Hadley could very easily have been one of you if she had been given the chance to grow up, advocating to make her city and state a greater place. She dreamed of being a Longhorn and would have worked hard to accomplish that goal. Now it has been stolen from her because of what feels like complete disregard and disrespect for the lives of the 27 girls.

And yet we are grateful our oldest daughter, Harper, survived that awful night, because it is truly a miracle she is alive. Harper and the girls in her cabin were awoken by the storm. They were calmed and told to go back to bed by their counselors. From what we have gathered, again not from any camp leadership, was that around 3 a.m. a fellow 10 year old from Tumble Inn I came and told Harper's cabin, Jumble House, to run to Rec Hall. There was no orderly evacuation, there was no walking in a single file line with a counselor in front and a counselor in back. In fact, one of Harper's cabin mates and friends, Greta Toranzo, died because she was never safely evacuated.

Once in Rec Hall, a hundred year old structure, the water rose quickly and the girls were forced to move to one side on the second floor. The balcony is very narrow and usually off limits for campers. There girls were getting sick and peeing on themselves. At one camp -- at one point campers were told to throw anything they had brought with them over the side because the water was nearing the bottom of the balcony and their feet.

From the time Harper left her cabin to the time she was reunited with Doug late on the afternoon of the 4th, Harper did not know where her little sister and best friend was. For my daughter's privacy, I won't go into details about how things are in the nine months since losing Hadley, but it is a constant struggle for both of our girls.

I will also say -- I'll go off the cuff like CiCi -- there are major storm warnings going on in Dallas right now and this whole day I have been concerned about Harper and how she's handling this, because she is terrified of weather and her dad and I are here instead doing this, instead of being with her.

Between 1994 and 2005 the memory book shows three counselors in Twins I, Twins II and Bubble Inn. Two of our own Heaven's 27 moms were Bubble Inn

counselors as Ettes with at least one senior counselor. From 2013 to 2024, Twins I, Twins II and Bubble Inn had three counselors in each cabin except for 2020 when there were less campers, shorter terms and two counselors, and in 2024 when Twins I and Twins II had two counselors. In 2013, Twins II even had four counselors, as did Bubble Inn in 2015. These three cabins usually had first year counselors called Ettes. Ettes weren't supposed to be left alone in any cabin at night without a co-counselor, and there should be three counselors, one being an experienced counselor, if there were to two Ettes in a cabin.

As an Ette you are a new counselor and will be a freshman in college the following fall. Ettes take a class with Tweety, or Mary Liz, throughout the term where they check in on how things are going in the cabin and do a devotional. I do not remember receiving any extra training during orientation. I remember orientation mostly being about homesick campers, the tribe training rules and lessons on how to hit a deer when you return from your night off. There was also a lot of talk on the rules and expectations when you had your days and night off. I don't remember safety talks. As tribe coordinator, from my recollection, I only had a walkie-talkie when I traveled between the two tribe

hills.

Our family mourns the loss of an amazing daughter, sister, granddaughter, niece, cousin and friend. We mourn for the loss of camp friendships that never will be, not just for Hadley, but for her sisters and friends, as well. Camp must be a place where parents can send their kids free from worrying about their safety and leadership while they are there. Campers, counselors and every staff member should be trained in what to do in an emergency. We ask this of our day cares and our schools. Why are we not holding camps and leadership to these higher and safer standards?

Finding the truth and being held accountable should matter more than the Eastlands' desire to carry on. This camp should not matter more than the precious children who perished. Tradition and good memories do not trump the truth. Thank you.

CHAIRMAN MEYER: Thank you, Carrie.

Members, any questions?

Seeing none, thank you for being here.

CHAIRMAN FLORES: Members, any questions?

Thank you for your testimony.

CHAIRMAN MEYER: Ms. Lytal, please proceed.

MS. LYTAL: Good evening. My name is

Malorie Lytal. My husband, Wade, and I currently reside in San Antonio, Texas. We have two daughters, Kellyanne and Emmalynn who mean the absolute world to us. My oldest daughter, Kellyanne Elizabeth Lytal, was a second term camper in the Twins I cabin. Kellyanne tragically died at Camp Mystic on July 4th, 2025. She was only eight years old. My husband and I did not receive a phone call from the Texas Rangers until a week later informing us that Kellyanne's body was finally recovered and positively matched our DNA.

Kellyanne was a cheerleader, a softball and soccer player, a Girl Scout, a beauty queen, a high achieving academic student and a true leader. She was a perfect daughter, a beloved granddaughter, a protected big sister, a fun loving cousin, and a loyal friend to everyone. Kellyanne had the kindest soul, the whole world ahead of her, and her beautiful life was stolen from us.

I was a Mystic girl, I attended Camp Mystic as a first term camper for nine years. This camp meant everything to me. The memories and experiences that I had as a camper I wanted to share with both my daughters. My sister and my entire extended family attended this camp, as well. When I brought my two daughters home from the hospital, I immediately signed

them up to attend Camp Mystic. I never knew signing that Mystic application was signing Kellyanne's death certificate.

I was a first year camper at Camp Mystic in 1995 and was placed in the Twins I cabin. I requested Kellyanne to be in that same cabin. We had many discussions with Kellyanne leading up to camp. She was excited to go, but also extremely nervous as a first year camper. I had multiple conversations with Kellyanne about her protection and safety at camp. She asked me specifically about rainy days and thunderstorms. I always reassured her that counselors would be trained to help her and that leadership would know what to do in any type of emergency. I believed that, I trusted that, and I was wrong.

When -- we were thrilled when we received Kellyanne's cabin list to see that she would be in the same Twins I cabin that I started in. The cabin list that leadership mailed to parents prior to camp did not provide any information related to counselor assignments. I trusted and paid tuition to Camp Mystic to do their due diligence in creating a safe environment to protect my child at every level. They failed every camper, every counselor, and every family who trusted them.

On June 29th, 2025, my sister and I dropped our daughters off at Mystic together. As excited yet scared as Kellyanne was being a first year camper, she got out of the car with a big smile on her face and told me, "I'm going to do it." After saying our goodbyes I got back in the car and my sister and I proceeded to pull up to the next station and saw Dick and Tweety Eastland. Dick called us by name and walked over to the car. I was overwhelmed with emotion and started crying and repeated, "Please watch over my baby. Please watch over my baby." Dick asked me, "What cabin?" I said, "Twins I. It's Kellyanne." And then Dick said back to me, "We got her." Those words will haunt me for the rest of my life. Camp Mystic did not have her.

As her cabin filled with flood waters, she was left to fend for herself and washed miles down river to die the most horrific, gruesome death. Camp Mystic created an unsafe environment that just knocked on wood with its safety standards and rolled the dice with our daughter's life.

After the tragedy on July 4th, 2025, there was many alarming things that came to light. When I was placed in the Twins I cabin in 1995 with 12 campers, we had three counselors. Kellyanne was placed in the same cabin with 12 campers, but only had two counselors. I

also learned that both Kellyanne's precious counselors were brand new rooky year, first year counselors. They had no prior experience being a counselor.

As I look through ten years of my camp memory books, Camp Mystic always had three counselors placed in Twins in the younger Twins I, Twins II and Bubble Inn cabins for all three terms. At what point did Mystic change this practice and reduce the number of counselors in each cabin without alerting the parents? Not only did Kellyanne have two inexperienced counselors, but I also later learned that one of her counselors was a minor, less than 18 years old. This meant, while one counselor goes on her night off, Kellyanne and her 11 other cabin mates were staying in a cabin without any adult supervision.

That should alarm every parent in Texas, 13 children left in a cabin alone. This is by no means any fault of the counselors, but Camp Mystic creating an unsafe environment for their campers and counselors that was all unknown to parents when we dropped off our daughters with the Eastlands.

It is shocking to learn the unsafe protocols that Camp Mystic permitted over the last 30 years since I was there. How has time gone by with every school and every day care tightening their safety

standards, but Camp Mystic has only lowered their safety standards from when I was there in 1995? No logical minded parent would have ever allowed their child to attend Camp Mystic if they knew all the red flags where leadership had cut corners to maximize profits.

I want to be very clear that Kellyanne's counselors, who are babies themselves, were heroes that night. They, too, were put in harm's way, waiting on camp leadership to tell them what to do in an emergency, because they were never trained other than to stay in place and wait for further instruction. No loudspeaker announcement was made or to our knowledge ever attempted to communicate with these poor counselors during a critical period of time that would have saved lives. Further, counselors were not equipped with walkie-talkies, cell phones, land lines, radios or any form of communication to reach out for help or guidance.

Kellyanne's cabin was a short walk to the Rec Hall building, a few feet from a hill to higher ground, and a few steps from an external staircase that led to a second story above the commissary right in front of her cabin where Mystic staff remained safe. Kellyanne had places to go to survive, but she was left in a death trap. She died because camp owners responsible for protecting her failed to prepare, failed

to communicate and failed to act. A total and complete failure on all levels.

Additionally, cabins on Senior Hill were stranded and cut off from the camp for hours without any resources or communication. When the brave counselors broke into the riflery range to access a walkie-talkie, they were met with silence as they yelled for help. These counselors and campers were also abandoned and had to fend for themselves.

Furthermore, we were told that there was a night watchman protecting campers at night. It was shocking to later learn that the night watchman shift ends at 2 a.m. Who was monitoring the camp from 2 a.m. until morning while the entire camp is sleeping on a typical night?

There are still so many unanswered questions from July 4th. Why are camp directors not heeding to a life threatening flash flood warning? Why were girls being told to put a towel down as water is coming into their cabin? Why were not more adults instructed to evacuate the girls immediately? Why was a working loudspeaker never used during an emergency? Why didn't any camp director not call 9-1-1 until almost 7:30 in the morning?

I trusted Kellyanne's safety to the

Eastland family, expecting them to uphold the highest safety standards, and they failed. Kellyanne's life and the lives of her Heaven's 27 friends were meant for so much more than proving the incompetence and negligence of Camp Mystic and teaching them about common sense safety.

For the Eastland family, as the camp directors and owners who I have known my entire life, almost my entire life, I am heartbroken that you have not only destroyed our lives, but that you destroyed your own, as well as taken away every beautiful memory and magic of Mystic that many have held so dear in their hearts.

Instead of transparency, accountability and wrapping their arms around these families during our time of unimaginable grief, the death of our daughters have been nothing more than an inconvenience to Mystic's rush to reopen camp. Kellyanne did not die because of an act of God. She died because of a for profit camp that became complacent and maximized profits over safety for years. Camp Mystic failed in staffing, training, preparation, communication and emergency response. Camp Mystic has taken zero responsibility for the deaths of these 27 amazing girls. Laws and thorough safeguards must be put in place to ensure that camps cannot cut

corners on safety and then escape accountability when children pay the price.

I am here today because my beautiful daughter Kellyanne should still be alive. No other family should endure what these 26 families have. As a former Mystic girl, I pray that no one will allow -- no one will allow the nostalgia for Camp Mystic to absolve them of their duty and responsibility to protect and care for our children.

I sincerely thank this committee and to the investigators for taking the time to meet with our family and thoroughly and objectively investigating the tragedy that occurred on July 4, 2025. Every story about Kellyanne always comes back to her kindness and willingness to help others. We are now tasked with carrying on her legacy and ensuring that every child can go to camp and feel safe and protected.

Last and most importantly, to my precious baby Kellyanne, it is an honor and a privilege to be your mother. You made me so proud every single day. Keep smiling and dancing in heaven and I promise when I get there I will wrap my arms around you and this time I will never let go. I love you, sweetheart, love Mommy.

CHAIRMAN MEYER: Thank you, Mrs. Lytal.

Members, any questions?

Thank you for your very powerful testimony.

CHAIRMAN FLORES: Members, any questions?

Thank you for your testimony. God bless you.

CHAIRMAN MEYER: Ms. Naylor, please proceed.

MS. NAYLOR: My name is Alli Naylor. My husband, Cole Naylor, and I are the proud parents of three beautiful girls. Our oldest daughter, Virginia Wynne Naylor, was a second term camper at Camp Mystic in the Bubble Inn cabin when, along with 24 young girls and two teenage counselors, was killed on July 4th, 2025. Wynne was eight years old.

Wynne was a bright light. She was kind and she was inclusive. One of my favorite Wynne traits is that she always gave everyone and everything her all. Her grit, her determination, her fight was unmatched, yet she was gentle and loved deeply. She was resourceful. Her creativity and imagination blew Cole and me away. She was, and always will be, our little girl.

On July 4th, 2025 at 7:28 a.m. my phone rang and a text quickly followed at 7:30, not from Mystic, but from a family friend. This was my first alert of the Guadalupe River flooding. As the minutes

turned into hours the text messages and phone calls became more alarming. A picture of girls walking through ankle deep water toward Rec Hall was circulating. And then it came.

At 9:29 a.m. a Bubble Inn mom called me and said, "I talked to Mary Liz Eastland. Bubble Inn is missing." At 9:30 the Bubble Inn mom group text received a screenshot of communication with Mary Liz Eastland. It read, "We are searching for Bubble Inn. They were with Dick and we have not found them." I couldn't think or type a response. I was frozen. All dads were quickly added to the Bubble Inn text group. Mary Liz Eastland was also added to the group.

At 9:44 a.m. Mary Liz Eastland sent her first message to the group. "We are searching for your girls. Yes, the entire cabin. I think they are together. Dick was with them."

At 10 a.m. Cole and I began our five-and-a-half hour from Dallas to Hunt. No one instructed us to drive to Hunt, but we needed answers. Cole drove and I managed our phones. We called the Hunt Police Department emergency phone line and reported our daughter and her cabin missing. We were told search efforts were underway. No further information was provided.

Rumors were flying. Dick and the girls were spotted in Kerrville, Dick and the girls are safe on an island. Kerr County Judge Rob Kelly was quoted to the effect of, all child campers at Camp Mystic were safe and accounted for. We received no outreach from first responders, law enforcement or anyone in a position of authority. Who was in charge? Who was our crisis management point person? What on earth is happening?

Parents of missing girls began circulating missing camper photos with contact information on social media. We were desperate for information. As we continued our drive Cole and I received three communications from camp; two e-mails and one phone call. The e-mails were not relevant to parents of missing girls. The noon phone call simply notified us that our daughter was unaccounted for. No further instruction was provided. That call lasted 28 seconds.

At 3:32 p.m. Cole and I arrived at Ingram Elementary School. We checked in with the volunteer staff, gave Wynne's information and received an ID bracelet. We expressed that Wynne was one of the girls unaccounted for at Camp Mystic. We received blank stares in return. No further direction from law enforcement, no acknowledgment that our daughter was

known to be among an entire cabin of missing girls. We were told to sit in the gym and wait. We were left to watch in anguish as hundreds of girls were bused in to be reunited with their families.

At 6:42 p.m. the families of missing and unaccounted for campers began congregating in the back hallway of Ingram Elementary. We wanted answers, we wanted an update. Nobody had heard from camp in hours. Was anyone searching for our daughters? Why had nobody been assigned to our families? We were in the middle of a crisis and we were being treated as if we were a burden.

At 7:03 p.m. I received a phone call from a Bubble Inn mom. She was at Grimes funeral home. Her daughter's body had been recovered. She asked me to pass my phone to another Bubble Inn mom who immediately left the school and drove to the funeral home. I couldn't breathe. I couldn't feel anything. I collapsed to my knees and cried. I felt I had become a messenger of death.

At 7:43 p.m. a sheriff's deputy came to talk to us. He gave us the same update we had been receiving all day. He, too, acted as if he did not know that there were girls from the Mystic property missing and treated us as a burden. As the parents, we were

done being ignored and pushed aside. The sun was starting to set and the only new information we had gained was that girls had died. We made a mist -- we made a list of the missing girls and their ages. There were 20 names on this first list which we handed over to the sheriff's deputy.

At 8:55 p.m. Cole and I decided on our own to visit Grimes funeral home. Upon our arrival we gave a statement and Wynne's description to a state trooper stationed outside.

At 9:01 p.m. I opened a text message from a Bubble Inn mom that said, "Dick is gone." At the same time another mom texted, "I just texted and called Mary Liz. Nothing."

Mary Liz Eastland texted group at 9:21 p.m. after ten hours of silence with two words, "Dick died." At 9:22 p.m. Mary Liz texted, "We have not found any girls."

At 9:36 p.m. we were told Wynne was not at Grimes. We left the funeral home and drove to Schreiner University. During our drive three more Bubble Inn families told us their bodies had been recovered and positively identified. The body count was quickly increasing. Five Bubble Inn campers deceased, ten Bubble Inn girls were still missing.

Schreiner University was another dry hole, but while we were there we were informed that Mystic families needed to report to Trinity Baptist Church. Cole and I arrived at Trinity Baptist Church at 10:10 p.m. We were greeted by volunteers, a Boerne police officer, two state troopers and other parents of missing girls. At 10:26 p.m. the sixth family from our cabin messaged that their daughter had passed.

At 11:04 p.m. a patrol officer provided a search update at Trinity Baptist. During this update we were told that there would be a standstill on body identification until 8 a.m. the next morning. The justice of the peace was exhausted for the night. Search operations would continue if the rain held off. There would be a briefing the next morning at 8 a.m.

At the end of the day on July 4th Cole and I remained hopeful. The other families we were with were hopeful. Wynne was a fighter. She was scrappy. She climbed trees, she ran faster than the boys her age. We thought there was no way the entire cabin was killed. Seven Bubble Inn campers were missing and they had to be safe with their two counselors; we just needed to find them.

July 5th, 12:45 a.m., Mary Liz Eastland messaged the group saying, "No news from camp."

Throughout the night families of missing girls, me and Cole included, received ransom text messages regarding our children. Despite being provided air mattress in the church foyer, none of us there could sleep.

At 8 a.m. we had our first briefing from Kerr County Sheriff Leitha. The briefing was vague and left us with more questions. He stated that regular updates would happen every two to four hours direct to the families. We were instructed to remain at Trinity Baptist Church and that no additional volunteers were allowed in the search efforts.

Ten a.m. came and went without any update from the EOC. The noon scheduled EOC update was pushed to 2 p.m. We did not have a liaison officer and no information was provided. Our 2 p.m. update was delivered in the form of a press conference on a national news outlet. Why were the parents of missing children being given the same update as the rest of the world? Our daughters were missing and no one seemed to care.

Four p.m. came and went without any update from the EOC. At 5:04 p.m. Mary Liz Eastland messaged the Bubble Inn group and informed us that she was going to meet with the Texas Rangers. Cole called Mary Liz and asked to be included in the Texas Rangers meeting.

We left the church and drove straight to the Kerrville Youth Event Center. We found Mary Liz Eastland in the parking lot. She told us that she had already met with the Texas Rangers. She did not wait for us as we requested.

A state trooper and a volunteer walked over and asked who we were. Cole and I shared our story and we pleaded for information. This conversation resulted in establishing a direct family liaison of two state troopers between Trinity Baptist Church and disaster response leadership at the EOC.

My phone buzzed. It was 5:48 p.m. Bubble Inn camper number seven was recovered and identified by her parents.

At 6:24 p.m. Cole and I drove to the funeral home. We just needed to find Wynne. They told us that no unidentified young girls matched Wynne's picture and description. We would later learn that Wynne's body was brought to Grimes around 4:30 that day.

We returned to Trinity Baptist Church at 6:54 p.m. in time to catch the tail end of Sheriff Leitha's second briefing, this time with Chip Roy included. Because of our visit to the EOC, we learned nothing new, but were told the Texas Rangers would be taking over the search efforts. We were to report back

on July 6th at 7 a.m. Various members of the Eastland family had joined the crowd and mingled mostly with volunteers and families of older campers.

Cole and I left Trinity Baptist Church and retreated to a hotel room for another night of no sleep. Between 8:35 p.m. and 10:36 p.m. four Bubble Inn girls were identified by their parents; three campers and one counselor. Wynne was still missing, but now our hope was lost.

July 6th, Cole and I were among the first families to arrive at Trinity Baptist. At 7 a.m. Texas Ranger Captain Miller addressed the families with instructions. Cole and I completed our paperwork, had an in-person interview, provided DNA samples and were advised to return home. The Texas Rangers would be in contact as soon as positive ID was made. I was too numb to cry. How was I supposed to go home without Wynne? How was I supposed to explain this to Wynne's sisters? They didn't even know why we left home and had been away.

On our way out of town at 9:43 a.m. on July 6th I received an incoming phone call from a Kerrville police officer. He asked us to meet him at the Grimes funeral home. Cole first went to identify Wynne alone. Once positive ID was made and he confirmed her body was

in a condition that I could see, I was escorted back. I almost didn't recognize her. My first born, my Wynne girl, the girl who loved her two younger sisters more than anything in the world, was lying on a cold table in a half-zipped black body bag.

Cole positively identified Wynne by her missing top tooth, an earring in her right ear and a scar on her forehead. I tried to look for her blond hair, but all I could see was matted mud surrounding her precious face. I kissed her cheek and I told her that I loved her. I was transported back to her delivery room where I was the first person to kiss that cheek on the same day she was born.

Wynne's death and the death of 26 other Camp Mystic girls was not an act of God. On July 4th, 2025, Camp Mystic became the site of one of the deadliest mass casualty events involving children in our country's history, but if their deaths were truly an act of God the death toll at Camp Mystic would be significantly higher.

Many of the girls who survived did so because they ignored instruction, took initiative and made the right decisions. My eight year old daughter was not given the chance to make a life saving decision. She was told by Dick Eastland to get into his vehicle

during a flood. My daughter died because Camp Mystic directors had become complacent. Complacency leads to negligence.

Camp Mystic was issued a license and passed a regulatory inspection without a written or practiced evacuation plan. The evacuation plan was to stay in their cabins, instructions that for some little girls was a death sentence. Camp Mystic directors received and largely ignored a 1:14 a.m. code red weather warning. Camp Mystic directors disregarded counselors and campers who asked for instruction and their request to move to higher ground. Camp Mystic directors abandoned the children under their care. True evacuation procedures were too little too late, understaffed and uncoordinated, unplanned and, in many respects, asinine.

Camp Mystic directors wasted hours of precious time. If my daughter had been in the first cabin evacuated, she would be alive today. But which poor family would be here in my place instead? If my daughter had been given the opportunity at the appropriate time to seek higher ground and stay there, she would be alive today; likely traumatized by an act of God, but alive. Wynne's death was preventible and the absolute hell Cole and I lived through the weekend

of July 4th and the nearly ten months since could have been mitigated by transparent communication, effective leadership and basic human decency.

On behalf of our children, on behalf of our citizens, drastic change needs to be made and it begins at Camp Mystic.

CHAIRMAN MEYER: Thank you, Mrs. Naylor.

Members, any questions?

Thank you for your very strong, impactful statement.

CHAIRMAN FLORES: Members, any questions?

Senator Kolkhorst.

SEN. KOLKHORST: Thank you for your courage. We can't bring back your children, but we can make sure that this never happens again.

I wrote so many of your quotes down, because it needed to be remembered from grieving, loving, caring mothers. Mrs. Steward, walking past mirrors and seeing the woman she should have been. Indelible words. It will not be forgotten.

I echo what the chairman says; we'll keep looking for Cile. You keep going to Hunt, keep talking. God is listening. God is listening. We will find her.

So many of you are legacy, legacy Mystic people, campers. I know so many, as well. I just want

to drill down on a couple of things. Those of you that were campers, I wrote down the time periods, but from you-all's books and recollections, for the most part, three counselors, three counselors in Twins I, Twins II, Bubble Inn, as well.

MS. STEWARD: And all the cabins, as well. It wasn't limited to the youngest.

SEN. KOLKHORST: Another thing I want to ask, and I think I sometimes don't express myself well, although I talk a lot, is what I said to the Eastland family, which is so much hurt, and what I consistently hear from all of you is, their lack of reaching out, being consistent with that, empathy. Am I right on that? Am I gathering that?

MS. HANNA: Yes.

SEN. KOLKHORST: Ms. Steward, for you to say this is the first time you've looked them in the eye...

MS. STEWARD: That is correct. You can hear the remorse in Edward.

And I feel for you, because you had a harrowing experience. You reacted too late and you made poor decisions, but you went through something awful. I don't know -- I mean, I know what the other three of you were doing.

Except for you, Richard. Still confused.

Britt's, you know, checking on his campers while it also sounds like still pitching how safe Cypress Lake is.

Mary Liz, you are a mother, you are also a camp director and the health officer. You have a duty, and I know you know that.

What was the question?

SEN. KOLKHORST: Do any of you think that there is any way that -- I've heard you say this -- that in 32 days they could host campers again?

MS. HANNA: No, not at all.

MS. STEWARD: Do we think they're capable of it or do we think they'll get away with doing it?

SEN. KOLKHORST: Capable.

MS. STEWARD: No.

MS. HANNA: No.

MS. LYTAL: No.

MS. NAYLOR: They have lost the privilege to care for anyone else's children ever again.

MS. HANNA: I don't think they're mentally ready to do it, either, or emotionally.

SEN. KOLKHORST: Again, I think I speak for everyone on this panel. The courage that y'all have to come tell the stories of your children, thank you; it's

making a difference. We'll pray for you, we'll continue. We have been praying for you and we will.

Ms. Steward, we won't stop.

CHAIRMAN FLORES: Thank you for your testimony.

CHAIRMAN MEYER: Thank you. God bless y'all.

The Chair calls the next panel, Michael McCown, Patrick Marsh and Matthew Childress.

Mr. Marsh, why don't you go ahead and lead us off, sir.

MR. MARSH: Good evening, Chairmen, members of the committee. My name is Patrick Marsh and I'm here on behalf of my wife, Jill, and our ten year old son, John.

Our daughter, Sarah, was the youngest of the 27 girls killed during the flood at Camp Mystic on July 4th, 2026. She had just turned eight on May 30th, less than a month before leaving for camp. May 30th is Sarah's birthday.

Sarah is special. She was supremely confident. She believed she could do anything, and she wanted you to see it. The bigger the stage, the better. At five years old I took her to a college volleyball match and after an all-American player made a big kill,

she looked at me and said, "I can do that." And the thing is, she believed it. She thought she could do anything and, had she been given the chance, I have to doubt that she would have changed the world.

You see, what made Sarah special wasn't her confidence; it was her love. Sarah loved big. She loved her family, her friends and even complete strangers. She would hug people out of nowhere and tell them she loved them, and she meant it. She made everyone she knew feel like they were the most important person in the world because, to her in that moment, they were. Sarah loved God, she loved people, and she made you feel it; it's who she was.

On June 29th my wife, Jill, and I entrusted Camp Mystic and the Eastland family with the care of our eight year old daughter. The parents of hundreds of other girls also entrusted them with the care of their daughters. We trusted that our daughters would be housed, that they would be fed, that they would be happy and that they would learn and grow. Most of all, we trusted that our daughters would be kept safe and they would be returned to us on July 26th.

For Jill and me and the parents of 26 other girls, that never happened. On this side of heaven we will never get to see our daughters again. There are no

more hugs, no more cheers, no more laughter, and no more I love you, Mommy's or I love you, Daddy's.

Instead of picking Sarah up from Camp Mystic on July 26, I had to identify her body laying in a black bag on the floor of Grimes funeral home on July 4th. Her body had been recovered by Kerrville police officers 18 miles down the Guadalupe River from Camp Mystic. It was the worst moment of the worst day of my life and yet, looking back, we were the lucky ones. Many parents waited days for their daughters' bodies to be recovered. Cile Steward's body still hasn't been recovered.

The lives of 27 girls were lost in the flood. The lives of 26 families were shattered. Countless children are left to deal with the loss of beloved friends. And the worst part of it all is that it was completely preventible.

There is no greater honor, privilege or responsibility than being entrusted with the care of someone's child. When a parent places their child in your care, they're trusting you with the most important thing in their life. This is the responsibility that I have the honor and privilege of undertaking on a daily basis and one that I take very seriously.

In addition to being Sarah's dad, I'm also

an Associate Professor of Sport Administration at Samford University in Birmingham, Alabama. I get to help students, other people's children, learn, grow and develop into adults and it is awesome. I love what I do and I have a heart for college students.

One of the greatest things I get to see every year is the transformation that happens during a student's freshman year at college. It's one of the most significant periods of growth in a young person's life. They come in as teenagers, really just kids. They go back home as young adults. They grow in confidence, judgment, independence, and responsibility, and that growth requires something. It requires mentorship, it requires structure, it requires leadership.

Chloe Childress and Katherine Ferruzzo were rising freshmen at the University of Texas. They were counselors in Sarah's cabin, Bubble Inn. They were exactly the kind of young women you would want caring for your children, smart, responsible, capable, and when the flood came they were heroic. They died trying to save our girls. They are heroes and I want their parents and the entire world to know that we will never forget that.

But here's the hard truth. Chloe and

Katherine should have never been put in that position. They were still in that critical stage of development on the edge of adulthood. They needed prior training, they needed a clearly communicated plan and, perhaps most importantly, they needed to be empowered to exercise their judgment.

Instead they were just told to stay put. They weren't given proper preparation for an emergency situation. They were left without effective communication. They were left without a real evacuation strategy. They were failed by their leadership.

Yesterday was the last day of classes at University of Texas. Final exams begin on Thursday. Next week the Childresses and Ferruzzos should be meeting new versions of their daughters. They should be meeting them as young adults for the first time. It breaks my heart that that won't happen. What should have been one of their first steps into adulthood became their last, not because they failed, but because the adults responsible for them did.

As I mentioned earlier, I'm a Professor of Sport Administration at Samford University. I received my PhD in Sport Management from Baylor University in 2019. Prior to starting at Baylor I managed arenas at the University of North Carolina for six years. My area

of expertise within the sport management field is Facility and Event Management. Every year I teach Facility and Event Management to the first year students in our program. I teach them about risk assessment and about emergency action planning.

In my classroom we talk about how safety is not just a document, it's a mindset. It's preparation for the worst, even when it feels unlikely. It's communication systems that work when everything else fails. It's leadership that makes decisions before a crisis, not during one. And it's training, real training, that prepare people to act when lives depend on it, because they do.

This year when teaching about emergency action planning I asked my class, "How many of you are CPR certified?" In a class of 34 about 20 students raised their hand. Then I asked them, "If someone collapses in class and they aren't breathing with no pulse, what are you going to do?" They all just stared at me until one student finally responded, "We're going to look at you and do what you tell us to do." "Okay, great. What if it's me?" I've taught this class for many years now and I knew what the response was going to be: Silence.

Kids not only have to be taught what

actions to take in a given situation; they have to be taught to act. Eighteen year old kids have been taught their whole lives to look to the adults for help, guidance and permission. On July 4th Chloe and Katherine looked to the adults for help, guidance and permission and they were told to stay put in the cabin. I can't help but wonder what would have happened if there weren't any adults around and they were able to follow their instincts, because I know they would have taken action.

Natural disasters happen, floods happen, but a flood did not kill 27 girls at Camp Mystic on July 4th; complacency did. Complacency, the belief that we've never had an incident. Complacency, the assumption that we know this environment better than anyone. Complacency, the failure to prepare for what you know is possible.

Camp Mystic sits in one of the most flood prone regions of Texas. It was not an unknown risk. This was a known documented historic reality and yet when the moment came there was no plan, there was no communication system, and there was no trained response to protect our children. There was just chaos.

Safety is not merely a checklist. It is a culture. It is leadership that asks hard questions.

It's preparation that assumes the worst case scenario. It is empowering young staff to act and equipping them to do so, and in this case that culture did not exist.

I want to be clear about something. I am not anti-camp. Despite all that we've been through, I still believe in camp. I believe in what it's supposed to be. I believe in its power to shape lives, build confidence, and create lifelong relationships. That belief is why I'm here, because camp only works if it's safe.

The role of government is not abstract in moments like this. It's very clear. It's to protect those who cannot protect themselves, to ensure that those entrusted with the lives of children are properly prepared to do so, to ensure that systems are in place so that trust is not misplaced, to make sure that when parents hand over their children the trust is warranted and honored.

Chloe and Katherine showed us what courage looks like, Sarah showed us what love looks like. Now it is our responsibility, you, me, everyone in this room, to show what leadership looks like, because this cannot happen again, not here, not anywhere.

Thank you. Thank you to Ms. Garrett and Judge Massengale for your hard work and diligence, thank

you to the committee for listening and for doing the work to protect future campers and, most of all, thank you to Sarah, my little. Thank you for teaching me how to love big. I love you and I hope that I make you proud. Thank you.

CHAIRMAN MEYER: Thank you, Mr. Marsh.

Members, any questions?

Job well done. Thank you.

CHAIRMAN FLORES: Members, any questions?

Thank you very much for your comments, Dr. Marsh, and your advice, and we're very sorry for your loss.

CHAIRMAN MEYER: Mr. McCown, please proceed.

MR. MCOWN: I want to first start by thanking everybody on this committee. I want to thank Governor Abbott, Lieutenant Governor Dan Patrick and Speaker Darby. I also want to thank the investigators. I can't say enough about how much they cared about this and it was very refreshing to have an opportunity to speak openly about what we have gone through and what we are going through.

My name is Michael McCown. My wife is Callie McCown. Our daughter, Linnie, was in Bubble Inn. Before I go into talking about Linnie and how special

she was, I would like to start with a section I'm calling continued trauma. Britt Eastland said that they don't want to hurt our families any more than what's already happened, yet since July 4th they have repeatedly added grief and trauma to us every single time they have opened their mouths or done anything in the public eye or private eye.

In the weeks after this event, before any state investigation, before lawyers obtained facts, before we even were thinking about a civil lawsuit, their lawyer proudly told the media that no jury in America would hold them accountable.

Yet, as the true facts start to come out, they are now doing everything they can to prevent a jury from hearing the evidence of what really happened by trying to escape the state courts with arbitration. So even when we were barely out of this disaster we were already seeing news reports coming out saying don't bother, it won't work. I did not sign an arbitration agreement, Linnie did not sign an arbitration agreement. The arbitration agreement that's in the document covers everything except for gross negligence.

When the bills passed, DSHS held a meeting for all camps to come in and review the new laws and how they're going to be implemented. I was the only family

representative there. I told my story. I felt like I reached the room. I was not vindictive. I felt I was very fair.

And what I learned from that meeting was that most of those camps there were small camps, camps trying to help their community, nonprofit camps, church camps, rural camps that aren't trying to seek people from out of state or from Dallas or Houston, San Antonio or Austin. They're trying to get their local community out into nature. After that I had dozens of camp owners come up to me, shake my hand, offer their condolences, and give me hugs. We all cried together.

Later that night I saw a Facebook post by that same attorney who put out that original statement with a selfie in his DSHS badge that said, "I'm so proud about how Camp Mystic is helping to make camp safer." I never met him at that meeting. There was a line out the door, yet he could not come up to me. And he knew who I was, everybody in that room knew who I was. He could not come up to me and look at me in the eye and give me condolences.

They have incessantly posted on social media, mainly Facebook, through the representatives, including one that said, "I am so proud of Camp Mystic for the orderly evacuation of" -- I don't remember how

many hundreds of campers. I think we've all learned today it was not orderly at all. It was chaos. They were lucky Rec Hall didn't just fall down and kill everybody.

They claim they support Heaven's 27. They didn't show up to any of these hearings, but they did hire high powered lobbyists in October. So why would you hire high powered lobbyists if you support our legislation? And I know they've been making the rounds, because I talked to them. I am in this capitol a lot because I'm here in Austin and the best lobbyist in the State of Texas are these families right here. There is no lobbyist in the State of Texas that can convey a message like us, and I believe that is one hundred percent why these bills passed.

No father in this audience or at home who lost a daughter that day at Camp Mystic has received one piece of communication tailored to them directly from the camp since July 4th to today. Generic e-mails went out, a refund check with our daughter's name and a heart written on it, but nothing -- no one ever called me and said, "Michael, I'm so sorry, I'm so sorry." And it took ten months for someone to have their back facing to us and saying, "I'm so sorry." Do they even know our daughters' names? If put on the spot could they say

every single girl's name? I don't think so.

I was asked several days before Linnie's funeral if -- through an intermediary -- if they would be okay if the Eastlands came to her funeral. I was torn about it. We weren't sure what we were going to do in terms of a lawsuit, we were just in shell shock, planning a funeral. Every night we were trying to make sure our kids were occupied right up until they went to bed. Bates, my oldest son, his uncle would sleep in the same bed with him several nights in a row, the same twin bed that Linnie would sleep with Bates. I ended up agreeing to letting them come, because that day was about Linnie and I wanted to see what the world lost -- I wanted them to see what the world lost.

Later that night on social media I started getting messages about a Camp Mystic party in Austin and I was being sent photos of Tweety in a white dress at a Camp Mystic party handing out M's -- and I don't -- I don't really understand what that is, but I believe it's some sort of graduation ceremony -- handing out M's in a graduation ceremony to Camp Mystic campers on the day I gave my daughter's eulogy.

Edward and Tweety were both there; I have their signatures in my daughter's memorial book. I can't explain their actions other than an incredible

case of delusion and living inside a bubble so long that you have no way to recognize what is going on on the outside.

Linnie was our only daughter, nestled between our three year old, George, and 11 year old, Bates, she was everything to us. She was a counterweight to me growing up in a family of three brothers, showing me the sweet side of fatherhood, raising a daughter in a relationship only a father and daughter can have. For my wife she was an emergency escape. With a house full of boys she and Linnie had a one-on-one relationship outlet that only they could understand.

One of the last family trips we took in June of 2025 was to Colonial Williamsburg. One morning Callie and Linnie were at a bakery getting breakfast and I was the absolute typical dad, buying tickets with the boys to go into all the old colonial houses, very excited to see how they made furniture, metal tools, gunpowder and churned butter. I remember texting Callie that we got tickets to go into all the old houses and she asked Linnie, "Do you want to go do that? We're going to go into all the old houses." Linnie with her big beautiful brown eyes looked horrified and embarrassed. She shook her head no as she had those

eyes on the Lulu Lemon store and a sweet treat from the ice cream shop. I wish I could play the video now.

Linnie was caring, gave big hugs, loved her friends and, most importantly, loved her family. Her baby brother, George, older brother, Bates, were both so special to her. We miss her giggles, the way she pranced and skipped rather than walk. Her long hair, her beautiful eyes, her dimple, her dyslexia --

And thank you, Senator Perry, for mentioning that from before.

-- and her sensitivity. We miss the mischievous looks and smile on her face when her older brother would get into trouble or when the gossip around early budding fourth grade crushes that kids in Bates' grade would come up with, would come up in the conversations, she loved being in the middle of it, she loved the gossip, and we miss her presence around every corner of our house. We miss the way she cried when she was upset or sad.

I miss how she would take her hands every night before going to sleep and ask to tickle my mustache with those little tender fingers when I needed a shave. There is nothing big enough in this world to fill these holes in our heart and we will carry this forever.

A couple of weeks ago the Austin High Red Jackets dance team made both Abby Pohl and Linnie honorary members. During that heartbreaking ceremony, aside from our own sobbing, we could hear Abby and Linnie's eight and nine year-old friends wailing uncontrollably in the theater. One of those girls, McKenzie, was in Twins II, and you heard her story earlier today.

Another of Linnie's friends at Casis Elementary was at Bubble Inn during the first term. She left Bubble Inn just days before Linnie arrived. Her three friends, Mary Barrett Stevens, Abby Pohl and Linnie, stayed in that exact cabin for five days, but she was spared.

Linnie's very first friend, who she met when she was just one and shared every day at preschool with and hours and hours at our house and our friend's house, was signed up to be at Bubble Inn, as well, but backed out a month beforehand, maybe a couple months beforehand. We still get texts from her on Linnie's iPad and we get artwork she makes. She makes us little videos, little collages and sends them to us, praying for Linnie every day. We have the texts on our iPad during those days when we didn't know if Linnie was alive or dead saying, "No matter where you are, I'll

always love you."

We didn't just lose Linnie; the world lost Linnie. Her best friends lost a lifetime friend and the world lost a love and kindness that Linnie gave out so freely.

We were not a generational Mystic family. My father-in-law was a fraternity brother with Dick at U.T. We hopped the line. We hopped the line in front of people who had been signed up for almost a decade.

I have a text from my father-in-law to Dick that said, "This is Jimmy, Dick. My granddaughter, Linnie McCown, will be with you at camp starting next week. Take good care of her. I know you will. She's a lot of fun. Love to Tweety. Take care of yourself."

"Awesome, Jimmy," Dick replied. "Yes, we will take great care of her. We are very excited to have her. Hope to see you by closing. Love, P and T."

The next text in that conversation is Friday, July 4th, at 8:19, okay, from my father-in-law that says, "Everything okay, Dick?" There was no response to that.

The morning of July 4th started like any other day, but our sweet Linnie was already gone by the time we woke up. We didn't know, and there was nothing we could do about it. I heard many of the rumors the

investigation mentioned yesterday while driving down to Mystic. We both received an e-mail from Mystic stating that if we hadn't been personally contacted, your daughter is accounted for.

It wasn't until 30 minutes after we received that e-mail that an Austin rep for Mystic, not an employee, not an owner of the camp, called Callie and told her Linnie was unaccounted for. As I mentioned, I received no direct communication from the Eastlands and haven't ever since, and this goes for all the other dads.

The Eastlands built something more than a camp. They built a family brand that parents trusted like a pastor or a priest with ministry, faith and kindness to others being taught. That trust was a product and they charged premium prices for it year after year, while never informing anyone that they were sitting in a flood canyon with no evacuation plan and no trained staff. No notice that they reworked buildings out of the floodway -- and I say floodway on purpose and not floodplain -- to avoid flood insurance.

Despite the warnings from TDEM and the National Weather Service in the preceding days, the camp did nothing. TDEM and the National Guard even predeployed resources to the area. I know this because

I saw these resources with my own eyes. The Eastlands claim they did not know about TDEM or the National Weather Service warnings because they were not hand delivered to them. Is that the right mindset of a group of people responsible for the height and duty and care of thousands of children over one summer?

At 1:14 in the morning, for their specific location in Kerr County along Highway 39, the code red alert was delivered to their phones with the words, "Life threatening flash flooding." Dick received it, Mary Liz received it, Edward Eastland received it. I don't know if Tweety received it but, since she owns the camp, I hope she was signed up.

I have no idea about Richard Eastland, because not even his family knows. Yesterday was the first time we ever heard about his whereabouts. Britt and Edward both testified under oath that, even nine months after the fact, they don't know for sure his whereabouts that night.

If I don't show up for a family birthday or Thanksgiving, do I think nine months later my family would just not know where I was that day? If he was simply waiting around with the nurses, why didn't they just say that? I can't believe anything that they say. Anything that comes out of their mouth I have to second

guess. They have shown no good faith in communicating truth, so I have no reason to believe anything they say. What the Eastlands did and, more importantly, did not do is a betrayal.

I want to talk a little bit about what emergency managers preach, as there are no natural disasters. If you haven't heard the term, it's a concept that natural events and hazards occur with or without us. This term is used in media after a catastrophic event, mainly in the context of poor communities. For example, people born in Haiti on a fault line living in poverty who never had the resources or opportunity to protect themselves when that earthquake hit. That's a real important conversation, but that framework cuts the other way, too, and that's where it hits me the hardest.

The Eastlands had every resource in the world. They had money, making over 10 million per year with both camps open. They had lawyers, they had banks, they dammed up Cypress Creek into a lake, they also had decades upon decades of flood history on that river. Dick Eastland was appointed to the UGRA. The man responsible for managing that river sat on its governing board and still did nothing. If the county doesn't install flood sirens or you don't get the budget and you

are making $10 million a year, the onus is on you to do that. When -- I'll get to later what I was told when I first got there when I get there.

They filed paperwork with FEMA three times, which proves exactly what they knew, what they were sitting on. The exact -- and this is important -- the exact disclaimer FEMA states on the LOMA process reads, "The issuance of a LOMA does not mean the structure or lot is safe from all flooding. Events greater than one percent annual chance of it can and do occur. This reduces regulatory risk and eliminates insurance premiums, but does not reduce the physical risk of flooding."

I totally understand why a homeowner who has a river house might do a LOMA; one hundred percent, I understand. But when you are in the care of a thousand kids per year in the summer months, it is beyond me why you would cut those out and not abide by the regulations. Because right outside of that, these islands, if you look on the floodway map, everything else is red. There are islands in a sea of red that say floodway, not floodplain. The floodway is where the river naturally floods. That is very important to understand. And that floodway covers much of the Guadalupe side of the camp, of Camp Mystic.

And I say camp because it is one camp with shared facilities, shared management, shared entity and, most importantly, same DSHS license. They built Cypress Lake, but they left the old cabins alone, no upgraded infrastructure, no evacuation plan, no training for staff; just money coming in year after year dressed up in the language of ministry.

In the hours after the code red warning that said, "Life threatening flash flooding," days after TDEM and the National Weather Service forecasted flash flooding, while roads were still passable, while there was still time, do you know what Camp Mystic did? They improved canoes to higher ground.

I understand that that's probably the first thing everybody does on a river; however, that warning came in at 1:14 a.m. and, if I recall correctly, they moved canoes after 1:14 a.m. That is putting equipment over children. Insurance can pay for equipment; their insurance cannot pay for children, because they have no flood insurance.

That is what an institution looks like when it has never once prepared for the moment that actually came; not a failure of instinct. Every decision that was made and could have been made failed that night and in the years leading up to it. No one in this room is

arguing that the flood wasn't devastating. We are arguing that a loss of life was one hundred percent preventible and that the people responsible for preventing it had other priorities. And honestly, the severity of the floods are irrelevant, because simple safety plans would have saved every single person that night, including Dick Eastland himself. The Eastlands made a choice; my daughter did not. She was not given a choice.

Now I want to talk about what actually happened to my daughter. When I arrived at Camp Mystic on the morning of July 5th, my brother and I were the first people there to my knowledge. There were two Texas game wardens outside the gate and I begged them to let me in and they let me go through. They said, "Please be careful. No one's been up there yet." This was around 8 a.m.

While searching for Linnie I came across Bubble Inn. I vividly remember standing in front of the cabin, looking to my left, seeing a hill less than 50 yards away that I learned later campers self-evacuated to, including many people that Linnie looked up to that go to her same elementary school. I looked to my right and saw an outside staircase leading to a structure even closer which had survived the flood. In front of Bubble

Inn I put my hands in the air and fell to my knees thinking to myself how could this have happened? Safety was right there and there.

Later on Glenn Juenke came up to me and started talking to me about what happened. I honestly don't remember everything, but he just kept talking and talking. He did save a lot of girls that night and, if he was in charge of the actual emergency planning, I don't have a doubt that more girls would have been saved. However, the first things that came out of his mouth were blaming government, blaming faulty sensors, talking about how for years the state hasn't done anything; $10 million a year this camp brought in in gross revenue.

Eventually Texas game wardens showed up, about three trucks full of them, and I asked them if I could search with them, and we did. We searched downstream from Camp Mystic on the canyon side. All I really -- well, I remember a lot of things that day. I remember it looked like an explosion of bright neon clothes, camp clothes everywhere, amidst hundred year old Cypress trees split in half, trucks buried 12 feet into the -- into the mud, canoes wrapped around like paperclips on trees.

I passed Dick Eastland's truck or Tahoe. I

opened up the doors. I looked inside. By that time I knew that some of the girls had perished in there. And I was wondering why at Ingram Elementary I saw some of my friends, including Davin Hunt, who I was so excited to reconnect with because we knew each other in high school and I haven't talked to him much in the last 10 or 15 years, so excited our children were going to be together, and then early on at Ingram Elementary they disappeared. And at that time I was like, why did they leave? That's so strange. Why did they leave? Like, we don't know what's going on. It was only until then, or only until later that I realized that they were getting calls to go to Grimes funeral home.

Later, while searching further downstream on my own, I found a deceased girl under a fallen tree. I was able to confirm that it was neither Linnie or Abby, but with no cell service I was stuck. Fortunately, as I wave, yelling at the top of my lungs to people passing by on Highway 39, sheriff's deputies from Wilson County spotted me. They heard me screaming, "I have a body, I have a body." They were stuck on the other side of the river, so we had to improvise.

And my brother and I went to Walmart on the way out, bought a bunch of supplies, but in my state of mind I forgot all the supplies except for my knife and a

paracord. They were able to find a children's -- a child's kayak on the bank somewhere. And so no adult male was comfortable coming over on it; we had no idea what the depth of the water was, how fast it was moving. So I was able to tie the paracord to a rock and I threw it over to them where they tied it on there and I was able to pull over two -- one by one, two female deputies.

It was then we realized that we couldn't get her out from underneath the tree. And just by luck, forest service personnel were driving by and we were able to use that person. He actually got in with his chainsaw in the kayak, brought him over, and he took apart the tree to the point that we could get her out.

Right before I was going to go in and help get her out the lady deputy, who was half to three-fourths my size, turned and looked at me and said, "Michael, you don't -- you don't need to do this part. You don't need to experience this. Let us do this."

They did it out of my own concern, out of my own mental health. They did not want me to experience any more trauma, as they knew I was missing my daughter. I have since talked to them on the phone and given them my thanks and how much I appreciate their actions that day, and it was crying on both sides.

I, too, like many others, was invited to Grimes funeral home. The first body I was told was Linnie was not Linnie. Then the body on the river. And then that night I was called in again to identify Linnie, and I thought it was Linnie. I kissed her on her forehead. My brother and my father-in-law were also there. They thought it was Linnie. Walking in to identify a body is the worst thing I've ever experienced. You don't know what you're going to find.

Several days later I got a call from the Texas Rangers, as we already had that body in our funeral home, saying that body is not Linnie, so I had to drive back to Kerrville and do a DNA swab. So while we thought we had Linnie, then we lost her and for several days we didn't know if we would ever find her. Fortunately, we got a call and she was matched by DNA.

Just from the brief several days that I experienced that, I am in a circle of hell right now. I can't -- I can't even imagine, as someone who's lost a daughter, what the Stewards are going through. You think it can't get any worse, but it can.

I need this committee to understand what our daughters actually experienced. This was not a peaceful passing. They were not surrounded by family and loved ones. We did not get to say goodbye. What

the Eastlands subjected our daughters to was more akin to a war zone. A violent torrent of water and debris that gave them no chance, because no one ever gave them a chance.

Out of respect for the families of all the victims, I will not go into any more details of the aftermath that I witnessed that day while searching for my daughter. There are things I saw, learned and experienced that day that on the Guadalupe that I will take to my grave.

The Eastlands assured us through their ministry, their branding, their reputation that our daughters would be safe. We were lied to and it has cost us everything. We saw the same flood and the same geography in Wimberley on the Blanco River in 2015.

These hill country rivers have told the Eastlands what they are capable of; the Eastlands chose not to listen. It's not if a storm like this could happen, but when. As I mentioned, we saw it in 2015. What did the Eastlands take away from the Wimberley floods? Did they sit there and really think, no, this could not happen to us?

If there's anyone in this room or watching online who has stayed in Bubble Inn or Twins I or Twins II or any other cabin on the Guadalupe side ever and

they have stayed there, had daughters or granddaughters in those cabins, they also would have died. It wouldn't matter if the flood were last year or 20 years ago. If they were left in their cabins like Linnie and those other girls, they would be dead. And like me, and like Callie and I, they would have a set of GPS coordinates provided to them by Texas Rangers, like we do, to visit and lay flowers and sit and look at the river that took my daughter and think why was she in the line of fire?

I was down there this past week laying flowers and I was sitting by Linnie's spot and I was just so angry, because the river looks so peaceful and I just couldn't imagine how this could happen. I laid flowers down across from where we found that girl. And I texted Mr. Frank and I ended up getting in touch with him just to say next time I'm down there I would really love the opportunity to go lay flowers at her side and he said of course.

One thing I forgot to mention, and this is the only thing of this whole situation that almost made me laugh. As the, I call him lumberjack, was chainsawing the tree, I heard rustling in the bushes next to me. Mr. Frank walks out, because it was on his property. It took me two hours probably to get to where I was; very treacherous terrain, boulders, trees all

over, crawling under. I was completely exhausted. But here comes this guy who wasn't even breaking a sweat and myself and the Wilson County Sheriff's Office looked at him like as if we were looking at a ghost, like where did you come from?

And the only reason I say that, because out of that entire day, that was the only thing that made me get out of myself for a second and think to myself what just happened? Where did this guy come from? So that was one point of levity in that entire day where I could escape the hell that I was currently living.

Why were the youngest, most vulnerable children left to fend for themselves? Greta, who was already at the Rec Hall, simply walked back to the cabin to grab a pillow and she didn't come back. She didn't understand how precarious the situation was, because she was never told so by adults. The Eastlands had too few adults, no plan, no action, no urgency, no initiative to seek out information other than what was sent to them directly, and even that didn't spur them into action immediately to save lives.

To close, I want to read a portion from Matthew 23:25. "Woe to you, teachers of the law and Pharisees, you hypocrites. You clean the outside of the cup and dish, but inside they are full of greed and

self-indulgence." Now, not the same indulgence as in Matthew, but the selling of indulgences broke the protestant reformation open 500 years ago.

There are people who will take money from faithful families and dress their greed in the language of God. The Eastlands were doing this on the Guadalupe River. Whether they did it consciously or unconsciously, I do not know. I am not that judge; God is that judge, but the result is the same.

Twenty-seven promising futures were wiped out in the blink of an eye, subjected to naturally forces that buried trucks, split hundred year-old Cypress trees in half and treated the human body in horrifying ways. Camp is nothing without campers and if you can't protect your campers you don't get to run a camp. Thank you.

CHAIRMAN MEYER: Thank you, Mr. McCown.

Members, any questions? All right.

Thank you, sir, for your testimony.

CHAIRMAN FLORES: Members, any questions?

Thank you, Mr. McCown.

CHAIRMAN MEYER: Mr. Childress, please proceed.

MR. CHILDRESS: All right. I know it's getting late, but please be patient with me as we wrap

up the day. My sweet wife leaned over to me earlier and said, "Please be concise." I said, "You've met me before, right?" So with that stated, please forgive any length or duplication as I try to wrap things up here.

Because my mother taught me good manners, let's start with the thank you's. Thank you, Chairman Meyer, Chairman Flores, committee members, lieutenant governor, the speaker, the governor, the investigators, TDEM, DSHS, Rangers, and all the governmental agencies that have been involved, and thank you to the public that have been engaged and continued to stay informed in encouraging action.

So, like in August, I'm the caboose again, and hopefully I can land the plane here. My goal is to reintroduce myself, my daughter, discuss the facts of where we've been and then focus in on where we're heading and how this joint committee can take further action to save children's lives in the future.

So I'm Matthew Childress and I'm here on behalf of my wife, Wendy, and my now only child, my son, Jack who is 15, who is my best friend. It's good to see many of you again. I'm the same dad; hair and beard a little bit longer and grayer, but I'm happy to be here with you-all and somehow for all of us this has become a normal part of our lives.

So I'm honored to be the father of Chloe Madelyn Childress. Chloe was 18 years old when she died as a hero. She was a counselor with Katherine Ferruzzo attempting to save a cabin of 13 eight year old girls July 4th, 2025. And again, to remind you, this was the largest mass child casualty event in the United States in nearly 100 years; again, more than Uvalde, more than Sandy Hook.

Her cabin was in the floodplain where she was instructed to stay by directors for hours while waters rose around her. As we covered yesterday, she and her campers had to watch other campers from other cabins slowly evacuate around them. Their sisters, their cousins, all while the waters rose over their legs, waiting for orders to leave. It's hard not to imagine the horror and the suffering that happened in that cabin that night when less than one minute of action would have saved all of their lives if the Eastlands had just evacuated them all.

And I may never know what happened to my daughter. Did she make it into Dick's car? Did she get swept away helping kids into the car? All I know is that she gave her life for her campers, because she was big enough to save herself. That's my hero, that's our hero, and that's how she will be remembered.

Let me be clear, they were not killed by Mother Nature, but by complacency, ego and tradition, also by the lack of proper regulatory enforcement and ultimately by poor human decision making. And me? I'm just a dad, a dad who lost his first born and his hero, who is gone forever. Not only has my life changed permanently, but so has my wife's, my son's, my extended family, Chloe's friends.

The suffering, the grief, the anguish that is inescapable, the 18 years of memories, and this is what I grind on all day long. Her birth, the brutal first six months of no sleep, the newborn days that feel like eternities between naps, first crawls, first walks, millions of terrible birthday parties, her first days of school, millions of car pools, millions of performance, middle school girl drama, first boyfriends, her overcoming anxiety, conquering school, cheer and cross country and becoming a dominating lover of music. A daughter who wanted to prove her father wrong at every turn, and this is how I knew she was my daughter; she was a fighter. And every one of these nights that I would see her, I kissed her 17 times, ever since she was a newborn, before going to sleep.

I was lucky that Chloe got her mom's beauty, intelligence and quick wit and I just passed

along my competitiveness, drive and anxiety. Luckily, that made her into the perfect balance of someone that would change the world. And the joy of me getting to see her graduate and going to my alma mater, that was just one month before I never saw her again.

And now, imagining the future that she will never have, watching her friends move on. She should be finishing her first year at the University of Texas right now. We won't see her graduate, we won't see her go to med school. I won't get to walk her down the aisle at her wedding, I won't get to hold her children, I won't get to watch her grow into someone that I know that would have changed the world.

I now kiss her name plate 17 times where her ashes are interred at St. Luke's in Houston. I'm also aware these are all "I" statements. That's because not only did my daughter lose her life, so did I, so did we. This has killed us all. That is our impact crater.

In October I went to camp to search for my daughter's things by myself. Going through bins all alone, I found one of three lovies that Chloe had taken to camp with her. The one that I found was a small pink bear blanket that she had took home from the hospital when she was born. I now sleep with that lovey every night in my arms.

As others can attest, it is the permanence of all of this that is still so hard to grasp every day. Why isn't she here? Why can't I give my life to let her have hers? Her life was just launching. She deserved that opportunity and I can't give it to her. It just hurts so much. She is going to be 18 forever and asking the question why are we the unlucky ones.

So instead, I've had the honor of working with 25 other grieving families over the last nine months representing Heaven's 27. These people were all strangers to me before July 4th. They are all now my soul mates and my jail mates, and we have stayed unified because, guess what, that's what families do. Whether we like it or not, we are a family. I would put my life on the line for any of them, and I'm honored to be here speaking on their behalf and with them today.

So since I'm a fact driven person, let's get back to the facts. This is what's been confirmed by the Eastlands under oath in a courtroom down the street, and facts in the hearing the last two days, and there are many. Confirmation that the Eastlands received a flood warning at 1:14 a.m. More than three hours passed after that warning when less than one minute of action would have saved lives. The water rose gradually over those hours and there was no sudden tsunami.

Confirmation that there was no written evacuation plan, despite prior legal requirements by the state.

Directors evacuated themselves to higher ground while instructing campers to remain in flood cabins in an area also known as flash flood alley. Further, those children were housed in cabins located in a floodway and a floodplain that the camp had previously removed from federal maps to save money.

As Chairman Perry said, this is not an easy task; it was a calculated activity over the course of years, and their emergency plan still said the cabins were in high, safe locations. As I have testified previously, I am from Houston, I know what it means to live in a home in a floodplain or a floodway and what it does to your insurance. Again, these changes were made intentionally and not shared with parents.

A working loudspeaker system capable of warning every camper still had power and was never used and acknowledged by them that it would have saved all lives. Priority was given to moving equipment rather than evacuating children. Hundreds of girls were left without director supervision for hours. And then afterwards no one from the Eastland family called 9-1-1 during the critical hours, even as campers and staff did, while the camp still had power and fiber

communications. And when they did finally call 9-1-1, it was more than six hours after the original warning.

And Britt Eastland, mind you, did not report dead bodies on the campus when multiple girls had been found on campus when the water receded. I want you to remember that. That has not been discussed. Mary Liz said under oath that she did not know there were dead bodies for days. That is not possible. Alli Naylor just testified that she confirmed Dick was found -- she being Mary Liz -- confirmed Dick was found on July 4th. Dick had three girls with him.

Deaths were not properly reported to authorities, as required by law, and still have not to this day. Shocking. But further, the deaths of the two counselors, including my daughter, have not been reported to OSHA. That is also required to be reported of a workplace death within six hours. And, by the way, Chloe was never paid for her work last summer.

Evidence preservation obligations were received, acknowledged and then disregarded and the Eastlands proceeded to destroy evidence as they reconstructed camp.

New information to me today is that the cook that did not help during the flood and the former part-time security guard are now in charge of safety and

licensing at Camp Mystic. And also new revelations to me yesterday is that there were more than 20 able-bodied adults that were sitting on their hands and not helping. Is this acceptable? And most damaging, by their own admissions, they abandoned campers when it mattered most. When their chief medical officer was asked under oath whether she abandoned Cile Steward when Cile needed her help, she said yes.

One thing I've learned in life and in business is, when people tell you who they are, believe them. This is all incomprehensible. It's gross negligence. It's child abandonment, which led to the deaths of 27 girls. I know 100 percent that if the Eastlands had all been trapped at the other camp every girl would be alive today. The water rising? You go to higher ground. Those girls would have taken action, even without any training, especially my daughter. They died because they listened to the Eastlands. This all could have taken a different path.

There have been no apologies, no acknowledgement, no contrition, no discussions from the Eastlands. I've had no communications directly from them other than grief books that were sent to us and a Xerox copy of a letter from Tweety saying that camp is more beautiful in heaven and can you imagine the chorus

of songs of Dick and the girls. I still cannot believe I read those words.

And the resistance of the camp to slow down before blindly pushing forward to reopen has been confounding, so we are here; litigation, state investigations, criminal investigations. This is of their own making. And also let's make no mistake, this is big business; tens of millions of dollars a summer when both camps are operating. They have several homes across the state, including a multimillion dollar home on Lake Austin, suites at sporting events. And announcing a reopening less than two months after the deaths of 27 children in their care.

So let's ask the panel, how many deaths does it take to hold an operator accountable, especially when they admit to it? One, three, five, seven, twelve? I'm still going. So we're at 27. View the math; that is a death every 3.6 years of Mystic's existence. Is that an acceptable level of death? It's hard to grasp how we're still talking about the Eastlands still having a license to operate.

And if it wasn't for the brave actions of other counselors that defied the Eastlands and Mr. Juenke's orders and evacuated their campers up hills, there could have been 20, 30, 50 more. If Rec

Hall had collapsed it could have been a hundred more. All of those counselors are heroes and should be acknowledged as such, especially those in Twins I and Twins II. Whether the Eastlands know it or not, it has driven -- driven fear of the unknown into families across the country. I know this because I have spoken to them.

We are here to bring that confidence back, to bring transparency to those parents, so they can be informed to make the right decisions for their families, and hopefully get back to enjoying the beauty and fun and camaraderie of camps. And even with all these public revelations, the acknowledgment of all our worst nightmares, there's catharsis, a lifting of this unbearable weight that we've all been carrying for nine -- for more than nine months. Knowing that more of the public now actually know the facts that we've been living with privately is helping to unburden us all.

And make no mistake, the public is on our side. These facts from their own mouths have shown the public exactly who they are. And let me be clear with what Britt Eastland said earlier, and I quote, "I know these families will one day all be glad we reopened camp this summer." For the record, that is not an accurate statement.

So in the face of loss I'm so proud of what the families of Heaven's 27 have accomplished. Anyone saying otherwise has not been paying attention. We have already achieved meaningful reform not only in Texas, but in states across the country, including Alabama, passing the Sarah Marsh Heaven's 27 Camp Safety Act, but other bills in motion -- but other bills in motion now in Missouri, Oklahoma, Maryland and Louisiana, with many more to come.

Do you want to know what true heroism is? It's giving your life for someone that will never know your name or who you are. Our 27 girls gave their lives so that hundreds, maybe thousands of girls will be protected in the future. That is true heroism.

And also, as you heard from Charlee Johnson and about our partnership with Safety Navigator, in addition to what she shared, we have also helped to give hundreds of thousands of dollars in grants through Safety Navigator to at-need camps where they need infrastructure improvements and cannot afford it. Again, we're here saving camps. So let's look forward.

Back in August I had the honor of testifying in front of this same committee with the goal of helping you guys save children's lives. As I embarrass my wife one last time, and to be consistent

with my previous testimony, nine months in how am I doing? Again, for the record, this sucks. I should not be here. These families should not be here. The Eastlands should not be here. This is all because of their poor human decision making and common sense that was not in place.

It is just so sad and I am so tired. I'm tired of having to console others who do not know how to engage with a father who has lost their first born. I don't blame them, because I don't know if I would be able to do the same thing if the roles were reversed. I'm just exhausted, but what else am I to do; marinate in my own misery? So instead, we are all driven by guilt to impact change and effect change across the country.

So as I communicated in August, I would make it my second job to continue the mission of children safety. So here I am, pushing again for common sense, bipartisan efforts. You all started this with us, doing what you know is right; you should be proud of that, so let's finish it.

So I'm not on the down slope here, guys.

So what's next? So again, what you guys can do. Finish this report, make sure the facts are known to the public. Next, enforcement. Stick to your

guns, stay committed. Previously the laws that were in place were not properly enforced. The inspection process failed at DSHS. It missed that Mystic was not compliant and in violation and should not have been able to operate as a camp, even under the previous laws. Agencies have to be held accountable to enforce the law. We need you to stay committed, because enforcement means accountability. What else?

Incident response. We talked about this at length yesterday. I'm a pragmatist; I know things will never be perfect in an emergency, but there needs to be better coordination across FEMA, state, county and city officials. We realize these committees have focused on the failures primarily at Mystic, but you can investigate the other failures outside, as well.

Yes, we families are owed the truth, but those other families are also owed the truth about the failures across the systems across the board. We've all started this process and we know it will take time and need your further analysis and examination of the recommendations on how to improve.

Search and rescue. As my colleague, Mr. McCown, witnessed firsthand and as Chief Kidd and Ms. Garrett testified, we need better on-the-ground tracking and coordination that can at a minimum help

locate survivors before they can become victims. Michael was out there searching for his daughter with no one around and found a dead body of a girl alone. Where was the mobilization, where was the coordination? We have to do better.

Also, disaster and trauma communications. Still today I've had no communications from the Eastlands directly. This was the first time that I've seen them in person since the night of July 5th where we had been suffering for two days. They showed up at Trinity Baptist Church and let us console them for the loss of their father when they knew many of our children were dead. After they left, moments later, I got a call from Grimes mortuary, after they had left the church.

It has been proven that they knew girls were dead on their campus and elsewhere. More than a day-and-a-half without communicating this to us, torturing us, allowing us to hold onto false hope, somehow making this all worse. Chloe's name has still never been mentioned by them. We ask for you to focus on rules, policies and enforcement to communicate with victims' families as soon as possible to minimize the suffering.

And, finally, how are we still here? Let me read you a piece of the statute. It is Section

141.011. It's called Operator's Duty. A youth camper shall -- a youth camp operator shall provide each camper with safe and healthful conditions, facilities with no hazards that cause or may tend to cause death.

There it is, Operator's Duty. After all this testimony this week and two weeks ago, no reasonable human being can believe that the Eastlands can fulfill Operator's Duty. I'm a logical man, but this is bullshit that we are still discussing this with anyone in the government. Deny them a new license, revoke their old one; put an end to this.

So now I'm wrapping up. I talk to my daughter all the time. Most of the conversations end with me saying I'm sorry over and over and over again. She was my Chlo-Chlo, she was my Chlo-Max, my Max, my Machine and my Sweet Pea. My job as her dad was to protect her. I wasn't there to do that. I entrusted others to protect her and they failed her. She deserved better. They all deserve better.

Not only did they fail, they let her die in an environment of fear, terror, agony and violence that my brain tortures me with daily. And I know this because I had to identify her body. It's an image I can't get out of my ahead, knowing how much she suffered, her cold, wet, discolored and wounded body.

Before I said goodbye I kissed her one last time, 17 times, as I had done since she was a newborn.

Again, Chloe, I'm so sorry that you endured what you did and we will never be able to escape this reality.

But to the committee members, even though all of us are suffering every day, we all give you the permission to continue to leverage our grief, leverage our pain, leverage our anguish and trauma, leverage this tragedy to prevent it from happening to others; not just floods, but fires, tornados, active shooters and other potential disasters. And then how we react as a state in a bipartisan way -- hell, as a society -- to prevent unnecessary pain to victims and families, that is what our 27 heroes would want. They deserve better and all the children in the future should, as well.

So as I left you-all in August, I leave you with the same lines. The time is now to take action for my hero, Chloe Madelyn Childress, the rest of Heaven's 27, and the millions of campers and parents in the future so it does not happen again. Thank you all for your continued efforts to do what you all know is right. Thank you.

CHAIRMAN MEYER: Thank you, Mr. Childress. Very, very, very powerful. Very, very, very well done.

Members, any questions? The Chair recognizes Speaker Moody.

VICE CHAIR MOODY: No questions. Just a comment. I want to thank you all and all the families that have come up to testify to share their grief, their trauma.

And Mr. Childress, thank you by closing by saying -- giving us the permission. The world that y'all are living in is not a world that we will ever understand, but thank you for giving us that permission --

MR. CHILDRESS: Yes, sir.

VICE CHAIR MOODY: -- because that's the work that's ahead of us.

MR. CHILDRESS: Please do.

VICE CHAIR MOODY: You made a lot of statements about things that you won't get to do with Chloe and you said you won't get to see her change the world. And I do want to tell you, I'm seeing her change the world right now and she's going to and going to continue to, so thank you.

MR. CHILDRESS: Thank you.

CHAIRMAN FLORES: Members.

Senator Menendez.

SEN. MENENDEZ: Thank you, Mr. Chairman.

To all the family members, but in particular to the dads in front of me, I'm -- we have a daughter, one daughter, two boys, and I feel your pain. I don't know your pain, I don't want to, but I appreciate you taking your grief and your suffering and coming and turning it into something that fuels, hopefully provides fuel to all of us to do the right thing, not just in this state, but hopefully in every state that hears yours story. All three of you have very powerful stories and very productive, practical advice and guidance, and we appreciate it. Thank you very much to all of you.

Doctor, for coming from Alabama to do this, I appreciate you. It was very strong, very strong. We appreciate it. Thank you.

Thank you, Mr. Chairman.

CHAIRMAN MEYER: Thank you, Senator.

CHAIRMAN FLORES: Members, any other?

I'd like to say I'm very sorry for your loss. I thank you for taking the time to be here and to share your stories and to give us your counsel as we proceed to work together to come to a solution that makes our Texas better and gives us all the purpose that drives us towards making that end and thank you very much.

Mr. Chairman.

CHAIRMAN MEYER: Thank you, Chairman.

Members, anything else?

Thank you, gentlemen, and thank you to all the families for being here and sharing your very difficult stories. We appreciate it.

CHAIRMAN FLORES: Thank you very much. The Chair invites Dr. Jennifer Shuford, Commissioner of the Texas Department of State Health Services, and Adam Buuck -- I hope I pronounced that correctly -- the Associate Deputy Commissioner of the Texas Department of State Health Services. If you'll come forward.

If you'll please state your name and title for the record, speak into the mic and begin your testimony. We'll begin with Dr. Shuford.

DR. SHUFORD: Hi. I'm Dr. Jennifer Shuford and I am sitting next to Mr. Adam Buuck, who is the Associate Deputy Commissioner for Consumer Protection at DSHS. I'm Commissioner at DSHS. The youth camp program falls under my agency, DSHS, and Mr. Buuck's division and I'm here to support the committee and answer questions related to the committee's charge. DSHS is actively implementing the youth camp safety legislation passed by the 89th legislature. The legislation significantly expanded DSHS's oversight of youth camps,

including the department's authority and responsibility related to emergency planning. The legislature provided DSHS with dedicated staff, including emergency planners, to carry out these new responsibilities and we're very grateful.

I wanted to take a moment to highlight our progress in conducting emergency plan review and approval for the first time this year. We have partnered with emergency response professionals, national emergency management response, or national EMR, to establish a consistent, high quality approach to camp emergency plan review. This process has underscored the importance of this legislation. Every emergency plan has required numerous revisions, often through multiple rounds, to ensure the plan is comprehensive and actionable.

In addition to desk review, the desk review portion of the emergency plan, we have trained our inspectors to conduct onsite verification of camp emergency plan components. We will not approve a camp's license unless it has an acceptable emergency plan.

Looking ahead, we will work with national EMR to develop any additional needed templates or guidance and identify best practices and opportunities for improvement. In the fall we will bring this

information to the multidisciplinary safety team established by the Youth Camp Safety Law. With this panel's expertise and guidance we will identify process improvements to implement the 2027 camp season.

So that multidisciplinary safety team is the one that includes TDEM, DPS, it includes the forestry service, Texas Parks and Wildlife, the fire marshall and the water development board, as well as DSHS in that multidisciplinary safety team. And it's dedicated to the ongoing quality improvement of the emergency plans and our regulation of it.

And with that, I am happy to answer any questions that you have. We're both happy to answer questions.

VICE CHAIR PERRY: Does he have testimony or is he a resource?

CHAIRMAN FLORES: Mr. Buuck, do you have testimony?

MR. BUUCK: I'm a resource.

CHAIRMAN FLORES: You're a resource, okay.

The Chair recognizes Senator Perry.

VICE CHAIR PERRY: Thank you, Mr. Chair.

So, a couple things. So let's start with the form and the substance of a form, form over substance/substance over form under what they actually

were renewed of in 2025. In the rules, really it wasn't actually statute, but by rule they were supposed to have an evac plan. Is that -- is that a fair statement?

DR. SHUFORD: That's in our -- in our task, yes.

VICE CHAIR PERRY: It's in your deal.

DR. SHUFORD: Yeah.

VICE CHAIR PERRY: Now, I can appreciate the fact that -- so let's clear something up. Yesterday it was given the impression that the -- during that form, those rules, those times, and I think Madam Chair said it best, they should be have complied with existing statute before any of the bills that we passed in special, period. They had an obligation to have a safe plan of evacuation. Fair statement? Under the rules, prior to any of the tragedy, they were supposed to have a way to provide a safe evacuation. Is that true or false?

DR. SHUFORD: Do you want to answer?

MR. BUUCK: Yes. Senator Perry, members of the committee, you may remember my testimony back in August. I was here and answered questions. We -- we explained then that, you know, we were not -- we did not approve the plan. We verified that the emergency plan met --

VICE CHAIR PERRY: I don't want to get into that nuance yet. What I'm asking today, according to the code, "The plan shall include procedures for emergency shelter and for evacuation of occupied building and facility."

MR. BUUCK: Yes, sir.

VICE CHAIR PERRY: Before any change, before any tragedy, they were supposed to have an evacuation plan.

MR. BUUCK: Yes, sir. And our inspector -- yes.

VICE CHAIR PERRY: And so I can appreciate -- so really what that means, members -- I want to be clear -- there was an impression left by the investigators that -- that there was a check-off in the field by basically the food safety person and then it was handed off to someone to review. That was not the process for '25, correct? That is a process that now exists today where, as this inspection comes through, there is a technical review of an actual evacuation plan. That's present. Is that a fair statement?

MR. BUUCK: Present. We review and approve the emergency plans now. That is very different than what we did last summer.

VICE CHAIR PERRY: Right. So -- so we can

have differing opinions of pre-tragedy but existing rule, but clearly in the code it says evacuation. And it makes a distinction, emergency shelters and evacuation of buildings and facilities. So where I'm going here is, anybody that had the experience of that area of floods, anybody that's experienced floods, anybody that had evacuated, anybody that had sheltered in place, knew full well that the intent -- and don't get me started.

Me and you can go round and round about some of the legislative intent that hasn't shown up in rules recently on a different subject matter altogether. We're going to have that conversation, put it on your calendar, I'm back on the 11th. So the 10th, 11th, I want to have a conversation about how we got where we ended up on a totally different issue, and it kind of goes to this stuff.

It was intended that there was going to be an evacuation plan from the state legislature. Camp owners know it, it's in there. Y'all are not delegated to, quote, approve it. Y'all just said do you have one. Fair statement?

MR. BUUCK: Yes, sir.

VICE CHAIR PERRY: And I'm not saying that's right, wrong or indifferent. I think it was well

made by Representative Gamez that at some point we've got to trust somebody, and the question was asked to the Eastlands can we not trust you? And I don't know that we really ever got an answer, because they kept pointing to what we're going to do now. You know, it's kind of like I set the fire, I put the fire out, but thank me for putting the fire out. I mean, it doesn't work.

So as a framework, there is no review under the existing license in which the tragedy came through. It's just do you have one. They had a one pager; you weren't told to go into great detail of what that one pager had behind it to support their plan. I can say that's exactly what we got today with the Eastlands, was nuanced workarounds, wordsmith, a lot of, you know, make sure we're calculating what we say before we say it conversation, especially with Britt.

So I think that the fact that they'll argue that it was never changed by the state, well, we never told you to approve it. At the same time, I think it's really, really disingenuous for a camp owner to say, well, we had one; and, arguably, it really wasn't an evac plan probably from y'all's lens looking back and we admit now it was short-sighted, but you didn't have to approve it. So that one's set aside.

I'm going to cut to the chase, and I want

your honest opinion. You're currently in review of a license application for Mystic. First round, after all the history that they've had, all of the history they have, they have 22 deficiencies. And they weren't little deficiencies; they were the very heart of the legislation. When you have a trigger point and what you do accordingly, and that was higher ground, clearly in the new legislation. Are we -- are we clear on that?

I mean, it's not a wiggle room. At this level you move kids to higher ground. No discretion, no conversation; just do it. Because what we know is, you have a pretty good window of time to save kids. A lengthy amount of time, actually, in real world.

So I want y'all to tell me where you're at, where you're going and at the end of the day, if you feel like you cannot issue a license, knowing full well it will be litigated based on conversations from that side, unfortunately, because I think it's been clear today that the pain these parents are reliving and this legislature is spending time on is directly attributed to move on. I'm not saying it's an easy task to move on from livelihood, a very entrenched, well-branded.

You know, something was said, we don't judge and that is true. My faith says don't judge, but we are given a sense of fruit inspection and the walk

and the talk ain't matching up and the fruit don't match up. That's my personal anecdote. Sorry about that.

But here's what I need to be clear from you, and the other members probably have a whole different angle. I need to know with confidence that the contempt that they showed by filing an application that was so deficient on the very heart of what we were trying to accomplish is, one, consideration and enough.

In other words, if they check all the boxes and you look at your evac plan and it looks like it meets the test of muster and the other deficiencies are checked off, is there a block still to be checked based on deaths, arguably, admittedly abandonment, all the things you've heard today? Is there a not subjective, but is there enough deference, is there enough discretion for the department to say, yeah, you complied finally but, because of all the other things that went down to get you into compliance, you are not worthy of a license? And I need very clear answers on that, yes or no.

DR. SHUFORD: So we are reviewing the application right now and working with them on the deficiencies; however, there's active investigations going on, complaint investigations, investigations with the Texas Rangers. And so we are getting information

right now about those things, and so we are not only focused on the application for this year and whether it meets the new standards of the statute and rule, but rather what other information is being found based on the testimony that we've heard in recent weeks, what our own findings are on our own investigations, on our own inspections, and then the inspections with the Texas Rangers.

VICE CHAIR PERRY: Does the holistic approach that you're currently involved in with multiple investigations, multiple again admissions, even if they are actually successful in checking the boxes -- and I mean that with literal, that they actually did produce an evacuation plan, but they have a history and they were under tutelage for decades of someone that didn't care about regulations.

I think it was made, the comment from one of them, I believe it was Britt that, you know, Dad would state that if you regulate something nobody will want to come anymore. And that's a culture, that's like me teaching my kids to look people in the eye, shake their hands and say yes, sir and no, sir. That's in their -- that's in their DNA.

I guess where I'm going is, I don't know what the time frame here is. They've got 'til, when, 15

days to respond; 45 days. I'm sorry. What is the deadline for the 45-day response?

DR. SHUFORD: We can get back to you. I don't know the exact date.

VICE CHAIR PERRY: I need to know when the deadline for the 45 days runs out. I think someone knows.

DR. SHUFORD: June 7th.

VICE CHAIR PERRY: Oh, June 17th.

DR. SHUFORD: June 8th.

VICE CHAIR PERRY: June 8th is the day that they're supposed to respond. After they respond in the next few days, when you get that, how long do you have? Is it 10 or 15?

DR. SHUFORD: We can get the whole timeline for you. We've got it all printed out; I just don't have it with me.

VICE CHAIR PERRY: When is the last day that they will be available to actually have a license to be able to open camp?

DR. SHUFORD: So they continue to have an active license. It does not expire while it goes through the due process. So this is talking about the non-expiration of the old license until we have -- we work through the process, Administrative Procedures Act,

I think --

VICE CHAIR PERRY: So that goes to my comment for the last two days, that there literally is a statutory or rule process that will grant them a time period all the way through this camp season, if they so choose to appeal and work.

DR. SHUFORD: And so if we're just looking at the license, license renewal then, yes, in going through that administrative process. And so this is kind of looking forward based on that license.

Looking backwards, which is what we're doing with our complaint investigations and the allegations of neglect, there's potential for that to follow a different pathway.

VICE CHAIR PERRY: Let me ask it pointedly. They -- well, the house is divided; we've got two different answers here. They said they would not physically open the camp, one side would not open for camp business. In other words, campers would not be able to show up on one side of the conversation if the license was still not renewed. The other side said no, no, we'll appeal. So that would be their call, though.

DR. SHUFORD: Yes.

VICE CHAIR PERRY: Under the current rules and statutes and things y'all have to go through, there

is no what I call IJ. You know what an IJ is?

DR. SHUFORD: Right.

VICE CHAIR PERRY: Immediate jeopardy.

DR. SHUFORD: Yeah.

VICE CHAIR PERRY: There's nothing like an immediate jeopardy or is there anything that gives you a discretionary flavor outside of those rules to say not getting it? You know you're going to get sued.

DR. SHUFORD: I'm going to have -- we've got legal counsel here that understands those different options for us.

VICE CHAIR PERRY: Give us the options, the options being status quo is going to continue because of appeals and process, assuming that they don't just step aside, which is the right thing to do.

CHAIRMAN FLORES: Could you make sure and say your name and your title, and also your name and your title for the record? Yes, you.

VICE CHAIR PERRY: So line it out a couple ways; one, status quo, y'all deny it, but because the old one hasn't expired, they continue to operate. How long does that look like? Y'all approve it, which pretty clearly, you know, they start business again.

MR. BANE: So Ryan Bane. I'm an attorney with Health and Human Services. We represent DSHS. So

under the renewal process if a license is denied -- and I'll say this is true of the revocation action, as well -- under the current regulatory scheme, in this program they're entitled to continue to operate if they ask for due process. And that's based on the government code I think 2001.054, I believe is the provision. There's not a provision in this regulatory structure to say there's an immediate threat or immediate risk and to immediately cause them to stop operating.

There is such -- such a thing in a lot of regulatory structures, healthcare and various child care; for example, if there is immediate risk, a commissioner can issue an order and immediately cause the operation to cease.

VICE CHAIR PERRY: There's no other shut the license down based on contributing factors that may not have been specifically -- you have no discretion to use judgment for bad judgment.

MR. BANE: As to the license, no. But if I'm laying out all of the options under statute, there is one other option in -- in -- in this chapter, which is a temporary injunction option. It stops activity, not the license, if that makes sense.

VICE CHAIR PERRY: So if you had a temporary injunction, would that stop them from having

kids show up on June 1st?

MR. BANE: If granted, it could.

VICE CHAIR PERRY: Okay. And temporary injunctions you'd just have to just prove that there's malfeasance, there's gross negligence, something, but that's an attorney's conversation.

MR. BANE: Violation of the chapter or rules, probably --

VICE CHAIR PERRY: So going forward, let's assume they continue on the path they're on and they do tie the parents up for months and they have a camp season. Assuming that happens, you as an agency -- and I know you're short timers. Congratulations, I think. I know that they'll be better to have a Texan somewhere, but I hate to lose it.

Here's -- here's -- here's the question, and I want y'all to think about it before we get too far down the road here. I need to know what language or what we can add that can give an immediate, treat it as if it's IJ. And I know that's a different term. IJ means immediately jeopardized. Well, I think, at least from my perspective, the contempt they've shown for the process of licensing alone is an immediate jeopardy issue for me, but set that aside. I need specific language that, when I come back in January of '27, good

Lord willing, that we will correct that. I appreciate you. Thank you for sharing.

MR. BANE: Yes.

CHAIRMAN MEYER: The Chair recognizes Chairman Darby.

REP. DARBY: Senator, we already have language. The government code addresses one issue, but House Bill 1 and SB 2 create another format and another pathway, and we're forgetting about that, okay? I have prepared a detailed statement that I'm going to read into the record, so if you will make sure that I don't miss anything here.

The Administrative Procedure Act which you're referring to was designed to provide baseline procedural protections across all state agencies and all regulated industries. It was never intended to keep dangerous operators running when the legislature has made specific mandatory determination that public safety requires otherwise. House Bill 1 and SB 1 are that determination. They were passed in direct response to the deaths of 27 children at Camp Mystic.

The legislature acted with specific intent to establish nonnegotiable safety standards, eliminate agency discretion and ensure no procedural mechanism could be used to keep a dangerous camp operating. Under

basic Texas statutory construction, a specific later statute controls over a general earlier one.

House Bill 1 and SB 1 are both specific and more recent than Government Code 2001.054, which you were referring to. Where they conflict, our bills control. The act, the Administrative Procedure Act, confirms it. This Section 2001.054(c)(1) expressly contemplates that another statute can grant DSHS the power to summarily suspend a license upon a finding of imminent peril. HB 1 and SB 1 are exactly that statute.

Finally, a camp that submits a renewal application without a required emergency plan has not made sufficient application. It never triggers the 2001.054(b)'s protection. As I understand it, DSHS can and must suspend and deny. These bills exist because children died.

The Administrative Procedure Act was never meant to override the legislature's expressed determination that noncompliant camps lose their license. House Bill 1 and SB 1 supersede Government Code 2001.054 where they conflict and DSHS must enforce them accordingly.

So pay attention. As of today you sit before us. Does any camp with deficiency in their emergency plans have an active youth camp license?

DR. SHUFORD: Do you mean are they -- they currently have an active license, the ones who we are working with them on their emergency plans and the deficiencies therein?

REP. DARBY: Okay. If so, if the department has found them to be out of compliance with Health and Safety Code 141.0091, which is the required emergency plan, is the department prepared to suspend any active license pursuant to Section 141.9904(b) of the Health and Safety Code?

DR. SHUFORD: I'm going to call up my counsel --

REP. DARBY: Yes or no.

DR. SHUFORD: -- again because I'm not a lawyer.

REP. DARBY: Get him up here, get him up here.

DR. SHUFORD: I will.

REP. DARBY: Or her.

MS. DEAL: My name is Nycia Deal. I'm also with HHS legal. Okay. So sure.

REP. DARBY: Forgive me. I was reminded that we should at this point read what House Bill 1 says. "141.0094. Denial or Suspension of License for Noncompliance. The department shall not issue a license

or renew a license for a youth camp under this chapter if the youth camp operator is not in compliance with Sections 141.0091 and 0092" -- which is the Internet -- "or rule adopted under those sections. The department shall suspend a youth camp license issued by the department if the camp or youth camp operator is in violation of Section 141.0091," which focuses in on the emergency plans. "The department may reinstate the license only on or after the date the department determines the camp and the operator are in compliance with that section."

So you have the power, you have legislative intent. House Bill 1, which I'm taking -- reading from the language, gives you that power, you have direction. So the administrative code procedure that governs electricians or plumbers or beauticians or whatever, House Bill 1, SB 1 supersede that. You have direct language which gives you your marching orders. Do you agree?

MS. DEAL: We have not interpreted it that way. Typically when an agency is afforded the opportunity to summarily suspend or emergently suspend or in a situation of immediate jeopardy there's language that says no notice or hearing is required, something more elaborate than simply a direction to suspend.

Because typically when we are told to suspend or to revoke or to discipline, that means that we pursue that, right, we propose the action --

REP. DARBY: You might slow down. We want to record all of this, so why don't you slow down so we can understand.

MS. DEAL: So the way that disciplinary action works with a regulatory agency like us or other agencies is, the entity against whom a violation is alleged is afforded an opportunity to defend themselves. So the agency's action to discipline, to suspend, to revoke, to do anything, is an opportunity for them to contest that recommendation, that proposal, that discipline, and that is what the APA controls and that is what the process is.

REP. DARBY: But this is not business as usual. This legislature, in special session because of this tragedy, implemented House Bill 1 and SB 1 with direct language directing DSHS. This is not unequivocable, this does not talk about the normal licensing procedure or process. This says specifically the department shall not issue a license or renewal license for a youth camp under this chapter if the youth camp operator is not in compliance with Section 141.0091 or a rule adopted under those sections.

Have you moved to suspend Mystic's current license?

MS. DEAL: No, those investigations remain open, pending. The investigations are ongoing. So the investigation that could result in a recommendation or a disposition for suspension, those investigations remain ongoing. If you don't -- if you don't mind, I can speak to the first section, (a), about issuing a license or renewing a license. And I just want to mention that the renewal will not be granted to an entity or a youth camp that is not in compliance, a renewal will not be granted.

REP. DARBY: I don't think you have that option. If they're not in compliance with emergency plans, you don't have that option.

MS. DEAL: Right.

REP. DARBY: We took that option away from you.

MS. DEAL: It will not be -- they will not be renewed if they are not in compliance. That is correct.

REP. DARBY: I think you have the ability to suspend and direction to suspend.

MS. DEAL: I agree that we have direction to suspend, yes.

REP. DARBY: Say that again, slower.

MS. DEAL: I agree that we have direction to suspend.

REP. DARBY: Okey dokey. Have you started that process?

MS. DEAL: We have begun the process of the investigation and the resultant disciplinary action, which could be suspension, could be revocation, could be an administrative penalty. There's a -- there's a menu of options in this situation. Obviously, we're talking about more serious allegations truly, but yes.

MR. BUUCK: Representative Darby, may I add one thing? So there's -- there's two parallel activities going on right now, right, as Dr. Shuford kind of mentioned. We have the -- the new license applications that are brand new with the new legislation that you guys passed in August that we're so thankful for. It requires these new emergency plan requirements. And so every single youth camp we have -- we've issued three licenses so far that meet all the requirements for fiber Internet and the new emergency plans and all the things in the new level. We've got three new licenses.

The remaining 302 applications that have come in, every -- well, 178 of those have deficiencies in their emergency plan right now. So we are working

with each one of those camps to get those emergency plans up to meeting compliance with the new law and we will not issue a license or a renewal until all of those requirements are met. So that's the activity that we're doing with the new stuff, right?

There's also the investigation of old stuff, the complaints from last summer that we've received that we're investigating and so -- but that was before the new law -- and so that's maybe where we're getting a little confused.

REP. DARBY: Well, the point is, and I agree you need to be working on, working out these plans with these camp owners. We want you to do that; we want you to bring them into compliance. But when these camps don't meet the requirements to have those qualifying emergency plans you have -- I don't want any equivocation that you don't have the power to suspend. You do have the power. We gave you that power.

For new licenses would you suspend an active old license if the appeal process moves into the camp season? What are we going to do when the camp season starts and they don't meet the requirements?

MS. DEAL: I don't know that I understand the question.

REP. DARBY: The timing is so tight.

They've applied under the guidelines of DSHS, as set out. And to Michael's testimony, they're working on, the department is working and they are working to work out the deficiencies, okay? But at the end of that process they're going to -- what you're saying is, they have the option simply to appeal, if you will, to SOAH, and that allows them to camp during the season when we have specifically given the department the ability to suspend a license if they don't meet those deficiencies. It's not based upon an appeal. What's going to work out during the SOAH process; somehow they're going to fix all the deficiencies?

The point I'm trying to make is, when you have an operator that cannot satisfy the deficiencies and have a plan that's acceptable, then you have the ability to suspend, and I'm not asking you will you suspend? And do you have a process being set up that you will follow in that suspension?

MS. DEAL: Right. We do have a process, we have a process to pursue the disciplinary action, including suspension, yes. It's the result of a complaint and investigation and all of the evidence that we've been continuing to collect and continuing to hear and then the suspension would follow that, yes.

REP. DARBY: This legislature expects its

direction. When we pass legislation we expect our agencies to follow that. This is a very specific bill, two bills that were designed to protect campers. And we recognized and wanted to give the agency the power to suspend licenses when operators do not meet those standards.

We didn't expect to hear back that under some longstanding Administrative Procedure Act that they get to appeal this to get through the camping session. If they don't meet the emergency preparedness plans, then you must suspend.

DR. SHUFORD: Representative Darby, DSHS has every intention of following the bill language as y'all pass it, as it is in statute, and so we will go back and look at this language with our legal counsel and -- and for exactly what you're talking about.

REP. DARBY: You have to -- you have to give weight to the legislation that we've passed.

DR. SHUFORD: Absolutely. I -- I couldn't agree more.

REP. DARBY: Not only the rules of what they have to do, but the process by which it's done.

DR. SHUFORD: Yeah, I agree. And it hasn't been our interpretation, and so we will go back and look at that, because I hear what you're saying and I in no

way want to not follow your statute.

REP. DARBY: I think -- I think everybody here on this dais is committed to the proposition that we want bad operators not operating camps. I think we've made that pretty clear, both in our legislation and in our service on this committee. So let's stay in touch.

DR. SHUFORD: Okay. I am committed to those investigations that we have ongoing right now and that they'll yield fruit.

CHAIRMAN FLORES: Senator Perry.

VICE CHAIR PERRY: Real quick. I'm going to stay in the same lane. Thank you, Representative Darby or Chairman Darby.

So there's two parallels. I love the way you've set this up. You've got this administrative/legislative/everything's clear over there. Let's just assume -- and this is where I was trying to get to earlier -- let's assume that they get all the boxes right, plan meets you-all's definition and that would separate it.

The investigative side, let's say that the courts tie this up for a year, which that's fast for courts, because attorney's got to make a living, right? I mean, it's called building a file. That's what judges

tell me; they build files. Set that one aside. Is the legislative -- I'm not clear exactly what our purpose is, but assuming we adopt the investigative report, but is this one enough to effectively suspend or not issue a new license?

If -- if the administrative stuff, the statutes comply with this specific suspension, do you have the latitude in existing law to say, okay, this outweighs that? Because everybody can create a plan and if I'm a really lousy operator, but I have a great plan writer, does this process still weight enough to pull a license?

DR. SHUFORD: So I take it you mean our -- our complaint investigation and our neglect investigation as a parallel track to the licensing; yes, those investigations we can. We would have to go down this road of temporary injunction.

VICE CHAIR PERRY: They are not dependent on each other.

MS. DEAL: That's correct. In general a renewal application, separate from a new license application, but a renewal application probably is typically more of an administrative check on things, on compliance with fundamental requirements. If there is disciplinary history that's been proven up, the evidence

has been substantiated, a judge has ordered something, an order has been issued, there's an actual disciplinary history, not a history of allegations, then that might factor into a license renewal in any -- in any regulatory context, not specific to these camps.

VICE CHAIR PERRY: So -- so everybody can do compliance, but if you're just in good compliance but a lousy operator, you still can be denied?

MS. DEAL: Typically, right. If you --

VICE CHAIR PERRY: I'll get you a plan tomorrow -- if I'm Mystic and turn in a plan tomorrow and you ship it through your vet and your lens, and they come back and say plan meets criteria; we think it's a good plan. At that point, assuming the rest of the 21 other deficiencies go away, because if you get the plan right, you get most of those right. At that point let's say this investigative committee gets the report Monday and we meet as a group and say we're good with the report. Is that report enough based on what you've got in here to say that -- that weight's enough?

MR. BUUCK: Senator Perry, I will say that we have communicated with Camp Mystic in a letter. We are taking the whole picture into consideration. We want to make an informed decision. And so our license renewal is based on, you know, their new application,

meeting the new requirements, your investigation and then our investigation. And so we will make a license decision based on all that information. So even though it's on parallel tracks, we will need all of those -- answers to all of those things before we can make an informed decision.

VICE CHAIR PERRY: And no one's weighted more than the other or historical bad operator habits would weigh more than meeting current criteria after you've gotten multiple bites at the apple with multiple direction, internally conversation. I've got a guy over here that took 22 deficiencies after killing kids, after all of that history, messed that up. They finally got that little piece right, but over here, clearly what we've heard, I think, it's fair to say, it is gross negligence.

And I guess what I'm saying is, internally you've got to look at that. Yeah, they met the statutory requirement or the rule, but over here, man, I don't know if I trust them running the agency or not. Is that a conversation that y'all will have?

DR. SHUFORD: Yes.

VICE CHAIR PERRY: And let me back up; I'm not being fair. Agencies take direction from the legislature; I hear that a hundred thousand times if

I've heard it once. And we get in trouble for being too prescriptive and then we get in trouble for not being prescriptive enough. I've learned that the latter is the one that gives me the grief.

If it's a threat of litigation that tilts the scales in these conversations internally, I promise you, you will have the support of the legislature to defend your decision if it's based on something other than form versus substance and historical context. Do you get my drift? Do not weigh your decisions based on litigation; it's the world we live in.

REP. DARBY: Mr. Chairman.

CHAIRMAN MEYER: The Chair recognizes Chairman Darby.

REP. DARBY: Just to follow -- I just want to make sure we're clear. The language of House Bill 1, if they have a deficient plan, you have the obligation to suspend them, you have the obligation. Now, they can restore it by curing the deficiencies, but if they have a deficient plan, you have the obligation and the statutory obligation to revoke the license. That's the old license. They're applying for a new license. You have the -- you have the obligation to revoke it. Now, they can restore it if they satisfy the plan, but that's what this bill says.

I do have one other question. I forgot to even -- how do you consider a license for a youth camp? Do you consider it on a camp basis or an operator basis?

MR. BUUCK: We verify that they meet all the requirements in the law, and so most of that is camp requirements. I believe some folks had pointed out some operator requirements, as well. But, yes, we -- we review, we conduct an inspection and we review the application, we review enforcement plans to make a holistic decision. Once that -- once we can verify that they're in compliance with all I guess I think it's 108 elements now -- it was 86 last year, last summer; now it's 108 inspection elements. Once they can show compliance with all 108 things, then we will issue a license.

REP. DARBY: An operator can have two camps. It just so happens we know of an operator with two camps on one property, but they could have -- an operator could have two camps in different parts of the state, correct?

MR. BUUCK: In that case, if there were camps in different parts of the state --

REP. DARBY: Owned by the same people.

MR. BUUCK: -- we would require them to have multiple licenses.

REP. DARBY: Multiple, okay.

MR. BUUCK: One per location.

REP. DARBY: Okay, thank you.

CHAIRMAN FLORES: Senator Menendez.

SEN. MENENDEZ: Thank you, Mr. Chairman.

If I understand this correctly -- I'm looking at the three of you -- the licensing process is going through you, right, through DSHS?

MR. BUUCK: Right.

SEN. MENENDEZ: Now, the potential revocation is the legal department. Is that an accurate statement? You're aware that's where if you have to revoke and immediately suspend. Question: If we have evidence, and I think where I was listening to was Senator Perry, of actions that show neglect, that show disregard for the law.

For example, my understanding under the Texas Administrative Code is that the definition of a supervisor counselor is a person who is at least 18 years of age to be responsible for immediate supervision of campers. Isn't that correct?

MS. DEAL: That's correct.

SEN. MENENDEZ: And we have evidence that they had a 17 year old, correct?

MS. DEAL: That's correct.

SEN. MENENDEZ: Okay. So then would that not be enough to show the neglect for an immediate revocation, because you're putting campers in potential danger? And if not, we've got more.

MR. BUUCK: Would you like me to speak to the --

SEN. MENENDEZ: Please, go ahead.

MR. BUUCK: They can have 17 year old counselors.

SEN. MENENDEZ: Right.

MR. BUUCK: It's not -- it doesn't really -- it doesn't meet the definition of a counselor, but they can utilize individuals that are below 18; it just doesn't go towards your ratio.

SEN. MENENDEZ: So what if I was the only person? Because one was on, you know, break or whatever, she was out for the night, and now they only had the 17 year old in the cabin.

MR. BUUCK: I would say that if we got a complaint of that nature we would investigate.

SEN. MENENDEZ: You don't think you have a complaint of that nature? Okay. We'll move on.

What about the reporting of the deaths that has not been reported? Isn't that required by the Texas Administrative Code? So I guess the question that some

of us up here are thinking is, what does it require for you to think that these people, that maybe they should have their license at least temporarily revoked until there can be -- their history of -- of neglect for the law and neglect for the campers be resolved.

DR. SHUFORD: So I can tell you that the nonreporting is under active investigation right now. That's part of the open investigations that we have. So it is not being ignored and I think the other just came to light in recent testimony, and so also something that we can include in our investigation.

SEN. MENENDEZ: It seems to me that many of our day care centers or places that require a child care license from HHSC have a much more difficult time than these summer camps where these kids are left alone for longer periods of time. It seems that maybe we should apply the same level of concern and I guess concern for the kids and maybe immediacy in terms of saying, wait, time out, you're ignoring the law here; you need to stop your activities.

DR. SHUFORD: We would be in agreement with that, and having some discussions about that before upcoming legislative session. I know that Executive Commissioner Muth has also thought about these things and how possibly using child care regulation as an

example, a template, of how we could place a mirror or some language for youth camps. It makes sense.

SEN. MENENDEZ: Especially if they're under a certain age; I would say eight, nine year olds, you know.

DR. SHUFORD: And there's even some other ideas about including C Rack --

MS. DEAL: C Mark.

DR. SHUFORD: C Mark, that's what it's called, where you can kind of keep track of employees that have --

SEN. MENENDEZ: And I guess my last question or statement is, I believe due process is important, but I also believe that if an operator has violated their duty to protect these kids, then I believe there should not be a mechanism for them to continue operating and that you have the right to suspend or revoke immediately.

Thank you, Mr. Chairman.

CHAIRMAN MEYER: Members, any other?

Yes, the Chair recognizes Speaker Moody.

VICE CHAIR MOODY: Just a follow-up question. About, I think about 40, 45 minutes ago Senator Perry asked about a timeline. You-all said you had it. Do we have it now?

MS. DEAL: So the timeline, we are required to -- I'm sorry.

VICE CHAIR MOODY: I think the answer to the question was, you had it built out, and that was the answer about 45 minutes ago. Do you have it now for us? Is it a product that we can have?

DR. SHUFORD: We can -- we can have it sent to you. We have people here that can get that for you right now. We were going to do it afterwards, but we'll do it now.

VICE CHAIR MOODY: Okay. Thank you.

CHAIRMAN FLORES: Senator Kolkhorst.

SEN. KOLKHORST: I'm going to make this real simple. A lot of testimony over the last two days, a lot. Dr. Shuford, you and I have known each other for a long time. Congratulations on your new appointment and we're sorry to lose you for the State of Texas.

But it is apparent that there were major breakdowns. We don't have a written evacuation plan from the last -- they can't produce it. It was in somebody's head. It was shelter in place. I read from the notebooks from the investigators. Twenty-seven little girls, 25 plus two counselors -- which I still consider them children -- died. It is the largest mass casualty of children in a hundred years. We are doing a

lot of legal wrangling up here, I might call, say that. No offense; I politely said perhaps we shouldn't have a camp where there's an active like literally -- I stood on those grounds with y'all. Like right up there is where Cypress Lake Camp is. Right down here there's still trunks of little girls. I've called you, I've said that. This is not difficult.

I'm going to read from one of the parents, grieving parent. It was the last parent, Matthew Childress. He quoted Health and Safety Code, Section 141.0111. I'm sorry; I'm going to go up here. I'm going to make it simpler than that. Hold on; I've lost it. I'm going to find it, where it talks about Operator's Duty, 141.011.

"A youth camp operator shall provide each camper -- camper with safe and health -- healthful conditions, facilities and equipment that are free from recognized hazards that cause or may tend to cause death, serious illness or bodily harm." It's right there in the statute. You've got other things that are backed up between SB 1 and HB 1.

The outrage of potentially Texas saying it's okay; we've got a -- we've got a crime scene over here, but we're going to have a camp right over here. With all due respect, you've seen the pain of the

Eastland family, you've seen the pain of these parents, and part of the healing process might be just to hit a pause button.

Because I know this, in the Health and Safety Code, I mean residential treatment centers -- and this is more HHSC, immediate jeopardy, we've talked about that -- one person dies, we are suspending that. I know this. Residential treatment centers. We've been in a federal lawsuit forever. Think about a day care center. What if we had a day care center where 27 kids died in a flood, a day care center. This is an overnight for a month. We're talking 850 children.

And I mean, I know that we have to get better with all these camps, and I'm going to go back to and I'm going to point the finger at the legislature. We allowed a camp culture to persist with a camp advisory committee council, correct, and everyone on it was a camp owner. Shame on us. Now, we've reconstituted it. Have we named it? Have we named anybody on it?

MR. BUUCK: Youth camp multidisciplinary --

DR. SHUFORD: That's the safety one. It's Youth Camp Advisory Council still, but yes.

SEN. KOLKHORST: They haven't met since March of 2025. Y'all had a meeting posted for October

2025 to go over the new rules of SB 1 and HB 1 and it got cancelled. I'm not sure why. Do you know?

DR. SHUFORD: Yes. Because we were reconstituting it, so in order to have different members with different expertise, we needed to disband that one, put out the call for applications so that we could reconstitute it.

SEN. KOLKHORST: So we're going to go into a camp season without that advisory committee, and I'm not fussing about that but, you know, government moves very slowly. I will just say this. After the court cases and, you know, Dr. Shuford, you've heard everything to the staff, to the legal counsel, you've heard everything for the last two days. Can you sleep at night knowing that they had 22 deficiencies?

I mean, like, we're talking -- I always talk to my staff about blocking and tackling. I'm not -- I'm not talking about some, you know, like minutia. I read off, these are major violations. They are expecting to have counselors there I think they said May 30th. Guys, it's April 28th. It is April 28th. I'm not talking about this is not December 28th, this is not November 28th, this is not September 28th. I'm just telling you to find a way for -- for -- and, again, in ways I think it might protect the Eastland family, as

well, to just hit a pause button here, hit a pause button with everything that we've heard.

This is really hard, but we're the ones that create these statutes. And I think if you hear the two -- the two chairmen and the two authors of those bills, they're saying to you this is -- you know, I here legalese. Are we pretty clear?

DR. SHUFORD: Yes, and I can tell you, yes, that -- I think we may have even talked about this -- I've cried a lot, too. I keep having to explain to my husband and my daughter why I keep breaking down crying.

SEN. KOLKHORST: I saw you over there crying, and I like that in you.

DR. SHUFORD: And to hear the testimony.

SEN. KOLKHORST: I like that in you, Dr. Shuford, because if you can't cry over this, we need to get out of the business, right?

DR. SHUFORD: Yes. And so but I also know that in these investigations we're trying to be very cognizant of the evidence that we're using while recognizing a very tight timeline. We do understand that operator's clause in there, and so we have an understanding of that. We're making sure that our evidence is going to be reliable and sufficient.

SEN. KOLKHORST: Twenty-seven deaths have

not been reported to you.

DR. SHUFORD: Yes.

SEN. KOLKHORST: It's a 24-hour timeline. I would even give them grace; there was a lot going on. They can call you. You give your phone number in that part of the administrative code. We're just talking about X's and O's here, like the simple things, and the concern is this: We have a duty to make sure that those 27 lives weren't lost in vain.

I was kind of wrestling with this. That would be like one death a year at a camp over the last -- since 2000, actually a little bit more than that. Or over the last ten years, what is it, you know, 2.7? Would y'all let a camp operate if it had a death every year? No. This was a mass casualty; mistakes made. I know they want to make it right. I think making it right is hitting a pause button here. That's what's making it right and making sure. And for all the camp operators, and I've said it over and over and over, listen, listen, do the right thing here, we're begging you.

I'm sorry I made it that simple, but it just -- I love y'all wrangling with all your code and everything. I'm just going to make it simple, And you've got something in 141.011, plus their bills.

CHAIRMAN MEYER: The Chair recognizes Chairman Darby.

REP. DARBY: Just one final question and comment. My wife just texted me and she said, "Don't be rude." You'll have to know her to understand that, and I probably am sometime. But, you know, right now we've been here for 12 hours and you've sat here the whole time and it's been hard. It's not easy sitting, it's not easy listening and, if I was rude, I apologize.

I am just -- you reach a point where we're all frustrated and we're tired and we want to do what's right and we're searching to try to do what's right. So with that, please accept my apology if in my wife's view I was rude to you, okay?

But I do have one question regarding the counselors, camper/counselor ratio. And I asked the question yesterday, but now I've got you before me. House Bill 1 adds a section, Subsection C. It says, "The department shall review the camper to counselor ratios for overnight stays at youth camps and provide to the executive commissioner recommendations regarding minimum camp -- camper to counselor ratios. The executive commissioner, by rule, shall establish minimum camper to counselor ratios for overnight stays at youth camps." And I guess the question is, have you done so

and what does it look like?

MR. BUUCK: Yes, we have. I actually have that printed out here. I saw that that was a question that had come up yesterday.

So it was one to ten, but since the new law and the new rules, for campers from four to five years of age we are asking for one counselor for every five campers. And, again, those are counselors that are 18 years or older; an 18 year old is defined as an adult in the rules.

For campers from six to eight years of age, one counselor for every six campers; for campers from 9 to 14 years of age, one counselor for every eight campers; and then for campers from 15 to 17 years of age, one counselor for every ten campers, and we are enforcing that this summer.

REP. DARBY: Thank you. Thank you for that. Thank you for your patience in being here all day and thank you for doing what we ask you to do and task, task you to do. So thank you again.

CHAIRMAN FLORES: The Chair recognizes Senator Hughes.

SEN. HUGHES: Thank you, Mr. Chairman.

This may be clear to everyone but me, but forgive me; I need a little bit more understanding of

the process. So on licensure and on renewal, so walk with me through a couple of hypotheticals. These are not tricks and y'all are smarter than me, if they were, so that's not going to be a problem, but I want to understand this.

So laying aside any renewal applications, there is one pending; let's say it weren't. As we sit here today, does Camp Mystic have a license to operate in Texas today? It's not a trick question; I want to understand. Because there are two tracks and I think the standards are different to each one and that may be what's causing some confusion, at least for me, so please help me with that. Not a trick. Do they have a license today?

DR. SHUFORD: (Moving head up and down.)

SEN. HUGHES: Yes, they do. Does that license expire at some point? Is there a term on that license? How does that work?

MR. BUUCK: This year was a little different, just specifically because of the new law, the new --

SEN. HUGHES: Yes.

MR. BUUCK: -- rules that we have to adopt. We have given folks until the end of March to send in their applications. Now, there are a few stragglers

that actually have later expiration dates, but as long as they got -- we told all of our youth camps across the board if you get in your application packet by March 31st, then we are going to extend it to give us additional administrative time to review all the new requirements.

SEN. HUGHES: Okay. So hypothetically -- pardon me -- there's that existing license from the old law. If there had not been a renewal application filed -- and there was -- had there not been a renewal application filed, when would Camp Mystic have to stop accepting children and running camps? If this application renewal were not out there, when would they have to stop based on the existing license?

MR. BUUCK: Well, whenever their expiration date is. I think it was after March, and I don't remember exactly when it was.

MS. DEAL: February.

MR. BUUCK: Was it February?

MS. DEAL: I believe so.

MR. BUUCK: I was thinking it was later.

MS. DEAL: Right --

SEN. HUGHES: I'm sorry. I'm not sure everybody can hear you.

MS. DEAL: Right. Their license would have

expired. If they had not renewed, their license would have expired.

SEN. HUGHES: Would have expired when?

MS. DEAL: I believe it was in February.

SEN. HUGHES: February of this year.

MS. DEAL: It was February 19th.

MR. BUUCK: And we've got everybody, just to be clear, a little more clear, maybe muddy clear, but all of our licenses, except for three; we have three that have just been approved in the last few weeks. All of our licenses are considered pending at the moment technically, but folks can operate if we cannot get their reviews done if they got their stuff in by March 31st --

SEN. HUGHES: If they filed --

MR. BUUCK: -- if it's our -- if it's our fault for taking so long, but we are working feverishly to get those reviewed and approved.

SEN. HUGHES: Did we verify February?

MS. DEAL: No, I was incorrect. It's August.

SEN. HUGHES: Okay. So August of this year.

MS. DEAL: Is it August of this year? Yes.

SEN. HUGHES: Okay, okay. So then and

this -- this got started, perhaps this got started today when there was discussion about whether they would operate without a license and whether they had a license. So there is a -- there is a current license in effect.

MR. BUUCK: Yes.

SEN. HUGHES: Okay.

MR. BUUCK: For Mystic, yes.

SEN. HUGHES: Okay. Now then, I also want to talk about the renewal process in a moment. I understand at some point those are bound up, but they are -- it does sound like they are treated differently.

MR. BUUCK: Um-hum.

SEN. HUGHES: So -- so there's a current license in place. So we were asking about the timeline. I realize you were working on this paperwork, but let's talk about the timeline. If there is a delay or there's litigation over the renewal process, then it's time to start accepting campers, does the camp default to its current existing August expiring license or are they allowed to -- to accept children?

MR. BUUCK: I mean so this -- I may sound like I'm talking out of both sides of my mouth, and I don't mean to.

SEN. HUGHES: It's okay, it's okay.

MR. BUUCK: It is kind of confusing here with the two different things.

SEN. HUGHES: It is.

MR. BUUCK: We did send Camp Mystic a letter that says we will not renew your license unless these three things are met.

SEN. HUGHES: Yes.

MR. BUUCK: You meet all the new requirements --

SEN. HUGHES: Yes, yes.

MR. BUUCK: -- and your investigations are -- your investigation, our DSHS investigation are complete and we have all those results. That's when we will decide whether we can renew your license or not.

SEN. HUGHES: So if you decide not to renew the license and that goes to court, does the current existing license which runs through August, does that provide the legal ability for Camp Mystic to start taking kids here in a few weeks, here in a month?

MS. DEAL: Until the renewal is finally adjudicated, yes, the license remains in a pending status and the entity that's licensed continues to be able to operate under their existing license. If they're contesting our denial of a renewal, that's correct.

SEN. HUGHES: So we talked about -- were you going to say something else, counsel? It's okay. Okay. You talked about -- you talked about some complaints, investigations, this one you're on. So those are -- would it be fair to say that those investigations, those complaints and the results thereof would apply, for these purposes, they apply to the existing license and to the renewal. Is that fair to say?

MS. DEAL: That is correct. It is the license that would be disciplined as a result of an investigation -- or complaint and investigation and then a recommendation and actual action taken, yes. It doesn't affect the renewal itself because, again, those are two parallel paths, renewal inspection, complaint investigation; different, but it would affect their ability to operate and the fact that they can hold a license.

SEN. HUGHES: So are the standards different for determining whether to revoke that current license as opposed to the new application for the renewal? Are those different legal standards that apply in your analysis?

MS. DEAL: Yes, in that an entity is eligible for renewal if they meet the requirements,

whereas an entity is subject to disciplinary action or something else if they violate anything --

SEN. HUGHES: Okay.

MS. DEAL: -- that we are concerned about, yes.

SEN. HUGHES: Okay. I think I know the answer to this. Is there an investigation for disciplinary action pending as to the current license?

MS. DEAL: Yes.

SEN. HUGHES: Is that process going on parallel to, somewhat parallel to the process of the renewal of the license?

MS. DEAL: That's correct.

SEN. HUGHES: Okay, okay. So this may be clear, but so I understand, let's lay aside the renewal for a moment and talk about that investigation, I don't recall the term we just used about the existing license, that investigation for revocation. What's the timeframe on that, talking about the current license; not the renewal process, but the license based on the complaints, based on the concerns. Are you with me so far? This is going to help us a lot, I think, if we can sort this out.

MS. DEAL: There were hundreds of complaints received.

SEN. HUGHES: Yes, ma'am.

MS. DEAL: The investigation is huge.

SEN. HUGHES: Yes, ma'am.

MS. DEAL: It's huge in scope. That does not mean that at some point in time, any point in time, DSHS could not decide to move on the evidence that we have. So, I don't know that I have a timeline for the completion of the investigation as far as all of -- all of it, but I can say that it's ongoing and that at any moment in time we could move forward.

SEN. HUGHES: And so those hundreds of complaints and this investigation you're conducting, that analysis, that body of evidence, does that apply only to the revocation of the existing license or does that also carry weight in the determination whether to renew based on the new law, the new application?

MS. DEAL: I like the way that you asked that question. I think in effect, yes, it would, it would.

SEN. HUGHES: In effect it would. Help us understand why.

MS. DEAL: Because of the compliance requirement, that specific compliance requirement that an entity that is not compliant with the fiber requirement and the emergency action plan requirement is

not eligible for renewal.

SEN. HUGHES: So as a practical matter, and maybe we were talking past each other earlier, we talked about the Administrative Procedures Act which applies in some of these settings, we've talked about the new statute. Legislative intent is clear and unequivocal for those statutes. Is one of those processes, either that disciplinary investigation based on the existing license or the renewal process, is one of those going to come to a close before the other? Is there a deadline for one of those and not the other? What are the deadlines for those two processes, back to our timeline.

MS. DEAL: We will get you the timeline. I understand that the renewal process does have multiple milestones within it, which we are by rule and by statute obligated to meet. I don't have the timeline.

SEN. HUGHES: But are they different timelines for the disciplinary process --

MS. DEAL: Yes.

SEN. HUGHES: Let me finish -- for the discipline -- Senator West would say, "Let me finish." He would go like this (indicating). I'm not being -- I'm not fussing at you but -- so the -- or at him. The -- are the timelines different for the disciplinary action on the existing license, are those different

timelines internally for your processes than the timelines for this renewal application?

MS. DEAL: Yes. I would say yes. As far as our internal processes, yes. The renewal process would be determined by -- would be driven by timelines, whereas a complaint investigation that could result in disciplinary action could take a month or could take two years; not necessarily at DSHS, not necessarily in the youth camp context, but just in general. The investigation of a complaint could be lengthier or briefer.

SEN. HUGHES: Is it fair to say that a -- the agency could take action on either of those tracks, either the disciplinary action on the existing license or the denial of the renewal, either of those tracks, an action on either of those tracks, would that have the effect of stopping operations at Camp Mystic?

MS. DEAL: Not if they contest the determination of agency. Whether the agency says no renewal, they can contest that and maintain their license during the pendency of that adjudication, or if the agency says you've done wrong, we aim to discipline you or revoke you or something like that, and they can contest that, as well. They can accept it or they can contest it. If they contest it, they get to maintain.

SEN. HUGHES: So, I was going to get to that. Thank you. So, on either of those tracks there's an appeal process, there's always litigation. Is that fair to say?

MS. DEAL: Yes.

SEN. HUGHES: Okay. And so one thing I want to ask, which Senator Kolkhorst just reminded me of, and counsel earlier talked about an injunction, how I think you said a temporary injunction -- is it Mr. Ryland?

MR. BANE: Ryan.

SEN. HUGHES: Ryan; it was easier than I thought.

Okay. Mr. Ryan talked about how an injunction, whether an injunction actually -- an injunction wouldn't have to say no license. An injunction could say stop operations; you can't move forward. Is that -- is that what he was talking about?

MS. DEAL: Correct.

SEN. HUGHES: In that setting, now, we understand injunctions, we understand injunctive relief. Are we -- are we -- are we contemplating a situation where some of these lawyers in these pending civil actions come and seek an injunction or are we talking about the agency seeking an injunction? I'd like to

know which or both.

MS. DEAL: We're talking about the agency seeking an injunction.

SEN. HUGHES: And how common is that?

MS. DEAL: Fairly uncommon, but we are exploring all of our options.

SEN. HUGHES: Does the agency need any kind of approval or special dispensation to -- to pursue that?

MS. DEAL: Typically, yes. When the agency seeks to take that kind of action, they would need support by the Office of the Attorney General or approval to seek outside counsel to pursue that by the Attorney General; approval to seek outside counsel granted by the Attorney General.

SEN. HUGHES: Thank you. And I thank the chair and the members for your indulgence. That helps me understand that there are somewhat parallel tracks, different processes. Thank you very much. Thank you.

CHAIRMAN MEYER: Members, any more questions?

CHAIRMAN FLORES: Senator Perry, did you have follow-up?

VICE CHAIR PERRY: So, their license doesn't technically expire until August 31st? August?

So -- so, I'm confused why they even started the renewal process.

DR. SHUFORD: We require --

MR. BUUCK: Everybody.

VICE CHAIR PERRY: You did require everybody renew.

MR. BUUCK: Every single camp.

VICE CHAIR PERRY: You just re-up'd because of the change.

MR. BUUCK: Right, and every single camp is getting a pre-license inspection this year. That's unusual.

VICE CHAIR PERRY: Well, I will just go back to the legislature will support whatever it takes to shut them down as soon as possible.

CHAIRMAN FLORES: Thank you, Mr. Chairman. Thank you members. So I guess I'll just -- it's been a long day and I think this -- these revelations have been very enlightening as the processes.

So at any time do you consider exigent circumstance in issuing of licenses or revoking of licenses? Something so out of -- so dangerous, so -- so perilous to the clients, to -- to the children, to whoever, do you consider exigent circumstance in any part of this process?

MS. DEAL: I think that we would consider it. It is not a formal element of our determination, but it is something that is a part of the urgency that we feel.

CHAIRMAN FLORES: Is there anything in your rule making authority that can put exigent circumstance or is there exigent circumstance anywhere in your rule making authority? You make the rules; we gave you the authority to make the rules. So how they go about and how these processes you talk about, you make the rules that we authorize you to do. Is there anywhere in your -- in your processes to have exigent circumstance, things so egregious that you've got to stop it, you know, stop them from operating or pause them?

MS. DEAL: I don't believe in our rules there is anything like that. I think that in our -- our statute does speak to the option for injunctive relief, and that would be the exigent circumstance kind of reaction.

CHAIRMAN FLORES: So, I guess bottom line from my perspective is, you know, the people of the State of Texas, when they see that seal of approval, that you have certified that this place is safe, that it's safe, golden seal of the state says your children are safe, here, we certify it, here's their license to

operate, but not knowingly know that somewhere some entity is not operating safe and has your seal of approval and the check boxes are all checked and the investigation shows they were checked but not confirmed, so what good is that seal of approval? How can people of the State of Texas trust that? And you know what? It's your job to make sure that they can trust that. And you say it's safe, it's safe. Would you not agree with that? Yes, no.

MS. DEAL: Yes, understood. Yes, absolutely.

CHAIRMAN FLORES: So with that, that's all I have, Mr. Chairman, members. Thank you.

Is there any other business?

Y'all are dismissed. Thank you.

Is there any other business to come before the committee today?

Hearing none, the Senate General Investigating Committee on July 2025 Flooding Events stands at recess subject to the call of the Chair.

CHAIRMAN MEYER: Members, is there any other business to be discussed before we adjourn? Seeing none, the Chair moves to adjourn. Is there objection?

Hearing none, the House General

Investigating Committee on the July 2025 Flooding Events stands adjourned subject to the call of the Chair.

(Proceedings adjourned.)

C E R T I F I C A T E

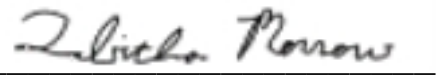
THE STATE OF TEXAS)

COUNTY OF TRAVIS)

We, Tabitha Morrow and Melinda M. Walker, Certified Shorthand Reporters in and for the State of Texas, do hereby certify that the foregoing is a correct transcription, to the best of our ability, from the audio/video recording of the proceedings in the above-entitled matter.

WE FURTHER CERTIFY THAT we are neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was taken, and further that we are not financially or otherwise interested in the outcome of the action.

IN WITNESS WHEREOF, we have hereunto set our hand and seal this 6th day of May 2026.



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