



NELSON W. WOLFF  
COUNTY JUDGE  
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June 14, 2021

Sheriff Javier Salazar  
Bexar County Sheriff  
200 North Comal Street  
San Antonio, TX 78207

Dear Sheriff Salazar,

I write to you to take a stand against what has developed into one of the ugliest and most blatant displays of sexism and personal attacks that I have ever seen in the fifty years I have been in politics.

As you are very well aware, it was a historic moment for Bexar County when Commissioner Trish DeBerry and Commissioner Rebeca Clay-Flores were sworn in this past January as the first two women to serve on the court together in the last 20 years. We have been blessed with two strong leaders who I have the highest regard for. Each brings a wealth of knowledge to the Court and both have displayed an unwavering commitment to making Bexar County a better place to live and work.

Recently, Commissioners Court considered and delayed your request to purchase a boat until you provided more detail on the cost taxpayers would be forced to incur for operation, liability, storage, on-going maintenance and staffing. To date, you have not briefed any members of the Commissioners Court. Soon after that meeting, you accepted a \$32,000.00 donation from the Black Rifle Coffee Company for the purchase of the very same boat. One article in a local newspaper reporting on the matter included a photo of Jarred Taylor, one of the owners of Black Rifle Coffee Company, presenting a mockup check to you.

The following morning, Taylor posted a statement attacking Commissioner DeBerry on Instagram because she had questioned the need for a boat as well as the complete lack of information regarding the costs taxpayers would be forced to incur if the request were approved. In the post he wrote:

“Black Coffee will step in and make sure our community have what we need as you on your high horse and fail the people you serve. Good luck on your next election season because I will be making my own ads free of charge for you.”

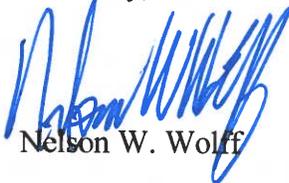
Taylor’s post gave rise to hundreds of other vile and despicable posts which attacked Commissioner DeBerry as a woman, a leader, and her family, including comments such as: “BRCC (BLACK RIFLE COFFEE COMPANY) taking down one Sh\*tty politician at a time”, “What rhymes with bunt and starts with the next letter in the alphabet”, “Her son looks like he roofies girls at parties and gets his mommy to make it go away.” “Fuck yes”.

It is beyond reprehensible when community leaders encourage such behavior for political purposes. More importantly, what does it say when other community leaders ignore that behavior and allow it to continue publicly without uniting in condemnation of it? The despicable behavior displayed in this matter is no less than an affront to human dignity and the values of tolerance and respect that we as a community share – it should not be tolerated.

The Black Rifle Coffee Company certainly has a right to provide a donation to your personal, private foundation. However, before taxpayers incur costs related to the acquisition of a boat or any other equipment related to your office, you are required by law to come before the Commissioners Court to seek approval.

Because the Black Rifle Coffee Company initiated the horrific attack on Commissioner DeBerry, I will oppose the expenditure of Black Rifle Coffee Company funds for the boat or any other use for county purposes. I will support paying for the boat with county funds if you provide to us the details on the operation, liability, storage, maintenance and staffing costs related to acceptance of the boat for County purposes.

Sincerely,



Nelson W. Wolff

Enclosure:  
Memo from Larry Roberson, Civil Division Chief

CC: Bexar County Commissioners Court



**JOE D. GONZALES**  
BEXAR COUNTY CRIMINAL DISTRICT ATTORNEY  
PAUL ELIZONDO TOWER  
101 W. NUEVA  
SAN ANTONIO, TEXAS 78205

June 14, 2021

To: The Hon. Nelson W. Wolff

From: Larry Roberson, Bexar County Criminal District Attorney's Office, Civil Division Chief

CC: Robert Green, Assistant District Attorney, Civil Division

RE: **Role of Commissioners Court in Accepting or Declining Gifts  
Presented to County Officials**

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### **BACKGROUND**

You have asked our office to prepare a summary of the law that governs the role of the Bexar County Commissioners Court in accepting gifts presented to elected officials of Bexar County.

### **RELEVANT LAW & ANALYSIS**

Section 81.032 of the Local Government Code provides that “[t]he commissioners court may accept a . . . gift, grant, donation, bequest, or devise of money or other property on behalf of the county for the purpose of performing a function conferred by law on the county or a county officer.” Tex. Loc. Gov’t Code § 81.032. Once accepted, such funds should then deposited with the county treasurer and disbursed and applied “as required by law and as the commissioners court may require or direct, not inconsistent with law.” Tex. Loc. Gov’t Code §§ 113.021(a), 113.041(a); *see also* Tex. Att’y Gen. Op. GA-1010 (2013) (discussing Court’s authority to accept gifts conditioned on a specific use).

These statutory authorities indicate that the Commissioners Court is the proper body to receive and accept donations on the County's behalf. Tex. Att'y Gen. Op. KP-0003 (2013); GA-0229 (2004). No statute authorizes a sheriff to accept donations from the public to a Texas county. Tex. Att'y Gen. Op. KP-0003 (2013).

The Commissioners Court's role in accepting a donation arises when the donation has been made to the County or a County officer "for the purpose of performing a function conferred by law on the county or a county officer." Tex. Loc. Gov't Code § 81.032. When money is donated to a private nonprofit or other organization, the Commissioners Court's role under Section 81.032 is not implicated, even if the grantor's intention is that the donation ultimately be transferred to the County or used to purchase property that will be donated to the County.

### **SUMMARY**

Texas law commits the transaction of County business to the Commissioners Court. Pursuant to Section 81.032 of the Local Government Code, this includes the acceptance of donations or bequests made to the County or to County officials for the performance of County functions. However, where a donation is made to a private nonprofit entity, the Commissioners Court has no role to play in accepting or declining the donation, regardless of whether the expressed intent of the donor is that the donation eventually be presented to, or used to purchase property that will be presented to, the County or to a County officer.