

WORKSHOP MINUTES

Meeting: Texas Commission on Jail Standards

Place: John H. Reagan Building
105 W. 15th Street, Room 120
Austin, TX

Time: 9:00 a.m.

Date: November 2, 2017

I. Meeting called to order by Judge Stoudt of the Texas Commission on Jail Standards.

II. Roll Call of Commission Members

Judge Bill Stoudt, Chairman
Mr. Jerry W. Lowry, Vice Chair
Mr. Duane Lock
Mr. Larry S. May
Commissioner Ben Perry

Dr. Esmaeil Porsa
Sheriff Kelly Rowe
Ms. Melinda Taylor
Sheriff Dennis Wilson

All Commission members were present at roll call. Staff members included Brandon Wood, Shannon Herklotz, Fred St. Amant, Jackie Benningfield, Phillip Bosquez, Shane Sowell, Jason Ross, Lupe Moreno, Luz Lozano, Patty Ortiz, Jennifer Shumake, Wendy Wisneski, Will Turner, and David Bertling. Dennis McKinney, Assistant Attorney General, was also present.

Others in attendance were:

Richard Wills, Sheriff, Bailey County
Tammy Flores, Sheriff's Office, Bexar County
Brian C. Hawthorne, Sheriff, Chambers County
Terry McCraw, Sheriff's Office, Collin County
Jason Hartgraves, Sheriff's Office, Dallas County
Barry Caver, Sheriff's Office, Denton County
Derick Johnson, Sheriff's Office, Falls County
Jennifer Cagnon, Sheriff's Office, Galveston County
Cody Schlageter, Sheriff's Office, Galveston County
Kevin Walker, Sheriff's Office, Galveston County
Maxey Cerliano, Sheriff, Gregg County

Mark North, Sheriff's Office, Gregg County
Donald G. Sowell, Sheriff, Grimes County
Robert Hernandez, Sheriff's Office, Guadalupe County
Greg Martin, Sheriff's Office, Guadalupe County
Doug Adkinson, Sheriff's Office, Harris County
Steve Buntyn, Sheriff's Office, Harris County
Darryl Coleman, Sheriff's Office, Harris County
Ronny Taylor, Sheriff's Office, Harris County
Michael Starkey, Sheriff's Office, Henderson County
Chad Stroud, Sheriff's Office, Hunt County
AJ Louderback, Sheriff, Jackson County
Scott Cass, Sheriff, Lamar County
Gary Maddox, Sheriff, Lamb County
Micah Harmon, Sheriff, Lavaca County
Ricky Armstrong, Sheriff's Office, McLennan County
Lex Jones, Judge, Marion County
Roland Henrici, Sheriff's Office, Montgomery County
Scott Kurtz, Sheriff's Office, Montgomery County
Jeremiah Richards, Sheriff's Office, Montgomery County
Ralph Caraway, Sheriff's Office, Smith County
Deal Folmar, Sheriff's Office, Smith County
Larry Smith, Sheriff, Smith County
Raul S. Banasco, Sheriff's Office, Tarrant County
Todd Allen, Sheriff's Office, Tom Green County
Justin Butler, Sheriff's Office, Travis County
Christina Dail, Sheriff's Office, Travis County
Jonathan Ede, Sheriff's Office, Travis County
Kathry Geiger, Sheriff's Office, Travis County
Michael Gottner, Sheriff's Office, Travis County
D. Harris, Sheriff's Office, Travis County
Karen Maxwell, Sheriff's Office, Travis County
Wes Priddy, Sheriff's Office, Travis County
Juan Sandoval, Sheriff's Office, Travis County
Jennifer Segura, Sheriff's Office, Travis County
Valerie Whitney, Sheriff's Office, Travis County
Rossi Carruth, Sheriff's Office, Tyler County
Larry D. Cook, Sheriff's Office, Waller County
R. Glenn Smith, Sheriff, Waller County
Flint Britton, BSCV Architects
Craig Pardue, Bedrock Strategy
David Tidwel, Cornerstone
Suzanne Bradford, GMJ, Inc.
Kenny Burns, Burns Architecture
Kelsey Bernstein, County Affairs
Natacha Pelàez-Wagner, GMJ, Inc.
Heather Wilhelm, Red Flag Detective Agency
Thomas Keress, TAC
Laura Nicholes, TAC

Eva Ruth Moravec, Texas Justice Initiative
Diana Claitor, Texas Jail Project
Krishnaveni Gundu, Texas Jail Project
Stan and Nan Egger
Tom Rapp
ICS Jail Supplies, Inc.

III. Workshop Review of Goal and Process

Mr. Wood provided information on the process for reviewing preliminary rules before final adoption.

IV. Review & Discussion of Proposed Changes to Standards

After review and public comments, the following amendments are recommended: The proposed text is bolded. The recommendation is to publish the proposed changes for adoption in the Texas Register.

A. 269.1 (7) Serious Incident Reports

Information on Serious Incidents Report. On or before the fifth day of each month, the sheriff/operator of each county shall report to the Commission, on a form prescribed by the Commission, regarding the occurrence during the preceding month any incidents involving an inmate in the county jail as required by §511.020.

B. 269.1 (5) Independent Investigation of Death in Custody

(A) The Texas Commission on Jail Standards shall be notified of all deaths of inmates while in the custody of sheriff/operator within 24 hours of the death.

(B) The Commission shall appoint a law enforcement agency, other than the local law enforcement agency that operates the county jail, to investigate the death.

(C) Upon conclusion of the investigation by the designated law enforcement agency, the report shall be submitted to the Texas Commission on Jail Standards.

C. 273.2 (12) Continuity of Prescription Medications

(10) provide procedures for all examinations, treatments, and other procedures to be performed in a reasonable and dignified manner and place; ~~and~~

(11) provide that adequate first aid equipment and patient evacuation equipment be on hand at all times; ~~and~~

(12) provide procedures that shall require that a qualified medical professional shall review as soon as possible any prescription

medication a prisoner is taking when the prisoner is taken into custody.

V. Proposed Changes to Standards – For Comment

After review and public comments, the following amendment is recommended: The proposed text is bolded. The recommendation is to publish the proposed changes to standards in the Texas Register for comment.

A. 275.8 Jail Administrator Exam

A person appointed to the position of Jail Administrator after March 1, 2018 is required to satisfy the requirements of the Jail Administrator Examination as required by 511.00905. A person appointed as Jail Administrator must satisfy this requirement within 180 days of his/her appointment. If the person appointed as Jail Administrator is unable to satisfy the requirements of the examination, he/she shall be immediately removed and may not serve as the Jail Administrator until he/she satisfies the examination requirements of this section.

VI. The meeting was adjourned at approximately 10:40 a.m.



Brandon Wood, Executive Director

November 2, 2017



Luz Lozano, Secretary of the Commission

November 2, 2017

MINUTES

Meeting: Texas Commission on Jail Standards

Place: John H. Reagan Building
105 W. 15th Street, Room 120
Austin, TX

Time: 10:00 a.m. (Actual start time was 10:40 a.m.)

Date: November 2, 2017

I. Meeting called to order by Judge Stoudt of the Texas Commission on Jail Standards. Prayer, Pledge of Allegiance and Pledge to the Texas flag.

II. Roll Call of Commission Members

Judge Bill Stoudt, Chairman	Dr. Esmaeil Porsa
Mr. Jerry W. Lowry, Vice Chair	Sheriff Kelly Rowe
Mr. Duane Lock	Ms. Melinda Taylor
Mr. Larry S. May	Sheriff Dennis Wilson
Commissioner Ben Perry	

All Commission members were present at roll call. Staff members included Brandon Wood, Shannon Herklotz, Fred St. Amant, Jackie Benningfield, Phillip Bosquez, Shane Sowell, Jason Ross, Lupe Moreno, Luz Lozano, Patty Ortiz, Jennifer Shumake, Wendy Wisneski, Will Turner, and David Bertling. Dennis McKinney, Assistant Attorney General, was also present.

Others in attendance were:

Richard Wills, Sheriff, Bailey County
Tammy Flores, Sheriff's Office, Bexar County
Brian C. Hawthorne, Sheriff, Chambers County
Terry McCraw, Sheriff's Office, Collin County
Jason Hartgraves, Sheriff's Office, Dallas County
Barry Caver, Sheriff's Office, Denton County
Derick Johnson, Sheriff's Office, Falls County
Jennifer Cagnon, Sheriff's Office, Galveston County
Cody Schlageter, Sheriff's Office, Galveston County
Kevin Walker, Sheriff's Office, Galveston County
Maxey Cerliano, Sheriff, Gregg County
Mark North, Sheriff's Office, Gregg County
Donald G. Sowell, Sheriff, Grimes County
Robert Hernandez, Sheriff's Office, Guadalupe County

Greg Martin, Sheriff's Office, Guadalupe County
Doug Adkinson, Sheriff's Office, Harris County
Steve Buntyn, Sheriff's Office, Harris County
Darryl Coleman, Sheriff's Office, Harris County
Ronny Taylor, Sheriff's Office, Harris County
Michael Starkey, Sheriff's Office, Henderson County
Chad Stroud, Sheriff's Office, Hunt County
AJ Louderback, Sheriff, Jackson County
Scott Cass, Sheriff, Lamar County
Gary Maddox, Sheriff, Lamb County
Micah Harmon, Sheriff, Lavaca County
Ricky Armstrong, Sheriff's Office, McLennan County
Lex Jones, Judge, Marion County
Roland Henrici, Sheriff's Office, Montgomery County
Scott Kurtz, Sheriff's Office, Montgomery County
Jeremiah Richards, Sheriff's Office, Montgomery County
Ralph Caraway, Sheriff's Office, Smith County
Deal Folmar, Sheriff's Office, Smith County
Larry Smith, Sheriff, Smith County
Raul S. Banasco, Sheriff's Office, Tarrant County
Todd Allen, Sheriff's Office, Tom Green County
Justin Butler, Sheriff's Office, Travis County
Christina Dail, Sheriff's Office, Travis County
Jonathan Ede, Sheriff's Office, Travis County
Kathry Geiger, Sheriff's Office, Travis County
Michael Gottner, Sheriff's Office, Travis County
D. Harris, Sheriff's Office, Travis County
Karen Maxwell, Sheriff's Office, Travis County
Wes Priddy, Sheriff's Office, Travis County
Juan Sandoval, Sheriff's Office, Travis County
Jennifer Segura, Sheriff's Office, Travis County
Valerie Whitney, Sheriff's Office, Travis County
Rossi Carruth, Sheriff's Office, Tyler County
Larry D. Cook, Sheriff's Office, Waller County
R. Glenn Smith, Sheriff, Waller County
Flint Britton, BSCV Architects
Craig Pardue, Bedrock Strategy
David Tidwel, Cornerstone
Suzanne Bradford, GMJ, Inc.
Kenny Burns, Burns Architecture
Kelsey Bernstein, County Affairs
Natacha Pelàez-Wagner, GMJ, Inc.
Heather Wilhelm, Red Flag Detective Agency
Thomas Kerss, TAC
Laura Nicholes, TAC
Eva Ruth Moravec, Texas Justice Initiative
Diana Claitor, Texas Jail Project
Krishnaveni Gundu, Texas Jail Project

Stan and Nan Egger
Tom Rapp
ICS Jail Supplies, Inc.

III. Sheriff Wilson made a motion to approve the minutes for the meeting conducted on August 3, 2017. Mr. Lock seconded the motion. The motion passed unanimously.

IV. Public Comment

Diana Claitor addressed the Commission regarding access to medical records.

V. Old Business

Waller County – Notice of Non-compliance

On December 12, 2016, Inspectors Phillip Bosquez, Shane Sowell and Jackie Benningfield conducted the annual inspection of the Waller County Jail and the jail was found to be in non-compliance with minimum jail standards. The areas of non-compliance noted on the December 12, 2016 report are: 1. Ensure that staff training for emergency situations to include fire, emergency, evacuation drills, and location and use of equipment is provided immediately upon employment and no less than once each calendar quarter; 2. Ensure provisions are being made to allow at least a twenty-four hour written notice to be given to the inmate of the claimed violation or charges against him/her before sanctions are levied; 3. Ensure that each inmate is allowed one hour of supervised physical exercise or physical recreation at least three days per week. The official Notice of Non-compliance was mailed to county officials on December 19, 2016. County officials actually responded to the notice on December 15, 2016 before they received the official Notice of Non-compliance. On January 31, 2017, Inspector Phillip Bosquez conducted a re-inspection and the jail was issued a certificate of compliance. On March 20, 2017, Assistant Director Shannon Herklotz was contacted by Waller County Chief Deputy Craig Davis that an incident had occurred on Friday March 17, 2017 where a female inmate alleged that she was sexually assaulted by a male inmate via the food port. On March 21, 2017, Inspector Phillip Bosquez conducted an on-site special inspection of the Waller County Jail and the jail was found to be in non-compliance with minimum jail standards. The areas of non-compliance noted on the March 21, 2017 special report were: 1. Ensure lockable shutters on the food passes are secured to prevent the passage of contraband; 2. Ensure female inmates are separated by sight and sound from male inmates as required by standards; and 3. Ensure that inmate work is assigned by staff and all inmate work activity is properly supervised by jailers. The official Notice of Non-compliance was mailed to county officials on March 23, 2017. County officials responded to the notice on April 11, 2017 with a plan of action to address the deficiencies. A new jail administrator was hired and the deficiencies noted on the December 12, 2016 and the March 21, 2017 special report have been addressed. On May 30, 2017, Inspector Phillip Bosquez conducted an unannounced stop-by visit to the Waller County Jail. A walk-

through of the facility and inspection of practices put in place as corrective action was conducted. Inspector Bosquez remains in frequent contact with county officials and another stop-by visit was conducted on August 1, 2017 during which the focus was on review of documentation. Technical assistance was also provided to staff on inmate observations. County officials addressed the Commission. All issues have been addressed except one and Inspector Bosquez is working closely with the county. No action taken.

Proposed Change to Standards – 269.1 (7) Serious Incident Reports.

The Commission is proposing to add 269.1 (7) Serious Incidents Report Chapter in response to Senate Bill 1849, 85th Legislature. SB 1849 amends Chapter 511, Local Government Code, Section 511.020. As a result, the Commission is proposing the following rule change. The proposed change is to improve data collection by ensuring the data Texas collects is robust, clear, and accurate. **Senate Bill 1849 Specific Statute – Sec. 511.020 – SERIOUS INCIDENTS REPORT.** (a) On or before the fifth day of each month, the sheriff of each county shall report to the Commission regarding the occurrence during the preceding month of any of the following incidents involving a prisoner in the county jail: (1) a suicide; (2) an attempted suicide; (3) a death; (4) a serious bodily injury, as that term is defined by Section 1.07, Penal Code; (5) an assault; (6) an escape; (7) a sexual assault; and (8) any use of force resulting in bodily injury, as that term is defined by Section 1.07, Penal Code. (b) The commission shall prescribe a form for the report required by Subsection (a). (c) The information required to be reported under Subsection (a) (8) may not include the name or other identifying information of a county jailer or jail employee. (d) The information reported under Subsection (a) is public information subject to an open records request under Chapter 552. **Proposed Standard Language -- §269.1 (7). Serious Incidents Report. Information on Serious Incidents Report. On or before the fifth day of each month, the sheriff/operator of each county jail shall report to the Commission, on a form prescribed by the Commission, regarding the occurrence during the preceding month any incidents involving an inmate in the county jail as required by §511.020.** Mr. Lowry made a motion to publish the proposed change for adoption. Mr. May seconded the motion. The motion passed unanimously.

Proposed Change to Standards – 269.1 (5) Independent Investigation of Death in Custody.

The Commission is proposing to change 269.1 (5) Death in Custody Chapter in response to Senate Bill 1849, 85th Legislature. SB 1849 amends Chapter 511, Local Government Code, Section 511.021. As a result, the Commission is proposing the following rule change. The proposed change is required in order to comply with SB 1849 which mandates that the Commission will appoint an outside Law Enforcement Agency to investigate death in custody. **Senate Bill 1849 Specific Statute – Sec. 511.021 – INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL.** (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other than

the local law enforcement agency that operates the county jail, to investigate the death as soon as possible. **Proposed Standard Language -- §269.1 (5). Independent Investigation of Death in Custody.** Proposed change in bold. (5) Deaths in Custody – (A) The Texas Commission on Jail Standards shall be notified of all death of inmates while in the custody of sheriff/operator within 24 hours of the death. (B) **The Commission shall appoint a law enforcement agency, other than the local law enforcement agency that operates the county jail, to investigate the death.** (C) **Upon conclusion of the investigation by the designated law enforcement agency, the report shall be submitted to the Texas Commission on Jail Standards.** Mr. Lowry made a motion to publish the proposed change for adoption. Dr. Porsa seconded the motion. The motion passed unanimously.

Proposed Change to Standards – 273.2 (12) Continuity of Prescription Medications

The Commission is proposing to add 273.1(12) Continuity of Prescription Medications Chapter in response to Senate Bill 1849, 85th Legislature. SB 1849 amends Chapter 511, Local Government Code, Section 511.009. As a result, the Commission is proposing the following rule change. The proposed change is to ensure inmates receive timely medical care with the efficient continuance of medications when taken into custody. **Senate Bill 1849 Specific Statute – Section 511.009, Government Code, is amended by adding Subsection (d) to read as follows:** (d) the commission shall adopt reasonable rules and procedures establishing minimum standards regarding the continuity of prescription medications for the care and treatment of prisoners. The rules and procedures shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody. **Proposed Standard Language -- §273.2(12) Continuity of Prescription Medications.** Proposed change in bold. Each facility shall have and implement a written plan, approved by the Commission, for inmate medical, mental, and dental services. The plan shall: (1) provide procedures for regularly scheduled sick calls; (2) provide procedures for referral for medical, mental, and dental services; (3) provide procedures for efficient and prompt care for acute and emergency situations; (4) provide procedures for long-term, convalescent, and care necessary for disabled inmates; (5) provide procedures for medical, mental, nutritional requirements, special housing and appropriate work assignments and the documented use of restraints during labor, delivery and recovery for known pregnant inmates. A sheriff/operator shall notify the commission of any changes in policies and procedures in the provision of health care to pregnant prisoners. A sheriff/operator shall notify the commission of any changes in policies and procedures in the placement of a pregnant prisoner in administrative separation; (6) provide procedures for the control, distribution, secured storage, inventory, and disposal of prescriptions, syringes, needles, and hazardous waste containers; (7) provide procedures for the distribution of prescriptions in accordance with written instructions from a physician by an appropriate person designated by the sheriff/operator; (8) provide procedures for the control, distribution, and secured storage of over-the-counter medications; (9) provide procedures for the rights of

inmates to refuse health care in accordance with informed consent standards for certain treatments and procedures (in the case of minors, the informed consent of a parent, guardian, or legal custodian, when required, shall be sufficient); (10) provide procedures for all examinations, treatments, and other procedures to be performed in a reasonable and dignified manner and place; and (11) provide that adequate first aid equipment and patient evacuation equipment be on hand at all times; and (12) provide procedures that shall require that a qualified medical professional shall review as soon as possible any prescription medication a prisoner is taking when the prisoner is taken into custody. Sheriff Rowe made a motion to publish the proposed change for adoption. Dr. Porsa seconded the motion. The motion passed unanimously.

VI. New Business

San Patricio County

On January 4, 2017, Inspector Phillip Bosquez conducted the annual inspection of the San Patricio County Jail and the jail was found to be in non-compliance with minimum jail standards. The following areas of non-compliance were noted on the January 4, 2017 report: (1) ensure that the fire hazard inspection checklist is evaluated no less than once each calendar quarter. **Issue Corrected.** (2) Ensure all life safety equipment be inspected, maintained, and tested by persons qualified to do so (whether under vendor contract, by state or private agency or otherwise) in order that such equipment shall be safe, secure, and fully operative at all times. **Issue Corrected.** (3) Ensure emergency power equipment is being tested at least once each week and the electric load transferred to the circuits at least monthly. **Issue Corrected.** (4) Ensure that there is two-way voice communication capability between inmate and jailers, licensed peace officers, bailiffs and/or designated staff at all times. **Issue Corrected.** (5) Ensure proper preventative maintenance, to include necessary repairs, is conducted to ensure a safe, secure and sanitary facility. **Deficiency Remains.** (6) Ensure that a written menu is approved and reviewed annually for compliance with nationally recognized allowances for basic nutrition as required by minimum jail standards. **Issue Corrected.** The official Notice of Non-compliance was mailed to county officials on January 15, 2017. County officials responded to the notice on February 3, 2017. On June 13, 2017, Inspector Bosquez conducted an administrative special inspection of the San Patricio County Jail and the jail was found to be in non-compliance with minimum jail standards. The following area of non-compliance was noted on the June 13, 2017 special report: (1) Ensure magistrate and mental health authorities are being notified in regards to all inmates that are suspected to be mentally disabled and/or potentially suicidal. The official Notice of Non-compliance was mailed to county officials on June 13, 2017. County officials responded to the notice on June 20, 2017 with a plan of action to address the deficiency and the issue has been corrected. They are also trying to address preventative maintenance issues but the staff has concerns about the time frame for completion. Additionally, quarterly training has not been addressed. Commission staff will continue to monitor. No action taken.

Proposed Change to Standards - §275.8 Jail Administrator

The Commission is proposing to add Section 275.8 Jail Administrator Examination in response to Senate Bill 1849, 85th Legislature. SB 1849 amends Chapter 511, Government Code by adding Section 511.00905. As a result, the Commission is proposing the following rule addition. The proposed addition is to ensure Jail Administrator have passed a qualifying examination. **Senate Bill 1849 Specific Statute – Sec. 511.00905. Jail Administrator Position; Examination Required.** (b) The Commission shall adopt rules requiring a person, other than a sheriff, assigned to the jail administrator position overseeing a county jail to pass the examination not later than the 180th day after the date the person is assigned to that position. The rules must provide that a person who fails the examination may be immediately removed from the position and may not be reinstated until the person passes the examination. **Proposed Standard Language -- §275.8 Jail Administrator Examination. A person appointed to the position of Jail Administrator after March 1, 2018 is required to satisfy the requirements of the Jail Administrator Examination as required by Sec. 511.00905. A person appointed as Jail Administrator must satisfy this requirement within 180 days of his/her appointment. If the person appointed as Jail Administrator is unable to satisfy the requirements of the examination he/she shall be immediately removed and may not serve as the Jail Administrator until he/she satisfies the examination requirements of this section.** A workshop will be conducted. Sheriff Rowe made a motion to publish for comment. Mr. May seconded the motion. The motion passed unanimously.

Proposed 2018 Commission Meeting Schedule.

New dates for the upcoming 2018 Commission Meetings were presented to the Board. The meetings will be held on Thursdays on February 1, 2018, May 3, 2018, August 2, 2018, and November 1, 2018. These meetings will be held at the John H. Reagan Building located at 105 W. 15th Street, 1st Floor, Room 120, Austin, TX. No action was taken.

VII. Variances

Denton County

Denton County officials are requesting a variance to allow them to house maximum and minimum security inmates together in direct supervision housing units. Normally, maximum security inmates and minimum security inmates are not housed together. Allowing minimum and maximum security inmates to be housed together in a direct supervision environment would allow the county greater flexibility in utilizing all available bed space. Denton County was previously granted a variance to operate their direct supervision housing units in this manner in 2002 and it was reviewed on an annual basis until 2010. In 2010 the variance lapsed and was not requested for renewal. County officials addressed the Commission. Sheriff Rowe made a motion to approve the

variance for 12 months. Sheriff Wilson seconded the motion. The motion passed unanimously.

Harris County

Harris County was previously granted variances from minimum jail standards to install 580 additional bunks in existing housing units. They are now requesting an extension of that variance. County officials addressed the Commission. Mr. May made a motion to approve the variance without an expiration date. However, it will be reviewed at each annual inspection and if problems are noted, Harris County will be added to the agenda. Dr. Porsa seconded the motion. The motion passed unanimously.

Marion County

Marion County officials are requesting that they be allowed to install two additional beds within four, 6-bed multiple occupancy cells for a total of eight additional beds. The additional beds will result in a deficiency of required clear floor space and seating within the dayrooms of each affected cell. Multiple occupancy cells CB-A, CB-B, CB-C and CB-D located on the first floor of the jail were originally designed as 6-bed multiple occupancy cells with dayrooms. The requested variance will allow the county to operate these four multiple occupancy cells as 8-bed multiple occupancy cells. The variance will create a deficiency of approximately 25 to 40 square feet within each of the variances cells. The cells would also be deficient of table and seating for the two additional beds. Marion County would utilize the variance for a period of 12 months and would be required to operate with a minimum of three jailers on duty at all times. Due to the deficiency in number of tables, seating, and clear floor space, the variance beds will only be utilized on a temporary basis, not to exceed 72-hours and only when permanent beds are not available. All other minimum standards would be met and the 1 officer to 48 inmate ratio would be maintained at all times throughout the facility. If the county has not provided documentation verifying they have engaged an architect to begin planning for a new jail facility by the end of the 12 month period, the variance would be cancelled. Mr. Lowry made a motion to approve the variance for 12 months. Mr. Lock seconded the motion. The motion passed unanimously.

VIII. Staff Report

Completed Jail Projects

- Johnson County Jail – Renovation (0 beds)
- Fort Bend County – New (Courts) (0 beds)
- Tarrant County – Renovation (Courts) (0 beds)

Jail Planning and Construction List. Nine (9) jails are in the planning stages and eighteen (18) are under construction.

Jails in Compliance/Noncompliance - Risk Assessment Report. Two-hundred twenty-five (225) jails are compliant, fifteen (15) are non-compliant, and nineteen (19) are closed.

Status of Remedial Orders. There were no Remedial Orders. No action taken.

Status and Composition of Jail Population. On October 1, 2017, the total population in Texas county jails increased by 585 from the previous month. Statewide capacity increased by 254 due to the renovation of a previously closed facility. County jails are now collectively operating at 71.00% of capacity. As of October 1, 2017, there were three (3) jails at 100% or more of capacity. On October 1, 2017, thirty-one (31) TDCJ half-way house inmates were housed in county facilities. In addition, local facilities were housing three hundred thirty six (336) out-of-state inmates (Arkansas) in one (1) facility. The total number of contract inmates (county, federal, TDCJ and out-of-state) was 6,938.

Executive Director's Activities

- **August 22, 2017.** Attended and testified before the Committee on House County Affairs regarding implementation of SB 1849, Austin, TX.
- **August 24, 2017.** Presented at the Texas Association of Counties Post Legislative Conference, Austin, TX.
- **September 6, 2017.** Met with representatives from Bexar County to review and discuss proposed open booking area, Austin, TX.
- **September 12-14, 2017.** Presented at the Far West Texas County Judges and Commissioner's Conference, Study Butte, TX.
- **September 14, 2017.** Conducted on-site review of the Brewster County Jail, Alpine, TX.
- **September 18, 2017.** Met with representative from Innovative Solutions regarding electronic verification systems, Austin, TX.
- **September 19, 2017.** Met with representatives from Bee County to review proposed plans for the new county jail, Austin, TX.
- **September 20, 2017.** Met with representatives from Comal County to review proposed plans for the new county jail, Austin, TX.
- **September 21, 2017.** Met with representatives from Galveston County and the Council of State Governments to review Criminal Justice Planning Initiative and Inmate Population Issues, Austin, TX.
- **September 21, 2017.** Met with representatives from Hays County to review proposed plans for the new county jail, Austin, TX.
- **September 21, 2017.** Met with representatives from Wichita County to review proposed plans for the new county jail, Austin, TX.
- **September 25-26, 2017.** Presented at the Texas County Judges and Commissioner's Conference, Corpus Christi, TX.
- **October 3, 2017.** Met with representatives from Austin County to review mold remediation efforts at the county jail, Austin, TX.
- **October 4, 2017.** Met with representatives from Travis County to discuss magistrate notification requirements and mental health issues impacting the county jail, Austin, TX.
- **October 10, 2017.** Met with representatives from All Detainment Solutions regarding temporary and modular housing options and applicability in Texas, Austin, TX.

- **October 19, 2017.** Participated in the Continuity of Prescription Medication Proposed Standards Workgroup, Austin, TX.
- **October 19, 2017.** Met with representatives from Webb County to review proposed plans for the new county jail, Austin, TX.
- **October 24, 2017.** Met with representatives from San Patricio County to review notice of non-compliance and action taken to date to resolve the issues that remain, Austin, TX.

Staff Training/Activities

- **August 14-18, 2017.** Assistant Director Herklotz presented at and Inspector Sowell attended the National Institute of Corrections New Jail Inspector Training hosted by the National Institute of Corrections in Aurora, CO.
- **September 1, 2017.** Mental Health Trainer Phariss participated in an 8 hour Cultural Diversity on-line course hosted by TCOLE.
- **September 7, 2017.** Assistant Director Herklotz presented at the Jail Administration: Management and Operations Training hosted by the Correctional Management Institute of Texas at Sam Houston State University, Huntsville, TX.
- **September 14, 2017.** Mental Health Trainers Dill, Phariss and Pokluda participated in an 8 hour Mental Health First Aid Course hosted by Integral Care, Austin, TX.
- **September 22, 2017.** Inspector Sowell conducted an 8 hour Regional Training on Current Trends and High Impact Areas of Jail Operations in Amarillo, TX for 47 detention officers from the following counties: Lubbock Co., Hale Co., Dallam-Hartley Co., Sherman Co., Carson Co., Randall Co., Moore Co., Hemphill Co., Potter Co., Wheeler Co., Castro Co., Hansford Co., Hutchinson Co., Oldham Co., and Hall Co.
- **September 26-27, 2017.** Assistant Director Herklotz and Program Specialist Shumake attended the 4th Annual Texas Corrections Planning Committee Meeting hosted by the Department of State Health Services (Tuberculosis and Hansen's Disease Branch) at the Embassy Suites, Austin, TX.
- **September 27, 2017.** Mental Health Trainers Dill, Phariss and Pokluda participated in a 6 hour online training on Inmate Health Care: Basic Medical, hosted by TEEX.
- **September 27-28, 2017.** Research Specialist Turner attended the Public Information Act Training, Austin, TX.
- **September 28, 2017.** Mental Health Trainers Dill, Phariss and Pokluda participated in a 6 hour online training on Inmate Health Care: Advanced Medical, hosted by TEEX.
- **September 29, 2017.** Mental Health Trainers Dill, Phariss and Pokluda participated in an 8 hour online Training on Inmate Health Care: Basic Psychiatric, hosted by TEEX.
- **October 2, 2017.** Inspector Sowell conducted an 8 hour regional training on Current Trends and High Impact Areas of Jail Operations in Big Spring, Texas for 45 detention officers from the following counties: Winkler Co., Jones Co., Tom Green Co., Shackelford Co., Yoakum Co., Martin Co., Dawson Co., Mitchell Co., Howard Co., Reagan Co., Scurry Co., Nolan Co., Lynn Co., and Crane Co.
- **October 11, 2017.** Inspector St. Amant conducted, and Mental Health Trainer Phariss assisted in, an 8 hour Regional Training on Current Trends and High Impact Areas of Jail Operations in Huntsville, TX for 43 detention officers from the

following counties: Polk Co., Waller Co., Walker Co., Falls Co., Coleman Co., Tyler Co., Madison Co., Montgomery Co., San Augustine Co., San Jacinto Co., and Brazos Co.

- **October 12, 2017.** Inspector Sowell conducted an 8 hour Regional Training on Current Trends and High Impact Areas of Jail Operations in Lubbock, Texas for 55 detention officers from the following counties: Lubbock Co., Yoakum Co., Gaines Co., Lynn Co., Dickens Co., Dawson Co., Hockley Co., Terry Co., Martin Co., Hale Co., and TCOLE.
- **October 25, 2017.** Inspector Bosquez conducted, and Mental Health Trainer Phariss assisted in, Regional Training on Current Trends and High Impact Areas of Jail Operations in San Antonio, TX.
- **October 31-November 3, 2017.** Mental Health Trainers Dill, Phariss and Pokluda attended the 4th Annual Mental Health Conference in Galveston, TX.

Financial Report/Budget. Commissioners were provided a copy of the Expenditure Report dated September 18, 2017 for the current fiscal year.

Inmate Complaint Report. Commissioners were provided a list of inmate complaints for the months of July, August, and September.

IX. Other Business

Commission Activities

- None

Staff Activities

- Jennifer Shumake was hired as a Program Specialist effective September 1, 2017.
- Wendy Wisneski was hired as a Critical Incident Inspector effective September 1, 2017.
- Will Turner was hired as a Research Specialist II effective September 1, 2017.
- Tommy Dill was hired as a Mental Health Trainer effective September 1, 2017.
- William Phariss was hired as a Mental Health Trainer effective September 1, 2017.
- Kathleen Pokluda was hired as a Mental Health Trainer effective September 1, 2017.
- Rodney Valls resigned as Staff Services Officer effective September 29, 2017 to work at another state agency.
- David Bertling was hired as a complaint inspector effective October 1, 2017.
- Patricia Ortiz was hired as Staff Services Officer effective October 16, 2017.

Off Duty Employment

- No one is performing off-duty employment that creates a conflict of interest with duties at the Commission.

Miscellaneous Letters of Comment

XII. Next Commission meeting is scheduled for February 1, 2018 in the John H. Reagan Building.


XIII. The meeting was adjourned at approximately 11:38 a.m.

The Board may meet in Closed Session on any item listed above if authorized by the Texas Open Meetings Act, Texas Government Code Ann. Ch. 551.



Brandon Wood, Executive Director

November 2, 2017



Luz Lozano, Secretary of the Commission

November 2, 2017

VARIANCES

Denton County

Section: 271.1 Classification and Separation

A motion was made and seconded to approve the operation of direct supervision housing units to house maximum and minimum custody inmates together until the November, 2018 Commission meeting. The county shall provide adequate staffing to meet the 1:48 officer to inmate ratio at all times.

Sheriff Rowe
Seconded by Sheriff Wilson
Unanimously passed

Harris County

Section:	259.114(b)(2)	Segregation
	259.133	Single Cells
	259.135	Dormitories
	259.136	Dayrooms
	259.143(a)	Bunks
	259.143(b)	Toilets & Lavatories
	259.143(c)	Showers
	259.143(d)	Tables & Seating

A motion was made and seconded to approve the continuation of 580 fixed variance bunks without an expiration date. The variance beds will be reviewed by commission staff at each annual inspection and if issues are identified the variance will be placed on the agenda at the next regular Commission meeting for review. The county shall provide adequate staffing to meet the 1:48 officer to inmate ratio at all times.

Mr. May
Seconded by Dr. Porsa
Unanimously passed

Marion County

Section:	259.134	Classification and Separation
	259.136	Day Rooms
	259.143(d)	Furnishings, Tables and Seating

A motion was made and seconded to approve the installation of two additional beds within four, 6-bed multiple occupancy cells until the November, 2018 Commission meeting. This approval is contingent upon the county contracting an architect to develop a building program within the next 12 months. Due to the deficiency in number of tables, seating, and clear floor space, the variance beds will only be utilized on a temporary basis, not to exceed 72-hours and only when permanent beds are not available.

Mr. Lowry
Seconded by Mr. Lock
Unanimously approved