

# THE BRIEF OUT

Texas Commission on Jail Standards  
www.tcjs.state.tx.us info@tcjs.state.tx.us (512)463-5505



## Executive Director's Message

by Brandon Wood

I have a litmus test or, more a maxim I guess, to help guide me. It is rather simple but I have always found it effective: Bring me solutions, not problems.

It is not my own, and I am not exactly sure of its origins (I did google it once to make sure that it was not a popular phrase of Stalin or someone like that!). With every saying or theory, it has its proponents and detractors. But it has stuck with me ever since I heard it and I believe that when properly applied, it not only empowers staff but makes the solution better.

It requires staff to become engaged by providing their input rather than being allowed the option of thinking "it's not my problem" and simply passing the issue off to someone else.

Granted, I doubt that an entry level jailer will bring you the ultimate solution to things such as overcrowding, and if you view the approach that they should, it will fail and so will you.

But if that entry-level jailer notices one of your cells is overcrowded, their role should be of bringing the issue to the attention of their supervisor. Rather than he or she thinking that is someone else's problem, or "I just work here" and then moving on down the run." But maybe they also will let you know that there are open beds in the cell next door that might fix the problem. They will only do that if they believe their voice will be heard, and if that is not the solution, a clear explanation as to why it will not work.



I am pretty sure that the jailer would understand classification issues rather than a quick "no, that won't work" or even worse, the dreaded "we have always done it this way." On top of that, if you provide that clear explanation, in a professional manner, you have also had a good teaching moment that will benefit both of you in the future.

[See Message Page 5](#)

### Inside This Issue

Executive Director's Message	1
Which Way Did He Go?	2
Legislative Update	3
Quarterly Commission Meeting	4
From the Road	6
Training Tracker	7

## Which Way Did He Go?

By Anthony "Bubba" Mikesh

The escape incident that you are about to read about actually happened in a county jail located in the Great State of Texas. But before I begin, I would like to emphasize to everyone, that neither the county name nor any persons involved in this incident will be revealed. This is not an attempt to point fingers or "poke fun," but rather to show an example of what can happen and what to be on the lookout for while on duty. All too often, correctional officers become complacent or too comfortable in their surroundings and inevitably, this "comfort" leads to mistakes that officers can easily avoid.

Early on the morning of the incident, an inmate claimed to have fallen off his bunk and injured his arm. When the jailers arrived at the cell, they saw what they believed to be bone protruding from a cut on the inmate's wrist. After calling 911, jailers put restraints on the inmate, and EMS took him to the hospital. During the transport, EMS personnel were diverted to a larger hospital better equipped to handle the injury.

Upon arrival and evaluation at the hospital, medical personnel discovered that the object protruding from the inmate's arm was not bone, but rather a piece of a pencil that the inmate had inserted into his arm. After treating the wound and wrapping it, wrist restraints were not reapplied at the request of the attending nurse.

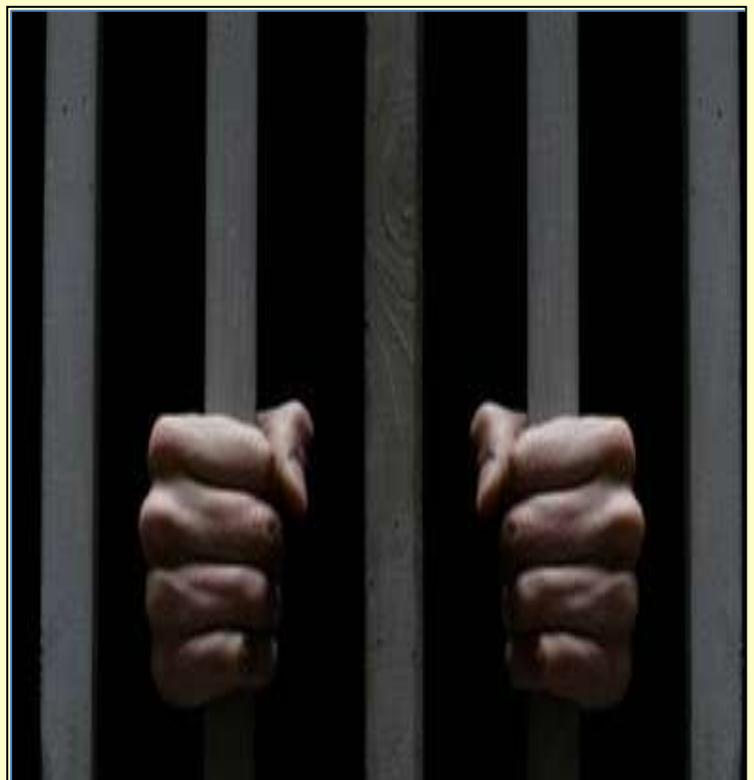
While the inmate was being treated at the hospital, another inmate notified jail staff that the inmate being treated had been planning an escape using the injury as a ruse. The on-duty supervisor was able to contact

The on-duty supervisor was able to contact the jailer escorting the inmate and notified him of the planned escape.

After being discharged from the hospital, the officer escorted the inmate to the van for transport back to the jail. As the inmate was about to sit down, he lunged at the officer who lost his footing in the raining wet conditions that day and a struggle on the ground ensued. Eventually gaining control of the officer's weapon, the inmate threatened the officer to "back off, or I will shoot." Forced to retreat, the officer placed the hospital on lock down and requested backup while the inmate fled the scene on foot with the weapon.

Multiple law enforcement officers from various agencies responded and immediately began searching for the escaped inmate.

Please see [Which Page 5](#)



## 84th Legislative Update

By Diana Spiller

On Saturday, June 20, 2015, Governor Greg Abbott issued his final set of vetoes, and with that, the 84th Legislative Session came to an official close. Several bills will have a direct impact on county jails, and some bills will require the Commission to amend minimum jail standards. Below is a list of legislation that passed and will become effective September 1, 2015. The Commission will begin the rulemaking process with the August Commission meeting, and all proposed rules should be in effect by early December.

**HB 549** by Johnson- HB 549 will require that all inmates receive two in-person, noncontact visitation visits each week. Certain jails that were built to have video visitation only may be exempt from the in-person requirement. This bill will require the Commission to amend visitation rules.

**HB 643** by Metcalf-HB 643 will also require the Commission to amend visitation rules. HB 643 mandates that a legal guardian be placed on an inmate's visitation list, if requested by the guardian, and allow visitation by the guardian. A guardian would have to produce paperwork to the sheriff to prove guardianship.

**HB 875** by Farias- HB 875 will require sheriffs to verify an inmate's veteran status by using the Veteran Affairs's Veteran Reentry Search Service (VRSS) or similar service. The sheriff would also be required to assist an identified veteran to apply for veteran's benefits.

**HB 1140** by Israel- HB 1140 will require sheriffs to submit certain information regarding the care of pregnant inmates including the number of miscarriages between September 1, 2015-September 16, 2015. This information is for a one-time report that the Commission will submit in late 2016.

Other bills of interest passed into law that may impact county jails include the following:

**HB 211** by Rose- Relating to resuming a criminal case after a defendant is determined to be competent to stand trial.

**HB 710** by Turner- Relating to procedures for certain persons charged with a violation of a condition of release from the TDCJ on parole or to mandatory supervision.

**HB 904** by Smith- Relating to the transfer of certain inmates to the TDCJ following pronouncement of the inmate's sentence

**SB 790** by Kolkhorst- Relating to the procedures applicable to the revocation of a person's release on parole or to mandatory supervision.

**SB 1129** by Zaffirini - Relating to the transportation of a person with a mental illness

## Quarterly Commission Meeting Highlights

By Diana Spiller

The nine-member Commission met on May 7, 2015 in Austin at the William P. Clements building. Here are the highlights of the meeting.

### Old Business

- Commissioners received an update on legislation

### New Business

- Fisher County notified the Commission of the closing of their jail. A new jail is under construction and should be completed in spring of 2016.
- Selection of Assistant Presiding Officer- With the retirement of former Chairman Donna Klaeger, there is a vacancy for Vice Chair. The Commissioners elected to wait until a new chair is appointed by the Governor before selecting a Vice Chair.
- Commissioners approved Matagorda County's request to delete an automatic sprinkler system in inmate violent cells.
- Commissioners received information on Hemphill County's non-compliance issues. However, a re-inspection was completed and the jail was back in compliance. No action taken.
- Commissioners voted to lift a remedial order on Smith County in place since 2004.

### Variances

- Nueces County requested to operate 2-72-bed direct supervision dormitories. Minimum standards do not allow dormitories and dayrooms to have a capacity greater than 48 inmates. Commissioners approved the variance.
- Travis County requested that they be allowed to operate 4 60-bed direct supervision dormitories. Commissioners approved the variance.

### Staff Reports

#### Completed Jail Projects:

Smith County Jail	Addition
Dallas County Med Mod	Addition
Gillespie County Jail	New

**Jail Planning and Construction List:** four jails are in the planning stages and 13 are under construction.

**Jails in Compliance/Non-compliance:** 232 jails are compliant, 11 are non-compliant and 18 jails are closed.

#### Status and Composition of Jail Population:

On April 1, 2015 the total population in Texas county jails decreased by 86. Statewide capacity increased by 490 beds due to Gillespie County completing a new addition. County jails are now collectively operating at 66.24% of capacity. On April 1, 2015, there was one jail at 100% capacity or more. 43 TDCJ half-way house inmates were housed in county facilities. In addition, local facilities were housing 314 out-of-state inmates (New Mexico and Arkansas) in three facilities. The total number of contract inmates (county, federal, TDCJ and out of state) was 7,648.

### Next Quarterly Commission Meeting

Thursday, August 6, 2015

John H. Reagan Bldg. Room 140

9 a.m.

*Which from Page 1*

Still restrained by the ankle shackles that were slowing him down, the inmate attempted to break the connecting chain by firing a round from the officer's weapon but was unsuccessful. Officers soon located the escapee a short distance from the hospital hiding behind a dumpster and still in possession of the weapon. Officers captured the inmate without further incident, and everyone's worst nightmare, an escaped inmate with a weapon, quickly came to an end.

Events of this nature should be used as a teaching tool to reinforce the need for adherence to agency policy at all times. It is also an opportunity to evaluate current procedures and force organizations to reevaluate those operational, procedural and personnel protocols that break down, fail, or ignored during these types of embarrassing events.

Complacency is still the number one cause of escapes from Texas jails. You have to remember that the inmates have nothing better to do than to study you and your officers and act upon any weaknesses they perceive. If you give them the opportunity, they will take advantage of it.

---

*Message from Page 1*

When properly applied and the expectation clearly explained, it can be a great tool and one that I apply to myself and my actions as much as possible. In my approach, though, it also requires acknowledging when I do not have the answer. When that occurs, and it occurs often, that is my trigger to seek out people smarter than me and ask for help. I know that I will be bringing them a problem and may only have part of the solution or maybe even not that much, but I do know what I want the result to "look" like.

This allows you to start at Point B and work back towards Point A and vice versa while other times it allows you to have someone with a totally different point of view weigh in.

They may see things you completely overlooked and the answer may have been staring you in the face all along.

You probably read it and thought "uh, yeah, that was pretty basic." In a way, I hope so, because, in the next few months, there are several issues that I am going to be asking for your help in solving. Between new laws that will begin taking effect September 1 that require us to either adopt new standards or collect additional data, there is quite a bit that we'll have to do. With two conferences before then, the Sheriff's Association in late July in San Antonio and the Texas Jail Association conference in late August in Galveston, I hope to speak to you in person and establish the foundation that will allow us to solve those problems.

Now, about those new laws. This issue of the newsletter has information on ones that made it through the process and will be impacting your operations.

## From The Road

*By Jacqueline Semmler*

Well, here we are at the end of another successful inspection year. The summertime is upon us, which means the 4th and final quarter of our fiscal year is coming to a close. It has been a crazy, busy year. Time flies when you are having fun!! Before you know it, it will be time for the inspectors to hit the road and soak up some more windshield time. With a little less than two months remaining in the 2015 Fiscal Year and at press time, all 244 facilities under our purview will have received an annual inspection. With the loss of an inspector in April, Inspector Phillip Bosquez and Program Specialist Lee Bailey stepped up to the plate and completed the inspections for the West Texas region. To date, the following inspections and on-site technical assistance has been provided:

### Inspections

- Unannounced Annual Inspections - 244
- Unannounced Re-Inspections - 41
- Unannounced/Stop-by visits - 68

### On-site Technical Assistance

- Management - 260
- Construction - 62

As always, it was a pleasure visiting with each and every one of you at the Texas Jail Association Annual Conference held in Austin, Texas a few weeks back. I would also like to give a big “Thank You” to TJA Executive Director Sharese Hurst, the CMIT Staff and the TJA Board for a wonderful conference. Job well done!!

I would also like to thank all of the good folks that participated in this year’s “Jailpardy” contest.

Once again, I believe the game was an unquestionable success. Per game rules, we started with 27 individual players in the field, and we ended the tournament with Wade Goolsby from Lubbock County taking home the Championship trophy. Les Karnes from Brown County brought home the 2nd Place trophy and Greg Martin from Guadalupe County brought home the 3rd Place trophy. Les Karnes and Greg Martin were not even signed up to play the game. Amazing results!! Thanks again to all of the individuals that participated in this event. Without your participation, this game would not be as successful as it is.

We look forward to visiting with each and every one of you at the upcoming TJA Jail Management Issues Conference in lovely Galveston, Texas. Please join us for our condensed version of “Current Trends” at the conference as we will discuss some of the most current issues we see and face in county jails.

Note: Effective August 1, 2015, Shane Sowell will be the new inspector for the Northwest region. Shane is a former deputy sheriff and jail administrator from Lamb Co. in Littlefield, Texas. Subsequently, there will be some shifting of the territory map to ensure the best use of our resources. As soon as the re-drawing of the territory map is completed, it will be made available to all jurisdictions. Inspector Sowell will be available at the upcoming JMI Conference in Galveston, TX in late August so please, take time to introduce yourself and get to know our newest team member. Welcome aboard Inspector Sowell....

## Training Tracker

By Shannon Herklotz - Assistant Director

Correctional officers and jailers handle overseeing individuals who have been arrested and are awaiting trial or who have been sentenced to serve time in jail or prison. Working in a correctional institution can be stressful and dangerous. Correctional officers and jailers have one of the highest rates of injuries and illnesses, often resulting from confrontations with inmates. Because jails and prisons must provide security 24 hours a day, officers work all hours of the day and night, weekends, and holidays. Although budget constraints and a falling crime rate will require fewer workers, job openings will continue to become available because the dangers associated with the job cause many to leave the occupation each year.

With that said, the Texas Commission on Jail Standards strives to conduct more training sessions to help jailers gain the knowledge to do their jobs of maintaining a safe and secure environment for inmates, themselves, and the general public. We continue to receive requests for Objective Jail Classification training, “Current Trends and High Impact Areas of Jail Operations” and Population Report and Paper-ready training. We also have the “What to Expect During an Inspection” training class available upon request.

Almost two years ago TCJS, in conjunction with TCCOMMI, launched the Assessing for Suicide, Medical, and Mental Impairments (ASMMI) Module. Mental illness and suicide ideation are complex issues that challenge even the most experienced jailer. This course was created to provide county jailers with information and guidelines in completing the Suicide and Medical and Mental Impairments screening form. Upon completion of the course, jailers should have a better understanding of the importance of completing the form. Jailers will also learn when to notify a magistrate, supervisor, or medical or mental health professional when mental illness, intellectually challenged, or suicide ideation is suspected. To date, the ASMMI class has been very well received.

We also offer an Escape Presentation to create officer awareness. Although we still operate on a limited budget, we will continue to make every effort to conduct the training classes in your area. The number of participants and the distance from Austin will be the determining factor as to whether we can or cannot conduct the training sessions at your location. See contact information below to inquire about any of the “free” classes we offer.

The table below indicates the location where the What to Expect During an Inspection class took place for the third quarter of FY 2015 and the number of participants:

Cleburne, TX:

25

<b>Total # of Attendees: 25 x 4 = 100 Training Hours</b>
----------------------------------------------------------

[See Training on Page 8](#)

*Training from Page 7*

Your interest and participation in these classes are greatly appreciated...and we thank you for taking the time out of your schedules to be with us and take part in this learning environment. Thanks again!!

I would like to thank **Sheriff Bob Alford and Warden Eddie Williams of Johnson Co.** for agreeing to host our training class. Thank you for your continued support!!

### On the Horizon....

The **137th Annual Training Conference and Expo of the Sheriff's Association of Texas** will take place July 18-21, 2015 once again in San Antonio, Texas. We look forward to visiting with all of the sheriffs in attendance and look forward to another successful conference. The **Jail Management Issues Conference** in Galveston, Texas looms on the summer horizon as well...the conference is scheduled for August 24-27, 2015. Be looking ahead!! Make your plans now.... The Correctional Management Institute of Texas will be hosting another **Jail Administration: Management and Operations** course at Sam Houston State University in Huntsville, Texas the week of September 20-25, 2015. This course was specifically developed to assist newly promoted jail administrators and supervisors in carrying out their mandated duties and responsibilities. I would highly recommend this course to those that are eligible to attend. If you have any questions, contact **Sharese Hurst** at [sharese@shsu.edu](mailto:sharese@shsu.edu) or (936) 294-1687 / **Carmella Jones** at (936) 294-1668 or [carmella@shsu.edu](mailto:carmella@shsu.edu).

Mark these dates down on your calendar: **October 26-29, 2015... CMIT and Sam Houston State University** will be hosting its 2<sup>nd</sup> Annual **Mental Health Conference in Conroe, Texas**. Do not miss this opportunity. For more information, go to the following website: <http://www.cmitonline.org/cal/?mode=view&item=788>

For more information about arranging a date and time to receive Objective Jail Classification Training, "Current Trends and High Impact Areas of Jail Operations" training, "What to Expect During an Inspection", "Assessing for Suicide, Medical, and Mental Impairments" Training and/or Population Report and Paper Ready training, contact **Asst. Director Shannon J. Herklotz** @ (512) 463-7943 or [Shannon.herklotz@tcjs.state.tx.us](mailto:Shannon.herklotz@tcjs.state.tx.us) or **Anthony "Bubba" Mikesch** @ (512) 463-8089 or [Anthony.mikesch@tcjs.state.tx.us](mailto:Anthony.mikesch@tcjs.state.tx.us).

---

*Message from Page 5*

We are working on how best to implement them and I expect the August Commission meeting to have quite a bit of discussion on this. We need your input; it is vital. Without your input, the result is not going to work very well, if at all. Staff will be putting together Technical Assistance memos about these new laws and distributing them so, please be looking for them. Again, I look forward to seeing you this summer and hope that you will take part in working with us on the issues that are coming.