



Texas Commission on Jail Standards

2004 Annual Report

Empowering local government to provide safe, secure and suitable local jail facilities through proper rules and procedures while promoting innovative programs and ideas.

Terry Julian

Executive Director

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TEXAS COMMISSION ON JAIL STANDARDS
CALENDAR YEAR 2003
ANNUAL REPORT TO THE GOVERNOR,
LIEUTENANT GOVERNOR AND SPEAKER
OF THE HOUSE OF REPRESENTATIVES OF TEXAS

JANUARY 31, 2005

This report is made pursuant to Chapter 511, Section 511.015, Government Code and covers activities of calendar year 2004.

I. MISSION STATEMENT

The mission of the Texas Commission on Jail Standards is to empower local government to provide safe, secure and suitable local jail facilities through proper rules and procedures while promoting innovative programs and ideas.

During its regular session of 1975, the 64th Legislature enacted House Bill 272 creating the Texas Commission on Jail Standards in an effort to end federal court intervention into county jail matters and return jail control to state and local jurisdictions. Formerly through Title 81 of the Civil Statutes and currently through Chapters 499 and 511 of the Government Code, the state has evinced a strong commitment to improving conditions in the jails by granting us the authority and responsibility to promulgate and enforce minimum standards for jail construction, equipment, maintenance, and operation. Related duties and rules are set forth in Chapters 351 and 361 of the Local Government Code, Title 37 of the Administrative Code, and our own Minimum Jail Standards.

We serve the citizens of Texas with programs and services for the custody, care, treatment, and supervision of adult inmates in county jails. Although we retain the responsibility to regulate privately operated municipal facilities, most of our activities are oriented toward county functions. Our principal operations include on-site inspections of jails to verify compliance with Standards, review of proposed construction and renovation plans to assess conformity to Standards, provision of jail management technical assistance and training, administration of inmate population reports and audits, resolution of prisoner grievances, and various other activities relating to policy development and enforcement. Contrary to popular belief, we do not have authority over the state prison system or juvenile detention facilities. A number of jails under our authority have housed state inmates in the past; however, due to the full implementation of TDCJ Rider 64 of the 2003 Appropriations Act, all state inmate contracts with counties have been cancelled, resulting in all TDCJ inmates being housed in TDCJ units at this time. We do have facilities under our authority which contract with the federal system to house federal inmates. We also regulate county facilities housing out-of-state inmates.

We work closely with city, county, and state government officials in our duties to enforce jail standards. Primary relationships exist with county judges,

commissioners, sheriffs and private management companies to provide consultation and technical assistance, review and comment on plans for construction, modification, and renovation of jails, and regular inspections of jails to ensure compliance with state law. Secondary relationships extend to architectural and criminal justice professional associations and to regulatory agencies concerned with fire safety, legal issues, civil liberties, health and mental health, et al. The jail inmates awaiting criminal trial or administrative hearings, serving misdemeanor sentences, or awaiting transfer to the Texas Department of Criminal Justice after felony convictions benefit from our efforts by being housed in safe and sanitary environments. We provide a service to the citizens of Texas communities through our Standards, which mandate secure jail design and operation, effective inmate management, use of accepted correctional methods, and programming based on available resources.

II. ORGANIZATION

Our policy-making body consists of nine Commission members appointed by the governor to staggered six-year terms expiring on January 31 of odd-numbered years. The Commission consists of a sheriff from a county with a population of more than 35,000, a sheriff from a county with a population of 35,000 or less, a county judge, a county commissioner, a practitioner of medicine, and four private citizens, at least one of whom is from a county with a population of 35,000 or less. The chairperson is designated by the governor, with the vice-chairperson elected by the membership. Our Commission holds regular meetings each calendar quarter as required. Special meetings are held as needed. Responsibilities of the Commissioners include promulgation, adoption, revision, amendment, and repeal of rules; enforcement of rules through remedial action or action in district court; and consideration of applications for variances to minimum standards. Members are not compensated for their work except for allowable travel and per diem expenses.

Commission members as of December 31, 2004 are as follows:

Sheriff David Gutierrez (Chair)	Lubbock, TX
Stanley D. Egger	Abilene, Texas
Mr. Gonzalo R. Gallegos	San Antonio, Texas
Sheriff Mark Gilliam	Rockport, TX
Marvalette C. Hunter	Houston, Texas
Judge William C. Morrow	Midland, Texas
Evelyn (Kelly) Moyer	Katy, Texas
Dr. Michael M. Seale	Houston, Texas
Charles J. Sebesta, Jr.	Caldwell, Texas

At the end of 2004, the staff consisted of the following positions:

Executive Director	Exempt Position
Manager III (1)	Group B-15

Planner III	Group B-12
Program Specialist III	Group B-11
Inspector VI (2)	Group B-10
Network Specialist II	Group B-10
Program Specialist II	Group B-10
Executive Assistant	Group B-9
Planner I	Group B-9
Program Specialist I	Group B-9
Accountant III	Group B-8
Inspector V	Group B-8
Planning Assistant	Group B-8
Research Specialist I	Group B-7
Administrative Technician II	Group A-11
Clerk	Group A-2

The Commission on Jail Standards is headquartered in Austin, Texas.

III. AGENCY OBJECTIVES & FUNDING

The Texas Commission on Jail Standards performs its functions statewide, serving Texas counties through their respective commissioners' courts and sheriffs, using appropriated funds.

Local entities are not typically charged for services; however, fees are charged to privately operated municipal jails and to counties with a rated capacity of 100 or more prisoners which operate or contract for the operation of facilities with inmate populations comprised of 30% or more prisoners sentenced by jurisdictions other than Texas courts.

While each of the following strategies contributes to the regulatory function of the agency, the inspection process provides the monitoring capability necessary to identify counties in need of planning or management assistance and to initiate appropriate enforcement action.

In order to meet agency objectives, each strategy is allocated a specific number of full-time equivalent positions. It should be noted that, due to decreases in appropriated funding in the current biennium, these strategies are being implemented by fewer actual staff than previous fiscal years' funding.

A. Jail Standards

The jail standards process establishes, reviews and amends minimum standards for the safe, secure, and economic construction, equipment, maintenance and operation of jails. Maintaining constitutional standards which encourage effective and efficient construction and operation of jails is the primary goal of the agency. National research, statewide input and case law are among the resources considered when developing or revising the Standards.

Proposed revisions to the Standards, after Commission approval, are published in the Texas Register for public comment. These comments are reviewed in order to ascertain whether revision would be appropriate. The final version, whether altered from the original or not, is again presented to the Commission for approval and again published in the Texas Register. Once new Standards have been established through this process, they are published and distributed to all County Judges and Sheriffs, affected agencies and Minimum Jail Standards subscribers.

B. Inspection

Inspection activities, to which 6.3 full-time equivalent positions are assigned, consist of fairly and impartially monitoring and enforcing compliance with adopted rules and procedures. This objective includes development and implementation of a uniform inspection process. Uniform inspection reports and procedures for inspecting jail facilities are developed under the provision of Chapters 351 and 361 of the Local Government Code and Chapter 511 of the Government Code.

All operating jail facilities are inspected at least annually. Newly constructed or renovated jails require an occupancy inspection, or inspections, to ensure that construction was completed in compliance with Minimum Jail Standards. Not less than once each fiscal year, at least one announced or unannounced inspection for each facility under Commission jurisdiction is performed, inquiring into security, control, conditions, and compliance with the established Minimum Standards. In addition to regular inspections, special inspections to determine compliance may be conducted. The inspection includes a walk-through of the facility and a review of the books, records, data, documents, and accounts pertaining to the facility and the inmates confined therein.

Following a review of the Inspector's report by the Executive Director, facilities that have been found to be in compliance are issued a certificate of compliance. If deficient items are noted during the inspection, a report is filed by the Inspector and a notice of noncompliance is issued. Counties are provided a reasonable time to respond to the notice and initiate corrective action.

Special inspections may be conducted on facilities that have either been identified as high-risk or found to be in noncompliance. These unannounced inspections may also be performed when county officials indicate that the noncompliant items have been corrected.

C. Juvenile Justice Survey

The Commission on Jail Standards has responsibility for two separate but related activities concerning juveniles in adult jails and lockups.

The agency continues to have statutory responsibility for collecting and processing the juvenile jail logs containing information on all juveniles held in secure confinement in adult jails and lockups. That report is collected annually from each sheriff's department and each municipal lockup.

The agency also continues to offer technical assistance and is responsible for conducting selected on-site visits at the request of the Governor's Office-Criminal Justice Division through a contract provider. Information provided by the survey and on-site visits are used to determine compliance with the laws concerning the handling of juveniles in adult jails and lockups in the state. Results of the survey are reported to the Criminal Justice Division which is responsible for monitoring the state's compliance with the Federal Juvenile Justice and Delinquency Prevention Act.

In addition to the activities outlined above, the Commission is responsible for identifying and compiling a directory of all adult jails and lockups with a juvenile detention, correctional, or holdover center collocated in the same building or on the same grounds. The Federal Juvenile Justice and Delinquency Prevention Act provides that states receiving federal funds under the Act must comply with certain requirements concerning juvenile detention facilities and adult jails and lockups collocated within the same building or on the same grounds. The Commission allocates .1 full-time equivalent positions for the Juvenile Justice Survey.

D. Construction Plan Review

Construction technical assistance, to which 4.2 full-time equivalent positions are assigned, provides consultation and technical assistance to local governments for the most efficient, effective and economic means of jail construction which meets minimum standards.

Comprehensive facility needs analyses, which include population projections and historical data regarding incarceration trends as well as other pertinent factors, determine incarceration needs of the counties. The counties are furnished recommendations regarding the need for additional or improved jail space or alternatives thereto, based upon the analyses.

Reviews and comments on construction documents for construction projects are also conducted by staff. This includes a formal plan review with design professionals, consultants, county officials and sheriffs. Plan documents are reviewed at three phases of completion: schematic design, design development and construction documents. At each phase, items requiring resolution are noted and satisfied prior to proceeding to the next phase. This process assists in ensuring that counties understand jail requirements; it also provides more effective and economic jails that, upon completion, will comply with Minimum Jail Standards.

E. Management Consultation

The jail management objective is met through the allocation of 5.7 full-time equivalent positions. Staff reviews and approves jail operational plans related to the standards. Aiding counties in maintaining operational plans which meet Minimum Jail Standards requires on-going assistance in developing and implementing plans for classification of inmates, health services, sanitation, inmate discipline and grievances, recreation and exercise, education and

rehabilitation, emergencies, and inmate privileges such as telephone usage, visitation, correspondence and religious activities. Counties submit their operational plans for staff review, after which approval or comments on how to revise the plans for compliance with standards are provided.

Staff also provides needed jail management training and consultation to counties. This includes clarifying Minimum Jail Standards as well as establishing procedures and documentation consistent with the standards. This assistance includes working with county representatives in the Austin office, on the phone, through written correspondence and by conducting on-site visits and regional training classes. Oral presentations to appropriate groups are also frequently conducted.

As part of technical assistance, staffing analyses are conducted to assist counties in operating safe and secure facilities. This activity frequently includes on-site consultation. Staff reviews facility design, facility capacity, county needs and jail operations, among other issues, when conducting staffing analyses.

F. Auditing

The auditing objective, to which 2.7 full-time equivalent positions are assigned, is met through collecting, analyzing and disseminating data concerning inmate populations, felony backlog, and jail operational costs. Counties are assisted in completing their jail population reports, and technical assistance is provided. On-site audits are performed to ensure that accurate reporting of "paper-ready" inmates is achieved. Oral presentations and one-on-one technical assistance activities are also conducted, as circumstances require. Statistical data is collected, analyzed and provided to agencies to assist at the state and local level in planning and predicting trends in incarceration in the state.

IV. FINDINGS

A. Changes to Standards

There were three changes to Minimum Jail Standards during 2004.

B. Jail Inspections

During the year, 242 annual jail inspections were conducted. Legislation has exempted certain private jails from annual inspection as of Sept. 1, 2003, and this number may fluctuate during the course of any given year as conditions warrant. The Commission has three jail inspectors responsible for conducting annual and special inspections, as well as all re-inspections of Texas jails

Occupancy inspections for completed construction projects totaled 35 for the year. Staff also completed 53 special inspections on high-risk and/or non-

compliant jails during 2004. Out of the combined total of 330 inspections, 96 were unannounced, representing 29% of all inspections.

1. Compliant Counties

As of January 1, 2004, 212 jails (82%) were in compliance with Minimum Jail Standards. As of December 31, 2004, 197 jails were certified, comprising 80% of the 247 county and private facilities operating in the state that we are currently required to inspect.

2. Noncompliant Counties

On December 31, 2004, 49 (20%), of inspected jails were in a status of noncompliance. At the end of 2003, there were 34 jails (14%) in noncompliance. During 2004, notices of noncompliance were issued to 82 counties (33%) whose jails did not meet minimum jail standards. This is a 6% increase in the number of notices issued in 2003. Notices of non-compliance are issued in 3 categories: Life Safety, Management, and Structural. In most instances, the counties receiving the notices have taken positive and responsible action toward eliminating cited deficiencies to meet the requirements of state law. Counties which were not believed to be acting expeditiously to resolve deficiencies were requested to appear before the Commission to address the corrective action necessary in order to prevent remedial action by the Commission. These meetings resulted in firm commitments aimed at eliminating the deficiencies from the counties concerned. Commission staff conducts monthly risk assessment reviews of noncompliant counties to assess the progress and status of these facilities as they move toward compliance with Minimum Jail Standards.

3. Closed Jails

Presently, 18 counties have closed jails. The following counties opted to board their few inmates in an adjacent county rather than maintaining their own facilities:

Baylor, Borden, Briscoe, Calhoun, Coke, Concho, Cottle, Floyd, Hartley, Irion, Jeff Davis, Kenedy, Kent, King, Loving, McMullen, Motley, Throckmorton

C. Juvenile Justice Survey

During the calendar year, the Commission's contracted staff member visited selected adult facilities reporting juveniles held securely longer than six hours, status offenders held securely, and juveniles not sight-and-sound separated from adult offenders. A total of 44 municipal lock-ups and county jails were visited in 2004, or 8% of the 546 facilities in the state. During these visits, compliance with the Juvenile Justice and Delinquency Prevention Act (JJDP Act) is measured, and operators of these facilities are given technical assistance regarding the proper and legal procedures for handling juveniles in adult facilities. The actual number of facilities may fluctuate during any given year and from year-to-year; for most of 2004, this figure is most accurately represented as 546.

D. Construction Plan Review

A total of 21 county construction/renovation projects were reviewed in 2004. Several counties are undertaking renovations of facilities, which was not an option the past several years due to the crowded conditions. In addition, some new facilities have been planned or constructed to replace existing facilities, which are “worn out” due to time, and in many cases, overcrowding. Even though most counties had sufficient space during the year, some counties required additional space to meet local needs, necessitating construction of additional space during the past year.

1. Construction Completed

Eleven counties opened new facilities for operation during the year. These projects represented a total of 2,463. The counties were:

- 1. Kinney County Det. Center.....320 beds
- 2. Dimmit County Jail.....96 beds
- 3. Hudspeth County Det. Center.....576 beds
- 4. Jack County Jail.....96 beds
- 5. La Salle County Det. Center.....556 beds
- 6. Johnson County Court Holding.....0 beds
- 7. Gonzales County Jail.....96 beds
- 8. Bastrop County Minimum Security.....96 beds
- 9. Williamson County Court Holding.....0 beds
- 10. Kaufman County Jail.....531 beds
- 11. Bailey County Jail.....96 beds

Major Renovations/Additions Completed

Nine counties completed major renovations or additions during the year, adding 366 beds. The counties were:

- 1. Tarrant County Renovation Addition.....0 beds
- 2. Jim Wells Addition.....68 beds
- 3. Reagan Addition.....59 beds
- 4. Hood County Juvenile Renovation.....24 beds
- 5. Bexar County Addition.....24 beds
- 6. Crystal City Detention Center Addition.....48 beds
- 7. Dickens County Addition.....1 beds
- 8. East Hidalgo County Addition.....142 beds
- 9. Cameron County Detention Renovation.....0 beds

These projects comprised 2,829 beds.

2. Jails Under Construction or Planning

At the end of 2004, 49 counties were involved in planning or construction on 63 projects. These projects will result in an additional 2,374 beds by the end of 2005. This figure is an estimate based on projects identified as of January 1, 2005 and scheduled for completion by December 31, 2005; other projects identified during the year may cause this number to be adjusted further.

E. Management Consultation

Technical assistance on jail matters such as alternative programs, population control, structural issues, life safety, and overall operations was provided to county officials throughout the year. Although telephone calls are not routinely logged, it is estimated that several thousand telephone calls were received during the year for technical assistance regarding jail management and operations. In addition, 28 consultations and discussions were conducted at the Austin office in 2004. A total of 221 consultations were conducted on-site with County Judges, Commissioner's Courts, and Sheriffs concerning the most economical and feasible way to achieve compliance with state law, and in some cases, federal court orders. Finally, 13 counties received assistance with analyses of jail staffing needs, and a total of 1,213 operational plans were reviewed in 2004.

The Commission continued the program of technical assistance to jails on management related issues through regional jail management workshops during the calendar year. The workshops were developed under the direction of the Commission's Education Committee to provide training and credits afforded by the Texas Commission on Law Enforcement Officer Standards and Education.

Municipalities continued to request information and assistance on jail construction or renovation. While municipal jails other than those privately operated under authority of Chapter 351, Local Government Code, are not required to conform to Texas Minimum Jail Standards, municipalities continue to show confidence in the Commission to provide them unbiased information and guidance upon which to base decisions concerning construction or operation.

F. Auditing

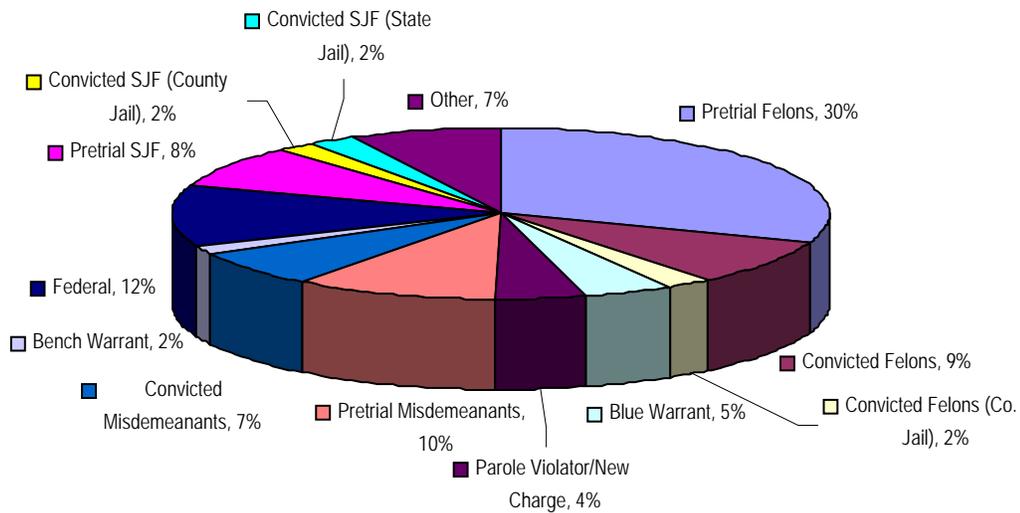
Changes in Capacity and Population

On January 1, 2004, jails were operating at 77% of capacity with a population of 61,382 and a capacity of 79,697. During the year, the population continued to increase, ending at 64,899 on December 1. Although four facilities, which began housing federal inmates only, were removed from the Commission's regulatory authority, the overall capacity was reduced only slightly as counties continued with construction and renovation. On December 1, 2004, the capacity was 79,326, and jails were collectively operating at 82% of that capacity.

Texas counties continue to house out-of-state inmates. On December 1, 2004, seven local facilities were housing 1,916 inmates for Arizona, Kansas, New Mexico, and Wyoming. Because of the removal of the four above-mentioned facilities, the number of federal inmates held by facilities under the Commission's purview was reduced from 8,246 on January 1, 2004 to 7,528 on December 1, 2004. The local population, however, continued to increase from 50,883 on January 1, 2004 to 53,905 on December 1, 2004. This represents an increase of 6%.

During the year, pretrial felons, blue warrants, misdemeanants (pretrial and convicted), state jail felons (pretrial, convicted – sentenced to county jail and convicted – sentenced to state jail), and others increased. The most notable increase occurred in the number of pretrial state jail felons, which increased by 20%. Convicted felons sentenced to county jail, paper ready SAFF sentenced inmates, and bench warrants remained stable.

12/1/2004



County Jail Population by Offense Type

	12/2001	12/2002	12/2003	12/2004
Pretrial Felons	27.01%	28.78%	30.70%	30.42%
Convicted Felons	8.40%	9.78%	9.17%	8.63%
Convicted Felons (Co. jail)	2.82%	2.50%	2.55%	2.30%
Blue Warrant	4.35%	3.87%	4.07%	4.51%
Parole Viol. (New charge)	4.81%	4.81%	4.72%	4.42%
Pretrial Misdemeanants	8.70%	9.08%	10.14%	10.06%
Convicted Misdemeanants	8.40%	6.84%	6.80%	6.80%
Bench Warrant	1.51%	1.57%	1.51%	1.57%

Federal	15.60%	17.05%	14.11%	11.60%
Pretrial SJF	5.86%	6.72%	6.69%	7.92%
Convicted SJF (Co. jail)	1.25%	1.11%	1.42%	1.99%
Convicted SJF (State jail)	2.36%	2.36%	2.01%	2.31%
Other (TDCJ/Out-of-State)	8.66%	5.40%	5.86%	7.39%

Due to rounding, totals may not equal 100%.

G. Additional Services

1. Research

The Commission’s research staff researched legislation, and assisted with agency presentations for use in testimony at committee hearings and training sessions. Survey work was completed meeting the requirements of House Bill 1660 (legislation mandating a study on jail suicide and the feasibility of video cameras in county jails). The report detailed trends in jail suicide and reported on the sentiments of county officials concerning implementation of video surveillance in jails. The report also examined the practical, legal, and financial implications of the implementation of jail video surveillance.

Survey work was also completed and a report submitted meeting the requirements of House Bill 1 (legislation requiring a report on mental health screening, and identification and treatment practices in county jails). One important result of this study was identification of the need to cross-reference inmate information against the state-wide database for MHMR, known as the CARE system. The CARE system contains prior and current service information on every person who has received or is receiving MHMR services during the past 20 years.

In addition to handling numerous technical assistance and information requests, research staff also provided training concerning legislative matters to county officials, jail administrators, and others in local government.

2. Inmate Complaints

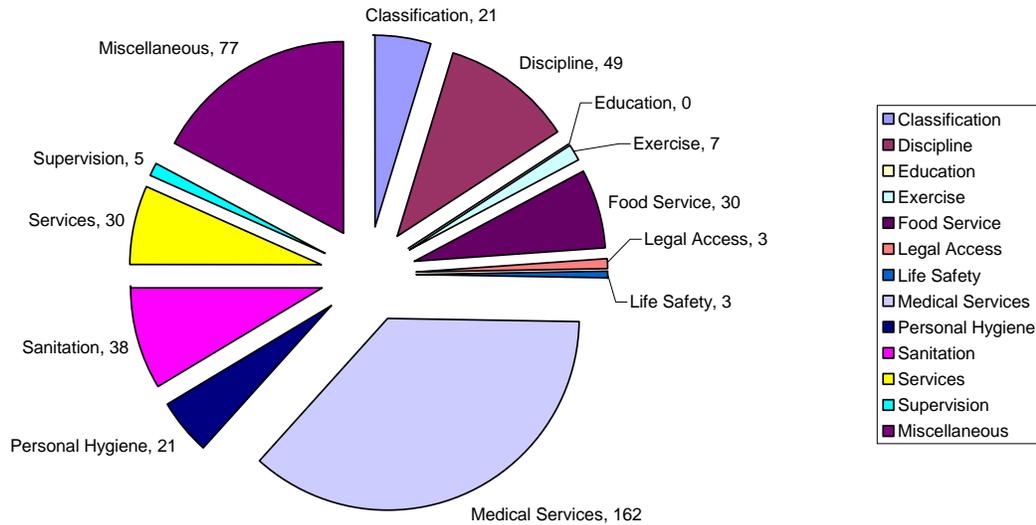
The Commission received 1,032 written requests for inmate assistance or grievance investigation in 2004, with 290 requiring a formal reply by Commission staff. Consistent with previous years, the category most frequently cited in grievances requiring a formal reply was medical services. For 2004, Medical Services constituted 56% of these grievances.

The following chart illustrates the frequencies (from highest to lowest) of complaints received for 13 categories (Note: combined numbers exceed total number of complaints requiring a formal reply due to letters received containing more than one complaint category. In cases where more than one complaint category is addressed in a letter, the 3 most significant complaints are reported in their respective categories.

INMATE COMPLAINTS

Medical Services:	162
Miscellaneous:	77
Discipline:	49
Sanitation:	38
Food Service:	30
Services:	30
Personal Hygiene:	21
Classification:	21
Exercise:	7
Supervision:	5
Legal Access:	3
Life Safety:	3
Education:	0
 Total:	 446

Inmate Complaints by Category for January 2004 thru December 2004



There were 742 complaint letters which required no response, were beyond the purview of the Commission, or were returned to the sender with instructions to utilize the facility's established jail grievance system. Inquiry into the remainder of the requests either alleviated conditions in need of correction or established the lack of truth in the allegations, and thus aided in eliminating frivolous litigation. Occasionally, areas of concern were addressed

with the individual sheriffs involved, and recommendations were made to preclude future allegations. There were no violations of Standards that were not able to be agreeably resolved.

3. Variances

Four variances were approved, no variances were denied, and seven extensions of variances were granted during 2004. In addition, two variances were reviewed and cancelled. Each request was individually reviewed and acted upon by the Commission during the year's four regular meetings. (The Commission may grant reasonable variances, except that no variance may be granted to permit unhealthy, unsanitary or unsafe conditions).

V. 2004 IN REVIEW

A. Staff Changes

There were five new hires during 2004.

B. Staff Turnover

Five staff members left the Commission during 2004.

C. Training Initiatives

2004 was another successful year for jail training efforts at the Commission. The staff has continued to select timely topics and develop a solid curriculum for the training programs developed in 2001, as evidenced by the positive response all training sessions have received.

In April, the Commission, along with the Texas Jail Association as co-host, arranged for a National Institute of Corrections (NIC) Seminar to be held in Austin. This two-day seminar, Staff Sexual Misconduct with Inmates: Implications for Jail Administrators, was designed for policy-makers, sheriffs or jail administrators – those who can make change in the policy, procedures and operations of their jails – and focused on defining the problem and developing prevention strategies. There were 47 attendees from 38 counties. NIC training is valued for its high quality, and this class was no exception; the participants were very grateful for the opportunity to attend, and all were very pleased that they were able to learn so much that they could take back for implementation to prevent this serious problem.

The Practitioners' Series Training (Current Issues in Jail Management) was conducted at 8 regional sites during October. Practitioners who are widely regarded as experts in the field of jail management again served as instructors for this training, using materials prepared by Commission staff. This program not only educates those attending the training, but also develops the presentation and leadership skills of the instructors themselves. The favorable reception to this training effort was reflected in the fact that

attendance numbers continue to be high. In 2001, there were 235 participants from 68 counties; in 2004, there were 345 participants from 72 counties.

Objective Jail Classification training by Commission staff continues to be offered to the counties, since creating and maintaining a responsible classification system remains an essential part of county jail management.

Finally, Commission staff produced and performed a live presentation – a take-off of the popular television show, “The Apprentice” - at the Texas Jail Association Conference in San Antonio. The production focused on the topic of inmate labor and the many areas where mistakes may be made which could lead to a federal lawsuit. For the fourth consecutive year, the presentation was a “hit”, and also revealed that many participants definitely needed the information provided.

VI. SUMMARY AND FORECAST

The Commission staff, working with fewer personnel and appropriated resources, completed another successful year providing services for Texas counties in 2004. We continue to meet our objectives in terms of annual inspections and population and costs; however, technical assistance activities that require travel by office staff, such as construction on-site consultations and management on-site consultations, are below target. Due to budgetary constraints, the number of annual inspections was reduced by 11. There was also a reduction in special inspections and unannounced inspections as well. The number of jails found to be in noncompliance increased by 6% in 2004. We believe there is a correlation between the increase in noncompliant jails and the Commission’s ability to provide technical assistance and on-site consultation.

One consequence of the legislatively-mandated budget reductions is significantly less funding for staff travel. A reduced travel budget for the Commission means fewer opportunities for staff to conduct on-site visits for management consultations, training, technical assistance, and some inspections. Fewer on-site visits appear to have a significant impact on jail compliance. Given the current trend, we anticipate a continuous increase in the number of non-compliant jails and a concurrent decrease in the number of jails certified by the Commission as safe and secure facilities. We also anticipate some budget-related setbacks with jail staff training that may contribute to both short-term and long-term problems with jail compliance. While the Commission staff is making all attempts to provide effective training without the use of site visits (e.g., utilizing IT resources) we believe that these attempts will be less than optimal in meeting the demands of jail administration staff training. Commission staff will continue to respond to these challenges in 2005 and beyond, constantly exploring new ways to assist jails in achieving compliance.

Improvements continue to be made on the Commission internet site. We have noticed a higher level of user traffic to our site and we expect the “hits” to our site to continually increase as upgrades are added. The new firewall has

been successful in filtering the amount of infected and unsolicited e-mail to Commission staff.

Legislation from last legislative session, HB 1660, directed the Commission to make a report to the Legislature concerning jail suicides and the feasibility of installing and operating video surveillance systems in county jails. Extensive research was completed, and a final report was submitted to the legislature. Additionally, HB 1, the General Appropriations Act, not only directed a smaller agency budget, but also included two riders (another report regarding video surveillance in jails, and a report to be made in conjunction with the Texas Correctional Office on Offenders with Medical or Mental Impairments regarding inmate mental health). This required the Commission to complete and submit research on the screening and treatment of jail inmates with mental illness.

Fiscal concerns of the state have mirrored concerns at the county level. Counties budgets are stretched equally thin (if not thinner) than the state budget, and we hear their concerns every day. Travel funds for many county jail administrators and staff has been reduced, which will likely result in fewer training opportunities for them. Operating budgets have similarly been cut at the county level, which may result in staff hiring and retention problems, and compliance issues in general. One concern is that as jail noncompliance increases, so will the liability to the counties. We are keenly aware that counties are struggling with meeting the demands placed upon them, and we are doing everything we can to assist them. Our top priority remains doing everything we can to empower our counties by giving them the tools and guidance they need to run a safe and secure jail. We continue looking forward to working diligently with county leaders, legislators, and citizens in 2005 in a cooperative effort to keep Texas county jails safe, secure, and suitable.