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TEXAS COMMISSION ON JAIL STANDARDS

**1991
ANNUAL REPORT**

MAY 25 1993

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January 31, 1992

COMMISSION ON JAIL STANDARDS



COMMISSION MEMBERS

Kenneth W. Anderson, Jr., Dallas
Rolando V. del Carmen, Huntsville
Charles E. Chalman, Sherman

Sheriff Joe Evans, Nacogdoches
Charles R. Hurst, M.D., Tyler
Ruth J. McClendon, San Antonio

Judge Josephine W. Miller, Sinton
J. David Nelson, Lubbock
Sheriff Alex F. Perez, Brownsville

EXECUTIVE DIRECTOR
Jack E. Crump

January 31, 1992

The Honorable Ann W. Richards, Governor

The Honorable Bob Bullock, Lieutenant Governor

The Honorable Gib Lewis, Speaker of the House of Representatives

Dear Governor Richards, Lt. Governor Bullock and Speaker Lewis:

This is the 15th annual report to you from the Texas Commission on Jail Standards required by Section 511.015, Government Code, and provides information concerning the creation, duties, accomplishments and activities during 1991.

Both jail capacities and population increased during the year. Although counties continued their jail construction efforts, population during the year increased beyond the jails' total capacities. The Jail Commission, while pursuing its basic mandated requirement of insuring safe and suitable jails has successfully implemented the legislation dealing with payment to counties and transfer of inmates. These activities, implemented in September 1991, were favorably received.

The Texas Commission on Jail Standards continues to work patiently and diligently in achieving its legislated goals through our programs of enforcement and assistance.

Sincerely,


Jack E. Crump
Executive Director

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TEXAS COMMISSION ON JAIL STANDARDS
CALENDAR YEAR 1991
ANNUAL REPORT TO THE GOVERNOR
LIEUTENANT GOVERNOR AND SPEAKER
OF THE HOUSE OF REPRESENTATIVES OF TEXAS

JANUARY 31, 1992

INTRODUCTION

This report is made pursuant to Chapter 511, Section 511.015, Government Code and covers activities of calendar year 1991.

I. MISSION STATEMENT

The Texas Legislature created the Commission on Jail Standards in 1975 to implement a declared state policy that all county jail facilities in the state should conform to certain minimum standards of construction, maintenance, and operation. It is the duty of the Commission to adopt reasonable rules and procedures establishing minimum standards for:

- (1) the construction, equipment, maintenance and operation of county jails;
- (2) the custody, care, and treatment of prisoners;
- (3) the number of jail supervisory personnel and for programs and services to meet the needs of prisoners; and
- (4) programs of rehabilitation, education, and recreation in county jails.

The Commission has the responsibility to review and comment on plans for construction and major modification of county jails. It must provide consultation and technical assistance to the counties. It has the authority and responsibility to inspect all county jails of the state and enforce compliance with Commission rules and the provisions of Chapter 351, Local Government Code. Additionally, it has the responsibility to regulate municipal jails designed and operated under provisions of Chapter 361, Local Government Code.

As of September 1, 1991, the Commission's mission expanded to include monitoring jail populations and issuing payments to counties for housing "paper ready" inmates, as well as transferring of inmates in unconstitutional jails to appropriate facilities. The Commission also conducts staffing audits of county jails to determine staffing needs.

II. ORGANIZATION AND FUNDING

The Texas Commission on Jail Standards consists of nine members appointed by the Governor to staggered terms of six years expiring on January 31 of odd numbered years. Two members are county sheriffs, one from a county with a population of over 200,000 persons and one from a county with a population of 35,000 or less. One member is a county judge, one a county commissioner and one a medical doctor. The other four positions are filled by persons who hold no public office.

Commission members (as of December 31, 1991) are as follows:

J. David Nelson, Chairman	Lubbock, Texas
Kenneth Anderson, Jr., Vice-Chairman	Dallas, Texas
Rolando del Carmen, Ph.D.	Huntsville, Texas
Charles E. Chatman	Sherman, Texas
Sheriff Joe Evans	Nacogdoches, Texas
Charles Hurst, M.D.	Tyler, Texas
Ruth Jones McClendon	San Antonio, Texas
Judge Josephine Miller	Sinton, Texas
Sheriff Alex F. Perez	Brownsville, Texas

Due to the commission's increased number of responsibilities, the number of staff increased from ten (10) to fifteen (15) in late 1991. Positions consist of the following:

Executive Director	Exempt Position
Staff Services Officer IV	Group 20
Planner II, (2)	Group 19
Planner I, (2)	Group 17
Planning Assistant	Group 16
Accountant III	Group 16
Supervising Inspector, (3)	Group 16
Administrative Technician III, (2)	Group 13
Administrative Technician II	Group 11
Administrative Secretary	Group 9

The Texas Commission on Jail Standards is headquartered in Austin. However, based on geography and travel requirements each supervising inspector operates from his home/office located within the geographical area served. This arrangement has proven cost effective through the reduction of per diem and travel costs. Current locations of supervising inspectors are:

Bob Patterson	Belton, Texas
Paul Scarborough	Tulia, Texas
Maurice G. Wood	Port Lavaca, Texas

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This agency works with local government officials in its duties to enforce jail standards. Primary relationships exist with commissioners' courts and sheriffs to provide consultation and technical assistance, review and comment on plans for construction, modification, and renovation of jails, and inspections of jails regularly to ensure compliance with State Law. Secondary relationships exist with agencies and associations relating to the primary function. These include the Texas Association of Counties, Regional Judges' and Commissioners' Associations, Sheriffs' Association of Texas, Texas Jail Association, Texas Society of Architects, as well as other state agencies including State Fire Marshal's Office, Office of Architectural Barriers, and State Purchasing and General Services Commission, Historical Commission, Department of Licensing and Regulation, and Governor's Energy Management Center.

III. ACTIVITIES

Texas Commission on Jail Standards performs with five activities, which collectively participate in the regulatory function of the Commission. These activities consist of:

- A. Administration
- B. Inspection
- C. Construction Document Review
- D. Jail Management and Consultation
- E. Jail Population Relief

These activities serve Texas counties through their respective commissioners' courts and sheriffs. Fees are charged for construction document review and inspection of those privately operated municipal jails and those county jails which have a capacity of 100 or more and an annual average population of 30 percent or more of prisoners sentenced by jurisdictions other than Texas courts.

The agency has a fiscal year 1992 budget of \$63,298,912. General revenue funding is \$303,675 with a general revenue rider appropriation of \$10,237. Criminal Justice grants of \$135,000, federal funds of \$15,000 and \$8,000 other funds comprise the bulk of the operational budget. An inter-agency contract with TDCJ-ID provides \$62,827,000 of which the bulk is used for payments to counties.

Each activity participates in the regulatory function of the Jail Commission. The administrative activity evaluates jail inspection reports, makes recommendations for action by the Commission, and carries out the directives of the Commission in accordance with Chapter 511, Government Code. Current

sanctions include issuance of remedial orders with enforcement through a State District Court in Travis County.

Additional functions are described in the following activity narratives.

A. Administration

The administration activity, to which four staff members are assigned, provides services not accounted for in other program activities and coordinates the efforts of these services and activities. It ensures maximum, efficient use of staffing, funds, property resources, and time.

Rules are developed and revised which take advantage of new technologies. This permits officials to construct or operate, at lower costs, jails that are more safe, suitable, secure and sanitary than previously possible. This effort also incorporates federal case law into the rules which provides the means to avoid costly litigation.

Commission meetings are convened bi-monthly at which counties request variances from standards or present and discuss solutions to jail problems. These meetings also develop policy and guidance for Commission staff so that day-to-day business will be conducted with efficiency and dispatch. Standards are enforced through the use of noncompliance notices and remedial orders.

Prisoners' request for assistance are referred to the county affected. Copies are furnished the appropriate inspector for review at the next inspection.

These functions and activities are coordinated as well as fiscal, personnel, property, legal and clerical support necessary to ensure a responsible, reliable, consistent effort which is indispensable for achieving program objectives.

B. Inspection

The inspection activity, to which 3.5 full time equivalencies are assigned, is responsible for inspecting, at least annually, all operating county jail facilities and municipal facilities operated under the provision of Chapter 361, Local Government Code. The inspection requires checking 600 items.

Newly constructed or renovated jails require an occupancy inspection, or inspections, to ensure that construction was completed as approved and that the facility complies with minimum jail standards.

After the initial, or occupancy, inspection, some items on the checklist remain constant (cell dimensions, for instance). Thereafter, inspections require re-affirmation that each item exists and is in compliance. Plumbing fixtures, heating and ventilation systems, lighting systems, smoke detection and smoke purge systems, emergency generators, etc. are checked. Specified life safety drills are also observed and timed.

Records and reports are examined to ensure administration and operations are adequate. Population figures are examined to determine if crowded conditions exist. Operational plans are reviewed for compliance with existing jail conditions and minimum jail standards.

Inspectors assist in developing administrative, management, operational and programmatic plans and procedures that are consistent with precedent law, provide efficient functioning of the jail, minimize costly litigation and capitalize on resources or funds already in place in the community.

Special inspections or re-inspections are conducted, usually at the request of the county, to assure that ongoing construction or renovation is consistent with minimum jail standards or to resolve marginal conditions.

Inspectors, while at the jail being inspected, inquire into prisoner requests for assistance referred by the administration activity.

C. Construction Document Review

The construction document review activity, to which 1.5 staff members are assigned, provides review of building plans and specifications. This activity assists counties to make informed decisions on jail design, avoid costly litigation, and avoid unnecessary expense while achieving compliance with minimum jail standards.

An integral part of this activity includes conducting preliminary studies to determine the incarceration needs of the county. These analyses include population projections and historical data regarding incarceration trends as well as other pertinent factors. The counties are furnished recommendations regarding the need for more or improved jail space or alternatives thereto based upon the analyses.

Staff recommendations are discussed with or presented to commissioners' courts or citizens' task forces, private firms and the sheriffs' department.

The review and comment process for jail construction and renovation includes a formal plan review with design

professionals, consultants, county officials, and sheriff's department personnel. Plans 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 and provides more effective and economical jails that will comply with minimum jail standards when constructed.

D. Jail Management and Consultation

In order to assist counties in operating safe, secure and efficient means of incarceration, consultations are provided with commissioners' courts, sheriffs' departments, and other involved entities. This form of assistance is provided by two staff members on a daily basis via telephone, written correspondence, in-house conferences, and on-site visits. In addition, staff frequently conduct oral presentations to appropriate groups. This assistance involves dealing with overall incarceration needs as well as alternatives thereto.

While reviewing construction and renovation of jails constitutes a large portion of the Commission's functions, the daily operation of facilities, consistent with minimum jail standards, requires on-going assistance to counties.

Assisting counties in providing efficient jail management often entails clarifying minimum jail standards as well as establishing procedures and documentation consistent with the standards. Staffing analysis may also be conducted to assist sheriffs in operating safe and efficient facilities.

In addition, staff assists sheriffs' departments in developing and implementing operational plans for classification of inmates, medical services, sanitation, inmate discipline and grievances, recreation and exercise, education and rehabilitation, emergencies and inmate privileges such as telephone usage, visiting, correspondence and religious activities.

An integral part of the activity includes demonstrating or researching means of identifying and marshalling community resources which provide needed educational, counseling, rehabilitation, library and recreational programs for prisoners as required by the Jail Commission. These programs are important as their existence makes the jail (regardless of size) eligible for the Federal Commodities Program, whereby

farm subsidy surplus foodstuffs are given to the jail. Counties realize savings ranging from thousands to over a million dollars a year from this benefit.

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E. Jail Population Relief

The newly created jail population relief activity is performed by four staff persons. Assisting counties in completing jail population and payment reports as well as creating reporting, payment and verification procedures have been the primary activities performed by this division.

Prior to the implementation of HB93, many counties had not maintained documentation necessary to track jail populations on a daily basis. Technical assistance to counties by phone and mail was required by all counties and in most cases numerous contacts were necessary. In some instances, on-site assistance was necessary as well. At the end of the year, all 164 eligible counties had received payment for their "paper-ready" inmates held on April 1, 1991. In addition, monthly payments had been made as follows:

September, 1991 171 counties
October, 1991 186 counties
November, 1991 182 counties

In-depth evaluations of individual jail staffing needs were also initiated the last quarter of 1991. While only one staffing audit was completed, initial research was begun in several counties and training for staff, as well as 15 counties, was developed.

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IV. FINDINGS

A. Jail Inspections

During the year, 289 jail inspections were conducted. Thirty eight (38) of these inspections were occupancy inspections for completed construction projects. Some jails were inspected more than once, usually at the request of the county. Some counties requested additional inspections to ensure construction plans, previously approved, were being adhered to by contractors. Other counties experiencing difficulty in achieving compliance were inspected more frequently to encourage their effort to achieve compliance. Other counties requested inspections or assistance to review corrective action taken in an effort to achieve compliance with standards.

B. Assistance to Counties

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. 534 technical consultations were handled by telephone and in the Austin office. 246 consultations and discussions were conducted outside the Austin office with county judges, commissioners courts and sheriffs concerning the most economical and feasible way to achieve compliance with state law and, in some instances, federal court orders.

Municipalities continued to request information and assistance on jail construction or renovation. While municipal jails other than those operated under authority of Chapter 361, Local Government Code, are not required to conform with jail standards, these municipalities stated confidence in the Commission to provide them unbiased information and guidance upon which to base decisions concerning construction or operations.

C. Request for Inmate Assistance

The Commission received 526 requests for inmate assistance in 1991. Some requests were redundant or ones over which the Jail Commission has no purview. These were referred to an appropriate agency for response. Additionally, some requests were referred back to the originator with instructions to use the grievance procedures which the jail had established to address such matters. Inquiry into the remainder of the requests either alleviated conditions in need of correction or established the fallaciousness of the allegation and aided in eliminating frivolous litigation.

D. Construction Plan Review

Construction/renovation plans for counties were reviewed in 65 instances. This represents a decrease of 34 from the previous year. Several projects included jail capacities of 500 inmates or more, indicating a trend of larger and more complex jail facilities. (Note: Each project is reviewed formally at least twice and most three times.) Many projects were put on hold by the counties while awaiting legislative action on such matters as fourth degree felons and payments for housing "paper-ready" felons.

E. Requests for Variance

Requests for variances were received and processed from 14 counties. Each request was individually reviewed and acted upon by the Commission during the year's six meetings. The Jail Commission may grant reasonable variances, except that no variance may be granted to permit unhealthy, unsanitary or unsafe conditions.

These projects represented 6,364 bunks in additional capacity.

Brazos	Harris	Orange
Correll	Leon	Tarrant
Henderson		

Seven counties opened new jails for operation during the year. These counties are:

I. Construction Completed

Borden	Delta	Kent	Motley	Zapata
Briscoe	Irion	King	Throckmorton	
Concho	Jeff Davis	McMullen		

During 1991, 12 counties had closed jails. In most instances, these jails were marginally operational. Average daily populations were very small. These counties determined that it was economically burdensome to continue jail operations and opted to board their few prisoners in an adjacent county at a lower cost than maintaining their own facilities. Zapata County was closed in 1991, due to unsafe conditions. It is interesting to note however, that several of these counties have approached the Commission concerning the re-opening of their jails. Discussions are continuing. Those counties using the jails of adjoining counties are:

H. Jails Closed

Most non-compliant counties are taking action to achieve compliance. Corrective action is being taken by 61 counties through planning and construction.

At the beginning of 1991, 166 jails were in compliance with minimum jail standards. As of December 31, 1991, 187 jails were certified. (See Attachment B for a list of county jails in compliance.)

G. Counties in Compliance

Notices of Noncompliance were sent to 61 counties (down 20 from last year) whose jails were not in compliance. 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, in the opinion of the Commission, acting expeditiously to resolve deficiencies, were requested to attend public Commission meetings. These meetings resulted in firm commitments from the county concerned, or a remedial order being issued by the Commission, which eliminated the deficiencies. Remedial orders were issued to Kerr, McLennan, Potter and Zapata counties.

F. Enforcement Proceedings

Major Renovations Completed

Nine counties completed major renovations or additions during the year. They are as follows:

Austin	Hale	Liberty
Dallas	Hunt	Nueces
DeWitt	Lampasas	Travis

These projects provided 902 spaces at existing facilities.

Private Facilities

Nine private facilities completed construction:

* Angelina	LaSalle	San Saba
* Dickens	* Limestone	Swisher
Falls	* Newton	Pecos

* Represents occupied facilities

These projects represent 4,120 spaces in capacity.

The totals for construction, renovations and private facilities may not be considered as the total additional space available as some private facilities are not operational and some new construction replaced older facilities.

J. Jails Under Planning or into Construction

Counties continue in a building mode. The number of counties in the planning and construction phase remains relatively constant at 60 to 70 counties. Twenty eight counties are under construction and thirty three counties are in the planning phase. See attachment A for a list of jails in construction and planning.

K. Changes in Capacity and Population

At year's end, the county jail capacity was 43,136 with an average daily population of 45,090. At the beginning of the year, our capacity was 36,881 with an average daily population of 36,648.

While the state-wide jail capacity increased significantly, the population increased at a greater rate. At the beginning of the year, the state's jail system was operating at 101% of capacity, by year's end that had increased to 104.5%. The state-wide incarceration rate for county jails is 2.42 persons incarcerated per 1,000 of the general population. This would appear to be an increase from last year. However, it is important to note that new census figures became available in

1991 and prior to September, 1991 jail population figures from small counties were only obtained once annually and projections made monthly.

V. OTHER 1991 EVENTS

A. Juvenile Justice Survey

A survey of county and city jails was conducted regarding incarceration of juveniles, based upon a request by the Criminal Justice Division, Office of the Governor. In order for the State to receive certain federal funds, juveniles must not be incarcerated in adult facilities. The project was successfully completed utilizing contract services provided through a criminal justice grant and was conducted through June, 1991.

B. HIV/AIDS Workshops

An AIDS/HIV Resource Guide was developed and provided to all counties. In addition, seven workshops were conducted across the state in coordination with the Texas Department of Health to provide information to sheriffs' departments regarding laws and rules relevant to HIV and AIDS in correctional settings.

C. Commission Membership

Two commissioners' terms of office expired in 1991, two additional members resigned, and one commissioner left public office resulting in five new commission members on a board of nine. An orientation workshop was held to familiarize the new commissioners with both staff and functions.

D. Successful Sunset Review

The Commission was subjected to Sunset Review with the resultant continuation of the agency until 1997. The review recommended the continuation of the agency as a separate entity in its responsibility to effect safe and suitable county jails. Some additional requirements were mandated for the Commission. These included a fee assessment process applicable to those facilities developed and used for housing of other than Texas inmates. Additionally, the Commission Chairman may be appointed by the Governor. A County Commissioner shall be added to the Commission, and the population determination for Sheriffs was changed to provide a greater representation to lesser populated counties.

E. Custody Assessment System

As counties continued to struggle to construct economical jails, the concept of low risk or minimum security facilities gained popularity due to the decreased cost as compared to maximum security jails. This factor coupled with the overcrowded conditions cross the state necessitated the development of standards to address objective custody assessment to ensure only low risk inmates were housed in low risk housing.

F. Changes to Standards

As a result of increased privatization, rules were adopted which govern county and municipal contracts with private entities for jail facilities. In addition, the standards address submittal of a facility needs analysis and statement objectives for the facility. The standards also provide for local involvement via approval of the aforementioned documents and on-site monitoring.

In response to the Sunset Act, standards were adopted regarding procedures for processing complaints and fees the Commission shall collect for designated services. Fee collection is applicable only to those municipal jails for which the Commission is responsible and certain county facilities which have a capacity of 200 or more and whose population averages over 30 percent of inmates sentenced by non-Texas jurisdictions.

Classification and separation standards were expanded to provide more detailed rules for the use of separation cells for administrative or disciplinary segregation.

Due to the increased use of the "direct supervision" mode of inmate management, discipline standards were enlarged to allow for additional, more immediate disciplinary actions.

G. Privatization

Counties continued to utilize facilities developed through the auspices of private financing and private management; however, facility development was not as pronounced as in previous years. Management firms, generally, had a good record and had a favorable reception by the community. Several privately developed facilities were not activated although the facilities had been accepted as compliant units.

H. Training, Seminars and Conference Activities

- January - Sheriffs' Association of Texas Training
- January - Texas Association of County Judges and Commissioners Orientation
- January - National Institute of Corrections Suicide Prevention Consultation
- January - Texas Trainers Association Workshop
- February - State Management Development Program
- February - Annual Judges and Commissioners Conference
- February - Tyler and Conroe Regional HIV/AIDS Workshops
- March - Attorney General's Legal Research
- March - West Texas Judges and Commissioners Conference
- April - Texas Trainers Association Workshop
- April - Sam Houston State University Risk Management Workshop
- April - Dumas and Jefferson Regional Suicide Workshops
- May - Correctional Health Care Association
- May - National Academy of Corrections, Management Development for Women and Minorities Seminar
- June - National Academy of Corrections, Managing Gangs and Deviant Groups Seminar
- June - Texas Department of Health HIV Conference
- June - South Texas Judges and Commissioners Conference
- June - State Management Development Program
- July - Sheriffs' Association of Texas Annual Conference
- August - Judges and Commissioners Legislature Briefing Workshop
- September - State Management Development Program
- October - Sam Houston State University Annual Jail Conference

- October - Judge's and Commissioner's Annual Conference
- November - Texas Department of Criminal Justice, Community Justice Assistance Division Conference
- November - Judges and Commissioners Training Seminar
- December - Attorney General's Administrative Law Workshop
- December - National Academy of Corrections, Public and Media Relations

I. Conditional Certification

Due to continued overpopulation, conditional certification was reviewed and continued. Jails, at inspection time, may be certified as complying with Minimum Jail Standards when the only deficiency is a crowded condition caused by convicted felons that should be transferred to the TDCJ - Institutional Division. The Commission has agreed to retain this policy until 1995 when "paper-ready" felons should be moved on a timely basis.

J. Suicides

Emphasis has been placed on suicide prevention. As a result of Jail Commission interest, the Texas Jail Association and Sam Houston State University's Continuing Education Department agreed to include this as a matter of training at scheduled seminars. Documentation has been obtained and presented to staff as part of an in-house training program. Technical assistance was requested from the National Institute of Corrections and approval was received for January 1991 on-site assistance in developing model suicide prevention plans.

K. Population Reduction Planning

Technical assistance and on-site consultation provided community justice councils planning implementation of local alternative programs to assist in jail overcrowding. Analyses indicated that many alternatives planned by local councils would not impact current jail populations, but should have long range effects on recidivism and future jail populations. In addition, research indicated that most jail populations were comprised primarily of serious offenders not appropriate for most low-risk, alternative programs.

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VI. SUMMARY AND RECOMMENDATIONS

The jail population continues to increase. For example, at the years beginning the population was 36,648. During the twelve month period that figure has increased to 45,090. That represents an increase of 8,442 or 23%. Although the inability to transfer inmates to the prison system on a timely basis remains a contributing factor, such factors as general population growth, economic factors, and number of arrests by law enforcement appear to be driving forces in our continued upward spiral of inmates in the county jail system.

Counties continue to develop additional incarceration space with a capacity increase of 6,255 during 1991. Counties continue to seek alternatives as well as economical means of incarceration. It is unfortunate that as structures decrease in cost, staffing costs increase.

The development and operation of facilities by private organizations has been helpful. Without that availability of space, more counties would suffer overpopulation with the potential for added cost to the local taxpayer.

Legislation, although helpful, has not yet resolved the continued overpopulation. However, payment to counties for the partial cost to incarcerate convicted felons has created an aura of partnership between state and county. Funding is useful, assisting both in administrative costs, and providing the "seed" money for additional space.

Future needs for the Commission's service as it continues to provide regulatory service will increase as the population increases and services continue in their complexity. Efforts to provide incarceration at the most reasonable cost must be pursued. The services of the criminal justice community, county government, and the private sector, working together, must make this a priority effort.

Training of all participants in this area of incarceration must be increased. The Commission must increase its expertise in economics, construction, staffing, and legal efforts. Training of staff at the county level must be increased as the potential for litigation continues and jails become more dangerous while we, at the same time, search for economical solutions.

All of us must search for the root causes of crime and deal with them in an effort to reduce the drain on our society through crime and incarceration. Dysfunctional families, job training and opportunities, and development of basic living skills are areas that demand our attention.

The manifestation of these areas must also be dealt with today. Drugs, a major contributor to our incarceration numbers, must be dealt with. Communities must become proactive in their effort to deal with crime and criminals.

These areas of concern must receive emphasis at all levels of government. The Texas Commission on Jail Standards pledges itself to providing safe and suitable jails while at the same time working toward a law abiding jail free society.

VII. HISTORICAL OVERVIEW

- 1975 Texas Commission on Jail Standards created
First Commission Meeting
- 1976 First staff hired
Minimum jail standards adopted
- 1977 Jail inspections initiated
Completed inspection of all county jails
- 1978 Confrontation and adversity regarding funding, conflict of interest, and abolishment efforts.
- 1979 Enforcement proceedings (issuance of Notices of noncompliance).
Acceptance of Texas Standards by Federal Courts
- 1980 Creation of Discipline and Grievance Procedures
- 1981 Inmate class action litigation against TCJS initiated
(Bush vs. Viterna)
- 1982 First moratorium by Texas Department of Corrections on accepting prisoners from county jails.
- 1983 TCJS developed model standards for municipal jails
- 1984 Removal of juveniles from jails
- 1985 Mandatory sentencing of DWI offenders and increased use of parole affects jail population
- 1986 Executive Order 36 causes reduction in staff. Class action litigation against Jail Commission was dismissed
(Bush vs. Viterna)
- 1987 Prison Management Act affects jail population (95% prison capacity mandate)

- 1988 Interest in privatization; overpopulation of jails
- 1989 Community Corrections Act; overpopulation and
privatization continues
- 1990 Privatization; health issues, and classification
requirements.
- 1991 Payments to counties for housing "paper-ready" inmates;
transfer of felony backlog

JAILS UNDER CONSTRUCTION (28)

Bailey	(R)*
Burleson	(N)*
Camp	(R)
Cass	(N)
Collin	(N)*
Dallas	(R)*
Denton	(R)*
DeWitt	(R)
Donley	(R)*
El Paso	(R)
Fort Bend	(R)
Franklin	(N)*
Galveston	(R)
Gray	(N)
Hardin	(N)
Harris	(R)
Harrison	(N)
Houston	(R)
Jefferson	(N)*
Lamar	(N)
Liberty	(N)
Matagorda	(R)
Morris	(N)
Polk	(R)
Starr	(R)
Van Zandt	(N)
Washington	(N)
Wilbarger	(N)

JAILS UNDER PLANNING (33)

Angelina	(R)*
Bowie	(N)
Callahan	(R)
Cameron	(R)*
Castro	(N)
Chambers	(R)*
Coleman	(N)(P)*
Comal	(R)*
Delta	(N)
Dimmit	(N)*
Ector	(R)
El Paso	(N)
Fannin	(N)*
Gillespie	(R)*
Goliad	(N)
Grayson	(N)
Grimes	(N)
Hidalgo	(N)*
Hopkins	(R)
Kaufman	(R)*
Kerr	(N)
Kleberg	(N)*
Lynn	(R)*
Madison	(N)
McLennan	(R)
Runnels	(R)*
San Patricio	(R)
Taylor	(R)
Tom Green	(R)*
Travis	(N)
Victoria	(R)*
Webb	(N)
Young	(R)

* = Certified
(R) Renovation or Addition
(N) New Construction
(P) Private Development

JAILS IN COMPLIANCE

Anderson	S	Dawson	P	Johnson	P	Rains
Andrews	P	Denton	S	Jones	S	Randall
Angelina	S	Dickens	W	Karnes	S	Reagan
Aransas	W	Dimmitt	P	Kaufman CC	W	Real
Archer	S	Donley	W	Kendall	P	Red River
Armstrong	W	Duval	W	Kenedy	W	Refugio
Atascosa	P	Eastland	W	Kimble	S	Roberts
Austin	W	Edwards	W	Kinney	P	Robertson
Bailey	P	Ellis	W	Kleberg	S	Runnels
Bandera	P	Erath	P	Lamb	P	Rusk
Bastrop	P	Falls CC	W	Lampasas	P	Sabine
Baylor	P	Fannin	W	Lavaca	P	San Augustine
Bee	W	Fayette	W	Lee	W	San Jacinto CC
Bell	S	Fisher	P	Leon	W	San Saba
Blanco	S	Foard	P	Limestone	S	Schleicher
Bosque	P	Franklin	S	Lipscomb	S	Scurry
Brazoria CC	P	Freestone	W	Live Oak	P	Shackelford
Brazos CC	W	Frio	W	Llano	P	Shelby
Brewster	S	Gaines	S	Loving	S	Sherman
Brooks	S	Garza	S	Lubbock	P	Somervell
Brown	W	Gillespie	S	Lynn	P	Stephens
Burleson	S	Glasscock	P	Marion	S	Sterling
Burnet	W	Gonzales	S	Martin	S	Stonewall
Caldwell	P	Gregg CC	W	Mason	S	Sutton
Calhoun	W	Guadalupe	W	Maverick CC	S	Swisher
Cameron CC	S	Hale	W	Medina	S	Terrell
Carson	S	Hall	W	Menard	S	Terry
Chambers	S	Hansford	P	Milam	S	Tom Green
Cherokee	S	Hardeman	W	Mills	W	Travis
Childress	S	Hartley	S	Mitchell	P	Trinity
Cochran	S	Haskell	P	Montague	P	Tyler
Coke	W	Hays	W	Montgomery	P	Upshur
Coleman	S	Hemphill	S	Moore	S	Upton
Collin	W	Hidalgo CC	W	McCulloch	S	Val Verde
Collingsworth	P	Hill	P	Nacogdoches	W	Victoria
Comal	S	Hockley	P	Navarro	W	Walker CC
Comanche	P	Hood	P	Newton	W	Waller
Cooke	S	Howard	S	Nolan	S	Ward
Coryell	S	Hudspeth	W	Nueces CC	W	Wharton CC
Cottle	P	Hunt	S	Ochiltree	S	Wheeler
Crane	S	Hutchinson	S	Oldham	P	Wichita
Crockett	P	Jack	P	Orange CC	W	Willacy
Crosby	W	Jackson	P	Palo Pinto	W	Williamson
Culberson	P	Jasper	P	Panola	W	Wilson
Deaf Smith	P	Jefferson CC	S	Parmer	S	Winkler
Dallam	W	Jim Hogg	S	Pecos	P	Wood
Dallas CC			S	Presidio	S	Yoakum

Anderson - 55 Scarborough - 70 Wood - 62 Total in Compliance - 187

JAILS CLOSED

Arden	Concho	Irion	Kent	McMullen	Throckmorton
Disco	Delta	Jeff Davis	King	Motley	Zapata

Attachment B

ORGANIZATIONS INSTRUMENTAL IN CREATING
THE TEXAS COMMISSION ON JAIL STANDARDS

1. American Civil Liberties Union
2. Baptist General Convention of Texas
3. Citizens United to Rehabilitate Errants
4. Concerned Parents
5. League of Women Voters
6. Sheriffs Association of Texas
7. Social Action Diocese
8. State Bar of Texas
9. Texas Association of Counties
10. Texas Civil Liberties Union
11. Texas Commission on Humanities
12. Texas Junior Bar Association
13. Texas Library and Historical Commission
14. Texas Rural Legal Aid
15. Women in Action

1991 STATISTICAL OVERVIEW

- A. JAIL INSPECTIONS CONDUCTED
 - A. ANNUAL: 233
 - B. SPECIAL: 18
 - C. OCCUPANCY: 38
- B. ASSISTANCE PROVIDED TO COUNTIES
 - 1. NEEDS ANALYSIS CONDUCTED: 22
 - *2. CONFERENCES AND CONSULTATIONS - ON SITE: 38
 - *3. CONFERENCES AND CONSULTATION - IN HOUSE: 361
 - *4. MANAGEMENT AND OPERATIONAL PLANS ASSISTANCE-ON SITE: 108
 - *5. MANAGEMENT AND OPERATIONAL PLANS ASSISTANCE-IN HOUSE: 173
- C. INMATE REQUESTS FOR ASSISTANCE: 526
- D. CONSTRUCTION PLANS REVIEWS: 65
- E. VARIANCE REQUESTS DETERMINATION: 14
- F. ENFORCEMENT PROCEEDINGS
 - A. NOTICE OF NONCOMPLIANCE ISSUED: 61
 - B. REMEDIAL ORDER ISSUED: 4
- G. COUNTIES IN COMPLIANCE: 187
- H. COUNTIES NOT OPERATING JAILS: 12
- I. CONSTRUCTION COMPLETED
 - 1. NEW JAILS: 13
 - 2. RENOVATED JAILS: 13
- J. FUTURE JAILS
 - 1. JAILS IN PLANNING STAGES: 42
 - 2. JAILS UNDER CONSTRUCTION: 38
- K. GROWTH IN CAPACITY AND POPULATION
 - 1. ADDITIONAL JAIL SPACE (BEDS) COMPLETED: 1,635
 - 2. TOTAL JAIL CAPACITY: 36,648
 - 3. AVERAGE DAILY POPULATION: 36,881