

TEXAS COMMISSION ON JAIL STANDARDS

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NOTICE OF NON-COMPLIANCE

NUECES COUNTY JAIL

June 29, 2022

Please reference the Inspection Requirements Review and Jail Inspection Report issued on June 21-23, 2022, detailing the specific issues that resulted in the issuance of this notice of non-compliance.

Minimum Standards Violated:	Corrective Measure Required	Date Corrective Action Must Be Completed
259.138(a)	One or more holding cells should be provided to hold inmates pending booking, court appearance, identification, housing assignment, discharge, or other reason for temporary housing. Inmates shall not be held for more than 48 hours, and the cell shall include the following features. On the dates of inspection, it was determined that multiple inmates were held in holding cells for more than 48 hours.	Upon receipt of this notice.
259.138(3)	Cell Size. The size of the cell shall be determined by the anticipated maximum number of inmates to be confined at any one time. Cells shall be constructed to house from one to 24 inmates and the capacity shall be determined by the amount of seating provided and posted at the exterior of the cell. On the dates of the inspection there were multiple holding cells with more inmates being confined than the designated capacity on the outside of the cell door. While discussing this matter with the Nueces Jail Administration it was discovered that they have faced overpopulation issues periodically since May 22 but never communicated this with their inspector or anyone at TCJS until the inspector arrived onsite for the annual inspection.	Upon receipt of this notice.

Judge Bill Stoudt, Longview, Chair
Dr. Esmail Porsa, M.D., Parker, Vice-Chair
Ross Reyes, Melissa

Sheriff Kelly Rowe, Lubbock
Sheriff Raul "Pinky" Gonzales, Refugio
Patricia M. Anthony, Garland

Commissioner Ben Perry, Waco
Duane Lock, Southlake
Monica McBride, Alpine

"The Commission on Jail Standards welcomes all suggestions and will promptly respond to all complaints directed against the agency or any facilities under its purview".

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

263.42

Fire Prevention Plan. Each facility, after consultation with the local fire department or Texas Commission on Fire Protection, shall have and implement a written plan, approved by the Commission, for fire prevention and a fire hazard inspection checklist which shall be evaluated no less than each calendar quarter. The facility shall be inspected annually by a local fire official.

Downtown and Annex facility's fire inspection is currently in a "Failed" status.

Upon receipt of this notice.

279.1(1)

Sanitation Plan. Each facility shall have and implement a written plan, reviewed, and approved by the commission, for the maintenance of an acceptable level of cleanliness and sanitation throughout the facility. Such plan shall provide for: A regular daily schedule for the work and inspections necessary to keep the facility clean, which schedule shall be assigned and supervised by corrections officers who have the responsibility for keeping the facility clean and making regular sanitation inspections.

During the walk through of the facility, the following sanitation issues were noted: The kitchen area was found to be dirty as food was dried onto appliances. The ice machine had mold/meadow on the inside. The walk-in freezer was cluttered with overturned boxes and open boxes with exposed freezer burned food. There were several boxes in the walk-in freezer with large amounts of ice frozen on them. The walk-in freezer door could not be properly closed due to the large amount of ice on the door seal. There were several missing floor tiles noted in the kitchen. Cells in the holding area were found to have dirty clogged and having mold/mildew present.

Upon receipt of this notice.

275.1

Regular Observation by Jailers. There shall be a two-way voice communication capability between inmates and jailers, licensed peace officers, bailiffs, and designated staff at all times.

39 inmate beds are out of commission due to broken intercoms. This issue directly relates to overcrowding issues in intake.

Upon receipt of this notice.