

TEXAS COMMISSION ON JAIL STANDARDS *File*

EXECUTIVE DIRECTOR
Brandon S. Wood



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Wilbarger

July 26, 2022

The Honorable Gregg Tyra
Wilbarger County Judge
1700 Wilbarger, Rm. 12
Vernon, Texas 76384

and

Sheriff Brian Fritze
Wilbarger County Sheriff
P. O. Box 1556
Vernon, Texas 76385-1556

Dear Judge Tyra and Sheriff Fritze,

Pursuant to the provisions of V.T.C.A. Government Code, Section 511.011 and Title 37, Texas Administrative Code (Chapter 297, Section 5, Texas Minimum Jail Standards), you are hereby notified that the jail in your county fails to comply with minimum standards established under V.T.C.A. Local Government Code, Chapter 351, and the rules of this Commission, and that appropriate corrective measures must be initiated. A reasonable completion date for corrective measures should be set. Failure to initiate appropriate corrective action may cause a remedial order to be issued and enforced, or other appropriate action taken. **In accordance with Chapter 297, Section 6, Texas Minimum Jail Standards, please notify this agency in writing within thirty (30) days of receipt of this notice as to actions initiated.**

The attached page(s) indicate minimum standards violated, corrective measures required, and date by which corrective measures must be initiated. Please reference the Inspection Requirements Review and Jail Inspection Report issued on July 20, 2022, detailing the specific issues that resulted in the issuance of this notice of non-compliance.

Issued this 20th day of July 2022
Texas Commission on Jail Standards

By 
Brandon S. Wood, Executive Director

BW/cw

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

TEXAS COMMISSION ON JAIL STANDARDS - INSPECTOR REQUIREMENTS REVIEW



Michael Gravitt, TCJS Inspector

Facility Name: Wilbarger County Jail

Date: July 20, 2022

Chapter	Title	Comments
259	New Construction	Conducted a walk through inspection of the facility.
261	Existing Construction	Not applicable.
263	Life Safety	Inspected life safety equipment and conducted and observed emergency drill. Reviewed documentation. Conducted staff interviews. Deficiencies noted, see report. Technical assistance provided - 1) During the review of life safety training, it was noted that life safety for staff was not conducted for the 2nd quarter of 2022. Administration advised that the training was conducted, but not documented on the training logs. 2) The facility was last inspected by a local fire official on May 7, 2021 placing the annual inspection overdue by two months. 3) During the review of generator logs, it was observed that weekly tests of the facility generator were not documented for 24 various weeks since the last annual inspection and a load test was not documented for the month of July 2021. Follow-up action required - 1) Administration will scan and email completed life safety training to this inspector for the 3rd and 4th quarters of 2022 for review. 2) Administration will schedule an inspection of the facility with a local fire official and scan and email the inspection report to this inspector for review. 3) Administration ensure that weekly tests of the facility generator are conducted and will scan and email generator logs to this inspector weekly for the next 60 to 90 days.
265	Admission	Reviewed a random sample of 4 inmate files. Interviewed staff. Reviewed policy. Deficiency noted, see report. Technical assistance provided - During the inspection of VRSS records it was determined that administration last investigated and verified the veteran status of prisoners in December 2021. Administration advised that the old jail management automatically checked the VRSS records, and the system was replaced in December 2021 resulting in an oversight of not checking the VRSS system from January 2022 to present. Follow-up action required - Administration will immediately start checking prisoners against the VRSS system. Administration will scan and email VRSS logs to this inspector for the next the 60 to 90 days.
267	Release	Reviewed a random sample of 2 inmate files. Interviewed staff
269	Records/Procedures	Reviewed policy and documentation. Interviewed staff and reviewed ADA compliance evaluation.
271	Classification	Reviewed a random selection of 4 inmate files. Reviewed staff training records. Reviewed internal classification audits. Reviewed policy. Interviewed staff.
273	Health Services	Reviewed a random selection of 4 files. Interviewed staff and inmates. Reviewed training records. Reviewed policy. Deficiency noted, see report. Technical assistance provided - The Mental Disabilities/Suicide Prevention Plan for Wilbarger County specifies that staff will receive 2 hours of training annually on the procedures for recognition, supervision, documentation, and handling of inmates who are mentally disabled and/or potentially suicidal. Records reviewed revealed that staff last received training on May 22, 2019. Follow-up action required - Administration will ensure that staff receive the required 2 hours of on the procedures for recognition, supervision, documentation, and handling of inmates who are mentally disabled and/or potentially suicidal. training. Administration will scan and email training certificates to this inspector upon completion.
275	Supervision	Reviewed all 8 officer TCOLE certification records. Reviewed officer documentation. Interviewed staff. Deficiency noted, see report. Technical assistance provided - 1) During the review of staff licensing, it was determined that jailer Kimberly Gavit does not possess a valid TCOLE Jailer License. Jailer Gavit was hired in May 2021. TCOLE records show a service end date of December 19, 2020, for Gavit's license. Jailer Gavit has been actively working within the facility without an active jailer's license. Issue was addressed with administration that jailer Gavit may not work in a jailer capacity until a valid TCOLE Jailer License has been established. Follow-up action required - Administration will work to correct the licensing issue with jailer Gavit and notify this inspector once a valid license is established. A check of TCOLE records will then be conducted to verify a valid license.

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TEXAS COMMISSION ON JAIL STANDARDS - INSPECTOR REQUIREMENTS REVIEW

275	Supervision (cont.)	2) During the review of contraband checks, it was noted that only 3 contraband checks of the facility have been documented since June 5, 2021, on February 21, 2022, February 22, 2022 and May 1, 2022. Issue was addressed with administration that regular and irregular contraband checks are to be conducted within the facility. <u>Follow-up action required</u> - Administration will ensure that more frequent searches for contraband are conducted within the facility. Administration will scan and email contraband searches of the facility to this inspector for review for the next 60 to 90 days.
277	Personal Hygiene	Conducted a facility walk through. Reviewed facility schedule.
279	Sanitation	Conducted a facility walk through. Interviewed staff and inmates. Reviewed policy.
281	Food Service	Conducted walk through inspection in kitchen area. Interviewed staff. Reviewed documentation
283.1	Discipline	Reviewed 0 disciplinary hearing records. Interviewed staff and inmates. Reviewed policy. Reviewed inmate rules.
283.3	Grievance	Reviewed 2 inmate grievance/complaints. Reviewed policy. Interviewed staff and inmates. ***There were no inmate grievance records available for review on the day of inspection.
285	Exercise	Walk through of exercise area conducted. Reviewed documentation. Interviewed staff and inmates.
287	Education/Library	Reviewed policy and schedule. Interviewed staff and inmates.
289	Work Assignments	Reviewed policy and schedule. Interviewed staff and inmates.
291.1	Telephone	Reviewed policy and schedule. Interviewed staff and inmates.
291.2	Correspondence	Reviewed policy and schedule. Interviewed staff and inmates.
291.3	Commissary	Reviewed policy and schedule. Interviewed staff and inmates.
291.4	Visitation	Reviewed policy and schedule. Interviewed staff and inmates.
291.5	Religious Practices	Reviewed policy and schedule. Interviewed staff and inmates.
xxx	Variances	Reviewed variances.
xxx	Remedial Orders	Not applicable.
xxx	Complaints	Not applicable.
xxx	CCQ	CCQ standards are being met by the facility as required by TLETS.



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NOTICE OF NON-COMPLIANCE WILBARGER COUNTY JAIL

July 26, 2022

Please reference the Inspection Requirements Review and Jail Inspection Report issued on July 20, 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
263.41	Training of staff for emergency situations shall be provided immediately upon employment and no less than each calendar quarter for all jail personnel to include fire, emergency, evacuation drills, and location and use of equipment. Training of staff for emergency situations was not conducted for the 2nd quarter of 2022.	Upon receipt of this notice.
263.42	The facility shall be inspected annually by a local fire official who is certified by the Texas Commission on Fire Protection or who meets the alternative criteria provided in Government Code 419.909 and shall pass the inspection. An inspection of the facility by a local fire official was last conducted on May 7, 2021, placing the inspection two months overdue.	Upon receipt of this notice.
263.56	Emergency power equipment shall be tested at least once each week and the electric load transferred to the circuits at least monthly. During the review of generator logs, it was observed that weekly tests of the facility generator were not documented for 24 various weeks since the last annual inspection. And a load test of the generator was not conducted for July 2021.	Upon receipt of this notice.

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Ross Reyes, Melissa

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- 265.3(a) Each sheriff/operator shall investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veteran Affairs or similar service.
The verification of prisoners using the Veterans Reentry Search Service has not been conducted since December 2021.
- 273.5(a)(1) Training. Provisions for staff training (including frequency and duration) on the procedures for recognition, supervision, documentation, and handling of inmates who are mentally disabled and/or potentially suicidal. Supplemental training should be provided to those staff members responsible for intake screening.
At least 2 hours of training in accordance with the approved Mental Disabilities/Suicide Prevention Plan for staff on the procedures for recognition, supervision, documentation, and handling of inmates who are mentally disabled and/or potentially suicidal has not been conducted since May 22, 2019.
- 275.2 Personnel employed or appointed as jailers of county jails or personnel appointed, employed, or assigned to directly supervise jailers shall be licensed as per the requirements of the Texas Commission on Law Enforcement under the provisions of Part 7 of this title.
During the review of staff licensing, it was determined that a staff member does not possess a valid TCOLE Jailers License. The identified staff member has actively worked withing the facility since May 2021.
- 275.6(3) There shall be regular and irregular searches of the entire facility area for contraband which shall be noted in a permanent facility record.
Only 3 contraband checks of the facility have been documented since June 5, 2021.
- Upon receipt of this notice.
- Upon receipt of this notice.
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