

# TEXAS COMMISSION ON JAIL STANDARDS

file

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Childress

August 29, 2022

The Honorable Jay Mayden  
Childress County Judge  
100 Avenue East NW, Box 1  
Childress, TX 79201

and


Sheriff Danny Gillem  
Childress County Sheriff  
1005 Avenue F NE  
Childress, TX 79201

Dear Judge Jones and Sheriff Gillem,

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 August 24, 2022. detailing the specific issues that resulted in the issuance of this notice of non-compliance.

Issued this 29th day of August 2022  
Texas Commission on Jail Standards

By  \_\_\_\_\_  
Brandon S. Wood, Executive Director

BW/cw

Judge Bill Stoudt, Longview, Chair  
Dr. Esmaeil 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 COMMISS. ON JAIL STANDARDS - INSPECTION REQUIREMENTS REVIEW



Jason Jouett, TCJS Inspector

Facility Name: Childress County Jail

Date: August 24, 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.
265	Admission	Reviewed a random sample of 7 inmate files. Interviewed staff. Reviewed policy.
267	Release	Reviewed a random sample of 3 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 7 inmate files. Reviewed staff training records. Reviewed internal classification audits. Reviewed policy. Interviewed staff.
273	Health Services	Reviewed a random selection of 7 files. Interviewed staff and inmates. Reviewed training records. Reviewed policy. <b>Deficiency noted- see report. Technical assistance provided</b> - During the review of restraint logs, it was determined that staff exceeded the 15 minute observation checks required by jail standards by 1 to 15 minutes on multiple occasions. <b>Follow-up action required</b> - Administration will conduct training with staff on the use of restraints and necessary documentation associated with utilizing the restraint log. Administration will provide documentation of use of restraint training and also provide copies of restraint logs to this inspector for the next 60-90 days. <b>Technical assistance provided</b> - 1.) During the review of suicide prevention training, it was determined that all jailers had not received 1 hour of suicide prevention training during CY2022 in accordance with the facility operational plan. 3 jailers were noted as not receiving the required training during CY2021. New Jail Administrator was directed to immediately complete 1 hour of suicide prevention training with all jailers. <b>Follow-up required</b> - Staff will scan and email this inspector, documentation indicating the training has been completed by September 24, 2022. Failure to complete the required training by September 24, 2022, will result in an additional notice of non-compliance being issued. 2.) <b>Technical assistance provided</b> - During the review of inmate Suicide and Medical/Mental/Developmental Impairments screening forms, it was determined on 3 occasions the form was not completed in its entirety. Issues noted were times not listed at the top of the form and 2 "yes" answers not having comments as required by the form. Additional forms were reviewed and this issue was determined to be an isolated incident and not a systemic issue. The new Jail Administrator was instructed on the liability associated with not filling out each form in its entirety. <b>Follow-up required</b> - Staff will conduct roster training with all jailers on the completion of the Suicide and Medical/Mental/Developmental Impairments screening forms. This training will be scanned and emailed to this inspector by October 24, 2022. Staff will scan and email this inspector all suicide screening forms for the next 60-90 days. If any discrepancies are noted during the review, an additional notice of non-compliance will be issued.
275	Supervision	Reviewed a random selection of 11 officer TCOLE certification records. Reviewed officer documentation. Interviewed staff. <b>Technical assistance provided</b> - During the review of staffing rosters, it was determined the new Jail Administrator does not have a current practice in place, which demonstrates compliance was met regarding the 1-48 jailer to inmate ratio at all times in the facility. The Jail Administrator was advised to begin immediately utilizing a sign-in roster for staff, indicating the jailers present and their assignment for the shift. This roster shall also indicate the number of inmates presently incarcerated at the facility, to demonstrate the 1-48 ratio is being met, in accordance with minimum jail standards. <b>Follow-up required</b> - Staff will scan and email this inspector copies of the staffing rosters for the next 30-60 days.
277	Personal Hygiene	Conducted a facility walk through. Reviewed facility schedule.

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TEXAS COMMISSION  
ON JAIL STANDARDS

**TEXAS COMMISS. ON JAIL STANDARDS - INSPECTION REQUIREMENTS REVIEW**

279	Sanitation	Conducted a facility walk through. Interviewed staff and inmates. Reviewed policy. <b>***Inspectors Note:</b> During the review of the Texas Department of State Health Services health inspection, it was determined there were 7 deficiencies noted by the inspector. A re-inspection was not required by the health inspector as the issues were mainly regarding issues that were easily corrected. The kitchen was noted as being clean on the day of inspection. It is the opinion of this inspector these issues are directly related to the deficiency the facility received from this inspector regarding lack of supervision in the kitchen (281.5).
281	Food Service	Conducted walk through inspection in kitchen area. Interviewed staff. Reviewed documentation. <b>Deficiency noted- see report. Technical assistance provided</b> - During the walk through portion of the inspection, it was determined staff were not present in the kitchen to supervise inmates during the preparation of the lunch meal, in accordance with minimum jail standards. The new Jail Administrator stated the previous kitchen supervisor had to be pulled from kitchen duties and reassigned to the jail floor, due to lack of staffing and in order to meet the 1-48 ratio required by jail standards. It was further stated the facility was currently understaffed by 4 jailers. Staff were instructed food shall be prepared under the supervision of a staff member or contract employee and shall be served only under the immediate supervision of a staff member. <b>Follow-up required</b> - Staff will need to complete a plan of action within the next 30 days, to ensure proper staff supervision is being provided in the kitchen while inmates are preparing the meals. Once a procedure is in place, staff will scan and email this inspector for the next 30-60 days, copies of the staffing rosters indicating supervision is in place in the kitchen, in accordance with minimum jail standards.
283.1	Discipline	Reviewed 10 disciplinary hearing records. Interviewed staff and inmates. Reviewed policy. Reviewed inmate rules. <b>Technical assistance provided</b> - During the review of disciplinary documentation, it was determined on occasion staff were dating sanctions on waivers prior to the hearing being waived. It was explained to the new Jail Administrator the sanction can't start until the hearing waiver has been signed by the inmate or the hearing is conducted. <b>Follow up action required</b> - Administration will scan and email this inspector copies of disciplinary for the next 30-90 days. During the review of these disciplinaries it is found the problem still exist, an additional notice of non-compliance will be issued.
283.3	Grievance	Reviewed 20 inmate grievance/complaints. Reviewed policy. Interviewed staff and inmates.
285	Exercise	Walk through of exercise area conducted. Reviewed documentation. Interviewed staff and inmates. <b>I</b>
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	Not applicable.
xxx	Remedial Orders	Not applicable.
xxx	Complaints	Not applicable.
xxx	CCQ	CCQ inquiries are being submitted through TLETS as required.

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## NOTICE OF NON-COMPLIANCE CHILDRESS COUNTY JAIL

August 29, 2022

Please reference the Inspection Requirements Review and Jail Inspection Report issued on August 24, 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	Food shall be prepared under the supervision of a staff member or contract employee and shall be served only under the immediate supervision of a staff member. Care shall be taken that hot foods are served reasonably warm and that cold foods are served reasonably cold. <b>Facility is not properly staffed to account for supervision of inmates preparing meals in the kitchen.</b>	Upon receipt of this notice.
273.6(3)	Restraints. Inmates exhibiting behavior indicating that they are a danger to themselves, or others shall be managed in such a way as to minimize the threat of injury or harm. If restraints are determined to be necessary, they shall be used in a humane manner, only for the prevention of injury, and not as a punitive measure. A documented observation of the inmate shall be conducted every 15 minutes, at a minimum. The observations should include an assessment of the security of the restraints and the circulation to the extremities. <b>Restraint chair logs indicated staff exceeded the required 15 minute observation checks by 1 to 15 minutes on multiple occasions.</b>	Upon receipt of this notice.

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"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*