

TEXAS COMMISSION ON JAIL STANDARDS

File

EXECUTIVE DIRECTOR
Brandon S. Wood



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Garza

September 27, 2022

The Honorable John Lee Norman
Garza County Judge
300 West Main
Post, TX 79356

and

Sheriff Terry Morgan
Garza County Sheriff
412 East 15th.
Post, TX 79356

Dear Judge Norman and Sheriff Morgan,

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 September 26, 2022, detailing the specific issues that resulted in the issuance of this notice of non-compliance.

Issued this 27th day of September 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 - INSPECTION REQUIREMENTS REVIEW



Jason Jouett, TCJS Inspector

Facility Name: Garza County Law Enforcement Center

Date: September 26, 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 10 inmate files. Interviewed staff. Reviewed policy.
267	Release	Reviewed a random sample of 4 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 10 inmate files. Reviewed staff training records. Reviewed internal classification audits. Reviewed policy. Interviewed staff.
273	Health Services	Reviewed a random selection of 10 files. Interviewed staff and inmates. Reviewed training records. Reviewed policy. Deficiencies noted. See report - Technical assistance noted - 1.) During the review of medication administration records (MARS), this inspector was unable on several occasions, to verify the medication was distributed to each inmate as ordered by the prescribing physician. It was determined new jailers on several occasions, did not document when the inmate received or refused each individual medication prescribed. It was recommended the command and medical staff review the MARS on a regular basis to ensure accuracy. Follow-up required - The Jail Administrator and Nurse will conduct training with all Jailers who distribute inmate medication. A copy of the training roster shall be scanned and emailed to this inspector by October 31, 2022. Staff will scan and email this inspector copies of completed MARS sheets every Friday for the next 60 days. 2.) During the review of inmate Suicide and Medical/Mental/Developmental Impairments screening forms, it was determined that on 2 occasions the Magistrate was not notified of a positive CCQ match. On one occasion the Magistrate was not notified within 12 hours as required by minimum jail standards. Staff were advised to conduct training with all staff regarding magistrate notification requirements in accordance with CCP 16.22. It was discussed with staff the inherent liability to the county, regarding discrepancies on suicide screening forms and magistrate notifications. Follow-up required - Staff will scan and email suicide screening forms every Friday for the next 30-90 days. Staff will provide this inspector with documentation indicating training has been conducted in the areas of CCP 16.22 and the completion of Medical/Mental/Developmental Impairments screening forms.

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TEXAS COMMISSION ON JAIL STANDARDS - INSPECTION REQUIREMENTS REVIEW

275	Supervision	Reviewed a random sample of 19 officer TCOLE certification records. Reviewed officer documentation. Interviewed staff. Deficiency noted. See report - Technical assistance noted - During the review of TCOLE Jailer's licenses, it was determined Jaydin Morales PID# 529333 did not have a Temporary Jailers License as required by minimum jail standards. Upon further investigation it was determined Mr. Morales began working on the floor on September 14, 2022 and worked a total of 7 days without a license. This inspector contacted TCOLE and it was determined the Background Confirmation Form was not emailed to TCOLE prior to sending the L-1. It was explained to staff, Mr. Morales could not work in the capacity of a Jailer without at least a temporary jailer's license. Staff were instructed to ensure that a temporary jailers license is listed in TCLEDDS prior to allowing a jailer to begin work on the floor. Follow-up required - Staff will notify this inspector when Mr. Morales obtains a temporary jailers license.
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 12 disciplinary hearing records. Interviewed staff and inmates. Reviewed policy. Reviewed inmate rules.
283.3	Grievance	Reviewed 10 inmate grievance/complaints. Reviewed policy. Interviewed staff and inmates.
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	Not applicable.
xxx	Remedial Orders	Not applicable.
xxx	Complaints	Not applicable.
xxx	CCQ	All required personnel are trained and certified with the CCQ system and inquiries are being performed on all inmates at intake.



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NOTICE OF NON-COMPLIANCE GARZA COUNTY JAIL

September 27, 2022

Please reference the Inspection Requirements Review and Jail Inspection Report issued on September 26, 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
273.3	Health Instructions: All medical instructions of designated physicians shall be followed. Inspector could not verify that medication was consistently administered to inmates as ordered by the physician.	Upon receipt of this notice.
273.5(c)(1)	Mental Health/Intellectual and Developmental Disabilities History Check. Each jail shall: maintain documentation to be available at the time of inspection showing that information for each inmate designated in paragraph (1) of this subsection was submitted for CCQ/IDD system checks, to include notification to the magistrate and the Local Mental Health Authority or Local Intellectual and Developmental Disabilities Authority as per CCP 16.22(a)(1) During the review of inmate Suicide and Medical/Mental/Developmental Impairments screening forms, it was determined that on 2 occasions the Magistrate was not notified of a positive CCQ match. On one occasion the Magistrate was not notified within 12 hours as required by minimum jail standards.	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

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. Personnel employed or appointed as jailers or personnel appointed, employed, or assigned to directly supervise jailers at facilities operated under vendor contract with a county or city 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 TCOLE Jailer's licenses, it was determined Jaydin Morales PID# 529333 did not have a Temporary Jailers License as required by minimum jail standards. Upon further investigation it was determined Mr. Morales began working on the floor on September 14, 2022 and worked a total of 7 days without a license. It was determined the Background Confirmation Form was not emailed to TCOLE prior to sending the L-1.

Upon receipt of this notice.