

# TEXAS COMMISSION ON JAIL STANDARDS

File

EXECUTIVE DIRECTOR  
Brandon S. Wood



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Matagorda

September 27, 2022

The Honorable Nate McDonald  
Matagorda County Judge  
1700 7th St., Rm. 301  
Bay City, TX 77414

and

Sheriff Frank Osborne  
Matagorda County Sheriff  
2308 Avenue F  
Bay City, TX 77414-0000

Dear Judge McDonald and Sheriff Osborne,

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 Special Inspection Requirements Review and Jail Special Inspection Report issued on September 27, 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

*Wendy Wisneski*

Wendy Wisneski, TCJS Inspector

Facility Name: Matagorda County Jail

Date:

September 27, 2022

Chapter	Title	Comments
259	New Construction	Not applicable.
261	Existing Construction	Not applicable.
263	Life Safety	Not applicable.
265	Admission	<b>Deficiency noted. Technical assistance provided</b> - A review of video submitted after a custodial death revealed that observation rounds were not conducted as mandated by minimum jail standards. Jail administration shall submit a corrective plan of action to this inspector, as well as to Inspector Shelton, within 30 days, which shall include some type of training for jail staff regarding conducting and documenting observations of inmates.
267	Release	Not applicable.
269	Records/Procedures	<b>Deficiency noted. Technical assistance provided</b> - Notification of the death of an inmate occurred four (4) days after it actually occurred. It is recommended that Jail Administration review chapter 269 to ensure all reporting requirements and records are kept as mandated.
271	Classification	Not applicable.
273	Health Services	Not applicable.
275	Supervision	Not applicable.
277	Personal Hygiene	Not applicable.
279	Sanitation	Not applicable.
281	Food Service	Not applicable.
283.1	Discipline	Not applicable.
283.3	Grievance	Not applicable.
285	Exercise	Not applicable.
287	Education/Library	Not applicable.
289	Work Assignments	Not applicable.
291.1	Telephone	Not applicable.
291.2	Correspondence	Not applicable.
291.3	Commissary	Not applicable.
291.4	Visitation	Not applicable.
291.5	Religious Practices	Not applicable.
xxx	Variances	Not applicable.
xxx	Remedial Orders	Not applicable.
xxx	Complaints	Not applicable.
xxx	CCQ	Not applicable.

RECEIVED  
SEP 27 2022

TEXAS COMMISSION  
ON JAIL STANDARDS

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## NOTICE OF NON-COMPLIANCE MATAGORDA COUNTY JAIL

September 27, 2022

Please reference the Special Inspection Requirements Review and Jail Special Inspection Report issued on September 27, 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
265.0.3	Inmates confined in holding cell or detoxification cell shall be observed by facility personnel at intervals not to exceed 30 minutes <b>A review of video submitted after a custodial death revealed that while the inmate was in a detoxification cell, he was not observed as mandated by minimum jail standards.</b>	<b>Upon receipt of this notice.</b>
269.1(5)(A)	The Texas Commission on Jail Standards shall be notified of all deaths of inmates while in the custody of sheriff/operator within 24 hours of the death. <b>Documentation received revealed notification to the Jail Commission occurred four (4) days after the custodial death occurred.</b>	<b>Upon receipt of this notice.</b>

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  
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