

## MINUTES

**Meeting:** Commission on Jail Standards

**Place:** Texas State Capitol, Room: E2.012  
1100 Congress Ave,  
Austin, TX 78701

To obtain a recording of the meeting after August 4, 2022, contact staffer William Turner, at 512-463-2690. An electronic copy of the minutes is available at: <https://www.tcjs.state.tx.us/meetings> and on the Texas house video website on this date.

**Time:** 9:00 a.m.

**Date:** August 4, 2022

### **I. Call to Order**

The meeting was called to order by Chairman Judge Stoudt of the Texas Commission on Jail Standards at 9:00 a.m.

### **II. Roll Call of Commission Members**

Judge Bill Stoudt, Chairman	Sheriff Kelly Rowe
Dr. Esmaeil Porsa	Mr. Ross Reyes
Mr. Duane Lock	Ms. Monica McBride
Ms. Patricia Anthony	Sheriff Raul Gonzales

Commission members present at roll call were Judge Bill Stoudt, Mr. Duane Lock, Sheriff Kelly Rowe, Sheriff Raul Gonzales, Ms. Patricia Anthony and Ms. Monica McBride. Mr. Ross Reyes attended remotely. Mr. Dennis McKinney, Assistant Attorney General, was also present. Staff members attending in-person included Brandon Wood, Ricky Armstrong, Alicia Soto-Barker, Jason Jouett, Byron Shelton, William Turner, Michael Gravitt, Melvin Bowser, Carol Bernhard, Leslie Speir, Martin Arnold, Cathi Williamson, Richard Morgan, Chris Keith, Zachary Aguirre, Clarissa Fasci and Valerie Woehl.

**Others in attendance were:**

Jennifer Shumake, Bexar County  
Shane Sowell, Belton County  
Sheriff Bo Stallman, Brazoria County  
Flint Britton, HDR Architects  
Judge Roger Miller, Coryell Co  
Sheriff Scott Williams, Coryell Co  
Karen Porter, Coryell Co  
Chief Fredrick Robinson, Dallas Co  
Sheriff Maxey Cerliano, Gregg Co  
Sheriff Ray Scifres, Hockley Co  
Sonya Burns, Travis County Advocate  
Shane Pool, Detain Inc.  
Stacey Gordon, Fort Worth  
Suzanne Bradford, GMJ Inc.  
Jeremiah Richards, Montgomery Co SO  
Sheriff Stan Parker, Howard County

Alex Stiles, Recana  
Jason Ross, Burns Architecture  
Michael Starkey, Henderson Co  
Sheriff Ray Scifres, Hockley County  
Steve Herrera, Hidalgo County S.O.  
John Shoemaker, Smith County  
Ronnie Taylor, TDEM  
Maria Velasquez, TCSO  
Shannon J. Herklotz, Harris County  
Steve Herrera, Hidalgo County  
Raul Banasco, Travis County SO  
Jose Hernandez, Webb County SO  
Judge Guerra, Jim Hogg County  
Co. Comm’er Meisenheimer, Marion County  
Sheriff Erasmo Alarcon Jr., Jim Hogg County  
Juan Sandoval, Travis County  
Kenny Burns, Burns Architecture

**III. Approval of Minutes**

Sheriff Rowe moved to approve the minutes for the meeting conducted on May 19, 2022.  
Commissioner Porsa seconded the motion, which was subsequently approved unanimously.

**IV. Public Comment**

Ms. Sonya Burns spoke to bring to the Commissioners’ attention issues surrounding mental health. She referenced SB454 a bill from last session requiring a regional collaborative for LMHA’s. She urged jails and Sheriff’s reach out to their legislators to find out what resources they have for them concerning IDD. She related that Colorado has been doing compelling work regarding “Traumatic Brain Injury” and that her recent email from them suggested that the majority of people they screened in jails and prisons have had either a history of Traumatic Brain Injury or serious and persistent symptoms of Traumatic Brain Injury. She said Colorado’s screening collected a large amount of data. She stated that “we” are not screening. She suggested that with regards to the new “988” mental health “hotline,” the jails be directed to have 1) someone to call, 2) someone to respond and 3) somewhere to go. She referenced the very long waitlist for IDD services and that over half those in the state hospital system are long term 365+ days and that legislators should be asked what they have for alternatives or “step down.” She said we have to fund that side of the house and suggested that “we” ask

legislators where people who are not eligible for current services (ex. non-verbal) are supposed to go, because right now the jails are responsible for the majority of these types of mental health issues and it results in collateral consequences where everybody is paying more money for a revolving door. She suggested making the legislators answer these questions now, before next session.

Stacey Gillum spoke, she was incarcerated in Tarrant County jail July 8-18, 2022. She referenced an August 3<sup>rd</sup> Star Telegram article accusing the inmates of lying. Ms. Gillum said an “epileptic seizure woman” fell off a top bunk and received no subsequent medical care. She said inmates are being held in holding cells a lot longer than 12 hours. She said inmates are subjected to feces and blood in holding cells and sometimes also in the ‘pods’. She said she was in a holding cell for 24 hours after getting there at 10 AM. She indicated that she takes 8 and 13 medicines, including 8 psychiatrics and said she didn’t receive one medicine the whole 10 days she was there and therefore she was not thinking correctly. She said her doctor said she was lucky she wasn’t in a mental institution. She said women are denied diabetic and blood pressure medicine in the jail. She said a woman cut herself and the inmates helped her when nobody else came. She reported that the guards don’t pay attention, they ‘click’ only without looking and that inmates in wheelchairs don’t have accessible showers. She suggested an unannounced inspection.

## **V. Old Business**

### **A. Coryell County - Notice of Non-compliance and Remedial Order Enforcement**

Assistant attorney general Dennis McKinney provided an update on the remedial order concerning Coryell County and related that he will be beginning the enforcement proceedings against the county within approximately a month. Mr. Wood reported that from May 12-24 Coryell was under capacity, however two weeks ago when an on-site stop by visit was conducted, they were found to be over capacity and that as of yesterday the jail was at 109 (capacity limit is 92). Sheriff Scott Williams spoke and reported 107 inmates as of this morning (34-35 housed out of county) and said the majority are pre-trial detainees. He said that since the last meeting he has worked with the Commissioner’s Court to explore the option of temporary housing on-site and that the newly turned over court is ‘stumbling forward’ and working on an RFP/RFQ.

Executive Director Brandon Wood asked the Sheriff to verify he has adequate staff to meet the required staffing ratios. The Sheriff answered that he does. The Sheriff reported he is 6 short of 34 but that the court has approved overtime for his staff and that has helped. The Sheriff reported spending \$7,000 on hard molded plastic bunks with mattresses and storage for personal property and that inmates can access showers and mental health services. County Judge Roger Miller spoke and rehashed their reasonable actions of raising jailer salaries over \$4,000 annually and authorized overtime. Judge Miller said the court identified temporary modular housing sources and has identified a location and funding for them and hopes to have it done between 90 and 120 days approximately. Judge Miller said that as high as 25% of Coryell

inmates at any time are paper-ready and ready for TDCJ. He asked for TCJS's cooperation in approving the temporary modular housing. Dr. Porsa thanked the Judge and he and Judge Miller discussed the tight labor force of the area and referenced the times we are living in. The Judge related that TDCJ is competing for staff with the county. Director Wood observed that a more recent bond issue failed and asked if there had been any discussion of building temporary space. The Attorney General's office will continue with the enforcement action against Coryell County.

**B. Marion County - Notice of Non-compliance**

Executive Director Brandon Wood explained that the county was issued a notice of noncompliance in December of 2021 after a comprehensive inspection. One issue identified was a failure to notify the magistrate within 12 hours when warranted. There were also medical file issues and failure to complete the initial intake screening forms. Documentation showed that face-to-face observation exceeded 30 minutes. Since this inspection, the county addressed two (2) out of the three (3) items. Inspectors are still reviewing records of the jail's required notifications of the magistrate. Sheriff David Capps of Marion County spoke to address the CCQ situation. The Sheriff has worked with Inspector Gravitt intensely and now has new procedures in place with regards to the intake screening forms. He related that they are now fully-staffed and he respectfully requested that time be allowed for the new procedures to "cycle through" with regards to filling the forms out properly and the proper MHMR and magistrate notifications. Director Wood asked the Sheriff who had the authority to notify the magistrate. The Sheriff testified that any jailer has the authority to notify. Due to the time in noncompliance, Mr. Wood recommended a remedial order be issued to the county with detailed steps and suggestions for remedying the deficiency. He said this would allow the Inspectors to continue working with the county in assisting the county in developing appropriate Policy and Procedure. Mr. Lock made the motion to issue the remedial order and Dr. Porsa seconded. The motion passed unanimously.

**C. Smith County - Notice of Non-compliance and Remedial Order Review**

Executive Director Wood explained that Smith County was on the agenda because of continued non-compliance. He stated that at prior meeting staff requested a remedial order pending the jail's return to compliance. Director Wood reported that he had traveled to Smith county to meet with representatives of the area criminal justice system to address overcrowding related issues. He also reported that as of the last inspection, the jail was placed back into compliance. Lt. Shoemaker spoke and indicated that they have corrected all deficiencies and by training successfully they will remain in compliance. Mr. Wood explained that one issue was that female inmates were being held over 48 hours in holding cells and that Smith County now has contracted to house female inmates elsewhere. Lt. Shoemaker confirmed that 42 were housed out of county and the majority are females. He said as of late, due to the

Commission's assistance in getting TDCJ to pick up paper-ready inmates, they have not needed to house as often. He also said their staff turnover was down to two (2) percent, that they are only 26 down yet they always meet the 1:48 ratio staffing requirement. Mr. Wood recommended to the Commission that the remedial order be kept in place to monitor compliance and that the county report and update again at the next commission meeting. Sheriff Rowe motioned as such and Dr. Porsa seconded this motion. The motion carried unanimously. Judge Stoudt expressed condolences to the County representative for the recent loss of their deputy whose funeral was today.

**D. Terrell County - Notice of Non-Compliance**

Executive Director Brandon Wood reported that Terrell County became noncompliant in September of 2021 and has continued to have issues concerning parts for locks and intercoms. He stated the County is in compliance at this time as it has not been housing inmates. He confirmed that the county is housing all inmates in other counties, and only keep the jail open in the event that it is needed. He stated that, for this reason, the recommendation is that no action be taken at this time.

**E. Proposed Changes to Standards - Update**

Executive Director Wood summarized the current status of the Proposed Changes to Standards a.-f. that were a result of public input/petition. He reported that all of the proposals were considered thoroughly in the TCJS Standards workshop sessions chaired by Sheriff Rowe. With regards to the Proposed Changes labeled a.-d. all discussion and review took place in the committee and no further action will be taken.

It was decided that the Proposed Changes described in e. and f. are still requiring further review by the workshop participants and a report with an update on these two proposals will be given to the Commissioners at the next commission meeting.

Judge Stoudt thanked Sheriff Rowe for his work on the review committee.

**VI. New Business**

**A. Bowie County – Notice of Non-compliance**

Executive Director Wood stated that Bowie County was placed in noncompliance in April of 2022 after a special inspection review determined supervision was not adequate during an escape. The county provided a corrective action plan that documented the additional staff training concerning inspection rounds. He reported that they have requested reinspection. Director Wood recommended no additional action be taken at this time.

**B. Camp County – Deletion of sprinklers; Gov. Code § 511.0097**

Executive Director Wood stated Camp County is requesting that sprinklers not be required in the inmate housing areas in their proposed new addition. He reported that all other minimum standards will be met. Director Wood recommended approval of the deletion of sprinklers. Dr. Porsa motioned for approval and Sheriff Rowe seconded. The motion passed unanimously.

**C. Collin County – Deletion of sprinklers; Gov. Code § 511.0097**

Executive Director Wood explained that the request is similar to Camp County's request and that the county is also requesting that an automatic sprinkling system not be required in the inmate housing cells in their new addition/expansion. Director Wood recommended the deletion of automatic sprinklers action. Sheriff Rowe motioned to approve the variance and Dr. Porsa seconded. The motion was unanimously approved.

**D. Hidalgo County – Notice of Non-Compliance**

Executive Director Brandon Wood explained that the County is on the agenda because previously the Commission approved a 100-bed variance, allowing the jail to increase its bed capacity. He stated they are working with neighboring Brooks County (Private) and Starr County as they have offered additional 78 and 46 new variance beds in an effort to assist Hidalgo. Chief Herrera stated that Jim Hogg County may help as well. The Chief said they are looking to purchase or lease a Willacy County (approx. 600 beds) jail as an interim measure. He said that they should know next week how the lease or purchase of this facility will proceed. He said he has been working with the Commissioners Court and County Judge with regards to the two (2) proposals for expansion of the current jail, taking the jail from 1,374 to 2,142 or 2,874 beds. The Chief said as of yesterday he is proceeding with hard polymer temporary beds purchase, the recommendation that Commission staff made to get all inmates to the back of the facility. He stated that the staffing ratios are being met.

Chief Herrera spoke and said as of this morning they were 40 over this newly approved variance capacity. He reported that they are working to expand their jail by an additional 768 beds or possibly even 1,500 additional beds. Paper-ready inmates currently number 57. He said they are providing all recreation, medication, mental health treatment, showers, phones, commissary and more to inmates in the holding facilities. The April holding cell findings were addressed and currently, Hidalgo is housing over 430 inmates out of county, according to the Chief. Mr. Wood said the agency will continue to work with the county and requested that Hidalgo be able to provide documentation that holding cell requirements are being met. Mr. Wood recommended no action, that Hidalgo appear before the Commission at the November meeting and report to the Commission as they have status updates. Director Wood outlined the South Texas overcrowding issues. Mr. Wood said the agency will continue to work with Hidalgo and requested that Hidalgo be able to provide documentation that holding cell requirements are being met. Mr. Wood recommended

no action, that Hidalgo appear before the Commission at the November meeting and that they provide a status report to the Commission.

**E. Nueces County – Notice of Non-Compliance**

Executive Director Wood explained that in June of this year a comprehensive inspection was done of the facility. During the inspection it was determined that multiple inmates were held in holding cells for more than 48 hours and above their approved capacity. Both the Nueces County downtown and annex facility's fire inspection was in a failed status and multiple sanitation issues were found including in the kitchen area. The issues have been addressed and life-safety fire issues are compliant, however, fire inspections are now recommended annually, and inspectors are monitoring the fire systems closely. Director Wood stated that Nueces County is working with inspectors to address the holding cell issues. Director Wood reported that staff recommends no action at this time but that the county is required to attend the November Commission meeting to report on all standards progress. Dr. Porsa motioned to require that Nueces County officials attend the November Commission meeting. Commissioner Anthony seconded the motion. The motion passed unanimously.

**F. Rains County – Notice of Non-Compliance**

Executive Director Wood explained that in February of this year a comprehensive inspection was done and the county facility failed compliance. It was determined they failed to document the required 30-minute observation checks and were conducting only 60-minute checks. They were also having issues notifying the magistrate and the county was failing to check the Continuity of Care Query "CCQ" system. Director Wood reported that a month ago the new jail inspector demonstrated that 30-minute rounds are now being conducted. Mr. Wood recommended no action be taken since the inspector has been working closely with the county and progress has been forthcoming. Sheriff Rowe motioned that Rains County be required to appear at the November Commission meeting and Dr. Porsa seconded. The motion passed unanimously.

**G. Swisher County – Notice of Non-Compliance**

Executive Director Wood explained that Swisher County is back in compliance and no additional action is necessary.

**H. Uvalde County – Notice of Non-Compliance**

Executive Director Wood reported that Uvalde County is also currently back in compliance and that no additional action is required at this time.

## **I. Proposed Changes to Minimum Jail Standards- Proposal to Publish for Public Comment**

Executive Director Brandon Wood explained that Chapter 297 (Inspection and Enforcement) needed to be tackled first in this Committee because it addresses the Commission's primary responsibilities. The Sunset Committee's recommendation is to focus more on the counties having issues and less on those who routinely are compliant. Mr. Wood said this would mean that noncompliant jails will receive more intense inspection. He relayed that the biggest change is the move from "Annual Inspections" to the 24-month cycle for "Comprehensive Inspections". He reported that it was easier to have the entire Chapter before you (below) and with the Chair's permission turned the discussion over to Sheriff Rowe for a summary/report.

Committee member Sheriff Rowe reported that the group worked hard to outline the rule changes below that they believe will bring forth the recommended "risk-based" system that will allow the Commission to address the high-priority jails that continue to have trouble. He related that the discussion in the group considered all aspects of the statutes, the spirit of the Sunset Commission's recommendations and liability aspects of the proposed new inspection system. He said the group has great input and will convene again in September after the register process has occurred and hopes this will roll out during the end of 2022.

Director Wood brought to the Commission's attention the new § 297.3 Inspection Priority Assessment tool that has been developed with the assistance of Sam Houston State University/CMIT that will drive the prioritization of jails for inspection, when they are inspected and how they are inspected. Sheriff Rowe related that there is hope that SHSU can present the tool at the November Commission meeting so all can see what this new instrument will look like that will gauge the priority of all Texas jail facilities' inspections.

Director Wood relayed that he could not say enough about staff member Will Turner and the work he has done on this transition, which has made it much easier. He said Mr. Turner's work with regards to creating the framework for the assessment tool that will be able to pull the Commission's historical compliance and inspection data to be used to validate that the new tool is effectively working as designed and able to prioritize risk has been invaluable. Mr. Wood said he wanted to hit upon the item that Sunset is requiring, which is that a random percentage of reinspections be conducted on-site and that they be comprehensive inspections (not just addressing the specific areas of non-compliance previously cited.) Mr. Wood said that the agency is currently setting this number at ten percent (10%) with hopes to do more than this with current staff. He also explained that the new § 297.10 rule codifies current procedure whereby counties that have remained in noncompliance for more than six (6) months are required to appear before Commission meetings to provide status and also codifies the time frames for remedial orders.

- a. Proposed repeal, readoption, and amendment of § 297

1. Proposed amendment to existing rule § 297.2. Regular Commission Inspections – Comprehensive Commission Inspections every 24 months
2. Proposed new rule § 297.3 Inspection Priority Assessment
3. Proposed amendment to existing rule § 297.4 Certification
4. Proposed amendment to existing rule § 297.5 Notice of Non-compliance/ Administrative Order to delete obsolete term “Administrative Order”
5. Proposed amendment to existing rule § 297.6 Response by Officials to delete obsolete term “Administrative Order”
6. Proposed new rule § 297.8 Reinspection
7. Proposed amendment to existing rule § 297.7 Commission Review of Compliance, increased monitoring
8. Proposed new rule § 297.10 Commission Enforcement Action
9. Proposed amendment to existing rule § 297.8 Remedial Order, repeal of obsolete term “administrative order” and minor adjustments to references
10. Proposed adjustments to numerical order of the remainder of the existing rules §§ 297.8-14 thru 297.14

RECOMMENDATION: PUBLISH IN THE TEXAS REGISTER FOR PUBLIC COMMENT. Commissioner Lock made a motion to publish and Sheriff Rowe seconded. The motion passed unanimously.

- b. Proposed New rule § 273,2(5) – Duties following miscarriage or physical or sexual assault of a pregnant prisoner.

**Reason for Rule Change: HB 1307 Regarding Miscarriage or Physical or Sexual Assault of Pregnant Prisoner.**

HB 1307 amended Local Government Code below. It did not explicitly require the Commission to adopt rules to implement this law, however, the bill’s author has expressed her expectation that we do so.

Local Government Code

Sec. 351.048. DUTIES FOLLOWING MISCARRIAGE OR PHYSICAL OR SEXUAL ASSAULT OF PREGNANT PRISONER.

(a) In this section:

(1) “Physical assault” means any conduct that constitutes an offense under Section 22.01 or 22.02, Penal Code.

(2) “Sexual assault” means any conduct that constitutes an offense under Section 22.011 or 22.021, Penal Code.

(b) As soon as practicable after receiving a report of a miscarriage or physical or sexual assault of a pregnant prisoner while in the custody of a county jail, the sheriff shall ensure that an obstetrician or gynecologist and a mental health professional promptly:

(1) review the health care services provided to the prisoner; and

- (2) order additional health care services, including obstetrical and gynecological services and mental health services, as appropriate.

### **To Implement This Law, the Commission Proposes the Following Rule**

#### § 273.2. Health Services Plan

Each facility shall have and implement a written plan, approved by the Commission, for inmate medical, mental, and dental services. The plan shall: ...

(5) provide procedures for medical, to include obstetrical and gynecological care, mental, nutritional requirements, special housing and appropriate work assignments and the documented use of restraints during labor, delivery and recovery for known pregnant inmates. A sheriff/operator shall notify the commission of any changes in policies and procedures in the provision of health care to pregnant prisoners. A sheriff/operator shall notify the commission of any changes in policies and procedures in the placement of a pregnant prisoner in administrative separation; As soon as practicable after receiving a report of a miscarriage or physical or sexual assault of a pregnant inmate while in the custody of a county jail, the sheriff shall ensure that an obstetrician or gynecologist and a mental health professional promptly:

(a) review the health care services provided to the prisoner; and

(b) order additional health care services, including obstetrical and gynecological services and mental health services, as appropriate.

RECOMMENDATION: PUBLISH IN THE TEXAS REGISTER FOR PUBLIC COMMENT. Dr. Porsa made a motion to publish and Commissioner Anthony seconded. The motion passed unanimously.

### **J. Advisory Committee Rules and Procedures**

Director Wood described the provision within the Sunset Bill that provided the Commission the authority for establishing work groups and Advisory Committees whose decisions are subject to full commission approval. He added that these “subcommittees” should streamline variances and other responsibilities and allow the Commission to accomplish tasks efficiently for stakeholders. There are guidelines that have been established for the Committees or workgroups shown in the reference document HB 1545 Section 5 in your Commission meeting book.

Assistant Attorney General Dennis McKinney stated that the proposed Committee’s rules do meet Open Meetings Act guidelines and that no action is necessary at this time.

### **K. Four-year Rule Review and Procedures**

Director Wood described Government Code Sec. 2001.039, which addresses the AGENCY REVIEW OF EXISTING RULES requiring that all rules be reviewed

on an ongoing basis every four (4) years. Mr. Wood said that staff has provided a handout with a basic guideline as to what staff are proposing as a tentative ongoing rule review plan. He warned that this proposed plan will require these rules to come before the commissioners, that they be published in the Texas Register for public comment, and subsequently recommended for publication for adoption at Commission meetings. He discussed the idea of a Rule Review Advisory Committee or workgroup. He pointed out that existing and grandfathered construction rules are intentionally not part of these rules currently. Sheriff Rowe related that the existing committee members may want to continue by serving and reviewing the rules. Director Wood recommended no action at this time so that staff can further develop the Rules Review plan and present it again at the November meeting.

#### **L. Variance Subcommittee**

Director Wood explained that staff included the Variance Sub-Committee Policy and Procedures handout in this Commission book. He reported that Commissioner Anthony served on the Variance Subcommittee and would now report. Commissioner Anthony said the Committee met mid-July and that Commissioner Perry serves as Chair with Sheriff Gonzales and herself serving on the subcommittee. The test variance was Grayson County. She reported that Grayson County had staff members on their variance meeting via zoom call along with Jail Standards Assistant Director, Ricky Armstrong. She reported that the subcommittee approved Grayson County's variance. Director Wood thanked the members for serving in this new and innovative approach to variances and recommended approval and continuation of the Sub-Committee. Dr. Porsa motioned to approve the Subcommittee's continuation and Commissioner Lock seconded. The motion carried unanimously.

**(Recess taken from 10:48 AM to 10:58 AM)**

### **VII. Variances**

#### **A. Grayson County – Installation of variance beds**

Executive Director Brandon Wood explained that Grayson County was the test case for the Variances Sub-committee. He explained that a handout concerning the variance is contained within the Commission book. Commissioner Anthony explained that the subcommittee recommends to the full Commission that the Grayson variance is approved.

Dr. Porsa moved to approve the recommendation of the Subcommittee and Commissioner Lock seconded the motion, which was subsequently approved unanimously.

## **B. Howard County – 259.114 (c) and (d) Segregation**

Executive Director Brandon Wood stated that Howard County’s variance has reached the one (1) year mark. Sheriff Stan Parker of Howard County spoke and recommended another year of variance approval and reported that he is struggling for adequate staff. He said they’ve employed Architect Kenny Burns to explore a new jail’s construction. Director Wood recommended that the commission grant the variance request for one additional year contingent upon not using the said variance beds if they do not have sufficient personnel to staff them. Dr. Porsa moved to approve the variance, and Commissioner Anthony seconded. The motion was passed unanimously.

## **C. Jim Hogg County – Installation of variance beds**

Executive Director Brandon Wood stated that Jim Hogg county jail is requesting additional variance beds as outlined in the supplemental floor plan handout in the Commission book in order to assist Hidalgo County. Jim Hogg County Sheriff Alarcon spoke and said they are requesting an additional 15 variance beds to assist Hidalgo County over their current variance beds. The County Judge Madrigal said that he and the Commissioner’s Court are in agreement on the request and reported that the financial condition of the county is adequate. Judge Stoudt commended the Judge for his efforts to assist Hidalgo. Director Wood recommended approval of the variance beds. Dr. Porsa motioned to adopt the variance and Commissioner Lock seconded. The motion was unanimously approved.

## **VIII. IDD Advisory Committee**

Director Wood explained that this Committee, which was mandated by statute, requires a November report as does the Commission as a whole. Mr. Wood said the Advisory Committee is being chaired by Sheriff Rowe and asked him for an update. Sheriff Rowe reported that the IDD Advisory Committee has met several times and is scheduled to meet again in September. The Sheriff explained that the committee has subcommittees and that they have looked at all differences, data, assessments, and are preparing the comprehensive November report as required. He said the committee is exploring IDD assessments and training for jailers. He said the the Sub-Committees will continue to meet. Director Wood said this agenda item is an update only and that no action is needed.

## **IX. Staff Report**

### **A. Completed Jail Projects**

Mr. Wood reported that staff prepared a completed jail project list as well as the Planning and Construction report in the Commission book. The reports show four (4) completed jail projects/expansions adding 444 beds to state capacity.

**B. Jail Planning and Construction List.**

Update in Commission book. There was no discussion.

**C. Jails in Compliance/Noncompliance - Risk Assessment Report.**

At the time of the printing of the commission meeting book, there were 19 jails in non-compliance as an update to the current Commission book.

**D. Status of Remedial Orders.**

There are two active remedial orders, Coryell County and Smith County.

**E. Status and Composition of Jail Population.**

There was no discussion.

**F. Executive Director's Activities**

May 20, 2022	Met with Rep Tinderholt regarding current border county jail conditions and capacity concerns in Austin, Texas.
May 23, 2022	Met with Smith County officials to discuss corrective action taken and planning regarding the notice of non-compliance and remedial order in Tyler, Texas
May 26, 2022	Attended TDCJ-Reentry Task Force meeting in Austin, Texas
June 1, 2022	Met with representatives from Office of Court Administration regarding Operation Lone Star in Austin, Texas.
June 2, 2022	Met with representatives from Harris County Precinct 2 to discuss inmate population and housing needs in Austin, Texas.
June 7, 2022	Attended and presented at Texas Chief Deputies Association Annual Conference in San Marcos, Texas
June 13, 2022	Met with Rep Collier regarding inmates with IDD and application of Minimum Jail Standards in Austin, Texas
June 14, 2022	Attended and presented at House County Affairs in Austin, Texas
June 15, 2022	Attended and presented at Joint Hearing of House County Affairs and House Correction in Austin, Texas
June 16, 2022	Attended IDD Advisory Committee meeting in Austin, Texas
June 22, 2022	Attended and presented at Texas Coordinating Council on Veteran Services in Austin, Texas
June 29, 2022	Accompanied members of Senate Finance Committee and served as resource during a tour of Operation Lone Star in Del Rio and Edinburg, Texas
June 30, 2022	Met with representatives from Harris County regarding renovation and upgrades of the smoke and fume removal system for the 701 Facility in Austin, Texas
July 7, 2022	Attended and presented at Standards Workshop consisting of stakeholders in Austin, Texas.
July 8, 2022	Met with representatives from DSHS regarding Mental Health in-reach programs and Jail Based Competency programing in Austin, Texas
July 12, 2022	Met with Border Prosecution Unit regarding Operation Lone Star in

	Austin, Texas
July 12, 2022	Met with representatives from TDEM regarding Operation Lone Star and current status of facilities being utilized in Austin, Texas
July 13, 2022	Met with representative from Joint Commission on Mental Health to discuss three pilot programs currently in operation (Smith, Grayson and Denton) in Austin, Texas.
July 22, 2022	Attended TDCJ-Reentry Task Force meeting in Austin, Texas
July 24-27, 2022	Attended and presented at the Sheriff's Association of Texas Annual Conference in Fort Worth, Texas.

In addition to the listed in-person meetings, the Executive Director continues to meet with interested parties virtually when it is not possible to conduct meetings in the traditional manner. This includes TCJS specific issues as well as in support of Operation Lone Star.

### **G. Staff Training/Activities**

**May 19, 2022** - Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended CAPPS Payroll Agency Cutover Planning meeting at the Austin Headquarters.

- **May 23, 2022** – Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended CAPPS Payroll Agency Cutover Planning meeting at the Austin Headquarters.

- May 25, 2022– Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended Weekly #409 Capps UAT Session at the Austin Headquarters (Manager Session).

- **May 25, 2022** - Mental Health Trainer Melvin Bowser conducted two 4-hour IDD Training for Jailers courses (#2831) in Cuero, Texas for 8 detention officers.

- **May 26, 2022** - Mental Health Trainer Melvin Bowser conducted two 4-hour IDD Training for Jailers courses (#2831) in Cuero, Texas for 5 detention officers.

- **May 26, 2022**- Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended CAPPS Training: HR Practice Session Austin Headquarters conference room.

- **May 31, 2022**- Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended CAPPS Training: HR Payroll One on One Session with SME Vicky Pertiet at the Austin Headquarters.

- **June 1, 2022** - Mental Health Trainer Melvin Bowser conducted two 4-hour IDD Training for Jailers courses (#2831) in Cuero, Texas for 20 detention officers.

- **June 1, 2022**- Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended CAPPS Training: HR Payroll One on One Session with SME Helen Sparks at the Austin Headquarters.

- **June 2, 2022**- Accountant Leslie Speir and Staff Services Officer Carol Bernhard changed UAT3 Practice employees in CAPPs Training at the Austin Headquarters.
  
- **June 6, 2022**– Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended Weekly #409 Capps UAT Session at the Austin Headquarters (Scripts and Desk Aids Session).
  
- **June 7, 2022**– Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended Weekly #409 Capps UAT Session at the Austin Headquarters (Scripts Week 5).
  
- **June 7, 2022** - Mental Health Trainer Melvin Bowser conducted a 4-hour Suicide Prevention for Jailers course (#4901) for 14 detention officers and a 4-hour IDD Training for Jailers course (#2831) for 4 detention officers in Colorado City, Texas.
  
- **June 8, 2022** - Mental Health Trainer Melvin Bowser conducted a 4-hour Suicide Prevention for Jailers course (#4901) for 10 detention officers and a 4-hour IDD Training for Jailers course (#2831) for 2 detention officers in Colorado City, Texas.
  
- **June 8, 2022**– Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended Weekly #409 Capps UAT Session at the Austin Headquarters (Payroll Helen Sparks, Week 5).
  
- **June 9, 2022** - Mental Health Trainer Melvin Bowser conducted a 4-hour Suicide Prevention for Jailers course (#4901) for 9 detention officers and a 4-hour IDD Training for Jailers course (#2831) for 2 detention officers in Colorado City, Texas.
  
- **June 13, 2022** – Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended Weekly #409 Capps UAT Session at the Austin Headquarters (UAT sign off meeting).
  
- **June 14, 2022**– Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended Weekly #409 Capps UAT Session at the Austin Headquarters (Week 6 Scripts).
  
- **June 15, 2022**– Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended Weekly #409 Capps UAT Session at the Austin Headquarters (PrePayroll Agenda).
  
- **June 20, 2022**– Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended Weekly #409 Capps UAT Session at the Austin Headquarters (Payroll).
  
- **June 21, 2022** - Mental Health Trainer Melvin Bowser conducted a 4-hour Suicide Prevention for Jailers course (#4901) and a 4-hour IDD Training for Jailers course (#2831) in Belton, Texas for 11 detention officers.
  
- **June 22, 2022** - Mental Health Trainer Melvin Bowser conducted a 4-hour Suicide Prevention for Jailers course (#4901) for 23 detention officers and a 4-hour IDD Training for Jailers course (#2831) for 18 detention officers in Belton, Texas.

- **June 22, 2022**– Accountant Leslie Speir and Staff Services Officer Carol Bernhard attended Weekly #409 Capps UAT Session at the Austin Headquarters (Payroll).

- **June 23, 2022** - Mental Health Trainer Melvin Bowser conducted a 4-hour Suicide Prevention for Jailers course (#4901) for 26 detention officers and a 4-hour IDD Training for Jailers course (#2831) for 21 detention officers in Belton, Texas.

- **June 28, 2022** - Mental Health Trainer Melvin Bowser conducted a 4-hour Suicide Prevention for Jailers course (#4901) for 27 detention officers and a 4-hour IDD Training for Jailers course (#2831) for 26 detention officers in Bastrop, Texas.

- **June 29, 2022** - Mental Health Trainer Melvin Bowser conducted a 4-hour Suicide Prevention for Jailers course (#4901) for 15 detention officers and a 4-hour IDD Training for Jailers course (#2831) for 16 detention officers in Bastrop, Texas.

- **June 29, 2022**– Accountant Leslie Speir attended Capps Level 1 Support Staff Training at the Austin Headquarters.

#### **H. Financial Report/Budget**

Director Wood reported that the Commissioners have been provided with a copy of the Agency’s 2024/2025 Legislative Appropriation Request or “LAR” and that the commission continues to operate under budget returning a small surplus to the Comptroller.

#### **I. Inmate Complaint Report**

Director Wood pointed out the substantial increase in the number of complaints over the last two (2) year period. He explained that the requirement to post instructions for filing complaints have resulted in the increase to approximately 400 per month. Two staff members have been repurposed to handle complaints, totaling three full-time complaint inspectors.

#### **X. Other Business (n/a)**

##### **- Commission-sponsored Events and Workshops**

Subcommittees and Workshops were referenced under their specific agenda item prior.

##### **- Commission Staffing**

##### **- Off Duty Employment**

##### **- Miscellaneous Letters of Comment**

**XI. Executive Session – Personnel Matter:**

- The Commission went into Executive Session at 11:18 and returned to resume the Commission meeting 11:37 am. No action was taken at this time.

**XII. Next Commission meeting is tentatively scheduled for:**

- November 3, 2022, Texas State Capitol, Room: E2.012, 1100 Congress Ave, Austin, TX 78701

**XIII. By appropriate motion to adjourn by Commissioner Sheriff Rowe and second by Commissioner Locke the meeting was adjourned at 11:34 A.M.**

The Board may meet in Closed Session on any item listed above if authorized by the Texas Open Meetings Act, Texas Government Code Ann. Ch. 551.



**Brandon Wood, Executive Director**

**August 12, 2022**



**Carol Bernhard, Secretary of the Commission**

**August 12, 2022**

