

MINUTES

Meeting: Commission on Jail Standards

Place: Stephen F. Austin Building
1700 Congress Ave., Room #170
Austin, TX 78701

To obtain a recording of the meeting after February 8, 2023, contact staffer William Turner, at 512-463-2690.

Time: 9:00 a.m.

Date: February 8, 2023

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. Esmail Porsa	Mr. Ross Reyes
Mr. Duane Lock	Ms. Monica McBride
Ms. Patricia Anthony	Sheriff Raul Gonzales
Commissioner Ben Perry	

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

Others in attendance were:

Dennis Wilson, Groesbeck, Tx
Angela Villescaz, Fierce Madres
Elizabeth Amaya, Comm on Judicial Conduct
Carl Griffith, Chambers County
Sheriff Brian Hawthorne, Chambers County S.O.
Todd Harris, Chambers County S.O.
Elizabeth Amaya, San Marcos, Tx
Scott Clayton
David Sincere, Missouri City
Natalie Freeman, Justice for Joshua Wright
Hillary Lockhart, Hays County
Natalie Freeman, Hays County
Miles Martin, Mano Amiga
Randi Franks, Mano Amiga
Larum Schutt, Mano Amiga
Cyrus Gray III, Mano Amiga
Karen Munoz, Mano Amiga
Timothy Griffin, Rosharon, Tx
Jacilet Griffin, Harris County
Amy Growcock, Harris County
Deborah Smith, Texas Jail Project
Marie DeJesus, Houston Landing
Deatha Vaughn, Houston, Tx
James Vaughn, Houston, Tx
Jennifer Shumake, Bexar County
Wayne Grondeck, DRG Architects
Flint Britton, HDR Architects
Sheriff Scott Williams, Coryell Co
Chief Fredrick Robinson, Dallas Co
Sheriff Maxey Cerliano, Gregg Co
Sonya Burns, Travis County Advocate
Natash Pelaez- Wagner, GMG Inc.
Megan Milas, CGI
Suzanne Bradford, GMJ Inc.
Krish Gundu, Texas Jail Project
Diana Claitor, Texas Jail Project
Sheriff Larry Smith, Smith Co. S.O.

Juan Ornelas, Chambers County S.O.
Sarah Rafignel, ABC13 Houston
David Aguillard, KTRK
Pogia Lodhia, KTRK
Alex Stuckey, Houston Landing
Michael Murney, Chronicle
Raul Banasco, Travis County S.O.
Jessica Vodder, Webb County S.O.
Jose Hernamra, Webb County S.O.
Todd Allen, Tom Green County S.O.
Michael Page, Montgomery Co. S.O.
Kyle Green, Montgomery Co. S.O.
Judge Roger Miller, Coryell County
Eric Johnston, McGinnis Lochridge
Kevin Stuart, Brazos Co., S.O.
Vicki Reasoner, Oldham County S.O.
Carl L. Squyres, Runnels County S.O.
Kimberly Dunn, Runnels County S.O.
Judge Julia Miller, Runnels County
Brandon K. Poehls, Runnels Co. Commissioner
Christian Sevidal
Chad Stroud, Hunt County S.O.
Abby Belangeri, Brazos County S.O.
Miles Martin
Timothy Lee
Erion Tyler
Desitis Glover
Jennifer Gustafow
Carolyn Pickens
Carlos Miller
Amaal Shan
Serphin Simpson
Vivek Venkatrana
Jon Seibels
Molly Cook
Sheriff Greg Capers, San Jacinto S.O.
Adrian Wright

Neil Franklin, Smith County S.O.
Ms. Elle Cross, Hays Co.
Dale Brown, TCSO Chaplain
Eric Johnston, McGinnis and Lockridge

Griffin Lee
Angela Villescraz
Scott Mayfield Clayton

III. Approval of Minutes

Dr. Porsa moved to approve the minutes for the meeting conducted on November 3, 2022. Sheriff Rowe seconded the motion, which was subsequently approved unanimously.

IV. Public Comment

Karen Munoz with Mano Amiga spoke regarding Hays County jail. She said her organization receives stories weekly regarding inmates being transferred due to filing complaints or in one case a lawsuit being filed, as well as stories of retaliation, failure to provide proper medication or diabetic food and in the case of Joshua Wright, a story of being killed. She asked that the Commission take the complaints seriously and said that most of the issues can be resolved by less incarceration and more mental health and substance abuse treatment.

Cyrus Gray also with Mano Amiga, spoke regarding Hays County jail. Mr. Gray related that he spent 5 months incarcerated and experienced the poor conditions. He said he went through all stages of the grievance process yet was ignored. Mr. Gray indicated that an officer at the jail spoke to him about poor conditions but was afraid to speak out to the authorities. Mr. Gray said that he was ignored because he was accused of being a known liar and that he hoped speaking directly to the members as opposed to having a complaint come from an inmate number, would make a difference.

Griffin Lee spoke regarding the Harris County Jail and her son Evan Lee who was arrested in Fort Bend County and then transferred. She said her son's last conversation was "Mama, get me out of here, I'm a die in here." She said she heard this message repeatedly because someone was using his pin number. Ms. Lee reported that Evan was an active MHMR patient and was found unresponsive in Harris County Jail on March 18, 2022 and then pronounced dead on March 22, 2022. She said the Harris County medical examiner's office called her on December of 2022 to inform her that the cause of Evan's death was homicide. Ms. Lee said that Evan's relatives and friends were in attendance today. She urged the Commission to work with the Sheriff's office and stakeholders and make changes to prevent more deaths.

Randy Franks spoke on behalf of her husband, John Thomas, whom she says has multiple health issues. She said he was in the process of receiving a liver transplant when he was incarcerated. She related that it took John 15 weeks from the date of his incarceration to see his liver doctor and that it should have been done within 2-4 weeks based upon the discharge instructions. Mr. Franks said John was transported to the Emergency Room twice and that he is not getting desperately needed medicine, medical care, clean clothing or a properly prescribed diet. She asked the Commission for compassion for John Thomas and for other

loved ones in Hays County jail.

Deborah Smith spoke regarding diabetes and her daughter Kristan's death in jail. She said that each inmate with diabetes needs to have access to simple glucose monitors in the cells and she urged on-site care. She said she is looking for significant change and not just for diabetics, because lives are being lost and care is not up to par. She said she wanted the medical alarms to go off and be activated in the cells. She said she wanted officers to have to walk into the cell to assess the potential emergency medical situations and she urged the Commissioners to discuss changes with those that have "lived it" and could help.

Miles Martin talked about his incarceration in the jail and spoke on behalf of inmates with medical needs in the Hays County jail. He recounted a young inmate's experience who had asthma and was not given his inhaler more than twice a day. He also recounted an elderly inmate named Melvin Nichols who was unresponsive for 5 days due to adult-onset diabetes and that after this hospital transport episode, he is still not getting dietary trays for diabetes.

Amy Growcock spoke about her arrest in August of 2022 where she was kept in booking for 5 days and in which she was denied clean clothes, hot food, bipolar medication and prenatal care. She said that at the time, she was in her third trimester of pregnancy. She stated that after about 5 days she was transferred to a dirty quarantine cell wherein she went into pre-term labor and was told by medical twice that she was 'faking' it. She reported that on the morning of August 29, 2022, she went into full labor. She stated that she went to medical again and was told she was faking it again and that then her water broke and the jail staff tore off her pants and asked her why she urinated on herself. She said she waited for two hours to go to the hospital and that during labor her son didn't receive the care he needed resulting in an infection requiring him to spend time in a neonatal care unit on a breathing machine. She said when she returned from the hospital they sent her to a rehab unit called Santa Maria. She said she was in labor for three days and nobody listened to her. She said that nobody should have to go through this, nor should her son as he was an innocent baby who did not deserve it. She said that she is in school to become a licensed drug counselor in order to help prevent people from going through what she went through.

Timothy Griffin, spoke about his brother's murder in the Harris County jail. He spoke about the jails' cameras and the 24-hour video surveillance. He said that everything is recorded and that there is no reason why they should have to wait so long to find out what happened. He said people need to see it, and that only the Commission can change that.

Angela Villescza from Hays County with the non-profit Fierce Madres spoke. She said that after Uvalde, she started getting calls from a lot of mothers with children in jail. She asked for the Commission to pay attention and listen to the speakers and see the videos so that they can understand the humanity crisis. She read a letter from Ms. Vasquez who has worked there in Hays County, for 19 years. The letter said things were going from bad to worse and that she's never seen anything like this. The letter said nobody can file a complaint against an officer without retaliation. She said that people are crying all day for help while the guards laugh at them. She said these are people who are presumed innocent, are poor, and can't afford to post bond. She said she sure hoped the new DA can spring into action. She cried

for the Commission to please use their authority to pay attention or the lines are going to grow. She said that if they had been paying attention that she believes Joshua Wright would be alive today.

Elizabeth Amaya spoke regarding the death of Joshua Wright, that occurred during a medical emergency, at Ascension Seton in Kyle. She said his family has yet to receive details on his death. She said that Joshua's feet were in shackles and that he was shot 4-6 times in the back by a Hays County jail officer. She said that she believed that Officer Garcia saw an orange jumpsuit and thought he could take a life and that it would be swept under a rug. She said Officer Garcia got two weeks leave with pay. She said she is not okay with someone being shot in the back while his feet were shackled. She asked for Officer Garcia's body cam footage to be released to show what happened that day and for Officer Garcia to be relieved from working in the jail.

Molly Cook, spoke by stating her pronouns and giving her educational credentials. She said she is an ER nurse and was speaking in order to conceptualize issues. She said, for example, that they now know that when a child is exposed to lead, that it can later lead to criminal behavior. She asked the Commissioners to imagine what it is like to grow up with the cards stacked against you and to then be incarcerated. She implored the Commission to listen to the families and make real changes and consider the greater context.

Elle Cross spoke about the suffering of her community members in Hays county jail. She said that they should not be in a crisis where people are regularly dying from medical and mental neglect. She said the Commissioners sit in the seats that can make a difference. She said that Texas jails should not be a place where people have to fear for their lives. She conveyed that the lack of pre-arrest diversion has resulted in many people who should have never entered the criminal justice system. She said jail staff is giving Commissioners the "cleaned up" version and that is why they have to listen to the people coming to speak. She said she won't stop showing up until she sees urgent, meaningful change.

Hillary Lockhart spoke about justice for Joshua Wright. She said Joshua was in her Sunday School Class when he was young. She asked for answers on behalf of Joshua Wright's family. She asked the Commission for justice.

David Sincere, Senior Pastor of Transformation Church in Missouri City, said that he did not intend to speak but felt compelled to. He said these people speaking today are asking for sympathy, compassion, and justice. He said that the atrocities happening in the jails can no longer happen. He said he prays that the Commission are the change agents that can make it happen.

Scott Mayfield Clayton said he was known as John Q. Public and spoke to say that we don't need change and "we need more, or less." He laid something down in the middle of the floor for a fellow speaker. He said the clock is off "behind you." July 27, 2022. He said he will be back and that these are public comments. He said he has a lot to say but it is the people behind

him that are going to make the difference and not the change.

Dr. Carolyn Clay Pickens, minister of Brentwood Baptist Church spoke. She said she is speaking on behalf of the family of Anthony Griffin. She said her church started in the 1980's and there were murders happening in the Harris county jail then. She said that back then the new jail was supposedly going to bring a "new day", with pods and openness, etc. She said she was sad to see that it is not better, but worse. She said "God said, Get up Carolyn", with regards to speaking. She said she was disappointed that Christian volunteers are not allowed into Harris County jail anymore. She suggested that we should be more informed about employees and hire correction officers that "love people". She said she is speaking out on behalf of those who cannot cry out from the grave. She said this is a systemic problem in the United States and that jails are now simply a place where slavery happens. She said that hate is the cause. She said if anybody is mistreated then hate is somewhere around. She said she didn't plan to get up and speak and suggested that the Commissioners get on their knees and ask God what you're supposed to do, because each one of us has a purpose. She said "Let your light shine before man."

Krish Gundu, Texas Jail Project spoke about an article she read in the Houston News stating 46% of 140 individuals had a documented mental health concern dating back to the 1980's. She said it's clear the problem lies outside the jails. She said we need to be pushing the legislature and investing heavily in mental health systems. She said we need to work together to get the mental health beds back online and concentrate on pretrial diversion. She said the counties are just not using the pretrial diversion resources that are available. She said there is no public safety without public health.

Elizabeth Moran spoke and said she had knowledge with regards to the Hays County jail. She said there were horrific fights on a daily basis and the jail staff would just sit and watch. She said this needs to change and asked the commissioners to look into it.

Sonya Burns spoke and said she was going to piggyback on many of the things already talked about today. She said she wanted to bring a little bit more awareness on capacity. She said 1/3 of the beds in the State Hospital system are off-line. She said that over half of the remaining beds are full-time 365-day care. She said the State hospital system has requested funding and it is in both house and senate budgets for "transition pilots". She said most people are not referred, because they are too low functioning. She asked the Commission to please go back to the counties and tell them that when there is a mental health incident (or emergency health detention) and that they should take them to the state hospital if there is one. She said we have flooded the wrong side of the system pushing everything to the criminal/legal side and we're not putting the needed pressure on the behavioral health side. She said to tell the officers to contact the local Mental Health authorities or LMHA for referrals and assessment and/or take people to the state hospitals in emergency detention situations. She said psychiatric emergency services are almost non-existent in Texas. She said the state HHSC website offers "Respite Service" that is seldom used. She said the state is going to double our short-term hospital beds, but these beds are band aids only as there are not enough days (2-10 days) and meaningful length of stay treatment isn't happening. She said these stays could be

much longer if an IMD waiver is obtained and that this would make a positive difference (up to 60 days of treatment). She said that the huge bucket of money the state gives HHSC would make such a difference if people could have a longer stay.

V. Old Business

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

Executive Director Brandon Wood explained that the county was issued a notice of noncompliance, has an active remedial order issued and has been referred to the Office of Attorney General for enforcement of the order. He further explained that the county has been in non-compliance since April of 2021, due to overcrowded conditions. Eric Johnston, an attorney with McGinnis and Lockridge then spoke. He said he had been retained to navigate Coryell County through this process. Mr. Johnston said the current jail population is 108 inmates as of today. He said that an additional 28 inmates were housed in other counties, as of yesterday. Strategies include the Sheriff's office currently contracting with 9 counties around the state. In addition, the Sheriff's Office (SO) is currently negotiating with MCT, a private jail company. He explained the SO is also negotiating with the Johnson County Sheriff's office and is awaiting a signed contract from Zapata County. Mr. Johnston reported that on November 14th, the Sheriff's office received a letter from legal counsel, offering the suggestion of hiring a consultant to help the jail become compliant. He said the Sheriff's Office had a consultant come out to provide a bid to the Coryell County Commissioners court and issued an RFP for jail consulting services. Also, he said there are plans to build a 47-bed addition to the jail and the plans have been received. He said the county understands the significance of this and will continue to work tirelessly to achieve compliance.

Roger Miller, Coryell County Judge also addressed the Commission, to recap. He said that the 47 additional beds will help. Dr. Porsa expressed his concern with regards to the health of inmates. Judge Miller related that the county is in compliance with regards to the medication tracking. Sheriff Williams then spoke and said they hired a medical provider that has brought them into compliance and that he has a meeting tomorrow with the health provider to convey some issues that he has. The Sheriff said they contract with 9 counties for inmates but that only 4 counties are currently accepting their inmates. He said that he is hoping that Johnson County will take a couple of dozen inmates, at least. The Sheriff said he implemented new accountability for MARS paperwork and reporting to TCJS and Dr. Porsa said he is looking forward to seeing that. Commissioner Lock asked the Sheriff when the additional construction beds would come to fruition and the Sheriff said that if he had to guess, he would say two years. Commissioner Lock asked about Dallas County accepting Coryell inmates. The sheriff answered that he contacted Dallas County twice and that both times he was told that they are not accepting. The Sheriff said that sending inmates out of state is a possibility but that he is banking on Johnson County and is contracting with

LaSalle corrections and trying to get them to take at least another dozen. The Sheriff said that a big issue is that other counties do not want anyone with a medical issue or other serious issues and that he knows his licks are coming but that he is continuing to do everything he can to get back into compliance. Mr. Johnston spoke again to say that if everything goes right, the new construction beds should be online in February of 2024. Mr. Wood asked for confirmation that a consultant had not yet been hired despite the letter from the Attorney General last November and also asked if the contract had been processed through emergency purchasing procedures. Mr. Johnston confirmed that there was a consultant visit in December or early January and that right after this meeting he would investigate if an emergency contract is a possibility. Sheriff Williams spoke again to explain the need for the RFP and its current deadline of Feb 28, 2023. The Sheriff said that the Commissioners court would reconvene to pick a consultant shortly after this date and would try to see if they could award the contract any earlier. Judge Miller said he appreciated all the Commission's guidance. Director Wood recommended continuing to consult with the Attorney General and enforce the remedial order action. Sheriff Rowe motioned to approve staff recommendation and Dr. Porsa seconded. The motion passed unanimously.

B. Liberty County - Notice of Non-compliance

Executive Director Wood explained that Liberty County was on the agenda because in May of 2022, the county was issued a notice of non-compliance. Additional areas of non-compliance were noted in a Special Inspection that occurred in June of 2022 following a complaint that was submitted. Also, an unannounced Comprehensive inspection was conducted in August of last year and the facility remained in non-compliance. Mr. Wood explained that HB1545, the Sunset bill, requires that any county out of compliance for over 6 months requires escalated enforcement action and appear on the Commissions agenda. Mr. Wood said he was happy to report that as of now, the county has regained compliance therefore no additional action is recommended to be taken.

C. Nueces County - Notice of Non-Compliance

Executive Director Brandon Wood reported that Nueces County appeared at the last meeting to provide an update on issues related to non-compliance, notably being over capacity with regards to inmate holding areas, mental health reporting/processing and sanitation deficiency issues. Mr. Wood reported that at this time they have regained compliance therefore no action is necessary at this time.

D. Smith County – Remedial Order Review

Executive Director Wood said that Smith County has been in compliance however, they do have a Remedial Order still in place. Mr. Wood said that representatives from the county are here to provide an update and that he would make his recommendation after they update the Commission. Sheriff Larry Smith spoke along with Neil

Franklin, new County Judge. The Sheriff reported that they are a little less than 90% occupied and have 16 females in Franklin County. He said they've installed Guardian, hired a qualified training coordinator and they have 60 employees waiting for jail school. Judge Franklin said they have two new Commissioners on the Court and that the two new Commissioners will attend jail school. He also reported that they have a new medical school coming to Smith County and are working together with the medical community to build a "Crisis Facility" so that their officers have somewhere else to take those in crises and have a choice. They hired a consultant and are making plans to prepare to build a new facility, planning ahead so that they are ready when the time arrives and can move quickly. Judge Stoudt asked Judge Franklin if the new mental health facility would be a regional facility and Judge Franklin said most likely but that the facility is a project with the hospital systems and they are working with legislators to reopen this Tyler facility. Judge Stoudt recommended regional partners and expressed a willingness to help. Smith County thanks Director Wood for the assistance of the inspectors. Director Wood said that he believes that Smith County has proven that they are definitely on the right track and that being recertified in July of last year, they have remained in compliance at this point in time. He recommended that the Remedial Order be lifted. Dr. Porsa motioned to lift the remedial order and Sheriff Rowe seconded the motion. The motion passed unanimously.

E. Sunset Recommendation 1.1 Ensure minimum standards account for varying needs and levels of risk among different jails

Executive Director Brandon Wood reported that this recommendation resulted from the Sunset Bill (1545) and this calls for a full review process of standards in order to take into account all types and sizes of Texas jails across the state and the associated risks. He reported that the agency created a checklist that takes into account all administrative rules review requirements and those of the Sunset legislation. Director Wood recommended that the Commission require the Administrative Rules Advisory Committee take into account the varying jail sizes, risks and differences as they review the administrative rules in committee. Sheriff Rowe motioned to approve the recommendation and Commissioner Perry seconded the motion. The motion passed unanimously.

F. Inspection Priority Assessment

Executive Director Brandon Wood stated that the current version or iteration of the "Inspection Priority Assessment" tool is included in this Commission book. This tool determines when a county will be inspected including all mandated risk factors as well as all risk factors that have been determined to be predictive of non-compliance. Sheriff Rowe spoke and said that they are continuing to get a lot of great input concerning the tool and said that with the great team that was assembled, they should have an outstanding product to use when finished. Director Wood reported that Sheriff Rowe has been instrumental in this project and also said Sam Houston State continually receives data from the agency to modify and evaluate the tool and that the most updated tool will be presented again, at the August 2023 Commission meeting.

VI. New Business

A. Angelina County -Deletion of sprinklers; Gov. Code § 511.0097

Executive Director Wood explained that Angelina County is in the planning phase of an addition to the county facility and are requesting a variance to not require the automated sprinklers in the inmate occupied areas. Director Wood explained that all other areas meet or exceed the systems required and he recommended the variance be approved. Wayne Grondeck of DRG Architects spoke and confirmed this is in regards to the addition along with an explanation of the special purpose areas in the facility. Sheriff Gonzales motioned to approve the variance and Sheriff Rowe seconded the motion. The motion carried unanimously.

B. Leon County-Deletion of sprinklers; Gov. Code § 511.0097

Mr. Grondeck of DRG Architects also spoke on the same type variance for Leon County. Executive Director Wood stated Leon County is requesting that sprinklers not be required in the inmate housing areas in the proposed facilities. He reported that all other minimum standards will be met. Director Wood recommended approval of the deletion of sprinklers. Sheriff Rowe motioned to approve the variance and Commissioner Perry seconded the motion. The motion carried unanimously.

C. Leon County – Notice of Non-compliance

Executive Director Wood explained that Leon County was on the agenda solely because they had been out of compliance at the sixth month mark when the agenda was finalized but TCJS has had very good interaction with the jail officials and the facility has reduced its inmate population and has been working with other criminal justice related organizations in their region. Director Wood spoke and confirmed that Leon County has regained compliance since being placed on the agenda, therefore no action is required.

D. Runnels County – Notice of Non-compliance

Director Wood explained that during the Annual Comprehensive Inspection conducted in August of the past year, 2022, Runnels was found non-compliant including issues such as exceeding holding cell limit, deficient quarterly fire training, kitchen and ongoing issues with their generator, VRSS returns not maintained or processed. Kimberly Dunn, Jail Administrator, spoke and said they are still struggling with the staffing and generator issues. She said they've made several repairs of the older generator and said that the repairman suggested replacing the switches from analog and the new digital switches should arrive by end of May. She said they are doing everything they can to get the issues resolved. She said that with regards to staffing, most of the issue is staff shortage related. She reported they have contacted TWC,

contacted the Military's bridge program, and are advertising heavily. She said due to their proximity to the oil fields, they are having trouble competing with their pay. She said Tom Green and Taylor pay more and they are directly between them. She reported that since the time of inspection failure they have reduced their vacancies from 6 to 3. Dr. Porsa commented that he was concerned about medical care and Ms. Dunn reported that they do have mentally ill inmates and that it makes it very difficult as they take up so much of their observation time. She suggested it might be time for a new ratio of 1:24 if there are mentally ill inmates and only 1:48 for sane inmates because they can't safely cover everyone. She said that when jailers are taking care of other requirements, often the mentally ill are not being watched in person or on camera and that this is a huge issue. Sheriff Carl Squyres spoke and confirmed the administrator's statements and explained that he thinks Commissioners Courts all over the state don't understand the issues surrounding the 1:48 or any inmate to staff ratio requirements. County Commissioners, he said, just see the 1:48, not taking into account the need for making rounds, moving inmates, paperwork, etc. He indicated that he wished there was something the Jail Commission could do to explain to the Commissioner Courts, so they could understand the need. Judge Julia Miller reiterated the same concerns and related that they've taken strong action to address these issues and have hired an architect to evaluate their current needs and they have been provided ideas and suggestions to rework the jail areas to make it more conducive to address the compliance issues. Director Wood discussed the current state of the Runnels generator and current staffing numbers with their jail administrator. Dr. Porsa expressed concern about those mentally ill inmates who require face-to-face observation. Mr. Wood confirmed the observation rounds will be covered, that the generator is operable and recommended to continue working with Runnels to address the non-compliance and refrain from issuing a remedial order at this time. Commissioner Lock made the motion as described and Commissioner Perry seconded. The motion passed unanimously.

The Commission took a 10 minute recess at 11:34

VII. Variances

A. Chambers County Jail – Installation of Variance Beds

259.135 Dormitories; 259.143(b)(d) Furnishings for Inmate Housing Areas; 259.144(b,2)(d) Segregation

Temporary Women's Facility- 259.114(b)(2)(d) Segregation

Mr. Wood pointed out that Chambers has remained in compliance and has been able to ensure that staff for these additional variance beds is in place. Carl Griffith spoke to say that the Sheriff and Court are working together well, and the county is taking care of the female inmate population and staying ahead of the game. He said they even borrowed a generator for the temporary housing. Mr. Wood recommending granting the variance for the temporary facility and to allow them to continue to operate. Sheriff Rowe made the motion as presented and Commissioner Gonzalez seconded. The motion passed unanimously.

VIII. Administrative Rules Advisory Committee

A. Proposed Rules for Adoption

a. § 273.2(5) – Duties following miscarriage or physical or sexual assault of pregnant prisoner

Executive Director Brandon Wood explained that the Advisory Committee has met to discuss the issue and has recommended that the rule be published in the Texas Register. Director Wood said the committee has prepared a one stop shop for statutes and language for the county jails to use as a quick reference. Sheriff Rowe added that the committee has been in contact with Representative Gonzales's staff with regards to component of the OBGYN limited access across the state. He said the committee worked to ensure they are complying with the bill language while at the same time making sure the counties can comply. He confirmed the committee wishes to place it in the standards for all to see and submit concerns. Sheriff Rowe motioned to publish in the Texas Register and Dr. Porsa seconded the motion. The motion was adopted unanimously.

B. Public Petition for Change to Minimum Jail Standards

a. Duren - Control of Jail Keys

Committee Recommendation - no action be taken.

b. Cusack - Storage of Grievance and Discipline Paperwork

Committee Recommendation - no action be taken.

c. Sheriff Skinner – Food Handler License

Committee has recommended that the proposed language be published for comment in the Texas Register. Commissioner Lock motioned to approve the recommendation and Dr. Porsa seconded the motion. The motion passed unanimously.

d. Varvil - Cross-gender supervision of inmates

Committee Recommendation – no action be taken.

Director Brandon Wood explained that the above items were submitted by members of the general public and that per requirement, they have been reviewed and considered by the Advisory Committee. These 4 went before the full committee and the recommendations made and motions made are noted above.

C. Proposed Rules for Public Comment

a. § 255.6 – Advisory Committee Rules

Director Wood explained that the Sunset legislation gave them the authority to create these committees and the proposed new rule regarding Advisory Committees is before you

this morning. He said that it is comprehensive and includes rules for basic operation of the Advisory Committee and specific language for each one of the committees. He pointed out that the administrative rules for the IDD Advisory Committee (the one that is required by statute) is not being put before you at this time, but the general rules for Advisory Committees as well as the specific language for the Administrative Rules Advisory Committee, is included. Director Wood recommended these rules be published in the Texas Register for comment and Sheriff Rowe made a motion to do so. Dr. Porsa seconded the motion and it passed unanimously.

D. Four-year Rule Review

a. Proposed adopted rule review § 251 General; § 255 Rulemaking Process

Director Wood explained that the two rules above are the first rules coming before the commission after the Administrative Rule 4-Year review process has been put into place. He said “a” was published in the Texas Register and no comments were received, and he recommended the rule be adopted. Dr. Porsa made the motion to adopt the rule and Sheriff Rowe seconded the motion. The motion was unanimously adopted.

b. Proposed repeal of Subchapter D. Juvenile justice Reports §§ 269.40 through § 269.43

Director Wood reported that this section is being brought to the Commission for repeal. The agency is no longer mandated by statute to maintain the reports, as described. Director Wood recommended the repeal language be published in the Texas Register for comment and Sheriff Rowe made a motion to do so. Dr. Porsa seconded the motion and it passed unanimously.

IX. IDD Advisory Committee Report

Director Wood explained that the Committee continues to meet and review all pertinent legislation and the report required by the legislature was submitted by the deadline. The subcommittee chairs are now reviewing information and Sheriff Rowe will further update the status. Sheriff Rowe reported that the committee has not yet met in 2023 but that information has been sent to the specific chairs for each subcommittee and meetings are being planned for each subcommittee in the summer. This will allow chairs to focus on their specific tasked area of study. The Sheriff said that in the fall and winter the full IDD Committee will finalize their work and make recommendations.

X. Legislative Update

Director Wood said Commissioners have been provided a page in the meeting book of pertinent pending legislation and he provided a verbal review of all currently filed and the

high priority bills that would or could potentially affect the Commission or its mission. He asked that Commissioners reach out to staff if they have any questions or concerns or would like to get feedback as to our interpretation of the listed legislation.

XI. Staff Report

A. Completed Jail Projects

Fannin expanded their jail and Harris County underwent a renovation. 657 beds were added with both, combined.

B. Jail Planning and Construction List

The 3-page construction report is included in the packet.

C. Jails in Compliance/Noncompliance

Total in status of non-compliance - 12

D. Status of Remedial Orders

Coryell and Smith counties were discussed under their respective agenda items earlier in the Commission meeting. Smith County has been removed this morning and Coryell remains.

E. Status and Composition of Jail Population

Director Wood reported that the County Jail population has increased significantly over the past 12 months to approximately 72,000 which is cause for concern.

G. Executive Director's Activities

November 8, 2022	Met with representatives from Tarrant County to discuss proposed operations at new Court Holding facility in Austin, Texas.
November 16, 2022	Met with Mr. Karl McHazlett and Rene Guerrero regarding potential operation of the Crystal City Detention Center in Austin, Texas.
November 29, 2022	Met with representatives of Syra Health to discuss jail medical requirement in Austin, Texas.
December 4, 2022	Attended and presented at Jail Administration Management and Operations class at Sam Houston State University/CMIT in Huntsville, Texas
December 5, 2022	Met with representatives from Sam Houston State that are assisting TCJS with validation of the risk assessment tool in Huntsville, Texas.

December 5, 2022	Presented at Trinity County Commissioner's Court and served as a resource as they discussed options for their jail in Groveton, Texas. Met with Sheriff Gerald Yezak and toured the Robertson County Jail to in an effort to evaluate the facility one year after occupancy.
December 6, 2022	Attended TCJS Rules Advisory Committee meeting in Austin, Texas.
December 7, 2022	With Chairman Stoudt, met with representatives from Leon County regarding their non-compliance and possible solutions in Centerville, Texas.
December 20, 2022	Met with representatives from the State Auditor's Office to discuss auditing and use of risk assessment in Austin, Texas.
December 23, 2022	Met with TDEM/OLS members to review ongoing border security operations in Austin, Texas.
January 8, 2023	Met with Governor's Office Policy Advisor and introduced staff in Austin, Texas.
January 11, 2023	Met with staff of Rep Lynn Stucky in Austin, Texas.
January 12, 2023	With Chairman Stoudt, presented at V.G. Young Institute New County Judge and Commissioner training in College Station, Texas.
January 25, 2023	Attended TCJS Rules Advisory Committee meeting in Austin, Texas.
January 26, 2023	Met with staff of Rep Jay Dean in Austin, Texas. Attended Judicial Commission on Mental Health quarterly meeting in Austin, Texas.
January 31, 2023	Met with representatives from Midland County to review proposed expansion of the Midland County Jail.

G. Staff Training/Activities

November 4-6, 2022, Inspector Jason Jouett Taught at Jail Administrator management and operations Correctional Management Institute of Texas at Sam Houston State University.

November 4 – 9, 2022 Inspector Michael Gravitt taught a 40 hours Jail Administrator management and operations Correctional Management Institute of Texas at Sam Houston State University.

November 5-8, 2022, Assistant Director Ricky Armstrong taught at Jail Administrator management and operations Correctional Management Institute of Texas at Sam Houston State University.

November 14 - 18, 2022 - Mental Health Trainer Melvin Bowser conducted a 40-hour Jail Mental Health Officer (#5900) course at the Tom Green County Sheriff's Office in San Angelo, Texas for 12 detention officers.

December 6, 2022 - Mental Health Trainer Melvin Bowser conducted two (2) 4-hour IDD Training for Jailers courses (#2831) for 11 detention officers in Weatherford, Texas.

December 7, 2022 - Mental Health Trainer Melvin Bowser conducted one (1) 4-hour IDD Training for Jailers courses (#2831) for 4 detention officers in Weatherford, Texas.

December 8, 2022 - Mental Health Trainer Melvin Bowser conducted one (1) 4-hour Suicide Prevention Training for Jailers courses (#4901) for 13 detention officers in Weatherford, Texas.

January 17, 2023 – Mental Health Trainer Melvin Bowser conducted two (2) 4-hour Suicide Prevention Training for Jailers courses (#4901) for 20 detention officers in Victoria, Texas.

January 18, 2023 – Mental Health Trainer Melvin Bowser conducted two (2) 4-hour Suicide Prevention Training for Jailers courses (#4901) for 20 detention officers in Victoria, Texas.

January 19, 2023 – Mental Health Trainer Melvin Bowser conducted two (2) 4-hour Suicide Prevention Training for Jailers courses (#4901) for 20 detention officers in Victoria, Texas.

January 26-27, 2023 - Mental Health Trainer Melvin Bowser and Assistant Director Alicia Soto-Barker attended a Sequential Intercept Model Workshop/Training in Kaufman, Texas.

January 31, 2023 - Mental Health Trainer Melvin Bowser conducted two (2) 4-hour IDD Training for Jailers courses (#2831) for 20 detention officers in Victoria, Texas.

February 1, 2023 - Mental Health Trainer Melvin Bowser conducted two (2) 4-hour IDD Training for Jailers courses (#2831) for 20 detention officers in Victoria, Texas.

February 2, 2023 - Mental Health Trainer Melvin Bowser conducted two (2) 4-hour IDD Training for Jailers courses (#2831) for 20 detention officers in Victoria, Texas.

H. Financial Report/Budget – Fiscal Year End Report in book

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 resulted in the increase. He said that the number of monthly complaints tends to hover around 375, on average.

XII. Other Business

- **Commission-sponsored Events and Workshops**
Subcommittee and Workshop topics were referenced under their specific agenda item.
- **Commission Staffing**
Richard Denison was hired as Program Specialist on January 23rd, 2023.
- **Off Duty Employment**
None
- **Letters of Comment**
The TCJS Mental Health Trainer Mr. Bowser received letters commending him for his work.

XIII. Next Commission meeting is tentatively scheduled for:

- Thursday, May 11, 2023 – Stephen F. Austin Building, 1700 Congress Ave., Room #170
- Thursday, August 3, 2023 – Texas State Capitol, Room: E2.028, 1100 Congress Ave
- November 2, 2023 - Texas State Capitol, Room: E2.028, 1100 Congress Ave

XIV. By appropriate motion to adjourn by Commissioner Ben Perry with a second by Dr. Porsa, the meeting was adjourned at 12:04 P.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

February 24, 2023



Carol Bernhard, Secretary of the Commission

February 24, 2023