

TEXAS COMMISSION ON JAIL STANDARDS

EXECUTIVE DIRECTOR
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NOTICE OF NON-COMPLIANCE FALLS COUNTY JAIL

March 11, 2024

Please reference the Inspection Requirements Review and Jail Inspection Report issued on March 4, 2024, detailing the specific issues that resulted in the issuance of this notice of non-compliance.

Minimum Standards Violated:	Corrective Measure Required	Date Corrective Action Must Be Completed
263.41	Training of staff for emergency situations shall be provided immediately upon employment and no less than each calendar quarter for all jail personnel to include fire, emergency, evacuation drills, and location and use of equipment. Documentation reviewed failed to show that all staff received required life safety training no less than each calendar quarter for the year 2023.	Upon receipt of this notice.
265.55	All life safety equipment shall be inspected, maintained, and tested by persons qualified to do so (whether under vendor contract, by state or private agency or otherwise) in order that such equipment shall be safe, secure, and fully operative at all times. The facility fire panel was red-tagged on February 16, 2024 and repairs have not been completed.	Upon receipt of this notice.
273.3	Each sheriff/operator shall investigate and verify the veteran status of each prisoner by using data made available from the Veterans Reentry Search Service (VRSS) operated by the United States Department of Veteran Affairs or similar service. The veteran status of prisoners has not been verified through the Veterans Reentry Search Service since May 30, 2022.	Upon receipt of this notice.

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

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| 271.7 | <p>The plan shall provide that an annual, internal audit shall be conducted on the classification system. Audit records shall be maintained for Commission review. The audit shall assess the following features of the objective classification system:</p> <p>The Falls County operational plan for Classification states that a monthly audit of the classification system will be conducted. Documentation provided and reviewed during the inspection showed that audits of the classification system were not conducted for 8 months during year 2023.</p> | <p>Upon receipt of this notice.</p> |
| 273.5(a)(1) | <p>Training. Provisions for staff training (including frequency and duration) on the procedures for recognition, supervision, documentation, and handling of inmates who are mentally disabled and/or potentially suicidal. Supplemental training should be provided to those staff members responsible for intake screening;</p> <p>Administration was unable to provide records of mental disability/suicide training for staff in accordance with the approved Mental Disability / Suicide Prevention operational plan. There was also no record of training located within TCOLE records on TCLEDDS.</p> | <p>Upon receipt of this notice.</p> |
| 273.5(a)(2) | <p>Identification. Procedures for intake screening to identify inmates who are known to be or observed to be mentally disabled and/or potentially suicidal and procedures for compliance with Code of Criminal Procedure Article 16.22 and referrals to available mental health officials;</p> <p>The review of a custodial death revealed that the magistrate was not notified within 12 hrs in accordance with Code of Criminal Procedure Article 16.22. During the Comprehensive Inspection, 3 out 10 files were found where the magistrate was not notified within 12 hrs in accordance with CCP 16,22 when warranted by positive responses on the screening form or positive returns on CCQs.</p> | <p>Upon receipt of this notice.</p> |
| 273.5(c)(1) | <p>check each inmate upon intake into the jail against the Texas Health and Human Services Commission CCQ system to determine if the inmate has previously received state mental healthcare or has a known intellectual or</p> | <p>Upon receipt of this notice.</p> |

developmental disability, unless the inmate is being housed as an out of state inmate or a federal inmate on a contractual basis;

During the review of a custodial death, it was found that the CCQ was ran approximately 18 days after intake. During the Comprehensive Inspection, 8 out of 10 inmate files reviewed revealed that checks against the CCQ system were not conducted for 24 hrs to 6 days after intake.

275.1

Facilities shall have an established procedure for documented, face-to-face observation of all inmates by jailers no less than once every 60 minutes. Observation shall be performed at least every 30 minutes in areas where inmates known to be assaultive, potentially suicidal, mentally ill, or who have demonstrated bizarre behavior are confined.

Documentation reviewed during the inspection revealed that observation checks of inmates are routinely conducted late. Specifically, 60-minute observation checks of inmates were found to have been conducted anywhere from 1 minute to 59 minutes late. Additionally, 30-minute observation checks of inmates were found to be late by 1 minute to 1 hour and 17 minutes.

Upon receipt of this notice.

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.

During the review of staff licensing, it was determined that a staff member does not possess a valid TCOLE Jailers License. The identified staff member has actively worked within the facility following the expiration of temporary licenses.

Upon receipt of this notice.

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.

Upon receipt of this notice.

During the review of staff licensing, it was determined that four staff members appointed as temporary jailers were not registered for a basic licensing course on or before the 90th day after appointment.

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| 275.4 | <p>Inmates shall be supervised by an adequate number of jailers to comply with state law and this chapter. One jailer shall be provided on each floor of the facility where 10 or more inmates are housed, with no less than 1 jailer per 48 inmates or increment thereof on each floor for direct inmate supervision.</p> <p>Staffing records reviewed from December 2023 to February 2024 revealed that staffing levels for the facility exceeded the required 1 to 48 ratio approximately 10% of the time. Staffing levels were found to be as high as 1 to 58.</p> | <p>Upon receipt of this notice.</p> |
| 279.1(2) | <p>water and sewage systems not part of a public system and food preparation areas shall be inspected at least annually by health authorities and record kept for each inspection; The annual inspection of the facility by health authorities was last conducted March 3, 2022 placing the inspection past due by 24 months.</p> | <p>Upon receipt of this notice.</p> |
| 281.5 | <p>Food shall be prepared under the supervision of a staff member or contract employee who possesses a food handler license in accordance with 25 Texas Administrative Code (TAC) §228.31(d) with a copy available for review.</p> <p>Administration provided 8 food manager/food handlers certificates for review. Seven of the eight certificates were found to be expired and no longer valid. The certificates reviewed have been expired for up to 1 year. On the day of inspection, there were no staff members present who possessed a valid food manager/food handlers' certificate.</p> | <p>Upon receipt of this notice.</p> |
| 285.1 | <p>Each inmate shall be allowed one hour of supervised physical exercise or physical recreation at least three days per week.</p> <p>Documentation provided and reviewed for January and February 2024, failed to show that inmates are provided at least 1 hour of supervised physical exercise or physical recreation at least three days per week.</p> | <p>Upon receipt of this notice.</p> |