

TEXAS COMMISSION ON JAIL STANDARDS

EXECUTIVE DIRECTOR
Brandon S. Wood



P.O. Box 12985
Austin, Texas 78711
Voice: (512) 463-5505
Fax: (512) 463-3185
<http://www.tcjs.state.tx.us>
info@tcjs.state.tx.us

NOTICE OF NON-COMPLIANCE SHELBY COUNTY JAIL

July 22, 2024

Please reference the Inspection Requirements Review and Jail Inspection Report issued on July 18, 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
263.55	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 ANSUL system in the kitchen was last inspected in July 2023. This places the bi-annual inspection of the ANSUL past due.	Upon receipt of this notice.
273.2(7)	Provide procedures for the distribution of prescriptions in accordance with written instructions from a physician by an appropriate person designated by the sheriff/operator; Medication Administration Records (MAR) reviewed failed to show that medication is distributed in accordance with written instructions from a physician.	Upon receipt of this notice.
273.5(a)(2)	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; Jail staff failed to notify the magistrate within 12 hrs. in accordance with Code of Criminal Procedure Article 16.22 when warranted by positive returns on the CCQ or affirmative answers on the Screening Form for Suicide and Medical/Mental/Developmental Impairments.	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

"The Commission on Jail Standards welcomes all suggestions and will promptly respond to all complaints directed against the agency or any facilities under its purview".

To empower local government to provide safe, secure and suitable local jail facilities through proper rules and procedures while promoting innovative programs and ideas

275.1

Every facility shall have the appropriate number of jailers at the facility 24 hours each day. 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. There shall be a two-way voice communication capability between inmates and jailers, licensed peace officers, bailiffs, and designated staff at all times. Closed circuit television may be used, but not in lieu of the required personal observation. Electronic sensors or cameras capable of recording the required personal observations of inmates in high-risk cells or groups of cells shall be installed no later than August 31, 2020.

During the review of observation checks for the period of April 1, 2024, to April 30, 2024, 30-minute observation checks in areas where inmates known to be assaultive, potentially suicidal, mentally ill, or who have demonstrated bizarre behavior are confined within the facility were observed to be late by 1 minute to 28 minutes

Upon receipt of this notice.

279.1(2)

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 health inspection by authorities was last conducted on January 4, 2023. This places the annual health inspection past due by 6 months..

Upon receipt of this notice.

279.3

Preventive maintenance, to include necessary repairs, shall be conducted to ensure a safe, secure, and sanitary facility.

During the walk-through of the facility, exposed wiring was observed in inmate housing B, E, K, and vestibule IJ. The lights in cell G-3 were inoperable and inmates reported that the lights had not worked for a long period. There was no water at the sink in cell E-3.

Upon receipt of this notice.

281.5

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. Food shall be served under the immediate supervision of a staff member. Care shall be taken that hot foods are served reasonably warm and that cold foods are served reasonably cold.

Administration was unable to provide a valid food handlers license for staff working in the kitchen while food is being prepared.

Upon receipt of this notice.

285.1

Each facility shall have and implement a written plan, approved by the Commission, for inmate physical exercise and physical recreation. Documentation of physical exercise and physical recreation shall be maintained for Commission review. Each inmate shall be allowed one hour of supervised physical exercise or physical recreation at least three days per week.

Records reviewed for inmate recreation for the month of April 2024 failed to show that inmates are allowed one hour of supervised physical exercise or physical recreation at least three days per week. Additional records were reviewed for the months of March 2024 and May 2024. These records also failed to show that inmates are allowed one hour of supervised physical exercise or physical recreation at least three days per week.

**Upon receipt of
this notice.**