

# TEXAS COMMISSION ON JAIL STANDARDS

EXECUTIVE DIRECTOR  
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## TECHNICAL ASSISTANCE MEMORANDUM #24-07

To: All Sheriffs and Jail Administrators  
From: Brandon Wood, Executive Director  
Date: November 25, 2024



RE: Public Access to Pretrial Hearings

The United States Court of Appeals For The Fifth Circuit published an opinion on November 15, 2024, regarding a first amendment issue which arose due to a Caldwell County policy that excluded the public and the press at magistration hearings.

The Court of Appeals determined that the policy which excluded the public and/or the press from pretrial hearings, such as magistration, constitutes a violation of the first amendment rights of the individuals/organizations which have standing.

TCJS recommends a review of the ruling, with the assistance of your County Attorney, and ensure your county is providing public access to magistration hearings. TCJS was advised by Caldwell County that they now provide public access to magistration hearings by publishing a weekly hearing schedule and using Zoom for virtual attendance.

You may contact Richard Morgan at [richard.morgan@tcjs.state.tx.us](mailto:richard.morgan@tcjs.state.tx.us) if you have questions or need additional information.

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