

TEXAS COMMISSION ON JAIL STANDARDS

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NOTICE OF NON-COMPLIANCE FALLS COUNTY JAIL

December 19, 2024

Please reference the Inspection Requirements Review and Jail Inspection Report issued on December 17, 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
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>Administration was unable to provide a current annual classification audit. This was a deficiency noted during the March 4, 2024 Comprehensive Inspection.</p>	<p>Upon receipt of this notice.</p>
273.2	<p>(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;</p> <p>Medication Administration Records (MAR) for the month of December failed to show that medication is distributed in accordance with written instructions from a physician.</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 training documentation for new staff and could only provide 1</p>	<p>Upon receipt of this notice.</p>

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

hour of training for all other staff. This was a deficiency noted during the March 4, 2024 Comprehensive Inspection.

273.5(b) (b) Screening Instrument. An approved mental disabilities/suicide prevention screening instrument shall be completed immediately on all inmates admitted. **During the review of 10 inmate medical files, 4 screening forms were found to be incomplete. Missing information on the screening forms includes missing dates, times, comments for affirmative answers, and dates and times of magistrate notifications. This was an area of Technical Assistance during the March 4, 2024 Comprehensive Inspection.**

Upon receipt of this notice.

273.5(c)(1) (1) 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 developmental disability, unless the inmate is being housed as an out of state inmate or a federal inmate on a contractual basis; **Administration was unable to provide records of During the review of 10 inmate medical files, it was determined checks against the CCQ system were not conducted for 5 hrs to 18 hrs after intake. This was deficiency noted during the March 4, 2024 Comprehensive Inspection.**

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273.5(c)(2) (2) maintain documentation to be available at the time of inspection showing that information for each inmate designated in paragraph (1) of this subsection was submitted for CCQ/IDD system checks, to include notification to the magistrate and the Local Mental Health Authority or Local Intellectual and Developmental Disabilities Authority as per CCP 16.22(a)(1); **Staff failed to notify the magistrate within 12 hrs in accordance with accordance with CCP 16.22 when warranted by affirmative answers on the Screening Form for Suicide and Medical/Mental/Developmental Impairments or positive CCQ response. This was deficiency noted during the March 4, 2024 Comprehensive Inspection.**

Upon receipt of this notice.

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.

Observation checks for holding cells and areas where inmates known to be assaultive, potentially suicidal, mentally ill, or who have demonstrated bizarre behavior are confined are not being conducted within the required 30-minute time frame. Observation checks are being conducted at 1-hour intervals in these areas. This was a deficiency noted during the March 4, 2024 Comprehensive Inspection.

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. Personnel employed or appointed as jailers or personnel appointed, employed, or assigned to directly supervise jailers at facilities operated under vendor contract with a county or city 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 license. It was also determined that a staff member not licensed as a jailer with Falls Co. is being utilized in a jailer capacity. This was a deficiency noted during the March 4, 2024 Comprehensive Inspection.

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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. Personnel employed or appointed as jailers or personnel appointed, employed, or assigned to directly supervise jailers at facilities operated under vendor contract with a county or city shall be licensed as per the requirements of the Texas Commission on Law Enforcement under the provisions of Part 7 of this title.

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During the review of staff licensing, it was determined that 3 staff members with Temporary Jailer Licenses had not been registered for a Basic County Corrections Course within 90 days of the issuance of the temporary license. This was a noted deficiency during the March 4, 2024 Comprehensive Inspection.

275.4

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. This jailer shall provide documented visual inmate supervision not less than once every 60 minutes. Sufficient staff to include supervisors, jailers and other essential personnel as accepted by the Commission shall be provided to perform required functions. A plan concurred in by both commissioners' court and sheriff's office, which provides for adequate and reasonable staffing of a facility, may be submitted to the Commission for approval. This rule shall not preclude the Texas Commission on Jail Standards from requiring staffing in excess of minimum requirements when deemed necessary to provide a safe, suitable, and sanitary facility nor preclude submission of variance requests as provided by statute or Chapter 299 of this title.

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Documentation reviewed shows that staffing levels still exceed the required 1 to 48 ratio. The control room is being staffed by dispatchers who do not possess a valid jailers license. Staffing on the floor has been at a ratio of 1 to 55. This was a noted deficiency during the March 4, 2024 Comprehensive Inspection.

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..

During the walk-through of the facility, it was observed that inmates were in the facility kitchen preparing food without the supervision of a staff member or contract employee. It was determined that inmates routinely prepare food in the kitchen without supervision when the assigned kitchen officer is not on duty.

Upon receipt of this notice.

283.1

Each sheriff/operator shall develop and implement a written disciplinary plan, approved by the Commission, governing inmate conduct. The plan shall provide for the firm, fair, and consistent application of rules and regulations. Facilities housing contracted TDCJ-ID inmates may adhere to TDCJ-ID disciplinary policies and procedures for these inmates, when they are housed together, and separately from all other inmates. Facilities housing federal inmates may adhere to federal disciplinary policies and procedures for these inmates, when they are housed together, and separately from all other inmates. For purposes of inmate discipline, violations of institutional rules and regulations shall be divided into Minor Infractions and Major Infractions.

Inmate disciplinary reports are not being completed according to the approved disciplinary operational plan. This inspector was unable to determine if 24-hour written notice of the claimed violations was provided to the inmate prior to the hearing. Disciplinary paperwork was found to be incomplete, missing dates, times, and signatures. This was a deficiency noted during the March 4, 2024 Comprehensive Inspection.

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283.3

Every facility shall have and implement a written plan, approved by the Commission, for inmate grievance procedures. This plan shall be an administrative means for the resolution of grievances. It supplements, but does not replace any informal grievance procedure. Each plan shall: **During the review of inmate grievances, it was determined that submitted grievances are not being responded to with an interim response within 15 days,**

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and investigations are not being completed within 60 days. Falls Co. is not utilizing paper grievances as outlined in the approved operational plan. Falls Co. is utilizing a kiosk grievance system, but staff are not responding to the grievances submitted by inmates.

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.

Documentation provided and reviewed for June, July, October, and November 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. This was a deficiency noted during the March 4, 2024 Comprehensive Inspection.

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