

Texas Commission on Jail Standards



96<sup>th</sup> Annual  
County Judges & Commissioners  
The Woodlands, Texas  
October 10, 2018

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- SB 1849 required several changes to Minimum Jail Standards
- Also changed 16.22 CCP
  - magistrate notification w/in 12 hours
- Staggered implementation dates
- Four phases

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Phase I

- A. Serious Incident Report
- B. Death in Custody Investigation
- C. Continuity of Medications

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**Serious Incident Report**

- A suicide
- Attempted suicide
- Death
- Serious bodily injury
- Assault
- Escape
- Sexual Assault
- Use of force with bodily injury

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**Death In Custody Investigation**

When there is a death in your jail, someone other than your sheriff's office has to investigate it.

- They can assist
- They can investigate

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**Continuity of Medications**

Requires qualified medical professional **review** ASAP any prescription medication a prisoner is taking when booked

Qualified medical professionals

- 1) Doctor
- 2) Physician's Assistant
- 3) Nurse Practitioner
- 4) Registered Nurse
- 5) Licensed Vocational Nurse

EMT's were excluded from list.

What is reasonable? 48 hours? 72 hours?  
That time frame is left up to each individual county/facility.

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Continuity of Medications

**From Dr. Porsa (TCJS Commission Member)**

In situations in which smaller jails may not have immediate access to a qualified medical professional either in person or via tele-health, the custody staff may consult with the local pharmacy regarding the verification of the medications that a detainee may have on their persons and may allow the continuation of such medications once they are verified by the local pharmacist. This will meet with spirit of Sandra Bland act regarding the continuity of medications. However, to meet the letter of the law as relates to Sandra Bland act, the custody staff must obtain the consultation of a certified health care professional (nurse, PA, NP, or MD) "in a timely manner" for the formal verification of the medications and the appropriateness of their continuation.

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Phase II

Jail Administrator Examination

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- Effective **MARCH 1, 2018**
- Jail Administrator must pass the examination not later than the 180<sup>th</sup> day after the date assigned
- Current jail administrators exempt
- If have not passed-immediately removed
- Falls back on the Sheriff
- 323

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Phase III

- A. 24-Hour Access to Mental Health
- B. 24-Hour Access to Medical
- C. Electronic Verification of Checks

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- Ability to access a mental health professional at the jail through a telemental health service 24 hours a day\*
  - Ability to access a health professional at the jail or through a telehealth service 24 hours a day
- OR**
- If a health professional is unavailable at the jail or through a telehealth service, TRANSPORT
- Electronic sensors or cameras
- Ensure accurate and timely in-person checks
  - At-risk inmates
  - Prisoner Safety Fund
  - 96 beds or less eligible to receive grant funding

**September 1, 2020**

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Phase IV

Mental Health Training

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- 8 Hour Course
  - New Jailor Class includes
  - Existing Jailers have until Sept 1, 2021
  - three (3) mental health trainers that will be responsible for teaching/conducting the mental health training course in their assigned region.
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- No cost to the county
  - 6,298

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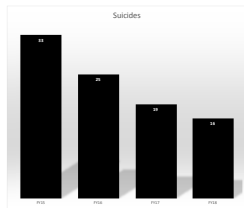
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**Suicides for:**  
FY 2015 through FY 2018 (to date)



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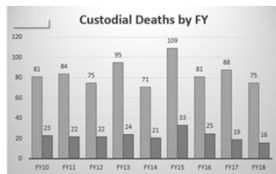
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**Total Number of Deaths**  
FY 2010 through FY 2018 (to date)



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What is on the horizon?

- Tweaks of SB1849
- Statewide Formulary for Detox
- Mental Health

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(512)771-5283

brandon.wood@tcjs.state.tx.us

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