

# Texas Commission on Jail Standards



North & East Texas County Judges and Commissioners  
College Station, Texas  
May 16, 2019

# Texas Commission on Jail Standards



## Texas Commission on Jail Standards Commission Members



Judge Bill Stoudt (Chair)  
Gregg County Judge, Longview, Texas  
10-2016 to 01-21-2025



Sheriff Dennis D. Wilson  
Limestone County Sheriff, Groesbeck, Texas  
05-2013 to 01-31-2021



Sheriff Kelly Rowe  
Lubbock County Sheriff, Lubbock, Texas  
10-2016 to 01-31-2021



Dr. Esmail Porsa, M.D.  
Parker, Texas  
10-2016 to 01-31-2023



Melinda Taylor  
Austin, Texas  
04-2017 to 1-31-2021



Duane Lock  
Southlake, Texas  
04-2017 to 1-31-2023



Commissioner Ben Perry  
McLennan County Commissioner, Waco, Texas  
04-2017 to 1-31-2023



Monica H. McBride  
Alpine, Texas  
04-2019 to 1-21-2025



Patricia M. Anthony  
Garland, Texas  
04-2019 to 1-21-2025

Inspect/Regulate  
Review Construction  
Provide Technical Assistance  
Training

Just where do those rules come from?

Statute

Case Law

Other Codes

Subject Matter Experts

CURRENT ISSUES  
&  
PROPOSED LEGISLATION

# Texas Commission on Jail Standards

SB 1849

Changes to Minimum Jail Standards

Also changed 16.22 CCP  
magistrate notification w/in 12 hours

Staggered implementation dates

Four phases

## Phase I

Serious Incident Report

Death in Custody Investigation

Continuity of Medications

## **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.

## Phase II

### Jail Administrator Examination

**MARCH 1, 2018**

Jail Administrator must pass the examination not later than the 180<sup>th</sup> day

Current jail administrators exempt

If have not passed-immediately removed

Falls back on the Sheriff

## Phase III

A.24-Hour Access to Mental Health

B.24-Hour Access to Medical

C.Electronic Verification of Checks

# Texas Commission on Jail Standards

- 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**

## Phase IV

### Mental Health Training

8 Hour Course (TCOLE 4900)

Existing Jailers have until Sept 1, 2021

3 mental health trainers with assigned regions

No cost to the county

6,298



# Proposed Legislation

# Texas Commission on Jail Standards

Temporary Jailer License (HB2467 and 3775)

Care of Pregnant Inmates (HB1651)

Expanded Population Report (HB1889)

Feminine Hygiene Rules (HB2169)

Free Inmate Phone Calls (HB2580)

Jailer Training for Pregnant Inmates (HB2701)

Housing of Inmates with Dementia (HB2873)

IDD Inmates Task Force (HB3116)

VRSS Check (HB3311)

Release of Inmates between 0600 to 1800 (SB1700)

Pre-Trial Inmate Out of State Housing (SB2191)

# Texas Commission on Jail Standards

## **HB4468**

County Criminal Justice Reform

MH Transport

Additional oversight for private facilities

Temp Jailer Requirements

## **HB599/600/601**

Mental Health Omnibus Bills

Requires county to pay for evaluation ordered by magistrate

## **SB632**

LMHA Board to Include Sheriffs

## **SB633**

Initiative to increase MH services in rural areas

# TAX CAPS

Debt to build not impacted

Cost to Operate is