

Texas Commission on Jail Standards



House Committee on County Affairs

85th Legislature

The mission of the Texas Commission on Jail Standards is to empower local government to provide safe, secure, and suitable local jail facilities through proper rules and procedures while promoting innovative programs and ideas.

Introduction

At the urging of various stakeholders such as the Sheriff's Association of Texas, the State Bar and the ACLU, the Legislature in 1975 created the Texas Commission on Jail Standards to put a halt to the intrusion of the federal court system into the operation of Texas County Jails. At the time of the agency's creation, the 10 largest counties were under some form of federal court oversight with more lawsuits filed. By 1980, the federal courts had accepted the Commission's administrative rules and authority as providing a minimum constitutional level of confinement, and, as a result of their compliance with minimum jail standards, Lubbock County was the first county to have their federal court order vacated.

Organization

Our policy-making body consists of nine Commission members appointed by the governor to staggered six-year terms expiring on January 31 of odd-numbered years. The Commission consists of a sheriff from a county with a population of more than 35,000, a sheriff from a county with a population of 35,000 or less, a county judge, a county commissioner, a practitioner of medicine, and four private citizens, at least one of whom is from a county with a population of 35,000 or less. The chairperson is designated by the governor, with the vice-chairperson elected by the membership. Our Commission holds regular meetings each calendar quarter as required. Special meetings are held as needed. Responsibilities of the Commissioners include promulgation, adoption, revision, amendment, and repeal of rules; enforcement of rules through remedial action or action in district court; and consideration of applications for variances to minimum standards. Members are not compensated for their work except for allowable travel and per diem expenses.

Commission members are as follows:

<u>Member</u>	<u>City</u>	<u>Term Expires</u>
Judge Bill Stoudt, Chair	Longview	2019
Ms. Irene A. Armendariz	Austin	2015
Mr. Jerry Lowry	New Caney	2019
Mr. Larry May	Sweetwater	2019
Mr. Allan Cain	Carthage	2017
Sheriff Dennis D. Wilson	Groesbeck	2021
Sheriff Kelly Rowe	Lubbock	2021
Dr. Esmaeil Porsa, M.D.	Parker	2017

Agency Objectives

Currently, there are 242 facilities under the commission's purview with over 93,000 inmate beds, and we carry out our mandated duties through four strategies with 17 employees:

Inspection & Enforcement:

All jails are inspected at least once per fiscal year with special inspections and re-inspections conducted as needed. The agency also investigates complaints against facilities under our purview.

Construction Plan Review:

All new construction or renovations are reviewed and approved to include occupancy inspections.

Facility Needs Analyses are also conducted under this strategy.

Management Consultation:

Technical assistance, training, operational plans & staffing analysis

Auditing Population and Costs:

Population reports, paper ready inmate information, and immigration

A fifth strategy, Indirect Administration accounts for agency support services and administration.

Appropriations

The agency's baseline request for this biennium is the same as the amount appropriated during the previous legislative session: \$972,372.00 per FY for a total over the biennium of \$1.9 million

Current Agency Initiatives

Mental Health Screening

In the wake of Sandra Bland's death, the Commission revamped the Intake Screening form, which is required to be performed immediately upon admission into the facility on all inmates. The new form was put into service in December 2015. The new form requires notification to a supervisor, magistrate and mental health personnel if certain red-flag questions are answered in the affirmative. In addition, inmates may be placed on mandatory suicide watch.

Comparing one full year of data from Dec.-Nov time frame, there was a 58% drop in the number of suicides in county jails.

December -November Suicides (New Intake Screening Form begins December 2015)							
	Dec 2009-Nov2010	Dec 2010-Nov2011	Dec.2011-Nov20 12	Dec 2012--Nov2013	Dec 2013-Nov2014	Dec 2014-Nov2015	Dec 2015-Dec 2016
December	1	3	0	2	2	2	1
Jan	0	1	1	2	0	0	0
Feb	3	1	1	3	4	1	0
Mar	3	3	2	2	0	6	1
Apr.	1	1	2	0	3	2	2
May	4	2	5	4	2	1	2
June	0	0	4	2	2	5	3
July	2	5	2	2	1	3	3
Aug	4	1	0	3	1	5	2
Sept.	1	0	1	2	4	4	0
Oct.	1	3	1	3	0	0	0
Nov.	4	2	2	0	4	5	0
Total	24	22	21	25	23	34	14

Facts and Figures

- As of 02/27/2017, 233 County jails are in compliance with minimum jail standards; 9 county jails are non-compliant.

- In February 2017, the county jail inmate population stood at 65,269 inmates with statewide capacity at 93,325, resulting in a 69.94% capacity rate.
- Continuity of Care Query (CCQ) - The CCQ was created by Senate Bill 839, 80th Legislature and allows jailers to access the Department of State Health Services database through DPS' TLETS system. The CCQ will notify a county jailer if an inmate has received prior state mental health services, which should allow the jail to continue the inmate's mental health care. The Commission is required to check a jail's compliance of utilizing the CCQ system.
 - In FY 2016, the CCQ received 1,076,801 requests. Of the 1 million requests, 7.88 % or 84,862 resulted in exact matches with the DSHS database and 38% or 407,244 were probable matches.

	Total CCQ Requests	Exact Match	Exact Match %	Probable Match	Probable Match %
FY 2013	982,330	62,570	6%	342,425	35%
FY 2014	1,079,238	76,561	7%	386,591	36%
FY 2015	1,075,159	79,382	7%	400,056	37%
FY 2016	1,076,081	84,862	8%	407,244	38%

- Immigration Detainer report-SB 1698, 82nd Legislature requires counties to report to the Commission the number of inmates with an immigration detainer and the associated costs.

- In FY 2016, 41,145 inmates with an immigration detainer were housed in Texas county jails for a total of 898,957 days resulting in a cost statewide of \$54,019,391.

FY	# of inmates	# of inmate days	Cost
FY 2012	69,313	1,395,016	\$ 82,765,768.54
FY 2013	66,926	1,355,023.00	\$ 80,187,032.00
FY 2014	61,285	1,267,290.00	\$ 76,055,408.44
*FY 2015	52,077	1,122,426.00	\$ 68,886,792.01
FY 2016	41,145	898,957	\$ 54,019,391.86

*December 2014-Federal Govt. Ends Secure Communities; begins Priority Enforcement Programs(PEP)

- Blue Warrants In FY 2016-parole violators (technical violations only) housed in county jails averaged 1,689 inmates; parole violators with new charges averaged 2,957.

That concludes my prepared remarks and I will be happy to answer any questions you may have.

Thank you.