

TEXAS COMMISSION ON JAIL STANDARDS *File*

EXECUTIVE DIRECTOR
Brandon S. Wood



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Hardin

July 20, 2022

The Honorable Wayne McDaniel
Hardin County Judge
300 W. Monroe St.
Kountze, TX 77625-5994

and


Sheriff Mark Davis
Hardin County Sheriff
P. O. Box 1990
Kountze, TX 77625-1990

Dear Judge McDaniel and Sheriff Davis,

Pursuant to the provisions of V.T.C.A. Government Code, Section 511.011 and Title 37, Texas Administrative Code (Chapter 297, Section 5, Texas Minimum Jail Standards), you are hereby notified that the jail in your county fails to comply with minimum standards established under V.T.C.A. Local Government Code, Chapter 351, and the rules of this Commission, and that appropriate corrective measures must be initiated. A reasonable completion date for corrective measures should be set. Failure to initiate appropriate corrective action may cause a remedial order to be issued and enforced, or other appropriate action taken. **In accordance with Chapter 297, Section 6, Texas Minimum Jail Standards, please notify this agency in writing within thirty (30) days of receipt of this notice as to actions initiated.**

The attached page(s) indicate minimum standards violated, corrective measures required, and date by which corrective measures must be initiated. Please reference the Inspection Requirements Review and Jail Inspection Report issued on July 12, 2022, detailing the specific issues that resulted in the issuance of this notice of non-compliance.

Issued this 20th day of July 2022
Texas Commission on Jail Standards

By  _____
Brandon S. Wood, Executive Director

BW/cw

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

TEXAS COMMISSION ON JAIL STANDARDS - INSPECTION REQUIREMENTS REVIEW

Byron Shelton

Byron Shelton, TCJS Inspector

Facility Name: Hardin County Jail

Date:

July 12, 2022

| Chapter | Title | Comments |
|---------|-----------------------|---|
| 259 | New Construction | Conducted a walk through of the facility. |
| 261 | Existing Construction | Not applicable. |
| 263 | Life Safety | Inspected life safety equipment and conducted and observed emergency drill. Reviewed documentation. Conducted staff interviews. Deficiency Noted See Report. Technical assistance provided- The Hardin County Jail 's fire panel is red tagged and currently inoperable as they had electricity strike the panel in November of 2021. Follow- up required- The Hardin County Jail has a vendor working on this issue and began work on repair in late May of 2022. Cuurrently, there are awaiting parts that are on back order with an arrival date as late as October 2022. The Hardin County Jail Administration will keep this inspector updated on a weekly basis moving forward until this issue has been completely repaired. Also, they will continue to be on firewatch for the safety of their inmate population. |
| 265 | Admission | Reviewed a random sample of 18 inmate files. Interviewed staff. Reviewed policy. |
| 267 | Release | Reviewed a random sample of 3 inmate files. Interviewed staff. |
| 269 | Records/Procedures | Reviewed policy and documentation. Interviewed staff and reviewed ADA compliance evaluation. |
| 271 | Classification | Reviewed a random selection of 18 files. Reviewed training records. |
| 273 | Health Services | Reviewed a random selection of 18 files. Interviewed staff and inmates. Reviewed training records. Reviewed policy. |
| 275 | Supervision | Reviewed a random selection of 31 jailer TCOLE certification records. Reviewed jailer documentation. Interviewed staff. Deficiency Noted See Report. Technical assistance provided- In November 2021 there was a jolt of electricity tfrom a storm that struck the fire panel system at the Hardin County Jail and it directly effected all interoms in all cells at the jail. Currently there is no 2 way communication at the Hardin County Jail. Follow-up required- The Hardin County Jail has hired a vendor to repair this issue and they are scheduled to be onsite July 13, 2022, to begin repair on the intercoms. The Hardin County Jail Administration will keep this inspector updated on a weekly basis until this repair is fully completed and there is again 2 way communciation at the Hardin County Jail. Additionally, until this issue has been resolved they will continue firewatch on the inmate population. |
| 277 | Personal Hygiene | Conducted a facility walk through. Reviewed facility schedule. |
| 279 | Sanitation | Conducted a facility walk through. Interviewed staff and inmates. Reviewed policy. Technical assistance provided- While conducting a walkthrough of the Hardin County Jail this inspector observed multiple cells that had excess graffiti spread throughout the cell walls. Also, this inspector observed multiple cells that had excess clutter to include inmate personal items and commissary items being stored on empty bunks. Follow-up required- The Hardin County Jail Administration will submit a plan of action on how they will address the excess graffiti and clutter in the cells to this inspector within the next 30 days. This plan shall include a timeline as to when these issues will be addressed. |
| 281 | Food Service | Conducted walk through inspection in kitchen area. Interviewed staff. Reviewed documentation. Technical assistance provided- During the review of kitchen documents this inspector learned that the Hardin County Jail only has two staff members that have food handler's training. While these staff members primary duty is the kitchen, there needs to be additional staff members that have food handler's training in an effort to properly cover and supervise this area when these staff members are not on duty. Follow up required- The Hardin County Jail Administration will have 14 days to get several staff members food handler's training and upon doing so documentation showing that they have received the required training shall be submitted to this inspector. |
| 283.1 | Discipline | Reviewed 12 disciplinary hearing records. Interviewed staff and inmates. Reviewed policy. Reviewed inmate rules. |
| 283.3 | Grievance | Reviewed 15 inmate grievance/complaints. Reviewed policy. Interviewed staff and inmates. Deficiency noted. |
| 285 | Exercise | Walk through of exercise area conducted. Reviewed documentation. Interviewed staff and inmates. Deficiency |
| 287 | Education/Library | Reviewed policy and schedule. Interviewed staff and inmates. |

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JUL 20 2022

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TEXAS COMMISSION ON JAIL STANDARDS - INSPECTION REQUIREMENTS REVIEW

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|-------|---------------------|--|
| 289 | Work Assignments | Reviewed policy and schedule. Interviewed staff and inmates. |
| 291.1 | Telephone | Reviewed policy and schedule. Interviewed staff and inmates. |
| 291.2 | Correspondence | Reviewed policy and schedule. Interviewed staff and inmates. |
| 291.3 | Commissary | Reviewed policy and schedule. Interviewed staff and inmates. |
| 291.4 | Visitation | Reviewed policy and schedule. Interviewed staff and inmates. |
| 291.5 | Religious Practices | Reviewed policy and schedule. Interviewed staff and inmates. |
| xxx | Variances | Not applicable. |
| xxx | Remedial Orders | Not applicable. |
| xxx | Complaints | Not applicable. |
| xxx | CCQ | CCQ inquiries are being submitted through TLETS as required. |

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NOTICE OF NON-COMPLIANCE HARDIN COUNTY JAIL

July 20, 2022

Please reference the Inspection Requirements Review and Jail Inspection Report issued on July 12, 2022, 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 |
|-----------------------------|--|--|
| 263.30 | <p>An automatic fire detection and alarm system shall be provided for all facilities. The system shall include:</p> <ul style="list-style-type: none">(1) automatic fire detection for all areas of the facility;(2) manual fire alarm pull station for staff use;(3) visual and audible annunciation of all fire detection devices and fire extinguishing systems at continuously staffed locations. <p>The Hardin County Jail 's fire panel is currently red tagged and inoperable.</p> | Upon receipt of this notice. |
| 275.1 | <p>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.</p> | Upon receipt of this notice. |

Judge Bill Stoudt, Longview, Chair
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All of the intercoms at the Hardin County Jail are currently inoperable and therefore there is currently no 2 way communication at this facility.