



KEY ISSUES

THE NEWSLETTER OF THE TEXAS JAIL ASSOCIATION

Vol. IX, No. 2

Spring 2006

MESSAGE FROM THE PRESIDENT



President, Kelly S. Rowe

I wanted to take a moment and impart to everyone my thoughts on the year so far, and what lies ahead of us in the future. With our 20th Annual Conference in San Antonio quickly approaching, we will culminate yet another excellent year of training throughout the State.

We just recently concluded our Spring Regional Workshops with the Texas Association of Counties,

and I am confident everyone will be pleased with the large number of participants and contact hours. We have also seen an unprecedented increase in membership that brings our totals higher than ever before in the Association's history. In addition, we have enjoyed unparalleled sponsorship from our vendors of whom I, on behalf of the Association, cannot thank enough. Their support truly enables us to bring first class programs and conferences to the membership.

As I am sure everyone is aware, the corrections profession faces new and different challenges every day. The future can often times seem bleak with the myriad of issues that continue to envelop us.

CONTENTS

Message from the President.....	1
Message from the President (cont'd).....	2
First Notice - Mark Your Calendars Basic Jail Administration Training September 24 through 29, 2006.....	2
Jim White Memorial Youth Scholarship Award.....	3
Membership Drive.....	3
Templeton Thompson To Perform At The 20th Annual TJA Banquet.....	3
20th Annual Texas Jail Association Spring Conference.....	4
Agenda.....	5
The TJA Golf Tournament.....	7
Courtroom Challenge.....	7
TJA 2005 Spring Conference.....	8
Texas Jail Association Prayer Breakfast.....	8
Have Cuffs, Will Travel Prisoner Transport Is A Big, Costly Mandate For Sheriffs.....	8
New Members.....	15
Texas Jail Association Bulletin Board.....	15
A Comprehensive View of Capital Punishment.....	18
Key Issues Deadline Dates.....	18
Texas Jail Association Advertising Information.....	19
Texas Jail Association Officers and Board of Directors.....	19
2006 Training Opportunities.....	20

MESSAGE FROM THE PRESIDENT cont'd

Whether it is a lack of qualified personnel, bed-space, salaries, or mental health issues, as difficult to manage as they are, these issues should serve to strengthen our resolve. As an Association, we need to work together to confront these problems with viable solutions to minimize them as much as possible. I believe those solutions exist. New conceptual training and networking can greatly assist in this endeavor. In addition, we must be prepared to work diligently with those outside our field that have responsibilities, or play some part, and impact our daily business. Local and State government and their agencies have

tremendous influence and control over several of the aspects I have listed. When we keep our primary mission at the forefront we can and will achieve great things.

I am looking forward to seeing everyone real soon.

As always take care and God Bless.



FIRST NOTICE — MARK YOUR CALENDARS BASIC JAIL ADMINISTRATION TRAINING, SEPTEMBER 24 THROUGH 29, 2006

by
Chris Kirk

Like many good ideas, it started out as a question. Why isn't there specific training for jail administrators in Texas? The "light-bulb" went on in the heads of some who care and the idea was born. Of course, it would take a committee to work out the details. Hence, the formation of a focus group consisting of a variety of criminal justice professionals with vested interests in seeing that Texas jails are run appropriately.

The focus group was facilitated by Dan Beto, Retired Director CMIT, members included:

Christie Davidson, Interim Director CMIT;
Sharese Hurst, Project Coordinator CMIT;
Chris Kirk, Brazos County Sheriff, 2nd Vice President of SAT;
Wayne Dicky, Brazos County Jail Administrator, Past President of TJA;
Bob Patterson, Bell County Jail Administrator, current President of AJA & Past President of TJA;
D.V. "Red" McKaskle, Retired Chief Deputy Harris County SO;
Carmella Smith, Law Enforcement Specialist TAC;
Steve Chandler, Law Enforcement Specialist TAC;
and
Jay Johnson, Education Program Manager TAC.

The focus group met, telecommunicated and e-mailed over a period of 6 months to develop the concept and curriculum for the 40 hour Basic Jail Administrators Training Program. This good idea will become a reality in Huntsville, Texas during the week of September 24th thru 29th, 2006.

The course is designed to target jail administrators of

small to mid-size jails in Texas. To qualify for the course, participants will be asked to submit an application that must include a letter of nomination and endorsement from their sheriff. So that there is plenty of opportunity for interaction between the instructors and participants, the class size will be limited to 25 participants. There will be no tuition fee or cost for room and board for selected participants. Travel expenses are not included.

Training categories for the week-long course will include: Overview of County Government, Your Duties as a Jail Administrator, Legal Issues, Fiscal Issues, Human Resource Management, Staff Training, Personal Management Assessment, Interpersonal Communication, Supervisory Skills, The Planning Process, Conducting Effective Meetings, and Dealing with the Media.

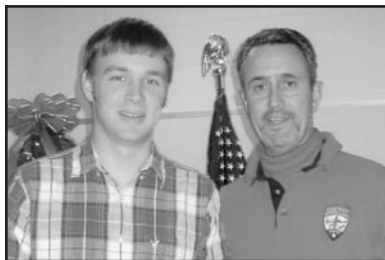
Four professional organizations have come together as partners in this endeavor; the Correctional Management Institute of Texas (CMIT), Texas Jail Association (TJA), Texas Association of Counties (TAC), and Sheriffs' Association of Texas (SAT). Each of these organizations has pledged \$5,000 to under-write the cost of the first course and to provide top-notch instructors for each of the training categories. The focus group is attempting to identify a sustaining funding source for future Jail Administrator Training courses, exploring options that could include grants from the Governor's CJD or CMIT.

Be sure to mark your calendars and make your plans to attend. You could be a member of the charter class for the Basic Jail Administration Training Program.

JIM WHITE MEMORIAL YOUTH SCHOLARSHIP AWARD

by
Cheryl White Mynar

I am pleased to announce the third recipient of the Jim White Memorial Youth Scholarship, Mr. Bryan Theriot, of Nederland. Bryan was presented with his scholarship in December 2005.



Bryan Theriot and Sheriff Mitch Woods

Bryan is the son of Major Jeff Theriot, Jefferson County Sheriff's Office and Sandra Theriot, on the clerical staff at the Port Arthur I.S.D.

Bryan is currently a student at Lamar University in Beaumont, Texas and plans to earn a degree as a Mechanical Engineer.

We wish him well in his future endeavors.

TEMPLETON THOMPSON TO PERFORM AT THE 20TH ANNUAL TJA BANQUET



Templeton Thompson draws from a deep well of influences that combine with her Texas roots to give her style of country music a distinctive, soulful edge. She names Emmylou Harris, Bonnie Raitt, Sheryl Crow and Don Williams as her most influential heroes.

As a songwriter, Templeton has found her niche among Nashville's elite. You can find her songs on Million-selling CD's from country superstars like Reba McEntire and Jo Dee Messina and on the latest release from Sherrie' Austin, "Streets of Heaven."

She's one of Nashville's sought after session vocalists having sung countless demos as well as background vocals for major label artists like Reba McEntire. She has performed on stage for audiences across the U.S., in Europe and in Japan.

Templeton was recently named the top female country artist by AmericanIdolUnderground.com. Other honors include being named among the top artists of the year by Texas radio DJs in early '05. Her first single "If I Didn't Need The Money", spent **7 weeks in the Top 10** on the Texas Music Chart. Her CD "i remember you" remains an "Editor's Choice" on CD Baby.com.

An avid horsewoman, Templeton was asked to join country artists Clay Walker and Chris Cagle, golf legend Tom Watson, as well as football Hall of Famers Joe Montana and Mel Blount to ride and perform at the Walker/Watson Charity Cutting Horse Event in Kansas City.

Templeton currently maintains a busy touring and recording schedule. Her next CD "girls and horses" is due to be released in the Summer of 2006. For more information about Templeton Thompson, log onto www.templetonthompson.com.

MEMERSHIP DRIVE

Special reserved seating can be yours at the 20th Annual TJA Banquet in San Antonio, Texas!

This year recognition will be given to the County with the most TJA members. Recognition will also be given to the County with the largest number of new members since last year's May conference. Representatives from these Counties will enjoy this year's banquet while seated at a reserved table near the front of the presentation area.

Our membership continues to grow as we celebrate our 20th anniversary. Last year, we reached a significant milestone by attaining 1000 plus members. You, as individual members, are the best recruiters for TJA. Start bringing in those new members now and be a part of this recruiting competition. I'll bet we can even get Carmella to take your picture and get it published in Key Issues! If you happen to wear a grass skirt, she'll take your picture regardless.

You can obtain a membership application by logging onto www.texasjailassociation.com or you can call Sharese Hurst at 936-294-1687 and request some membership brochures for your agency.

**** NOTICE TO ALL MEMBERS ****

NO conference certificates will be handed out at the Annual Conference or the Jail Management Issues Conference without a written request.

NO TCLEOSE credit will be awarded to participants if they have not signed in at each conference session.

More information will be given at the conferences!



20th Annual Texas Jail Association Spring Conference



Join the TJA at the
Henry B. Gonzalez Convention Center
May 15 – May 19, 2006
With Lodging at the **Marriott Riverwalk**
In **San Antonio, Texas**

Early Registration by Friday, May 5, 2006
TJA Member - **\$130** (\$160 after May 5)
Non-Member - **\$150** (\$180 after May 5)

- Cancellations must be made in writing and received by the Correctional Management Institute of Texas at Sam Houston State University no later than **May 12, 2006**, in order for a full refund to be processed.
- The Correctional Management Institute of Texas reserves the right to **retain or collect fees** in full for those *who fail to cancel prior to the training or for those who fail to attend.*
 - Substitutions are permitted at any time.

Last Name: _____ **First Name:** _____

Title: _____ **Agency:** _____

Address: _____ **City:** _____ **State:** _____ **Zip Code:** _____

Telephone: _____ **Fax Number:** _____

E-mail Address: _____ **Name of Spouse/Guest (if attending):** _____
Spouse/Guest \$50 charge includes welcome reception

Credit Card # _____ **Exp:** _____
Master Card or Visa (circle one)

Complete the form above and forward to:
Texas Jail Association
Attn: Sharese Hurst
George J. Beto Criminal Justice Center
Sam Houston State University
Huntsville, Texas 77341-2296
or fax to (936) 294-1671

TCLEOSE: 1-TX P.O. Lic. ____ 3-Lic. Telecom. ____ 4-Elected, not Lic. ____
5-County Jailer ____ 6-Other, no TX. Lic. ____

SSN #: _____ Date of Birth: _____

No TCLEOSE Credit Needed (please check)

**** **REQUIRED SECTION** ****

For Hotel Reservations, call 210-224-4555. You must identify yourself as a TJA Conference attendee.



Agenda

Event Times	Event	Speaker	Location
<u>MONDAY, MAY 15th, 2006</u>			
9:00 am – 10:30 am	Pre-Conference Board Meeting	Board of Directors	Bowie Room – Marriott Riverwalk
1:30 pm – 6:00 pm	Golf Tournament	Robert Patterson	Quarry Golf Club
2:00 pm – 6:00 pm	Registration	TJA Staff	Ballroom A Lobby
2:00 pm – 8:00 pm	Exhibitor Setup	TJA Staff	Ballroom A
3:00 pm – 5:00 pm	CJIS – CR43 Training	Sheila Bledsoe	Mission Room 103
<u>TUESDAY, MAY 16th, 2006</u>			
7:30 am – 12:00 pm	Registration	TJA Staff	Ballroom A Lobby
8:30 am – 8:45 am	Opening Ceremony		Mission Room 103
	National Anthem	Sheriff David Gutierrez	
	Presentation of the Colors	Lubbock County Sheriff's Office Honor Guard	
	Welcoming Remarks	Kelly Rowe, President TJA Sharese Hurst, Executive Director TJA Christie Davidson, Interim Executive Director Correctional Management Institute of Texas Major Robert Patterson, Past President, AJA	
8:45 am – 10:00 am	Keynote Address	TBA	Mission Room 103
10:00 am	Exhibitor Showrooms Open		Ballroom A
10:00 am – 10:30 am	Break		
10:30 am – 10:45 am	Introduction of Candidates	Danny Downes, 1st Vice President TJA	Mission Room 103
10:45 am – 11:30 am	Legislative Update	Sheriff Christopher Kirk	Mission Room 103
11:30 am – 1:30 pm	Lunch (on your own)		
1:30 pm – 3:00 pm	Breakout Sessions:		
	Legal Issues	Robert Davis	001A
	TDCJ State Ready Update	Ramona Koch	102
	Sex Offender Registration Training	Lonnie Milligan	101
	Current & Future Jail Issues	Texas Commission on Jail Standards	001B
3:00 pm – 3:30 pm	Refreshment Break		
3:30 pm – 5:00 pm	Breakout Sessions (Repeat):		
	Legal Issues	Robert Davis	001A
	TDCJ State Ready Update	Ramona Koch	102
	Sex Offender Registration Training	Lonnie Milligan	101
	Current & Future Jail Issues	Texas Commission on Jail Standards	001B
4:00 pm	Exhibitor Showrooms Close		Ballroom A
5:00 pm – 7:00 pm	President's Reception		River Terrace - Marriott Riverwalk
<u>WEDNESDAY, MAY 17th, 2006</u>			
7:30 am – 8:30 am	Prayer Breakfast	Mike Barber	Salon D - Marriott Riverwalk
8:30 am – 5:00 pm	Courtroom Challenge	Texas Commission on Jail Standards	Mission Room 103

WEDNESDAY, MAY 17th, 2006 (cont'd)

8:30 am – 10:00 am	Breakout Sessions: Are You <i>Sure</i> You Want to Say it That Way?	J. Mark Warren	101
	Prison Gangs	TDCJ	102
	Bail Bonding	Robert Davis	001A
	Labor Law	Steve Chalender	001B
9:00 am	Exhibitor Showrooms Open		Ballroom A
10:00 am – 10:30 am	Break		
10:00 am	Sheriff's Photo		Spiral Staircase – Convention Center
10:00 am	Jail Administrator's Photo		Spiral Staircase – Convention Center
10:30 am – 12:00 pm	Breakout Sessions (Repeat): Are You <i>Sure</i> You Want to Say it That Way?	J. Mark Warren	101
	Prison Gangs	TDCJ	102
	Bail Bonding	Robert Davis	001A
	Labor Law	Steve Chalender	001B
12:00 pm – 1:30 pm	Lunch (on your own)		
1:30 pm – 3:00 pm	Breakout Sessions: Recruiting and Retaining Detention Officers	Carmella Smith	101
	Medication Administration in Jails	Trey Flores	102
	Drug Recognition	Dawn Mathis	
	Mental Health	Mike Sorenson	
3:00 pm – 3:30 pm	Refreshment Break		
3:30 pm	Exhibitor Showrooms Close		Ballroom A
3:30 pm – 5:00 pm	Breakout Sessions (Repeat): Recruiting and Retaining Detention Officers	Carmella Smith	101
	Medication Administration in Jails	Trey Flores	102
	Drug Recognition	Dawn Mathis	
	Mental Health	Mike Sorenson	

THURSDAY, MAY 18th, 2006

8:30 am – 10:00 am	Officer Safety I	Ronald Schweer & Robert Thornton	Mission Room 103
8:30 am – 5:00 pm	Courtroom Challenge	Texas Commission on Jail Standards	TBA
10:00 am – 10:30 am	Break		
10:30 am – 12:00 pm	Officer Safety I (continued)	Ronald Schweer & Robert Thornton	Mission Room 103
12:00 pm – 1:30 pm	Lunch (on your own) Ballots Due by 12:00pm		Ballot Box (Foyer)
1:30 pm – 3:00 pm	Leadership	Jim Dodson	Mission Room 103
3:00 pm – 3:30 pm	Refreshment Break		
3:30 pm – 5:00 pm	Leadership (continued)	Jim Dodson	Mission Room 103
7:00 pm – 11:00 pm	Awards Banquet		Alamo Ballroom - Marriott Riverwalk

FRIDAY, MAY 19th, 2006

8:30 am – 10:00 am	Officer Safety II	Ronald Schweer & Robert Thornton	Salon D – Marriott Riverwalk
10:00 am – 10:15 am	Break		
10:15 am – 11:30 am	Officer Safety II (continued)	Ronald Schweer & Robert Thornton	Salon D - Marriott Riverwalk
10:45 am – 11:30 am	Board Meeting		Bowie Room - Marriott Riverwalk
11:30 am	Adjourn		



The TJA Golf Tournament



This year's Tournament is being held at the Quarry Golf Club located in San Antonio, Texas on Monday, May 15, 2006, with a shotgun start at 1:30 p.m. This is a premiere course, and we are looking forward to a great time as usual. Your fee of \$65.00 includes green fees, cart and a box lunch provided on the course. Prizes will be awarded at the conclusion of the tournament.

The QUARRY is a Soft Spike only course and 'proper' golf attire is required (shirts w/collars)

TJA Golf Tournament 4-man scramble (make your own team) Registration Form Fee: \$65.00

Last Name: _____ First: _____
 Agency: _____
 City: _____ State: _____ Zip: _____
 Phone: _____ FAX: _____
 Team: _____ , _____ , _____

Contact Tournament Director:
Bob Patterson at
(254) 933-5409 Office
(254) 778-1091 Home

Return Registration & Fee to:
TJA. Golf Tournament
C/O Bob Patterson
3209 Bonham Avenue
Temple, Texas 76502

<http://www.quarrygolf.com/>

Courtroom Challenge

The Courtroom Challenge is a team game involving participants representing their counties by showing their knowledge of Texas Jail Standards. The game uses a game show format, with two opposing teams squaring off to "win jurors" by answering questions about Jail Standards. Once a team wins, that team advances through the elimination chart, and faces other teams until a team takes first place. Trophies are given for first, second, and third place. Each jail may have more than one team.

In December of 2005, the Commission on Jail Standards redesigned their game presentation to make it look slicker and more like an actual game show. The Commission is looking forward to another year of challenging jail staff from all over the state.

To register your 2 person team, complete the following:

Name #1: _____
 Name #2: _____
 County: _____

Detach and mail to:

Texas Jail Association
 Correctional Management Institute of Texas
 George J. Beto Criminal Justice Building
 Sam Houston State University
 Huntsville, TX 77341-2296

TJA 2006 SPRING CONFERENCE

by
Maurice "Mo" Mascorro

I would like to personally thank each exhibitor for their continued support and participation in the 20th Annual TJA Conference to be held, one more time, in San Antonio. Next year, we will move to our new home at the Renaissance in Austin, Texas.

Everyone should have received their Exhibitor Packets for the 20th Annual TJA Conference to be held May 15 – 19, 2006, at the Henry B. Gonzalez Convention Center in San Antonio, Texas.

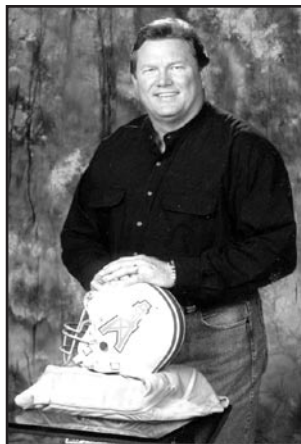
The Riverwalk Marriott is the Host Hotel. For room availability and reservation you can call 210-224-4555. Remember, we have a limited number of rooms at the conference rate. If you miss out on the Marriott, the overflow hotel is the LaQuinta Convention Center (210-222-9181).

Please feel free to call me (1-866-681-2948 ext.17) if you have any questions or need additional information on the conference. I look forward to seeing all of you again in beautiful San Antonio!

TEXAS JAIL ASSOCIATION PRAYER BREAKFAST

This year we are again honored with the presence of Mike Barber. For those that attended last year's meeting, you will again experience his humor, motivation and desire to live his life as an All Pro for Jesus. In addition, he also strives to encourage others, especially in the law enforcement and corrections environment to step up and take their place in God's wonderful plan for their lives. Sharing that men and women can be devoted to Christ and still be tough when the road gets rough.

The Prayer Breakfast will be in Salon D at the Marriott Riverwalk on Wednesday, May 17th at 7:30am. Please come and join us for a great time of fellowship, encouragement and testimony.



HAVE CUFFS, WILL TRAVEL PRISONER TRANSPORT IS A BIG, COSTLY MANDATE FOR SHERIFFS

by
Maria Sprow

Most people, when they think about what life must be like for a county deputy, imagine having to spend hours doing road patrols, answering folks' pleas for help after they've been robbed or perhaps investigating a narcotics ring.

But they do not imagine that some often spend days on the road, away from their families and their counties. They do not imagine eight hour drives with nobody but a caged inmate to talk with. And they do not imagine deputies walking handcuffed and belly-chained prisoners through commercial airport terminals.

"I think very few people know about transporting prisoners – about how many prisoners are transported every day, and the money it costs," said Mitchell County Sheriff Patrick Toombs. "Even in the Commissioners Court, you have to educate them on the time, the expense, and the money that's involved in prisoner transport."

Maybe that's because prisoner transport is, for the most part, one part of law enforcement that is not supposed to be exciting. It's not supposed to involve high-speed chases, gun fire, drug raids, crime scenes or body bags, or anything else that garners the public's attention.

No, in prisoner transport, all that stuff has already taken place, and the suspect has been apprehended and booked – usually in a county or state away from where the crime was committed, hence the need for transport – and the transport itself involves getting in a squad car and driving, or booking a plane ticket and flying, and the 'you take him' offer extended by one law enforcement agency to another.

To be blunt about it, "prisoner transports are boring," Toombs said.

But it's still an important job, and somebody has to do it. In fact, prisoner transport is a big business for sheriff's departments across the state, who are mandated by law to pick up fugitives from other areas so that they may face their accusers and their fate.

Each year, individual counties spend hundreds of thousands of dollars and hundreds of man hours transporting prisoners, whether it's a short trip from the county jail to the county courthouse, or a journey from Texas to the lonely roads of Montana and back.

In Brazos County last year, Sheriff Chris Kirk said his deputies spent 800 hours handling 171 extradition

transports – transports done in order to pick up alleged felons who fled from or left Brazos County after committing their crime. That number does not include the 574 hours spent on the 136 transports deputies conducted for those with bench warrants, or the 66 transports conducted by the county's private services contractor, Wackenhut, which alone cost the county almost \$25,000. It also does not include medical runs, or transports between the various Collin County jail and court facilities. Nor does it include the work the sheriff's department performs for the counties' mentally ill community.

In Collin County, Lt. Butch Thornhill, who runs the sheriff's support services division, said his department is given about \$130,000 a year to transport prisoners. Last year, his division – which includes just four deputies dedicated to transport – moved some 2,200 prisoners and 512 Mental Health/Mental Retardation patients across the county, state and country.

"I don't think the public knows much about it, it's one of those behind-the-scenes deals," Thornhill said.

Transport doesn't take up only money. "We have 12 (transport) deputies and five vehicles, and we are keeping somebody on the road almost all day, all night long. It's an operation that continually goes on," Kirk said.

Safety First

One reason the public is so generally clueless when it comes to prisoner transport is safety. While inmates rarely if ever interact with the general public during their stays in jail, it's often impossible to transport a fugitive from Montana or Virginia to Texas without some sort of interaction, whether at a gas station bathroom break during a long drive or during a commercial airline flight.

When flying, it's especially important to transport prisoners seemingly incognito, especially since just one outburst on a plane could cause tensions to soar for everyone.

Even fears stemming from 9/11 aside, nobody wants to know they are sitting next to an alleged murderer for three hours.

The Department of Homeland Security, which oversees the Transportation Security Administration, has rules and regulations that deputies must follow in order to fly. Among those regulations and requirements is the completion of an FAA-approved two-hour class on flying armed. Other rules – such as those dealing with pilot and air marshal notification and the officer's role in the event of an emergency – are designed to keep a chain of command on a plane. Additional rules are designed to keep the public from panicking. Deputies flying commercially with a fugitive are required to be the first ones on a plane and the last ones off. Both the deputy and

the prisoner must wear street clothes. Handcuffs should be hidden at all times, usually under a jacket.

"Most of the public would not be aware of the fact that there is a prisoner on an airplane," said Wichita County Sheriff Thomas Callahan. "The officers would probably strive not to alert anybody that they are a police officer or transporting a prisoner. ... If I'm on a plane, I don't want to call attention to myself or the prisoner, because that may make someone nervous and may impact the public and prisoner's safety."

Though instances are rare, they can still happen, like the one time when an inmate being picked up in Georgia claimed to have a fear of flying and began yelling in front of passengers and passer-bys. The scene didn't escalate beyond that, but it could have, Thornhill said, which could have put several people in jeopardy, including the inmate.

Using the proper equipment for the type of transport is important. Instead of leg shackles or hobbles, which cannot be hidden, many departments will use leg braces when transporting prisoners by commercial airlines. Restraint chains, which have two sets of handcuffs, one for each hand, are also popular since they force a person's hands to stay by their sides and are less conspicuous than handcuffs.

"We always use a leg brace when flying. It helps, because if they do try to run, they can't. It detains them from running, since it's in a locked position where it doesn't bend," said Bell County Sgt. Kim Heald, adding that after that, it's just simply a matter of staying as far away from the public as possible. "(The airlines) more or less just sit you as far back from other people as best they can."

There's a wider variety of transport and safety equipment available for ground transports, mostly since the equipment is not required to be concealed. For the most dangerous of felons, or those who have attempted escape before, there are wraps, stretchers and restraint chairs that can be used, though several departments said they would be likely to outsource those types of jobs to private companies with more equipment and experience. There are also nets to prevent spitting and biting and mesh hand covers to prevent inmates from picking up contraband.

Often times, though, safety is more of an issue when transporting Mental Health/Mental Retardation patients than when transporting inmates. MH/MR patients may not always understand where they are going, or why, whereas most felons know that resisting can only cause more trouble down the line.

"The mental health transports are a lot more dangerous than prisoner transports," Thornhill said. "There are a lot more injuries. We've had officers knocked on the

head, had their ankles twisted. There've been bruises, contusions ... but they aren't criminals."

Others agreed that patient transports are often more problematic and unpredictable than prisoner transports.

"You may be halfway down to Austin, and they may just go off for no reason and start kicking at the windows or banging their heads against the cages," Heald said. "We aren't transporting them for a criminal offense, it's a civil commitment, but if it gets out of hand, and they are going to hurt themselves, you are going to have to restrain them."

Besides safety, the biggest part of the job is actually getting the prisoner from point A to point B. Fortunately, prisoner escapes aren't a part of the everyday job – but they do happen.

According to the Website Trooper Trap, which searches through Google News to find an unofficial tally of the number of escapes that take place on a monthly basis, there were 47 (again, not an official number) escapes or attempted escapes in January 2006 that were reported on by members of the media. But most of the escapes tallied on the site took place during or right after a person's arrest, when tensions and adrenaline are still high. The majority of escapes listed were unsuccessful. Most of the instances involved a person attempting to kick out squad car windows or attempting to run away while at a stop light.

Six of the instances listed on the site occurred at times other than right after a person's initial arrest.

In one instance, a female prisoner slipped off her handcuffs while law enforcement was unloading other inmates from a jail van. The woman was able to jump into the van's driver seat, but the guards shot out the vehicle's tires and the woman was apprehended. In another instance, a group of six teenagers was being transported back to jail after having been to court. During the ride, four of the teens unlocked their handcuffs and escaped when the vehicle stopped at a red light. A third instance occurred during a jail to jail transport, when the inmate escaped his leg irons and attempted to run through the jail parking lot. Another instance occurred while transporting an inmate back from court. The inmate managed to escape his handcuffs and leg irons, jump out of a police vehicle and run into the nearby woods before he was apprehended again. A fifth instance involved three juveniles, who were being transported back to their detention center after court. The juveniles escaped from their handcuffs and then rushed forward toward an officer when he went to open the van door, injuring him. They were all apprehended shortly thereafter.

The most alarming escape mentioned on the site happened in Montana, when a prisoner managed to escape out the ventilation hatch of a prisoner transport

van while it was stopped at an intersection. In that instance, the transporting officers took about three hours to notice that the man, a suspected murderer and one of several prisoners who had been riding in the van, was missing. The escape caused the area schools to go into lock-down mode as four departments participated in an extensive search for the inmate, who was found late that evening, according to a news report.

Luckily, it's stories like those - and not actual instances like those - that tend to keep most deputies on their toes.

"We've been really lucky on our transports," Heald said. "I don't recall any time that any inmate has caused a problem flying, or even during a ground transport."

The business end of transport

Most trips deputies take to pick up or move a prisoner start days before the actual journey, depending on the type of transport being done. Medical transports are normally done quickly, where as counties normally have 10 days to plan the details of an extradition transport.

Most counties focus on making sure they are taking the cheapest trip possible. Factors that could increase a trip's cost-effectiveness include whether there are other felons in similar locations that can be picked up on the same trip and how long a trip would take using one method versus another.

"Driving, the man hours are what add up real quick," said Brazos County Lt. David Drosche, who often transports prisoners for the county. "But the cost of flying is pretty cheap if you have a ten-day notice."

Some counties, including Brazos, require just one deputy to perform most transports, but longer trips across the state require a second deputy. In Brazos, for instance, "longer" means a 12-hour round trip.

If trips are too long, they may require that deputies plan in advance for an overnight stay.

"Most jails will assist a traveling officer by putting up an inmate over night," Kirk said. "We are quite accommodating to any officer that is traveling, but that has to be planned for. You have to figure out, 'well, okay, I'm traveling to Florida, by the time I pick up the prisoner and return, eight hours later, or come night fall, I should be able to stop here.'"

Other trips that take special consideration are those involving women and juveniles, both of whom may increase a county's liability. Sending only a male deputy to pick up a female inmate could create the potential for allegations to surface later on, which could hurt a sheriff's reputation, lies or not. And according to federal law, juveniles should not be transported with adult inmates.

Bargain hunting for travel packages means deputies and those planning the trips must take into account

all costs associated with driving, including man hours, hotels, gas, food and other miscellaneous expenses. Often, they'll discover that flying commercially or hiring a private transport company are the cheapest ways to go.

To help with the costs of commercial airline tickets and other travel expenses, several counties, including Dallas County, were taking advantage of discount airline contracts made through the State Travel Management Program, which works with businesses to provide travel discounts for everything from rental cars to airline tickets to hotel stays.

The airline contracts, signed by major airlines including American, Continental, Southwest and United, had offered officials and deputies a flat fee rate for trips, meaning that the prices could not increase as the year went on. But the airlines ended the contracts effective Dec. 31, 2005, citing the rising cost of fuel and other expenses.

The STMP program still has contracts with three rental car companies and about 1,000 hotels across the country, as well as the National Travel Systems travel agency, according to its website. Counties must be members of the Cooperative Purchasing Program of the Texas Building and Procurement Commission in order to participate in the program.

For some departments, though, flying is used as a last resort, no matter what the cost is. Many smaller departments utilize private transport companies for out-of-state trips if at all possible, citing several benefits, including ability to keep deputies for other purposes, not having to worry about commercial airline hassles and the bonus of passing much of the liability away from the county.

"You've got officer safety in question, which is the number one priority, and then you have the prisoner's safety to consider, and the public's safety to consider," Thornhill said.

Often, private prisoner transport companies are cheaper anyway, since they operate using a series of hubs and transfer stations nestled throughout the country and can usually pick up prisoners without going out of their way. However, using the hubs, it can take days or weeks to get an inmate to their final destination. Some private companies have been known to lose prisoners along the way.

In 2000, Congress passed Jeanna's Act, which noted that "increasingly, states are turning to private prisoner transport companies as an alternative to their own personnel" and that "the transport process can last for days if not weeks, as violent prisoners are dropped off and picked up at a network of hubs across the country.

"Escapes by violent prisoners during transport by private prisoner transport companies have occurred,"

states the act, named after the murder of 11-year-old Jeanna Bell, whose murderer, Kyle Bell, was arrested but later escaped during a transport from the New Mexico state penitentiary to an Oregon facility on Oct. 13, 1999. Bell had been riding on a bus operated by a private prisoner transport company when the bus stopped for gas. According to reports, Bell was able to pick the locks to his handcuffs and slip off the bus, wearing his street clothes. His disappearance went unnoticed for nine hours, and Bell was loose for nearly 3 months before he was captured again in Texas.

As a result of that and other incidents, Jeanna's Act, also called the Interstate Transportation of Dangerous Criminals Act of 2000, required that the U. S. Attorney General create regulations regarding minimum training standards, a maximum number of hours an employee can be on duty, a minimum standard for the number of guards needed to transport prisoners, uniform standards for violent prisoners and minimum standards for amount and type of prisoner restraints to be used, in addition to other regulations.

Brazos County is one of the many counties that prefers to use a private contractor over a commercial airline when at all possible, said Drosche.

If a prisoner has medical conditions that do not permit them to travel with other inmates, or is found in a location like Hawaii or Alaska that lies outside the transport company's network of hubs, then flying commercially becomes necessary. The U.S. Marshals office is used for international transports.

One of Brazos County's commercial airline trips last year was to Shelby, Montana, where a felon wanted for aggravated sexual assault with a child was waiting.

"Montana is in what extradition companies call a 'dead zone,'" said Drosche, adding that dead zones are just one reason why private companies may not be the best option for every out-of-state trip. "There's no major roadways going there, and they don't have hubs set up out there, so they have to do a special schedule and send a vehicle way out of their way."

The popularity of private prisoner transport companies can be overwhelming at times, resulting in some counties having to make more trips on their own. "The contractors that we have used have all put themselves to a point where they are overrun with the transports," Drosche said. "It puts us in a situation where we always try to go on in-state trips ourselves."

Airborne aviation unit keeps costs low, deputies flying high

Whenever folks around Jefferson County ask Deputy Pilot Stanley Shipper about his job, it tends to give him a good chuckle.

“So, is it like Con Air?” they’ll sometimes ask him, making reference to the 1997 popcorn flick in which a group of serial rapists, killers and other dangerous madmen manage to hijack the prisoner transport plane they’re on while in mid-air. The movie, one of several that give the public a romanticized glimpse into prisoner transport, depicts Deputy Shipper’s job as dangerous and somewhat ill-conceived.

“They are always thinking about Con Air,” Shipper said, adding that, when asked, he and his fellow pilot “just laugh.”

Shipper is part of a small team in Jefferson County dedicated to transporting prisoners around the state and country. But his job is slightly different from the jobs of his counterparts in other counties. His personal vehicle of choice is a little bigger, a little faster, than the squad cars found elsewhere. He doesn’t sit in the driver’s seat, and he doesn’t have to sit in traffic, check his gun with security, or worry about properly hiding his inmate’s belly chain so it isn’t seen by commercial airline customers.

Instead, he sits in the cockpit of the sheriff’s department’s own Mitsubishi MU2 twin engine aircraft, where video cameras and his co-deputy pilot monitor the activity of any inmates on board. Sometimes there’s just one, but most of the time, there’s two or three or four sitting there, usually sitting quiet and thankful that they won’t be spending days sitting on a crowded van – or worse, a crowded bus – as they make their way to the Jefferson County jail and to court.

“A lot of people that we have transported have been transported before, and they’ve been transported by a bus. When they see they get to ride in the plane, they just talk about the conditions back on the bus,” said Shipper, who has been flying for 30 years and has been doing prisoner transport full-time with the county’s Airborne Extradition Unit for the last 2.5. “Flying is a lot safer, it’s a lot easier on everybody.”

Jefferson County’s Airborne Extradition Unit has been flying high for several years now, starting with a very lucky drug raid that gave the department its first seized aircraft, a small twin engine that eventually led to the question – what to do with it?

According to the Jefferson County Web site, the idea to form its own aviation transport unit was first conceived mainly as a means to save money.

“Criminals are highly mobile and transient. They travel to and from communities and states on a regular basis as they apply their criminal trade,” the Website explains. It is extremely expensive to travel to other states and communities by motor vehicle or commercial airlines to bring back these suspects and or criminals. Airline schedules are not conducive to doing one day trips to many different communities, which generally means

that the officers have to spend the night before returning home which incurs a cost of hotel rooms, rented cars, meals, etc.”

The site states that using their own aircraft reduces those costs, and also prevents any liabilities that may arise when transporting a prisoner via a public venue, such as a commercial airline.

But the sheriff’s department couldn’t just take the seized plane and go. They needed pilots and mechanics. Eventually, they needed a bigger plane – one that they could afford to buy. So they patiently looked and waited, and eventually found what they needed - a larger used aircraft on sale for \$13,000 through the Governmental Services Agency. They bought it, painted it, upgraded it and used it, with the goal of getting an even larger plane - one that could get higher off the ground and go for longer distances.

“My pilots were flying all over the place, and you can’t get as high an altitude on a plane that is not pressurized, and sometimes weather was a concern,” said Sheriff George Woods, who was not sheriff back when the aviation division was started, but has spent a lot of energy into keeping it going and growing since taking office. “In the long-term, we set a goal. We started setting aside the money that we were getting through our narcotics work, all of our seized money. We built a hangar. We wound up selling the plane that we bought through GSA for just \$13,000 for \$120,000. And we bought a faster, pressurized plane.”

It wasn’t easy, he added.

“It took a lot of work. We started looking all around through the federal government, and it took some time, but we were able to come up with it. You just can’t get in a hurry,” he said. “We were searching under rocks and leaves.”

The newest plane cost the county somewhere around half a million dollars, said Woods, but that doesn’t count the profits made from selling the GSA plane, and the department’s yearly savings suggests the aircraft was a good investment.

While start-up costs can be significant, Jefferson County Chief Deputy Walter Billingsly said that the county saves hundreds of thousands of dollars each year by operating its own aviation division.

The sheriff’s department has kept strict cost-saving records, which detail not only the number of labor hours spent in flight and the actual dollars spent, but the dollars that would have been spent had the second cheapest form of transportation - either driving or flying commercially, depending on the trip - been used.

In fiscal year 2005, for example, records show that Jefferson County’s two pilots spent 375.5 hours in air, traveling 41,653 miles on 114 transports. In total, the

county spent \$57,211 – including salaries, fuel and maintenance and other miscellaneous expenses – on air transports that year. Using an alternative form of transportation would have cost the county an estimated \$199,544 dollars.

Part of the savings stems from not having to buy one-way commercial tickets. In just one example, Shipper and his co-pilot planned a two-day trip in November. The pair first stopped in Winston, North Carolina, where they spent the night and picked up one fugitive. They then flew to Fort Myers, Fla., and picked up a second inmate, and made another quick stop in Pensacola, Fla., where they picked up a third fugitive before heading home.

“Our cost, including the pilots’ salaries, motel, per diem, and the fuel and maintenance costs (for) the aircraft was \$3,446.40, round-trip,” Billingsly said. “The cost for airline tickets to those three locations was priced at \$15,115. ... We saved approximately \$11,669.

“Trip planning is the key to increasing savings,” he added. “We generally try to plan the trips where we pick up two or more prisoners on one run. In most cases we try to get three to four on a single run.”

Having an aviation unit has benefits besides cutting costs. In addition to convenience are reduced opportunities for escape or inmate-public interaction, both of which increase officer safety, Woods said.

“If you’re an inmate in an airplane, where are you going to go? You’re 12,000 miles off the ground. What are you going to accomplish by starting something in the airplane?” Woods said.

Shipper said he’s never had an inmate become unruly on his aircraft, though sometimes a mentally ill patient will need to be subdued before boarding.

“The biggest concern is somebody ever having a panic attack and just going nuts,” he said. “But everyone just sits there and they have a good time looking out the window. Sometimes you hit a bump and they might holler, or say that it’s like riding a roller coaster.”

But there are challenges to overcome. A pilot had crashed the department’s very first plane – the one seized through the drug bust – while on a test run, injuring himself, and liability was and is a cause of concern.

Still, the cost-savings and convenience, combined with the low likelihood that a plane crash would happen again was all the argument the sheriff’s department needed to convince the commissioner’s court that it was still a good idea.

“There’s liability in everything that we do,” Woods said, adding that liability is also a concern when driving – as the number of car crashes and breakdowns that occur per day can attest to – or flying commercially. And having a pilot get hurt in a plane crash is sort of the same as having a deputy get hurt while on duty. “They are transfer

deputies, like any other deputy, they are just doing it on a plane. They are pilots and they are deputies.”

Finding – and keeping – the right deputy pilots is the other challenge, Woods said.

Sheriff’s departments aren’t exactly the best-paying employers out there, but they still have their advantages, he said, adding that many beginning pilots would jump at the chance to fly for a sheriff’s department, if only to gain experience before moving into the commercial industry. “Pilots are transient. A pilot can come to me and build up a lot of flight time flying a twin engine aircraft. You’re preparing them for better paying jobs in other places,” he said.

But experienced pilots can be grabbed and kept as well. Shipper had about three decades of flying experience, most of which was done working in the commercial and private plane industries.

“I’ve always had a love of flying,” Shipper said. “The difference in doing this, compared to being a corporate pilot, is that we decide what day we are going to fly, and we do all of our trip arrangements. When you’re working for a corporate person, he’ll sometimes get a call from the president of his company, and he’ll call and say, ‘I’ve got to get to this meeting at 7 a.m., we gotta go,’ and even if there are weather issues, they don’t care, we have to go.”

“It’s an exciting job. It’s not a monotonous job,” he added. “Every day it’s something different. We go to different parts of the country all the time.”

Extradition training proves important for understanding justice system process

When the infamous Texas Seven escaped from their maximum security prison cells in Kenedy in December 2000, they weren’t just fleeing from the prison, but from the state as well. They fled north, into Colorado, where six weeks went by before they were captured across the border in Teller and El Paso counties.

Even though they had been placed behind bars once again, several of the fugitives – who had been in prison for various reasons, including murder, child abuse, rape, armed robbery and kidnapping – just did not want to come back to Texas. One of the fugitives committed suicide to avoid capture and three of the others attempted to block extradition, the formal process in which alleged fugitives are turned over to one state by another.

At the time, they each had a good reason not wanting to come back to Texas: their escape had led to the death of an Irving police officer during a robbery of a sporting goods store. All seven were facing death penalty charges for the killing. But Texas wanted its fugitives back – there were grieving officers and family members waiting for justice.

It was just one case that illustrated many things,

among them how important the extradition process is to the justice system. Unfortunately, many of those involved with the justice system have never received any formal training on extradition and may not have a clear understanding of what's involved or what it's about.

Last year, the Texas Association of Counties began offering extradition training sessions to help sheriffs, deputies, attorneys and judges through the process and also to give them a "best practices" approach to waiving extradition.

The seminars were lead by TAC Law Enforcement Specialists Steve Chalender and Carmella Smith, who had recognized the need for such a program.

"Out of the several hundred people we trained last year, we had about four people who claimed to have had any classroom training on extradition. One of them was a district court judge who said he had had about 30 minutes of training," said Chalender, who also authored the 2004 Extradition handbook for the Texas District and County Attorney's Association. "There has been virtually no formal training in the area of extradition anywhere in the state. The information attorneys and judges use often is hand-me-down information from someone else in the county."

"All of the border counties have extradition problems," Smith added. "The criminals in most border counties are moving back and forth across state lines all the time."

Part of the seminar focused on defining exactly what extradition is, as well as what the roles are for the various local officials involved, depending on the circumstance.

Extradition is a term that is often misused, Chalender said, which results in some confusion as to what the process actually involves.

Extradition does not refer to transfers done between county jails; there aren't any governors' warrants required for those. It also does not refer to international extraditions, where treaties and politics, and not the Uniform Criminal Extradition Act, dictate the process.

Instead, extradition is the formal paperwork process of verifying that the Chris Smith arrested in New York is actually the same Chris Smith wanted in Texas. After all, if a county spends time, resources and energy on the wrong Chris Smith, causing him or her to leave their home state and family without cause, well - Houston, we have a problem.

It's an important protection to have in place for both counties and fugitives, but also at times simply time consuming, especially if there's no question the person is the one and the same.

If the formal process takes place, there are two sides that counties and their courts, prosecutors and sheriffs can play on. The first side, Chalender said, is the "they have him, we want him" side. The other is the "we have

him, they want him" side.

If a defendant chooses not to waive extradition, the judge and prosecutor on the "we have him, they want him" side have a lot more work ahead of them than they would otherwise. In addition, the role of prosecutor on the "they have him, we want him" is also greatly increased.

"In the extradition process, there are two ways to do it," Chalender said. "One of them is to go through the formal process, and that will take somewhere between 90 and 140 days to complete. While he's waiting in the county jail for that formal process to complete, the county is responsible for his food, his medical care, his dental care. Every day that he is in that county facility, he is costing the county money."

The second way of going about the process, Chalender added, takes much less time, much less money, much less jail space - all of which are limited resources in most county jails. Instead, waiving extradition just takes a clear understanding of the process and the ability to give a persuasive and sound argument.

That's because waiving extradition is really in everyone's best interest, Chalender said, though that may be difficult for someone facing the death penalty to believe.

"For the prisoner, the end result is the same. He's going, and it can be now, or it can be 120 days from now," he said. "They think that they can fight their case from another state, but they can't. They have to go back there to take care of it, and the time they're spending in jail waiting for extradition to happen is additional jail time they have to serve."

If a defendant does choose to go through the extradition process, there are only certain things that can be challenged. Those things include whether the person is the same person being sought for by the demanding state, whether the extradition paperwork has been done properly, whether the person has actually been charged with a crime in the demanding state and whether the person named in the warrants is a fugitive.

According to the TDCAA handbook, "guilt or innocence, criminal responsibility, extenuating circumstances, and all other issues are arguments that must be made to the court in the demanding state."

Successfully making that distinction, and stressing that acknowledging that a person is the same person wanted out of another jurisdiction is not the same as acknowledging guilt of a crime, is often the biggest factor in getting a fugitive to waive extradition.

If, however, a fugitive simply refuses to waive extradition, the biggest problems that arise are often a matter of paperwork, said Lisa Smith, a prosecutor with the Dallas County District Attorney's office, who has

been handling the “they got them, we want them” type extraditions for her county for the past 11 years.

It’s very rare for an extradition not to be successful, she added.

“A lot of people waive, because they know the place to fight the battle is back in the demanding state, where they are wanted. They know there is no point in fighting the inevitable,” Smith said. “There’s others that just flat don’t want to go back. Even if the court is going to deny them, they will still demand a hearing.”

Smith added that because extradition is a fairly stable area of law, any training received on the subject could be helpful well into the future.

“It’s not really exciting in that the law is evolving or changing,” she said. “Once you get familiar with the statute, and you read a few cases, you’re pretty much up on the law.”

Mitchell County Sheriff Patrick Toombs attended one of the TAC regional extradition seminars and said he found it helpful, since it gave an all-around view of the process.

“We pick up more people that are wanted in other states than we have to go get,” Toombs said, adding that his county has so far had a good track record when it comes to getting criminals to waive extradition. “I’ve been working here since ’89 and we’ve only had one fugitive here that refused to waive extradition that I can remember, and he eventually did because it was taking so long to get the governor’s warrant. He decided to go ahead when he found out he wasn’t getting credit for his time here.”

Besides TAC, the governor’s office is also a popular source for handling extradition questions. The National Association of Extradition Officials can provide answers as well.

Reprinted with permission. Originally printed in the March/April 2006 edition of County, the bi-monthly magazine of the Texas Association of Counties.

NEW MEMBERS WELCOMED

The Texas Jail Association’s Officers and Board of Directors would like to welcome the **26** new members who joined the Association between January 1, 2006, and February 28, 2006. They are: **Judy Garbs** from Brazos County; **Eddie Dent & Gerard Klahr** from Collin County; **Rose Sanchez** from Dewitt County; **Charles Mathis** from Freestone County; **Harold “Bud” Trant, Jr.** from Grimes County; **Cheryl Jones, John Tracy & Joseph Yelverton** from Hood County; **Robbie Thomas** from La Salle County; **Barbara Fowler, Jerry Riggs, Rod Ryan, Sue Tweedle & Thomas Ward** from McLennan County; **Kim Stewart** from Milam County; **Scott Davis & Carla Norum** from Montgomery County; **Karla Swanzy** from Nacogdoches County; **Jennifer Smith & Gerald Yezak** from Robertson County; **Bradley Fosdick & Arvel Shepard** from Titus County; **Rick Pena, Sandra Powers & Sylvia D. Reid** from Williamson County.

TEXAS JAIL ASSOCIATION BULLETIN BOARD

Brazos County

Sergeant **Paul Williamson** of the Brazos County Sheriff’s Office recently graduated from the Leadership Command College of the Law Enforcement Management Institute of Texas. The program, taught by a consortium of universities throughout Texas, provides law enforcement administrators and executives with the skills necessary to effectively manage police agencies and deliver a high level of service to their communities. Module I, focusing on leadership, is taught at the Center for Executive Development at Texas A&M University. Module II at Texas Women’s University focuses on the political, legal, and social environment of law enforcement. The program concluded on February 17, 2006, with training in law enforcement administration in the third module, held at Sam Houston State University.

Sergeant Williamson has been employed by the Brazos County Sheriff’s Office for 9 ½ years and currently serves as a Sergeant overseeing the operations of our Detention Center. Sgt. Williamson also serves as the Coordinator for our Courtroom Challenge Teams.



– As a member of Texas Jail Association, you can enjoy considerable savings along with the comfort and reliability that comes with renting from Avis. For your special Texas Jail Association member reservation, call 1-800-831-8000 or reserve your vehicle online at www.avis.com and provide your Avis Worldwide Discount (AWD) number T765000.



Deputy Reginald Walker

Deputy **Reginald Walker** was recently selected as the Maximum Security Facility Lieutenant. He assumed this position on

January 1, 2006. Deputy Walker has served the Brazos County Jail Division as a detention officer since February 1997. He was promoted to sergeant in the jail division in July of 2000. He served there until his promotion to lieutenant in December.

Booking Deputy **Kevin Stuart** was recently promoted to Booking Sergeant, Support Services in the Brazos County Jail Division. Deputy Stuart has been with the Department since May 2001. He began his career on the jail floor and soon became a member of the Booking Intake Division. He has served there since April 2002. He was recognized as the Kiwanis Officer of the Year in 2005. He was promoted to sergeant in this division on January 28, 2006.



Booking Sergeant Kevin Stuart

Jefferson County



Lieutenant Craig Turner

On January 26, 2006, **Craig Turner** with the Jefferson County Sheriff's Department was promoted to the rank of Lieutenant.

Also promoted to Lieutenant was **Eric Miller** on February 3, 2006.

Officers **Brian Doyle** and **Vertis Malvo** were promoted to Sergeant on February 3 and March 2, respectively.

Lubbock County

The Lubbock County Sheriff's Office is proud to announce the transfer of Lieutenant **Cody Scott** from the Law Enforcement Division to the Detention Division. Lieutenant Scott is one of many supervisors that is preparing to make the transition into the new direct supervision facility that is slated to come online in early 2008.

Cameron County & Val Verde County

Representatives from Cameron County and Val Verde County attended the Homeland Security Meeting in Washington, D.C. with the Texas Border Sheriff's Coalition, March 1-2, 2006.



Left to right: Sheriff D'Wayne Jernigan of Val Verde County, Congressman F. James Sensenbrenner, Jr., Sheriff Omar Lucio of Cameron County, and Rudy Pena of Securus Technologies.

Montgomery County

Sheriff **Tommy Gage** promoted Detention Officers **Russell Waters**, **Tammy Zavadil**, and **Jeremy Kurtz** to the position of Jail Deputy on January 17, 2006.



Left to right: Russell Waters, Tammy Zavadil, Sheriff Tommy Gage, Jeremy Kurtz.

On January 27, 2006, Chief Deputy **Randy McDaniel** promoted Corporal **Shane Albritton** to Detention Sergeant.



Corporal Shane Albritton promotion to Detention Sergeant by Chief Deputy Randy McDaniel



Deputy Scott Davis promotion to Detention Corporal by Chief Deputy Randy McDaniel

Deputy **Scott Davis** was also promoted on January 27, 2006, to the position of Detention Corporal.

Detention Officer **Christina Harper** was promoted to Jail Deputy on February 24, 2006.



Jail Deputy Christina Harper with Sheriff Tommy Gage



Lieutenant Robert Green promoted to Jail Captain by Sheriff Tommy Gage

TJABoardMember, **Robert Green**, was promoted to Captain on March 13, 2006, by Sheriff **Tommy Gage**.

Sheriff **Tommy Gage** honored Deputy **Carlos Webb** who retired on March 31, 2006, after 15 years of service with the Montgomery County Sheriff's Office. Deputy Webb was assigned to the Bailiff Division.



Deputy Carlos Webb honored by Sheriff Tommy Gage

MONTGOMERY COUNTY CRIMINAL DEFENSE BAR PRESS RELEASE

On March 8, 2006, the Sheriff's office of Montgomery County, Texas under the direction of TJA 3rd Vice President Captain Robert Green, convened within the walls of the newly opened Direct Supervision Wing of the jail, a meeting of the Montgomery County Criminal Defense Bar. The meeting was attended by Sheriff Tommy Gage, Chief Deputy Randy McDaniel, Captain Ken Ariola, Lieutenant W.T. Ray, Sergeant Rocky Quertermous, Sergeant Mike Weinsettle, Supervisor Evelyn Park, and Sergeant Lonnie Ward.

The program included a film covering the role of the jail in the community, an update on jail improvements, inmate transportation and extradition, inmate classification, central jail records, and court proceedings. Following the program, a question and answer period allowed the lawyers unfettered access to query those in charge. Additionally, lawyer/inmate visitation was covered and changes discussed. Montgomery County Criminal Defense Bar President and fellow TJA member E. Tay Bond stated, "The new Sheriff along with his staff has improved the operations of the jail and taken great strides in accommodating reasonable requests from attorneys."

The lawyers obtained continuing legal education credit for the program and appreciated the opportunity to tour the new facility. Captain Green offered to feed the lawyers from the kitchen, but the lawyers respectfully declined.



A COMPREHENSIVE VIEW OF CAPITAL PUNISHMENT

by
Dan Richard Beto, Chair, Governing Board
Texas Regional Community Policing Institute
Huntsville, Texas

Review of *The Death Penalty: Constitutional Issues, Commentaries, and Case Briefs*, by Rolando V. del Carmen, Scott Vollum, Kelly Cheeseman, Durant Frantzen, and Claudia San Miguel. Cincinnati, Ohio: Anderson Publishing, 2005, 326 pp., \$29.95 (softcover).

One of the best known, widely respected, and beloved experts on the legal aspects of the criminal justice system is Rolando V. del Carmen, Distinguished Professor of Criminal Justice at Sam Houston State University in Huntsville, Texas. A prolific contributor to criminal justice scholarship, del Carmen has authored or coauthored countless books and articles dealing with relevant issues impacting the justice system. In his latest effort – *The Death Penalty: Constitutional Issues, Commentaries, and Case Briefs* – del Carmen is joined with four of his former doctoral students to produce an excellent text dealing with the complexities of capital punishment.

In describing the purpose and the intended audience of the book, the authors write:

This text is written to fill a need for a book that brings together all the legal issues related to the death penalty. There is no such book available to the general public at present, except perhaps those used in law schools and in full case form. It classifies the death penalty cases according to legal issues, provides a commentary on the various sub-topics, and then presents legal material in an easy-to-digest and understandable form. The main audience of the book are undergraduates and criminal justice practitioners. The book should also prove useful, however, for anyone who has an interest in the legal issues surrounding the death penalty.

A cursory review of the material presented reveals that del Carmen and company have achieved their clearly articulated objective.

The book is divided into four sections. The first section, comprised of the first two chapters, provides a history of the death penalty and thoroughly discusses the foundation cases of *Furman v. Georgia* and *Gregg v. Georgia*. Chapters 3, 4, and 5, which make up the second

section of the book, focus on the death penalty as it relates to special populations, including racial considerations, the mentally impaired, and juveniles.

The largest section of the text, covered by Chapters 6 through 11, addresses a variety of constitutional issues; covered in this section are such subjects as the role of juries, the right to effective counsel, due process, aggravated and mitigating factors, the appellate process, evolving standards of decency, and cruel and unusual punishment. The concluding section, consisting of a single chapter, examines the justifications for imposing punishment, with particular focus of the death penalty. In addition, it explores the future of the death penalty.

Each chapter is preceded by an outline and is concluded with briefs of cases discussed, a list of suggested Internet sites for additional research, and cited references. Accompanying the book is a CD-ROM with the full text of all cases cited.

The Death Penalty: Constitutional Issues, Commentaries, and Case Briefs is an excellent text dealing with a much debated aspect of the criminal justice process. Del Carmen and his former students have made a significant contribution to criminal justice scholarship.

KEY ISSUES DEADLINE DATES

June 1, 2006 for July Publication
September 1, 2006 for October Publication
December 1, 2006 for January Publication
March 1, 2007 for April Publication

Send your articles on CD or via email to Sharese Hurst,
 Texas Jail Association, Correctional Management
 Institute of Texas, Sam Houston State University,
 Huntsville, Texas 77341-2296; sharese@shsu.edu.

TEXAS JAIL ASSOCIATION ADVERTISING INFORMATION

Key Issues, the official journal of the Texas Jail Association, is published quarterly. The journal is authorized to publish advertisements and the following rate schedule has been established:

Half Page	\$185/per issue	\$ 600/four issues
Full Page	\$300/per issue	\$1,000/four issues
Double Page	\$500/per issue	\$1,750/four issues

Advertisers should provide camera-ready copy or halftone negatives. High resolution eps, tif, or pdf files on disk are also accepted. A hard copy must accompany all electronic files. Advertisements, along with a check made payable to the "Texas Jail Association" in the correct amount should be mailed to the following:

Sharese Hurst
Editor, *Key Issues*
Sam Houston State University
Correctional Management Institute of Texas
George J. Beto Criminal Justice Center
Huntsville, Texas 77341-2296

For additional information about advertising, call Sharese Hurst at (936) 294-1687. Faxes may be sent to (936) 294-1671. Email: sharese@shsu.edu

Copy deadlines for advertisers are March 1, June 1, September 1, and December 1.



TEXAS JAIL ASSOCIATION OFFICERS AND BOARD OF DIRECTORS

Kelly Rowe – President

Lubbock County Sheriff's Department
P.O. Box 10536
Lubbock, Texas 79408
Office: 806-775-1716
Fax: 806-775-1959
KROWE@CO.LUBBOCK.TX.US

Danny Downes – 1st Vice President

McLennan County Sheriff's Department
3201 East Highway 6
Waco, Texas 76705
Office: 254-759-5688
Fax: 254-757-0541
DANNY.DOWNES@CO.MCLENNAN.TX.US

Carla Stone – 2nd Vice President

Kaufman County Sheriff's Department
P.O. Drawer 849
Kaufman, Texas 75142
Office: 972-932-9736
Fax: 972-932-3470
CHIEFSTONE@KAUFMANCOUNTY.NET

Robert C. Green – 3rd Vice President

Montgomery County Sheriff's Department
#1 Criminal Justice Drive
Conroe, Texas 77301
Office: 936-538-3205
Fax: 936-538-3210
RCGREEN@CO.MONTGOMERY.TX.US

Rachelle Arrington - Secretary

Kendall County Courthouse
201 East San Antonio Street, Suite #6
Boerne, Texas 78006
Office: 830-249-9343 Ext. 385
Fax: 830-249-9478
WAY2BOOP@YAHOO.COM

David Drosche – Treasurer

Brazos County Sheriff's Department
300 East 26th Street, Suite #105
Bryan, Texas 77803
Office: 979-361-4846
Fax: 979-361-4847
DDROSCH@CO.BRAZOS.TX.US

Mary Barron – Past President

Nacogdoches County Sheriff's Department
2306 Douglass Highway
Nacogdoches, Texas 75961
Office: 936-560-7791
Fax: 936-560-6446
MARYHBARRON@HOTMAIL.COM

Terrisa Candelaria – Director

Midland County Sheriff's Department
P.O. Box 11287
Midland, Texas 79702
Office: 432-688-1076
Fax: 432-688-1839
CTERRISA@HOTMAIL.COM

Don Courtney – Director

Eastland County Sheriff's Department
201 West White Street
Eastland, Texas 76448
Office: 254-629-3298
Fax: 254-629-2500
DONC@EASTLANDCOUNTYTEXAS.COM

Mary Farley – Director

Bell County Sheriff's Department
111 West Central Avenue
Belton, Texas 76513
Office: 254-933-5783
Home: 254-554-8387
MARY_FARLEY@CO.TX.US.COM

Kathy Graham – Director

Taylor County Sheriff's Department
910 South 27th Street
Abilene, Texas 79602
Office: 325-691-7440
Fax: 325-691-7459
GRAHAMK@TAYLORCOUNTYTEXAS.ORG

Gus Reyna – Director

Cameron County Sheriff's Department
7300 Old Alice Road
Olmito, TX 78575
Office: 956-554-6700
Fax: (956) 554-6780
GREYNA1@CO.CAMERON.TX.US

Sheila Thun – Director

McLennan County Sheriff's Department
3201 East Highway 6
Waco, Texas 76705
Office: 254-759-5686
Fax: 254-757-0541
SHEILA.THUN@CO.MCLENNAN.TX.US

Maurice "Mo" Mascorro – Director/Vendors

Infinity Networks
PO Box 30137
Austin, TX 78775
Office: 512-346-4354
Fax: 512-346-7593
MMASCORRO@KRICKET.NET

Cheryl White-Mynar - Director/Vendors

Global Tel*Link
2568 Mynar Road
West, Texas 76691
Office: 254-826-0600
Fax: 254-826-0601
CWHITE@GTL.NET

Jess Howell – Director/Sheriffs

Wharton County Sheriff's Department
301 W. Elm
Wharton, TX 77488
Office: 979-532-1550
Fax: 979-282-2849
SHERIFF@INTERTEX.NET

Adan Gutierrez – Chaplain

Lubbock County
Office: 806-775-1435

Carmella Jones Smith - Historian

Texas Association of Counties
1210 San Antonio
Austin, Texas 78701
Office: 800-456-5974
Fax: 512-478-0519
CARMELLAS@COUNTY.ORG

Rick Secklin – Sergeant at Arms

Midland County Sheriff's Office
PO Box 11387
Midland, TX 79702
Office: 432-688-4753
Fax: 432-688-8989
SECKLIN@GRANDECOM.NET

Bill Bryan – Parliamentarian

Bell County
PO Box 1056
Belton, TX 76513
Office: 254-760-0913
WJB@VVM.COM

Sharese Hurst – Executive Director

Correctional Management Institute of Texas
P.O. Box 2296
Huntsville, Texas 77341-2296
Office: 936-294-1687
Fax: 936-294-1671
SHARESE@SHSU.EDU

2006 TRAINING OPPORTUNITIES

Texas Jail Association

Date	Workshop Title	Location
May 15 – 19	Texas Jail Association's 20 th Annual Conference	San Antonio, Texas
May 17	Leadership Seminar **	Huntsville, Texas
May 17 – 18	Crisis Intervention (#3841; \$25.00) *	Beaumont, Texas
May 21 – 25	American Jail Association's Annual Jail Expo	Salt Lake City, Utah
May 31 – June 1	Internet Child Pornography ***	Huntsville, Texas
June 6	Leadership Seminar **	Huntsville, Texas
June 7	Basic PowerPoint (\$25.00) *	Beaumont, Texas
July 7	Leadership Seminar **	Huntsville, Texas
July 18	Leadership Seminar **	Huntsville, Texas
August 7 – 11	Firearms Instructor (\$75.00) *	Beaumont, Texas
August 21 – 24	Texas Jail Association's Jail Management Issues Conference	South Padre Island, Texas

* This training will be offered at the Jefferson County Correctional Facility in Beaumont, Texas. For more information, call Ocie Crosser at 409-726-2521.

** The Correctional Management Institute of Texas is sponsoring a series of Leadership Seminars at the George J. Beto Criminal Justice Center free of charge. These workshops have been approved for 7 hours of TCLEOSE credit. For more information, you can log onto www.cmitonline.org or call Sharese Hurst at 936-294-1687.

*** The Correctional Management Institute of Texas will host this 14 hour training at the George J. Beto Criminal Justice Center. The registration fee will be \$150.00. For more information, please call Amanda Bilnoski at 936-294-1227.