

JUL 25 2023

Inmate Rules Plan

REV. REQ. APPROVED
DATE: 7.27.23
BY: Am

COMAL COUNTY JAIL INMATE
HANDBOOK

I.
Request / Grievance
Form

A. Purpose of Request/ Grievance Form

If an inmate has questions or concerns, address them to the Corrections Officer. The Corrections Officer's directives, actions, and requests are to be followed. Inmate request forms are available through the Corrections Officer. The forms can be used for requests for information, medical, grievances, etc.

B. Access to Request/Grievance Forms

Request/Grievance forms will be maintained in all jail housing areas.

C. Instructions

The Request/Grievance Form is a triplicate form. The inmate should not separate the copies. The inmate shall complete the top portion of the form, with the assistance of other inmates or jail staff, if necessary.

Then present the form to any Corrections Officer, who will sign and date the Form and return 1 copy to the inmate. As soon as possible the jail staff will provide a written response, which the inmate will be required to acknowledge with the inmate's signature. Forms left blank or incomplete will not be accepted.

D. Grievances

You are allowed to file a grievance whenever you believe you have been subjected to one or more of the following:

1. A violation of your civil rights;

2. A criminal act;
3. An unjust denial or restriction of inmate privileges; or
4. A prohibited act by facility staff.

If you believe you have a legitimate grievance, fill out the Request/Grievance form and present it to any Corrections Officer. Not all complaints or incidents qualify as a grievance. All grievances will be routed to the designated grievance officer. If an inmate feels they have a grievance, it must be submitted within seven (7) days from the date of incident.

Upon collection of an issued grievance, an interim response will be provided within 15 days and a final response within 60 days.

You may appeal the decision of the outcome to a Corrections Division Lieutenant within seven (7) days. If you disagree with that decision, you have an additional seven (7) days to send a written appeal to the Jail Captain or Jail Administrator, their decision is final.

If your grievance is an emergency, please note that on the form.

II.

Prisoner Conduct and Discipline

A. Criminal Conduct

Any violation of the criminal laws of the State of Texas may result in additional criminal charges being filed against the inmate.

B. Discipline

In addition to criminal laws of the State of Texas, inmates are subject to the disciplinary rules of the Comal County Jail.

Violation of the disciplinary rules can result in disciplinary actions ranging from a verbal warning to segregation, which may be documented in your permanent file.

Major Disciplinary Offenses

Violation of rules and regulations, which constitute serious offenses against persons and property and pose a serious threat to institutional order and safety, will be considered as Major.

Sanctions may include:

- a) Loss of good time credit;
- b) Loss of privileges for a period not to exceed thirty (30) days;
- c) Removal from work details and/or programs;
- d) Disciplinary separation for a period not to exceed thirty (30) days;
- e) Restitution for any damage to jail property.

Major Infractions may include:

1. Acts Classified as Offenses under State Law
2. Acts Classified as Offenses under Federal Law
3. Inciting Riotous Behavior
4. Fighting
5. Inciting a Fight
6. Threatening
7. Coercion
8. Setting of Fires
9. Sexual Abuse
10. Sexual Solicitation
11. Sexual Activity
12. Nudity
13. Indecent Exposure
14. Possession of Stolen Property
15. Stealing
16. Trafficking

17. Impeding Inmate Headcounts
18. Impeding the Security of Housing Units
19. False Reporting an Emergency
20. Bribery
21. Recklessness
22. Tampering
23. Destruction of Property
24. Mutilation
25. Possession of Tattoo Paraphernalia
26. Possession of Altered Items
27. Possession or Manufacture of Weapons
28. Possession or Manufacture of Escape Devices
29. Possession or Manufacture, Distilling or Brewing Alcoholic Beverages
30. Possession or Manufacture of inhalants
31. Possession or Manufacture of Chemical Agents
32. Possession or Manufacture of Unauthorized Drugs or Medication
33. Possession or Manufacture of Narcotics/Narcotic Paraphernalia
34. Hoarding Medication
35. Feigning Injury or Illness
36. Excessive Noise
37. Throwing or Propelling Objects or Substances
38. Interference with Court Related Proceedings
39. Interference with official Communication or Communication Devices
40. Interference with Security Operations
41. Disruption of Any Institutional Activity
42. Violation of Feeding Procedure
43. Violation of Mail Procedures
44. Violation of Visitation Procedures
45. Violation of Program Procedures
46. Violation of Recreation Procedures
47. Violation of Commissary Procedures
48. Violation of Medication Consumption Procedures
49. Violation of Work Assignment Procedures
50. Violation of Treatment Program Activities
51. Inciting or Encouraging Communications

- with Persons Outside the Facility
52. Refusal to Follow Written or Oral Directives
 53. Disrespect to Staff
 54. Tampering with County Property
 55. Present in an Unauthorized Area
 56. Entering or Exiting an Area Without Permission
 57. Lying or Providing a False Statement

Minor Disciplinary Offenses

Violations of rules and regulations, which do not represent serious offenses against persons and do not pose a serious threat to institutional order and safety. Sanctions shall be limited to:

- a) Counseling;
- b) Verbal or written reprimand;
- c) Loss of privileges for a period not to exceed 15 days; and
- d) Disciplinary separation for a period of 15 days.
- e) Restitution for any damage to jail property.

Minor Infractions may include:

1. Gambling
2. Abuse of intercom System
3. Unauthorized Equipment Use
4. Unauthorized Taking of items Into or Out of Units
5. Unauthorized Absence from Work or Activity
6. Malingering
7. Smoking
8. Unauthorized Changing of Bed Assignment
9. False Self-Identification
10. Failure to Respond to Staff Questions
11. Possession of Unauthorized Clothing, Linen, or Bedding
12. Possession of Contraband
13. Defacing Property
14. Unauthorized Contact

15. Unauthorized Passing of items
16. Horseplay
17. Disrespect to Other inmates
18. Lying to or About Other Inmates
19. Yelling at Other Inmates
20. Disorderly Cell or Bunk Area
21. Inadequate or Partial Uniform
22. Inadequate Personal Hygiene
23. Violation of a Written or Posted Rule
24. Obstruction of View
25. Hoarding of Kitchen Food

Disciplinary Process

The inmate will receive a written copy of the claimed violation or charges at least twenty-four (24) hours before the scheduled disciplinary hearing. The inmate will be informed of the evidence against them, although confidential informants may be protected. The inmate has the right to attend the hearing or decline attendance.

Inmates may waive the right to a disciplinary hearing provided proper notification is given prior to the signing of the waiver. The waiver shall include the appropriate identification of charges, the allowable sanctions, and the sanctions offered by the waiver. A waiver shall not include the loss of good time or restitution as a sanction. The inmate may not be represented by legal counsel, however, may be assisted by another inmate if it is unlikely that the inmate will be able to collect and present the evidence necessary for an adequate comprehension of the case. If that is not permissible, assistance from the corrections staff or from an inmate designed by the corrections staff will be provided. This is subject to the overall safety and security of the facility.

The inmate may make a statement on his or her own behalf, may call relevant witnesses, and may present documentary defensive evidence when not unduly hazardous to institutional order or safety.

The inmate shall be provided with a written statement by the disciplinary board or disciplinary officer at the conclusion of the hearing indicating the evidence relied upon and reasons for the disciplinary action taken. The statement shall be delivered to the inmate as well as the Sheriff and shall be placed in the inmate's disciplinary file.

The inmate may appeal, in writing, to the Jail Administrator or designee within seventy-two (72) hours of receipt of the Disciplinary Board's decision. The Jail Administrator's or their designees' decision will be final. Sanctions will begin immediately.

III.

Property and Linens

A. Mattresses and Linens

At housing, each inmate will be issued a mattress, mattress cover, blanket, jail uniform, cup, and a towel. Laundry is done once per week.

B. Personal Hygiene

At housing each inmate will be provided with a toothbrush, toothpaste, comb, and soap. Replacements are provided weekly thru Commissary and also provided by your floor officer once per week. Shaving supplies will be provided periodically unless the inmate is on razor restriction. Toilet paper and sanitary napkins will be provided to inmates in sufficient quantities at all times.

Sanitation of issued cups and sporks will be offered weekly.

C. Commissary

Inmates may order and receive commissary items once weekly. Purchases from the commissary must be made from each inmate's account in the Inmate Trust Fund.

D. Inmate Trust Fund

Inmates may establish an account in the Inmate Trust Fund with cash in the inmate's possession at the time of arrest or by deposit using the kiosk in visitation, online, or by phone. Cash, checks and money orders will not be accepted.

E. Personal Property

Inmates may possess limited quantities of personal property. These limits are set to ensure the safety and security of the facility. All personal property will be labeled with the inmate's SPN number.

Inmates requesting items out of their property will not be allowed unless its legal documents, religious materials, and hygiene items.

All unapproved property, including tobacco products, is contraband.

The following are authorized items allowed to be in your possession:

- Photographs -- a limit of five (5) pictures no larger than 4" x 6". No Polaroid pictures and no pictures containing nude, sexually suggestive, or pornographic material will be accepted.
- Eyeglasses and or contact lenses and solution as approved by the medical staff.
- Three (3) pairs of solid white underwear or boxer shorts, three (3) pairs of solid white socks, and three (3) solid white T-shirts. The only writing allowed on any of these items is your name and SPN Number.
- Three (3) thermal underwear, (2) Towels, and three (3) wash cloths that can be purchased through Commissary.
- Five (5) reading materials. Reading materials consist of religious materials, newspaper, books from the jail library, and mailed in thru a publisher. You will only be permitted one (1) book from the Jail library cart, one (1)

newspaper, one (1) religious book, and two (2) personal books mailed thru a publisher.

- One (1) Religious article or medallion, approved by the Jail Administrator.
- Paper, envelopes, and stamps that have been received through the Commissary or through the Indigent fund.
- Personal Hygiene/Miscellaneous items that are purchased through Commissary or issued by the jail staff. Maximum of (5) sanitary napkins, (1) bars of soap, (1) toothbrush, (1) tube of toothpaste, (1) comb in possession at one time
- (1) plastic drinking cup per inmate.

F. ✓An inmate causing damage to jail property may have the actual costs incurred deducted from his or her commissary account at the current cost of the item, following an institutional due process hearing establishing the inmate's liability. Charges you may be held responsible for include but are not limited to damage, alteration or destruction to:

1. Mop bucket
2. Mop handle/head
3. Mattress
4. Blanket
5. Mattress cover/towel
6. Pillow
7. Uniform top/bottom
8. Orange thermal top/bottom
9. Orange T-Shirts/boxers
10. Orange socks
11. Sandals
12. Clear bags in cell
13. Trash Can
14. Blue wash cloth
15. Cup
16. Razor/razor bag
17. Comb/Toothbrush
18. Suicide Blanket
19. Suicide Smock
20. Identification Card
21. Any other County Property

G. Release or Disposal of Property

A Property Release Form must be completed and signed by the releasing inmate showing the inmate has authorized the release of the property to the specific individual receiving the property. The person picking up the property must have a legible, officially issued picture identification. When an inmate is transferred to another agency, the inmate's property, if left in storage, must be picked up within thirty (30) days of the release. If the property is not picked up within that time, it will be destroyed in accordance with state law. The inmate must specifically name the person and phone number of the person the inmate authorized to pick up the property. Excessive property and books will require a property release.

**IV.
Mail**

A. Personal mail will be searched and read

Incoming and outgoing personal mail will be read and searched for contraband. If any incoming mail is rejected as a result of such search, the sending party and the addressee will be given notice. Publications must be mailed directly from the publisher or a bona fide seller of publications.

B. Privileged mail may be searched

Mail to attorneys, public officials, and news media is privileged and will not be read for any reason, unless a search warrant is obtained. Incoming mail from these sources may be searched for contraband, in the presence of the inmate. If there is reasonable cause to suspect contraband, then a search warrant shall be obtained. The reasons and search will be documented.

C. Restrictions

Privileged mail cannot be restricted. Personal mail may be restricted only as reasonably necessary to ensure institutional security after an inmate is found guilty of a major disciplinary violation, involving the abuse of personal mail privileges.

**V.
Telephone**

Phones are available in all inmate housing units. Inmates are permitted to make outgoing calls limited to 15 minutes. Inmates will use their ID# to place calls. It is a Major Violation of rules to use another inmate's ID# or to let another inmate use your ID#. The telephones are on every day from 7:00 AM until 11:00 PM.

**VI.
Medical Care**

All inmates are entitled to reasonable medical care upon request. Inmates will be charged for medical procedures according to, but not limited to, the schedule below. These charges will be deducted from the inmate's Trust Fund Account. Medical attention will be provided regardless of an inmate's ability to pay, and no inmate will be denied medical care because of inability to pay. Only medical personnel will make medical decisions.

Dentist or Doctor Visit	\$10.00
Nurse Visit	\$5.00
Prescription Medication	\$10.00

A. Emergency Medical Care

Jail staff must be notified immediately of any medical emergency.

B. Non-Emergency Medical Care

Inmates seeking non-emergency medical

attention shall use the Request/Grievance form. You must describe the nature of your medical problem.

C. Medications

Medications are to be taken in the presence of the Medical Staff dispensing them. A mouth check will be required after taking your medication. Medical Staff may, at its discretion, crush medication and require they be taken with liquid or by some other means if deemed necessary to ensure the inmate is taking the medicine. An inmate's refusal to take medicine/prescriptions as directed by the doctor will be documented.

**VII.
Law Library**

Law Library can be accessed through Kiosk's in housing POD' s. If the Kiosk is unavailable, a paper request may be submitted.

**VIII.
Visitation**

Visitation times are based upon your housing unit. Visitors can set up scheduled visits through icsolutions.com.

IX.
Complaint Process

The Texas Commission on Jail Standards will investigate any complaint regarding a violation of minimum jail standards. If you have a complaint about a county jail, you may write to the Texas Commission on Jail Standards.

Once your complaint is received, it will be reviewed to determine if the complaint falls within the purview of the Texas Commission on Jail Standards. Non-jurisdictional complaints will not be reviewed. If the complaint is determined to be within the purview of the Texas Commission on Jail Standards, it will be reviewed in the order it was received (emergency complaints will be given priority).

If your complaint has not been resolved within 45 days of receipt by the Texas Commission on Jail Standards, you will be provided an interim response. If you disagree with the findings of the investigation you may appeal, in writing, to the Texas Commission on Jail Standards. All appeals must be received within 30 days after the complaint is closed.

If you have a complaint or concern that is listed above, you are required to use the local grievance process. The Texas Commission on Jail Standards will only review to ensure grievance procedures have been followed and will only override the decision of the Grievance Board or appeal decision if it is determined minimum jail standards have been violated. Alleged criminal acts will be referred to the appropriate law enforcement entity for investigation.

Mail complaints to:
Complaint Inspector
Texas Commission on Jail Standards
P.O. Box 12985 Austin, TX 78711

Please be aware that The Texas Commission on Jail Standards cannot investigate certain claims, these include:

- Violation of Civil Rights as defined by state or federal statute
- Criminal acts committed by staff or others
- Unjust denial or restriction of privileges prior to a disciplinary hearing (visitation, phone access, commissary, etc.)
- Acts by staff prohibited by departmental policy
- Staff conduct (rudeness or unprofessionalism, etc.)
- Concerns related to your arrest, your attorney, the judge, or your case
- PREA (Prison Rape Elimination Act) Complaints
- Allegations of excessive force