

The Professionalization of the Texas Corrections Officer

**For the
Bill Blackwood Law Enforcement Management Institute
Graduate Management Program**

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Part I - Introduction

In Texas the criminal justice system is integrated into three independent yet interdependent branches of government: the legislative branch which writes the laws, the judicial branch which tries persons accused of violating the laws, and the executive branch which enforces the laws. Without the cooperation of each of the branches, no branch could operate independently and Texas would be in a state of anarchy. Ironically, the finale of the criminal justice system, the Corrections System, does not fit exclusively into any one of the branches, but is contained within and is controlled by all three branches, collectively. The legislative branch decides what actions or omissions are criminal offenses and the range of punishment appropriate for each action and/or omission; the executive branch (e.g. Sheriff) operates county jails, city lock-ups and corrections centers, including community release/supervision centers; the judiciary branch decides who is guilty of criminal law violation(s), what punishment is appropriate for the violation(s) and where prisoners will serve their jail/prison terms (i.e. jail, community corrections, work release centers, treatment centers, prisons, etc.).

The Corrections System includes, but is not limited to, city lock-ups, county jails, state prisons, probation, parole, half-way houses, and treatment (i.e. alcohol, cocaine, etc.) centers. Among the professionals in the Corrections System, the most over-looked is the Corrections Officer. Probation Officers and Parole Officers, as well as treatment personnel (i.e. counselors, physicians, physiologist, psychiatrists, nurses, etc.) are required to obtain undergraduate degrees and many are required to complete training beyond the undergraduate level. The Corrections Officer in Texas is often only a high school graduate or the equivalent. This report will examine training for County Corrections Officers, comparing this training with the training required for Texas Peace Officers.

Part II - History

To understand the functions of the County Corrections Officer, one must consider a brief history of county jails in America. The word "jail", for example, is derived from the English word "gaol" which described the sixteenth century holding facilities for those persons awaiting trial and/or punishment¹. Jails may also be defined as places used for the detention of persons accused of, or convicted of, a crime and held for court or is serving a sentence or awaiting transfer to a state prison facility².

Since the office of Sheriff coincided with the development of the gaol in England, the Sheriff was charged with keeping the peace and looking after the king's revenues including collecting rents from vast estates. The Sheriff, then, had custody of those who did not pay rent as well as those accused of criminal activity. The Sheriff was the ex-officio jailer³.

The American Colonists brought the idea of the gaol run by the Sheriff to America. In America, jails are a mixture of the gaol (pre-trial) and the fifteenth century house of convictions (minor offenders). The term jail may also describe institutions which house misdemeanor offenders and some non-serious felons⁴.

Article 5115 of the Texas Revised Civil Statutes (1925) provided for the operation of the Texas County Jails by the County Commissioners and charged the County Commissioners with providing "safe and suitable jails". Further, Article 5115.1 defines jails in Texas as any lock-up or other facility by or for a county for the confinement of persons accused of or convicted of an offense⁵. City jails and state prisons are not included in this definition. Title 81 - Article 5116 (Texas Revised Civil Statutes) charges the County Sheriff with the responsibility for the hiring, training, retention and dismissal of jail personnel. Additionally, Article 16.21 of the Texas Code of Criminal Procedure mandates that a Sheriff must safely keep persons committed to jail, use no cruel or unusual punishment, and "adopt all necessary measures to prevent the escape of a prisoner", and a Sheriff may summon sufficient guards to prevent escapes or perform rescues of prisoners.

And, Article 2.18 of the Texas Code of Criminal Procedure mandates that a Sheriff must confine a defendant in jail once the defendant is committed by a warrant issued by a magistrate. Finally Article 2.19 of the Code of Criminal Procedure states that the Sheriff must report to the District or County Attorney the names of all prisoners in custody and by what authority the prisoners are in custody⁶. Ironically, sheriffs are elected in Texas and most have little to no jail operations experience prior to assuming the role of Sheriff. In 1975, the Texas Legislature established the Texas Commission on Minimum Jail Standards (TCJS). TCJS ensures all jails comply with state and federal mandates; however, cooperation with TCJS is voluntary.

Although jails are intended to house pre-trial offenders and convicted felons for short periods while the prisoners await transfer to state prisons, most county jails are bombarded with state convicted prisoners due to population ceilings placed on the state prison system (Texas Department of Criminal Justice - Institutional Division [TDCJ-ID]) by federal courts for violations of the Eighth Amendment to the United States Constitution (cruel and unusual punishment). Many counties have filed suit in state district courts to force the state to accept convicted felons and reimburse the counties for housing "state" prisoners.

Part III - Basic Training (Corrections Officers)

County Jailers, hereinafter referred to as Corrections Officers, often receive little basic training and most receive no training prior to their initial assignments to the various facilities throughout the Corrections System. According to Dr. Rolando del Carmen of Sam Houston State University, thirty-one percent (31%) of Texas counties have pre-service corrections officer training, whereas sixty-nine percent (69%) do not⁷. The Texas Commission on Minimum Jail Standards (TCJS), which is charged with inspecting county jails and ensuring county jails are within federal and state guidelines, does not require any basic or in-service training for Corrections Officers. According to del Carmen, fifty-five percent (55%) of the respondents to a survey he commissioned do not believe a need exist for further training for Corrections Officers and only forty-five percent (45%) believe such training is needed. Ninety-one percent (91%) of the respondents stated they have some in-service training for their Corrections Officers/staff members⁸.

The Texas Commission on Law Enforcement Officer Training and Education (TCLEOSE), the agency which issues Texas Peace Officer and County Jailer (County Corrections Officer) licenses, mandates only forty (40) hours of basic training for Corrections Officers, and Departments have up to one year after hiring a Corrections Officer to send the officer to basic training. In contrast, TCLEOSE mandates a minimum of four hundred (400) hours of pre-assignment basic training for Peace Officers. No Peace Officer in Texas can perform her/his duties without first completing basic training; however, a Corrections Officers can perform her/his duties for a full year before receiving basic training⁹. TCLEOSE, however, has commissioned a committee of concerned Corrections Trainers to develop in-service training for Corrections Officers.

Currently, the course outline for the Basic County Corrections Officer Course as mandated by TCLEOSE for licensing as a Basic County Jailer (County Corrections Officer) is as follows:

- I. Human Relations - Officers learn to recognize and understand various concepts involved in staff/inmate relationships.
- II. Documents, Conditions, and Liabilities - Officers learn to recognize the most common documents presented by arresting officers to admit prisoners to jail and the officers learn how to update the information on the documents.
- III. Search of Inmates - Officers learn how to search male and female inmates, both clothed and unclothed, and understand when officers whose sex is opposite inmates may search the inmates.
- IV. Medical Screening Records - Officers learn medical screening procedures and procedures for establishing inmate medical files. This unit includes procedures for handling pregnant inmates, intoxicated inmates, inmates exhibiting mental or psychological deficiencies, and those inmates diagnosed with sexually transmitted and other communicable diseases; however, HIV/AIDS is not included here.
- V. Booking Procedures - Officers learn procedures for admitting "new" inmates into a jail facility, which form(s) to prepare to completely process inmates into a facility, and the legal issues regarding when and how many phone calls individuals are allowed upon entrance into the facility and upon the completion of the booking process.
- VI. Inventory of Inmate's Property - Officers learn how to properly inventory inmate's property and which form(s) to complete for the property inventory.
- VII. Classification of Inmates - Officers learn how to classify inmates for housing based on pre-existing classification and other housing criteria (i.e. sex, age, race, criminal sophistication, criminal history, current charges, gang affiliation, etc.).
- VIII. Identification Procedures - Officers learn procedures for obtaining photographic images and inked fingerprints of inmates for identification and other legal purposes.
- IX. Orientation of New Inmates - Officers learn what information (e.g. jail rules, commissary procedures, access to medical services, etc.) to include when processing "new" inmates into a facility.
- X. Issuing Clothing, Supplies, and Showering - Officers learn what clothing, bedding, and hygiene items to issue to inmates and how to supervise inmate showers.

XI. Serving Meals - Officers learn how to oversee food preparation and serving of meals as well as security procedures for kitchen tools including eating utensils.

XII. Inmate Medical Services - Officers gain a basic understanding and working knowledge of sick calls, obtaining emergency medical assistance, dispensing prescribed medications, maintenance of medical records, and inmates rights to adequate medical care while incarcerated.

XIII. Inmate Visitation and Processing of Visitors - Officers learn procedures for processing inmates for visits (regular visits and official visits) and the difference between regular and official visitors.

XIV. Maintenance of Inmate Money Accounts - Officers learn procedures for receiving money for inmates, how to credit and/or debit funds to/from inmate accounts for commissary and other purchases (e.g. medical services, funeral escorts, etc.), and how to maintain records of money transactions.

XV. Inmate Activities - Officers learn how to supervise inmate recreational, religious, library, work, and cleaning activities without compromising the safety or security of the facility or the officers, staff, inmates, and visitors within.

XVI. Inmate Mail, Packages, and Messages - Officers learn procedures relating to inmate mail and phone privileges and the rights of inmates and duties of staff for processing mail and packages and recording information relating to inmate phone calls. Delivery of emergency messages (e.g. deaths, births, etc.) is also covered in this unit.

XVII. Inmate's Rights and Privileges - Officers learn the constitutional and statutory rights of inmates as well as the privileges granted to inmates by the Texas Commission on Minimum Jail Standards.

XVIII. Handling Uncooperative and Violent Inmates - Officers learn what constitutes an uncooperative or violent inmate and the circumstances when additional officers should be summoned.

XIX. Facility Security - Officers learn patrol techniques within a jail facility to identify breaches of security and malfunctioning equipment, conduct bed checks, inspect life-safety equipment, and inspect vehicles which may be used to transport inmates or allowed within secured areas of correctional compounds.

XX. Conducting Head-counts - Officers learn proper procedures for conducting head-counts of inmates ensuring all inmates are accounted for and safe and secure. Officers learn to count living, breathing flesh, and learn to differentiate between the types of counts: regular count, informal count, off-count/negative count.

XXI. Cell and Tank Searches - Officers learn the meaning of, what is, and how to detect contraband on inmates and in inmate living, work, recreation, and other such areas.

XXII. Disturbances, Emergencies, and Fire Procedures - Officers learn procedures for identifying jail disturbances and emergency situations which may warrant facility evacuation, and how to respond to emergencies such as riots, fires, and escapes.

XXIII. Investigations - officers learn how to invoke inmate disciplinary procedures, collect and preserve physical evidence, complete administrative procedures for inmate disciplinary hearings, and prepare for testifying before both inmate administrative hearings and court proceedings.

XXIV. Inmate Release Procedures - Officers learn procedures for releasing inmates on bond and how to determine when inmates should be released from custody (i.e. fines paid, time served, manual labor credit, Sheriff's good time, etc.).

XXV. Liability of Jail Personnel - Officers learn about potential liabilities and circumstances in which officers may be held criminally and/or civilly liable.

XXVI. Legal Aspects of the Use of Force - Officers learn legal aspects of use of force while performing the duties of Corrections Officers.

XXVII. Transportation of Inmates - Officers learn procedures for escorting inmates outside secured jail facilities using both armed and unarmed officers.

XXVIII. Report Writing - Officers learn how to draft written reports and other such documents and the importance of written communications.

TCLEOSE, as stated earlier, mandates only forty (40) hours of basic training and the basic training program must include all of the above subjects. However, agencies are not required to assign a specific number of hours per subject. Hence, an agency could spend thirty-nine (39) hours on Use of Force and one (1) hour total on the other subjects collectively.

Ironically, although neither TCLEOSE nor TCJS mandates any training for Corrections Officers beyond the 40 hour basic training course, TCJS requires each Sheriff's Department to establish a written plan, approved by the TCJS, to provide "maximum feasible use of resources available in and to the community" for library,

educational, and rehabilitation needs of inmates¹⁰. Plus, Suffolk County Massachusetts, provides "non-violence" training to inmates due to recent out breaks of violence in that county's jail system ¹¹.

Part IV - Basic Training (Peace Officers)

In contrast to the Corrections Officer, the Peace Officer receives a minimum of four hundred (400) hours of basic, pre-assignment, training. The outline for the current Basic Peace Officer Course is as follows:

I. Administration (17 hours):

A. Course Critique and Graduation (4 hours): Officers are allowed to express their opinion(s) of the overall course and make suggestions to better the course. Also, the graduation exercise, including graduation practice, is allowed within this time frame.

B. Course Introduction (2 hours): Officers meet the training staff and receive a briefing of what is expected of them throughout the course including the rules of the training facility and the rule of the course.

C. Final Exams (4 hours): Officers are given ample time to complete the comprehensive final examination. Successful completion of the examination is mandatory before an officer will be allowed to take the state licensing examination.

D. Firearms Orientation (1 hour): As with the course introduction above, officers meet the firing range staff and learn what is expected of them at the firing range.

E. Pre-Test (1 hour): Officers are given a pre-test to test their knowledge of Texas Criminal and other laws. Although these test scores do not affect an officer's final grade average, officers can compare their pre-test score with their final examination score.

F. Test Reviews (5 hours): Training staff members provide student officers with reviews of materials to be covered on examinations.

II. Health and Fitness (34 hours):

A. Health Assessment (4 hours): Officers complete a health/fitness assessment to determine their level of fitness. The assessment should be used by trainers to help officers target healthy lifestyles through fitness and nutrition.

B. Physical Fitness Orientation (1 hour): Officers learn what is expected during the health assessment.

C. Physical Fitness Training (25 hours): Officers actively participate in physically demanding activities to improve their current fitness levels.

D. Stress Management (4 hours): Officers learn healthy ways to control stress and explore what services are available to them in the community to aid in stress reductions.

III. Investigation (49 hours):

A. Arson and Bomb Threat Investigation (2 hours): Officers learn what actions are appropriate during bomb threats and arson investigations including what agencies to notify to complete the investigation(s).

B. Basic Accident Investigation (21 hours): Officers learn appropriate actions regarding automobile accidents and accidents upon public and private roadways.

C. Basic Investigations Techniques (4 hours): Officers learn basic techniques for investigations offenses including crime scene preservation.

D. Child Abuse Investigation (3 hours): Officers learn how to initiate investigations for suspected cases of child abuse including child sexual assault. Officers are cautioned not to make any determination of abuse without an experienced investigator or medical professional to collaborate their evidence.

E. Death Investigation (4 hours): Officers learn how to preserve a death scene until investigators arrive and take control of the scene.

F. Interrogation Techniques (3 hours): Officers learn techniques for questioning suspects and when to administer the *Miranda Warnings* to suspects.

G. Interviewing Techniques (3 hours): Officers learn techniques for interviewing witnesses and potential witnesses and how to gather witnesses from large and small crowds.

H. Sexual Assault Investigation (3 hours): Officers learn the rights of victims and how best to handle sexual assault victims (i.e. female officers handle female sexual assault victims). And, officers learn where to transport sexual assault victims to gather evidence and they learn what "rape" kits are.

I. Sexual Deviance Investigation (3 hours): Officers learn what constitutes deviate sexual behavior and what penal law(s) covers deviate sexual behavior. Officers are also warned that certain deviate sexual behavior (e.g. oral sex, anal sex, etc.), although considered deviate, may be non-enforceable under society's norms.

J. Vehicle Theft Investigation (3 hours): Officers learn how to investigate stolen automobiles and the special considerations given to law enforcement agencies in filing charges against suspects accused of stealing an automobile especially if the suspect(s) are captured in another county or as the result of a vehicular chase.

IV. Major Topics and Exams (134 hours):

A. Arrest, Search and Seizure (19 hours): Officers learn their authority and duties relating to arrest, search, and seizure. Included in this section is material regarding warrantless searches and "Terry frisks".

B. Civil Law and Process (6 hours): Officers learn civil law as it relates to serving civil process and landlord/tenant disputes. Officers also learn which courts have jurisdiction over civil matters.

C. Dangerous Drugs and Controlled Substances (8 hours): Officers learn how to use the Texas Drug Law manual and how to interpret the different classes of controlled substances.

D. Driving While Intoxicated (6 hours): Officers learn how to recognize intoxicated drivers and how to process those suspected of driving while intoxicated.

E. Texas Alcoholic Beverage Code (6 hours): Officers learn about the Texas Alcoholic Beverage Code and what authority they have in enforcing the code.

F. Texas Code of Criminal Procedure (14 hours): Officers learn how to find information in the Texas Code of Criminal Procedure and where peace officers derive their authority.

G. Texas Family Code (8 hours): Officers learn about the Texas Family Code and what constitutes offenses are included in the code. Also, they learn to differentiate between family members and non-family members.

H. Texas Motor Vehicle Laws (20 hours): Officers learn how to use the Texas Traffic Law book and what are the most common traffic offenses.

- I. Texas Penal Code (39 hours): Officers learn how to use the Texas Penal Code and how to read the penal laws. Also, officers explore the most common penal offenses and the most serious offenses.
 - J. Use of Force (8 hours): Officers learn what constitutes force, when to apply force, and how to document instances of force. Additionally, learn what constitutes excessive force.
- V. Patrol Procedures (77 hours):
- A. Case Preparation (2 hours): Officers learn how to prepare cases for court presentation.
 - B. Communications (3 hours): Officers learn proper radio procedures to effectively communicate with dispatchers and fellow officers.
 - C. Conflict Resolution (3 hours): Officers learn how to dissolve conflicts between disputants, and when, how, and to what agencies to make references.
 - D. Courtroom Demeanor and Testimony (3 hours): Officers learn how to prepare for court appearances and appearances before grand-jury proceedings.
 - E. Cultural Awareness (2 hours): Officers learn about different cultures and some fundamental differences between cultures such as heads-of-houses, etc.
 - F. Crime Prevention (2 hours): Officers learn techniques for conducting crime prevention lectures and some techniques to aid citizens in the prevention of crime and to lessen their chances of becoming crime victims.
 - G. Crime Scene Procedures (7 hours): Officers learn what actions to take at crime scenes, including crime scene preservation.
 - H. Crime-In-Progress (4 hours): Officers learn how to respond to crimes-in-progress and how to approach scenes where are in progress.
 - I. Crisis Intervention (4 hours): Officers learn how to intervene and quell disturbances and what aid to provide to persons involved in crisis.
 - J. Critical Incident Trauma (2 hours): Officers learn how to intervene in critical incidents including those critical incidents involving fellow officers.

- K. Crowd Control (3 hours): Officers learn what constitutes a crowd and what constitutes a riot and how to disperse crowds and riots.
- L. Jail Operations (3 hours): Officers learn what paperwork is necessary to process a person into a booking facility.
- M. Liability Issues (3 hours): Officers learn about potential liability and how to protect themselves from liability.
- N. Methods of Patrol (7 hours): Officers learn different methods of patrol and how to conduct routine patrol.
- O. Peace Officer's Role in Society (4 hours): Officers learn how to interact with society and what society expects from officers. Officers also learn how society expects them to act and respond.
- P. Recognizing and Handling the Mentally Retarded (3 hours): Officers learn techniques for handling the mentally retarded and how to recognize the mentally retarded. Also, officers learn how to handle the special needs of these persons.
- Q. Recognizing and Handling Personality Disorders (3 hours): Officers learn to recognize persons suffering from personality disorders. Also in this lesson, officers learn about emergency commitments and a Peace Officer's authority to execute an emergency commitment.
- R. Safety Awareness (3 hours): In this unit, officers learn techniques to lessen their chances of becoming victims of crime while they are off duty. Issues such as the wearing of police related paraphernalia is discussed.
- S. Tactical Operations (2 hours): Officers learn about special missions units and who has the authority to activate such units.
- T. Traffic Direction and Control (3 hours): Here, officers learn how to control traffic and direct traffic in safe directions to avoid accident scenes, road blocks, natural disasters, and other such obstacles.
- U. U.S. Constitution and Bill of Rights (3 hours): Officers learn where our laws originated from and the source for all laws in the United States and the State of Texas. Plus, the Bill of Rights is examined to inform officers about their duties to ensure the rights of all persons are protected.
- V. Vehicle Stops (8 hours): Officers learn how to effect a motor vehicle traffic stop and proper techniques for safely approaching a vehicle.

VI. Proficiency Areas (129 hours):

A. **Building Searches and Vehicle Stops (24 hours):** Officers practice traffic stops and building searches. Here, emphasis is placed on safe approaches to both vehicles and buildings and buildings include residences, warehouses and similar structures.

B. **Dispute Mediation (7 hours):** Officers actually mediate a dispute between disputants and make necessary referrals and if necessary, necessary arrests. Officers must receive a "pass" during this portion of the course to successfully complete the course.

C. **Firearms Training (40 hours):** Officers actually participate in firearms training on both the handgun and the shotgun. Officers must score a 70% or higher during this portion of the course to successfully complete the course.

D. **First Aid, CPR, and HIV/AIDS (16 hours):** Officers participate in first aid and CPR training and attend a lecture on HIV/AIDS and similar diseases. Officers learn how to administer emergency medical care until more competent medical assistance arrives. Plus, officers learn about the Privacy Act and how it pertains to HIV/AIDS. Finally, the Good Samaritan Law is discussed here and emphasis is placed on an officer's duty to act versus the Good Samaritan Law.

E. **Mechanics of Arrest (30 hours):** Officers participate in effecting arrests on subjects including the placement of handcuffs and similar restraints on subjects. Plus, officers learn how to safely remove restraints from subjects, and *Terry-type* searches are discussed during this section.

F. **Police Driving (4 hours):** Officers learn the fundamentals of operating a police vehicle including apexes of curves and physics of motion.

G. **Report Writing (8 hours):** Officers learn how to prepare written documents of incidents including field notes. Officers learn to prepare reports for grand jury and court appearances.

Part V - The Contrast

What does this training mean to the Corrections Officer? First of all, the Peace Officer receives more education on more topics by a 10:1 ratio than Corrections Officers. And, many of the topics the Peace Officer learns about are applicable to the Corrections Officer. For example, the Peace Officer receives training on health and fitness issues which includes stress management (34 hours, see above), whereas the Corrections Officer does not receive any training on stress management or health and fitness. Law Enforcement officers are often heard stating how stressful working in a jail, especially a booking facility, seems to be. Corrections Officers are literally locked in living units with inmates (direct supervision) and many spend their entire tour of duty in direct contact with inmates. Corrections Officers continually intervene in the lives of inmates, preventing inmates from harming themselves, fellow inmates, staff members, and officers. Often, inmates and officers establish rapports with each other and the inmates confide in the Corrections Officers. Many times, these "confidential" conversations include facts about criminal cases or family matters (e.g. separations, divorces, child custody, etc.). We will examine the duties of County Corrections Officers as described by several Sheriff's Departments throughout the state.

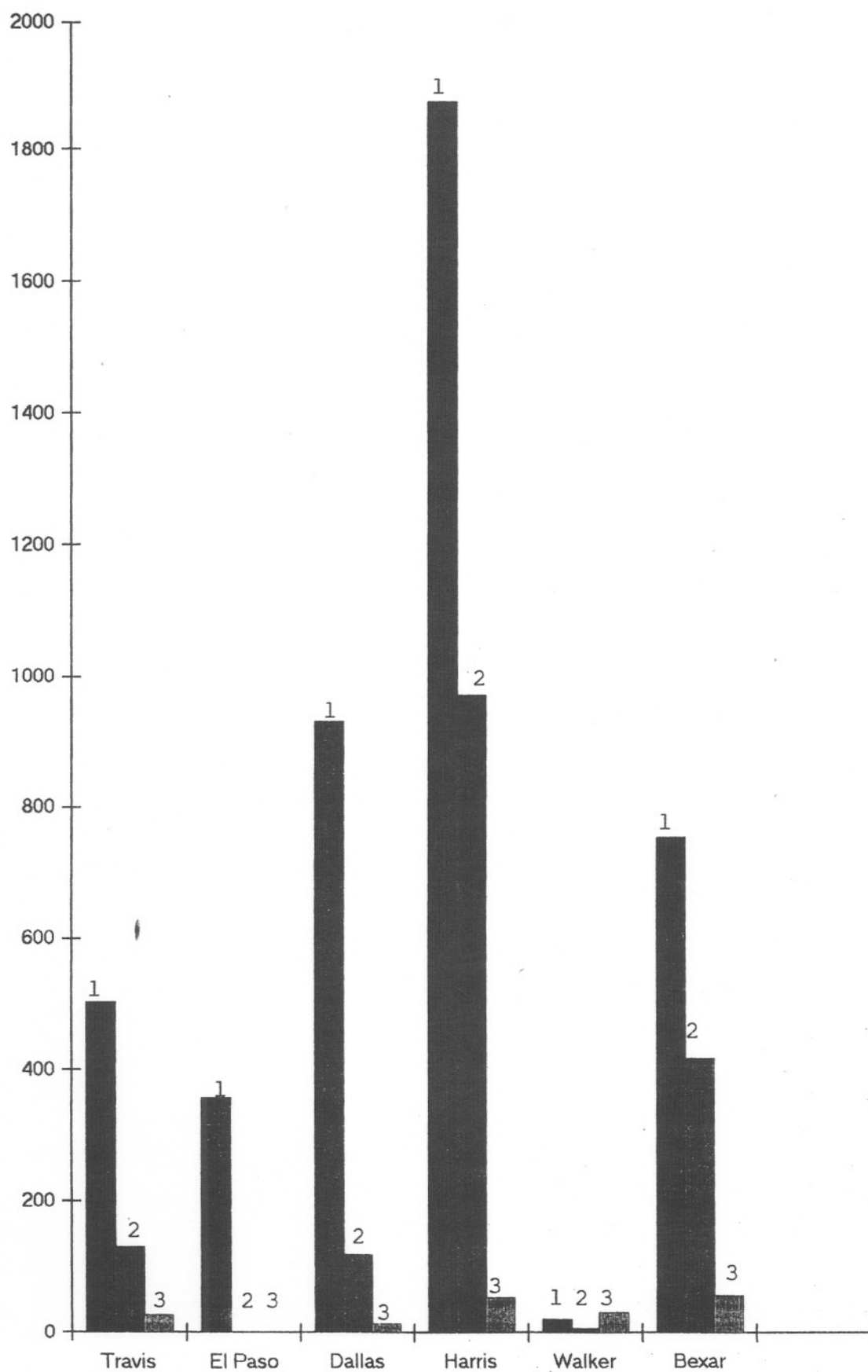
What does a Corrections Officer do during a normal tour of duty? In a survey sent to several Sheriff's Departments, each respondent was asked to briefly outline the duties of their Corrections Officers. Of the surveys sent out, all were returned within two months. In the survey, the respondents were asked if the agency employed Corrections Officers; and if so, how many of the Corrections Officers were Peace Officers:

<u>Agency</u>	<u>C/Os</u>	<u>P/Os</u>	<u>% Certified</u>
Travis County	503	130	25.84
El Paso County	257	0	0.00
Dallas County	931	118	12.67
Harris County	1872	972	51.92
Walker County	20	6	30.00
Bexar County	755	418	55.36
Taylor County	(Did provide actual numbers, but stated 50% of Corrections Officers are Peace Officers.)		

[Note: C/Os = total number of Corrections Officers, P/Os = number of C/Os who are dual certified as Corrections Officers and Peace Officers, % Certified= percentage of Corrections Officers who are also Peace Officers.]

With the exception of the Travis County Sheriff's Department, those agencies surveyed limit Corrections Officers functions to jail operations such as floor security, inmate recreation, etc. Courtroom security functions are generally conducted by Peace Officers although the Walker County Sheriff's Department (WCSO) and the El Paso County Sheriff's Department (EPSO) allow Corrections Officers who are not Peace Officers to assist during certain trials (e.g. gang members, serial killers, cult members, etc.). The Travis County Sheriff's Department (TCSO) allows Corrections Officers who are not Peace Officers to provide courtroom security although Peace Officers are not necessarily assigned to this function; however, this trend in the TCSO has recently changed and under Sheriff Terry Keel. All of the officers working courthouse security are Peace Officers, but Corrections Officers assigned to the Prisoner Transportation Section still escort prisoners to and from court and other functions such as hospitals, funerals, treatment centers, etc.

Another question from the survey concerns the basic training provided for Corrections Officers and if officers are required to complete basic training prior to initial assignment. The TCSO will allow officers to perform the duties of Corrections Officers



1 Number of Corrections Officers 2 Number of Corrections/Peace Officers
3 Percent of Corrections Officers that are Peace Officers

with the stipulation the officers will attend basic training within a year of their employment date. The Dallas County Sheriff's Department (DSO) sends approximately 90% of their Corrections (Detention) Officers to basic training prior to initial assignment and the remainder of the officers attend classes as class space allows. The Taylor County Sheriff's Department (TSO) allows officers to work until they can attend training. The Harris County Sheriff's Department (HCSO) sends their officers to a 124 hours jail school prior to initial assignment in the jail which is similar to the Bexar County Sheriff's Department's (BCSO) policy which requires all personnel to attend a 240 hour school, including the 40 hour course mandated by TCLEOSE, prior to initial assignment. The Walker County Sheriff's Department (WCSO), like the TSO, allows officers to work in the jail until they can attend basic training. The EPSO mirrored DSO's policy that 90% of their staff attends training prior to initial assignment and the other ten percent attends basic training as training space becomes available.

Do Corrections Officers who are not Peace Officers carry firearms during the normal discharge of their duties? Under Texas law, a person commits an offense of unlawfully carrying a weapon if s/he intentionally, knowingly, or recklessly carries on or about her/his person a handgun, illegal knife or club¹². Peace Officers are exempt from this law and Corrections Officers who are acting under "colors" of the law are also exempt. In the TCSO, for example, Corrections Officers assigned to the Prisoner Transportation Section, the Recreation Section, and Complex Security Section are issued firearms for normal duty performance. The BCSO, the WCSO, and the EPSO permit Corrections Officers to carry firearms, but the functions of these officers are limited to functions such as transportation of prisoners to/from court, hospitals, etc. The HCSO, and the TSO stated they do not allow Corrections Officers, who are not Peace Officers to carry firearms. Unfortunately, one question not asked on the original questionnaire was whether or not the agencies which permit Corrections Officers to carry firearms provide any firearms training

for those officers. Remember, neither TCLEOSE nor TCJS require any firearms training for Corrections Officers.

Do Corrections Officers face the types of situations Peace Officers face? Many officers argue which profession is more hazardous. Each has dangers and officers from either profession may be injured or killed during the performance of their duties. For example, many departments subscribed to, but will not admit, the unwritten rule in corrections: If an officer is taken hostage, the Department will do everything possible to save the hostage except allow prisoners to escape. This rule protects the officers since prisoners know they will not effect an escape with a hostage and a hostage is more valuable if kept alive. And, under Texas law, a person commits capital murder if the person kills a Corrections Officer (jail guard) while the officer was performing her/his duties as a Corrections Officer and an offense under this section is punishable by death or life in prison¹³. Corrections Officers, as stated earlier, are often locked into housing units with prisoners and many spend their entire tour of duty in direct contact with prisoners. Prisoners in county jails range from minor offenders to capital offenders and with the current population ceilings on state prisons by federal magistrates, many of the prisoners housed in county jails are serious offenders. Corrections Officers have been assaulted, sexually assaulted, taken hostage, and threatened. Unfortunately, since officers and inmates spend numerous hours together, inmates learn personal things about officers such as the officers' habits, the type of automobiles officers drive, where officers live, and where officers spend their spare time. Many agencies have policies geared to protect officers from inmates, but inmates still gather information on officers due mostly to officer negligence. For example, officers, locked in units with inmates, discuss where they will go after work or at whose house a party/gathering will be held, or who is dating whom, etc. As officers discuss personal plans, inmates, usually trustees, "over-hear" conversations and inform other inmates of the conversations. Many Corrections Officers agree inmates have a very extensive communications network and information is transmitted at an incredible

speed. An officer under my direct supervision was threatened in September 1993 when she arrived for work. The ex-inmate who threatened the officer stated he knew what type of vehicle the officer drives. Another officer under my direct supervision was the victim of arson in 1992 and, to date, the offender(s) has/have not been identified. Arson investigators believe the offenders were either ex-inmates or associates of inmates (i.e. fellow gang members) who were trying to "teach" the officer a lesson. (More details on these cases may be obtained by contacting either the Travis County Sheriff's Department or the Austin Police Department. The names of the officers involved were not mentioned to protect their privacy.)

But, the question remains, do Corrections Officers face the types of situations Peace Officers face? When a Peace Officer receives a call for service, the officer may or may not know the nature of the call. More often than not, the officer knows the nature of the call and has adequate time to make appropriate preparations prior to arrival. Furthermore, the Peace Officer can wait until additional officers arrive before entering an area to answer a call. The officer is armed with a firearm, an impact weapon (side-handle baton, expandable baton, etc.), a chemical weapon (mace, CS/pepper mace spray, etc.), wears protective body armor, has adequate communications with the dispatchers (hand-held radios), and has the authority to make arrests.

The Corrections Officer, on the other hand, is locked in a housing unit with prisoners who have been arrested; none of the prisoners want to be in jail and many seek ways to escape; many of the prisoners are felons and have been to state prison; many are affiliated with gangs (both street gangs, and inmate prison gangs). As gangs become more prevalent in our society, more gang members will be arrested and the violence in jails and prisons will increase. Much of the violence is inmate on inmate, but, officers are not immune from the assaults. Peace Officers answer calls for service and often are greeted by persons wishing the officer's presence or intervention. Granted, Peace Officers often confront people who wish to cause harm to the officers. Yet, the officers generally answer

speed. An officer of the Travis County Sheriff's Department was threatened in September 1993 when she arrived for work. The ex-inmate who threatened the officer stated he knew what type of vehicle the officer drives. Another officer of the Travis County Sheriff's Department was the victim of arson in 1992 and, to date, the offender(s) has/have not been identified. Arson investigators believe the offenders were either ex-inmates or associates of inmates (i.e. fellow gang members) who were trying to "teach" the officer a lesson. (More details on these cases may be obtained by contacting either the Travis County Sheriff's Department or the Austin Police Department. The names of the officers involved were not mentioned to protect their privacy.)

But, the question remains, do Corrections Officers face the types of situations Peace Officers face? When a Peace Officer receives a call for service, the officer may or may not know the nature of the call. More often than not, the officer knows the nature of the call and has adequate time to make appropriate preparations prior to arrival. Furthermore, the Peace Officer can wait until additional officers arrive before entering an area to answer a call. The officer is armed with a firearm, an impact weapon (side-handle baton, expandable baton, etc.), a chemical weapon (mace, CS/pepper mace spray, etc.), wears protective body armor, has adequate communications with the dispatchers (hand-held radios), and has the authority to make arrests.

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calls such as assist motorists, prior burglary, prior theft, etc. Many of the calls for service Peace Officers receive, especially those involving acts of violence, have occurred before the officer arrives on the scene. Rarely does a Peace Officer arrive during a burglary in progress, a robbery in progress, or a rape (sexual assault) in progress. Corrections Officers often arrive during criminal acts. After all, the "code of conduct" for inmates precludes inmates from informing on fellow inmates; therefore, inmates rarely, if at all, inform officers of such criminal acts. Plus, inmates generally prefer not to be in contact with officers. However, some acts, attempted escapes, for example, must be brought to officers attention either by a "snitch" or the officers observations otherwise, they go undetected.

What are the actual duties of Corrections Officers? Corrections Officers are usually assigned to jail security and other functions which involve direct officer to inmate contact. In Travis County, for example, Corrections Officers are allowed to fulfill any function within the Corrections Bureau, except Bonding Officer (Peace Officers only). The officers are allowed to work jail (floor) security, Complex Security, Prisoner Transportation, Recreation, etc. Bexar County, much the same as Travis County, allows its Detention (Corrections) Officers to fulfill any functions within the Detention Facility: booking, identification procedures, inmate property control, etc. This trend is the norm in the agencies that participated in the survey. Corrections Officers run the jail and part of running the jail includes the booking desk.

Booking, due to the nature of the inmate contact involved, will be explored in further detail. All Sheriff's Departments are required by Texas law to house persons accused of criminal acts or omissions. All persons held in county jails must enter the jail system somewhere. The normal point of entry into a jail is the Booking Desk. Booking Officers, often Corrections Officers, are confronted with the most aggressive inmates within the system. Incarcerated persons are more apt to attempt suicide within the first few hours of incarceration. And, the Booking Officers must ensure all persons booked into the facility belongs in the system. Such instances as juveniles in adult jails, wrong persons in

jail, no such charges in Texas, no warrant on file, fugitive from justice from another state once arrested in Texas, etc., must be handled accurately and expeditiously. Departments may be held liable for any of these, or similar situations, which are not immediately rectified. The Booking Officers must be knowledgeable of current federal, state and local laws as well as statutory law regarding criminal offenses. For example, if a Peace Officer arrests a sixteen year old for automobile theft, the Corrections Officer must first know the actual charge in the Texas Penal Code is unauthorized use of a vehicle¹⁴ and the accused person needs to be transported to a juvenile detention facility versus an adult jail. Corrections Officers must also know the degree of criminal offenses to ensure suspects receive proper magisterial process. For example, consider a person charged with assault. Assaults range from class C misdemeanors (minor charge) to deadly assault on a Law Enforcement or Corrections Officer, member or employee of Board of Pardons and Paroles, court participant, probation personnel, employee of Texas Youth Commission (first degree felony). If an incorrect charge is filed or an incorrect degree of offense is filed, the Sheriff's Department may be criminally and civilly liable if the subject is processed into the county jail and reasonable steps are not taken to rectify the situation. The Corrections Officers assigned to the booking area must ensure such miscarriages of justice are immediately rectified.

Part VI - Correctional Duties

To execute these functions, what training beyond basic training are Correctional Officers provided? According to the respondents to my survey, agencies generally provide additional training for their Corrections Officers. Many of the agencies admit they provide training such as bonds and bonding procedures, unarmed defense techniques, report writing, first aid and CPR, legal issues, and other subjects pertinent to corrections. Plus, El Paso County will reimburse officers for attending college courses related to corrections and Travis County reimburses officers who attend college courses related to the officers' current profession. For example, anyone in the Travis County Sheriff's Department can major in Criminal Justice and receive reimbursement for specific courses relating to either law enforcement or corrections; however, supervisors and those personnel thriving to become supervisors may be reimbursed for management/leadership courses. Travis County even reimbursed one officer for attending physical fitness courses since he was assigned to the Travis County Sheriff's Academy's Physical Fitness Program at the time. However, as stated earlier, neither TCLEOSE nor TCJS requires any training for Corrections Officers beyond the 40 hours of Basic Training required by TCLEOSE. In contrast, Peace Officers must receive a minimum of 40 hours of in-service every twenty-four months and they must complete several core-courses (Arrest, Search and Seizure, Child Abuse, Crime Scene Investigations, and Use of Force) to receive an Intermediate Proficiency Certificate¹⁵. Beyond the Intermediate Proficiency Certification, the Peace Officer may qualify for an Advance Proficiency Certificate without attending additional courses except 40 hours of in-service training as mentioned above. Until recently, the Corrections Officer only received a Basic County Jailer certificate. As of March 1993, the Corrections Officer can qualify for an Intermediate County Jailer certificate and an Advance County Jailer certificate. Courses relating to jail operations are necessary before an Intermediate or Advance Jailer Certification is awarded; however, due to the point system used by TCLEOSE to award proficiency certificates, a Peace Officer working in a

County Jail may qualify for an Intermediate County Jailer Certification by virtue of the number of points awarded for completion of the Basic Peace Officer Course¹⁶.

In addition to the functions described above, Corrections Officers are also managers. They manage inmates daily. As such, management training is essential to the Corrections Officer. Such skills as interpersonal communications skills and crisis intervention are as essential to the Corrections Officer as the protective body armor and firearm are to the Peace Officer. Also, as managers, Corrections Officers "supervise" inmates throughout the inmates' stay in the correctional facility. Management can be defined as "the art of getting things done through people" and Corrections Officers get things done through people daily¹⁷. For example, Corrections Officers supervise inmates on work crews, community beautification projects, work release programs, facility clean-up assignments, and other related functions.

They are also counselors. As counselors, Corrections Officer provide guidance to inmates and suggest appropriate ways to resolve the inmates' problem(s) or direct inmates to appropriate entities to resolve the inmates' problem(s). They are also educators by providing training to inmates. Finally, they are disciplinarians and must react to each inmate as an individual. But, Corrections Officers are not required to complete any additional training to execute these functions.

When a criminal offense occurs within a Correctional Facility, who files the charge and conducts the criminal investigation? Fortunately, in Travis County, Peace Officers are assigned to the Corrections Bureau and these officers can file charges as deemed appropriate. Such charges include, but are not limited to, assaults on officers, possession of controlled substances, etc. Internal Affairs in Travis County also files charges against inmates such as attempted escape, escape, assault, sexual assault, etc. In all counties, since the Corrections Officers are the officers observing the offense(s) or are the officers to whom the offense(s) is reported, the officers should have the authority to file criminal charges much the same as Peace Officers do. If a Corrections Officer, for example,

discovers an attempted escape, the Corrections Officer must summon a Peace Officer to file the criminal charge although the Corrections Officer will probably complete most of the necessary paperwork. What, then, is the amount of training a Corrections Officer should receive and when should the officer receive the training (pre-assignment or within one year of assignment) and what authority should Corrections Officers have? We will explore these questions in Part VII - Proposed Training and Authority.

Part VII - Proposed Training and Authority

Before the above questions posed above are answered, some of the functions of Corrections Officers will be reviewed. Corrections Officers deal with persons accused of criminal acts or omissions daily; they observe criminal activity and report such; they testify in court as needed; and often, they escort prisoners to court, hospitals, and state prisons. What, then, should Corrections receive in Basic Training? Following is a suggested course outline for the Basic County Corrections Course:

I. Administration (17 hours): This part of the course will allow officers adequate time to prepare for examinations.

A. Course Introduction (2 hours): Officers will learn about the course and what is expected of them during the course.

B. Pre-Test (1 hour): Officers will test their knowledge of corrections by completing a pre-test and comparing the results to the final examination at the end of the course.

C. Firearms Orientation (1 hour): Officers will learn what is expected of them during the firearms portion of the course.

D. Test Reviews (5 hours): Officers will have ample opportunities to prepare for examinations especially the final examination.

E. Final Exams (4 hours): A comprehensive written and practical final examination will be administered to test new knowledge and skills.

F. Course Critique and Graduation (4 hours): Officers will evaluate the course based on what they were exposed to during the course and participate in a graduation exercise similar to a college commencement ceremony.

II. Health and Fitness (73 hours): This part of the course will teach officers the importance of fitness and stress reduction and provide instruction on how to properly participate in healthy physical fitness and healthy stress reduction.

A. Health Assessments (8 hours): Officers will participate in a health screening process which will measure the officers' current fitness level.

B. Physical Fitness Training (49 hours): Officers will engage in physically demanding exercises tailored to the needs of individual officers which seek to attain fitness goals without injury.

C. Stress Management (16 hours): Officers learn constructive, health ways to handle stress including the stress of daily life and the work environment.

III. Investigations (49 hours): In this unit, officers learn basic techniques for case preparation and crime scene preservation.

A. Basic Investigations Techniques (31 hours): Officers learn how to conduct investigations and interview witnesses and suspects and when the rights of the accused need to be read to persons suspected of criminal acts/omissions.

B. Arson and Bomb Threat Investigation (2 hours): Officers learn what procedures to follow, including facility evacuation, for bomb and arson threats.

C. Death Investigations (7 hours): Officers learn how to preserve crime scenes when custodial deaths occur and what paperwork and notifications are required by law.

D. Sexual Assault (9 hours): Officers learn about sexual assaults and deviate sexual behavior and the steps necessary to secure evidence and protect witnesses and victims.

IV. Major Topics and Examinations (134 hours): This unit concentrates on major topics germane to corrections and federal, state, local, and statutory law.

A. Arrest, Search, and Seizure (19 hours): Officers learn their duties and legal obligations concerning arrest, search, and seizure. Emphasis is placed on searches of inmates and inmate living/housing areas.

B. Civil and Statutory Law (20 hours): Officers learn about recent case law and statutory law concerning corrections and the corrections profession. Also, civil law and civil process is covered in this unit.

C. Controlled Substances and Dangerous Drugs (20 hours): Officers will learn about the Texas Controlled Substances Act and gain a working knowledge of controlled substances. Officers will also learn procedures for handling subjects believed to be under the influence of drugs including alcohol.

D. Texas Alcoholic Beverage Code (6 hours): Officers will learn about the Texas Alcoholic Beverage Code and what laws govern home-made alcoholic beverages in penal institutions.

E. Texas Family Code (8 hours): Officers will learn their duties and responsibilities concerning inmate's rights and access to family services.

F. Texas Penal Code (39 hours): Officers will learn how to find articles in the Texas Penal Code and examine common offenses such as public intoxication, burglary, assault, escape, sexual assault, etc.

G. Use of Force (22 hours): Officers will learn about use-of-force in correctional institutions and examine a use-of-force continuum as well as a levels-of-resistance and levels-of-control continuum.

V. Facility Patrol Procedures (77 hours):

A. Case Preparations, Courtroom Demeanor and Testimony (5 hours): Officers learn how to prepare reports for court testimony and procedures for appearing before grand jury proceedings, and criminal and civil courts.

B. Communications (35 hours): Officers learn how to maintain field notes, send and receive radio transmissions, and prepare written reports and document their actions.

C. Conflict Resolution (3 hours): Officers learn how to resolve conflicts between inmates and fellow officers including supervisors. In this unit, emphasis is placed on interpersonal communications skills.

D. Cultural Awareness (9 hours): Officers are exposed to different cultures such as Hispanic culture, Mexican culture, African-American culture, and Asian-American culture.

E. Crisis Intervention and Safety Awareness (6 hours): Officers learn tactical procedures for conducting searches of persons, property and areas. Emphasis is also placed on officer safety such as avoidance of "blind-spots" and summoning additional officers.

F. Critical Incident Trauma (2 hours): Officers learn how to deal with critical incidents including those incidents involving fellow officers and staff members and what services are available to "victims" of critical incidents.

G. Methods of Patrol (7 hours): Officers will learn proper procedures for "routine" patrol procedures within a correctional setting including courtroom security, complex security and transportation of inmates out of the secured jail/corrections environment.

H. Handling Mentally Deficient Persons (6 hours): Officers will learn techniques for dealing with persons suspected of being mentally retarded or mentally impaired. The special needs of these individuals will be examined including relevant laws governing the handling/housing of the mentally impaired.

I. Corrections Officer Role in Society (4 hours): Officers will learn what is expected of Corrections Officers by society.

VI. Proficiency Areas (200 hours):

A. Searches (24 hours): Officers will learn how to properly conduct cell, housing area, pat, clothed, and unclothed searches. Additionally, officers will conduct living area searches for known and unknown contraband. Officers must earn a "pass" in this section to successfully complete the course.

B. Dispute Mediation (32 hours): Officers will mediate a dispute between "inmates" and fellow "officers". Here, verbal communications skills and crisis intervention skills will be sharpened. Officers must earn a "pass" in this section to successfully complete the course.

C. Firearms Training (40 hours): Officers will learn the fundamentals of firearms proficiency including how to properly maintain a firearm. Pistols and shotguns will be used during this unit of instruction. Officers must score 70% or higher in this section to successfully complete the course.

D. First Aid and CPR (16 hours): Officers will successfully complete a course of instruction provided by an agency such as the American Heart Association, the American Red Cross or the Texas Department of Health or other such comparable agency. This part of the course will include instruction for emergency first aid and other such emergencies including emergency child-birth. Officers must earn a passing grade in this section to successfully complete the course.

E. HIV/AIDS and Other Diseases (16 hours): Officers will learn about communicable diseases and infections diseases and emphasis will be placed on confidentiality of inmate's and officer's medical status as related to diseases such as AIDS. Furthermore, the Federal Privacy Act will be discussed.

F. Police Driving (40 hours): Officers will discuss the fundamentals of operating a police vehicle such as a sedan, van, or bus and inspecting vehicles for safety and mechanical problems, and contraband. Additionally, officers will drive a sedan and a van on an approved driving course. The driving course must be approved by the TCCOSE. And, students must earn a "pass" in this section to successfully complete the course.

G. Report Writing (32 hours): Officers will learn how to properly prepare written documentation of incidents. This part of course will be comparable to a college composition course in which basic writing skills are emphasized. Officers must earn a "pass" in this section to successfully complete the course.

{Total: 550 hours minimum}

Corrections Officers should be granted access to proficiency certificates (Intermediate and Advance Certificates) identical with that granted to their Peace Officer counterparts. That is, Corrections Officers should be required to complete certain core-courses and a combination of training and experience prior to the awarding of a proficiency certification. For example, Corrections Officers should be mandated by TCLEOSE to complete a minimum of 40 hours of in-service training per annum. And, for the Intermediate Corrections Officer Certification, the officers should complete the following courses: Street Gangs and Subcultures (24 hours), Inmate Gangs and Subcultures (24 hours), Use of Force (32 hours), and Crime Scene Investigations (40 hours). {Note: The times suggested here would be the minimum required. Agencies/academies reserve the right to extend the courses, but they may not reduce the course beyond the minimum requirements.} TCLEOSE could use the current criteria for proficiency certificates for Corrections Officers that is currently in use for Peace Officers. For an Advance Certification, the Corrections Officer should satisfy the requirements as outlined by TCLEOSE and complete the following courses: Crisis Intervention (40 hours), Management (40 hours), Interpersonal Communications Skills (40 hours), and Written Communications (40 hours). Additionally, when TCLEOSE mentions "college credit" for proficiency certificates, college credit should be limited to correctional courses and law

enforcement courses, and college degrees which apply to proficiency certificates should be limited to Criminal Justice degrees with preference given to those officers who major in corrections, probation, or parole.

All Peace Officers are granted certain authority under Article 2.13 of the Texas Code of Criminal Procedure - Duties and Powers¹⁸. Yet, no similar certainty of authority exists for Corrections Officers. Corrections Officers often work under the "color of the law" which, according to Grifis, is a "mere semblance of legal right."¹⁹ Since Corrections Officers are required to perform the various duties outlined above, they should be empowered to accomplish those tasks. Therefore, like the Peace Officer, the Corrections Officer should be granted certain authority to act and this authority should be included in the Texas Code of Criminal Procedure. Additionally, due to the variety of functions performed, Corrections Officers authority should include the power of arrest, execution of warrants, exclusion from the unlawfully carrying a weapon offense, and all other authority granted to Peace Officers. This authority would allow the Corrections Officer to perform all duties of her/his office without the intervention of Peace Officers.

Part VIII - The Future

On the state level, law enforcement and correctional functions are performed by independent agencies. The Texas Department of Public Safety is the state police department and is charged with providing law enforcement functions throughout the state. On the other hand, the Texas Department of Criminal Justice - Institutional Division is charged with operating the state's correctional system (state prisons). Neither agency is concerned with the functional operations of the other. If necessary, both agencies work together to meet a common objective (e.g. executions, escapes, etc.). On the county level, however, the Sheriff's Department is charged with both duties; Sheriff's Departments employ Deputies for law enforcement functions, and Correctional Officers for jail operations functions. And, as mentioned earlier, most Sheriffs have little to no jail operations experience prior to being elected Sheriff. Perhaps, then, these functions should be executed by different agencies. That is, the Sheriff's Departments should continue providing law enforcement functions to communities and not concern themselves with jail operations. Thus, Sheriffs could focus on law enforcement problems and not be flabbergasted with county jails. On the other hand, a different agency (County Department of Corrections) could operate county jails.

With Sheriffs out of the jail business, communities would receive more attention from Sheriff's Departments on matters related to law enforcement. Also, budgetary items would be more flexible which would allow Sheriffs to provide better pay, benefits, and equipment to Deputies which would promote more professional Sheriff's Departments. And, since personnel would be hired to fulfill law enforcement related duties (patrol, investigations, telecommunications, warrant executing, etc.), attrition rates should decline.

Conversely, if counties operated a Department of Corrections (DOC), the DOC would have its own operating budget. Moreover, personnel hired by the DOC would be hired to fulfill duties related to corrections which should reduce the attrition rate among Corrections Officers especially those Corrections Officers who wish to pursue law

enforcement careers. Further, as separate entities DOCs would establish employment criteria and could mirror the probation and parole models. That is, Corrections Officers, due to the vastness of the functions performed, would be required to obtain a college degree (Associates of Applied Science - Criminal Justice) and require officers receive the basic training outlined above prior to initial assignment. Also, as separate entities, counties could allow lateral transfers of Corrections Officers from one county to another without loss of either rank or tenure. Currently, Texas school teachers operate within a similar system of lateral transfers within the state. Finally, as an information age society, DOCs could be interconnected via a computer system which would allow access from any terminal within the system throughout the state.

How would the DOCs be governed and operated? To effectively govern DOCs, the Texas Legislature would have to take the first step and eliminate the word "jailer" in Texas law and insert the words "Corrections Officer". This step alone would provide status to the profession. Next, each County Commissioners Court would select a Director for the county's DOC and the Director would be responsible for the daily operations of the DOC and each DOC would house all inmates within the county's jurisdiction thus eliminating the need for city jails and lock-ups. TCLEOSE should not be concerned with the issuance of County Corrections Officer licenses or proficiency certificates, nor should TCLEOSE be concerned with Corrections Officer training. The Texas Commission on Corrections Officers Standards and Education (TCCOSE), currently known as the Texas Commission on Minimum Jail Standards, should have this responsibility as well as ensuring that all county correctional facilities meet federal and state guidelines. The TCCOSE could mandate the requirements outlined above for all Corrections Officers throughout the state.

One common complaint of Sheriff's Department personnel is lack of comparable pay with municipal officers within the same county. Corrections Officers generally receive less pay than their law enforcement counterparts. By establishing DOCs, placing the licensing responsibilities with the TCCOSE, and requiring college education and intense

basic training, Corrections Officers, like Probation, Parole, and Juvenile Detention Officers, could receive wages comparable to other professionals with similar educational and training requirements. And, those counties with small tax bases could pool their resources and establish, with permission from the TCCOSE, a Combined Counties Department of Corrections (CCDOC). A good example of this would be the Combined Counties Department of Corrections serving Hays, Bastrop, and Caldwell Counties. Of course, strategic locations would allow better access by all members and each CCDOC can operate more than one correctional facility.

Another advantage of a DOC or CCDOC is that all inmates would have equal access to programs and services such as Alcoholics Anonymous, Cocaine Anonymous, Community Corrections, high school education, vocational education, and religious services, to name a few. Plus, if one county reaches its population ceiling, inmates could be transferred to other counties for housing, and the DOC could establish facilities throughout the state under the Combined Counties Department of Corrections concept to house state convicts awaiting transfer to state prison. These facilities, of course, would be maximum security, vertical structures.

Sharing information via computer integrated technology would catapult the Corrections Professions into the next century; information would be available throughout the state. Additionally, not only would DOCs have access to the computer system, but Probation Officers, Parole Officers, law enforcement officers, the court officers, and state Corrections Officers would also have access to the system. However, only the agency responsible for the inmate at the time could change information about the inmate except for fines and criminal charges from other counties. For example, if a person was arrested in Hays County, Hays County would enter the person into the computer system and only Hays County could make adjustments to the person's file. If, however, Taylor County had a warrant for the subject, Taylor County could notify Hays County of the warrant and Hays County would have to enter the charge into the person's computer record. But, once

the record is entered, either Taylor County or Hays County could make changes to the Taylor County charge. When the inmate is transferred to Taylor County, Hays County would indicate the transfer in the computer and, once Taylor County acknowledges the transfer, only Taylor County could change information regarding the inmate except for other county's charges. The system could also integrate the state prison system. This would allow more efficient access to criminal records and eliminate the need to send Teletype, facsimile, and similar messages because all information could be transmitted via the computer. The computer would be maintained by the TCCOSE and located in the Austin, Texas, area.

Imagine a computer system which integrates all criminal justice professionals. A family member in Dallas could get information about her/his loved one in jail in the Laredo area. Plus, a Fort Worth police officer could review a subject's criminal record, including places of incarceration even if the subject was arrested in Texarkana. And, a Corrections Officer could better house an inmate based on the inmate's entire criminal history and housing history; or a Probation Officer from Lubbock could locate a client incarcerated in Austin and notify the Travis County DOC that the inmate had a probation violation warrant. But, the persons responsible for entering information about inmates incarceration records are the Corrections Professionals.

Corrections Officers have been overlooked as necessary burdens within Sheriff's Departments. Sheriff's are required to operate county jails and the Texas Commission on Minimum Jail Standards mandates one Corrections Officer for every 48 inmates²⁰. Neither the TCLEOSE nor the TCJS mandates any training for Corrections Officers, except for 40 hours of basic training which may be waived for up to one year from an officer's date of employment. Texas Law still refers to Corrections Officers as "county jailers" and does not grant them any authority, nor instills upon them a duty to act. Many Corrections Officers operate under the "color of the law" which is a convenient way for Sheriff's to justify low pay and lack of training for Corrections Officers. As we enter the next century,

the Corrections Officer will become more of an integral part of the Criminal Justice System which means Corrections Officers will demand more training, respect, and professionalism. This project has delineated the functions of the County Corrections Officer and suggested a course outline for the Basic Corrections Officers Certification Course and outlined additional duties and responsibilities for Corrections Officers. Further, it discussed the establishment of a state agency to regulate the training and licensing of Corrections Officers. Finally, it talked about computer integration of the Criminal Justice System which would begin with the Corrections Officer entering an inmate's file into the system. TCLEOSE was formed in the early 1970s to address the needs of law enforcement. Perhaps the 1990s is the era to address Corrections Officers' needs.

Appendix A - End Notes

1. Rolando del Carmen, Texas Jails: Law and Practice, (Huntsville, TX: Sam Houston Press, 1990), 3.
2. Steven H. Grifis, Barron's Legal Guides Law Dictionary (New York, NY: Barron's Publishing Company, 1984), 2.
3. del Carmen, 2.
4. del Carmen, 3.
5. del Carmen, 2
6. Texas Department of Public Safety, Texas Criminal Laws (Austin, TX: Texas Department of Public Safety, 1991-1992), 144.
7. del Carmen, 147.
8. del Carmen, 64, 66, 70.
9. Texas Commission on Law Enforcement Officer Standards and Education, TCLEOSE Rules, (Austin, TX: Texas Commission on Law Enforcement Officer Standards and Education, 1991), 211.77 and 211.78.
10. Texas Commission on Jail Standards, Jail Standards, (Austin, TX: Texas Commission on Jail Standards), 149.
11. Joe Sciacca, "Hub inmates to get non-violence training", Boston Herald (Massachusetts), 14 June 1992.
12. Texas Department of Public Safety, 118.
13. Texas Department of Public Safety, 34.
14. Texas Department of Public Safety, 66.
15. Texas Commission on Law Enforcement Officer Standards and Education, 211.85.
16. Texas Commission on Law Enforcement Officer Standards and Education, 211.85.
17. David H. Holt, Management - Principles and Practices, Third Edition, (Englewoods Cliff, NY: Prentice Hall Publishing Company, 1993), 3.

18. Texas Department of Public Safety, 143.
19. Grifis, 79.
20. Texas Commission on Jail Standards, 135.

Appendix B - Blank Survey

The following questionnaire was written by Sgt. Paul R. Williams of the Travis County Sheriff's Department in Austin, Texas. The purpose of the questionnaire is to determine the duties and responsibilities of Corrections Officers within your agency and compare those duties/responsibilities with members of other agencies. Once the research is completed, the data will be included in a project for the Law Enforcement management Institute titled, The Professionalization of the Texas Corrections Officer. Your cooperation in this project will be greatly appreciated.

QUESTIONNAIRE

- I. Agency: _____
- II. Name and Title of person completing survey: _____

1. Does your agency employ full-time Corrections Officers? _____
2. Of the members of your staff, how many of the Corrections Officers are not Peace Officers? _____
3. How many of your Corrections Officers are Peace Officers? _____
4. Since the Sheriff's Office is responsible for courtroom security, do your corrections personnel who are not Peace Officers provide security, or are all of your courtroom security officers Peace Officers? _____
5. Does your agency permit Corrections Officers who are not Peace Officers to carry firearms on or off duty? _____
6. When your agency hires new corrections personnel, are they sent immediately to the academy for training or are they allowed to work in the jail until they can attend training? _____

7. Does your agency have a policy to send all Corrections Officers to the Basic Peace Officer Certification Course? _____
8. What are the basic duties of your Corrections Officers who are not Peace Officers? (e.g. jail security, prisoner transportation, complex security, hospital duty, etc.)
Please attach a separate page if necessary. _____

9. Does your agency offer any in-service training to Corrections Officers which pertain to corrections? If so, please list the course(s) you offer. Please attach a separate page if necessary. _____

10. During the Basic County Corrections Certification Course (formally called the Basic Jail Operations Course), does your agency surpass the forty-hour block of instruction, and if so, what subjects do you include? Please attach a separate page if necessary. _____

11. Any other comments you wish to offer: _____

Appendix C - Survey Participants

1. Bexar County Sheriff's Department, Lieutenant James J. Cantilli, Training Coordinator.
2. Dallas County Sheriff's Department, Sergeant Ronnie C. Meyers, Inspections, Planning and Research.
3. El Paso County Sheriff's Department, Sheriff Leo Samaniego.
4. Harris County Sheriff's Department, Director Mark Kellar.
5. Taylor County Sheriff's Department, Sergeant Gary Graham.
6. Travis County Sheriff's Department, Kathy Wright, Personnel Coordinator.
7. Walker County Sheriff's Department, Peggy S. Petty, Inmate Coordinator.

Appendix D - Bibliography

1. del Carmen, Rolando, Texas Jails: Law and Practice, (Huntsville TX: Sam Houston Press, 1990).
2. Holt, David H., Management - Principles and Practices, Third Edition, (Englewoods Cliff, NY: Prentice Hall Publishing Company, 1993).
3. Grifis, Steven H., Barron's Legal Guides Law Dictionary, (New York, NY: Barron's Publishing Company, 1984).
5. Sciacca, Joe, "Hub inmates to get non-violence training, Boston Herald (Massachusetts), 14 June 1992.
6. Texas Commission on Jail Standards, Jail Standards, (Austin, TX: Texas Commission on Jail Standards).
7. Texas Commission on Law Enforcement Officer Standards and Education, Texas Commission on Law Enforcement Standards and Education, (Austin, TX: Texas Commission on Law Enforcement Officer Standards and Education, 1991).
8. Texas Department of Public Safety, Texas Criminal Laws, (Austin, TX: Texas Department of Public Safety, 1991-1992).