

# TEXAS COMMISSION ON JAIL STANDARDS

EXECUTIVE DIRECTOR  
Brandon S. Wood



P.O. Box 12985  
Austin, Texas 78711  
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<http://www.tcjs.state.tx.us>  
[info@tcjs.state.tx.us](mailto:info@tcjs.state.tx.us)

February 10, 2015

Subject: I/M David Courtney Death-In-Custody Review  
Date of Death: December 22, 2014 at approximately 1935 hours  
Facility: Montgomery Co. Jail

On 12/22/2014 at approximately 1935 hours, Inmate David Courtney passed away at the Columbia Conroe Regional Hospital after being hospitalized for approximately 25 days. I/M Courtney's death was ruled a natural death as a result of Acquired Immune Deficiency Syndrome.

During my initial review, it was discovered that there were some inconsistencies in the medical documentation submitted by county officials. The following is a chronological listing of events by medical staff and course of action taken:

August 20, 2014 – Inmate seen by medical staff for checkup.

September 6, 2014 - Inmate presents to medical complaining of blood in stool.

September 16, 2014 - Inmate presents to medical complaining of blood in stool and abdominal pain. He was evaluated by a medic and referred to clinic.

October 25, 2014 - Inmate presents to medical complaining of blood in stool and abdominal pain at 6am, is seen by the medic and is referred to clinic. At 10am, inmate makes the same medical complaints as he did at 6am and this time, he is referred to see a doctor.

October 31, 2014 - Inmate is seen by doctor at 1pm in the afternoon. This is 55 days after his first complaint of passing blood in his stool. This is also the first documentation that shows a referral being followed-up on for the inmate.

Medical staff failed to follow-up on referrals for treatment for the inmate in a timely manner. The administration will need to provide a plan of action outlining corrective measures to prevent future occurrences.

A notice of non-compliance was issued on February 9, 2015 in regards to lack of referral follow-up and not providing efficient care for acute situations as required.



# Texas Commission on Jail Standards

Montgomery County Jail

February 9, 2015

Conroe, Texas **Administrative Noncompliance**

Date(s) of Inspection

SUBJECT: SPECIAL INSPECTION REPORT

State Law requires periodic inspections of county jail facilities (VTCA, Local Government Code, Chapter 351, VTCA, Government Code, Chapter 511; Chapter 297.8, Texas Commission on Jail Standards).

The facility was inspected on the date(s) indicated above, and it was determined that deficiencies exist. You are urged: (1) to give these areas of noncompliance your serious and immediate consideration; and (2) to promptly initiate and complete appropriate corrective measures. The Commission is available to discuss or assist you with the appropriate corrective measures required.

Failure to initiate and complete corrective measures following receipt of the Notice of Noncompliance may result in the issuance of a Remedial Order (Chapter 297.8, et seq.).

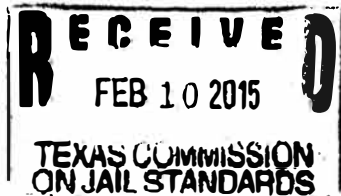
This facility was inspected on the date(s) indicated above. There were no deficiencies noted and upon review of this report by the Executive Director of the Texas Commission on Jail Standards, a certificate of Compliance may be issued per the requirements of VTCA, Chapter 511 and Texas Minimum Jail Standards.

Authenticated:

Inter-Office Use Only

*Phillip Bosquez*  
Phillip Bosquez, TCJS Inspector

<i>Rosalee Dunley</i>	02/10/2015
Received by:	Date
<i>Shannon J. Hublotz</i>	2/10/2015
Reviewed by:	Date



cc: Judge  
Sheriff

TEXAS COMMISSION ON JAIL STANDARDS  
JAIL INSPECTION REPORT

Facility Name: Montgomery County Jail

Date:

February 9, 2015

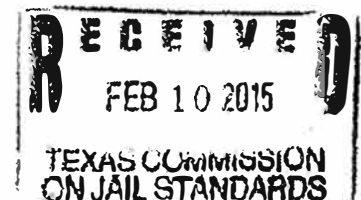
Item	Section	Paragraph	Comments
1	273	.2(2)(3)	Each facility shall have and implement a written plan, approved by the Commission, for inmate medical, mental, and dental services. The plan shall: (2) provide procedures for referral for medical, mental, and dental services; (3) provide procedures for efficient and prompt care for acute and emergency situations

Documentation received and reviewed by commission staff revealed that Montgomery County is not following their approved Health Services Plan. The procedures for the referral of medical services and providing for efficient and prompt care for acute situations were not being followed as required by Minimum Jail Standards.



Phillip Bosquez, T.C.J.S. Inspector

Administrative Noncompliance



TEXAS COMMISSION ON JAIL STANDARDS SPECIAL INSPECTION REQUIREMENTS REVIEW

*Phillip Bosquez*

Phillip Bosquez, TCJS Inspector

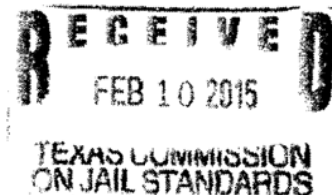
Facility Name: Montgomery Co. Jail

Date:

February 9, 2015

Chapter	Title	Comments
259	New Construction	Not applicable.
261	Existing Construction	Not applicable.
263	Life Safety	Not applicable.
265	Admission	Not applicable.
267	Release	Not applicable.
269	Records/Procedures	Not applicable.
271	Classification	Not applicable.
273	Health Services	<p><b>Deficiencies noted- see report.</b> During the course of reviewing documentation submitted from the county, issues were identified with medical care provided for Inmate David E. Courtney. The following is a timeline of events by medical staff and course of action taken:</p> <p>August 20, 2014 - seen by medical staff for checkup.</p> <p>September 6, 2014 - Inmate presents to medical complaining of blood in stool.</p> <p>September 16, 2014 - Inmate presents to medical complaining of blood in stool and abdominal pain. He was evaluated by a medic and referred to clinic.</p> <p>October 25, 2014 - Inmate presents to medical complaining of blood in stool and abdominal pain at 6am, is seen by the medic and is referred to clinic. At 10am, inmate makes the same medical complaints as he did at 6am and this time, he is referred to see a doctor.</p> <p>October 31, 2014 - Inmate is seen by doctor at 1pm in the afternoon. This is 55 days after his first complaint of passing blood in his stool. This is also the first documentation that shows a referral being followed-up on for the inmate.</p> <p>Medical staff failed to follow-up on referrals for treatment for the inmate in a timely manner. The administration will need to provide a plan of action to this inspector showing corrective measures to address the deficiencies found in this report.</p>
275	Supervision	Not applicable.
277	Personal Hygiene	Not applicable.
279	Sanitation	Not applicable.
281	Food Service	Not applicable.
283.1	Discipline	Not applicable.
283.3	Grievance	Not applicable.
285	Exercise	Not applicable.
287	Education/Library	Not applicable.
289	Work Assignments	Not applicable.
291.1	Telephone	Not applicable.
291.2	Correspondence	Not applicable.
291.3	Commissary	Not applicable.
291.4	Visitation	Not applicable.
291.5	Religious Practices	Not applicable.
xxx	Variances	Not applicable.
xxx	Remedial Orders	Not applicable.
xxx	Complaints	Not applicable.
xxx	CCQ	Not applicable.

Administrative Noncompliance



# Death in Custody Checklist

County/Facility: Montgomery

Inmates Name: David Courtney S.O./SID Number: TX04181115

Date of Death: 12/22/2014 @ 1935 hrs.

Booking Sheet: ✓

Autopsy Report: ✓

CCQ Entry: ✓ (no match found)

Suicide Screening: ✓

Final Report: ✓

↓ Magistrate Notification: ↓

Round Sheets: N/A

Other Report(s): \_\_\_\_\_

N/A

Assistant Director Review: \_\_\_\_\_

See ATTACHED Report.

Signature: Shannon J. Herbert Date: 2/10/2015

Recommendation: NOTICE OF NON-COMPLIANCE ISSUED.

Executive Director Review: CONCUR w/ POSSIBILITY OF ON SITE REVIEW  
DEPENDENT UPON RESPONSE FROM COUNTY

Signature: B. D. Wood Date: 2/10/15

Recommendation: \_\_\_\_\_

Notice of Non-Compliance Issued: Yes or No



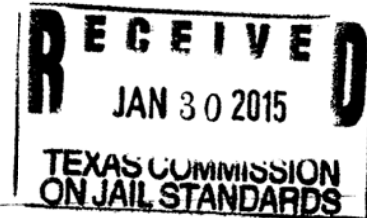
January 30, 2015

**Via Email**

Mr. Shannon J. Herklotz  
Assistant Director  
Texas Commission on Jail Standards  
300 W. 15<sup>th</sup> Street  
Austin, TX 78701

Re: David Courtney

Mr. Herklotz,



Thank you for contacting us regarding your investigation. Correct Care Solutions takes any death of a patient very seriously and each is given an in depth review by members of each our clinical and operations staff. This internal review is supplemental to that required by Rule §269.1.

While our review is still ongoing, we recognize that there were opportunities for improvement on the care provided to Mr. Courtney. His complaints while at the Montgomery County Jail were primarily gastrointestinal until the end of November, at which time he began complaining of respiratory difficulties and we sent him to the hospital. The respiratory issues, coupled with his long term failure to address his HIV diagnosis, was what ultimately lead to his death

We are working diligently to increase our staffing above the current staffing matrix at the Montgomery County Jail. This includes bringing in additional registered nurses who are already scheduled to be onsite as well as adding midlevel provider hours to provide increased access to care.

Please let me know if there is any additional information I may provide to assist the Texas Commission on Jail Standards.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Bove".

Chris Bove  
Chief of Institutional Operations  
(615) 324-5792  
[cbove@correctcaresolutions.com](mailto:cbove@correctcaresolutions.com)



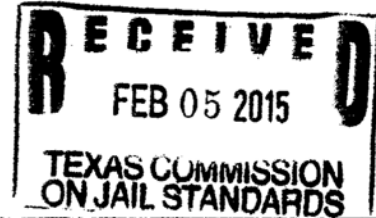
February 4, 2015

**Via Email (Shannon.herklotz@tcjs.state.tx.us)**

Mr. Shannon J. Herklotz  
Assistant Director  
Texas Commission on Jail Standards  
300 W. 15<sup>th</sup> Street  
Austin, TX 78701

Re: David Courtney

Mr. Herklotz,



Correct Care Solutions has continued to investigate the care provided to Mr. Courtney. In response to your question, we do not find any evidence that Mr. Courtney saw a physician at the Montgomery County Jail prior to October 31, 2014.

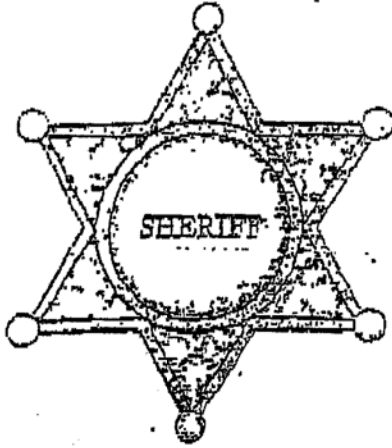
As previously mentioned, we are working to increase staffing at the facility. Additionally, CCS has instituted new policies and procedures with added levels of oversight and backstops to ensure that all individuals are properly referred to providers, are seen by the providers and receive necessary lab work and specialty care when indicated.

Please let me know if there is any additional information I may provide to assist the Texas Commission on Jail Standards.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Bove'.

Chris Bove  
Chief of Institutional Operations  
(615) 324-5792  
[cbove@correctcaresolutions.com](mailto:cbove@correctcaresolutions.com)



Schuyler County Sheriff  
 216 West Lafayette Street  
 Rushville, Illinois 62681

# FAX COVER SHEET

Schuyler County Sheriff Don Schieferdecker  
 Phone: 217-322-4366  
 Fax: 217-322-6162

Please Reply \_\_\_\_\_  
 Please Review X  
 For Your Info: \_\_\_\_\_

Send To: Claudia From: Anna Marie  
 Attention: \_\_\_\_\_ Time Sent: 8:44 AM  
 Location: Montgomery, TX Date Sent: 8-27-14  
 Fax #: 1-936-538-7721 Total Pages Sent: 2

Comments:

Mr. Courtney was given SM2-TMP DS 800-160  
 for 14 days.  
 I sent his medication and the lab tests  
 that the local doctor ordered for follow up  
 with Mr. Courtney transporters.  
 Thanks,  
 Anna Marie



"Just The Fax Please"