

The Honorable Judge Tim O'Hare
The Honorable Commissioner Alisa Simmons
The Honorable Commissioner Matthew H Krause
The Honorable Commissioner Roderick F Miles, Jr.
The Honorable Commissioner Manny R Ramirez

April 12, 2025

The In Custody Death of Mason Yancy and the failed leadership of Sherriff Bill Waybourn

Dear Tarrant County Commissioners Court:

The deaths of in custody inmates is a disgrace in Tarrant County. Increasing litigation costs to defend and settle lawsuits are an example of failed leadership in the Sherriff's Office as well as the Commissioners Court. The County has potential nuclear verdicts that could not only bankrupt the County, but place an a potentially undeserved and unreasonable tax rate upon the citizens of Tarrant County.

It is time for the Commissioners Court to assess the problem and execute a plan to solve this problem.

The Underlying Problem – allowing inmates with health issues to remain in jail

The Texas Commission of Jail Standards allows a variance for inmates with medical issues to remain in jail as opposed to transfer to a hospital. Tarrant County Jail has such a variance with no date of expiration. According to testimony provided by Sherriff Waybourn on the death of Mason Yancy on January 14, 2025 at the regular meeting of the Tarrant County Commissioners Court [Commissioners Court](#) (see 1:15:00 start time on the Sherriff), 80% of Tarrant County inmates have underlying health issues. From witness testimony of Sherriff's from all over the State at the February 6, 2025 Texas Commission of Jail Standards meeting, most Sherriff's do NOT want medical inmates in their jails.

However, Sherriff Waybourn maintains a jail population with a very high percentage of health problems and does not transfer them out. The Sherriff has created an inmate population protocol that is unsustainable. Tarrant County Jail has had 71 deaths since the election of Sherriff Waybourn in 2017. Most have been blamed on the health of inmates and families are denied access to jail records and data.

Mason Yancy was in custody inmate death 9 in 2024. By comparison, Harris County had 10 in custody deaths with over double the inmate population. Harris County is a non-compliant jail per the Commission <https://www.tcjs.state.tx.us/non-compliant-jails/>.

Sherriff Waybourn has refused to release protocols and procedures to the Tarrant County Commissioners Court despite numerous requests. This, despite a spotlight on law enforcement since the death of George Floyd that caused so much chaos to America.

However, Sherriff's public recorded testimony and the Tarrant County Jail website provide a basis for protocols. What has come out in FOIA requests are outdated protocols that appear to be in need of updating and/or reinforcements considering the continued stream of deaths that flow from Tarrant County Jail.

The oversight authority is the Texas Commission of Jail Standards. The Commission is an Executive Committee under Chapter 511 of the Texas Constitution <https://statutes.capitol.texas.gov/docs/GV/htm/GV.511.htm>.

Based on documented actions and recorded statements in Commissioners Court regarding their protocols, the Tarrant County Jail appears to be out of compliance from jail actions and recorded statements of protocols recorded in Commissioners Court to violations of Chapter 511 itself in some of the recent death before Mason Yancy. Here are just 2 of the more heinous examples of the 70 plus deaths that have occurred under Sherriff Waybourn:

Chasity Congious – gave birth to her daughter in her cell in 2020. She was unattended and her daughter died.

- **Section 511.009 General Duties** 19 (B) give prisoners the ability to access a health professional at the jail or through a telehealth service 24 hours a day or, if a health professional is unavailable at the jail or through a telehealth service, provide for a prisoner to be transported to access a health professional;
- **Sec. 511.0104. RULES REGARDING RESTRAINT OF PREGNANT PRISONER** – lays out specific rules that were not followed in this case. The Texas Commission of Jail Standards did not issue a report of non-compliance on this case. [Woman who gave birth unattended in Tarrant County jail arrested again after mental health crisis | KERA News](#)

Anthony Johnson Jr- a veteran and an inmate with mental issues who was killed by detention officers during a mental episode by violent restraint that led to his death. Sherriff Waybourn has refused to release restraint policies, but terminated the two jailers responsible for Johnson’s death. However, due to public statements on restraint policies *re-hired these men and placed them on administrative leave*. [Amid scrutiny of Tarrant County Jail deaths, internal records reveal scrapped policy | KERA News](#).

- **Sec. 511.009. GENERAL DUTIES** (2) adopt reasonable rules and procedures establishing minimum standards for the custody, care, and treatment of prisoners;.

It would appear whatever policy the Jail has, it is out of compliance with the law. Somehow, the Texas Commission of Jail Standards has not been able to produce a finding on non-compliance on Tarrant County Jail.

According to testimony provided by John Peter Smith Executive Director Zelia Baugh on protocols January 14, 2025 at the regular meeting of the Tarrant County Commissioners Court [Commissioners Court](#) (see 1:35:00 start time on the Ms. Baugh), JPS Network provides inmate intake to determination condition. The care is that of outpatient and NOT a hospital in jail. If an inmate’s needs are greater need than the jail can provide, they are transferred to a hospital. According to recorded testimony by Sherriff Waybourn, Mason Yancy was a “high priority” inmate and **required 9 medical visits in 4 days**. On his final day when Mason Yancy died, he was never transferred to JPS Hospital.

Facts Regarding Mason Yancy

The Yancy Family has released information regarding Mason. Mason Yancy was a diabetic. It is the family’s position he was having medical issues related to diabetes when he was arrested. According conversations with his mother on December 24 & 25, 2024, he received insulin shots. They cannot confirm if he received any more in his two remaining days of life.

Inmate Testimony

Several inmates have been able to reach the Yancy’s and provide a story of mistreatment of Mason in

Tarrant County Jail. These statements are in contradiction to the “glowing” report provided by Sherriff Waybourn of Mason’s care – care that he eventually died from at age 31.

Failure of the Texas Commission of Jail Standards To enforce Texas Law

Sec. 511.021. INDEPENDENT INVESTIGATION OF DEATH OCCURRING IN COUNTY JAIL. (a) On the death of a prisoner in a county jail, the commission shall appoint a law enforcement agency, other than the local law enforcement agency that operates the county jail, to investigate the death as soon as possible. Except as otherwise provided by Subsection (b), the appointed law enforcement agency shall conduct the investigation.

This section was a direct result of the Sandra Bland Act passed in 2017. This was passed to ensure that in custody death investigations are an independent, unbiased, objective investigation. Something that the public could trust, that policymakers could trust, that it is not self-interested the way it would be if it is an agency investigating itself.

Unfortunately, it appears the Commission has not been in step with the law since the beginning. TCJS Executive Director Brandon Wood issued a memo to Texas Sherriff’s and Jail Administrators to send a list of agencies they would approve to do their investigations [memo to Texas sheriffs and jail administrators](#). This appears to be a misinterpretation of the law and violates both the letter and the spirit of that statute. It is allowing agencies to figure out who is going to investigate them. That defeats the entire point of independence. The whole idea is that you do not want it to be tainted by any appearance of impropriety, any appearance that there is a conflict of interest.

As such, it is entirely possible that no in custody death, save perhaps where the Texas Rangers have had a direct investigation, have been properly investigated since the inception of the Sandra Bland Act in 2017.

NIC Inspection May 2024

This inspection had a multitude of recommendations in the report. So far, Sherriff Waybourn has yet to release any follow up of actions for said recommendations to the Commissioners Court or to the public in general.

Removal of Sherriff Bill Waybourn

The Commission on Jail Standards is failing in their duties as it is clear Tarrant County Jail under the failed leadership of Sherriff Bill Waybourn is out of compliance on several deaths that have been outlined in this document.

His incompetence regarding inmate deaths in the Jail can no longer be tolerated.

Tarrant County has potential legal liabilities in civil rights payouts with Anthony Johnson Jr and Mason Yancy that could bankrupt the County. We are monitoring the Johnson Case and are aware of recent rulings. It is our standing that the Johnson’s attorney may lack the capacity to file the proper pleadings – an issue that can be remedied with a new attorney. Rest assured, if pushed to litigation, our lawyer will not make the same mistakes.

As stewards of the County funds, your office is charged with the responsibility to act in the best interest of the County, even when other government agencies have failed.

I demand the Commission bring the matter of removal of Sherriff Bill Waybourn, under Chapter 87 Local Govt Code Removal of County Officers from Office

<https://statutes.capitol.texas.gov/Docs/LG/htm/LG.87.htm>, for open Court discussion and vote on the matter.

Timeline

Said meeting for Chapter 87 Removal discussion and vote is to take place before end of May 2025.

Litigation

While DA Sorrels has refused to deal with me based on the fact that I am not an attorney, there is no legal basis for said rejection and is foolish measure. We are willing to have discussions up and until the end of May 2025 or when the Court has an open meeting on the Chapter 87 removal – depending on which comes first.

My family is willing to be flexible on our demand if the Court shows good faith in the recognition of its duties and obligations and is willing to begin the removal process.

Should the end of May 2025 pass with no meeting for Chapter 87 Removal, our family will begin the process as well as file as Civil Rights Suit regarding the death of my brother. At that time all opportunities to settle will be revoked.

Sincerely,

Darren G Yancy, Sr