



VIA EMAIL ONLY

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THIRD AMENDMENT TO TERMS OF THE CONDITIONAL LICENSE ORDER

On October 31, 2024, pursuant to Minnesota Statutes, section 241.021, subdivision 1a(a), the Minnesota Department of Corrections (DOC) placed the Hennepin County Adult Detention Center's (Hennepin County ADC) license to provide adult detention facility services at 401 South Fourth Avenue and 350 South Fifth Street, Minneapolis, MN 55415 on conditional status. Term 1 of this conditional license order provides that Hennepin County ADC's approved capacity is reduced to 600 inmates. This term has been amended twice. On January 3, 2025, an amendment to term 1(a) of the conditional license order allowed "[a] maximum of 300 inmates may be housed between the 2 floors in the City Hall Building." A second amendment on May 2, 2025, allowed Hennepin County ADC to increase its capacity to 700 inmates, and up to 735 inmates over weekends, and removed term 1(a) from the terms of the conditional license entirely. These amendments are attached hereto as **Exhibit A**.

On July 7 and 8, 2025, the DOC conducted a full licensing inspection. See Minn. Stat. § 241.021, subd. 1. A copy of this inspection report is attached hereto as **Exhibit B**. On August 15, 2025, Hennepin County ADC sent a letter formally requesting another capacity increase request. The letter also discusses Hennepin County ADC's ongoing efforts to improve compliance with well-being checks and more frequent observation of inmates experiencing withdrawal from drugs and alcohol. Hennepin County

ultimately requests that the conditional license order be “sunsetted.” A copy of this request is attached hereto as **Exhibit C**.

The DOC carefully reviewed this request. The Inspection and Enforcement (I&E) has also assessed current staffing numbers at Hennepin County ADC, as well as Hennepin County ADC’s progress towards substantial compliance with minimum standards and the terms of the conditional license order. Due to Hennepin’s efforts to demonstrate compliance with minimum staffing requirements, the request to increase to approved capacity limits will be granted. However, given Hennepin County ADC’s continued non-compliance with the well-being check rule following reviews of complaints and unusual occurrences,¹ the remainder of the conditional license order will remain in effect to ensure substantial progress is being made to comply with this rule. See Minn. R. 2911.3700, subp. 4 (outlining the reporting of unusual occurrences for I&E review); 2911.5000, subp. 5 (discussing well-being checks). A copy of recent corrective action plans detailing non-compliance with the well-being check rule are attached herein as **Exhibit D**.

As noted in the conditional license order, a reinstatement of Hennepin County ADC’s original approved capacity limits will only continue so long as the facility maintains adequate staffing ratios and completes well-being checks that comply with the well-being check rule. The other provisions and terms of the order, notably terms 6, 7, and 8 will remain in full force and effect. Now, therefore, pursuant to the annual inspection, Hennepin County ADC’s request, and I&E’s review, the DOC issues the following:

THIRD AMENDMENT TO CONDITIONAL LICENSE ORDER

1. Term 1 of the conditional license order dated October 31, 2024 and amended January 3, 2025 and May 5, 2025 is hereby amended² as follows:

~~Hennepin County ADC’s approved capacity is reduced to 600 700 inmates from November 14, 2024 until further ordered by the DOC. Hennepin County ADC’s approved capacity may exceed this 700 inmate capacity by up to 35 additional inmates over weekends. A “weekend” is defined herein to mean either Saturday to Sunday or Saturday to Monday in the event the Monday is a State holiday. Hennepin County ADC shall have 24 hours following a weekend to bring their capacity back to 700 inmates.~~

- a. ~~A maximum of 150 300 inmates may be housed per floor between the 2 floors in the City Hall Building.~~
- b. ~~Hennepin County must submit the following information for the City Hall Building to the senior detention inspector daily by 8:00 a.m.:~~
 - i. ~~Inmate counts—total and per floor; and~~

¹ These unusual occurrences are also referred to as “special incidents.”

² Deletions from the October 31, 2024 order indicated by strike-through, and additions indicated by underlining.

- ~~ii. Staffing numbers — total and per floor.~~
 - c. Staff must maintain a 1:25 ratio for linear style housing at all times. Escort/movement staff must be in addition to the 1:25 ratios for any internal movement and break relief. ~~At any time the facility is unable to maintain the required staffing levels, inmate counts must be reduced below the approved 150 beds per floor to ensure the 1:25 staffing ratio is met.~~
 - d. Hennepin County ADC must also maintain the required staffing ratios in Minnesota Rule 2911.0900 for all other areas of the jail, including intake/post booking.
- 2. Terms 3 and 4 of the order are stricken in their entirety.
 - 3. All other provisions and terms of the conditional license order dated October 31, 2024 remain in full force and effect.

So ordered,

Date: August 29, 2025



Mikael Garland
Inspector General
Minnesota Department of Corrections