



Facility Inspection Report Issued By The Minnesota Department of Corrections Pursuant to MN Statute 241.021, Subdivision 1

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INSPECTION DETAILS FOR:

Becker County Jail

Address: 1428 Stony Road, Detroit Lakes, MN 56502

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Troy Okerlund – Detention Facility Inspector **Inspected on:** 02/24/2022 to 03/04/2022

Inspection Method: Facility tour, staff and resident interviews, employee and resident file reviews, and related documentation reviews.

Officials Present During Inspection: Jail Administrator Paula Peterson; Sheriff Todd Glander

Officials Present for Exit Interview: Jail Administrator Paula Peterson; Sheriff Todd Glander

Issued Inspection Report to: Jail Administrator Paula Peterson; Sheriff Todd Glander; County Administrator Pat Oman; Regional Manager Jacob McLellan

RULE COMPLIANCE SUMMARY

Rule Chapter	Requirement Type	Total Applicable	Total Compliance	Total Non Compliance	Total Compliance With Concerns	Compliance Rating	Substantial Compliance Result/Criteria
2911	Mandatory	126	115	6	5	95.24%	Compliance rating of 100%
2911	Essential	102	92	8	2	92.16%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 04/01/2022 **Ends On:** 03/31/2024 **Facility Type:** Jail
Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 03/31/2023
Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Becker County Sheriff's Office
Special Conditions:

Approved Capacity Details **Operational Capacity is calculated as a percent of Approved Capacity beds.*

Bed Type	Gender	Approved Capacity	%Operating Capacity	Operational Capacity	Bed Details	Conditions
Secure	Coed	186	90	167.40	168 bed at operational capacity.	None.

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance

Total: 6

- 2911.2525 ADMISSIONS. Subpart 1. Policies and procedures.

A facility shall have written policies and procedures for processing new inmates to the facility to include, at a minimum, the following: A. obtaining and documenting available emergency medical information within two hours of admission; B. verification of court commitment papers or other legal documentation of detention. Verification shall include checking the date of admission, duration of confinement, and specific charges; C. a search of the inmate and the inmate's possessions; D. inventory and storage of the inmate's personal property; E. initial medical screening to include an assessment of the inmate's health status, including any medical or mental health needs; F. telephone calls made by the inmate during the booking and admission process and prior to assignment to other housing areas; G. shower and hair cleansing; H. issue of bedding, clothing, and personal hygiene items according to the rule requirements applicable to the anticipated length of stay of the inmate; I. photographing and fingerprinting including notation of identifying marks or unusual characteristics such as birthmarks or tattoos; J. interviewing to obtain the following identifying data: (1) name and aliases of person; (2) current address, or last known address; (3) health insurance information; (4) gender; (5) age; (6) date of birth; (7) place of birth; (8) race; (9) present or last place of employment; (10) emergency contact including name, relation, address, and telephone number; and (11) additional information concerning special custody requirements or special needs; K. initial classification of the inmate and assignment to a housing unit; L. an assigned booking number; and M. Social Security number, driver's license number, or state identification number, if available.

Inspection Findings:

The Facility does not meet the requirement of 2911.2525.

Facility shall have written policies and procedures for processing new inmates to the facility to include A-M in 2911.2525 Sub 1. While reviewing the Becker County Sheriff's Office policy and procedure manual it was found that not all the requirements of the rule could be located in policy (Article 64).

Corrective Actions:

Review County policy and add required parts of 2911.2525 Sub 1 letters A through M to policy as needed. Specific items like "Obtaining and documenting available emergency medical information within two hours of admission" and "telephone calls made by the inmate during the booking and admission process and prior to assignment to other housing areas" could not be found within the policy referencing admissions. However, some of the items required within the rule were found to be located in other areas throughout the policy. Although the rule only requires these to be in policy it may be beneficial to the facility to locate all required portions of the admission rule under the admissions policy in one standardized location and add the missing portions required in the rule to the policy.

Response Needed By: 08/31/2022

2. 2911.2750 INMATE HYGIENE. Subpart 1. Personal hygiene.

The facility administrator or designee shall have and implement a written policy for personal hygiene practices of all inmates to include special assistance for those inmates who are unable to care for themselves. A written policy and procedure shall require that articles needed for personal hygiene are available to all inmates, and include at a minimum, the following: A. soap; B. toothbrush; C. toothpaste; D. shampoo; E. shaving equipment; F. materials essential to feminine hygiene; G. comb; and H. toilet paper.

Inspection Findings:

A written policy and procedure that lists all personal hygiene items that are available to all inmates, and include at a minimum, the following: A. soap; B. toothbrush; C. toothpaste; D. shampoo; E. shaving equipment; F. materials essential to feminine hygiene; G. comb; and H. toilet paper could not be found in the Becker Inmate Hygiene policy (Article 76).

Becker County Jail Handbook states:

1. Razors, for the males, can be purchased each morning on the hygiene cart. The Correctional Officer puts shaving supplies away at 7:30 each morning.
2. Maximum females are not allowed use of razors.
3. A fingernail & toenail clipper and razor will be available in each (allowed) cell block upon request during hygiene cart. An electric hair clipper is also available upon request on the hygiene cart on Sundays for \$3.00 if you have the funds.

Corrective Actions:

A written policy and procedure shall require that articles needed for personal hygiene are available to all inmates, and include at a minimum, the following: A. soap; B. toothbrush; C. toothpaste; D. shampoo; E. shaving equipment; F. materials essential to feminine hygiene; G. comb; and H. toilet paper.

Required personal hygiene items must be available to all inmates, and include at a minimum, "shaving equipment". The Handbook states maximum females are not allowed use of razors. If not razors, "Shaving equipment" must be provided to all genders equally unless documented in a written deprivation report indicating why the inmate is deprived of any items required to be provided to them within the rule.

Response Needed By: 08/31/2022

3. 2911.3200 INMATE VISITATION

The facility administrator or designee shall develop and implement an inmate visiting policy. The policy shall be in writing and include: A. attorney/client interviews allowed in a manner consistent with Minnesota Statutes, section 481.10; B. a schedule of visiting hours that includes the days and times for visits that includes visits during the normal business day, and evenings or weekends; C. establishment of a uniform number of permissible visits and the number of visitors permitted per visit; D. that an adult inmate be permitted an initial visit with a member or members of the inmate's immediate family at the next regularly scheduled visiting period; E. that all facilities schedule a minimum of eight visiting hours per week: (1) a minimum of three separate and distinct visiting days per week; and (2) 20 minutes' duration minimum for each visit unless the number of persons attempting to visit exceeds the facility's ability to meet this requirement, or the inmate's behavior dictates a need to terminate a visit earlier; F. allowed visits for identified members of an inmate's immediate family; G. when a visit to an inmate is denied for reasonable grounds on the belief that the visit might endanger the security of the facility, the action and reasons for denial shall be documented; H. that visitors register, giving names, addresses, and relationship to inmate; I that any area used for inmate visiting may be subject to audio monitoring, recording, or both. The facility shall use signs and the inmate handbook to inform the inmate about audio monitoring and recording. Professional visits not be audio recorded, unless a court order has been issued; J. that policies for parents, guardians, and attorneys visiting juveniles are unrestrictive as administratively possible and the initial visit of a juvenile by parents, guardians, and attorneys be permitted at any time; K. picture identification of visitors be required for identification purposes; L. that juvenile children be allowed to visit parents, regardless of age, as deemed appropriate by the parent or guardian accompanying the child and when a dispute over children visiting occurs between the inmate and the parent or legal guardian, the inmate be referred to the court for resolution; and M. facility policy and procedures setting forth criteria for authorized friend visiting.

Inspection Findings:

Policy shall be in writing and include establishment of a uniform number of permissible visits and the number of visitors permitted per visit. This could not be found in policy.

The facility didn't inform the inmates in the inmate handbook about being subject to audio monitoring, recording in visiting.

Corrective Actions:

The facility must add to the inmate handbook that the inmate is subject to audio monitoring, recording in visiting.

Policy shall be in writing and include establishment of a uniform number of permissible visits and the number of visitors permitted per visit.

Response Needed By: 08/31/2022

4. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 5. Well-being.

A facility shall have a system providing for well-being checks of inmates. A written policy and procedure shall provide that all inmates are personally observed by a custody staff person at least once every 30 minutes. Thirty-minute checks should be staggered. If a well-being check does not occur due to an emergency, it must be documented in the jail log and have supervisory review and approval. More frequent observation is required for those inmates of a special need classification who may be harmful to themselves. Examples of inmates of a special need classification include those classified as potentially suicidal, or as mentally ill, or those experiencing withdrawal from drugs or alcohol.

Inspection Findings:

1. Facility inspector reviewed well-being check video of B block for the 19th of February 2022. Of the six rounds of well-being checks reviewed four of the rounds contained checks found to be completed at a pace that was too fast to be regarded as a well-being check. Signs of life such as movement, rise and fall of chest and other signs of life would be difficult to determine at such a quick pace. Additionally on one of the well-being checks it appears that correctional staff skipped an occupied cell during the check.

Facility inspectors reviewed well-being check video of F block for the 9th of February 2022. Of the six rounds of well-being checks reviewed, all six of the rounds were found to be completed at a pace that was too fast to be regarded as a well-being check. Signs of life such as movement, rise and fall of chest and other signs of life would be difficult to determine at such a quick pace. It should be noted that the facility was using multiple correctional staff during the well-being checks. The staff appeared to rotate throughout the checks. One staff member checks the top tier, and another staff member checks the bottom tier. During the reviewed video some of the staff observed had thorough and compliant well-being checks. However, the staff member conducting checks on the opposite tier was performing quick non-compliant checks.

2. Facility inspector reviewed the policy and procedure. It was found that the facility's policy did not require "more frequent observation" for those inmates of a special needs classification who may be harmful to themselves. Examples of inmates of a special need classification include those classified as potentially suicidal, or as mentally ill, or those experiencing withdrawal from drugs or alcohol.

3. Facility policy states that within the well-being check the officers required to be aware of all activities taking place and where each inmate is. Custody staff is required to make a notation in the shift log to include the time the check was performed, the number of inmates in custody and any notable activities.

Facility inspector was unable to verify if the number of inmates in custody is logged with the well-being checks along with "notable activities." Additionally, this may be a very difficult task to accomplish with multiple custody staff performing the well-being checks at the same time.

Corrective Actions:

1. Well-being checks are a repeat rule violation from the past two inspections. This issue needs to be addressed at the administrative level with possible discipline to those staff that do not comply. This compliance issue must be addressed. Submit corrective action of proper well-being checks to the Department of Corrections for review.
2. Policy should be modified to reflect the requirements from 2911 that well-being checks are performed more frequently for those special management inmates.
3. Policy should be modified to reflect what the current active procedure is, or the active procedure should be modified to reflect policy. Reference 2911.5000 subdivision 5 to verify that minimum requirements are met if policy is modified. This statement is specifically referencing the requirement within policy to make a notation in the shift log as to the number of inmates in custody, and any notable activities for all well-being checks.
4. The term "notable activities" should be better defined within the policy as to give clarification to facility staff as to what the term means and what is required to be documented during the well-being check.

Response Needed By: 08/31/2022

5. 2911.5300 SEARCHES, SHAKEDOWNS, AND CONTRABAND CONTROL. Subpart 4. Daily inspections.

A facility shall be inspected at least daily for contraband, evidence of breaches in security, and inoperable security equipment, and shall document the inspection.

Inspection Findings:

It was reported that daily inspections occur but are not documented.

Corrective Actions:

Have a plan or policy for daily inspections for contraband, evidence of breaches in security, and inoperable security equipment that is documented.

Response Needed By: 08/31/2022

6. 2911.6800 CONTROL. Subpart 1. Records.

Records of receipt, the quantity of the drugs, and the disposition of all prescription medications shall be maintained in detail to enable an accurate accounting.

Inspection Findings:

Medication accounting could not be verified during the inspection. While reviewing inmate medication medical staff said they didn't know how much medication was on hand per inmate even when attempting to use the log. They stated it was updated sometime last month. The facility is experiencing medical staffing shortages. Staff said they try to audit medication 2 times a month.

Corrective Actions:

Review and update medication documentation book. Create a medication documentation audit program if warranted. If an ongoing issue are present, corrective action must be taken.

Response Needed By: 08/31/2022

Chapter 2911 - Essential Rules Not In Compliance

Total: 8

1. 2911.1300 CUSTODY STAFF TRAINING.

A facility shall have a written policy and procedure that provides that all custody staff receive 120 hours of orientation and training during the first year of employment. Forty of these hours are completed prior to being independently assigned to a particular post. All persons in this category are given an additional 16 hours of training each subsequent year. At a minimum, training completed before independent assignment to a particular post shall include: A. security procedures; B. supervision of inmates; C. signs of suicide risk and suicide precautions; D. vulnerable inmates; E. response to resistance regulations and tactics; F. report writing; G. inmate rules and regulations; H. rights and responsibilities of inmates; I. fire and emergency procedures; J. key control; K. interpersonal relations and communication skills; L. diversity training; M. distribution of medications; N. right to know; and O. blood-borne pathogens and communicable diseases.

Inspection Findings:

Upon review of the facilities policy and procedure, facility inspectors could not find language that states that custody staff receive training for blood-borne pathogens and communicable diseases, vulnerable inmates, response to resistance regulations and tactics, distribution of medications, and right to know within the facilities policy stating custody staff training (article 27) that referenced Minnesota rule 2911.1300 through 2911.1350.

Corrective Actions:

When speaking to facility staff it was stated that the training is already being conducted, however updates to the policy need to be made to reflect that. It is recommended that the facility separate or delineate the policies in regard to 2911.1300 and 2911.1350 to help more clearly identify that the required training and required policies reflect everything needed within the rule. Additionally training for: blood-borne pathogens and communicable diseases, vulnerable inmates, response to resistance regulations and tactics, distribution of medications, and right to know must be added to the policy.

Response Needed By: 08/31/2022

2. 2911.1400 ADMINISTRATIVE AND MANAGERIAL STAFF TRAINING.

A facility shall have a written policy and procedure that provides that the facility's administrative and managerial staff receive at least 16 hours of orientation. Orientation training shall include, at a minimum, general management and related subjects, data practices, decision-making processes, labor law, employee-management relations, the interaction of elements of the criminal justice system, and relationships with other service agencies. After orientation, a facility's administrative and managerial staff shall receive at least 16 hours of training annually.

Inspection Findings:

Upon review of the facilities policy and procedure, facility inspectors could not find language that states the facility's administrative and managerial staff receive data practices training.

Corrective Actions:

The facility must add data practices training to the policy and procedure. If not currently training staff in data practices, you must also add the required training.

Response Needed By: 08/31/2022

3. 2911.2800 ADMINISTRATIVE SEGREGATION. Subpart 6. Protective custody.

Written policy and procedure shall provide that an inmate is separated from the general population for purposes of protective custody only when there is documentation that protective custody is warranted and segregation is the least restrictive alternative available.

Inspection Findings:

Upon review of the facilities policy and procedure, facility inspectors could not find language that states that an inmate is separated from the general population for purposes of protective custody only when there is documentation that protective custody is warranted and segregation is the least restrictive alternative available. Facility inspectors spoke with staff and staff stated they to were unable to locate the required statement/procedure within their policy at the time of inspection.

Corrective Actions:

Written policy and procedure shall provide that an inmate is separated from the general population for purposes of protective custody only when there is documentation that protective custody is warranted and segregation is the least restrictive alternative available.

Response Needed By: 08/31/2022

4. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 6. Work assignments for adults.

Class II to Class VI facilities shall have a written inmate work assignment plan that provides for inmate work, subject to the number of work opportunities available and the maintenance of facility security. Work assignments must provide: A. that adults not under sentence may volunteer to work but shall not be compelled to participate in work beyond maintaining the immediate living area; B. eligibility criteria for work activities; C. that sentenced inmates shall not be compelled to work more than ten hours per day; D. that work shall not be required of an inmate that cannot be done by the inmate due to physical limitations; E. work opportunities for disabled inmates; and F. inmate working conditions that comply with all applicable federal, state, or local work safety laws, rules, and regulations.

Inspection Findings:

Written inmate work assignment plan that provides work assignments for adult disabled inmates could not be located.

Corrective Actions:

Must produce a written inmate work assignment plan that provides work assignments for adult disabled inmates.

Response Needed By: 08/31/2022

5. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 7. Recreation plan.

The facility administrator or designee shall have a plan providing opportunities for physical exercise and recreational activities for all inmates consistent with the facility's classification and design. Class I facilities are exempt from this requirement. The plan shall include policies and procedures necessary to protect the facility's security and the welfare of inmates. Policy and procedure shall provide: A. inmates with access to recreational opportunities and equipment, including seven hours of physical exercise or recreation outside the cell and adjacent dayroom areas per week; B. recreational opportunities a minimum of five days per week; C. indoor space and equipment for active recreational activities in all Class II to Class VI facilities; D. outdoor recreational space and equipment for outdoor recreational programming in all Class VI facilities. The space and equipment shall be provided in a manner consistent with the facility's security classification; E. passive and active recreation needs and equipment for a variety of inmates consistent with the facility's classification and offenders served. As an example, activity needs of geriatric, disabled, or geriatric and disabled offenders shall be addressed; F. inmates in segregation with a minimum of one hour a day, seven days a week, of exercise outside the inmates' cells, unless security or safety considerations dictate otherwise; and G. discretionary access by inmates on segregation status to the same recreational facilities as other inmates unless security or safety considerations dictate otherwise. When inmates on segregation status are excluded from use of regular recreation facilities, the alternative area for exercise used shall be documented.

Inspection Findings:

The facility didn't have a documented policy, procedure, and or a written plan to address the needs of geriatric and disabled offenders recreation needs.

Corrective Actions:

Policy, procedure, and or a written plan shall address passive and active recreation needs and equipment for a variety of inmates consistent with the facility's classification and offenders served.

Response Needed By: 08/31/2022

6. 2911.3300 CORRESPONDENCE. Subpart 4. Money.

Cash, cashiers checks, or money orders received from incoming mail shall be processed according to facility policy.

Inspection Findings:

Facility inspector reviewed the facilities policy and didn't find any policy in regard to processing money coming in through inmate mail. The facility stated they have a process they follow when receiving money in the mail such as cash, cashier's check, or money orders. The process explained seems to work fine and no complaints were identified.

Corrective Actions:

Implement a policy on processing cash, cashier's checks, or money orders when receiving money from incoming mail per the Rule.

Response Needed By: 08/31/2022

7. 2911.3500 VOLUNTEERS.

When volunteers are used in facility programs, a written policy and procedure shall provide that a staff member is responsible for coordinating the volunteer service program. The policy includes the following elements: A. lines of authority, responsibility, and accountability for the volunteer services; B. a procedure for the screening and selection of volunteers; C. an orientation training program appropriate to the nature of the assignment; D. a requirement that volunteers agree in writing to abide by all facility rules and policies, with emphasis on security and confidentiality of information; and E. a statement that the administrator may discontinue a volunteer activity at any time by written notice.

Inspection Findings:

A written policy and procedure shall provide volunteers with an orientation training program appropriate to the nature of the assignment.
The orientation is reported to be occurring, however it needs to be added to the policy per the rule.

Corrective Actions:

Add to written policy and procedure that the Program Coordinator is responsible for coordinating the volunteer service program and an orientation training program appropriate to the nature of the assignment. Also it may be needed to add "emphasis on security and confidentiality of information" in the policy per the rule.

Response Needed By: 08/31/2022

8. 2911.3675 LAUNDRY SERVICES AND LINEN EXCHANGE. Subpart 3. Exchanged.

Clothing shall be exchanged twice each week, at a minimum. Clothing exchange times shall be made available to inmates.

Inspection Findings:

When reviewing policy, it appeared that the facility was not exchanging clothing at a minimum of two times a week per the rule. After speaking with the facility staff on site they confirmed the minimum clothing exchange is not being met, however they are providing adequate amount of clothing by providing multiple sets of clothing to the inmates weekly. This allows the inmates to have a pair of clothing for recreation and daily wear. While reviewing the files I found no complaints from inmates about the clothing exchange nor were there any complaints when I spoke to inmates while I was talking to them in the jail. However, the rule states that clothing shall be exchanged twice a week at minimum and it is reportedly only occurring once a week.

Corrective Actions:

Clothing shall be exchanged twice each week, at a minimum.

Response Needed By: 08/31/2022

Chapter 2911 - Mandatory Rules In Compliance With Concerns

Total: 5

1. 2911.1900 POLICY AND PROCEDURE MANUALS.

A facility shall have a written policy and procedure manual that is electronically available to staff and relevant regulatory authorities and defines the philosophy and method for operating and maintaining the facility. This manual shall be made available to all employees, reviewed annually, updated as needed, and staff trained accordingly. The manual shall include, at a minimum, the following chapters: A. correctional standards required under this chapter; B. administration and organization; C. fiscal management; D. personnel; E. training; F. inmate records; G. safety and emergency; H. security and control; I. sanitation and hygiene; J. food service; K. medical and health care services; L. inmate rules and discipline; M. communication, mail, and visiting; N. admissions, orientation, classification, property control, and release; O. inmate activities, programs, and services; and P. a written suicide prevention and intervention plan. The facility administrator or designee shall review policy and procedure manuals at least once each year. The review shall be documented in written form sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

Inspection Findings:

While reviewing the policy and procedure manual it was found that some policies don't adequately address the requirements in 2911 or state statutes governing county jails

Corrective Actions:

Review required corrections noted within the inspection and modify policy accordingly. Additionally review suggestions and recommendations made by the facility inspector and modify the policy at your discretion.

State statutes should also be taken in to consideration when modifying the policy to ensure your facility is in compliance with both the rule and state statutes.

Response Needed By:

2. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 5. Inmate death.

A facility shall have a written policy and procedure that specifies actions to be taken in the event of an inmate death. When an inmate death occurs: A. the date, time, and circumstances of the inmate's death shall be recorded in the inmate's record; B. if the inmate dies in the facility, the coroner or medical examiner's office shall be notified; C. personal belongings shall be handled in a responsible and legal manner; D. records of a deceased inmate shall be retained for a period of time specified by county policy; E. the facility administrator or designee shall ensure observance of all pertinent laws and allow appropriate investigating authorities full access to all facts surrounding the death; and F. in the event the death involves a "vulnerable adult" notification procedures shall be followed in a manner consistent with statutory requirements.

Inspection Findings:

The rule states a facility shall have a written policy and procedure that specifies actions to be taken in the event of an inmate death and lists actions to be taken. The facility's policy does not reflect all of the action requirements noted within the rule. However, the rule is ambiguous as to whether they're required to be in policy.

Corrective Actions:

It is recommended that the facility update its policy to reflect all of the required actions within the rule and the new statutory requirements of reporting the death within 24 hours, conducting a 90-day death review and other requirements noted in Minnesota State statute 241.021. If you have additional questions, contact your facility inspector prior to modifying the policy or request them to review the policy after modification to confirm it complies with the rule(s) and statute(s).

Response Needed By:

3. 2911.5450 DANGEROUS MATERIALS.

A facility shall have a written policy and procedure that specifies that materials dangerous to either security or safety shall be properly secured. Storage and use of flammable, toxic, and caustic materials must be in accordance with all applicable laws and regulations of governing jurisdictions. The policy must cover control and use of tools and culinary and medical equipment.

Inspection Findings:

Concentrated cleaning chemicals are unsecured in the kitchen and should be removed or secured. Concentrated cleaning chemicals were found in the garage (inside the secure perimeter), but inmates in that area are secured and escorted by facility staff or law enforcement as they enter into the facility.

Corrective Actions:

Remove the concentrated chemicals from kitchen or secure them so they can not be easily accessed by the inmates.

Response Needed By:

4. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 2. Health care.

Medical, dental, and mental health matters involving clinical judgments are the sole province of the responsible physician, dentist, and psychiatrist or qualified psychologist respectively; however, security regulations applicable to facility personnel also apply to health personnel.

Inspection Findings:

Becker County Sheriff's Office policy and procedure manual states:

"No jail staff will make clinical judgments on any inmate" per Article 71 under health care.

Under Article 70 the policy and procedure manual states:

"The Sergeant decides with medical staff to have the inmate transferred to a detoxification or mental health unit if needed."

Depending on interpretation the two policies may conflict with each other or with Minnesota rule 2911.5800 sub 2 "Medical, dental, and mental health matters involving clinical judgments are the sole province of the responsible physician, dentist, and psychiatrist or qualified psychologist respectively; however, security regulations applicable to facility personnel also apply to health personnel."

Corrective Actions:

If needed, review policies that are potentially conflicting and clarify.

Response Needed By:

5. 2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE. Subpart 4. Plan.

A facility shall establish a plan for the daily inspection of housekeeping, sanitation, and plant maintenance.

Inspection Findings:

The facility reported doing daily inspections but didn't have an established plan for the daily inspection of housekeeping, sanitation, and plant maintenance.

Corrective Actions:

Establish a plan for the daily inspection of housekeeping, sanitation, and plant maintenance.

Response Needed By: 08/31/2022

Chapter 2911 - Essential Rules In Compliance With Concerns**Total: 2****1. 2911.3400 TELEPHONE ACCESS.**

A facility shall have a written policy and procedure that provides for inmate access to a telephone. Attorney/client telephone consultation shall be allowed in a manner consistent with Minnesota Statutes, section 481.10. Newly admitted inmates shall be permitted a local or collect long-distance telephone call to a family member or significant other during the admission process. Inmates shall be allowed telephone access to maintain contact with family members or significant others. Nonlegal calls may be made at the expense of the inmate. The minimum time allowed per call shall be ten minutes except where there are substantial reasons to justify limitations. Nonlegal telephone conversations may be monitored and recorded. Reasons for denial of telephone access shall be documented.

Inspection Findings:

The rule states: Newly admitted inmates shall be permitted a local or collect long-distance telephone call to a family member or significant other during the admission process. This was not found in the admissions or telephone access policy.

Corrective Actions:

A facility shall have a written policy and procedure that provides for inmate access to a telephone. Policy should include that newly admitted inmates shall be permitted a local or collect long-distance telephone call to a family member or significant other during the admission process. And, the minimum time allowed per call shall be ten minutes except where there are substantial reasons to justify limitations.

Response Needed By:

2. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 4. Reporting of unusual occurrences.

Incidents of an unusual or serious nature shall be reported within ten days of the incident in writing to the Department of Corrections in the format required by the department. The reports shall include the names of persons involved, staff and inmates, nature of the unusual occurrence, actions taken, and the date and time of the occurrence. Unusual occurrences requiring reporting to the DOC include such occurrences as: A. attempted suicide; B. suicide; C. homicide; D. death, by means other than suicide or homicide; E. serious injury or illness subsequent to detention including incidents resulting in hospitalization for medical care; F. hospitalization associated with mental health needs; G. attempted escape or escape from a secured facility; H. incidents of fire requiring medical treatment of staff or inmates or a response by a local fire authority; I. riot; J. assaults of one inmate by another that result in criminal charges or outside medical attention; K. assaults of staff by inmates that result in criminal charges or outside medical attention; L. injury to inmates through response to resistance by staff controlling inmate behavior; M. occurrences of infectious diseases and action taken relative to same when a medical authority has determined that the inmate must be isolated from other inmates; and N. reporting of all notices of intent to file litigation against the facility resulting from matters related to the detention or incarceration of an inmate; O. sexual misconduct, such as inmate on inmate, staff on inmate, and inmate on staff; and P. use of sexual materials, electronic media for sexual purposes, or both. In the event of an emergency such as serious illness or injury where death may be imminent, individuals designated by the inmate shall be notified. Permission for notification, if possible, shall be obtained from the inmate.

Inspection Findings:

Within the policy the facility only lists 10 of the 16 unusual occurrences requiring reporting to the DOC. Also in policy it doesn't state the timeline that these events need to be reported to the Department of Corrections.

Corrective Actions:

It is recommended that the facility's policy reflects the reporting requirement of unusual occurrences within the Rule 2911.3700 subdivision 4. Additionally it would be advantageous to note the deadline of when events need to be reported both in the rule allowing 10 days for reporting some occurrences and 24 hours deadline for some other occurrences (reference state statute 241.021 or contact DOC inspector).

Response Needed By:

INSPECTION COMMENTS

Comments:

The facility is fairly new and in great condition. While observing the contact between custody staff and inmates' facility inspectors noted the professionalism, kindness, and positivity that exuded from the custody and supervisory staff. That noted professionalism is also reflected in that fact that the facility has only one documented inmate complaint since 2020. This is very low when compared to facilities of similar size.

While at the facility it was discussed that the admissions process be reviewed. Currently the facility is not in compliance with Minnesota State statute 241.021 Sub 7 that requires the facility to provide authorization form (Release form) to release information related to that person's health or mental health condition and when that information should be shared. Additionally streamlining the process to better define to custody staff what requirements need to be met within the first two hours of confinement and in the first 24 hours in confinement. Such as allowing inmates a phone call, receiving pertinent medical data, or providing programming information within the time defined in statutes or rules.

As noted in the inspection notes the facility should review their policy and confirm it's consistent with not only the rule but Minnesota State statutes that govern county jails. Items that were discussed was implementing a plan for conducting a death review within 90 days of the inmate's death consistent with state statute. Providing and documenting training to staff who have contact with pregnant inmates consistent with Minnesota State statute 241.88 subdivision 2. Ensuring consistency that the mental health screening tool not be modified and is a screening tool approved by the Commissioner of Corrections per Minnesota State statute 641.15 subdivision 3A. The facility was also asked to verify when performing same-sex transports over 100 miles that the video and audio recording of the transport is saved for 12 months consistent with statute 631.412.

JJDPA Compliance

Compliance Report for the monitoring Facilities Pursuant to the Juvenile Justice Delinquency Prevention Act (JJDP Act) of 2002.

On 02/24/2022, a JJDP Act audit was conducted. The three core requirements of the audit include Deinstitutionalization of Status Offenders (DSO), Removal of Juveniles for Adult Jail and Adult Lockups (Jail Removal), and Sight and Sound separation.

According to facility records, the Becker County Jail held or processed 6 juveniles between October 1, 2021 and the day of the inspection.

DSO: I did not find any violations of the facility holding status offenders in the jail. Upon review of the files, indication was that juveniles that were brought into the facility were indeed there for delinquent offenses.

Jail Removal: There were no violation for this core requirement.

Sight and Sound separation: The facility design and policies allow for proper sight and sound separation. This includes the route taken to Court holding. Policies and the court schedule also indicate proper sight and sound separation are maintained.

The facility does not participate in any "Scared straight" programs for any youth that are under public authority.

Based on the documentation provided, no violations of JJDP were found during the inspection.

Report completed By: Troy Okerlund – Detention Facility Inspector

Signature:

