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DEPARTMENT OF CORRECTIONS

May 31, 2024

Sheriff Jason Riggs
Beltrami County Sheriff's Office
Law Enforcement Center
613 Minnesota Avenue NW
Bemidji, MN 56601

Re: Conditional License Order Review

The Department of Corrections (DOC) has received and reviewed your May 10, 2024, response regarding the Beltrami County Jail. The DOC requested this information to evaluate the release of the Beltrami County Jail from the DOC conditional license order, which was originally issued on January 27, 2023.

The May 10, 2024, response requests expiration of the conditional license order and for the Beltrami County Jail to return to its regular status – approved capacity of 132 and operational capacity of 118. Based on the information submitted in your response (including the attached Corrections Center staffing plan), together with the DOC's on-site inspection of the Beltrami County Jail on March 27, 2024, the DOC is lifting the conditional license order effective May 31, 2024.

Although the DOC is lifting the conditional license order, it notes that there remain concerns about staffing levels at the Beltrami County Jail. Facility staff recently informed the DOC that a number of staff will be imminently departing from their positions, and that the facility does not currently have an adequate number of staff to increase its inmate population. Facility staff also informed the DOC that Beltrami County has approximately 40 inmates housed out of county because of the expiring conditional license order. While the DOC appreciates Beltrami County's efforts to hire and retain jail staff as reflected in its response and Corrections Center staffing plan, you are reminded of your obligation to maintain adequate staffing levels pursuant to Minnesota Rule 2911.0900, subparts 15 and 17. On May 3, 2024, the DOC's Director of Inspections and Enforcement (I&E) sent a memorandum to all DOC-Licensed Correctional/Detention Facilities, including the Beltrami County Jail, outlining these staffing requirements. A copy of that memorandum is enclosed.

In short, before returning any inmates to the Beltrami County Jail, you must ensure staffing levels comport with Minnesota Rule 2911.0900. The DOC expects Beltrami County Jail to regularly report any increases in inmate population along with increases or decreases in staffing levels to the DOC's I&E Unit to ensure compliance with minimum standards.

The DOC will be carefully monitoring the Beltrami County Jail to ensure that staffing requirements are met, and that the facility is meeting all minimum facility standards as outlined in Minnesota Rules Chapter 2911. The Beltrami County Jail is required to timely provide the DOC with staffing information when requested, and the facility may be subject to random inspection to ensure the facility's ongoing compliance with Minnesota Rules Chapter 2911. See Minn. Stat. § 241.021, subd. 1(a) ("The commissioner shall have access to the buildings, grounds, books, records, staff, and to persons confined or incarcerated in these facilities. The commissioner may require the officers in charge of these facilities to furnish all information and statistics the commissioner deems necessary, at a time and place designated by the commissioner."). In the event the Beltrami County Jail fails to meet minimum staffing requirements, or otherwise fails to substantially conform to any minimum facility standards as outlined in Chapter 2911, the DOC will take swift and appropriate regulatory action.

If you have any questions, please do not hesitate to reach out to Detention Facility Senior Inspector Jennifer Pfeifer at jennifer.pfeifer@state.mn.us or 952-484-4342.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul P. Schnell", with a long, sweeping horizontal line extending to the right.

Paul P. Schnell, Commissioner
Minnesota Department of Corrections

CC: Captain Calandra Allen, Jail Administrator, Beltrami County Jail
Tom Barry, County Administrator
John Carlson, Chair, Beltrami County Board of Commissioners
Greg Huska, Inspector General, Minnesota Department of Corrections

Encl.

MEMORANDUM

DATE: May 3, 2024
TO: Minnesota DOC Licensed Correctional/Detention Facilities
FROM: Kristi Strang, Director
RE: Clarification on Staffing Requirements
CC: Minnesota Sheriff's Association
Minnesota Community Corrections Act Counties
Minnesota DOC Inspection and Enforcement Unit

The purpose of this memorandum is to provide clarification surrounding the requirements for staffing requirements set forth in Minnesota Rule 2911.0900. The Department of Corrections (DOC) Inspection and Enforcement (I&E) Unit has encountered some facilities that are reducing their staffing levels during overnight periods, while the facilities are in lockdown.

Chapter 2911 previously included a provision that allowed smaller facilities to reduce staffing levels during normal sleeping hours while inmates were secured in their cells, detention rooms, or dormitories. That provision was repealed in 2013, and there is nothing similar in the current rules.

Per Rule 2911.0900, subp. 15, the staffing requirements for housing units are as follows:

- Facilities with a designed capacity of 60 or fewer beds must have a minimum staffing ratio in the housing units of 1 custody officer to 25 inmates.
- Facilities with a designed capacity of more than 60 beds must have a minimum custody officer to inmate staffing ratio in the housing units per the below requirements:
 - 1 to 60 inmates for direct supervision housing units
 - 1 to 48 inmates for direct supervision dormitories
 - 1 to 40 inmates for indirect or podular inmate supervision
 - 1 to 25 inmates for linear housing areas

These staff are responsible for supervising and conducting duties within the housing units. See Minn. R. 2911.0200, subp. 26 (defining “custody personnel” as “those staff whose primary duty is supervision of inmates”).

Additionally, Rule 2911.0900, subp. 17 outlines that sufficient escort/rover/movement officers must be provided to conduct inmate movement throughout a facility and that there must be sufficient staff present for the booking/processing of offenders. If your facility is utilizing a "rover" to supplement your custody staff numbers in housing units, be aware that this changes the supervision from indirect/direct to linear, and thus changes the staff to inmate ratios allowed.

I&E Unit Inspectors will be reviewing staffing levels at each facility as they conduct their normal inspection activities. Please ensure that your facility's staffing analysis and plans are in compliance with the rules set forth in Chapter 2911. If you need assistance with conducting a staffing analysis, the DOC Portal (S3) has a staffing analysis tool for all facilities to utilize. Additionally, I&E Unit Inspectors can assist with providing examples of staffing plans.

If you have any questions or concerns, please e-mail your DOC I&E Unit Inspector, or contact the I&E Unit at IE-Support.DOC@state.mn.us.