



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

Inspection and Enforcement Unit, 1450 Energy Park Drive, Suite 200, St.Paul MN 55108
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INSPECTION DETAILS FOR:

Benton County Jail

Address: 581 Hwy 23 NE, PO BOX 159, Foley, MN 56329

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Lori Schopf – Detention Facility Inspector **Inspected on:** 04/30/2024 to 04/30/2024

Inspection Method: Facility walk-through, staff and inmate interviews, staff and inmate file reviews, facility documentation reviews, and video footage review.

Officials Present During Inspection: Assistant Jail Administrator Alyssa Loehrer; Jail Administrator Sharlene Novak

Officials Present for Exit Interview: Assistant Jail Administrator Alyssa Loehrer; Jail Administrator Sharlene Novak; Sheriff Troy Heck

Issued Inspection Report to: Assistant Jail Administrator Alyssa Loehrer; Jail Administrator Sharlene Novak; Sheriff Troy Heck; County Administrator Monty Headley; 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	123	1	2	99.21%	Compliance rating of 100%
2911	Essential	102	102	0	0	100.00%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 07/01/2024 **Ends On:** 06/30/2026 **Facility Type:** Jail
Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 06/30/2025
Delinquent Juvenile Hold Approval: 6 hrs **Certificate Holder:** Benton County Sheriff's Office
581 Highway 23
Foley, MN 56329

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	102	95	96.90	None.	

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance**Total: 1**

1. 2911.6800 CONTROL. Subpart 4. Destruction of medication.

The destruction of medication on expiration dates or when retention is no longer necessary or suitable must be consistent with requirements of the Minnesota Pollution Control Agency.

Inspection Findings:

Expired over-the-counter medications were found in the medical room.

Corrective Actions:

The facility has a policy and procedure in place for the destruction of medication. Develop a process to ensure the expired over the counter medications are destroyed upon expiration.

Response Needed By: 06/14/2024**Chapter 2911 - Mandatory Rules In Compliance With Concerns****Total: 2**

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:

A review of the facility's policy was conducted prior to the inspection. Five policies were missing elements of the Chapter 2911 Rules or State Statutes governing county jails.

Corrective Actions:

This was discussed with the Jail Administrator at the time of the inspection and the facility is working on updating these policies. Once updated, have staff review the changes to the policy manual. Submit the changes to the Department of Corrections for review by June 14, 2024.

Response Needed By:

2. 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:

A review of well-being checks was conducted via video for multiple dates, times, and shifts. There was one check found to be completed at too fast a pace to ensure the inmate's well-being.

Corrective Actions:

The facility has an auditing plan in place that is conducted by the sergeants. The facility inspector will continue to monitor for a continuance of compliance for well-being checks.

INSPECTION COMMENTS

Programming:

The facility continues to offer a large range of programming for all inmates.

Physical Plant:

The jail intake area lacks the ability to separate inmates upon intake. There are not an adequate number of individual holding cells for the volume of intakes. Group holding cells are often used by individual inmates. There is also a lack of storage space available for inmate property.

The Benton County Jail continues to operate at a high level of compliance with the 2911 Rules. The Benton County Jail will remain on biennial inspection status.

JJDPA Compliance

On April 30, 2024, a Juvenile Justice and Delinquency Prevention Act (JJDP) audit was conducted. The facility is authorized to hold a delinquent juvenile up to 6 hours. There are three core requirements that are looked at during our facility review. Those core requirements are 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 Benton County Jail held or processed four (4) juveniles between October 1, 2023, and the day of the inspection.

DSO: I did not find any violations of the facility holding status offenders in the jail. The juveniles brought into the facility were indeed there for a delinquent offenses.

Jail Removal: Files and DOC Portal data indicate that any juveniles brought into the jail are removed well within the 6 hour time frame allowed by the JJDP.

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation.

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

Based on the documentation that I reviewed, I did not find any violations of the JJDP act during the Benton County inspection.

Report completed By: Lori Schopf – Detention Facility Inspector

Signature:

