



# 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  
Telephone: 651-361-7146 Fax: 651-642-0314 Email: ie-support.doc@state.mn.us

## INSPECTION DETAILS FOR:

### Blue Earth County Jail

**Address:** 401 Carver Road, Mankato, MN 56002

**MN Governing Rule:** 2911 Local Adult Detention Facilities

**Inspection Type:** Annual **Inspected By:** Lori Schopf – Detention Facility Inspector **Inspected on:** 06/16/2022

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

**Officials Present During Inspection:** Assistant Jail Administrator Joslyn Lachmiller; Interim Jail Administrator Kyle Phillips

**Officials Present for Exit Interview:** Assistant Jail Administrator Joslyn Lachmiller; Interim Jail Administrator Kyle Phillips

**Issued Inspection Report to:** Assistant Jail Administrator Joslyn Lachmiller; Sheriff Brad Peterson; Interim Jail Administrator Kyle Phillips; County Administrator Robert Meyer; Regional Manager Dayna Burmeister

## 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	125	119	4	2	96.80%	Compliance rating of 100%
2911	Essential	100	98	0	2	100.00%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** approval **Begins On:** 07/01/2022 **Ends On:** 06/30/2023 **Facility Type:** Jail  
**Placed on Biennial Status:** No **Biennial Status Annual Compliance Form Due On:**  
**Delinquent Juvenile Hold Approval:** 6 hrs **Certificate Holder:** Blue Earth County Sheriff's Office  
**Special Conditions:** None.

### 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	146	90	131.40	None.	None.

## RULE COMPLIANCE DETAILS

**Chapter 2911 - Mandatory Rules Not In Compliance** **Total: 4**

- 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 1. Emergency plan.

A facility shall have a written disaster plan. The plan shall include policies and procedures designed to protect the public by securely detaining inmates who represent a danger to the community or to themselves when the facility must be evacuated in total. The plan shall also include: A. location of alarms and fire fighting equipment; B. an emergency drill policy as follows: (1) at least annual drills at all facility locations; and (2) drills shall be conducted even when evacuation of extremely dangerous inmates may not be included; C. specific assignments and tasks for personnel; D. persons and emergency departments to be notified; E. procedure for evacuation of inmates; and F. arrangements for temporary confinement of inmates.

**Inspection Findings:**

The jail has participated in severe weather drills this past year. However, the jail has not participated in an Emergency Evacuation drill.

**Corrective Actions:**

**The facility must complete yearly evacuation drills and document these drills. It is strongly recommended that a review of these drills be completed by administration to determine areas of concern, ways for improvement and areas where the drills worked well. Upon completion provide documentation to the DOC by 12/30/2022.**

**Response Needed By: 12/30/2022**

## 2. 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:**

There were non-diluted chemicals in the kitchen that were not properly secured and within inmate reach. The kitchen also had 2 scissors that were not properly accounted for on their tool inventory.

**Corrective Actions:**

**Properly secure all chemicals that are corrosive, flammable, or those that are listed to cause irreversible eye damage or skin burns. Update the kitchen tool inventory to include scissors.**

**Response Needed By: 09/30/2022**

## 3. 2911.6500 STORAGE. Subpart 6. Needles and other medical sharps.

There shall be a written policy and procedure for the control and disposal of medical sharps and supplies. Medical sharps and supplies when used or stored in inmate housing areas shall be accounted for and secured in a locked area.

**Inspection Findings:**

Medical sharps in booking were not stored in a secure location, and not properly accounted for.

**Corrective Actions:**

**Discuss with correctional staff the importance of following your policy when counting medical sharps, and locking the medical cart. Continue to monitor for compliance.**

**Response Needed By: 09/30/2022**

## 4. 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:**

While auditing medications there was a medication count off.

**Corrective Actions:**

**The facility is currently using electronic MARS which does not have the capability to account for medications in an effective manner. During the inspection, the inspector discussed with the nurse an effective way to account for medications electronically. The inspector will follow up with the facility to ensure compliance with the rule.**

**Response Needed By: 09/30/2022**

**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:**

The policy manual has been updated with changes from the new statutory language added in July of 2021. There were a few minor changes needed regarding the Chapter 2911 Rules. This was discussed with the Jail Administrator at the time of the inspection. The policy manual cites the rule provision that the policy coincides with. However, due to the 2014 revision, many of the rule citations are no longer correct.

**Corrective Actions:**

**The facility must update the policy manual with these changes. Have staff review any changes and provide an updated policy manual to the DOC by 12/30/2022.**

**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 video review of well-being checks showed well-being checks were completed within the 30 minute timeframe. However, there was a check viewed that was being completed too fast to observe the well-being of the inmates.

**Corrective Actions:**

**Since the last inspection the facility has been working diligently to improve their well-being checks. The facility has an audit process in place for all correctional staff to be audited monthly that includes documented follow-up on any deficiencies found. The inspector will continue to monitor for continuance of compliance on well-being checks.**

**Response Needed By:**

**Chapter 2911 - Essential Rules In Compliance With Concerns**

**Total: 2**

1. 2911.2850 INMATE DISCIPLINE PLAN. Subpart 3. Due process.

Disciplinary segregation shall be used only in accordance with due process to include at a minimum: A. published rules of conduct and penalties for violation of rules; B. written notice of alleged violation of a rule; C. the right to be heard by an impartial hearing officer and to present evidence in defense: (1) the inmate may waive the hearing in writing; and (2) a written record is made of the disciplinary hearing and sanctions or other actions taken as a result of the hearing; D. the right to appeal; E. the status of an inmate placed on disciplinary segregation for more than 30 continuous days subsequent to a disciplinary hearing shall be reviewed, approved, and documented by the facility administrator or designee at least once every 30 days, and the facility shall develop written policy, procedure, and practice that provides that inmates in disciplinary segregation receive visits from the facility administrator or designee at least once every seven days as a part of the disciplinary segregation review process; F. an inmate placed in segregation for an alleged rule violation shall have a disciplinary hearing within 72 hours of segregation, exclusive of holidays and weekends, unless documented cause can be shown for delays. Examples of causes for delay are inmate requests for delay, or logistical impossibility, as in the case of mass disturbances; and G. the facility administrator or designee can order immediate segregation when it is necessary to protect the inmate or others. This action is reviewed and documented within three working days.

**Inspection Findings:**

Facility process does not allow for an inmate to waive the right to a hearing in writing.

**Corrective Actions:**

**The facility shall provide the inmate with a copy of the violation reports. These reports shall allow the inmate to sign whether or not they would like a hearing or waive their right. The facility shall create a document with this information and submit to the DOC within 30 days of receipt of this report.**

**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:**

There were reportable incidents submitted past the 10 day timeframe outlined in the rule.

**Corrective Actions:**

**Submit all future reportable incidents in the DOC portal within the 10 day timeframe.**

**Response Needed By:**

## INSPECTION COMMENTS

This was Kyle Phillips first inspection as the Interim Jail Administrator. Facility is clean and appears to be well-maintained.

Since the last inspection the booking procedures have improved on all intakes, and the facilities training plan has substantially improved to include all elements of the rule.

The facility has not completed an evacuation drill according to the last 3 inspections. The facility will need to complete an evacuation drill with all staff, and send documentation of completion to the Department. A follow up visit with the facility within 90 days will focus on the deficiencies outlined in this report.

The facility has made great improvements from the previous inspection. However, due to the facility hiring a new Jail Administrator the jail will remain on annual inspections.

## JJDPA Compliance

On June 16, 2022, a Juvenile Justice and Delinquency Prevention (JJDP) Act audit was conducted. The Blue Earth County Jail is in a metropolitan statistical area and has 6 hour hold. The three core requirements reviewed are Deinstitutionalization of Status Offenders (DSO), Removal of Juveniles for Adult Jail and Adult Lockups (Jail Removal), and Sight and Sound separation.

According to the DOC Portal System, the Blue Earth County Jail held or processed zero (0) juveniles during the federal fiscal year 2021-2022. Blue Earth County Jail does not hold or process any juveniles in the jail. The findings are as follows:

DSO: No violations of the facility holding status offenders in the jail.

Jail Removal: No violations for the jail removal standard.

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation. Blue Earth County does not hold delinquent juveniles in the facility per their policy. Juveniles are brought to Carver County Juvenile Detention Center or Juvenile Alternative Facility in Scott County.

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

Court holding: There is four secure court holding cells at Blue Earth County with two in one area and two in another area. There is a separate juvenile entrance and secure hallway for juveniles only that lead to the court holding cells. Juvenile court is time phased from adults in addition to physical plant separation.

Based on the documentation reviewed, no violations of the JJDP Act were found at the Blue Earth County jail.

Report completed By: Lori Schopf – Detention Facility Inspector

Signature:

