



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:

Brown County Jail

Address: 15 S Washington Street, PO BOX 877, New Ulm, MN 56073

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Jacob Nelson – Detention Facility Inspector **Inspected on:** 05/03/2023

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

Officials Present During Inspection: Jail Administrator Steve Appel

Officials Present for Exit Interview: Jail Administrator Steve Appel

Issued Inspection Report to: Jail Administrator Steve Appel; Sheriff Jason Seidl; County Administrator Sam Hansen; 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	127	118	5	4	96.06%	Compliance rating of 100%
2911	Essential	99	99	0	0	100.00%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 07/01/2023 **Ends On:** 06/30/2024 **Facility Type:** Jail

Placed on Biennial Status: No **Biennial Status Annual Compliance Form Due On:**

Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Brown 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	56	80	44.80	None.	None.

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance

Total: 5

- 2911.0900 STAFFING REQUIREMENTS. Subpart 1. Staffing plan and staffing analysis.

The facility administrator shall prepare and retain a staffing plan. The staffing plan shall identify: A. jail personnel assignments for: (1) facility administration and supervisors; (2) facility programs including exercise and recreation; (3) inmate admission, booking, supervision, and custody; (4) support services including medical, food services, maintenance, and clerical; and (5) other jail-relevant functions such as escort and transportation of inmates; B. the days of the week that the assignments are filled; C. the hours of the day that the assignments are covered; and D. any deviations from the plan with respect to weekends, holidays, or other atypical situations must be considered. The facility administrator or designee shall review the facility's staffing plan at least once each year. The review shall be documented in written form sufficient to indicate that staffing plans have been reviewed and revised as appropriate to the facility's needs or referred to the facility' governing body for funding consideration. A facility with a design capacity of more than 60 beds must have a staffing analysis and staffing plan approved by the commissioner of corrections. This staffing analysis shall include all posts, functions, net annual work hours appropriate to each post, and total number of employees to fill the identified posts and functions.

Inspection Findings:

The staffing plan has not been reviewed or signed as required.

Corrective Actions:

Ensure that a staffing plan is reviewed, and that the review is documented in written form annually. Submit to the Department of Corrections by July 31, 2023.

Response Needed By: 07/31/2023

2. 2911.1350 MEDICAL TRAINING FOR CUSTODY STAFF.

By policy and procedure a training program shall be established by the facility administrator in cooperation with the health authority, that provides instruction in the following areas: A. first aid training for custody personnel responsible for the supervision, safety, and well-being of prisoners; B. recognition of signs and symptoms of illness and knowledge of action required in potential emergency situations; C. administration of first aid and cardiopulmonary resuscitation (CPR). Recertification training shall occur as required with respect to first aid and CPR. The training shall be documented; D. methods of obtaining assistance; E. recognition of signs and symptoms of mental illness, developmental disabilities, emotional disturbance, and chemical dependency; and F. procedures for inmate transfers to appropriate medical facilities or other health care providers.

Inspection Findings:

Medical Training is lacking for all correctional staff. Additionally, newly hired correctionally staff are not receiving the required medical training prior to being independently assigned.

Corrective Actions:

The facility must work in conjunction with the health authority to ensure that all staff are getting the required medical training completed prior to working unsupervised. Additionally, it is highly recommended that the facility expands all medical training to ensure correctional staff are receiving sufficient training relevant to their job duties. Submit documented medical training to the inspector by December 31, 2023.

Response Needed By: 12/31/2023

3. 2911.2600 CLASSIFICATION OF INMATES. Subpart 1. Policy and procedure.

A facility shall have a written policy and procedure that provides for inmate classification in terms of level of custody required, housing assignment, participation in facility programs, and use of any overrides. The facility's policy and procedure on classification shall include consideration of the following: A. inmate gender; B. juvenile or adult status; C. category of offense; D. severity of current charges, convictions, or both; E. degree of escape risk; F. potential risk of safety to others and self; G. institutional disciplinary history; H. serious offense history; I. special needs assessment, inclusive of vulnerable adults, which includes a determination of how medical needs, mental health needs, developmental disability, or other behavioral or physical limitations or disabilities may impact on the classification of an inmate and appropriate housing of same; and J. special management inmate status.

Inspection Findings:

Inmates of different classifications were found being housed together in the same cellblock, and able to be out of their cells at the same time.

Corrective Actions:

This was corrected on-site at the direction of the inspector. The facility must ensure inmates are classified and separated according to their assigned classification level. The inspector will follow-up with the facility within three months to ensure compliance.

Response Needed By: 05/03/2023

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:

Well-being checks were reviewed on-site using the facility video monitoring system. Correctional staff were found to be completing checks at too fast a past to determine the well-being of the inmates. Additionally, staff are not personally observing inmates every 30-minutes as required in the rule. Staff frequently stopped to answer questions for inmates, which caused the well-being check to be finished outside the 30-minute requirement.

Corrective Actions:

All staff must be retrained in the importance of well-being checks, the consequences for conducting late well-being checks and the requirements outlined in the rule. This training shall be documented and submitted to the Department of Corrections by July 31st, 2023. The facility will create a system for auditing each staff member's well-being checks monthly. The results of those audits will be submitted by the 30th of each month. This requirement will be re-addressed on August 30th, 2023.

Response Needed By: 07/31/2023

5. 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:

Chemicals in the laundry room were found not to be secured.

Corrective Actions:

This was discussed at the time of the inspection. The Jail Administrator must work with maintenance to find a solution to ensure all chemicals in this area are locked and not easily accessible to inmates.

Response Needed By: 07/31/2023

Chapter 2911 - Mandatory Rules In Compliance With Concerns**Total: 4**

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 current policy manual is missing elements required by rule.

Corrective Actions:

Review policy manual and ensure that all elements required are contained within and reflect current practices. Missing elements were given to Jail Administrator during the inspection. Submit updates to the policy manual by November 20, 2023.

Response Needed By:

2. 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 facility is not conducting active drills in the facility.

Corrective Actions:

The facility shall conduct scenario- based fire and severe weather drills. This should include all agencies necessary to the emergency of the drill (licensed personnel, fire department, bus companies). Actual evacuation of inmates is not necessary, but staff need to have an understanding of roles and responsibilities should an emergency arise.

Response Needed By:

3. 2911.6500 STORAGE. Subpart 2. Refrigeration.

Medication requiring refrigeration shall be refrigerated and secured and the temperature checked daily. There must be separate refrigeration for medications only.

Inspection Findings:

Temperature checks of the medical refrigerator are not being completed when medical staff are not on-site.

Corrective Actions:

The facility must ensure that someone is delegated to complete daily temperature checks on the refrigerator when nursing staff is not present.

Response Needed By:

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:

The facility is not documenting their medication audits. It was also found that expired over-the-counter medications were currently on the medication cart.

Corrective Actions:

Ensure that medications audits are being completed and documented. Include checking expiration dates of over-the-counter medications in that audit. The inspector will conduct periodic medication checks to ensure compliance with the rule and that all medications are accurately accounted for.

Response Needed By:

INSPECTION COMMENTS

The Brown County Jail is clean, well-maintained and organized. All electronics in the jail are scheduled to be replaced in 2023.

The kitchen is in need of significant upgrades. The area is undersized and lacks adequate storage to appropriately meet the needs of the jail. Additionally, the space appeared unkept and in need of preventive maintenance measures.

The jail contracts with Brown County Public Health for medical services. There is a nurse on-site 3 days a week for 2-3 hours a day depending on the needs of the population. However, there are no mental health services currently available to the inmate population except on an emergency basis at the local hospital. The Jail Administrator must seek out mental health services in order to ensure that the mental health needs of the inmates are handled in a timely and appropriate manner.

The policy manual does not include the new statutory language required in statute 241.021 and the Duty to Report as required in statute 243.52 subd. 3. Additionally, required elements in the Chapter 2911 Rules will need to be added to the policy manual. This was discussed with the Jail Administrator at the time of the inspection.

The National Institute of Corrections estimates the life expectancy of the jail facility, utilized 24 hours a day, to be 25 to 30 years. The Brown County Jail has been operating for almost 30 years. It is recommended that the elected officials of Brown County discuss plans for the future needs of the incarcerated population.

The Brown County Jail will be placed on an annual inspection cycle.

JJDP A Compliance

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

On May 3rd, 2023, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Brown County Jail has received a "Rural Exception" to the Juvenile Justice and Delinquency Prevention Act (JJDP). This allows the facility to hold a delinquent juvenile up to 24 hours, excluding weekends and holiday. 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 the DOC Portal System, the Brown County Jail has held zero (0) juveniles during the federal fiscal year October 1, 2022-May 3rd, 2023. The findings are as follows:

DSO: I did not find any violations of the facility holding status offenders in the jail.

Jail Removal: I did not find any violations for the jail removal standard.

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation. Brown County does not hold delinquent juveniles in the facility per their policy. All delinquent juveniles are brought to Prairie Lakes Juvenile Detention Center.

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

Court Holding: There is one secure holding cell that is connected to the jail and is not used for juveniles. The courtrooms do not have a secure court holding area.

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

Report completed By: Jacob Nelson – Detention Facility Inspector

Signature: 