



# 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:

### Cass County Jail

**Address:** 300 Minnesota Avenue, PO BOX 1119, Walker, MN 56484

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

**Inspection Type:** Annual **Inspected By:** Jen Pfeifer – Detention Facility Inspector **Inspected on:** 09/18/2019 to 11/04/2019

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

**Officials Present During Inspection:** Assistant Jail Administrator Rick Wolske; Jail Administrator Chris Thompson

**Officials Present for Exit Interview:** Assistant Jail Administrator Rick Wolske; Jail Administrator Chris Thompson; Sheriff Tom Burch

**Issued Inspection Report to:** Jail Administrator Chris Thompson; Sheriff Tom Burch; County Administrator Josh Stevenson; Regional Manager Sherry Hill

## 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	121	2	2	98.40%	Compliance rating of 100%
2911	Essential	99	88	6	5	93.94%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** approval **Begins On:** 09/01/2019 **Ends On:** 08/31/2020 **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:** Cass 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	60	80	48.00	48 operational capacity beds.	None.

## RULE COMPLIANCE DETAILS

**Chapter 2911 - Mandatory Rules Not In Compliance****Total: 2**

## 1. 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:**

There is no documentation to support that staff have been trained in letters B, D, E and F listed in this rule part.

**Corrective Actions:**

**Expand medical training for custody staff so that it includes all required elements in this rule part.  
Revise training plan and orientation training to include these expanded elements.**

**Response Needed By: 04/01/2020**

## 2. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 2. Practice of religion.

A facility shall have written policy and procedures that grant an inmate the right to practice that inmate's religion.

**Inspection Findings:**

There is a policy in place, however there are no programs in place per the rule.

**Corrective Actions:**

**The facility shall arrange for and provide religious programming.**

**Response Needed By: 04/01/2020****Chapter 2911 - Essential Rules Not In Compliance****Total: 6**

## 1. 2911.0900 STAFFING REQUIREMENTS. Subpart 20. Coordination of programs.

In a Class III and Class VI facility, a staff person shall be designated to coordinate educational and vocational programs, social service programs, work release, and volunteer services programs. The following minimum inmate to program staff ratio shall apply for the average daily population: A. 30 or under, program staffing needs comply with subpart 4; B. 31 to 60, one full-time program staff person; and C. over 60, program staffing needs are addressed as part of the overall facility staffing plan.

**Inspection Findings:**

There is little in the way of program coordination at the facility.  
Programming only available if requested by the inmates.

**Corrective Actions:**

**The facility shall designate a staff member to coordinate programs in the facility. This staff shall receive training in the coordination of programs as required by the rule.**

**Response Needed By: 04/01/2020**

2. 2911.1200 CLERICAL AND SUPPORT EMPLOYEES WITH REGULAR OR DAILY INMATE CONTACT: TRAINING. Subpart 2. Regular or daily inmate contact.

A facility shall have a written policy and procedure that provides that all new clerical and support employees who have regular or daily inmate contact receive 40 hours of orientation and training during their first year of employment. These hours are to be completed before being independently assigned to a particular job. The employees are given an additional 16 hours of training each subsequent year of employment. At a minimum, this training covers the following areas: A. security procedures and regulations; B. rights and responsibilities of inmates; C. all applicable emergency procedures; D. interpersonal relations and communication skills; and E. first aid.

**Inspection Findings:**

Little documentation was available to document training for the nurse and food service staff.  
This is a repeat from the 2018 inspection.

**Corrective Actions:**

**Develop a security training for non-custody staff. Ensure that these staff members are receiving all required training and emergency procedure reviews. They should also be involved in facility drills.**

**Response Needed By: 04/01/2020**

3. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 1. Written plan.

A facility administrator or designee shall have and implement a written plan for the constructive scheduling of inmate time. The plan shall: A. identify programs offered in the facility and when the programs are offered; B. identify persons conducting the program and whether or not the persons are facility staff, external community resources under contract, or volunteers; C. be consistent with established legal rights of inmates, type and status of inmates detained in the facility, and rule requirements associated with the facility's classification; D. provide inmates with the option to refuse to participate in facility programs, except work assignments and programs required by statute or court order; E. when males and females are housed in the same facility, provide comparable opportunities for participation in programs and services; and F. require documentation of programs offered and inmates participating in programs.

**Inspection Findings:**

The jail currently has limited programming and it is at an inmate's request.

**Corrective Actions:**

**Develop and expand programming for inmates.**

**Response Needed By: 04/01/2020**

4. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 2.A. Arrangements for religious services and counseling.

A facility shall have either a chaplain with the minimum qualifications of clinical pastoral education or equivalent specialized training and endorsement by the appropriate religious certifying body or a community clergy consultant meeting the qualifications to assist the facility administrator in arranging for religious services and counseling as requested. No inmate shall be required to attend religious services. Religious services shall be held in a location that the inmates who do not wish to participate are not exposed to the service. Attendance or lack of attendance at religious services shall not be considered a criterion for rights or privileges within the facility. The facility administrator or designee in cooperation with the chaplain or community religious resource, plans, directs, and advises on aspects of the religious program, including approval and training of both lay and clergy volunteers from faiths represented by the inmate population. When a religious leader of an inmate's faith is not represented through chaplaincy staff, community religious resources, or volunteers, the chaplains or community religious resource shall assist the inmate in contacting such a person. That person shall have the appropriate credentials from that faith judicatory and may minister to the inmate with the approval of the chaplain or community religious resource. An inmate requesting private interviews or counseling in a setting not capable of being audio monitored with chaplaincy staff, community religious resources, or volunteers, or persons with the approval of the chaplain or community religious resource shall be given the opportunity within the policies as are reasonable and necessary to protect the facility's security. Bibles or sacred books of another religion may be made available to inmates by the facility, through local library or other community resources and limited to the inmate's period of confinement.

**Inspection Findings:**

There is no chaplain as required by the rule.

**Corrective Actions:**

**The facility shall have a chaplain with required qualifications available to the facility.**

**Response Needed By: 04/01/2020**

## 5. 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:**

There is no formal or informal process for volunteers in the facility.

**Corrective Actions:**

**Develop an orientation program for volunteers that includes responsibility and accountability, orientation to the facility, statement that the administrator may discontinue services at any time and a requirement that the volunteers agree in writing to abide by the rules of the facility.**

**Response Needed By: 04/01/2020**

## 6. 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:**

Required incidents are not being reported to the Department of Corrections.

**Corrective Actions:**

**The facility shall report required incidents listed in A-P in the rule. Review incidents in the last 6 months and submit required incidents in the Statewide Supervision System for review.**

**Response Needed By: 12/31/2019****Chapter 2911 - Mandatory Rules In Compliance With Concerns****Total: 2**

## 1. 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:**

Overall, the emergency procedures are thin and in need of revision. They are in the process of being rewritten by the Jail Administrator.

**Corrective Actions:**

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**Submit revised emergency procedures to facility inspector for review when completed.**

**Response Needed By:**

2. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 3. Health care policy review.

Facility policy shall ensure that each policy, procedure, and program in the health care delivery system is reviewed and documented at least annually under the direction of the health authority and revised as necessary.

**Inspection Findings:**

The health care policies are significantly out-of-date and not reflective of current practice.

**Corrective Actions:**

**Arrange with facility health authority and nurse to revise these policies and procedures. Upon completion submit to facility inspector for review.**

**Response Needed By:**

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

**Total: 5**

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:**

Staff are receiving the required number of training hours but the training does not include all required trainings listed in the rule.

**Corrective Actions:**

**It was discussed at length during the inspection the need for relevant training for the correctional officers. It is recommended that the facility participate in scenario based drills incorporating man down, cut down, and fire drills.**

**Response Needed By:**

2. 2911.1500 PROGRAM STAFF TRAINING.

A facility shall have a written policy and procedure that provides that the facility's program personnel receive at least 40 hours of orientation and training in the first year of employment, and at least 16 hours of training each year thereafter. This training must cover, at a minimum: A. security procedures and regulations; B. planning; C. development, and implementation of treatment, educational, and recreational programs; D. inmate and staff rules and regulations; E. rights and responsibilities of inmates; F. emergency procedures; G. interpersonal relations; H. interaction of elements of the criminal justice system; and I. first aid.

**Inspection Findings:**

There has been no specific programs staff training provided to the Assistant Jail Administrator who also fills the role of programs coordinator.

**Corrective Actions:**

**Arrange for expanded training for the program coordinator and submit to the Department of Corrections.**

**Response Needed By:**

## 3. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 4. Education.

A facility shall have a written policy and procedure that provides for inmate access to educational programs, vocational counseling, and when available, vocational training. When possible, a facility shall arrange to have these educational programs delivered in classroom specifically designed and equipped for educational or vocational programming. Class I facilities are exempt from this requirement with the exception of those approved by the commissioner to house inmates serving alternative sentences. Text books necessary to complete a course of study, to the extent that local resources permit, shall be made available to inmates. The facility shall not be responsible for the purchase of text books to complete a course of study.

**Inspection Findings:**

There is little educational programming.  
G.E.D. is now available on tablets.

**Corrective Actions:**

**Continue efforts to find educational programming for the inmates.**

**Response Needed By:**

## 4. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 5. Substance abuse programs.

A facility shall have a written plan for providing services for inmate chemical dependency issues.

**Inspection Findings:**

These programs are only available upon request.

**Corrective Actions:**

**It is recommended that the facility add substance abuse programs to an ongoing monthly program schedule.**

**Response Needed By:**

## 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:**

They have a recreation area but it is limited depending on weather conditions. This is not used consistently.

**Corrective Actions:**

**Expand programming for this area to the extent possible (weather permitting).**

**Response Needed By:**

**INSPECTION COMMENTS****Physical Plant:**

- A. The height of the shower doors is a concern in units A and B. It is recommended that they be shortened to provide improved visibility.
- B. Security electronics are extremely dated. They are from 1965 and finding parts or performing preventative maintenance on things of that age has become difficult.
- C. There is a need to re-anchor some desks in cells.
- D. The property room is undersized which will be more of an issue when additional inmates are housed at the facility.
- E. An additional lock is needed to secure the access to the special management cells from the laundry room.

**Programming:**

There is a definite need for programming in the facility. This was discussed at length at the time of the inspection and as soon as the facility is able to designate a staff member who receives training in program scheduling and develops a program plan for the facility, a majority of the rule deficiencies will be resolved.

The facility had excellent well-being checks and this continues to an area of high importance for the jail administrator.

The facility will remain on annual inspections.

**JJDPA Compliance**

On September 18, 2019, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Cass 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 Statewide Supervision System and jail files, the Cass County Jail held or processed zero juveniles between October 2018 and the day of inspection. I reviewed 100 percent of that data. The findings are as follows:

DSO: I found zero (0) violations of the facility holding status offenders in the jail.

Jail Removal: Files and Statewide Supervision System data indicate that no child was held over the 24 hour time frame allowed per the "Rural Exception."

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 that I reviewed, I found zero (0) violations of the JJDP act during the Cass County inspection.

Report completed By: Jen Pfeifer – Detention Facility Inspector

Signature: \_\_\_\_\_

*Jennifer Pfeifer*