



# 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: Chippewa County Jail

**Address:** 629 N 11th Street, Montevideo, MN 56265

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

**Inspection Type:** Biennial **Inspected By:** Jen Pfeifer – Detention Facility Inspector **Inspected on:** 06/29/2021 to 07/21/2021

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

**Officials Present During Inspection:** Jail Administrator Jon Schacherer; Sheriff Derek Olson

**Officials Present for Exit Interview:** Jail Administrator Jon Schacherer; Sheriff Derek Olson

**Issued Inspection Report to:** Jail Administrator Jon Schacherer; Sheriff Derek Olson; County Auditor Michelle May; 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	126	123	3	0	97.62%	Compliance rating of 100%
2911	Essential	97	94	2	1	97.94%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** conditional approval **Begins On:** 08/01/2021 **Ends On:** 07/31/2023 **Facility Type:** Jail

**Placed on Biennial Status:** Yes **Biennial Status Annual Compliance Form Due On:** 07/31/2022

**Delinquent Juvenile Hold Approval:** 24 hrs exclusive of weekends and holidays **Certificate Holder:** Chippewa 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	17	85	14.45	None.	None.

## RULE COMPLIANCE DETAILS

**Chapter 2911 - Mandatory Rules Not In Compliance****Total: 3****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:**

Due to the COVID 19 Pandemic, the jail has not completed an annual emergency evacuation drill.

**Corrective Actions:**

**Conduct an emergency evacuation drill when plausible to include all staff. It is vital for staff to know how to respond to an evacuation emergency at the jail. All drills should include all staff and should be documented for verification purposes. Submit to the Department of Corrections a plan for an evacuation drill for the facility.**

**Response Needed By: 12/31/2021****2. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 2. Quarterly review of emergency procedures.**

There shall be a review of emergency procedures once every three months. The review shall include: A. assignment of persons to specific tasks in case of emergency situations; B. instructions in the use of alarm systems and signals; C. systems for notification of appropriate persons outside the facility; D. information on the location and use of emergency equipment in the facility; E. specification of evacuation routes and procedures; and F. that the review be documented and require signature or initialing by all staff.

**Inspection Findings:**

Review of the quarterly emergency procedures was not completed.

**Corrective Actions:**

**All staff shall complete the quarterly emergency reviews. This shall be documented and should include all support staff such as maintenance and medical.**

**Response Needed By: 12/31/2021****3. 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 found to be out of compliance with the 30 minute time framed allowed in the rule.

**Corrective Actions:**

**All staff will need to be retrained in the importance of well-being checks. Staff must also be aware of the legal implications that could result in well-being checks not being completed on time.**

**Submit documentation of this training to the Department of Corrections by September 30, 2021.**

**Response Needed By: 09/30/2021**

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

## 1. 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:**

Recreational space in the jail is not adequate to serve the inmate population.

**Corrective Actions:**

**This is a physical plant constraint and cannot be remedied without a major remodel to the jail. Any future plans for a remodel or renovation must include space to provide active recreational activities. No further action is required at this time.**

**Response Needed By:**

## 2. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 1. Post orders and accountability.

There shall be written orders for every security post that are reviewed annually and updated if necessary. A written policy and procedure shall require that personnel read, sign, and date applicable post orders at least annually, or as needed for new posts or revisions. Medium and large facilities with multiple posts may need to conduct these reviews more often.

**Inspection Findings:**

Post Orders were not reviewed as required annually and were not signed.

**Corrective Actions:**

**All staff shall review post orders annually. A sign of sheet shall be created by Jail Administration. When the review is complete submit to the Department of Corrections.**

**Response Needed By: 09/01/2021****Chapter 2911 - Essential Rules In Compliance With Concerns****Total: 1**

## 1. 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:**

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There have been no incidents reported to the Department of Corrections in the last year.

**Corrective Actions:**

**Review all medical incidents and disciplinary/use of force incidents from the last inspection. Report any incidents that are required as outlined in the rule.**

**Response Needed By:**

**INSPECTION COMMENTS****Physical plant concerns:**

The jail was built in 1984 and is now over 35 years old. The life expectancy for a jail facility with normal use is 25 years. This facility is showing significant signs of age which will need to be addressed by the officials of Chippewa County. Security concerns outlined in a separate letter by the previous inspector have not been resolved. A plan to address these on-going concerns shall be submitted to the Department of Corrections by December 21, 2021.

**Space issues:**

The space necessary to provide recreation and programs is not adequate to serve the population. It is recommended that issues of inadequate jail space be looked into with long term goals in mind.

Glass was found cracked in the glazing in the housing units and other inmate areas and will need to be repaired/replaced immediately.

With the physical plant issues that Chippewa County Jail has, it is strongly recommended the officials of Chippewa County continue to move forward with future plans to address these concerns. The Officials should also look at the future long term needs of this facility in regards to the lack of programs, booking, and medical space and storage.

The Department of Correction is always available to assist their County with future jail planning needs.

The jail will remain on biennial inspections.

**JJDPA Compliance**

Compliance Report for the Monitoring Facilities Pursuant to the Juvenile Justice and Delinquency Prevention Act.

On June 29 10th 2021, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Chippewa 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 DOC Portal records, the Chippewa County Jail held or processed 0 (zero) juveniles during the federal fiscal year 2021. The findings are as follows:

DSO: I did not find any violations of the facility holding status offenders in the jail. Upon review of the files, indication was that children that were brought into the facility were indeed there for delinquent offenses or for book and release only. All status offenders are held in an interview room outside of the jail facility and has free egress to the outside.

Jail Removal: Files and DOC Portal System data indicate that any children brought into the jail are removed well within 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. 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.

Policies- The facility has updated all juvenile policies to reflect proper placement and separation of juveniles.

Court Holding- There is one secure court holding room at Chippewa County but the court holding is not used for juveniles, the juveniles are brought straight into court. The juvenile policy reflects this protocol.

Based on the documentation reviewed, there were no violations of the JJDP act during the Chippewa County inspection.

**Report completed By:** Jen Pfeifer – Detention Facility Inspector

**Signature:**

