



# 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:

### Clearwater County Jail

**Address:** 213 N Main Avenue N, SUITE 101, Bagley, MN 56621

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

**Inspection Type:** Annual **Inspected By:** Jacob Nelson – Detention Facility Inspector **Inspected on:** 04/30/2024

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

**Officials Present During Inspection:** Jail Administrator Candace Coulter; Sheriff Darin Halverson

**Officials Present for Exit Interview:** Jail Administrator Candace Coulter; Sheriff Darin Halverson

**Issued Inspection Report to:** Jail Administrator Candace Coulter; Sheriff Darin Halverson; Regional Manager Jacob McLellan; County Auditor Treasurer Allen Paulson

## 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	120	111	5	4	95.83%	Compliance rating of 100%
2911	Essential	94	91	1	2	98.94%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** approval **Begins On:** 06/01/2024 **Ends On:** 05/31/2025 **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:** Clearwater County Sheriff's Department

**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	38	85	32.30	None	

## RULE COMPLIANCE DETAILS

### Chapter 2911 - Mandatory Rules Not In Compliance

**Total: 5**

- 2911.2525 ADMISSIONS. Subpart 4. Inmate personal property.

A facility shall have a written policy and procedure that: A. provides for the itemized inventory and secure storage of all personal property of a newly admitted inmate, including money and other valuables; B. specifies any personal property an inmate may retain in the inmate's possession; and C. provides that the inmate shall sign a receipt for all property held until release.

**Inspection Findings:**

There is no consistent procedure for inmates to sign their property receipts.

**Corrective Actions:**

**Develop a consistent procedure for inmates to sign their property receipts upon intake. Send updated procedure to the DOC by August 30, 2024.**

**Response Needed By: 08/30/2024**

**2. 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 to be housed in the same housing units, and no classification override had been utilized.

**Corrective Actions:**

**This was corrected on-site. No further action is required at this time.**

**Response Needed By:**

**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:**

On four occasions, it was found that overnight staff were not completing well-being checks within the 30-minute timeframe required in the Rule. There also was no documented emergency justifying the late well-being checks.

**Corrective Actions:**

**All staff must be retrained on the importance of well-being checks, and the consequences of improper well-being checks. Documentation of this training shall be submitted to the DOC by June 3, 2024.**

**Additionally, the Jail Administrator shall continue conducting random well-being check audits on staff monthly.**

**Response Needed By: 06/03/2024**

**4. 2911.5300 SEARCHES, SHAKEDOWNS, AND CONTRABAND CONTROL. Subpart 4. Daily inspections.**

A facility shall be inspected at least daily for contraband, evidence of breaches in security, and inoperable security equipment, and shall document the inspection.

**Inspection Findings:**

Documentation of daily security inspections are not being logged by staff.

**Corrective Actions:**

**Develop a plan for the consistent documentation of daily inspections. Send the procedure to the DOC by August 30, 2024.**

**Response Needed By: 08/30/2024**

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:**

The inventory of culinary equipment is not consistently being completed.

**Corrective Actions:**

**Develop a procedure for the accurate accounting of all culinary equipment. Send updated procedure to the DOC by July 1, 2024.**

**Response Needed By: 07/01/2024**

**Chapter 2911 - Essential Rules Not In Compliance**

**Total: 1**

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:**

It was found that inmates who are put in disciplinary segregation are not consistently given hearings within 72-hours, and also are not consistently given notice of the alleged rule violations prior to the hearings.

**Corrective Actions:**

**The facility must revise their disciplinary process to ensure that all elements of due process are met. Send updated procedure to the DOC by August 30, 2024.**

**Response Needed By: 08/30/2024**

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

**Total: 4**

1. 2911.2525 ADMISSIONS. Subpart 1. Policies and procedures.

A facility shall have written policies and procedures for processing new inmates to the facility to include, at a minimum, the following: A. obtaining and documenting available emergency medical information within two hours of admission; B. verification of court commitment papers or other legal documentation of detention. Verification shall include checking the date of admission, duration of confinement, and specific charges; C. a search of the inmate and the inmate's possessions; D. inventory and storage of the inmate's personal property; E. initial medical screening to include an assessment of the inmate's health status, including any medical or mental health needs; F. telephone calls made by the inmate during the booking and admission process and prior to assignment to other housing areas; G. shower and hair cleansing; H. issue of bedding, clothing, and personal hygiene items according to the rule requirements applicable to the anticipated length of stay of the inmate; I. photographing and fingerprinting including notation of identifying marks or unusual characteristics such as birthmarks or tattoos; J. interviewing to obtain the following identifying data: (1) name and aliases of person; (2) current address, or last known address; (3) health insurance information; (4) gender; (5) age; (6) date of birth; (7) place of birth; (8) race; (9) present or last place of employment; (10) emergency contact including name, relation, address, and telephone number; and (11) additional information concerning special custody requirements or special needs; K. initial classification of the inmate and assignment to a housing unit; L. an assigned booking number; and M. Social Security number, driver's license number, or state identification number, if available.

**Inspection Findings:**

Documentation shows staff not scoring the mental health screen correctly. Specifically, not referring an inmate for mental health services when warranted.

**Corrective Actions:**

**Retrain staff on properly scoring the mental health screen, and update procedures for how officers can refer an inmate for mental health services based on the score. DOC shall monitor this compliance through facility visits.**

**Response Needed By:**

2. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 4. Counting.

A facility shall have a written policy describing the system of counting inmates. Formal counts shall be completed with an official entry made in the daily log at least once each eight hours. The facility shall maintain a system that identifies the whereabouts of all inmates in custody and includes a system of accountability for inmates approved for temporary absences from their assigned housing units. A written policy and procedure shall provide that staff regulate inmate movement.

**Inspection Findings:**

Formal counts are not consistently being documented. Since January 1, 2024, 13 formal counts were not documented.

**Corrective Actions:**

**Develop a consistent procedure for the documentation of each formal count.**

**Response Needed By:**

3. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 6. Medical screening.

A facility shall have a written policy and procedure that requires medical screening is performed and recorded by trained staff on all inmates on admission to the facility. The findings are to be recorded in a manner approved by the health authority. The screening process shall include procedures relating to: A. Inquiry into: (1) current illness and health problems, including dental emergencies, and other infectious diseases; (2) medication taken and special health requirements; (3) use of alcohol and other drugs that include types of drugs used, mode of use, amounts used, frequency used, date or time of last use, and history of problems that may have occurred after ceasing use, for example, convulsions; (4) past and present treatment or hospitalization for mental illness or attempted suicide; (5) other health problems designated by the health authority; and (6) signs and symptoms of active tuberculosis to include weight loss, night sweats, persistent cough lasting three weeks or longer, coughing up blood, low grade fever, fatigue, chest pain, prior history of active tuberculosis disease, and results of previous tuberculin skin or blood testing. B. Observations of: (1) behavior that includes state of consciousness, mental status, appearance, conduct, tremor, and sweating; and (2) body deformities, trauma markings, body piercings, bruises, lesions, and jaundice. C. Disposition to: (1) general population; (2) general population and referral to appropriate health care service; (3) referral to appropriate health care service on an emergency basis; and (4) other.

**Inspection Findings:**

The facility medical screening is missing elements required in the Rule. Specifically, type of drug used, mode, amount, frequency, date/time of last use, and withdrawal history.

**Corrective Actions:**

**Add required elements to the current medical screening. Send documentation to the DOC by August 30, 2024.**

**Response Needed By:**

## 4. 2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE. Subpart 1. General.

A facility shall have a policy and procedure that provides that the facility shall: A. be kept in good repair to protect the health, comfort, safety, and well-being of inmates and staff; B. document weekly sanitation inspections; and C. document deficiencies from the weekly sanitation inspection, if any, have been ordered.

**Inspection Findings:**

One week was missing from the weekly inspection logs.

**Corrective Actions:**

**Ensure procedures are followed for the consistent logging of sanitation inspections.**

**Response Needed By:****Chapter 2911 - Essential Rules In Compliance With Concerns****Total: 2**

## 1. 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:**

While staff are documenting programming happening each day, there is no consistent process for logging an individual inmate's participation in the programming.

**Corrective Actions:**

**Develop a procedure for the consistent logging of each inmate's participation in programming.**

**Response Needed By:**

## 2. 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:**

There is no consistent substance abuse programming being offered to inmates.

**Corrective Actions:**

**Continue reaching out to area resources to explore substance abuse programming options that may be available.**

**Response Needed By:**

**INSPECTION COMMENTS**

The facility shall remain on annual inspections.

**JJDPA Compliance**

On April 30, 2024, a Juvenile Justice and Delinquency Prevention (JJDP) Act audit was conducted. The Clearwater County Jail has received a "Rural Exception" to the JJDP Act. This allows the facility to hold a delinquent juvenile up to 24 hours, excluding weekends and holidays. The three core requirements reviewed during an audit 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 Clearwater records, the Clearwater County Jail held or processed zero (0) juveniles since October 1, 2023. One hundred percent of the 2023 data was reviewed. The findings are as follows:

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

Jail Removal: Files and DOC Portal data indicate that any youth 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. This includes the route taken to Court holding. Policies and the court schedule also indicate proper sight and sound separation are maintained. Juvenile cases are heard at a different time than adult cases.

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

Based on the documentation reviewed, no violations of the JJDP Act were found during the Clearwater County jail inspection.

Report completed By: Jacob Nelson – Detention Facility Inspector

Signature: 