



# 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:

### Cook County Jail

**Address:** 143 Gunflint Trail, Grand Marais, MN 55604

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

**Inspection Type:** Annual **Inspected By:** Chris Thoma – Detention Facility Inspector **Inspected on:** 11/03/2020 to 11/03/2020

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

**Officials Present During Inspection:** Jail Administrator Gary Fagerman

**Officials Present for Exit Interview:** Jail Administrator Gary Fagerman

**Issued Inspection Report to:** Jail Administrator Gary Fagerman; Sheriff Pat Eliasen; County Administrator James Joerke; 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	2	1	98.41%	Compliance rating of 100%
2911	Essential	94	92	2	0	97.87%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** conditional approval **Begins On:** 12/01/2020 **Ends On:** 11/30/2021 **Facility Type:** 72 Hour Holding

**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:** Cook County Sheriff's Department

**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	15	80	12.00	None.	None.

## RULE COMPLIANCE DETAILS

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

## 1. 2911.4000 ANNUAL FOOD SERVICE REVIEW.

A facility's menu content and cycle shall be reviewed at least once annually by a registered dietitian or nutritionist to ensure compliance with part 2911.3900. The review the findings shall be documented and on file.

**Inspection Findings:**

The facility's menu was last reviewed by a licensed dietitian in October of 2019.

**Corrective Actions:**

**Have the menu content and cycle reviewed by a licensed dietitian. Send the completed review to the Department of Corrections inspector by January 1, 2021.**

**Response Needed By: 01/01/2021**

## 2. 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:**

The Jail Administrator does the daily checks when he is there. In the Administrator's absence, checks are inconsistent.

**Corrective Actions:**

**Develop a plan to ensure the facility has daily inspections for contraband and security breaches. See notes in summary.**

**Response Needed By: 05/01/2021****Chapter 2911 - Essential Rules Not In Compliance****Total: 2**

## 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:**

In speaking with staff, it is evident, training is taking place but documentation is lacking. Response to resistance training is not being completed.

**Corrective Actions:**

**Establish a tracking mechanism to document all staff training, specifically the provisions in this part of the rule. See notes in summary.**

**Response Needed By: 05/01/2021**

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 are available to staff electronically but there is no documentation showing that staff have reviewed and signed the applicable orders.

**Corrective Actions:**

**Establish and document a process for staff to review and sign the post orders annually.**

**Response Needed By: 05/01/2021**

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

**Total: 1**

1. 2911.5550 LOCKS AND KEYS. Subpart 4. Inoperable locks.

A lock to a security door or gate shall not be inoperable or left in a nonworking condition. An inmate shall not be secured in a cell or area that has inoperable locks.

**Inspection Findings:**

Records of lock inspections do not show they are completed weekly.

**Corrective Actions:**

**Ensure all security door locks are checked and documented weekly. It is also recommended that these lock checks include both manual and electronic operation.**

**Response Needed By:**

## INSPECTION COMMENTS

### Operations:

Although one staff member handling both dispatch and jail duties is allowed by the rule it is not the safest way to operate a facility. During new arrests the County Sheriff Deputy needs to respond or stay at the facility which means less coverage for the County while they are at the jail. This may not be the most efficient use of the deputy staff.

In the event of an emergency such as an inmate attempting to harm themselves or an inmate assaulting another inmate, jailer/dispatchers can only respond with verbal direction and call for assistance which may not be in the vicinity.

During normal business hours, the Jail Administrator is available to respond to incidents. In the absence of the Administrator, emergency response is delayed, contraband checks are not completed per the rule, and security is compromised. It is recommended that additional staffing be considered during hours and days when immediate assistance is not already available in the building.

Because the Jailer/Dispatchers do not have direct inmate contact, some of the training requirements are not in compliance. There are numerous scenarios in which staff may still have contact with an inmate. Because of this, response to resistance training should be provided.

### Well-being checks:

Of the well-being reviewed, all were within the required time frame and on more than half of the checks, the staff stopped and spoke with the inmate.

### Physical Plant:

The facility was found to be clean and well maintained.

## JJDPA Compliance

On November 3, 2020 a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Cook 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.

The Cook County Jail held or processed zero juveniles between October 1, 2020 and the date of inspection.

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

I found no violations of the JJDP act as a part of this inspection.

Report completed By: Chris Thoma – Detention Facility Inspector

Signature: 