



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:

Cottonwood County Jail

Address: 902 Fifth Avenue, PO BOX 124, Windom, MN 56101

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Jen Pfeifer – Detention Facility Inspector **Inspected on:** 11/13/2020 to 11/17/2020

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

Officials Present During Inspection: Jail Administrator Kristi Sell

Officials Present for Exit Interview: Jail Administrator Kristi Sell; Sheriff Jason Purrington

Issued Inspection Report to: Jail Administrator Kristi Sell; Sheriff Jason Purrington; County Coordinator Kelly Thongvivong; 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	122	2	2	98.41%	Compliance rating of 100%
2911	Essential	100	97	2	1	98.00%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 11/01/2020 **Ends On:** 10/31/2022 **Facility Type:** Jail
Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 10/31/2021
Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Cottonwood 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	21	80	16.80	None.	None.

RULE COMPLIANCE DETAILS

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

1. 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:

Although there is policy in place that outlines proper classification, the facility is unable to properly classify inmates due to the design of the facility and the growing need for medical and mental health separation.

Corrective Actions:

When the jail is unable to classify inmates properly they must seek out boarding facilities who are able to meet the classification needs of the inmate.

Response Needed By: 12/31/2020

2. 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 in violation of the 30 minute time frame allowed in the rule. Furthermore, it is impossible to determine based on video footage as to whether or not the officer is personally observing the inmate. Checks are often times completed without going into the housing areas therefore only viewing the inmate from the hallway.

Corrective Actions:

It is strongly recommended that the officers be required to complete all well-being checks from inside the day space. This will create better sight lines and more thorough checks of the inmates.

Response Needed By: 12/31/2020**Chapter 2911 - Essential Rules Not In Compliance****Total: 2**

1. 2911.2800 ADMINISTRATIVE SEGREGATION. Subpart 2. Separate and secure housing.

Administrative segregation shall consist of separate and secure housing, but shall not involve any more deprivation of privileges than is necessary to obtain the objective of protecting the inmate, staff, or public.

Inspection Findings:

The jail is unable to house/manage this population based on the design of the current facility. There is one cell in the booking area that is used when needed but with the increase of special management inmates this is no longer feasible.

Corrective Actions:

Provide written documentation to the Department of Corrections of how you will separate this classification of inmate while your holding cell in intake is being used with a new arrest. If the facility is unable to classify appropriately then they will need to house these inmates in a boarding facility.

Response Needed By: 12/31/2020

2. 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.

Response Needed By:

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:

The facility has not completed any evacuation drill due to the COVID -19 Pandemic.

Corrective Actions:

As soon as it is safe to do so, facility will resume evacuation drills.

Response Needed By:

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:

Facility is not reviewing their medical and maintenance staff emergency procedures quarterly.

Corrective Actions:

It is recommended that medical and maintenance staff review emergency procedures quarterly. It is imperative that they are prepared and know the emergency procedures of the jail.

Response Needed By:**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:

There was one incident submitted to the Department of Corrections since January 1, 2020.

Corrective Actions:

Ensure that all incidents outlined in the rule are submitted to the Department of Corrections. Enter all qualifying incidents from January 1, 2020-December 31, 2020 by December 31, 2020.

Response Needed By:**INSPECTION COMMENTS****Cottonwood County Jail Comments:****Physical plant:**

#1. The intake area is a vital component of the jail. All inmates are processed in this area and initial classification begins there. When considering if an intake area is sufficient the inspector looks at factors such as inmates processing time, intake volume and peak time loads, temporary holding prior to first appearance and holding prior to classification. Other factors include the need for detoxification, temporary suicide watch and medical isolation holding.

The intake area in the Cottonwood County Jail is undersized and not adequate for the needs of the jail. The intake area has only one holding cell which is also used for inmates in administrative segregation or in need of special watch. This creates an enormous concern for safety and security of officers, the safety of inmates and the need for proper classification and separation. The space lacks special needs housing as the number of inmates with special needs and mental health concerns are increasing.

#2. The program area is not sufficient and is currently being used to meet the needs of the Courts to operate via ITV. Inmates are receiving little to no programming at this time and there is no active recreation available due to physical plant limitations.

#3. The health care area is virtually nonexistent and does not provide the space needed to operate effectively. Currently, the nurse has a desk in the hallway adjacent to the dispatch area of the jail where there are high levels of traffic. There is no private space for exam or charting. Prescription medications are being stored in the kitchen area and narcotics are being stored in a drawer in the nurses desk.

These constraints do not meet the needs of the facility and do not meet current construction requirements.

It is highly recommended that the Officials of Cottonwood County consider the current and future public safety concerns for the Cottonwood County Jail and the community by beginning the planning stages to remedy the physical plant deficiencies outlined in this report.

JJDPA Compliance

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

On November 13, 2020, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Cottonwood 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 Cottonwood County Jail held or processed zero (0) juveniles during the federal fiscal year. I reviewed approximately 100 percent of the juvenile data. The findings are as follows:

DSO: The facility was found to have no violation of this standard.

Jail Removal: The facility was found to have no violation for this standard.

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation. This includes the route taken to Court. 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.

All status offenders are kept in the lobby with the officer.

Court Holding: There is no court holding cell in Cottonwood County. There is a conference room that is used for juveniles that is monitored with the transporting officer separate from adults. It is routine to bring the juvenile straight into court.

Policies: All policies are up-to-date and define which juveniles are able to be held in the facility.

Based on the documentation that I reviewed, no violations of the JJDP act during the Cottonwood County inspection were found.

Report completed By: Jen Pfeifer – Detention Facility Inspector

Signature:

