



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
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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:** Daniel Lipa – Detention Facility Inspector **Inspected on:** 10/12/2022

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

Officials Present During Inspection: Assistant Jail Administrator Dan Quade; Jail Administrator Jason Rupp; Sheriff Jason Purrington

Officials Present for Exit Interview: Assistant Jail Administrator Dan Quade; Jail Administrator Jason Rupp

Issued Inspection Report to: Assistant Jail Administrator Dan Quade; Jail Administrator Jason Rupp; 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	119	4	3	96.83%	Compliance rating of 100%
2911	Essential	100	97	0	3	100.00%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 11/01/2022 **Ends On:** 10/31/2024 **Facility Type:** Jail
Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 10/31/2023
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: 4

- 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:

The brief mental health screening is currently defaulting with a referral answer of "no" and staff are not always changing the answer depending on the inmate's responses. It is each staff member's responsibility to ensure the referral process is completed correctly.

Corrective Actions:

Edit the form to correct the default answers and train all staff on the proper procedure for the brief mental health screening. Verify with Inspections & Enforcement that this has been completed by 12/31/2022.

Response Needed By: 12/31/2022

2. 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:

The admissions forms do not include a place for the inmate to sign for their property and there is no inventory being supplied to the inmate or left with the secured property.

Corrective Actions:

Edit the intake documents to include a place for inmates to acknowledge the property inventory. Forward a copy of the updated document to the Inspections & Enforcement Unit by December 31, 2022.

Response Needed By: 12/31/2022

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 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:

Create a procedure in which officers enter each living unit to conduct effective wellbeing checks. Train all officers in conducting well-being checks that meet requirements in Rule 2911.5000.5 as well as the expectations of facility leadership. Inform the Inspections & Enforcement Unit of the plan and training by December 31, 2022.

Response Needed By: 12/31/2022

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:

While reviewing inspection logs, there was a day in October that no officers completed the daily inspection.

Corrective Actions:

Train all staff in the necessity for completing a daily inspection of all areas of the jail. It is recommended that this inspection is renamed from "walkthrough" in the jail management system to better identify the task. Inform the Inspections & Enforcement Unit of this task by December 31, 2022.

Response Needed By: 12/31/2022

Chapter 2911 - Mandatory Rules In Compliance With Concerns

Total: 3

1. 2911.1900 POLICY AND PROCEDURE MANUALS.

A facility shall have a written policy and procedure manual that is electronically available to staff and relevant regulatory authorities and defines the philosophy and method for operating and maintaining the facility. This manual shall be made available to all employees, reviewed annually, updated as needed, and staff trained accordingly. The manual shall include, at a minimum, the following chapters: A. correctional standards required under this chapter; B. administration and organization; C. fiscal management; D. personnel; E. training; F. inmate records; G. safety and emergency; H. security and control; I. sanitation and hygiene; J. food service; K. medical and health care services; L. inmate rules and discipline; M. communication, mail, and visiting; N. admissions, orientation, classification, property control, and release; O. inmate activities, programs, and services; and P. a written suicide prevention and intervention plan. The facility administrator or designee shall review policy and procedure manuals at least once each year. The review shall be documented in written form sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

Inspection Findings:

There is no place in the policy manual for the administration to acknowledge that they have reviewed and updated policies as need on an annual basis.

Corrective Actions:

This was addressed and corrected during the on-site inspection. No further action is required at this time.

Response Needed By:

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:

The facility has been housing mixed classifications together. They have not been separating minimum and medium classified inmates.

Corrective Actions:

This was addressed during the inspection. The facility has committed to reviewing classifications of the current inmates and properly separating classifications moving forward.

Response Needed By:

3. 2911.3200 INMATE VISITATION

The facility administrator or designee shall develop and implement an inmate visiting policy. The policy shall be in writing and include: A. attorney/client interviews allowed in a manner consistent with Minnesota Statutes, section 481.10; B. a schedule of visiting hours that includes the days and times for visits that includes visits during the normal business day, and evenings or weekends; C. establishment of a uniform number of permissible visits and the number of visitors permitted per visit; D. that an adult inmate be permitted an initial visit with a member or members of the inmate's immediate family at the next regularly scheduled visiting period; E. that all facilities schedule a minimum of eight visiting hours per week: (1) a minimum of three separate and distinct visiting days per week; and (2) 20 minutes' duration minimum for each visit unless the number of persons attempting to visit exceeds the facility's ability to meet this requirement, or the inmate's behavior dictates a need to terminate a visit earlier; F. allowed visits for identified members of an inmate's immediate family; G. when a visit to an inmate is denied for reasonable grounds on the belief that the visit might endanger the security of the facility, the action and reasons for denial shall be documented; H. that visitors register, giving names, addresses, and relationship to inmate; I that any area used for inmate visiting may be subject to audio monitoring, recording, or both. The facility shall use signs and the inmate handbook to inform the inmate about audio monitoring and recording. Professional visits not be audio recorded, unless a court order has been issued; J. that policies for parents, guardians, and attorneys visiting juveniles are unrestrictive as administratively possible and the initial visit of a juvenile by parents, guardians, and attorneys be permitted at any time; K. picture identification of visitors be required for identification purposes; L. that juvenile children be allowed to visit parents, regardless of age, as deemed appropriate by the parent or guardian accompanying the child and when a dispute over children visiting occurs between the inmate and the parent or legal guardian, the inmate be referred to the court for resolution; and M. facility policy and procedures setting forth criteria for authorized friend visiting.

Inspection Findings:

There was not an advisory of visits being monitored included in the inmate handbook.

Corrective Actions:

This was addressed and corrected during the on-site inspection. No further action is required at this time.

Response Needed By:

Chapter 2911 - Essential Rules In Compliance With Concerns**Total: 3****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:

Correcting this issue would require a major facility remodel. No corrective action is required at this time.

Response Needed By:

2. 2911.4950 RESPONSE TO RESISTANCE. Subpart 4. Equipment.

The issue, storage, inspection, and use of chemical agents, impact devices, electronic control devices, and other security devices shall be governed by written policy and procedure. All unissued security devices and equipment shall be stored in a secure, readily accessible depository located outside inmate housing and activity areas, and inventoried at least monthly to determine condition and expiration dates of the devices and equipment.

Inspection Findings:

The tasers stored in the dispatch area were not included on the weekly inventory sheet.

Corrective Actions:

This was corrected during the on-site inspection. No further action is required at this time.

Response Needed By:

3. 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:

While the annual post order review is happening, there is no language in post orders that they were reviewed and updated by the facility administration.

Corrective Actions:

This was addressed during the on-site inspection. No further action is required at this time.

Response Needed By:

INSPECTION COMMENTS

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. Staff must prematurely remove intakes from this area if they have an inmate housed there. The space lacks special needs housing as the number of inmates with special needs and mental health concerns are increasing. The facility is exploring multiple solutions to help ease the issues presented in the intake area. This should be a top priority for the facility in the upcoming years.

The program and recreation area has been a concern at the jail for multiple inspections. Facility administration has taken steps to increase the use of the space effectively. While it is still a small space, the facility has provided opportunities for active recreation and is investigating additional options. The facility has installed an ITV station in the programming area that is allowing for both court appearances and a variety of educational programming conducted in coordination with nearby counties. The needs for the space has been relieved by a lower than usual population over the past two years. If detention numbers return to pre-pandemic levels, the facility may not be able to provide effective services in this area.

The healthcare area is virtually nonexistent and does not provide the space needed to operate effectively. Currently, the nurse has a desk in the dispatch area of the jail where there are high levels of traffic. There is no private space for exam or charting. All medications are being stored in the kitchen area and narcotics are stored in a locked drawer of the medication cart. These constraints do not meet the needs of the facility and do not meet current construction requirements.

The cells, day spaces and other areas within the jail do not have functioning intercoms. There are intercoms located in multiple locations, but they do not work. While this is not a violation of any 2911 rules, it is suggested that any remodeling plans include intercom systems to allow for greater inmate safety and security at the facility.

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 October 12, 2022, 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 monitoring period. 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 in-person 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: Daniel Lipa – Detention Facility Inspector

Signature:

