



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:

Fillmore County Jail

Address: 901 Houston Street, Preston, MN 55965

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Daniel Lipa – Detention Facility Inspector **Inspected on:** 05/24/2022

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

Officials Present During Inspection: Jail Administrator Jamie Fenske; Sheriff John DeGeorge

Officials Present for Exit Interview: Jail Administrator Jamie Fenske; Sheriff John DeGeorge

Issued Inspection Report to: Jail Administrator Jamie Fenske; Sheriff John DeGeorge; County Coordinator Bobbie Hillery; 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	0	3	100.00%	Compliance rating of 100%
2911	Essential	100	96	3	1	97.00%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 06/01/2022 **Ends On:** 05/31/2024 **Facility Type:** 90 Day Lockup
Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 05/31/2023
Delinquent Juvenile Hold Approval: 6 hrs **Certificate Holder:** Fillmore 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	20	70	14.00	Fillmore County's 2002 closed juvenile THF area is now used for minimum custody females. February 2017 the facility was reduced to a 90 day facility and reduced capacity from 24 to 20.	None.

RULE COMPLIANCE DETAILS

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

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:

There is no recreation area inside the facility. There is space outside when the weather is appropriate. Staff allow inmates to walk the hallways when staffing allows. The facility has purchased video game systems, but does not have equipment for cardio or strength training.

Corrective Actions:

Corrective action at this time would require substantial remodeling or expansion of the current facility. The facility shall develop and submit a written plan to come into compliance within 90 days.

Response Needed By: 08/30/2022

2. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 6. Work stoppage.

A facility shall have a written plan that provides for continuing operations in the event of a work stoppage or other job action. A copy of the plan must be available to all supervisory personnel who are required to familiarize themselves with the plan.

Inspection Findings:

The facility does not have a written plan to continue operations during a work stoppage.

Corrective Actions:

Develop and implement a written plan compliant with 2911.3700.6 within 30 days.

Response Needed By: 06/30/2022

3. 2911.4950 RESPONSE TO RESISTANCE. Subpart 5. Firearms.

Facility policy and procedure shall provide for the use of firearms and include the following: A. except in an emergency situation, firearms are not permitted within the secure perimeter; and B. there shall be a secure weapons locker located outside the security perimeter of the facility.

Inspection Findings:

The facility does not have a policy that dictates the use of firearms within the facility.

Corrective Actions:

Create a policy consistent with Rule 2911.4950.5 within 30 days.

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

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:

The policy does not address a time limit to obtain and document emergency medical information.

Corrective Actions:

This was addressed and corrected at the time of the inspection.

Response Needed By:

2. 2911.2550 RELEASES. Subpart 1. Release procedures.

A facility shall have written procedures for releasing inmates that include, at a minimum, the following: A. verification of identity; B. verification of authority to release; C. return of stored property with a receipt for the inmate to sign, unless the property is held for authorized investigation or litigation; and D. arrangements for completion of any pending action, such as grievances, or claims for damaged or lost possessions.

Inspection Findings:

Policy did not address arrangements for completing pending actions.

Corrective Actions:

This was addressed and corrected at the time of the inspection.

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:

Visiting hours were not listed for weekend visiting opportunities.

Corrective Actions:

This was addressed and corrected at the time of the inspection.

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

1. 2911.4950 RESPONSE TO RESISTANCE. Subpart 2. Instruments of restraint; limitations.

Instruments of restraint shall not be: A. used as punishment; and B. applied for any longer time than is necessary.

Inspection Findings:

The Response to Resistance and Restraints policy does not contain language compliant to Statute 241.88 for restraint of pregnant females.

Corrective Actions:

This was addressed and corrected at the time of the inspection.

Response Needed By:

INSPECTION COMMENTS

Physical Plant Deficiencies: The infrastructure of the Fillmore County Jail continues to show signs of significant deterioration, but the facility has taken an aggressive approach to ensure any deficiencies are addressed with maintenance staff in a timely manner. The County is in the process of replacing the aging jail structure with a modern design.

The facility lacks adequate program space for the population. This has been an ongoing issue for many years. Coupled with lack of educational programming, the lack of space continues to be one of the more significant concerns related to the operation of the facility. Research has shown that programs, whether educational, vocational, or recreational, help to reduce negative inmate behavior, as well as helping to reduce recidivism.

While the jail lacks adequate space and infrastructure, staff continue to make reasonable efforts to comply with Rule 2911 and serve the county population. Fillmore County is also in the planning stages of a modern jail facility that will meet all requirements.

The facility will continue on biennial inspection status.

JJDPA Compliance

On May 24, 2022 the JJDP Act audit was conducted at the Fillmore County Jail. The Fillmore County Jail is allowed to hold a delinquent juvenile up to 6 hours, excluding weekends and holidays. The three core requirements addressed in the 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 DOC Portal System, the Fillmore County Jail held or processed zero (0) juveniles during the federal fiscal year 2022. The findings are as follows:

DSO: No violations determined.

Jail Removal: No violations determined.

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation if a delinquent juvenile would have to be held. 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.

Court holding: The courtrooms do not have a secure court holding area. All delinquent juveniles are brought straight into the courtroom.

Based on the documentation reviewed, no violations of the JJDP act were determined during the Fillmore County jail inspection.

Report completed By: Daniel Lipa – Detention Facility Inspector

Signature:

