



# 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:

### Itasca County Jail

**Address:** 440 First Avenue, Grand Rapids, MN 55744

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

**Inspection Type:** Annual **Inspected By:** Jen Pfeifer – Detention Facility Inspector

**Inspected on:** 07/31/2019 to 08/14/2019

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

**Officials Present During Inspection:** Jail Administrator Lucas Thompson

**Officials Present for Exit Interview:** Assistant Jail Administrator Shawn Racine; Jail Administrator Lucas Thompson

**Issued Inspection Report to:** Jail Administrator Lucas Thompson; Sheriff Vic Williams; County Administrator Brett Skyles; Regional Manager Sherry Hill

## 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	117	5	4	96.03%	Compliance rating of 100%
2911	Essential	98	88	7	3	92.86%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** conditional approval **Begins On:** 07/01/2019 **Ends On:** 06/30/2020 **Facility Type:** Jail

**Placed on Biennial Status:** No **Biennial Status Annual Compliance Form Due On:**

**Delinquent Juvenile Hold Approval:** no approval **Certificate Holder:** Itasca 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
Minimum secure	Coed	40	100	40.00	None.	None.
Secure	Coed	58	85	49.30	None.	None.

## RULE COMPLIANCE DETAILS

**Chapter 2911 - Mandatory Rules Not In Compliance****Total: 5**

## 1. 2911.0900 STAFFING REQUIREMENTS. Subpart 11. Maintenance personnel and custody staff; separation of duties.

Maintenance personnel shall be employed to perform preventive, routine, and emergency maintenance functions. Custody staff shall not be given physical plant maintenance duties that detract from their primary responsibilities for ongoing supervision of inmates.

**Inspection Findings:**

Two custody staff members are trained in lock maintenance.

The STS crew leader and inmates perform duties such as: painting and cleaning of vents. These should be County maintenance responsibilities.

The Jail Administrator contacts and schedules the majority of maintenance and repair needs for the jail. Most of these needs are completed by outside contractors not County maintenance staff.

**Corrective Actions:**

**Maintenance functions that the Jail Administrator has been taking care of shall be reassigned to the maintenance department. A separate letter was sent to the County Administrator in regard to the staffing issues and concerns.**

**Response Needed By: 12/01/2019**

## 2. 2911.2100 STORAGE AND PRESERVATION OF RECORDS.

Space shall be provided for the safe storage of records.

**Inspection Findings:**

Storage space throughout the facility is limited. Inmate files are stored in several areas. There is a property room below the annex that is used by all County departments except for the jail. Some jail storage of records are off-site.

**Corrective Actions:**

**This is a physical plant issue that may be addressed with a meeting of department heads to prioritize what should be stored on site.**

**Response Needed By: 12/01/2019**

## 3. 2911.2500 SEPARATION OF INMATES. Subpart 1. General.

A combination of separate housing units inclusive of special management areas, general population, and minimum security areas and cells, dormitories, and dayroom spaces shall be provided to properly segregate inmates pursuant to Minnesota Statutes, section 641.14. The facility shall provide for the separate housing of the following categories of inmates: A. female and male inmates; B. community custody inmates such as work release or sentencing to service; C. inmates requiring disciplinary segregation; D. inmates requiring administrative segregation; E. juveniles who do not meet Minnesota statutory requirements for placement with adults; F. special management, general population, and minimum security inmates as considered appropriate to the facilities design intent and classification system; and G. inmates classified as mentally ill or special needs inmates in a manner consistent with Minnesota Statutes, section 253B.05.

**Inspection Findings:**

A new classification system has been implemented. However, when the main jail is operating over its approved capacity proper separation of inmates becomes very difficult.

Female work release inmates are housed with non-community release inmates in the main jail. This is not acceptable practice and the county will need to look at options for housing out this population when classification levels of separation cannot be maintained.

**Corrective Actions:**

**Continue to use the new classification system to ensure that inmates are separated according to their security classification. House out inmates that are not able to be properly separated according to their classification.**

**Response Needed By: 10/01/2019**

4. 2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE. Subpart 2. Maintenance plan.

A written housekeeping plan for all areas of the physical plant shall provide for daily housekeeping and regular maintenance by assigning specific duties and responsibilities. Facility floors are kept clean, dry, and free of hazardous substances. A written policy and procedure shall establish the following requirements: A. weekly sanitation inspections of all institution areas by a designated staff member; and B. there is documentation that deficiencies, if any, have been corrected.

**Inspection Findings:**

There is no written housekeeping plan for the jail. Some areas would be difficult to clean appropriately due to the age and construction of the jail. There is no preventative maintenance being completed.

No progress was made on this issue since the last inspection.

**Corrective Actions:**

**A separate letter was sent to the County Administrator addressing this and other maintenance standards last year but there appears to be no improvement in this area.**

**Response Needed By: 12/01/2019**

5. 2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE. Subpart 5. Cost list of needed supplies and repairs.

The facility administrator shall submit to the governing body a list of repairs and supplies needed in order to maintain the facility. This shall be done on a monthly basis or as part of the annual budget.

**Inspection Findings:**

There is no cost list of needed repairs generated by the maintenance staff. There is no preventative maintenance schedule or formal work order system. All of the repairs needed for the jail are researched, organized and ordered by the Jail Administrator primarily with outside vendors. Maintenance staff have very little duties and responsibilities in regard to the jail.

**Corrective Actions:**

**A separate letter was sent to the County Administrator addressing this and other maintenance standards after the last inspection but there has been no improvement in this area.**

**Response Needed By: 12/01/2019**

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

**Total: 7**

1. 2911.0330 APPROVED CAPACITY. Subpart 2. Approved bed capacity.

Approved bed capacity, excluding holding areas and beds designed for disciplinary or administrative segregation purposes, shall be based on the following criteria: A. single occupancy cells shall provide a minimum of 70 square feet of floor space per inmate; B. single occupancy cells or detention rooms in facilities used for detention or confinement of inmates prior to May 15, 1978, shall provide a minimum of 50 square feet of floor space per inmate; C. dormitories shall provide a minimum of 60 square feet of floor space per inmate; and D. double occupancy cells shall provide a minimum of 70 square feet of floor space.

**Inspection Findings:**

The main jail often runs over its approved capacity of 58 inmates. Inmates are housed on portable beds on many cell block floors and programs areas. This is both a safety and security issue. Additionally, these high numbers over capacity have an effect on medical, food service, mental health services, staffing, programs, storage of property and laundry. Proper classification and separation is also not able to occur when the jail is operating above its approved capacity.

**Corrective Actions:**

**Efforts shall be made to operate the main jail as close to the approved operating number as possible. Additional boarding shall be implemented to ensure that the approved capacity is not exceeded.**

**Response Needed By: 10/01/2019**

2. 2911.0360 OPERATIONAL BED CAPACITY

The operational bed capacity of the facility shall be a percentage of the approved bed capacity level to accommodate peak population demands and separation requirements, and partial closing for maintenance and housekeeping.

**Inspection Findings:**

The main jail was over its operational capacity on 23 days since the last inspection.

**Corrective Actions:**

**Continued efforts shall be made to stay as close to the approved operating numbers as possible to maintain proper separation per security classification as well as allow for maintenance in all of the cell blocks and support spaces.**

**Response Needed By:**

3. 2911.0900 STAFFING REQUIREMENTS. Subpart 17. Escort, movement, or booking staff.

Class I to Class VI facilities' staff shall be provided as follows: A. internal escort, rover, or movement officers in sufficient numbers as determined in the approved staffing plan under this subpart to ensure that inmates have access to staff, programs, activities, and services, and that the safety and security of the facility is not compromised; B. sufficient staff present to provide for the booking of offenders without a reduction in the safety or security of the facility and inmates; C. in multifloor jails, custody staff posted on each floor occupied by inmates; and D. sufficient numbers of staff to complete duties listed in post orders. Class I to Class VI facility staff shall not be used for the external transportation of inmates or court security if the level of inmate supervision, inmate admission, programs, or internal inmate movement would be reduced below minimums afforded under the facility's staffing plan.

**Inspection Findings:**

Jail custody staff is 4 full-time equivalents short. Overall staffing is 20. Approved staffing analysis requires 30 staff.

**Corrective Actions:**

**Continue efforts to hire and retain jail staff.**

**If the minimum required staffing numbers are not met, further sanctions including a reduction in approved capacity may be imposed.**

**Response Needed By:**

4. 2911.0900 STAFFING REQUIREMENTS. Subpart 5. Class I to Class VI facilities.

Class I to Class VI facilities with average daily inmate populations exceeding 30 shall have a single administrator of the facility whose duties are solely related to administration of the facility.

**Inspection Findings:**

The Jail Administrator position is overloaded with duties some of which are outside of jail administration. A list of these duties is as follows:

1. Transport deputy;
2. Advanced release planning coordinator;
3. Maintenance coordination;
4. Clerical duties such as: pay for stay and billing.
5. Court escort when that staff member is not on duty.

The duties need to be assigned to the transport division, clerical staff, maintenance staff, the program coordinator and court security.

**Corrective Actions:**

**The Jail Administrator shall not be assigned duties outside the facility or outside the role as the Jail Administrator.**

**Submit a written plan to address how these extra duties are to be assigned to other staff members or departments.**

**Response Needed By: 12/01/2019**

5. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 4. Education.

A facility shall have a written policy and procedure that provides for inmate access to educational programs, vocational counseling, and when available, vocational training. When possible, a facility shall arrange to have these educational programs delivered in classroom specifically designed and equipped for educational or vocational programming. Class I facilities are exempt from this requirement with the exception of those approved by the commissioner to house inmates serving alternative sentences. Text books necessary to complete a course of study, to the extent that local resources permit, shall be made available to inmates. The facility shall not be responsible for the purchase of text books to complete a course of study.

**Inspection Findings:**

There is no inmate educational programming.

**Corrective Actions:**

**Start efforts to find inmate educational opportunities.**

**Response Needed By:**

6. 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 a small program room but no gym area for active recreation.

**Corrective Actions:**

**This is a physical plant issue that cannot be resolved without a remodel or new facility option.**

**Response Needed By:**

7. 2911.7400 POLICIES AND PROCEDURES TO DETECT DETERIORATION OF BUILDING AND EQUIPMENT.

The facility administrator or designee shall have policies and procedures designed to detect building and equipment deterioration, safety hazards, and unsanitary conditions. Policies and procedures shall include requirements that facility staff report unsanitary and unsafe conditions as well as physical plant and equipment repairs and replacement needs; and documentation that appropriate work orders or requests for budget resources to effect needed repair, replacement, or corrections have been made.

**Inspection Findings:**

Built in 1982, the main jail continues to have physical plant issues. Plumbing infrastructure is one of the main issues, H.V.A.C. issues is another. A lack of preventative maintenance schedule, no formal work order system and little presence by County maintenance in the jail or attending to jail issues has further complicated the physical plant issues in the jail.

**Corrective Actions:**

**Increased efforts need to be made for the County to operate the current jail up to the Sunset date. Permanent fixes as opposed to temporary fixes need to occur in several areas.**

**Little to no effort appears to have been made to address this standard since the 2017 on-site inspection.**

**See inspection comments #1 Physical Plant and #2 Maintenance.**

**Response Needed By:**

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

**Total: 4**

1. 2911.0300 INTENDED USE AND NONCONFORMANCE WITH RULES Subpart 2. Nonconformance, unsafe, unsanitary, or illegal conditions.

When conditions do not substantially conform or where specific conditions endanger the health, welfare, or safety of inmates or staff, the facility's use is restricted pursuant to Minnesota Statutes, section 241.021, subdivision 1, or legal proceedings to condemn the facility will be initiated pursuant to Minnesota Statutes, section 641.26 or 642.10.

**Inspection Findings:**

Since January 1, 2019 the jail has operated over it's approved capacity on 23 different occasions.

Extreme temperature changes throughout the facility on the day of inspection. Work orders are not completed in a timely manner and preventive maintenance is essentially non-existent. The plumbing infrastructure has been a problem for several years and has lead to numerous leaking sinks in the housing units which is a slip hazard. The main jail is not A.D.A. compliant. The jail is short staffed. The security elevator for the jail is accessible to the public. There is no secure route to court or point of entry screening. Each of these issues is addressed in rule parts out of compliance or inspection comments.

**Corrective Actions:**

**Corrective actions are outlined in various places throughout this report.**

**Response Needed By: 12/01/2019**

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:**

A review of camera footage and jail logs showed improvement in this area. Well-being checks audits are also being completed. Some checks were observed to be at too fast a pace.

**Corrective Actions:**

**Remind staff members to be more deliberate on each check by slowing down their pace. Additionally, enter all housing units fully.**

**Response Needed By:**

3. 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:**

Spray bottles were found to not have original labels.

**Corrective Actions:**

**Contact vendor to obtain original labels for all spray bottles.**

**Response Needed By:**

4. 2911.6800 CONTROL. Subpart 1. Records.

Records of receipt, the quantity of the drugs, and the disposition of all prescription medications shall be maintained in detail to enable an accurate accounting.

**Inspection Findings:**

There is no inventory module currently on the electronic medical records. It is difficult to have a system to account for medications without a very time consuming work around or paper medical administration records being utilized again.

**Corrective Actions:**

**The nurse and Jail Administrator are aware of this issue and are working with the vendor to get it corrected.**

**Response Needed By:**

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

**Total: 3**

1. 2911.0900 STAFFING REQUIREMENTS. Subpart 20. Coordination of programs.

In a Class III and Class VI facility, a staff person shall be designated to coordinate educational and vocational programs, social service programs, work release, and volunteer services programs. The following minimum inmate to program staff ratio shall apply for the average daily population: A. 30 or under, program staffing needs comply with subpart 4; B. 31 to 60, one full-time program staff person; and C. over 60, program staffing needs are addressed as part of the overall facility staffing plan.

**Inspection Findings:**

Programs are very limited at the jail. Other duties that should be the responsibility of the Program Coordinator are being done by Jail Administration.

**Corrective Actions:**

**Reassign all applicable duties and responsibilities to the Program Coordinator.**

**Response Needed By:**

2. 2911.1600 DESIGNATED TRAINING OFFICER.

A facility shall have a designated training officer responsible for: A. maintenance of training plans as required in part 2911.1000; B. maintenance of training records in sufficient detail to allow inspector assessment of compliance with parts 2911.1100 to 2911.1700; and C. documentation of waivers of training requirements based on equivalent training received before employment or demonstrated competency through proficiency testing.

**Inspection Findings:**

The Captain is the designated training officer. The Jail Administrator position is overloaded with duties and responsibilities outside of jail administration.

**Corrective Actions:**

**See rule out of compliance 2911.0900 subp. #5.**

**Response Needed By:**

3. 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:**

There is a program schedule but it is limited.  
No native American programming is available.

**Corrective Actions:**

**Increased efforts need to be made in regard to offering more programs at the jail. This reduces idle time for inmates.**

**Response Needed By:**

## INSPECTION COMMENTS

The Sunset date for the Itasca County jail is September 1, 2021. There has been a set back with the new bonding deadlines. The County will have to get approval in the Spring of 2020 from the State before they can get approval locally in the fall of 2020. Since the last inspection the jail has exceeded it's allowed capacity on 23 days.

Although the jail has been placed on Sunset the county must continue to operate a constitutionally safe and sound jail. Preventative maintenance is a must and it is clear that there is no on-going maintenance in the jail. Jail staff are not to be assigned these duties. This has been an on-going issue sited in the last two inspections. A maintenance plan detailing out specific deficiencies and how they will be fixed must be submitted to the Department of Corrections by December 1, 2019. Failure to provide routine and ongoing maintenance may negatively impact your sunset date.

#1 Physical Plant constraints and deficiencies: The main jail was built in 1982 and is linear in design. This type of design is staff intensive and does not allow for good sight lines into the cell blocks. There are significant temperature changes in the main jail, cell blocks and master control. Some rooms registered 64 degrees with a hand held temperature device. The main jail is not A.D.A. compliant so any inmates with accessibility issues will need to be housed out of county when the annex, which is not an appropriate area unless the inmate is classified as minimum-security and is sentenced, is not an option. Additionally public visitation is not accessible to visitors with a disability that won't allow them to walk up and down stairs. Consequently, the inmate they want to visit would have to be brought down the annex even though they might not be a minimum security inmate.

Most support spaces are undersized and do not meet the needs of the facility:

- A. The garage sallyport is undersized. It will not fit an ambulance or transport van with lights.
- B. The inmate property room which is adjacent to the booking room is also undersized and does not meet the needs of the facility.
- C. The booking room overall is small with only two holding cells. No type of mass arrest would be possible without utilizing other areas, such as program rooms for mass holding.
- D. There is only one designated professional visitation room in the jail so the main programs room is often utilized for professional visitation.
- E. Many housing units have leaking sinks and toilets that have had work orders placed but they have not been fixed. Additionally, the two housing units that have had the bathrooms remodeled were not done with detention-grade materials. They have exposed drains with loose plumbing fixtures under the counter tops. Additionally, the handicap grab bars are not suicide-resistant. These housing units are only appropriate for inmates classified as minimum-security.



- F. Storage space throughout the jail is at a premium. Every pipe chase has items stored within them. There is a large storage area under the annex which is utilized by all County departments except for the jail.
- G. The elevator which brings meals to the annex and main jail level is also accessible to the general public. This is problematic when jail trays are on the elevator. There is also a higher risk of contraband introduction with the general public having access to this elevator.
- H. There is a small laundry room in the main jail that is utilized by the inmate worker. The room where this equipment is held is not large enough for this function.
- I. There is no dedicated health services area.
- J. Vents and sprinkler heads throughout the main jail are in need of cleaning. (Not addressed since last on-site inspection.)
- K. Areas below the main jail continue to have issues with water dripping from the pipes above.
- L. The visitation area is not able to accommodate video visitation as an option.

Based on the numerous issues with the current facility, it reaffirms the decision by the elected officials of Itasca County to construct a new facility. As noted above, until the completion of the new facility, the current facility must still operate in a constitutionally sound manner. Failure to do so may result in elevating sanctions to a higher level at an expedited rate.

The jail will remain on annual inspections.

#### JJDPA Compliance

##### Juvenile Holding

On August 1, 2019, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Itasca County Jail has no juvenile hold authority.

The Itasca County Jail does not hold or process juveniles in the secure perimeter. They have a fingerprint machine outside the secure perimeter for juveniles.

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

I did not find any violations of the JJDP act during the Itasca County Jail inspection.

**Report completed By:** Jen Pfeifer – Detention Facility Inspector

**Signature:**

