



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:** Chris Thoma – Detention Facility Inspector **Inspected on:** 06/24/2020

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

Officials Present During Inspection: Assistant Jail Administrator Shawn Racine; Jail Administrator Lucas Thompson

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

Issued Inspection Report to: Assistant Jail Administrator Shawn Racine; 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	116	9	1	92.86%	Compliance rating of 100%
2911	Essential	98	92	2	4	97.96%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 07/01/2020 **Ends On:** 06/30/2021 **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: 9**

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:

Substandard maintenance practices and an aging physical plant have contributed to significant nonconformance with the rule.

Corrective Actions:

Corrective actions are outlined in various places throughout this report.

Response Needed By: 12/01/2020

2. 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:

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 and correctional staff, not County maintenance staff.

Corrective Actions:

Maintenance functions that the Jail Administrator has been addressing shall be reassigned to maintenance personnel.

Response Needed By: 12/01/2020

3. 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.

Corrective Actions:

This is a physical plant issue that cannot be addressed without significant remodel or construction.

Response Needed By: 12/01/2020

4. 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:

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. This is a repeat violation from the 2019 inspection.

Corrective Actions:

Ensure that inmates are separated according to their security classification.

Board out inmates that are not able to be properly separated according to their classification.

Response Needed By: 12/01/2020

5. 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:

Concentrated laundry chemicals were found to be unsecured in both jail and annex.

Corrective Actions:

Provide a locking mechanisms for the concentrated laundry chemical.

Jail Administration contacted the vendor and locks were installed on 7/2/2020.

Response Needed By: 12/01/2020

6. 2911.6500 STORAGE. Subpart 6. Needles and other medical sharps.

There shall be a written policy and procedure for the control and disposal of medical sharps and supplies. Medical sharps and supplies when used or stored in inmate housing areas shall be accounted for and secured in a locked area.

Inspection Findings:

An accurate accounting of sharps was unable to be verified during the inspection.

Corrective Actions:

Establish an audit process to verify the accurate accounting of sharps such as insulin needles and lancets.

Response Needed By: 12/01/2020

7. 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:

During the inspection the receipt, quantity, and disposition on inmate medication was unable to be determined based on records reviewed.

Corrective Actions:

Work with the medical vendor to ensure an accurate accounting of inmate medication can be verified.

Response Needed By: 12/01/2020

8. 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:

Progress was made on this issue since the last inspection. Weekly inspections are being completed however there is no follow through on correcting the deficiencies noted.

Corrective Actions:

See corrective action listed in 2911.7200.5.

Response Needed By: 12/01/2020

9. 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:

Jail Administration developed maintenance plan which was submitted to, and approved by, the DOC on 12/27/2019. To date this plan has not been completed. A formal work order "Ticket" system has been put in place but is not being utilized. Maintenance staff do not have appropriate permissions in the system and are not trained on its use. There is very little to no maintenance presence in the jail or annex.

Corrective Actions:

Separate letters have been sent to the County Administrator addressing this and other maintenance standards but little if any improvement has occurred.

Response Needed By: 12/01/2020

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

1. 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:

Currently, the Jail Administrator is responsible for additional duties including maintenance management, training coordination, and other ancillary duties in violation of this part of the rule.

Corrective Actions:

The Jail Administrator shall not be assigned duties outside the facility or outside the role of 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: 12/01/2020

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:

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: 12/01/2020

Chapter 2911 - Mandatory Rules In Compliance With Concerns**Total: 1**

1. 2911.6500 STORAGE. Subpart 2. Refrigeration.

Medication requiring refrigeration shall be refrigerated and secured and the temperature checked daily. There must be separate refrigeration for medications only.

Inspection Findings:

There is a dedicated medication refrigerator and temperatures are checked and logged when the Nurse is on site. The days the Nurse is not on site the temperatures are not checked or logged.

Corrective Actions:

Assign a staff member to check and log the refrigerator temperatures on days when nursing is not available. As of the date of this report, temperature checks have been added to the daily inspections checklist.

Response Needed By:

Chapter 2911 - Essential Rules In Compliance With Concerns**Total: 4**

1. 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:

2. 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:

The program schedule continues to be limited and there is no Native American programming available.

Corrective Actions:

Continue efforts to obtain community support for Native American programming.

Response Needed By:

3. 2911.4900 SECURITY INSPECTION.

The facility shall have a written policy and procedure to require the facility administrator or designee to inspect all areas within the security perimeter, and equipment at least monthly and initiate corrective action if needed.

Inspection Findings:

The security duress alarms are not checked for functionality.

Corrective Actions:

As of the date of this report the duress alarms have been added to the monthly security inspection checklist.

Response Needed By:

4. 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:

The main jail continues to have physical plant issues including the HVAC and plumbing systems. Monthly security inspections are in place to identify problems but there is no follow through. This inspector is aware of several work orders that have been submitted but not addressed. Some dated back to February and March of 2019.

Corrective Actions:

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

Increased efforts need to be made for the County to operate the current jail up to the Sunset date.

Response Needed By: 10/01/2020

INSPECTION COMMENTS

On April 23, 2020, the Sunset date for the Itasca County jail was extended to May 1, 2023 provided the County meet specific benchmarks. The first benchmark required formal board resolution stating the intentions of how the county intends to resolve current deficiencies by July 1, 2020. On June 23, 2020, the Itasca County Board of Commissioners approved a new correctional facility build site directly west of the current Courthouse. The second benchmark required Itasca County to have plan and design submitted to the DOC for approval by May 1, 2021. The third benchmark required all processes necessary to transition into the facility by May 1, 2023. The fourth benchmark required the County to provide resources noted in the "Required Maintenance Plan" dated December 27, 2019. As of the date of this report, the County has failed to meet the approved maintenance plan. The following list details the areas in which the county has been unsuccessful in meeting benchmark four.

1. HVAC

- a. 12 cell space temperature sensors have not been relocated to address temperature issues in the facility. (One sensor has been moved.)
- b. The flexible air distribution ducting has not been inspected and repaired or replaced were needed.
- c. Vents have been vacuumed but not cleaned. Air diffusers have been manufactured but have not been installed.
- d. No annual preventative maintenance schedule has been developed or implemented.
- e. The facility could provide no documentation of quarterly preventative maintenance on the air handling units for the Jail nor the annex.

2. Plumbing

- a. Water shut offs in the catwalks to isolate affected cells have not been installed.
- b. Quarterly inspections of plumbing in both the jail and annex are not scheduled.

3. Roof

- a. The roof has been inspected and repaired but there are still leaks in the 2nd floor main jail bathroom and the annex server room.

4. Locks

- a. Lock mechanisms and parts for the annex have been ordered but only half have been installed.

5. Floors

- a. The South side of the annex has not been striped and waxed.
- b. No schedule for the weekly cleaning with the auto scrubber has been developed. The floors on the North side of the annex have not been auto scrubbed since waxing.

Although the jail has been placed on sunset, the county must continue to operate a constitutionally safe and sound jail for inmates, staff, and visitors of the facility. Preventative maintenance is a must and, while issues are being identified by jail administration, it is clear that there is no on-going or consistent maintenance in the jail. Failure to provide routine and ongoing maintenance may negatively impact the sunset date or cause condemnation proceedings to begin under MSS 241.021.

The jail will remain on annual inspections.

JJDPA Compliance

On June 24, 2020, 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: Chris Thoma – Detention Facility Inspector

Signature:


