



# 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:

### Lake Of The Woods County Jail

**Address:** 206 Eighth Avenue, SUITE 300, Baudette, MN 56623

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

**Inspection Type:** Annual **Inspected By:** Troy Okerlund – Detention Facility Inspector **Inspected on:** 08/03/2022 to 08/15/2022

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

**Officials Present During Inspection:** Jail Administrator Tami Maurer

**Officials Present for Exit Interview:** Jail Administrator Tami Maurer

**Issued Inspection Report to:** Jail Administrator Tami Maurer; Sheriff Gary Fish; County Auditor Lorene Hanson; Regional Manager Jake McLellan

## 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	128	117	3	8	97.66%	Compliance rating of 100%
2911	Essential	96	91	2	3	97.92%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** approval **Begins On:** 09/01/2022 **Ends On:** 08/31/2023 **Facility Type:** 72 Hour Holding

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

**Delinquent Juvenile Hold Approval:** no approval **Certificate Holder:** Lake Of The Woods 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	7	80	5.60	None.	72 hour holds.

## RULE COMPLIANCE DETAILS

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

1. 2911.2525 ADMISSIONS. Subpart 3. Orientation to rules and services.

A facility shall develop a written policy and procedure that provides: A. a method for all newly admitted inmates to receive orientation information in a manner the inmates can understand; and B. documentation by a statement that is signed and dated by the inmate that the inmate completed orientation.

**Inspection Findings:**

The facility does not have clear documentation by a statement that is signed and dated by the inmate that the inmate completed orientation.

**Corrective Actions:**

**The facility must add documentation by a statement that is signed and dated by the inmate that the inmate completed orientation.**

**Response Needed By: 01/11/2023**

2. 2911.3800 FOOD HANDLING PRACTICES.

Food service shall be provided according to Minnesota Department of Health rules.

**Inspection Findings:**

The jail staff prepare the meals. Most are prepackaged meals. It was determined that the facility would need a license to prepare breakfast for the inmates per MN Public Health (Food, Pools, Lodging). The jail learned this on or about 8-9-22 and is working to correct the issue.

**Corrective Actions:**

**Follow the directives set forth by the MN Dept. of Health. At the time of this report the facility stated there working with the MDH to create a workable plan. The facility has consulted with a dietitian who has approved menu items that can be prepared and served within the jail. After receiving guidance from MDH, the jail plans to use completely disposable items. The jails application to MDH is pending at the time of this report.**

**Response Needed By: 10/18/2022**

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:**

The inspector reviewed video of multiple facility staff conducting well-being checks. Review of six rounds identified four of the checks out of compliance due to staff moving too quickly. Additional review of another six rounds identified one checks out of compliance due to staff moving too quickly. Signs of life such as movement, rise and fall of chest and other signs of life would be difficult to determine at such a quick pace. Additionally, one of the checks exceeded 30 minutes.

**Corrective Actions:**

**Establish a written documented audit process to evaluate the quality and timeliness of well-being checks performed by staff.**

**Response Needed By: 10/18/2022****Chapter 2911 - Essential Rules Not In Compliance****Total: 2**

1. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 5. Substance abuse programs.

A facility shall have a written plan for providing services for inmate chemical dependency issues.

**Inspection Findings:**

The administration is currently working on a plan that provides inmate access to substance abuse programs.

**Corrective Actions:**

**A facility shall have a written plan for providing services for inmate chemical dependency issues.**

**Response Needed By:**

2. 2911.4200 THERAPEUTIC DIETS. Subpart 1. Medical diets.

A facility housing inmates in need of medically prescribed therapeutic diets shall have documentary evidence that the diets are dietitian-approved and provided as ordered by health services. A healthier general menu contributing to the management of chronic diseases may minimize the need for medical diets.

**Inspection Findings:**

At the time of the inspection, jail did not have documentation that medically prescribed therapeutic diets are dietitian-approved.

**Corrective Actions:**

**The jail was already working on this issue at the time of inspection. Dietitian-approved medically prescribed therapeutic diets shall be documented.**

**Response Needed By: 01/11/2023**

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

**Total: 8**

1. 2911.0900 STAFFING REQUIREMENTS. Subpart 1. Staffing plan and staffing analysis.

The facility administrator shall prepare and retain a staffing plan. The staffing plan shall identify: A. jail personnel assignments for: (1) facility administration and supervisors; (2) facility programs including exercise and recreation; (3) inmate admission, booking, supervision, and custody; (4) support services including medical, food services, maintenance, and clerical; and (5) other jail-relevant functions such as escort and transportation of inmates; B. the days of the week that the assignments are filled; C. the hours of the day that the assignments are covered; and D. any deviations from the plan with respect to weekends, holidays, or other atypical situations must be considered. The facility administrator or designee shall review the facility's staffing plan at least once each year. The review shall be documented in written form sufficient to indicate that staffing plans have been reviewed and revised as appropriate to the facility's needs or referred to the facility's governing body for funding consideration. A facility with a design capacity of more than 60 beds must have a staffing analysis and staffing plan approved by the commissioner of corrections. This staffing analysis shall include all posts, functions, net annual work hours appropriate to each post, and total number of employees to fill the identified posts and functions.

**Inspection Findings:**

A review was performed but not documented in written form sufficient to indicate that staffing plans have been reviewed and revised as appropriate to the facility's needs or referred to the facility's governing body for funding consideration.

**Corrective Actions:**

**The review shall be documented in written form sufficient to indicate that staffing plans have been reviewed and revised as appropriate to the facility's needs or referred to the facility's governing body for funding consideration.**

**Response Needed By:**

2. 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:**

The jail consists of 3 housing units. A minimum-security dorm, a 2 single cell unit, and a 3 bed general population unit. Proper separation is difficult to maintain with the current facility.

**Corrective Actions:**

**The facility is no longer approved to house special management. This is a physical plant constraint that needs to be addressed with a remodel or new facility. The jail will have to work diligently to ensure proper classification or inmates will need to be housed in other counties.**

**Response Needed By:**

3. 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 plan didn't note location of alarms and fire fighting equipment, however the Jail Administrator did have that documentation elsewhere.

**Corrective Actions:**

**Facility will add location of alarms and fire fighting equipment to the Emergency plan.**

**Response Needed By:**

4. 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:**

Within the program room there are multiple cords coming from the wall. The cords look to be long enough and strong enough to be used for a ligature.

**Corrective Actions:**

**The cords must be removed or secured so inmates no longer have access to them.**

**Response Needed By:**

5. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 3. Health care policy review.

Facility policy shall ensure that each policy, procedure, and program in the health care delivery system is reviewed and documented at least annually under the direction of the health authority and revised as necessary.

**Inspection Findings:**

The signed statement and documentation regarding the role of the health authority is ambiguous when reviewing the documentation.

**Corrective Actions:**

**Documents should better clarify how the health authority and health care personnel addressed the following rules; 2911.1350, 2911.5800.1, 2911.5800.2, 2911.5800.3, 2911.5800.6, 2911.5800.9, 2911.6200.2a, 2911.6200.3, 2911.6400, 2911.6600.1, 2911.6600.5, 2911.6600.10, 2911.6600.14, 2911.6600.16, 2911.6600.15.**

**Response Needed By:**

6. 2911.6700 ADMINISTRATION. Subpart 1. Injection.

Medication administered by injection shall be given by a physician or health care personnel.

**Inspection Findings:**

Newly drafted policy states inmates will be allowed to self-administer injections under the direct supervision of a corrections officer.

**Corrective Actions:**

**Under the rule the only injection allowed to be administered in front of a health trained staff is insulin. Injection: Medication administered by injection shall be given by a physician or health care personnel.**

**Response Needed By:**

7. 2911.6700 ADMINISTRATION. Subpart 3. Topical medication.

Topical medications and eye or ear drops may be permitted for inmate self-administration as directed and observed by health care personnel.

**Inspection Findings:**

Newly drafted policy states inmates will be allowed to self-administer medications under certain circumstances to include nitroglycerin, inhalants, eye or ear drops and ointment's.

**Corrective Actions:**

**Topical medications and eye or ear drops may be permitted for inmate self-administration as directed and observed by health care personnel. A video visit from a RN, LPN, nurse practitioner, physician, or physician assistant would meet this requirement.**

**Response Needed By:**

8. 2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE. Subpart 1. General.

A facility shall have a policy and procedure that provides that the facility shall: A. be kept in good repair to protect the health, comfort, safety, and well-being of inmates and staff; B. document weekly sanitation inspections; and C. document deficiencies from the weekly sanitation inspection, if any, have been ordered.

**Inspection Findings:**

The facility is starting to show its age with paint peeling from the pod floors and damage from water intrusion in storage areas.

**Corrective Actions:**

**The facility shall be kept in good repair to protect the health, comfort, safety, and well-being of inmates and staff.**

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

1. 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 jail does not have sufficient program space available. No clear document for programs offered and inmates participating in programs was on file.

**Corrective Actions:**

**This is a physical plant constraint that needs to be addressed with a remodel or new facility. The jail must document programs offered and inmates participating in programs.**

**Response Needed By:**

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 not a recreation area. The facility is trying to make the most of the limited space and has provided an exercise bike.

**Corrective Actions:**

**Due to the facilities Class I status, they are exempt from creating a recreation plan. The facility houses alternative sentence inmates who can serve up to a year within the facility. Additionally, some of these inmates on work release status may spend days in the jail without recreational activity. It is recommended the facility try to provide as much physical activity to inmates as space will allow. This is a physical plant constraint that needs to be addressed with a remodel or new facility.**

**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 facility allows inmates to leave the secure perimeter while escorted to access a vending machine in the jail lobby area.

**Corrective Actions:**

**It is recommended that this practice be discontinued or altered so inmates no longer have to leave the secured area. Additionally this area should be inspected within the secure perimeter inspection if inmates have regular access to it.**

**Response Needed By:**

## INSPECTION COMMENTS

The facility has recently voluntarily reduced from Class II to Class I status (secure adult detention facility used to confine inmates for a time not to exceed 72 hours excluding holidays or weekends). The class reduction has resulted in the removal of the facility's 2023 sunset status. Additionally, the facility was approved by the DOC Commissioner to house inmates serving alternative sentences.

The facility's jail administrator has made significant progress in bringing the facility to operate under consistent compliance with the rule. The facility has completely rewritten the jail's policies and procedures. With such a large and significant undertaking, it is commonplace to have a few policies or procedures that need modification. As noted in this inspection most of those policy issues were identified and in the process of being corrected at the time of inspection.

A significant hurdle for the facility is becoming compliant with the Minnesota Department of Health. On or about August 9, the facility learned that a food beverage and lodging license is required if the facility wants to continue to prepare and serve meals. Due to the age and size of the facility significant remodel and or addition is required if the facility wants to continue with the preparation and serving of meals within the facility. The facilities age and size continue to hinder the facility from running a robust operation at its previous levels. With reducing class and relying on outside vendors the facility can become compliant with Minnesota rule in those areas. It is strongly recommended that facility staff and leadership develop a plan that addresses the Lake of the Woods County long-term jail detention needs.

## JJDP A Compliance

On August 3rd, 2022, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Lake of the Woods County Jail has no approval to hold juveniles. All juveniles that need to be held are taken to the Northwestern Minnesota Juvenile Center in Bemidji, MN.

According to facility records no juveniles were held or processed at the jail for the federal fiscal year 2021-22.

Report completed By: Troy Okerlund – Detention Facility Inspector

Signature: \_\_\_\_\_

