



**Central Office**

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April 19, 2024

Sheriff Barry Fitzgibbons  
Otter Tail County Sheriff's Office  
417 South Court Street, Level 1-A  
Fergus Falls, MN 56537

**Re: Conditional License Order**

Dear Sheriff Fitzgibbons:

As you know, the Minnesota Department of Corrections (DOC) issued a Conditional License Order on March 14, 2024, after the DOC determined that the Otter Tail County Jail had failed to substantially conform to minimum standards required under Minnesota Rules Chapter 2911. In part, this Conditional License Order reduced the Otter Tail County Jail from a Class III Facility license to a Class I Facility license, effective March 21, 2024.

In addition to the reduction of the facility class license, the Conditional License Order placed strict timelines on other terms the Otter Tail County Jail must meet, for the DOC to consider reinstating the Otter Tail County Jail back to a Class III Facility license.

Since the issuance of the order, the DOC's Inspection and Enforcement Unit conducted a follow-up site visit on April 10, 2024. This follow-up visit consisted of a physical plant tour, staff interviews, staff training documentation reviews, a review of updated policies and procedures, and a review of Otter Tail County's plan to ensure an incident like the incident outlined in the Conditional License Order does not happen again.

Based on the information submitted by the Otter Tail County Sheriff's Office (specifically the Otter Tail County Jail's Plan for continued compliance, dated April 12, 2024), in conjunction with the DOC's on-site inspection of the Otter Tail County Jail on April 10, 2024, the DOC is reinstating the Otter Tail County Jail to a Class III Facility license, effective upon receipt of this letter, and contingent upon written confirmation from Otter Tail County acknowledging and agreeing to its contents.

At that time, the Otter Tail County Jail may return to full operations of a Class III facility, in accordance with Minn. R. 2911.0200, Subp. 13.

With the reinstatement of the Otter Tail County Jail to a Class III Facility license, specific terms in the Conditional License Order remain in effect, and the Otter Tail County Jail will remain on a conditional license status, and subject to the following conditions:

1. The facility shall report weekly to the DOC on all inmates assigned to administrative segregation, including by providing documentation that all inmates on this status were afforded daily requirements as outlined in Minnesota Rules Chapter 2911;
2. The facility shall report weekly to the DOC on all inmates assigned to disciplinary segregation, including by providing documentation that all inmates on this status were afforded daily requirements as outlined in Minnesota Rules Chapter 2911;
3. The DOC shall conduct unannounced and random facility visits to ensure the facility's ongoing compliance with Minnesota Rules Chapter 2911; and
4. The DOC shall monitor the facility's implementation and compliance with all staff training curriculum and requirements. This includes all full-time staff, part-time staff, court-security staff, programming staff, and anyone responsible for the supervision of inmates.
5. While Minn. R. 2911.2800 subp. 4B, and Minn R. 2911.2850 subp. 3E, requires the facility administrator or designee to visit all inmates in administrative and disciplinary segregation status at least once every seven days, given the nature of the incident the DOC would encourage this visit take place once every 3 days as a part of the administrative or disciplinary segregation review process.
6. Further, while Minn. R. 2911.2800 subp. 7, and Minn. R. 2911.2850 subp. 4 do not outline timelines required for the frequency of deprivation reporting, given the nature of the incident the DOC would encourage the facility administration review of all deprivation reports to take place within 24 hours, including weekends and holidays, and to document this review.

The lifting of the Conditional License Order will be determined once the full facility inspection of the Otter Tail County Jail is completed in the fall of 2024.

If you have any questions, please do not hesitate to reach out to facility inspector Jake Nelson at [jacob.t.nelson@state.mn.us](mailto:jacob.t.nelson@state.mn.us) or 651-440-3126.

Sincerely,

A black rectangular redaction box covering the signature of Paul P. Schnell.

Paul P. Schnell, Commissioner  
Minnesota Department of Corrections

Cc: Beth Carlson, Jail Administrator, Otter Tail County Sheriff's Office  
Kurt Mortenson, Otter Tail County Board of Commissioners  
Greg Huska, Inspector General, Minnesota Department of Corrections