



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:

Lyon County Jail

Address: 611 W Main, PO BOX 28, Marshall, MN 56258

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Sarah Johnson – Senior Detention Facility Inspector **Inspected on:** 10/03/2019

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

Officials Present During Inspection: Jail Administrator Brad Marks

Officials Present for Exit Interview: Jail Administrator Brad Marks; Sheriff Eric Wallen

Issued Inspection Report to: Jail Administrator Brad Marks; Sheriff Eric Wallen; County Administrator Loren Stomberg; 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	122	1	3	99.21%	Compliance rating of 100%
2911	Essential	101	97	3	1	97.03%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 12/01/2019 **Ends On:** 11/30/2021 **Facility Type:** Jail

Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 11/30/2020

Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Lyon 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	88	85	74.80	None.	None.

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance**Total: 1**

1. 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 well-being checks are being done in a timely manner but it was noted that during sleeping hours staff completed the well-being checks at a pace that was too fast to be regarded as a well-being check.

Corrective Actions:

Well-being checks need to be completed at a pace that verifies all inmates are ok. Staff need to have a review of policy or retraining on how proper well-being checks are completed. It is strongly recommended that the Jail Administrator be reviewing video of well-being checks. Submit corrective action of proper well-being checks to the Department of Corrections for review.

Response Needed By: 11/30/2019**Chapter 2911 - Essential Rules Not In Compliance****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:

There is a programs person assigned to the jail but their primary duties are focused on being a medical liaison.

Corrective Actions:

The lack of programs in this facility are evident. The programs staff is not able to address any of the programing needs for this facility. The lack of programs is detrimental to the overall function of a jail. It is strongly suggested to address the medical needs of this facility through additional medical staff and allow the program staff to provide and implement programs for inmates.

Response Needed By:

2. 2911.1400 ADMINISTRATIVE AND MANAGERIAL STAFF TRAINING.

A facility shall have a written policy and procedure that provides that the facility's administrative and managerial staff receive at least 16 hours of orientation. Orientation training shall include, at a minimum, general management and related subjects, data practices, decision-making processes, labor law, employee-management relations, the interaction of elements of the criminal justice system, and relationships with other service agencies. After orientation, a facility's administrative and managerial staff shall receive at least 16 hours of training annually.

Inspection Findings:

The facility's Jail Administrator has not received the required 16 hours of administrative training for the year.

Corrective Actions:

It is recommended the Jail Administrator receive training as it pertains to the management and operations of running a jail.

Response Needed By:

3. 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:

Currently, there are not educational services for the jail.

Corrective Actions:

It is recommended to investigate educational services through community resources to be able to provide education and vocational services to inmates.

Response Needed By:

Chapter 2911 - Mandatory Rules In Compliance With Concerns

Total: 3

1. 2911.1350 MEDICAL TRAINING FOR CUSTODY STAFF.

By policy and procedure a training program shall be established by the facility administrator in cooperation with the health authority, that provides instruction in the following areas: A. first aid training for custody personnel responsible for the supervision, safety, and well-being of prisoners; B. recognition of signs and symptoms of illness and knowledge of action required in potential emergency situations; C. administration of first aid and cardiopulmonary resuscitation (CPR). Recertification training shall occur as required with respect to first aid and CPR. The training shall be documented; D. methods of obtaining assistance; E. recognition of signs and symptoms of mental illness, developmental disabilities, emotional disturbance, and chemical dependency; and F. procedures for inmate transfers to appropriate medical facilities or other health care providers.

Inspection Findings:

Staff will be receiving mental health training and medical training recognizing signs and symptoms of illness and knowledge of action required in medical emergency situations coming up this fall.

Corrective Actions:

It is imperative that Lyon County still plan to provide medical training and mental health training for all staff. Staff must be able to address the medical and mental health needs of inmates.

Response Needed By:

2. 2911.2600 CLASSIFICATION OF INMATES. Subpart 1. Policy and procedure.

A facility shall have a written policy and procedure that provides for inmate classification in terms of level of custody required, housing assignment, participation in facility programs, and use of any overrides. The facility's policy and procedure on classification shall include consideration of the following: A. inmate gender; B. juvenile or adult status; C. category of offense; D. severity of current charges, convictions, or both; E. degree of escape risk; F. potential risk of safety to others and self; G. institutional disciplinary history; H. serious offense history; I. special needs assessment, inclusive of vulnerable adults, which includes a determination of how medical needs, mental health needs, developmental disability, or other behavioral or physical limitations or disabilities may impact on the classification of an inmate and appropriate housing of same; and J. special management inmate status.

Inspection Findings:

There have been plans in place to update to a previously approved classification system but the county is having issues adding it to their booking program.

Corrective Actions:

Continue to work with the software vender to get the proper classification system in place. If this is not a viable solution, the County must go back to paper forms to meet this requirement. Staff will need to be trained on the new classification system. Notify the Department of Corrections when the updated classification system is in place.

Response Needed By:

3. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 1. Availability of resources, general.

Under the direction of a health authority, a facility shall develop a written policy and procedure that provides for the delivery of health care services, including medical, dental, and mental health services.

Inspection Findings:

See Medical Comments.

Corrective Actions:

NA.

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

1. 2911.1300 CUSTODY STAFF TRAINING.

A facility shall have a written policy and procedure that provides that all custody staff receive 120 hours of orientation and training during the first year of employment. Forty of these hours are completed prior to being independently assigned to a particular post. All persons in this category are given an additional 16 hours of training each subsequent year. At a minimum, training completed before independent assignment to a particular post shall include: A. security procedures; B. supervision of inmates; C. signs of suicide risk and suicide precautions; D. vulnerable inmates; E. response to resistance regulations and tactics; F. report writing; G. inmate rules and regulations; H. rights and responsibilities of inmates; I. fire and emergency procedures; J. key control; K. interpersonal relations and communication skills; L. diversity training; M. distribution of medications; N. right to know; and O. blood-borne pathogens and communicable diseases.

Inspection Findings:

See Training Comments.

Corrective Actions:

NA.

Response Needed By:

INSPECTION COMMENTS

MEDICAL CONCERNS

The facility has a new medical provider that is also providing the jail with new nurses. Currently, the program staff is utilizing their time to address medical service needs for this facility and not the needed inmate programming. With the increased medical care inmates require, it is imperative for the facility to have medical services that focuses on inmate care and provides a level of service that allows the program's staff to focus on programs. It is strongly recommended Lyon County continue to increase medical services to address the medical needs of inmates and relieve line staff of medical duties.

STAFFING

Line Staff: Lyon County is at minimum staffing for the jail but has steadily increased jail population in the past couple of years. They also have an above average population of inmates requiring mental health service. In 2018, Lyon County reported 25 percent of their inmates required a mental health referral at intake, above the state's average. On a regular basis, Lyon County Jail has one or two inmates waiting for a civil commit and the high rate of inmates that are mentally ill is extremely taxing on staff. It is recommended Lyon County address future staffing needs as the inmate population increases and the staffing the jail requires to deal with inmates with mental illness.

TRAINING

Staff at Lyon County are receiving the required 16 hours a year training but 70 percent of line staff have less than two years experience and the jail sergeants have less than four years experience. The training needs for this facility is a concern with the lack of experience the jail staff has. It is imperative the sergeants get additional leadership and jail training needed to confidently run the jail and supervise line staff when administration is not available. It is also imperative to provide training to line staff that is more in-depth such as the Jail Academy or West Central Jail Conference.

Lyon County Jail will continue to be on a biennial inspection.

JJDPA Compliance

Compliance Report for the Monitoring Facilities Pursuant to the Juvenile Justice and Delinquency Prevention Act of 2002:

On October 3rd, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Lyon County Jail has received a "Rural Exception" to the Juvenile Justice and Delinquency Prevention Act (JJDP). This allows the facility to hold a delinquent juvenile up to 24 hours, excluding weekends and holiday. There are three core requirements that are looked at during our facility review. Those core requirements 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 Statewide Supervision System, the Lyon County Jail held or processed zero (0) juveniles during the federal fiscal year 2019. I reviewed approximately 100 percent of the year 2018 juvenile data and files. The findings are as follows:

DSO: I did not find any violations of the facility holding status offenders in the jail. Upon review of the files, indication was that children that were brought into the facility were indeed there for delinquent offenses.

Jail Removal: Files and Statewide Supervision System data indicate that any juvenile brought into the jail are removed well within the 24 hour time frame allowed per the "Rural Exception."

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation. This includes the route taken to Court. The Lyon County Jail has a separate area designated for juveniles located off of the booking area. Juveniles have a separate entrance into the jail facility.

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

Court holding- Lyon County does now have a secure court holding. The court rooms are time phased for juveniles to be taken first in the morning or last in the afternoon. This allows for proper sight and sound separation in the courtroom area from adult inmates.

Policies- Lyon County updated the juvenile policies and they are clear and well written.

Based on the documentation that I reviewed, Lyon County had zero (0) violations of the JJDP act during the Lyon County inspection.

Report completed By: Sarah Johnson – Senior Detention Facility Inspector

Signature: _____

