



Facility Inspection Report Issued By The Minnesota Department of Corrections Pursuant to MN Statute 241.021, Subdivision 1

Inspection and Enforcement Unit, 1450 Energy Park Drive, Suite 200, St.Paul MN 55108
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INSPECTION DETAILS FOR:

MCF-Red Wing

Address: 1079 Highway 292, Red Wing, MN 55066

MN Governing Rule: 2960 Children's Residential Facility

Inspection Type: Annual **Inspected By:** Lisa Becking – Senior Detention Facility Inspector **Inspected on:** 01/20/2021 to 01/21/2021

Inspection Method: This 2 day follow up inspection consisted of walkthrough of resident units, review of resident files, incident reports, logs and other pertinent documentation, interviews with staff.

Officials Present During Inspection: Warden Shon Thieren; AWO Tammy Wherley; Associate Warden of Administration James Schaffer

Officials Present for Exit Interview: Captain Erik Meier; Warden Shon Thieren; Associate Warden of Administration James Schaffer

Issued Inspection Report to: Warden Shon Thieren; AWO Tammy Wherley; Regional Manager Dayna Burmeister

RULE COMPLIANCE SUMMARY

Rule Chapter	Requirement Type	Total Applicable	Total Compliance	Total Non Compliance
2960	Mandatory	316	314	0

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 04/01/2021 **Ends On:** 03/31/2022 **Facility Type:** Secure Juvenile Detention/Residential Facility

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

Delinquent Juvenile Hold Approval: **Certificate Holder:** Minnesota Department of Corrections
1079 Highway 292
Red Wing, MN 55066

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	Pre 96 LTSR	Post 96 LTSR	Bed Details	Conditions
Interchangeable secure residential/detention	Male	27	100	27.00	0	0	Unit Name: MCF-RW - Dayton.	None.
Non-secure residential	Male	88	100	88.00	0	0	Unit Name: MCF-RW.	None.

RULE COMPLIANCE DETAILS

Chapter 2960 - Mandatory Rules In Compliance With Concerns**Total: 2****1. 2960.0050 RESIDENT RIGHTS AND BASIC SERVICES. Subpart 1. Basic rights.**

A resident has basic rights including, but not limited to, the rights in this subpart. The license holder must ensure that the rights in items A to R are protected: A. right to reasonable observance of cultural and ethnic practice and religion; B. right to a reasonable degree of privacy; C. right to participate in development of the resident's treatment and case plan; D. right to positive and proactive adult guidance, support, and supervision; E. right to be free from abuse, neglect, inhumane treatment, and sexual exploitation; F. right to adequate medical care; G. right to nutritious and sufficient meals and sufficient clothing and housing; H. right to live in clean, safe surroundings; I. right to receive a public education; J. right to reasonable communication and visitation with adults outside the facility, which may include a parent, extended family members, siblings, a legal guardian, a caseworker, an attorney, a therapist, a physician, a religious advisor, and a case manager in accordance with the resident's case plan; K. right to daily bathing or showering and reasonable use of materials, including culturally specific appropriate skin care and hair care products or any special assistance necessary to maintain an acceptable level of personal hygiene; L. right of access to protection and advocacy services, including the appropriate state appointed ombudsman; M. right to retain and use a reasonable amount of personal property; N. right to courteous and respectful treatment; O. if applicable, the rights stated in Minnesota Statutes, sections 144.651 and 253B.03; P. right to be free from bias and harassment regarding race, gender, age, disability, spirituality, and sexual orientation; Q. right to be informed of and to use a grievance procedure; and R. right to be free from restraint or seclusion used for a purpose other than to protect the resident from imminent danger to self or others, except for the use of disciplinary room time as it is allowed in the correctional facility's discipline plan.

Inspection Findings:

Concerns pertain to "B. Right to reasonable degree of privacy", regarding unclothed body searches when residents enter the Dayton Secure Unit (DSU). MCF-Red Wing conducts full unclothed, visual staff, body searches on every youth each time they enter DSU, regardless of the situation or the youth's needs. Searches need to be conducted in a way that allows for a degree of privacy in a manner that is mindful of the youth's trauma, mental health needs, and developmental level while maintaining security for the facility. It is traumatic for victims of sexual abuse to stand fully unclothed in front of adult male staff.

Corrective Actions:

Create a plan that provides a continuum for searches. From a clothed pat down with wand, to a partially clothed and visual search to a fully unclothed including visual search.

Considerations regarding privacy should include at a minimum; reason for placement in DSU, past victimization, resident developmental level, mental health concerns, length of time required in DSU and level of security threat while in DSU.

Response Needed By:**2. 2960.0710 RESTRICTIVE PROCEDURES CERTIFICATION. Subpart 8. Disciplinary room time use.**

Disciplinary room time must be used only for major violations and be used according to the facility's restrictive procedures plan. In addition to the restrictive procedures plan requirements in subpart 2, the license holder who uses disciplinary room time must meet the following requirements: A. the license holder must give the resident written notice of an alleged violation of a facility rule; B. the license holder must tell the resident that the resident has a right to be heard by an impartial person regarding the alleged violation of facility rules; and C. the license holder must tell the resident that the resident has the right to appeal the determination made by the impartial person in item B internally to a higher authority at the facility.

Inspection Findings:

Disciplinary Room Time is used in accordance with the rule requirements, however, there is concern due to the individual mental health and trauma needs of each resident that may not be taken into consideration. Alternatives and a clear consistent process for DRT should continue to be a focus moving forward.

Corrective Actions:

Continue working toward a new approach to DRT. Past trauma, mental health issues, individual needs and abilities should all be considered. This should be a team approach. Adequate educational services for residents in DRT continues to be a concern.

Response Needed By:

INSPECTION COMMENTS

Sections of 2960 that are applicable to this facility include: Administrative Standards, Group Residential, Secure, Detention, Corrections, and Restrictive Procedures certifications. Inspection results are contained in the various sections of this report.

The following comments and concerns are a result of the inspection. While these may not be specific rule violations, these are areas that provided constructive feedback to help address potential facility issues. It should be noted that this was a 2-day inspection, focusing primarily in the areas identified in last year's inspection findings.

Comments:

1. The facility response to COVID-19 follows CDC guidelines and included masks for residents and staff, ample amounts of hand sanitizer, temperature checks and screening questions for all staff and visitors prior to entering the secure areas.
2. Facility staff have been actively engaging youth on the units when conflict begins. They are working to decrease the use/need for DRT and deescalating residents to prevent large incidents. The comparison between numbers last year to this year shows an obvious decrease.
3. Many facilities are struggling to complete training requirements due to COVID-19. This was not the case at this facility. Staff appear to be on track and should have their hours completed on schedule.
4. Areas of the report that are listed as, YES, With Concerns, require a completion date of April 30, 2021.

Overall, the inspection went very well. We were able to have great discussions with staff and administration. I would like to sincerely thank you for your cooperation during this licensing visit. Please contact me if you have any questions regarding any licensing or this this inspection report. I can be reached at 507-382-9791.

JJDPa Compliance

This federal compliance review is completed by staff at the Department of Public Safety.

Report completed By: Lisa Becking – Senior Detention Facility Inspector

Signature: _____

