



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:

Mille Lacs County Jail

Address: 640 Third Street, Milaca, MN 56353

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Chris Thoma – Detention Facility Inspector **Inspected on:** 06/11/2020

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

Officials Present During Inspection: Assistant Jail Administrator Heather Stephens; Jail Administrator Bradley Hunt; Sheriff Don Lorge

Officials Present for Exit Interview: Assistant Jail Administrator Heather Stephens; Jail Administrator Bradley Hunt

Issued Inspection Report to: Assistant Jail Administrator Heather Stephens; Jail Administrator Bradley Hunt; Sheriff Don Lorge; County Administrator Pat Oman; 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	123	2	1	98.41%	Compliance rating of 100%
2911	Essential	100	95	3	2	97.00%	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: 6 hrs **Certificate Holder:** Mille Lacs 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	147	85	124.95	None.	None.

RULE COMPLIANCE DETAILS

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

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' 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:

The current staffing plan does not meet the minimum staffing requirements for the facility.

Corrective Actions:

See staffing comments.

Response Needed By: 12/01/2020

2. 2911.0900 STAFFING REQUIREMENTS. Subpart 26. Ancillary functions.

Personnel shall be provided to perform ancillary functions such as transportation or court escort to the extent necessary to ensure that security, supervision of inmates, the administration of program activities, and the efficient operation of the facility are not reduced or jeopardized by such activities.

Inspection Findings:

Ancillary duties such as court and transports are being completed by an internal movement officer.

Corrective Actions:

See staffing comments.

Response Needed By: 12/01/2020**Chapter 2911 - Essential Rules Not In Compliance****Total: 3**

1. 2911.0900 STAFFING REQUIREMENTS. Subpart 17. Escort, movement, or booking staff.

Class I to Class VI facilities' staff shall be provided as follows: A. internal escort, rover, or movement officers in sufficient numbers as determined in the approved staffing plan under this subpart to ensure that inmates have access to staff, programs, activities, and services, and that the safety and security of the facility is not compromised; B. sufficient staff present to provide for the booking of offenders without a reduction in the safety or security of the facility and inmates; C. in multifloor jails, custody staff posted on each floor occupied by inmates; and D. sufficient numbers of staff to complete duties listed in post orders. Class I to Class VI facility staff shall not be used for the external transportation of inmates or court security if the level of inmate supervision, inmate admission, programs, or internal inmate movement would be reduced below minimums afforded under the facility's staffing plan.

Inspection Findings:

Under the current staffing plan the escort/movement officer post is assigned court duties that detract from the assigned jail duties and compromise the safety and security of the facility.

Corrective Actions:

See staffing comments.

Response Needed By: 01/01/2021

2. 2911.2800 ADMINISTRATIVE SEGREGATION. Subpart 4. Policy.

Written policy and procedure shall provide that the status of inmates in administrative segregation is reviewed every seven days. These policies shall provide: A. that the review is documented and placed in the inmate's file; B. that the inmate in administrative segregation receive visits from the facility administrator or designee a minimum of once every seven days as a part of the administrative review process; and C. that the review process that is used to release an inmate from administrative segregation is specified.

Inspection Findings:

Administrative segregation reviews are not being completed every 7 days. A form has been developed but is not being utilized.

Corrective Actions:

Begin utilizing the form to document the administrative review of inmates on segregation.

Response Needed By: 12/01/2020

3. 2911.2850 INMATE DISCIPLINE PLAN. Subpart 3. Due process.

Disciplinary segregation shall be used only in accordance with due process to include at a minimum: A. published rules of conduct and penalties for violation of rules; B. written notice of alleged violation of a rule; C. the right to be heard by an impartial hearing officer and to present evidence in defense: (1) the inmate may waive the hearing in writing; and (2) a written record is made of the disciplinary hearing and sanctions or other actions taken as a result of the hearing; D. the right to appeal; E. the status of an inmate placed on disciplinary segregation for more than 30 continuous days subsequent to a disciplinary hearing shall be reviewed, approved, and documented by the facility administrator or designee at least once every 30 days, and the facility shall develop written policy, procedure, and practice that provides that inmates in disciplinary segregation receive visits from the facility administrator or designee at least once every seven days as a part of the disciplinary segregation review process; F. an inmate placed in segregation for an alleged rule violation shall have a disciplinary hearing within 72 hours of segregation, exclusive of holidays and weekends, unless documented cause can be shown for delays. Examples of causes for delay are inmate requests for delay, or logistical impossibility, as in the case of mass disturbances; and G. the facility administrator or designee can order immediate segregation when it is necessary to protect the inmate or others. This action is reviewed and documented within three working days.

Inspection Findings:

Administrative reviews of disciplinary segregation are not being completed every 7 days. A form has been developed but is not being utilized.

Corrective Actions:

Begin utilizing the form to document administrative reviews of disciplinary segregation.

Response Needed By: 12/01/2020

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

Physical Plant concerns.

The linear style portion of the facility built in the mid 1970's is in need of significant repair, renovation, or replacement. See physical plant comments.

Corrective Actions:

An overall plan of action is needed to address the physical plant constraints and deficiencies noted in this inspection.

Response Needed By:

Chapter 2911 - Essential Rules In Compliance With Concerns**Total: 2****1. 2911.2600 CLASSIFICATION OF INMATES. Subpart 2. Status change.**

The inmate classification plan shall specify criteria and procedures for determining and changing the status of an inmate, including custody, transfers, override functions, and major changes in programs. The plan shall include an appeal process for classification decisions. The use of any override shall be documented.

Inspection Findings:

The facility has developed a comprehensive initial classification plan and has provisions in place for re-classification. However, the re-classification process does not account for essential behavior based criteria.

Corrective Actions:

Refine the re-classification scoring system to include behavior based criteria in the calculation.

Response Needed By:**2. 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 is conducting security inspections weekly. A form has been developed and is being utilized but does not include the testing of inmate intercoms for communication with staff.

Corrective Actions:

Ensure the intercoms in each cell and dayroom are operational.

Response Needed By:**INSPECTION COMMENTS**

Overall, the operation and administration of the Mille Lacs County Jail is at a high level of compliance. With the exception of staffing and physical plant issues, Administration has made significant improvements.

STAFFING:

Staffing in the Mille Lacs County Jail is still not in compliance. The staffing deficiencies that were identified in the 2019 inspection have not been corrected.

The facilities staffing plan calls for the following 24 hour posts 7 day a week;

Tango Unit - direct supervision - 24/7

Huber unit - direct supervision - 24/7

Med/Max - indirect supervision Linear - 24/7

Master Control - remote - 24/7

Internal Movement - intermittent - 24/7

Given the calculated annual net work hours and relief factors for these posts, each post requires 5 FTE's. The facility currently operates with 2 FTE's assigned to the Internal Movement post. In addition, the duties assigned to this post include ancillary duties to court and court holding. This practice violates the rules under Chapter 2911.0900.01 Staffing Plan, and Chapter 2911.17 Escort, movement, booking staff, and 0900.26

After discussion during the exit interview, it was determined that if court were held via ITV in the secure perimeter it would still detract from the inmate supervision duties assigned to the Internal Movement post.

The facility must immediately stop using the Internal Movement Officer as court security. The Internal Movement post may not leave the secure facility or be used for internal court functions unless additional staffing is available.

In addition, The facility is required to come into compliance with the approved staffing plan by December 1, 2020.

Physical Plant Concerns:

It is evident that Administration takes pride in the cleanliness of the facility. Daily operational measures are taken to address a number of issues. However, the following concerns exist.

Linear indirect supervision (Units F, G, J, and M):

The linear supervision portion of the facility built in the mid 1970's is in need of significant repair and/or renovation. The design allows for no natural light and has poor sightlines for the observation of inmates. The concrete masonry units blocks in the showers are degrading to the point that paint will not adhere. It appears the HVAC system is incapable of adequately exhausting moisture from these areas exacerbating the problem. New shower curtain retention devices need to be replaced the zip ties that are used throughout the facility. The cast iron plumbing in this area is over 40 years old and has had repairs that include the use of residential sink drain parts.

Medical unit:

The medical unit is drastically undersized. The Nurse's station shares office space with the exam room, storage, and pharmacy.

Laundry and Kitchen:

Both the laundry and the kitchen are undersized for the number of inmates served. When housing additions were made in 1999 and 2007 the size of these core functions was not increased. The circulation in the kitchen is hindered by a lack of storage causing racks and equipment to be kept in travel ways.

Huber:

The showers are in need of repair to prevent further deterioration.

Intake:

This facility processes almost 3000 inmates a year. The intake area has 5 cells but only one with a toilet. This increases movement and slows productivity in the area as staff are required to bring inmates to the bathroom as needed.

Programing:

Inmate programing is extensive and diverse. The Program Staff have an excellent relationship with community partners including ministerial, education, and Native American groups. The only drawback to inmate programing is the lack of programing space. The facility has 2 program rooms (one male and one female) that can only accommodate 18 inmates.

Well-Being Checks:

The well-being checks reviewed were all within the time limits and completed at a pace to ensure inmates were not in duress. Administration is working on developing a supervisory tool to spot check the quality of staff well-being checks.

JJDPA Compliance

On June 11, 2020, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Mille Lacs County jail has 6 hour hold approval. This allows the facility to hold a delinquent juvenile up to 6 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 facility records, the Mille Lacs County Jail held or processed 49 juveniles between October 1, 2019 and the day of the inspection. There is also a nonsecure holding room in the Sheriff's office and a holding cell.

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

Jail Removal: There were no violation for this core requirement.

Sight and Sound separation: The facility design and policies allow for proper sight and sound separation. This includes the route taken to Court holding. Policies and the court schedule also indicate proper sight and sound separation are maintained.

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

Based on the documentation that I reviewed, the facility had no violations of the JJDP act during the Mille Lacs County inspection.

Report completed By: Chris Thoma – Detention Facility Inspector

Signature:

