



# 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: Northeast Regional Corrections Center (ACF)

**Address:** 6102 Abrahamson Road, Saginaw, MN 55779

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

**Inspection Type:** Annual **Inspected By:** Jen Pfeifer – Detention Facility Inspector **Inspected on:** 10/29/2019 to 11/05/2019

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

**Officials Present During Inspection:** Staff Supervisor Patrick Krause; Staff Supervisor Katy O'Sullivan; Superintendent Phil Greer

**Officials Present for Exit Interview:** Staff Supervisor Patrick Krause; Superintendent Phil Greer

**Issued Inspection Report to:** Executive Director Kay Arola; Superintendent Phil Greer; County Administrator Kevin Gray; 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              | 121              | 2                    | 3                              | 98.41%            | Compliance rating of 100%              |
| 2911         | Essential        | 101              | 98               | 3                    | 0                              | 97.03%            | Compliance rating of 90%               |

## TERMS OF OPERATION

**Authority to Operate:** conditional approval **Begins On:** 11/01/2019 **Ends On:** 10/31/2020 **Facility Type:** Adult Correctional Facility

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

**Delinquent Juvenile Hold Approval:** no approval **Certificate Holder:** Arrowhead Regional Corrections

**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 |
|----------------|--------|-------------------|---------------------|----------------------|-------------|------------|
| Minimum secure | Male   | 124               | 100                 | 124.00               | None.       | None.      |
| Secure         | Male   | 20                | 90                  | 18.00                | None.       | None.      |

## RULE COMPLIANCE DETAILS

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

## 1. 2911.1900 POLICY AND PROCEDURE MANUALS.

A facility shall have a written policy and procedure manual that is electronically available to staff and relevant regulatory authorities and defines the philosophy and method for operating and maintaining the facility. This manual shall be made available to all employees, reviewed annually, updated as needed, and staff trained accordingly. The manual shall include, at a minimum, the following chapters: A. correctional standards required under this chapter; B. administration and organization; C. fiscal management; D. personnel; E. training; F. inmate records; G. safety and emergency; H. security and control; I. sanitation and hygiene; J. food service; K. medical and health care services; L. inmate rules and discipline; M. communication, mail, and visiting; N. admissions, orientation, classification, property control, and release; O. inmate activities, programs, and services; and P. a written suicide prevention and intervention plan. The facility administrator or designee shall review policy and procedure manuals at least once each year. The review shall be documented in written form sufficient to indicate that policies and procedures have been reviewed and amended as appropriate to facility changes.

**Inspection Findings:**

The facility policy is still out-of-date. Efforts have been made to update this manual as well as implementing Lexipol policies. Continued effort needs to be made on this project to ensure consistency in operations.

This was noted in the last inspection.

**Corrective Actions:**

**Submit completed and updated policy manual to facility inspector for review.**

**Response Needed By: 04/01/2020**

## 2. 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:**

Tool control for most of the outbuildings; greenhouse, vehicle garage, and the maintenance building needs to be a priority. Although these buildings have been cleaned and organized a comprehensive tool control plan and procedures are needed.

**Corrective Actions:**

**Develop and implement improved tool control measures for the outbuildings.**

**Response Needed By: 04/01/2020****Chapter 2911 - Essential Rules Not In Compliance****Total: 3**

## 1. 2911.0900 STAFFING REQUIREMENTS. Subpart 7. Assistant jail administrator.

Where the custodial responsibility of inmates exceeds 60, an assistant jail administrator shall be required. Assistant jail administrators shall not be classified as custody personnel whose primary duties are supervision of inmates.

**Inspection Findings:**

The facility does not have an Assistant Superintendent. They utilize the 3 Unit Supervisors and Shift Coordinators to comply with this rule requirement.

**Corrective Actions:**

**It is recommended that a true Assistant Superintendent position be filled as the combination of the 3 unit supervisors is not meeting the needs of the facility or the intent of this rule. This would alleviate some overloaded positions and improve efficiencies.**

**Response Needed By: 04/01/2020**

## 2. 2911.3500 VOLUNTEERS.

When volunteers are used in facility programs, a written policy and procedure shall provide that a staff member is responsible for coordinating the volunteer service program. The policy includes the following elements: A. lines of authority, responsibility, and accountability for the volunteer services; B. a procedure for the screening and selection of volunteers; C. an orientation training program appropriate to the nature of the assignment; D. a requirement that volunteers agree in writing to abide by all facility rules and policies, with emphasis on security and confidentiality of information; and E. a statement that the administrator may discontinue a volunteer activity at any time by written notice.

**Inspection Findings:**

There is no formal orientation program that volunteers receive.

They are given a background check and meet with the Program Director but they are not given information on responsibility and accountability, and they do not sign a statement agreeing to the rules and policies of the facility.

**Corrective Actions:**

**Ensure that volunteers are given an orientation process prior to meeting with inmates at the facility. Include all elements in the rule and files should be kept on each volunteers with documentation of orientation and any training the facility provides.**

**Response Needed By: 04/01/2020**

## 3. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 4. Reporting of unusual occurrences.

Incidents of an unusual or serious nature shall be reported within ten days of the incident in writing to the Department of Corrections in the format required by the department. The reports shall include the names of persons involved, staff and inmates, nature of the unusual occurrence, actions taken, and the date and time of the occurrence. Unusual occurrences requiring reporting to the DOC include such occurrences as: A. attempted suicide; B. suicide; C. homicide; D. death, by means other than suicide or homicide; E. serious injury or illness subsequent to detention including incidents resulting in hospitalization for medical care; F. hospitalization associated with mental health needs; G. attempted escape or escape from a secured facility; H. incidents of fire requiring medical treatment of staff or inmates or a response by a local fire authority; I. riot; J. assaults of one inmate by another that result in criminal charges or outside medical attention; K. assaults of staff by inmates that result in criminal charges or outside medical attention; L. injury to inmates through response to resistance by staff controlling inmate behavior; M. occurrences of infectious diseases and action taken relative to same when a medical authority has determined that the inmate must be isolated from other inmates; and N. reporting of all notices of intent to file litigation against the facility resulting from matters related to the detention or incarceration of an inmate; O. sexual misconduct, such as inmate on inmate, staff on inmate, and inmate on staff; and P. use of sexual materials, electronic media for sexual purposes, or both. In the event of an emergency such as serious illness or injury where death may be imminent, individuals designated by the inmate shall be notified. Permission for notification, if possible, shall be obtained from the inmate.

**Inspection Findings:**

Required incidents are not being reported.

**Corrective Actions:**

**This was discussed at length at the time of the inspection and I am confident these will be reported in the time allotted and as required going forward.**

**Response Needed By: 01/01/2020**

**Chapter 2911 - Mandatory Rules In Compliance With Concerns****Total: 3**

## 1. 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:**

Separation policies need revision.

**Corrective Actions:**

**Revise separation policies to ensure consistency with current practices.**

**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:**

Classification scale needs to have updated Chapter 2911 terminology added.

With the addition of the Secure unit, inmates at a higher classification level that have had downward departures in their sentences have been sent to the facility. The classification tool has been revised and will be reviewed as a part of the next on-site inspection to see if it is meeting the needs of the facility.

**Corrective Actions:**

**Efforts need to continue to pre-screen inmates to help ensure that inmates of the appropriate classification are housed at this facility.**

**Response Needed By:**

3. 2911.6200 MEDICAL AND DENTAL RECORDS. Subpart 6. Transfer of records.

A facility shall have a written policy and procedure regarding the transfer of health records and information that establishes the following requirements: A. summaries or copies of the health record are sent to the facility to which the inmate is transferred. Upon the request and written authorization of the inmate, physicians or medical facilities in the community shall be provided health record information; and B. The facility administrator or designee, which may include the responsible physician, health care personnel, or health-trained staff of the facility from which the inmate is being transferred, shall minimally share with the facility administrator of the facility designated to receive the inmate information regarding the inmate's medical management, security, and ability to participate in programs. In the absence of informed consent forms signed by the inmate involved, the information may be provided in summary manner to ensure a level of medical care consistent with the inmate's needs.

**Inspection Findings:**

There continues to be an issue with the exchange of medical information between NERCC and the St. Louis County Jail. Both facilities have been communicating about this issue but it has come up a few times and continues to effect continuity of care for the residents.

**Corrective Actions:**

**Although some improvement has been demonstrated, a long-term, permanent solution to this issue needs to be found so that this issue does not continue to occur.**

**Response Needed By:**

**INSPECTION COMMENTS****#1 Physical Plant:**

Education building roof continues to have water issues when the ice and snow melt.

GFI's were shown to be tripped and could not be reset.

HVAC issues continue to be an issue in the kitchen area, as this was not replaced during the last remodel.

Outbuildings: Plans for a new processing house have been developed, but are at a stand still for the time being. When plans are developed they shall be reviewed by the D.O.C. for approval.

The Grainary building shows a significant amount of exterior deterioration.

**#2 Operational Concerns:**

Culture change continues to progress.

Training records have shown great improvement. They were well organized and the new system that has been implemented is working.

There is currently no crew waiting/locker room area for the residents. This has resulted in an excessive amount of storage in the dorm areas. Since most work is done outside the facility it is hard to keep these areas clean. This amount of clothing is also a potential for contraband introduction and increased time with facility searches and shakedowns. Crowding in the sleeping areas is becoming more and more apparent.

A small area has been set aside for this and plans are to use it in the near future. It is recommended that the crew waiting area/locker room be constructed as soon as possible.

The facility is transitioning to Lexipol. This has proved to be a lengthy and time consuming project. Policies are sent out for staff review as they are completed but most of the manual is still outdated.

The facility will remain on annual inspections.

**JJDPA Compliance**

On October 29, 2019 a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Northeast Regional Corrections Center has no approval to hold delinquent juveniles.

According to facility records N.E.R.C.C. held or processed 0 (zero) juveniles between October 1, 2019 and the day of inspection.

DSO: I did not find any violations of the facility holding any status offenders.

Jail Removal: Juveniles are not brought to N.E.R.C.C. unless certified as adults.

Sight and Sound Separation: The facility houses no delinquent juveniles.

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

Based on these facts and documentation that I reviewed, I did not find any violations of the JJDP act during the N.E.R.C.C. inspection.

**Report completed By:** Jen Pfeifer – Detention Facility Inspector

**Signature:**



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