



# 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  
Telephone: 651-361-7146 Fax: 651-642-0314 Email: ie-support.doc@state.mn.us

## INSPECTION DETAILS FOR:

### Otter Tail County Jail

**Address:** 416 S Mill Street, Fergus Falls, MN 56537

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

**Inspection Type:** Biennial **Inspected By:** Sarah Johnson – Senior Detention Facility Inspector **Inspected on:** 11/06/2019

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

**Officials Present During Inspection:** Jail Administrator James Stewart

**Officials Present for Exit Interview:** Jail Administrator James Stewart

**Issued Inspection Report to:** Jail Administrator James Stewart; Sheriff Barry Fitzgibbons; County Administrator John Dinsmore; 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	127	124	3	0	97.64%	Compliance rating of 100%
2911	Essential	100	98	1	1	99.00%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** conditional approval **Begins On:** 01/01/2020 **Ends On:** 12/31/2021 **Facility Type:** Jail

**Placed on Biennial Status:** Yes **Biennial Status Annual Compliance Form Due On:** 12/31/2020

**Delinquent Juvenile Hold Approval:** 24 hrs exclusive of weekends and holidays **Certificate Holder:** Otter Tail Sheriff's Department

**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	111	90	99.90	None.	None.

## RULE COMPLIANCE DETAILS

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

See comments on separation requirements.

**Corrective Actions:**

NA.

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

## 2. 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:**

A review of video of staff completing well-being checks showed well-being checks out of compliance. 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:**

**It is imperative that staff complete proper well-being checks in a timely manner. Proper well-being checks need to be within 30 minutes of each other and staggered in time and route, as this will increase facility and staff safety. Staff will need to have a review of policy on how proper well-being checks are completed. It is strongly recommended to have the Jail Administrator or designee review staffs' well-being checks by video and jail logs on a regular basis to monitor and correct any areas of deficient well-being checks.**

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

## 3. 2911.5550 LOCKS AND KEYS. Subpart 1. General.

Keys or other access control devices to security locks shall be properly tagged and stored in a secure cabinet within a secure area, and out of reach of the inmates or the public. At least one complete functional set of facility keys shall be kept on hand for replacement or emergency purposes. Keys that serve a critical security purpose shall be easily identifiable and never issued except upon order of the facility administrator or person in charge, and according to established procedure. No security keys shall be made available to inmates regardless of status.

**Inspection Findings:**

The facility does not have procedures or documentation for their key control.

**Corrective Actions:**

**Staff need procedures in place to have proper key control such as documenting the receiving or passing from one staff member to another. It is recommended staff utilize the jail log and the shift exchange to document receiving or passing of the keys from one staff to another.**

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

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

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:**

Inmate re-classification appears to lack needed documentation when an inmate changes status in the facility either due to behavior or custody change. Also, classification status on inmates are not reviewed for continued proper classification.

**Corrective Actions:**

**It is recommended when an inmate has a change in status, a re-classification should be completed and should include proper documentation as to why. It is also recommended that classifications on all inmates are reviewed on a monthly basis to show continued proper classification.**

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

1. 2911.4950 RESPONSE TO RESISTANCE. Subpart 4. Equipment.

The issue, storage, inspection, and use of chemical agents, impact devices, electronic control devices, and other security devices shall be governed by written policy and procedure. All unissued security devices and equipment shall be stored in a secure, readily accessible depository located outside inmate housing and activity areas, and inventoried at least monthly to determine condition and expiration dates of the devices and equipment.

**Inspection Findings:**

The monthly security equipment check does not include the restraint chair or flex cuffs.

**Corrective Actions:**

**It is recommended to add the restraint chair and flex cuffs to the monthly security inspection. The restraint chair should be checked for condition and to confirm it is operable. Also, it is imperative the facility have enough security equipment such as flex cuffs to evacuate the whole facility in the event of an evacuation emergency.**

**Response Needed By:**

## INSPECTION COMMENTS

Separation requirements: The Otter Tail County Jail properly classifies the different female populations, but they do not properly separate them. The facility places all minimum and general female populations in the dorm housing unit. All maximum custody females are placed in a four cell single bed unit and they routinely have multiple maximum custody females. Jail dorm units can only be used for minimum classification inmates and not general population inmates due to the inability to individually lock down. The facility will have to separate out all general population females from the minimum dorm unit. The facility may require to find additional housing within the facility or board out the general population female inmates. The officials of Otter Tail County will need to submit to the Department of Corrections a corrective action plan to address this requirement.

Jail population growth: The jail's inmate population has increased 30 percent in the last 10 years at a steady rate and the inmate population continues to increase each year. With the increase in jail population, the county will need to look at the staffing levels and the supervisory roles of the jail sergeants. In a facility of this size with an average inmate population of 87 inmates, it is time to readdress the roles of the jail sergeant as a stand alone supervisory position. With the increase in daily operations that a jail requires when the population gets to this level, it is strongly recommended jail add additional staffing to allow the sergeants to be in a supervisory role with daily supervisory duties.

Physical plant: The jail was built in 1987 and is reflective of jails built in that time period. The Master Control center is antiquated and there is an overall lack of storage space and program space for the facility. Even with multiple housing units, special management cells are at a minimum. The jail is showing overall wear for its age and it is recommended to plan for the future needs of this facility and the public safety needs of the community.

Based on the overall inspection rating, the Otter Tail County Jail will remain on biennial inspection status.

### JJDPA Compliance

On November 6th, 2019, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Otter Tail 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 Otter Tail County Jail held or processed zero (0) juveniles during the time frame from the beginning of the current Federal fiscal year October 1, 2019 to the day of inspection. 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 children 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 allow for proper sight and sound separation in the booking area. This includes the route taken to Court holding. 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, I did not find any violations of the JJDP act during the Otter Tail County inspection.

**Report completed By:** Sarah Johnson – Senior Detention Facility Inspector

**Signature:**

