



# 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:

### Pennington County Jail

**Address:** 102 W First Street, PO BOX 484, Thief River Falls, MN 56701

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

**Inspection Type:** Biennial **Inspected By:** Troy Okerlund – Detention Facility Inspector **Inspected on:** 05/25/2023 to 06/01/2023

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

**Officials Present During Inspection:** Assistant Jail Administrator Jo Williams; Jail Administrator Dave Cassanova; Program Coordinator Travis Black

**Officials Present for Exit Interview:** Jail Administrator Dave Cassanova; Program Coordinator Travis Black

**Issued Inspection Report to:** Jail Administrator Dave Cassanova; Sheriff Ray Kuznia; County Board of Commissioners Kevin Erickson; Regional Manager Jacob McLellan

## 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	102	95	2	5	98.04%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** approval **Begins On:** 07/01/2023 **Ends On:** 05/31/2025 **Facility Type:** Jail  
**Placed on Biennial Status:** Yes **Biennial Status Annual Compliance Form Due On:** 05/31/2024  
**Delinquent Juvenile Hold Approval:** 24 hrs exclusive of weekends and holidays **Certificate Holder:** Pennington 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	92	90	82.80	None.	None.

## RULE COMPLIANCE DETAILS

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

## 1. 2911.2525 ADMISSIONS. Subpart 1. Policies and procedures.

A facility shall have written policies and procedures for processing new inmates to the facility to include, at a minimum, the following: A. obtaining and documenting available emergency medical information within two hours of admission; B. verification of court commitment papers or other legal documentation of detention. Verification shall include checking the date of admission, duration of confinement, and specific charges; C. a search of the inmate and the inmate's possessions; D. inventory and storage of the inmate's personal property; E. initial medical screening to include an assessment of the inmate's health status, including any medical or mental health needs; F. telephone calls made by the inmate during the booking and admission process and prior to assignment to other housing areas; G. shower and hair cleansing; H. issue of bedding, clothing, and personal hygiene items according to the rule requirements applicable to the anticipated length of stay of the inmate; I. photographing and fingerprinting including notation of identifying marks or unusual characteristics such as birthmarks or tattoos; J. interviewing to obtain the following identifying data: (1) name and aliases of person; (2) current address, or last known address; (3) health insurance information; (4) gender; (5) age; (6) date of birth; (7) place of birth; (8) race; (9) present or last place of employment; (10) emergency contact including name, relation, address, and telephone number; and (11) additional information concerning special custody requirements or special needs; K. initial classification of the inmate and assignment to a housing unit; L. an assigned booking number; and M. Social Security number, driver's license number, or state identification number, if available.

**Inspection Findings:**

The facility is using a modified version of the approved brief jail mental health screen. The modified form has the 8 required questions however it appears to be missing the exact referral instructions.

**Corrective Actions:**

**The facility must use the unmodified mental health screening forms that are approved by the Commissioner of Corrections per 641.15 Sub 3a. Discontinue use of modified forms and only use the approved forms that were provided by inspector.**

**Response Needed By: 08/01/2023**

## 2. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 1. Emergency plan.

A facility shall have a written disaster plan. The plan shall include policies and procedures designed to protect the public by securely detaining inmates who represent a danger to the community or to themselves when the facility must be evacuated in total. The plan shall also include: A. location of alarms and fire fighting equipment; B. an emergency drill policy as follows: (1) at least annual drills at all facility locations; and (2) drills shall be conducted even when evacuation of extremely dangerous inmates may not be included; C. specific assignments and tasks for personnel; D. persons and emergency departments to be notified; E. procedure for evacuation of inmates; and F. arrangements for temporary confinement of inmates.

**Inspection Findings:**

The facility has not performed a full-scale annual drill within the last year.

**Corrective Actions:**

**The facility must conduct a full-scale annual drill meeting all of the requirements within the rule.**

**Response Needed By: 11/01/2023****Chapter 2911 - Essential Rules Not In Compliance****Total: 2**

## 1. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 1. Written plan.

A facility administrator or designee shall have and implement a written plan for the constructive scheduling of inmate time. The plan shall: A. identify programs offered in the facility and when the programs are offered; B. identify persons conducting the program and whether or not the persons are facility staff, external community resources under contract, or volunteers; C. be consistent with established legal rights of inmates, type and status of inmates detained in the facility, and rule requirements associated with the facility's classification; D. provide inmates with the option to refuse to participate in facility programs, except work assignments and programs required by statute or court order; E. when males and females are housed in the same facility, provide comparable opportunities for participation in programs and services; and F. require documentation of programs offered and inmates participating in programs.

**Inspection Findings:**

Currently there is only opportunities for males to participate in sentence to serve (STS).

**Corrective Actions:**

**The facility must review it's process for selecting individuals to participate in STS and make changes so that all genders are provided the same opportunities to participate in programming and other services.**

**Response Needed By: 08/01/2023**

2. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 2.A. Arrangements for religious services and counseling.

A facility shall have either a chaplain with the minimum qualifications of clinical pastoral education or equivalent specialized training and endorsement by the appropriate religious certifying body or a community clergy consultant meeting the qualifications to assist the facility administrator in arranging for religious services and counseling as requested. No inmate shall be required to attend religious services. Religious services shall be held in a location that the inmates who do not wish to participate are not exposed to the service. Attendance or lack of attendance at religious services shall not be considered a criterion for rights or privileges within the facility. The facility administrator or designee in cooperation with the chaplain or community religious resource, plans, directs, and advises on aspects of the religious program, including approval and training of both lay and clergy volunteers from faiths represented by the inmate population. When a religious leader of an inmate's faith is not represented through chaplaincy staff, community religious resources, or volunteers, the chaplains or community religious resource shall assist the inmate in contacting such a person. That person shall have the appropriate credentials from that faith judicatory and may minister to the inmate with the approval of the chaplain or community religious resource. An inmate requesting private interviews or counseling in a setting not capable of being audio monitored with chaplaincy staff, community religious resources, or volunteers, or persons with the approval of the chaplain or community religious resource shall be given the opportunity within the policies as are reasonable and necessary to protect the facility's security. Bibles or sacred books of another religion may be made available to inmates by the facility, through local library or other community resources and limited to the inmate's period of confinement.

**Inspection Findings:**

The facility does not have a chaplain or clergy consultant meeting the qualifications of the rule. Currently the facility does not have a religious figure assisting the Jail Administrator or designee oversee the religious programming or the approval and training of religious volunteers within the facility.

**Corrective Actions:**

**The facility must add a religious figure meeting the qualifications required within the rule.**

**Response Needed By: 11/01/2023**

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

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 appears to be constantly reviewing, assessing, and updating sections of their policy. However, the policy is in digital format and documentation in written form sufficient to indicate that the entire policy has been reviewed in the past year was not readily available.

**Corrective Actions:**

**The facility must ensure that the policy is reviewed annually and that the review is documented in written form to adequately show the policy has been reviewed.**

**Response Needed By:**

**Chapter 2911 - Essential Rules In Compliance With Concerns****Total: 5**

1. 2911.1600 DESIGNATED TRAINING OFFICER.

A facility shall have a designated training officer responsible for: A. maintenance of training plans as required in part 2911.1000; B. maintenance of training records in sufficient detail to allow inspector assessment of compliance with parts 2911.1100 to 2911.1700; and C. documentation of waivers of training requirements based on equivalent training received before employment or demonstrated competency through proficiency testing.

**Inspection Findings:**

The facility has training records for their employees however it was difficult to determine the type of training, hours attended, and how many training hours each employee had annually. Because of this, it is hard to determine if staff are meeting the training requirements in the rule.

**Corrective Actions:**

**It is recommended that the facility develop a document that allows inspectors to easily and quickly determine if employees have met the required training.**

**Response Needed By:**

2. 2911.2700 INFORMATION TO INMATES. Subpart 1. Information made available to inmates.

Copies of policies and rules governing conduct and disciplinary consequences; procedures for obtaining personal hygiene and commissary items; and policies governing visiting, correspondence, bathing, laundry, and clothing and bedding exchange shall be made available to all inmates. Information will be made available to disabled inmates including those that are hearing impaired, visually impaired, or unable to speak in a form that is accessible to them. Information required under this subpart shall be available in English. There shall be procedures in place to address the language barriers of non-English-speaking inmates. Policy and procedures shall ensure, to the extent practical, that inmates who are unable to speak English are provided with the information outlined in this part within 24 hours of admission to the facility in a form that is accessible to the inmate.

**Inspection Findings:**

The facility does have some framework for providing inmates with language barriers information required within the rule, but improvements could and should be made. The jail administrator was actively working to update and improve resources and materials available to staff and inmates, at the time of the inspection .

**Corrective Actions:**

**The jail administrator should continue to add and refine the processes that will aid inmates with language barriers in receiving and understanding all of the required information within the rule.**

**Response Needed By:**

3. 2911.2700 INFORMATION TO INMATES. Subpart 2. Program options and activities.

An inmate shall be provided written information on program options and activities within 24 hours of admission, excluding weekends and holidays. A facility staff member shall review program options and activities with inmates who are unable to read, within 24 hours of admission, excluding weekends and holidays. A Class I facility is exempt from this requirement with the exception of those approved by the commissioner to house inmates serving alternative sentences.

**Inspection Findings:**

The facility is attempting to provide all necessary information to inmates through a digital format and in paper when required. Inmates do receive some program information digitally but, in some rare cases, new inmates may not receive the entirety of the program options and activities within 24 hours.

**Corrective Actions:**

**The facility must continue to work towards ensuring inmates receive a copy of program options and activities in a format that they can understand within 24 hours of admission excluding weekends and holidays.**

**Response Needed By:**

4. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 7. Recreation plan.

The facility administrator or designee shall have a plan providing opportunities for physical exercise and recreational activities for all inmates consistent with the facility's classification and design. Class I facilities are exempt from this requirement. The plan shall include policies and procedures necessary to protect the facility's security and the welfare of inmates. Policy and procedure shall provide: A. inmates with access to recreational opportunities and equipment, including seven hours of physical exercise or recreation outside the cell and adjacent dayroom areas per week; B. recreational opportunities a minimum of five days per week; C. indoor space and equipment for active recreational activities in all Class II to Class VI facilities; D. outdoor recreational space and equipment for outdoor recreational programming in all Class VI facilities. The space and equipment shall be provided in a manner consistent with the facility's security classification; E. passive and active recreation needs and equipment for a variety of inmates consistent with the facility's classification and offenders served. As an example, activity needs of geriatric, disabled, or geriatric and disabled offenders shall be addressed; F. inmates in segregation with a minimum of one hour a day, seven days a week, of exercise outside the inmates' cells, unless security or safety considerations dictate otherwise; and G. discretionary access by inmates on segregation status to the same recreational facilities as other inmates unless security or safety considerations dictate otherwise. When inmates on segregation status are excluded from use of regular recreation facilities, the alternative area for exercise used shall be documented.

**Inspection Findings:**

During the inspection supervisory staff relayed to the inspector that they have a plan that addresses the activity needs of geriatric and disabled offenders. Although not required under the rule, this plan was not a written plan and may not be known to all correctional staff.

**Corrective Actions:**

**It is recommended that the recreation plan be written so correctional staff can provide a consistent and transparent approach for the recreational needs of inmates who are geriatric or disabled.**

**Response Needed By:**

## 5. 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:**

The facility was unable to locate written agreement signed by the volunteers that they will abide by facility rules.

**Corrective Actions:**

**At the time of the inspection the facility was already working to secure new signatures from the volunteers indicating that they will abide by facility rules. The facility is continuing to look for the original signed agreements.**

**Response Needed By:**

## INSPECTION COMMENTS

The Pennington County Jail has demonstrated a high level of compliance with well-being checks. This can most likely be attributed to extensive and thorough training along with a comprehensive audit program. Additionally medical staff also demonstrated a high level of compliance with medication counts along with adherence to rules and statutes. The facility is kept in a remarkably clean and sanitary condition. The facility is progressive and adapts to new technology that better serves inmates and promotes a safer environment such as scanning inmate mail to reduce drugs in the facility or providing all most constant access between inmates and loved ones through electronic devices to improve the mood and quality of life for inmates.

Within the intake area the facility puts newly admitted inmates behind a half door that has opening at the top and bottom for change out purposes. The door has been identified as a security concern during facility safety inspections. The facility should assess the security issues presented by the half door and initiate corrective action if needed.

The Pennington County Jail will remain on a biannual inspection schedule.

## JJDPA Compliance

On May 25th, 2023 a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Pennington 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 DOC Portal System and facility records, the Pennington County Jail held or processed zero (0) juveniles during the federal fiscal year from October 1st, 2022.

**Report completed By:** Troy Okerlund – Detention Facility Inspector

**Signature:**

