



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:

Rice County Jail

Address: 118 NW Third Street, PO BOX 158, Faribault, MN 55021

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Jen Pfeifer – Senior Detention Facility Inspector **Inspected on:** 03/16/2022

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

Officials Present During Inspection: Jail Administrator Jake Marinenko; Sheriff Jesse Thomas

Officials Present for Exit Interview: Jail Administrator Jake Marinenko

Issued Inspection Report to: Jail Administrator Jake Marinenko; Sheriff Jesse Thomas; County Administrator Sara Folsted; Regional Manager Dayna Burmeister

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	3	0	97.62%	Compliance rating of 100%
2911	Essential	101	97	2	2	98.02%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 05/01/2022 **Ends On:** 04/30/2023 **Facility Type:** Jail

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

Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Rice 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
Minimum secure	Coed	36	100	36.00	Minimum secure beds located outside of the secure perimeter at 2119 Hwy 60 W.	None.
Secure	Coed	35	80	28.00	Located at 118 NW 3rd Street.	None.

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance**Total: 3**

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 policy manual does not include all required policies listed in the Chapter 2911 rules. It also does not contain new language required by statute.

Corrective Actions:

**The jail is currently in the process of creating a Lexipol policy manual.
The jail must update it's current policy manual until Lexipol policies are approved by the inspector.**

Response Needed By: 06/30/2022

2. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 2. Quarterly review of emergency procedures.

There shall be a review of emergency procedures once every three months. The review shall include: A. assignment of persons to specific tasks in case of emergency situations; B. instructions in the use of alarm systems and signals; C. systems for notification of appropriate persons outside the facility; D. information on the location and use of emergency equipment in the facility; E. specification of evacuation routes and procedures; and F. that the review be documented and require signature or initialing by all staff.

Inspection Findings:

The facility did not have documentation for all four quarters of the required emergency reviews. Documentation was also lacking for administrative staff for this specific required training.

Corrective Actions:

Ensure that all administrative, correctional, and support staff for the facility are reviewing the facilities emergency policies once every quarter.

Response Needed By: 06/30/2022

3. 2911.5300 SEARCHES, SHAKEDOWNS, AND CONTRABAND CONTROL. Subpart 5. Delivery inspection.

Materials delivered to or transported from the facility's security perimeter shall be inspected for contraband prior to distribution.

Inspection Findings:

A review of well-being checks shows checks to be in excess of the 30 minutes required by the rule.

Corrective Actions:

Continue to audit and document well-being checks. These audits should be completed on a consistent basis and should alert supervisors when retraining shall occur.

Response Needed By:**Chapter 2911 - Essential Rules Not In Compliance****Total: 2**

1. 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:

The recreational space is limited and cannot meet the needs of the inmate population for active recreational activities. This is a physical plant issue and it does not appear the facility can comply with the rule without a renovation to the facility.

Corrective Actions:

There is no corrective action at this time. The only way to increase the space is through a facility addition.

Response Needed By:

2. 2911.7300 FIRE INSPECTION. Subpart 4. Weekly inspection.

There shall be an applicable fire code and safety inspection of the facility at least weekly by a designated staff member.

Inspection Findings:

Weekly Fire Inspections are not being completed. This was noted in the last inspection.

Corrective Actions:

Endure that fire inspections are being completed as required. The Jail Administrator was provided a guide/checklist for these inspections that must be implemented immediately.

Response Needed By:**Chapter 2911 - Essential Rules In Compliance With Concerns****Total: 2**

1. 2911.1300 CUSTODY STAFF TRAINING.

A facility shall have a written policy and procedure that provides that all custody staff receive 120 hours of orientation and training during the first year of employment. Forty of these hours are completed prior to being independently assigned to a particular post. All persons in this category are given an additional 16 hours of training each subsequent year. At a minimum, training completed before independent assignment to a particular post shall include: A. security procedures; B. supervision of inmates; C. signs of suicide risk and suicide precautions; D. vulnerable inmates; E. response to resistance regulations and tactics; F. report writing; G. inmate rules and regulations; H. rights and responsibilities of inmates; I. fire and emergency procedures; J. key control; K. interpersonal relations and communication skills; L. diversity training; M. distribution of medications; N. right to know; and O. blood-borne pathogens and communicable diseases.

Inspection Findings:

The staff have a sufficient amount of hours to meet the requirements in the rule, however many of the training hours focus heavily on security.

Corrective Actions:

It is recommended that the jail incorporate training in the areas of mental health, suicide prevention and chemical health issues. This will provide for more diverse training.

Response Needed By:

2. 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 the jail has the assistant administrator and one part-time program person. This is not enough given the size of the jail.

Corrective Actions:

Create a written program plan that identifies letter A-F of the rule. Submit to the Department of Corrections a plan for addressing future program needs in the facility.

Response Needed By:

INSPECTION COMMENTS

Classification and Separation:

Proper classification and separation of inmates is an ongoing management issue for Rice County. Rice County will have to stay diligent in keeping inmates properly classified and separated and will have to continue to board inmates out when they are unable to meet the rule requirements for separation.

Program Space:

The facility lacks adequate program space for the population. This has been an ongoing issue for many years. The lack of space continues to be one of the more significant concerns related to the operation of the facility. Research has shown that programs, whether educational, vocational, or recreational, help to reduce negative inmate behavior, as well as helping to reduce recidivism.

Well-being checks reviewed were found to be out of compliance with the 30 minute time requirement allowed in the rule.

The County has implemented a system of auditing well-being checks to monitor officer's compliance with the rule. Discrepancies are documented and retraining is being completed for those staff who have repeated checks out of compliance.

The transition team is currently working at the Annex building preparing policy and procedure for the new jail facility.

The jail will remain on annual inspections at this time.

JJDPA Compliance

On March 16, 2022, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Rice County Jail has a unique juvenile holding arrangement for juveniles. The Jail has two holding cells and the county also has a holding area outside the secure perimeter of the jail called West Holding which can be secure or non-secure, depending if the juvenile is a status offender.

Rice County 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, the Rice County Jail held or processed zero (0) juveniles during the federal fiscal year.

The findings are as follows:

DSO: No violations were determined regarding the facility holding status offenders in the jail. The Rice County Jail does not hold juveniles, they book and release only. Juveniles are brought into the jail for book and release only if the court terminal is not functioning.

Jail Removal: Files and DOC Portal System data indicate that any children brought into the jail and West Holding were removed well within the 24 hour time frame allowed per the "Rural Exception."

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.

Court Holding: The Court holding cells for Rice County provide sight and sound separation from adults. Policies dictate that juveniles and adults are not transported or held together in court holding.

Based on the documentation reviewed, no violations of the JJDP Act were determined during the Rice County inspection.

Report completed By: Jen Pfeifer – Senior Detention Facility Inspector

Signature:

