



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:

Roseau County Jail

Address: 604 Fifth Avenue, Roseau, MN 56751

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Sarah Johnson – Senior Detention Facility Inspector **Inspected on:** 07/30/2019

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

Officials Present During Inspection: Jail Administrator Matt Restad

Officials Present for Exit Interview: Jail Administrator Matt Restad; Sheriff Steve Gust

Issued Inspection Report to: Jail Administrator Matt Restad; Sheriff Steve Gust; County Coordinator/Environmental Officer Jeff Pelowski; 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	119	113	2	4	98.32%	Compliance rating of 100%
2911	Essential	91	84	5	2	94.51%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 08/01/2019 **Ends On:** 07/31/2020 **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:** Roseau 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	52	80	41.60	None.	None.

RULE COMPLIANCE DETAILS

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

1. 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:

The well-being checks are being done in a timely manner but it was noted that during sleeping hours staff completed well-being checks at a pace that was too fast to be regarded as a well-being check or did not always look in each cell. Well-being checks need to be completed at a pace that verifies all inmates are ok.

Corrective Actions:

All staff will need to be retrained on well-being checks. It is strongly recommended to have the Jail Administrator review the staffs' well-being checks by video and jail logs on a regular basis to monitor and correct any areas of deficient well-being checks. Notify the Department of Corrections the verification of the retraining of staff on well-being checks.

Response Needed By: 09/15/2019

2. 2911.5300 SEARCHES, SHAKEDOWNS, AND CONTRABAND CONTROL. Subpart 4. Daily inspections.

A facility shall be inspected at least daily for contraband, evidence of breaches in security, and inoperable security equipment, and shall document the inspection.

Inspection Findings:

The facility does not complete a daily inspection for contraband, evidences in breaches in security, and inoperable security equipment.

Corrective Actions:

It is imperative that all aspects of the jail are being checked for breaches in security and contraband, especially in inmate cells where they have the ability and time to create breaches in security. Inform staff of the change in daily procedures. Add daily inspections to the post orders and all daily inspections need to be documented for verification purposes. Notify the Department of Corrections of the daily inspection procedures.

Response Needed By: 09/15/2019**Chapter 2911 - Essential Rules Not In Compliance****Total: 5**

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:

Training hours are not being met for all staff. Some staff had as little as 6 hours of training for the year 2018. Staff would also benefit from training in certain areas such as inmate medical emergencies.

Corrective Actions:

It is recommended to provide adequate training for all staff that would address their training needs. It is also recommended that more drills, such as medical, man down, attempted suicide and emergency drills are also trained on.

Response Needed By:

2. 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 jail training records need to be reorganized for better clarification as to what training was given for the training year. Not all training was documented in the training files such as annual evacuation drill, fire drills, or quarterly emergency procedure reviews.

Corrective Actions:

It is recommended to document all the training that was received to provide adequate training verification and complete record keeping. It is also recommended to reorganize the training records for better clarity and long-term record keeping.

Response Needed By:

3. 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:

It was noted that when inmates had a status change in the facility either due to behavior or custody change, a reclassification is not documented.

Corrective Actions:

It is recommended when inmates have a change in status that a reclassification should be completed and should include proper documentation as to why.

Response Needed By:

4. 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:

The facility does not serve a notice of violation in writing to inmates when they are in violation of facility rules, they are notified verbally. They also do not provide disciplinary hearing findings in writing to inmates after a hearing, it is done verbally as well.

Corrective Actions:

Create a notice of violation form to serve to inmates that have violated facility rules. Include the right to have a hearing and the right to waive the hearing. Create a disciplinary hearing notice form to serve to inmates after they receive a disciplinary hearing. Notify staff in the change in procedures. Submit corrective action to the Department of Corrections for review.

Response Needed By:

5. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 3. Security post records.

Custody staff shall maintain a record and prepare shift reports that document routine and emergency situations and unusual incidents. Records shall be maintained according to the county retention schedule.

Inspection Findings:

There is not a written shift exchange of information from one shift to the next, any important information is passed along verbally or written down in a notebook.

Corrective Actions:

A shift exchange needs to be created for staff to be able to document any unusual occurrences or needed information that the following shifts will need to be informed of. The shift exchange needs to be kept according to the county's retention policy as well.

Response Needed By:

Chapter 2911 - Mandatory Rules In Compliance With Concerns

Total: 4

1. 2911.1000 TRAINING PLAN.

A facility administrator or designee shall develop and implement a training plan for the orientation of new employees and volunteers and provide for continuing in-service training programs for all employees and volunteers. Training plans shall be documented and describe curriculum, methods of instruction, and objectives. In-service training plans shall be prepared annually and shall provide documentation indicating that training for individual employees has taken into consideration their length of service, position within the organization, and previous training completed.

Inspection Findings:

The training plan does not incorporate all the required training that is given each year such as annual evacuation drill, fire drills, and quarterly reviews of emergency procedures.

Corrective Actions:

Update the training plan to include all training that will be given on a yearly basis and the method of how the training will be provided.

Response Needed By:

2. 2911.1350 MEDICAL TRAINING FOR CUSTODY STAFF.

By policy and procedure a training program shall be established by the facility administrator in cooperation with the health authority, that provides instruction in the following areas: A. first aid training for custody personnel responsible for the supervision, safety, and well-being of prisoners; B. recognition of signs and symptoms of illness and knowledge of action required in potential emergency situations; C. administration of first aid and cardiopulmonary resuscitation (CPR). Recertification training shall occur as required with respect to first aid and CPR. The training shall be documented; D. methods of obtaining assistance; E. recognition of signs and symptoms of mental illness, developmental disabilities, emotional disturbance, and chemical dependency; and F. procedures for inmate transfers to appropriate medical facilities or other health care providers.

Inspection Findings:

Staff receive CPR, medication delivery, and mental health training but do not receive training on recognizing signs of medical distress or symptoms of illness.

Corrective Actions:

It is recommended to work with your medical provided to address more in-depth training on recognizing signs of medical distress or illness in inmates.

Response Needed By:

3. 2911.2850 INMATE DISCIPLINE PLAN. Subpart 1. Plan.

A facility shall have an inmate discipline plan that explains the administrative sanctions for specific behaviors, omissions, the administrative process for handling major and minor violations, the right to internal review, and the review process.

Inspection Findings:

The inmate discipline plan policy needs to be redone to adequately address the rule and required due process for inmates.

Corrective Actions:

Redo the inmate policy for inmate discipline. Notify staff of the new procedures for inmate discipline and due process. Submit to the Department of Corrections the inmate discipline policy for review.

Response Needed By:

4. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 3. Health care policy review.

Facility policy shall ensure that each policy, procedure, and program in the health care delivery system is reviewed and documented at least annually under the direction of the health authority and revised as necessary.

Inspection Findings:

See Comments.

Corrective Actions:

See Comments.

Response Needed By:

Chapter 2911 - Essential Rules In Compliance With Concerns

Total: 2

1. 2911.0900 STAFFING REQUIREMENTS. Subpart 20. Coordination of programs.

In a Class III and Class VI facility, a staff person shall be designated to coordinate educational and vocational programs, social service programs, work release, and volunteer services programs. The following minimum inmate to program staff ratio shall apply for the average daily population: A. 30 or under, program staffing needs comply with subpart 4; B. 31 to 60, one full-time program staff person; and C. over 60, program staffing needs are addressed as part of the overall facility staffing plan.

Inspection Findings:

See Staffing Comments.

Corrective Actions:

See Staffing Comments.

Response Needed By:

2. 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 facility has a good recreational space but there is nothing for inmates to do in that space.

Corrective Actions:

It is recommended the jail provide detention grade recreational equipment for inmates to have active exercise.

Response Needed By:

INSPECTION COMMENTS**CONCERNS:****STAFFING:**

Program staff: The Jail Administrator is also the Training Coordinator, Programs Coordinator and Dispatch Administrator. The programming at Roseau County Jail is minimal due to all of the diverse supervisory duties, ancillary duties, growing inmate population and responsibilities that the Jail Administrator has for a facility of this size. The training is also an area that is an ongoing concern. More dedicated time needs to be given to inmate programs and staff training. It is strongly recommended that Roseau County hire, at a minimum, a program coordinator/assistant jail administrator to relieve the Jail Administrator of certain responsibilities that are not being properly addressed.

Correctional staff: Minimum staffing levels are not meeting the needs of Roseau County. It is clear that many operational duties staff should be performing are not completed due to the overloaded work details during day and evening hours. Many protocols in the jail could be greatly improved upon; from required well-being checks, daily cleaning, daily security inspections, shakedown, and safety protocols at intake. It is a best practice in Minnesota to have two people supervising inmates within facilities that house up to 24 inmates during high activity times. It is strongly recommended that the officials of Roseau County recognize the changing needs of this facility and address these staffing concerns.

MEDICAL:

Medical support has improved for the facility. They are working with their health care provider, Life Care Public Health, to address the facilities mental health needs for the inmates and they have now created policies for mental health support. But there is a need for Life Care Public Health to create policies and procedures that address drug and alcohol withdrawal and to provide protocols for staff to follow for proper inmate care.

Also, there is a medical unit in the facility that is not being properly utilized. Staff do not have a medication cart, they keep all inmate medications in booking. The facility should purchase a medication cart that can be utilized and stocked properly instead of storing medications in booking.

Due to the staffing and compliance concerns at Roseau County, they will remain on annual inspections.

JJDPA Compliance

On July 30th, 2019, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Roseau 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 Roseau County Jail held or processed 5 juveniles during the federal fiscal year 2019. I reviewed 100 percent of the data. 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 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, I did not find any violations of the JJDP act during the Roseau County Jail inspection.

Report completed By: Sarah Johnson – Senior Detention Facility Inspector

Signature:

