



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:

Roseau County Jail

Address: 604 Fifth Avenue, Roseau, MN 56751

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Troy Okerlund – Detention Facility Inspector **Inspected on:** 07/07/2022 to 07/14/2022

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 Jake 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	119	104	10	5	91.60%	Compliance rating of 100%
2911	Essential	92	71	8	13	91.30%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 08/01/2022 **Ends On:** 07/31/2023 **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:** 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	90	46.80	Remote Podular Design.	None.

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance

Total: 10

- 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 facilities policy needs significant updates to meet the minimum requirements within the rule.

Corrective Actions:

A facility shall have written policies and procedures for processing new inmates to the facility to include, at a minimum, the following:

A. Update policy to include that information needs to be required within two hours of admission. Additionally it may be beneficial to also add to policy that per state statute 241.021 Sub 7, all correctional facilities that confine or incarcerate adults are required at intake to provide each person an authorization form to release information related to that person's health or mental health condition and when that information should be shared.

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.

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.

Response Needed By: 12/30/2022

2. 2911.2525 ADMISSIONS. Subpart 3. Orientation to rules and services.

A facility shall develop a written policy and procedure that provides: A. a method for all newly admitted inmates to receive orientation information in a manner the inmates can understand; and B. documentation by a statement that is signed and dated by the inmate that the inmate completed orientation.

Inspection Findings:

Facility policy is missing some information required in subdivision 3. No documentation statement signed and dated by the inmate that the inmate completed orientation was observed.

Corrective Actions:

It is recommended facility policy (14) better expand on how inmates receive information in a manner that they can understand. Additionally the facility must have documentation by a statement that is signed and dated by the inmate that the inmate completed orientation.

Response Needed By: 12/30/2022

3. 2911.2525 ADMISSIONS. Subpart 4. Inmate personal property.

A facility shall have a written policy and procedure that: A. provides for the itemized inventory and secure storage of all personal property of a newly admitted inmate, including money and other valuables; B. specifies any personal property an inmate may retain in the inmate's possession; and C. provides that the inmate shall sign a receipt for all property held until release.

Inspection Findings:

Facility inspector was unable to find where the facilities written policy addresses specifies personal property that an inmate may retain.

Corrective Actions:

A facility shall have a written policy and procedure that specifies any personal property an inmate may retain in the inmate's possession.

Response Needed By: 12/30/2022

4. 2911.3200 INMATE VISITATION

The facility administrator or designee shall develop and implement an inmate visiting policy. The policy shall be in writing and include: A. attorney/client interviews allowed in a manner consistent with Minnesota Statutes, section 481.10; B. a schedule of visiting hours that includes the days and times for visits that includes visits during the normal business day, and evenings or weekends; C. establishment of a uniform number of permissible visits and the number of visitors permitted per visit; D. that an adult inmate be permitted an initial visit with a member or members of the inmate's immediate family at the next regularly scheduled visiting period; E. that all facilities schedule a minimum of eight visiting hours per week: (1) a minimum of three separate and distinct visiting days per week; and (2) 20 minutes' duration minimum for each visit unless the number of persons attempting to visit exceeds the facility's ability to meet this requirement, or the inmate's behavior dictates a need to terminate a visit earlier; F. allowed visits for identified members of an inmate's immediate family; G. when a visit to an inmate is denied for reasonable grounds on the belief that the visit might endanger the security of the facility, the action and reasons for denial shall be documented; H. that visitors register, giving names, addresses, and relationship to inmate; I that any area used for inmate visiting may be subject to audio monitoring, recording, or both. The facility shall use signs and the inmate handbook to inform the inmate about audio monitoring and recording. Professional visits not be audio recorded, unless a court order has been issued; J. that policies for parents, guardians, and attorneys visiting juveniles are unrestrictive as administratively possible and the initial visit of a juvenile by parents, guardians, and attorneys be permitted at any time; K. picture identification of visitors be required for identification purposes; L. that juvenile children be allowed to visit parents, regardless of age, as deemed appropriate by the parent or guardian accompanying the child and when a dispute over children visiting occurs between the inmate and the parent or legal guardian, the inmate be referred to the court for resolution; and M. facility policy and procedures setting forth criteria for authorized friend visiting.

Inspection Findings:

The rule requires that facility policy shall have certain language within the policy. The facility is missing much of the required language.

Corrective Actions:**The policy shall be in writing and include:**

A. attorney/client interviews allowed in a manner consistent with Minnesota Statutes, section 481.10.

C. establishment of a uniform number of permissible visits and the number of visitors permitted per visit.

D. that an adult inmate be permitted an initial visit with a member or members of the inmate's immediate family at the next regularly scheduled visiting period.

F. allowed visits for identified members of an inmate's immediate family.

G. when a visit to an inmate is denied for reasonable grounds on the belief that the visit might endanger the security of the facility, the action and reasons for denial shall be documented.

H. that visitors register, giving names, addresses, and relationship to inmate.

I. that any area used for inmate visiting may be subject to audio monitoring, recording, or both. The facility shall use signs and the inmate handbook to inform the inmate about audio monitoring and recording. Professional visits shall not be audio recorded, unless a court order has been issued.

J. that policies for parents, guardians, and attorneys visiting juveniles are unrestrictive as administratively possible and the initial visit of a juvenile by parents, guardians, and attorneys be permitted at any time

K. picture identification of visitors be required for identification purposes.

L. that juvenile children be allowed to visit parents, regardless of age.

Response Needed By: 12/30/2022

5. 2911.3300 CORRESPONDENCE. Subpart 5. Postage allowance for indigent inmates.

Indigent inmates shall receive a postage allowance sufficient to maintain communications with the persons listed in subpart 3, item C. Written policy, procedure, and practice must provide that an indigent inmate is provided with a system enabling the inmate to send a minimum of two letters or postcards per week to individuals not listed in subpart 3, item C.

Inspection Findings:

The facilities job description for the programmer position states:

Organizes various programs in the jail by, contacting schools and community education officials, professionals, chemical dependence groups, mental health services, court services, and persons from the private sector to come into the jail and put on programs for the inmates. These programs are to promote the betterment of the inmates by providing access to additional education, chemical dependence and mental health help, life skill and training.

Currently the programmer position is incorporated with the jail administrator position. As the jail administrator, training officer, and programmer, the time constraints do not allow where the jail administrator to fulfill all of the criteria stated in the job description. One of those being that the facility shall have a written plan for providing services for inmate chemical dependency issues. Facility inspector was unable to locate a written plan for the chemical dependency issues. The jail administrator stated that currently inmates to do have access to AA/NA meetings.

Corrective Actions:

The facility shall have a written plan for providing services for inmate chemical dependency issues.

Response Needed By: 12/30/2022

6. 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 emergency plan was missing some required information within the rule. The facility reported being in the process of currently updating this policy.

Corrective Actions:

The updated policy must meet the requirements of the rule to include subpart 1 A through F.

Response Needed By: 12/30/2022

7. 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:

Facility inspector could not find within policy where staff are required to personally observe inmates during a well-being check. It was determined that all staff personally observed inmates, however policy should be updated to reflect this as it required within the rule.

The Inspector observed video of multiple facility staff conduct well-being checks on July 2nd at 0200 hours. While observing six different rounds it was found that two of the checks, were late. One check was six minutes late and the other check was two minutes late. Additionally, it was found that one round was found to be completed at a pace that was too fast to be regarded as a well-being check. Signs of life such as movement, rise and fall of chest and other signs of life would be difficult to determine at such a quick pace. It should be noted that one staff member in particular did excellent well-being checks. It was some of the best well-being checks this inspector has seen, however it was determined that the staff members timeliness was an issue. The department inspector also reviewed facility video for July 4th at 0600 hours. Of the six rounds observed three of them were late. A housing pod containing 3 inmates were observed. In the morning hours not all three inmates came out and facility staff only entered the common area to view the inmates who were out of their cells for well-being checks thus leaving some inmates unchecked in their cells. One late check occurring 2 minutes late, two more late checks both occurring 12 minutes late. Additionally, a staff member conducted a check that was too fast to be regarded as a well-being check.

Corrective Actions:

Establish an audit process to evaluate the quality and timeliness of well-being checks done by staff. The DOC will review well-being checks again on or before October 7, 2022.

Response Needed By: 10/07/2022

8. 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:

The culinary log didn't specify items being checked in or checked out. Additionally, it was difficult for individuals without culinary experience to identify knives well enough to make sure the appropriate knife has been returned via the check sheet. During the inspection there was a tethered knife left out with no one in the kitchen. Currently the inventory form does not reflect the actual contents of the box.

Corrective Actions:

Facility policy must be updated to cover the control and use of the culinary tools. Current policy states all culinary items will be in a locked cabinet in a secure office. When using inmate kitchen workers policy should define as to when and how they get access to knives. It is recommended that culinary tools that are required to be logged in and out and be identified by a number or a letter so they can quickly be referenced on the check sheet and verify that they are accounted for. Update the knife inventory form to accurately reflect the contents of the box.

Response Needed By: 12/30/2022

9. 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:

The facility administrator was able to show documentation from the health care authority that they had reviewed the health care policy, however the documentation was over a year old. The administrator had multiple years of documentation saved and it appeared to be a long standing relationship that he stated was still in place. The administrator was working on getting updated documentation.

Corrective Actions:

Each policy, procedure, and program in the health care delivery system must be reviewed and documented at least annually under the direction of the health authority and revised as necessary.

Response Needed By: 12/30/2022

10. 2911.6800 CONTROL. Subpart 4. Destruction of medication.

The destruction of medication on expiration dates or when retention is no longer necessary or suitable must be consistent with requirements of the Minnesota Pollution Control Agency.

Inspection Findings:

The facility had medications that were expired.

Corrective Actions:

The facility must appropriately discard expired medication. It is recommended that the facility upon taking in new medication write the month and year of expiration on the top of the container so it's easily identified as to when the medication expires.

Response Needed By: 12/30/2022

Chapter 2911 - Essential Rules Not In Compliance**Total: 8**

1. 2911.1200 CLERICAL AND SUPPORT EMPLOYEES WITH REGULAR OR DAILY INMATE CONTACT: TRAINING. Subpart 2. Regular or daily inmate contact.

A facility shall have a written policy and procedure that provides that all new clerical and support employees who have regular or daily inmate contact receive 40 hours of orientation and training during their first year of employment. These hours are to be completed before being independently assigned to a particular job. The employees are given an additional 16 hours of training each subsequent year of employment. At a minimum, this training covers the following areas: A. security procedures and regulations; B. rights and responsibilities of inmates; C. all applicable emergency procedures; D. interpersonal relations and communication skills; and E. first aid.

Inspection Findings:

Current policy states "The Roseau County Detention Center currently does not have any clerical or support staff with minimal contact with inmates." Support staff, including medical and kitchen staff, are not provided all required training.

Corrective Actions:

The facility shall have a written policy and procedure that provides that all new clerical and support employees who have regular or daily inmate contact receive 40 hours of orientation and training during their first year of employment. These hours are to be completed before being independently assigned to a particular job. The employees are given an additional 16 hours of training each subsequent year of employment. Training must cover A-E of the rule.

Response Needed By: 12/30/2022

2. 2911.2800 ADMINISTRATIVE SEGREGATION. Subpart 4. Policy.

Written policy and procedure shall provide that the status of inmates in administrative segregation is reviewed every seven days. These policies shall provide: A. that the review is documented and placed in the inmate's file; B. that the inmate in administrative segregation receive visits from the facility administrator or designee a minimum of once every seven days as a part of the administrative review process; and C. that the review process that is used to release an inmate from administrative segregation is specified.

Inspection Findings:

Inspector could not find a specified review process that is used to release an inmate from administrative segregation within the policy.

Corrective Actions:

The review process that is used to release an inmate from administrative segregation must be specified in policy.

Response Needed By: 12/30/2022

3. 2911.2800 ADMINISTRATIVE SEGREGATION. Subpart 6. Protective custody.

Written policy and procedure shall provide that an inmate is separated from the general population for purposes of protective custody only when there is documentation that protective custody is warranted and segregation is the least restrictive alternative available.

Inspection Findings:

The facility policy is missing required text within the policy. "When the population of the jail allows, an inmate needing protective custody will be placed into an empty housing unit."

Corrective Actions:

Written policy and procedure shall provide that an inmate is separated from the general population for purposes of protective custody only when there is documentation that protective custody is warranted and segregation is the least restrictive alternative available

Response Needed By: 12/30/2022

4. 2911.2850 INMATE DISCIPLINE PLAN. Subpart 6. Removing clothing and bedding.

The facility administrator or designee shall have a policy and procedure for removing clothing and bedding from an inmate. The following shall be included: A. clothing and bedding shall be removed from an inmate only when the inmate's behavior threatens the health, safety, or security of self, other persons, or property. When appropriate, alternative clothing and bedding shall be issued; B. clothing and bedding shall be returned to the inmate as soon as it is reasonable to believe the behavior that caused the action will not continue; C. the decision to deprive an inmate of articles of clothing or bedding shall be reviewed by the officer in charge or the supervisor during each eight-hour period; and D. the review shall be documented.

Inspection Findings:

Inspector could not find a policy on removing clothing and bedding.

Corrective Actions:

The facility shall have a policy and procedure for removing clothing and bedding from an inmate. The following shall be included:

- A. Clothing and bedding shall be removed from an inmate only when the inmate's behavior threatens the health, safety, or security of self, other persons, or property. When appropriate, alternative clothing and bedding shall be issued;**
- B. Clothing and bedding shall be returned to the inmate as soon as it is reasonable to believe the behavior that caused the action will not continue;**
- C. The decision to deprive an inmate of articles of clothing or bedding shall be reviewed by the officer in charge or the supervisor during each eight-hour period; and**
- D. The review shall be documented.**

Response Needed By: 12/30/2022

5. 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:

The Facility has limited programming. The rule requires a written plan in regard to activities and programs. The facility is missing the required language A through F within the written plan and or policy.

Corrective Actions:

facility administrator or designee shall implement a written plan for the constructive scheduling of inmate time. The plan must include required language from subpart 1 A through F.

Response Needed By: 12/30/2022

6. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 4. Education.

A facility shall have a written policy and procedure that provides for inmate access to educational programs, vocational counseling, and when available, vocational training. When possible, a facility shall arrange to have these educational programs delivered in classroom specifically designed and equipped for educational or vocational programming. Class I facilities are exempt from this requirement with the exception of those approved by the commissioner to house inmates serving alternative sentences. Text books necessary to complete a course of study, to the extent that local resources permit, shall be made available to inmates. The facility shall not be responsible for the purchase of text books to complete a course of study.

Inspection Findings:

Facility policy states that the jail administrator will coordinate educational and vocational programs, social service programs, work release, and volunteer services. The rule requires that a facility shall have written policy and procedure that provides for inmate access to educational programs, vocational counseling and one available vocational training. Currently the facility's efforts to meet the rule fall short of the requirement. This highlights the facilities need to reduce the workload of the jail administrator who is also the programmer and training coordinator, all while holding a few other positions. When the facilities ADP exceeds 30 the facility is required to have a full time programmer. It is recommended at the facility evaluate the needs of the inmates, and the requirements of the rules and assess the amount of additional staff needed.

Corrective Actions:

A facility shall have a written policy and procedure that provides for inmate access to educational programs, vocational counseling, and when available, vocational training. When possible, a facility shall arrange to have these educational programs delivered in a classroom specifically designed and equipped for educational or vocational programming.

Response Needed By: 12/30/2022

7. 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:

No current written agreements with active volunteer(s) could be located. The facility reported only having one volunteer who has been volunteering in the facility for many years. Because of having consistent and long term volunteers, the policy has not been reviewed recently and procedures need to be updated to be more consistent with the rule.

Corrective Actions:

The facility will need to update the volunteer policy and their volunteer form to ensure it is compliant with 2911.3500 A through E.

Response Needed By: 12/30/2022

8. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 1. Post orders and accountability.

There shall be written orders for every security post that are reviewed annually and updated if necessary. A written policy and procedure shall require that personnel read, sign, and date applicable post orders at least annually, or as needed for new posts or revisions. Medium and large facilities with multiple posts may need to conduct these reviews more often.

Inspection Findings:

Post orders are available to staff at their work stations but there is no documentation that they have been reviewed by staff.

Corrective Actions:

Provide documentation that all staff have read, signed, and dated the post orders annually and when any revisions are made.

Response Needed By: 12/30/2022

Chapter 2911 - Mandatory Rules In Compliance With Concerns

Total: 5

1. 2911.0900 STAFFING REQUIREMENTS. Subpart 1. Staffing plan and staffing analysis.

The facility administrator shall prepare and retain a staffing plan. The staffing plan shall identify: A. jail personnel assignments for: (1) facility administration and supervisors; (2) facility programs including exercise and recreation; (3) inmate admission, booking, supervision, and custody; (4) support services including medical, food services, maintenance, and clerical; and (5) other jail-relevant functions such as escort and transportation of inmates; B. the days of the week that the assignments are filled; C. the hours of the day that the assignments are covered; and D. any deviations from the plan with respect to weekends, holidays, or other atypical situations must be considered. The facility administrator or designee shall review the facility's staffing plan at least once each year. The review shall be documented in written form sufficient to indicate that staffing plans have been reviewed and revised as appropriate to the facility's needs or referred to the facility's governing body for funding consideration. A facility with a design capacity of more than 60 beds must have a staffing analysis and staffing plan approved by the commissioner of corrections. This staffing analysis shall include all posts, functions, net annual work hours appropriate to each post, and total number of employees to fill the identified posts and functions.

Inspection Findings:

The jail administrator spoke about adding additional staff. To do this the administrator will review the staffing plan and staffing analysis. The facility will soon update the staffing plan and analysis to incorporate the new positions. The facility didn't currently have documentation in written form sufficient to indicate that the staffing plans had been reviewed and revised as appropriate.

Corrective Actions:

The facility administrator or designee shall review the facility's staffing plan at least once each year. The review shall be documented in written form sufficient to indicate that staffing plans have been reviewed and revised as appropriate to the facility's needs or referred to the facility's governing body for funding consideration.

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:

Administration should work with Public Health to address more in-depth training on recognizing signs of medical distress and withdrawal.

Response Needed By:

3. 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 addresses suicide prevention and intervention within policy, but does not have a dedicated chapter for it. Review not documented in written form.

Corrective Actions:

To be completely consistent with the rule the facility should have a dedicated chapter for "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

Response Needed By:

4. 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 was missing documentation on quarterly reviews of the procedure, however the facility offered an explanation due to COVID and staffing. This appears to be an isolated incident and the facility looked to be in compliance at the time of inspection.

Corrective Actions:

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;**
- F. that the review be documented and require signature or initialing by all staff.**

Response Needed By:

5. 2911.6500 STORAGE. Subpart 2. Refrigeration.

Medication requiring refrigeration shall be refrigerated and secured and the temperature checked daily. There must be separate refrigeration for medications only.

Inspection Findings:

The facility has a dedicated medical refrigerator with a temperature gauge but there is no log showing the temperature was checked daily. The refrigerator contained expired medication that was awaiting proper destruction.

Corrective Actions:

Establish a procedure for medical and correctional staff to check and log the medical refrigerator temperature daily.

Response Needed By:**Chapter 2911 - Essential Rules In Compliance With Concerns****Total: 13**

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:

The facility has an approved capacity for 52 inmates. Prior to COVID, annual average daily population was around 26 inmates. The facility anticipates housing more inmates in the upcoming year(s). The administrators responsibilities are exceeding what one person can effectively do. When the facility surpasses an average daily population of 30 inmates the administrator will no longer be allowed to be the program coordinator by rule.

Corrective Actions:

The facility should develop a plan of action to address growing population that once an ADP of 30 is exceeded, will require one full-time program staff person.

Response Needed By:

2. 2911.0900 STAFFING REQUIREMENTS. Subpart 5. Class I to Class VI facilities.

Class I to Class VI facilities with average daily inmate populations exceeding 30 shall have a single administrator of the facility whose duties are solely related to administration of the facility.

Inspection Findings:

The facility has an approved capacity for 52 inmates. Prior to COVID, annual average daily population was around 26 inmates. The facility anticipates housing more inmates in the upcoming year(s). The administrators responsibilities are exceeding what one person can effectively do. When the facility surpasses an average daily population of 30 inmates, the administrator will no longer be allowed to be the program coordinator by rule.

Corrective Actions:

The facility should develop a plan of action to address growing population that will require a program coordinator position as it can no longer be held by the jail administrator.

Response Needed By:

3. 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 facility requires more than 40 hours of orientation and training prior to staff being independently assigned to a particular post, however the policy does not reflect that.

Corrective Actions:

The 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.

Response Needed By:

4. 2911.1400 ADMINISTRATIVE AND MANAGERIAL STAFF TRAINING.

A facility shall have a written policy and procedure that provides that the facility's administrative and managerial staff receive at least 16 hours of orientation. Orientation training shall include, at a minimum, general management and related subjects, data practices, decision-making processes, labor law, employee-management relations, the interaction of elements of the criminal justice system, and relationships with other service agencies. After orientation, a facility's administrative and managerial staff shall receive at least 16 hours of training annually.

Inspection Findings:

Administrative and managerial staff receive initial training and training throughout the year.

Corrective Actions:

Facility staff must include data practices to the required administrative and managerial staff training. Document training and attendance in writing in a form sufficient enough that inspector can verify compliance.

Response Needed By:

5. 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:

The facility has improved its classification process but does not have a provision for the re-classification of inmates when their status changes.

Corrective Actions:

Establish a procedure for the review of inmate classification in the event the inmate's status changes.**Response Needed By:**

6. 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:

Policy states "The hearing may be held within 72 hours with the inmate's consent."

Corrective Actions:

Policy should be changed to: "An inmate placed in segregation for an alleged rule violation shall have a disciplinary hearing within 72 hours of segregation."

Response Needed By:

7. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 5. Substance abuse programs.

A facility shall have a written plan for providing services for inmate chemical dependency issues.

Inspection Findings:

The facility has limited information for a written plan providing services for inmate chemical dependency issues. It would benefit the facility and the inmates to expand upon the facility's written plan for providing services to inmates with dependency issues.

Corrective Actions:

A facility shall have a written plan for providing services for inmate chemical dependency issues.

Response Needed By:

8. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 6. Work assignments for adults.

Class II to Class VI facilities shall have a written inmate work assignment plan that provides for inmate work, subject to the number of work opportunities available and the maintenance of facility security. Work assignments must provide: A. that adults not under sentence may volunteer to work but shall not be compelled to participate in work beyond maintaining the immediate living area; B. eligibility criteria for work activities; C. that sentenced inmates shall not be compelled to work more than ten hours per day; D. that work shall not be required of an inmate that cannot be done by the inmate due to physical limitations; E. work opportunities for disabled inmates; and F. inmate working conditions that comply with all applicable federal, state, or local work safety laws, rules, and regulations.

Inspection Findings:

Written work assignments for inmates should be updated as needed with special attention paid to work opportunities for disabled inmates.

Corrective Actions:

The facility must verify that written work assignments meet the required provisions within the rule specifically A through F.

Response Needed By:

9. 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:

Policy says: All inmates in punitive segregation shall be afforded at least five hours of exercise per week on at least five separate days. The rule states 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.

Corrective Actions:

After speaking with the administrator it appears the facility is meeting the requirements of the rule, however the policy must be modified to better meet the requirements within the rule that states policy and procedure shall provide A-G.

Response Needed By:

10. 2911.3400 TELEPHONE ACCESS.

A facility shall have a written policy and procedure that provides for inmate access to a telephone. Attorney/client telephone consultation shall be allowed in a manner consistent with Minnesota Statutes, section 481.10. Newly admitted inmates shall be permitted a local or collect long-distance telephone call to a family member or significant other during the admission process. Inmates shall be allowed telephone access to maintain contact with family members or significant others. Nonlegal calls may be made at the expense of the inmate. The minimum time allowed per call shall be ten minutes except where there are substantial reasons to justify limitations. Nonlegal telephone conversations may be monitored and recorded. Reasons for denial of telephone access shall be documented.

Inspection Findings:

Facility Policy states: When an inmate is being admitted to the Roseau County Jail, they shall be informed that they can have one local phone call or a long distance collect call to a person of their choosing. The telephone in the Booking Corridor will be used for this. Due to the safety and security of the jail operations this telephone call will be kept as short as possible and shall not exceed ten (10) minutes. The rule states The minimum time allowed per call shall be ten minutes except where there are substantial reasons to justify limitations.

Corrective Actions:

Policy should be changed so it better reflects the requirement of the rule.

"The minimum time allowed per call shall be ten minutes except where there are substantial reasons to justify limitations."

Response Needed By:

11. 2911.3600 CLOTHING AND BEDDING PROPERTY. Subpart 6. Excess personal clothing and abandoned property.

An inmate's excess personal clothing, abandoned property, or both shall be picked up by the inmate, or released to a designated family member or friend from whom a signed property release has been secured. Property shall be stored in containers designed for this purpose and properly identified, inventoried, and secured. A documented disposition on all abandoned property shall be maintained.

Inspection Findings:

No current documented disposition on abandoned property could be located. The jail had reported they had not destroyed anything in awhile but stated they would keep a record when they do.

Corrective Actions:

A documented disposition on all abandoned property shall be maintained.

Response Needed By:

12. 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:

The facility has reported one special incident in the past four years. Facilities of similar size have reported significantly more special incidents in that time frame. Although possible it is unlikely the facility is reporting all the required special incidents to the DOC as required per the rule.

Corrective Actions:

The facility should review the reporting of unusual occurrences requirements within the rule and report all necessary special incidents to the facility within 10 days of occurrence. The facility should note that any emergent unscheduled medical transport to a facility to receive care regardless of whether it was via ambulance or county vehicle must be reported to the Department of Corrections within 10 days.

Response Needed By:

13. 2911.4900 SECURITY INSPECTION.

The facility shall have a written policy and procedure to require the facility administrator or designee to inspect all areas within the security perimeter, and equipment at least monthly and initiate corrective action if needed.

Inspection Findings:

Security inspections are being completed monthly but do not include the intercom system.

Corrective Actions:

Add the intercom system to the monthly security inspection to ensure inmates are able to communicate with staff.

Response Needed By:

INSPECTION COMMENTS

Administration takes pride in the facility as it was found to be very clean and well maintained. The inmates interviewed reported only good things about the staff and the facility.

While the staffing levels of the facility are in compliance with the strict definition of the rule, they do not meet best practice. The Jail Administrator is also the program coordinator as well as the training coordinator, dispatch supervisor, armor radio administrator and County TAC. These ancillary duties detract from the administrative responsibilities in the jail and contribute to the number of items found out of compliance in this report. The facility is trending towards an average daily population that may exceed 30 inmates. When that occurs the facility must remove the programming duties from the jail administrator. Additionally the facility must add one full-time programming staff per the rule. It appears that the facility currently has enough responsibilities to fill that position presently. It is recommended the County complete a staffing analysis to determine future staffing needs and address compliance issues.

It is best practice to secure inmates behind at least two locking doors. When inmates are in the garage there is only one secured door before exiting the facility. Additionally, it appears that an inmate could have access to disengage the garage door and open it manually. It is recommended that the facility evaluate the security of the garage area prior to leaving unescorted inmates in the vicinity.

JJDPA Compliance

On July 7th, 2022, a Juvenile Justice and Delinquency Prevention (JJDP) Act audit was conducted. The Roseau County Jail has received a "Rural Exception" to the JJDP Act. This allows the facility to hold a delinquent juvenile up to 24 hours, excluding weekends and holidays. The three core requirements that are looked at during the facility review are Deinstitutionalization of Status Offenders (DSO), Removal of Juveniles for Adult Jail and Adult Lockups (Jail Removal), and Sight and Sound separation.

According to County detention files, the Roseau County Jail held or processed zero (0) juveniles from October 1, 2021 to the date of this inspection. 100 percent of the data was reviewed. The findings are as follows:

DSO: No violations of the facility holding status offenders in the jail. Documentation review verified youth brought into the facility were indeed there for delinquent offenses.

Jail Removal: Files 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's design and policies allow for proper sight and sound separation. This includes the route taken to Court Holding.

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

Based on the documentation reviewed, no violations of the JJDP Act were found at the Roseau County Jail.

Report completed By: Troy Okerlund – Detention Facility Inspector

Signature:

