

EXHIBIT 1



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:

Roseau County Jail

Address: 604 Fifth Avenue SW, Roseau, MN 56751

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Jen Pfeifer – Senior Detention Facility Inspector **Inspected on:** 05/29/2024

Inspection Method: Facility walk-through, inmate and staff interviews, staff and inmate file reviews and related documentation review.

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	101	17	1	85.71%	Compliance rating of 100%
2911	Essential	93	73	20	0	78.49%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: denial **Begins On:** 08/01/2024 **Ends On:** 07/31/2025 **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:

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.	

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance **Total: 17**

- 2911.0300 INTENDED USE AND NONCONFORMANCE WITH RULES Subpart 1. Intended use.

A facility shall be used only according to its classification, Class I to Class VI, as approved by the Department of Corrections. A Class I facility may be approved by the commissioner to house inmates serving alternative sentences for a time not to exceed any limits set by Minnesota Statutes. A Class II facility may house inmates serving an alternative sentence for a time not to exceed any limits set by Minnesota Statutes. A facility must be in compliance with a rule part, subpart, or item as designated under subpart 5a in order to meet approval requirements for continued operation unless the commissioner waives the part, subpart, or item. The commissioner shall assess a facility based on compliance with rules applicable to the facility's classification at the time of the facility's last inspection.

Inspection Findings:

The facility does not substantially conform to the Chapter 2911 rules governing County Jails. The facility is out of compliance with 19 mandatory and 22 essential standards described in this chapter.

Corrective Actions:

The facility must comply with all mandatory and essential rule parts listed in this report.

Response Needed By: 12/31/2024

2. 2911.0300 INTENDED USE AND NONCONFORMANCE WITH RULES Subpart 5.A. Rule compliance.

A. A facility must meet the requirements of this subject in order to be in compliance with this chapter. B. A facility must comply with 100 percent of the following rules unless specifically excluded under that rule: (1) 2911.0100, item B; (2) 2911.0300; (3) 2911.0400, subparts 2 and 4; (4) 2911.0800; 2911.0900, subparts 1, 2, 8, 9, 10, 11, 12, 18, 25, and 26; (6) 2911.1000; (7) 2911.1900; (8) 2911.2100; (9) 2911.2300; (10) 2911.2500; (11) 2911.2600, subpart 1; (12) 2911.2700, subparts 3 and 4; (13) 2911.2850, subparts 1 and 2; (14) 2911.2900; (15) 2911.3100, subpart 2; (16) 2911.3200; (17) 2911.3300, subparts 3, item C, and 5; (18) 2911.3650, subpart 4; (19) 2911.3700, subparts 1, 2, 3, and 5; (20) 2911.3800; (21) 2911.3900, subpart 1; (22) 2911.4000; (23) 2911.4100, subpart 1; (24) 2911.4400; (25) 2911.4500; (26) 2911.4600; (27) 2911.2525; (28) 2911.2550; (29) 2911.5300; (30) 2911.5550; (31) 2911.5450; (32) 2911.5000, subparts 4 and 5; (33) 2911.5800, subparts 1, 2, 3, 4, 6, 8, and 11; (34) 2911.5900; (35) 2911.6000, subpart 2; (36) 2911.1350; (37) 2911.6200, subparts 1b, 2, and 6; (38) 2911.2750; (39) 2911.6400; (40) 2911.6500; (41) 2911.6600; (42) 2911.6700; (43) 2911.6800; (44) 2911.6900; (45) 2911.7000; (46) 2911.7100, subparts 1 and 3; (47) 2911.7200; (48) 2911.7300, subpart 1; (49) 2911.7500; (50) 2911.7600; and (51) 2911.6200, subpart 1a. C. A facility must comply with at least 90 percent of parts 2911.0330 to 2711.7600 that are not listed in item B.

Inspection Findings:

The facility is at 85.71 percent compliance with mandatory rules and at 77.42 percent compliance with essential rules not meeting the requirements of 100 percent compliance with the mandatory rules outlined in this chapter 90 percent of parts 2911.0330 to 2911.7600 that are not listed in item B.

Corrective Actions:

The facility shall meet the requirements of the rule and all corrective action plans.

Response Needed By: 12/31/2024

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 Jail Administrator was unable to provide documentation of the required annual policy review.

Corrective Actions:

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: 10/31/2024

4. 2911.2500 SEPARATION OF INMATES. Subpart 1. General.

A combination of separate housing units inclusive of special management areas, general population, and minimum security areas and cells, dormitories, and dayroom spaces shall be provided to properly segregate inmates pursuant to Minnesota Statutes, section 641.14. The facility shall provide for the separate housing of the following categories of inmates: A. female and male inmates; B. community custody inmates such as work release or sentencing to service; C. inmates requiring disciplinary segregation; D. inmates requiring administrative segregation; E. juveniles who do not meet Minnesota statutory requirements for placement with adults; F. special management, general population, and minimum security inmates as considered appropriate to the facilities design intent and classification system; and G. inmates classified as mentally ill or special needs inmates in a manner consistent with Minnesota Statutes, section 253B.05.

Inspection Findings:

One inmate classified as minimum was housed with those inmates classified as medium.

Corrective Actions:

The facility must retrain all correctional officers on the requirements under this rule part and the importance of separating inmates as required. In addition, the facility must provide the Department of Corrections with a detailed outline of the training and documentation that all corrections officers received the training.

Response Needed By: 08/31/2024

5. 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:

The facility is not providing orientation to all newly admitted inmates. After a review of 8 inmate files, it was determined that 5 inmates did not receive orientation.

Corrective Actions:

The facility must develop a process to ensure that all inmates are receiving orientation to the facility. Submit a plan along with the orientation form to the Department of Corrections for approval.

The inspector will monitor through on-site visits to ensure continued compliance.

Response Needed By: 08/31/2024

6. 2911.2900 GRIEVANCE PROCEDURE.

A written grievance procedure with at least one level of appeal shall be made available to all inmates.

Inspection Findings:

There is no formal written grievance procedure with clearly identified levels of appeal established.

Corrective Actions:

The facility must develop a grievance process that includes one level of appeal and submit to the Department of Corrections for approval.

Response Needed By: 08/31/2024

7. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 1. Emergency plan.

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

Inspection Findings:

The facility was unable to provide documentation that correctional staff participated in an annual evacuation drill.

Corrective Actions:

The facility shall provide written documentation that all correctional staff participated in an annual evacuation drill and submit to the Department of Corrections for review.

Response Needed By: 09/30/2024

8. 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 unable to provide documentation that the review of quarterly emergency procedures was being completed.

Corrective Actions:

Quarterly emergency procedures shall be reviewed and documented by all facility staff. Provide documentation of each quarterly review at the end of each quarter to the Department of Corrections for approval.

Response Needed By: 12/31/2024

9. 2911.3800 FOOD HANDLING PRACTICES.

Food service shall be provided according to Minnesota Department of Health rules.

Inspection Findings:

Inmates are working unsupervised in the kitchen preparing food to be served to the inmate population. Inmates have not received appropriate training according to the Minnesota Department of Health rules.

Corrective Actions:

The facility shall discontinue using inmates in the kitchen to prepare food unsupervised immediately. Any correctional staff used in this capacity must comply with all food handling requirements according to the Department of Health.

Response Needed By: 07/19/2024

10. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 4. Counting.

A facility shall have a written policy describing the system of counting inmates. Formal counts shall be completed with an official entry made in the daily log at least once each eight hours. The facility shall maintain a system that identifies the whereabouts of all inmates in custody and includes a system of accountability for inmates approved for temporary absences from their assigned housing units. A written policy and procedure shall provide that staff regulate inmate movement.

Inspection Findings:

There was no documentation of any formal counts. Formal counts are not being documented by an official entry every 8 hours as required.

Corrective Actions:

The facility shall retrain all staff on the requirements under this rule part. Training verification shall be submitted to the Department of Correction by August 30th, 2024. The inspector will monitor the documentation of the official entry of formal counts through on site visits to the facility.

Response Needed By: 08/30/2024

11. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 5. Well-being.

A facility shall have a system providing for well-being checks of inmates. A written policy and procedure shall provide that all inmates are personally observed by a custody staff person at least once every 30 minutes. Thirty-minute checks should be staggered. If a well-being check does not occur due to an emergency, it must be documented in the jail log and have supervisory review and approval. More frequent observation is required for those inmates of a special need classification who may be harmful to themselves. Examples of inmates of a special need classification include those classified as potentially suicidal, or as mentally ill, or those experiencing withdrawal from drugs or alcohol.

Inspection Findings:

A review of well-being checks was conducted via video review. Video review for May 27, 2024; found one well-being check being in excess of the 30- minute time frame required by the rule. A check was completed at 1104 and not again until 1151.

Corrective Actions:

The facility must conduct training with all staff responsible for completing well-being checks. Training must include the requirements in this rule part and the importance of conducting a well-being check at a pace that can observe signs of life. Documentation of the training must be submitted to the DOC for review.

Additionally, it is recommended that the facility implement an auditing process to verify staff are completing well-being checks on time and at a pace that can observe signs of life. The audit should include reviewing at least one period of well-being checks for all staff members charged with performing checks. The facility should document and maintain records of all materials used and findings of these audits.

Response Needed By: 08/30/2024

12. 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:

Bulk and diluted chemicals that inmates have access to and use daily had warning labels that listed potential for eye damage, corrosiveness, skin burns, and were combustible.

Corrective Actions:

Chemicals classified as dangerous should be removed from the secure area and replaced with safe cleaning chemicals. Staff and inmates must be provided appropriate protective equipment when the chemical presents hazards to the user. The inspector will monitor through on-site visits to the facility.

Response Needed By: 12/30/2024

13. 2911.5550 LOCKS AND KEYS. Subpart 3. Regular testing.

Locks to security doors or gates shall be tested for proper function at least weekly to ensure proper operation.

Inspection Findings:

The facility was unable to provide documentation that any lock inspections are being completed weekly to ensure proper operation.

Corrective Actions:

Lock inspections shall be conducted every week. Documentation of these inspections shall be submitted to the Department of Corrections on the 30th day of each month for review.

Response Needed By: 12/30/2024

14. 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 Jail Administrator was unable to provide documentation that the health care policy had been reviewed.

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. Submit documentation of this review to the Department of Corrections for approval.

Response Needed By: 07/31/2024

15. 2911.6500 STORAGE. Subpart 1. Locked area.

Medication shall be stored in a locked area. The storage area shall be kept locked when not in use by authorized staff.

Inspection Findings:

Medication is stored in cabinets in the booking area of the facility. At the time of the review one of the medication cabinets was locked but the other was not. After the initial review, the inspector viewed medications on the counter that were not in use and not locked in the cabinet.

Corrective Actions:

The facility shall retrain staff on the requirements under this rule. Training shall be documented and submitted to the Department of Corrections for review.

Response Needed By: 08/30/2024

16. 2911.6500 STORAGE. Subpart 6. Needles and other medical sharps.

There shall be a written policy and procedure for the control and disposal of medical sharps and supplies. Medical sharps and supplies when used or stored in inmate housing areas shall be accounted for and secured in a locked area.

Inspection Findings:

There was no documentation accounting for medical sharps stored in inmate housing areas.

Corrective Actions:

The facility shall provide training for all staff on the requirements under this rule part and submit documentation to the Department of Corrections for review. The inspector will monitor accountability through on-site visits.

Response Needed By: 08/30/2024

17. 2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE. Subpart 1. General.

A facility shall have a policy and procedure that provides that the facility shall: A. be kept in good repair to protect the health, comfort, safety, and well-being of inmates and staff; B. document weekly sanitation inspections; and C. document deficiencies from the weekly sanitation inspection, if any, have been ordered.

Inspection Findings:

The facility was unable to provide documentation that any weekly sanitation inspections are being completed.

Corrective Actions:

The facility shall complete weekly sanitation inspections and submit those to the Department of Corrections on the 30th day of every month for review.

Response Needed By: 12/30/2024

Chapter 2911 - Essential Rules Not In Compliance

Total: 20

1. 2911.0700 EMPLOYEE EVALUATION.

Consistent with Minnesota Statutes, an employee shall complete a probationary period and be evaluated during the probationary period before being permanently appointed. The evaluation shall be in writing, discussed with the employee, and made a part of the employee's personnel record.

Inspection Findings:

The Jail Administrator was unable to provide documentation that probationary employees received an evaluation prior to being permanently appointed.

Corrective Actions:

The inspector will monitor through on-site visits to the facility.

Response Needed By: 12/31/2024

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

A facility shall have a written policy and procedure that provides that all new clerical and support employees that have minimal inmate contact receive 24 hours of orientation and training during their first year of employment. Sixteen of these hours are completed before being independently assigned to a particular job. Persons in this category are given an additional 16 hours of training each subsequent year of employment.

Inspection Findings:

The Jail Administrator stated that maintenance, kitchen and medical staff have minimal contact with inmates and have not received orientation or any training specific to the jail.

Corrective Actions:

Clerical and support employees with minimal contact need 16 hours of training before being independently assigned. It is recommended the training hours are specific to jail operations as they relate to safety and security.

Response Needed By: 12/31/2024

3. 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:

The Jail Administrator was unable to provide documentation of training for kitchen or medical staff that have regular or daily contact with inmates.

Corrective Actions:

Clerical and support employees must receive the required training outlined in this rule part. It is recommended that training be specific to the safety and security of the facility and inmates.

Response Needed By: 12/31/2024

4. 2911.1500 PROGRAM STAFF TRAINING.

A facility shall have a written policy and procedure that provides that the facility's program personnel receive at least 40 hours of orientation and training in the first year of employment, and at least 16 hours of training each year thereafter. This training must cover, at a minimum: A. security procedures and regulations; B. planning; C. development, and implementation of treatment, educational, and recreational programs; D. inmate and staff rules and regulations; E. rights and responsibilities of inmates; F. emergency procedures; G. interpersonal relations; H. interaction of elements of the criminal justice system; and I. first aid.

Inspection Findings:

The Jail Administrator also acts as program staff responsible for the planning and implementation of programs and has not received training in this area.

Corrective Actions:

The Jail Administrator must complete training in all areas listed in this rule part while acting as program staff. This training shall be documented and submitted to the Department of Corrections for approval.

Response Needed By: 12/31/2024

5. 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 Administrator was unable to provide documentation of waivers of training requirements for one newly hired staff that had received equivalent training prior to employment at the facility.

Corrective Actions:

The facility shall submit the required waivers of training within 30 days of receipt of this report.

Response Needed By: 08/31/2024

6. 2911.2700 INFORMATION TO INMATES. Subpart 2. Program options and activities.

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

Inspection Findings:

Inmates are not provided with written information regarding program options within 24 hours of admission.

Corrective Actions:

The facility must develop a plan to ensure that inmates are receiving written information regarding program options and submit to the Department of Corrections for review.

Response Needed By: 08/31/2024

7. 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:

The facility does not have a policy and procedure specifying a review process for the status of inmates in administrative segregation.

Corrective Actions:

The facility shall develop and include in policy a procedure for the review of an inmate on administrative segregation status. The facility shall provide written documentation of the new policy and documentation that all staff have been trained on the newly created procedures.

Response Needed By: 08/31/2024

8. 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 have a formalized discipline plan that includes the requirements for due process, notice of violation, right to be heard, waiver of hearings and appeal rights.

Corrective Actions:

The facility must develop a disciplinary plan to include the due process rights of inmates. The plan shall be submitted to the Department of Corrections by for approval.

Response Needed By: 08/31/2024

9. 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 does not have a written plan for the constructive scheduling of inmate time.

Corrective Actions:

The facility shall develop a written plan to include each element outlined in the rule and submit to the Department of Corrections for review.

Response Needed By: 10/31/2024

10. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 2.A. Arrangements for religious services and counseling.

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

Inspection Findings:

The facility reported that they do not have a chaplain or equivalent religious figure as required in the rule.

Corrective Actions:

The facility must obtain a chaplain or community religious resource as required and notify the Department of Corrections when this has rule requirement has been met.

Response Needed By: 09/30/2024

11. 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:

Inmates do not have any access to educational programs and vocational counseling.

Corrective Actions:

The facility must provide inmate access to educational programs and vocational counseling. If possible these programs should be delivered in a classroom specifically designed and equipped for educational or vocational programming.

Response Needed By: 09/30/2024

12. 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 does not provide substance abuse programming.

Corrective Actions:

The facility must seek facility coordinators to provide substance abuse programming to inmates or coordinate with other counties for resource sharing.

Response Needed By: 09/30/2024

13. 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:

The facility has inmate workers in the kitchen preparing and heating meals for other inmates and do not have the appropriate certifications required by the Minnesota Department of Health for the handling of food and are not supervised on weekends by kitchen or correctional staff.

Corrective Actions:

The facility must provide those inmates responsible for handling food with the appropriate food safety training required by the Minnesota Department of Health. The facility shall immediately cease the practice of inmates working in the kitchen unsupervised.

Response Needed By: 07/19/2024

14. 2911.3500 VOLUNTEERS.

When volunteers are used in facility programs, a written policy and procedure shall provide that a staff member is responsible for coordinating the volunteer service program. The policy includes the following elements: A. lines of authority, responsibility, and accountability for the volunteer services; B. a procedure for the screening and selection of volunteers; C. an orientation training program appropriate to the nature of the assignment; D. a requirement that volunteers agree in writing to abide by all facility rules and policies, with emphasis on security and confidentiality of information; and E. a statement that the administrator may discontinue a volunteer activity at any time by written notice.

Inspection Findings:

The facility does not have an orientation training program for volunteers to include that volunteers agree in writing to abide by facility rules and an understanding that the Jail Administrator may discontinue services at any time in writing.

Corrective Actions:

The facility shall develop orientation process for volunteers to include the required elements in this rule and submit to the Department of Corrections for review.

Response Needed By: 09/30/2024

15. 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:

The facility does not have a procedure for documenting the disposition of abandoned property.

Corrective Actions:

The facility shall develop a procedure for documenting the disposition of abandoned property and submit to the Department of Corrections for approval.

Response Needed By: 10/31/2024

16. 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 not reported a special incident via the DOC portal since September 1, 2023. The Jail Administrator stated that inmates have been transported to the hospital since that date and those incidents have not been reported to the Department of Corrections.

Corrective Actions:

The facility shall review the reporting of unusual occurrence requirements within the rule and report all required special incidents to the Department of Corrections within 10 days of the occurrence. The facility shall review all incidents in the jail from January 1, 2024-present and enter all qualifying incidents.

Response Needed By: 12/31/2024

17. 2911.4950 RESPONSE TO RESISTANCE. Subpart 7. Record.

The facility shall maintain a written record of emergency distribution of security devices and equipment.

Inspection Findings:

The facility does not maintain a written record for taser security devices.

Corrective Actions:

Facility must maintain a written record of emergency distribution of security devices. This shall be submitted to the Department of Corrections for review.

Response Needed By: 09/30/2024

18. 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:

The facility was unable to provide any documentation of post order review by facility staff.

Corrective Actions:

The facility must provide documentation that all staff have read, signed, and dated the post orders annually or when any revisions are made. Submit documentation of the review to the Department of Corrections for approval.

Response Needed By: 08/31/2024

19. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 9. Sick call.

A facility shall develop a written policy and procedure that requires that there is a continuous response to health care requests and that sick call, conducted by a physician or other health care personnel is available to each inmate as follows: A. In small facilities of less than 60 inmates, sick call is held once per week at a minimum; B. in medium sized facilities of 60 to 200 inmates, sick call is held at least three days per week; C. in facilities of over 200 inmates, sick call is held a minimum of five days per week; and D. if an inmate's custody status precludes attendance at sick call, arrangements are made to provide sick call services in the place of the inmate's detention.

Inspection Findings:

The facility does not have a formal process to ensure the continuous response to health care requests. The medical authority stated that health care requests may come in writing, but often times are verbally passed on when the nurse is in the building. The nurse is at the facility one day a week.

Corrective Actions:

The facility shall develop a procedure that requires that there is a continuous and consistent process for sick calls. Training shall be provided, documented in writing, and submitted to the Department of Corrections for review.

Response Needed By: 08/30/2024

20. 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:

The facility was unable to provide documentation that any fire inspections are being completed weekly.

Corrective Actions:

The facility shall complete the required weekly fire inspections and submit to the Department of Corrections on the 30th of each month for review.

Response Needed By: 12/30/2024

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

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 was unable to provide written documentation that the current staffing plan has been reviewed.

Corrective Actions:

The facility must ensure that staffing plans are reviewed yearly and that the review is documented in written form.

Response Needed By:

INSPECTION COMMENTS**JJDPA Compliance**

On May 29th, 2024, 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 three (3) juveniles from October 1, 2023 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: One violation, files indicate that one child brought into the jail was not removed 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, one violation of the JJDP Act was found at the Roseau County Jail.

Report completed By: Jen Pfeifer – Senior Detention Facility Inspector

Signature: _____

Jennifer Pfeifer