



VIA EMAIL ONLY

Sheriff Steve Gust
Roseau County Sheriff's Office
Roseau County Detention Center
604 5th Avenue SW
Roseau, MN 56751
steve.gust@co.roseau.mn.us

Levi Novacek, Chair
Roseau County Board
43635 State Highway 11
Roseau, MN 56751
levi.novacek@co.roseau.mn.us

Matt Restad
Jail Administrator
Roseau County Detention Center
604 5th Avenue SW
Roseau, MN 56751
matt.restad@co.roseau.mn.us

CORRECTION ORDER

On May 29, 2024, a senior inspector within the DOC's Inspection and Enforcement (I&E) unit completed an inspection of the Roseau County Detention Center that involved a facility tour, staff and inmate interviews, review of staff and inmate files, and review of facility documentation and video. This inspection report, which is being issued concurrently with this correction order, is attached as **Exhibit 1** and incorporated herein by reference. This report identifies multiple violations by the Roseau County Detention Center of the standards set forth in Minnesota Rules Chapter 2911, including uncorrected repeat violations over multiple years.¹ Accordingly, given the Roseau County Detention Center's continued and persistent failure to substantially conform to all applicable minimum standards, the DOC is issuing this correction order under Minnesota Statute 241.021, subdivision 1a and directing the facility to remedy the deficiencies identified by the DOC to ensure the facility's continued compliance with statutory and regulatory requirements.

¹ The inspection report also highlights additional concerns identified by the senior inspector. These concerns do not rise to the level of violations but identify issues that the facility may wish to review for improvement.

MINIMUM STANDARDS VIOLATED²

2911.0300, subps. 1, 5.A	2911.2800, subp. 4	2911.5000, subps. 1, 4-5
2911.0700	2911.2850, subp. 3	2911.5450
2911.1200, subps. 1-2	2911.2900	2911.5550, subp. 3
2911.1500	2911.3100, subps. 1, 2.A, 4-6	2911.5800, subps. 3, 9
2911.1600	2911.3500	2911.6500, subps. 1, 6
2911.1900	2911.3600, subp. 6	2911.7200, subp. 1
2911.2500, subp. 1	2911.3700, subps. 1-2, 4	2911.7300, subp. 4
2911.2525, subp. 3	2911.3800	
2911.2700, subp. 2	2911.4950, subp. 7	

FINDINGS OF VIOLATIONS OF MINIMUM STANDARDS

As the inspection report highlights, the senior inspector identified that the Roseau County Detention Center did not comply with 17 mandatory and 20 essential standards set forth in Minnesota Rules Chapter 2911. **Exhibit 1.** Fifteen of those violations are repeat violations within the previous two years. *See Exhibit 2.*

This order incorporates the findings made in the inspection report and does not repeat every violation finding outlined therein. The DOC finds, however, that the number, chronicity, and repeated nature of many of the violations outlined in the report demonstrates that the Roseau County Detention Center does not conform to the minimum standards and is not making satisfactory progress towards substantial conformance. While these numerous violations do not present an imminent risk of life-threatening harm or serious physical injury to the persons incarcerated in the facility, they have the potential to seriously affect the health and safety of the incarcerated population if not remedied. The DOC previously directed the Roseau County Detention Center to remedy many of these violations in its earlier inspection reports from the 2022 and 2023 inspections.

² This list comprises the minimum standards violated during the most recent inspection in May 2024. As described in this order, the Roseau County Detention Center has had repeat violations of certain minimum standards set forth in Minnesota Rules Chapter 2911 over the past three years. A complete list of the violations from the past three years is provided in **Exhibit 2**, which is attached to this order and incorporated herein by reference.

For example, as noted in the 2024 inspection report:

- The Jail Administrator reported that maintenance, kitchen, and medical staff have not received orientation or any training specific to the facility. **Exhibit 1 at 7**; *see* Minn. R. 2911.1200, subp. 1 (requiring training for clerical and support employees with minimal inmate contact). The facility similarly has no training records for kitchen or medical staff that have regular or daily contact with inmates. **Exhibit 1 at 7**; *see* Minn. R. 2911.1200, subp. 2 (requiring training for clerical and support employees with regular or daily inmate contact);³
- Inmates with differing classifications were found to be housed together in the facility. **Exhibit 1 at 3**; *see* Minn. R. 2911.2500, subp. 1 (requiring inmates be properly segregated pursuant to Minn. Stat. § 641.14);
- Inmates currently lack access to a chaplain or equivalent religious figure, educational or vocational counseling, or substance abuse programming. **Exhibit 1 at 9-10**; *see also* Minn. 2911.3100, subps. 2.A, 4, and 5 (detailing inmate activities and programming requirements).⁴
- The facility lacks evidence that correctional staff has participated in an annual evacuation drill or that staff were reviewing emergency procedures quarterly. **Exhibit 1 at 3-4**; *see* Minn. R. 2911.3700, subps. 1-2 (requiring a written disaster plan and quarterly review of emergency procedures);
- Inmates at the facility are working unsupervised in the kitchen preparing food for the inmate population and have not received appropriate training. **Exhibit 1 at 4**; *see* Minn. R.2911.3800 (“Food service shall be provided according to Minnesota Department of Health rules.”); *see also* Minn. R. ch. 4626 (setting forth the Minnesota Department of Health’s Food Code);
- Formal counts and well-being checks are not being completed as required by the rules. **Exhibit 1 at 4-5**; *see* Minn. R. 2911.5000, subps. 4-5 (“Formal counts shall be completed with an official entry made in the daily log at least once each eight hours” and requiring a system providing for well-being checks of inmates);
- Inmates have access to bulk and diluted chemicals which have the potential for eye damage, corrosiveness, skin burns, and combustion. **Exhibit 1 at 5**; *see* Minn. R. 2911.5450 (requiring policy and procedure to properly secure materials dangerous to security or safety and stating

³ The Roseau County Detention Center has been found to have violated this provision of the rules in its last three inspections. *See Exhibit 2 at 2.*

⁴ The Roseau County Detention Center has been found to have violated Minn. R. 2911.3100, subp. 2.A in its last two inspections. *See Exhibit 2 at 3.*

“[s]torage and use of flammable, toxic, and caustic materials must be in accordance with all applicable laws and regulations of governing jurisdictions.”)⁵

- The Jail Administrator was unable to provide documentation that the health care policy had been reviewed by the medical authority, Sheriff, and Jail Administrator. **Exhibit 1 at 6**; *see* Minn. R. 2911.5800, subp. 3 (“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.”); and
- A medical cabinet storing medication was found to be unlocked and medical sharps were not accounted for. **Exhibit 1 at 6**; *see* Minn. R. 2911.6500, subps. 1, 6 (requiring medication to be stored in a locked area and medical sharps and supplies to be accounted for and secured in a locked area).

Given the number, chronicity, and repeated nature of many of the violations outlined in the report, the DOC hereby orders certain reporting requirements as part of the Roseau County Detention Center’s corrective action, as described below.

TERMS OF CORRECTION ORDER

The Roseau County Detention Center is hereby required to comply with the following terms in order to maintain its license:

1. The Roseau County Detention Center must address and correct the violations found by the senior inspector in the inspection report, including by completing all corrective action ordered by the dates outlined in that report. *See Exhibit 1.*
2. The Roseau County Detention Center Jail Administrator must provide bi-weekly updates to the senior inspector in writing until all corrective action ordered by the inspection report is completed. These updates must address all corrective action completed and plans for compliance with the inspection report.

While the Roseau County Detention Center is operating under this Correction Order, the DOC may conduct random facility visits to ensure the facility’s ongoing compliance with Minnesota Rules chapter 2911 and this Correction Order.

⁵ The Roseau County Detention Center has been found to have violated this provision of the rules in its last three inspections. *See Exhibit 2 at 1.*

RIGHT TO REQUEST RECONSIDERATION

The Roseau County Detention Center has the right to request reconsideration of this correction order. Under Minnesota Statutes, section 241.021, subdivision 1e, any request for reconsideration does not stay any provision of this order. A request for reconsideration must:

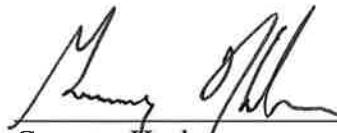
- Be in writing.
- Be sent by certified mail to the Commissioner and postmarked no later than 30 calendar days after receipt of this order.
- Specify the parts of the order that are alleged to be in error.
- Explain why the order is in error.
- Include any supporting documentation to show why the order is in error.

Failure to follow these requirements will result in the loss of the right to request reconsideration. The timeline to seek reconsideration begins upon receipt of this order. Please send any request for reconsideration to:

Commissioner, Department of Corrections
ATTN: Inspection and Enforcement Unit
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108

So ordered,

Date: July 8, 2024



Gregory Huska
Inspector General
Minnesota Department of Corrections

EXHIBIT 2

Roseau County Jail Minimum Standards

Mandatory Rules Not in Compliance

Rule	2022	2023	2024
2911.0300, subp. 1 Intended Use			X
2911.0300, subp. 5.A Rule Compliance			X
2911.1900 Policy and Procedure Manuals		X	X
2911.2500, subp. 1 General			X
2911.2525, subp. 3 Orientation to Rules and Services	X		X
2911.2525, subp. 4 Inmate Personal Property	X		
2911.2900 Grievance Procedure			X
2911.3200 Inmate Visitation	X	X	
2911.3300, subp. 5 Material Detrimental to Security	X		
2911.3700, subp. 1 Emergency Plan	X		X
2911.3700, subp. 2 Quarterly Review of Emergency Procedures			X
2911.3800 Food Handling Practices			X
2911.5000, subp. 4 Counting			X
2911.5000, subp. 5 Well-being	X		X
2911.5450 Dangerous Materials	X	X	X
2911.5550, subp. 3 Regular Testing			X
2911.5800, subp. 3	X		X

Health Care Policy Review			
2911.6500, subp. 1 Locked Area			X
2911.6500, subp. 6 Needles and Other Medical Sharps			X
2911.6800, subp. 4 Destruction of Medication	X		
2911.7200, subp. 1 General			X

Note: Per Minn. R. Ch. 2911.0300, subp. 5a, a facility must comply with 100 percent of these rules to be in compliance.

Essential Rules Not in Compliance

Rule	2022	2023	2024
2911.0700 Employee Evaluation			X
2911.1200, subp. 1 Minimal Inmate Contact			X
2911.1200, subp. 2 Regular or Daily Inmate Contact	X	X	X
2911.1500 Program Staff Training			X
2911.1600 Designated Training Officer			X
2911.2700, subp. 2 Program Options and Activities			X
2911.2800, subp. 4 Policy	X	X	X
2911.2800, subp. 6	X		
2911.2850, subp. 3 Due Process			X
2911.2850, subp. 6 Removing Clothing and Bedding	X	X	
2911.3100, subp. 1 Written Plan	X		X

2911.3100, subp. 2A Arrangements for Religious Services and Counseling		X	X
2911.3100, subp. 4 Education	X		X
2911.3100, subp. 5 Substance Abuse Programs			X
2911.3100, subp. 6 Work Assignments for Adults			X
2911.3500 Volunteers	X	X	X
2911.3600, subp. 6 Excess Personal Clothing and Abandoned Property		X	X
2911.3700, subp. 4 Reporting of Unusual Occurrences			X
2911.4950, subp. 7 Record			X
2911.5000, subp. 1 Post Orders and Accountability	X		X
2911.5800, subp. 9 Sick Call			X
2911.7300, subp. 4 Weekly Inspection			X

Note: Per Minn. R. Ch. 2911.0300, subp. 5a, a facility must comply with 90 percent of these rules to be in compliance.