



Facility Inspection Report Issued By The Minnesota Department of Corrections Pursuant to MN Statute 241.021, Subdivision 1

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INSPECTION DETAILS FOR:

Sibley County Jail

Address: 419 Harrison Avenue, Gaylord, MN 55334

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Jen Pfeifer – Detention Facility Inspector **Inspected on:** 09/22/2021

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

Officials Present During Inspection: Jail Administrator Aaron Louwagie

Officials Present for Exit Interview: Jail Administrator Aaron Louwagie; Sheriff Pat Nienaber

Issued Inspection Report to: Jail Administrator Aaron Louwagie; Sheriff Pat Nienaber; County Administrator John Glisczinski; Regional Manager Dayna Burmeister

RULE COMPLIANCE SUMMARY

Rule Chapter	Requirement Type	Total Applicable	Total Compliance	Total Non Compliance	Total Compliance With Concerns	Compliance Rating	Substantial Compliance Result/Criteria
2911	Mandatory	126	121	3	2	97.62%	Compliance rating of 100%
2911	Essential	101	96	3	2	97.03%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 10/01/2021 **Ends On:** 09/30/2023 **Facility Type:** Jail

Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 09/30/2022

Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Sibley 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	19	80	15.20	None.	None.

RULE COMPLIANCE DETAILS

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

1. 2911.2600 CLASSIFICATION OF INMATES. Subpart 1. Policy and procedure.

A facility shall have a written policy and procedure that provides for inmate classification in terms of level of custody required, housing assignment, participation in facility programs, and use of any overrides. The facility's policy and procedure on classification shall include consideration of the following: A. inmate gender; B. juvenile or adult status; C. category of offense; D. severity of current charges, convictions, or both; E. degree of escape risk; F. potential risk of safety to others and self; G. institutional disciplinary history; H. serious offense history; I. special needs assessment, inclusive of vulnerable adults, which includes a determination of how medical needs, mental health needs, developmental disability, or other behavioral or physical limitations or disabilities may impact on the classification of an inmate and appropriate housing of same; and J. special management inmate status.

Inspection Findings:

There was no documentation available to show that classifications had been completed on the inmates currently in the facility.

Corrective Actions:

As stated in the body of the inspection report, there appears to be an issue with the jail management system. Until such time that this problem is remedied the jail must complete classifications on paper and shall notify the Department of Corrections when the deficiency in the system is resolved.

Response Needed By: 09/30/2021

2. 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:

There have been no fire drills conducted or documented in the last year.

Corrective Actions:

Conduct a fire drill according to facility policy and the rule by December 31, 2021. Submit verification of that fire drill to the Department of Corrections.

Response Needed By: 12/31/2021

3. 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:

Quarterly reviews are not being completed.

Corrective Actions:

This was discussed in detail during the inspection. Regardless of whether or not a staff meeting is held to review the facilities emergency policies and procedures, the jail administrator must assign and document the review of the procedures from all staff quarterly.

Response Needed By: 12/31/2021**Chapter 2911 - Essential Rules Not In Compliance****Total: 3**

1. 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:

Currently, there are no educational services for the inmates in the jail.

Corrective Actions:

It is recommended to research educational service opportunities through community resources in an effort to provide educational and vocational services to inmates.

Response Needed By: 04/30/2022

2. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 7. Recreation plan.

The facility administrator or designee shall have a plan providing opportunities for physical exercise and recreational activities for all inmates consistent with the facility's classification and design. Class I facilities are exempt from this requirement. The plan shall include policies and procedures necessary to protect the facility's security and the welfare of inmates. Policy and procedure shall provide: A. inmates with access to recreational opportunities and equipment, including seven hours of physical exercise or recreation outside the cell and adjacent dayroom areas per week; B. recreational opportunities a minimum of five days per week; C. indoor space and equipment for active recreational activities in all Class II to Class VI facilities; D. outdoor recreational space and equipment for outdoor recreational programming in all Class VI facilities. The space and equipment shall be provided in a manner consistent with the facility's security classification; E. passive and active recreation needs and equipment for a variety of inmates consistent with the facility's classification and offenders served. As an example, activity needs of geriatric, disabled, or geriatric and disabled offenders shall be addressed; F. inmates in segregation with a minimum of one hour a day, seven days a week, of exercise outside the inmates' cells, unless security or safety considerations dictate otherwise; and G. discretionary access by inmates on segregation status to the same recreational facilities as other inmates unless security or safety considerations dictate otherwise. When inmates on segregation status are excluded from use of regular recreation facilities, the alternative area for exercise used shall be documented.

Inspection Findings:

The recreation space is small and the limited space does not meet the needs for active exercise and recreation.

Corrective Actions:

There is no corrective action at this time. The only way to increase the space is through a facility addition. If there is a jail expansion project in the future, recreation space must be addressed.

Response Needed By:

3. 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:

There have been no incidents reported to the Department of Corrections since 2017.

Corrective Actions:

The facility shall review the requirements under the rule for reportable incidents. Submit all incidents required under this rule from January 2020-December 31, 2021.

Response Needed By: 12/31/2021

Chapter 2911 - Mandatory Rules In Compliance With Concerns**Total: 2****1. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 6. Medical screening.**

A facility shall have a written policy and procedure that requires medical screening is performed and recorded by trained staff on all inmates on admission to the facility. The findings are to be recorded in a manner approved by the health authority. The screening process shall include procedures relating to: A. Inquiry into: (1) current illness and health problems, including dental emergencies, and other infectious diseases; (2) medication taken and special health requirements; (3) use of alcohol and other drugs that include types of drugs used, mode of use, amounts used, frequency used, date or time of last use, and history of problems that may have occurred after ceasing use, for example, convulsions; (4) past and present treatment or hospitalization for mental illness or attempted suicide; (5) other health problems designated by the health authority; and (6) signs and symptoms of active tuberculosis to include weight loss, night sweats, persistent cough lasting three weeks or longer, coughing up blood, low grade fever, fatigue, chest pain, prior history of active tuberculosis disease, and results of previous tuberculin skin or blood testing. B. Observations of: (1) behavior that includes state of consciousness, mental status, appearance, conduct, tremor, and sweating; and (2) body deformities, trauma markings, body piercings, bruises, lesions, and jaundice. C. Disposition to: (1) general population; (2) general population and referral to appropriate health care service; (3) referral to appropriate health care service on an emergency basis; and (4) other.

Inspection Findings:

The facility has a medical screen, however it is missing elements:
A: 1,3,4,6 and B:1 in the rule

Corrective Actions:

Add questions to the medical screen that ask detailed questions in the area of dental emergencies, us of alcohol and other drugs, types of drugs, mode of use, quantity and frequency of use and last date of use. Questions should also address if the inmate has had past medical issues as a result of their use. This was discussed in detail with the medical authority at the time of the inspection.

Response Needed By:

2. 2911.6200 MEDICAL AND DENTAL RECORDS. Subpart 1b. Release of information consent forms.

Release of information consent forms must comply with applicable federal and state regulations.

Inspection Findings:

The facility has not included the statement of consent to release information in the event that the inmate become incapacitated during their incarceration.

Corrective Actions:

The facility must add the new statutory language into the current ROI form and submit to the Department of Corrections by October 30, 2021. This form is to be kept in the inmate's medical file.

Response Needed By:

Chapter 2911 - Essential Rules In Compliance With Concerns**Total: 2****1. 2911.1300 CUSTODY STAFF TRAINING.**

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

Inspection Findings:

All staff meet the training requirements but a large portion of the training consists of online and video training.

Corrective Actions:

Although online training is beneficial at times, it does not provide the diversity or hands on training that an instructor would provide. It is further recommended that scenario based training and drills be added to the training plan. Examples such as an inmate in medical distress, man down, cut down, and attempted suicide, would be beneficial for staff and for other emergency personnel in the county who would need to respond to these types of emergencies.

Response Needed By:

2. 2911.1600 DESIGNATED TRAINING OFFICER.

A facility shall have a designated training officer responsible for: A. maintenance of training plans as required in part 2911.1000; B. maintenance of training records in sufficient detail to allow inspector assessment of compliance with parts 2911.1100 to 2911.1700; and C. documentation of waivers of training requirements based on equivalent training received before employment or demonstrated competency through proficiency testing.

Inspection Findings:

Training records were complete, but did not provide enough detail to ensure compliance with the components in the rule.

Corrective Actions:

Training records should include certificates or sign in sheets to verify attendance or completion of training.

Response Needed By:

INSPECTION COMMENTS

The Jail was clean and appeared to be well-maintained. The Jail Administrator was prepared for the inspection and staff appear to be knowledgeable of their job duties and the requirements of the Chapter 2911 Rule Governing County Jails.

With the addition of new statutory language added after the close of the legislative session on June 30, 2021, the policy manual will need to be updated to reflect those changes and requirements.

The facility does not meet the programming/recreation requirements of the Chapter 2911 Rules and training is limited to a majority of online classes. The facility has not conducted an emergency evacuation drill, man down or fire drill since 2019.

The Jail Administrator is responsible for Jail Programming and Facility Training. Given the magnitude of responsibilities and supervision the Jail Administrator has of other entities in the county, it is recommended that the officials of Sibley County seek to hire an additional staff to address the programming and training needs of the facility. It is imperative that the jail seek out programming options for inmates and a variety of training opportunities to include online, in person, and scenario based training.

The jail management system appeared to have a glitch in it on the day of the inspection.

The intake mental health screen and all classification questions and answers were unable to be located within the system. The jail will be working with IT and the software developer to fix these issues. Until the glitch is remedied, the jail will be required to complete classifications and mental health screens of all inmates booked into the facility on paper. This documentation shall be saved to the inmate files. The Jail Administrator is to notify the Department of Correctios when the fix occurs.

Storage - Storage and program space are at a minimum and do not address the needs for this facility. The intake area for booking is located in a hallway and a great deal of storage and files must be kept in the dispatch area. This concern cannot be addressed without additional square footage added to the facility.

The facility will remain on biennial inspections.

JJDPA Compliance**COMPLIANCE REPORT FOR THE JUVENILE JUSTICE AND DELINQUENCY PREVENTION ACT OF 2002.**

On September 22, 2021, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Sibley County Jail has received a "Rural Exception" to the Juvenile Justice and Delinquency Prevention Act (JJDP). This allows the facility to hold a delinquent juvenile up to 24 hours, excluding weekends and holiday. There are three core requirements that are looked at during our facility review. Those core requirements are Deinstitutionalization of Status Offenders (DSO), Removal of Juveniles for Adult Jail and Adult Lockups (Jail Removal), and Sight and Sound separation.

According to the Statewide Supervision System, the Sibley County Jail held or processed one juvenile during the fiscal year 2021.

County policy dictates no delinquent juvenile shall be held in the Sibley County Jail. All delinquent juveniles are brought to Carver County Juvenile Detention Center or the Scott County JAF for processing. The facility does not participate in any "Scared straight" programs for any youth that are under public authority.

Court Holding- Sibley County does not have court holding. Juveniles are brought straight into the court room or conference room.

Based on the reviewed documentation, no violations of the JJDP act were found during the Sibley County audit.

Report completed By: Jen Pfeifer – Detention Facility Inspector

Signature:

