



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

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INSPECTION DETAILS Swift County Jail FOR:

Address: 301 14th Street, SUITE 4, Benson, MN 56215

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Justin Roberts – Detention Facility Inspector **Inspected on:** 08/11/2022

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

Officials Present During Inspection: Jail Administrator Tracy Koosman

Officials Present for Exit Interview: Jail Administrator Tracy Koosman; Sheriff John Holtz

Issued Inspection Report to: Jail Administrator Tracy Koosman; Sheriff John Holtz; County Administrator Kelsey Baker; 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	123	109	9	5	92.68%	Compliance rating of 100%
2911	Essential	106	100	3	3	97.17%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 10/01/2022 **Ends On:** 09/30/2023 **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:** Swift 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	12	80	9.60	None.	None.

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance

Total: 9

- 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:

During review of the facility's policies, a policy addressing this rule could not be located.

Corrective Actions:

The facility must review its policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review. A review of training records showed that staff are training on these areas.

Response Needed By: 11/30/2022**2. 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:

During review of the facility's policy, it was discovered that the policies do not address all elements of the rule as required. The facility's policy is missing elements A, F, J, and M of the rule.

Additionally the facility does not fully process in all new arrests from 11pm-6am because of staffing. Under the rule Swift County Jail is required to obtain emergency medical information within the first two hours of the individual being admitted into the facility. This is not currently happening based on the information reviewed.

Corrective Actions:

The facility needs to review the required elements in this rule and add them to policy. Additionally, the facility should be completing the medical screening and Brief Mental Health Screening immediately for all individuals regardless of the time. If an individual comes in for booking from 11pm-6am, the facility should have the arresting officer stay until these questions are completed or the facility can complete them by communicating with the individual through the cell door.

Response Needed By: 09/30/2022**3. 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:

During review of the facility's policies, a policy addressing this rule could not be located. Additionally, the facility is not providing orientation as required by the rule, they are simply providing the inmate a copy of the handbook/rulebook and having them sign acknowledging that they received a copy of the book. This does not meet what is required in the rule.

Corrective Actions:

The facility must review it's policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review.

Also the facility needs to create an orientation process, this could include a 1 to 2 page document outlining important information for the inmate to know. This document would be provided at intake for the inmate to read, they would then sign acknowledging that they have completed the orientation process. Proof of the orientation process must be submitted to the DOC for review.

Response Needed By: 10/31/2022

4. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 2. Practice of religion.

A facility shall have written policy and procedures that grant an inmate the right to practice that inmate's religion.

Inspection Findings:

During review of the facility's policies, a policy addressing this rule could not be located.

Corrective Actions:

The facility must review it's policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review.

Response Needed By: 11/30/2022

5. 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:

During the on-site inspection, a review of video was completed to determine compliance with well-being checks. The video review of the well-being checks showed that staff were completing well-being checks within 30 minutes as required by the rule. However, the pace at which most of the well-being checks were being completed did not allow staff to observe signs of life and/or distress. This was discussed with the Jail Administrator and the Sheriff at the time of the inspection.

Additionally the facility's policy about more frequent observations for inmates of special needs is not consistent with the rule. The facility's policy does address suicidal and mentally ill inmates need to have more frequent checks done within 15 minutes. However when it comes to inmates withdrawing from drugs or alcohol it does not address more frequent observations. Policy states that intoxicated inmate are placed on a 29 minute well-being check and are only placed on a 15 minute well-being check if the intoxicated inmate is also assaultive, belligerent, and/or uncooperative.

Corrective Actions:

The facility needs to conduct retraining of staff so that staff are aware of what a quality and appropriate pace is for a well-being check. The facility should be training the staff to look for signs of life and/or distress. Proof of retraining must be submitted to the DOC for review, this should include the training materials used and a roster of who attended the training. The facility must complete this training by September 30, 2022.

Additionally the facility needs to review it's policy and address the missing elements of the rule as required, the rule specifically outlines what inmates need more frequent observations. Updated policy must be submitted to the DOC for review.

Response Needed By: 09/30/2022

6. 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:

During review of the facility's policies, a policy addressing this rule could not be located.

Corrective Actions:

The facility must review it's policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review.

Response Needed By: 11/30/2022

7. 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:

During review of the facility's policies, a policy addressing this rule could not be located.

Corrective Actions:

The facility must review it's policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review. It should be noted that although this isn't in policy as required, the facility is doing this in practice.

Response Needed By: 11/30/2022

8. 2911.6200 MEDICAL AND DENTAL RECORDS. Subpart 6. Transfer of records.

A facility shall have a written policy and procedure regarding the transfer of health records and information that establishes the following requirements: A. summaries or copies of the health record are sent to the facility to which the inmate is transferred. Upon the request and written authorization of the inmate, physicians or medical facilities in the community shall be provided health record information; and B. The facility administrator or designee, which may include the responsible physician, health care personnel, or health-trained staff of the facility from which the inmate is being transferred, shall minimally share with the facility administrator of the facility designated to receive the inmate information regarding the inmate's medical management, security, and ability to participate in programs. In the absence of informed consent forms signed by the inmate involved, the information may be provided in summary manner to ensure a level of medical care consistent with the inmate's needs.

Inspection Findings:

During review of the facility's policies, a policy addressing this rule could not be located.

Corrective Actions:

The facility must review it's policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review. In practice the facility does comply with this standard. When an ROI is received for the inmate's records they are provided. The facility also provides a copy of the inmate MAR and medications at the time of transport.

Response Needed By: 11/30/2022

9. 2911.7600 WASTE DISPOSAL.

Facility policy shall ensure that the facility provides a waste disposal system.

Inspection Findings:

During review of the facility's policies, a policy addressing this rule could not be located.

Corrective Actions:

The facility must review it's policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review.

Response Needed By: 11/30/2022**Chapter 2911 - Essential Rules Not In Compliance****Total: 3**

1. 2911.0400 VARIANCES. Subpart 9. Intermittent sentence contingency plans.

A facility shall have a written plan that governs space arrangements and procedures to be followed in the event the number of inmates in the facility at 8:00 a.m. on any day and the number of inmates serving intermittent sentences scheduled for admission into the facility that day will exceed the facility's approved bed capacity.

Inspection Findings:

During review of the facility's policies, a policy addressing this rule could not be located.

Corrective Actions:

The facility must review it's policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review.

Response Needed By: 11/30/2022

2. 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:

During review of the facility's policies, a policy addressing this rule could not be located.

Corrective Actions:

The facility must review it's policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review.

Response Needed By: 11/30/2022

3. 2911.3600 CLOTHING AND BEDDING PROPERTY. Subpart 8. Protective clothing.

A facility shall have written policy, procedure, and practice that provides for the issue of special and, where appropriate, protective clothing and equipment to inmates participating in special work assignments. The clothing is available in quantities that permit exchange as frequently as the work assignment requires.

Inspection Findings:

During review of the facility's policies, a policy addressing this rule could not be located.

Corrective Actions:

The facility must review it's policies and add this rule as required. Once the policy has been updated, it must be submitted to DOC for review.

Response Needed By: 11/30/2022**Chapter 2911 - Mandatory Rules In Compliance With Concerns****Total: 5**

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:

During review of the facility's policies, it was discovered that the facility's policy addressing this rule does not cover all required elements, specifically it is missing elements A and G.

Corrective Actions:

The facility needs to review its policy and make sure that it is addressing all elements of this rule as required.

Response Needed By:

2. 2911.2750 INMATE HYGIENE. Subpart 1. Personal hygiene.

The facility administrator or designee shall have and implement a written policy for personal hygiene practices of all inmates to include special assistance for those inmates who are unable to care for themselves. A written policy and procedure shall require that articles needed for personal hygiene are available to all inmates, and include at a minimum, the following: A. soap; B. toothbrush; C. toothpaste; D. shampoo; E. shaving equipment; F. materials essential to feminine hygiene; G. comb; and H. toilet paper.

Inspection Findings:

During review of the facility's policy, a policy addressing this rule was located. However it does not address all elements of the rule as required, specifically it is missing elements D, F, and H.

Corrective Actions:

The facility needs to review its policy and add the missing elements of this rule that are required.

Response Needed By:

3. 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:

During review of the facility's policies, the facility does have a policy that addresses this rule. However the policy is missing element I of this rule, which is required.

Corrective Actions:

The facility needs to review its policy addressing this rule and add the missing element of the rule.

Response Needed By:

4. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 5. Inmate death.

A facility shall have a written policy and procedure that specifies actions to be taken in the event of an inmate death. When an inmate death occurs: A. the date, time, and circumstances of the inmate's death shall be recorded in the inmate's record; B. if the inmate dies in the facility, the coroner or medical examiner's office shall be notified; C. personal belongings shall be handled in a responsible and legal manner; D. records of a deceased inmate shall be retained for a period of time specified by county policy; E. the facility administrator or designee shall ensure observance of all pertinent laws and allow appropriate investigating authorities full access to all facts surrounding the death; and F. in the event the death involves a "vulnerable adult" notification procedures shall be followed in a manner consistent with statutory requirements.

Inspection Findings:

During review of the facility's policies, a policy addressing this rule was located. However the policy does not address all elements of the rule, specifically the policy is missing element F.

Corrective Actions:

The facility must review it's policy and add the missing element as required by the rule.

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 does not have a dedicated refrigerator for medications, the facility uses the staff refrigerator for any medications requiring this.

Corrective Actions:

The facility needs to purchase a dedicated refrigerator and conducted daily temperature checks when the refrigerator is in use. This was talked about with the Jail Administrator and Sheriff at the time of inspection.

Response Needed By:

Chapter 2911 - Essential Rules In Compliance With Concerns

Total: 3

1. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 7. Recreation plan.

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

Inspection Findings:

The facility does have a program/recreation space for inmates to use. The space is small, however the rules do not address how large the room must be. The facility does have a workout program posted in the program/recreation space and the space allows for this to be accomplished.

Corrective Actions:

It is recommended that the facility attempt to also come up with other ways for inmates to have recreation/exercise. This could include things like yoga, several workout videos, and some small exercise equipment.

Response Needed By:

2. 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:

During review of the facility's policy, a policy was located that addresses this rule. However the policy is missing several of the elements of the rule. Specifically the policy is missing elements A, F, J, K, L, N, O, and P of the rule.

Corrective Actions:

The facility should add these missing elements into it's policy.

Response Needed By:

3. 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:

During review of the facility's policies, a policy addressing this rule could not be located. During the on-site inspection, I was able to review documents that verify that the facility is conducting these inspections. However the rule does require that it be in policy also.

Corrective Actions:

The facility must review it's policy and add this rule as required.

Response Needed By:

INSPECTION COMMENTS

Physical Plant: The facility is very clean and well maintained for it's age, it is clear that the staff take pride in this. However, the facility's design makes it difficult for staff to conduct well-being checks of every individual cell, this has resulted in specific cells not being used. Additionally the space for inmates to use such as dayrooms and the program/recreation areas as small and don't fit the needs of the facility.

According to the National Institute of Corrections, the average life expectancy of a jail facility operated 24 hours per day, seven days per week, is approximately 30 years, depending on usage. The Swift County Jail was built in 1985 making it 37 years old. The County's elected officials are encouraged to begin discussions on a course of action to address long term public safety needs.

Well-Being Checks: Well-being checks are being completed within the 30 minutes required by the rule. However, the majority of the well-being checks observed via video show that well-being checks are being conducted at a pace that is too fast to observe signs of life and/or distress. The facility must conduct training on well-being checks with all staff.

Additionally, it is recommended that the facility implement an auditing plan of well-being checks in order to spot check staff and make sure that the facility is compliant with the timeliness and quality of the well-being checks moving forward.

Hardel Sherrell Act: The facility needs to review and incorporate the Hardel Sherrell Act that was implemented into law in August of 2021.

Policy changes must include:

- Death Notification to the MN DOC
- Death Review Team
- Deadly Use of Force, to include choke holds and prone restraint
- Duty to Report Excessive Use of Force or Neglect

The Swift County Jail will be placed on annual inspection status.

JJDPA Compliance

On August 11, 2022, a Juvenile Justice and Delinquency Prevention (JJDP) Act Audit was conducted. A review of DOC Portal indicated that three (3) juveniles were processed in the Swift County Jail from October 1, 2021 to August 11, 2022. A review of 100% of the data identified no violations. All juveniles brought into the jail are for book and release only.

DSO: No violations determined of the facility holding status offenders in the jail.

Jail Removal: No violations for the jail removal standard.

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation. Juveniles are book and release only.

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

Based on the documentation reviewed, zero (0) violations of the JJDP Act were identified during the Swift County jail inspection.

Report completed By: Justin Roberts – Detention Facility Inspector

Signature:

