



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:

Wadena County Jail

Address: 415 S Jefferson, Wadena, MN 56482

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Greg Croucher – Senior Detention Facility Inspector **Inspected on:** 01/16/2019

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

Officials Present During Inspection: Jail Administrator Bryan Savaloja

Officials Present for Exit Interview: Jail Administrator Bryan Savaloja; Sheriff Mike D. Carr

Issued Inspection Report to: Contract Administrator Sheldon Monson; Jail Administrator Bryan Savaloja; Sheriff Mike D. Carr; Regional Manager Sherry Hill

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	118	5	3	96.03%	Compliance rating of 100%
2911	Essential	99	89	7	3	92.93%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 11/01/2018 **Ends On:** 10/31/2019 **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:** Wadena 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	27	85	22.95	None.	None.

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance

Total: 5

1. 2911.1000 TRAINING PLAN.

A facility administrator or designee shall develop and implement a training plan for the orientation of new employees and volunteers and provide for continuing in-service training programs for all employees and volunteers. Training plans shall be documented and describe curriculum, methods of instruction, and objectives. In-service training plans shall be prepared annually and shall provide documentation indicating that training for individual employees has taken into consideration their length of service, position within the organization, and previous training completed.

Inspection Findings:

There is a training plan in place. However, it does not address all components of the rule.

Corrective Actions:

Ensure that future training plans address all components of the rule.

Submit a copy of the revised training plan to the Department of Corrections for review.

Response Needed By: 03/01/2019

2. 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:

Not all quarterly procedures have been documented.

Corrective Actions:

Ensure that all quarterly reviews are documented. Include kitchen and medical staff in these reviews.

Response Needed By: 03/01/2019

3. 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 video footage showed well-being checks to be out of compliance.

Significant gaps between well-being checks were found during this review.

An electronic watch tour system was discussed during the close out.

No improvement from the last on-site inspection was observed.

Corrective Actions:

Develop a system to audit well-being checks and follow-up when they are out of compliance. Submit this plan to the facility inspector for review.

It is recommended that a change in terminology from cell check to well-being check. This should be reflected in policy and documentation.

Response Needed By: 03/01/2019

4. 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:

There is a policy in place for the control of unissued security equipment but the inventory is not documented monthly.

Corrective Actions:

**Develop a system for documenting unissued security equipment.
Ensure that all chemicals are stored properly in the jail in the original container.**

Response Needed By: 03/01/2019

5. 2911.5550 LOCKS AND KEYS. Subpart 1. General.

Keys or other access control devices to security locks shall be properly tagged and stored in a secure cabinet within a secure area, and out of reach of the inmates or the public. At least one complete functional set of facility keys shall be kept on hand for replacement or emergency purposes. Keys that serve a critical security purpose shall be easily identifiable and never issued except upon order of the facility administrator or person in charge, and according to established procedure. No security keys shall be made available to inmates regardless of status.

Inspection Findings:

The keys kept in the dispatch lockbox do not have an inventory.

Corrective Actions:

Develop and implement a monthly inventory for all keys.

Response Needed By: 03/01/2019

Chapter 2911 - Essential Rules Not In Compliance

Total: 7

1. 2911.0900 STAFFING REQUIREMENTS. Subpart 17. Escort, movement, or booking staff.

Class I to Class VI facilities' staff shall be provided as follows: A. internal escort, rover, or movement officers in sufficient numbers as determined in the approved staffing plan under this subpart to ensure that inmates have access to staff, programs, activities, and services, and that the safety and security of the facility is not compromised; B. sufficient staff present to provide for the booking of offenders without a reduction in the safety or security of the facility and inmates; C. in multifloor jails, custody staff posted on each floor occupied by inmates; and D. sufficient numbers of staff to complete duties listed in post orders. Class I to Class VI facility staff shall not be used for the external transportation of inmates or court security if the level of inmate supervision, inmate admission, programs, or internal inmate movement would be reduced below minimums afforded under the facility's staffing plan.

Inspection Findings:

During peak times one staff member in the jail is not sufficient. Well-being checks, meals, medications, programs, responding to inmates needs and other duties listed in the post orders coupled with a physical layout of the facility make it difficult to complete duties in an efficient manner.

Many of the compliance issues listed in the last two inspection reports is due to one staff member in the back dealing with an overloaded post and not enough time to get things done.

Bookings, special watches requiring increased checks, and uncooperative inmates are all realities that have to be dealt with regularly.

Corrective Actions:

It is strongly recommended that two staff members be on duty in the jail portion of the facility during non-lockdown times and when jail population is above 15 inmates.

Response Needed By:

2. 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:

There was little documentation of training for support staff.

Corrective Actions:

The MeND company has training records for their staff. However, there is facility specific training that needs to be completed and documented. It is also recommended that security training for non-custody staff be developed and incorporated into the annual training plan for all support staff.

Response Needed By:

3. 2911.2600 CLASSIFICATION OF INMATES. Subpart 2. Status change.

The inmate classification plan shall specify criteria and procedures for determining and changing the status of an inmate, including custody, transfers, override functions, and major changes in programs. The plan shall include an appeal process for classification decisions. The use of any override shall be documented.

Inspection Findings:

Reclassification is done informally. There is no set criteria or paper trail to track rationale for changes in classification.

Corrective Actions:

**Develop and implement a consistent system to track all inmate reclassification decisions.
Add criteria and procedure to policy and procedure manual.**

Response Needed By:

4. 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:

There is a program schedule, but the formal written plan for programs needs to be expanded.

There is limited programming in the facility.

Corrective Actions:

Plan needs to include letters B, D and F listed in this rule part.

Seek the help of outside agencies in the area to deliver programming in the facility.

Response Needed By:

5. 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:

Programming space is very limited. There is one small multi-purpose room used for various program opportunities, but the space is not adequate for the needs of the facility or the inmate population. There is no area for active recreation.

Corrective Actions:

There is no further action required at this time. Any future expansion/renovation must include planning to address the lack of recreation space.

Response Needed By:

6. 2911.4950 RESPONSE TO RESISTANCE. Subpart 4. Equipment.

The issue, storage, inspection, and use of chemical agents, impact devices, electronic control devices, and other security devices shall be governed by written policy and procedure. All unissued security devices and equipment shall be stored in a secure, readily accessible depository located outside inmate housing and activity areas, and inventoried at least monthly to determine condition and expiration dates of the devices and equipment.

Inspection Findings:

There is a policy in place but the inventory is not being completed monthly.

Extra chains, handcuffs and leg shackles were found in the medication room. Revise inventory forms as needed.

This is a repeat from the last on-site inspection.

Corrective Actions:

Ensure that all security equipment is inventoried at least monthly and documented.

Response Needed By:

7. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 3. Security post records.

Custody staff shall maintain a record and prepare shift reports that document routine and emergency situations and unusual incidents. Records shall be maintained according to the county retention schedule.

Inspection Findings:

A check of jail logs showed that they were not always reflective of actual well-being check times. Several late entries with no explanation were also found.

Corrective Actions:

Ensure that staff members are accurately documenting all activity in the jail.

Response Needed By:**Chapter 2911 - Mandatory Rules In Compliance With Concerns****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:

The classification form is in need of some revision as it would take a significant amount of points to be classified as general population or special management.

A review of jail files showed some inmates that had not been classified and overall inconsistency with jail classification practices. More consistency is needed in this area no matter which staff member is completing the classification form.

Corrective Actions:

It is recommended that the Jail Administrator or designee review all classifications to ensure compliance and consistency.

Terminology on forms and in policy shall be changed from medium to general population and maximum to special management.

Response Needed By:**2. 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:

A review of jail logs showed inconsistent count times.
This is a repeat from last years on-site inspection.

Corrective Actions:

Ensure that there are consistent formal counts conducted and documented.

Response Needed By:

3. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 11. Examinations.

Examinations, treatments, and procedures affected by informed consent standards governed by state or federal law shall be observed for inmate care. The informed consent of the parent, guardian, or legal custodian must be obtained when required by law. Where health care treatment must be provided against an inmate's will, it must be provided according to law.

Inspection Findings:

There is no area at the jail where examinations could take place.

Corrective Actions:

No corrective action at this time as this is a physical plant constraint which can not be addressed without significant remodel or renovation.

Response Needed By:

Chapter 2911 - Essential Rules In Compliance With Concerns

Total: 3

1. 2911.0330 APPROVED CAPACITY. Subpart 2. Approved bed capacity.

Approved bed capacity, excluding holding areas and beds designed for disciplinary or administrative segregation purposes, shall be based on the following criteria: A. single occupancy cells shall provide a minimum of 70 square feet of floor space per inmate; B. single occupancy cells or detention rooms in facilities used for detention or confinement of inmates prior to May 15, 1978, shall provide a minimum of 50 square feet of floor space per inmate; C. dormitories shall provide a minimum of 60 square feet of floor space per inmate; and D. double occupancy cells shall provide a minimum of 70 square feet of floor space.

Inspection Findings:

The square footage in the minimum-security dorm area is not sufficient for 8 inmates.

Corrective Actions:

The approved capacity of this area shall remain the same as it is used for work release and community release inmates.

Response Needed By:

2. 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:

There is a policy in place for training that includes the elements in the rule, but at the time of the inspection there was little documentation of the specific trainings outlined.

Overall, this appears to be an issue with the tracking and organization of the training records.

Some improvement was shown since last on-site inspection.

Corrective Actions:

Ensure that all staff receive the specific training outlined in the rule.

Response Needed By:

3. 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:

Education resources are very limited.

Corrective Actions:

Have programs staff find more educational resources.

Response Needed By:

INSPECTION COMMENTS

Operational issues:

1. Staffing. The jail meets the minimum standard for staffing in regard to inmate supervision. However, it was clear that the one person working in the jail is not sufficient to handle the amount of duties that are required on each shift. See 2911.0900 subp. 17.

It is strongly recommended that the jail increase it's staffing complement during non-lockdown times to efficiently and safely handle the amount of duties that are assigned to this one post. Efforts need to continue in regard to retaining staff members as there continues to be a significant amount of turnover.

2. Programs. Programming at the jail is very limited. More efforts need to be made towards the area of programs and constructive activities for the inmate population. With the physical plant limitations the facility faces, additional programming may be very beneficial for staff and inmate safety.

Physical plant concerns:

1. Security around the generator and access to the roof of the building were discussed during the inspection.

2. Remove old, unused bookshelves from multi-purpose room. Ensure that microwave is plugged into a gfci outlet. Also the drop ceiling in this room shall be placed on a regular search schedule.

3. Corrosion and flooring issues were found in many showers. This is an issue that will continue to get worse unless it is appropriately addressed soon. There are also small pieces of glazing into the shower. Many were found to be cracked. These should be covered or removed.

4. The current sallyport is undersized. It will not fit an ambulance. The garage door opener is old and should be inspected by a professional. There is also no co2 monitoring in the garage sallyport. The stairs in this area require inmates in need of a wheelchair to be brought into the jail from a different entrance.

5. The "H" block bathroom area is showing signs of deterioration and will need to be addressed with new products and piping.

6. The property room is undersized and doesn't meet the needs of the facility.

7. The kitchen area is also undersized and has been pushed into an area that was previously used as a squad room.

8. Updated SDS sheets are needed in the kitchen and laundry room.

At this time the Wadena County Jail will remain on annual inspections.

JJPA Compliance

No Juvenile Justice and Delinquency Prevention Act audit was conducted during this inspection as one was completed during the 2018 on-site inspection.

The Wadena 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.

Report completed By: Greg Croucher – Senior Detention Facility Inspector

Signature:

Gregory A. Croucher
