



# 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:** Troy Okerlund – Detention Facility Inspector **Inspected on:** 09/09/2021 to 10/18/2021

**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:** Jail Administrator Bryan Savaloja; Sheriff Mike D. Carr; County Administrator Ryan Odden; 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	126	116	5	5	96.03%	Compliance rating of 100%
2911	Essential	100	96	3	1	97.00%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** conditional approval **Begins On:** 11/01/2021 **Ends On:** 10/31/2022 **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.	Wadena County operates a linear style jail.

## RULE COMPLIANCE DETAILS

### Chapter 2911 - Mandatory Rules Not In Compliance

**Total: 5**

- 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' 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:**

At the time of inspection a complete staffing plan could not be located.

**Corrective Actions:**

**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.**

**Response Needed By: 12/31/2021**

**2. 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:**

While reviewing the policy and procedure manual it was found that some policies don't adequately address the requirements in 2911. Additionally, it was found that some policies reference outdated Minnesota rules (2911.5400 sub 4 Vs. 2911.5000 Sub4). The administrator is aware of these inconsistencies and is working to update the policy

**Corrective Actions:**

**Update the policy and the handbook to be consistent with Minnesota rules and State Statutes.**

**Response Needed By: 12/31/2021**

**3. 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 "Jail inmate initial classification" must be updated to be consistent with the Minnesota Rule in regard to adding inmate gender into the classification process. Additionally, it appears that the form is assessing juvenile and adult status based on age. It should be noted that an inmate 18 or older doesn't necessarily make them adult status.

**Corrective Actions:**

**The facility's policy and procedure on classification shall include consideration of inmate gender. Extended Juvenile Jurisdiction (EJJ) can enforce juvenile sanctions until the offender's 21st birthday. When in custody under EJJ the inmate would need to be treated as a juvenile. Efforts should be made at the initial classification to identify juvenile or adult status.**

**Response Needed By: 12/31/2021**

4. 2911.3800 FOOD HANDLING PRACTICES.

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

**Inspection Findings:**

The annual health inspection had lapsed by approximately 2 weeks. The administrator was actively working on scheduling a health inspection within the next three weeks.

**Corrective Actions:**

**Outside factors such as the pandemic or other agencies being less staffed have led to longer wait times for annual inspections. It is recommended that jail staff attempt to schedule inspections two or three months prior to expiration.**

**Response Needed By: 12/31/2021**

5. 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:**

In regard to formal counts, jail policy references a Minnesota rule that is no longer current, additionally the policy needs to address the process for counting inmates and identifying the whereabouts. When reviewing documentation inspectors could only identify one documented formal count within the past few days.

**Corrective Actions:**

**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.**

**Response Needed By: 12/31/2021**

**Chapter 2911 - Essential Rules Not In Compliance**

**Total: 3**

1. 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:**

Documentation of programs and documentation inmates participating in programs could not be located at the time of the inspection. The policy manual referenced JAIL ADMINISTRATOR RESPONSIBILITIES (Policy 1000) but didn't address the requirements in the rule and how they are met.

**Corrective Actions:**

**Reference Rule MN 2911.3100 Sub 1 and ensure the jail is compliant. Provide documentation of programs offered and inmates participating in programs in the past 12 months to the DOC.**

**Response Needed By:**

## 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:**

Programming space is insufficient. There is one small multi-purpose room used for 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. This space is also used for professional visits, medical exams, DOC hearings, and other non-program related activities.

**Corrective Actions:**

**Effort should be made to provide active recreational activities within the limitations of the facility. This is a physical plant limitation. Future construction, expansion, or renovation must include planning to address the lack of recreation space. See physical plant notes in the summary.**

**Response Needed By: 12/31/2021**

## 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:**

It was noted inmates are working in the laundry facility with chemicals that have health hazard listed at "Serious eye damage/eye irritation" necessary protective equipment must be provided to inmates participating in these special work assignments

**Corrective Actions:**

**Necessary protective equipment must be provided to inmates participating in work assignments where personal protection equipment and clothing will reasonably assist in preventing injuries. 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.**

**Response Needed By: 12/31/2021****Chapter 2911 - Mandatory Rules In Compliance With Concerns****Total: 5**

## 1. 2911.0900 STAFFING REQUIREMENTS. Subpart 10. Supervision of inmates of opposite gender.

Staff members shall not be placed in positions of responsibility for the supervision and welfare of inmates of the opposite gender in circumstances that can be described as invasion of privacy, degrading, or humiliating to the inmates. When staff of one gender are used as program resource personnel with inmates of the opposite gender, staff of the inmates' gender must be on duty and in the facility.

**Inspection Findings:**

Jail policy states: "When both male and female inmates are held at this facility, a maximum of one male and one female jailer should be on duty in the jail at all times." Per the inspector's conversation with the administrator, having correctional officers of the same gender as the inmates does not always occur.

**Corrective Actions:**

**Correctional staff will need to follow policy or modify policy to fit current practice as long as it's in compliance with rules and statutes.**

**"When staff of one gender are used as program resource personnel with inmates of the opposite gender, staff of the inmates' gender must be on duty and in the facility."**

**Response Needed By:**

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:**

Per the inspector and administrator conversation kitchen and medical staff have not participated in emergency procedures (drills) within the last year.

**Corrective Actions:**

**It is recommended that kitchen staff and medical staff be included in the evacuation and emergency procedure plans. A variation of drills such as fire drill, severe weather, man down, and cut down drills are recommended.**

**Response Needed By:**

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:**

The Administration purchased and implemented new technology to help track and improve well-being checks. The well-being checks witnessed via video appeared to be high quality and within a timely manner.

Inspectors observed correctional officers doing wellness checks from the hallway. The inmates were found to be in their rooms (doors open) and not in the dayroom. Inspector walked out on the floor and viewed the line of sight from the correctional officer's perspective. It does appear that correctional officers could personally observe the well-being of the inmate from the hallway.

**Corrective Actions:**

**It was recommended that if an inmate is not in the dayroom that the correctional officer go inside the dayroom area and make a closer observation of the inmate in their room. This allows the digital tracking system and the video to better document that the check has been completed.**

**Response Needed By:**

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:**

Large quantities of powder detergent (institutional laundry detergent SDS 584N-166A) are stored in the unsecured laundry room. The chemical is listed as having a health hazard of serious eye damage/eye irritation. This product with this hazard can be safely used if proper storage and handling practices are followed.

**Corrective Actions:**

**If inmates are having contact with hazardous chemicals, they should be trained on proper storage and handling practices. Additionally, inmates should be provided with all necessary protective equipment such as eye protection when coming into direct contact with the chemical. If this becomes too burdensome it is recommended that the jail find a different laundry detergent that poses less or no hazards to the inmates/staff.**

**Response Needed By:**

5. 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:**

Medical examinations are completed in the program area. No appropriate space is available for inmate medical examinations.

**Corrective Actions:**

**No corrective action at this time as this is a physical plant constraint which cannot be addressed without significant remodel or renovation. Future construction or remodel must include a provision for inmate examinations.**

**Response Needed By:****Chapter 2911 - Essential Rules In Compliance With Concerns****Total: 1**

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:**

**INSPECTION COMMENTS**

## Operations:

1. It is apparent, Administration takes pride in a clean jail. The facility was found to be very clean and well organized.
2. Well-being checks were found to be out of compliance on the last inspections. The Administration purchased and implemented new technology to help track and improve well-being checks. The well-being checks witnessed via video appeared to be good quality and preformed within a timely manner.

## Physical plant:

1. The deteriorating walls noted in the 2019 inspection have been addressed.
2. The current sally port is undersized. It will not fit an ambulance. The stairs in this area require inmates in need of a wheelchair to be brought into the jail from a different entrance.
2. The property room and program space are undersized and don't meet the needs of the facility.
3. There is no recreation space, and no opportunities for the inmates to active recreation.
4. The kitchen area is undersized and poorly situated, as it serves as a sally port for the secure perimeter. Based on the Public Health report dated September 24, 2020, there are significant renovations needed to bring the kitchen into compliance.

The National Institute of Corrections has established the life cycle of a jail to be 25 to 30 years. The Wadena County jail is approximately 40 years old and has exceeded this time parameter. It is recommended the elected officials of the County give serious consideration to addressing its future incarceration needs. If the jail elects not to take corrective steps towards addressing the physical plant issues, the Department of Corrections will take corrective action(s), most commonly used is a reclassification or a Sunset.

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

**JJDPA Compliance**

On September 29, 2021, a Juvenile Justice and Delinquency Prevention Act audit of the Wadena County Jail was conducted.

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.

According to facility records, the Wadena County Jail held or processed 5 juveniles between October 1, 2020 and the day of the inspection.

DSO: I did not find any violations of the facility holding status offenders in the jail. Upon review of the files, indication was that juveniles that were brought into the facility were indeed there for delinquent offenses.

Jail Removal: There were no violation for this core requirement.

Sight and Sound separation: The facility design and policies allow for proper sight and sound separation. This includes the route taken to Court holding. Policies and the court schedule also indicate proper sight and sound separation are maintained.

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

Based on the documentation provided, no violations of JJDP were found during the inspection.

**Report completed By:** Troy Okerlund – Detention Facility Inspector

**Signature:**

