



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:

Waseca County Jail

Address: 122 Third Avenue, PO BOX 226, Waseca, MN 56093

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Jen Pfeifer – Senior Detention Facility Inspector **Inspected on:** 05/03/2022

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

Officials Present During Inspection: Jail Administrator Andy Buckmeier; Lieutenant Dan Mocol; Sheriff Brad Milbrath

Officials Present for Exit Interview: Jail Administrator Andy Buckmeier; Lieutenant Dan Mocol

Issued Inspection Report to: Jail Administrator Andy Buckmeier; Lieutenant Dan Mocol; Sheriff Brad Milbrath; County Administrator Micheal Johnson; 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 | 2 | 3 | 98.41% | Compliance rating of 100% |
| 2911 | Essential | 102 | 98 | 1 | 3 | 99.02% | Compliance rating of 90% |

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 06/01/2022 **Ends On:** 05/31/2024 **Facility Type:** Jail
Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 05/31/2023
Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Waseca 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 | 24 | 80 | 19.20 | Operational capacity 19 beds. Do not hold females. | None. |

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance**Total: 2**

1. 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 every quarter.

Corrective Actions:

Ensure that a review of emergency procedures are being completed quarterly and that those reviews are being documented. Submit documentation of completed quarterly reviews to the inspector.

Response Needed By: 12/31/2022

2. 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:

Well-being checks were found to be out of compliance with the 30-minute time frame allowed in the rule.

Corrective Actions:

Well-being check training shall be added to the yearly training plan and documented by all staff. Complete well-being check training by June 30, 2022 and provide documentation of the completed to the Department of Corrections on or before that date.

Response Needed By: 06/30/2022**Chapter 2911 - Essential Rules Not In Compliance****Total: 1**

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 recreational/program space is limited and is not adequate to serve the inmate population.

Corrective Actions:

Due to the size and design of the facility, it is not possible to address this issue within the current facility. No further action is necessary at this time.

Response Needed By:**Chapter 2911 - Mandatory Rules In Compliance With Concerns****Total: 3**

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 include methods of instruction, objectives or curriculum for each training.

Corrective Actions:

Update training plan to include all elements in the rule.

Response Needed By:

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:

The policy manual does not reflect required elements in the rule.

Corrective Actions:

**Update policy manual to reflect requirements in the Chapter 2911 Rules.
The specific areas needing attention were addressed during the inspection.**

Response Needed By:

3. 2911.2550 RELEASES. Subpart 3. Release in severe weather.

An inmate shall not be released in severe weather in a manner to endanger the inmate's health, safety, or well-being.

Inspection Findings:

There is no policy regarding the release of inmates during severe weather.

Corrective Actions:

Update policy manual to include this section in the rule.

Response Needed By: 08/31/2022

Chapter 2911 - Essential Rules In Compliance With Concerns

Total: 3

1. 2911.1200 CLERICAL AND SUPPORT EMPLOYEES WITH REGULAR OR DAILY INMATE CONTACT: TRAINING. Subpart 1. Minimal inmate contact.

A facility shall have a written policy and procedure that provides that all new clerical and support employees that have minimal inmate contact receive 24 hours of orientation and training during their first year of employment. Sixteen of these hours are completed before being independently assigned to a particular job. Persons in this category are given an additional 16 hours of training each subsequent year of employment.

Inspection Findings:

The support employees for the jail include the nurse and they receive the required training for support employees with inmate contact but they do not train on the emergency policies.

Corrective Actions:

It is recommended the nurse receive the required training as it pertains to the safety and security of the jail. The training should focus on knowing the security procedures and regulations and all emergency procedures for the jail.

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, but it does not include all elements of training listed in this rule.

Corrective Actions:

Update the policy on new staff training to include all elements listed in this rule. This training shall be provided for all new staff.

Response Needed By:

3. 2911.2700 INFORMATION TO INMATES. Subpart 1. Information made available to inmates.

Copies of policies and rules governing conduct and disciplinary consequences; procedures for obtaining personal hygiene and commissary items; and policies governing visiting, correspondence, bathing, laundry, and clothing and bedding exchange shall be made available to all inmates. Information will be made available to disabled inmates including those that are hearing impaired, visually impaired, or unable to speak in a form that is accessible to them. Information required under this subpart shall be available in English. There shall be procedures in place to address the language barriers of non-English-speaking inmates. Policy and procedures shall ensure, to the extent practical, that inmates who are unable to speak English are provided with the information outlined in this part within 24 hours of admission to the facility in a form that is accessible to the inmate.

Inspection Findings:

The inmate handbook does not include sufficient information regarding due process rights for inmates.

Corrective Actions:

**Update policy manual and inmate handbook to reflect this requirement.
The inmate disciplinary form shall include the inmates rights and responsibilities as they pertain to due process.**

Response Needed By: 08/31/2022

INSPECTION COMMENTS

Jail comments: The Waseca County Jail was built in 1970. The life expectancy for a facility of this size is on average 25 years and this jail is now over 50 years old. Double bunking also reduces the life expectancy of a jail with added use and wear on the infrastructure. Although the facility has been maintained and updated where possible, the limited size and age of the physical plant is no longer meeting the needs of the inmate population.

Physical plant: The physical plant of the facility has poor sight lines and lighting in the inmate day areas. The lighting and vents are antiquated and do not meet current detention standards. The living spaces for inmates are limited as they are shared with the sleeping spaces.

Support space: The recreation/program space is limited and does not allow for active recreation or multiple programs. When the facility holds a female from court or a juvenile, they must use the recreation space which denies recreation time to everyone else while the space is being occupied. After speaking with inmates currently housed in the jail, they must fill out a request to use the recreation area the night before and programming is sparse.

The nurse's office, which was previously a storage area, doubles as an exam room. This creates security concerns as the potential that an inmate is able to grab contraband is high.

There is one small space for inmate attorney visits. The facility has two visitation booths which is staff intensive on visitation days. Video visitation is not an option due to lack of open day room space. Overall, the facility is lacking in needed inmate and support space.

Route taken to court: There is a concern with the route the staff members take to escort an inmate to court. Inmates are escorted in unsecure public areas with no camera coverage. This is well known and creates a safety risk for the inmates and staff.

The above mentioned concerns have been an on-going issue for the jail for many years. The Officials of Waseca County will need to address long term planning for the future of the facility.

It is recommended that the Waseca County Jail be reduced to a 90 day facility.
The facility is over 50 years old and lacks program and recreation space and is not conducive for holding inmates longer than 90 days.

The facility will remain on biennial inspections.

JJDPA Compliance

Compliance Report for Monitoring Facilities Pursuant to the Juvenile Justice Delinquency Prevention Act of 2002.

On May 3, 2022, a Juvenile Justice and Delinquency Prevention (JJDP) Act audit was conducted. The Waseca County Jail has received a "Rural Exception" to the JJDP Act. This allows the facility to hold a delinquent juvenile up to 24 hours, excluding weekends and holidays.

The three core requirements that are looked at during our facility audit are the 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 Waseca County Jail held or processed one juvenile during the federal fiscal year 2021. One hundred percent of the year 2021 juvenile data and one hundred percent of the juvenile files were reviewed. The findings are as follows:

DSO: No violations 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 held in the recreation area, away for the male population. Waseca County uses JAF in Scott County or Rochester for juvenile placement.

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

Court holding: Juvenile court times are scheduled at different times from adults to assure proper sight and sound separation from adult inmates. Court holding is cleared before juveniles are brought in.

Based on the documentation that reviewed, no violations of the JJDP act were identified during the Waseca County jail inspection.

Report completed By: Jen Pfeifer – Senior Detention Facility Inspector

Signature: _____

Jennifer Pfeifer