



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:

Watonwan County Jail

Address: 715 Third Avenue, PO BOX 168, St. James, MN 56081

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Jen Pfeifer – Detention Facility Inspector **Inspected on:** 03/13/2019 to 04/01/2019

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

Officials Present During Inspection: Jail Administrator Julie Carr; Sheriff Jared Bergeman

Officials Present for Exit Interview: Jail Administrator Julie Carr

Issued Inspection Report to: Jail Administrator Julie Carr; Sheriff Jared Bergeman; County Administrator Keith Brekken; 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	127	114	10	3	92.13%	Compliance rating of 100%
2911	Essential	100	97	3	0	97.00%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 04/01/2019 **Ends On:** 03/31/2020 **Facility Type:** 90 Day Lockup

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:** Watonwan 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	20	80	16.00	None.	None.

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance

Total: 10

- 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:

There was not an updated staffing plan completed and one has not been updated in several years. It was noted that staff were leaving the jail unattended falling below approved staffing levels.

Corrective Actions:

Update staffing plan and review yearly. Submit new staffing plan to the Department of Corrections.

Response Needed By: 07/01/2019

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 current practice.

Corrective Actions:

The policy manual has been a work in progress since the last inspection. Policies should reflect current practice and should be updated with new medical polices and procedures with MEND. Submit updated policy manual to the Department of Corrections.

Response Needed By: 07/01/2019

3. 2911.2500 SEPARATION OF INMATES. Subpart 1. General.

A combination of separate housing units inclusive of special management areas, general population, and minimum security areas and cells, dormitories, and dayroom spaces shall be provided to properly segregate inmates pursuant to Minnesota Statutes, section 641.14. The facility shall provide for the separate housing of the following categories of inmates: A. female and male inmates; B. community custody inmates such as work release or sentencing to service; C. inmates requiring disciplinary segregation; D. inmates requiring administrative segregation; E. juveniles who do not meet Minnesota statutory requirements for placement with adults; F. special management, general population, and minimum security inmates as considered appropriate to the facilities design intent and classification system; and G. inmates classified as mentally ill or special needs inmates in a manner consistent with Minnesota Statutes, section 253B.05.

Inspection Findings:

Proper separation of inmates based on classification is not happening. The jail is mixing inmates with different classification without proper override information when applicable.

Corrective Actions:

Ensure proper classification and separation is being completed and inmates are housed accordingly.

Response Needed By: 05/01/2019

4. 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 are out of compliance. I was unable to observe one well-being check that was in compliance with the rule. Staff were found to be out of the building several times throughout the day leaving the jail unattended to for 15-20 minutes at times.

Corrective Actions:

Well-being checks are grossly out of compliance. Staff may not complete checks from the officer work station. This was mentioned in the past two inspections. All correctional staff including administration staff shall complete retraining of proper well-being checks. This training shall be documented and sent to the Department of Corrections. Staff are not to leave the jail unattended.

Response Needed By: 05/01/2019

5. 2911.5300 SEARCHES, SHAKEDOWNS, AND CONTRABAND CONTROL. Subpart 4. Daily inspections.

A facility shall be inspected at least daily for contraband, evidence of breaches in security, and inoperable security equipment, and shall document the inspection.

Inspection Findings:

The facility does not complete a daily inspection for contraband, evidences in breaches in security, and inoperable security equipment.

Corrective Actions:

It is imperative that all aspects of the jail are being checked for breaches in security and contraband, especially in inmate cells where they have the ability and time to create breaches in security. Inform staff of the change in daily procedures. Add daily inspections to the post orders. All daily inspections need to be documented for verification purposes. Notify the Department of Corrections of the daily inspection procedures. Correctional staff need to be going into the housing areas.

Response Needed By: 05/01/2019

6. 2911.6500 STORAGE. Subpart 1. Locked area.

Medication shall be stored in a locked area. The storage area shall be kept locked when not in use by authorized staff.

Inspection Findings:

Medication drawers in the intake area were not locked on the day of the inspection.

Corrective Actions:

Ensure the proper storage of medications according to the rule.

Response Needed By: 05/01/2019

7. 2911.6500 STORAGE. Subpart 5. Controlled substances.

There shall be a procedure for maximum security storage of and accountability for controlled substances.

Inspection Findings:

Narcotics were not locked according to policy on the day of the inspection. Policy indicates that narcotics are required to be double locked and they were not.

Corrective Actions:

Ensure all narcotics are locked and controlled according to policy.

Response Needed By: 05/01/2019

8. 2911.7100 INMATES WITH SPECIAL NEEDS. Subpart 1. Postadmission screening.

The facility written policy and procedure shall require postadmission screening and referral for care of inmates with special needs, whose adaptation to the correctional environment is significantly impaired.

Inspection Findings:

The jail is in poor physical condition and does not appear to have much preventative maintenance.. Overflowing garbages were found in all of the housing units and the jail appeared to be extremely dirty.

Corrective Actions:

Ensure that weekly sanitation inspection are being completely accurately and noting deficiencies in the building. These should be reviewed by the jail administrator to ensure compliance with the rule.

Response Needed By: 07/01/2019

9. 2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE. Subpart 2. Maintenance plan.

A written housekeeping plan for all areas of the physical plant shall provide for daily housekeeping and regular maintenance by assigning specific duties and responsibilities. Facility floors are kept clean, dry, and free of hazardous substances. A written policy and procedure shall establish the following requirements: A. weekly sanitation inspections of all institution areas by a designated staff member; and B. there is documentation that deficiencies, if any, have been corrected.

Inspection Findings:

The written housekeeping plan is not being followed according to jail policy.

Corrective Actions:

Create a new maintenance and housekeeping plan to be completed by jail outlining specific duties that need to be complete.

Response Needed By: 07/01/2019

10. 2911.7300 FIRE INSPECTION. Subpart 1. Annual inspection.

Each facility shall be policy require that a fire inspection of the facility must be conducted in accordance with the applicable fire code on an annual basis by a state fire marshal or local fire official.

Inspection Findings:

There was not a current fire inspection completed.

Corrective Actions:

Complete a fire inspection and submit to the Department of Corrections. Ensure that these inspections are being completed on a yearly basis.

Response Needed By: 05/01/2019

Chapter 2911 - Essential Rules Not In Compliance**Total: 3****1. 2911.0900 STAFFING REQUIREMENTS. Subpart 15. Ratio of custody staff to inmates, reporting incidents, and responding to emergencies.**

A. A facility with a design capacity of 60 or fewer beds shall meet the staffing ratios in this item. For inmate supervision, the overall facilitywide minimum ratio of custody staff to inmates shall be one custody officer to 25 inmates. These staff must be in the facility and on duty at all times and not involved in temporary duties outside of the facility. Included in this ratio are all staff who are assigned and trained in the custody and supervision of inmates as their primary duty. Staff not directly responsible for custody and supervision of inmates such as administrative, supervisory, program, bailiff, or support staff shall not be included in this ratio; B. A facility with a design capacity of 60 or more beds shall meet the staffing ratios in this item. For inmate supervision, the overall facilitywide minimum ratio of custody staff to inmates shall not be less than: (1) 1 to 60 inmates for direct supervision housing units with lockdown capability; (2) 1 to 48 inmates for direct supervision dormitories; (3) 1 to 40 for indirect or podular inmate supervision; and (4) 1 to 25 inmates for linear housing areas; C. A facility administrator may apply for a specific variance from the staffing requirements in this subpart from the commissioner. Consideration of this variance shall require that supervision of inmates is accomplished in an appropriate manner and that the safety and security of the facility, staff, and inmates are not compromised.

Inspection Findings:

While reviewing camera for the audit of well-being checks it was noted that several times during the day the Correctional Officers are leaving the building leaving the jail unattended.

Corrective Actions:

Jail staff may not leave the jail unattended at any time. Dispatch is not included in the approved staffing levels of the jail and are not being used to watch the jail when staff are leaving the building.

Response Needed By: 05/01/2019**2. 2911.2800 ADMINISTRATIVE SEGREGATION. Subpart 4. Policy.**

Written policy and procedure shall provide that the status of inmates in administrative segregation is reviewed every seven days. These policies shall provide: A. that the review is documented and placed in the inmate's file; B. that the inmate in administrative segregation receive visits from the facility administrator or designee a minimum of once every seven days as a part of the administrative review process; and C. that the review process that is used to release an inmate from administrative segregation is specified.

Inspection Findings:

Reviews of inmates placed on administrative segregation status are not happening every seven days and often times not at all.

Corrective Actions:

Ensure all inmates placed on administrative segregation status are being reviewed every seven days and that these reviews are being documented.

Response Needed By: 05/01/2019**3. 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 jail has no active recreation space.

Corrective Actions:

The jail has been reduced to a 90 day facility and at this time in order to comply with the rule a major remodel would have to be completed.

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 2018 training plan in place, however, it does not describe the methods of instruction, curriculum, and objectives.

Corrective Actions:

Add the elements of the rule into the training plan and submit to the Department of Corrections.

Response Needed By:

2. 2911.3900 DIETARY ALLOWANCES. Subpart 1. Generally.

Nutritional needs of adult inmates, and juvenile inmates housed in an adult facility, shall be met in accordance with inmate needs or as ordered by a medical professional, and meet the dietary allowances contained in this part which are based upon 2005 MyPyramid guidelines for a weekly 2,400 calories per day and meeting the 2002 Dietary Reference Intakes. A facility governed by this chapter shall have menu planning sufficient to provide each inmate the specified food servings per day contained in subparts 2 to 7.

Inspection Findings:

The menus have been reviewed by a licensed dietician however several changes to the menu were suggested to meet dietary guidelines.

Corrective Actions:

Ensure changes to the menu are made in accordance with findings in the review by the dietician.

Response Needed By:

3. 2911.4000 ANNUAL FOOD SERVICE REVIEW.

A facility's menu content and cycle shall be reviewed at least once annually by a registered dietitian or nutritionist to ensure compliance with part 2911.3900. The review the findings shall be documented and on file.

Inspection Findings:

I was unable to review an updated review.

Corrective Actions:

I was able to review last year's menu correction suggestions but that was it. The jail should work with their food service provider to make these changes in meal plans.

Response Needed By:

INSPECTION COMMENTS

Julie Carr is the new Jail Administrator and this was her first inspection.

The jail is beginning to show signs of age and preventative maintenance appears to be minimal. The trim on the floor in the bathrooms and sink areas is coming apart from the walls and is missing in some areas. Toilets are showing signs of rust and mildew and the bathroom in the female area is filled with graffiti both on the walls and stained into the floor. The jail was dirty and garbage's were overflowing in the housing units.

The jail has recently acquired MEND Correctional Health Care as it's Medical Authority. This will help create consistent health care. Policies and procedures will need to be updated to reflect this change. Narcotics were not locked up in a secure area and medications stored in the intake area were not locked in the drawer.

All well-being checks observed were out of compliance. It was also noted that on several occasions throughout the day, both staff on duty were observed outside smoking leaving the jail unattended falling below the required staffing levels.

The well-being checks continue to be grossly out of compliance. Multiple well-being checks were noted as being over by one hour or longer. This was noted in the last inspection. At that time re-training was recommended and as of the time of the inspection had not been completed. Well-being checks were discussed in detail with the Jail Administrator, Sergeant and the Sheriff the day of the inspection.

A review of the juvenile records for those booked into the facility found that a juvenile under the age of 14 was booked into the facility. This is a violation of the age requirement under Minnesota Statute 260B.181 Sub. 4 that states "No child under the age of 14 may be detained in a jail, lock up or other facility used for the confinement of adults who have been charged with or convicted of a crime."

The facility will remain on annual inspections.

JJDPA Compliance

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

On March 13th, 2019, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Watonwan 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 holidays. 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.

I reviewed approximately 100 percent of the juvenile data and files from October 1, 2018-March 13, 2019. The findings are as follows:

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

Jail Removal: Files and Statewide Supervision System data indicate that any children brought into the jail are removed well within the 24 hour time frame allowed per the "Rural Exception."

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation. Juvenile court times are held separately from adults and policy reflects this.

Court Holding: Court holding is located upstairs in the courthouse adjacent to the jail. Juvenile court times are time phased from adults for sight and sound separation. It is a nonsecure court holding but is monitored by staff at all time when court holding is being occupied.

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

Based on the documentation that I reviewed, I did not find any violations of the JJDP Act during the Watonwan County inspection.

Report completed By: Jen Pfeifer – Detention Facility Inspector

Signature: _____

Jennifer Pfeifer