



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:

Wilkin County Jail

Address: 515 Dacotah Avenue, Breckenridge, MN 56520

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Annual **Inspected By:** Jen Pfeifer – Detention Facility Inspector **Inspected on:** 09/28/2016

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

Officials Present During Inspection: Jail Administrator Rick Teberg; Sheriff Rick Fiedler

Officials Present for Exit Interview: Jail Administrator Rick Teberg; Sheriff Rick Fiedler

Issued Inspection Report to: Jail Administrator Rick Teberg; Sheriff Rick Fiedler; 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	119	114	5	7	95.80%	Compliance rating of 100%
2911	Essential	91	85	6	3	93.41%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 10/01/2016 **Ends On:** 09/30/2017 **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:** Wilkin County Sheriff's Department

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	21	80	16.80	None.	None.

Variances

NONE

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance**Total: 5**

1. 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:

At the initial booking process, all inmates are classifying as medium no matter what their score indicates and being put into the same housing units.

Corrective Actions:

Develop a classification system that allows for proper separation of inmates.

Response Needed By: 12/30/2016

2. 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 current practice for classification is the classification exam done at the time of booking. The exam does not address special needs, mental health, developmental and physical disabilities or the need for special management. The current process allows for all classifications to be mixed in housing units and inmates are not properly separated.

The current policy states that the initial classification exam is followed up by a more in depth classification screening, however not the practice.

Corrective Actions:

Review current policy and update according to the rule. Develop a classification system that includes all elements of the rule to ensure proper classification and separation.

Response Needed By: 12/01/2016

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:

Video review of well-being checks showed that the correctional staff are not going into the inner day room to complete well-being checks. The guard plus station located on the outside of the housing unit is the only one being logged.

Corrective Actions:

When completing a well-being check, the correctional officers must enter the day room space to check the well-being of each inmate in their cell or in the day space. If all inmates are in the day space, a visual of all inmates must be completed.

Well-being checks are extremely important to ensuring the safety and welfare of inmates.

Submit plan to the Department of Corrections.

Response Needed By: 10/14/2016

4. 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:

Video review discovered that daily checks for contraband and security breaches are not being completed.

Corrective Actions:

Develop a plan to ensure daily inspections are completed and documented. Submit the plan to the Department of Corrections.

Response Needed By: 10/14/2016

5. 2911.6500 STORAGE. Subpart 5. Controlled substances.

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

Inspection Findings:

The controlled substances stored in the medical unit are not being inventoried by the nurse. Booking staff inventory medications coming in at the time of intake but the medication counts are not being transferred to the inventory sheet in the medical unit. The cabinet in which these medications are stored was not locked.

Corrective Actions:

Inventory all controlled medications and track that in the medical unit. Ensure that the cabinet containing controlled medications is locked when not in use.

Response Needed By: 10/14/2016

Chapter 2911 - Essential Rules Not In Compliance

Total: 6

1. 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:

There is not a process in place for review and/or overrides of the classification process.

Corrective Actions:

Develop an appeal process for the classification system and update policy to reflect current practices. Develop a process for changing classification status when appropriate and document when a change occurs.

Response Needed By: 12/01/2016

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:

The policy manual does not reflect current practice. There is not a review process for inmates on administrative segregation.

Corrective Actions:

Develop a review process for inmates on administrative segregation status and document the review. It is recommended that the term isolation should not be used for housing inmates in administrative segregation.

Response Needed By: 12/01/2016

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:

There is no educational programming at this time. GED is not offered.

Corrective Actions:

Develop a plan to ensure that inmates have access to educational programming. I would encourage the jail to contact other agencies in the area to seek out educational programming options.

Response Needed By: 03/31/2017

4. 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:

Inventory of security devices is not being done monthly. A secure area is designated for the storage of equipment with an inventory sheet available, but it is not being done monthly.

Corrective Actions:

Develop a system to ensure that security equipment is being inventoried and/or tested monthly.

Response Needed By: 12/01/2016

5. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 1. Post orders and accountability.

There shall be written orders for every security post that are reviewed annually and updated if necessary. A written policy and procedure shall require that personnel read, sign, and date applicable post orders at least annually, or as needed for new posts or revisions. Medium and large facilities with multiple posts may need to conduct these reviews more often.

Inspection Findings:

Post orders are included in the policy manual but there is no documentation that these are being reviewed annually.

Corrective Actions:

Review post orders annually and provide a system for documenting those reviews. Post orders also need be provided in the booking area.

Response Needed By: 12/01/2016

6. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 7. Health care follow-up.

A facility shall develop written policy and procedures that require that an inmate who presents with a chronic or persistent medical condition be provided with a health care follow-up.

Inspection Findings:

Medical screenings completed at the time of intake are not being reviewed by the medical provider.

Corrective Actions:

Develop a plan to ensure that the medical provider is reviewing the medical screenings at intake to provide for appropriate follow up care if necessary.

Response Needed By: 10/14/2016

Chapter 2911 - Mandatory Rules In Compliance With Concerns**Total: 7**

1. 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:

The facility has a staffing plan but there was no documentation provided showing that this plan is reviewed every year.

Corrective Actions:

Develop a system for review of the staffing plan. Document this review yearly.

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:

Although there have been updates to the manual, there are still policies that do not reflect the current practice in the jail. Policy has not been updated to the current 2911 rule numbers and provisions.

Corrective Actions:

Update policy to reflect current practice and current 2911 rules.

Response Needed By:

3. 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 emergency reviews are being completed during staff meetings however this rule is not included in the policy manual. Emergency drills are not being completed.

Corrective Actions:

Add the rule of quarterly review to your emergency procedure policy.

Complete emergency evacuation drills each year and document when completed.

Response Needed By:

4. 2911.5300 SEARCHES, SHAKEDOWNS, AND CONTRABAND CONTROL. Subpart 1. Contraband control.

A facility shall have a written policy and procedure that provides for searches of facilities, inmates, and inmate property to control contraband and provide for its disposition.

Inspection Findings:

The facility has a written plan for searches, shakedowns and contraband control but there is no documentation that they are being completed.

Corrective Actions:

Develop a plan for documenting searches and shakedowns to maintain contraband control.

Response Needed By:

5. 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:

Chemicals used in the facility were found not to be in the original bottle or labeled.

Tools used in the kitchen were not inventoried or locked.

Corrective Actions:

All chemicals used in the jail should be labeled and stored in the original container.

Even though the kitchen is not located in the secure perimeter of the jail, it is strongly recommended that a tool inventory be completed and that the box that they are stored stay locked.

Response Needed By:

6. 2911.5550 LOCKS AND KEYS. Subpart 2. Lock policy.

A facility shall have a written policy and procedure that requires that all security perimeter entrances, control center doors, and housing unit doors are kept locked, except when used for admission or exit of employees, inmates, or visitors, and in an emergency. A facility equipped with a sally port shall ensure that only one of the doors of a sally port is opened at any point in time for entry or exit purposes.

Inspection Findings:

The day of the inspection all the doors were secured but this standard is not in policy.

Corrective Actions:

Add the elements of this standard to policy.

Response Needed By:

7. 2911.6600 DELIVERY. Subpart 1. Delivering medication.

A person delivering medication to an inmate must do so under the direction of the responsible health authority or health care personnel.

Inspection Findings:

The inmates birthdate is used for identification purposes when delivery medications.

Corrective Actions:

Picture identification should be used for delivery of medication. This will ensure that you have the correct identity of the person receiving the medication.

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

The policy includes a written plan for programming that addresses the rule, however there are very few programs offered.

Corrective Actions:

I would encourage the jail to seek volunteers to provide programming in the jail as a way to constructively schedule inmate time.

Response Needed By:

2. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 4. Reporting of unusual occurrences.

Incidents of an unusual or serious nature shall be reported within ten days of the incident in writing to the Department of Corrections in the format required by the department. The reports shall include the names of persons involved, staff and inmates, nature of the unusual occurrence, actions taken, and the date and time of the occurrence. Unusual occurrences requiring reporting to the DOC include such occurrences as: A. attempted suicide; B. suicide; C. homicide; D. death, by means other than suicide or homicide; E. serious injury or illness subsequent to detention including incidents resulting in hospitalization for medical care; F. hospitalization associated with mental health needs; G. attempted escape or escape from a secured facility; H. incidents of fire requiring medical treatment of staff or inmates or a response by a local fire authority; I. riot; J. assaults of one inmate by another that result in criminal charges or outside medical attention; K. assaults of staff by inmates that result in criminal charges or outside medical attention; L. injury to inmates through response to resistance by staff controlling inmate behavior; M. occurrences of infectious diseases and action taken relative to same when a medical authority has determined that the inmate must be isolated from other inmates; and N. reporting of all notices of intent to file litigation against the facility resulting from matters related to the detention or incarceration of an inmate; O. sexual misconduct, such as inmate on inmate, staff on inmate, and inmate on staff; and P. use of sexual materials, electronic media for sexual purposes, or both. In the event of an emergency such as serious illness or injury where death may be imminent, individuals designated by the inmate shall be notified. Permission for notification, if possible, shall be obtained from the inmate.

Inspection Findings:

Not all required incidents are being reported to the Department of Corrections as required.

Corrective Actions:

Reporting requirements were discussed during the inspection. Report all incidents applicable to the Department of Corrections.

Response Needed By:

3. 2911.4950 RESPONSE TO RESISTANCE. Subpart 1. Policies and procedures.

The facility administrator or designee shall have written policies and procedures to provide for response to resistance. All personnel directly involved in the response shall submit written reports to the facility administrator or designee no later than the conclusion of the shift. Submission of these reports may be delayed when a staff member, sustains serious injury, hospitalization, or both.

Inspection Findings:

At this time correctional staff are receiving police self-defense training that does not include elements that are specific to the jail.

Corrective Actions:

It was discussed at the time of the inspection that this was the last year the jail would be doing training with the road deputies.

Provide response to resistance training for the correctional staff as it relates to situations that may occur in the jail versus the road.

Response Needed By:

INSPECTION COMMENTS

Since the last inspection, Rick Teberg has replaced Matthew Brodina as the Jail Administrator. The jail has also hired a Sergeant to assist the Jail Administrator with some of his administrative duties.

The Wilkin County Board of Commissioners and the Sheriff are to be commended on their commitment to the jail in ensuring a positive transition and the emphasis that has been placed on training.

Jail Administrator Teberg appears to be making positive changes in the facility and looks for guidance from the Department of Corrections as he moves forward in his new role.

As the jail continues to work towards a positive transition, it will be placed on annual inspections to help in the process.

JJDPA Compliance

On September 28, 2016 a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Wilkin 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 the Statewide Supervision System, the Wilkin County Jail held or processed 0 juveniles during 2015-2016.

The findings are as follows:

DSO: I did not find any violations of the facility holding status offenders in the jail.

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 that I reviewed, I did not find any violations of the JJDP act during the Wilkin County inspection.

There were no juveniles that were held on alcohol violations only.

Report completed By: Jen Pfeifer – Detention Facility Inspector

Signature:

