



# 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:

### Fillmore County Jail

**Address:** 901 Houston Street, Preston, MN 55965

**MN Governing Rule:** 2911 Local Adult Detention Facilities

**Inspection Type:** Annual **Inspected By:** Jen Pfeifer – Detention Facility Inspector **Inspected on:** 08/03/2016 to 08/15/2016

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

**Officials Present During Inspection:** Jail Administrator Jamie Fenske; Program Coordinator Carle Stevens; Sheriff Thomas Kaase

**Officials Present for Exit Interview:** Jail Administrator Jamie Fenske; Sheriff Thomas Kaase

**Issued Inspection Report to:** Jail Administrator Jamie Fenske; Sheriff Thomas Kaase; 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	116	10	9	92.06%	Compliance rating of 100%
2911	Essential	103	93	10	9	90.29%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** conditional approval **Begins On:** 06/01/2016 **Ends On:** 05/31/2017 **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:** Fillmore 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	Fillmore County had a Juvenile Temporary Holdover facility that they closed in 2002. They are now using that area for minimum custody females.	None.

## Variations

NONE

## RULE COMPLIANCE DETAILS

### Chapter 2911 - Mandatory Rules Not In Compliance

Total: 10

1. 2911.0900 STAFFING REQUIREMENTS. Subpart 25. Support staff requirements.

Support staff requirements are as follows: clerical, maintenance, and food service staff shall be provided to meet operational requirements applicable to the facility.

#### Inspection Findings:

There is no designated Food Service Provider at the facility. Inmates are preparing food under the supervision of Correctional Officers. No training has been provided.

#### Corrective Actions:

**In 2014 it was noted that a food service provider should be obtained to provide for the preparation of meals for the facility. As of August 2016, the meals are still prepared by inmates under the supervision of Correctional Officers.**

**Response Needed By: 02/15/2017**

2. 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:

The training plan included elements that were not completed. The training plan does not describe curriculum, method of instruction and objectives.

#### Corrective Actions:

**Revise training plan to be reflective of training that is scheduled and completed. Include curriculum description, method of delivery and the objectives for each training.**

**Response Needed By: 09/30/2016**

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:

After reviewing video of the facility, inmates of all classification statuses were mixed together in the hallway. Housing unit doors were left open to enable inmates to be out in the hallway when they wanted to. Inmates were also observed going into cell areas of a different classification.

#### Corrective Actions:

**Inmates shall be separated according to classification.  
Ensure that housing unit doors and security gates are kept secured.**

**Response Needed By: 08/12/2016**

## 4. 2911.3800 FOOD HANDLING PRACTICES.

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

**Inspection Findings:**

Inmates cook and prepare meals under the supervision of correctional officers. There are several requirements for food preparation and food service through the Department of Health that are not being met.

**Corrective Actions:**

**See corrective action under mandatory rule 2911.0900.25.**

**There are several areas of concern documented by Fillmore County Public Health dated May 18, 2016 that need to be addressed.**

**Response Needed By: 12/31/2016**

## 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:**

Formal Counts were recorded on the shift logs but after reviewing camera they were not always being completed and were not always once every eight hours.

**Corrective Actions:**

**Formal Counts will be completed and documented once every 8 hours.**

**Response Needed By: 08/15/2016**

## 6. 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:**

Culinary tools used in the kitchen are not inventoried.

Inmates also have access to and use bleach.

The garage sally port is also used for a county storage area.

County tools, hoses, ladders, chairs, vacuums, and various other items that pose a potential security concern are located in this area.

**Corrective Actions:**

**All culinary tools used in the kitchen shall be inventoried and have controlled mechanisms in place.**

**Inmates shall not have access to chemicals that are toxic and need to be removed. The jail should look for chemicals that are not toxic to the inmate to be used for cleaning.**

**The garage sally port should not be used for county storage. These items should be removed and stored elsewhere.**

**Response Needed By: 08/15/2016**

## 7. 2911.5550 LOCKS AND KEYS. Subpart 1. General.

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

**Inspection Findings:**

Keys located in Master Control were found to be used to open a secure perimeter door for inmate recreation. Keys were not tagged and easily identified in the lock box in Dispatch. The lock box was not locked during the inspection.

**Corrective Actions:**

**Keys stored in Dispatch must be tagged for identification and must be locked in Dispatch. Secure perimeter keys shall only be issued for emergency purposes.**

**Response Needed By: 08/15/2016**

8. 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:**

A secure perimeter door was found to be open by custody staff for inmate recreation. This door remained open from 1530-2127.

**Corrective Actions:**

**Secure perimeter doors shall be kept locked unless used for exiting during an emergency situation.**

**Response Needed By: 08/15/2016**

9. 2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE. Subpart 1. General.

A facility shall have a policy and procedure that provides that the facility shall: A. be kept in good repair to protect the health, comfort, safety, and well-being of inmates and staff; B. document weekly sanitation inspections; and C. document deficiencies from the weekly sanitation inspection, if any, have been ordered.

**Inspection Findings:**

Weekly sanitation inspections are not being done. Areas of concern are the cooling and heating vents, light coverings, floors in cell areas and laundry room, kitchen, and mattresses.

**Corrective Actions:**

**A weekly sanitation inspection shall be completed and documented.**

**The vents and light coverings need to be cleaned. The floors in many areas of the jail need to be cleaned. The kitchen area should be cleaned underneath serving areas and counters.**

**Replace mattresses that have multiple holes and cracks where stuffing is falling out.**

**Response Needed By: 08/31/2016**

10. 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:**

See comments in 2911.7200.

**Corrective Actions:**

**Response Needed By: 08/31/2016****Chapter 2911 - Essential Rules Not In Compliance****Total: 10****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:**

Dispatchers did not receive the minimum number of training hours in 2013-2016.

**Corrective Actions:**

**Ensure that all employees receive the appropriate number of training hours annually.**

**Response Needed By: 12/31/2016****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:**

New staff have not received response to resistance prior to being assigned independently.

**Corrective Actions:**

**All new staff must be provided training in areas A-O prior to being independently assigned.**

**Response Needed By: 12/31/2016****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:**

There is an outside recreation area for minimum security inmates only. There is no recreation area inside the facility. This was noted in 2014 also.

**Corrective Actions:**

**Corrective action at this time would require substantial remodeling or expansion of the current facility.**

**Response Needed By:**

4. 2911.4200 THERAPEUTIC DIETS. Subpart 1. Medical diets.

A facility housing inmates in need of medically prescribed therapeutic diets shall have documentary evidence that the diets are dietitian-approved and provided as ordered by health services. A healthier general menu contributing to the management of chronic diseases may minimize the need for medical diets.

**Inspection Findings:**

No documentation of approved medical, food allergy, vegetarian, or pregnancy diets were provided.

**Corrective Actions:**

**Diets listed in Chapter 2911.4200 Subpart 1-4 must be documented and dietitian-approved.**

**Response Needed By: 09/15/2016**

5. 2911.4200 THERAPEUTIC DIETS. Subpart 2. Food-allergy diets.

The seven most common food allergies causing anaphylactic reactions are foods such as: fish, shellfish, tree nuts, peanuts, soy, wheat, and milk. A dietitian-approved allergy diet shall be provided as necessary and shall meet the nutritional guidelines under part 2911.3900.

**Inspection Findings:**

No allergy approved diet was documented at the time of the inspection.

**Corrective Actions:**

**Provide a dietitian-approved allergy diet to be used as needed.**

**Response Needed By:**

6. 2911.4200 THERAPEUTIC DIETS. Subpart 3. Vegetarian diets.

A facility may provide reasonable animal protein substitutions at meals for inmates requesting vegetarian or vegan diets. A vegetarian or vegan diet must be dietitian-approved and meet the nutritional guidelines under part 2911.3900.

**Inspection Findings:**

At the time of the inspection there was no vegetarian diet provided.

**Corrective Actions:**

**Provide a dietician-approved vegetarian diet to be used as needed.**

**Response Needed By:**

7. 2911.4200 THERAPEUTIC DIETS. Subpart 4. Pregnancy.

A facility shall develop a diet that meets the increased calcium and calorie requirements of pregnant inmates. Pregnant inmates shall be provided a substitution or supplements as ordered by the medical professional or health services. A pregnancy diet must be dietitian-approved and meet the nutritional guidelines under part 2911.3900.

**Inspection Findings:**

At the time of the inspection there was not a diet provided for pregnant inmates.

**Corrective Actions:**

**Provide a dietitian-approved pregnancy diet to be used when needed.**

**Response Needed By:**

**8. 2911.4300 RELIGIOUS DIETS.**

A facility shall have a written policy and procedure that provides for special diets or meal accommodations for inmates whose religious beliefs require adherence to religious dietary laws. Creation of religious diets shall involve a dietitian and strive to meet the nutritional guidelines under part 2911.3900.

**Inspection Findings:**

No documentation provided that religious diets have been created with the assistance of a dietitian. After to speaking with the dietitian it was noted that there has been no contact with the jail for two years.

**Corrective Actions:**

**Discuss with dietitian your need to make necessary additions to the approved menu in the event that a religious diet must be provided. Any religious diet must be approved by the dietitian.**

**Response Needed By:**

**9. 2911.4900 SECURITY INSPECTION.**

The facility shall have a written policy and procedure to require the facility administrator or designee to inspect all areas within the security perimeter, and equipment at least monthly and initiate corrective action if needed.

**Inspection Findings:**

No documentation to show that monthly security inspections have been completed.  
No inventory for security equipment stored in the custody staff station.

**Corrective Actions:**

**Develop and complete a checklist for all elements of a security inspection.  
Generate an inventory sheet for all security equipment and tools stored in this area.  
Add this inventory to the Post Orders.**

**Response Needed By:**

**10. 2911.7400 POLICIES AND PROCEDURES TO DETECT DETERIORATION OF BUILDING AND EQUIPMENT.**

The facility administrator or designee shall have policies and procedures designed to detect building and equipment deterioration, safety hazards, and unsanitary conditions. Policies and procedures shall include requirements that facility staff report unsanitary and unsafe conditions as well as physical plant and equipment repairs and replacement needs; and documentation that appropriate work orders or requests for budget resources to effect needed repair, replacement, or corrections have been made.

**Inspection Findings:**

Although there is a policy in place to address these concerns the building has deteriorated in many areas where it appears there are unsanitary conditions. The showers, toilets and sinks in most areas need to be replaced. These areas are not sanitary.

**Corrective Actions:**

**Replace shower heads, tiles, toilets and sinks that are unsanitary.**

**Response Needed By:**

**Chapter 2911 - Mandatory Rules In Compliance With Concerns****Total: 9**

## 1. 2911.1350 MEDICAL TRAINING FOR CUSTODY STAFF.

By policy and procedure a training program shall be established by the facility administrator in cooperation with the health authority, that provides instruction in the following areas: A. first aid training for custody personnel responsible for the supervision, safety, and well-being of prisoners; B. recognition of signs and symptoms of illness and knowledge of action required in potential emergency situations; C. administration of first aid and cardiopulmonary resuscitation (CPR). Recertification training shall occur as required with respect to first aid and CPR. The training shall be documented; D. methods of obtaining assistance; E. recognition of signs and symptoms of mental illness, retardation, emotional disturbance, and chemical dependency; and F. procedures for inmate transfers to appropriate medical facilities or other health care providers.

**Inspection Findings:**

Although it appears custody personnel have received portions of the required training, not all areas have been addressed and training that has been completed is not clearly documented.

**Corrective Actions:**

**Ensure that custody staff receive mandatory training in all areas and that the training is properly documented.**

**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:**

After reviewing the policy manual it appears that some policies need to be updated to reflect the new 2911 rules and numbers. Some of the numbering reference rules prior to 2013.

**Corrective Actions:**

**Update Policy Manual to reflect updated rules and numbers. Policy manuals should be reviewed and documented one time per year.**

**Response Needed By:**

## 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:**

Classification forms are filled out. However, most inmates are classified as minimum security. A check of criminal history showed that some inmates should have been classified at a higher security level. This was noted in 2013 and continues to be the case with the classification system.

**Corrective Actions:**

**It is recommended that facility administration review files to ensure that they are organized and that classification forms are filled out appropriately.**

**Response Needed By:**

4. 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:**

No dietary review was available on the day of inspection. A weekly menu was posted in the kitchen without the mandatory dietary allowances documented in section 2911.3900 Subpart 1-8. A menu reviewed by a dietician was received on August 11, 2016. The menu appeared to be different from what was posted in the kitchen at the time of the inspection.

**Corrective Actions:**

**The food menu being used will be reviewed and signed by a dietician indicating that the requirements in this Chapter are met. The menu must list the dietary allowances for each portion to ensure compliance.**

**Response Needed By: 08/31/2016**

5. 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:**

Although there was a review of a one week menu by a dietician, this menu with nutrition requirements and portion requirements was not posted in the kitchen for the inmates to follow when preparing meals.

**Corrective Actions:**

**The menu that was approved by the dietician must be used for meal preparation. All changes to the menu must be documented.**

**Response Needed By: 09/14/2016**

6. 2911.4600 MENU RECORDS.

All menus shall be planned, dated, and available for review at least one week in advance. Notations shall be made of any substitutions in the meals actually served, and substitutions shall be of equal nutritional value.

**Inspection Findings:**

At the time of the inspection a hand-written menu was posted on the refrigerator door in the kitchen area. This menu was not dated nor did it note the portion sizes.

**Corrective Actions:**

**The menu posted shall be the same menu that has been approved by the dietician.**

**Response Needed By: 08/31/2016**

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7. 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 logged every thirty minutes using Guard Plus, however, after review of the checks the custody staff were not actually looking into the cells to personally observe the inmates.

**Corrective Actions:**

**Well-being checks will be performed at a minimum of every 30 minutes staggering those checks within that time frame. Custody staff will personally observe each inmate during these times.**

**Response Needed By:**

8. 2911.6800 CONTROL. Subpart 1. Records.

Records of receipt, the quantity of the drugs, and the disposition of all prescription medications shall be maintained in detail to enable an accurate accounting.

**Inspection Findings:**

Medications are counted on a monthly basis.

**Corrective Actions:**

**It is recommended that medications should be counted more frequently to ensure quality control.**

**Response Needed By:**

9. 2911.7200 HOUSEKEEPING, SANITATION, AND PLANT MAINTENANCE. Subpart 3. Department rules.

Plumbing, sewage disposal, solid waste disposal, and plant maintenance conditions comply with rules of: A. the Minnesota State Building Code; B. the Minnesota Fire Marshal's Office; C. the Minnesota Department of Health; D. the Minnesota Department of Labor and Industry (O.S.H.A.); and E. other local government.

**Inspection Findings:**

A plumbing leak was noted on the Health Inspection in May 2016. At the time of the inspection the plumbing leak had not been fixed.

**Corrective Actions:**

**Address plumbing issue in maintenance area and sinks that appear to be leaking.**

**Response Needed By:**

**Chapter 2911 - Essential Rules In Compliance With Concerns**

**Total: 9**

1. 2911.2200 FILING AND DISPOSITION OF INMATE RECORDS.

Inmate records shall be filed into individual folders or maintained through technology such as computerized record systems that permit an inmate's record to be readily accessed at one source.

**Inspection Findings:**

A check of files showed some medical information in general inmate files.

**Corrective Actions:**

**The files themselves could use more organization and periodic reviews to ensure all forms are properly filled out.**

**Response Needed By:**

2. 2911.2850 INMATE DISCIPLINE PLAN. Subpart 3. Due process.

Disciplinary segregation shall be used only in accordance with due process to include at a minimum: A. published rules of conduct and penalties for violation of rules; B. written notice of alleged violation of a rule; C. the right to be heard by an impartial hearing officer and to present evidence in defense: (1) the inmate may waive the hearing in writing; and (2) a written record is made of the disciplinary hearing and sanctions or other actions taken as a result of the hearing; D. the right to appeal; E. the status of an inmate placed on disciplinary segregation for more than 30 continuous days subsequent to a disciplinary hearing shall be reviewed, approved, and documented by the facility administrator or designee at least once every 30 days, and the facility shall develop written policy, procedure, and practice that provides that inmates in disciplinary segregation receive visits from the facility administrator or designee at least once every seven days as a part of the disciplinary segregation review process; F. an inmate placed in segregation for an alleged rule violation shall have a disciplinary hearing within 72 hours of segregation, exclusive of holidays and weekends, unless documented cause can be shown for delays. Examples of causes for delay are inmate requests for delay, or logistical impossibility, as in the case of mass disturbances; and G. the facility administrator or designee can order immediate segregation when it is necessary to protect the inmate or others. This action is reviewed and documented within three working days.

**Inspection Findings:**

There is a discipline plan in place but no written or documented explanation of due process.

**Corrective Actions:**

**Include on your discipline form areas of due process not included.  
2911.2850 Subpart 3 section C & D.**

**Response Needed By:**

3. 2911.3900 DIETARY ALLOWANCES. Subpart 2. Meat or protein group.

Two or more servings per day of meat or protein shall be provided. A serving of meat or protein is equal to 14 grams or more of protein and includes food such as: A. two to three ounces cooked weight or three to four ounces raw weight of any meat without bone, such as beef, veal, pork, lamb, poultry, and variety meats such as liver or giblets; B. two slices prepared luncheon meat equal to two to three ounces by weight; C. two eggs; D. two to three ounces cooked weight of fresh or frozen fish or shellfish, or one-half cup canned fish; E. one-half cup cooked dry beans, peas, or lentils; F. one ounce of nuts or seeds or two tablespoons of peanut butter; G. three ounces of natural or processed cheese or three-fourths cup of cottage cheese, not to exceed six ounces per week as a meat alternate; or H. two ounces of equivalent meat alternate, such as textured vegetable protein, as certified by the United States Department of Agriculture, Nutrition Standards in the National School Lunch and School Breakfast Programs, Code of Federal Regulations, title 7, parts 210 and 220.

**Inspection Findings:**

At the time of the inspection the menu provided did not include required serving portions. A menu providing portions for a weekly menu was submitted on August 11, 2016. This menu appears to be different than the one posted in the kitchen on the day of the inspection.

**Corrective Actions:**

**Post the menu in the kitchen that has been approved by the dietician for meal preparation.**

**Response Needed By: 08/31/2016**

4. 2911.3900 DIETARY ALLOWANCES. Subpart 3. Dairy group.

A minimum of two servings per day of dairy shall be provided for adults, with four servings required for juveniles and pregnant females. This includes milk that is pasteurized and fortified with vitamins A and D (fluid, evaporated, dry), cheese, yogurt, and ice cream. One serving per day may be from foods other than fluid milk. A serving is equivalent to eight ounces of fluid milk and provides at least 250 mg calcium, such as: A. 1-1/4 ounce American cheese; B. eight ounces yogurt; C. two cups ice cream; or D. eight ounces milk alternate beverage, fortified with a minimum of 250 mg calcium and vitamins A and D.

**Inspection Findings:**

At the time of the inspection the menu that was provided did not account for the minimum dairy requirements.

**Corrective Actions:**

**The menu posted must provide for the minimum two daily servings of dairy.**

**Response Needed By: 08/31/2016**

5. 2911.3900 DIETARY ALLOWANCES. Subpart 4. Vegetable and fruit group.

Five or more servings per day of vegetables and fruits shall be provided. A serving is one-half cup vegetable or fruit; one medium apple, orange, banana, potato, half a grapefruit, one cup raw leafy greens, one-fourth cup dried fruit, or four ounces 100 percent juice. Potatoes may be included once daily as a vegetable. One serving of a rich vitamin C source must be provided daily and one serving of a rich vitamin A source must be provided four times per week. Rich vitamin C sources include mostly fresh or raw produce, such as: citrus fruits, tomatoes, strawberries, leafy green vegetables, melon, bell peppers, and the broccoli and cabbage families; and may also include foods such as skin-on potatoes, sweet potatoes, and vitamin C-fortified real fruit juice. Rich vitamin A sources include foods such as: apricots, cantaloupe, carrots, mixed vegetables with carrots, winter or yellow squash, pumpkin, sweet potatoes or yams, spinach, greens (collard, kale, chard, mustard, beet or turnip), liver (counted under meat), and broccoli.

**Inspection Findings:**

At the time of the inspection the menu provided did not list proportion sizes to ensure compliance with dietary mandates.

**Corrective Actions:**

**The meals being prepared must be according to the dietician approved menu and must show proportions.**

**Response Needed By: 08/31/2016**

6. 2911.4950 RESPONSE TO RESISTANCE. Subpart 6. Training.

Facility policy shall provide that all personnel authorized to use security equipment and instruments of restraint are trained according to manufacturer's specifications or facility's training requirements.

**Inspection Findings:**

Not all custody have had this training.

**Corrective Actions:**

**All custody staff shall have training in the use of restraints and security equipment.**

**Response Needed By:**

7. 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 were not provided in the booking area.

**Corrective Actions:**

**Provide the booking area with a copy of your Post Orders.**

**Response Needed By:**

8. 2911.5000 POST ORDERS; FORMAL INMATE COUNT; WELL-BEING CHECKS. Subpart 3. Security post records.

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

**Inspection Findings:**

A check of jail logs showed that not all activity is reflected in these logs.

**Corrective Actions:**

**Remind staff to be more thorough in filling out the jail logs so that they are reflective of all the activity in the facility.**

**Response Needed By:**

9. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 9. Sick call.

A facility shall develop a written policy and procedure that requires that there is a continuous response to health care requests and that sick call, conducted by a physician or other health care personnel is available to each inmate as follows: A. In small facilities of less than 60 inmates, sick call is held once per week at a minimum; B. in medium sized facilities of 60 to 200 inmates, sick call is held at least three days per week; C. in facilities of over 200 inmates, sick call is held a minimum of five days per week; and D. if an inmate's custody status precludes attendance at sick call, arrangements are made to provide sick call services in the place of the inmate's detention.

**Inspection Findings:**

A nurse comes to the facility once a week to complete mantoux tests. Inmates are transported to the local clinic for sick call.

**Corrective Actions:**

**Although the intent of this rule is being met, best practice would have the facility doctor or health authority come to the facility on a weekly basis to review medical files, m.a.r.'s and prescriptions. If current practice is to continue then it is recommended that jail staff be trained to at least First Responder level due to the amount of medical issues they are tasked with completing.**

**Response Needed By:****INSPECTION COMMENTS**

Physical Plant Deficiencies: The infra-structure of the Fillmore County jail continues to show signs of significant deterioration, most notably the plumbing. The booking room shower has been re-done. However, the showers found in all of the housing units need to be addressed. Additionally, most of the toilets are showing signs of wear and corrosion where they attach to the wall.

Please submit a written long term plan that addresses the physical plant deficiencies noted in this report.

It is recommended that the Department of Corrections provide training to custody staff in all areas where non compliance was noted.

The Fillmore County Jail will be placed on annual inspection status. A review of 2016 inspection finding will be completed in February 2017 to ensure progress to correct rules that are currently out of compliance.

**JJDPA Compliance**

On August 5,2016 a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Fillmore 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.

I reviewed 100 percent of the year 2016 juvenile data. The findings are as follows:  
I found no violations.

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. 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.

Report completed By: Jen Pfeifer – Detention Facility Inspector

Signature:

