



Facility Inspection Report Issued By The Minnesota Department of Corrections Pursuant to MN Statute 241.021, Subdivision 1

Inspection and Enforcement Unit, 1450 Energy Park Drive, Suite 200, St.Paul MN 55108
Telephone: 651-361-7146 Fax: 651-642-0314 Email: ie-support.doc@state.mn.us

INSPECTION DETAILS FOR:

Marshall County Jail

Address: 208 E Colvin Avenue, SUITE 1, Warren, MN 56762

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Sarah Johnson – Senior 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 James Duckstad; Sheriff Jason Boman

Officials Present for Exit Interview: Jail Administrator James Duckstad

Issued Inspection Report to: Jail Administrator James Duckstad; Sheriff Jason Boman; 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	125	121	4	0	96.80%	Compliance rating of 100%
2911	Essential	95	91	4	0	95.79%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 09/01/2016 **Ends On:** 08/31/2018 **Facility Type:** Jail
Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 08/31/2017
Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Marshall 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	15	86	12.90	None.	None.

Variances

NONE

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance**Total: 4****1. 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 classification system does not incorporate all the requirements for classification per the rule.

Corrective Actions:

Update the classification system and train staff on how to properly classify inmates using the new system. Submit the updated classification system to the Department of Corrections for review.

Response Needed By: 11/30/2016**2. 2911.5550 LOCKS AND KEYS. Subpart 5. Keys.**

A facility shall have a written policy and procedure that provides for the control and use of keys and other access control devices.

Inspection Findings:

This is a security issue that will be addressed in a confidential letter to the facility.

Corrective Actions:

See confidential letter.

Response Needed By: 11/30/2016**3. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 6. Medical screening.**

A facility shall have a written policy and procedure that requires medical screening is performed and recorded by trained staff on all inmates on admission to the facility. The findings are to be recorded in a manner approved by the health authority. The screening process shall include procedures relating to: A. Inquiry into: (1) current illness and health problems, including dental emergencies, and other infectious diseases; (2) medication taken and special health requirements; (3) use of alcohol and other drugs that include types of drugs used, mode of use, amounts used, frequency used, date or time of last use, and history of problems that may have occurred after ceasing use, for example, convulsions; (4) past and present treatment or hospitalization for mental illness or attempted suicide; (5) other health problems designated by the health authority; and (6) signs and symptoms of active tuberculosis to include weight loss, night sweats, persistent cough lasting three weeks or longer, coughing up blood, low grade fever, fatigue, chest pain, prior history of active tuberculosis disease, and results of previous tuberculin skin or blood testing. B. Observations of: (1) behavior that includes state of consciousness, mental status, appearance, conduct, tremor, and sweating; and (2) body deformities, trauma markings, body piercings, bruises, lesions, and jaundice. C. Disposition to: (1) general population; (2) general population and referral to appropriate health care service; (3) referral to appropriate health care service on an emergency basis; and (4) other.

Inspection Findings:

The medical screening is outdated and needs current medical questions to reflect the rule. The medical screen could also be updated to be more thorough in its medical questions to inmates.

Corrective Actions:

Update the medical screening to reflect all aspects of the rule. Include the nursing staff to incorporate medical questions that they would also like to address in the medical screening.

Response Needed By: 11/30/2016

4. 2911.6500 STORAGE. Subpart 5. Controlled substances.

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

Inspection Findings:

There are not procedures in place for maximum security storage for controlled substances.

Corrective Actions:

There needs to be an additional level of security for controlled substances. Submit to the Department of Corrections corrective action.

Response Needed By: 11/30/2016

Chapter 2911 - Essential Rules Not In Compliance

Total: 4

1. 2911.1600 DESIGNATED TRAINING OFFICER.

A facility shall have a designated training officer responsible for: A. maintenance of training plans as required in part 2911.1000; B. maintenance of training records in sufficient detail to allow inspector assessment of compliance with parts 2911.1100 to 2911.1700; and C. documentation of waivers of training requirements based on equivalent training received before employment or demonstrated competency through proficiency testing.

Inspection Findings:

The jail training records need to be reorganized for better clarification as to what training was given for the training year.

Corrective Actions:

It is recommended to reorganize the training records for better clarity and long-term record keeping.

Response Needed By:

2. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 7. Recreation plan.

The facility administrator or designee shall have a plan providing opportunities for physical exercise and recreational activities for all inmates consistent with the facility's classification and design. Class I facilities are exempt from this requirement. The plan shall include policies and procedures necessary to protect the facility's security and the welfare of inmates. Policy and procedure shall provide: A. inmates with access to recreational opportunities and equipment, including seven hours of physical exercise or recreation outside the cell and adjacent dayroom areas per week; B. recreational opportunities a minimum of five days per week; C. indoor space and equipment for active recreational activities in all Class II to Class VI facilities; D. outdoor recreational space and equipment for outdoor recreational programming in all Class VI facilities. The space and equipment shall be provided in a manner consistent with the facility's security classification; E. passive and active recreation needs and equipment for a variety of inmates consistent with the facility's classification and offenders served. As an example, activity needs of geriatric, disabled, or geriatric and disabled offenders shall be addressed; F. inmates in segregation with a minimum of one hour a day, seven days a week, of exercise outside the inmates' cells, unless security or safety considerations dictate otherwise; and G. discretionary access by inmates on segregation status to the same recreational facilities as other inmates unless security or safety considerations dictate otherwise. When inmates on segregation status are excluded from use of regular recreation facilities, the alternative area for exercise used shall be documented.

Inspection Findings:

Recreational space in the jail is not adequate to serve the inmate population.

Corrective Actions:

This is a physical plant constraint and can not be remedied without a major remodel to the jail. Any future plans for a remodel or renovation must include space to provide active recreational activities. No further action is required at this time.

Response Needed By:

3. 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:

The facility does not conduct a monthly security equipment check.

Corrective Actions:

Create a monthly security equipment check to include all security equipment the facility uses, such as restraints, restraint chair, and first aid bag. The security equipment must be inventoried and checked for condition. Documentation should be kept for verification purposes.

Response Needed By:

4. 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:

The facility does not have post orders.

Corrective Actions:

Create post orders for the facility. The post orders for the facility need to reflect all of the duties of that particular post; such as well-being checks, meal delivery, medication delivery, formal count and daily facility inspections. The times of regulated activities also need to be incorporated. Staff will need to review post orders on an annual basis.

Response Needed By:

INSPECTION COMMENTS

The Marshall County Jail was built in 1976. The life expectancy for a facility of this size is on average 25 years and this jail is going on 40 years. Double bunking also reduces the life expectancy of a jail with added use and wear on the infrastructure. Although the facility is clean, well maintained, and updated where possible, the limited size of the physical plant no longer meets the needs of the facility. The recreation space and program space is limited and does not allow for active recreation or multiple programs. Overall, the facility is lacking in needed support space. A future review of the recreation and support space for this facility will be needed.

Concerns: There are safety and security concerns for this facility that will be address in a separate confidential letter.

This facility will stay on a biennial status.

JJDPA Compliance

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

On September 28th, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Marshall 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.

According to the Statewide Supervision System, the Marshall County Jail held or processed no juveniles during the federal fiscal year 2015. The Marshall County jail does not hold juveniles per their policy.

DSO: I did not find any violations for the DSO standard.

Jail Removal: No violations for jail removal.

Sight and Sound Separation: No violations were found. There is a holding cell that is sight and sound separated.

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

Court Holding - Non-secure.

Based on the documentation that I reviewed, there where zero violations for the Marshall County Jail audit for 2015.

Report completed By: Sarah Johnson – Senior Detention Facility Inspector

Signature:

