



# 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:

### Lake County Jail

**Address:** 613 Third Avenue, Two Harbors, MN 55616

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

**Inspection Type:** Annual **Inspected By:** Greg Croucher – Senior Detention Facility Inspector **Inspected on:** 10/20/2016

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

**Officials Present During Inspection:** Jail Administrator Steve Olson

**Officials Present for Exit Interview:** Jail Administrator Steve Olson; Sheriff Carey Johnson

**Issued Inspection Report to:** Jail Administrator Steve Olson; Sheriff Carey Johnson; 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	2	95.80%	Compliance rating of 100%
2911	Essential	93	89	4	2	95.70%	Compliance rating of 90%

## TERMS OF OPERATION

**Authority to Operate:** conditional approval **Begins On:** 11/01/2016 **Ends On:** 10/31/2017 **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:** Lake 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	27	80	21.60	None.	None.

### Variances

NONE

## RULE COMPLIANCE DETAILS

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

## 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:**

The current training plan does not include all of the elements of the standard.

The jail training records are in need of more information that is not so vague. Terms such as: "various" and "approximate hours" are not acceptable.

**Corrective Actions:**

**Develop a thorough and comprehensive training plan. Ensure that all the elements of this standard are included.**

**Training records should be reviewed by the Jail Administrator to ensure that all mandatory training is completed for both new employees and refresher trainings.**

**The records themselves need to be more descriptive and thorough listing the subjects, number of training hours, and other aspects listed in the standard.**

**Response Needed By: 12/09/2016**

## 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 is out of date and in need of significant revisions. It is not current with the updated Chapter 2911 standards.

**Corrective Actions:**

**Continue the updating of the policy and procedures and submit to the Department of Corrections facility inspector for review by June 1, 2017.**

**Response Needed By: 06/01/2017**

## 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:**

There were no documented quarterly reviews of emergency procedures on the day of the inspection. The 3-ring binder that contains the sign-off sheets showed that most staff members had not completed these reviews for the last 7 quarters.

**Corrective Actions:**

**Develop a system to ensure that emergency reviews are completed quarterly. Submit to the Department of Corrections.**

**Response Needed By: 12/09/2016**

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:**

A review of video footage showed that during the day staff members are infrequently in the housing units. Additionally, it was shown that some well-being checks were done via the camera system.

**Corrective Actions:**

**Re-train custody staff members on the correct way of performing well-being checks. No checks shall be completed via camera. Staff need to be walking through the housing units on the majority of checks and all of the checks where inmates can't be observed in the dayroom. Submit to facility inspector revised policy and training records to address this issue.**

**Response Needed By: 12/09/2016**

5. 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 entry door to master control/dispatch is left open at times to help cool the equipment in the sallyport.

**Corrective Actions:**

**The corrective action for this issue is detailed within the "confidential" letter that was sent to the Sheriff and Jail Administrator.**

**Response Needed By: 12/09/2016**

**Chapter 2911 - Essential Rules Not In Compliance**

**Total: 4**

1. 2911.1200 CLERICAL AND SUPPORT EMPLOYEES WITH REGULAR OR DAILY INMATE CONTACT: TRAINING. Subpart 2. Regular or daily inmate contact.

A facility shall have a written policy and procedure that provides that all new clerical and support employees who have regular or daily inmate contact receive 40 hours of orientation and training during their first year of employment. These hours are to be completed before being independently assigned to a particular job. The employees are given an additional 16 hours of training each subsequent year of employment. At a minimum, this training covers the following areas: A. security procedures and regulations; B. rights and responsibilities of inmates; C. all applicable emergency procedures; D. interpersonal relations and communication skills; and E. first aid.

**Inspection Findings:**

Most support staff members did not meet at least the minimum number of training hours required in this rule part. The training records themselves need to be more thorough and detailed.

**Corrective Actions:**

**Develop individual training files for each support staff member.**

**Ensure that all of their initial and refresher trainings are documented appropriately. Further ensure that they are included in quarterly reviews of emergency procedures and any drills that are conducted.**

**Response Needed By:**

2. 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:**

A correctional deputy inputs the training information but this is a part-time duty that is done as time allows. The records themselves need to be more organized most notably with support staff.

**Corrective Actions:**

**It is recommended that the Jail Administrator review these records throughout the year to ensure they are accurate and concise. It is also recommended that the training records be backed up electronically with certifications, and rosters scanned into the computer.**

**Response Needed By:****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 currently no educational programming.

**Corrective Actions:**

**Continue efforts to locate educational programming for the jail.**

**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 post orders are not being reviewed and signed annually. There is a 3-ring binder with a sign-off sheet that has not been completed.

**Corrective Actions:**

**Ensure that reviewing and signing post orders are being completed at least annually.**

**Response Needed By:****Chapter 2911 - Mandatory Rules In Compliance With Concerns****Total: 2****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:**

There is some staffing information in the policy but not all the elements are included.

**Corrective Actions:**

**Ensure that all the elements of the standard are included in the staffing plan.**

**Response Needed By:****2. 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:**

Inmate workers do not work in the kitchen. However, they do clean after hours under staff supervision and do not have access to the area where the sharps are stored. However, an inventory sheet and process is needed for these sharps.

**Corrective Actions:**

**Develop and implement an inventory for the kitchen sharps. Revise policy and procedure to address this inventory.**

**Response Needed By:****Chapter 2911 - Essential Rules In Compliance With Concerns****Total: 2****1. 2911.1400 ADMINISTRATIVE AND MANAGERIAL STAFF TRAINING.**

A facility shall have a written policy and procedure that provides that the facility's administrative and managerial staff receive at least 16 hours of orientation. Orientation training shall include, at a minimum, general management and related subjects, data practices, decision-making processes, labor law, employee-management relations, the interaction of elements of the criminal justice system, and relationships with other service agencies. After orientation, a facility's administrative and managerial staff shall receive at least 16 hours of training annually.

**Inspection Findings:**

The Jail Administrator attended and participated in several trainings. However, the training records do not reflect this training consistently.

**Corrective Actions:**

**Ensure that training records are clear, reflective and thorough in regard to subjects, methods of instruction, and number of hours.**

**Response Needed By:****2. 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:**

Most of the elements that are needed for a monthly security inspection are captured in the daily and weekly inspections. The following elements need to be added: intercoms, cameras, monitors, and perimeter checks.

**Corrective Actions:**

**The following elements need to be added: intercoms, cameras, monitors, and perimeter checks. Revise policy and procedure to specifically address this standard.**

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

A separate "confidential" letter describing security concerns was sent to the Sheriff and Jail Administrator.

**Physical Plant:**

The kitchen and the property room are undersized. This has resulted in having to store items in other parts of the facility. Clearance from the ceiling in the garage sallyport, kitchen storage and in the kitchen pantry needs to be addressed.

The Huber dorm bathroom needs to have the counter replaced. This was discussed during the inspection. There is also a need for a detention-grade vent in this area. Some of the window caulking is missing from the windows. It is recommended that this be replaced with a pick proof security caulking.

The drop ceiling in the multi-purpose room should be placed on a search schedule.

Master Control/Dispatch area. This area has been remodeled. One additional recommendation would be to replace the current camera monitors with a flat screen monitor that can multiplex out more cameras.

Since the Lake County Jail is not in substantial compliance they will remain on annual inspections. Progress has been made since the last on-site inspection.

**JJDPA Compliance**

On October 20, 2016, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Lake 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.

The Lake County Jail held or processed no juveniles between October 2015 and the day of inspection.

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

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**Report completed By:** Greg Croucher – Senior Detention Facility Inspector

**Signature:**

*Gregory A. Croucher*

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