



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:

Waseca County Jail

Address: 122 Third Avenue, PO BOX 226, Waseca, MN 56093

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Sarah Johnson – Senior Detention Facility Inspector **Inspected on:** 05/19/2016

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

Officials Present During Inspection: Jail Administrator Tim Kinnery

Officials Present for Exit Interview: Jail Administrator Tim Kinnery; Sheriff Brad Milbrath

Issued Inspection Report to: Jail Administrator Tim Kinnery; Sheriff Brad Milbrath; 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	121	5	2	96.03%	Compliance rating of 100%
2911	Essential	102	99	3	1	97.06%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 06/01/2016 **Ends On:** 05/31/2018 **Facility Type:** Jail
Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 05/31/2017
Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Waseca 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	Operational capacity 19 beds. Do not hold females.	None.

Variances

NONE

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance**Total: 5****1. 2911.3700 EMERGENCIES AND UNUSUAL OCCURRENCES. Subpart 1. Emergency plan.**

A facility shall have a written disaster plan. The plan shall include policies and procedures designed to protect the public by securely detaining inmates who represent a danger to the community or to themselves when the facility must be evacuated in total. The plan shall also include: A. location of alarms and fire fighting equipment; B. an emergency drill policy as follows: (1) at least annual drills at all facility locations; and (2) drills shall be conducted even when evacuation of extremely dangerous inmates may not be included; C. specific assignments and tasks for personnel; D. persons and emergency departments to be notified; E. procedure for evacuation of inmates; and F. arrangements for temporary confinement of inmates.

Inspection Findings:

The facility has not completed an annual emergency evacuation drill for the jail.

Corrective Actions:

Conduct an emergency evacuation drill to include all staff. Try to incorporate all outside agencies that would be involved in an emergency drill, such as the local fire department, police, and ambulance. It is vital for staff to know how to respond to an evacuation emergency at the jail. All drills should include all staff and should be documented for verification purposes.

Response Needed By: 07/15/2016**2. 2911.5800 AVAILABILITY OF MEDICAL AND DENTAL RESOURCES. Subpart 8. Health complaints.**

A facility shall develop a written policy and procedure that requires that inmates' health complaints are acted upon daily by health-trained staff, followed by triage and treatment by health care personnel if indicated.

Inspection Findings:

The facility does not have a written policy to address the rule.

Corrective Actions:

Create a written policy that addresses inmates' health complaints. Submit policy to the Department of Corrections for review.

Response Needed By: 07/15/2016**3. 2911.6200 MEDICAL AND DENTAL RECORDS. Subpart 6. Transfer of records.**

A facility shall have a written policy and procedure regarding the transfer of health records and information that establishes the following requirements: A. summaries or copies of the health record are sent to the facility to which the inmate is transferred. Upon the request and written authorization of the inmate, physicians or medical facilities in the community shall be provided health record information; and B. The facility administrator or designee, which may include the responsible physician, health care personnel, or health-trained staff of the facility from which the inmate is being transferred, shall minimally share with the facility administrator of the facility designated to receive the inmate information regarding the inmate's medical management, security, and ability to participate in programs. In the absence of informed consent forms signed by the inmate involved, the information may be provided in summary manner to ensure a level of medical care consistent with the inmate's needs.

Inspection Findings:

The facility does not have written policy to address the rule.

Corrective Actions:

Create a written policy regarding the transfer of health records and information as per the rule. Submit policy to the Department of Corrections for review.

Response Needed By: 07/15/2016**4. 2911.6400 DELIVERY, SUPERVISION, AND CONTROL OF MEDICATION.**

In consultation with the health authority, a facility administrator shall have a written policy and procedure for the secure storage, delivery, administration, and control of medication according to parts 2911.6500 to 2911.6800.

Inspection Findings:

The facility does not have written policy to address the rule.

Corrective Actions:

Create a written policy for the secure storage, delivery, administration, and control of medication according to parts 2911.6500 to 2911.6800. Submit policy to the Department of Corrections for review.

Response Needed By: 07/15/2016

5. 2911.7100 INMATES WITH SPECIAL NEEDS. Subpart 1. Postadmission screening.

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

Inspection Findings:

The facility does not have written policy to address the rule.

Corrective Actions:

Create facility policy that addresses screening and referral for care of inmates with special needs, whose adaptation to the correctional environment is significantly impaired. Submit policy to the Department of corrections for review.

Response Needed By: 07/15/2016

Chapter 2911 - Essential Rules Not In Compliance**Total: 3**

1. 2911.3100 INMATE ACTIVITIES AND PROGRAMS. Subpart 7. Recreation plan.

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

Inspection Findings:

The recreational/program space is limited and is not adequate to serve the inmate population.

Corrective Actions:

Due to the size and design of the facility, it is not possible to address this issue within the current facility. No further action is necessary at this time.

Response Needed By:

2. 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:

The facility does not have a written policy to address the rule.

Corrective Actions:

It is recommended to create a policy addressing health care follow-up with an inmate who presents with a chronic or persistent medical condition.

Response Needed By:

3. 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:

The facility does not have written policy to address the rule.

Corrective Actions:

It is recommended to developed a written policy in regards to continuous medical response to health care requests and sick call.

Response Needed By:

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

1. 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 facility needs policies on inmate communicable and infectious diseases. There are multiple missing medical policies and a good portion of the medical policies need updating.

Corrective Actions:

Create medical policies on communicable and infectious diseases. It is recommended to work with the health care provider on creating updated and required missing medical policies as noted in the inspection report.

Response Needed By:

2. 2911.6600 DELIVERY. Subpart 16. Keep-on-person medications.

There shall be a policy and procedure for keep-on-person medications that provides for: A. medications identified and approved by the health authority as appropriate for self-administration and storage in an inmate's cell; B. procedures for an inmate's overdose of the medication; C. consequences if too much medication is found in the inmate's possession; D. how the distribution of medications under this subpart is going to be documented; and E. nonprescription medications, if any, that are available to inmates through vending machines or commissary. Keep-on-person medications shall be documented for each inmate.

Inspection Findings:

The facility does not have a keep on person medication policy that reflects all of the rule requirements.

Corrective Actions:

Update the keep on person policy to reflect all aspects of the rule. Submit to the Department of Corrections updated policy.

Response Needed By:**Chapter 2911 - Essential Rules In Compliance With Concerns****Total: 1****1. 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:

Adequate training is provided to staff at Waseca County but it only does do one evacuation- fire drill a year.

Corrective Actions:

For more in depth training, it is recommended that more drills, such as medical, man down, attempted suicide, severe weather, and emergency drills are also trained on. It is also recommended to add Prison Rape Elimination Act and suicide prevention to the training curriculum.

Response Needed By:

INSPECTION COMMENTS

Jail Comments:

The Waseca County Jail was built in 1970. The life expectancy for a facility of this size is on average 25 years and this jail is going on 46 years. Double bunking also reduces the life expectancy of a jail with added use and wear on the infrastructure. Although the facility has been well maintained and updated where possible, the limited size of the physical plant is no longer meeting the needs of the facility. The recreation space and program space is limited and does not allow for active recreation or multiple programs. The nurse's office, which was previously a storage area, doubles as an exam room. There is not available space for inmate attorney visits. Overall, the facility is lacking in needed support space.

Due to the physical plant limitation of the Waseca County Jail, it is being recommended to the Commissioner of Corrections to review the classification status from a class III jail status to a class II 90 lockup. This would limit the facility to hold inmates beyond 90 days as per the rule.

Route taken to court:

There is also a concern with the route the staff members take to escort an inmate to court. The route is potentially unsafe due to inmates being escorted in unsecure public areas with no camera coverage. This is well known and creates a safety risk for the inmates and staff.

It is recommended the officials of Waseca County consider the future public safety needs for the Waseca County Jail and the community.

JJDPA Compliance

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

On May 19th, 2016, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Waseca 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 Waseca County Jail held or processed 9 juveniles during the federal fiscal year 2015. I reviewed approximately 100 percent of the year 2015 juvenile data and 100 percent of the juvenile files. The findings are as follows:

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

Jail Removal: I did not find any violations for the jail removal standard.

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation. Juveniles are held in the recreation area, away for the male population. Waseca County uses JAF in Scott County or Rochester for juvenile placement.

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

Court holding: There is confirmed secure court holding at Waseca County. Juvenile court times are scheduled at different times from adults to assure proper sight and sound separation from adult inmates. Court holding is cleared before juveniles are brought in.

Based on the documentation that I reviewed, I found no violations of the JJDP act during the Waseca County inspection.

Report completed By: Sarah Johnson – Senior Detention Facility Inspector

Signature: _____

