



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:

Hennepin County ADC

Address: 401 Fourth Avenue, Minneapolis, MN 55415

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Greg Croucher – Senior Detention Facility Inspector **Inspected on:** 09/27/2016 to 09/29/2016

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

Officials Present During Inspection: Captain Mike Wresh; Lieutenant Patti Graves; Sergeant Troy Otto; Detention Deputy John Mastley; Detention Deputy Michael Sommerfeld

Officials Present for Exit Interview: Captain Mike Wresh; Lieutenant Brian Blaha; Lieutenant Patti Graves; Lieutenant Brent Sizer; Detention Deputy John Mastley

Issued Inspection Report to: Captain Mike Wresh; Captain David Zimmer; Lieutenant Patti Graves; Sheriff Richard Stanek; 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	124	2	1	98.41%	Compliance rating of 100%
2911	Essential	101	97	4	2	96.04%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 10/01/2016 **Ends On:** 09/30/2018 **Facility Type:** Adult Detention Center

Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 09/30/2017

Delinquent Juvenile Hold Approval: no approval **Certificate Holder:** Hennepin 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	835	95	793.25	None.	None.

Variances

1. MN Rule 2911.3200 INMATE VISITATION None.

Conditions: None.

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance**Total: 2**

1. 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:

The documentation of health and welfare checks is inconsistent. Additionally, the majority of checks are done through the pipe chases and not in the housing units.

Corrective Actions:

Remind all staff members the proper way to document health and welfare checks. It is also recommended that Supervisors review the video to ensure checks are being completed appropriately. Best practice would be to have the majority of checks done within the housing units with a full walk-through being completed.

Response Needed By: 12/02/2016

2. 2911.6800 CONTROL. Subpart 3. Prescribed medications upon transfer or release.

Prescribed medication shall be given to an inmate or to the appropriate authority upon transfer or release, unless the attending physician decides that in the medical interest of the inmate the medications should not be released with the inmate. The action taken shall be documented.

Inspection Findings:

Medications are still not released with inmates. This has been an on-going compliance issue for several inspection cycles. Different corrective actions have been submitted as a solution but none have worked thus far. The main issue appears to be the single dose system that is utilized in the jail from H.C.M.C.

Corrective Actions:

Submit a written plan to facility inspector which details how this compliance issue will be solved moving forward.

Response Needed By: 12/02/2016**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:

Support staff training for medical and education staff is not in compliance. Part of the issue is the logistics of getting medical staff down to the training area, enrolling them in on the computers and then having them complete the training.

Corrective Actions:

Determine whether or not access to the training programs can be done in the medical area. If not ensure that all support staff are meeting at least the minimum number of training hours in the areas listed above.

Response Needed By:

2. 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:

Educational programming is limited to only those inmates certified as adults with an I.E.P.

Corrective Actions:

Continue efforts to find and develop educational programming for other inmates in the jail.

Response Needed By:

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:

Recreation space is limited in the city hall side of the jail. Recreation areas in the P.S.F. are adequate in size but are limited to one inmate at a time. Consequently, the jail is not meeting the exercise requirements set forth in this standard.

Corrective Actions:

There is no corrective action at this time for the city hall side as there is no option to expand or remodel areas of this facility. The change in procedure for the P.S.F. exercise areas should be reevaluated to ensure compliance with the standard.

Response Needed By:

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

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

Inspection Findings:

A review of incident reports showed that several special incidents had not been reported. This was mentioned during the last on-site inspection and appears to have shown little improvement. A new staff member has been assigned to this duty and has already started the process of going back to January 2015 and entering those incidents that were not submitted.

Corrective Actions:

Ensure that all reportable incidents are submitted within 10 days of the incident. Review existing incidents for the last two years to determine which ones have not been reported and submit those reports.

Response Needed By: 12/02/2016

Chapter 2911 - Mandatory Rules In Compliance With Concerns**Total: 1****1. 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:

The needles and lancets found on the medical carts need to be inventoried.

Corrective Actions:

Develop a system to account for the medical sharps stored on the medication carts.

Response Needed By:

Chapter 2911 - Essential Rules In Compliance With Concerns**Total: 2****1. 2911.0900 STAFFING REQUIREMENTS. Subpart 17. Escort, movement, or booking staff.**

Class I to Class VI facilities' staff shall be provided as follows: A. internal escort, rover, or movement officers in sufficient numbers as determined in the approved staffing plan under this subpart to ensure that inmates have access to staff, programs, activities, and services, and that the safety and security of the facility is not compromised; B. sufficient staff present to provide for the booking of offenders without a reduction in the safety or security of the facility and inmates; C. in multifloor jails, custody staff posted on each floor occupied by inmates; and D. sufficient numbers of staff to complete duties listed in post orders. Class I to Class VI facility staff shall not be used for the external transportation of inmates or court security if the level of inmate supervision, inmate admission, programs, or internal inmate movement would be reduced below minimums afforded under the facility's staffing plan.

Inspection Findings:

The jail continues to struggle with hiring and retaining staff members to work in the jail. On the day of inspection, 12 staff were needed to work overtime on the next shift so that the minimum staff complement was met. This appears to be average with some days being even higher number of staff members to meet the minimum complement.

Corrective Actions:

Continue efforts to hiring and retain jail staff so that overtime requirements are minimized.

Response Needed By:

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:

The compliance end of the training is informal. Certain staff members chronically have not completed their mandatory training for several years in a row. Training staff and Supervisors were well aware of who these staff members are, but little has been done to ensure compliance.

Corrective Actions:

It is recommended that a system of progressive discipline be initiated on those staff members who continue to have issues with not completing their training in a timely manner and per facility policy and procedure.

Response Needed By:

INSPECTION COMMENTS

The Classification unit has shown continued improvement as they have instituted the following programs: S.C.A.M.P. (suicidal contraband assaultive mental health program); S.A.N.D. (special accommodations notification database), and a mental health acuity score. All have aided in improved classification of inmate at the facility.

In 2014 the training department was working towards a new training records management system which would improve efficiency and accountability. This has not yet happened and the current system is cumbersome making accountability and tracking of training a challenge. It is recommended that improvements to the current system or a new system be implemented.

The jail was granted a waiver by A.C.A in regard to not meeting the 1/10 ratio for showers and toilets in certain city hall cell blocks. The Department of Corrections also recognizes this waiver as these are typically short term housing units.

Retaining detention deputies continues to be a concern, but facility administration does its best to fill the open positions. However, the amount of overtime is a concern in regard to staff burnout and fatigue.

Physical Plant:

Housing unit 8B has an excessive amount of gang-related graffiti in the cells. The facility is aware and trying to find solutions to this chronic problem.

There is a camera project pending to address the needs in several areas of the jail.

PSF building: Inmate showers were showing signs of wear and a yellowing on the block wall. Maintenance is aware of the issue.

City hall building: Floor control rooms are showing signs of wear most notably on the countertop/desk areas, and the age of some of the equipment.

JJDPA Compliance

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

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 Hennepin County jail has no delinquent juvenile hold approval. Any juveniles held at the facility have been certified as adults.

I found no violations of the JJDP act for the Hennepin County jail.

Report completed By: Greg Croucher – Senior Detention Facility Inspector

Signature:

