



Board of County Commissioners Agenda Request

12B
Agenda Item #

Requested Meeting Date: 04/13/2021

Title of Item: MN DOC Facility Inspection Report

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|--|--------------------------|--|--|
| <input checked="" type="checkbox"/> REGULAR AGENDA | Action Requested: | <input type="checkbox"/> Direction Requested | |
| <input type="checkbox"/> CONSENT AGENDA | | <input type="checkbox"/> Approve/Deny Motion | <input type="checkbox"/> Discussion Item |
| <input checked="" type="checkbox"/> INFORMATION ONLY | | <input type="checkbox"/> Adopt Resolution (attach draft) | <input type="checkbox"/> Hold Public Hearing* <i>*provide copy of hearing notice that was published</i> |

| | |
|---|--|
| Submitted by: Sheriff Dan Guida | Department: Sheriff's Office |
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|---|--|
| Presenter (Name and Title): Sheriff Dan Guida | Estimated Time Needed: 5 minutes |
|---|--|

Summary of Issue:

Minnesota Department of Corrections Facility Inspection Report for review.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Financial Impact:

Is there a cost associated with this request? Yes No

What is the total cost, with tax and shipping? \$

Is this budgeted? Yes No *Please Explain:*



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 **Aitkin County Jail**
FOR:

Address: 217 Second Street, ROOM 185, Aitkin, MN 56431

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Chris Thoma – Detention Facility Inspector **Inspected on:** 12/16/2020 to 12/16/2020

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

Officials Present During Inspection: Assistant Jail Administrator Scott Malloy; Jail Administrator Karla White

Officials Present for Exit Interview: Assistant Jail Administrator Scott Malloy; Chief Deputy Heidi Lenk; Jail Administrator Karla White; Sheriff Dan Guida

Issued Inspection Report to: Assistant Jail Administrator Scott Malloy; Chief Deputy Heidi Lenk; Jail Administrator Karla White; Sheriff Dan Guida; County Administrator Jessica Seibert; 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 | 121 | 118 | 1 | 2 | 99.17% | Compliance rating of 100% |
| 2911 | Essential | 96 | 95 | 1 | 0 | 98.96% | Compliance rating of 90% |

TERMS OF OPERATION

Authority to Operate: conditional approval **Begins On:** 01/01/2021 **Ends On:** 12/31/2022 **Facility Type:** Jail

Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 12/31/2021

Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Aitkin 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 | 89 | 90 | 80.10 | None. | None. |

RULE COMPLIANCE DETAILS

Chapter 2911 - Mandatory Rules Not In Compliance

Total: 1

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:

Evacuation drills are not being completed as called for in subpart 1.B.(1).

Corrective Actions:

Evacuation drills shall be conducted and documented at least annually.

It is recommended that the fire department participate in this drill or at a minimum tour the jail so they are aware of the layout and location of emergency equipment.

Response Needed By: 06/01/2021

Chapter 2911 - Essential Rules Not In Compliance

Total: 1

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:

A review of training records showed that the medical and kitchen staff with regular inmate contact are not meeting the provisions of this part.

Corrective Actions:

Provide medical and kitchen staff with all mandatory training to include: security procedures and regulations of the facility, rights and responsibilities of inmates, interpersonal communication skills, and first aid.

Ensure that quarterly review of emergency procedures are completed and documented for these staff members.

Response Needed By: 06/01/2021

Chapter 2911 - Mandatory Rules In Compliance With Concerns

Total: 2

1. 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:

The dietitian review of the approved menu has an incorrect rule reference.

Corrective Actions:

This was corrected prior to the writing of this report. No further action needed.

Response Needed By:**2. 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 well-being check logs reviewed showed one check at 39 minutes. Review of the video footage showed a well-being check was completed but not logged. Video footage is not kept for more than 28 to 30 days. After that time, there would be no proof that the check took place.

Corrective Actions:

Ensure staff are logging all well-being checks at the time they are completed.

Response Needed By:

INSPECTION COMMENTS**Operations:**

The facility is transitioning to the Lexipol platform for its policies. This is scheduled to be completed in Spring of 2021.

Nursing hours were increased to 32 hours a week since the last inspection.

Inmate programming is taking advantage of technology to continue to provide inmates with constructive and worthwhile programming during the COVID-19 pandemic.

Physical Plant:

- 1) The facility appeared very clean and well maintained.
- 2) The design of the facility does not provide for a secure, sally-ported, exit in all areas. The kitchen and intake garage have a single door between the secure and non-secure areas. Perimeter door 129A is deteriorating and in need of replacement.
- 3) The shower curtain rails in all units are in need of repair or replacement with a ligature resistant system.
- 4) Medical space in the facility is lacking. The Nurse has an office that is also used for inmate exams as well as storage of medical tools, equipment, medications, and records.
- 5) Microwaves in several housing units were found to be plugged into auxiliary splitters. These need to be plugged into an arch fault outlet. The use of splitters should be discontinued. It is recommended that surface mounted conduit and outlets be added to accommodate electrical needs in the units. The conduit should be security caulked to the wall and anchored every foot. Cover plates should be installed with tamperproof security screws.
- 6) The cables and cords behind the TV's mounted in the general population and special management units should be secured. These can be used as weapons or ligatures and pose a significant risk.
- 7) Additional cameras are recommended for the kitchen area.

The Aitkin County Jail was constructed in 1984 with an addition and partial remodel in 2001. According to the National Institute of Corrections, the average life expectancy of a jail facility operated 24 hours per day, seven days per week, is approximately 30 years, depending on usage. Given the physical plant issues identified, and the age of the facility infrastructure including plumbing, electrical and HVAC, the County's elected officials are encouraged to begin discussions on a course of action to address long term public safety needs.

Based on a high level of compliance, the Aitkin County Jail will remain on a biennial inspection cycle.

JJDPA Compliance

On December 16, 2020, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Aitkin 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 Aitkin County Jail did not hold or process any juveniles from October 2020 to the day of inspection.

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

I found no violations of the JJDP act during the Aitkin County Jail inspection.

Report completed By: Chris Thoma – Detention Facility Inspector

Signature:

