



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
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INSPECTION DETAILS FOR:

Clearwater County Jail

Address: 213 N Main Avenue, SUITE 101, Bagley, MN 56621

MN Governing Rule: 2911 Local Adult Detention Facilities

Inspection Type: Biennial **Inspected By:** Sarah Johnson – Senior Detention Facility Inspector **Inspected on:** 07/30/2020

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

Officials Present During Inspection: Jail Administrator Clarence La Croix

Officials Present for Exit Interview: Jail Administrator Clarence La Croix

Issued Inspection Report to: Jail Administrator Clarence La Croix; Sheriff Darin Halverson; Regional Manager Sherry Hill; County Auditor Treasurer Allen Paulson

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	116	0	3	100.00%	Compliance rating of 100%
2911	Essential	91	87	3	1	96.70%	Compliance rating of 90%

TERMS OF OPERATION

Authority to Operate: approval **Begins On:** 09/01/2020 **Ends On:** 08/31/2022 **Facility Type:** Jail
Placed on Biennial Status: Yes **Biennial Status Annual Compliance Form Due On:** 08/31/2021
Delinquent Juvenile Hold Approval: 24 hrs exclusive of weekends and holidays **Certificate Holder:** Clearwater 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	38	85	32.30	None.	None.

RULE COMPLIANCE DETAILS

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

The support employees for the jail include the nurse and the kitchen staff and they have not receive the required training for support employees with inmate contact.

Corrective Actions:

It is recommended the nurse receive the required 16 hours of training as it pertains to the safety and security of the jail. The training should focus on knowing the security procedures and regulations and all emergency procedures for the jail.

Response Needed By:**2. 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 for Clearwater County does not have a training file. He does attend the county trainings and conferences but does not have a record of the trainings.

Corrective Actions:

It is recommended to maintain a training file for the Jail Administrator for training verification purposes.

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, mace, tazers and first aid bag. The security equipment must be inventoried and check for condition. Documentation should be kept for verification purposes.

Response Needed By:

Chapter 2911 - Mandatory Rules In Compliance With Concerns**Total: 3**

1. 2911.1350 MEDICAL TRAINING FOR CUSTODY STAFF.

By policy and procedure a training program shall be established by the facility administrator in cooperation with the health authority, that provides instruction in the following areas: A. first aid training for custody personnel responsible for the supervision, safety, and well-being of prisoners; B. recognition of signs and symptoms of illness and knowledge of action required in potential emergency situations; C. administration of first aid and cardiopulmonary resuscitation (CPR). Recertification training shall occur as required with respect to first aid and CPR. The training shall be documented; D. methods of obtaining assistance; E. recognition of signs and symptoms of mental illness, developmental disabilities, emotional disturbance, and chemical dependency; and F. procedures for inmate transfers to appropriate medical facilities or other health care providers.

Inspection Findings:

Currently, staff need CPR training. With the current pandemic throughout the state, the ability to get CPR training for staff has been difficult.

Corrective Actions:

Arrangements have been made to provide CPR for staff in the near future. Continue efforts to complete the required training. Submit training documentation to the Department of Corrections when completed.

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 checks are being done in a timely manner but it was noted that during sleeping hours the well-being check pace was fast by a portion of the staff. Some staff performed them very well. Well-being checks need to be completed at a pace that verifies all inmates' well-being.

Corrective Actions:

Staff need to have a review of policy or retraining on how proper well-being checks are completed. Submit corrective action of proper well-being checks to the Department of Corrections for review.

Response Needed By:

3. 2911.5550 LOCKS AND KEYS. Subpart 3. Regular testing.

Locks to security doors or gates shall be tested for proper function at least weekly to ensure proper operation.

Inspection Findings:

The locks are tested on a weekly basis and it is documented on the sanitation and security inspection form. The lock inspection documentation should be expanded to list all the doors that need to be checked manually and electronically, especially the emergency exit doors.

Corrective Actions:

Create a lock inspection form that list out all emergency exit doors and unit door that need to be checked weekly. This will provide the documentation necessary for verification that all locks were tested.

Response Needed By:

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

1. 2911.2850 INMATE DISCIPLINE PLAN. Subpart 3. Due process.

Disciplinary segregation shall be used only in accordance with due process to include at a minimum: A. published rules of conduct and penalties for violation of rules; B. written notice of alleged violation of a rule; C. the right to be heard by an impartial hearing officer and to present evidence in defense: (1) the inmate may waive the hearing in writing; and (2) a written record is made of the disciplinary hearing and sanctions or other actions taken as a result of the hearing; D. the right to appeal; E. the status of an inmate placed on disciplinary segregation for more than 30 continuous days subsequent to a disciplinary hearing shall be reviewed, approved, and documented by the facility administrator or designee at least once every 30 days, and the facility shall develop written policy, procedure, and practice that provides that inmates in disciplinary segregation receive visits from the facility administrator or designee at least once every seven days as a part of the disciplinary segregation review process; F. an inmate placed in segregation for an alleged rule violation shall have a disciplinary hearing within 72 hours of segregation, exclusive of holidays and weekends, unless documented cause can be shown for delays. Examples of causes for delay are inmate requests for delay, or logistical impossibility, as in the case of mass disturbances; and G. the facility administrator or designee can order immediate segregation when it is necessary to protect the inmate or others. This action is reviewed and documented within three working days.

Inspection Findings:

The facility does not serve a notice of violation in writing to inmates when they are in violation of facility rules, they are notified verbally. They also do not provide disciplinary hearing findings in writing to inmates after a hearing, it is done verbally as well.

Corrective Actions:

Create a notice of violation form to serve to inmates that have violated facility rules. Include the right to have a hearing and the right to waive the hearing. Create a disciplinary hearing notice form to serve to inmates after they receive a disciplinary hearing. Notify staff in the change in procedures. Submit corrective act to the Department of Corrections for review

Response Needed By:**INSPECTION COMMENTS****Mental Health:**

Clearwater County has a high level of mental health and drug and alcohol use in the community. This is reflective of the type of inmate the county receives and supervises. The facility utilizes MeND as their medical provider and they will be adapting the Columbia Model for mental health assessments as part of their protocol for addressing mental health for the jail. The new model will add another layer of mental health review for inmates which this jail would benefit.

Maintenance:

The facility has done well during the statewide pandemic. They put medical protocols in place and maintained proper separation and classification. During the pandemic they have conducted maintenance for the jail, replacing some sinks and broken glazing. It is recommended to find alternative shower door handles to address the previously removed locks.

The facility will stay on a biennial inspection status.

JJDPA Compliance

On July 30th 2020, a Juvenile Justice and Delinquency Prevention Act audit was conducted. The Clearwater 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 Clearwater records, the Clearwater County Jail held or processed one juvenile during the federal fiscal year 2020. I reviewed 100 percent of the year 2020 juvenile data. The findings are as follows:

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

Jail Removal: Files and Statewide Supervision System data indicate that any children brought into the jail are removed well within the 24 hour time frame allowed per the "Rural Exception."

Sight and Sound Separation: The facility design and policies allow for proper sight and sound separation. This includes the route taken to Court holding. Policies and the court schedule also indicate proper sight and sound separation are maintained. Juvenile cases are heard at a different time than adult cases.

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

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

Report completed By: Sarah Johnson – Senior Detention Facility Inspector

Signature: _____

