

Beltrami County Sheriff's Office

Beltrami Cnty SO Custody Manual

MISSION STATEMENT

The Mission of the Beltrami County Jail is to enhance the safety of our citizens through efficient, professional, secure and humane incarceration of criminal offenders.

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PHILOSOPHY AND GOALS

Statutory Authorization: Minnesota State Statute 387.11 mandates that the Chief Deputy maintain a County Jail, and in Beltrami County this is designated as the Beltrami County Jail (BCJ).

Beltrami County Jail is dedicated to serving the citizens of Beltrami County and it's neighboring communities. It is our goal to:

- Safely and securely hold all persons legally confined or committed to the custody of the Chief Deputy.
- Provide security for the persons engaging in trial in accordance with constitutional law, State Statute, and State Jail Standards.
- Expeditiously, humanely and economically assure the well being of all persons incarcerated in the BCJ regarding: a. nourishment b. medical treatment c. proper sanitation d. visitation e. access to legal counsel f. Appearances in court g. Rights and privileges
- Transport prisoners.
- Verify the identity of inmates through fingerprints & photographs.
- Conduct security and evidentiary searches of prisoners.
- Initiate and update Law Enforcement and Judicial records.
- Perform any other duties ordered by the Chief Deputy.

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CODE OF ETHICS

My fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against violence or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of criminal justice service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession.

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Chapter 1 - Role and Authority

Organizational Structure and Responsibility

100.1 PURPOSE AND SCOPE

The organizational structure of the Office is designed to create an efficient means to accomplish its mission and goals and to provide for the best possible service to the public.

100.2 DIVISIONAL RESPONSIBILITY

The Chief Deputy is responsible for administering and managing the Office. There are six divisions in the Office:

- Administration Division
- Field Operations Division
- Investigation Division
- Communications Division
- Corrections Division
- Court Security Division

100.2.1 ADMINISTRATION DIVISION

The Administration Division is commanded by the Chief Deputy whose primary responsibility is to provide general management, direction and control for the Administration Division, including management of the Office budget. The Administration Division consists of Administrative Services and Records Division.

Annually, the Administration Division shall develop and submit to the Chief Deputy a budget and an inventory of capital property, equipment and assets. Property, equipment and assets with a beginning value of more than \$5,000 and other items specifically identified for inclusion regardless of value, are capital property, equipment and assets.

100.2.2 FIELD OPERATIONS DIVISION

The Field Operations Division is commanded by the Chief Deputy whose primary responsibility is to provide general management, direction and control for the Field Operations Division. The Field Operations Division consists of Uniformed Patrol and Special Operations, including but not limited to traffic enforcement, boat and water operations, ATV/snowmobile operations, parks and recreation.

100.2.3 SUPPORT DIVISION

The Investigation Division is commanded by the Chief Deputy whose primary responsibility is to provide general management, direction and control for the Investigation Division

100.2.4 COMMUNICATIONS DIVISION

The communications division is commanded by the Chief Deputy whose primary responsibility is to provide general management, direction and control for communications division.

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100.2.5 CORRECTIONS DIVISION

The Corrections Division is commanded by the Sheriff whose primary responsibility is to provide general management, direction and control of the Corrections Division.

The Corrections Division chain of command is as follows:

- Jail Administrator
- Assistant Jail Administrator
- Jail Shift Sergeant/Jail Program Director(s)/Jail Training Officer
- Corrections Officer/Jail Technician

100.2.6 COURT SECURITY

The Court Security division is commanded by the Chief Deputy whose primary responsibility is to provide general management, direction and control of the Court Security division.

100.3 CHAIN OF COMMAND

Members of the Sheriff's Office are required to follow all lawful directives of a supervisor. The directive can be an order, assignment, or verbal direction. The supervisor may or may not be the member's immediate supervisor; however, if the supervisor is of a higher rank than the employee, the directive must be followed. Supervisors should refrain from issuing directives to members outside of their chain of command except in cases of incident command, project/program management, or exigent circumstances. The chain of command is not intended to prevent access by any member to the Sheriff. However, following the chain of command is required if the topic is related to sheriff's office policies, rules in dispute, contract disputes, or disciplinary action. If the members has a personal problem at home or otherwise that the employee wishes to discuss with the Sheriff or a particular supervisor, the chain of command will not apply. This exception to the chain of command is at the discretion of the individual officer.

100.3.1 SUCCESSION OF COMMAND

The Chief Deputy exercises command over all personnel in the Office. During planned absences the Investigation Division shall act with the authority of the Chief Deputy.

Except when designated as above, the order of command authority in the absence or unavailability of the Chief Deputy is as follows:

- (a) Investigation Division
- (b) Shift Sergeant or Division Supervisor

100.3.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Office.

Generally, each employee shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or

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special assignment (e.g., Canine, SWAT), any supervisor may temporarily direct any subordinate if an operational necessity exists.

100.3.3 ORDERS

Members shall respond to and make a good faith and reasonable effort to comply with the lawful order of superior officers and other proper authority.

100.3.4 UNLAWFUL AND CONFLICTING ORDERS

No member is required to obey any order that outwardly appears to be in direct conflict with any federal law, state law or local ordinance. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or confer with a higher authority. Responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with an order that is in conflict with a previous order, office policy or other directive, shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the order is intended to countermand the previous order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting order after having given the issuing supervisor the opportunity to correct the conflict are not held accountable for disobedience of the order or directive that was initially issued. The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason therefore.

Authority and Legal Assistance

101.1 PURPOSE AND SCOPE

This policy acknowledges and reflects the legal authority under which the Beltrami County Sheriff's Office shall operate and maintain a local detention facility in this state. In addition to the authority vested by state law, the jail operates in accordance with these laws, constitutional mandates, regulations and local ordinances.

101.2 POLICY

It is the policy of this Office that the local detention facility will be maintained by all lawful means for the incarceration of persons suspected of violating the law or who have been adjudicated as guilty of committing a crime or civil offense by a competent legal authority, as prescribed by law.

101.3 LEGAL FOUNDATION

Jail staff at every level must have an understanding and true appreciation of their authority and limitations in the operation of a local detention facility. The Beltrami County Sheriff's Office recognizes and respects the value of all human life and the expectation of dignity without prejudice toward anyone. It is also understood that vesting law enforcement personnel with the authority to incarcerate suspected law violators to protect the public and prevent individuals from fleeing justice requires a careful balancing of individual rights and legitimate government interests.

101.4 LEGAL ASSISTANCE

The following are examples of areas where the services of the County Attorney and legal specialists can be of benefit to the Office:

- (a) Analyze and alert the jail executive and management team to jail-related case law.
- (b) Serve as a legal consultant in the construction and review of new jail policies and procedures.
- (c) Serve as a legal consultant on issues related, but not limited to:
 1. Use of force
 2. Faith-based requests
 3. Complaints and grievances
 4. Allegations of abuse by staff
- (d) Serve as legal counsel in legal matters brought against this office and the Sheriff.

101.4.1 LEGAL LIAISON

The Sheriff will designate one or more staff to act as a liaison between the Office and the County Attorney's office. The legal liaison officer will provide an orientation of the facility and detention facility policies to representatives of the County Attorney's office as needed.

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Authority and Legal Assistance

The liaison officer will arrange for regularly scheduled meetings to provide an ongoing status report of facility issues to the legal counsel. The liaison officer will maintain an open relationship with legal counsel to move quickly on emerging facility issues that could have significant legal implications for the Office.

Annual Review and Performance-Based Goals and Objectives

102.1 PURPOSE AND SCOPE

The Beltrami County Sheriff's Office is dedicated to the concept of continuous improvement in the services provided on behalf of the public and in accordance with applicable laws, regulations and best practices in the operation of this facility. This policy establishes minimum review criteria to measure and evaluate the success of achieving established goals and objectives.

102.2 POLICY

The Beltrami County Sheriff's Office shall strive to continually improve the operation of its facilities to ensure they are safe, humane and protect inmate's constitutional and statutory rights. To this end the Office shall conduct an annual review to evaluate its progress in meeting stated goals and objectives.

102.3 ANNUAL REVIEW

The custody management team will conduct an annual management review of minimally:

- (a) Statutory, regulatory and other requirements applicable to the operation of the facility.
- (b) Lawsuits and/or court orders/consent decrees.
- (c) Office policies, procedures, directives and post orders that guide the operation of the facility.
- (d) Fiscal operations and accounting procedures.
- (e) Personnel issues/actions that include, but are not limited to, on-the-job injuries, internal affairs investigations, employee grievances, employee discipline, selection and recruitment.
- (f) Compliance with internal/external inspections of the facility.
- (g) Condition of the physical plant, infrastructure and maintenance efforts.
- (h) Cleanliness of the facility.
- (i) Inmate profiles and trends that measure:
 - 1. Inmate population (Average Daily Population)
 - 2. Inmate population by gender
 - 3. Highest one-day count
 - 4. Bookings/releases
 - 5. Percentage of male inmates
 - 6. Percentage of female inmates

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Annual Review and Performance-Based Goals and Objectives

7. Juveniles in custody
 8. Felony inmates in custody
 9. Misdemeanor inmates in custody
 10. Pre-trial population
 11. Sentenced population
 12. Medical events
 13. Mental health events
 14. Meal counts (regular, medical, court meals)
 15. Early releases
 16. Alternative-to-incarceration participants
 17. Special needs inmates
 18. Classification issues
 19. Inmate grievances (founded/denied)
 20. Demographics (age, race, gang affiliation)
 21. Court movement
- (j) Security issues that include:
1. Inmate-on-inmate assaults
 2. Inmate-on-staff assaults
 3. Major disturbances
 4. Deaths in custody (natural/suicide/homicide/accidents)
 5. Suicide attempts
 6. Escapes
- (k) Inmate programs including:
1. Education
 2. Commissary
 3. Drug and alcohol programs
 4. Faith-based services

102.4 CRITERIA TO MEASURE PERFORMANCE

The following items will be used to measure and evaluate the level of success in achieving the Office's stated goals:

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Annual Review and Performance-Based Goals and Objectives

- (a) Fiscal year budget surpluses or successful operations even with budget reductions
- (b) Findings from independent financial audits
- (c) Inmate grievances
- (d) Documentation that office investigators have completed the required specialized training in conducting sexual abuse investigations (28 CFR 115.34)
- (e) Documented training hours received by staff
- (f) Completed audits of the policy and procedures manuals

102.5 MANAGEMENT REVIEW PROCESS

The management team may employ several methods to assess performance, including the following:

- (a) **Performance analysis** - Performance analysis attempts to discover discrepancies between the expected and actual levels of performance. This analysis should focus on whether the practices in this facility are meeting the mission of the Office and whether office policies and procedures are in alignment with statutes, regulations and court orders.
- (b) **One-to-one interviews** - Scheduled interviews with custody staff, held in private to encourage candid responses, to help identify issues or conditions that should be targeted for review or correction.
- (c) **Questionnaires** - Questionnaires should be used as a group method to solicit suggestions and information about what operations are in need of adjustment or where program resources should be directed.
- (d) **Staff debriefing** - Staff should be periodically debriefed, especially after an emergency operation or incident, to identify aspects of facility operations that may need to be addressed by the Jail Administrator and supervisors.
- (e) **Inspection findings** - The Office is subject to a variety of administrative inspections (standard-setting authorities, command staff, grand jury, jail advocates). These annual inspections should be used to identify ongoing issues in the operation of this facility.

102.6 MANAGEMENT REVIEW RESULTS

To the extent reasonably practicable the individuals responsible for the development of a management review should follow the guidelines established in the Administrative Communications Policy and Annual Facility Inspection Policy to document and support the findings. A complete report of the review results should be submitted to the appropriate level in the chain of command for final approval.

The results of management reviews should be used in the ongoing process of continuous improvement. They should be used to direct changes in the operation of this facility or to identify

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Annual Review and Performance-Based Goals and Objectives

successful operations that might be replicated in other areas of the facility. They should not, however, include specific identifying information of incidents or involved individuals.

The results of management reviews also may be used in full or in part to respond to inquiries from interested groups, such as the local legislative body, courts, grand jury or others, to provide information on issues concerning the operation of this facility, including action planning whenever appropriate.

Custody Manual and Post Orders

103.1 PURPOSE AND SCOPE

The Custody Manual is a statement of the current policies, rules, and guidelines of this office's jail. All prior and existing manuals, orders, and regulations that are in conflict with this manual are revoked, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

Except where otherwise expressly stated, the provisions of this manual shall be considered guidelines. It is recognized, however, that work in the custody environment is not always predictable and circumstances may arise that warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this office under the circumstances reasonably known to them at the time of any incident.

103.2 POLICY

The manual of the Beltrami County Sheriff's Office jail is hereby established and shall be referred to as the Custody Manual. All members are to conform to the provisions of this manual.

103.2.1 DISCLAIMER

The provisions contained in the Custody Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Beltrami County Sheriff's Office and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the county, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for office administrative action, training or discipline. The Beltrami County Sheriff's Office reserves the right to revise any policy content, in whole or in part.

103.3 RESPONSIBILITIES

The Sheriff shall be considered the ultimate authority for the provisions of this manual and shall continue to issue Interim Directives, which shall modify the provisions to which they pertain. Interim Directives shall remain in effect until such time as they may be permanently incorporated into the manual.

The Jail Administrator shall ensure that the Custody Manual is reviewed annually, updated whenever necessary, and staff trained accordingly to ensure that the policies in the manual are current and reflect the mission of the Beltrami County Sheriff's Office. 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.

103.3.1 COMMAND STAFF

The command staff should consist of the following:

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Custody Manual and Post Orders

- Sheriff
- Jail Administrator

103.3.2 OTHER PERSONNEL

Line and supervisory staff have a unique view of how policies and procedures influence the operation of the facility and therefore are expected to bring to the attention of their supervisors issues that might be addressed in a new or revised policy.

All members suggesting revision of the contents of the Custody Manual should forward their suggestions, in writing, through the chain of command, to the Jail Administrator, who will consider the recommendation.

103.4 DEFINITIONS

The following words and terms shall have these assigned meanings unless it is apparent from the content that they have a different meaning:

Office - The Beltrami County Sheriff's Office.

Custody Manual - The Office Custody Manual.

Employee - Any person employed by the Office.

May - Indicates a permissive, discretionary or conditional action.

Member - Any person employed or appointed by the Beltrami County Sheriff's Office, including:

- Full- and part-time employees.
- Corrections officers.
- Reserve corrections officers.
- Non-sworn employees.
- Volunteers.

Corrections officer - All persons, regardless of rank, who are employees and who are selected and trained in accordance with state law as corrections officers of the Beltrami County Sheriff's Office.

On-duty employee - Status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Rank - The job classification title held by a corrections officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

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Custody Manual and Post Orders

103.5 DISTRIBUTION OF MANUAL

Copies of the Custody Manual shall be made available to all members. An electronic version of the Custody Manual will be made available to all members on the office network.

No changes shall be made to the electronic version without authorization from the Jail Administrator.

103.6 MANUAL ACCEPTANCE

As a condition of employment, all members are required to read and obtain necessary clarification of this office's policies. All members are required to sign a statement of receipt acknowledging that they have received a copy or have been provided access to the Custody Manual.

103.7 REVISIONS TO POLICIES

All members are responsible for keeping abreast of all Custody Manual revisions. All changes to the Custody Manual will be posted on the office network for review prior to implementation. The Training Officer will forward revisions to the Custody Manual as needed to all personnel via electronic mail. Each member shall acknowledge receipt by return email or online acknowledgement, review the revisions and seek clarification as needed.

Each supervisor will ensure that members under his/her command are familiar with and understand all revisions.

Administrative Communications

104.1 PURPOSE AND SCOPE

Effective communications within the Office are critical to the accomplishment of the mission of the Office and the effective operation of the jail. Administrative communications of this office are governed by the following policy.

104.2 PERSONNEL ORDERS

Personnel orders may be issued periodically by the Sheriff to announce and document all promotions, transfers, hiring of new personnel, separations, personnel and group commendations or other changes in status.

104.3 CORRESPONDENCE

All office correspondence is to be written in a clear, concise manner, consistent with the report formats and guidelines prescribed in this policy and reflecting the highest possible quality in organization, grammar, punctuation and spelling.

All external correspondence shall be on Office letterhead. All Office letterhead, including all digital facsimiles of the letterhead, shall bear the signature element of the Sheriff or the authorized designee. Personnel should use Office letterhead only for official business and with the approval of their supervisors.

104.4 SURVEYS

All surveys made in the name of the Office shall be authorized in advance by the Sheriff or the Jail Administrator.

104.5 COMPLETED STAFF WORK

All staff reports (e.g., reports assigned to a specific person for the purpose of responding to a problem or issue) shall incorporate the principle of "completed staff work," which requires the person to whom a task has been delegated to complete and document the delegated work to such an extent that the only thing left for the decision-maker to do is to approve or decline to approve the recommendation. Staff reports that only point out weaknesses or merely suggest needed actions are not completed staff work and are not acceptable.

The writer of the staff report should document the efforts made to have the report reviewed by or acted upon by those individuals representing work units or other entities likely to be affected by any proposed changes.

104.6 INTRODUCTORY SUMMARY MEMORANDUMS

Any memorandum that exceeds one page in length should contain a brief introductory summary section synthesizing the subject matter.

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Administrative Communications

104.7 ADMINISTRATIVE REPORT FORMAT

All staff reports submitted via the chain of command to superior officers for further action should be written in accordance with the following format, when applicable.

Executive Summary Section - The staff report should begin with a brief statement of the problem or issue and what could be done about it. This summary should restate the main points of the report in general, non-technical language, leaving out details. The length of the executive summary section should range from one paragraph to one page.

Problem/Issue Identification Section - This section of a staff report is critical to the success of the reader's ability to grasp the issues involved and to arrive at an informed decision. It should strive to identify the true nature and scope of the problem by identifying the known facts and background of the situation, including who has the problem, how long has it existed and the known or likely consequences of the problem.

Forecast Future Impacts - This section of the report should clearly define the problem and be accompanied by an analysis of relevant factors, supported by specific examples, details or testimony, clarifying what the problem is and why it exists. Generally, the reader should be able to leave this section of the report clearly understanding the issues involved and the consequences of taking no action.

Alternatives Analysis Section - Whenever the seriousness or complexity of a problem warrants the development of alternative solutions, a staff report should include a section containing a discussion of different courses of action and their consequences, taking into account the comments and positions of other staff members or entities affected by an Office response to the problem.

104.8 POLICY

The Beltrami County Sheriff's Office will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

Departmental Directive

105.1 PURPOSE AND SCOPE

Departmental Directives and Special Orders establish an interdepartmental communication that may be used by the Chief Deputy to make immediate changes to policy and procedure consistent with the current Memorandum of Understanding or other collective bargaining agreement. Departmental Directives will immediately modify or change and supersede sections of this manual to which they pertain.

105.2 DEPARTMENTAL DIRECTIVES PROTOCOL

Departmental Directives will be incorporated into the manual as required upon approval of staff. Departmental Directives will modify existing policies or create a new policy as appropriate and will be rescinded upon incorporation into the manual.

All existing Departmental Directives have now been incorporated in the updated Policy Manual as of the below revision date.

Any Departmental Directives issued after publication of the manual shall be numbered consecutively starting with the last two digits of the year, followed by the number "01." For example, 10-01 signifies the first Departmental Directive for the year 2010.

105.2.1 SPECIAL ORDERS PROTOCOL

Special Orders establish a temporary policy or procedure on a given subject for a specific length of time. Special Orders are issued to the organization as a whole, to a division, to a unit or to an individual thereof and are temporary in nature. Special Orders become inoperative with the passing of the incident or situation that caused the order's issuance.

Annual Facility Inspection

106.1 PURPOSE AND SCOPE

Annual facility inspections are the collection of data designed to assist administrators, managers and supervisors in the management of the custody facility by means of establishing a systematic inspection and review of its operation. This policy provides guidelines for conducting the annual facility inspection.

106.1.1 POLICY

This office will use a formal annual inspection process of its facility to ensure that practices and operations are in compliance with statutes, regulations, policies and procedures and best practice standards. Inspections will be used to help identify the need for new or revised policies and procedures, administrative needs, funding requirements, evaluation of service providers and changes in laws and regulations.

106.2 JAIL ADMINISTRATOR RESPONSIBILITY

The Jail Administrator is responsible for collecting performance indicators and other relevant data to generate and provide an annual inspection of all custody facilities. The Jail Administrator will ensure that inspections are conducted as outlined below for each facility type on an annual basis.

Annual inspections may be used in preparation of inspections by outside entities, such as inspections by a government inspection authority, professional organization or accreditation body. In this case, the local inspection will serve as a pre-inspection review that will prepare the facility for the outside or third-party evaluator.

106.3 INSPECTION AREAS

The annual inspection should include the following areas in the assessment process:

- (a) **Pre-assessment briefing** - The pre-assessment briefing should begin with a meeting of the Jail Administrator, key program staff and service providers. The individual conducting the assessment will need to advise key personnel of the areas they will be inspecting so the appropriate materials will be brought up to date and made available to the assessment team.
- (b) **Policy review** - A review of all jail policies and procedures should be conducted to ensure that those policies are up to date and accurately reflect the requirements and activities related to the jail operation.
- (c) **Record review** - A review of the records that support jail activities, medical records and the facility's financial records should be conducted to ensure that contractual benchmarks are being met and that any discrepancies are documented and reported as part of the assessment report in an effort to mitigate harm from improper access to or release of records.

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- (d) **Benchmark review** - A review of the Office stated goals and objectives should be discussed with the Jail Administrator, program managers and other key providers of programs. This will provide the opportunity to identify any areas that require correction, additional resources or that reflect a successful performance that should be acknowledged and possibly replicated.
- (e) **On-site inspections** - The assessment team should conduct on-site inspections of the facility to verify that activities in the facility are in alignment with goals and objectives and compliant with policies and procedures. Any discrepancies, as well as exceptional efforts on the part of management and staff, should be reported as a part of the jail assessment. An inspection checklist should be used to guide the inspection process and to ensure consistency. It is important that the jail assessments be viewed as a credible measurement instrument as many issues identified in the assessment may require significant funding.
- (f) **Develop an action plan** - After the fact-finding described in the previous sections has been accomplished, notes, records and recommendations should be analyzed and an action plan developed to initiate any needed correction. Documenting successful practices is important to determine if they can be replicated in other areas.
- (g) **Reporting** - The results of the inspection should be compiled into a report and should include recommendations and action plans necessary to ensure continuous improvement in the operation and management of the jail system. The completed report and any analysis and documentation required to justify costs, policy revisions or any other administrative requirements should be submitted to the Sheriff.
- (h) **Monitor progress** - The Jail Administrator should ensure that approved recommendations are being instituted by the responsible program providers.

106.4 FOCAL POINTS FOR INSPECTIONS

Inspections of facilities used for detaining persons pending arraignment, held during trial and held upon a lawful court commitment should include inspection of the policies, procedures and performance by management and staff to ensure compliance and timely updates. Inspections should include, but not be limited to, the following inspection points:

- Staff training
- Number of personnel
- Policy and procedures manual
- Fire suppression pre-planning
- Incident reports
- Death in-custody
- Documented suicide attempts

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- Classification plan
- Reception and booking
- Communicable disease prevention plan
- Inmates with mental disorders
- Administrative segregation
- Developmentally disabled inmates
- Use of force and restraint devices
- Contraband control
- Perimeter security
- Searches (area and personal)
- Access to telephones
- Access to courts and counsel
- Inmate visiting
- Inmate mail
- Religious access
- Health care services
- Intake medical screening
- Vermin control
- Detoxification treatment
- Suicide prevention program
- First-aid kit
- Meals, frequency of serving
- Minimum diet
- Food service plan
- Food serving and supervision
- Facility sanitation, safety, maintenance
- Tools, key and lock control
- Use of safety and sobering cells
- Plan for inmate discipline including rules and disciplinary penalties, forms of discipline, limitations on discipline and disciplinary records.

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Annual Facility Inspection

- Standard bedding and linen use
- Mattresses

Specialized Assignments and Promotions see policy 1004

107.1 POLICY

The Beltrami County Sheriff's Office determines assignments and promotions in a nondiscriminatory manner based upon job-related factors and candidate skills and qualifications. Assignments and promotions are made by the Sheriff.

Rules of Conduct see policy 1029

Discriminatory Harassment

109.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

Grievances

110.1 POLICY OR TRAINING IMPLICATIONS

If an employee who participates in the grievance review process identifies any issue that may warrant an immediate revision to this Custody Manual, a procedural change, or an immediate training need, the employee should promptly notify the Sheriff and or a designee in the memorandum.

Post Orders

111.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the development of post orders and the training of members assigned to each post.

111.2 POLICY

It is the policy of this [agency_office] to develop comprehensive post orders for every position. Copies of the orders should be maintained at each post or available electronically. Members shall be familiar with the post orders before working a position.

111.3 DEVELOPMENT

Clear procedures should be incorporated into post orders for all regular daily activities, including but not limited to safety checks, head counts, meals, sick call, recreation, clothing exchange, mail distribution, and response to emergencies, such as fires, natural disasters, and criminal acts.

111.4 REVIEW AND UPDATE

Post orders shall be reviewed at least annually and updated whenever necessary by the Jail Administrator or the authorized designee (Minn. R. 2911.5000).

111.4.1 ACKNOWLEDGEMENT

Members shall read, sign, and date applicable post orders at least annually, or as needed for new posts or revisions (Minn. R. 2911.5000).

111.5 TRAINING

The Training Officer shall ensure that all staff members assigned to posts are properly trained to perform all of the duties and responsibilities described in the post orders. This is particularly true in fire, life-safety, and the emergency response procedures that have been implemented by the Jail Administrator. This may include the use of self-contained breathing apparatus (SCBA) if such equipment is available and/or required by the local fire authority. All training should be documented in each member's training file and retained in accordance with established records retention schedules.

Anti-Retaliation

112.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement, or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety, or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, state and local law, ordinance, or collective bargaining agreement.

112.2 POLICY

The Beltrami County Sheriff's Office has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

112.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory, or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because the person has engaged in protected activity.

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112.4 COMPLAINTS OF RETALIATION

Any members who feel they have been retaliated against in violation of this policy should promptly report the matter to any supervisor, any command staff member, the Sheriff, or the county Human Resources Director.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false or with willful or reckless disregard for the truth or falsity of the information, or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member are part of the investigative process.

112.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Sheriff via the chain of command, and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

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112.6 COMMAND STAFF RESPONSIBILITIES

The Sheriff should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

112.7 WHISTLE-BLOWING

The Minnesota Whistleblower Act protects an employee who, in good faith (Minn. Stat. § 181.932):

- (a) Communicates a violation of any law or rule to the office or to any government body or law enforcement official.
- (b) Participates in an investigation, hearing, or inquiry at the request of a public body or office.
- (c) Refuses an order to perform an act that the employee objectively believes violates a law, rule, or regulation, and informs the employer of the reason.
- (d) Reports a situation where the quality of health care services provided by a health care facility or provider violates a state or federal standard and potentially places the public at risk of harm.
- (e) Communicates the findings of a technical or scientific study that the employee believes, in good faith, to be truthful and accurate.

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Investigation Division for investigation pursuant to the Personnel Complaints Policy.

112.8 RECORDS RETENTION AND RELEASE

The Records Supervisor shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

112.9 TRAINING

This policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Chapter 2 - Organization and Administration

Drug- and Alcohol-Free Workplace See Policy Manual 1012

Financial Practices

201.1 PURPOSE AND SCOPE

The Sheriff shall prepare and present an annual budget request that ensures an adequate allocation of resources for facility operations and programming. Budget requests shall be prepared in the manner and detail prescribed by the Office. Service goals and objectives should be delineated in the budget plan.

201.2 POLICY

The Office's responsibilities include the development of a budget plan, submitting the plan to the County Administrator, and monitoring the facility's progress toward meeting its budget objectives throughout the fiscal year.

A fiscal system has been established that accounts for all income and expenditures on an ongoing basis. Methods for collecting, safeguarding and disbursing monies shall comply with established accounting procedures.

201.3 BUDGET PLAN

The Jail Administrator will establish a system of projections of expenditures for personnel, operating expenses, equipment and capital projects. A record of a historical pattern of expenditures along with a justification for new expenditures should be used as the supporting documentation in the development of the budget plan. This shall be done on a monthly basis or as part of the annual budget. (Minn. R. 2911.7200, Subp. 5).

201.4 FISCAL ACCOUNTING AND MANAGEMENT OF APPROVED BUDGET

The Auditor/Treasurers Office is responsible for monitoring the facility's progress toward meeting its budget objectives throughout the fiscal year. Data on key performance indicators should be collected and evaluated at regular intervals and reviewed by the Sheriff and the Jail Administrator's budget officials and other policy-makers. Reports should contain at a minimum the following information:

- The budget amount
- The amount expended for the month
- The year-to-date amount expended
- Any outstanding encumbrances
- The cumulative total year-to-date expenditures plus outstanding encumbrances

When the Jail Administrator receives the monthly budget report, he/she should review all of the expenditure accounts for risk indicators, such as:

- Significant variations in expenditures in an account used consistently, where the amounts charged are expected to vary little, if any, from month to month.

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- Expenditures that are significantly beyond the forecasted amounts or whether the year-to-date percentages expended are significantly higher than the percentage of time elapsed.
- Large balances of/ or long-term outstanding encumbrances.

Fiscal data collected during the year should be used to formulate a budget for the following year.

201.5 FISCAL ACCOUNTING AND PLAN FOR RECOVERABLE COST FOR INCARCERATION OF INMATES

The Auditor/Treasurers Office may develop procedures for the collection of fees and board bills in accordance with applicable Minnesota laws. Applicable recoverable costs may include but are not limited to (Minn. Stat. § 641.12; Minn. Stat. § 641.15):

- Booking costs
- Amounts due for the room and board of inmates
- Medical co-payments
- Reimbursement of medical bills

201.6 FINANCIAL AUDITS

The Sheriff should ensure that a financial audit of the facility is conducted annually. The audit shall conform to generally accepted auditing standards.

201.6.1 FINANCIAL AUDITS OF THE COMMISSARY ACCOUNTS

An annual financial audit of the Commissary Accounts shall be conducted and shall include the office's budget and any monies placed into the Commissary Accounts. The methods used for collecting, safeguarding and disbursing monies shall comply with generally accepted accounting procedures.

201.6.2 POSITION CONTROL

Position control is the process used by the Office to exercise control over the size and cost of its workforce. It ensures that any new, regular employee added to an agency's payroll basis is filling a position that has been approved and budgeted, and that the rate of pay for the position is within the salary range for the job classification in which the position resides.

This facility is one of the most labor-intensive functions and therefore control of payroll expenditures is a crucial part of managing the facility budget. In order to exercise control of payroll expenditures the Office will utilize a system of position control as part of its ongoing budget process.

201.7 STAFFING PLAN

The Jail Administrator should maintain an up-to-date staffing plan for the purpose of exercising position control. The staffing plan should include a comprehensive list of all positions in this facility. Each position has a descriptive job title that is associated with a description of the position's duties

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and responsibilities. Each position will have a written job description for all position classifications and post assignments that define responsibilities, duties, and qualifications (Minn. R. 2911.1800).

The Jail Administrator should adhere to the following strategies for the management of position control and personnel costs:

- (a) Ensure that this facility is staffed with the appropriate number and type of staff. The proper allocation and deployment of staff across shifts and functional units is essential. In addition, the availability of the right classification of staff (e.g., custody staff supervising inmates, maintenance staff performing maintenance, food service staff preparing meals) with the appropriate job skills and training enhances efficiency.
- (b) Strategically time the filling of newly authorized positions or vacancies in current positions. Strategic timing is important throughout the budget year to create vacancy savings that can be used to address current budget year shortfalls.
- (c) Manage the use of overtime carefully. The historical use of overtime should be tracked to make the case for additional staff and/or to provide sufficient funding in an overtime line item. The use of overtime should also be monitored at regular intervals to verify that it is being used within projected levels.
- (d) Manage the use of part-time staff. The number of hours worked by part-time staff should be monitored to ensure that part-time employees are not working in excess of what has been authorized (e.g., a part-time employee should be working no more than an average of 20 hours per week).
- (e) Establish and maintain procedures to ensure the accuracy and integrity of payroll documentation. Time cards, time sheets, and related documentation should reflect actual hours worked.
- (f) Consider the impact of position upgrades on the entire job classification. An upgrade for one position may set the stage for upgrades of similar positions within the same job classification.
- (g) Monitor the use of merit increases. Caution should be exercised in granting merit increases as a way of making up for perceived shortfalls in cost-of-living increases. Each merit increase, unless it is a one-time bonus, increases the base pay and has an impact on continuation funding in future budget years.

201.7.1 INSURANCE REQUIREMENTS

The Office shall ensure, by way of office risk managers, the procurement of adequate liability coverage of the jail operations. Coverage shall include, at minimum, workers' compensation, civil liability and the public employee blanket bond.

201.7.2 PERFORMANCE MONITORING

Performance monitoring necessitates the establishment of benchmarks and performance targets. The Auditor/Treasurers Office shall develop budget benchmarks so that actual performance output can be compared with these targets to determine whether this facility is meeting the goals and objectives articulated in the budget.

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A quarterly monitoring report assessing the effectiveness, efficiency and quality of custody operations will be provided to the Sheriff for the purpose of developing the budget for the following year.

Supervision of Inmates

202.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure the safety and security of the jail through the application of appropriate staffing levels.

202.2 POLICY

It is the policy of this facility to provide for the safety and security of citizens, staff, and inmates through appropriate staffing levels that are sufficient to operate the jail and perform functions related to the safety, security, custody, and supervision of inmates.

202.3 ADMINISTRATOR

This jail will have a designated (single) jail administrator (Minn. R. 2911.0900, Subp. 2).

202.4 STAFF PERSON IN CHARGE

There shall be a designated "person in charge" in the facility at all times in the absence of administrative staff. This person shall be identified on the duty rosters (Minn. R. 2911.0900, Subp. 8).

202.5 SUPERVISION OF INMATES

There shall be, at all times, sufficient staff designated to remain in the jail for the supervision and welfare of inmates, to ensure the implementation and operation of all programs and activities as required by Minnesota Rule 2911, and to respond to emergencies when needed. Such staff must not leave the jail while inmates are present and should not be assigned duties that could conflict with the supervision of inmates (Minn. R. 2911.0900, Subp. 9).

When both male and female inmates are held at this facility, a minimum of one male and one female corrections officer should be on-duty in the jail at all times.

Staff members shall not be placed in positions of responsibility for the supervision and welfare of inmates of the opposite gender in circumstances that can be described as an invasion of privacy or that may be degrading or humiliating to the inmates. Staff used as program resource personnel with inmates should be of the same gender as the inmates when reasonably available. However, at least one staff member of the same gender as the inmates should be on-duty and available to the inmates during all such activities (Minn. R. 2911.0900, Subp. 10).

To the extent reasonably practicable, inmate bathrooms will contain modesty screens that preserve privacy without creating areas that cannot be properly supervised.

The Jail Administrator or the authorized designee shall be responsible for developing staffing plans to comply with this policy. Records of staff deployment should be maintained in accordance with established records retention schedules.

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Supervision of Inmates

202.6 SEPARATION OF DUTIES

Maintenance personnel are employed to perform preventive, routine, and emergency maintenance functions. Custody staff will not be given physical plant maintenance duties that distract from their primary responsibility of supervising inmates (Minn. R. 2911.0900, Subp. 11).

Prohibition on Inmate Control

203.1 PURPOSE AND SCOPE

The purpose of this policy is to define the requirement that staff should at all times exercise control of the inmate population under their supervision and should prevent inmates from supervising, controlling, or exerting any authority over other inmates within the facility (Minn. R. 2911.2850, Subp. 5).

203.2 POLICY

All staff, including support staff, contractors, and volunteers, should exercise control and supervision of all inmates under their control. It is the policy of this office to prohibit any staff member to implicitly allow, or by dereliction of duty allow, any inmate to exercise authority, control, discipline, or rule over any other inmate.

203.3 EDUCATION, DRUG, OR ALCOHOL PROGRAM ASSISTANTS

Nothing in this policy is intended to restrict the legitimate use of inmates to assist in the instruction of educational or drug and alcohol programs. Any use of inmates in this manner will be expressly authorized by the Jail Administrator in a legally prescribed manner. Any program that uses inmates to assist in legitimate program activities will be closely supervised by facility employees or vocational instructors. Nothing in this section is intended to authorize an inmate program assistant to engage in disciplining other inmates.

Equipment Inventory and Supplies

204.1 PURPOSE AND SCOPE

This facility must have the materials, supplies and equipment that are necessary to maintain effective and efficient operations. This policy establishes responsibilities and requirements for purchasing, storing and inventory of those items.

204.2 POLICY

The Jail Administrator shall ensure that all jail property and fixed assets are inventoried annually and that all supplies purchased are reconciled with the invoice prior to payment.

The Jail maintains a secure storage area for the purpose of storing supplies and equipment. The Jail Administrator shall maintain oversight of the area.

With the exception of medical supplies, which are ordered by the medical staff, the Auditor/Treasurers Office is responsible for the purchasing and acquisition of materials and equipment for this facility. Supplies and equipment that are not needed for immediate use should be stored in a secure storage area.

204.3 PURCHASING

The Jail Administrator, along with the Auditor/Treasurer, is responsible for managing the purchasing process to ensure that amounts and types of purchases fall within budget parameters. The Jail Administrator must also ensure that this facility's purchasing process complies with applicable laws, regulations and office policies.

With approval of the Jail Administrator and the Auditor/Treasurer, small purchases of under \$200 that are a critical need may be procured by way of a petty cash voucher.

Personnel with spending authority should adhere to the following strategies:

- (a) Be knowledgeable about the county's requirements and procedures for purchasing goods and services.
- (b) Establish a working relationship with this facility's purchasing agent.
- (c) Provide the purchasing agent with information describing the types of goods and services required to operate the facility.
- (d) Ensure that staff with spending authority follow procedures that outline the process for submission and approval of purchase requisitions.
- (e) Review purchase requisitions to verify the need, urgency and priority.
- (f) Monitor service contracts to ensure that this facility is receiving the scope and quality of services specified in the contract.
- (g) Regularly monitor expenditures to make certain the purchase of goods and services is charged to the appropriate accounts and within budget limits.

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Equipment Inventory and Supplies

- (h) Keep purchase records to maintain the integrity and availability of purchasing documents, including requisitions, purchase orders, receiving reports and invoices.

204.4 EQUIPMENT INVENTORY

The Jail Administrator or authorized designee will conduct an audit on all supplies and equipment annually. All losses will be reported by the Sheriff to the County Administrator. The Auditor/Treasurers Office may also conduct an interim audit on all fixed assets in order to maintain a complete and accurate accounting of equipment and its location.

Tool and Culinary Equipment Control

205.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a tightly controlled process for the use of tools and culinary equipment in order to reduce the risk of such items becoming weapons for the inmate population. While there are times that specific inmate workers may need to possess tools or equipment for legitimate daily operations, the possession and use of those tools must be carefully monitored and controlled by staff (Minn. R. 2911.5450).

205.2 POLICY

It is the policy of this facility to securely store, inventory, control and monitor the use of tools and culinary equipment to ensure accountability and the secure use of these items.

205.2.1 CUSTODY TOOLS

Tools include all implements that are maintained within the secure perimeter of the facility to complete specific tasks. These tools include, but are not limited to, mops, brooms, dustpans and floor polishers.

All tools, culinary items or medical equipment shall be locked in secure cabinets or storage rooms when not in use.

Any time tools are brought into a secure area where inmates are present, staff supervising the area shall count the number of tools brought in to ensure that the same number of tools are taken out.

Any tool that is used within the secure perimeter of the facility must be closely monitored and controlled by the staff supervising the area so that it cannot be used as a weapon. Inmates who are assigned tasks that require these tools shall be closely supervised.

An inventory of all tools used and stored within the secure perimeter of the facility shall be developed and maintained by the Jail Administrator. Tools will be inventoried by an assigned staff member at least once every 24 hours. The loss of any tool will be immediately reported to the on-duty supervisor, who shall initiate immediate appropriate action to locate or account for the missing tool, including:

- (a) Detaining and searching any inmate who had access to the tool.
- (b) Conducting a thorough search of the immediate area for the missing item.
- (c) Initiating a facility-wide search.

The staff member responsible for the supervision of the use of missing tool will prepare and submit a report to the Shift Supervisor documenting the specific tool that is missing and the circumstances of the disappearance. The report will be forwarded to the Jail Administrator. All staff members involved in the search will submit a report to the on-duty supervisor documenting their findings.

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Tool and Culinary Equipment Control

205.2.2 MAINTENANCE OR CONSTRUCTION TOOLS

Maintenance or construction tools are those tools and equipment that are brought into and out of the secure perimeter of the facility by employees or contractors to facilitate repairs or construction of the physical plant. Only the tools and equipment needed specifically for the intended work will be permitted into the facility.

Prior to entering the secure perimeter of the facility, the contractor shall be instructed to maintain personal possession of the tools at all times. When it is necessary to complete a task in an area where inmates are present, the inmates shall be locked down by staff supervising the area.

A corrections officer will inspect the area where the maintenance/construction was performed prior to releasing the inmates from lockdown.

205.2.3 EXTERIOR-USE TOOLS

Exterior-use tools are those that are used by inmate workers outside of the secure perimeter. These tools include, but are not limited to, the following:

- Handheld tools
- Power tools
- Landscape maintenance tools

Only inmate workers who are classified to work outside the secure perimeter of the facility will be allowed to possess exterior-use tools. The corrections officer responsible for supervising inmate workers on outside work crews will account for all tools.

Inmate workers should not be released from the work assignment until all tools are accounted for.

In the event that an exterior-use tool is missing, the corrections officer shall immediately notify a supervisor. A thorough search for the tool will be undertaken and an incident report shall be completed. Inmates may only be released from their work assignments when it has been determined that it is safe to do so, and upon the approval of the supervisor. The incident report with all relevant information shall be forwarded to the Jail Administrator.

205.2.4 KITCHEN EQUIPMENT

Culinary tools are located in the kitchen and include common tools used in the preparation, service and delivery of meals.

All kitchen knives or metal tools with sharp edges shall be stored in a locked cabinet. All tools shall be returned to the secure cabinet when not in use.

The kitchen staff shall inventory all kitchen tools at the beginning and end of his/her shift.

In the event that a kitchen tool is missing, the kitchen staff shall immediately notify the on-duty supervisor, who shall initiate immediate action to locate or account for the missing tool. A thorough search for the tool will be undertaken and an incident report shall be completed by corrections staff. The incident report with all relevant information shall be forwarded to the Jail Administrator.

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Tool and Culinary Equipment Control

205.2.5 SERVING AND INDIVIDUAL EATING TOOLS

Utensils (forks/spoons/sporks) shall be counted by the inmate worker responsible for the meal service prior to and at the completion of each meal. In the event that a utensil is missing, the inmate worker shall immediately notify Corrections staff. The housing unit shall be immediately locked down and a supervisor notified. A thorough search of the housing unit shall be initiated to locate the utensil and an incident report shall be completed. The incident report with all relevant information shall be forwarded to the Jail Administrator

205.2.6 STAFF EATING TOOLS

Correction Officers shall secure all sharp/metal eating utensils at all times. Utensils will be hand delivered if giving to another corrections officer. Corrections Officers assigned to work in the basement will be relieved of their post to eat in a secure area if using sharp mental utensils.

Disposition of Evidence

206.1 PURPOSE AND SCOPE

The purpose of this policy is to provide direction regarding the proper handling and disposition of contraband and evidence to ensure that of the chain of custody is maintained so that evidence is admissible in a court of law or disciplinary hearing.

206.2 POLICY

It is the policy of the Beltrami County Sheriff's Office to seize evidence and contraband in accordance with current constitutional and search-and-seizure law. Members of this office shall properly handle all contraband and evidence in order to maintain its admissibility. All contraband and evidence shall be handled in a safe manner and in a way that will maintain the chain of custody.

206.3 INITIAL SEIZURE OF EVIDENCE

Any staff member who first comes into possession of any evidence should retain such evidence in his/her possession until it is properly turned over to the appropriate officer. When handling evidence, staff should observe the following safety precautions:

- (a) Unload any firearm located in the approved loading/unloading area outside of the facility. If it is a revolver, the cylinder should be left open. If it is a semiautomatic pistol, the magazine shall be removed and the slide locked back in an open position. The cartridges and/or magazine will be packaged separately and booked with the firearm.
- (b) Sheath any knife or other stabbing instrument in its holster (if any), or attach (tape) stiff cardboard to completely cover the blade.
- (c) Place needles, such as syringes, into a hard plastic container that cannot be punctured by the needle.
- (d) If the contraband is a suspected "home brew" alcoholic beverage, the handling corrections officer shall conduct a blow by sample on a PBT, document the results in the report, and discard of the rest of the substance.

206.4 PROPERTY BOOKING PROCEDURE

All property shall be booked prior to the employee going off-duty unless otherwise approved by a supervisor. Employees booking property shall observe the following guidelines:

- (a) Complete the property intake record for each item of property separately, listing all serial numbers, owner's name, finder's name and other identifying information or markings.
- (b) Mark each item of evidence with the primary officer's initials/badge number, ICR number, and the date booked using the appropriate method to prevent defacing or damaging the value of the property. Place the case number in the upper right corner of the bag or in the appropriate field of the evidence/property tag.

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- (c) When the property is too large to be placed in a locker, the item may be retained in the secure supply room or another area that can be secured from unauthorized entry. Place the completed property form into a numbered locker indicating the location of the property.

206.4.1 CONTROLLED SUBSTANCES

All controlled substances shall be documented and photographed if possible including paraphernalia items in an Incident Report. All items not immediately given to the arresting officer will be packaged and marked with the appropriate ICR number, date, and primary officer involved prior to storage.

Documentation will be made when the items are transported or given to another officer to include the name of the officer and date and time of delivery/pick up.

206.4.2 RECORDING OF PROPERTY

The property control officer receiving custody of evidence or property shall record on the property intake record his/her signature, the date and time the property was received and where the property will be stored.

A recording number (i.e. case file number, incident number, UA number, etc.) shall be obtained for each item or group of items. This number shall be recorded on the property or property container and the property intake record.

Any changes in the location of property shall be recorded in the property intake record.

206.4.3 PROPERTY CONTROL

Every time property is released or received, an appropriate entry on the evidence package and property intake record shall be completed to maintain the chain of custody. No property or evidence is to be released without first receiving written authorization from a supervisor or the officer who is managing the case.

206.4.4 TRANSFER OF EVIDENCE TO CRIME LABORATORY

The property control officer releasing the evidence must complete the required information on the lab forms. The lab forms will be transported with the property to the examining laboratory. The original copy of the lab form will remain with the evidence and the copy will be returned to the Records for filing with the case.

206.4.5 STATUS OF PROPERTY

Each person receiving property will make the appropriate entry to document the chain of custody. Temporary release of property to a law enforcement authority for investigative purposes or for court shall be noted on the property control card, stating the date, time and to whom it was released.

The property control officer shall obtain the signature of the person to whom the property was released and the reason for release. Any employee receiving property shall be responsible for such property until it is returned to property or released to another authorized person or entity.

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Disposition of Evidence

The return of the property should be recorded on the property intake record, indicating date, time and the name of the person who returned the property.

206.5 RELEASE OR DISPOSTION OF UNCLAIMED FUNDS AND PROPERTY

The employee managing the case or a supervisor shall authorize the disposition or release of all evidence and property coming into the care and custody of the Office.

All reasonable attempts should be made to return unclaimed property, found property or evidence not needed for an investigation.

Release of property shall be made upon receipt of an authorized release form. The release authorization shall be signed by the approving staff member and must match the items listed on the property form or must specify the items to be released. A signature of the person receiving the property shall be recorded on the original property form. Upon release the proper entry shall be documented on the property release form and related forms.

Staff shall ensure that all cash not needed as evidence or funds that are left unclaimed by an inmate, are transferred as soon as practical to the Auditor/Treasurers Office. A record of the transfer shall be kept.

With the exception of firearms and other property specifically regulated by statute, found property and property held for safekeeping shall be held for a minimum of 30 days. During such period, property personnel shall attempt to contact the rightful owner by telephone and/or mail when sufficient identifying information is available. Property not held for any other purpose and not claimed within 30 days after notification (or receipt, if notification is not feasible) may be auctioned to the highest bidder at a properly published public auction subject to the requirements of Minn. Stat. § 345.15.

If such property is not sold at auction or otherwise lawfully claimed, it may thereafter be destroyed in accordance with applicable law. The final disposition of all such property shall be fully documented in related reports.

A property control officer shall release the property upon proper identification presented by the owner for which an authorized release has been received. A signature of the person receiving the property shall be recorded on the original property form and retained in the inmate's file.

Records and Data Practices

207.1 PURPOSE AND SCOPE

This policy establishes guidelines for the control and access of confidential records by staff, contractors and volunteers.

207.2 ACCESS TO CRIMINAL RECORDS

All official files, documents, records, electronic data, video and audio recordings and data held by the Beltrami County Sheriff's Office or in the custody or control of office employees, volunteers or contractors are classified under the Minnesota Government Data Practices Act as public, private or confidential.

Access to non public paper or electronically generated data in this facility is restricted at various locations according to job function and the need to know. Employees working in assigned areas will only have access to the data that is necessary for the performance of their duties. Granting access to other employees or anyone outside of the work area must meet with supervisory approval. All requests for data received from outside the Office shall be forwarded to the Jail Administrator.

Custody staff, volunteers and contractors shall not access, disclose or permit the disclosure or use of such files, documents, reports, records, video or audio recordings or other non-public data except as required in the performance of their official duties and in accordance with office policies, statutes, ordinances and regulations related to data practices.

Custody staff, volunteers and contractors who are uncertain of the status of any document should consult with a supervisor or Jail Administrator to determine the status of the data in question.

Intake procedures dealing with information protected by the Minnesota Government Data Practices Act and Minnesota Statutes Chapter 13 shall be conducted in a manner and location that assures the privacy of the inmate and prevents access by unauthorized personnel or third parties.

207.3 STAFF TRAINING

Prior to being allowed to work inside this facility, all custody staff, volunteers and contractors will receive training on office records, policies and privacy requirements, including the potential criminal and civil penalties that may result from a breach of privacy in violation of this policy and all applicable statutes.

Research Involving Inmates

208.1 PURPOSE AND SCOPE

The purpose of this policy is to establish safeguards and guidelines to protect inmates from being used as research subjects in medical and other research experiments based only on their status as inmates and without proper approval, review or informed consent.

208.2 POLICY

The Beltrami County Sheriff's Office will conduct and support research that improves operations, enhances professional knowledge, decreases recidivism and advances the office's mission in accordance with existing laws and with appropriate protection of all inmates. However, the use of inmates for medical, pharmaceutical or cosmetic experiments is prohibited (Minn. R. 2911.6900).

208.3 AUTHORIZATION REQUIREMENTS

Prior to initiating any approved research, all persons conducting research in this facility must agree to abide by all office policies relating to the security and confidentiality of inmate data. Based upon the intended use of the research, guidelines will be established regarding what information shall be accessible to the researcher or the research organization.

Any requests for an exception shall include a response to the following questions as part of the proposed research project:

- Who is conducting the research?
- What is the purpose of the research?
- What is the methodology?
- Do the researchers or persons advocating research involving the use of inmates have an understanding of their ethical responsibilities, including the establishment of an Institutional Review Board (IRB), in accordance with 45 CFR 46.301 et seq.?
- Any other information as deemed appropriate by the Jail Administrator or Sheriff.

Inquiries regarding proposed research projects from local, state and federal executive and legislative bodies/agencies will be brought to the attention of the Sheriff immediately by the employee who receives the request. At the direction of the Sheriff, an appropriate and timely response will be made to each legitimate inquiry.

Research or studies involving more than the information identified as public information may require signed release/waiver forms from the involved inmates. The Sheriff should consult and seek guidance from the legal counsel serving the Office or other legal expert in these matters.

Inmates are not precluded from individual treatment based on the need for a specific medical procedure that is not generally available. An inmate's treatment with a new medical procedure by the inmate's own physician shall be undertaken only after the inmate has received a full

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Research Involving Inmates

explanation of the positive and negative features of the treatment, and only with the inmate's informed consent.

208.4 LEGAL CONSIDERATIONS

Any research conducted or supported by the United States Department of Health and Human Services will be required to comply with the provisions of 45 CFR 46.301 et seq.

208.5 INMATES IN COMMUNITY-BASED RESEARCH

When inmates who are participants in a community-based research protocol are admitted to the facility, the following shall occur:

- (a) The intake nurse shall collect all relevant data, including name and contact information of the treating physician, and all available detail about the treatment regimen and the condition being treated.
- (b) The responsible physician shall be contacted prior to the initiation of treatment.
- (c) Consultation with community researchers shall be made by the responsible physician to determine the intent of the study and any necessary parameters to measure as the treatment period progresses.
- (d) Upon removal from the program, discussion should occur on obtaining information to protect the health of the inmate.

208.6 HUMAN RESEARCH STUDIES

This office does not endorse enrolling inmates into human research studies. Requests to enroll inmates in human research studies will not be approved.

Inmate Records

209.1 PURPOSE AND SCOPE

This policy establishes the procedures required to create and maintain accurate records of all persons booked and confined in this facility.

209.2 POLICY

It is the policy of this office that all records shall be complete and comprehensive, resulting in reliable data that provides information about each inmate's period of confinement, as well as histories of previous confinement in this facility. All inmate records are official office documents and should be used for official business only. Inmate records are a vital component of the criminal justice system and should only be released to authorized persons.

209.2.1 RECORD MAINTENANCE

It shall be the responsibility of the Corrections Division to maintain the following records on all persons who have been committed or assigned to this facility, including, but not limited to, the following:

- Information gathered during the admission process as provided in the Inmate Reception Policy
- Photographs and fingerprints cross referenced to the booking number
- Duration of confinement
- Court-generated background information
- Cash and property receipts
- Classification records, including inmate classification levels and housing restrictions
- Housing history records
- Reports of disciplinary events and dispositions
- Grievances and dispositions
- Reports of incidents or crimes committed during confinement
- Request forms
- Court appearances, documents and the disposition of hearings
- Work assignments
- Program participation
- Visitation records
- Telephone records

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Inmate Records

- Medical, dental, mental health, drug and alcohol screenings, assessments, treatments, medications

The inmate records shall be identified and separated according to a format developed and approved by the Jail Administrator or the authorized designee.

209.2.2 RELEASE OF INMATE RECORDS

Inmate records are subject to the Minnesota Government Data Practices Act and shall be used only for official business, in accordance with Minnesota statutes. Any release of inmate records shall be made only in compliance with a lawful court order or as authorized by state and federal law. A copy of any release authorization document shall be maintained in the inmate record file (Minn. R. 2911.2300).

209.2.3 ELECTRONIC RECORD MAINTENANCE

All inmate records and data maintained in an electronic format shall be accessible only through a login/password-protected system capable of documenting by name, date and time any person who has accessed the information. The Jail Administrator shall be responsible for working with the information technology personnel to ensure the security of the data and to develop and maintain a copy of the security plan (Minn. R. 2911.2200).

209.2.4 RECORDS RETENTION

Inmate records shall be maintained consistent with the established records retention schedule.

209.2.5 DETENTION INFORMATION SYSTEM REQUIREMENTS

The Records Supervisor shall be responsible for ensuring that the data on persons detained or incarcerated at the jail shall be reported to the Minnesota Department of Corrections Statewide Supervision System (S3) in a manner consistent with the Department of Corrections' Detention Information System (DIS). The DIS reporting requirements will be accomplished in a daily and accurate manner (Minn. R. 2911.2400).

Report Preparation

210.1 PURPOSE AND SCOPE

Report preparation is a major part of each corrections officer's job. The purpose of these reports is to document incidents at the facility, refresh the corrections officer's memory and provide sufficient information for a follow-up investigation and successful prosecution or a disciplinary proceeding. Report writing is the subject of substantial formal and on-the-job training.

210.2 REPORT PREPARATION

Employees should ensure that reports are sufficiently detailed for their purpose and free from errors prior to submission. Reports shall be prepared by the staff assigned to investigate or document an incident, approved by a supervisor and submitted to the Jail Administrator or the authorized designee in a timely manner.

Any incident resulting in death, injury or endangerment to staff or a visitor, serious injury to an inmate, escape, a major disturbance, a facility emergency or an unsafe condition at the facility shall be submitted to the Jail Administrator by the end of shift. It is the responsibility of the assigned employee to ensure that all the above listed reports meet this requirement or that supervisory approval has been obtained to delay the report. The supervisor must determine whether the report will be available in time for appropriate action to be taken, such as administrative notifications or resolution, investigative leads or an inmate disciplinary proceeding.

Handwritten reports must be prepared legibly. If the report is not prepared legibly, the employee shall be required by the reviewing supervisor to promptly correct the report. Employees who generate reports on computers are subject to all requirements of this policy.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard or assimilated by any other sense, and any actions taken.

Employees shall not suppress, conceal or distort the facts of any reported incident, nor shall any employee make a false report orally or in writing. Generally, the reporting employee's opinions should not be included in reports unless specifically identified as such.

210.3 REQUIRED REPORTING

Written reports are required in all of the following situations on the appropriate office-approved form unless otherwise approved by a supervisor.

210.3.1 CRIMINAL ACTIVITY REPORTING

When an employee responds to an incident, or as a result of selfinitiated activity, and becomes aware of any activity where a crime has occurred, the employee is required to document the activity. The fact that a victim is not desirous of prosecution is not an exception to documentation.

210.3.2 INCIDENT REPORTING

Incident reports generally serve as an in-house notation of occurrences in the facility and to initiate, document and support the inmate disciplinary process. The Office shall establish a filing system

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that differentiates between incident reports, crime reports and disciplinary actions. This policy does not require the duplication of information on two different forms. Where both exist, cross-referencing facilitates retrieval of one or both.

Incidents that shall be documented using the appropriate approved report include:

- (a) Non-criminal incidents of rule violations by inmates.
- (b) Attempted suicide or suicidal ideation on the part of an inmate, if known.
- (c) Non-criminal breaches of security or evidence of an escape attempt.
- (d) Non-criminal security threats, including intelligence related to jail activities.
- (e) Significant incidents related to medical issues, health or safety in the jail.
- (f) Discovery of contraband in the possession of inmates or their housing areas.
- (g) Detaining or handcuffing any visitor at the facility.
- (h) Traffic collisions involving office vehicles.
- (i) Risk management incidents to include injuries to inmates and lost or damaged property.
- (j) Accidental injuries of staff, inmates or the public.

210.3.3 DEATHS

All deaths shall be investigated and a report completed by a qualified investigating officer to determine the manner of death and to gather information, including statements of inmates and staff who were in the area at the time the death occurred.

Reporting of deaths will be handled in accordance with the Reporting In-Custody Deaths Policy (C 532).

210.3.4 INJURY OR DAMAGE BY OFFICE PERSONNEL

Reports shall be taken if an injury occurs that is a result of an act of an employee. Reports shall be taken involving damage to office property or equipment.

210.3.5 REPORTING UNUSUAL OCCURRENCES

See the Reporting Unusual Occurrences Policy (C 252).

210.3.6 USE OF FORCE

Reports related to the use of force shall be made in accordance with the Use of Force Policy (C 522).

210.4 GENERAL POLICY OF EXPEDITIOUS REPORTING

In general, all employees and supervisors shall act with promptness and efficiency in the preparation and processing of all reports. An incomplete report, unorganized reports or reports

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delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or according to special priority necessary under exceptional circumstances.

210.4.1 GENERAL POLICY OF HANDWRITTEN REPORTS

Some incidents and report forms lend themselves to block print rather than typing. In general, the narrative portion of those reports in which there is a long narrative should be typed or dictated.

Supervisors may require, with the foregoing general policy in mind, block printing or typing of reports of any nature for office consistency.

210.4.2 GENERAL USE OF OTHER HANDWRITTEN FORMS

County, state and federal agency forms may be block printed as appropriate. In general, the form itself may make the requirement for typing apparent.

210.5 REPORT CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should return it to the reporting employee for correction as soon as practicable. It shall be the responsibility of the originating employee to ensure that any report returned for correction is processed in a timely manner. It shall be the responsibility of the supervisor rejecting the report to follow up on any report corrections not received in a timely manner.

210.6 REPORT CHANGES OR ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Records for filing and distribution shall not be modified or altered except by way of a supplemental report. Reviewed reports that have not yet been submitted to the Records may be corrected or modified by the authoring employee only with the knowledge and authorization of the reviewing supervisor. Reviewing supervisors should not alter reports. When modifications are required, it shall be the responsibility of the authoring employee.

210.7 ELECTRONIC SIGNATURES

The Beltrami Jail has established an electronic signature procedure for use by all employees of the Beltrami Jail. The Jail Administrator or the authorized designee shall be responsible for maintaining the electronic signature system and ensuring that each employee creates a unique, confidential password for his/her electronic signature. The system use and design shall follow the requirements of the Uniform Electronic Transactions Act (Minn. Stat. § 325L.01 et seq.), when applicable.

- Employees may only use their electronic signature for official reports or other official communications.
- Each employee shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

Key and Electronic Access Device Control

211.1 PURPOSE AND SCOPE

The control and accountability of facility keys and electronic access devices are vital factors in maintaining a safe and secure environment for inmates, staff, volunteers, contractors and the public. This policy outlines the methods that the Office will use in maintaining strict security of its keys and electronic access devices. For ease of reference, the term "key" as used in this policy includes all physical means of access to or exit from the secure areas of the facility (Minn. R. 2911.5550).

211.2 POLICY

It is the policy of this office that all keys used to access secure areas of the facility or to exit the secure areas of the facility are strictly controlled. Employees and supervisors will be held accountable for the security and safety of the facility. All key control activities shall be accurately documented on a daily basis (Minn. R. 2911.5550).

211.2.1 KEY IDENTIFICATION

All key sets are numbered, color coded, and referenced in the Resource Manual under the key chart tab. Each key is referenced by the key set number it is assigned to with a description of the key and its use. The key chart also lists the number of keys each key set should have.

211.2.2 KEY CONTROL

All facility keys shall be maintained in a locked key box within the Control room. This room shall have controlled access for staff only.

Keys that serve a critical security purpose shall be easily identifiable and shall not be issued unless ordered by the facility administrator.

Employees shall not possess any key for which they have not been authorized.

Employees shall not duplicate, mark, alter or manufacture any key without written authorization from the Jail Administrator or the authorized designee.

Staff shall, at the beginning of their respective shifts, inventory the keys and keysets.

Under no circumstances will security keys be made available to inmates regardless of their status (Minn. R. 2911.5550, Subp. 1).

211.2.3 LOCK POLICY

All security perimeter entrances, Central Control doors and cell doors shall be kept locked, except when used for admission or exit of employees, inmates or visitors, and in an emergency. Operators of sallyports shall ensure that only one of the doors of a sallyport is opened at any time for entry or exit purposes, except where the entry or exit of emergency personnel requires the operator to override the doors and allow for rapid entry or exit. Each time the override function is engaged, the officer must document the override function and reason in his/her daily shift log. (Minn. R. 2911.5550, Subp. 2).

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211.2.4 TESTING

Locks to security doors or gates shall be tested for proper function at least weekly to ensure proper operation. This testing shall be documented and a weekly report forwarded to the Jail Administrator (Minn. R. 2911.5550, Subp. 3).

211.2.5 MISSING KEYS

Any staff member who discovers that a key or keyset is missing shall immediately make a verbal report to the on-duty supervisor and shall prepare a written incident report as directed by the supervisor. The supervisor shall immediately initiate a search for the missing key. If a reasonable effort to locate the key fails, the supervisor shall order a lockdown of the facility. All inmates shall be locked in their cells/housing units. Inmates shall not be allowed to pass into or out of the facility without being thoroughly searched for the missing key. The supervisor shall, as soon as reasonably practicable, notify jail administration regarding the loss of the key, when it was discovered and the circumstances involved.

A methodical and thorough search of the entire facility will be made by the on-duty staff. Additional staff may be called to assist with the search. If, after a thorough search, the key or keyset is not located, the Jail Administrator will determine whether to re-key any locks that may have been compromised, and whether this should be done immediately.

This policy also applies to any employee issued keys.

The Jail Administrator shall initiate an investigation into the disappearance of the keys to reexamine the procedures for key control, and shall notify the Chief Deputy of his/her findings. Based upon the findings of the investigation and any recommendations, the procedures governing this policy may be amended.

211.2.6 DAMAGED KEYS OR LOCKS

Damaged keys or locks shall be promptly reported to the on-duty supervisor. No part of a broken key shall be left in the lock. All portions of the damaged key must be turned in to the Shift Supervisor, who will ensure duplicate keys are provided as needed. Damaged locks shall be replaced or repaired as soon as practicable. Appropriate security measures shall be taken until such time as the lock is properly restored. No lock to a security door or gate shall be permitted to be inoperable or left in an unsuitable condition. No inmate shall be secured in a cell, detention room or area that has inoperable locks (Minn. R. 2911.5550, Subp. 4).

211.2.7 REPLACEMENT AND EMERGENCY KEYS

At least one complete set of facility keys shall be kept on hand for replacement or emergency purposes. (Minn. R. 2911.5550).

211.3 KEY CONTROL RECORDS

A shift roster will be maintained for the accounting and security of all keysets. Each shift is responsible for reporting any key malfunctions or missing keysets. Key control measures shall be documented by the control room staff on logs and forms, and the records retained in accordance with established records retention schedules.

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211.4 ELECTRONIC ACCESS DEVICES

Proximity cards, fobs or other devices may be issued to staff to allow access to restricted or controlled areas of the facility. In the event of a lost or stolen device, an employee shall notify his/her supervisor as soon as it is known the device is missing. The device shall be immediately deactivated to prevent unauthorized use.

Daily Activity Logs and Shift Reports

212.1 PURPOSE AND SCOPE

Accurate and legible records are vital to the management of the facility. They provide a means for managers to review events and emergency situations that have occurred within the facility.

This policy provides guidance for creating and maintaining accurate and legible records necessary for the management of the facility.

212.2 POLICY

This policy establishes the requirement for the preparation, maintenance and retention of permanent logs and shift reports to provide a record of both routine activities and unusual events such as emergencies or other notable occurrences.

212.3 PROCEDURES

All members assigned to a security post shall prepare an accurate daily activity log and shift report. The daily activity log and the shift report are a permanent record of daily activities. Members who falsify any official document may be subject to disciplinary action, up to and including termination.

All members will adhere to the following procedures when preparing a daily activity log or shift report:

- (a) Black ink pen shall be used, unless entries are logged into an electronic record.
- (b) Entries should be legible and provide sufficient detail to ensure that the log entry or report properly reflects the events of the day.
- (c) Entries shall include the name and badge number of the individual making the entry.
- (d) Entries shall reflect the date and time of the event logged.
- (e) Entries created and stored electronically shall not be modified. If corrections or changes become necessary, they shall be done by way of a supplemental entry, leaving the original entry unaltered and retrievable.
- (f) Handwritten log entries requiring modification shall be crossed out with one line and a new entry made, noting that it is a correction.

212.4 SHIFT ACTIVITY LOG

All pertinent activities should be documented in the daily activity log. At a minimum this includes the following:

- Personnel on-duty
- Bookings and releases
- Formal counts
- Well-being checks, security checks and inspections

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- All searches/shakedowns
- Inmate movement within the facility
- Meal service
- Professional visits to the housing units, including maintenance work and tours
- Alarms and security equipment tests
- Medication delivery, sick call or inmate complaints of illness or injury and the action taken
- Locking and unlocking of inmate cells
- Disciplinary actions
- Supervisor rounds to the housing area and/or to specific inmates
- Unusual inmate behavior
- Activities and programs offered and the attendees
- Unusual occurrences
- Discovered contraband
- Use of emergency equipment
- Any use of force
- Sanitation inspection
- Key counts

The daily activity log will be retained in accordance with established records retentions schedules.

212.5 SHIFT REPORT

Each member assigned to a security post, as well as the supervisor, shall prepare a shift report for the oncoming staff. This report shall include the following (Minn. R. 2911.5000, Subp. 3):

- The formal inmate count at the beginning and end of each shift
- Key count and exchange
- Money count (at whatever post money is handled)
- Exchange of security equipment (e.g., duress alarm, radio)
- The time the supervisor made rounds
- Information that would assist the oncoming staff
- Unusual occurrences

The shift report will be retained in accordance with established records retention schedules.

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Daily Activity Logs and Shift Reports

212.6 SUPERVISOR RESPONSIBILITIES

Supervisors shall review the daily activity log and shift report during the course of each shift. Supervisors shall sign and include the date and time of review on each log or report. When appropriate, supervisors should include comments in the logbook with regard to an incident or unusual occurrence in the facility.

Whenever a major event in the facility requires a coordinated command response, the Incident Commander (IC) should designate someone to keep a running log that identifies, at a minimum, the following:

- Date and time the incident began
- Specific location of the incident
- Times of significant response measures taken during the incident
- Name, identification number and time of arrival of personnel on-scene
- Orders issued by the IC
- Significant events that occurred as a result of the incident

The above information should remain available to the IC throughout the event to assist with ongoing response planning.

Personnel Files SEE POLICY MANUAL 1026

Evaluation of Employees SEE POLICY MANUAL 1002

Employee Compensation

215.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for reviewing compensation and benefit levels for all facility personnel when a labor organization process, collective bargaining agreement or other methodology does not exist. The goal of a compensation and benefit package should be to establish competitive salary and benefits to ensure the ability to recruit, hire and retain qualified staff.

215.2 POLICY

It shall be the policy of this office to strive for parity of compensation and benefits with similar occupational groups in the state or region, whenever fiscal conditions reasonably permit, to ensure the ability to recruit, hire and retain qualified staff. Compensation and benefits for corrections officers should be equal to those for staff working in the same organization or at the same level of government.

All compensation actions shall be in accordance with civil service rules, labor codes and collective bargaining agreements for pay and benefits, and subject to fiscal conditions.

Nothing in this manual shall be construed to prevent the establishment of job descriptions, work assignments, channels of communication or personnel policies with merit systems or collective bargaining agreements.

215.3 EXTRA DUTY

No employee shall be scheduled for more than 12 hours consecutive work in any 24 hours, except where unusual circumstances require reasonable and prudent exception. Coverage for vacations, military leave, jury duty, scheduled training and similar activities are not considered as unusual exceptions (Minn. R. 2911.0800).

Uniform SEE POLICY MANUAL 707

Administrative and Supervisory Inspections

217.1 PURPOSE AND SCOPE

The purpose of this policy is to establish both regularly scheduled and unannounced inspections of the facility's living and activity areas. This is to encourage contact with staff and inmates and to observe inmate living and working conditions. Inspections may be useful in identifying deficiencies, which can be corrected, as well as processes working properly, which may be replicated elsewhere in the facility (Minn. R. 2911.4900).

217.2 POLICY

Tours and inspections shall be conducted by administrative and supervisory staff throughout the jail at least weekly to facilitate and encourage communication among administrators, managers, supervisors, staff employees, inmates and the visiting public.

217.3 INSPECTIONS

The Jail Administrator is responsible for ensuring that scheduled and unscheduled inspections, visits, and contacts are implemented to minimally include:

- (a) The general conditions and overall climate of the facility.
- (b) The living and working conditions of inmates.
- (c) Communication between administrators, managers, supervisors, staff, inmates, and the visiting public.
- (d) Compliance with policies.
- (e) Safety, security, and sanitation concerns.
- (f) Inmate concerns.
- (g) Meal services.

217.3.1 AREAS TO BE INSPECTED

Supervisor inspections should occur in all occupied areas of the facility on a daily basis, including weekends and holidays. Inspections should be conducted randomly, and special effort should be given to tour and informally inspect the following areas:

- Inmate housing areas
- Booking and receiving areas, including holding cells
- Exercise yard and recreation areas
- Visiting and program areas
- Medical and dental service areas
- Vocational work areas (e.g., the kitchen, janitorial closets)
- Sallyports and transportation staging areas

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Administrative and Supervisory Inspections

217.4 INSPECTIONS OF SECURITY EQUIPMENT

The Jail Administrator shall ensure that weekly inspections of all security devices are conducted and shall have documented all action taken to correct identified deficiencies, including maintenance records, and shall retain those records in accordance with established records retention schedules.

217.5 DOCUMENTATION AND REPORTING

Each staff member conducting the inspection or tour shall document the activity in the appropriate station form or facility log. The log should include any significant findings that indicate remedial action or training may be needed. Significant issues of security or safety shall be addressed promptly. Commendable or successful actions that should be replicated elsewhere in the facility should also be noted in the log.

The Shift Supervisor shall review the logs daily and ensure that any deficiencies noted are addressed or forwarded through the chain of command, as appropriate, and that commendable actions are also appropriately addressed.

Perimeter Security

218.1 PURPOSE AND SCOPE

The purpose of this policy is to establish this facility's security perimeters, to ensure that incarcerated inmates remain inside the perimeter, and to ensure that visitor, vendor, volunteer and employee access is granted only with proper authorization and through designated safety vestibules and sallyports. The secure perimeter of this facility will provide protection from the escape of persons being processed, held, or housed, and will act as a defense against the entry of unauthorized persons. It shall also be maintained to prevent contraband from entering the secure areas of the facility.

218.2 POLICY

All entry points to the secure perimeter of the facility shall be monitored and controlled continuously by Central Control staff. The entire perimeter shall be inspected, maintained, monitored and continuously assessed to ensure its physical integrity and prevent unauthorized entry, inmate escape and contraband from entering the facility.

218.2.1 VISITORS

This facility shall be maintained as a secure area and no person shall enter any portion of the inner perimeter without specific authorization from the Jail Administrator or the authorized designee. All visitors shall be required to provide satisfactory identification, such as a valid driver license, valid passport or military identification. Visitors shall be required to sign in on the visitor log and state the reason for the visit. Visitors must wear a visitor's badge at all times and shall be escorted by one or more staff members at all times, while they are in the secure areas of the facility.

218.3 PROCEDURE

The secure perimeter shall be maintained by assigned staff. The Jail Administrator or the authorized designee shall ensure that a staffing plan is in place to monitor the secure perimeter of this facility. Suspicious activity at or near the perimeter shall immediately be reported to the Shift Supervisor and Central Control. Central Control staff shall initiate an appropriate law enforcement response.

Individuals suspected to be in violation of any law may be subject to detention or arrest. Warrant checks should be conducted on all individuals who are on the property without proper authorization. Individuals found to be loitering on or around the perimeter of the facility will be stopped and questioned to determine the circumstances of their presence. They may be denied entrance into the facility.

Central Control staff shall identify all persons seeking to gain access to the secure perimeter of the facility. Persons delivering goods or services shall identify themselves to Central Control staff prior to being allowed access to the delivery area.

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Perimeter Security

Materials delivered to or transported from the facility's secure perimeter shall be inspected for contraband (Minn. R. 2911.5300, Subp. 5). Vendors making deliveries into the secure area of the facility will do so under the supervision of custody staff.

Keys to the secure perimeter shall be easily identifiable and issued only in emergency situations or with the authorization of the Jail Administrator.

Weapons lockers are provided outside all secure perimeter entrances. All weapons must be secured prior to an individual being allowed to enter the facility.

The sallyport and the secure garage are to be used for the transfer of inmates.

Operation of the sallyport doors will be done in such a manner as to effectively control movement into and out of the secure perimeter of this facility. The Central Control staff is responsible for ensuring all perimeter surveillance equipment is in good working order and shall immediately report malfunctions or failures to the on-duty supervisor.

Outer perimeter security may be accomplished by using fencing or another type of barrier. These barriers should be designed to route vehicular and pedestrian traffic away from non-public areas. Outer perimeter lighting should be designed to illuminate all areas of the exterior to allow visual inspection by video monitor or perimeter patrols.

Accessibility - Facility and Equipment

219.1 PURPOSE AND SCOPE

This policy is intended to ensure that staff and the general public have access to the facility, in compliance with the Americans with Disabilities Act (ADA), the Minnesota Human Rights Act (MHRA), and Section 504 of the Rehabilitation Act (29 USC § 794).

219.1.1 DISABILITY DEFINED

A disability is any physical or mental impairment that substantially limits one or more major life activities. These include but are not limited to any disability that would substantially limit the mobility of an individual or an impairment of vision and/or hearing, speaking, or performing manual tasks that require some level of dexterity. Additionally, disability includes a physical or mental impairment that would inhibit a person's ability to meet the requirements established by the Office for conducting visitation or other business in the facility.

219.2 POLICY

The Beltrami County Sheriff's Office prohibits discrimination of persons with disabilities. The Beltrami County Sheriff's Office adheres to the ADA and all other applicable federal and state laws, regulations, and guidelines in providing reasonable accommodations to ensure that the facility is reasonably accessible to and usable by individuals with disabilities.

219.3 ACCOMMODATIONS

As part of the compliance with the ADA and the commitment to provide access to persons with disabilities, the Office will provide reasonable accommodations that include but are not limited to:

- Vehicle parking areas that accommodate cars and vans or other vehicles with wheelchair lifts.
- Public areas that are wheelchair accessible.
- Drinking fountains that can accommodate wheelchairs or other mobility devices.
- ADA-compliant elevators.
- Restroom areas that are wheelchair compliant and meet ADA standards for accessibility.
- Search areas and metal detection devices, including private areas where alternative search methods may be performed.
- Services and equipment for the deaf and hard of hearing.
- Visitor check-in areas.
- Visitation areas, including attorney interview rooms that can accommodate wheelchairs and other mobility devices.

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219.3.1 MEMBER RESPONSIBILITIES

Members receiving a request for accommodation should make reasonable attempts to do so. If a request cannot be reasonably accommodated, a supervisor should be notified.

Members becoming aware of any potential ADA violation should document the issue in a memorandum and forward the memorandum to the Jail Administrator with a copy to the ADA coordinator.

Members receiving a complaint of disability discrimination or inability to reasonably access the facility, or any other complaint related to the ADA, should document the complaint and refer the matter to the ADA coordinator.

219.4 ADA COORDINATOR

The Jail Administrator should appoint a staff member to serve as the ADA coordinator, whose primary responsibilities include but are not limited to coordinating compliance with ADA requirements. The ADA coordinator should be knowledgeable and experienced in a variety of areas, including:

- The office's structure, activities, and employees, including special issues relating to the requirements of the jail.
- The ADA and other laws that address the rights of people with disabilities, such as Section 504 of the Rehabilitation Act (29 USC § 794).
- The accommodation needs of people with a broad range of disabilities.
- Alternative formats and technologies that enable staff, inmates, and the public with disabilities to communicate, participate, and perform tasks related to jail activities.
- Construction and remodeling requirements with respect to ADA design standards.
- Working cooperatively with staff, inmates, and the public with disabilities, local disability advocacy groups, or other disability groups.
- Negotiation and mediation.

219.4.1 DISSEMINATION OF INFORMATION

The ADA coordinator will be responsible for the dissemination of information to staff and visitors on issues specifically related to but not limited to:

- Services available to members of the public who are disabled.
- Accessing services to accommodate disabilities.
- Registering complaints or grievances relating to issues involving the ADA.

219.5 TRAINING

The ADA coordinator should work with the Training Officer as appropriate, developing training regarding issues specifically related but not limited to:

- The requirements of Section 504 of the Rehabilitation Act (29 USC § 794).

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Accessibility - Facility and Equipment

- Office policies and procedures relating to ADA requirements.

News Media Relations SEE POLICY MANUAL 346

Public Data Release SEE POLICY MANUAL 810

221.1 POLICY

It is the policy of the Beltrami County Sheriff's Office to protect the privacy rights of individuals while releasing non-confidential information to interested groups when requests are received. Information that has the potential to affect the safety and security of the Jail or an investigation will not be released.

Victim Notification of Inmate Release

222.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure victims of crimes receive notice when an inmate held for those crimes is released, and that victims receive any other notification required by Minnesota law.

222.2 POLICY

It is the policy of this office to act in accordance with all laws regarding victim notification.

222.3 PROCEDURE

The Jail Administrator shall ensure that a system is in place for individuals to request release notification on any inmate housed in this facility.

Notification requests or requirements that are known during the booking process should be documented in the appropriate designated section of the inmate's booking file.

In the event that an individual contacts this facility and requests notification on any inmate housed in this facility, staff should notify a supervisor, who will determine whether notifications are required or appropriate, and ensure the notification request and determination is documented in the inmate's file.

222.4 NOTIFICATION

Members tasked with the release of an inmate or investigating an escape shall verify whether there is a required release notification in the inmate's file.

Members shall document notification efforts in the inmate's file.

Unless ordered by the court or a supervisor, no victim information shall be provided to any inmate by any employee or volunteer of this facility. Any unauthorized access or release of victim information is a direct violation of victim confidentiality and applicable policies, and may subject the person releasing the information to disciplinary action, up to and including termination from employment and/or criminal prosecution.

222.4.1 REQUIRED NOTIFICATIONS

(a) Domestic abuse and other related offenses

1. Before an inmate charged with harassment, domestic abuse, a violation of an order for protection or a violation of a domestic abuse no contact order is released, the Shift Supervisor or the authorized designee shall make a reasonable and good faith effort to verbally notify the alleged victim, local law enforcement agencies known to be involved in the case, and at the victim's request, any sexual assault programs or local battered women's and domestic abuse programs established under Minn. Stat. § 611A.32 of the following (Minn. Stat. § 629.72):

(a) The conditions of release, if any

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- (b) The time of release
 - (c) The time, date, and place of the next scheduled court appearance of the arrested person and the victim's right to be present at the court appearance; and
 - (d) The location and telephone number of the area battered women's shelter, as designated by the Department of Corrections, if the arrested person is charged with domestic abuse.
2. As soon as practicable after an order for conditional release is entered by a court, the Shift Supervisor or the authorized designee must personally deliver or mail to the alleged victim a copy of the written order and written notice of the time of release, the time, date, and place of the next scheduled court appearance of the arrested person, and the victim's right to be present at the court appearance.
- (b) Violent offenses and attempted violent offenses
- (a) Before an inmate charged with a crime of violence or an attempted crime of violence is released from pretrial detention, the Shift Supervisor or the authorized designee shall make a reasonable and good faith effort to verbally notify the victim, or, if the victim is incapacitated, the same or next of kin, or if the victim is a minor, the victim's parent or guardian of the following (Minn. Stat. § 629.73):
 - (a) The conditions of release, if any
 - (b) The time of release
 - (c) The time, date, and place of the next scheduled court appearance of the arrested person and the victim's right to be present at the court appearance; and
 - (d) The location and telephone number of the area battered women's shelter, as designated by the Department of Corrections, if the arrested person is charged with domestic abuse.
 - (b) As soon as practicable after an inmate charged with a crime of violence or an attempted crime of violence is released, the Shift Supervisor or the authorized designee must personally deliver or mail to the victim a written notice of the time of release, the time, date, and place of the next scheduled court appearance of the arrested person, and the victim's right to be present at the court appearance.

Sentence to Service Program

223.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for developing community service programs that are intended to provide work opportunities for inmates and needed services to the community.

223.2 POLICY

It is the policy of the Beltrami County Sheriff's Office to promote community service programs that provide work opportunities for inmates and will support public works projects, such as maintenance to county roadways or parks. Activities that benefit individuals, businesses or other private entities that are not considered a public works project are prohibited.

223.3 PROGRAM GUIDELINES

Any community service program is subject to the approval of the Jail Administrator or the authorized designee.

Any such program shall be subject to the following guidelines:

- (a) The program complies with all statutes, ordinances, regulations, labor agreements, permissions or restrictions relating to inmates whenever they are assigned to public works and community service projects.
- (b) There is an availability of inmates who, as a matter of classification, are deemed to be eligible for participation in the community service program.
- (c) The number of work opportunities available in the community will determine the availability of opportunities to participate in the community service program.
- (d) Staff assigned to manage the program should strive to develop work assignments that give inmates an opportunity to develop good work habits and attitudes that can be applied to jobs obtained after release.
- (e) Victim and community input should be solicited and considered when developing community service programs.
- (f) There shall be sufficient staff assigned to supervise inmate work crews.
- (g) Inmates shall receive appropriate training for the work assignment and the use of any related tools or equipment.
- (h) The inmate workday should approximate the typical workday in the community for the type of work being performed. The normal work hours should not exceed eight hours per shift and must include adequate break and meal time.
- (i) Inmate performance while in the program should be regularly evaluated and recorded. Poor performance in the work program or violation of rules may render the inmate ineligible to participate in the work program. Any violation of work rules may result in disciplinary action that may include the loss of credits previously awarded for good

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behavior and work time. Inmates who do not comply with program rules, or for any reason cannot work, will be reclassified in accordance with the policies and procedures of the Beltrami County Sheriff's Office.

- (j) The working conditions for any inmate must comply with all applicable federal, state or local work safety laws and regulations.

223.4 SELECTION PROCESS

Participation in any community service program is strictly voluntary. A classification process that clearly describes the criteria for program participation will be developed by the supervisor in charge of the program.

Any inmate desiring to participate in a community service program is subject to the following:

- (a) The inmate must submit to a screening process, including a criminal history check, to ensure that his/her criminal history is compatible with work in non-secure areas.
- (b) The inmate must agree in writing to participate in a community service program.
- (c) Inmates may be charged a fee for participation in the program in order to offset the cost of administration and staffing.

Vehicle Safety

224.1 PURPOSE AND SCOPE

It is the policy of this office to maintain and operate the vehicles assigned to this facility in a lawful and safe manner. The Office utilizes office-owned motor vehicles for a variety of applications. To maintain a system of accountability and ensure that office-owned vehicles are used appropriately, regulations relating to the use of these vehicles have been established. The term "office-owned" as used in this section also refers to any vehicle leased or rented by the Office.

224.2 USE AND SECURITY OF OFFICE VEHICLES

All staff members who operate office-owned or leased vehicles must comply with all applicable state laws and must possess a valid driver license endorsed for the type of vehicle operated.

224.2.1 USE OF SEAT BELTS

The use of seat belts and other safety restraints significantly reduces the chance of death or injury in case of a traffic collision. This policy establishes guidelines for seat belt use to promote maximum operator and passenger safety, thus reducing the possibility of death or injury as the result of a motor vehicle crash. This policy will apply to all members operating or riding in office vehicles.

All members shall wear properly adjusted safety restraints when operating or riding in a seat equipped with restraints, in any vehicle owned, leased or rented by this office, while on- or off-duty, or in any privately owned vehicle while on-duty. The member driving such a vehicle shall ensure that all other occupants, including non-members, are also properly restrained.

Exceptions to the requirement to wear safety restraints may be made only in exceptional situations where, due to unusual circumstances, wearing a seat belt would endanger the member or the public. Members must be prepared to justify any deviation from this requirement.

Whenever possible, inmates should be secured in a prisoner restraint system or, when a prisoner restraint system is not available, by seat belts. The inmate should be in the seating position for which seat belts have been provided by the vehicle manufacturer. The prisoner restraint system is not intended to be a substitute for handcuffs or other appendage restraints.

No person shall operate an office vehicle in which the seat belt in the driver's position is inoperable. No person shall be transported in a seated position in which the seat belt is inoperable.

No person shall modify, remove, deactivate or otherwise tamper with the vehicle safety belts, except for vehicle maintenance and repair staff, who shall do so only with the express authorization of the Sheriff.

Members who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system.

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224.2.2 VEHICLE SECURITY

Office vehicles will be locked and the keys will be secured when not in use. The staff will make every effort to ensure that the vehicles are parked in a secure location.

Under no circumstances will inmates be allowed to operate a vehicle or have possession of any vehicle keys. Inmate workers who are assigned to clean vehicles must be closely supervised by staff.

The loss of any vehicle key shall be promptly reported, in writing, to the on-duty supervisor.

224.3 VEHICLE INSPECTIONS

All office-owned vehicles are subject to inspection and or search at any time by a supervisor. No member assigned to or operating such vehicle shall be entitled to any expectation of privacy with respect to the vehicle or any of its contents, regardless of who owns the contents.

224.4 VEHICLE SAFETY REPAIRS

Anyone authorized to drive office vehicles is responsible for assisting in maintaining the vehicles so that they are properly equipped, maintained and refueled and present a clean appearance.

Anyone authorized to drive office vehicles is responsible for inspecting the interior and exterior of any assigned vehicle before placing the vehicle into service and again at the conclusion of his/her shift. Any previously unreported damage, mechanical problems, unauthorized contents or other problems with the vehicle shall be promptly reported to a supervisor and documented as appropriate.

Vehicles that are deemed as unsafe shall not be used until necessary repairs are made. The written request for repairs shall be submitted before the operator checks out a replacement vehicle. The Court Security Deputy Supervisor or the authorized designee shall monitor the maintenance requests and ensure that the necessary repairs are made before the vehicle is placed back into service.

Annual vehicle safety inspections will be conducted on all vehicles that are owned, leased or used by the Office. The inspection will be conducted by a qualified individual designated by the Court Security Deputy Supervisor. Inspection reports will be forwarded to and maintained by the Court Security Deputy Supervisor.

224.5 USE OF PERSONAL VEHICLES

The use of personal vehicles for official business must be approved by the Jail Administrator. The Jail Administrator or the authorized designee shall verify that the personal vehicle meets the state's insurance requirements. All policies and procedures applicable to facility vehicles shall apply to the personal vehicle while it is being used for official business.

224.6 COLLISION DAMAGE, ABUSE AND MISUSE

When an office-owned or leased vehicle is involved in a traffic collision, the involved member shall promptly notify a supervisor. A traffic collision report shall be filed with the agency having jurisdiction. The member shall complete the office's vehicle collision form.

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When a collision involves an office vehicle or when a member of this office is an involved driver in a collision that occurs in this jurisdiction, and the collision results in serious injury or death or potentially involves any criminal charge, an outside agency should be summoned to handle the investigation. If the member is incapable of completing the office's vehicle collision form, a supervisor shall complete the form.

Any damage to a vehicle that was not caused by a traffic collision shall be immediately reported during the shift in which the damage was discovered. It shall be documented in memorandum format and forwarded to the Shift Supervisor. An administrative investigation will be conducted to determine if there is any vehicle abuse or misuse. If it is determined that misuse or abuse was a result of negligent conduct or operation, appropriate disciplinary action may result.

224.7 TOLL ROAD USE

Law enforcement vehicles are not routinely exempt from incurring toll road charges. Pursuant to the non-revenue policy of the toll roads, law enforcement agencies responding to an emergency or incident on the toll roads while on-duty are exempt from paying the toll.

Commuting or returning to the Office after an emergency does not qualify for this exemption; personnel using office-owned vehicles are subject to the toll charge.

To avoid unnecessary toll road violation charges, all members operating a office-owned vehicle on a toll road shall adhere to the following:

- (a) Members operating office-owned vehicles for any reason other than an initial response to an emergency shall stop and pay the appropriate toll charge.
- (b) Members may submit for reimbursement from the Office for any toll fees
- (c) Members driving office-owned vehicles through a toll plaza or booth during a response to an emergency shall draft a memo to his/her supervisor within five working days, explaining the circumstances.

Fitness for Duty SEE POLICY MANUAL 1032

Staffing

226.1 PURPOSE AND SCOPE

The propose of this policy is to establish a comprehensive staffing plan and analysis to identify staffing needs sufficient to maintain the safety and security of the facility, staff, visitors, inmates and the public.

226.2 POLICY

It is the policy of the Beltrami County Sheriff's Office to ensure the safety, security and efficient operation of this facility by assigning custody personnel according to a detailed staffing plan that is developed and maintained in accordance with law (Minn. R. 2911.0900).

226.3 STAFFING PLAN REQUIREMENTS

The Jail Administrator shall ensure that a staffing plan conforming to the class type and size of this facility is prepared and maintained as described in the following section. The plan should detail all custody personnel assignments, including work hours and weekly schedules, and should account for holidays, vacations, training schedules, military leave, sick time and other atypical situations (Minn. R. 2911.0900).

At a minimum, the staffing plan will include the following:

- Facility administration and supervision
- Facility programs, including exercise and recreation
- Inmate admission, booking, supervision and housing
- Support services, including medical, food services, maintenance and clerical
- Other jail-related functions such as escort and transportation of inmates

If required, this plan and analysis will be reviewed by the Minnesota Department of Corrections (Minn. R. 2911.0900).

226.4 STAFFING ANALYSIS

The Sheriff or the authorized designee shall complete an annual comprehensive staffing analysis to evaluate personnel requirements and available staffing levels. The staffing analysis will be used to determine staffing needs and to develop staffing plans.

This analysis shall include information gathered in collaboration with the health care provider in each facility regarding staffing requirements and an appraisal of health care services provided. The analysis relating to health care personnel shall be annually reviewed for adequacy and approved by the health authority.

The Jail Administrator, in conjunction with the Prison Rape Elimination Act (PREA) coordinator, should ensure that staffing levels are sufficient to consistently and adequately fill essential positions, as determined by the staffing plan (28 CFR 115.13). Relief factors for each classification and position should be calculated into the staffing analysis to ensure staffing levels will consistently

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meet requirements. Staff should be deployed in an efficient and cost-effective manner that provides for the safety and security of the staff, inmates and the public.

The staffing analysis should be used to identify whether required activities are being performed competently and in compliance with current laws and office policies. If deficiencies are noted, the staffing analysis should also include recommendations regarding what corrective measures may be needed, including the following:

- (a) Operational changes
- (b) Equipment requirements
- (c) Additional training
- (d) Supervisory intervention
- (e) Additional personnel

226.4.1 DATA COLLECTION FOR ANALYSIS

Data that should be collected for the annual staffing analysis include:

- All categories of leave usage for each staff member working in the jail.
- Date of hire or assignment to a jail position for each employee.
- Date of transfer from the jail to another non-custody position for each member.
- Annual hours of authorized overtime expended during the previous year.
- Number of part-time or extra personnel hired during the previous year.
- Details of any unusual occurrence or significant medical issues in the jail that were related to staffing during the previous year.
- Details of claims or litigation, if any, that were related to staffing levels and were initiated against the facility in the previous year.
- Labor contracts/collective bargaining agreements relating to corrections and medical personnel.
- Annual training requirements that affected staffing levels in the jail.
- Concerns expressed by members of the public.
- Any investigations or reports by the grand jury or other government agency, jail monitor or ombudsman.
- Other data that may influence the number of personnel available to occupy posted positions.

226.5 REPORTING

The Sheriff will cause a report of the findings of the staff analysis to be submitted to the officials responsible for funding the jail operation.

Chaplains SEE POLICY MANUAL 376

Employee Speech, Expression and Social Net working SEE POLICY MANUAL 1058

Reporting Unusual Occurrences

229.1 PURPOSE AND SCOPE

This policy establishes responsibilities for the reporting of unusual occurrences within this facility as required by Minnesota Administrative Rules (Minn. R. 2911.3700, Subp. 4).

229.2 POLICY

It is the policy of this office to report certain events that may occur within the facility as required by the Minnesota Administrative Rules. The Jail Administrator or the authorized designee shall ensure that these mandates are met.

229.3 PROCEDURE

Incidents of an unusual or serious nature shall be reported to the Minnesota Department of Corrections through the Statewide Supervision System within 10 days of the event (Minn. R. 2911.3700, Subp. 4). The reports shall include the names of persons involved, including staff and inmates, the nature of the unusual occurrence, actions taken, and the date and time of the occurrence.

In the event of an emergency, such as serious illness, accident, or imminent death, individuals designated by the inmate shall be notified. Prior permission for notification shall be obtained from the inmate if reasonably possible.

Unusual occurrences that require reporting to the Department of Corrections include (Minn. R. 2911.3700):

- Attempted suicide.
- Suicide.
- Homicide.
- Death, by means other than a suicide or homicide.
- Serious injury or illness subsequent to detention, including incidents resulting in hospitalization for medical care or hospitalization associated with mental health needs.
- Attempted escape from a secured facility.
- Escape from a secured facility.
- Incidents requiring medical treatment of staff or inmates.
- A response by a local fire authority.
- Riot.
- Assaults of one inmate by another that result in criminal charges or outside medical attention.
- Assaults on staff by inmates that result in criminal charges or outside medical attention.

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- Injury to inmates through the response to resistance by staff attempting to control inmate behavior.
- Occurrences of infectious diseases and action taken relative to the disease when a medical authority has determined that the inmate must be isolated from other inmates.
- All notices of intent to file litigation against the facility as the result of incidents that are unrelated to the detention or incarceration of an inmate.
- Sexual misconduct, such as inmate on inmate, staff on inmate, and inmate on staff.
- Use of sexual materials, electronic media for sexual purposes, or both.

Mail and Electronic Mail SEE POLICY MANUAL 212

Office Technology Use **SEE POLICY MANUAL** **342**

Temporary Modified-Duty Assignments

232.1 PURPOSE AND SCOPE

This policy establishes procedures for providing temporary modified-duty assignments. This policy is not intended to affect the rights or benefits of employees under federal or state law, county rules, or current memorandums of understanding or collective bargaining agreements. For example, nothing in this policy affects the obligation of the Office to engage in a good faith, interactive process to consider reasonable accommodations for any employee with a temporary or permanent disability that is protected under federal or state law.

232.2 POLICY

Subject to operational considerations, the Beltrami County Sheriff's Office may identify temporary modified-duty assignments for employees who have an injury or medical condition resulting in temporary work limitations or restrictions. A temporary assignment allows the employee to work, while providing the Office with a productive employee during the temporary period.

232.3 GENERAL CONSIDERATIONS

Priority consideration for temporary modified-duty assignments will be given to employees with work-related injuries or illnesses that are temporary in nature. Employees having disabilities covered under the Americans with Disabilities Act (ADA) or the Minnesota Human Rights Act (Minn. Stat. § 363A.01 et seq.) shall be treated equally, without regard to any preference for a work-related injury.

No position in the Beltrami County Sheriff's Office shall be created or maintained as a temporary modified-duty assignment.

Temporary modified-duty assignments are a management prerogative and not an employee right. The availability of temporary modified-duty assignments will be determined on a case-by-case basis, consistent with the operational needs of the Office. Temporary modified-duty assignments are subject to continuous reassessment, with consideration given to operational needs and the employee's ability to perform in a modified-duty assignment.

The Sheriff or the authorized designee may restrict employees working in temporary modified-duty assignments from wearing a uniform, displaying a badge, carrying a firearm, operating a office-owned vehicle, or engaging in outside employment, or may otherwise limit them in employing their peace officer powers.

Temporary modified-duty assignments shall generally not exceed a cumulative total of 1,040 hours in any one-year period.

232.4 PROCEDURE

Employees may request a temporary modified-duty assignment for short-term injuries or illnesses.

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Temporary Modified-Duty Assignments

Employees seeking a temporary modified-duty assignment should submit a written request to the Jail Administrator or the authorized designee. The request should, as applicable, include a certification from the treating medical professional containing:

- (a) An assessment of the nature and probable duration of the illness or injury.
- (b) The prognosis for recovery.
- (c) The nature and scope of limitations and/or work restrictions.
- (d) A statement regarding any required workplace accommodations, mobility aids, or medical devices.
- (e) A statement that the employee can safely perform the duties of the temporary modified-duty assignment.

The Jail Administrator will make a recommendation through the chain of command to the Sheriff regarding temporary modified-duty assignments that may be available based on the needs of the Office and the limitations of the employee. The Sheriff or the authorized designee shall confer with the Department of Human Resources or the County Attorney as appropriate.

Requests for a temporary modified-duty assignment of 20 hours or less per week may be approved and facilitated by the Chief Deputy or the Jail Administrator, with notice to the Sheriff.

232.5 ACCOUNTABILITY

Written notification of assignments, work schedules, and any restrictions should be provided to employees assigned to temporary modified-duty assignments and their supervisors. Those assignments and schedules may be adjusted to accommodate office operations and the employee's medical appointments, as mutually agreed upon with the Jail Administrator.

232.5.1 EMPLOYEE RESPONSIBILITIES

The responsibilities of employees assigned to temporary modified duty shall include but are not limited to:

- (a) Communicating and coordinating any required medical and physical therapy appointments in advance with their supervisors.
- (b) Promptly notifying their supervisors of any change in restrictions or limitations after each appointment with their treating medical professionals.
- (c) Communicating a status update to their supervisors no less than once every 30 days while assigned to temporary modified duty.
- (d) Submitting a written status report to the Jail Administrator that contains a status update and anticipated date of return to full duty when a temporary modified-duty assignment extends beyond 60 days.

232.5.2 SUPERVISOR RESPONSIBILITIES

The employee's immediate supervisor shall monitor and manage the work schedule of those assigned to temporary modified duty.

The responsibilities of supervisors shall include but are not limited to:

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Temporary Modified-Duty Assignments

- (a) Periodically apprising the Jail Administrator of the status and performance of employees assigned to temporary modified duty.
- (b) Notifying the Jail Administrator and ensuring that the required documentation facilitating a return to full duty is received from the employee.
- (c) Ensuring that employees returning to full duty have completed any required training and certification.

232.6 MEDICAL EXAMINATIONS

Prior to returning to full-duty status, employees shall be required to provide certification from their treating medical professionals stating that they are medically cleared to perform the essential functions of their jobs without restrictions or limitations.

The Office may require a fitness-for-duty examination prior to returning an employee to full-duty status, in accordance with the Fitness for Duty Policy.

232.7 PREGNANCY

If an employee is temporarily unable to perform regular duties due to a pregnancy, childbirth, or a related medical condition, the employee will be treated the same as any other temporarily disabled employee (42 USC § 2000e(k)). A pregnant employee shall not be involuntarily transferred to a temporary modified-duty assignment.

232.7.1 NOTIFICATION

Pregnant employees should notify their immediate supervisors as soon as practicable and provide a statement from their medical providers identifying any pregnancy-related job restrictions or limitations. If at any point during the pregnancy it becomes necessary for the employee to take a leave of absence, such leave shall be granted in accordance with the county's personnel rules and regulations regarding family and medical care leave.

232.8 PROBATIONARY EMPLOYEES

Probationary employees who are assigned to a temporary modified-duty assignment may have their probation extended by a period of time equal to their assignment to temporary modified duty.

232.9 MAINTENANCE OF CERTIFICATION AND TRAINING

Employees assigned to temporary modified duty shall maintain all certification, training, and qualifications appropriate to both their regular and temporary duties, provided that the certification, training, or qualifications are not in conflict with any medical limitations or restrictions. Employees who are assigned to temporary modified duty shall inform their supervisors of any inability to maintain any certification, training, or qualifications.

Evaluation of Employees

233.1 PURPOSE AND SCOPE

The Office's employee performance evaluation system is designed to record work performance for both the Office and the employee, providing recognition for good work and developing a guide for improvement.

233.2 POLICY

The Beltrami County Sheriff's Office utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion, and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Office evaluates employees in a nondiscriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

233.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All sworn and non-sworn supervisory personnel shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment

Each supervisor should discuss the tasks of the position, standards of performance expected, and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days' written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

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Evaluation of Employees

233.4 EVALUATION FREQUENCY

Employees are evaluated based on the following chart:

Position	Evaluated Every Month	Evaluated Yearly	Length of Probation
Probationary Licensed Employees	X		1 Year
Non-Probationary Licensed Employees		X	
Probationary Non-sworn Employees	X		1 Year
Non-Probationary, Non-sworn Employees		X	

233.4.1 VOLUNTEER EVALUATIONS

Volunteer evaluations are covered in the Volunteer Policy.

233.5 FULL-TIME PROBATIONARY PERSONNEL

Personnel must successfully complete the probationary period before being eligible for certification as regular employees. An evaluation will be completed monthly for all full-time non-sworn personnel during the probationary period. Probationary licensed personnel are evaluated daily, weekly and monthly during the probationary period.

233.6 FULL-TIME REGULAR STATUS PERSONNEL

Regular employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on or near the anniversary of the employee's date of hire except for employees who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months has transpired since the transfer an evaluation shall be completed by the current supervisor with input from the previous supervisor

Special - A special evaluation may be completed any time the rater or the rater's supervisor determine one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance deemed less than standard when follow-up action is planned (e.g., action plan, remedial training, retraining). The evaluation form and the attached documentation shall be submitted as one package.

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Evaluation of Employees

233.6.1 RATINGS

When completing the Employee Performance Evaluation, the rater will place a check mark in the column that best describes the employee's performance. The definition of each rating category is as follows:

Outstanding - Actual performance that is well beyond that required for the position. It is exceptional performance, definitely superior or extraordinary.

Exceeds standards - Represents performance that is better than expected of a fully competent employee. It is superior to what is expected, but is not of such rare nature to warrant outstanding.

Meets standards - Performance of a fully competent employee. It means satisfactory performance that meets the standards required of the position.

Needs improvement - A level of performance less than that expected of a fully competent employee and less than the standards required of the position. A needs-improvement rating shall be thoroughly discussed with the employee.

Unsatisfactory - Performance is inferior to the standards required of the position. It is inadequate or undesirable performance that cannot be tolerated.

Space for written comments is provided at the end of the evaluation in the rater comments section. This allows the rater to document the employee's strengths, weaknesses, and suggestions for improvement. Any job rating under any job dimension marked as unsatisfactory or outstanding shall be substantiated in the rater comments section.

233.7 EVALUATION INTERVIEW

When the supervisor has completed the preliminary evaluation, arrangements shall be made for a private discussion of the evaluation with the employee. The supervisor should discuss the results of the recently completed rating period and clarify any questions the employee may have. If the employee has valid and reasonable protests of any of the ratings, the supervisor may make appropriate changes to the evaluation. Areas needing improvement and goals for reaching the expected level of performance should be identified and discussed. The supervisor should also provide relevant counseling regarding advancement, specialty positions, and training opportunities. The supervisor and employee will sign and date the evaluation. Employees may also write comments in the Employee Comments section of the performance evaluation report.

233.8 EVALUATION REVIEW

After the supervisor finishes the discussion with the employee, the signed performance evaluation is forwarded to the Jail Administrator. The Jail Administrator shall review the evaluation for fairness, impartiality, uniformity, and consistency. The Jail Administrator shall evaluate the supervisor on the quality of ratings given.

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Evaluation of Employees

233.9 EVALUATION DISTRIBUTION

The original performance evaluation shall be maintained in the employee's personnel file in the office of the Sheriff for the tenure of the employee's employment. A copy will be given to the employee and a copy will be forwarded to the county Department of Human Resources.

Workplace Accident and Injury Reduction

234.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an ongoing and effective plan to reduce the incidence of illness and injury for members of the Beltrami County Sheriff's Office, in accordance with the requirements of Minn. Stat. § 182.653.

This policy specifically applies to illness and injury that results in lost time or that requires medical treatment beyond first aid. Although this policy provides the essential guidelines for a plan that reduces illness and injury, it may be supplemented by procedures outside the Custody Manual.

This policy does not supersede, but supplements any related county wide safety efforts.

234.2 POLICY

The Beltrami County Sheriff's Office is committed to providing a safe environment for its members and visitors and to minimizing the incidence of work-related illness and injuries. The Office will establish and maintain a Workplace Accident and Injury Reduction (AWAIR) program and will provide tools, training, and safeguards designed to reduce the potential for accidents, injuries, and illness. It is the intent of the Office to comply with all laws and regulations related to occupational safety.

234.3 A WORKPLACE ACCIDENT AND INJURY REDUCTION PROGRAM

The Administration Chief Deputy is responsible for developing an AWAIR program that shall include:

- (a) Workplace safety and health training programs.
- (b) Regularly scheduled safety meetings.
- (c) Posted or distributed safety information.
- (d) A system for members to anonymously inform management about workplace hazards.
- (e) Establishment of a safety and health committee that will (Minn. Stat. § 182.676; Minn. R. 5208.0010 et seq.):
 1. Meet regularly.
 2. Prepare a written record of safety and health committee meetings.
 3. Review the results of periodic scheduled inspections.
 4. Review investigations of accidents and exposures.
 5. Make suggestions to command staff for the prevention of future incidents.
 6. Review investigations of alleged hazardous conditions.
 7. Submit recommendations to assist in the evaluation of member safety suggestions.
 8. Assess the effectiveness of efforts made by the Office to meet applicable standards.

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- (f) Establishing a process to ensure illnesses and injuries are reported as required under Minnesota Occupational Safety and Health Administration (MNOSHA) (29 CFR 1904.39; Minn. Stat. § 182.674; Minn. R. 5205.0010).
- (g) Descriptions of the following (Minn. Stat. § 182.653):
 1. How managers, supervisors, and members are responsible for implementing the program and how continued participation of management will be established, measured, and maintained
 2. The methods used to identify, analyze, and control new or existing hazards, conditions, and operations
 3. How the plan will be communicated to all affected members so that they are informed of work-related hazards and controls
 4. How workplace accidents will be investigated, and corrective action implemented
 5. How safe work practices and rules will be enforced

The Administration Chief Deputy must conduct and document a review of the AWAIR program at least annually and document how the program procedures are applied (Minn. Stat. § 182.653).

234.3.1 SAFETY AND HEALTH COMMITTEE

The Administration Chief Deputy will facilitate the safety and health committee and ensure applicable rules are addressed (Minn. R. 5208.0010 et seq.). The committee's purpose is to assist in the implementation of the AWAIR program and to bring workplace safety concerns or complaints to the attention of the office administration. Members of the committee must be selected by office members (Minn. Stat. § 182.676).

Duties of the committee should, at a minimum, include (Minn. R. 5208.0050):

- (a) Reviewing and making recommendations related to AWAIR.
- (b) Coordinating safety inspections.
- (c) Training members about AWAIR and safe working procedures.
- (d) Identifying the hazards associated with a particular task or job.
- (e) Providing input regarding new workplace safety rules.
- (f) Preparing AWAIR presentations for staff meetings.
- (g) Assisting in workplace accident investigations.
- (h) Reviewing and making recommendations for incidents involving work-related deaths, injuries, and illnesses.

234.4 DIVISIONADMIN DIVISIONCOMMANDER RESPONSIBILITIES

The responsibilities of the Administration Chief Deputy include but are not limited to:

- (a) Managing and implementing a plan to reduce the incidence of member illness and injury.

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- (b) Ensuring that a system of communication is in place that facilitates a continuous flow of safety and health information between supervisors and members. This system shall include:
 - 1. New member orientation that includes a discussion of safety and health policies and procedures.
 - 2. Regular member review of the AWAIR program.
- (c) Ensuring that all safety and health policies and procedures are clearly communicated and understood by all members.
- (d) Taking reasonable steps to ensure that all members comply with safety rules in order to maintain a safe work environment. This includes but is not limited to:
 - 1. Informing members of the AWAIR guidelines.
 - 2. Recognizing members who perform safe work practices.
 - 3. Ensuring that the member evaluation process includes member safety performance.
 - 4. Ensuring office compliance to meet standards regarding the following:
 - (a) Bloodborne pathogen precautions (29 CFR 1910.1030; Minn. Stat. § 182.6555; Minn. R. 5206.0600)
 - (b) Personal Protective Equipment (PPE) (29 CFR 1910.134; Minn. R. 5205.0010)
 - (c) Appropriate barriers in law enforcement vehicles (Minn. R. 5205.0755)
 - (d) Emergency Action Plan (29 CFR 1910.38(a); Minn. R. 5205.0010) (see the Fire Safety and Evacuation policies)
 - (e) Walk-Working Surfaces (Minn. R. 5205.0010; 29 CFR 1910.21 et seq.)
 - (f) Personal Fall Protection Systems (Minn. R. 5205.0010; 29 CFR 1910.140)
- (e) Making available a form to document inspections, unsafe conditions, or work practices, and actions taken to correct unsafe conditions and work practices.
- (f) Making available a form to document individual incidents or accidents.
- (g) Making available a form to document the safety and health training of each member. This form will include the member's name or other identifier, training dates, type of training, and training providers.
- (h) Conducting and documenting a regular review of the illness and injury prevention plan.

234.5 SUPERVISOR RESPONSIBILITIES

Supervisor responsibilities include but are not limited to:

- (a) Ensuring member compliance with AWAIR guidelines and answering questions from members about this policy.

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- (b) Training, counseling, instructing, or making informal verbal admonishments any time safety performance is deficient. Supervisors may also initiate discipline when it is reasonable and appropriate under the Standards of Conduct Policy.
- (c) Establishing and maintaining communication with members on health and safety issues. This is essential for an injury-free, productive workplace.
- (d) Completing required forms and reports relating to illness and injury prevention; such forms and reports shall be submitted to the Jail Administrator.
- (e) Notifying the Jail Administrator when:
 - 1. New substances, processes, procedures, or equipment that present potential new hazards are introduced into the work environment.
 - 2. New, previously unidentified hazards are recognized.
 - 3. Occupational illnesses and injuries occur.
 - 4. New and/or permanent or intermittent members are hired or reassigned to processes, operations, or tasks for which a hazard evaluation has not been previously conducted.
 - 5. Workplace conditions warrant an inspection.

234.6 HAZARDS

All members should report and/or take reasonable steps to correct unsafe or unhealthy work conditions, practices, or procedures in a timely manner. Members should make their reports to a supervisor (as a general rule, their own supervisors).

Supervisors should make reasonable efforts to correct unsafe or unhealthy work conditions in a timely manner, based on the severity of the hazard. These hazards should be corrected when observed or discovered, when it is reasonable to do so. When a hazard exists that cannot be immediately abated without endangering members or property, supervisors should protect or remove all exposed members from the area or item, except those necessary to correct the existing condition.

Members who are necessary to correct the hazardous condition shall be provided with the necessary protection.

All significant actions taken and dates they are completed shall be documented on the appropriate form. This form should be forwarded to the Jail Administrator via the chain of command.

The Jail Administrator will take appropriate action to ensure the AWAIR program addresses potential hazards upon such notification.

234.7 INSPECTIONS

Safety inspections are crucial to a safe work environment. These inspections identify and evaluate workplace hazards and permit mitigation of those hazards. A hazard assessment checklist should be used for documentation and to ensure a thorough assessment of the work environment.

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The Administration Chief Deputy shall ensure that the appropriate documentation is completed for each inspection.

234.7.1 EQUIPMENT

Members are charged with daily inspections of their assigned areas and of their PPE as described in the Sanitation Inspections and Daily Activity Logs and Shift Reports policies. Members shall complete the appropriate form if an unsafe condition cannot be immediately corrected. Members should forward this form to their supervisors.

234.8 INVESTIGATIONS

Any member sustaining any work-related illness or injury, as well as any member who is involved in any accident or hazardous substance exposure while on-duty, shall report such event as soon as practicable to a supervisor. Members observing or learning of a potentially hazardous condition are to promptly report the condition to their immediate supervisors.

A supervisor receiving such a report should personally investigate the incident or ensure that an investigation is conducted. Investigative procedures for workplace accidents and hazardous substance exposures should include:

- (a) A visit to the accident scene as soon as possible.
- (b) An interview of the injured member and witnesses.
- (c) An examination of the workplace for factors associated with the accident/exposure.
- (d) Determination of the cause of the accident/exposure.
- (e) Corrective action to prevent the accident/exposure from reoccurring.
- (f) Documentation of the findings and corrective actions taken.

Additionally, the supervisor should proceed with the steps to report an on-duty injury, as required under the Occupational Disease, Personal Injury and Death Reporting Policy, in conjunction with this investigation to avoid duplication and ensure timely reporting.

234.9 TRAINING

The Jail Administrator should work with the Training Officer to provide all members, including supervisors, with training on general and job-specific workplace safety and health practices. Training shall be provided:

- (a) To supervisors to familiarize them with the safety and health hazards to which members under their immediate direction and control may be exposed.
- (b) To all members with respect to hazards specific to each member's job assignment.
- (c) To all members given new job assignments for which training has not previously been provided.
- (d) Whenever new substances, processes, procedures, or equipment are introduced to the workplace and represent a new hazard.
- (e) Whenever the Office is made aware of a new or previously unrecognized hazard.

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- (f) Annually for training related to infectious agents and hazardous substances as required by MNOSHA (Minn. Stat. § 182.653).

234.9.1 TRAINING TOPICS

The Training Officer shall ensure that training includes:

- (a) Reporting unsafe conditions, work practices, and injuries, and informing a supervisor when additional instruction is needed.
- (b) Use of appropriate clothing, including gloves and footwear.
- (c) Use of respiratory equipment.
- (d) Availability of toilet, hand-washing, and drinking-water facilities.
- (e) Provisions for medical services and first aid.
- (f) Handling of bloodborne pathogens and other biological hazards.
- (g) Prevention of heat and cold stress.
- (h) Identification and handling of hazardous materials, including chemical hazards to which members could be exposed, and review of resources for identifying and mitigating hazards (e.g., hazard labels, Safety Data Sheets (SDS)).
- (i) Mitigation of physical hazards, such as heat and cold stress, noise, and ionizing and non-ionizing radiation.
- (j) Identification and mitigation of ergonomic hazards, including working on ladders or in a stooped posture for prolonged periods.
- (k) Back exercises/stretchers and proper lifting techniques.
- (l) Avoidance of slips and falls.
- (m) Good housekeeping and fire prevention.
- (n) Other job-specific safety concerns.

234.10 RECORDS

Records and training documentation relating to AWAIR program will be maintained in accordance with the established records retention schedule.

All safety and health committee recommendations and reports shall be kept for two years. The reports shall be made available to the Minnesota Department of Labor and Industry upon request (Minn. R. 5208.0050).

Occupational Disease, Personal Injury, and Death Reporting

235.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding the timely reporting of occupational diseases, personal injuries, and deaths.

235.1.1 DEFINITIONS

Definitions related to this policy include (Minn. Stat. § 176.011):

Occupational disease - A mental impairment or physical disease arising out of and in the course of employment peculiar to the occupation in which the member is engaged and due to causes in excess of the hazards ordinary of employment. The term includes diagnosis of post-traumatic stress disorder (PTSD) by a psychiatrist or psychologist; however, mental impairment is not considered a disease if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the Office.

Personal injury - Any mental impairment or physical injury arising out of and in the course of employment, including personal injury caused by occupational disease, while engaged in, on or about the premises, where the member's services require the member's presence as part of that service at the time of the injury and during the hours of that service. Personal injury does not include an injury caused by the act of a third person or fellow office member who intended to injure the member because of personal reasons, and not directed against the member as a member of the Beltrami County Sheriff's Office, or because of the employment with the Beltrami County Sheriff's Office. Mental impairment is not considered a personal injury if it results from a disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action taken in good faith by the Office.

235.2 POLICY

The Beltrami County Sheriff's Office will address occupational diseases, personal injuries, and deaths appropriately, and will comply with applicable state workers' compensation requirements (Minn. Stat. § 176.231).

235.3 RESPONSIBILITIES

235.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any occupational disease or personal injury shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

235.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any occupational disease or personal injury should ensure the member receives medical care as appropriate.

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Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly. Any related countywide disease- or injury-reporting protocol shall also be followed.

Supervisors shall determine whether the Workplace Accident and Injury Reduction Policy applies and take additional action as required.

235.3.3 FACILITYMANAGER RESPONSIBILITIES

The Jail Administrator who receives a report of an occupational disease, personal injury, or death should review the report for accuracy and determine what additional action should be taken. The report shall then be forwarded to the Sheriff, the [City_County]'s risk management entity, and the Administration Chief Deputy to ensure any required Minnesota Occupational Safety and Health Administration (MNOSHA) reporting is made as required in the illness and injury prevention plan identified in the Workplace Accident and Injury Reduction Policy.

235.3.4 AGENCYHEAD RESPONSIBILITIES

The Sheriff shall review and forward copies of the report to the Department of Human Resources. Copies of the report and related documents retained by the Office shall be filed in the member's confidential medical file.

235.4 OTHER DISEASE OR INJURY

Diseases, injuries, or deaths caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the appropriate Chief Deputy through the chain of command and a copy sent to the Administration Chief Deputy.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

235.5 SETTLEMENT OFFERS

When a member sustains an occupational disease or personal injury that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company, or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

235.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to an occupational disease or personal injury, the member shall provide the Sheriff with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Sheriff. The purpose of such notice is to permit the county to determine whether the offered settlement will affect any claim the county may have regarding payment for damage to equipment or reimbursement for wages against the person

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who caused the disease or injury, and to protect the county's right of subrogation, while ensuring that the member's right to receive compensation is not affected.

Chapter 3 - Recruitment Selection and Planning

Employee Orientation

300.1 PURPOSE AND SCOPE

The purpose of this policy is to define the parameters for new employee orientation. The purpose of the orientation is to provide new employees with basic information about the facility and the environment in which they will be working. Orientation is not meant to supplant other basic training required by law, ordinance or regulations.

300.2 NEW EMPLOYEE ORIENTATION

Each new facility employee shall receive an orientation prior to assuming his/her duties. At a minimum, the orientation shall include:

- Working conditions
- Code of ethics
- Personnel policy manual
- Employee rights and responsibilities
- Overview of the criminal justice system
- Tour of the facility
- Facility goals and objectives
- Facility organization
- Staff rules and regulations
- Program overview

300.3 EMPLOYEE ACKNOWLEDGEMENTS

Office personnel assigned to provide the new employee orientation will ensure that each new employee is given copies of work rules and regulations, office ethics, and any other office documents, for which the employee will be held accountable.

A staff member will collect a signature page from the employee, acknowledging receipt, review and understanding of the documents. A copy of the signature page shall be retained in the employee's personnel file in accordance with established records retention schedules.

Continuing Education and Professional Development

301.1 PURPOSE AND SCOPE

This policy is designed to support the continuing education and professional development of office personnel at all levels.

301.2 OBJECTIVES

The objective for continuing education and professional development is for all members to enhance their knowledge and skills to their fullest potential.

Members who engage in furthering their education in conjunction with skills-based training make for well-rounded employees who can better serve the mission of the Office and the community.

Supervisors should accommodate, to the extent feasible and schedules permitting, requests by personnel for shift adjustments and available leave time to assist personnel with their continuing education and professional development efforts.

301.3 REQUIRED TRAINING

With the exception of the year that the staff member is enrolled in a core training module, all staff members shall complete at least 16 hours of annual required training (Minn. R. 2911.1300).

301.4 POLICY

It is the policy of the Beltrami County Sheriff's Office to encourage members to participate in continuing education and professional development whenever practicable.

The Office encourages all personnel to participate in formal education on a continuing basis.

Training for Managers and Supervisors

302.1 PURPOSE AND SCOPE

This policy establishes training requirements and guidelines for supervisory and management staff, and encourages all personnel to participate in basic and continuing professional training.

302.2 POLICY

It is the policy of this office to administer a training program that provides for the professional growth and continued development of its personnel in accordance with all laws, ordinances and regulations. All training is provided with the intent to improve the competency of staff within the confines of funding, the requirements of a given assignment, staffing levels and legal mandates (Minn. R. 2911.1400).

302.3 TRAINING OBJECTIVES

The objectives of the training program are to accomplish the following:

- (a) Improve the competency of staff at all levels.
- (b) Ensure that staff can carry out the mission of the Office through a thoroughly demonstrated knowledge of office policies and procedures.
- (c) Increase the technical expertise and overall effectiveness of personnel.
- (d) Provide for continued professional development of office personnel.

302.4 TRAINING FOR ADMINISTRATIVE AND MANAGERIAL STAFF

All administrative and managerial staff assigned to the facility shall receive no less than 16 hours of orientation training in their first year of assignment. Each year thereafter they will receive at least 16 hours of training. At a minimum the training will cover the following (Minn. R. 2911.1400):

- General management and related subjects
- Data practices
- Decision-making processes
- Labor law
- Employee-management relations
- The interaction of elements of the criminal justice system
- Relationships with other service agencies

The Training Officer shall ensure that the provisions of this policy are met.

302.5 TRAINING RECORDS

The Office shall use training courses certified by a competent government or standards-setting organization whenever reasonably practicable. All training should include testing to identify and document the employee's knowledge of the subject matter.

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Training for Managers and Supervisors

It shall be the responsibility of the Training Officer to ensure that the following is maintained on file for all training provided by the Office:

- The course outline or lesson plan
- A roster signed and dated by those in attendance
- The name of the person coordinating the training

It shall be the responsibility of the involved employee to provide his/her immediate supervisor or the Training Officer with evidence of completed training or education in a timely manner. The Training Officer shall ensure that copies of such training records are placed in the employee's training file and retained in accordance with established records retention schedules.

Internship Program SEE POLICY MANUAL 385

Jail Field Training Officer Program

304.1 PURPOSE AND SCOPE

The jailField Training officer program is intended to provide a standardized program to facilitate the corrections officer's transition from the academic setting to the actual performance of general corrections duties.

It is the policy of this office to assign all new corrections officers to a structured jail field training officer program that is designed to prepare the new corrections officer to perform in a custody assignment, and to provide training on all skills needed to operate in a safe, productive and professional manner.

304.2 FIELD TRAINING OFFICER

The Field Training Officer (FTO) is an experienced corrections officer trained in the art and science of supervising, training and evaluating entry-level corrections officers in the application of their previously acquired knowledge and skills.

304.2.1 SELECTION PROCESS

Field Training officers will be selected based on certain requirements, including:

- (a) A desire to perform the training mission.
- (b) Completed the minimum one year probationary period or at the discretion of administration.
- (c) Has demonstrated ability to be a positive role model.
- (d) Has successfully passed an internal interview selection process.
- (e) Has been evaluated by supervisors and current FTOs.

304.3 FIELD TRAINING OFFICER RESPONSIBILITIES

- (a) FTOs shall complete and submit a written evaluation on the performance of their assigned trainee to the Jail Training Officer on a daily basis.
- (b) FTOs shall review the performance evaluations with the trainee each day.
- (c) A detailed training performance evaluation on the assigned trainee shall be completed by the FTO at the end of the each phase completed.
- (d) FTOs shall be responsible for signing off all completed topics contained in the Training Manual, noting the methods of learning and evaluating the performance of the assigned trainee.

304.4 TRAINING OFFICER PROGRAM SUPERVISOR

The Jail Training Officer or the authorized designee will supervise and be responsible for the FTO Program to include the following:

- (a) Work with Administration to select and assign trainees to FTOs
- (b) Conduct FTO meetings

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Jail Field Training Officer Program

- (c) Maintain and ensure FTO/trainee performance evaluations are completed in a timely manner
- (d) Maintain, update and issue the training manual to each trainee
- (e) Monitor individual FTO performance
- (f) Monitor the overall FTO program
- (g) Develop ongoing training for FTOs

Recruitment and Selection

305.1 PURPOSE AND SCOPE

This policy provides a framework for employee recruiting efforts and identifying job-related standards for the selection process. This policy supplements the rules that govern employment practices for the Beltrami County Sheriff's Office and that are promulgated and maintained by the Department of Human Resources.

305.2 APPLICANT QUALIFICATIONS

In addition to being at least 18 years of age, applicants must be either a United States citizen or naturalized citizen prior to appointment and meet all standards that have been adopted for employment in a custody facility.

Applicants for job openings will be selected based on ability, competence, and experience. All corrections officer applicants must meet the minimum standards described in applicable laws, ordinances, and regulations, in addition to the employment standards established by this office (Minn. R. 2911.0600).

305.3 EMPLOYMENT STANDARDS

All candidates shall meet the minimum standards required by state law. Candidates will be evaluated based on merit, ability, competence, and experience, in accordance with the high standards of integrity and ethics valued by the Office and the community.

Validated, job-related, and nondiscriminatory employment standards shall be established for each job classification and shall minimally identify the training, abilities, knowledge, and skills required to perform the position's essential duties in a satisfactory manner. Each standard should include performance indicators for candidate evaluation. The Department of Human Resources should maintain validated standards for all positions.

305.3.1 CRIMINAL RECORD CHECK

Every person who may have inmate contact as a member or contractor shall, prior to service, undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Beltrami County Sheriff's Office.

The Office shall either conduct follow-up criminal background records checks at least once every five years on members or contractors who may have contact with inmates or have in place a system for otherwise capturing such information (28 CFR 115.17).

305.3.2 OPERATION OF A MOTOR VEHICLE

If operating a vehicle is a requirement for the job classification, the following should apply:

- (a) The ability to possess a valid Minnesota driver license prior to appointment
- (b) The ability to drive safely

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- (c) The ability to control a motor vehicle at high speeds
- (d) The ability to operate a motor vehicle in all types of weather conditions
- (e) The following may be disqualifying:
 - 1. Receipt of three or more moving violations (or any single potentially life-threatening violation, such as reckless driving, a speed contest, suspect of a pursuit) within three years prior to the date of application. Moving violations for which there is a factual finding of innocence shall not be included.
 - 2. Involvement as a driver in two or more chargeable (at-fault) collisions within three years prior to the date of application.
 - 3. A conviction for driving under the influence of alcohol and/or drugs within three years prior to the date of application, or any two convictions for driving under the influence of alcohol and/or drugs.

305.3.3 INTEGRITY

The following shall be disqualifying:

- (a) Accepting a bribe, gratuity, or payoff in exchange for special consideration.
- (b) Failure to report unethical or illegal conduct on the part of other custody employees.
- (c) Failure to consistently demonstrate strong moral character and integrity in dealing with the public.
- (d) Failure to be honest in any instance involving work or when questioned about non-work issues.
- (e) Any forgery, alteration, or intentional omission of material facts on an official employment application, document, or sustained episodes of academic cheating.
- (f) Any felony conviction.
- (g) Conviction of any criminal offense classified as a misdemeanor under state law within three years prior to the date of application.
- (h) Conviction of two or more misdemeanor offenses under state law as an adult.
- (i) Conviction of any offense classified as a misdemeanor under state law while employed as a peace officer (including military police officers).
- (j) Admission of having committed any act amounting to a felony under state law within three years prior to the date of application or while employed as a corrections officer or peace officer (including military police officers).
- (k) Admission of administrative conviction of any act while employed as a corrections officer or peace officer (including military police officers) involving lying, falsification of any official report, or document or theft.
- (l) Admission of any act of domestic violence as defined by law, committed as an adult.
- (m) Admission of any criminal acts, whether misdemeanor, gross misdemeanor, or felony, committed against children, including but not limited to molesting or harassing children, child abduction, child abuse, lewd and lascivious acts with a child, indecent exposure,

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or acts of consensual unlawful intercourse between two minors where more than four years difference in age existed at the time of the acts.

- (n) Any history of actions resulting in civil lawsuits against the applicant or his/her employer may be disqualifying.

305.3.4 DEPENDABILITY

- (a) A record of being motivated to perform well.
- (b) A record of dependability and follow through on assignments.
- (c) A history of taking the extra effort required for complete accuracy in all details of work.
- (d) A willingness to work the hours needed to complete a job.
- (e) Disqualifying factors include:
 1. Missing any scheduled appointment during the process without prior permission.
 2. Having been disciplined by any employer (including military) as an adult for abuse of leave, gross insubordination, dereliction of duty or persistent failure to follow established policies and regulations.
 3. Having been involuntarily dismissed (for any reason other than layoff) from two or more employers as an adult.
 4. Having held more than seven paid positions with different employers within the past four years, or more than 15 paid positions with different employers in the past 10 years (excluding military). Students who attend school away from their permanent legal residence may be excused from this requirement.
 5. Having undergone personal bankruptcy more than once, having current financial obligations for which legal judgments have not been satisfied, currently having wages garnished, or any other history of financial instability.
 6. Resigning from any paid position without notice shall be disqualifying, except where the presence of a hostile work environment is alleged.
 7. Having any outstanding warrant of arrest at time of application.

305.3.5 LEARNING ABILITY

- (a) The ability to comprehend and retain information.
- (b) The ability to recall information pertaining to laws, statutes, and codes.
- (c) The ability to learn and to apply what is learned.
- (d) The ability to learn and apply the material, tactics, and procedures that are required of a corrections officer.
- (e) Disqualifying factors include:
 1. Being under current academic dismissal from any college or university where such dismissal is still in effect and was initiated within the past two years prior to the date of application.

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2. Having been academically dismissed from any certified basic corrections officer or law enforcement academy, wherein no demonstrated effort has been made to improve in the deficient areas. Subsequent successful completion of another basic corrections officer or law enforcement academy shall rescind this requirement.

305.3.6 PERSONAL SENSITIVITY

- (a) The ability to resolve problems in a way that shows sensitivity for the feelings of others.
- (b) Empathy.
- (c) Discretion (not enforcing the law blindly).
- (d) Effectiveness in dealing with people without arousing antagonism.
- (e) The ability to understand the motives of people and how they will react and interact.
- (f) Disqualifying factors include:
 1. Having been disciplined by any employer (including the military and/or any corrections officer or law enforcement training facility) for acts constituting racial, ethnic, or sexual harassment or discrimination.
 2. Uttering any epithet derogatory of another person's race, religion, gender, national origin, or sexual orientation.
 3. Having been disciplined by any employer as an adult for fighting in the workplace.

305.3.7 JUDGMENT UNDER PRESSURE

- (a) The ability to apply common sense during pressure situations.
- (b) The ability to make sound decisions on the spot.
- (c) The ability to use good judgment in dealing with potentially explosive situations.
- (d) The ability to make effective, logical decisions under pressure.
- (e) Disqualifying factors include:
 1. Admission of administrative conviction or criminal convictions for any act amounting to assault under color of authority or any other violation of federal or state civil rights laws.
 2. Any admission of administrative conviction or criminal conviction for failure to properly report witnessed criminal conduct committed by another corrections officer or law enforcement officer.

305.3.8 ILLEGAL USE OR POSSESSION OF DRUGS

- (a) Illegal drug use or possession will be considered automatic disqualifiers for corrections officer applicants, with no exceptions. Examples include:
 1. Any adult use or possession of a drug classified as a hallucinogenic within seven years prior to application for employment.

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2. Any adult use or possession of marijuana within one year prior to application for employment.
 3. Any other illegal adult use or possession of a drug not mentioned above (including cocaine) within three years prior to application for employment.
 4. Any illegal adult use or possession of a drug while employed in any correctional or law enforcement capacity, military police, or as a student enrolled in college courses related to the criminal justice field.
 5. Any adult manufacture or cultivation of a drug or illegal substance.
 6. Failure to divulge to the Office any information about personal illegal use or possession of drugs.
 7. Any drug test of the applicant, during the course of the hiring process, where illegal drugs are detected.
- (b) Illegal drug use or possession will be considered in relationship to the overall background of an individual and may result in disqualification. Examples include:
1. Any illegal use or possession of a drug as a juvenile.
 2. Any illegal use or possession of a drug as an adult not previously described (e.g., marijuana or cocaine use longer than three years ago).
 3. Any illegal or unauthorized use of prescription medications.

305.3.9 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the Fair Credit Reporting Act (FCRA) (15 USC § 1681d; 16 CFR 640.1 et seq.).

305.3.10 STANDARDS FOR OFFICERS_DEPUTIES

Candidates shall meet the minimum standards established by Minnesota POST (Minn. R. 6700.0700):

- (a) Citizen of the United States
- (b) Possess a valid driver's license
- (c) Free of any felony conviction
- (d) Not be required to register as a predatory offender under state law
- (e) Free of conviction of any controlled substance law or of any misdemeanor conviction listed in Minn. R. 6700.0700
- (f) Fingerprinted for purposes of disclosure of any felony convictions
- (g) Submit to a medical examination and psychological evaluation to ensure that the candidate is free from any physical, emotional, or mental condition which might adversely affect his/her performance of peace officer duties
- (h) Successfully complete a physical strength and agility examination

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- (i) Successfully complete an oral examination

305.4 DISQUALIFICATION GUIDELINES

As a general rule, performance indicators, candidate information and records shall be evaluated by considering the candidate as a whole, and taking into consideration the following:

- Age at the time the behavior occurred
- Passage of time
- Patterns of past behavior
- Severity of behavior
- Probable consequences if past behavior is repeated or made public
- Likelihood of recurrence
- Relevance of past behavior to public safety employment
- Aggravating and mitigating factors
- Other relevant considerations

A candidate's qualifications will be assessed on a case-by-case basis, using a totality-of-the-circumstances framework.

No person shall be hired who has (28 CFR 115.17):

- (a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility or other institution (as defined in 42 USC § 1997).
- (b) Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent or was unable to consent or refuse.
- (c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

The Office shall ask all candidates who may have contact with inmates to disclose any conduct described above in written applications or interviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination.

305.4.1 MANDATORY DISQUALIFICATION

No members or contractors shall be hired who have (28 CFR 115.17):

- (a) Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 USC § 1997).
- (b) Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, by overt or implied threats of force, or by coercion, or if the victim did not consent, or was unable to consent or refuse.
- (c) Been civilly or administratively adjudicated to have engaged in the activity described in paragraph (b) of this section.

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The Office shall ask all candidates who may have contact with inmates to disclose any conduct described above in written applications or interviews. Material omissions regarding such misconduct, or the provision of materially false information, are grounds for termination.

The Office shall make reasonable efforts to contact prior institutions that the candidate has been employed by to inquire about sexual abuse allegations in accordance with 28 CFR 115.17.

305.5 POLICY

In accordance with applicable federal, state, and local law, the Beltrami County Sheriff's Office provides equal opportunities for applicants and employees, regardless of actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law. The Office does not show partiality or grant any special status to any applicant, employee, or group of employees unless otherwise required by law.

The Office will recruit and hire only those individuals who demonstrate a commitment to service and who possess the traits and characteristics that reflect personal integrity and high ethical standards.

305.6 RECRUITMENT

The Administration Chief Deputy should employ a comprehensive recruitment and selection strategy to recruit and select employees from a qualified and diverse pool of candidates. The strategy should include:

- (a) Identification of racially and culturally diverse target markets.
- (b) Use of marketing strategies to target diverse applicant pools.
- (c) Expanded use of technology and maintenance of a strong internet presence. This may include an interactive office website and the use of office-managed social networking sites, if resources permit.
- (d) Expanded outreach through partnerships with media, community groups, citizen academies, local colleges, universities, and the military.
- (e) Employee referral and recruitment incentive programs.
- (f) Consideration of shared or collaborative regional testing processes.

The Administration Chief Deputy shall avoid advertising, recruiting, and screening practices that tend to stereotype, focus on homogeneous applicant pools, or screen applicants in a discriminatory manner.

The Administration Chief Deputy should strive to facilitate and expedite the screening and testing process, and should periodically inform each candidate of his/her status in the recruiting process.

305.7 SELECTION PROCESS

The Office shall actively strive to identify a diverse group of candidates who have in some manner distinguished themselves as being outstanding prospects.

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Minimally, the Office should employ a comprehensive screening, background investigation, and selection process that assesses cognitive and physical abilities and includes review and verification of the following:

- (a) A comprehensive application for employment (including previous employment, references, current and prior addresses, education, military record)
- (b) Driving record
- (c) Reference checks
- (d) Employment eligibility, including U.S. Citizenship and Immigration Services (USCIS) Employment Eligibility Verification Form I-9 and acceptable identity and employment authorization documents (Minn. R. 6700.0700, Subp. 1). This required documentation should not be requested until a candidate is hired. This does not prohibit obtaining documents required for other purposes
- (e) Information obtained from public internet sites
- (f) Financial history consistent with the Fair Credit Reporting Act (FCRA) (15 USC § 1681 et seq.)
- (g) Local, state, and federal criminal history record checks
- (h) Polygraph or voice stress analyzer examination (when legally permissible)
- (i) Medical and psychological examination (may only be given after a conditional offer of employment)
- (j) Review board or selection committee assessment

305.7.1 VETERAN PREFERENCE

Veterans who are candidates for job openings shall receive preference recognizing the training and experience, loyalty, and sacrifice not otherwise readily assessed by examination pursuant to Minn. Stat. § 197.455. The following preference, credit, and requirements shall be applied as applicable (Minn. Stat. § 197.455):

Nondisabled Veteran's Credit - There shall be added to the competitive open examination rating of a nondisabled veteran, who so elects, a credit of 10 points, provided that veteran obtained a passing rating on the examination without the addition of the credit points.

Disabled Veteran's Credit - There shall be added to the competitive open examination rating of a disabled veteran, who so elects, a credit of 15 points, provided that the veteran obtained a passing rating on the examination without the addition of the credit points. There shall be added to the competitive promotional examination rating of a disabled veteran, who so elects, a credit of five points provided that:

- The veteran obtained a passing rating on the examination without the addition of the credit points.
- The veteran is applying for a first promotion after securing public employment.

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For the purpose of the preference to be used in securing appointment from a competitive open examination, "disabled veteran" means a person who has a compensable service-connected disability as adjudicated by the U.S. Veterans Administration, or by the retirement board of one of the several branches of the armed forces, that is existing at the time preference is claimed.

For purposes of the preference to be used in securing appointment from a competitive promotional examination, "disabled veteran" means a person who, at the time of election to use a promotional preference, is entitled to disability compensation under laws administered by the Veterans Administration for a permanent service-connected disability rated at 50 percent or more.

Preference for Spouses - A preference available pursuant to Minn. Stat. § 197.455 may be used by the surviving spouse of a deceased veteran and by the spouse of a disabled veteran who, because of the disability, is unable to qualify.

Ranking of Veterans - An eligible applicant with a rating augmented by veteran's preference shall be entered on an eligible list ahead of a non-veteran with the same rating. When notifying eligible applicants that they have passed examinations this departmentoffice shall show the final examination ratings and preference credits and shall notify eligible applicants that they may elect to use veteran's preference to augment passing ratings.

When this departmentoffice rejects a certified eligible applicant who has received veteran's preference, the appointing authority shall notify the eligible applicant in writing of the reasons for the rejection and file the notice with the Beltrami Department of Human Resources.

305.8 BACKGROUND INVESTIGATION

Every candidate shall undergo a thorough background investigation to verify his/her personal integrity and high ethical standards, and to identify any past behavior that may be indicative of the candidate's unsuitability to perform duties relevant to the operation of the Beltrami County Sheriff's Office.

The background investigation must determine whether the candidate meets the standards established by the Minnesota Board of Peace Officer Standards and Training (POST) as well as the security standards established to access state and national computerized record and communication systems (Minn. Stat. § 626.87; Minn. R. 6700.0700).

305.8.1 NOTICES

Background investigators shall ensure that investigations are conducted and notices provided in accordance with the requirements of the FCRA and Minnesota law (15 USC § 1681d; Minn. Stat. § 13C.02).

305.8.2 STATE NOTICES

Upon initiation of a candidate's background investigation, the office shall provide written notice to POST that includes the candidate's full name and date of birth and the candidate's peace officer license number, if applicable (Minn. Stat. § 626.87).

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305.8.3 REVIEW OF SOCIAL MEDIA SITES

Due to the potential for accessing unsubstantiated, private, or protected information, the Office should not require candidates to provide passwords, account information, or access to password-protected social media accounts.

The Administration Chief Deputy should consider utilizing the services of an appropriately trained and experienced third party to conduct open-source, internet-based searches and/or review information from social media sites to ensure that:

- (a) The legal rights of candidates are protected.
- (b) Material and information to be considered are verified, accurate, and validated.
- (c) The Office fully complies with applicable privacy protections and local, state, and federal law.

Regardless of whether a third party is used, the Office should ensure that potentially impermissible information is not available to any person involved in the candidate selection process.

305.8.4 RECORDS RETENTION

The background report and all supporting documentation shall be maintained in accordance with the established records retention schedule (Minn. R. 6700.0700, Subp. 2).

305.8.5 DOCUMENTING AND REPORTING

The background investigator shall summarize the results of the background investigation in a report that includes sufficient information to allow the reviewing authority to decide whether to extend a conditional offer of employment. The report shall not include any information that is prohibited from use, including that from social media sites, in making employment decisions. The report and all supporting documentation shall be included in the candidate's background investigation file.

305.9 PROBATIONARY PERIODS

The Administration Chief Deputy should coordinate with the Beltrami Department of Human Resources to identify positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.
- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

305.10 NOTIFICATION TO POST

The Sheriff shall notify the POST Board of any candidate appointed to the position of peace officer before the first day of employment on a form provided by POST. The appointee may not exercise peace officer powers until the notification form is received and approved by the POST Board (Minn. R. 6700.0800).

Training

306.1 PURPOSE AND SCOPE

This policy establishes training requirements and guidelines for corrections officers, support personnel, supervisors and managers. The policy addresses the training program and the probationary evaluation.

306.2 MINIMUM TRAINING REQUIREMENTS

All corrections officers, full- or part-time, shall successfully complete 120 hours of orientation and training within one year from the date of assignment. Forty of these hours must be completed prior to being independently assigned to a particular post. All full- or part-time corrections officers 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 (Minn. R. 2911.1300):

- Security procedures
- Supervision of inmates
- Signs of suicide risk and suicide precautions
- Vulnerable inmates
- Response to resistance regulations and tactics
- Report writing
- Inmate rules and regulations
- Rights and responsibilities of inmates
- Fire and emergency procedures
- Key control
- Interpersonal relations and communication skills
- Diversity training
- Distribution of medications
- Right to know
- Bloodborne pathogens and communicable diseases

Individuals assigned to work in the facility prior to completing the required training may do so only when under the direct supervision of a fully trained corrections officer.

306.2.1 MEDICAL TRAINING REQUIREMENTS FOR CUSTODY STAFF

All corrections officers, full- or part-time, shall receive instruction in the following areas (Minn. R. 2911.1350):

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- Administration of first aid and cardiopulmonary resuscitation (CPR). Recertification first aid and CPR training shall occur and be documented.
- Recognition of the signs and symptoms of illness and knowledge of the action required in potential emergency situations.
- Methods of obtaining assistance.
- Recognition of the signs and symptoms of mental illness, retardation, emotional disturbance and chemical dependency.
- Procedure for inmate transfers to appropriate medical facilities or other health care providers.

306.3 JAIL TRAINING PROGRAM PHASES

The Corrections Division Training Program is divided into phases. Phase time periods are approximate and should be considered adjustable. The Beltrami County Sheriff's Office trains to articulate standards of performance, not to time. As such, Trainees may find themselves in certain phases for shorter or longer periods of time than listed. This is normal, and reflects a philosophy to tailor our training to the individual on a one on one basis.

In order to advance from the current phase to the next phase, the Trainee must earn a recommendation from the current phase FTO favorable for advancement to the next phase.

The Trainee may be extended in the current phase for a period of time to be determined by the Field Training Officer Coordinator and departmental chain of command to allow him/her the opportunity to retrain and reach an acceptable level of performance. Retraining or extension of a training phase is not to be construed as a disciplinary measure or as a measure of failure.

306.3.1 FIRST PHASE - ORIENTATION & BASIC FACILITY OPERATIONS

The primary objective of Field Training Phase 1 is to stress the importance of officer safety, facility operations and cover officer responsibilities. Heavy emphasis is placed on learning through observation. You may begin to transmit and/or receive over the radio at this time, and you may begin operational tasks as permitted by your field training officer.

What does learning through observation mean? Although Phase 1 is strongly oriented toward observation, you should NOT sit back and passively observe. Observation means actively recording all actions of your Field Training Officer and yourself so that by the second phase, you have a good grasp on the facility operations. The objective of field training is not to get a good evaluation, but to become a competent Corrections Officer on independent assignment. Your participation, based on careful observation, is encouraged.

Your first few days will begin with classroom orientation for familiarization with the FTO Program and the policy and procedures, followed by shadowing of your FTO. This will acquaint you with the areas you will be assigned to and allow you to function in the computer operations of the facility. During the first phase familiarize yourself with the location of equipment and the layout of the facility, along with the routine of operations.

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The basic skills you learn during Phase 1 will be the fundamental skills and techniques that are required for the daily facility operations.

306.3.2 SECOND PHASE - SHIFT OPERATIONS FOR DAY/NIGHT/POWER

Phase 2 of field training consists principally of participatory learning. Having functioned 'primarily as an observer during Phase 1, you will now be expected to contribute more actively and at times, assume full responsibility as junior Officer with the line staff. You will advance into more difficult, multi-tasking situations, and will be required to shoulder an increasing share of the workload under the direction of your field training officer.

306.3.3 THIRD PHASE - SHIFT OPERATIONS - OPPOSITE SHIFT OF PHASE 2

Phase 3 of field training can be characterized as a period of partnership learning.

Prior to this phase, you functioned primarily as a junior officer with the line staff. Once you have learned the facility routine on the opposite shift of Phase 2, you should be ready to begin assuming FULL RESPONSIBILITY as a partner, accomplishing the majority of the workload with the senior officer functioning as your cover officer. You will be expected to respond to radio calls, initiate activities on your own, and carry contacts through to their conclusion. The hallmark of Phase 3 is dynamic, successful, Self-Initiated Field Activity (SIFA).

306.3.4 FOURTH PHASE - SHADOWING PHASE

The fourth Phase of field training will be your last phase with an FTO, and you will return to your Primary Field Training Officer. Your goal is to demonstrate to your Primary FTO that you can now work as an independent corrections officer in a line staff capacity. Your FTO will observe and "shadow" you. Successful completion of this Phase will result in your advancement to Phase 5 and certification for independent assignment.

306.3.5 FIFTH PHASE - BALANCE OF PROBATIONARY PERIOD

This Phase comprises the remainder of the probationary period. You will continue your education under the supervision of shift Sergeants and On Duty Supervisors. You may return to a brief Field Training Program or retraining period as considered appropriate with no penalty or negative impact. A FTO will be assigned to you as a mentor completing monthly reviews of your work performance during your probationary period. Successful completion of this Phase will result in your certification as a permanent Corrections Officer for the BCSO.

306.4 PROBATIONARY PERIOD EVALUATION

Probationary employees will receive a written evaluation of their job skills and learning progress at least once a month or at the completion of each phase of training, whichever occurs first. Prior to being permanently appointed, each probationary employee will receive a final evaluation. These evaluations shall be in writing and discussed with the employee by his/her supervisor. The final evaluation shall be made a part of the employee's personnel record (Minn. R. 2911.0700).

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Training

306.5 POLICY

It is the policy of this office to assign all new corrections officers to a structured jail training program designed to prepare the new corrections officer to perform in a correctional assignment with the skills needed to operate in a safe, productive and professional manner.

306.6 TRAINING OBJECTIVES

The objectives of the training program are to accomplish the following:

- Improve the competency of staff at all levels
- Ensure that staff can carry out the mission of the Office through a thoroughly demonstrated knowledge of office policies and procedures
- Increase the technical expertise and overall effectiveness of personnel
- Provide for continued professional development of office personnel

Specialized Corrections officer Training

307.1 PURPOSE AND SCOPE

Corrections officers who are assigned to specialized response units will receive training commensurate with the complexity of their specialty and must be able to demonstrate proficiency in the specific skills related to their specialized function.

307.2 QUALIFICATIONS

To be eligible for assignment to a specialized emergency unit, corrections officers are required to be off probation and to have at least three years of experience as a corrections officer.

307.3 TRAINING

The Training Officer is responsible for ensuring that all personnel who are assigned to a specialized emergency unit will receive not less than 16 hours of specialized training as specified above or as part of their annual state-mandated training requirement.

The Office will use courses certified by a competent government or standards-setting organization whenever reasonably practicable. All training should include testing to identify and document the employee's knowledge in the subject matter presented.

It shall be the responsibility of the employee to provide the Training Officer or immediate supervisor with evidence of completed training and education in a timely manner. The Training Officer or supervisor shall ensure that copies of training records are placed in the employee's training file.

Firearms Training

308.1 PURPOSE AND SCOPE

This policy is intended to ensure that all personnel legally assigned a firearm will develop proficiency in the use, care and safety of firearms through a regular training schedule in accordance with all laws and regulations.

308.2 FIREARMS TRAINING

All personnel authorized to use firearms shall receive training in accordance with state law before being assigned to a post involving the possible use of such weapons (Minn. Stat. § 626.8452).

Notwithstanding any statutory and regulatory requirements, at a minimum, firearms training will cover the laws, use, safety and care of firearms and the constraints on their use.

If available, the Office will use courses that are certified by a competent government or standards-setting organization. Whenever training is provided by the Office, the Training Officer should ensure that a course outline and/or lesson plan, a roster signed and dated by those in attendance and the name of the person coordinating the event are on file.

Personnel who are authorized to carry a firearm in the performance of their duties are required to maintain proficiency with firearms used in the course of their assignment. All custody personnel who carry firearms are required to qualify quarterly with their duty weapon on an approved range course.

The Rangemaster shall keep accurate records of quarterly qualifications, repairs, maintenance, and training records as directed by the Training Officer. In addition to regular qualification schedules, the Rangemaster shall be responsible for providing all affected personnel with annual practical training that is designed to simulate situations that may occur in a custody facility setting. At least annually all personnel carrying a firearm will receive training on the Use of Force Policy and demonstrate their knowledge and understanding by passing either a performance or written test.

308.3 FIREARMS NON-QUALIFICATION

If any staff member is unable to qualify for any reason, including injury, illness, duty status or scheduling conflict, that staff member shall submit a memorandum to his/her immediate supervisor prior to the end of the required shooting period.

Members who repeatedly fail to qualify will be relieved from the assignment that authorized a firearm; appropriate disciplinary action may follow.

Personnel who fail to qualify on their first shooting attempt shall be provided remedial training until proficiency is demonstrated, and will be subject to the following requirements:

- (a) Additional range assignments may be required until consistent weapon proficiency is demonstrated.
- (b) Members shall be given credit for a range qualification after remedial training and a qualifying score is obtained.

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Firearms Training

- (c) No range credit will be given for the following:
 - 1. Unauthorized range makeup
 - 2. Failure to qualify after remedial training

Chemical Agents

308.1 PURPOSE AND SCOPE

This policy establishes the required training for corrections officers to be authorized to carry and use chemical agents and identifies the appropriate medical treatment of individuals exposed to a chemical agent.

308.2 POLICY

The Office authorizes the use of selected chemical agents. Chemical agents are weapons used to minimize the potential for injury to corrections officers, inmates and others. Chemical agents should only be used in situations where such force reasonably appears justified and necessary.

308.3 CHEMICAL AGENT TRAINING

Only corrections officers trained and having shown adequate proficiency in the use of any chemical agent and the Use of Force Policy are authorized to carry the device.

- (a) The Training Officer shall ensure that appropriate training for all chemical agents occurs annually at minimum.
- (b) All initial and proficiency training for chemical agents will be documented in the corrections officer's training file.
- (c) Corrections officers failing to demonstrate continuing proficiency with chemical agents or knowledge of the Use of Force Policy will lose their authorization to carry or use the devices and will be provided remedial training. If, after two remedial training sessions, a corrections officer fails to demonstrate proficiency with chemical agents or knowledge of the Use of Force Policy, the corrections officer may be subject to discipline.
- (d) The Training Officer shall be responsible for ensuring that all personnel who are authorized to use chemical agents have also been trained in the proper medical treatment of persons who have been affected by the use of chemical agents. Training should include the initial treatment, (e.g., providing the proper solution to cleanse the affected area) and knowing when to summon medical personnel for more severe effects.

308.4 PROFICIENCY TESTING

The Training Officer shall ensure that all training delivered to staff should also test proficiency in order to document that the employee understands the subject matter and that proficiency training is monitored and documented by a certified weapons or tactical instructor.

308.5 TRAINING RECORDS

It shall be the responsibility of the Training Officer to ensure that the following is maintained on file for all training provided by the Office:

- A course outline or lesson plan

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- A roster signed and dated by those in attendance
- The name of the person coordinating the training

The Training Officer shall ensure that copies of such training records are placed in the employee's training file and retained in accordance with established records retention schedules.

308.6 REVIEW, INSPECTION AND APPROVAL

Every chemical agent delivery device will be periodically inspected by the Rangemaster or the designated instructor for a particular device.

Training in Reported Sexual Abuse and Rape in the Jail

309.1 PURPOSE AND SCOPE

This policy establishes an education and training process related to implementation of the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation (PREA Rule) (28 CFR 115).

309.2 POLICY

The Beltrami County Sheriff's Office endeavors to comply with the training standards in the PREA Rule and to ensure that all staff, volunteers and contractors are aware of their responsibilities and that staff, volunteers, contractors and inmates are aware of the policies and procedures of the facility as they relate to PREA.

309.3 MEMBER TRAINING

All staff, volunteers and contractors who may have contact with inmates shall receive office-approved training on the prevention and detection of sexual abuse and sexual harassment within this facility. The Training Officer shall ensure that the staff receives training and testing in prevention and intervention techniques, that they have sufficient knowledge to answer any questions the arrestees and inmates may have regarding sexual assault or abuse, and are familiar enough with the reporting process to take an initial report of a sexual assault or abuse. The Training Officer shall be responsible for developing and administering this training, covering at minimum (28 CFR 115.31):

- The zero-tolerance policy for sexual abuse and sexual harassment and how to report such incidents.
- The dynamics of sexual abuse and sexual harassment in confinement.
- The common reactions of sexual abuse and sexual harassment victims.
- Prevention and intervention techniques to avoid sexual abuse and sexual harassment in the jail.
- Procedures for the investigation of a report of sexual abuse and/or sexual harassment.
- Individual responsibilities under sexual abuse and sexual harassment prevention, detection, reporting and response policies and procedures.
- An individual's right to be free from sexual abuse and sexual harassment.
- The right of inmates to be free from retaliation for reporting sexual abuse and sexual harassment.
- How to detect and respond to signs of threatened and actual sexual abuse.
- How to communicate effectively and professionally with inmates, including lesbian, gay, bisexual, transgender, intersex or gender non-conforming inmates.

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Training in Reported Sexual Abuse and Rape in the Jail

- How to comply with relevant laws related to mandatory reporting of sexual abuse and sexual harassment to outside authorities.
- How to avoid inappropriate relationships with inmates.

Training shall be tailored according to the sex of the inmates at the facility. Staff should receive additional training on security measures and the separation of male and female populations in the same facility if the staff has been reassigned from a facility that houses only male or female inmates.

Training should include written testing to validate knowledge and understanding of the material. The Training Officer shall document, through signature or electronic verification, that staff, volunteers and contractors have received and understand the training. The Training Unit will maintain training records on those receiving training in accordance with procedures developed by the Training Officer.

309.4 SPECIALIZED MEDICAL TRAINING

All full- and part-time qualified health care and mental health professionals who work regularly in the facility shall receive all of the member training listed above, as well as training that includes (28 CFR 115.35):

- (a) Detecting and assessing signs of sexual abuse and sexual harassment.
- (b) Preserving physical evidence of sexual abuse.
- (c) Responding effectively and professionally to victims of sexual abuse and sexual harassment.
- (d) Reporting allegations or suspicions of sexual abuse and sexual harassment.

If the qualified health care and mental health professionals employed by this facility conduct forensic examinations, they shall receive the appropriate training to conduct such examinations.

The facility medical staff shall maintain documentation that they have received the training referenced above, either from this office or elsewhere and will make those documents available upon request to jail administration.

309.5 SPECIALIZED INVESTIGATIVE TRAINING

Specialized investigative training for investigators shall include the uniform evidence protocol to maximize potential for obtaining useable physical evidence; techniques for interviewing sexual abuse victims; proper use of *Miranda* and *Garrity* warnings; sexual abuse evidence collection in confinement settings; and the criteria and evidence required to substantiate a case for administrative action or referral for prosecution (28 CFR 115.21; 28 CFR 115.34).

Health Care Staff Orientation

310.1 PURPOSE AND SCOPE

The purpose of this policy is to establish an orientation period for all new health care staff working in the facility, in cooperation with the health authority. The goal is to improve the competency of the health care staff and the effectiveness of the care delivered, as well as to maintain the safety and security of the custody environment and to comply with all applicable laws, regulations and national health care standards observed by the Office.

310.2 NEW HEALTH CARE STAFF ORIENTATION

All new health care staff shall complete an orientation program before independently working in their assignments. At a minimum, the orientation program will cover the following:

- The purpose, goals, policies and procedures for the Beltrami County Sheriff's Office
- Security and contraband regulations
- Access control to include use of keys
- Appropriate conduct with inmates
- Responsibilities and rights of facility employees and contractors
- Universal and standard precautions
- Occupational exposure
- Personal protective equipment (PPE)
- Biohazardous waste disposal
- An overview of the correctional field as it relates to custody functions
- Health care delivery protocols

310.3 REFRESHER TRAINING

All qualified health care professionals shall meet refresher training requirements as established by the health care provider or the minimum licensing requirements as established by the state licensing body.

310.4 FACILITY-SPECIFIC TRAINING

The Training Officer should include qualified health care professionals in training and training exercises relative to facility safety and security including, but not limited to, the following:

- Emergency medical triage in the facility
- Emergency evacuation routes and procedures
- Communication systems during facility emergencies
- Security during facility emergencies

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Health Care Staff Orientation

- Qualified health care professional's response during "officer down" incidents
- Responding to critical facility emergencies
- Facility hostage policy and medical response tactics
- Medical emergency transportation procedures
- Media relations

310.5 TESTING

To the extent applicable, training delivered to qualified health care professionals should include a testing component to document that the personnel understand the subject material.

310.6 TRAINING RECORDS

The health care vendor shall be responsible for developing and maintaining training records in accordance with established records retention schedules, and shall also maintain a file of professional licensure and certifications for each member of the health care staff.

Volunteers

311.1 PURPOSE AND SCOPE

It is the policy of this office to use qualified volunteers to assist in the daily operation through their contribution of services to the inmates and the families of inmates, and to serve as a link between the facility and the community. Volunteers are intended to supplement and support, rather than supplant corrections officers and other personnel. Volunteers can be an important part of any organization and are proven to be a valuable asset to corrections institutions (Minn. R. 2911.3500).

311.1.1 DEFINITION OF VOLUNTEER

An individual who performs a service for the Office without promise, expectation or receipt of compensation for services rendered. This may include unpaid chaplains, chemical use counselors, interns and persons providing administrative support.

311.2 VOLUNTEER PROGRAM MANAGEMENT

311.2.1 PROGRAM COORDINATOR

The program coordinator shall be appointed by the Jail Administrator. The function of the program coordinator is to provide a central coordinating point for effective program management within the Office, and to direct and assist staff and volunteer efforts to provide more productive services. The program coordinator should work with other office staff on an ongoing basis to assist in the development and implementation of volunteer positions.

The program coordinator or the authorized designee shall be responsible for:

- (a) Developing and maintaining a volunteer recruiting plan.
- (b) Developing and maintaining a handbook that minimally identifies expectations and the lines of authority, responsibility and accountability for the various volunteer assignments.
- (c) Recruiting, selecting and training qualified volunteers for various positions.
- (d) Facilitating the implementation of new volunteer activities and assignments.
- (e) Maintaining records for each volunteer.
- (f) Tracking and evaluating the contribution of volunteers.
- (g) Maintaining a record of volunteer schedules and work hours.
- (h) Completing and disseminating, as appropriate, of all necessary paperwork and information.
- (i) Planning periodic recognition events.
- (j) Administering discipline when warranted.
- (k) Maintaining a liaison with other community programs that use volunteers and assisting in community efforts to recognize and promote volunteering.

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311.2.2 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis in accordance with office policy on equal opportunity nondiscriminatory employment. A primary qualification for participation should be an interest in, and an ability to assist the Office in serving the public.

Requests for volunteers should be submitted in writing by interested staff to the program coordinator through the requester's immediate supervisor. A complete position description, including when the volunteer would be needed, should be included in the request. All parties should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The program coordinator may withhold assignment of any volunteer until such time as the requesting unit is prepared to make effective use of volunteer resources.

311.2.3 SCREENING

All prospective volunteers should complete the volunteer application form. The program coordinator or the authorized designee should conduct a face-to-face interview with an applicant under consideration (Minn. R. 2911.3500 (B)).

A documented background investigation shall be completed on each volunteer applicant and shall include, but is not necessarily limited to, the following:

- (a) Traffic and criminal background check; fingerprints shall be obtained from applicants and processed through the Bureau of Criminal Apprehension, Biometrics Unit.
- (b) Employment
- (c) References

311.2.4 SELECTION AND PLACEMENT

Service as a volunteer with the Office shall begin with an official notice of acceptance or appointment to a volunteer position. Notice may only be given by an authorized representative of the Office, normally the program coordinator. No volunteer should begin any assignment until he/she has been officially accepted for the position. Each volunteer should complete all required enrollment paperwork and will receive a copy of his/her position description and agreement of service with the Office.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the facility.

311.2.5 TRAINING

The program coordinator or the authorized designee shall be responsible for developing and maintaining training curriculum and any related forms specific to volunteer assignments. The program coordinator or the authorized designee shall be responsible for ensuring that volunteers are provided with an orientation program to acquaint them with the Office, personnel, and policies and procedures that have a direct impact on their work assignments.

The training/orientation will include, but is not limited to, the following topics:

- (a) Office policies and procedures

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- (b) Rules related to contraband in the facility
- (c) Prohibition on carrying weapons in the facility
- (d) Volunteer/offender relationship and general rules of conduct
- (e) Safety and emergency information
- (f) An overview and history of the Office

The program coordinator shall be responsible for creating and maintaining records of all training provided to each volunteer.

Volunteers should receive position training by their immediate supervisors to ensure they have adequate knowledge and skills to complete tasks required by the position. They should receive periodic ongoing training as deemed appropriate by their supervisors or the program coordinator.

Training should reinforce to volunteers that they may not intentionally represent themselves as, or by omission infer that they are, corrections officers or other full-time members or employees of the Office. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Office (Minn. R. 2911.1000).

311.2.6 FITNESS FOR DUTY

No volunteer shall report to work or be on-duty when his/her mental or physical condition has been impaired by alcohol, medication or other substances, or when the volunteer is experiencing illness or injury.

Volunteers shall report to their supervisors any changes in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver's license status, if driving is part of the duties of the assignment
- (b) Any medical condition that might impair the volunteer's ability to perform the duties of the position
- (c) Arrests
- (d) Criminal investigations

All volunteers shall adhere to the guidelines set forth by this office regarding drug and alcohol use.

311.2.7 DRESS CODE

As representatives of the Office, volunteers should present a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties.

Volunteers shall conform to office-approved dress in accordance with their duty assignments. Uniforms authorized for volunteers should be readily distinguishable from those worn by corrections officers. The uniform or identifiable parts of the uniform shall not be worn while off-duty. However, volunteers may choose to wear the uniform while in transit to or from official

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office assignments or functions, provided an outer garment is worn over the uniform shirt to avoid bringing attention to the volunteer while he/she is off-duty.

Volunteers shall be required to return any issued uniform or office property at the termination of service.

311.3 SUPERVISION OF VOLUNTEERS

Each volunteer who is accepted to a position with the Office and assigned to the jail must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

A volunteer may be assigned and act as a supervisor of other volunteers, provided that the supervising volunteer is under the direct supervision of a paid staff member.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the unit where the volunteer is assigned. The following are some considerations to keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to employees on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give them an assignment or task that will tap these valuable resources.

311.4 HEALTH CARE VOLUNTEERS

The program coordinator will coordinate volunteer activities with the health care staff. Health care volunteers will be subject to all of the volunteer, recruitment, selection and training requirements of the Office. The qualified health care professionals may have additional requirements and training for health care volunteers.

The program coordinator shall ensure that health care volunteers have completed required training and possess appropriate credentials for the services being provided. Health care volunteers must sign an agreement to maintain the security and confidentiality of information as required by office policy and state and federal laws. The signed agreement shall be maintained on file with the Office.

The program coordinator shall also ensure that volunteers performing health care duties have received specific training in topics including fire, safety, security, contraband and inmate culture.

311.5 CONFIDENTIALITY

With appropriate security clearance, volunteers may have access to non-public data, such as criminal histories or investigative files. All data shall be handled as required by the Minnesota Government Data Practices Act.

Only that data specifically identified and approved by authorized personnel shall be released. Non-public data shall be given only to persons who have a need and a right to know, as determined by office policy and supervisory personnel.

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Each volunteer will be required to sign a nondisclosure agreement before being given an assignment with the Office. Subsequent unauthorized disclosure of any non-public data, verbally, in writing or by any other means, by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to a newspaper or other periodical, release or divulge any data concerning the activities of the Office, or maintain that they represent the Office in such matters without permission from the proper office personnel.

311.6 PROPERTY AND EQUIPMENT

Volunteers will be issued an identification card that must be in their possession while at the facility.

Any fixed and portable equipment issued by the Office shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Office and shall be returned at the termination of service.

311.6.1 VEHICLE USE

Volunteers assigned to duties that require the use of a vehicle must first complete:

- (a) A safety briefing and office-approved driver-safety course.
- (b) Verification that the volunteer possesses a valid driver's license.
- (c) Verification that the volunteer carries current vehicle insurance.

The program coordinator should ensure that all volunteers receive safety briefing updates, and should verify their license and insurance at least once a year.

Volunteers shall obey all rules of the road, including seat belt requirements. Smoking is prohibited in all office vehicles.

311.6.2 TELECOMMUNICATION SYSTEMS USAGE

Volunteers with access to law enforcement telecommunication systems shall successfully complete all mandated access training and radio procedures training prior to using any such equipment. Volunteers shall comply with all policies and procedures related to the use of such equipment. The program coordinator should ensure that appropriate training is provided for volunteers whenever necessary.

311.7 DISCIPLINARY PROCEDURES/TERMINATION

A volunteer may be removed from the volunteer program at the discretion of the Sheriff, the Jail Administrator or the program coordinator. Volunteers shall have no property interests in their continued appointment.

Volunteers may resign from volunteer service with the Office at any time. It is requested that volunteers who intend to resign provide advance notice of their departure and a reason for their decision.

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311.7.1 EXIT INTERVIEWS

Exit interviews, when reasonably practicable, should be conducted with volunteers who are leaving their positions. The interview should attempt to ascertain the reason for leaving the position and solicit the volunteer's suggestions on improving the position. When appropriate, the interview should also include a discussion on the possibility of involvement in some other capacity with the Office.

311.8 EVALUATION

An evaluation of the overall volunteer program will be conducted on an annual basis by the program coordinator. Regular evaluations should be conducted with volunteers to ensure the best use of human resources, to ensure personnel problems can be identified and dealt with promptly and fairly, and to ensure optimum satisfaction on the part of volunteers.

311.9 VOLUNTEER REGISTRATION

All volunteers shall be issued an identification card indicating his/her volunteer status within the Office. An identification record shall be kept for each volunteer that includes the following:

- Photograph
- Address
- Contact telephone number
- Background certification
- Training/orientation certifications
- List of special skills or volunteer specialty
- Languages spoken

311.10 POLICY

The Beltrami County Sheriff's Office shall ensure that volunteers are properly appointed, trained and supervised to carry out specified tasks and duties in order to create an efficient Office and improve services to the community.

Staff Training

312.1 PURPOSE AND SCOPE

Staff training is generally conducted following the annual training plan prepared by the Training Officer. Additional training may be conducted on an as-needed basis. Training provides an opportunity for an important exchange of information between employees and supervisors.

312.2 POLICY

Training covers a wide range of topics selected by the management/supervisory and training staff.

The staff conducting training is responsible for the preparation of the materials necessary for constructive training. The Field Training Officer may delegate this responsibility to a subordinate corrections officer in their absence or for training purposes. The training will be based upon a structured program to provide topics related to, but not limited to, the following:

- Custody facility policies and procedures
- Departmental Directives not yet established into policy
- Reviewing recent incidents for training purposes
- In preparation or response to an unusual occurrence
- Statutory requirements or court orders
- Operation of new equipment, including computer software
- Notifying the staff of changes in schedules and assignments
- Any other topic as determined by the Chief Deputy, Training Officer or Jail Administrator

312.2.1 MANDATORY TRAINING

Corrections staff are required to attend mandatory meetings and training, unless excused prior by Jail Administration. Unexcused absences will be documented in the employee's training file, and will require make-up assignments and/or required attendance at a make-up training session as designated by the Jail Training Officer.

Unexcused absences may result in disciplinary action.

312.2.2 WAIVER OF TRAINING REQUIREMENTS

Training requirements may be waived by the Jail Administrator or designated Training Officer when:

- (a) It has been determined that an individual has received equivalent training within an appropriate time before employment, i.e. CPR training; or
- (b) When the employee has demonstrated the proficiency and competency requirements to the Training Officer or designee.

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Staff Training

312.3 COMPUTER-BASED TRAINING OPTIONS

The Lexipol Daily Training Bulletins (DTBs) is a web-based system that provides training on the Beltrami County Sheriff's Office Custody Manual and other important topics. Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Officer.

Personnel assigned to participate in DTBs should only use the password and login name assigned to them by the Training Officer. Personnel should not share their password with others and should frequently change their password to protect the security of the system. After each session, employees should logoff the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Office.

Employees who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisor. Employees should not allow uncompleted DTBs to build up over time. Personnel may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet-active computer, employees shall only take DTBs as part of their on-duty assignment as there will be no authorization for taking or viewing DTBs while off-duty.

Supervisors will be responsible for monitoring the progress of personnel under their command to ensure compliance with this policy.

312.4 TRAINING RECORDS

The Training Officer will identify relevant topics for delivery during training and will be responsible for maintaining all training records.

Training Plan

313.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a training plan that will provide for the professional growth and continued development of facility personnel and to forecast annual funding needs for future training. By doing so, the Office will ensure its personnel possess the knowledge and skills necessary to professionally manage the inmate population.

313.2 POLICY

The Training Officer shall conduct an annual training needs assessment to determine the training needs of all members based upon state laws, regulations, certification requirements and continued professional training requirements.

A training plan shall be based on the assessment. It is the responsibility of the Training Officer to develop, maintain, review and update the training plan on an annual basis.

The annual training plan should be presented to the management staff for review. The approved training plan should include the annual funding requirements forecast by the Training Officer. The Training Officer shall coordinate with the budgeting office to develop a funding source for all mandatory training.

The Sheriff or the authorized designee shall have final approval of the training plan and the budget to ensure that the training to be delivered is fiscally responsible and meets the mission of the Office.

The Training Officer will execute the training plan on behalf of the Sheriff (Minn. R. 2911.1000 and Minn. R. 2911.1600).

313.3 TRAINING OFFICER

A qualified individual shall be appointed by the Sheriff or the authorized designee to serve as the Training Officer, who shall report to the Sheriff or the authorized designee.

Full-time members who are assigned to be trainers shall receive specialized instruction, which at a minimum shall include a 40-hour train-the-trainers course.

The Training Officer is responsible for developing an annual training plan. The plan should ensure that members meet all state law and certification requirements, any specialty training required for specialty assignments, and all continued professional training requirements. The plan should include a process to review course content and quality, typically by way of attendee feedback and/or a course audit by the training staff (Minn. R. 2911.1600).

313.4 TRAINING RECORDS

An individual training file shall be maintained by the Training Officer or the authorized designee for each member. Training files shall contain records of all training and education (original or photocopies of available certificates, transcripts, diplomas and other documentation) for all members.

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Training Plan

The maintenance of the training records shall be in sufficient detail as to allow inspector assessments of compliance with federal law and Minn. R. 2911.1200 to Minn. R. 2911.1500 (28 CFR 115.34).

It shall be the responsibility of the involved member to provide his/her immediate supervisor or the Training Officer with evidence of completed training or education in a timely manner.

The Training Officer or supervisor shall ensure that copies of such training records are placed in the member's training file.

Training records shall contain the following information:

- Name of the member
- Date of hire
- Education and training background (education and training received prior to hire)
- Type of training received
- Date the training was received and successfully completed
- Title of the training and name of the provider
- Test scores or training benchmarks

The Training Officer shall also be responsible for documenting the waivers of the training requirements based upon equivalent training received before employment or demonstrated competency through proficiency testing (Minn. R. 2911.1600).

313.5 COURSE CERTIFICATION/QUALITY ASSURANCE

Training courses should be subject to a quality assurance process that, at a minimum, provides:

- A complete description of the course, including the number of certified training hours achieved.
- A curriculum including job-related topics, and content and performance objectives.

Training should not be comprised only of the minimum number of hours required annually, but also instruction specific to tasks performed by members in the facility. Courses should include a testing component that shows a measurable transfer of knowledge and a mastery of topics.

313.6 TRAINING COMMITTEE

The Training Officer shall establish a training committee, which will serve to assist with identifying training needs for the Office. The training committee shall comprise at least three members, with the senior ranking member of the committee acting as the chairperson. Members should be selected based on their abilities at post-incident evaluation and at assessing related training needs.

The Jail Administration may remove or replace members of the committee at his/her discretion. The training committee should review certain incidents, as detailed below, to determine whether

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training would likely improve future outcomes, or would reduce or prevent the recurrence of an incident. Specific incidents the training committee should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of a member.
- (b) Incidents involving a high-risk of death, serious injury or civil liability.
- (c) Incidents identified by a supervisor as appropriate to review to identify possible training needs.

The training committee should convene on a regular basis, as determined by the Training Officer, to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit a written recommendation to the Training Officer. The recommendation should not identify specific facts of any incident, such as identities of members involved or the date, time and location of the incident, but should focus on the type of training being recommended.

The Training Officer will consider the recommendation of the committee and determine what training should be addressed, taking into consideration the mission of the Office and available resources.

313.7 TRAINING PROCEDURES

- (a) All employees assigned to attend training shall attend as scheduled, unless previously excused by Jail Administration or the Training Officer. Excused absences from mandatory training will be limited to the following:
 - 1. Court appearances
 - 2. Sick leave
 - 3. Physical limitations preventing the employee's participation
 - 4. Recent/verified training equivalent to the training being offered
 - 5. Emergency situations
- (b) When an employee is unable to attend mandatory training, that employee shall:
 - 1. Notify Jail Administration as soon as possible but no later than 24 hours prior to the start of training. For sick leave and emergency situations notify a supervisor as soon as possible. Only requests made in person, by telephone (no texting), or in writing, (i.e. email or blue slip) with an explanation will be considered.
 - 2. Document his/her absence on a leave request form to Jail Administration.
 - 3. Make arrangements through the Training Officer to complete any missed mandatory training regardless if absence is excused or unexcused. Exceptions would be recent equivalent training or physical limitations.

Prior approval from Jail Administration is required to leave a mandatory meeting early.

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313.8 WAIVERS OF TRAINING REQUIREMENTS

Training requirements may be waived by the facility administrator or designated Training Officer (Minn. R. 2911.1700):

- When it has been determined that an individual has received equivalent training within an appropriate time before employment, such as completion of first-aid training with a current certificate of training.
- When the Training Officer or the authorized designee has tested the member for proficiency and competency to demonstrate the skills and/or knowledge required, and the member has met the required proficiency and competency level.

Support and Program Personnel Training

314.1 PURPOSE AND SCOPE

The Office has developed a training program for professional support and contractor personnel, whether full- or part-time, to increase competency in their assigned tasks and to help ensure that all support personnel understand the issues that are unique to their position as it relates to this facility. This policy establishes minimum training guidelines for those employees and contractors.

314.2 TRAINING OFFICER RESPONSIBILITIES

The Training Officer is responsible for coordinating training and will ensure that the training and orientation given to each general service or contract employee is properly documented and placed in the worker's training file. At a minimum the record should contain the name of the individual, the assignment, the date the orientation was presented, the orientation outline indicating the subject material and the name of the instructor. To the extent applicable, copies of tests and passing scores should also be included as a part of the record.

314.3 PART-TIME PERSONNEL

General service personnel working part-time shall receive formal orientation and training commensurate with the scope of their work assignments, as determined by the Jail Administrator, before assignment to duties within the facility. At a minimum the orientation should cover institutional rules, security and operational issues. General service and contract personnel who fail to successfully complete all required training shall not be permitted to work in the secure portions of the facility.

314.4 PERSONNEL WITH MINIMAL INMATE CONTACT

New professional support and contractor personnel who have minimal inmate contact will receive a minimum of 24 hours of orientation and training during the first year of employment. Of these hours, 16 shall be completed before being independently assigned to a particular job. Persons in this category will receive an additional 16 hours of training each subsequent year of employment (Minn. R. 2911.1200).

Minimal inmate contact is defined as tasks that do not involve the supervision of inmates, inmate discipline, or specific tasks that involve custody and control of inmates. Training topics shall include but not be limited to:

- Custody policies and procedures
- Emergency response procedures
- Job-specific training

314.5 PROGRAM STAFF ORIENTATION AND TRAINING

All new program staff who have regular or daily inmate contact shall receive a minimum of 40 hours of orientation and training during the first year of employment. These hours shall be completed

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prior to being independently assigned to a particular job function. These employees will also be provided with at least 16 hours of training in each subsequent year (Minn. R. 2911.1500).

Regular inmate contact is defined as tasks that involve the direct provision of services to inmates (e.g. custody assistants, vocational supervisors, teachers) but that do not involve the custodial supervision of inmates involving discipline and control. Training topics shall include but not be limited to:

- Security procedures and regulations
- Planning
- Development and implementation of treatment, education, and recreation programs
- Supervision of inmates
- Signs of suicide risk
- Suicide precautions
- Use of force regulations and tactics
- Report writing
- Inmate and staff rules and regulations
- Key control
- Rights and responsibilities of inmates
- Safety procedures
- All emergency plans and procedures
- Interpersonal relations
- Social/cultural lifestyles of the inmate population
- Cultural diversity for understanding staff and inmates
- Communication skills
- Cardiopulmonary resuscitation (CPR/first aid) (Minn. R. 2911.1350)
- Universal precautions for the prevention of disease
- Counseling techniques
- Interaction of the elements of the criminal justice system
- Sexual harassment/sexual misconduct awareness

314.6 SUPPORT EMPLOYEES WITH REGULAR OR DAILY INMATE CONTACT

All new clerical and support employees who have regular or daily contact with inmates shall receive at least 40 hours of orientation and training during their first year of employment. These hours must be completed before being independently assigned to their job. These employees will receive an

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additional 16 hours of training during each subsequent year of employment (Minn. R. 2911.1200).

At a minimum, this training shall include:

- Security procedures and regulations
- Rights and responsibilities of inmates
- Signs of suicide risk and suicide precautions
- Vulnerable inmates
- Response to resistance regulations and tactics
- Report writing
- Inmate rules and regulations
- Fire and emergency procedures
- Key control
- Interpersonal relations and communication skills
- Diversity training
- Distribution of medications
- Right to know
- Blood-borne pathogens and communicable diseases
- First aid

314.7 TESTING

To the extent applicable, training delivered to support personnel should include testing to document that the employee understands the subject material presented.

Chapter 4 - Emergency Planning

Facility Emergencies

400.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a plan to appropriately respond to emergencies within the facility and to ensure all affected personnel receive timely training regarding emergency response. This policy is intended to protect the community, employees, visitors, inmates, and all others who enter the jail (Minn. R. 2911.0400, Subp. 2; Minn. R. 2911.3700, Subp. 1), while allowing the facility to fulfill its primary purpose. This plan, along with any associated data, is classified as non-public security data under the Minnesota Government Data Practices Act.

Facility emergencies related to fire will be addressed in the Fire Safety Policy.

400.1.1 DEFINITIONS

Definitions related to this policy include:

Emergency - A significant incident or disruption of normal facility procedures, policies, routines, or activities.

400.2 POLICY

It is the policy of this office to have emergency response plans in place to quickly and effectively respond to and minimize the severity of any emergency within the facility.

400.3 PROCEDURE

The Jail Administrator shall develop, publish, and review written emergency response plans that address the following (Minn. R. 2911.1900; Minn. R. 2911.3700):

- (a) Protection of the public by securely detaining inmates who represent a danger to the community or to themselves when the facility must be evacuated in total.
- (b) Location of alarms and firefighting equipment (see the Fire Safety Policy).
- (c) Emergency drills to include:
 1. At minimum, annual drills at all facility locations.
 2. Staff drills, even when evacuation of extremely dangerous inmates may not be included.
- (d) Specific assignments and tasks for personnel.
- (e) Persons and emergency departments to be notified.
- (f) Evacuation, security, and control of inmates during emergencies.
- (g) Arrangements for temporary confinement of inmates.
- (h) Means for the prompt evacuation of inmates from an area of emergency.
- (i) Escapes.
- (j) Disturbances/riots.
- (k) Hostages.

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- (l) Civil disturbances.
- (m) Natural disasters.
- (n) Periodic testing of emergency equipment.
- (o) Other emergencies as needs are identified.

The facility emergency response plans are intended to provide the staff with current methods, guidelines, and training for minimizing the number and severity of emergency events that may threaten the security of the facility or compromise the safety of staff, inmates or the community.

The emergency response plans are intended to provide information on specific assignments and tasks for personnel. Where appropriate, the emergency response plans will include persons and emergency departments to be notified.

The emergency response plans should include procedures for continuing to house inmates in the facility, the identification of alternative facilities outside the boundaries of the disaster or threat and the potential capacity of those facilities, inmate transportation options, and contact information for allied agencies.

The emergency response plans shall be made available to the staff, volunteers, and contractors working in the facility as needed.

400.3.1 EMERGENCY SUSPENSION OF STANDARD

When the Jail Administrator declares an emergency in the facility as defined above, the applicable rules may be suspended during the duration of the emergency (Minn. R. 2911.0400, Subp. 2).

400.3.2 NOTIFICATION

The Jail Administrator shall notify the Department of Corrections in writing within 72 hours of an emergency that results in a suspension of standards (Minn. R. 2911.0400, Subp. 2).

400.3.3 SUSPENSION TIME

A suspension of rules based upon an emergency declared by the Jail Administrator or the authorized designee shall not exceed seven days unless the Jail Administrator obtains approval for a variance to the rules. The variance must be based upon the protection of the health, security, safety, detention or well-being of the staff or inmates within the facility where the emergency exists, or when an emergency public safety issue has occurred (Minn. R. 2911.0400, Subp. 4).

400.3.4 NON-PUBLIC DATA

The emergency response plans are classified as non-public data under the Minnesota Government Data Practices Act and shall be protected from unauthorized disclosure.

400.4 LOCKDOWN

Upon detecting any significant incident that threatens the security of the facility, such as a riot or hostage situation, staff shall immediately notify Central Control and the Shift Supervisor. The Shift Supervisor, or in his/her absence Central Control, may determine whether to order a partial or full lockdown of the facility and shall notify the Jail Administrator as soon as practicable.

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If a lockdown is ordered, all inmates will be directed back to their housing units/cells. All inmates in transit within the facility will either be escorted back to their housing units/cells or to another secure location (holding cell). The Shift Supervisor should instruct any staff not directly involved in the lockdown to escort any visitors and non-essential contractors out of the facility.

A headcount shall be immediately conducted for all inmates, visitors, contractors and staff. The Shift Supervisor shall be immediately notified of the status of the headcount. If any person is unaccounted for the Shift Supervisor shall direct an immediate search of the facility and notify the Jail Administrator of the situation as soon as practicable.

Lockdown is not to be used as a form of punishment. It may only be used to ensure order.

400.5 HUNGER STRIKE

Upon being made aware that one or more inmates is engaging in a hunger strike, the staff will notify the Shift Supervisor, who will notify the Jail Administrator. The Jail Administrator should evaluate the basis for the strike and seek an appropriate resolution.

Should the Jail Administrator be unable to resolve the grievance leading to the strike, the Jail Administrator will notify the Sheriff and provide updates on the status of the hunger strike.

400.5.1 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

Jail Administration or the authorized designee should notify the Responsible Physician to review, coordinate and document any medical actions taken, based upon protocols and/or at the direction of qualified health care professionals, in response to a hunger strike.

Qualified health care professionals should monitor the health of inmates involved in the hunger strike and make recommendations to Jail Administration or the supervisory staff responsible for oversight of the incident.

If an inmate is engaging in a hunger strike due to a mental condition, the appropriate medical protocols for mental illness will be followed.

400.5.2 RESPONSE TO HUNGER STRIKES

Beginning at the line staff level, a resolution to grievances should be sought at the lowest level. The Inmate Grievances Policy shall guide staff on resolving inmate grievances.

If the hunger strike remains unresolved, Jail Administration may direct the appropriate staff to examine the inmate commissary purchases made in advance of the hunger strike, and to monitor commissary purchases made during the hunger strike. Additional staff should be directed to observe the cell area, including trash containers, of the inmates involved for evidence of food items purchased from the commissary and of food hoarding.

400.5.3 LEGAL GUIDANCE

If attempts to resolve the grievance are unsuccessful or not reasonably possible, the Sheriff should consider consulting with legal resources as appropriate to develop other steps to resolve the issues.

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400.6 RESPONSE TO DISTURBANCES

The staff should attempt to minimize the disruption to normal facility operations caused by a disturbance by attempting to isolate and contain the disturbance to the extent possible. The staff should immediately notify the Shift Supervisor or the Jail Administrator of the incident.

400.6.1 NOTIFICATIONS

The Shift Supervisor should notify the Jail Administrator of the disturbance as soon as practicable. Based on the seriousness of the event, the Jail Administrator should notify the Sheriff.

400.6.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

The Jail Administrator or the authorized designee should notify the appropriate qualified health care professionals in order to review, coordinate and document medical actions based upon protocols and/or at the direction of the Responsible Physician.

400.6.3 REPORTING

The Shift Supervisor or the Jail Administrator should direct that an incident report be completed containing the details of the disturbance no later than the end of the shift. If appropriate, a crime report shall be initiated and prosecution sought.

400.7 RIOTS

Riots occur when inmates forcibly and/or violently take control or attempt to take control of any area within the confines of the jail.

Staff should make reasonable attempts to prevent inmate-on-inmate violence but should take measures to avoid being engulfed in the problem, thereby exacerbating the situation.

400.7.1 RESPONSE TO RIOTS

Once the area of the disturbance is secured and isolated from other areas of the facility, time is generally on the side of staff. If possible, the process of quelling the disturbance should slow down in order for staff to develop response plans, to ensure there are adequate facility personnel to effectively take the required actions, and to ensure that responding staff are appropriately equipped with protective gear.

Staff should evaluate their response given the totality of circumstances in any situation, but generally should not enter the space where a riot is occurring until sufficient staff members are present to safely suppress the riot. Nothing in this policy shall prohibit any staff member from assisting staff members who are being assaulted.

All inmates who have participated in a riot shall be separated and secured as soon as practicable. If necessary, injured inmates should receive a medical evaluation and treatment. If the injured inmate is medically cleared to remain in the jail, he/she will be reclassified and moved to appropriate housing.

Other housing units must be secured, with sufficient staff remaining at their posts to continue to supervise the unaffected units. When the riot has been suppressed, all involved staff must immediately return to their assigned posts.

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400.7.2 QUALIFIED HEALTH CARE PROFESSIONAL RESPONSE

A supervisor or the authorized designee should notify the qualified health care professionals and identify a staging area for medical emergency responders and for medical triage should it appear to be necessary.

The Responsible Physician or the authorized designee should be included in developing the response plan as it relates to the potential for a medical response, medical triage and treatment activities, and the safety and security of medical personnel during the incident.

400.7.3 NOTIFICATIONS

As soon as practicable, the Shift Supervisor or a responsible staff member shall notify the Jail Administrator, who in turn, shall notify the Sheriff.

400.7.4 REPORTING

The Jail Administrator or the Shift Supervisor shall direct that a report be written detailing the incident by the end of the shift. If appropriate, a crime report will also be prepared by the responsible law enforcement agency.

400.7.5 DEBRIEFING

All responding staff, including medical responders, will be debriefed on the incident as soon as practicable after the conclusion of the emergency incident. The staff shall examine the incident from the perspective of what worked, what actions were less than optimal and how the response to a future incident might be improved.

If appropriate, the details of the incident will be used to develop a training course for responding to facility disturbances. The goal of any debriefing process is continuous improvement. The debriefing should be focused on the incident and an improved response. A moderator should be used to ensure that no individual or group involved in the response is publicly ridiculed.

400.8 HOSTAGES

The Office does not recognize the taking of hostages as a reason to relinquish control of the jail environment.

It is the policy of the Beltrami County Chief Deputy's Office to use all available resources necessary to bring about a successful end to a hostage situation.

400.8.1 RESPONSE TO HOSTAGE INCIDENT

Central Control should immediately be notified at the earliest sign of a hostage incident. Central Control shall notify the Shift Supervisor and the Jail Administrator. The Jail Administrator will notify the Sheriff as soon as practicable.

The Shift Supervisor or the Jail Administrator shall make every effort to ensure that the hostage incident remains confined to the smallest area possible. All door controls accessible to the inmate shall be disabled. Emergency exits that lead outside the secure perimeter shall be guarded.

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400.8.2 NOTIFICATION OF QUALIFIED HEALTH CARE PROFESSIONALS

At the direction of the Shift Supervisor or the authorized designee, the qualified health care professionals should be notified in order to identify a location and form a logistical plan for medical triage. The location also shall serve as a medical staging area for other medical emergency responders.

400.8.3 HOSTAGE RESCUE

Communications with the hostage-taker should be established as soon as practicable. Hostage-taker demands for the staff to open doors will not be met. A hostage rescue team should be immediately summoned and the established protocols for resolving the situation shall be implemented. The command staff directing the event should be consulted regarding decisions faced by the hostage rescue team.

400.8.4 REPORTING AND DEBRIEFING

Following the conclusion of a hostage incident, the Jail Administrator should direct that an incident report be completed by the end of the shift. All aspects of the incident should be reviewed, focusing on the incident and the outcome, with the intent of using the incident as an opportunity for continuous improvement and to identify additional training or systemic changes that may be required.

400.9 ESCAPES

Upon being made aware that an escape may have occurred, or did in fact occur, the staff member should immediately notify Central Control. Central Control should notify the Shift Supervisor or the Jail Administrator. As soon as practicable, the Jail Administrator should notify the Sheriff.

Once the escape is verified and immediate actions taken inside the facility (e.g., lockdown), the Shift Supervisor should notify all local law enforcement agencies.

400.9.1 INMATE COUNTS

As soon as the facility is fully locked down, a full inmate head count should be taken. All inmates who are outside of the secure perimeter of the facility (e.g., court, work details) should be located and identified. Any missing inmate should have his/her identity disclosed and his/her facility record should be accessed by the Jail Administrator.

400.9.2 SEARCH

Concurrent with the lockdown, the area surrounding the facility should be searched for the escapee. Areas where an inmate may be hiding or may have discarded jail clothing should be searched first. Any witnesses should be interviewed.

Classification officers will develop a flyer with the inmate's name, description, latest picture, classification status and charges, and supply it to the custody staff and local law enforcement. Local law enforcement should also be given the inmate's last known address and a list of his/her associates.

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400.9.3 REPORTING

The Shift Supervisor or a designated staff member should submit an incident report to Jail Administration. A crime report should also be written regarding the escape. The incident report should focus on events and physical plant weaknesses that contributed to the escape. Jail Administration should review the reports, interview involved parties and develop action plans to minimize the risk of future occurrences.

400.10 CIVIL DISTURBANCES OUTSIDE OF THE JAIL

Upon being notified that jail space will be needed in response to a civil disturbance involving mass arrests, the Shift Supervisor should notify the Jail Administrator. The Jail Administrator should make the determination regarding the magnitude of the event and whether it warrants notification of the Sheriff.

The size of the event may also require a lockdown, suspension of any programs that are not critical to jail operations, and/or implementation of alternate staffing plans. To accommodate the influx of inmates, the Shift Supervisor should develop a housing plan that will not adversely affect the safety and security of the facility. Program spaces, such as exercise yards, classrooms, and dayrooms, may be used to temporarily house a limited number of additional inmates.

In the event that the jail can no longer accept additional inmates without compromising the safety and security of the facility, mutual aid may be requested from allied counties. Minnesota standards may be temporarily suspended as described in Minn. R. 2911.0400 (see the Crowding Policy).

400.11 REVIEW OF EMERGENCY PROCEDURES

The Jail Administrator should ensure that there is a review of emergency procedures at least quarterly. This review should be documented with reports submitted to the Jail Administrator or the authorized designee within 10 days of the review for approval. This review should also include the signatures or initials of the facility staff responsible for the review. At a minimum, the review shall include (Minn. R. 2911.3700, Subp. 2):

- Assignment of persons to specific tasks in emergency situations.
- Instructions in the use of the alarm systems and signals.
- Systems for the notification of appropriate persons outside of the facility.
- Information on the location and use of emergency equipment in the facility.
- Specification of evacuation routes and procedures.

400.12 TRAINING

The staff shall be trained annually on this policy. This facility will provide emergency preparedness training as part of orientation training for all personnel assigned to the facility and for those who may be required to respond to the facility in an emergency. The staff shall also receive refresher training at least annually in the emergency response plans. The Training Officer is responsible for developing and delivering appropriate initial training and annual refresher training.

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Emergency planning training should occur in the form of classroom instruction (or roll call training), mock practical, exercises and drills. Each type of emergency covered in the emergency response plan must be included in the training.

A lesson plan, staff training sign-up sheet with the dates and times training should be provided, and proof of competency (testing) for each participant should be maintained by the Training Officer.

The Training Officer shall forward an annual report to the Sheriff and the Jail Administrator on the status of emergency response plan training. Any training deficiencies identified in this report should be rectified within 90 days of the report.

The facility emergency plan and all training shall be documented by the Training Officer and retained in accordance with established records retention schedules.

Emergency Staffing

401.1 PURPOSE AND SCOPE

The facility must operate at all times as a safe and secure environment, regardless of staffing levels. Consequently, contingency plans must be made in advance for any staffing emergency or planned job action, regardless of the length of the staffing deficit.

The purpose of this policy is to establish roles and responsibilities for creating and implementing emergency staffing plans, providing appropriate emergency staffing training to supervisory and management personnel, and identifying an update schedule and distribution list for the plan, as identified by the Sheriff or the authorized designee.

401.2 POLICY

It is the policy of this office to be prepared to operate a safe and secure facility in the event of a staffing emergency. Staffing emergencies that could negatively affect the good order the facility may include, but are not limited to, an outbreak of infectious disease, a work stoppage or strike by the staff, a natural disaster or other disruption. The Sheriff, Jail Administrator or the authorized designee shall be responsible for ensuring that an appropriate emergency staffing plan exists and that a copy of the plan is made available to all supervisory personnel who must familiarize themselves with the plan (Minn. R. 2911.3700). This plan, along with any associated data, is classified as non-public security data under the Minnesota Government Data Practices Act.

401.2.1 EMERGENCY STAFFING

In the event the Jail Administrator becomes aware that a staffing emergency exists or may occur, staff members who are present may be ordered to remain at their posts. The Jail Administrator will notify the Sheriff. Plans should include measures to achieve minimum staffing for the facility within four hours of a staffing emergency and may include the following operational adjustments:

- The facility may go to a lockdown. Minimum activities, including visiting, exercise and other programs will be suspended only if necessary. Meals, cleaning, medical services, court transportation and attorney visits will continue. Other activities will be assessed by the Jail Administrator on a case-by-case basis.
- Supervisory and management personnel may have time-off cancelled or rescheduled for the duration of the staffing emergency.
- Staff from other areas of the office who have custody experience may be used to fill vacancies in the facility.
- Assistance from allied agencies may be requested to help management and supervisors in safely staffing the facility.
- Contracting with surrounding facilities may be necessary if adequate staffing cannot be obtained to safely operate the facility.

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Emergency Staffing

- In the event of a health-related staffing emergency, the Emergency Management Director and medical staff will be notified.

401.2.2 LEGAL ASSISTANCE

In cases where the Jail Administrator becomes aware that a work stoppage is planned or has occurred, legal counsel should be consulted for assistance in preparing the necessary legal action to either prevent the work stoppage or to cause it to cease. Immediate contact with the employees' representatives may also be necessary to prevent or conclude the job action.

401.2.3 TRAINING

The Jail Administrator or the authorized designee should be responsible for:

- (a) Establishing a distribution list for the contingency plan.
- (b) Establishing a periodic review and update of the plan.
- (c) Ensuring that all supervisors and managers are periodically trained on the plan.
- (d) Ensuring that all supervisors and managers are provided a copy of the plan and/or a means to access it in the event of an emergency.
- (e) Documenting all training.
- (f) Maintaining training records for each supervisor and manager and ensuring that those personnel periodically receive appropriate update training on the plan.

Evacuation Plan

402.1 PURPOSE AND SCOPE

The purpose of this policy is to promote planning and to establish procedures, responsibilities and training requirements for the staff of the Beltrami County Sheriff's Office Jail in case of fire and other emergency evacuations.

402.2 POLICY

The community, staff, volunteers, contractors and inmates should have a well-researched and validated evacuation plan that can be implemented in the event any portion of this facility requires evacuating due to an emergency (e.g., fire, smoke, flood, storm). All custody staff should be knowledgeable about the evacuation plan, policy and procedures (Minn. R. 2911.3700).

402.3 EVACUATION PLAN

The Beltrami County Sheriff's Office maintains an evacuation plan to be implemented in the event of a fire, natural disaster or other emergency (Minn. R. 2911.3700, Subp. 1). At minimum the evacuation plan shall address the following:

- Location of facility floor plans and building plans
- Procedures on how inmates are to be released from locked areas
- Relocation areas to be used for housing inmates in the event of a full or partial evacuation
- Notifications
- Training and drill requirements for staff
- Reporting requirements

The Jail Administrator should ensure that the evacuation plan is maintained and updated as needed and is reviewed for accuracy annually.

A current copy of the evacuation plan shall be maintained in the Administration office and in the command area of each annex facility. This plan, along with any associated data, is classified as non-public security data under the Minnesota Government Data Practices Act.

402.3.1 EXITS

All facility exits should be marked with signs that clearly indicate the direction of traffic.

Except for temporary reasons, such as maintenance or repairs, all exits to the facility shall remain free from obstacles at all times regardless of the frequency of use. It is the duty of all staff to remove any obstructions that block, either partially or completely, staff's ability to observe or use any exit.

All housing areas and places of assembly that are designed for occupancy of 50 individuals or more shall have two available exits.

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Evacuation Plan

402.3.2 EVACUATION PLANS AND ROUTES

Plans for evacuation routes will be posted in all public areas of the facility. All custody staff will be familiar with evacuation routes for inmates.

402.3.3 EMERGENCY HOUSING OF INMATES

The Jail Administrator or the authorized designee shall develop a plan on the emergency housing of inmates in the event of a full or partial evacuation of the facility. The plan will address when inmates should be housed in place, identification of alternate facilities and the potential capacity of those facilities, inmate transportation options, and contact information for allied agencies. This plan shall be reviewed at least annually and revised if necessary.

402.4 TRAINING DRILLS

The Jail Administrator should ensure that drills of the evacuation plan are conducted at least annually, or more often if required by code, for each shift and at all facility locations. Drills will include staff and volunteers. The local fire agency may be invited to participate in one or more drills annually. Nonviolent and compliant inmates may participate. Violent and/or dangerous inmates or those known to be a flight risk will not be involved in the drills.

Drills should be designed to ensure that all staff members are proficient in their duties during each type of evacuation. Each drill should be documented as to its scope and participants (Minn. R. 2911.3700, Subp. 1).

Emergency Power and Communications

403.1 PURPOSE AND SCOPE

The Beltrami County Sheriff's Office facility must continue to operate as a safe and secure environment regardless of emergencies, including electrical outages. The purpose of this policy is to establish guidelines regarding back-up power and communication systems, and the inspection, preventive maintenance and testing of the systems to ensure a seamless transition in the event of a loss of power. This plan, along with any associated data, is classified as non-public security data under the Minnesota Government Data Practices Act.

403.2 POLICY

It is the policy of this office to ensure that power to critical systems and communications continues to operate within the facility in the event of a loss of power.

403.2.1 PREVENTIVE MAINTENANCE

It is the responsibility of the Facilities Manager to ensure that there is sufficient emergency power to operate all essential lighting, security equipment, safety equipment and communications systems. The emergency power system should have sufficient fuel to allow the facility to operate continuously for a three-day period, if necessary, without external resources.

The emergency power system should be inspected, tested and maintained as necessary. In the event that the system fails, the Jail Administrator or Shift Supervisor should contact the designated maintenance authority or repair company to obtain necessary repairs as soon as practicable. If the emergency power system cannot be repaired within eight hours, portable emergency generators should be secured as a temporary emergency power source until the repair or replacement of the primary system occurs.

403.2.2 SAFETY AND SECURITY

All safety and security equipment will be repaired or replaced in an expedited manner by qualified personnel. In the event that safety and security equipment become inoperable or damaged and it is not safe to operate a secure portion of the facility, that portion of the facility should be vacated and the inmates housed elsewhere. Or, staffing should be increased sufficiently for the area to remain safe and secure until the repair can be completed.

403.2.3 INSPECTION AND TESTING

The Facilities Manager is responsible for scheduled testing of emergency power systems. The power system manufacturer should be contacted for the required testing intervals and load information. The emergency power system should be load-tested in accordance with the manufacturer's recommendations or at least monthly.

All emergency equipment and systems should be inspected by a qualified individual at least quarterly.

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Power generators should be inspected and tested by the Facilities Manager or authorized designee at least weekly. An unloaded generator test will be conducted for this weekly test.

Each inspection and testing process shall be documented and the results maintained by the Facilities Manager.

Fire Safety

404.1 PURPOSE AND SCOPE

The threat of fire and toxic smoke in the facility represents a significant risk to the safety and security of the community, the staff, inmates, volunteers, contractors and visitors. The purpose of this policy is to clearly identify and conform to applicable federal, state and/or local fire safety codes, and to establish a process of creating, disseminating and training all individuals in the facility on the emergency plans for fire safety and evacuation. This plan, along with any associated data, is classified as non-public security data under the Minnesota Government Data Practices Act.

404.2 POLICY

It is the policy of this office that fire prevention strategies are a high priority.

The Jail Administrator shall ensure that a fire alarm and detection and suppression system, as required by law, are installed, maintained and periodically tested. Any variance, exception or equivalency issues must be approved by the fire jurisdiction authorities, and must not constitute a serious life-safety threat to the occupants of the facility (Minn. R. 2911.7300, Subp. 5).

The locations of fire alarms will be noted on the facility fire plan (schematic) (Minn. R. 2911.3700, Subp. 1).

404.2.1 FIRE CODES

The Office shall conform to all federal, state and local fire safety codes.

404.2.2 FIRE PREVENTION RESPONSIBILITY

All staff who work in the facility are responsible for the prevention of fires. They should be trained and given the tools to carry out the tasks necessary to reduce the risk of fire.

404.3 FIRE SUPPRESSION PRE-PLANNING

The Jail Administrator shall, in cooperation with the local fire department or other qualified entity, develop a plan for responding to a fire. The plan shall include, but is not limited to:

- (a) A fire suppression pre-plan by the local fire department, to be included as part of this policy.
- (b) Fire prevention and safety inspections by designated staff on a weekly basis, with a two-year retention of the inspection record.
- (c) Annual fire prevention inspections in accordance with applicable fire codes, conducted by the state fire marshal or local fire authority (Minn. R. 2911.7300, Subp. 1).
- (d) Documentation of the annual fire inspection and any orders must be maintained and available to the Department of Corrections.
- (e) An evacuation plan (see the Evacuation Policy).

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- (f) A plan for the emergency housing of inmates in case of fire.
- (g) A plan for the cross-training of responders and facility staff via drills, which should occur at least quarterly, if practicable.

404.4 FIRE PREVENTION EQUIPMENT

All required fire alarms, sprinklers and detection devices shall be in good working order at all times.

Should such a device become inoperative, the Jail Administrator or the authorized designee shall be responsible for ensuring that emergency repairs are undertaken as soon as possible and that staff is provided with an alternative emergency fire safety and evacuation plan.

Any time any fire prevention system is inoperative and poses a serious life-safety risk, that portion of the facility shall not be inhabited by inmates or staff.

404.5 FIREFIGHTING EQUIPMENT

The Jail Administrator shall ensure that the facility is equipped with the necessary firefighting equipment (e.g. fire hoses, extinguishers) in an amount and in a location as recommended by the local fire authority or other qualified entity. The locations of firefighting equipment will be shown on the facility fire plan (schematic) (Minn. R. 2911.3700, Subp. 1).

While the staff is not trained as fully qualified firefighters, the Jail Administrator or the authorized designee will ensure that the staff is trained to initially respond to a fire with the purpose of facilitating the safety of the occupants, including evacuation, if necessary.

404.6 FIRE TRAINING

The Training Officer is responsible for ensuring that within the first twelve months of assignment to the facility all staff members receive training on the use of the facility's firefighting equipment sufficient to demonstrate proficiency. The staff should receive refresher training at least bi-annually on the use of firefighting equipment.

404.7 INSPECTIONS

The Office shall be inspected on a weekly basis by a designated staff member who is qualified to perform fire and safety inspections. This is to ensure that fire safety standards are maintained. These inspections will be focused on, but not limited to, fire prevention, staff training and proficiency, firefighting equipment availability and functionality, alarms, fire detectors, fire safety equipment, and staff familiarity with prevention and suppression techniques, suppression pre-planning, emergency response, fire safety equipment use and the evacuation plan (Minn. R. 2911.7300).

The Jail Administrator or the authorized designee shall ensure that staff conduct weekly fire and safety inspections and that all fire safety equipment is tested at least quarterly.

A staff member shall be assigned to coordinate with local or state fire officials for the inspections as required. The result of all fire inspections and fire equipment testing shall be provided to the Jail Administrator and the Sheriff and maintained for a minimum of two years.

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404.7.1 FURNISHINGS

All furnishings allowed in the facility shall meet fire resistant standards.

404.7.2 FLAMMABLE, TOXIC AND CAUSTIC MATERIALS

The Jail Administrator, in collaboration with the local environmental health expert, will review the type of materials introduced into the facility to ensure that flammable, toxic and caustic materials are controlled and used safely. All such materials will be safely stored and only used by inmates under the direction of the staff.

404.8 EMERGENCY HOUSING OF INMATES

The Jail Administrator or the authorized designee shall develop a plan for the emergency housing of inmates in the event of a fire. The plan should include procedures for continuing to house inmates in the facility, identification of alternate facilities and the potential capacity of those facilities, inmate transportation options and contact information for allied agencies. This plan shall be reviewed annually and revised if necessary.

Chapter 5 - Inmate Management

Population Management System

500.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system of inmate population accounting that promotes the safety and security of the facility on a daily operational basis. It assembles data that enables the Office to forecast staffing and facility growth needs into the future, and to plan for the associated expenditures.

500.2 POLICY

It is the policy of this facility that an inmate population management system should be established and maintained to account for the admission, processing and release of inmates. The Jail Administrator or the authorized designee shall oversee that the data is collected and submitted in accordance with DOC requirements. The data shall reflect the average daily population of sentenced and nonsentenced inmates by categories of adult male, adult female, juvenile male and juvenile female. The Sheriff or the authorized designee should ensure that the data is maintained in an accessible format for historical purposes, trend analysis and to respond to funding opportunities.

500.2.1 DATA COLLECTION

Data should be collected and maintained. The data available should include, but will not be limited to:

- (a) Current number of beds in:
 - 1. Compliance with local or state standards
 - 2. General housing
 - 3. Medical/mental health
- (b) Average Daily Population (ADP) for:
 - 1. Minimum security
 - 2. Maximum security
 - 3. High security
 - 4. Administrative segregation
- (c) Highest one-day inmate population
- (d) Number and/or percentage of:
 - 1. Bookings
 - 2. Male inmates
 - 3. Female inmates
 - 4. Non-sentenced inmates

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5. Felony inmates
 6. pretrial inmates released
 7. Sentenced inmates released early due to lack of space
 8. Inmates receiving psychotropic medication
- (e) Number of inmates:
1. Enrolled in work release program
 2. Enrolled in work furlough program
 3. Assigned to home electronic monitoring program
- (f) Number of:
1. Inmate-on-inmate assaults
 2. Inmate-on-staff assaults
 3. Escapes/attempted escapes
 4. Active misdemeanor warrants
 5. Active gross misdemeanor warrants
 6. Active felony warrants
 7. Inmate grievances and dispositions
 8. Inmate disciplinary reports and dispositions
- (g) Any other demographic information (e.g., gang activity)

The Jail Administrator or the authorized designee is responsible for ensuring that all required information is supplied to the Corrections Standards Authority as required.

Inmate Counts

501.1 PURPOSE AND SCOPE

Inmate counts are vital to the security of the facility, the safety of the staff and the welfare of the inmates. This policy establishes guidelines for the frequency of inmate counts, which ensures that all inmates and their status can be accounted for at any time.

501.2 POLICY

It is the policy of this office to account for all inmates within and under the control of this facility through scheduled and other counts as needed (Minn. R. 2911.5700, Subp. 4).

501.3 PROCEDURE

The Jail Administrator or the authorized designee shall be responsible for creating and maintaining a written procedure establishing the process and frequency of counts. Inmate counts shall be conducted at least once every eight hours. Emergency counts may be conducted at the direction of the Shift Supervisor as needed. Electronic counts shall not be substituted for direct staff observation.

All counts shall be documented on the daily activity log and verified by the Shift Supervisor. Counts shall include all inmates in custody, including those on work assignments, furlough, education release and those who are off-site, such as the hospital or court.

Any discrepancy in the count should immediately be reported to the Jail Administrator and resolved prior to the release of the shift personnel responsible for the count. A formal count in which all inmates are personally identified by a corrections officer should be conducted once a day at a time established by the Jail Administrator. The result of the formal count will be used to calculate the average daily population statistics for the facility (Minn. R. 2911.5700, Subp. 4).

Inmate Reception

502.1 PURPOSE AND SCOPE

The Beltrami County Sheriff's Office has a legal and methodical process for the reception of arrestees into this facility. This policy establishes guidelines for security needs, the classification process, identification of medical/mental health issues, and the seizure and storage of personal property (Minn. R. 2911.2525).

502.2 POLICY

This office shall use the following standardized policies when receiving arrestees to be booked into this facility. This is to ensure security within the facility and that arrestees are properly booked and afforded their applicable rights.

502.3 PRE-BOOKING SCREENING

All arrestees shall be screened prior to booking to ensure the arrestee is medically acceptable for admission and that all arrest or commitment paperwork is present to qualify the arrestee for booking. Required paperwork may include the following:

- (a) Arrest reports
- (b) Probable cause declarations
- (c) Warrants or court orders
- (d) Victim notification information
- (e) Special needs related to religious practices, such as diet, clothing and appearance (see the Religious Programs Policy)
- (f) Accommodation requests related to disabilities (see the Inmates with Disabilities Policy)
- (g) Information regarding suicidal statements or actions

Any discrepancies or missing paperwork should be resolved before accepting the arrestee for booking from the arresting or transporting corrections officer (Minn. R. 2911.2525).

Prior to accepting custody of an arrestee who claims to have been arrested due to a mistake of the arrestee's true identity or an arrestee who claims that identity theft led to the issuance of a warrant in the arrestee's name, staff shall make reasonable efforts to investigate the arrestee's claim of identity fraud or mistake. Staff shall notify a supervisor when an arrestee makes a claim of mistaken identity or identity fraud.

502.3.1 IMMIGRATION DETAINERS

No individual should be held based solely on a federal immigration detainer under 8 CFR 287.7 unless the person has been charged with a federal crime or the detainer is accompanied by a warrant, affidavit of probable cause or removal order. Notification to the federal authority issuing the detainer should be made prior to the release.

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502.3.2 IMMIGRATION NOTIFICATION ON COMMITMENT

Staff shall inquire into the nationality of all persons committed to this facility who were convicted of a felony or found to be mentally ill. If it reasonably appears the person is an alien, staff shall notify the U.S. Immigration and Customs Enforcement (ICE) of the following, if known (Minn. Stat. § 631.50):

- (a) The date of and the reason for the commitment
- (b) The length of time for which the inmate is committed
- (c) The country of which the inmate is a citizen
- (d) The date on, and the port at, which the inmate last entered the United States

502.4 SEARCHES BEFORE ADMISSION

All arrestees and their property shall be searched for contraband by the booking corrections officer before being accepted for booking. All contraband items will be handled according to facility policy. Items of possible evidentiary value may be turned over to the arresting or transporting corrections officer for processing or processed according to the facility's rules for handling evidence. Approved personal property and clothing will be accepted. Items not approved will be returned to the arresting or transporting corrections officer prior to the arrestee being accepted for booking. A description of the items returned to the arresting or transporting corrections officer shall be documented on the arrestee's booking record.

Strip searches shall be conducted in accordance with the Searches Policy. Deviation from the Searches Policy shall be only with prior written approval of a supervisor and as the result of reasonable suspicion (Minn. R. 2911.5300, Subp. 2).

502.5 ADMISSION PROCESS

A unique booking number shall be obtained specific to the current admission. Photographs and fingerprints shall be taken.

The admission process should also include an attempt to gather a comprehensive record of each arrestee, including the following (Minn. R. 2911.2525; Minn. Stat. § 299C.10, Subd. 1):

- Identifying information, including name and any known aliases, monikers, or street names
- Current or last known address and telephone number
- Date and time of arrest
- Date and time of admission
- Name, rank, agency, and signature of the arresting corrections officer and transporting corrections officer, if different
- Health insurance information
- Legal authority for confinement, including specific charges, arrest warrant information, and court of jurisdiction

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- Gender
- Age
- Date and place of birth
- Race
- Height and weight
- Occupation and current or most recent employment
- Preferred emergency contact, including name, address, telephone number, and relationship to inmate, within two hours of admission
- Driver license number and state where issued, state identification number, or passport number
- Social Security number
- Additional information concerning special custody requirements or special needs
- Local, state, and federal criminal history records
- Photographs, fingerprints, and notation of any marks or physical characteristics unique to the inmate, such as scars, birthmarks, deformities, or tattoos
- Medical, dental, and mental health screening records, including suicide risk
- Authorization form to release medical information (Minn. Stat. § 241.021)
- Inventory of all personal property, including clothing, jewelry, and money
- A record of personal telephone calls made at the time of booking or the time the opportunity was provided to place calls if the calls were not made

Within 24 hours of taking the fingerprints and data, the fingerprint records and other identification data must be electronically entered into a Bureau of Criminal Apprehension-managed searchable database in the manner prescribed (Minn. Stat. § 299C.10, Subd. 1(7)(b)).

Inventoried items of rare or unusual value should be brought to the attention of a supervisor. The inmate's signature should be obtained on the booking record and on any forms used to record money and property.

502.5.1 LEGAL BASIS FOR DETENTION

Arrestees admitted to the facility shall be notified of the official charge for their detention or legal basis of confinement in a language they understand (Minn. R. 2911.2700, Subp. 3).

502.6 TRANSITION FROM RECEPTION TO GENERAL POPULATION

The Shift Supervisor is responsible for ensuring only arrestees who qualify are placed into general population cells or housing. Those who will not be placed into general population include:

- (a) Arrestees who are eligible for release following citation.
- (b) Arrestees who are intoxicated or under the influence of any chemical substance.

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- (c) Arrestees who are arranging bail. They shall be permitted a reasonable amount of time, at the discretion of the Shift Supervisor, to make telephone calls before being placed in general population.

502.6.1 MONITORING FOR SIGNS OF INTOXICATION AND WITHDRAWAL

Staff shall respond promptly to medical symptoms presented by inmates to lessen the risk of a life-threatening medical emergency and to promote the safety and security of all persons in the facility.

Custody staff should remain alert to signs of drug and alcohol overdose and withdrawal, which include but are not limited to sweating, nausea, abdominal cramps, anxiety, agitation, tremors, hallucinations, rapid breathing, and generalized aches and pains. Any staff member who suspects that an inmate may be suffering from overdose or experiencing withdrawal symptoms shall promptly notify the supervisor, who shall ensure that the appropriate medical staff is notified.

502.6.2 INMATE SEPARATION

Inmates should be kept separate from the general population during the admission process. Newly admitted inmates should be separated according to the facility's classification plan.

502.6.3 DATA PRIVACY

Inmates admitted to the facility shall be given a Tennessee warning notice regarding their rights under the Minnesota Government Data Practices Act (MGDPA) with respect to personal data requested by the facility. Intake procedures dealing with data protected by the MGDPA, Minnesota statutes, Chapter 13, § 13.05, Subd. 3, shall be conducted in a manner and location that assures the personal privacy of the inmate and maintaining the privacy of the transaction from unauthorized personnel (Minn. R. 2911.2700, Subp. 4; Minn. R. 2911.2525, Subp. 2).

502.7 INMATE PROPERTY CONTROL

All property received from inmates at the time of booking shall be inventoried. A receipt should be signed by the inmate and the booking corrections officer and referenced to the booking number before the admission is completed. The original copy of the property receipt will be retained and placed in the inmate file and/or with the property. A second copy will be presented to the inmate at the time of booking (Minn. R. 2911.2525, Subp. 4).

Jewelry and other small property should be sealed in a plastic pouch and placed in the inmate's property.

Excess personal clothing and abandoned property shall be picked up by the inmate, or released to designated family or to a friend from whom a signed property release has been secured. Property shall be stored in containers designed for this purpose. A documented disposition on all abandoned property shall be maintained (Minn. R. 2911.3600, Subp. 6).

502.7.1 VERIFICATION OF INMATE'S MONEY

All monies belonging to the inmate and retained by the booking corrections officer shall be verified in front of the inmate. When possible, the inmate should initial the dollar amount on the booking sheet. All money should be placed in a separate envelope and sealed.

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Negotiable checks or other instruments and foreign currency should also be sealed in an envelope with the amount indicated but not added to the cash total. Jewelry and other small property should also be sealed in an envelope. All envelopes should clearly indicate the contents on the front. The person sealing it should initial across the sealed flap. Should any money be withdrawn or added to the cash envelope, the person making the change shall enter the new amount below the original entry and initial it. The total amount of money in the envelope should always be computed and written on the outside of the envelope.

502.7.2 PROPERTY STORAGE

All inmate property should be stored in a secure storage area. Only authorized personnel may access the storage area and only for the purpose of depositing or retrieving property, or to conduct duly authorized work, including maintenance and other duties as directed by the Jail Administrator.

502.8 INMATE TELEPHONE CALLS

Every inmate, whether adult or juvenile, detained in this facility shall be entitled to at least three attempted telephone calls upon completion of booking. The calls may be of a duration that reasonably allows the inmate to make necessary arrangements for matters that he/she may be unable to complete as a result of being arrested. The calls are not intended to be lengthy conversations and the custody staff may use their judgment in determining the reasonable duration of the calls. If it is determined that the person is a custodial parent with responsibility for a minor child, the person shall be entitled to make such additional telephone calls as reasonably necessary for the purpose of arranging care for the minor child.

There is no obligation for the custody staff to make a telephone call on an inmate's behalf, for example in the case of a person who is so intoxicated that he/she cannot make a call. The custody staff is not required to wake an intoxicated person so that the person may complete a call. An intoxicated person should be provided the opportunity to make the telephone calls once the person awakes.

502.8.1 TELEPHONE CALL PROCEDURES

The Office will pay the cost of local calls. Long distance calls will be paid by the inmate, using calling cards or by calling collect.

Calls between the inmate and his/her attorney shall be deemed confidential and shall not be monitored, eavesdropped upon or recorded.

502.8.2 ONGOING TELEPHONE ACCESS

Ongoing telephone access for inmates who are housed at this facility will be in accordance with the Inmate Telephone Access Policy.

502.9 SHOWERING AND CLOTHING EXCHANGE

Inmates should be allowed to shower before being dressed in clean jail clothing. Showering should occur before an inmate is transferred from the temporary holding area to general population housing (see the Inmate Hygiene Policy).

Inmate Handbook and Orientation

503.1 PURPOSE AND SCOPE

This policy provides for the orientation of inmates booked into the Beltrami County Sheriff's Office facility. The purpose of the orientation is to inform inmates of the jail routine, rules, inmate rights and services.

503.2 POLICY

The Jail Administrator shall provide an effective method of orienting all incoming inmates that includes an inmate handbook (Minn. R. 2911.2700). The orientation should take place within 24 hours of an inmate's admission and in any event prior to the inmate being moved to general population housing, and should be an ongoing process in the housing area so that the information is available to the inmates throughout their entire time in custody.

503.2.1 ORIENTATION FOR NON-READERS, VISUALLY IMPAIRED AND DEAF OR HARD-OF-HEARING INMATES

Inmates who cannot read, are visually impaired, or have intellectual, psychiatric or speech disabilities or limited reading skills, shall have the materials read to them by a staff member or to them using audible recorded media (28 CFR 115.16).

Inmates who are deaf or hard of hearing shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the inmate in understanding the information (Minn. R. 2911.2700).

503.3 INITIAL ORIENTATION

To assist with the inmate's transition into a custody environment, the orientation will include the following topics, supplemented by a more detailed inmate handbook that will be provided to each inmate (Minn. R. 2911.2700):

- (a) Facility rules and disciplinary sanctions
- (b) Correspondence, visiting and telephone rules
- (c) Availability of personal care items and opportunities for personal hygiene
- (d) Inmate grievance procedure, including all steps and deadlines necessary to exhaust the grievance process
- (e) Co-pays, fees, and charges
- (f) Medical, dental, and mental health services
- (g) Possibilities for pretrial release
- (h) Programs and activities, including application procedures
- (i) Classification/housing assignments and appeal procedures
- (j) Court appearance, where scheduled, if known

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- (k) Sexual abuse and sexual harassment information including the following (28 CFR 115.33):
 1. Facility's zero-tolerance policy
 2. Prevention and intervention
 3. Reporting sexual abuse or sexual harassment incidents, including how to report such incidents anonymously
 4. Instruction on how inmates can avoid being victims of sexual abuse and sexual harassment through self-protection techniques
 5. Treatment and counseling for victims of sexual abuse or sexual harassment
 6. Mailing addresses and telephone numbers, including toll-free hotline numbers, where available, of local, state or national victim advocacy or rape crisis organizations and, for persons detained solely for civil immigration purposes, immigrant services agencies (28 CFR 115.53)
 7. Information regarding confidentiality, monitoring, and mandatory reporting
- (l) Contacting foreign consuls
- (m) Requests for religious accommodations
- (n) Emergency procedures (e.g., fires, evacuations)
- (o) Voting, including registering to vote
- (p) An approved list of items that inmates are permitted to possess (Minn. R. 2911.2525)

In addition to English, orientation information will be provided in the most commonly used languages for the inmate population.

The Jail Administrator should consider enlisting the assistance of volunteers who are qualified and proficient in both English and the language in which they are providing translation assistance to translate the orientation information. Use of outside translation sources may also be considered.

Interpretive services will be provided to inmates who do not speak English or any of the other languages in which the orientation information is available.

A written and signed acknowledgment of the orientation and receipt of the handbook should be maintained in the inmate's permanent file (28 CFR 115.33; Minn. R. 2911.2525, Subp. 3).

503.4 ORIENTATION FOR NON-READERS, VISUALLY IMPAIRED, AND DEAF OR HARD-OF-HEARING INMATES

Inmates who cannot read, are visually impaired, or have intellectual, psychiatric, or speech disabilities or limited reading skills shall have the materials read to them by a staff member or presented to them using audible recorded media (28 CFR 115.16).

Inmates who are deaf or hard of hearing shall be provided with interpretation services. Reasonable efforts should be made by the staff to assist the inmate in understanding the information (Minn. R. 2911.2700).

Inmate Well-Being Checks

504.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a requirement for conducting visual well-being checks at least every 30 minutes for all inmates, and for creating and maintaining a log to document all well-being checks.

504.2 POLICY

It is the policy of the Beltrami County Sheriff's Office that all correctional staff shall conduct well-being checks at least once every 30 minutes on all inmates, or more frequently as determined by inmate custody status and/or housing classification.

504.3 WELL-BEING CHECKS

The staff shall adhere to the following procedures when conducting well-being checks:

- (a) Well-being checks shall be conducted at least once every 30 minutes and more frequently if necessary.
- (b) Well-being checks shall be conducted on an irregular schedule (staggered) so that inmates cannot predict when the checks will occur.
- (c) Well-being checks shall be done by personal observation of the corrections officer and shall be sufficient to determine whether the inmate is experiencing any stress or trauma.
- (d) Cameras and monitors may supplement the required visual observation well-being checks but they shall not replace the need for direct visual observation.
- (e) Well-being checks will be clearly documented on permanent logs in accordance with the office Daily Activity Logs and Shift Reports Policy (Minn. R. 2911.5000, Subp. 5). If a well-being check does not occur due to an emergency, the missed check shall be documented in the Daily Activity Log and approved by a supervisor.
- (f) Actual times of the checks and notations should be recorded on the daily activity logs.
- (g) Log entries shall never be made in advance of the actual check. Log entries made in this manner do not represent factual information and are prohibited.
- (h) Special management Inmates shall be checked more frequently as detailed in the Special Management Inmates Policy.

Special Management Inmates

505.1 PURPOSE AND SCOPE

Inmates who pose a heightened risk to themselves or others require special management, including frequent interaction and increased supervision by staff. Interaction with special management inmates is essential to maintaining a safe, secure and humane environment. This policy establishes guidelines and procedures for interacting with special management inmates in the custody of the Beltrami County Sheriff's Office.

505.1.1 DEFINITIONS

Definitions related to this policy include:

Administrative segregation - The physical separation of an inmate who is prone to escape or assault staff or other inmates, or one who is mentally challenged or in need of medical isolation or infirmary status. This is a non-punitive classification process (Minn. R. 2911.0200, Subp. 2).

Protective custody - A level of custody either requested or required for an inmate's protection from others.

Special management inmate - An inmate who is either classified as administrative segregation or protective custody segregation. Classification as a special management inmate is a non-punitive classification.

505.2 POLICY

This office shall provide for the secure and segregated housing of any special management inmate but shall not impose more deprivation of privileges than is necessary to obtain the objective of protecting the inmate, staff, or the public (Minn. R. 2911.2800, Subp. 2).

505.3 SPECIAL MANAGEMENT INMATES HOUSING CRITERIA

The safety and security of this facility is dependent on a classification system that identifies inmates who pose a risk to themselves or to others. Inmates who pose such a risk must be promptly and appropriately segregated from the general inmate population until such time that they no longer pose a risk. Staff must have the ability to promptly segregate these inmates pending further review.

Individuals who may be classified as special management inmates include but are not limited to inmates who are:

- In protective custody or court-imposed segregation.
- Exhibiting mental health concerns.
- An escape threat.
- A serious violence threat.
- Known to have gang affiliation.
- A known management problem.

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Special Management Inmates

- A suicide risk.
- Exhibiting medical issues.
- Physically impaired.

505.3.1 DEPRIVATION REPORT

Whenever an inmate in administrative segregation is deprived of any usually authorized item or activity, a report of the action shall be made. A copy of the report shall be forwarded to the Jail Administrator. A copy of the report should be placed in the inmate's file (Minn. R. 2911.2800).

505.4 CIRCUMSTANCES REQUIRING IMMEDIATE ADMINISTRATIVE SEGREGATION

Inmates will generally be assigned to administrative segregation through the classification process. The Jail Administrator or the Shift Supervisor has the authority to immediately place any inmate into administrative segregation when it reasonably appears necessary to protect the inmate or others (see the Disciplinary Segregation Policy) (Minn. R. 2911.2800, Subp. 1).

Reasons that an inmate may be placed into administrative segregation include the following:

- (a) The inmate requests protection or is under court-ordered protection, or the staff has determined that the inmate requires protection.
- (b) There is reason to believe the inmate poses a danger to him/herself or others.
- (c) The inmate poses an escape risk.
- (d) The inmate requires immediate mental health evaluation and medical housing is not reasonably available.
- (e) The inmate is charged with a disciplinary infraction and is awaiting a disciplinary hearing. In the judgment of the staff, the inmate may become disruptive or dangerous if left in general population.
- (f) The inmate is in the process of being transferred to a higher security classification.
- (g) Other circumstances where, in the judgment of the staff, the inmate may pose a threat to him/herself, others or the security of the facility.

505.4.1 REVIEW PROCESS

The Jail Administrator shall be notified when any inmate is placed into immediate administrative segregation and shall be informed of the circumstances leading to the order to segregate. Within 72 hours of the inmate being placed into administrative segregation, the Jail Administrator or the authorized designee must review the circumstances surrounding the segregation to determine which of the following actions shall be taken:

- (a) The inmate is designated for administrative segregation.
- (b) The inmate is designated for protective custody.
- (c) The inmate remains segregated pending a disciplinary hearing.
- (d) The inmate is returned to general inmate population.

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505.4.2 DISCIPLINARY HEARINGS

An inmate in administrative segregation for an alleged rule violation shall have a disciplinary hearing within 72 hours, excluding weekends and holidays, unless there is reasonable cause to delay the hearing (Minn. R. 2911.2850).

505.5 PROTECTIVE CUSTODY

The corrections officer responsible for assigning classifications to incoming inmates shall clearly document the reason an inmate should be placed into protective custody. Inmates in need of protective custody may be placed into a segregation unit when there is documentation that the protective custody is warranted and segregation is the least restrictive alternative reasonably available.

Inmates who are in protective custody shall receive all services and programs that are available to inmates in general population and that are deemed a privilege. Any deviation from allowing usually authorized items or activities shall be documented on the inmate's file (Minn. R. 2911.2800).

505.6 MAINTENANCE OF PROGRAMS AND SERVICES

Inmates who are classified for administrative segregation or protective custody shall, at a minimum, be allowed access to programs and services including but not limited to the following:

- Inmate telephones.
- Visitation.
- Educational programming appropriate to the inmate classification.
- Commissary services.
- Library and law library services.
- Social services.
- Faith-based guidance, counseling, and religious services.
- Recreation activities and exercise.
- Social and professional visits.

Nothing in this policy prohibits changing the delivery of programs or services to segregated inmates when reasonably necessary to provide for the safety and security of other inmates and staff.

505.7 REVIEW OF STATUS

The Shift Supervisor or the classification officer shall review the status of all inmates who are assigned to administrative segregation units and designated for administrative segregation or protective custody. This review shall occur every seven days and should include a visit from the Jail Administrator or the authorized designee, specify the review process used to release the inmate, and be documented in the inmate's file (Minn. R. 2911.2800, Subp. 4). The review should include information about these inmates to determine whether their status in administrative segregation and protective custody is still warranted.

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If other reasonable housing options exist that will provide for the safety of the inmate and the facility, the inmate should be moved out of administrative segregation. In reviewing an alternative housing decision for an inmate in protective custody, the safety of the inmate should receive the utmost consideration.

505.8 HEALTH EVALUATION REQUIREMENTS

After notification from staff that an inmate is being placed into segregation, the Shift Supervisor shall ensure that the following occurs:

- (a) A qualified health care professional shall assess the inmate's health care needs and coordinate the appropriate housing assignment.
- (b) If contraindications or special accommodations are noted, the qualified health care professional shall inform the Shift Supervisor and coordinate the appropriate plan for the inmate based on the safety needs of the facility and the medical needs of the inmate.

505.8.1 HEALTH CONSIDERATIONS

Due to the possibility of self-inflicted injury and depression during periods of segregation, health evaluations should include notations of any bruises and other trauma markings and the qualified health care professional's comments regarding the inmate's attitude and outlook.

- (a) Unless medical attention is needed more frequently, each inmate in administrative segregation should receive a daily visit by medical staff. A medical assessment should be documented in the inmate's medical file.
- (b) A qualified health care professional shall also conduct weekly mental health evaluations.

When an inmate is classified as a special management inmate due to the presence of a serious mental illness and is placed in administrative segregation setting, the staff shall document this in the inmate's file and notify the qualified health care professional. When an inmate is expected to remain administrative in segregation for more than 30 days, the qualified health care professional shall be notified.

Where reasonably practicable a qualified health care professional should provide screening for suicide risk during the three days following admission to the administrative segregation unit.

505.9 WELL-BEING CHECKS

A staff member shall conduct a personal observation well-being check of all special management inmates, including those classified as administrative segregation or housed in protective custody, at least every 30 minutes on an irregular schedule. Inmates who are violent, have mental health problems, or who demonstrate behavior that is easily identified as out of the ordinary or bizarre in nature should be personally observed by the staff every 15 minutes on an irregular schedule (Minn. R. 2911.5000, Subp. 5).

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Inmates who are at risk of suicide shall be under continuous observation until seen by a qualified health care professional. Subsequent supervision routines should be in accordance with orders provided by the qualified health care professional.

Special management inmates shall receive increased monitoring to include, at a minimum:

- (a) A daily visit by the Jail Administrator or the authorized designee.
- (b) Visits by members of the program staff, upon request.

All management, program staff, and qualified health care professional visits shall be documented in the appropriate records and logs and retained in accordance with established records retention schedules.

505.10 LOG PROCEDURES

Handwritten logs should be completed in ink. Once an entry is made it should not be modified. If corrections or changes are needed, they should be done by way of a supplemental entry. Electronically captured logs will be maintained in a way that prevents entries from being deleted or modified once they are entered. Corrections or changes must be done by way of supplemental entries. At a minimum the log will contain the following:

- Inmate name
- Inmate booking number
- Housing location
- Classification status
- Date and time initially housed
- Date and time of entry and exit from the cell
- Reason for the special housing
- Anticipated time of removal
- Medical, psychological, or behavioral considerations
- Counseling for behavior
- Removal date and time from special housing

Log entries should be legible, entered promptly, and provide sufficient detail to adequately reflect the events of the day for future reference.

The date and time of the observation or incident and the name and identification number of the staff member making the log entry shall be included on each entry.

Supervisors should review the logs frequently during the shift and enter comments as appropriate. At a minimum, supervisors should enter the date and time of each review.

All well-being checks will be documented in detail and should include the exact time of the well-being check and the identification information of the employee conducting the check. All

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documentation will be gathered and provided to the Shift Supervisor or the Jail Administrator at midnight each day.

505.10.1 LOG INSPECTION AND ARCHIVAL OF LOGS

The Shift Supervisor shall review and evaluate the logs and pass any significant incidents via the chain of command to jail administration for review.

The logs will be retained by the Office in accordance with established records retention schedules, but in no case less than one year.

Management of Weapons and Control Devices

506.1 PURPOSE AND SCOPE

This policy will address the availability and control of weapons.

506.2 POLICY

It is the policy of the Beltrami County Sheriff's Office that the presence and the use of weapons in the jail will be tightly controlled and supervised to reduce the potential for injury. Staff will only carry and use those weapons for which they have been trained in and are qualified to use.

506.3 FIREARMS

With the exception described below, armed personnel shall secure all firearms in gun lockers located at the entry points prior to entering the secure perimeter. Firearms shall not be stored inside the secure perimeter at any time (Minn. R. 2911.4950). If it is necessary to load or unload a firearm, personnel shall use the clearing barrels located outside of the facility's secure perimeter to facilitate the safe loading and unloading of firearms.

Firearms shall only be allowed in the secure perimeter of the facility when it is necessary to protect the safety and security of staff, inmates, contractors, volunteers or the public.

Firearms shall only be allowed inside the secure perimeter with the approval of the Jail Administrator or the authorized designee and under the direct supervision of a supervisor.

506.4 OTHER WEAPONS, TOOLS AND CHEMICAL AGENTS

Office-approved weapons, tools and chemical agents, including, but not limited to, pepper projectiles, batons, TASER devices, impact weapons, weapon-fired projectiles, noise/flash distraction devices, sting grenades and similar devices, may be possessed and used only by custody staff members who have received office-authorized training and are qualified to use them.

Office-approved weapons, tools and chemical agents shall only be allowed inside the secure perimeter with the approval of the Jail Administrator or the authorized designee.

506.5 STORAGE OF WEAPONS, CHEMICAL AGENTS AND CONTROL DEVICES

The following equipment shall be stored in a secured area:

- (a) All office-approved weapons
- (b) All office-approved control devices and associated supplies
- (c) All security equipment, such as helmets, face shields, stab or protective vests and handheld shields
- (d) All office-approved chemical agents

506.5.1 WEAPONS LOCKER

There shall be a secure weapons locker located outside of the secure perimeter of the jail (Minn. R. 2911.4950).

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Management of Weapons and Control Devices

506.5.2 INVENTORY

The Jail Administrator should designate one or more properly trained staff to be responsible for maintaining all weapons, chemical agents and control devices in a safe and secure manner, and to inventory and report the condition and availability of the facility's weapons and control devices on a monthly basis (Minn. R. 2911.4950).

To facilitate the inventory, all weapons, chemical agents and control devices shall be stored in assigned locations. A log sheet shall be maintained detailing the exact location of each item. The removal of any weapon, chemical agent or control device shall be documented on the log sheet, showing who removed the item, the date and time of removal and the reason for removal. An additional log entry shall be made indicating the date and time of the item's return.

The Shift Supervisor and the Jail Administrator shall be immediately notified in the event that any weapon, chemical agent or control device is determined to be missing. An immediate and thorough search of the facility shall take place in order to locate the item.

506.5.3 REVIEW, INSPECTION AND APPROVAL

Every control device and chemical agent will be inspected monthly for serviceability and expiration dates by the authorized designee or the instructor designated to train on the use of a particular control device or chemical agent. The authorized designee or the designated instructor is responsible to ensure replacement of outdated or unserviceable items (Minn. R. 2911.5600, Subp. 6).

Inmate Classification

507.1 PURPOSE AND SCOPE

This policy describes the Beltrami County Sheriff's Office's classification process, which is designed to identify security and health issues so that inmates may be held in such a way as to foster a safe and secure facility.

507.1.1 DEFINITIONS

Definitions related to this policy include:

Civil detainee - Any person held in custody for a reason other than for criminal matters.

507.2 POLICY

It is the policy of this office to process all arrestees and detainees entering this facility to determine whether they will be housed in the facility, cited and released, released on their own recognizance (O.R.) or bail, or released back to the community through an appropriate release mechanism, including alternatives to incarceration programs, such as electronic supervision.

Anyone housed in the facility shall be properly classified according to security and health risks so that appropriate supervision, temporary holding and housing assignments may be made.

507.3 CLASSIFICATION PLAN

The Jail Administrator or authorized designee should create and maintain a classification plan to guide staff in the processing of individuals brought into the facility.

The plan should include an initial screening process, as well as a process for determining appropriate housing assignments (28 CFR 115.42). The plan should include use of an objective screening instrument, procedures for making decisions about classification and housing assignments, intake and housing forms and a process to ensure that all classification and housing records are maintained in each inmate's permanent file. The plan should include an evaluation of the following criteria (Minn. R. 2911.2500; Minn. R. 2911.2600):

- Age
- Gender
- Current charges
- Behavior during arrest and intake process
- Criminal and incarceration history, including disciplinary history
- Emotional and mental condition
- Potential risk of safety to others or self
- Special management inmate status
- Special needs assessment for vulnerable inmates

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- Behavioral or physical limitations or disabilities
- Medical condition
- Level of sobriety at booking
- Suicidal ideation
- Escape history and degree of escape risk
- Prior assaultive or violent behavior
- The need to be separated from other classifications of inmates (e.g., juvenile offenders gang affiliation, confidential informant, former law enforcement, sexual orientation)
- Prior convictions for sex offenses against an adult or child
- Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex or gender non-conforming (see Prison Rape Elimination Act Policy for transgender and intersex definitions)
- Previous sexual victimization
- The inmate's own perception of his/her vulnerability
- Whether the inmate is detained solely for civil immigration purposes
- Whether the inmate is a foreign national and if so from what country (see Foreign Nationals and Diplomats Policy)
- Prior acts of sexual abuse, prior convictions for violent offenses and history of prior institutional violence or sexual abuse, as known to the Office (28 CFR 115.41)
- Any other criteria as deemed appropriate by the Sheriff or the authorized designee

The plan should include a methodology for evaluating the classification process and a periodic review for the purpose of continuous quality improvement.

Information obtained in response to screening questions shall be considered confidential and shall only be made available to those who have a legitimate need to know (28 CFR 115.41).

507.3.1 INMATE RESPONSE TO SCREENING

Inmates may not be compelled by threat of discipline to provide information or answers regarding (28 CFR 115.41):

- (a) Whether the inmate has a mental, physical or developmental disability.
- (b) Whether the inmate is or is perceived to be gay, lesbian, bisexual, transgender, intersex, or gender nonconforming.
- (c) Whether the inmate has previously experienced sexual victimization.
- (d) The inmate's own perception of vulnerability.

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507.4 INITIAL CLASSIFICATION

The initial classification process is intended to identify predatory, violent and at-risk inmates. It should occur early in the intake process to allow for appropriate supervision while an inmate is being temporarily held in this facility and until a decision is made to place the individual into a more permanent housing assignment.

Inmates should be interviewed by an intake corrections officer as soon as possible in the booking process. The intake corrections officer shall complete the initial classification form. The initial classification will determine whether the inmate will be housed temporarily or permanently. The recommendation will be documented on the initial classification form. This recommendation will be based on the initial classification, an assessment of the inmate's condition and the inmate's interview.

The Initial classification form shall be saved in the inmate's file. The intake corrections officer, will, within the limits of available resources, determine the appropriate temporary housing location. Jail medical will review initial classification forms routinely.

507.5 CLASSIFICATION EVALUATION FOR HOUSING PURPOSES

Once it has been determined that the person arrested will not be released from custody on bail or ROR, or RPR, and can complete the booking process, a more in-depth classification of the inmate will be conducted as soon as possible after the inmate's arrival at the facility, after which the inmate will be moved to more permanent housing.

507.5.1 INTERVIEW

The comprehensive classification process begins with a review of any initial classification information obtained during the reception and booking process, as well as an interview by the classification corrections officer. The review of initial classification documents and the questions, answers and observations from the inmate's interview will be documented and numerically scored, representing the security level and housing assignment appropriate for each inmate.

Individualized determinations shall be made about how to ensure the safety of each inmate (28 CFR 115.42).

507.5.2 OVERRIDE

The shift supervisor has the authority to override classification when it appears necessary to more appropriately assign housing. The override capability exists to use the officer's training and expertise in those instances when the re-classification of an inmate is necessary and the classification of the inmate is not reflective of the inmate's potential security or health risk. All overrides will be reviewed and documented by a supervisor and are intended to be an exception rather than the rule.

Inmates who have an identified history of sexual victimization shall be offered a meeting with a qualified health care or mental health professional within 14 days of screening (28 CFR 115.81).

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507.6 REVIEWS AND APPEALS

Once an inmate is classified and housed, he/she may appeal the decision. (Minn. R. 2911.2600). The appeal process shall begin at the first-line supervisor level. The decision by the supervisor may be appealed to the Jail Administrator or the authorized designee. The decision by the Jail Administrator or the authorized designee is final.

507.6.1 PERIODIC CLASSIFICATION REVIEWS

Corrections staff will continually review the status of all inmates who have been incarcerated in the facility for more than 30 days. Reviews will occur daily, weekly and periodically, by corrections staff, supervisors, medical staff, program staff and administration. The reviews/observations will examine changes in the inmate's behavior or circumstances and should either raise, lower or maintain the classification status.

Housing and program assignments for each transgender or intersex inmate shall be reassessed at least twice each year to review any threats experienced by the inmate (28 CFR 115.42).

507.6.2 STAFF REQUESTED REVIEW

At any point during an inmate's incarceration, a staff member may review an inmate's classification. The reason for the review, the review itself and the outcome of the review shall be documented in the inmate's permanent file. Nothing in this section shall prohibit staff from immediately moving an inmate to another location in the facility based on exigent circumstances. Under such circumstances, the staff member moving the inmate must immediately document the action. (Minn. R. 2911.2600).

507.7 HOUSING ASSIGNMENTS

Inmates should be housed based upon the following criteria (Minn. R. 2911.2500):

- Classification level
- Age
- Sex (males and females will be housed in separate units)
- Legal status (e.g., pretrial, sentenced)
- Special problems or needs
- Behavior
- Any other criteria identified by the Jail Administrator

507.8 CLASSIFICATION SPACE ALLOCATION

The classification plan depends on the ability of the facility to physically separate different classes of inmates (Minn. R. 2911.2500). To ensure that allocated space meets the current population needs, the Jail Administrator or the authorized designee should periodically meet with representatives of the corrections officers to discuss the fixed resources (e.g., cells, dorms, dayrooms).

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The Jail Administrator should report at least quarterly to the Sheriff on the ability of the facility to operate safely and securely and to perform its mission.

507.9 SINGLE-OCCUPANCY CELLS

Single-occupancy cells may be used to house the following categories of inmates:

- Maximum security
- Administrative segregation
- Medical condition or disabilities (upon consultation with medical staff and the availability of medical beds)
- Mental condition (upon consultation with mental health staff and the availability of mental health beds)
- Sexual predators
- Any inmate with an elevated risk of being taken advantage of, being mistreated or becoming a victim of sexual abuse or harassment
- Any other condition or status for single-occupancy housing

The classification supervisor shall notify the Jail Administrator or the authorized designee when single-occupancy cells are not available for housing the above described inmates. In such cases, a risk assessment shall be used to identify inmates in the above categories who may be safely housed together.

507.10 PRISON RAPE ELIMINATION ACT (PREA) CONSIDERATIONS

Housing, bed, work and program assignments should be made to separate inmates at high risk of being sexually victimized from those at high risk of being sexually abusive (28 CFR 115.42). Inmates identified as being at high risk for sexually aggressive behavior will be monitored and housed in an area that will minimize the risk to other inmates and staff. All inmates identified as being at risk of victimization shall be monitored and housed in an area to minimize the risk to their safety. However, inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of all available alternatives has been made and it has been determined that there is no available alternative means of separation from likely abusers (28 CFR 115.43; 28 CFR 115.68).

Housing and program assignments of transgender or intersex inmates shall include individualized consideration for the inmate's health and safety and any related supervisory, management or facility security concerns. A transgender or intersex inmate's views with respect to his/her own safety shall be given serious consideration.

Lesbian, gay, bisexual, transgender or intersex inmates shall not be placed in dedicated facilities, units or wings solely on the basis of such identification or status, unless such placement is pursuant to a consent decree, legal settlement or legal judgment (28 CFR 115.42).

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507.11 EDUCATION, WORK AND OTHER RELEASE

Unless an inmate is incarcerated for an offense for which release is prohibited by law or otherwise prohibited by court order, an inmate incarcerated in the jail may be released for a period reasonable and necessary for the following reasons:

- To seek or maintain employment
- To attend education classes
- To obtain medical treatment
- Any other reasonable purpose as determined by the Jail Administrator or the authorized designee

Education and work-release inmates who leave the secure perimeter of the jail to complete programs should be housed separately from inmates in general population (Minn. R. 2911.2500).

There should be no contact between the inmates in general population and those being authorized for education, work or other release. This is to minimize the risk of introducing contraband into the jail and to maintain facility security.

507.12 CLASS IV FACILITIES

No inmate may be detained or incarcerated in a Class IV facility without having completed a classification review by the Jail Administrator or the authorized designee of the Class IV facility's parent facility, who determines the inmate is appropriate to be classified as minimum security (Minn. R. 2911.2600).

507.13 STAFF TRAINING IN CLASSIFICATION

Corrections officers should receive training specific to inmate classification before being assigned primary classification duties. Individuals not specifically trained in inmate classification may work in classification provided that they are under the immediate supervision of a trained and qualified staff member.

Conducted Electrical Weapon/Taser Device

508.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the Conducted Electrical Weapon Technology device (CEWT), here forth referred to as a TASER device.

508.2 POLICY

The TASER device is intended to control a violent or potentially violent inmate, while minimizing the risk of serious injury. It is anticipated that the appropriate use of such a device should result in fewer serious injuries to custody staff and inmates.

Staff members who have completed office-approved training will be issued a TASER device, if available, at the beginning of each work assignment. The device will be carried as part of the corrections officer's duty equipment. Staff members shall only use the device consistent with this policy and the Use of Force Policy.

Staff shall only use the TASER device and cartridges that have been issued by the Office. The TASER device shall be maintained in a secure storage location (see the Management of Weapons and Control Devices Policy C 514).

- (a) Each TASER device shall be clearly and uniquely numbered.
- (b) Upon finishing the shift, each corrections officer shall turn in the device to the approved secure storage area or pass onto oncoming corrections officer.
- (c) At the beginning of each shift, the oncoming Shift Supervisor shall inventory all TASER devices.
- (d) Whenever reasonably practicable, corrections officers should carry two or more TASER cartridges on their person at all times when carrying a TASER device.
- (e) Corrections officers shall be responsible for ensuring that their issued TASER device is properly maintained and in good working order at all times. Corrections officers carrying a TASER device should perform a spark test on the unit prior to every shift.
- (f) The TASER device should be marked with a distinctive color or marking to distinguish it from any other device

508.3 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the TASER device should precede its application, unless it would otherwise endanger the safety of corrections officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the inmate with a reasonable opportunity to voluntarily comply.
- (b) Provide other corrections officers and inmates with a warning that a TASER device may be deployed.

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If, after a verbal warning, an inmate is unwilling to voluntarily comply with a corrections officer's lawful orders and it appears both reasonable and feasible under the circumstances, the corrections officer may, but is not required to, display the electrical arc (provided that a cartridge has not been loaded into the device or the laser in a further attempt to gain compliance prior to the application of the TASER device. The aiming laser should never be intentionally directed into the eyes of another as it may permanently impair his/her vision.

The fact that a verbal and/or other warning was given or the reasons it was not given shall be documented by the corrections officer deploying the device in the related report.

508.4 USE OF THE EMDT

As with any correctional equipment, the TASER device has limitations and restrictions requiring consideration before its use. The TASER device should only be used when its operator can safely approach the subject within the operational range of the device. Although the TASER device is generally effective in controlling most individuals, corrections officers should be aware that the device may not achieve the intended results and be prepared with other options.

508.4.1 APPLICATION OF THE EMDT

Authorized personnel may use the TASER device when circumstances perceived by the corrections officer at the time indicate that such application is reasonably necessary to control an inmate in any of the following circumstances:

- (a) The inmate is violent or is physically resisting.
- (b) The inmate has demonstrated, by words or action, an intention to be violent or to physically resist and reasonably appears to have the potential to harm corrections officers, him/herself or others.

508.4.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the TASER device should generally be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the corrections officer, the subject or others, and the corrections officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Inmates who are known to be pregnant.
- (b) Elderly inmates.
- (c) Inmates with obviously low body mass.
- (d) Inmates who are handcuffed or otherwise restrained.
- (e) Inmates who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Inmates whose position or activity may result in collateral injury (e.g., falls from height).

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Because the application of the TASER device in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode generally should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between the corrections officers and the subject, thereby giving corrections officers time and distance to consider force options or actions.

The TASER device shall not be used to torture, psychologically torment, elicit statements or to punish any inmate.

508.4.3 TARGETING CONSIDERATIONS

Reasonable efforts should be made to target lower center mass and avoid intentionally targeting the head, neck, chest and groin. If the dynamics of a situation or officer safety do not permit the corrections officer to limit the application of the TASER device probes to a precise target area, corrections officers should monitor the condition of the inmate if one or more probes strikes the head, neck, chest or groin until the inmate is released to the care of qualified medical personnel.

508.4.4 MULTIPLE APPLICATIONS OF THE EMDT

Corrections officers should apply a TASER device for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Multiple applications of the TASER device against a single individual are generally not recommended and should be avoided unless the corrections officer reasonably believes that the need to control the individual outweighs the potentially increased risk posed by multiple applications.

If the first application of the TASER device appears to be ineffective in gaining control of an inmate and if circumstances allow, the corrections officer should consider certain factors before additional applications of the device, including:

- (a) Whether the probes are making proper contact.
- (b) Whether the inmate has the ability and has been given a reasonable opportunity to comply.
- (c) Whether verbal commands, other options or tactics may be more effective.

Corrections officers should generally not intentionally apply more than one TASER device at a time against a single subject.

508.4.5 DOCUMENTATION

All TASER device discharges shall be documented in the related incident report. Notification shall be made to a supervisor in compliance with the office Use of Force Policy. Unintentional discharges, pointing the device at a person, laser activation and arcing of a TASER device will also be documented in an incident report form. Any report documenting the discharge of a TASER device cartridge will include the cartridge serial number and an explanation of the circumstances surrounding the discharge.

The onboard TASER device memory will be downloaded through the data port by a supervisor or Rangemaster and saved with the related incident report. Photographs of probe sites should be

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taken, confetti tags should be collected and the expended cartridge along with both probes and wire should be submitted into evidence for future reference by the corrections officer collecting the cartridge. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "biohazard" if the probes penetrated the inmate's skin.

The corrections officer should include the following in the incident report:

- (a) Identification of all personnel firing TASER devices.
- (b) Identification of all witnesses.
- (c) Medical care provided to the inmate.
- (d) Observations of the inmate's physical and physiological actions.
- (e) Any known or suspected drug use, intoxication or other medical problems.

The office should periodically analyze the report forms to identify trends, including deterrence and effectiveness. Jail administration should also conduct audits of data downloads and reconcile TASER device incident reports with recorded activations.

508.4.6 TASER® CAM™

The TASER device may be equipped with a TASER Cam™, which is an audio-video recording device integrated into the power supply. The TASER Cam is activated anytime the safety is in the off position. The safety should not be in the off position unless the corrections officer intends to use the device and the guidelines established in this policy are met. Anytime the TASER Cam is activated, the video and audio data should be downloaded in accordance with office evidence procedures and referenced in any related report. All video and audio not booked as evidence will be retained for the period required by established records retention schedules.

508.5 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, appropriate medical personnel or a trained Deputy or Corrections Officer should remove TASER device probes from a person's body. Used TASER device probes shall be considered a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken accordingly.

All inmates who have been struck by TASER device probes or who have been subjected to the electric discharge of the device shall be medically assessed prior to continued processing or housing. Additionally, any inmate who falls under any of the following categories should, as soon as reasonably practicable, be examined by qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.

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- (d) The TASER device probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Persons who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple corrections officers to be brought under control, may be at an increased risk of sudden death and should be examined by qualified medical personnel as soon as reasonably practicable. Any individual exhibiting signs of distress after such an encounter shall be medically cleared.

Any inmate exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be promptly examined by qualified medical personnel or medically evaluated.

If any individual refuses medical attention, such a refusal should be witnessed by another corrections officer and/or medical personnel and shall be fully documented in related reports.

If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

508.6 TRAINING

Personnel who are authorized to carry the TASER device shall be permitted to do so only after successfully completing the initial office-approved training. Any personnel who have not carried a TASER device as a part of their assignment for a period of six months or more shall be recertified by an office-approved TASER device instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued TASER devices should occur every year. A reassessment of a corrections officer's knowledge and/or practical skill may be required at any time if deemed appropriate by the Training Officer. All training and proficiency for TASER devices will be documented in the corrections officer's training file.

Command staff and supervisors should receive TASER device training as appropriate for the investigations they conduct and review.

Corrections officers who do not carry TASER devices should receive training that is sufficient to familiarize them with the device and with working with corrections officers who use the device.

The Training Officer is responsible for ensuring that all members who carry TASER devices have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of TASER devices during training could result in injury to personnel and should not be mandatory for certification.

The Training Officer should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.

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- (c) Target area considerations, including techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (d) Handcuffing a subject during the application of a TASER device and transitioning to other force options.
- (e) De-escalation techniques.

508.6.1 TESTING

All training delivered to the staff should include testing to document that the employee understands the subject matter presented.

Control of Inmate Movement

509.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for the safe and secure movement of inmates between areas within the facility and transportation from the facility to court, medical appointments or other jurisdictions.

509.2 POLICY

The staff should be vigilant in the control and movement of inmates between areas within the facility and when transporting inmates outside the secure confines of the facility. Control may be by direct or indirect visual observation. All staff should consider all inmate movement as a high-risk activity. The staff should be aware of their surroundings at all times and take necessary steps to prevent the possession and exchange of contraband.

509.3 MOVEMENT OF INMATES

All perimeter entrances, control room doors and cellblock doors will be kept locked at all times except when used for admission or exit of employees, inmates or visitors, or in the case of an emergency.

Movement of one or more inmates in the facility should be done in an orderly manner with inmates walking in a single-file line. Staff members should have situational awareness during the movement of inmates and should consider the design of the facility, areas of poor visibility and the presence of other inmates being moved. The staff should avoid areas where inmates may have access to contraband items.

Inmates should be restrained during movement based upon individual security classification, with higher risk inmates in four-point restraints. An exception to this procedure is when an inmate has a physical disability where restraint devices may cause serious injury. Pregnant inmates shall be moved in accordance with the Use of Restraints Policy.

Whenever a high-security inmate is not able to be restrained the staff should compensate by utilizing wheelchairs and should secure the inmate to the chair. It may also be necessary to increase the number of staff present to ensure the safe movement of high-security inmates.

The staff should be watchful in and around passageways and ensure that sallyport doors are secured to prevent escape.

Use of Force

510.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this office is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner (Minn. Stat. § 626.8452).

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Conducted Energy Device, Use of Restraints, and Electronic Restraints policies.

510.1.1 DEFINITIONS

Definitions related to this policy include:

Bodily harm - Physical pain or injury.

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of death or great bodily harm.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the corrections officer or another person.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Force team technique - The force team technique ordinarily involves trained corrections officers clothed in protective gear who enter the inmate's area in tandem, each with a specific task, to achieve immediate control of the inmate.

Great bodily harm - Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ, or other serious bodily harm.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

Totality of the circumstances - All facts and circumstances known to the corrections officer at the time, taken as a whole, including the conduct of the corrections officer and the individual leading up to the use of force.

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510.2 POLICY

The use of force is a matter of critical concern, both to the public and to the public safety community. Corrections officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Corrections officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of public safety duties.

The Beltrami County Sheriff's Office recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting corrections officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

510.3 USE OF FORCE

Corrections officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the corrections officer at the time of the event to accomplish a legitimate government purpose such as to gain control of the individual; protect and ensure the safety of inmates, members, and others; prevent serious property damage; prevent escape; obtain compliance with facility rules and member orders; or ensure the institution's security and good order.

The reasonableness of force will be judged from the perspective of a reasonable corrections officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that corrections officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain, and rapidly evolving.

Given that no policy can realistically predict every possible situation a corrections officer might encounter, corrections officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which [officers_deputies] reasonably believe that it would be impractical or ineffective to use any of the tools, weapons, or methods provided by this office. Corrections officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate government purpose.

While the ultimate objective of every encounter is to avoid or minimize injury, nothing in this policy requires a corrections officer to retreat or be exposed to possible physical injury before applying reasonable force.

Force shall never be used as punishment.

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510.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether a corrections officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to corrections officers or others.
- (b) The conduct of the individual being confronted, as reasonably perceived by the corrections officer at the time.
- (c) Corrections officer/individual factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of corrections officers available vs. individuals).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with corrections officer commands.
- (g) The proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness (Minn. Stat. § 626.8452).
- (j) The seriousness of the suspected offense or reason for contact with the individual.
- (k) The training and experience of the corrections officer.
- (l) The potential for injury to corrections officers, inmates, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the corrections officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation to maintain or restore order.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the corrections officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

510.3.2 DUTY TO INTERCEDE AND REPORT

Any corrections officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force (Minn. Stat. § 626.8452; Minn. Stat. § 626.8475).

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Any corrections officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances shall report these observations to a supervisor, as soon as feasible (Minn. Stat. § 626.8452; Minn. Stat. § 626.8475).

510.3.3 ALTERNATIVE TACTICS - DE-ESCALATION

When circumstances reasonably permit, corrections officers should use nonviolent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

510.3.4 ADDITIONAL REQUIREMENTS

A corrections officer reporting a use of force by another law enforcement officer or member pursuant to this policy shall also make the report in writing to the Jail Administrator within 24 hours (Minn. Stat. § 626.8475).

510.3.5 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each corrections officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

510.3.6 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Corrections officers may only apply those pain compliance techniques for which they have successfully completed office-approved training. Corrections officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the corrections officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the corrections officer determines that compliance has been achieved.

510.3.7 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries (Minn. Stat. § 609.06, Subd. 3). The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and is subject to the following (Minn. Stat. § 609.06; Minn. Stat. § 609.066):

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- (a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
- (b) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
- (c) The corrections officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.
- (d) Any corrections officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the carotid control hold shall be thoroughly documented by the corrections officer in any related reports.

510.3.8 STATE RESTRICTIONS ON THE USE OF OTHER RESTRAINTS

Corrections officers may not use any of the following restraints unless the use of deadly force is authorized (Minn. Stat. § 609.06; Minn. Stat. § 609.066):

- (a) A chokehold. For purposes of this policy, a chokehold only refers to the method of applying sufficient pressure to an individual to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air.
 - 1. If applied, a chokehold is subject to the same guidelines and requirements as a carotid control hold.
- (b) Tying all of an individual's limbs together behind the person's back to render the person immobile.
- (c) Securing an individual in any way that results in transporting the person face down in a vehicle.

510.3.9 USE OF FORCE TO SEIZE EVIDENCE

In general, corrections officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, corrections officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, corrections officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration, or creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Corrections officers are encouraged to use techniques and methods taught by the Beltrami County Sheriff's Office for this specific purpose.

510.4 USE OF OTHER WEAPONS, TOOLS, AND CHEMICAL AGENTS ON INMATES

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510.4.1 CAROTID CONTROL

The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is subject to the following:

- (a) The corrections officer shall have successfully completed office-approved training in the use and application of the carotid control hold.
- (b) The carotid control hold may only be used when the use of deadly force is justified.
- (c) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until examined by paramedics or other appropriate medical personnel.
- (d) The corrections officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the subject lost consciousness as a result.
- (e) Any corrections officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (f) The use or attempted use of the carotid control hold shall be thoroughly documented by the corrections officer in any related reports.

510.4.2 NOISE/FLASH DISTRACTION DEVICES

Noise/flash distraction devices, sting grenades, chemical grenades, and similar devices shall be used only at the direction of a supervisor and only by corrections officers who have been trained in and are qualified for the use of the devices.

510.4.3 ELECTRONIC CONTROL DEVICES

The use of the TASER® device shall be in accordance with the office's Conducted Energy Device Policy.

The use of other electronic devices, such as stun cuffs, stun vests, and stun belts, shall be used in accordance with the office's Electronic Restraints Policy.

510.4.4 CHEMICAL AGENTS

Chemical agents shall only be used in the facility as authorized by the Jail Administrator or the authorized designee and in accordance with the office's Chemical Agents Policy. Oleoresin capsicum (OC) spray should not be used in the medical unit or other designated areas where inmates are assigned to respiratory isolation or on any inmate who is under control with or without restraints.

Inmates who have been affected by the use of chemical agents should be promptly provided with the proper solution to decontaminate the affected areas.

If the inmate refuses to decontaminate, such a refusal shall be documented. If an inmate has been exposed in a cell and not removed from the cell where the exposure occurred, in-cell decontamination shall be afforded to the inmate, including:

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- (a) Health-trained custody member advising the inmate how to decontaminate in the cell.
- (b) Clean clothing if the inmate's clothing was contaminated.
- (c) Monitoring of the in-cell inmate at least every 15 minutes on an irregular schedule, for a period of not less than 45 minutes, by health-trained custody member.

510.4.5 PROJECTILE CHEMICAL AGENTS

Pepper projectile systems are plastic spheres filled with a derivative of OC powder. A compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact, releasing the OC powder. The potential exists for the projectiles to inflict injury if they strike the head, neck, spine, or groin. Therefore, personnel deploying the pepper projectile system should not intentionally target those areas except when the corrections officer reasonably believes the inmate may cause serious bodily injury or death to the corrections officer or others. The use of the pepper projectile system is subject to the following requirements:

- (a) Office-approved projectile chemical agents may only be used by corrections officers who have received office-authorized training in their use.
- (b) Corrections officers encountering a situation that requires the use of the pepper projectile system shall notify a supervisor as soon as practicable. The supervisor shall respond to all such deployments. The supervisor shall ensure that all notifications and reports are completed as required by this policy.

Each deployment of a pepper projectile system shall be documented and, if reasonably practicable, recorded on video. This includes situations where the launcher was directed toward the inmate, regardless of whether the launcher was used. Only non-incident deployments are exempt from the reporting requirement (e.g., training, product demonstrations).

510.4.6 IMPACT WEAPONS

The need to immediately incapacitate the inmate must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted with an impact weapon, except when the corrections officer reasonably believes the inmate may cause serious bodily injury or death to the corrections officer or others.

510.4.7 KINETIC ENERGY PROJECTILES

Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used by a trained and qualified member in an attempt to de-escalate a potentially deadly situation.

510.5 IMMEDIATE AND CALCULATED USE OF FORCE

An immediate use of force occurs when force is used to respond without delay to a situation or circumstance that constitutes an imminent threat to security or safety. For example, the immediate or unplanned use of force by a corrections officer may be necessary to stop an inmate from inflicting life-threatening injuries to him/herself or to stop an assault on any other person, including other inmates.

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The destruction of government property may require the immediate use of force by a corrections officer in some circumstances. A verbal warning should be given before an immediate use of force unless the circumstances preclude it.

If there is no need for immediate action, corrections officers should attempt to resolve the situation through voluntary compliance or, if it reasonably appears necessary, the calculated use of force. A calculated use of force is called for when an inmate's presence or conduct poses a threat to safety or security and the inmate is located in an area that can be controlled or isolated, or when time and circumstances permit advance planning, staffing, and organization.

The assistance of available non-custodial members (e.g., psychologists, counselors) should be considered when attempting to resolve a situation without confrontation.

A supervisor shall be present in any situation involving the calculated use of force. The supervisor shall notify the Jail Administrator or the authorized designee for approval and consultation prior to any calculated use of force action.

510.5.1 CONFRONTATION AVOIDANCE PROCEDURES

Prior to any calculated use of force, the supervisor shall confer with the appropriate persons to gather pertinent information about the inmate and the immediate situation. Based on the supervisor's assessment of the available information, the supervisor should direct the corrections officers to attempt to obtain the inmate's voluntary cooperation and consider other available options before determining whether force is necessary.

The supervisor should consider including the following persons and resources in the process:

- (a) Mental health specialist
- (b) Qualified health care professional
- (c) Chaplain
- (d) Office Records
- (e) Any other relevant resources

Regardless of whether discussions with any of the above resources are accomplished by telephone or in person, the purpose is to gather information to assist in developing a plan of action, such as the inmate's medical/mental history (e.g., asthma or other breathing-related illness, hypoglycemia, diabetes), any recent incident reports, or situations that may be contributing to the inmate's present condition (e.g., pending criminal prosecution or sentencing, recent death of a loved one, divorce). The assessment should include discussions with members who are familiar with the inmate's background or present status. This may provide insight into the cause of the inmate's immediate agitation. It also may identify other members who have a rapport with the inmate and could possibly resolve the incident peacefully, without the use of force.

If force is determined to be necessary and other means of gaining control of an inmate are deemed inappropriate or ineffective, then the force team technique should be used to control the inmate and to apply restraints, if required.

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Consideration should also be given to preventing exposure to communicable diseases in calculated use of force situations, and to ensuring that medical services personnel are available.

510.6 REPORTING THE USE OF FORCE

Every member use of force is an incident that shall be reported on the appropriate form.

The documentation will reflect the actions and responses of each member participating in the incident, as witnessed by the reporting member.

The report should include:

- (a) A clear, detailed description of the incident, including any application of weapons or restraints.
- (b) The identity of all individuals involved in the incident (e.g., inmates, members, others).
- (c) The corrections officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.
- (d) Efforts made to temper the severity of a forceful response, and if there were none, the reasons why.
- (e) Description of any injuries to anyone involved in the incident, including the result of any medical checks that show the presence or absence of injury.

Any member directly observing the incident shall make a verbal report to a supervisor as soon as practicable and include as much of the aforementioned information as is known by the member.

Members shall submit the appropriate documentation prior to going off-duty, unless directed otherwise by a supervisor (Minn. R. 2911.4950, Subp. 1).

A video recording is required for all calculated use of force incidents and should include the introduction of all members participating in the process. The recording and documentation will be part of the investigation package. The supervisor should ensure the recording is properly processed for retention and a copy is forwarded with the report to the Jail Administrator within three working days.

The supervisor responsible for gathering the reports may allow a reasonable delay in preparation of a report in consideration of the immediate psychological and/or physical condition of the involved member.

The Shift Supervisor shall promptly notify the Jail Administrator of any incident involving a member employing deadly force, or any incident where a death or serious bodily injury may have been caused by a member.

510.6.1 STATE REPORTING REQUIREMENTS

The Jail Administrator shall provide for the filing of a report with the Bureau of Criminal Apprehension (BCA) on a monthly basis and in the form required by BCA (Minn. Stat. § 626.5534).

There may be additional reporting requirements regarding misconduct (see the Standards of Conduct Policy) (Minn. Stat. § 626.8457).

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510.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported use of force, the supervisor is expected to:

- (a) Ensure a crime scene is established to preserve and protect evidence, if appropriate.
- (b) Ensure that the chain of command is notified and that all necessary health and safety and security measures are initiated.
- (c) Obtain the basic facts from the involved members. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (d) Ensure that the appropriate investigation authority is notified, if appropriate.
- (e) Ensure that any parties involved in a use of force situation are examined by medical staff, regardless of whether any injuries are reported or detectable, and afforded medical treatment as appropriate.
- (f) When possible, separately obtain a recorded interview with all individuals upon whom force was used. If this interview is conducted without the person having voluntarily waived his/her *Miranda* rights, the following shall apply:
 - 1. The content of the interview should not be summarized or included in any related criminal charges.
 - 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 - 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (g) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 - 1. These photographs should be retained until all potential for civil litigation has expired.
- (h) Identify any witnesses not already included in related reports.
- (i) Review and approve all related reports.
- (j) Determine if there is any indication that the individual may pursue civil litigation.
 - 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
- (k) Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving a reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

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510.8 USE OF DEADLY FORCE

When reasonable, the corrections officer shall, prior to the use of deadly force, warn that deadly force may be used, unless the corrections officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified only if an objectively reasonable corrections officer would believe, based on the totality of the circumstances known to the corrections officer at the time and without the benefit of hindsight, that such force is necessary (Minn. Stat. § 609.066):

- (a) To protect the corrections officer or another from death or great bodily harm.
- (b) To effect the arrest or capture, or prevent the escape, of an individual whom the corrections officer knows or has reasonable grounds to believe has committed or attempted to commit a felony and the corrections officer reasonably believes that the person will cause death or great bodily harm to another person unless immediately apprehended.

In both scenarios, the use of deadly force is only authorized provided that the threat (Minn. Stat. § 609.066):

- Can be articulated with specificity.
- Is reasonably likely to occur absent action by the corrections officer.
- Must be addressed through the use of deadly force without unreasonable delay.

A corrections officer shall not use deadly force against an individual based on the danger the individual poses to self unless the use of deadly force is justified (Minn. Stat. § 609.066).

510.9 USE OF FORCE REVIEW

The Shift Supervisor shall review all related reports of use of force incidents occurring on his/her command, unless the Shift Supervisor is the primary officer. If and when the Shift Supervisor is the primary officer the review will go to the next Shift Supervisor for a peer review to be conducted. The review is to determine whether the use of force was in compliance with policy, procedure, and applicable law, and to determine if follow-up action or investigation is necessary. The Shift Supervisor should also ensure that a review packet containing a copy of all pertinent reports and materials is prepared and forwarded to the Use of Force Review Committee.

510.9.1 USE OF FORCE REVIEW COMMITTEE

The review committee shall meet and review all use of force cases within 30 days of the incident. It is the responsibility of the Shift Supervisor to ensure these meetings occur. The committee will comprise the following members:

- (a) The Jail Administrator
- (b) One supervisor assigned on a rotational basis
- (c) The Training Unit
- (d) One qualified health care professional
- (e) A corrections officer with advanced use of force training

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- (f) Other members as selected by the Sheriff

The committee should render a single finding as to whether the use of force was within policy. Any recommendations for areas identified as needing training, changes in policy, or further investigation into incidents that may lead to employee discipline shall be addressed in a separate memorandum to the Training Officer and/or the Investigation Division, as appropriate.

510.10 TRAINING

The Jail Administrator shall work with the Training Officer to ensure legal and facility training mandates are met. This training shall include the following:

- (a) Use of force
- (b) Weapons training
- (c) Self-defense
- (d) Confrontation avoidance procedures:
 1. Communication techniques
 2. De-escalation techniques
 3. Dealing with the mentally ill
 4. Application of restraints
- (e) Forced cell extraction techniques
- (f) Force team techniques
- (g) General restraint training (soft and hard restraints)
- (h) Reporting procedures

510.10.1 TRAINING FOR CONTROL DEVICES

The Training Officer shall ensure that all personnel who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified, as necessary.

- (a) Proficiency training shall be monitored and documented by a certified control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the corrections officer's training file.
- (c) Corrections officers who fail to demonstrate proficiency with the control device or knowledge of this policy will be restricted from carrying the control device until demonstrating proficiency. If a corrections officer cannot demonstrate proficiency with a control device or knowledge of this policy after remedial training, the corrections officer may be subject to discipline.

510.10.2 PERIODIC TRAINING

Supervisors should conduct and document regular periodic briefings concerning this policy and the storage and use of weapons and control devices. Any test sheets or documentation of

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performance should be forwarded to the Training Officer to be included in the corrections officer's training file.

510.10.3 PROHIBITED TRAINING

Warrior-style training, as defined in Minn. Stat. § 626.8434, whether provided directly by the Office or through a third party, is prohibited (Minn. Stat. § 626.8434).

510.11 POLICY REVIEW

The Jail Administrator or the authorized designee should annually review and update this policy to reflect developing practices and procedures.

Use of Restraints

511.1 PURPOSE AND SCOPE

This policy establishes guidelines for the application, supervisory oversight and restrictions on the use of restraints on persons incarcerated in this facility.

This policy shall apply to the use of specific types of restraints, such as four/five-point restraints, restraint chairs, ambulatory restraints and similar restraint systems, as well as all other restraints, including handcuffs, waist chains and leg irons when such restraints are used to restrain any inmate for prolonged periods.

511.1.1 DEFINITIONS

Definitions related to this policy include:

Clinical restraints - Restraints applied when an inmate's disruptive, assaultive and/or self-injurious behavior is related to a medical or mental illness. Clinical restraints can include leather, rubber or canvas hand and leg restraints with contact points on a specialized bed (four/five-point restraints) or a portable restraint chair.

Custody restraints - Include steel handcuffs and leg restraints, polyurethane or nylon soft restraints, waist restraints and chair restraints, applied to control an inmate who is assaultive, engaging in self-injurious behavior or attempting to damage property.

Therapeutic seclusion - Segregated confinement of an agitated, vulnerable and/or severely anxious inmate with a serious mental illness as part of his/her treatment when clinically indicated for preventive therapeutic purposes.

511.2 POLICY

It is the policy of this office that restraints shall be used only to prevent self-injury, injury to others or property damage. Restraints may also be applied according to inmate classification, such as maximum security, to control the behavior of a high-risk inmate while he/she is being moved outside the cell or housing unit.

Restraints shall never be used for retaliation or as punishment. Restraints shall not be utilized any longer than is reasonably necessary to control the inmate. Restraints are to be applied only when less restrictive methods of controlling the dangerous behavior of an inmate have failed or appear likely to fail. Each incident where restraints are used shall be documented and the documents placed in an appropriate file by the end of each staff member's shift (Minn. R. 2911.4950).

This policy does not apply to the temporary use of restraints, such as handcuffing or the use of leg irons to control an inmate during movement and transportation inside or outside the facility.

511.3 USE OF RESTRAINTS - CONTROL

Supervisors shall proactively oversee the use of restraints on any inmate. Whenever feasible, the use of restraints, other than routine use during transfer, shall require the approval of the Shift

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Supervisor prior to application (Minn. R. 2911.4950). In instances where prior approval is not feasible, the Shift Supervisor shall be apprised of the use of restraints as soon as practicable.

Restraint devices, such as restraint chairs, shall only be used on an inmate when it reasonably appears necessary to overcome resistance, prevent escape or bring an incident under control, thereby preventing injury to the inmate or others, or eliminating the possibility of property damage. Restraints shall not be applied for more time than is reasonably necessary to achieve the above goals.

Excluding short-term use to gain immediate control, placing an inmate in a restraint chair or other restraints for extended periods requires approval from the Jail Administrator or the authorized designee prior to taking action. The medical staff shall be called to observe the application of the restraints, when feasible, prior to the application or as soon as practicable after the application, and to check the inmate for adequate circulation.

The use of restraints for purposes other than for the controlled movement or transportation of an inmate shall be documented on appropriate logs to include, at minimum, the type of restraint used, when it was applied, a detailed description of why the restraint was needed and when it was removed.

The following provisions shall be followed when utilizing restraints to control an inmate:

- (a) Restraints shall not be used as punishment, placed around a person's neck or applied in a way that is likely to cause undue physical discomfort or restrict blood flow or breathing (e.g., hog-tying).
- (b) Restrained inmates shall not be placed face down or in a position that inhibits breathing.
- (c) Restraints shall not be used to secure a person to a fixed object except as a temporary emergency measure. A person who is being transported shall not be locked in any manner to any part of the transporting vehicle, except for items installed for passenger safety, such as seat belts.
- (d) Inmates in restraints shall be housed either alone or in an area designated for restrained inmates.
- (e) Restraints shall be applied for no longer than is reasonably necessary to protect the inmate or others from harm.
- (f) Staff members shall conduct direct face-to-face observation at least twice every 30 minutes on an irregular schedule to check the inmate's physical well-being and behavior. Restraints shall be checked to verify correct application and to ensure they do not compromise circulation. All checks shall be documented, with the actual time recorded by the person doing the observation, along with a description of the inmate's behavior. Any actions taken should also be noted in the log.

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- (g) The specific reasons for the continued need for restraints shall be reviewed, documented and approved by the Jail Administrator or the Shift Supervisor at least every two hours.
- (h) As soon as possible, but within four hours of placement in restraints, the inmate shall be medically assessed to determine whether he/she has a serious medical condition that is being masked by the aggressive behavior. The medical assessment shall be a face-to-face evaluation by a qualified health care professional and shall recur once every six hours of continued restraint thereafter.
- (i) As soon as possible, but within eight hours of placement in restraints, the inmate must be evaluated by a mental health professional to assess whether the inmate needs immediate and/or long-term mental health treatment.

511.4 AVAILABILITY OF CPR EQUIPMENT

CPR equipment, such as barrier masks, shall be provided by the facility and located in proximity to the location where inmates in restraints are held.

511.5 RESTRAINED INMATE HOLDING

Restrained inmates should be protected from abuse by other inmates. Under no circumstances will restrained inmates be housed with inmates who are not in restraints. In most instances, restrained inmates are housed alone or in an area designated for restrained inmates.

511.6 PREGNANT INMATES

Restraints will not be used on inmates who are known to be pregnant unless based on an individualized determination that restraints are reasonably necessary to ensure the safety and security of the inmate, the staff of this or the medical facility, other inmates or the public. Should restraints be necessary, the restraints shall be the least restrictive available and the most reasonable under the circumstances (Minn. Stat. § 241.88).

Inmates who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints while being transported (Minn. Stat. § 241.88).

511.6.1 INMATES IN LABOR

No inmate who is in labor, delivering or recovering (for at least three days) from a birth shall be restrained except when all of the following exist (Minn. Stat. § 241.88):

- (a) There is a substantial flight risk or some other extraordinary medical or security circumstance that dictates restraints be used to ensure the safety and security of the inmate, the staff of this or the medical facility, other inmates or the public.
- (b) A supervisor has made an individualized determination that such restraints are necessary to prevent escape or injury.
- (c) There is no objection from the treating medical care provider.

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- (d) The restraints used are the least restrictive type and are used in the least restrictive manner.

The supervisor should, within 10 days, make written findings specifically describing the type of restraints used, the justification and the underlying extraordinary circumstances.

511.6.2 PREGNANT INMATES TRAINING MANDATE

The Jail Administrator shall ensure that staff members who come in contact with pregnant women incarcerated in the facility are provided training on this policy and the mandates of Minn. Stat. § 241.88.

511.7 FOOD, HYDRATION AND SANITATION

Inmates who are confined in restraints shall be given food and fluids. Provisions shall be made to accommodate any toileting needs at least once every two hours. Food shall be provided during normal meal periods. Hydration (water or juices) will be provided no less than once every two hours or when requested by the inmate.

Offering food and hydration to inmates will be documented to include the time, the name of the person offering the food or water/juices, and the inmate's response (receptive, rejected). Inmates shall be given the opportunity to clean themselves should they soil themselves or their clothing while they are in restraints.

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512.1 PURPOSE AND SCOPE

The purpose of this policy is to provide clear direction on maintaining the safety and security of the facility by conducting searches, in balance with protecting the rights afforded by the United States Constitution.

The introduction of contraband, intoxicants or weapons into the Beltrami County Sheriff's Office facility poses a serious risk to the safety and security of staff, inmates, volunteers, contractors and the public. Any item that is not available to all inmates may be used as currency by those who possess the item, and will allow those in possession of the item to have control over other inmates. Any item that may be used to disengage a lock, other electronic security devices or the physical plant itself, seriously jeopardizes the safety and security of this facility. Carefully restricting the flow of contraband into the facility can only be achieved by thorough searches of inmates and their environment (Minn. R. 2911.5300).

Nothing in this policy is intended to prohibit the otherwise lawful collection of trace evidence from an inmate/arrestee.

512.1.1 DEFINITIONS

Definitions related to this policy include:

Contraband - Anything unauthorized for inmates to possess or anything authorized to possess but in an unauthorized quantity (Minn. R. 2911.0200, Subp. 20).

Modified strip search - A search that requires a person to remove or rearrange some of his/her clothing that does not include a visual inspection of the breasts, buttocks or genitalia of the person but may include a thorough tactile search of an inmate's partially unclothed body. This also includes searching the inmate's clothing, once it has been removed.

Pat-down search - The normal type of search used by corrections officers within this facility to check an individual for weapons or contraband. It involves a thorough patting down of clothing to locate any weapons or dangerous items that could pose a danger to the corrections officer, the inmate or other inmates.

Physical body cavity search - A search that includes a visual inspection and may include a physical intrusion into a body cavity. Body cavity means the stomach or rectal cavity of a person, and the vagina of a female person.

Strip search - A search that requires a person to remove or rearrange some or all of his/her clothing to permit a visual inspection of the underclothing, breasts, buttocks, anus or outer genitalia of the person. This includes monitoring of a person showering or changing clothes where the person's underclothing, buttocks, genitalia or female breasts are visible to the monitoring employee.

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512.2 POLICY

It is the policy of this office to ensure the safety of staff, inmates and visitors by conducting effective and appropriate searches of inmates and areas within the facility in accordance with applicable laws (Minn. R. 2911.5300).

Searches shall not be used for intimidation, harassment or retaliation.

512.3 PAT-DOWN SEARCHES

Pat-down searches will be performed on all inmates/arrestees before entering the secure area of the facility.

Additionally, pat-down searches shall occur frequently within the facility. At a minimum, the staff shall conduct pat-down searches in circumstances that can include:

- (a) During physical plant searches of entire housing units.
- (b) Any time the staff believes the inmates may have contraband on their person.

Except in emergencies, male staff may not pat down female inmates and female staff may not pat down male inmates. Absent the availability of a same sex staff member, it is recommended that a witnessing staff member be present during any pat-down search of an individual of the opposite sex (Minn. R. 2911.5300). All cross-gender pat-down searches shall be documented (28 CFR 115.15).

Staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining genital status (see Prison Rape Elimination Act Policy for transgender and intersex definitions). If genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.15).

512.4 MODIFIED STRIP SEARCHES, STRIP SEARCHES AND PHYSICAL BODY CAVITY SEARCHES

Corrections officers will generally consider the reason for the search, the scope, intrusion, manner, and location of the search, and will utilize the least invasive search method to meet the need for the search.

512.4.1 STRIP SEARCHES PRIOR TO PLACEMENT IN A HOUSING UNIT

Strip searches prior to placement in a housing unit shall be conducted as follows:

- (a) No person held prior to placement in a housing unit shall be subjected to a modified strip search or a strip search unless there is reasonable suspicion based upon specific and articulable facts to believe the person has a health condition requiring immediate medical attention or is concealing a weapon or contraband. Factors to be considered in determining reasonable suspicion include, but are not limited to:

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1. The detection of an object during a pat search that may be a weapon or contraband and cannot be safely retrieved without a modified strip search or strip search.
 2. Circumstances of a current arrest that specifically indicate the person may be concealing a weapon or contraband. A felony arrest charge or being under the influence of a controlled substance should not suffice as reasonable suspicion absent other facts.
 3. Custody history (past possession of contraband while custody, assaults on staff, escape attempts, etc.).
 4. The person's actions or demeanor.
 5. Criminal history (level of experience in a custody setting, etc.)
- (b) No modified strip search or strip search of an inmate shall be conducted prior to admittance to general population without prior authorization from the Shift Supervisor.
- (c) The staff member conducting the modified strip search or strip search shall:
1. Document the name and sex of the person subjected to the strip search.
 2. Document in writing all of the facts that led to the decision to perform a strip search of the inmate.
 3. Document the reasons less intrusive methods of searching were not used or were insufficient.
 4. Document the supervisor's approval.
 5. Document the time, date and location of the search.
 6. Document the name , sex and roles of any staff present.
 7. Itemize in writing all contraband and weapons discovered by the search.
 8. Process all contraband and weapons in accordance with the office's current evidence procedures.
 9. If appropriate, complete a crime report and/or disciplinary report.
 10. Ensure the documentation is placed in the inmate's record. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.

512.4.2 MODIFIED STRIP SEARCHES OR STRIP SEARCHES UPON ENTRY INTO GENERAL POPULATION

Modified strip searches or strip searches will be conducted on all inmates upon admission into the general population.

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Arrestees who are eligible for release or who will be released when they are no longer intoxicated can be placed into a general population housing unit but must be placed in a secluded cell with limited contact with general population inmates.

Arrestees who are arranging bail shall be permitted a reasonable period of time before being placed in general population.

512.4.3 MODIFIED STRIP SEARCHES OF GENERAL POPULATION INMATES

A strip search of a general population inmate may be conducted when the inmate has entered an environment where contraband or weapons may be accessed. This includes, but is not limited to, the following:

- (a) Upon return from contact visits.
- (b) Upon leaving the kitchen or after performing specialized maintenance duties such as washing cars, painting, etc.
- (c) Whenever an inmate returns to general population from outside the confines of the facility (e.g. work-release, work detail, medical appointments, furloughs).

Inmates returning from court with release orders shall not be subject to modified strip searches or strip searches unless reasonable suspicion exists based on specific and articulable facts that the person is concealing a weapon or contraband. The inmate should not be returned to general population, except for retrieving his/her personal property under the direct visual supervision of staff.

Staff members may conduct modified strip searches and strip searches of inmates outside the above listed circumstances only with supervisor approval. Staff members and supervisors must make a determination to conduct a strip search by balancing the scope of the particular search, intrusion, the manner in which it is conducted, the justification for initiating it, and the place in which it is conducted. Less invasive searches should be used if they would meet the need for the search. For example, a pat down or modified strip search may be sufficient as an initial effort to locate a larger item, such as a cell phone.

The staff member conducting a modified strip or strip search outside the above listed circumstances shall:

- Document all of the facts that led to the decision to perform a strip search of the inmate.
- If needed, document the supervisor approval.
- Document the time, date and location of the search.
- Document the names, sex and roles of any staff present.
- Itemize in writing all contraband and weapons discovered by the search.
- Process all contraband and weapons in accordance with the office's current evidence procedures.

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- If appropriate, complete a crime report and/or disciplinary report.
- Scheduled strip searches or modified strip searches based on outside public contact (i.e. STS, Huber, Treatment Furloughs, etc.) will be documented in the inmate's electronic file.
- Unscheduled strip searches or modified strip searches based on reasonable suspicion require supervisor authorization and will be documented on the Strip Search Form. The completed documentation will be placed in the inmate's file and a copy will be retained and made available to the inmate or other authorized representative upon request.

512.4.4 MODIFIED STRIP SEARCH AND STRIP SEARCH PROCEDURES

All modified strip searches and strip searches shall be conducted in a professional manner under sanitary conditions and in an area of privacy so that the search cannot be observed by persons not participating in the search.

Unless conducted by a qualified health care professional or in case of an emergency, a modified strip search or strip search shall be conducted by staff members of the same sex as the person being searched.

Whenever possible, a second staff member of the same sex should be present during the search for security purposes and to witness the discovery of evidence. Any cross-gender modified strip searches and cross-gender strip searches shall be documented (28 CFR 115.15).

The staff member conducting a strip search shall not touch the breasts, buttocks or genitalia of the person being searched. These areas may be touched through the clothing during a modified strip search.

- (a) The searching staff member will instruct the inmate to:
1. Remove his/her clothing. Inspect clothing.
 2. Raise his/her arms above the head with open hands and turn 360 degrees.
 3. Bend forward and run his/her hands through his/her hair.
 4. Turn his/her head first to the left and then to the right so the searching corrections officer can inspect the inmate's ear orifices.
 5. Open his/her mouth and run a finger over the upper and lower gum areas, then raise the tongue so the corrections officer can inspect the interior of the inmate's mouth. Remove dentures if applicable.
 6. Turn around and raise first one foot, then the other so the corrections officer can check the bottom of each foot.
 7. Males will be asked to lift the penis and scrotum for inspection. Females will be asked to lift the breast for inspection.

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8. Inmates will be asked to lift any larger folds of skin for inspection.
 9. For a visual cavity search, turn around, bend forward and spread buttocks if necessary to view the anus.
 10. Squat and cough deeply several times.
- (b) At the completion of the search, the inmate should be instructed to dress in either his/her street clothes or jail-supplied clothing, as appropriate.

512.4.5 PHYSICAL BODY CAVITY SEARCH

Physical body cavity searches shall be conducted as follows:

- (a) No person shall be subjected to a physical body cavity search without approval of the Jail Administrator or authorized designee and only with the issuance of a search warrant or approval of legal counsel. A copy of any search warrant and the results of the physical body cavity search shall be included with the related reports and made available, upon request, to the inmate or authorized representative (except for those portions of the warrant ordered sealed by a court).
- (b) Only a physician may conduct a physical body cavity search. Except in exigent circumstances, only a physician who is not responsible for providing ongoing care to the inmate may conduct the search.
- (c) Except for the physician conducting the search, persons present must be of the same sex as the person being searched. Only the necessary staff needed to maintain the safety and security of the medical personnel shall be present.
- (d) Privacy requirements, including restricted touching of body parts and sanitary condition requirements, are the same as required for a strip search.
- (e) All such searches shall be documented including:
 1. The facts that led to the decision to perform a physical body cavity search of the inmate.
 2. The reasons less intrusive methods of searching were not used or were insufficient.
 3. The Jail Administrator's approval.
 4. A copy of the search warrant.
 5. The time, date and location of the search.
 6. The medical personnel present.
 7. The names, sex and roles of any staff present.
 8. Any contraband or weapons discovered by the search.

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- (f) Completed documentation should be placed in the inmate's file. A copy of the written authorization shall be retained and made available to the inmate or other authorized representative upon request.
- (g) All contraband and weapons should be processed in accordance with the office's current evidence procedures.
- (h) If appropriate, the staff member shall complete a crime report and/or disciplinary report.

512.5 CONTRABAND SEARCHES

The staff shall always be alert to the possible presence of contraband and shall take immediate action to seize the contraband when practicable. There are several types of searches that contribute to contraband control and to maintaining a safe and secure environment.

512.6 HOUSING UNIT SEARCHES

Housing unit searches shall occur as directed by a supervisor. These searches should include all of the living spaces occupied by inmates. Housing unit searches should be scheduled in a manner that does not create a pattern where the inmates can predict such searches. During a housing unit search:

- (a) All inmates shall vacate their living areas and be searched by staff.
- (b) Inmates should be escorted to a separate holding area, such as the recreation yard.
- (c) Staff shall search the living areas of the inmates, including bedding, personal storage areas, bunks and other areas with inmate access.
- (d) Any weapons or contraband located shall be processed in accordance with the current evidence procedures.
- (e) The staff shall attempt to identify the inmate who possessed the contraband and file appropriate inmate discipline and/or crime reports.
- (f) Any alcoholic beverage possessed by inmates shall be seized and the appropriate inmate disciplined and/or criminal charges filed.
- (g) Any authorized item found in excess of the limited quantity (e.g., food items, newspapers) shall be seized and discarded.

At the conclusion of the housing unit search, closely supervised inmate workers should clean the unit. All authorized inmate personal property shall be respected and living areas should be returned to an orderly condition (Minn. R. 2911.5300, Subp. 1).

512.7 PHYSICAL PLANT SEARCHES

The following areas of this facility shall be periodically searched for contraband (Minn. R. 2911.5300):

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- (a) Exercise yards shall be searched for contraband prior to and after each inmate group occupies the yard.
- (b) Holding cells shall be searched prior to and after each inmate occupies the cell.
- (c) Program areas, such as classrooms and multipurpose rooms shall be searched after each use by an inmate or inmate group.
- (d) Laundry areas shall be searched before and after each inmate group occupies the area.
- (e) Kitchen areas shall be frequently searched for contraband and to account for tools, knives and food items.
- (f) Inmate visiting and public areas shall be frequently inspected for contraband.
- (g) The facility perimeter shall be searched at least once each shift for contraband.

512.7.1 CANINE-ASSISTED SEARCHES

It is the policy of this facility to use canines to assist the staff in searching for contraband. Such searches shall occur only with the approval of a supervisor. Only canines trained in the detection of contraband, such as drugs, alcohol and weapons, will be allowed within the secure perimeter of the facility. Canines trained solely in crowd control or to assist in physically subduing individuals will not be used in the facility.

Canines will generally be used to assist the staff in general physical plant or living area searches. Contact between inmates and canines should be kept to a minimum (see the Canines Policy).

512.8 CRIMINAL EVIDENCE SEARCHES

The Jail Administrator or the authorized designee shall be notified, as soon as practicable, any time it is suspected that a crime has been committed in the facility or other area controlled by the facility staff, and there is a need to search for evidence related to the crime.

Any evidence collected in connection with an alleged crime shall be reported, documented and stored to protect it from contamination, loss or tampering, and to establish the appropriate chain of custody. A search for evidence may be conducted by staff whenever there is a need for such action.

512.9 TRAINING

The Training Officer shall provide training for staff in how to conduct pat-downs, modified strip searches and strip searches in a professional and respectful manner and in the least intrusive manner possible, consistent with facility security needs. This training shall include cross-gender pat downs and searches, as well as searches of transgender and intersex inmates (28 CFR 115.15).

512.10 TRANSGENDER SEARCHES

Staff shall not search or physically examine a transgender or intersex inmate for the sole purpose of determining genital status (see Prison Rape Elimination Act Policy for transgender and intersex

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definitions). If genital status is unknown, it may be determined during conversations with the inmate, by reviewing medical records or, if necessary, by obtaining that information as part of a broader medical examination conducted in private by a qualified health care professional (28 CFR 115.15).

Body Scanner Operation

513.1 PURPOSE AND SCOPE

This policy is intended to provide guidance in the use and application of the SOTER RS Body Scanner located in the non-secure amnesty part of the jail. This policy outlines the responsibilities, requirements, and implementation of the radiation safety program for the use of the Limited-use and General-use Personnel Security Screening Systems. Only persons trained in the operation of the SOTER RS Body Scanner will be authorized to operate the security screening system.

The Body Scanner will be utilized upon intake for all inmates/detainees that enter the Beltrami County Jail amnesty area. The Body Scanner will also be utilized upon inmates/detainees return to the jail after leaving for the purposes of out of county court, furloughs, medical appointments, hospitalizations, or anytime an inmate/detainee has exposure or potential exposure to the public with knowledge that they will return to the facility where the inmate/detainee was out of sight of the transporting officer for any length of time.

Additionally, the Body Scanner may be utilized for other purposes to be determined that are related to legitimate correctional and/or law enforcement objectives, such as reasonable suspicion to believe that an individual may be concealing contraband or weapons, for the safety and security of the jail, or any other bona fide Law Enforcement purpose.

513.2 DEFINITIONS

Definitions of this policy include:

ALARA - As Low As Reasonably Achievable, economic and social factors taken into account.

Contraband - any item not allowed in a jail by the Sheriff (see Custody Policy 512 Searches)

Effective Dose - Sum of the tissue-weighted equivalent doses in all the tissues and organs of the body.

Inspection Zone -A well-defined {demarcated by tape, paint, rope barrier, etc.) area around the personnel security screening system where no one but the individual being scanned is authorized during the operation of the device. The Purpose of the zone is radiation exposure control.

Minor - any inmate under the age of 18, as dictated by Minnesota State Statute, who must be housed separately from the general population.

Operator - Any employee associated with the operation of the system whose responsibilities include at least one of the following: initiating or stopping the scan, verifying the system is operating correctly, providing information and instructions to the screened individuals, and controlling access to the inspection zone. This does not include other employees, such as individuals who may be remotely viewing the image results but are not directly responsible for the other functions.

Personnel Security Screening System - A system designed for the detection of contraband and weapons concealed on or inside a person (in the body of this standard also referred to as "screening system" or "system").

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Scan- The operation necessary to produce one full-body image penetrating through the body from one radiation source.

513.3 POLICY

It is the policy of this Beltrami County Sheriff's Office to reasonably ensure that all inmates/detainees taken into the custody of our jail are free of contraband.

513.4 RESPONSIBILITIES

513.4.1 ADMINISTRATION

Administration will:

- (a) Make the ultimate decision to use security-screening systems and be ultimately responsible for radiation safety.
- (b) The Jail Captain will designate an individual or set of individuals responsible for radiation safety. This individual(s) must have training and experience commensurate with the scope of the radiation safety program. These individuals will be referred to as the Radiation Safety Officer or Team.
- (c) The Jail Captain or designee will approve and manage the day-to-day use of the system.

513.4.2 RADIATION OFFICER/TEAM

The individual or team responsible for radiation safety will:

- (a) Formulate, implement, and exercise staff supervision over the radiation safety program.
- (b) Formulate, implement, and supervise an active, documented program to keep ionizing radiation doses to ARLA levels.
- (c) Advise and assist the agency management and personnel in all matters regarding radiation safety.
- (d) Review current and proposed uses of the system for compliance with applicable regulatory requirements and guidance.
- (e) Ensure radiation safety considerations are incorporated into system operating procedures.
- (f) Review and approve the location/relocation of security screening systems to ensure compliance with radiation safety criteria and manufacturer's recommendations/ specification. Other individuals may need to review and approve the location/relocation of security screening systems to ensure compliance with other safety/engineering requirements (e.g., floor loading, electrical, and/or operational process).
- (g) Ensure that radiation safety surveys are performed in areas around security screening systems at least annually.
- (h) Ensure surveys are performed with appropriately calibrated equipment and documented accordingly.
- (i) Ensure that dosimeters, if issued, are used, collected and processed properly.

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- (j) Maintain an inventory of radiation producing devices.
- (k) Maintain radiation safety records in accordance with applicable federal regulations and agency policies.
- (l) Ensure initial and annual (refresher) radiation safety training is provided to system operators and other personnel.
- (m) Coordinate investigations of radiation safety related system defects, damage, malfunctions, and violations of radiation safety procedures.
- (n) Immediately terminate any unsafe activity involving personnel security screening systems.
- (o) Ensure that the radiation safety program is reviewed at least annually. This review will ensure that the program is adequate to ensure the safety of personnel and that the program is being followed. At least once every three years, a qualified external expert will perform this review.

513.4.3 OPERATORS

Operators of the body scanner will:

- (a) Follow all applicable procedures, regulations, and training.
- (b) Immediately report any unsafe situation, damage to, or malfunction of the security screening system, violation of regulations or radiation safety procedures to their supervisor and/or the individual responsible for radiation safety.
- (c) Ensure only trained and authorized personnel operate the security screening systems.
- (d) Maintain system use and maintenance log(s) as described in C 513.11 Record Retention and update as appropriate.
- (e) A lead apron will be available for any employee that wishes to utilize it while operating the equipment.

513.4.4 PREGNANT EMPLOYEES

Any employee of the Sheriff's Office who is pregnant or suspects that she may be pregnant, will not be required to operate the body scanner equipment.

If an employee assigned to the booking area suspects she may be pregnant, she should inform her on-duty Sergeant that she will not be using the scanner that day. The employee will not be obligated to declare why she does not want to use the scanner. Refusals to use the scanner by a female employee will not affect her duty station assignments.

513.4.5 OTHER STAFF

Other Staff will:

- (a) Follow all applicable Policies and Procedures.

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(b) Immediately report any unsafe situation, damage to, or malfunction of the security screening system, violation of regulations or radiation safety procedures to their supervisor and/or the individual responsible for radiation safety.

513.5 EQUIPMENT LIFE CYCLE MANAGEMENT

513.5.1 LICENSING/REGULATIONS

- (a) The Minnesota Department of Health Radiation Control Unit program requires that all radiation emitting machines be registered. This registration ensures that each x-ray tube and the facility where it is used are registered with the State. Registration is required before operating any radiation machine or modifying any facility in which an x-ray machine is to be used for dental and medical diagnosis and therapy, industrial, scientific or veterinary purposes.
- (a) The Beltrami County Jail will follow all county rules with regards to property inventories and the numbering of County and Sheriff's Office Property.

513.5.2 INSTALLATION

(a) Security screening systems shall be installed in accordance with the manufacturer's installation instructions. Only adequately trained individuals will install security-screening systems.

(b) From a radiation safety standpoint, security-screening systems must be installed in locations that are as far as reasonably possible from routinely occupied areas, subject to the operational requirements. Consideration must also be given to the direction of the x-ray beam relative to occupied areas, traffic flow, the number of scans per day, the effective dose per scan, and locations of existing walls or structures that can provide shielding.

(c) During installation the area for the Inspection Zone for the system shall be determined, documented and clearly delineated.

513.5.3 MAINTENANCE

Qualified personnel will perform all maintenance. Maintenance records will be maintained in accordance with section C 513.11 of this policy

- (a) Routine Preventive Maintenance. Preventive maintenance will be performed in accordance with the manufacturer's recommended maintenance schedule and ANSI Standard HPS N43.17-2009 Security Screening
- (b) Non-Routine Maintenance. Provisions must be made when purchasing a system for the possibility of repairs outside of the recommended preventive maintenance schedule.

513.5.4 RELOCATION/TRANSFER

- (a) Security screening systems will not be relocated without appropriate approval from the Corrections Bureau Chief. Many factors, such as radiation safety, electrical safety, traffic flow, floor loading, etc., need to be considered when relocating a security screening system.

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- (b) Security screening systems will not be transferred to another organization without appropriate approval.
- (c) Any relocation or transfer will require registration with the Minnesota Department of Health Radiation Control Unit program.

513.5.5 DISPOSAL

- (a) The disposal of x-ray systems will be coordinated with the Commander of Accreditation and Facility Development to ensure proper disposal of all hazardous materials, such as cooling oil and lead shielding.
- (b) The Beltrami County Jail must notify the Minnesota Department of Health Radiation Control Unit program in writing when they no longer own the x-ray unit and provide documentation from a registered service company that the radiation machine has been rendered inoperable, removed, or sold.

513.6 TRAINING

513.6.1 OPERATOR TRAINING

Each operator will be provided with on site documented training on the operation and use of the security screening system(s).

At a minimum, this training will include: site specific operating and emergency procedures, physical security, procedures to prevent unauthorized access and use, security screening x-ray equipment, operator awareness and control of inspection zones, rights of declared pregnant workers, regulatory requirements, supervised practical operations, other safety hazards, and familiarity with the information being provided to the subject being scanned.

Additionally: pre-operational checks, operation of the system, subject positioning, interpretation of images, procedures to be followed if the system is damaged or malfunctions, and practical operational experience. Periodic updates will be provided as the security screening systems or relevant threats change.

513.6.2 RADIATION SAFETY TRAINING

Each individual associated with the operation of the security screening system will be provided with Radiation Safety Training prior to performing security-screening operations. At a minimum, this training will include the following:

- (a) The types of radiation
- (b) Sources and magnitudes of typical exposures
- (c) Radiation units
- (d) Concept of time, distance, and shielding
- (e) Concept of ALARA
- (f) Biological effects

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(g) Radiation risk

(h) Basic risk communication concepts

513.6.3 BASIC RADIATION AWARENESS TRAINING

Other individuals who work near the security screening system, but are not directly associated with its operation will be provided with basic radiation awareness training. This will be a simplified version of the radiation safety training discussed above and include information pertinent to the system around which they will be working.

513.6.4 MAINTENANCE OF TRAINING RECORDS

Records of training will be maintained by the Jail Captain's designee and contain the following:

(a) Date of training

(b) Instructor's names

(c) Employees in attendance

(d) Course syllabus

(e) Teaching plans

(f) Performance assessment tasks and/or outcome summaries

(g) Copies of handouts and display materials (or equivalents) Training records will be maintained consistent to applicable laws.

513.7 SURVEYS/INSPECTIONS

A formal radiation survey by a qualified expert is required upon installation and at least once every twelve months. The Beltrami County Sheriff's Office contract with OD Security North America states that the company will provide annual re-calibration and annual State Certification for the lifetime of the system.

This survey is also required whenever the system is relocated or non-routine service involving the x-ray source, any x-ray collimating device, or x-ray shielding is performed.

These surveys will verify the Effective Dose per scan, radiation leakage, the adequacy of the inspection zone, and other parameters specified by the manufacturer. The Jail Captain's designee will maintain records of surveys.

Reporting In-Custody Deaths

514.1 PURPOSE AND SCOPE

This policy provides direction on how in-custody deaths shall be reported (Minn. R. 2911.3700, Subp. 5).

514.1.1 DEFINITIONS

Definitions related to this policy include:

In-custody death - The death of any person, for whatever reason (natural, suicide, homicide, accident), who is in the process of being booked or is incarcerated at any facility of this office.

514.2 POLICY

It is the policy of this office to follow state and local guidelines for reporting in-custody deaths.

514.3 MANDATORY REPORTING

All in-custody deaths shall be reported as required.

If the decedent is a boarder for another agency, the Jail Administrator shall notify that agency so that agency will assume responsibility for the notification of the decedent's family.

Pursuant to Article 37 of the Vienna Convention on Consular Relations 1963, in the case of the death of a foreign national, telephonic notification to the appropriate consulate post should be made without unreasonable delay and confirmatory written notification shall be made within 72 hours of the death to the appropriate consulate post. The notification shall include the inmate's name, identification number, date and time of death, and the attending physician's name.

In the event that a juvenile dies while in custody, the Jail Administrator or the authorized designee shall notify the court of jurisdiction and ensure notification to the juvenile's parent or guardian.

A report shall be made in writing to the Minnesota Department of Corrections within 24 hours of being notified about any in-custody death. The notification shall include the name of any involved inmate and staff, date and time of death, and any actions taken (Minn. Stat. § 241.021).

514.4 PROCEDURE

Upon determining that a death of any person has occurred while in the custody of this office, the Shift Supervisor is responsible for ensuring that the Sheriff and all appropriate investigative authorities, including the Coroner, are notified without delay and all written reports are completed. All inmate property will be held in evidence until the investigation is completed and release of the property is authorized.

The Shift Supervisor shall also promptly notify the Jail Administrator and make any other notifications required by policy or direction. The Jail Administrator shall observe all pertinent laws and allow appropriate investigating agencies full access to all facts surrounding the death.

The Office shall establish policies and procedures for the investigation of any in-custody death.

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The decedent's personal belongings shall be disposed of in a responsible and legal manner. All property and records shall be retained according to established records retention schedules.

The individual designated by the decedent shall be notified of all pertinent information as required by law.

During an investigation, all inquiries regarding the death shall be referred to the Chief Deputy. Corrections officers shall not make a public comment.

In the event that the death involves a "vulnerable adult," notification procedures shall follow in accordance with statutory requirements (Minn. R. 2911.3700).

514.5 IN-CUSTODY DEATH REVIEW

The Sheriff is responsible for establishing a team of qualified staff to conduct an administrative review of every in-custody death (Minn. Stat. § 241.021).

At a minimum, the review team should include the following:

- (a) Sheriff and/or the Jail Administrator
- (b) County Attorney
- (c) County Attorney
- (d) Investigative staff
- (e) Responsible Physician, qualified health care professionals, supervisors, or other staff who are relevant to the incident
- (f) Any other required persons or direction from state law, with references

The in-custody death review should be conducted no later than 72 hours after the incident.

514.6 NOTICE TO THE DEPARTMENT OF CORRECTIONS

The Jail Administrator shall, within 90 days, provide the Department of Corrections with the information required by Minn. Stat. § 241.021, including notice that the in-custody death review is complete.

Staff and Inmate Contact

515.1 PURPOSE AND SCOPE

Interaction with inmates allows for continual assessment of the safety and security of the facility and the health and welfare of the inmates. However, inappropriate interaction can undermine security and order in the facility and the integrity of the supervision process.

This policy provides guidelines for appropriate and professional interaction between members and inmates, and is intended to promote high ethical standards of honesty, integrity and impartiality as well as increase facility safety, discipline and morale.

Violation of this policy may result in disciplinary action up to and including dismissal. Members who seek information or clarification about the interpretation of this policy are encouraged to promptly contact their supervisor.

515.2 POLICY

The Jail Administrator shall ensure that inmates have adequate ways to communicate with staff and that the staff communicates and interacts with inmates in a timely and professional manner.

515.3 GENERAL CONDUCT GUIDELINES

Staff members are encouraged to interact with the inmates under their supervision on a continual basis and are expected to take prompt and appropriate action to address health and safety issues that are discovered or brought to their attention.

All custody staff, including support staff, contractors and volunteers, will at all times present a professional and command presence in their contact with inmates. Staff shall address inmates in a civil manner. The use of profanity or derogatory comments based on race, sex, age, personal appearance or sexual identity is strictly prohibited.

Written communication (request slips, inmate communication, grievances, rules infraction forms, disciplinary reports) shall be answered in a timely manner. Such communication shall be filed with the inmate's records.

Custody staff shall not dispense legal advice, opinion, or recommend attorneys, bond agents or other professional services to inmates. Staff shall not allow personal feelings to interfere with the provision of their required functions or the legal rights of the persons incarcerated in this facility. Staff shall not become overly familiar with inmates or their families and friends.

Special favors or privileges that are not permitted or required by office policies or at the direction of supervisory or management staff shall not be provided.

Custody staff shall not engage in sexual acts or salacious conversations or exchange inappropriate notes or letters with inmates.

Staff shall promptly report all attempts by inmates to initiate sexual acts, salacious conversations and forward any correspondence from an inmate or former inmate to the Jail Administrator or the authorized designee.

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Staff shall not allow a condition to exist that implies the inmates are in control of other inmates or any area of the facility.

Staff shall report all attempts to intimidate or instill feelings of fear to the supervisor.

While profanity and harsh language are prohibited, the Office recognizes the necessity for staff to give inmates direction in a firm, determined and authoritative manner in order to maintain proper supervision and control. Authoritative directions to inmates are particularly indicated when activities or events pose a threat to the safety or security of this facility.

515.3.1 ELECTRONIC REQUESTS

At Beltrami County Jail, general population inmates will be able to contact staff by using the Kiosks in the housing units.

Inmates will use the kiosk to make all routine requests to staff or medical personnel.

In the event of an emergency, inmates can contact staff immediately through the intercoms. Inmates in the minimum security housing unit will be able to approach staff members directly in an emergency.

Other accommodations will be made for inmates with disabilities that prohibit the use of the kiosk (MINN STAT. 2911.7100).

515.4 REPORTING

Members shall promptly report all attempts by inmates to initiate sexual acts or any salacious conversations, and forward any correspondence from an inmate or former inmate to the Jail Administrator or the authorized designee.

Members shall report all attempts by inmates to intimidate or instill feelings of fear to their supervisor.

Members shall promptly notify their immediate supervisor in writing if:

- A family member or close associate has been incarcerated or committed to the custody of the facility.
- The member is involved in a personal or family relationship with a current inmate or with an inmate who has been discharged within the previous year.

Portable Audio Video Recording Device

516.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of portable audio/video recording devices by members of this office while in the performance of their duties (Minn. Stat. § 626.8473). Portable audio/video recording devices include all recording systems whether body-worn, handheld or integrated into portable equipment.

516.2 DEFINITIONS

Definitions related to this policy include:

Portable audio/video recorder (PAVR) - A device worn by a member that is capable of both video and audio recording of the member's activities and interactions with others or collecting digital multimedia evidence as part of an investigation and as provided in Minn. Stat. § 13.825.

516.3 POLICY

The Beltrami County Sheriff's Office shall provide members with access to portable recorders for use during the performance of their duties. The use of recorders is intended to enhance the mission of the Office by accurately capturing contacts between members of the Office, inmates, and the public.

516.4 MEMBER PRIVACY EXPECTATION

All recordings made by members on any office-issued device at any time or while acting in an official capacity of this office, regardless of ownership of the device, shall remain the property of the Office. Members shall have no expectation of privacy or ownership interest in the content of these recordings.

516.5 MEMBER RESPONSIBILITIES

Prior to coming into contact with an offender, each correctional officer will be responsible for making sure that he/she is equipped with a portable recorder issued by the Office, and that the recorder is in good working order (Minn. Stat. § 13.825). At the beginning of a correction officer's shift they will do a test recording stating their name, badge number, and date and time. If the recorder is not in working order or the correctional officer becomes aware of a malfunction at any time, they shall promptly report the failure to his/her supervisor, create a case in the JMS documenting the serial number of the device and the nature of the failure, and obtain a functioning device as soon as reasonably practicable.

All Correctional Officers should document the existence of a recording in any report or other official record of the contact, including any instance where the recorder malfunctioned or the member deactivated the recording (Minn. Stat. § 626.8473). Members should include the reason for deactivation.

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516.6 ACTIVATION OF THE AUDIO/VIDEO RECORDER

This policy is not intended to describe every possible situation in which the recorder should be used, although there are many situations where its use is appropriate. Correction Officers should activate the recorder any time they believe it would be appropriate or valuable to record an incident.

The recorder should be activated in any of the following situations:

- (a) 1. (a) All inmate interactions and escorts
- (b) Use of Force incidents
- (c) Responding to incidents with verbal or physical exchanges with inmates
- (d) An encounter with an inmate that becomes adversarial after initial contact
- (e) During pat searches or new intakes
- (f) During strip searches, only the audio recording will be captured. Staff will place a designated camera shield over the camera to ensure no video is recorded of the inmate during the search process.
- (g) During the use of restraints
- (h) Medical incidents/emergency
- (i) During well-being checks
- (j) During constant observation/special watches
- (k) When completing cell inspections

At no time is a Correctional Officer expected to jeopardize his/her safety in order to activate a portable recorder or change the recording media. However, the recorder should be activated in situations described above as soon as reasonably practicable.

516.7 DE-ACTIVATION OF THE AUDIO/VIDEO RECORDER

The recorder should not be activated in any of the following situations:

- (a) In the Beltrami County Jail Control Rooms and Administrative offices
- (b) While patient is under active examination by a hospital/healthcare professional
- (c) Where any location inmates have a reasonable expectation of privacy such as; restrooms, showers, or locker rooms.
- (d) Professional conversations with attorneys, investigators, supervisors, or medical staff
- (e) Scheduled meetings or training
- (f) Correctional officers are prohibited from using department issued devices for personal use and are prohibited from making copies of recordings created while on-duty or while acting in their official capacity.
- (g) While having conversations with employees without their knowledge during routine activities.

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Correctional Officers should remain sensitive to the dignity of all individuals being recorded and exercise sound discretion to respect privacy by discontinuing recording whenever it reasonably appears to the member that such privacy may outweigh any legitimate secured facility interest in recording. Requests by members of the public to stop recording should be considered using this same criterion. Recording should resume when privacy is no longer at issue unless the circumstances no longer fit the criteria for recording.

516.8 CESSATION OF RECORDING

Once activated, the portable recorder should remain on continuously until the Correctional Officer reasonably believes that his/her direct participation in the incident is complete or the situation no longer fits the criteria for activation. Recording may be stopped during significant periods of inactivity such as report writing or other breaks from direct participation in the incident. When ceasing the recording, the Corrections Officer shall narrate the intent and reason, if applicable, the ending of the recording.

516.9 SURREPTITIOUS RECORDINGS

Minnesota law permits an individual to surreptitiously record any conversation in which one party to the conversation has given his/her permission (Minn. Stat. § 626A.02).

Correction Officers may surreptitiously record any conversation during the course of a criminal investigation in which the member reasonably believes that such a recording will be lawful and beneficial to the investigation.

Correction Officers shall not surreptitiously record another office member without a court order unless lawfully authorized by the Sheriff or the authorized designee.

516.10 IDENTIFICATION AND PRESERVATION OF RECORDINGS

To assist with identifying and preserving data and recordings, all Correction Officers should download, tag or mark the recordings in accordance with procedure and document the existence of the recording in any related case report.

A Correction Officer should transfer, tag or mark recordings when they reasonably believe:

- (a) 1. (a) The recording contains evidence relevant to potential criminal, civil or administrative matters.
- (b) A complainant, victim or witness has requested non-disclosure.
- (c) A complainant, victim or witness has not requested non-disclosure but the disclosure of the recording may endanger the person.
- (d) Disclosure may be an unreasonable violation of someone's privacy.
- (e) Medical or mental health information is contained.
- (f) Disclosure may compromise an under-cover officer or confidential informant.
- (g) The recording or portions of the recording may be protected under the Minnesota Data Practices Act.

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Any time a Correctional Officer reasonably believes a recorded contact may be beneficial in a non-criminal matter (e.g., a hostile contact), the member should promptly notify a supervisor of the existence of the recording.

516.11 REVIEW OF RECORDED MEDIA FILES

When preparing written reports, Correction Officers should review their recordings as a resource. However, Correction Officers shall not retain personal copies of recordings. Correctional Officers should not use the fact that a recording was made as a reason to write a less detailed report.

Supervisors are authorized to review relevant recordings any time they are investigating alleged misconduct or reports of meritorious conduct or whenever such recordings would be beneficial in reviewing the member's performance.

Recorded files may also be reviewed:

- (a) 1. (a) For use when preparing supplemental reports.
- (b) By a supervisor investigating an official complaint (either personnel, administrative or criminal investigation).
- (c) By a supervisor to assess an officer's performance.
- (d) To assess proper functioning of the Portable Audio/Video Recorder system.
- (e) By Jail Administration who are participating in an official investigation such as a personnel complaint, administrative inquiry, a criminal or civil investigation.
- (f) To assess possible training value.
 1. Correctional Officers will be notified if their recording may be shown for staff training purposes. If an involved Correction Officer objects to showing a recording, his/her objection will be submitted to Jail Administration to determine if the training value outweighs the employee's objection.
- (g) A Correctional Officer is entitled to access audio and video data derived from the Portable Audio/Video Recorders issued to him/her; in which his/her voice or image appears; when reasonable and necessary for the Correction Officer to perform the essential functions of his/her job; or to defend against allegations of substandard performance or misconduct.
- (h) Correctional Officers may not make a copy of any audio or video data without the prior approval of a supervisor.
- (i) Supervisors shall not access or review audio or video data involving an employee under their supervision for the purpose of surveillance of the employee or initiating disciplinary action against the employee. However, data collected by the Portable Audio/Video Recorder may be used as evidence relating to a complaint of misconduct made against and Correction Officer.

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- (j) The Correctional Division shall restrict by password protection access to all audio and video data and shall maintain an electric record of the date, time and person with regard to each access to data.
- (k) Employees desiring to view any previously uploaded or archived Portable Audio/Video Recording should submit a request in writing to Jail Administration.
- (l) In compliance with the Minnesota Data Practices Act request, if permitted or required by the Act, including pursuant to Minn. Stat. § 13.82, Subd. 15, and in accordance with the Records Maintenance and Release Policy.

All recordings should be reviewed by the Custodian of Records prior to public release (See the Records Maintenance and Release Policy). Recordings that are clearly offensive to common sensibilities should not be publicly released unless disclosure is required by law or order of the court (Minn. Stat. § 13.82, Subd. 7; Minn. Stat. § 13.825, Subd. 2).

516.12 COORDINATOR

The Sheriff or the authorized designee should designate a coordinator responsible for (Minn. Stat. § 626.8473; Minn. Stat. § 13.825):

- (a) 1. (a) Establishing procedures for the security, storage and maintenance of data and recordings.
 - 1. The coordinator should work with the Custodian of Records and the member assigned to coordinate the use, access and release of protected information to ensure that procedures comply with requirements of the Minnesota Government Data Practices Act (MGDPA) and other applicable laws (Minn. Stat. § 13.01 et seq.) (See the Protected Information and the Records Maintenance and Release policies).
- (b) Establishing procedures for accessing data and recordings.
 - 1. These procedures should include the process to obtain written authorization for access to non-public data by BCSO members and members of other governmental entities and agencies.
- (c) Establishing procedures for logging or auditing access.
- (d) Establishing procedures for transferring, downloading, tagging or marking events.
- (e) Establishing an inventory of portable recorders including:
 - 1. Total number of devices owned or maintained by the Beltrami County Sheriff's Office.
 - 2. Daily record of the total number deployed and used by members and, if applicable, the precinct or district in which the devices were used.

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3. Total amount of recorded audio and video data collected by the devices and maintained by the Beltrami County Sheriff's Office.
 - (f) Preparing the biennial audit required by Minn. Stat. § 13.825, Subd. 9.
 - (g) Notifying the Bureau of Criminal Apprehension (BCA) in a timely manner when new equipment is obtained by the Beltrami County Sheriff's Office that expands the type or scope of surveillance capabilities of the office's portable recorders.

516.13 PROHIBITED USE OF AUDIO/VIDEO RECORDERS

Correction Officers are prohibited from using office-issued portable recorders and recording media for personal use and are prohibited from making personal copies of recordings created while on-duty or while acting in their official capacity.

Correctional Officers are also prohibited from retaining recordings of activities or information obtained while on-duty, whether the recording was created with office-issued or personally owned recorders. Correctional Officers shall not duplicate or distribute such recordings, except for authorized legitimate office business purposes. All such recordings shall be retained at the Office.

Correctional Officers are prohibited from using personally owned recording devices while on-duty without the express consent of the Shift Sergeant. Any Corrections Officer who uses a personally owned recorder for office-related activities shall comply with the provisions of this policy, including retention and release requirements and should notify the on-duty supervisor of such use as soon as reasonably practicable.

Recordings shall not be used by any Correctional Officer for the purpose of embarrassment, harassment or ridicule.

516.14 RETENTION OF RECORDINGS

All recordings shall be retained for a period consistent with the requirements of the organization's records retention schedule but in no event for a period less than 90 days.

If an individual captured in a recording submits a written request, the recording may be retained for additional time period. The coordinator should be responsible for notifying the individual prior to destruction of the recording (Minn. Stat. § 13.825).

The following retention periods apply to the following recorded video event descriptions before the videos are purged from the system whether it is the network server or evidence room.

Event Description Retention Period

1. Junk ----- 90 days
2. Arrest -----365 days
3. Major incident (fight, assault, hostage, etc.)----- 365 days
4. PREA/Homicide/Sex Assault-----Forever

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5. Death ----- Forever

6. Medical ----- 7 years

(a) Data that documents the use of deadly force by a Correction Officer, or force of a sufficient type or degree to require a use of force report or supervisory review.

(b) Data documenting circumstances that have given rise to a formal complaint against a Correctional Officer.

1. Upon written request by a PAVR and SCVC data subject, the agency shall retain a recording pertaining to that subject for an additional time period requested by the subject of up to 180 days. The agency will notify the requestor at the time of the request that the data will then be destroyed unless a new written request is received.

516.15 RELEASE OF AUDIO/VIDEO RECORDINGS

Requests for the release of audio/video recordings shall be processed in accordance with the Records Maintenance and Release Policy.

516.16 ACCESS TO RECORDINGS

Except as provided by Minn. Stat. § 13.825, Subd. 2, audio/video recordings are considered private or nonpublic data.

Any person captured in a recording may have access to the recording. If the individual requests a copy of the recording and does not have the consent of other non-law enforcement individuals captured on the recording, the identity of those individuals must be blurred or obscured sufficiently to render the subject unidentifiable prior to release. The identity of on-duty Correctional Officer may not be obscured unless their identity is protected under Minn. Stat. § 13.82, Subd. 17.

516.17 ACCOUNTABILITY

Any member who accesses or releases recordings without authorization may be subject to discipline (See the Standards of Conduct and the Protected Information policies) (Minn. Stat. § 626.8473).

Transportation of Inmates Outside the Secure Facility

517.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the transportation of inmates outside this facility and to ensure that the staff assigned to transportation duties is qualified and adequately trained.

517.2 POLICY

It is the policy of the Beltrami County Sheriff's Office to provide safe, secure and humane transportation for all inmates and other persons as required by law.

This office shall transfer all inmates from the jail to the place of imprisonment pursuant to the sentence of the court as soon as practicable after the sentence, in accordance with all laws relating to the transfer of inmates and costs related to transfers to facilities and jurisdictions.

517.3 PROCEDURES

Only staff members who have completed office-approved training on inmate transportation should be assigned inmate transportation duty. All staff members who operate transportation vehicles shall hold a valid license for the type of vehicle being operated.

Any member who transports an inmate outside the secure confines of this facility is responsible for:

- (a) Obtaining all necessary paperwork for the inmate being transported (e.g., medical/dental records, commitment documents).
- (b) Submitting a completed transportation plan to the transportation supervisor. Items that should be addressed in the plan include:
 1. Type of restraints to be used on the inmates being transported.
 2. The routes, including alternate routes, to be taken during the transportation assignment. Routes should be selected with security for the community in mind.
 3. Emergency response procedures in the event of a collision, breakdown of a transportation vehicle, or other unforeseen event.
- (c) Ensuring that all inmates are thoroughly searched and appropriate restraints are properly applied.
 1. Inmates who are known to be pregnant will not be handcuffed behind their backs or placed in waist restraints while being transported (see the Use of Restraints Policy).
- (d) Ensuring that all vehicle security devices (e.g., window bars, inside cages, door locks) are in good repair and are operational.
- (e) Thoroughly searching the transporting vehicle for contraband before any inmate is placed inside, and again after removing the inmate from the transporting vehicle.

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517.3.1 PRISONER TRANSFER ESCORT

Prisoner transfers that exceed 100 miles shall be accomplished with a custodial escort of the same sex as the prisoner being transferred unless video and audio recording equipment is installed in the vehicle that is capable of recording the transferee for the entire duration of the transfer. Recordings of such transfers shall be maintained by the office for at least 12 months after the date of the transfer (Minn. Stat. § 631.412).

517.3.2 TRANSPORTATION LOGS

Inmate transportation logs shall be developed by the Jail Administrator or the authorized designee and used to log all inmate transportation. The logs shall include:

- Name and identification number of the inmate.
- Date and start/stop time of the transport.
- Location where the inmate was transported.
- Name and identification number of the transporting corrections officer.
- Circumstances of any unusual events associated with the transportation.

The logs shall be retained by the facility in accordance with established records retention schedules.

517.4 TRAINING

The Training Officer shall ensure that all employees charged with inmate transportation duties receive training appropriate for the assignment.

Documentation of all training presented shall be retained in the employee's training file in accordance with established records retention schedules.

End of Term Release

518.1 PURPOSE AND SCOPE

The purpose of this policy is to establish and maintain procedures governing the end of term release of inmates to ensure that inmates are not released in error. This policy does not apply to persons released or transferred to another facility.

518.2 POLICY

It will be the policy of the Beltrami County Sheriff's Office to provide for the timely, efficient and legal release of inmates (Minn. R. 2911.2550).

518.3 DEFINITIONS

- (a) **Mental illness-** an organic disorder of the brain or a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that is detailed in a diagnostic codes list published by the commissioner, and that seriously limits a person's capacity to function in primary aspects of daily living such as personal relations, living arrangements, work, and recreation.
- (b) **Adult with acute mental illness-** an adult who has a mental illness that is serious enough to require prompt intervention.
- (c) **Person with serious and persistent mental illness-** an adult who has a mental illness and meets at least one of the following criteria:
 - 1. the adult has undergone two or more episodes of inpatient care for a mental illness within the preceding 24 months;
 - 2. the adult has experienced a continuous psychiatric hospitalization or residential treatment exceeding six months' duration within the preceding 12 months;
 - 3. the adult has been treated by a crisis team two or more times within the preceding 24 months;
 - 4. the adult:
 - (a) has a diagnosis of schizophrenia, bipolar disorder, major depression, schizo-affective disorder, or borderline personality disorder;
 - (b) indicates a significant impairment in functioning; and
 - (c) has a written opinion from a mental health professional, in the last three years, stating that the adult is reasonably likely to have future episodes requiring inpatient or residential treatment, of a frequency described in clause (1) or (2), unless ongoing case management or community support services are provided;
 - (d) the adult has, in the last three years, been committed by a court as a person who is mentally ill under Minn. Stat. § 253B, or the adult's commitment has been stayed or continued;
 - (e) the adult (i) was eligible under clauses (1) to (5), but the specified time period has expired or the adult was eligible as a child under Minn.

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Stat. § 245.4871, subdivision 6; and (ii) has a written opinion from a mental health professional, in the last three years, stating that the adult is reasonably likely to have future episodes requiring inpatient or residential treatment, of a frequency described in clause (1) or (2), unless ongoing case management or community support services are provided; or

- (f) the adult was eligible as a child under Minn. Stat. § 245.4871, subdivision 6, and is age 21 or younger.

518.4 RELEASE PROCEDURE

Inmates who have reached the end of their sentenced term or who are ordered released by the court will be scheduled for release at staggered times on their out-dates to avoid congestion in the release area. Inmates scheduled for release shall be escorted by the staff to the transfer/release area to begin the release procedure 30 minutes prior to their scheduled release time.

The Office, to the extent reasonably practicable, shall not release an inmate in severe weather in such a manner as to endanger the inmate's health, safety, or well-being. The inmate may be offered a safe mode of transportation to the closest place of safety or the opportunity to remain in a public area of the facility until the inclement weather passes (Minn. R. 2911.2550, Subp. 3).

The Shift Supervisor or release officer shall sign and date the release paperwork on the same day the inmate is to be released.

Inmates shall not be released or moved during inmate count, change of shift, or at any time that would pose a potential safety threat or disrupt the orderly operation of the facility.

All inmates must be positively identified by the staff prior to being released from the facility. Inmate identities should be verified using intake records bearing the inmate's name, photograph, and facility identification number (Minn. R. 2911.2550, Subp. 1).

Before any inmate may be released, the following conditions must be met:

- (a) The identity of the inmate has been verified.
- (b) All required paperwork for release is present. The staff shall review the active inmate file to verify the validity of the documents authorizing the release. The file should also be reviewed for other release-related or pending matters, including (Minn. R. 2911.2550, Subp. 1):
 1. Verifying calculations and release-date adjustments for good time.
 2. Any pending arrangements for follow-up, such as medications needed, appointments or referral to community or social resources, unresolved grievances, damage claims, or lost property.
- (c) Releasing staff must complete National Crime Information Center (NCIC) and local warrant checks to ensure that there are no outstanding warrants or detention orders. If any agency has outstanding charges against the inmate, the staff shall notify the agency that the inmate is available for release. Notification shall be made prior to release of the inmate and the inmate may be held subject to the requirements

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of the Minnesota Rules of Criminal Procedure for a court appearance or judicial determination of probable cause.

- (d) If the inmate is required to register with the Predatory Offender Registry (POR), staff shall complete and submit to the Bureau of Criminal Apprehension (BCA) the applicable Predatory Offender Prison Notification and/or Change of Information Form before releasing the inmate.
- (e) Staff shall electronically enter information on released inmates into a BCA-managed database to include finger and thumb prints, photographs, distinctive physical mark identification data, other identification data, modus operandi reports, and the time, terms, and conditions of their discharge (Minn. Stat. § 299C.14).
- (f) If an inmate has known mental health concerns, the inmate shall be evaluated by a qualified health care professional and medically authorized for release. To the extent reasonably practicable, individuals who have been determined to be severely mentally ill should be released during business hours to facilitate their ability to receive services immediately after release (Minn. Stat. § 641.15 Subd. 3a).
- (g) All personal property shall be returned to the inmate during the release process unless the property is held for an authorized investigation or litigation. The inmate must acknowledge receiving his/her property by signed receipt. Any discrepancies shall be promptly reported to the Shift Supervisor (Minn. R. 2911.2550, Subp. 1).
- (h) All facility property must be returned by the inmate. Any missing or damaged facility property should be documented and promptly reported to the Shift Supervisor. The inmate shall remain in custody until the Shift Supervisor determines whether additional criminal charges should be filed against the inmate for the damages.
- (i) A forwarding address for the inmate should be on file and verified with the inmate for return of mail.
- (j) Inmates on probation or parole should be directed by the staff to report to the probation or parole office immediately upon release. The parole authorities having jurisdiction shall be notified of the inmate's release, if required.
- (k) If needed, inmates may be allowed to make a reasonable number of telephone calls prior to release to arrange for transportation (Minn. R. 2911.2550, Subp. 2).
- (l) Arrangements shall be made for completion of any pending action, such as grievances, or claims of damaged, or lost possessions (Minn. R. 2911.2550, Subp. 1).

The housing sheet, release log, and daily census log shall be updated accordingly after the inmate's release. The Shift Supervisor shall ensure all release documents are complete and properly signed by the inmate and the staff where required.

Registered Predatory Offender **SEE POLICY MANUAL 356**

Over-Detention and Inadvertent Releases

520.1 PURPOSE AND SCOPE

This policy is intended to provide guidance to staff and management in the event of over-detention or inadvertent release.

520.1.1 DEFINITIONS

Definitions related to this policy include:

Inadvertent release - Any instance of an inmate being mistakenly released.

Over-detention - Any instance of an inmate being mistakenly detained beyond his/her scheduled release date.

520.2 POLICY

It is the policy of this office to reasonably ensure that over-detention and inadvertent releases do not occur.

520.3 OVER-DETENTION

Any custody staff member who discovers or receives information of an over-detention, or a complaint from an inmate regarding over-detention (which could be discovered through a grievance), should immediately notify the Shift Supervisor (see the Inmate Grievances Policy).

The Shift Supervisor should direct the jail records unit to immediately conduct an investigation to determine the correct release date of the inmate and to report the findings to the Shift Supervisor.

Inmates who are found to be over-detained shall be processed for immediate release in accordance with the End of Term Release Policy. The Shift Supervisor shall ensure that the Jail Administrator is notified, an entry is made to the daily activity log and that a report is completed.

520.3.1 OVER DETENTION GRIEVANCES

Any custody staff member who receives information or a complaint from an inmate regarding over-detention should assist the inmate with completing a grievance form and forward the form directly to the Shift Supervisor as soon as practicable.

The Shift Supervisor receiving a grievance regarding an over-detention should direct the jail records unit to immediately conduct an investigation to determine the correct release date of the inmate and to report the findings to the Shift Supervisor.

If the Shift Supervisor decides not to release the inmate, the Shift Supervisor should ensure the inmate receives a grievance hearing within 24 hours of the grievance submission. The hearing documentation should reflect efforts made to investigate the allegation (see the Inmate Grievances Policy).

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520.4 INADVERTENT RELEASE

Whenever an inadvertent release is discovered, the custody staff member making the discovery shall immediately notify the Shift Supervisor. The notification shall be documented in the daily activity log.

520.4.1 INADVERTENT RELEASE INVESTIGATION

The Shift Supervisor should direct the jail records unit to immediately conduct an investigation to determine the cause of the inadvertent release.

The Shift Supervisor will coordinate a response based upon the seriousness of the threat the inmate may pose to the community. The threat assessment should be based upon the inmate's criminal history and the reason he/she is currently in custody, among other factors.

In the case of an inadvertent release, the Shift Supervisor should immediately notify the Jail Administrator and ensure a report is completed. The Jail Administrator should notify the Sheriff.

An appropriate evaluation of the circumstances shall be made to determine whether the inadvertent release should be classified as an escape.

520.4.2 RETURNING THE INMATE TO CUSTODY

When the inmate is located and returned to the facility, the appropriate notifications should be made as soon as possible.

Chapter 6 - Inmate Due Process

Inmate Discipline

600.1 PURPOSE AND SCOPE

This policy addresses the fair and equitable application of inmate rules and disciplinary sanctions for those who fail to comply.

600.2 POLICY

It is the policy of this office to maintain written general categories of prohibited inmate behavior that are clear, consistent and uniformly applied. Written rules and guidelines will be made available to all inmates. They will include a process for resolving minor infractions and a hearing process for a more serious breach of inmate rules. Criminal acts may be referred to the appropriate criminal agency (Minn. R. 2911.2850).

600.2.1 CRIMINAL ACTS

If the violation committed constitutes a crime, the Administrator, or his/her designee, shall refer the case to the appropriate agency for investigation for possible criminal charges.

If the incident involves a crime, the Supervisor shall inform the victim of his/her right to press criminal charges and have dispatch contact an officer if the victim chooses.

If the incident appears to involve a crime, the Supervisor will make contact with an Officer immediately and follow his/her instructions.

600.3 DUE PROCESS

Inmates who are subject to discipline as a result of rule violations shall be afforded the procedural due process established in the policies, procedures and practices relating to inmate discipline. Staff will not engage in arbitrary actions against inmates. All disciplinary actions will follow clearly established procedures. All disciplinary sanctions will be fairly and consistently applied (Minn. R. 2911.2850).

The process for an inmate accused of a rule violation includes:

- Published rules of conduct related to maintaining facility safety, security and order and clearly defined penalties for a violation of rules.
- A fair hearing in which the Jail Administrator or the authorized designee presents factual evidence supporting the rule violation and the disciplinary action.
- Advance notice to the inmate of the disciplinary hearing, to allow the inmate time to prepare a defense.
- An impartial hearing officer.
- The limited right to call witnesses and/or present evidence on his/her behalf.
- The appointment of an assistant or representative in cases where the inmate may be incapable of self representation.

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- A formal written decision that shows the evidence used by the hearing officer, the reasons for any sanctions and an explanation of the appeal process.
- Reasonable sanctions for violating rules that relate to the severity of the violation.
- The opportunity to appeal the finding.

600.3.1 INMATE RULES AND SANCTIONS

The Jail Administrator is responsible for ensuring that inmate rules and sanctions are developed, distributed, reviewed annually, and revised as needed.

Inmates cannot be held accountable for rules of which they are unaware. However, it is impossible to define every possible prohibited act or rule violation that might be encountered in a detention facility. Therefore, a current list of recognized infractions that are generally prohibited should be available in each housing unit. All inmates, regardless of their housing unit, shall have access to these rules. Inmate rules shall be translated into the languages that are understood by the inmates (see the Inmate Handbook and Orientation Policy).

Disciplinary procedures governing inmate rule violations should address rules, minor and major violations, criminal offenses, disciplinary reports, prehearing detention, and prehearing actions or investigations.

600.3.2 RULE VIOLATION REPORTS

A record of all disciplinary infractions and punishment administered will be made. This requirement may be satisfied by retaining copies of rule violation reports, including the disposition of each violation (Minn. R. 2911.2850, Subp. 7). Rule violation reports are required for major rule violations or any other violation that will require investigation or a formal resolution. The staff member who observed or detected the rule violation or who was charged with investigating a rule violation is responsible for completing the rule violation report.

The rule violation report shall include, at a minimum:

- (a) The date, time and location of the incident.
- (b) Specific rules violated.
- (c) A written description of the incident.
- (d) The identity of known participants in the incident.
- (e) Identity of any witnesses to the incident.
- (f) Description and disposition of any physical evidence.
- (g) Action taken by staff, including any response to resistance.
- (h) Name and signature of the reporting corrections officer.
- (i) Date and time of the report.

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The supervisor investigating the violation shall ensure that documentation in the investigation or rule violation report includes:

- Date and time the explanation and the written copy of the complaint and appeal process were provided to the inmate.
- The inmate's response to the charges.
- Reasons for any sanctions.
- The identity of any staff or witnesses involved, as revealed by the inmate.
- The findings of the hearing officer.
- The inmate's appeal, if any.
- The appeal findings, if applicable.

600.4 RULE VIOLATION PROCEDURES

Minor acts of non-conformance to the rules may be handled informally by any corrections officer.

A violation of rules observed by general service employees, volunteers or contractors will be reported to a corrections officer for further action. Corrections officers are authorized to recommend informal sanctions on minor violations.

Any staff member imposing informal discipline shall complete the reporting portion of the disciplinary report and provide the form to the supervisor for review prior to the imposition of the sanction.

Disciplinary sanctions that may be imposed for minor rule violations include:

- Counseling the inmate regarding expected conduct.
- Assignment to extra work detail.
- Removal from work detail (without losing work time credits).
- Loss of television, telephone and/or commissary privileges for a period not to exceed 72 hours.
- Lockdown in the inmate's assigned cell or confinement in the inmate's bunk area for a period not to exceed 24 hours.

An inmate may request that a supervisor review the imposed sanction. However, this request must be made within one hour of receiving notice of the sanction. The supervisor should respond to the request within a reasonable time (generally within two hours) and shall have final authority as to the imposition of informal discipline (Minn. R. 2911.2850).

600.4.1 MULTIPLE MINOR RULE VIOLATIONS

Staff may initiate a major rule violation report if an inmate is charged with three or more minor rule violations. Copies of all minor rule violations will be attached to the major rule violation report. A

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staff member shall conduct a hearing according to the procedures of a major rule violation (Minn. R. 2911.2850).

600.4.2 MAJOR RULE VIOLATIONS

Major rule violations are considered a threat to the safety, security or efficiency of the facility, its staff members, inmates or visitors. Staff members witnessing or becoming aware of a major rule violation shall take immediate steps to stabilize and manage the situation, including immediate notification of a supervisor. The supervisor shall assess the situation and initiate any emergency action, if necessary, and notify the Shift Supervisor.

The staff member who learned of the rule violation shall write and submit a disciplinary report, along with all relevant evidence, to the appropriate supervisor prior to the end of the shift.

Reports shall be concise, explain the facts of the violation and should describe any evidence supporting that the accused inmate did or did not commit the violation. The report shall contain the elements identified in the Rule Violation Reports section of this policy (Minn. R. 2911.2850).

600.4.3 ADMINISTRATIVE SEGREGATION HOUSING

Inmates who are accused of a major rule violation may be moved to administrative segregation housing for prehearing detention, with the Shift Supervisor's approval, if there is a threat to safety or security. Inmates placed in prehearing detention are subject to the property and privilege restrictions commensurate with segregated confinement.

The Jail Administrator or the authorized designee shall, within 72 hours including weekends and holidays, review the status of any inmate in prehearing detention to determine whether continued prehearing segregation housing is appropriate (Minn. R. 2911.2850, Subp. 3(G)).

600.5 NUTRILLOAF

When an inmate has committed a rule infraction that requires lockdown they will be placed on the nutrilloaf diet. They will receive cold nutrilloaf, 3 slices of bread, and fortified drink for breakfast, heated nutrilloaf and 3 slices of bread for lunch and supper. After 3 days the inmate's behavior will be reviewed. If in those 3 days there have been no more behavioral issues the inmate will be taken off nutrilloaf diet. If at any time during the lockdown period the inmate exhibits poor behavior again they may be placed back on the nutrilloaf meals for 3 additional days, with another behavioral review at the end of three days.

600.6 INVESTIGATIONS

Investigations involving major rule violations should be initiated within 24 hours of the initial report and completed in sufficient time for the inmate to have a disciplinary hearing, which is required within 72 hours of the time the inmate was informed, in writing, of the charges. If additional time is needed, the investigating supervisor will request more time in writing from the Shift Supervisor. The inmate will be notified in writing of the delay.

If upon completion of the investigation, the investigating supervisor finds insufficient evidence to support a major rule violation, he/she may discuss alternative sanctions with the Shift Supervisor,

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including handling the incident as a minor violation or recommending that charges be removed. Such alternatives shall be documented in the inmate's file.

If the investigating supervisor determines that sufficient evidence exists to support a major rule violation, he/she will act as the hearing coordinator and will be responsible for:

- Reviewing all reports for accuracy and completeness.
- Overseeing or conducting any required additional investigation.
- Making a determination as to the final charges.
- Making preliminary decisions about the appointment of a staff member to act as an assistant to the inmate.
- Identifying any witnesses that may be called to the hearing.

600.7 NOTIFICATIONS

An inmate charged with a major rule violation shall be given a written description of the incident and the rules violated at least 24 hours before a disciplinary hearing.

Unless waived in writing by the inmate, hearings may not be held in less than 24 hours from the time of notification.

600.8 HEARING OFFICER

An impartial person shall conduct disciplinary hearings on rule violations (Minn. R. 2911.2850, Subp. 3). The Jail Administrator shall appoint at least one hearing officer to preside and conduct disciplinary hearings of major rule violations. The hearing officer should be a qualified supervisor or suitably trained designee who will have the responsibility and authority to rule on charges of inmate rule violations. The hearing officer shall also have the power to impose sanctions. The hearing officer shall not investigate nor preside over any inmate disciplinary hearing on cases where he/she was a witness or was directly involved in the incident that generated the complaint.

600.9 HEARING PROCEDURE

Inmates charged with major rule violations are entitled to be present at a hearing unless waived in writing or excluded because their behavior poses a threat to facility safety, security and order. Staff shall inform the hearing officer when any inmate is excluded or removed from a scheduled hearing and shall document the reasons for the exclusion or removal. A copy of the report shall be forwarded to the Jail Administrator.

Hearings may be postponed or continued for a reasonable period of time for good cause. Reasons for postponement or continuance shall be documented and forwarded to the Jail Administrator.

The hearing officer shall disclose to the accused inmate all witnesses who will be participating in the hearing. Inmates have no right to cross-examine witnesses. However, the accused inmate may be permitted to suggest questions that the hearing officer, in his/her discretion, may ask.

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600.9.1 EVIDENCE

Accused inmates shall have the right to make a statement, present evidence, and call witnesses at the hearing. Requests for witnesses shall be submitted in writing by the inmate no later than 12 hours before the scheduled start of the hearing. The written request must include a brief summary of what the witness is expected to say.

The hearing officer may deny the request when it is determined that allowing the witness to testify would be unduly hazardous to institutional safety or correctional goals or when the witness's information would not be relevant or would be unnecessarily duplicative or otherwise unnecessary. The reason for denying a witness to testify shall be documented in the hearing report. The reason for denial of any documents requested by the inmate shall also be documented in the hearing record.

A witness's signed written statement may be submitted by the inmate as an alternative to a live appearance. The hearing officer shall review and determine whether the statement is relevant to the charges and shall document the reason for exclusion when any written statement is not given consideration.

Absent a safety or security concern, all staff reports and evidence, including exculpatory evidence obtained during the disciplinary investigation, shall be made available to the accused inmate prior to the hearing.

600.9.2 CONFIDENTIAL INFORMANTS

If information from any confidential informant is to be presented at the hearing, information establishing the reliability and credibility of the informant shall be provided to the hearing officer prior to the hearing. The hearing officer shall review such information to determine whether the informant is reliable and credible.

600.9.3 STAFF ASSISTANCE

A staff member shall be assigned to assist an inmate who is incapable of representing him/herself at a disciplinary hearing due to literacy, developmental disabilities, language barriers or mental status. The scope of the duties of the assistant shall be commensurate with the reasons for the appointment. The assistant should be allowed sufficient time to confer with the inmate to fulfill his/her obligations. In these cases the inmate does not have a right to appoint a person to assist in his/her disciplinary hearing. The final decision regarding the appointment rests with the hearing officer.

Inmate discipline is an administrative and not a judicial process. Inmates do not have a right to an attorney in any disciplinary hearing. Additionally, disciplinary matters may be referred for criminal prosecution and jail disciplinary action concurrently as there is no double jeopardy defense for an administrative process.

600.9.4 DISCIPLINARY DECISIONS

Disciplinary decisions shall be based on the preponderance of evidence presented during the disciplinary hearing.

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The disciplinary process shall consider whether an inmate's mental disabilities or mental illness contributed to the inmate's behavior when determining what type of discipline, if any, should be imposed (28 CFR 115.78(c)).

600.9.5 REPORT OF FINDINGS

The hearing officer shall write a report regarding the decision and detailing the evidence and the reasons for the disciplinary action. A copy of the report shall be provided to the inmate. The original shall be filed with the record of the proceedings. All documentation related to the disciplinary process shall be retained and a copy should be placed in the inmate's file.

If it is determined that the inmate's charge is not sustained at the end of the disciplinary, the documentation shall be removed from the inmate's file but otherwise maintained in accordance with records retention requirements.

All disciplinary hearing reports and dispositions shall be reviewed by the Jail Administrator or the authorized designee soon after the final disposition.

600.10 DISCIPLINARY APPEALS

Inmates wishing to appeal the decision of the hearing officer must do so in writing within five days of the decision. All appeals will be forwarded to the Jail Administrator or the authorized designee for review.

Only appeals based on the following will be considered:

- (a) The disciplinary process or procedures were not followed.
- (b) There was insufficient evidence to support the hearing officer's decision.
- (c) The discipline imposed was not proportionate to the violation committed.

A final disposition shall be rendered as soon as possible if the inmate's appeal is granted or discipline is reduced but no later than 10 days after the appeal. The decision of the review authority shall be final and the result of the appeal shall be provided to the inmate in writing.

600.11 LIMITATIONS ON DISCIPLINARY ACTIONS

The U.S. and Minnesota constitutions expressly prohibit all cruel or unusual punishment. Additionally, there shall be the following limitations:

- In no case shall any inmate or group of inmates be delegated the authority to punish any other inmate or group of inmates.
- In no case shall a safety cell, as specified in the Juvenile Housing Policy and the Safety and Sobering Cells Policy, be used for disciplinary purposes.
- In no case shall any restraint device be used for disciplinary purposes.
- Food shall not be withheld as a disciplinary measure (Minn. R. 2911.4400).
- Correspondence privileges shall not be withheld except in cases where the inmate has violated correspondence regulations, in which case correspondence other than legal

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mail may be suspended for no longer than 72 hours without the review and approval of the Jail Administrator.

- In no case shall access to the courts and/or legal counsel be suspended as a disciplinary measure.
- No inmate may be deprived of the implements necessary to maintain an acceptable level of personal hygiene.
- Discipline may be imposed for sexual activity between inmates. However, such activity shall not be considered sexual abuse for purposes of discipline unless the activity was coerced (28 CFR 115.78(g)).
- No discipline may be imposed for sexual contact with staff unless there is a finding that the staff member did not consent to such contact (28 CFR 115.78(e)).
- No inmate may be disciplined for falsely reporting sexual abuse or lying, even if an investigation does not establish evidence sufficient to substantiate the allegation, if the report was made in good faith based upon a reasonable belief that the alleged conduct occurred (28 CFR 115.78(f)).

600.12 GUIDELINES FOR DISCIPLINARY SANCTIONS

The sanctions imposed for rule violations can range from counseling, loss of privileges, extra work, loss of good and/or work time and restitution for damaging jail property, to implementation of the Disciplinary Segregation Policy. To the extent that there is available therapy, counseling or other interventions designed to address and correct underlying reasons or motivations for sexual abuse, the facility shall consider whether to require an inmate being disciplined for sexual abuse to participate in such interventions as a condition of access to programming or other benefits (28 CFR 115.78(d)).

Discipline shall be commensurate with the nature and circumstances of the offense committed, the inmate's disciplinary history and the sanctions imposed for comparable offenses by other inmates with similar histories (28 CFR 115.78(b)).

Inmates shall be subject to disciplinary sanctions pursuant to a formal disciplinary process following an administrative finding that the inmate engaged in inmate-on-inmate sexual abuse or following a criminal finding of guilt for inmate-on-inmate sexual abuse (28 CFR 115.78(a)).

The Sheriff or the Jail Administrator shall be responsible for developing and implementing a range of disciplinary sanctions for violations.

600.13 TRAINING

The Jail Administrator or the authorized designee is responsible for ensuring that a wide range of training and disciplinary tools are available to aid staff and that preprinted forms are available for documenting rule violations in a consistent and thorough manner.

The Training Officer is responsible for developing and delivering, or procuring, training for staff members who participate in the disciplinary hearing process. Training topics should include the

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legal significance of due process protections and the hearing officer's role in assuring that those protections are provided.

Disciplinary Segregation

601.1 PURPOSE AND SCOPE

This policy specifically addresses disciplinary segregation and guiding principles relating to the conditions attached to that segregation. It will provide guidance to the staff on acceptable practices with regard to management of inmates in disciplinary segregation or classified as requiring special management needs.

The Beltrami County Sheriff's Office will provide secure segregated housing for inmates who require a higher degree of supervision, protection or physical control than can be provided by housing the inmate in general population (Minn. R. 2911.2800).

601.1.1 DEFINITIONS

Definitions related to this policy include:

Disciplinary segregation - A status assigned to an inmate after a disciplinary hearing in which the inmate was found to be in violation of a jail rule or state or federal law. This status results in separating the inmate from the rest of the inmate population to serve the consequence imposed.

601.2 POLICY

The Beltrami County Sheriff's Office will maintain a disciplinary segregation unit to house inmates who, after an impartial due process hearing, are being sanctioned for violating one or more jail rules. Restrictions on privileges will be subject to the disciplinary process and in accordance with this policy.

601.3 DISCIPLINARY SEGREGATION

Inmates may be placed into disciplinary segregation only after an impartial hearing to determine the facts of the rule violation, in accordance with the office Inmate Discipline Policy. The hearing officer shall impose discipline in accordance with the discipline schedule established by the Jail Administrator. Maximum discipline sanctions for any one incident, regardless of the number of rules violated, shall not exceed 60 days.

Disciplinary segregation in excess of 30 days must be reviewed by the Jail Administrator before the discipline is imposed. The review shall include a consultation with health care staff. Such reviews shall continue at least every 15 days thereafter until the disciplinary status has ended. These reviews shall be documented (Minn. R. 2911.2850).

601.3.1 FACILITYMANAGER VISITS

As part of the review process, the Jail Administrator or his/her authorized designee shall visit inmates in disciplinary segregation at least once every seven days (Minn. R. 2911.2850). Such visits shall be documented.

601.4 INMATE ACCESS TO SERVICES

The ability to discipline inmates for conduct violations is not absolute. Absent legitimate government reason, inmates continue to have a right to receive certain services. However,

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inmates in disciplinary segregation, in accordance with the Inmate Discipline Policy, or special management inmates who are disciplined for one or more rule violations, may be subject to loss of privileges or credit for good time and work.

Services to provide for basic human needs must continue to be made available. There are minimum service requirements that must be maintained to ensure the facility continues to operate in a constitutional manner. All custody staff will adhere to the following policy sections to guide them in the supervision of inmates held in disciplinary segregation or classified as requiring special management needs.

601.4.1 MEDICATION, CLOTHING AND PERSONAL ITEMS

Inmates placed in disciplinary segregation are considered special management inmates and shall not be denied prescribed medication.

Special management inmates will be provided with clothing that identifies their status, but in no case will this clothing be used to intentionally disgrace the inmate.

Absent unusual circumstances, special management inmates will continue to have the same access to personal items in their cells as general population inmates have, including the following:

- Clean laundry
- Barbering and hair care services
- Clothing exchanges
- Bedding and linen exchanges

Inmates in disciplinary segregation shall not be deprived of bedding or clothing except in cases where the inmate destroys such articles or uses them to attempt suicide. The decision to continue to deprive the inmate of these articles must be made by the Jail Administrator or the authorized designee and reviewed every eight hours (Minn. R. 2911.2850).

601.4.2 SHOWERING AND PERSONAL HYGIENE

Inmates in disciplinary segregation should be allowed to shower with the same frequency as the general inmate population, if reasonably practicable, but at a minimum shall be afforded the opportunity to shower at least every other day and shave daily. The opportunities for each inmate to shave and shower will be documented on the disciplinary segregation unit log.

Exceptions to this policy can only be made when the restriction is determined to be reasonably necessary for legitimate government purposes. Any exceptions to this basic requirement must be reviewed and approved by the Shift Supervisor. The circumstances necessitating a restriction must be clearly documented on the unit log.

601.4.3 DENIAL OF AUTHORIZED ITEMS OR ACTIVITIES

Personal items may be withheld when it reasonably appears that the items will be destroyed by the inmate or it is reasonably believed that the personal item will be used for a self-inflicted injury or to harm others.

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Whenever an inmate in disciplinary segregation is denied personal care items or activities that are usually authorized to the general population inmates, except for restrictions imposed as a result of a disciplinary hearing, the corrections officer taking such action shall prepare a report describing the circumstances that necessitated the need to restrict personal items or activities. The report shall be submitted to a supervisor for review, who will then forward it to the Jail Administrator. A copy of the report shall be placed in the inmate's file.

601.4.4 MAIL AND CORRESPONDENCE

Inmates in disciplinary segregation shall have the same privileges to write and receive correspondence as inmates in general population, except in cases where inmates violated correspondence regulations. In such cases, mail privilege may be suspended. The Jail Administrator or the authorized designee shall approve all mail privilege suspensions that exceed 72 hours. Legal mail shall not be suspended from access or delivery to the inmate.

601.4.5 VISITATION

Inmates in disciplinary segregation shall have the same opportunities for visitation as general population inmates, except when the visitation privileges are suspended pursuant to a sanction imposed by the disciplinary hearing officer. Disciplinary sanctions that limit or curtail visitation must be clearly documented and approved by a supervisor if not a condition of the original approved discipline.

601.4.6 READING AND LEGAL MATERIALS

Inmates in disciplinary segregation shall have the same access to reading materials and legal materials as the general population inmates, unless the restriction is directed by a court of law or there is a reasonable basis to believe the materials will be used for illegal purposes or pose a direct threat to the security and safety of the facility. In such cases the basis for the action shall be documented in the inmate's file and unit log. Access to courts and legal counsel shall not be suspended as a disciplinary measure.

601.4.7 EXERCISE

Inmates in disciplinary segregation shall be given a minimum of one hour a day, seven days a week, of exercise outside of their cell (Minn. R. 2911.3100, Subp. 7F). Exceptions to this may occur if there are legitimate security or safety considerations. The circumstances relating to the limitation of exercise shall be documented in an incident report. The report shall be reviewed and the restriction shall be approved by a supervisor.

601.4.8 LIMITED TELEPHONE PRIVILEGES

Inmates in disciplinary segregation may have their telephone privilege restricted or denied. Exceptions include the following:

- (a) Making calls to attorneys
- (b) Responding to verified family emergencies, when approved by a supervisor

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All telephone access based on the above exceptions shall be documented in the inmate's record and in the jail log.

601.4.9 BEDDING AND CLOTHING

Inmates in disciplinary segregation shall not be deprived of bedding or clothing except in cases where the inmate destroys such articles or uses them to harm him/herself or others or for something other than the intended purpose. Alternative bedding and clothing should be provided when possible. Clothing and bedding shall be returned to the inmate as soon as it is reasonable to believe the behavior that caused the action will not continue. The decision to continue to deprive the inmate of these articles must be made by the Jail Administrator or the authorized designee and reviewed at least every eight hours. This review shall be documented and placed into the inmate's file (Minn. R. 2911.2850, Subp. 6).

601.5 INITIAL EVALUATION OF INMATES UPON PLACEMENT

After notification from staff that an inmate is being placed in segregation, the Shift Supervisor shall ensure that the following occurs:

- (a) A qualified health care professional shall review the inmate's health record to determine whether existing medical, dental or mental health needs contraindicate the placement or require special accommodations.
- (b) If contraindications or special accommodations are noted, the qualified health care professional shall inform the Shift Supervisor and coordinate the appropriate plan for the inmate based on the safety needs of the facility and the medical needs of the inmate.

601.6 MENTAL HEALTH CONSIDERATIONS

Due to the possibility of self-inflicted injury and depression during periods of segregation, health evaluations should include notations of any bruises and other trauma markings, and the qualified health care professional's comments regarding the inmate's attitude and outlook.

- (a) A qualified health care professional should visit each inmate a minimum of once a day and more often if needed. A medical assessment should be documented in the inmate's medical file.
- (b) Mental health staff or a qualified mental health professional should also conduct weekly rounds.

When an inmate is classified as a special management inmate due to the presence of a serious mental illness and is placed in a segregation setting, the mental health progress notes and management plan should reflect the changed environment. When an inmate is expected to remain in segregation for more than 30 days (based upon disciplinary decisions, protective needs or other factors) the special management treatment plan should be updated to reflect this.

Where reasonably practicable, a mental health worker should provide screening for suicide risk following admission to the segregation unit.

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601.7 WELL-BEING CHECKS

A staff member shall conduct a personal observation well-being check of all disciplinary segregation inmates at least every 30 minutes on an irregular schedule. If an inmate is violent, has mental health problems or demonstrates unusual behavior, the face-to-face check by custody should occur every 15 minutes on an irregular schedule.

Inmates who are at risk of suicide shall be under continuous observation until seen by a qualified health care professional. Subsequent supervision routines should be in accordance with orders provided by the qualified health care professional.

Disciplinary segregation inmates shall receive increased monitoring to include at a minimum:

- (a) A visit by the Shift Supervisor once a day and the Jail Administrator or designee every seven days.
- (b) Visits by program staff, upon request.
- (c) Visits by a qualified health care professional a minimum of once a day and more often, if needed.

All management, program staff and qualified health care professional visits shall be documented on the appropriate records and logs and retained in accordance with established records retention schedules.

601.7.1 DOCUMENTATION OF SEGREGATION CHECKS

Segregation rounds shall be documented on door cards, logs and/or rounds forms, and include the following:

- (a) Date and time of contact
- (b) Signature or initials of the qualified health care professional making rounds
- (c) Any needed referrals
- (d) All significant findings and observations, medical assessment, treatment, recommendations, notifications and actions, all of which should be documented in the inmate's health record

601.8 LOG PROCEDURES

All management, program staff and qualified health care professional visits shall be documented on the appropriate records and logs and retained in accordance with established records retention schedules.

Handwritten logs should be completed in ink. Once an entry is made, it should not be modified. If corrections or changes are needed, they should be done by way of a supplemental entry.

Electronically captured logs will be maintained in a way that prevents entries from being deleted or modified once they are entered. Corrections or changes must be done by way of supplemental entries. At a minimum, the log will contain the following:

- Inmate name

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- Inmate booking number
- Housing location
- Classification status
- Date and time placed in segregation
- Date and time of entry and exit from the cell
- Violation and length of discipline
- Scheduled date of removal from segregation
- Medical, psychological or behavioral considerations
- Counseling for behavior
- Date and time of removal from segregation

Log entries should be legible, be entered promptly and provide sufficient detail to adequately reflect the events of the day for future reference.

The date and time of the observation or incident and the name and identification number of the staff member making the log entry shall be included on each entry.

Supervisors should review the logs frequently during the shift and enter comments as appropriate. At a minimum, supervisors should enter the date and time of each review.

All safety checks will be documented in detail and should include the exact time of the safety check and the identification information of the employee conducting the check. All documentation will be gathered and provided to the Shift Supervisor or the Jail Administrator at midnight each day.

601.8.1 LOG INSPECTION AND ARCHIVAL OF LOGS

The Shift Supervisor shall review and evaluate the logs and pass any significant incidents via the chain of command to the Jail Administrator for review.

The logs will be retained by the Office in accordance with established records retention schedules, but in no case less than one year.

Inmates with Disabilities

602.1 PURPOSE AND SCOPE

This policy provides guidelines for addressing the needs and rights of inmates detained by this office in accordance with the Americans with Disabilities Act (ADA) and Minnesota Human Rights Act (MHRA).

602.1.1 DEFINITIONS

Definitions related to this policy include:

Disability - The ADA defines a disability as a physical or mental impairment that limits one or more major life activities. These include, but are not limited to, any disability that would substantially limit the mobility of an individual or an impairment of vision and/or hearing, speaking or performing manual tasks that require some level of dexterity.

602.2 POLICY

This office will take all reasonable steps to accommodate inmates with disabilities while they are in custody and will comply with the ADA and any related state laws. Discrimination on the basis of disability is prohibited.

602.3 JAIL ADMINISTRATOR RESPONSIBILITIES

The Jail Administrator, in coordination with the Responsible Physician and the ADA Coordinator (see Accessibility - Facility and Equipment Policy), will establish procedures to assess and reasonably accommodate disabilities of inmates. The procedures will include, but not be limited to:

- (a) Establishing housing areas that are equipped to meet the physical needs of disabled inmates, including areas that allow for personal care and hygiene in a reasonably private setting and for reasonable interaction with other inmates.
- (b) Establishing classification criteria to make housing assignments to inmates with disabilities.
- (c) Assigning individuals with adequate training to assist disabled inmates with basic life functions as needed. Inmates should not provide this assistance except as allowed in the Inmate Assistants Policy.
- (d) Establishing transportation procedures for moving inmates with limited mobility.
- (e) Establishing guidelines for services, programs and activities for the disabled and ensuring that inmates with disabilities have an equal opportunity to participate in or benefit from all aspects of the facility's efforts to prevent, detect and respond to sexual abuse and sexual harassment (28 CFR 115.16).
- (f) Enlisting or contracting for trained service personnel who have experience working with disabled people.
- (g) Establishing procedures for the request and review of accommodations.

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- (h) Establishing guidelines for the accommodation of individuals who are deaf or hard of hearing, have common disabilities such as sight and mobility impairments, developmental disabilities and common medical issues, such as epilepsy.
- (i) Identification and evaluation of all developmentally disabled inmates, including contacting the regional center for the developmentally disabled to assist with diagnosis and/or treatment within 24 hours of identification, excluding holidays and weekends.

The Jail Administrator is responsible for ensuring the Beltrami County Sheriff's Office jail is designed or adapted to reasonably accommodate inmates with disabilities. At a minimum this includes:

- Access to telephones equipped with a telecommunications device for the deaf (TDD) for inmates who are deaf or hard of hearing or speech-impaired.
- If orientation videos are used to explain facility rules to newly admitted inmates, subtitles may be displayed on the video presentation to assist inmates who have impaired hearing.
- Some cells and dormitories should be equipped with wheelchair accessible toilet and shower facilities. Inmates with physical disabilities should be allowed to perform personal care in a reasonably private environment.
- Tables designed for eating should be accessible to those in wheelchairs.

602.4 CORRECTIONS OFFICERS RESPONSIBILITIES

Corrections officers should work with qualified health care professionals to aid in making accommodations for those with physical disabilities.

Corrections officers who work in the classification process should be aware of inmates with disabilities before making housing decisions. For example, persons with mobility issues may require a lower bunk and accessible toilet and shower facilities. When necessary or required, a supervisor of classification corrections officer should consult with the qualified health care professional or the Responsible Physician regarding housing location.

Corrections officers should assist an inmate with a disability by accommodating the inmate consistent with any guidelines related to the inmate's disability. If there are no current guidelines in place, corrections officers receiving an inmate request for accommodation of a disability should direct the inmate to provide the request in writing or assist the inmate in doing so, as needed. The written request should be brought to the on-duty supervisor as soon as practicable but during the corrections officer's current shift. Generally, requests should be accommodated upon request if the accommodation would not raise a safety concern or affect the orderly function of the jail. The formal written request should still be submitted to the on-duty supervisor.

Requests that are minor and do not reasonably appear related to a significant or ongoing need may be addressed informally, such as providing extra tissue to an inmate with a cold. Such requests need not be made in writing.

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602.5 ACCOMMODATION REQUESTS

Inmates shall be asked to reveal any accommodation requests during the intake classification process. Any such request will be addressed according to the classification process.

Requests for accommodation after initial entry into the facility should be made through the standard facility request process and should be reviewed by a supervisor within 24 hours of the request being made. The reviewing supervisor should evaluate the request and, if approved, notify the Jail Administrator, ADA Coordinator (see the Accessibility - Facility and Equipment Policy) and any other staff as necessary to meet the accommodation. The supervisor should make a record of the accommodation in the inmate's file.

A supervisor who does not grant the accommodation, either in part or in full, should forward the request to the Jail Administrator and the ADA Coordinator within 48 hours of the request being made. The Jail Administrator, with the assistance of the ADA Coordinator and/or legal counsel, should make a determination regarding the request within five days of the request being made.

602.6 TRAINING

The ADA Coordinator should work with the Training Officer to provide periodic training on such topics as:

- (a) Policies, procedures, forms and available resources for disabled inmates.
- (b) Working effectively with interpreters, telephone interpretive services and related equipment.
- (c) Training for management staff, even if they may not interact regularly with disabled individuals, so that they remain fully aware of and understand this policy and can reinforce its importance and ensure its implementation.

Inmate Access to Courts and Counsel

603.1 PURPOSE AND SCOPE

The purpose of this policy is to protect the constitutional rights of inmates to access the courts and legal counsel, while holding inmates accountable to the rules and regulations that govern conduct in this facility.

603.2 POLICY

It is the policy of this office that all inmates will have access to the courts and the ability to consult with legal counsel.

603.3 INMATE ACCESS

Staff should not unreasonably interfere with inmates' attempts to seek counsel and where appropriate should assist inmates with making confidential contact with attorneys and authorized representatives.

Access to courts and legal counsel may occur through court-appointed counsel, attorney or legal assistant visits, telephone conversations, or written communication. To facilitate access, this facility will minimally provide:

- Confidential attorney visiting areas that include the means by which the attorney and the inmate can share legal documents.
- Telephones that enable confidential attorney-client calls.
- Reasonable access to legal materials.
- A means of providing assistance through the court process by individuals trained in the law. This assistance will be available to illiterate inmates and those who cannot speak or read English or who have disabilities that would impair their ability to access.
- Writing materials, envelopes, and postage for indigent inmates for legal communications and correspondence.

The Jail Administrator shall be responsible for ensuring that information regarding access to courts and legal counsel and requesting legal materials or legal assistance is included in the inmate handbook that is provided during inmate orientation.

603.4 CONFIDENTIALITY

All communication between inmates and their attorneys is confidential, including telephone conversations, written communication and video conferencing. The content of written attorney-client communication will not be reviewed or censored but the documents may be inspected for contraband.

Outgoing and incoming legal correspondence shall be routed through the staff, who have received special training in inspecting confidential documents and who are accountable for maintaining confidentiality. Incoming legal correspondence shall be opened and inspected for contraband in the presence of the recipient inmate.

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Inmates may seek the assistance of other inmates in writing writs and other legal correspondence to the courts when needed, subject to the security and safety needs of the inmates, staff and the facility.

603.5 INMATE REQUEST FOR ASSISTANCE

Phone books will be provided for access to local attorneys and other pertinent legal contacts. Key legal documents shall be available upon request. However, staff shall not provide legal advice or assist any inmate in the completion of any legal document.

Habeas corpus forms shall be made available to any inmate by the staff upon request.

Legal forms filled out by the inmate shall be forwarded to court administration directly or via an appointed legal assistant.

603.6 VISITATION RELATED TO LEGAL DEFENSE

Visits with inmates that are related to legal defense, including attorneys, paralegals, and investigators, will be permitted only in the areas designated for legal visitation or by way of video visitation to assure confidentiality. Contact visits may be approved by the Jail Administrator for special circumstances (Minn. R. 2911.3200 (a)).

- (a) Visits shall be of a reasonable length of time to discourage any allegation that the defense of the inmate was hindered due to the length of time allowed for the legally authorized visit. These visits shall be of such a length of time that they do not interfere with the security, order, and discipline of this facility. The permissible time for visitation should be flexible but shall not substantially interfere with other facility schedules, such as medical examinations, meal service, or other required activities.
- (b) Only materials brought to this facility by an approved legal assistant shall be allowed.
- (c) All materials shall be subject to security inspections by the staff and shall be routed through the Shift Supervisor for logging and distribution.

603.7 MAIL

Legal mail shall be handled in accordance with the Inmate Mail Policy.

603.8 PRO SE INMATES

Inmates may be granted pro se status by court order only. Any time a court order is received designating an inmate as having been granted pro se status, all relevant records systems at the facility shall be updated to reflect this information. A copy of the court order shall be maintained in the inmate's file in accordance with established records retention schedules.

The court may, but is not required to, appoint to an inmate who is designated pro se a back-up attorney, paralegal, or other person to assist the inmate with legal research. All information related to appointed assistants should be recorded in the relevant facility records.

Any provision of legal materials shall be in accordance with court directives and in consultation with the County Attorney.

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603.8.1 PRO SE STATUS MISUSE

Any inmate who is granted pro se status and is found to be misusing or abusing that status to the extent that it poses a demonstrable threat to the safety and security of the facility shall be immediately reported to the Jail Administrator. The Jail Administrator may recommend the suspension or a limitation of the inmate's pro se privileges if they adversely affect the safety and security of the jail.

Upon the concurrence with the findings and recommendation of the Jail Administrator, the Sheriff or the authorized designee shall consult with the office's legal counsel prior to notifying the court of any intent to limit the described pro se privileges.

The inmate may petition the court if he/she is dissatisfied with the action taken.

603.8.2 PRO SE STATUS - MATERIALS AND SUPPLIES

The facility may provide the following materials and supplies to a pro se inmate. These items may be retained by the inmate but must be kept in the container supplied for such purpose. The items may include the following:

- Up to one-half of a ream of 8½-inch x 11-inch plain bond typing paper
- Up to three ruled legal notepads
- Standard legal-size envelopes
- One dozen (maximum) black lead golf pencils
- Two erasers
- One legal size accordion file
- 9-inch x 12-inch manila envelopes and 10-inch x 14-inch manila envelopes
- Up to a maximum of four law books at one time (paperback or hardback)

Unless otherwise ordered by the court, the Office shall have no obligation to supply materials beyond those listed above. Replacement of any of the listed items shall be accomplished through a written request to the Shift Supervisor or the authorized designee. Supplies provided by a court legal liaison will be received and distributed by the Shift Supervisor or the authorized designee. All supplies distributed to the inmate will be recorded in the inmate's pro per activities record. Supplies not listed in this policy are subject to approval by the Jail Administrator or the authorized designee.

Access to ballpoint pens, for signature purposes only, will be provided through a supervisor. The use of the pen will be supervised by the staff and taken from the inmate immediately after its use.

Copies of an inmate's final legal (criminal case) work product, upon the inmate's request, may be provided subject to arrangements with the court.

Inmates may purchase their own legal books and materials. However, such materials will be subject to safety inspection and rules pertaining to items permitted to be in the inmate's possession. Personal books must be marked with the inmate's name and booking number.

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Any books or materials found in the inmate's possession beyond what is authorized will be returned or placed in the inmate's property.

603.8.3 PRO SE INMATES INTERVIEWING WITNESSES

A pro se inmate may be permitted to interview prospective witnesses in the regular visitation area. Requests for visits outside of normal visiting hours will be directed to a supervisor for approval and should be accommodated when practicable.

Interviews conducted by pro se inmates are subject to the following rules and restrictions:

- (a) No interview will be permitted without notification from a judge confirming or validating the prospective witness. The pro se inmate is responsible for providing the judge with the list of prospective witnesses for validation.
- (b) No visit shall be permitted by a prospective witness who is in the custody of this office or otherwise detained by a government agency, except upon a specific court order.

603.8.4 PRO SE INMATES TELEPHONE USAGE

Pro se inmates may use the telephones in their housing areas to place calls concerning their cases. Court-authorized pro se telephone calls shall not be monitored and shall be provided without charge to the inmate in accordance with the orders of the court (see the Inmate Telephone Access Policy) (Minn. R. 2911.3400).

Limited English Proficiency Services SEE POLICY MANUAL 368.1

Foreign Nationals and Diplomats

605.1 PURPOSE AND SCOPE

This policy addresses the privileges and immunities afforded to members of foreign diplomatic missions and consular posts.

This policy also addresses the legal requirements related to consular notifications that should occur when a foreign national is in custody.

605.2 POLICY

The Beltrami County Sheriff's Office Jail will treat foreign diplomatic and consular personnel with due regard for the privileges and immunities to which they are entitled under international law. The Office will investigate all claims of immunity and accept custody of the person when appropriate.

The Beltrami County Sheriff's Office Jail will also honor the laws related to foreign nationals in custody by making proper consular notifications and by assisting those who wish to contact their consular representative.

605.3 DIPLOMATIC AND CONSULAR IMMUNITY

605.3.1 AVAILABILITY OF RESOURCES

The Shift Supervisor will ensure that current contact information for the U.S. Department of State and the U.S. Mission to the United Nations is readily available for office members who need to verify a claim of diplomatic or consular immunity. Relevant material for law enforcement published by the U.S. Department of State Bureau of Diplomatic Security should be readily available as well.

605.3.2 ADDRESSING CLAIMS OF DIPLOMATIC OR CONSULAR IMMUNITY

When an arrestee who claims diplomatic or consular immunity is brought to the Beltrami County Sheriff's Office Jail the receiving corrections officer shall first inform the Shift Supervisor and then generally proceed as follows:

- (a) Do not accept custody of the person from the transporting officer. The person should not be brought inside the Beltrami County Sheriff's Office Jail unless doing so would facilitate the investigation of his/her claim of immunity.
- (b) Do not handcuff the person, or, if handcuffs have been applied, remove them unless there is an articulable threat that would justify their use.
- (c) If the person has already been accepted into custody, inform the person that he/she will be detained until his/her identity and immunity can be confirmed. Attempt to obtain a U.S. Department of State-issued identification card or other identification or documents that may relate to the claimed immunity.
- (d) In all cases, verify the status and level of immunity by contacting the U.S. Department of State or the U.S. Mission to the United Nations, as appropriate.

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It will be the responsibility of the Shift Supervisor to communicate the claim of immunity to the on-duty supervisor of the arresting agency (if not the Beltrami County Sheriff's Office). The Shift Supervisor may assist another agency in determining the person's immunity status.

The Shift Supervisor is responsible for ensuring appropriate action is taken based upon information received regarding the person's immunity status.

605.3.3 REPORTING

If the person's immunity status has been verified, the Shift Supervisor should ensure a report is prepared describing the details and circumstances of any detention or custody. A copy of the report should be faxed or mailed as soon as possible to the U.S. Department of State in Washington, D.C. or to the U.S. Mission to the United Nations in New York in cases involving a member of the United Nations community.

605.4 CONSULAR NOTIFICATIONS

605.4.1 CONSULAR NOTIFICATION LIST AND CONTACTS

The Jail Administrator will ensure that the U.S. Department of State's list of countries and jurisdictions that require mandatory notification is readily available to office members. There should also be a published list of foreign embassy and consulate telephone and fax numbers, as well as standardized notification forms that can be faxed and then retained for the record. Prominently displayed placards informing inmates of rights related to consular notification should also be posted.

Inmates detained solely for civil immigration purposes shall be provided information on how to contact relevant consular officials and officials at the U.S. Department of Homeland Security (28 CFR 115.51).

605.4.2 CONSULAR NOTIFICATION ON BOOKING

Office members assigned to book inmates shall:

- (a) Inform the foreign national, without delay, that he/she may have his/her consular officers notified of the arrest or detention and may communicate with them. Members shall ensure this notification is acknowledged and documented.
- (b) Determine whether the foreign national's country is on the U.S. Department of State's mandatory notification list.
- (c) If the foreign national's country is not on the list for mandatory notification but the foreign national requests that his/her consular officers be notified, then:
 1. Notify the nearest embassy or consulate of the foreign national's country of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.

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2. Forward any communication from the foreign national to his/her consular officers without delay.
- (d) If the foreign national's country is on the list for mandatory notification, then:
1. Notify the nearest embassy or consulate of the foreign national's country, without delay, of the person's arrest or detention by faxing the appropriate notification form. If no fax confirmation is received, a telephonic notification should be made and documented.
 2. Tell the foreign national that this notification has been made and inform him/her without delay that he/she may communicate with his/her consular officers.
 3. Forward any communication from the foreign national to his/her consular officers without delay.
 4. Document all notifications to the embassy or consulate and retain the faxed notification and any fax confirmation for the inmate's file.

Members should never discuss anything with consulate personnel beyond the required notifications, such as whether the inmate is requesting asylum. Requests for asylum should be forwarded to the Shift Supervisor.

Inmate Rights - Protection from Abuse

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that inmates are afforded a safe, healthful environment free from abuse, corporal punishment or harassment, and that inmate property is protected.

606.2 POLICY

It is the policy of this office to make every reasonable effort to protect inmates from personal abuse, corporal punishment, personal injury, disease, property damage and harassment by other inmates or staff. Staff shall take reasonable actions to safeguard vulnerable inmates from others and shall use the classification policies and procedures to make housing decisions that will provide for inmate safety. Abuse of inmates by staff or other inmates will not be tolerated.

The Jail Administrator or the authorized designee shall be responsible for including prohibitions against inmate abuse and harassment, rules regarding respect for the property of others, and the prevention of disease in the inmate handbook. All inmates may request a copy of the inmate handbook during the booking process, which shall be printed in a language understood by the inmate. The inmate also shall receive verbal instruction on inmate rights during orientation.

606.3 RESPONSIBILITY

It shall be the responsibility of all facility staff to adhere to policies, procedures and practices, and to make every reasonable effort to prevent inmate injury, harassment and abuse, to prevent theft or damage to inmate property and to eliminate conditions that promote disease. These procedures include, but are not limited to:

- Following the classification guidelines for inmate housing.
- Closely supervising inmate activities and interceding as needed to prevent violence, harassment or abuse of inmates.
- Using force only when necessary and to the degree that is reasonable.
- Reporting all inmate injuries, investigating the cause of reported injuries and documenting these efforts in an incident report.
- Enforcing all rules and regulations in a fair and consistent manner.
- Preventing any practice of inmates conducting kangaroo courts or dispensing discipline toward any other inmate.
- Conducting required well-being checks of all inmate housing areas.
- Checking all safety equipment for serviceability and making a report of any defective equipment to the appropriate supervisor or Jail Administrator.
- Referring sick or injured inmates to a qualified health care professional without unnecessary delay.

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Inmate Rights - Protection from Abuse

- Maintaining high standards of cleanliness throughout the jail.
- Documenting all abuse protection efforts in facility logs and incident reports as applicable.

606.4 TRAINING

The Training Officer shall be responsible for developing and delivering a training curriculum on the topic of protecting inmates from abuse to all staff. A roster of attendees shall be maintained from each class. Training completion documents shall be filed in each employee's training file.

Communications with Persons with Disabilities SEE POLICY MANUAL 370

Prison Rape Elimination Act

608.1 PURPOSE AND SCOPE

This policy provides guidance for compliance with the Prison Rape Elimination Act of 2003 (PREA) and the implementing regulation that establishes standards (PREA Rule) to prevent, detect and respond to sexual abuse and sexual harassment (28 CFR 115.11).

608.1.1 DEFINITIONS

Definitions related to this policy include:

Intersex - A person whose sexual or reproductive anatomy or chromosomal pattern does not seem to fit typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.

Sexual abuse - Any of the following acts, if the inmate does not consent, is coerced into such act by overt or implied threats of violence or is unable to consent or refuse:

- (a) Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- (b) Contact between the mouth and the penis, vulva or anus
- (c) Penetration of the anal or genital opening of another person, however slight, by a hand, finger, object or other instrument
- (d) Any other intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh or the buttocks of another person, excluding contact incidental to a physical altercation (28 CFR 115.6)

Sexual abuse also includes abuse by a staff member, contractor or volunteer as follows, with or without consent of the inmate, detainee or resident:

- Contact between the penis and the vulva or the penis and the anus, including penetration, however slight
- Contact between the mouth and the penis, vulva or anus
- Contact between the mouth and any body part where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Penetration of the anal or genital opening, however slight, by a hand, finger, object or other instrument, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire
- Any other intentional contact, either directly or through the clothing, of or with the genitalia, anus, groin, breast, inner thigh or the buttocks, that is unrelated to official duties, or where the staff member, contractor or volunteer has the intent to abuse, arouse or gratify sexual desire

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- Any attempt, threat or request by a staff member, contractor or volunteer to engage in the activities described above
- Any display by a staff member, contractor or volunteer of his/her uncovered genitalia, buttocks or breast in the presence of an inmate, detainee or resident
- Voyeurism by a staff member, contractor or volunteer (28 CFR 115.6)

Sexual harassment - Repeated and unwelcome sexual advances; requests for sexual favors; verbal comments, gestures or actions of a derogatory or offensive sexual nature by one inmate, detainee or resident that are directed toward another; repeated verbal comments or gestures of a sexual nature to an inmate, detainee or resident by a staff member, contractor or volunteer, including demeaning references to gender, sexually suggestive or derogatory comments about body or clothing, or obscene language or gestures (28 CFR 115.6).

Transgender - A person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.

608.2 POLICY

This office has zero tolerance with regard to sexual abuse and sexual harassment in this facility. This office will take appropriate affirmative measures to protect all inmates from sexual abuse and harassment, and promptly and thoroughly investigate all allegations of sexual abuse and sexual harassment.

608.3 PREA COORDINATOR

The Jail Administrator shall appoint an upper-level manager with sufficient time and authority to develop, implement, and oversee office efforts to comply with the PREA standards. The PREA coordinator shall review facility policies and practices and make appropriate compliance recommendations to the Jail Administrator (28 CFR 115.11).

The PREA coordinator's responsibilities shall include:

- (a) Developing a written plan to coordinate response among staff first responders, medical and mental health practitioners, investigators, and facility management to an incident of sexual abuse. The plan must also outline the office's approach to identifying imminent sexual abuse toward inmates and preventing and detecting such incidents (28 CFR 115.11; 28 CFR 115.65; 28 CFR 115.62).
- (b) Ensuring that within 30 days of intake, inmates are provided with comprehensive education, either in person or through video, regarding their rights to be free from sexual abuse and sexual harassment and to be free from retaliation for reporting such incidents, and regarding the office's policies and procedures for responding to such incidents (28 CFR 115.33).
- (c) Developing a staffing plan to provide adequate levels of staffing and video monitoring, where applicable, in order to protect detainees from sexual abuse. This includes documenting deviations and the reasons for deviations from the staffing plan, as well as reviewing the staffing plan a minimum of once per year. In calculating adequate

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staffing levels and determining the need for video monitoring, facilities shall take into consideration (28 CFR 115.13).

1. Generally accepted detention and correctional practices.
 2. Any judicial findings of inadequacy.
 3. Any findings of inadequacy from federal investigative agencies.
 4. Any findings of inadequacy from internal or external oversight bodies.
 5. All components of the facility's physical plant, including blind spots or areas where staff or inmates may be isolated.
 6. The composition of the inmate population.
 7. The number and placement of supervisory staff.
 8. Institution programs occurring on a particular shift.
 9. Any applicable state or local laws, regulations, or standards.
 10. The prevalence of substantiated and unsubstantiated incidents of sexual abuse.
 11. Any other relevant factors
- (d) Ensuring that, when designing, acquiring, expanding or modifying facilities, or when installing or updating a video-monitoring system, electronic surveillance system or other monitoring technology, consideration is given to the office's ability to protect inmates from sexual abuse (28 CFR 115.18).
- (e) Ensuring that any contract for the confinement of office detainees or inmates includes the requirement to adopt and comply with the PREA standards including obtaining incident-based and aggregated data, as required in 28 CFR 115.187. Any new contract or contract renewal shall provide for office contract monitoring to ensure that the contractor is complying with the PREA standards (28 CFR 115.12).
- (f) Making reasonable efforts to enter into agreements with community service providers to provide inmates with confidential emotional support services related to sexual abuse. The facility shall provide inmates with access to outside victim advocates for emotional support services related to sexual abuse by giving inmates mailing addresses and telephone numbers, including toll-free hotline numbers where available, of local, state, or national victim advocacy or rape crisis organizations. Persons detained solely for civil immigration purposes shall be given contact information for immigrant services agencies. The facility shall enable reasonable communication between inmates and these organizations and agencies in as confidential a manner as possible. The facility shall inform inmates, prior to giving them access, of the extent to which such communications will be monitored and the extent to which reports of abuse will be forwarded to authorities in accordance with mandatory reporting laws (28 CFR 115.53).
- (g) Ensuring the protocol describing the responsibilities of the Office and of another investigating agency, if another law enforcement agency will be responsible for conducting any sexual abuse or sexual harassment investigations, is published on the facility website or by other means, if no website exists (28 CFR 115.22).

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- (h) Implementing a process by which inmates may report sexual abuse and sexual harassment to a public/private entity or an office that is not part of the Office and that the outside entity or office is able to receive and immediately forward inmate reports of sexual abuse and sexual harassment to the Jail Administrator, allowing the inmate anonymity (28 CFR 115.51).
- (i) Establishing a process to ensure accurate, uniform data is collected for every allegation of sexual abuse at facilities under the direct control of this office, using a standardized instrument and set of definitions. Upon request, the Office shall provide all such data from the previous calendar year to the U.S. Department of Justice (DOJ) no later than June 30 (28 CFR 115.87).
 - 1. The data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Survey of Sexual Violence conducted by the U.S. DOJ.
 - 2. The data shall be aggregated at least annually.
- (j) Establishing a process to monitor the conduct and treatment of detainees or staff who have reported sexual abuse and the conduct and treatment of detainees who were reported to have suffered sexual abuse.
- (k) Ensuring that the following are published on the office website or by other means, if no website exists:
 - 1. Office policy governing investigations of allegations of sexual abuse and sexual harassment or the referral of such investigations of sexual abuse or sexual harassment (unless the allegation does not involve potentially criminal behavior) (28 CFR 115.22)
 - 2. Information on how to report sexual abuse and sexual harassment on behalf of an inmate (28 CFR 115.54)
- (l) Ensuring audits are conducted pursuant to 28 CFR 115.401 through 28 CFR 115.405 (28 CFR 115.93).
- (m) Implementing a protocol requiring mid-level or higher-level supervisors to conduct and document unannounced inspections to identify and deter sexual abuse and sexual harassment. The protocol shall prohibit announcing when such inspections are to occur, unless it is necessary for operational considerations (28 CFR 115.13).
- (n) Ensuring agreements with outside investigating agencies include PREA requirements, including a requirement to keep the Beltrami County Sheriff's Office informed of the progress of the investigation (28 CFR 115.71).
- (o) Ensuring the Office conducts follow-up criminal background records checks at least once every five years on members or contractors who may have contact with inmates or has in place a system for otherwise capturing such information (28 CFR 115.17).

608.4 REPORTING SEXUAL ABUSE, HARASSMENT AND RETALIATION

Any employee, agency representative, volunteer or contractor who becomes aware of an incident of sexual abuse, sexual harassment or retaliation against inmates or staff shall immediately notify a supervisor, who will forward the matter to a sexual abuse investigator (28 CFR 115.61). Staff

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may also privately report sexual abuse and sexual harassment of inmates (e.g., report to the Jail Administrator) (28 CFR 115.51).

The facility shall provide information to all visitors or third parties on how they may report any incident, or suspected incident, of sexual abuse or sexual harassment to a staff member (28 CFR 115.54).

Inmates may report sexual abuse or sexual harassment incidents anonymously or to any staff member they choose. Staff shall accommodate all inmate requests to report allegations of sexual abuse or harassment. Staff shall accept reports made verbally, in writing, anonymously or from third parties and shall promptly document all verbal reports (28 CFR 115.51).

Threats or allegations of sexual abuse and sexual harassment, regardless of the source, shall be documented and referred for investigation. Sexual abuse and sexual harassment reports shall only be made available to those who have a legitimate need to know, and in accordance with this policy and applicable law (28 CFR 115.61).

608.4.1 REPORTING TO OTHER FACILITIES

If there is an allegation that an inmate was sexually abused while he/she was confined at another facility, the Jail Administrator shall notify the head of that facility as soon as possible but not later than 72 hours after receiving the allegation. The Jail Administrator shall ensure that the notification has been documented (28 CFR 115.63).

608.5 RETALIATION

All inmates and staff who report sexual abuse or sexual harassment, or who cooperate with sexual abuse or sexual harassment investigations, shall be protected from retaliation.

Protective measures, including housing changes, transfers, removal of alleged abusers from contact with victims, administrative reassignment or reassignment of the victim or alleged perpetrator to another housing area, and support services for inmates or staff who fear retaliation shall be utilized (28 CFR 115.67).

The Jail Administrator or the authorized designee shall assign a supervisor to monitor, for at least 90 days, the conduct and treatment of inmates or staff who report sexual abuse or sexual harassment, as well as inmates who were reported to have suffered sexual abuse, to determine if there is any possible retaliation. The supervisor shall act promptly to remedy any such retaliation. The assigned supervisor should consider inmate disciplinary reports, housing or program changes, negative staff performance reviews or reassignment of staff members. Monitoring may continue beyond 90 days if needed. Inmate monitoring shall also include periodic status checks. The Jail Administrator should take reasonable steps to limit the number of people with access to the names of individuals being monitored and should make reasonable efforts to ensure that staff members who pose a threat of retaliation are not entrusted with monitoring responsibilities.

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If any other individual who cooperates with an investigation expresses a fear of retaliation, the facility shall take reasonable measures to protect that individual against retaliation (28 CFR 115.67).

608.5.1 REPORTS BY INMATES

Inmates may report sexual assault or abuse incidents anonymously or to any staff member they choose and should not be required to use their normal point of contact. Staff should accommodate all inmate requests to report allegations of sexual abuse and assaults.

Retaliation against an inmate by any staff member for filing a sexual abuse, assault or harassment incident will not be tolerated.

608.6 FIRST RESPONDERS

If an allegation of inmate sexual abuse is made, the first corrections officer to respond shall (28 CFR 115.64):

- (a) Separate the parties.
- (b) Request medical assistance as appropriate. If no qualified health care or mental health professionals are on-duty when a report of recent abuse is made, staff first responders shall take preliminary steps to protect the victim and shall immediately notify the appropriate qualified health care and mental health professionals (28 CFR 115.82).
- (c) Establish a crime scene to preserve and protect any evidence. Identify and secure witnesses until steps can be taken to collect any evidence.
- (d) If the time period allows for collection of physical evidence, request that the alleged victim, and ensure that the alleged abuser, do not take any actions that could destroy physical evidence (e.g., washing, brushing teeth, changing clothes, urinating, defecating, smoking, drinking, eating).
- (e) Consider whether a change in classification or housing assignment for the victim is needed or whether witnesses to the incident need protection, both of which may include reassignment of housing.
- (f) Determine whether the alleged perpetrator should be administratively segregated or administratively transferred during the investigation.

If the first responder is not a corrections officer, the responder shall request the alleged victim to refrain from any actions that could destroy physical evidence and then immediately notify a corrections officer.

Should an investigation involve inmates who have disabilities or who have limited English proficiency, the first responder shall not rely on inmate interpreters, inmate readers or other types of inmate assistants, except in limited circumstances where an extended delay in obtaining an interpreter could compromise inmate safety, the performance of first responder duties or the investigation of sexual abuse or sexual harassment allegations (28 CFR 115.16).

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608.7 SEXUAL ABUSE AND SEXUAL HARASSMENT INVESTIGATIONS

An administrative investigation, criminal investigation or both shall be completed for all allegations of sexual abuse and sexual harassment (28 CFR 115.22). Administrative investigations shall include an effort to determine whether the staff's actions or inaction contributed to the abuse. All administrative and/or criminal investigations shall be documented in written reports that include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings. Only investigators who have completed office-approved training on sexual abuse and sexual harassment investigation shall be assigned to investigate these cases (28 CFR 115.71).

When practicable, an investigator of the same sex as the victim should be assigned to the case. Sexual abuse and sexual harassment investigations should be conducted promptly and continuously until completed. Investigators should evaluate reports or threats of sexual abuse and sexual harassment without regard to an inmate's sexual orientation, sex or gender identity. Investigators should not assume that any sexual activity among inmates is consensual.

The departure of the alleged abuser or victim from the employment or control of the jail or Office shall not provide a basis for terminating an investigation (28 CFR 115.71).

If the investigation is referred to another agency for investigation, the Office shall request that the investigating agency follow the requirements as provided in 28 CFR 115.21 (a) through (e). The referral shall be documented. The Office shall cooperate with the outside agency investigation and shall request to be informed about the progress of the investigation (28 CFR 115.71).

If criminal acts are identified as a result of the investigation, the case shall be presented to the appropriate prosecutor's office for filing of new charges (28 CFR 115.71).

Evidence collection shall be based on a uniform evidence protocol that is developmentally appropriate for youth, if applicable, and adapted from or otherwise based on the most recent edition of the DOJ's Office on Violence Against Women publication, "A National Protocol for Sexual Assault Medical Forensic Examinations, Adults/Adolescents," or similarly comprehensive and authoritative protocols developed after 2011 (28 CFR 115.21).

Inmates alleging sexual abuse shall not be required to submit to a polygraph examination or other truth-telling device as a condition for proceeding with an investigation (28 CFR 115.71).

If a victim is under 18 or considered a vulnerable adult under state law, the assigned investigator shall report the allegation to the designated social services agency as required (28 CFR 115.61).

608.7.1 INVESTIGATIVE FINDINGS

All completed written investigations shall be forwarded to the Jail Administrator or, if the allegations may reasonably involve the Jail Administrator, to the Sheriff. The Jail Administrator or Sheriff shall review the investigation and determine whether any allegations of sexual abuse or sexual harassment have been substantiated by a preponderance of the evidence (28 CFR 115.71; 28 CFR 115.72).

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The staff shall be subject to disciplinary sanctions, up to and including termination, for violating this policy. Termination shall be the presumptive disciplinary sanction for staff members who have engaged in sexual abuse. All discipline shall be commensurate with the nature and circumstances of the acts committed, the staff member's disciplinary history, and the sanctions imposed for comparable offenses by other staff with similar histories.

All terminations for violations of sexual abuse or sexual harassment policies, or resignations by staff who would have been terminated if not for their resignation, shall be reported to the law enforcement agency that would handle any related investigation and to any relevant licensing bodies (28 CFR 115.76).

608.7.2 REPORTING TO INMATES

The Jail Administrator or the authorized designee shall inform a victim inmate in writing whether an allegation has been substantiated, unsubstantiated or unfounded. If the Office did not conduct the investigation, the Office shall request relevant information from the investigative agency in order to inform the inmate.

If a staff member is the accused (unless the Office has determined that the allegation is unfounded), the inmate shall also be informed whenever:

- (a) The staff member is no longer assigned to the inmate's unit or employed at the facility.
- (b) The Office learns that the staff member has been indicted or convicted on a charge related to sexual abuse within the facility.

If another inmate is the accused, the alleged victim shall be notified whenever the Office learns that the alleged abuser has been indicted or convicted on a charge related to sexual abuse within the facility.

All notifications or attempted notifications shall be documented. When notification is made while the inmate is in custody, the inmate will sign a copy of the notification letter. The letter will be added to the case file (28 CFR 115.73).

608.8 SEXUAL ABUSE AND SEXUAL HARASSMENT BETWEEN STAFF AND INMATES

Sexual abuse and sexual harassment between staff, volunteers or contract personnel and inmates is strictly prohibited. The fact that an inmate may have initiated a relationship or sexual contact is not recognized as a defense to violating this policy.

Any incident involving allegations of staff-on-inmate sexual abuse or sexual harassment shall be referred to the Investigation Division for investigation.

608.8.1 SEXUAL ABUSE BY CONTRACTOR OR VOLUNTEER

Any contractor or volunteer who engages in sexual abuse within the facility shall be immediately prohibited from having any contact with inmates. He/she shall be promptly reported to the law enforcement agency that would investigate such allegations and brought to the attention of any relevant licensing bodies (28 CFR 115.77).

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608.9 PROTECTIVE CUSTODY

Inmates at high risk for sexual victimization shall not be placed in involuntary protective custody unless an assessment of available alternatives has been made and it has been determined that there is no reasonably available alternative means of separation. Inmates may be held in involuntary protective custody for less than 24 hours while an assessment is completed.

If an involuntary protective custody assignment is made because of a high risk for victimization, the Jail Administrator shall clearly document the basis for the concern for the inmate's safety and the reasons why no alternative means of separation can be arranged (28 CFR 115.43).

The facility shall assign these inmates to involuntary protective custody only until an alternative means of separation from likely abusers can be arranged, not ordinarily in excess of 30 days.

Inmates placed in temporary protective custody shall continue to have reasonable access to programs, privileges, education and work opportunities. If restrictions are put in place, the Jail Administrator shall document the following:

- (a) The opportunities that have been limited
- (b) The duration of the limitation
- (c) The reasons for such limitations

Every 30 days, the Jail Administrator shall afford each such inmate a review to determine whether there is a continuing need for protective custody (28 CFR 115.43).

608.10 SEXUAL ABUSE INCIDENT REVIEW

An incident review shall be conducted at the conclusion of every sexual abuse investigation, unless the allegation has been determined to be unfounded (28 CFR 115.86). The review should occur within 30 days of the conclusion of the investigation.

The review team shall include upper-level management officials and seek input from line supervisors, investigators and qualified health care and or mental health professionals, as appropriate:

- (a) Consider whether the investigation indicates a need to change policy or practice in order to better prevent, detect or respond to sexual abuse.
- (b) Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender or intersex identification status or perceived status; gang affiliation; or other group dynamics at the facility.
- (c) Examine the area in the facility where the incident allegedly occurred to assess whether physical barriers may enable abuse.
- (d) Assess the adequacy of staffing levels in the area during different shifts.
- (e) Assess whether monitoring technology should be deployed or augmented to supplement supervision by staff.

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- (f) Prepare a written report of the team's findings, including, but not limited to, determinations made pursuant to paragraphs (a)-(e) of this section, and any recommendations for improvement. The report should be submitted to the Sheriff and the PREA coordinator.

The Jail Administrator or the authorized designee shall implement the recommendations for improvement or document the reasons for not doing so.

608.11 DATA REVIEWS

This office shall conduct an annual review of collected and aggregated incident-based sexual abuse data. The purpose of these reviews is to assess and improve the effectiveness of sexual abuse prevention, detection and response policies, practices and training by:

- (a) Identifying problem areas.
- (b) Identifying corrective actions taken.
- (c) Recommending corrective actions.
- (d) Comparing current annual data and corrective actions with those from prior years.
- (e) Assessing the office's progress in addressing sexual abuse.

The reports shall be approved by the Jail Administrator and made available through the office website. Material may be redacted from the reports when publication would present a clear and specific threat to the safety and security of the facility. However, the nature of the redacted material shall be indicated (28 CFR 115.88).

All aggregated sexual abuse data from Beltrami County Sheriff's Office facilities and private facilities with which it contracts shall be made available to the public at least annually through the office website. Before making aggregated sexual abuse data publicly available, all personal identifiers shall be removed (28 CFR 115.89).

608.12 RECORDS

All case records and reports associated with a claim of sexual abuse and sexual harassment, including incident reports, investigative reports, offender information, case disposition, medical and counseling evaluation findings, and recommendations for post-release treatment or counseling shall be retained in accordance with privacy laws.

The Office shall retain all written reports from administrative and criminal investigations pursuant to this policy for as long as the alleged abuser is held or employed by the Office, plus five years (28 CFR 115.71).

All other data collected pursuant to this policy shall be securely maintained for at least 10 years after the date of the initial collection, unless federal, state or local law requires otherwise (28 CFR 115.89).

608.13 EXAMINATION, TESTING AND TREATMENT

Examination, testing and treatment shall include the following:

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- (a) Forensic medical examinations shall be performed as evidentiary or medically appropriate, without financial cost to the victim. Where possible, these examinations shall be performed by Sexual Assault Forensic Examiners (SAFEs) or Sexual Assault Nurse Examiners (SANEs). If neither SAFEs nor SANEs are available, other qualified medical practitioners can perform the examination. The Office shall document its efforts to provide SAFEs or SANEs (28 CFR 115.21).
- (b) If requested by the victim, a victim advocate, a qualified office staff member or a qualified community organization staff member shall accompany the victim through the forensic medical examination process and investigatory interviews. That person will provide emotional support, crisis intervention, information and referrals (28 CFR 115.21).
- (c) Provisions shall be made for testing the victim for sexually transmitted diseases (28 CFR 115.82).
- (d) Counseling for the treatment of sexually transmitted diseases, if appropriate, shall be provided.
- (e) Victims shall be offered information about, and given access to, emergency contraception, prophylaxis for sexually transmitted infections and follow-up treatment for sexually transmitted diseases (28 CFR 115.82; 28 CFR 115.83). This shall be done in a timely manner.
- (f) Victims of sexually abusive vaginal penetration while incarcerated shall be offered pregnancy tests. If pregnancy results from the abuse, such victims shall receive comprehensive information about, and access to, all lawful pregnancy-related medical services (28 CFR 115.83). This shall be done in a timely manner.
- (g) Victims shall be provided with follow-up services, treatment plans and, when necessary, referrals for continued care following their transfer to, or placement in, other facilities or their release from custody (28 CFR 115.83).
- (h) Treatment services shall be provided to the victim without financial cost and regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident (28 CFR 115.82; 28 CFR 115.83).
- (i) The health authority or mental health staff shall obtain informed consent from inmates before reporting information to jail staff about prior sexual victimization that occurred somewhere other than an institutional setting, unless the inmate is under the age of 18 (28 CFR 115.81).
- (j) Medical and mental health practitioners shall ensure that information related to sexual victimization that occurred in an institutional setting is limited to medical and mental health practitioners and other staff unless it is necessary to inform jail staff about security or management decisions (28 CFR 115.81).

608.14 SEXUAL ABUSE VICTIMS

Inmates who are victims of sexual abuse shall be transported to the nearest appropriate location for treatment of injuries and collection of evidence, and for crisis intervention services (28 CFR 115.82). Depending on the severity of the injuries, transportation may occur by a staff member

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or by ambulance, in either case with appropriate security to protect the staff, the inmate, and the public, and to prevent escape.

A victim advocate from a rape crisis center should be made available to the victim. If a rape crisis center is not available, the Office shall make available a qualified member of a community-based organization, or a qualified health care or mental health professional from the Office, to provide victim advocate services. Efforts to secure services from a rape crisis center shall be documented. A rape crisis center refers to an entity that provides intervention and related assistance, such as the services specified in 34 USC § 12511, to sexual assault victims of all ages. A rape crisis center that is part of a government unit may be used if it is not part of the criminal justice system (such as a law enforcement agency) and it offers a level of confidentiality comparable to the level at a nongovernmental entity that provides similar victim services (28 CFR 115.21).

608.15 PRESERVATION OF ABILITY TO PROTECT INMATES

The Office shall not enter into or renew any collective bargaining agreement or other agreement that limits the office's ability to remove alleged staff sexual abusers from contact with any inmates pending the outcome of an investigation or of a determination of whether and to what extent discipline is warranted (28 CFR 115.66).

Indigent Inmates

609.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for providing basic services to indigent inmates. An inmate's access to health care, programs, services and activities is not precluded by the inmate's inability to pay.

609.2 POLICY

It is the policy of this office that no inmate shall be denied access to hygiene products, medical and mental health services, outgoing legal correspondence or qualified inmate programs due to a lack of funds.

The Jail Administrator or the authorized designee shall establish policies and procedures for providing basic services to indigent inmates. A debit accounting procedure should also be established by the financial services division to recoup fees from inmates who have received funds after having accessed discretionary services, but before inmates have access to the funds for non-discretionary items, such as commissary products.

The Jail Administrator should also establish a weekly schedule for the delivery of requested indigent services, excluding medical and mental health services, which may be requested at any time. A list of eligible indigent materials, such as hygiene products and other approved items for indigent inmates, along with the debit policies from inmate accounts, shall be communicated in the inmate orientation materials.

609.3 INDIGENT INMATE HYGIENE PRODUCTS

Inmates who are indigent should be provided with basic hygiene products upon request. The products should include the following (Minn. R. 2911.2750, Subp. 4):

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shampoo or equivalent
- Shaving implements
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

609.4 INMATE REQUESTS FOR HYGIENE PRODUCTS

Inmates who do not have money on their accounts for seven days will be considered indigent after the seventh day. Inmates who have been classified as indigent may request hygiene products by filling out an indigent order via the kiosk.

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Inmates will be able to order the following items: Shampoo, deodorant, small toothbrush, small toothpaste, bar of soap and two stamped postcards. The cost of these products will be recorded in the inmate's personal funds account and debited from any future funds credited to that account. Inmates who continue to be indigent will be able to reorder hygiene products based on a refill time period for each product. Inmates will not be able to see products until they are eligible to reorder them.

If an inmate needs additional assistance, they should speak with the shift sergeant or program staff.

609.5 INDIGENT INMATE REQUESTS FOR NON-EMERGENCY MEDICAL AND MENTALHEALTH SERVICES

Indigent inmates shall be permitted to request non-emergency medical and mental health services without regard to their ability to pay. Such requests should be made by the inmate by completing an inmate request form. Qualified co-payments will be recorded in the inmate's personal funds account and debited from any future funds credited to that account.

609.6 INDIGENT INMATE REQUESTS FOR WRITING MATERIALS

Indigent inmates may request writing materials on a weekly basis, as provided by an approved schedule established by the Jail Administrator. Writing materials should include the following:

- At least two pre-stamped envelopes for correspondence with family and friends
- One pencil

Indigent inmates shall receive an amount of pre-stamped envelopes and writing paper sufficient to maintain communication with an elected official, officials of the Department of Corrections, attorneys and other officers of the court. Requests shall be screened and granted based on need by the shift supervisor. Inmates should not be permitted to maintain an excess supply of writing materials without the approval of a supervisor (Minn. R. 2911.3300, Subp. 5).

609.7 INDIGENT INMATE ACCESS TO PROGRAMS

Inmates should not be denied access to educational and vocational programs based solely on their indigent status.

Grooming

610.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure inmate grooming standards are based upon legitimate governmental interests.

610.2 POLICY

It is the policy of this facility to allow inmates choice in personal grooming, except when a legitimate government interest justifies that grooming standards be established. The Jail Administrator or the authorized designee shall establish inmate grooming standards specific to inmate classification, work status, facility safety and security, or inmate health and hygiene. Any established standards should not unreasonably interfere with religious observances. Grooming standards should be identified in the inmate handbook.

610.3 LICENSING REQUIREMENTS

Barbering and cosmetology services provided by individuals for compensation will be subject to licensing and inspection requirements established by the Minnesota Board of Cosmetologist Examiners (Minn. Stat. § 155A.29; Minn. Stat. § 155A.31).

Barbering and cosmetology services provided in the jail where no direct or indirect compensation is received for grooming services are considered unregulated services and exempt from licensing (Minn. R. 2105.0010).

610.4 HAIRCUTS

Inmates will be provided haircuts and hair-cutting tools subject to established facility rules. If hair length, style, or condition presents a security or sanitation concern, haircuts may be mandatory. Inmates who significantly alter their appearance may be required to submit to additional booking photos.

Inmates shall not cut names, numbers, or other designs into their hair. Inmates shall not manipulate their hair into any style, including but not limited to braids, ponytails, cornrows, or twists, that could facilitate the concealment and movement of contraband and weapons.

610.4.1 HAIR CARE SERVICES

The Jail Administrator or the authorized designee shall establish written procedures for inmate hair care services. The procedures will include schedules for hair care services and allow rescheduling for conflicts, such as court appearances.

Inmates shall generally be permitted to receive hair care services after being in custody for at least 30 days. Staff may suspend access to hair care services if an inmate appears to be a danger to him/herself or others or to the safety and security of the facility.

610.5 SHAVING

Inmates may shave daily. Facial hair shall be clean and well groomed. Long beards may allow inmates to conceal weapons or contraband. Inmates may be required to trim facial hair if it poses

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Grooming

a security or safety risk. Inmates may be required to submit to new booking photographs if their appearance is significantly altered due to facial hair. Inmates with facial hair who work around food shall wear appropriate facial coverings.

An inmate may be denied access to razors if he/she appears to be a danger to him/herself or others, or if such access may jeopardize the safety and security of the facility.

Inmates may be restricted from significantly altering their appearance for reasons of identification in court.

610.6 NAILS

Nail clippers will be kept at the control station and will be made available to inmates during the breakfast meal time. Otherwise upon request, if staff are able to accommodate the request safely. Inmate workers are required to keep their nails clean and trimmed. Inmates with long nails may be required to trim their nails if there is a security concern and the inmate is admitted to general population.

610.7 GROOMING EQUIPMENT

Grooming equipment is to be inventoried and inspected by the staff at the beginning of each shift and prior to being issued to inmates. The staff shall ensure that all equipment is returned by the end of the shift and is not damaged or missing parts.

Grooming equipment will be disinfected before and after each use by the methods approved by the Minnesota Board of Cosmetologist Examiners. Cleaning methods include:

- Removing foreign matter.
- Cleaning tools with soap or detergent and water.
- Immersing non-electrical equipment in disinfectant.
- Spraying electrical equipment with disinfectant.
- Storing cleaned equipment in clear, covered containers that are labeled as such.

Disinfectant solution shall be changed at least once per week or whenever the solution is cloudy or dirty. Solution will be stored in covered containers with labeled instructions for its use and the Environmental Protection Agency registration number.

610.8 PERSONAL CARE ITEMS

Inmates are expected to maintain their hygiene using approved personal care items.

No inmate will be denied the necessary personal care items. For sanitation and security reasons, personal care items shall not be shared.

Inmate Nondiscrimination

611.1 PURPOSE AND SCOPE

The constitutional rights of inmates regarding discrimination are protected during incarceration. These protections extend to administrative decisions, e.g., classification, access to programs and the availability of services. This policy is intended to guide the staff toward non-discriminatory administrative decisions by defining classes protected by the 1964 Civil Rights Act and the Minnesota Human Rights Act and detailing an inmate complaint and discrimination investigation process.

611.2 POLICY

All decisions concerning inmates housed at this facility shall be based on reasonable criteria that support the health, safety, security, and good order of the facility.

611.3 INMATES REPORTING DISCRIMINATION

Inmates who wish to report an allegation of discrimination may communicate with facility management in any way, including:

- (a) Confidential correspondence addressed to the Jail Administrator or the Sheriff or other government official, including the courts or legal representatives.
- (b) Verbally to any supervisor or other staff member of this facility.

611.3.1 HANDLING COMPLAINTS OF DISCRIMINATION

Staff shall promptly forward all written allegations of discrimination by inmates to the Shift Supervisor. If the allegation is presented verbally, the receiving staff member shall prepare an incident report identifying the circumstances prompting the allegation, the individuals involved, and any other pertinent information that would be useful to investigating the allegation.

Unless the complaint submitted by the inmate is clearly identified as private and addressed to the Jail Administrator, Sheriff, or other official, the Shift Supervisor shall review the complaint and attempt to resolve the issue. In any case, the Shift Supervisor shall document the circumstances of the allegation and what actions, if any, were taken to investigate or resolve the complaint. All reports of alleged discrimination shall be forwarded to the Jail Administrator for review and further investigation or administrative action as needed.

Administrative evaluations and response to allegations of discrimination shall be based upon objective criteria:

- (a) The inmate's classification
- (b) The inmate's criminal history
- (c) Current and past behavior and disciplinary history
- (d) Housing availability
- (e) The availability of programs

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Inmate Nondiscrimination

- (f) The ability to safely provide the requested services

611.4 DISCRIMINATION GRIEVANCE/COMPLAINT AUDITS

The Jail Administrator should perform an annual audit of all inmate discrimination grievances and complaints to evaluate whether any policy or procedure changes or training are indicated. If the audit identifies any recommended changes or content that may warrant a critical revision to this Custody Manual, the Jail Administrator should promptly notify the Chief Deputy.

Any training issues identified as a result of this audit should be forwarded to the Training Officer, who shall be responsible for ensuring all necessary and required training is scheduled and completed.

611.5 DISCRIMINATION PROHIBITED

Discriminating against an inmate based upon actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law is prohibited.

Reasonable and comparable opportunities for participation in services and programs including vocational, educational, and religious programs shall be made available to inmates in a nondiscriminatory manner. Neither sex shall be denied opportunities on the basis of its smaller representation in the total population (Minn. R. 2911.3100, Subp. 1(E)).

The Jail Administrator should periodically conduct interviews with inmates and staff members to identify and resolve potential problem areas related to discrimination before they occur.

Inmate Grievances

612.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process by which inmates may file grievances and receive a formal review regarding the conditions of their confinement.

612.2 POLICY

It is the policy of this office that any inmate may file a grievance relating to conditions of confinement, which includes release date, housing, medical care, food services, hygiene and sanitation needs, recreation opportunities, classification actions, disciplinary actions, program participation, telephone and mail use procedures, visiting procedures and allegations of sexual abuse (Minn. R. 2911.2900).

Grievances will not be accepted if they are challenging the rules and policies themselves, state or local laws, court decisions and probation/parole actions.

Retaliation for use of the grievance system is prohibited.

612.2.1 ACCESS TO THE GRIEVANCE SYSTEM

All inmates shall be provided with a grievance process for resolving complaints arising from facility matters with at least one level of appeal.

Inmates will receive information concerning the grievance procedure during the orientation process. Information will also be contained in the inmate handbook. Information regarding the grievance process will be provided to inmates in the language they understand.

The information will include:

- A grievance form or instructions for registering a grievance.
- Instructions for the resolution of the grievance at the lowest appropriate staff level.
- The appeal process to the next level of review.
- Written reasons for denial of a grievance at each level of review.
- A provision of required timeframes for responses.
- A provision for resolving questions of jurisdiction within the facility.
- Consequences for abusing the grievance system.

612.3 INMATE GRIEVANCE PROCEDURES

Staff shall attempt to informally resolve all grievances at the lowest level. All attempts to resolve a grievance shall be documented.

Inmates should be advised to complete a grievance via the kiosk in their housing unit. A grievance should be filed by an inmate within 14 days of the complaint or issue.

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Inmates cannot file a grievance on behalf of another inmate but an inmate may assist another inmate in the preparation of a grievance. Custody staff may take reasonable steps to assist the inmate in the preparation of a grievance if requested.

The staff on duty receiving the grievance shall gather all associated paperwork, reports and any other information and attempt to resolve the grievance. If there is no resolution at this level, the grievance shall be forwarded to the shift supervisor. If the shift supervisor is unable to resolve the issue, the grievance will then be forwarded to jail administration. A copy may be provided to the inmate if requested.

612.3.1 EXCEPTION TO INITIAL GRIEVANCE FILING

Inmates may request to submit the grievance directly to a supervisor or give directly to jail administration if they reasonably believe the issues to be grieved are sensitive or that their safety would be in jeopardy if the contents of the grievance were to become known to other inmates.

612.3.2 TIMELY RESOLUTION OF GRIEVANCES

Upon receiving a grievance, staff shall ensure that the grievance is investigated and resolved or denied in a timely manner.

Grievances related to medical care should be investigated by the Responsible Physician or the authorized designee. The findings of that investigation, along with any recommendations, shall be forwarded to jail administration. Any appeals of the findings of the medical staff shall be forward to the Jail Administrator as the final level of appeal.

Grievances about food-related matters should be investigated by the food services manager. The findings of that investigation, along with any recommendations, shall be forwarded to jail administration. Any appeals shall be forward to the Jail Administrator as the final level of appeal.

Other grievances relating to programs or other services provided by the Office shall be investigated by the program staff with the assistance of the supervising employee/volunteer in charge of those services. Findings relating to the investigation will be forwarded to jail administration. Any appeals shall be forwarded to the Jail Administrator as the final level of appeal.

612.3.3 APPEALS TO GRIEVANCE FINDINGS

Inmates may appeal the finding of a grievance to the Jail Administrator as the final level of appeal within five days of receiving the findings of the original grievance. The Jail Administrator will review the grievance and either confirm or deny it. If the Jail Administrator confirms the grievance, he/she will initiate corrective actions. In either case, the inmate shall receive a written response to the appeal.

612.3.4 RECORDING GRIEVANCES

Jail administration will maintain a grievance file with documentation and findings of grievance investigations, when necessary. The staff who originally receives a grievance shall record the grievance findings and response to the inmate electronically in the inmate messaging system used to communicate with inmates. Periodic reviews of the electronic inmate messaging system will be

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made by the Jail Administrator or the authorized designee to ensure that grievances are being handled properly and in a timely manner.

The original grievance and all responses will be retained in the inmate's electronic file, and shall be retained in accordance with established records retention schedules.

612.3.5 FRIVOLOUS GRIEVANCES

Inmates shall use the grievance process only for legitimate problems or complaints. If there is concern that an inmate is abusing the grievance process, he/she shall be informed that continued behavior may result in disciplinary action.

612.4 GRIEVANCE AUDITS

The Jail Administrator should perform an annual audit of all inmate grievances and complaints filed the previous calendar year. The Jail Administrator should forward a memorandum to the Sheriff detailing the findings, including recommendations regarding any changes to policy or procedures or any additional training that might be warranted to reduce future complaints. Specific identifying information regarding dates, times or individuals named in the complaints is not part of this process and should not be included in the memorandum.

The Sheriff should evaluate the recommendations and ensure appropriate action is taken.

Any training issues identified as a result of this audit should be forwarded to the Training Officer, who will be responsible for ensuring all necessary and required training is scheduled and completed.

612.5 TRAINING

The Training Officer shall ensure that all custody staff receive initial and periodic training regarding all aspects of the Inmate Grievances Policy. All training delivered may include testing to document that the employee understands the subject matter.

612.6 ADDITIONAL PROVISIONS FOR GRIEVANCES RELATED TO SEXUAL ABUSE

The following apply to grievances that relate to sexual abuse allegations (28 CFR 115.52):

- (a) Inmates may submit a grievance regarding an allegation of sexual abuse at any time.
- (b) Third parties, including fellow inmates, staff members, family members, attorneys, and outside advocates, are permitted to assist inmates in filing such grievances and to file such grievances on behalf of inmates if the inmate agrees to have the grievance filed on his/her behalf. Staff members who receive a grievance filed by a third party on behalf of an inmate shall inquire whether the inmate wishes to have the grievance processed and shall document the inmate's decision.
- (c) Grievances may be submitted to any staff member and need not be submitted to the member who is the subject of the complaint.
- (d) Staff receiving a grievance shall forward the grievance to a supervisor. Grievances shall not be forwarded to any supervisor who is the subject of the complaint. The supervisor receiving the grievance shall refer the grievance to the Shift Supervisor

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for investigation. Inmates and staff are not required to attempt to informally resolve grievances related to sexual abuse.

- (e) The Shift Supervisor shall ensure that grievances related to sexual abuse are investigated and resolved within 90 days of the initial filing. The Shift Supervisor may grant an extension of up to 70 days if reasonable to make an appropriate decision. If an extension is granted, the inmate shall be notified and provided a date by which a decision will be made.
- (f) At any level of the process, including the appeal, if the inmate does not receive a response within the allotted time, including any properly noticed extension, the inmate may consider the absence of a response to be a denial at that level.
- (g) Inmates may be disciplined for filing a false grievance related to alleged sexual abuse only when it is determined that the inmate filed the grievance in bad faith.

612.6.1 EMERGENCY GRIEVANCES RELATED TO SEXUAL ABUSE

Any inmate who believes he/she or any other inmate is in substantial risk of imminent sexual abuse may file an emergency grievance with any supervisor. The supervisor shall determine whether immediate action is reasonably necessary to protect the inmate and shall provide an initial response within 48 hours.

The initial response and final decision shall be documented and shall include a determination whether the inmate is in substantial risk of imminent sexual abuse and identify actions taken in response to the emergency grievance (28 CFR 115.52).

Inmate Voting

613.1 PURPOSE AND SCOPE

This policy establishes the requirement for providing eligible inmates the opportunity to vote during elections, pursuant to election statutes.

613.2 POLICY

Eligible inmates shall retain their right to vote in elections provided they are properly registered upon admission to the facility and request to vote through the jail programs staff (Minn. Stat. § 201.157).

613.3 VOTING REQUIREMENTS

Inmates maintain their right to vote while incarcerated if they (Minn. Stat. § 201.014):

- (a) Are a citizen of the United States
- (b) Maintain residence in Minnesota for 20 days immediately preceding the election
- (c) Are at least 18 years of age at the time of the election
- (d) Have not been declared legally incompetent by a court
- (e) Have had their civil rights restored after conviction of treason or a felony offense
- (f) Are determined eligible to vote in a tribal election

613.4 PROCEDURES

Prior to each election, the Jail Administrator will designate a corrections officer to be a liaison between the Office and the local election official. The designated corrections officer will be responsible for assisting inmates who have requested to vote. Postage shall be provided to inmates who cannot afford to mail an absentee ballot.

Inmates should be advised of voting methods during the inmate orientation.

Eligible inmates shall retain their right to vote in elections provided they are properly registered upon admission to the facility and request to vote through the jail programs staff.

Policy Title

Chapter 7 - Medical-Mental Health - Refer to Medical Policies and Protocol

Emergency Health Care Services

700.1 PURPOSE AND SCOPE

The purpose of this policy is to establish plans and procedures for responding to medical emergencies in the facility when the level of medical or mental health services exceed the licensure or certification of staff who are on-duty and to define staff training requirements.

700.2 POLICY

It is the policy of this office that emergency medical, mental health and dental services are available 24 hours a day. These services may include off-site health care services (Minn. R. 2911.5800).

700.3 PROCEDURES

The Jail Administrator or the authorized designee shall work cooperatively with the Responsible Physician to develop plans and procedures for responding to emergency medical incidents that occur when the level of medical or mental health services needed exceeds the licensure or certification of staff who are on-duty. The plans should include: on-site emergency first aid, basic life support and crisis intervention; emergency evacuation of an inmate from the facility, including security procedures, to ensure an immediate transfer when appropriate; on-call physicians, dentists and mental health professionals; predetermined back-up health care services when the emergency health facility is not located in a nearby community; and the identification of primary, secondary and tertiary acute care facilities.

The plan may additionally include, but is not limited to, these components:

- (a) Health-trained custody staff shall respond to all emergencies immediately upon notification.
- (b) Contact information for emergency on-call health care services, both on and off site, is available and accessible for facility supervisors.
- (c) Qualified health care professionals shall respond by reporting to the area of the emergency with the necessary emergency equipment and supplies.
- (d) Emergency equipment and supplies are regularly maintained and accessible to the qualified health care professionals and health-trained custody staff.
- (e) Most inmates will be stabilized on-site and then transferred to an appropriate health care unit, if necessary.
- (f) Notification of on-call physicians and mental health staff will be done as soon as the situation reasonably allows.
- (g) The qualified health care professionals will determine if the inmate needs to be transported to a local emergency room for treatment.
- (h) When necessary, facility staff shall activate 9-1-1 and notify a supervisor as soon as reasonably practicable.

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- (i) The Jail Administrator and the Responsible Physician will coordinate on the notification of the inmate's next of kin in cases of serious illness and injury. Death notifications will be made in accordance with the Inmate Death - Clinical Care Review Policy.

The goal of any emergency medical response plan is to provide emergency medical care to those in need as expeditiously as possible. While facility size and patient proximity to the health care service will vary, staff training will emphasize responding to medical emergencies as soon as reasonably possible.

700.4 EMERGENCY PROCEDURES

The health services administrator or the authorized designee is responsible for ensuring the following information, equipment and personnel are available in the event an inmate requires emergency treatment (Minn. R. 2911.5800):

- (a) A current list of names, addresses and telephone numbers of all persons and agencies to be notified in an emergency. The list should be available to all health care and custody staff at all times, and should be updated quarterly.
- (b) Emergency drugs, equipment and supplies should be readily available at all times and replenished after each use. An inventory control system should be in use to ensure the necessary supplies are present when needed and have not expired.
- (c) A physician, dentist and mental health professional should be available on-call 24 hours a day, seven days a week (this can include off-site health care services) and there should be a back-up health care services plan.
- (d) Ambulances should be available on a 24-hour basis and accessed through the facility staff or by calling the appropriate emergency number. There should be a clear security plan in place for the transportation of inmates.
- (e) The Shift Supervisor will be contacted and informed of any emergency as soon as practicable.
- (f) All decisions regarding medical treatment and the need for emergency transportation are to be made by the qualified health care professionals or health-trained custody staff.
- (g) Whenever reasonably possible, the on-call health care service should be notified prior to transporting the inmate to the hospital or other emergency care. However, in the event of a life- or limb-threatening emergency, the inmate shall be sent to the hospital in the most expedient way possible, which may require notifying the specific health care service after the inmate has been transported.

700.5 FIRST-AID KITS

The Responsible Physician or the authorized designee is responsible for determining the contents, number, location, and procedures for monthly inspections of all first-aid kits in the facility. At least one first-aid kit will be located at the control center or primary staff station (Minn. R. 2911.6000). The Responsible Physician shall also ensure that:

- (a) The contents of each first-aid kit are:

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1. Approved by the Responsible Physician.
2. Appropriate for its location.
3. Arranged for quick use.
4. Documented on the outside cover.
5. Inventoried every month.
6. Secured with a plastic tamper-proof seal.
 - (a) Once the seal has been broken, the kit should be taken to the medical unit so the contents can be inventoried and restocked.
 - (b) Written protocols and training materials are developed for the use of medical supplies and equipment by health-trained custody staff.
 - (c) Inspections and testing of supplies and equipment are documented and maintained in accordance with established records retention schedules.
 - (d) A limited quantity of life-saving prescription medications, as approved by the health authority, may be maintained in emergency kits.

700.6 TRAINING

The Jail Administrator shall ensure that all qualified health care professionals are trained in the delivery of emergency medical services in the custody environment during new employee orientation. Custody personnel responsible for the supervision, safety, and well-being of inmates shall be trained in emergency first-aid (Minn. R. 2911.1350).

The Jail Administrator or the authorized designee shall ensure that all facility staff members who have contact with inmates receive first-aid and basic life support training during new employee orientation, and that annual refresher training is conducted for the facility and qualified health care professionals. Training should include but not be limited to:

- (a) The location of all emergency medical equipment and medications, and the proper use of the equipment, such as Automated External Defibrillators (AED).
- (b) How to properly summon internal and external emergency services.
- (c) Recognition of basic life support signs and symptoms, and the actions required in emergency situations.
- (d) Administration of basic first aid.
- (e) Certification in CPR in accordance with the recommendations of the certifying health organization.
- (f) Recognition of the signs and symptoms of mental illness, violent behavior, and acute chemical intoxication and withdrawal.
- (g) Procedures for inmate transfers to appropriate medical facilities or health care service.
- (h) Suicide recognition, prevention, and intervention techniques.

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All records of the training provided, testing procedures and the results, and certificates achieved shall be maintained in each qualified health care professional's training file in accordance with established records retention schedules. The Responsible Physician should be bound by similar requirements in the contractual language between the Office and the vendor.

700.7 AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

The Responsible Physician or the authorized designee is responsible for ensuring that an AED is available in the facility and that all staff members are trained in its use. The AEDs shall be inspected and tested at a frequency consistent with the manufacturer's recommendations to ensure functionality.

Medical Decisions

700.1 PURPOSE AND SCOPE

This policy recognizes that a coordinated effort between the qualified health care professional and the Jail Administrator is needed to ensure an adequate health care system. It emphasizes the importance of clinical decisions being the sole responsibility of the qualified health care professional. Beltrami County Adult Detention Facility will be under the authority of the qualified health care professional medical protocol.

700.1.1 DEFINITIONS

Definitions related to this policy include:

Clinical decisions - The process of formulating a differential diagnosis with information gathered from an inmate's medical history and physical and mental examinations, developing a list of possible causes and ordering tests to help refine the list or identify a specific disease.

Differential diagnosis - A systematic method of identifying unknowns or diagnosing a specific disease using a set of symptoms and testing as a process of elimination.

700.2 POLICY

Clinical decisions and actions regarding inmate health care are the sole responsibility of qualified health care professionals and should not be countermanded by others. The qualified health care professional shall be responsible for arranging for appropriate health resources and for determining what services are needed. The Jail Administrator or the authorized designee shall be responsible for providing the custodial support to ensure a safe and secure environment for delivery of services and accessibility to the inmates ([Minn. R. 2911.5800](#)).

700.3 MEDICAL AUTONOMY

Clinical decisions shall be made only after an evaluation of the patient's complaint and physical or mental condition. The implementation of clinical decisions is to be completed in an effective and safe manner that does not violate the security regulations of the facility. If medical personnel is not present, if Correction Staff deem necessary, they have the ability to seek additional medical assessments and/or treatment for patient's condition by a medical provider.

700.4 PROBLEM RESOLUTION

Any issues arising because of the clinical decision process shall be reviewed under the provisions of Continuous Quality Improvement using medical records, grievances, staff complaints and any other relevant data.

Chapter 8 - Environmental Health

Sanitation Inspections

800.1 PURPOSE AND SCOPE

The Beltrami County Sheriff's Office has established a plan to promote and inspect the environmental safety and sanitation requirements established by applicable laws, ordinances and regulations. This policy establishes a plan of housekeeping tasks and inspections required to identify and correct unsanitary or unsafe conditions or work practices in this facility.

800.2 POLICY

It is the policy of the Office to maintain a safe and sanitary facility. To accomplish this goal the Office will maintain a written plan that contains schedules and procedures for conducting and documenting weekly and monthly sanitation inspections of the facility. The Jail Administrator will ensure that the plan addresses, at minimum (Minn. R. 2911.7200):

- (a) Schedules of functions (e.g., daily, weekly, monthly or seasonal cleaning, maintenance, pest control and safety surveys).
- (b) Self-inspection check lists to identify problems and to ensure cleanliness of the facility.
- (c) Procedures, schedules and responsibilities for coordinating annual inspections by the county health department, including how deficiencies on the inspection report are to be corrected in a timely manner.
- (d) A list of approved equipment, cleaning compounds, chemicals and related materials used in the facility, and instructions on how to operate, dilute or apply the material in a safe manner.
- (e) Record-keeping of self-inspection procedures, forms and actions taken to correct deficiencies.
- (f) Training requirements for custody staff and inmate workers on accident prevention and avoidance of hazards with regard to facility maintenance.
- (g) Documenting deficiencies from weekly inspections.

Consideration should be given to general job descriptions and/or limitations relating to personnel or inmates assigned to carrying out the plan. Specialized tasks, such as changing air filters and cleaning ducts or facility pest control, are more appropriately handled by the Office or by contract with private firms.

Inmates engaged in sanitation duties shall do so only under the direct supervision of qualified custody staff. When inmate work crews are used, additional controls should be implemented to account for all equipment and cleaning materials.

All staff shall report any unsanitary or unsafe conditions to a supervisor. Staff shall report repairs needed to the physical plant and equipment by submitting a work order to a supervisor. Shift Supervisors will conduct cleaning inspections on a daily basis. The Jail Administrator or the authorized designee will conduct weekly safety and sanitation inspections of the facility.

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800.3 WORK ORDERS

All reports of unsafe or unsanitary conditions as well as repairs needed to the physical plant and equipment shall be documented in a work order. The Jail Administrator will designate a staff person to receive these work orders and take appropriate action to ensure the repairs or action taken. All work and action taken will also be documented. Reports for budget resources above and beyond already budgeted maintenance items shall be reported to the Jail Administrator (Minn. R. 2911.7400).

800.4 MATERIAL SAFETY DATA SHEETS (MSDS)

Materials and substances used in the operation and maintenance of the facility may qualify as hazardous material. Hazardous material is required to have a companion Material Safety Data Sheet (MSDS) that is provided by the manufacturer or distributor of the material. The MSDS provides vital information on individual hazardous material and substances, including instructions on safe handling, storage, and disposal, prohibited interactions and other details relative to the specific material.

The Jail Administrator shall be responsible for ensuring that a written hazardous materials communication plan is developed, implemented and maintained at each workplace. Each area of the facility in which any hazardous material is stored or used shall maintain a MSDS file in an identified location that includes (29 CFR 1910.1200(e)(1)):

- (a) A list of all areas where hazardous materials are stored.
- (b) A physical plant diagram and legend identifying the storage areas of the hazardous material.
- (c) A log for identification of a new or revised MSDS materials.
- (d) A log for documenting the training of those who use hazardous materials.

800.4.1 MSDS USE, SAFETY AND TRAINING

All supervisors and users of MSDS information must review the latest issuance from the manufacturers of the relevant substances. Staff and inmates shall have ready and continuous access to the MSDS for the substance they are using while working. In addition, the following shall be completed (29 CFR 1910.1200(e)(1)(ii)):

- (a) Supervisors shall conduct training for all staff and inmates who are using the material. Training will include the safe use, handling and disposal of hazardous material in areas they supervise.
- (b) Staff and inmates using the material may review the MSDS as necessary to be aware of any updates and to remain familiar with the safe use, handling and disposal of any hazardous material in their work areas.

800.4.2 MSDS DOCUMENTATION MAINTENANCE

Changes in MSDS information occur often and without general notice. Any person accepting a delivery, addition, or replacement hazardous material shall review the accompanying MSDS. If

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additions or changes have occurred, the revised MSDS shall be incorporated into the file and a notation shall be made in the MSDS revision log.

Supervisors shall review the MSDS in their work areas semi-annually to determine if they are current and that appropriate training has been completed. Upon review, a copy of the MSDS file and all logs shall be forwarded to the Maintenance Supervisor or the authorized designee.

800.4.3 MSDS RECORDS MASTER INDEX

The Maintenance Supervisor or the authorized designee will compile a master index of all hazardous materials in the facility, including locations, along with a master file of MSDS information. He/she will maintain this information in the safety office (or equivalent), with a copy to the local fire department. Documentation of the semi-annual reviews will be maintained in the MSDS master file. The master index should also include a comprehensive, up-to-date list of emergency phone numbers (e.g., fire department, poison control center) (29 CFR 1910.1200(g) (8)).

Housekeeping and Maintenance

801.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that the facility is kept clean and in good repair in accordance with accepted federal, state and county standards.

801.2 POLICY

The Jail Administrator shall establish housekeeping and maintenance plans that address all areas of the facility. The plan should include, but is not limited to (Minn. R. 2911.7200):

- Schedules that determine the frequency of cleaning activities on a daily, weekly or monthly timetable, by area of the facility.
- Supervision of the staff and inmates to ensure proper implementation of the procedures and to ensure that no inmate supervises or assigns work to another inmate.
- Development and implementation of an overall sanitation plan (e.g., cleaning, maintenance, inspection, staff training, inmate supervision).
- Development of inspection forms.
- All inmate responsibilities, which should be included in the inmate handbook.
- A process to ensure that deficiencies identified during inspections are satisfactorily corrected and documented.
- Detailed processes for the procurement, storage and inventory of cleaning supplies and equipment.
- A process for the preventive maintenance of equipment and systems throughout the facility.
- Staff supervision of the provision of cleaning tools and supplies.

To the extent possible, cleaning and janitorial supplies shall be nontoxic to humans. Any poisonous, caustic or otherwise harmful substances used for cleaning shall be clearly labeled and kept in a locked storage area.

801.3 SANITATION SCHEDULE

A daily, weekly and monthly cleaning schedule will be established. The facility staff should implement a site specific plan for cleaning and maintenance of each area of the jail (e.g., housing, food preparation, laundry, loading dock/trash storage, barber shop, warehouse, common areas). The following recommendations include, but are not limited to, specific areas and items:

- (a) Daily cleaning:
 1. Sweep and then wet mop the entire jail floor
 2. Clean all cell block areas

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3. Empty all trash receptacles
 4. Clean all toilets and sinks
- (b) Weekly cleaning:
1. Dust bars and window ledges
 2. Clean mattresses (mattresses are also to be cleaned prior to being issued to a new inmate)
 3. Pour water down floor drains to test for flow
 4. Clean all showers
- (c) Monthly cleaning:
1. Walls
 2. Ceilings
 3. Clean air conditioning/heating grates

801.4 TRAINING

All custodial staff and inmate workers assigned cleaning duties shall receive instruction commensurate with their tasks, including proper cleaning techniques, the safe use of cleaning chemicals and areas of responsibility.

801.5 INSPECTION CHECKLIST

The Jail Administrator or the authorized designee should develop an inspection checklist that includes the cleaning and maintenance items that will be checked by supervisors on a daily, weekly and monthly basis throughout the facility.

The inspection checklist will closely correspond to the established cleaning and maintenance schedule.

Inspection checklists shall be forwarded to the Jail Administrator or the authorized designee for annual review, filing and retention as required by the established records retention schedule.

Hazardous Waste and Sewage Disposal

802.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a system for disposing of hazardous waste. The Office recognizes that the effectiveness of a disposal system depends not only on the written policies, procedures and precautions, but on adequate supervision and the responsible behavior of the staff and inmates. It is the responsibility of everyone in the facility to follow hazardous waste disposal instructions, utilizing prescribed precautions and using safety equipment properly.

802.1.1 DEFINITION

Definitions related to this policy include:

Hazardous waste - Material that poses a threat or risk to public health or safety or is harmful to the environment (e.g., batteries, paints, solvents, engine oils and fluids, cleaning products).

802.2 POLICY

It is the policy of this office that any sewage and hazardous waste generated at the facility shall be handled, stored and disposed of safely and in accordance with all applicable federal and state regulations and in consultation with the local public health entity (Minn. R. 7045.0208). The Jail Administrator or the authorized designee shall be responsible for:

- Determining the waste generation size of the facility (Minn. R. 7045.0206).
- Developing and implementing a storage and disposal plan for hazardous waste management that complies with Minn. R. 7045.0208 and has been reviewed and approved by a regulatory agency.
- Contracting with a hazardous waste disposal service.
- Including hazardous waste issues on internal health and sanitation inspection checklists.
- Developing and implementing procedures for the safe handling and storage of hazardous materials until such time as the contractor removes the items from the facility.
- Ensuring the staff is trained in the proper identification of hazardous waste and the appropriate handling, storage and disposal of such items.

802.3 DISPOSAL PROCEDURE

802.3.1 SEWAGE DISPOSAL

All sewage and liquid waste matter must be disposed of into a public system of sewerage or, if public sewerage is not available, into a private system of sewage disposal in accordance with the requirements of the local public health entity.

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Hazardous Waste and Sewage Disposal

The institution's use of the private system must be discontinued and the private system must be properly abandoned when public sewerage becomes available.

802.3.2 HAZARDOUS WASTE

Hazardous waste generated in the facility shall be properly disposed in designated containers and stored until removed by the contractor. Staff shall use universal standard precautions when in contact with hazardous materials, at a minimum, unless directed otherwise.

802.4 SAFETY EQUIPMENT

The Jail Administrator and the county emergency manager shall ensure that appropriate safety equipment is available. All supervisors shall be knowledgeable in how to access the safety equipment at all times. The county may coordinate with local fire departments or contracted vendors to obtain the necessary safety equipment.

802.5 TRAINING

The Training Officer shall be responsible for ensuring that all facility personnel receive appropriate training in the use of appropriate safety equipment and the identification, handling and disposal of hazardous waste. Training records shall be maintained, including the course roster, curriculum, instructor name and credentials, and testing instruments.

802.6 SUPERVISOR RESPONSIBILITY

Supervisors are responsible for monitoring any hazardous waste containment issue, ensuring that employees have the appropriate safety equipment, that any exposed persons receive immediate medical treatment, and that the appropriate measures are taken to lessen the exposure of others. Supervisors shall ensure that incident reports are completed and forwarded to the Jail Administrator in the event of an exposure to staff, inmates or visitors.

Physical Plant Compliance with Codes

803.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the timeline, process and responsibilities for facility maintenance, inspections and equipment testing in compliance with all applicable federal, state and local building codes.

803.2 POLICY

It is the policy of this office that all construction of the physical plant (renovations, additions, new construction) will be reviewed and inspected in compliance with all applicable federal, state and local building codes. All equipment and mechanical systems will be routinely inspected, tested and maintained in accordance with applicable laws and regulations (Minn. R. 2911.5450).

803.3 COMPLIANCE WITH CODES AND STATUTES

Plumbing, sewage disposal, solid waste disposal and plant maintenance conditions will comply with rules required by the Minnesota State Building Code, the Minnesota Fire Marshal's Office, the Minnesota Department of Health, the Minnesota Department of Labor and Industry and local government (Minn. R. 2911.7200).

803.4 RESPONSIBILITIES

The Jail Administrator shall be responsible for establishing and monitoring the facility maintenance schedule, the inspection schedules of the Shift Supervisors and corrections officers, and ensuring that any deficiencies discovered are corrected in a timely manner.

The Jail Administrator or the authorized designee is responsible for developing internal health and sanitation inspection checklists, for maintaining valid licensing and sanitation certificates and inspection reports and for proof of corrective actions.

803.5 PROCEDURE

All safety equipment (e.g., emergency lighting, generators and/or an uninterruptible power source (UPS)) shall be tested at least quarterly. Power generators and UPS equipment should be inspected weekly and load-tested quarterly or according to the manufacturer's instructions. All completed inspection forms shall be kept on file for review by the appropriate office committees or external agencies.

Any remodeling or new construction shall have prior approval of the local fire, building and health authorities. Any required plans and permits will be procured prior to the commencement of any changes to the facility.

The following areas of the facility shall be inspected and evaluated for functionality, wear, and rodent or pest infestation. The list is not meant to be all inclusive:

- Admissions
- Food services

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Physical Plant Compliance with Codes

- Inmate housing
- Laundry
- Barbershop
- Loading dock/trash storage
- Warehouse
- Water systems and plumbing
- Emergency generators
- Fire safety equipment
- The entire physical structure of the facility, including, roof, walls, exterior doors, mechanical systems and lighting

803.6 PLUMBING - FLOOR DRAINS

Floor drains must be flushed weekly and all traps must contain water to prevent the escape of sewer gas. Grids and grates must be present.

Water Supply

804.1 PURPOSE AND SCOPE

The Beltrami County Sheriff's Office recognizes the importance of providing the facility with safe potable water. The purpose of this policy is to establish guidelines for testing the facility's water to ensure that the water is safe to consume.

804.2 POLICY

In compliance with water standards set by law, this facility will ensure the continued supply of safe potable water for the use of inmates, staff and visitors through annual testing of water supplies.

804.3 PROCEDURE

The Jail Administrator shall ensure that the facility's potable water source is tested by an independent public or private testing service at least once each year. Water quality will be certified to be in compliance with all state and local regulations. Corrective measures shall be promptly taken if the test results fall below acceptable regulatory standards.

In the event that water testing reveals any significant hazards to the inmates or staff at the facility, the Sheriff, Jail Administrator and the Responsible Physician shall take immediate action to mitigate the problem.

The testing results, valid certificates of the sampling entity and the testing laboratory shall be kept in accordance with established records retention schedules.

Where the facility's water supply is obtained from a private source, the source shall be properly located, constructed and operated to protect it from contamination and pollution and the water shall meet all current standards set by the applicable state and/or local authority regarding bacteriological, chemical and physical tests for purity.

For facilities not served by a public or regulated private water supply, the water should be tested daily by the local authority within the facility's jurisdiction.

804.4 EMERGENCY PLAN

The Jail Administrator and the Responsible Physician shall develop a plan for the supply of potable water for drinking and cooking in the event that a man-made or natural disaster interrupts the regular water supply. The plan shall address methods for providing clean potable water for a minimum of three days, and should have contingency plans for emergencies lasting longer than three days. The plan should also include contingencies for the use of non-potable water to flush toilets and remove effluent from the facility.

Inmate Safety Program

805.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a safety program to reduce inmate injuries by analyzing causes of injuries and identifying and implementing corrective measures.

805.2 POLICY

The Beltrami County Sheriff's Office will provide a safe environment for individuals confined at this facility, in accordance with all applicable laws, by establishing an effective safety program, investigating inmate injuries and taking corrective actions as necessary to reduce accidents and injury (Minn. R. 2911.7400).

The Sheriff shall appoint a staff member who will be responsible for the development, implementation and oversight of the safety program. This program will include, but not be limited to:

- A system to identify and evaluate hazards, including scheduled inspections to identify unsafe conditions.
- Analysis of inmate injury reports to identify causes and to recommend corrective actions.
- Establishment of methods and procedures to correct unsafe and/or unhealthful conditions and work practices in a timely manner.

805.3 INVESTIGATION OF REPORTED INMATE INJURY

Whenever there is a report of an injury to an inmate that is the result of accidental or intentional acts, other than an authorized use of force by custody staff, the Sheriff or the authorized designee will initiate an investigation to determine the cause of the injury and develop a plan of action whenever a deficiency is identified. Injuries resulting from use of force incidents will be investigated and reported in accordance with the Use of Force Policy.

805.4 INVESTIGATION REPORTS

The Shift Supervisor shall ensure that reports relating to an inmate's injury are completed and should include the following:

- Incident reports
- Investigative reports
- Health record entries
- Any other relevant documents

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805.5 ANNUAL REVIEWS

The Chief Deputy or the authorized designee shall conduct an annual review of all injuries involving inmates for the purpose of identifying problem areas and documenting a plan of action to abate circumstances relating to inmate injuries.

The plan of action should include, but not be limited to:

- The area where the deficiencies have been identified.
- Strategies to abate the deficiency.
- Resources needed to correct a deficiency.
- The person or persons responsible for taking corrective action and the target completion date.

The Chief Deputy or authorized designee shall coordinate corrective action or seek managerial/administrative guidance for implementing corrective action.

Vermin and Pest Control

806.1 PURPOSE AND SCOPE

The purpose of this policy is to establish inspection, identification and eradication processes designed to keep vermin and pests controlled in accordance with the requirements established by all applicable laws, ordinances and regulations of the local public health entity.

806.2 POLICY

It is the policy of this office that vermin and pests be controlled within the facility (Minn. R. 2911.7500). The Jail Administrator or the authorized designee shall be responsible for developing and implementing this policy, in cooperation with the Responsible Physician and the local public health entity, for the sanitation and control of vermin and pests and to establish medical protocols for treating inmate clothing, personal effects and living areas, with specific guidelines for treating an infested inmate (Minn. R. 2911.2750, Subp. 2).

806.3 PEST CONTROL SERVICES

The Jail Administrator or the authorized designee shall be responsible for procuring the services of a licensed pest control professional to perform inspections of the facility and to treat areas as required to ensure that vermin and pests are controlled.

806.4 PREVENTION AND CONTROL

Many infestations and infections are the result of a recently admitted inmate who is vermin infested or whose property is vermin infested. Most infestations are spread by direct contact with an infected person or with infested clothing and bedding. Inmates with lice or mites should be treated with approved pediculicides as soon as the infestation is identified to avoid spreading it. To reduce the chance of further transmission, separate quarters for inmates undergoing treatment for lice should be used as described in the Communicable Diseases Policy.

Because the use of the treatment chemicals can cause allergic reactions and other negative effects, treatment should be done only when an infestation is identified and not as a matter of routine.

Clothing, bedding and other property that is suspected of being infested shall either be removed from the facility or cleaned and treated by the following methods, as appropriate or as directed by the pest control provider or the Responsible Physician:

- Washing in water at 140 degrees for 20 minutes
- Tumbling in a clothes dryer at 140 degrees for 20 minutes
- Dry cleaning
- Storing in sealed plastic bags for 30 days
- Treating with an insecticide specifically labeled for this purpose

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Vermin and Pest Control

Head lice and their eggs are generally found on the head hairs. There may be some uncertainty about the effectiveness of some available pediculicides to kill the eggs of head lice. Therefore some products recommend a second treatment seven to 10 days after the first. During the interim, before the second application, eggs of head lice could hatch and there is a possibility that lice could be transmitted to others.

Pubic lice and their eggs are generally found on the hairs of the pubic area and adjacent hairy parts of the body, although they can occur on almost any hairy part of the body, including the hair under the arm and on the eyelashes.

Pubic lice and their eggs are generally successfully treated by the available pediculicides. However, when the eyelashes are infested with pubic lice and their eggs, a physician should perform the treatment.

Successful treatment depends on careful inspection of the inmate and proper application of the appropriate product. The area used to delouse inmates needs to be separate from the rest of the facility. All of the surfaces in the treatment area must be sanitized. There must be a shower as part of the delousing area.

The supervisor shall document the date of treatment, the area treated, the pest treated and the treatment used.

806.5 LABELING AND SECURE STORAGE OF COMPOUNDS

Containers of pest exterminating compounds shall be conspicuously labeled for identification of contents. The containers shall be securely stored separately from food and kitchenware, and shall not be accessible by inmates.

Inmate Hygiene

807.1 PURPOSE AND SCOPE

This policy outlines the procedures that will be taken to ensure the personal hygiene of every inmate in the Beltrami County Sheriff's Office jail is maintained. The Beltrami County Sheriff's Office recognizes the importance of each inmate maintaining acceptable personal hygiene practices by providing adequate bathing facilities, hair care services, and the issuance and exchange of clothing, bedding, linens, towels and other necessary personal hygiene items.

807.2 POLICY

It is the policy of the Beltrami County Sheriff's Office to maintain a high standard of hygiene in compliance with the requirements established by all state laws, ordinances, and regulations. Compliance with laws and regulations relating to good inmate hygiene practice is closely linked with good sanitation practices. Therefore, the need to maintain a high level of hygiene is not only for the protection of all inmates, but for the safety of the correctional staff, volunteers, contractors, and visitors.

807.3 STORAGE SPACE

There should be adequate and appropriate storage space for inmates' bedding, linen or clothing. The inventory of clothing, bedding, linen and towels should exceed the maximum inmate population so that a reserve is always available.

The facility should have clothing, bedding, personal hygiene items, cleaning supplies and any other items required for the daily operation of the facility, including the exchange or disposal of soiled or depleted items. The assigned staff shall ensure that the storage areas are properly maintained and stocked. The Jail Administrator should be notified if additional storage space is needed.

807.3.1 BEDDING ISSUE

Upon entering a living area of the Beltrami County Sheriff's Office jail, every inmate who is expected to remain in the facility for more than eight hours shall be issued bedding and linens including, but not limited to (Minn. R. 2911.3650):

- (a) Sufficient freshly laundered blankets to provide comfort under existing temperature conditions. Blankets shall be exchanged and laundered in accordance with facility operational laundry rules.
- (b) One clean, firm, nontoxic, fire-retardant mattress. (16 CFR 1633.1 et seq.).
 1. Mattresses will be serviceable, and enclosed in an easily cleanable, non-absorbable material and conform to the size of the bunk. Mattresses will be cleaned and disinfected when an inmate is released or upon reissue.
- (c) Two sheets or one sheet and a clean mattress cover.
- (d) One clean washcloth, hand towel, and bath towel.
- (e) One pillow and pillowcase.

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Linen exchange, including towels, shall occur at least weekly and there should be a posted schedule for it (Minn. R. 2911.3675). The linen exchange shall be documented in the daily activity log. The Shift Supervisor shall review the daily activity log at least once per shift.

The Jail Administrator or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that bedding issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

807.3.2 CLOTHING ISSUE

An inmate admitted to a facility for 72 hours or more and assigned to a living unit shall be issued a set of facility clothing. The issue of clothing appropriate to the climate for inmates shall include but is not limited to the following (Minn. R. 2911.3650):

- Clean socks
- Suitable outer and undergarments
- Footwear

An inmate who is issued a change of clothing upon admission to the facility may have his/her personal clothing returned after laundering, at the discretion of the Jail Administrator.

Clothing shall be exchanged twice each week, at a minimum. Clothing exchange times shall be made available to inmates (Minn. R. 2911.3675). All exchanges shall be documented on the daily activity log. The Shift Supervisor or unit supervisor shall review the daily activity log at least once per shift.

Additional clothing may be issued as necessary for changing weather conditions or as seasonally appropriate. An inmate's personal undergarments and footwear may be substituted for the institutional undergarments and footwear, provided there is a legitimate medical necessity for the items and they are approved by the medical staff.

Each inmate assigned to a special work area, such as food services, medical, farm, sanitation, mechanical, and other specified work, shall be clothed in accordance with the requirements of the job, including any appropriate protective clothing and equipment, which shall be exchanged as frequently as the work assignment requires.

The Jail Administrator or the authorized designee shall conduct both scheduled and unannounced inspections of the facility to ensure that clothing issuance policies and procedures are carried out in accordance with the applicable laws and regulations.

The Jail Administrator or the authorized designee shall ensure that the facility maintains a sufficient inventory of extra clothing to ensure each inmate shall have neat and clean clothing appropriate to the season.

An inmate's excess personal clothing shall be mailed, picked up by, or transported to a designated family member or stored in containers designed for such purpose. All inmate personal property shall be properly identified, inventoried, and secured. Inmates shall sign and receive a copy of the inventory record.

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807.4 LAUNDRY SERVICES

Laundry services shall be managed so that daily clothing, linen, and bedding needs are met (Minn. R. 2911.3675).

807.5 INMATE ACCOUNTABILITY

Following processing, each inmate will be issued jail clothing and jail linens. While housed in the facility, the inmate is responsible for these items. In the event an item is damaged or missing, the inmate will be responsible to pay the cost of replacement. The inmate may also be criminally charged with damage to property.

Inmates shall be provided with access to an inmate handbook which is located on the kiosk in each housing unit. Inmates are required to follow the Laundry/Clothing exchange schedule listed in the handbook

807.6 PERSONAL HYGIENE OF INMATES

Personal hygiene items, hair care services and facilities for showers will be provided in accordance with applicable laws and regulations. This is to maintain a standard of hygiene among inmates in compliance with the requirements established by state laws as part of a healthy living environment (Minn. R. 2911.2750).

Each inmate held more than 24 hours shall be issued, at a minimum, the following items:

- One bar of bath soap or equivalent
- One unbreakable comb or brush
- Toothpaste or powder
- Toothbrush
- Shaving equipment, upon request
- Toilet paper
- Materials as appropriate to the special hygiene needs of women

The Jail Administrator or the authorized designee may modify this list to accommodate the use of liquid soap and shampoo dispensers. Personal hygiene items should be appropriate for the inmate's gender. Additional hygiene items shall be provided to inmates upon request, as needed.

Inmates shall not be required to share personal care items or disposable razors. Used razors are to be disposed into approved sharps containers. Other barbering equipment capable of breaking the skin must be disinfected between individual uses, as prescribed by the Minnesota Board of Barber Examiners (Minn. R. 2100.8100).

Inmates, except those who may not shave for reasons of identification in court, shall be allowed to shave daily. The Jail Administrator or the authorized designee may suspend this requirement for any inmate who is considered a danger to him/herself or others.

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807.7 BARBER AND COSMETOLOGY SERVICES

The Jail Administrator or the authorized designee shall be responsible for developing and maintaining a schedule for hair care services provided to the inmate population and will have written policies and procedures for accessing these services (see the Grooming Policy). The Jail Administrator shall ensure that the rules are included in the inmate handbook.

Any barber and cosmetology services provided must comply with state laws (Minn. Stat. § 154.01; Minn. Stat. § 155A.27; Minn. Stat. § 155A.29).

807.7.1 SCHEDULE FOR HAIR CARE SERVICES

Inmates shall have the ability to receive hair care services at a minimum of once per month. Records of hair care services shall be documented in the daily activity log.

807.7.2 HAIR CARE SPACE

Due to sanitation concerns, the hair care services should be located in a room that is designated for that purpose. The floors, walls, cabinets, countertops, and ceilings should be smooth, nonabsorbent, and easily cleanable. The room should be supplied with a hand washing sink with hot and cold water under pressure. The minimum hot water temperature must comply with local building and health department standards.

Each barbering room should have all the equipment necessary for maintaining sanitary procedures for hair care, including approved, covered metal containers for waste, disinfectants, laundered towels, and a means of separating sanitized equipment from soiled equipment.

After each haircut, all tools that came into contact with the inmate shall be thoroughly cleaned and sanitized according to established guidelines and regulations.

Regulations with detailed hair care cleaning and sanitation requirements shall be posted in a conspicuous place for use by all hair care personnel and inmates. Single-use items, such as cotton pads and neck strips, shall be properly disposed of immediately after a single use.

Barbers or beauticians shall not provide hair care service to any inmate when the skin of the face, neck, or scalp is inflamed, or when there is scaling, pus, or other evidence of skin eruptions, unless it is performed in accordance with the specific written authorization of the Responsible Physician. Any person infested with head lice shall not be given hair care service until cleared by the medical staff.

The hair care services area shall be maintained and kept clean according to the requirements of the state or local board of barbering and cosmetology and the health department standards.

807.8 AVAILABILITY OF PLUMBING FIXTURES

Inmates confined to cells or sleeping areas shall have access to toilets and washbasins with hot and cold running water that is temperature controlled. This access shall be available at all hours of the day and night without staff assistance.

The minimum number of plumbing fixtures provided for inmates in housing units is:

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- One sink/washbasin for every 12 inmates.
- One toilet to every 12 male inmates (urinals may be provided for up to half the toilets).
- One toilet to every eight female inmates.

807.9 INMATE SHOWERS

Inmates will be allowed to shower upon assignment to a housing unit and every day thereafter (Minn. R. 2911.2750). There should be one shower for every 12 inmates unless federal, state, or local building or health codes differ. Showering facilities for inmates housed at this facility shall be clean and properly maintained. Water temperature shall be periodically measured to ensure a range of 100 to 120 degrees for the safety of inmates and staff, and shall be recorded and maintained.

Transgender and intersex inmates shall be given the opportunity to shower separately from other inmates (28 CFR 115.42).

807.10 DELOUSING MATERIALS

Delousing materials and procedures shall be approved through consultation with the Responsible Physician or qualified health care professionals (Minn. R. 2911.2750).

807.11 RESPONSIBILITIES

The Jail Administrator shall ensure the basic necessities related to personal care are provided to each inmate upon entry into the general population. Appropriate additional personal care items may be available for purchase from the inmate commissary (Minn. R. 2911.2750).

807.12 ADDITIONAL PRIVACY REQUIREMENTS

Inmates shall be permitted to shower, perform bodily functions, and change clothing without non-medical staff of the opposite sex viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Staff of the opposite sex shall announce their presence when entering an inmate housing unit (28 CFR 115.15).

Chapter 9 - Food Services

Food Services

900.1 PURPOSE AND SCOPE

The Office recognizes the importance of providing nutritious food and services to inmates to promote good health, to reduce tension in the jail, and ultimately to support the safety and security of the jail. This policy provides guidelines on the preparation of food services items and dietary considerations for inmates housed in the facility.

900.2 POLICY

It is the policy of this office that food services shall provide inmates with a nutritionally balanced diet in accordance with federal, state and local laws, and with regulations for daily nutritional requirements.

The food services operation shall be sanitary and shall meet the acceptable standards of food procurement, planning, preparation, service, storage and sanitation in compliance with Food and Drug Administration (FDA) and United States Department of Agriculture (USDA) requirements and standards set forth in the Minnesota Department of Health Food Code (Minn. R. 2911.3800).

900.3 FOOD SERVICES MANAGER

The food services manager shall be responsible for oversight of the day-to-day management and operation of the food services area, including:

- Developing, implementing, and managing a budget for food services.
- Ensuring sufficient staff is assigned and scheduled to efficiently and safely carry out all functions of food services operations.
- Establishing, developing, and coordinating appropriate training for staff and inmate workers.
- Developing a menu plan that meets all nutrition and portion requirements and can be produced within the available budget.
- Other duties and activities as determined by the Jail Administrator.

900.4 MENU PLANNING

All menus shall be planned, dated, and available for review at least one week in advance of their use. Records of menus and of foods purchased shall be kept on file for one year. Menus shall provide a variety of foods and should consider appearance, dietary allowances, flavor, nutrition, palatability, temperature, and texture. Menus shall be approved by a registered dietitian or nutritionist before being served to ensure the recommended dietary allowance for basic nutrition meets the needs of the appropriate age group (Minn. R. 2911.4600).

Any changes to the meal schedule, menu, or practices should be carefully evaluated by the food services manager in consultation with the Jail Administrator, dietitian, medical staff, and other professionals, and shall be recorded. All substitutions will be of equal or better nutritional value. If

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any meal served varies from the planned menu, the change shall be noted in writing on the menu and/or production sheet.

Menus as planned, including changes, shall be evaluated by a registered dietitian at least annually. Facility menus shall be evaluated at least quarterly by the food services supervisory staff to ensure adherence to established daily servings (Minn. R. 2911.4000).

Copies of menus, foods purchased, annual reviews, and quarterly evaluations should be maintained by the food services manager in accordance with established records retention schedules.

900.5 FOOD SAFETY

Temperatures in all food storage areas should be checked and recorded at the beginning of each shift, but shall be checked and recorded at least once daily. Holding temperatures for cold and hot foods shall be checked and recorded every two hours. Hot food shall be reheated to 165 degrees if it falls below 135 degrees at any time.

All reach-in or walk-in refrigerators and cold storage must maintain food temperature as outlined in the Food Storage Policy.

One sample for each meal served shall be dated and maintained under refrigeration for testing in the event of a food-borne illness outbreak. Sample meals shall be discarded at the end of three days if no food-borne illness is reported.

Food production shall be stopped immediately if there is any sewage backup in the preparation area or if there is no warm water available for washing hands. Food production shall not resume until these conditions have been corrected.

900.6 THERAPEUTIC DIETS

The food services manager shall be responsible for ensuring that all inmates who have been prescribed therapeutic diets by qualified health care professionals are provided with compliant meals. A therapeutic diet manual, which includes samples of medical diets, shall be maintained in the health services and food services areas for reference and information.

- (a) The facility shall provide a food-allergy diet, as necessary.
- (b) The facility may provide reasonable animal protein substitutions at meals for inmates requesting vegetarian or vegan diets.
- (c) The facility shall provide a diet that meets the increased calcium and calorie requirements of pregnant inmates. Pregnant inmates shall be provided a substitution or supplements as ordered by a qualified health care professional (Minn. R. 2911.3900).

More complete information may be found in the Prescribed Therapeutic Diets Policy.

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900.7 RELIGIOUS DIETS

The food services manager, to the extent reasonably practicable, will provide special diets or meal accommodations for inmates in compliance with the parameters of the Religious Programs Policy and the Religious Land Use and Institutionalized Persons Act (RLUIPA).

When religious diets are provided, they shall involve a dietitian and conform to the nutritional and caloric requirements for non-religious diets (Minn. R. 2911.4300).

900.8 FOOD SERVICES REQUIREMENTS

All reasonable efforts shall be made to protect inmates from food-borne illness. Food services staff shall adhere to sanitation and food storage practices and there shall be proper medical screening and clearance of all food handlers in accordance with the Food Services Workers' Health, Safety and Supervision Policy.

Food production and services will be under staff supervision. Food production, storage and food-handling practices will follow the appropriate federal, state or local sanitation laws.

900.9 MEAL SERVICE PROCEDURE

Inmate meals that are served in a dining room or dayroom should be provided in a space that allows groups of inmates to dine together, with a minimum of 15 square feet of space per inmate. A dining area shall not contain toilets or showers in the same room without appropriate visual barriers.

Meals shall be served at least three times during each 24-hour period. At least one meal must include hot food (Minn. R. 2911.4800). Any deviation from this requirement shall be subject to the review and approval of a registered dietitian to ensure that inmates receive meals that meet nutritional guidelines.

Inmates must be provided a minimum of 15 minutes dining time for each meal. There must be no more than 14 hours between a substantial evening meal and breakfast. A substantial evening meal is classified as a serving of three or more menu items at one time, including a high-quality protein, such as meat, fish, eggs, or cheese. The meal shall represent no less than 20 percent of the day's total nutrition requirements. If more than 14 hours pass between meals, approved snacks should be provided. If a nourishing snack is provided at bedtime, up to 16 hours may elapse between the substantial evening meal and breakfast. A nourishing snack is classified as a combination of two or more food items from two of the four food groups, such as cheese and crackers or fresh fruit and cottage cheese (Minn. R. 2911.4100).

Inmates who miss, or may miss, a regularly scheduled meal must be provided with a beverage and a sandwich or substitute meal. Approved snacks should be served to inmates on medical diets in less than the 14-hour period if prescribed by the Responsible Physician or registered dietitian. Inmates on medical or therapeutic meals who miss their regularly scheduled meal will be provided with their prescribed meal.

As the mealtime approaches, facility staff should direct the inmates to get dressed and be ready for meals. Inmates should be assembled and a head count taken, to verify all inmates in the housing

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location are present. Staff should be alert to signs of injury or indications of altercations, and should investigate any such signs accordingly. Staff should remain alert to the potential for altercation during inmate movement and meals. Meals shall be served under the direct supervision of staff (Minn. R. 2911.4500).

Staff should direct an orderly filing of inmates to the dining room or assigned seating in the dayroom. Staff should identify inmates who have prescribed therapeutic or authorized religious diets so those inmates receive their meals accordingly.

It shall be the responsibility of the corrections officers to maintain order and enforce rules prohibiting excessive noise and intimidation of other inmates to relinquish food during mealtime.

The dining room shall have an area designated for inmates who have been prescribed a longer time to eat by a qualified health care professional or a dietitian, or as deemed appropriate by a supervisor.

To the extent reasonably practical, an adequate number of food services staff and correctional personnel should supervise meal services in central dining areas. If reasonably possible, the supervisor should be present.

The Shift Supervisor should make every attempt to be present during meal services in central dining areas to assess the meal service process, the quality of food, and any health or security issues.

In the interest of security, sanitation, and vermin control, inmates shall not be allowed to take food from the dining area to their housing areas.

900.10 EMERGENCY MEAL SERVICE PLAN

The food services manager shall establish and maintain an emergency meal service plan for the facility.

Such a plan should ensure that there is at least a seven-day supply of food maintained in storage for inmates. In the event of an emergency that precludes the preparation of at least one hot meal per day, the Jail Administrator may declare an emergency suspension of standards for the period of time the emergency exists (Minn. R. 2911.0400).

During an emergency suspension, the food services manager shall assign a registered dietitian to ensure that minimum nutritional and caloric requirements are met.

In the event that the inmate food supply drops below that which is needed to provide meals for two days, the Jail Administrator or the authorized designee shall purchase food from wholesale or retail outlets to maintain at least a four-day supply during the emergency.

Depending on the severity and length of the emergency, the Sheriff should consider requesting assistance from allied agencies through mutual aid or the National Guard.

Dietary Guidelines

901.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the nutritional needs of the inmates are met and that overall health is promoted through the use of balanced nutritious diets.

901.2 POLICY

It is the policy of this office that diets provided by this facility will meet or exceed the guidelines established in the current publication of the U.S. Department of Agriculture's Dietary Guidelines for Americans (DGA) and to meet administrative rules promulgated by the Minnesota Department of Corrections (Minn. R. 2911.3900).

901.3 REVIEW OF DIETARY ALLOWANCES

The food services manager is responsible for developing the facility's menus and shall ensure that all menus served by food services comply with the DGA guidelines . Any deviation from the DGA guidelines shall be reviewed by the Sheriff and/or Jail Administrator and the Responsible Physician.

The food services manager or the authorized designee shall ensure that the facility's menus, dietary allowances and cycle are evaluated at least once annually by a registered dietician or nutritionist, and that any changes meet the DGA guidelines. A registered dietitian must approve menus before they are used. The review and findings shall be documented and on file (Minn. R. 2911.4000).

Menus should be evaluated at least quarterly by food services supervisory staff to verify adherence to the established daily serving requirements.

901.4 MENU CYCLE PLANNING

The food services manager or the authorized designee should plan the menus no less than one week in advance of their use (Minn. R. 2911.4600).

Any changes to the menu must be recorded and kept on file until the next annual inspection. Any menu substitutions must use better or similar items. The planning and preparation of all meals should consider the overall palatability of the planned meal including the appearance and temperature of the food, and the flavor and texture of food combinations (Minn. R. 2911.3900).

The nutritional needs of inmates shall be met in accordance with their needs or a medical professional's orders and shall meet the dietary allowances required by Minn. R. 2911.3900. Menu planning shall provide each inmate with the specified food servings per day and shall include the following minimum food group allowances:

- (a) Meat or Protein Group: Two or more servings per day of meat or protein. A serving of meat or protein is:
 - 1. 2-3 ounces cooked (equivalent to 3-4 ounces raw) of any meat without bone (e.g., beef, veal, pork, lamb, poultry and variety meats such as giblets)

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2. Two slices prepared luncheon meat equal to 2-3 ounces by weight
 3. Two eggs
 4. 2-3 ounces (cooked weight) of fresh or frozen fish, or shellfish, or one-half cup of canned fish
 5. 1/2 cup cooked dry beans plus peas or lentils
 6. 3 ounces of natural or processed cheese or 3/4 cup of cottage cheese, not to exceed 6 ounces per week as a meat alternate
 7. 1 ounce of nuts and seeds or 2 tablespoons of peanut butter
 8. 2 ounces of equivalent meat alternative, such as textured vegetable protein
- (b) Dairy Group: Two or more servings per day of dairy for adults, with four servings required for juveniles and pregnant females. This includes milk that is pasteurized and fortified with vitamins A and D (fluid, evaporated, dry), cheese, yogurt and ice cream. One serving per day may be from foods other than fluid milk. A serving is equivalent to 8 ounces (1 cup) of fluid milk and provides at least 250 mg of calcium such as:
1. 1.25 ounces of American cheese
 2. 8 ounces of yogurt
 3. 2 cups of ice cream
 4. 8 ounces of milk alternative beverage, fortified with a minimum of 250 mg calcium and vitamins A and D.
- (c) Vegetable and Fruit Group: Five or more servings per day of vegetables and fruits. A serving is 4 ounces of 100 percent juice, one medium apple, orange, banana or potato, 1/2 grapefruit, one cup raw leafy greens, 1/4 cup dried fruit or 1/2 cup vegetable or fruit. Potatoes may be included once daily as a vegetable. One serving of a rich vitamin C source must be provided daily and one serving of a rich vitamin A source must be provided four times per week. Vitamin C sources include mostly fresh or raw produce, such as: citrus fruits, tomatoes, strawberries, leafy green vegetables, melon, bell peppers, and the broccoli and cabbage families. Vitamin A sources include: apricots, cantaloupe, carrots, mixed vegetables with carrots, winter or yellow squash, pumpkin, sweet potatoes or yams, spinach, greens (collard, kale, chard, mustard, beet or turnip), liver (counted under meat) or broccoli.
- (d) Bread or Cereal Group: Six or more servings per day of whole grain or enriched cereal and bread products. Whole grains are encouraged on a daily basis with the following sources suggested: oatmeal, grits, whole grain ready-to-eat cereal, whole wheat bread, corn tortillas, corn bread, plain popcorn, brown rice, and barley sour and rye crackers. A serving is:

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1. One slice of bread or one ounce of bread product, such as sliced bread, buns, biscuits, muffins, pancakes, waffles, sweet rolls, stuffing, crackers or bagels
 2. 1/2 cup cooked cereal, pasta, rice or egg noodles
 3. 3/4 cup dry cereal
 4. One 6-inch tortilla
 5. 3 cups of popped popcorn
- (e) Fat Group: Servings of butter, fortified margarine, gravy, salad dressing or salad oil in minimal amounts shall be used to make food palatable. Facilities are encouraged to reduce sources of saturated and trans fats.
- (f) Additional servings from the meat or protein, vegetables and fruit, and dairy groups or the following foods: soups, desserts, may be added to meet caloric requirements. Added sugars should be limited to reasonable amounts recommended for a healthy diet.
- (g) Substitutes: Substitutes to accommodate religious diets may include, but are not limited to, beef, turkey, cheese, tuna or peanut butter.

Food Services Training

902.1 PURPOSE AND SCOPE

The purpose of this policy is to reduce the risk of potential injury to staff, contractors and inmate workers in the food services areas by developing and implementing a comprehensive training program in the use of equipment and safety procedures.

902.2 POLICY

The Beltrami County Sheriff's Office ensures a safe and sanitary environment is maintained for the storage and preparation of meals through the appropriate training of food services staff and inmate workers.

902.3 TRAINING

The food services manager, under the direction of the Jail Administrator, is responsible for ensuring that a training curriculum is developed and implemented in the use of equipment and safety procedures for all food services personnel, including staff, contractors and inmate workers.

The training shall include, at minimum:

- (a) Work safety practices and use of safety equipment.
- (b) Sanitation in the facility's food services areas.
- (c) Reducing risks associated with operating machinery.
- (d) Proper use of chemicals in food services areas.
- (e) Employing safe practices.
- (f) Facility emergency procedures.

A statement describing the duties and proper time schedule should be developed for each job function in the facility's kitchen and food services operation. The food services manager, at the direction of the Jail Administrator, should establish an employee/kitchen worker training course, and all staff or inmate workers shall be trained on how to assemble, operate, clean and sanitize kitchen equipment.

Information about the operation, cleaning and care of equipment, including manufacturer's literature, that is suitable for use as reference material shall be kept in the food services operation area. The reference material should be used in developing training on the use of the equipment and the maintenance and cleaning procedures.

Safety and sanitation shall be the primary consideration in equipment purchase and replacement. Placement and installation of equipment must be carefully planned to facilitate cleaning, sanitizing, service and repairs. The equipment must also meet any applicable government codes.

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902.4 TESTING

A test should be developed to determine and document that the food services worker understands the proper procedures demonstrated during training. Food services workers are required to pass the test in order to work in the food services area. Upon achievement of a passing score, the food services worker shall acknowledge receipt of the training in writing. The signed document shall be forwarded to the Training Officer and retained in the worker's training file. Contracted service providers should be required to provide documentation and certification of their employees. Only trained personnel are authorized to use food services equipment.

902.5 BRIEFING TRAINING

The food services manager should consider daily briefing training as a method of staff development. Regular and repetitive trainings of short duration (8 to 10 minutes) at the beginning of each shift are an effective and cost efficient way to maintain the competency of staff. A lesson plan and record of attendance should be incorporated into the briefing training. Records of all training, including training for contract workers, should be forwarded to the Training Officer and maintained in the worker's training files in accordance with established retention schedules.

Food Preparation Areas

903.1 PURPOSE AND SCOPE

This policy is intended to ensure the proper design and maintenance of the food preparation area.

903.2 POLICY

It is the policy of this office to comply with all federal, state and local laws and regulations concerning the institutional preparation of food.

903.3 COMPLIANCE WITH CODES

The Jail Administrator is responsible for ensuring that food preparation and service areas are in compliance with all applicable laws and regulations and that food preparation areas are sanitary, well lit, ventilated and have adequate temperature-controlled storage for food supplies (Minn R. 2911.3800).

Any physical changes in the food preparation area, such as changing equipment or making major menu changes (from cold production to hot food), must be approved by the local public health entity to ensure adequate food protection.

Living or sleeping quarters are prohibited in the food preparation and food services areas.

The food preparation area must avoid cross contamination and remain free from vermin infestation (Minn. R. 2911.7500).

903.4 CONSTRUCTION REQUIREMENTS

All remodeling and new construction of food preparation areas shall comply with federal, state and local building codes, comply with food and agricultural laws and standards and include any required approvals from any local regulatory authority.

The food preparation area shall be sized to include space and equipment for adequate food preparation for the facility's population size, type of food preparation and methods of meal service.

Floors, floor coverings, walls, wall coverings and ceilings should be designed, constructed and installed so they are smooth, non-absorbent and attached so that they are easily cleanable.

Except in the area used only for dry storage, porous concrete blocks or bricks used for interior walls shall be finished and sealed for a smooth, non-absorbent, easily cleanable surface.

Food storage areas shall be appropriately clean, sized, typed and temperature-controlled for the food being stored.

Lighting throughout the kitchen and storage areas shall be sufficient for staff and inmates to perform necessary tasks.

Mechanical ventilation of sufficient capacity to keep rooms free of excessive heat, steam, condensation, vapors, obnoxious odors, smoke and fumes shall be provided, if necessary.

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All equipment used in the food preparation area shall be commercial grade and certified by the American National Standards Institute or approved by a registered environmental health professional/sanitarian.

Dishwashing machines will operate in accordance with the manufacturer recommendations and hot water temperatures will comply with federal, state and local health requirements.

Equipment must be smooth, easy to clean and easy to disassemble for frequent cleaning.

Equipment should be corrosion resistant and free of pits, crevices or sharp corners.

Dry food storage must have sufficient space to store a minimum of 15 days of supplies. All food must be stored in sealed containers and a minimum of 6 inches off the floor.

903.5 TOILETS AND WASHBASINS

Adequate toilet and washbasin facilities shall be located in the vicinity of the food preparation area for convenient sanitation and proper hygiene. Toilet facilities shall be completely enclosed and shall have tight-fitting, self-closing, solid doors, which shall be closed except during cleaning and maintenance.

Signs shall be conspicuously posted throughout the food preparation area and in each restroom informing all food services staff and inmate workers to wash their hands after using the restroom. Signs shall be printed in English and in other languages as may be dictated by the demographic of the inmate population.

To reduce the potential for contaminants being brought into the food preparation area, toilet facilities in the vicinity of the food preparation area should be limited to use by the food services staff and inmate workers only. Anyone working in the food services area must store their aprons in a designated clean area before entering the toilet facilities.

The food services manager shall be responsible for procedures to ensure:

- (a) All fixtures in the toilet facilities are clean and in good operating condition.
- (b) A supply of toilet tissue is maintained at each toilet at all times. Toilet facilities used by women shall have at least one covered waste receptacle.
- (c) The hand-washing station located adjacent to the toilet facility has warm water available and is kept clean and in good operating condition. Single-dispensing soap and a method for drying hands shall be provided at all times.

If the toilet facility is outside of the kitchen area, food services workers must wash their hands after using the toilet facility and again upon returning to the kitchen area before preparing or serving food.

Food Services Workers' Health, Safety and Supervision

904.1 PURPOSE AND SCOPE

The purpose of this policy is to establish basic personal health, hygiene, sanitation and safety requirements to be followed by all food services workers and to ensure the proper supervision of food services staff and inmate workers.

904.2 POLICY

The Beltrami County Sheriff's Office will ensure that meals are nutritionally balanced, safe and prepared and served in accordance with applicable health and safety laws. All inmate food services workers will be properly supervised by custody staff to ensure safety and security at all times.

904.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The food services manager is responsible for developing and implementing procedures to ensure that all meals are prepared, delivered and served only under direct supervision by staff (Minn R. 2911.4500).

Work assignments shall be developed to ensure that sufficient food services staff is available to supervise inmate food services workers. The food services manager should coordinate with the corrections supervisor to ensure that sufficient correctional staff is available to supervise inmate meal service.

The food preparation area must remain clean and sanitary at all times. The food services manager or the authorized designee shall post daily, weekly and monthly cleaning schedules for the equipment and food preparation area.

904.4 MEDICAL SCREENING

The food services manager shall work cooperatively with the Responsible Physician to develop procedures to minimize the potential for spreading contagious disease and food-borne illness. In an effort to prevent the spread of illness, the following shall be strictly observed:

- (a) All food services workers shall have a pre-employment/pre-assignment medical examination, in accordance with local requirements, to ensure freedom from diarrhea, skin infections and other illnesses transmissible by food or utensils.
- (b) Periodic reexaminations of food services workers shall be given to ensure freedom from any disease transmissible by food or utensils.
- (c) Food services workers shall have education and ongoing monitoring in accordance with the standards set forth in the applicable government health and safety codes.

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- (d) A supervisor shall inspect and monitor all persons working in any food services area on a daily basis for health and cleanliness, and shall remove anyone exhibiting any signs of food-transmissible disease from any food services area.
- (e) Any person working in any food services area who is diagnosed by a qualified health care professional with a contagious illness should be excluded from the food services areas until medically cleared to return to work.
- (f) All food handlers shall wash their hands when reporting for duty and after using toilet facilities. Aprons shall be removed and secured in a clean storage area before entering the toilet facility.
- (g) Food services workers shall wear disposable plastic gloves and a protective hair covering, such as a hat or hairnet, when handling or serving food. Gloves shall be changed after each task is completed.
- (h) Any outside vendor must submit evidence of compliance with state and local regulations regarding food safety practices.
- (i) Smoking at any time is prohibited in any food services area.
- (j) Documentation of compliance with all of the above and with any other risk-minimizing efforts implemented to reduce food transmissible disease shall be maintained in accordance with established retention schedules.
- (k) All food services workers shall report to a supervisor any information about their health and activities in accordance with health and safety codes as they relate to diseases that are transmittable through food, (e.g., open sores, runny nose, sore throat, cough, vomiting, diarrhea, fever, recent exposure to contagious diseases such as Hepatitis A or tuberculosis).

Any food services worker is prohibited from handling food or working in any food services area if he/she reports symptoms such as vomiting, diarrhea, jaundice, sore throat with fever or has a lesion containing pus, such as a boil or infected wound that is open or draining. Food service workers shall only return to work in food service areas when cleared by a qualified health care professional.

904.5 TRAINING REQUIREMENTS FOR FOOD SERVICES WORKERS

The food services manager is responsible for developing and implementing a training program for inmate food services that includes food safety, proper food-handling techniques and personal hygiene. Each inmate food services worker shall satisfactorily complete the initial training prior to being assigned to prepare, deliver or serve food. Food services workers should receive periodic supplemental training as determined by the food services manager.

The training curriculum for inmate food services workers should include, at minimum, the following topics:

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- Proper hand-washing techniques and personal hygiene as it applies to food services work
- Proper application and rotation of gloves when handling food
- Proper use of protective hair coverings, such as hats or hairnets
- Wearing clean aprons and removing aprons prior to entering toilet facilities
- Maintaining proper cooking and holding temperatures for food
- Proper portioning and serving of food
- Covering coughs and sneezes to reduce the risk of food-borne illness transmission
- Reporting illness, cuts or sores to the custody staff in charge

904.6 SUPERVISION OF INMATE WORKERS

Only personnel authorized to work in the food preparation area will be allowed inside. Inmate food handlers working in the kitchen must be under the supervision of a staff member. The Jail Administrator will appoint at least one qualified staff member, who will be responsible for the oversight of daily activities and ensuring food safety. The appointed staff member must be certified by passing the American National Standards Institute food safety manager certification examination.

Sufficient custody staff shall be assigned to supervise and closely monitor inmate food services workers. Staff shall ensure that inmate food services workers do not misuse or misappropriate tools or utensils, and that all workers adhere to the following:

- Correct ingredients are used in the proper proportions.
- Food is maintained at proper temperatures.
- Food is washed and handled properly.
- Food is served using the right utensils and in the proper portion sizes.
- Utensils such as knives, cutting boards, pots, pans, trays and food carts used in the preparation, serving or consumption of food are properly washed and sanitized after use. Disposable utensils and dishes will not be reused.
- All utensils are securely stored under sanitary conditions when finished.

904.7 SUPERVISION OF THE FOOD SUPPLY

The risk of conflict and protest is reduced when the inmate population has confidence in the safety and quality of their food. Custody staff should supervise the transport and delivery of food to the respective serving areas. Custody staff should ensure the food is protected during transportation, delivered to the right location efficiently and under the right temperatures.

Food services staff should report any suspected breach in the safety or security of the food supply. Staff should be alert to inmate behavior when serving food, and cognizant of any comments

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concerning perceived contamination or portioning issues. Staff should report any suspicion of inmate unrest to a supervisor.

Any change to the published menu or the standard portioning should be documented and reported to the food services manager as soon as practicable.

Food Budgeting and Accounting

905.1 PURPOSE AND SCOPE

The purpose of this policy is to establish processes that will enable the facility's food services to operate within its allocated budget, and for the development of specifications for purchasing food, equipment and supplies for the delivery of food services.

905.2 POLICY

The Beltrami County Sheriff's Office food services facilities shall serve nutritious meals in an efficient and cost-effective manner in accordance with applicable laws and standards.

905.3 FOOD SERVICES MANAGER RESPONSIBILITIES

The food services manager is responsible for establishing a per meal, per inmate budget for food, equipment and supplies that are needed for the effective operation of the facility food services. This includes monitoring purchases according to the budgeted weekly and monthly spending plans.

The volume for purchasing should be based upon the food services needs and storage availability. The food services manager is responsible for establishing and maintaining detailed and proper accounting procedures, and should be prepared to justify all expenditures and establish future budget requirements.

905.4 PROCEDURE

The food services manager is responsible for ensuring that food services are delivered in an efficient and cost-effective manner by employing the following procedures, including, but not limited to:

- (a) Developing an annual budget that is realistically calculated according to previous spending data and available revenue, and lists all anticipated costs for the food services operation for the coming year.
- (b) Establishing a per meal, per inmate cost using an inventory of existing supplies and planned purchases, minus the anticipated ending inventory.
- (c) Ensuring that accurate meal record data is collected and maintained. Meal should include, but not be limited to, the date and time of service and the number of:
 1. Meals prepared and served for each meal period.
 2. Meals served per location.
 3. Prescribed therapeutic diet meals served.
 4. Authorized religious diet meals served.
 5. Authorized disciplinary detention diet meals served.
- (d) Ensuring that food is purchased from an approved wholesale/institutional vendor to ensure food safety.

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- (e) Bulk-purchasing nonperishable items to maximize the budget dollars.
- (f) Continuous monitoring and improvement to minimize poor food management and/or accounting, including, but not limited to:
 - 1. Following planned menus.
 - 2. Inspection of food deliveries to ensure the right quantity is delivered and the condition of the food is acceptable.
 - 3. Purchasing food that is in season.
 - 4. Purchasing the grade of product best suited to the recipe.
 - 5. Following standard recipes.
 - 6. Producing and portioning only what is needed.
 - 7. Minimizing food production waste and establishing appropriate food storage and rotation practices, including proper refrigeration.
 - 8. When reasonably practicable, responding to the inmate's food preferences.
 - 9. Establishing minimum staffing requirements based on the layout and security requirements of the facility.
 - 10. Budgeting adequately for equipment repair and replacement, factoring in any labor cost savings, the need for heavy-duty equipment with corrections packages for safety and inmate abuse.
- (g) Establishing purchasing specifications, which are statements of minimum quality standards and other factors, such as quantity and packaging. A basic specification should contain:
 - 1. The common name of the product.
 - 2. The amount to be purchased.
 - 3. The trade, federal or other grade or brand required.
 - 4. The container size and either an exact, or a range of the number of pieces in a shipping container.
 - 5. The unit on which prices are to be quoted (e.g., 6/#10 cans, 10/gallons).
- (h) Establishing accounting procedures for financial statements and inventory control.
- (i) Maintaining of invoices, purchase orders, meal count sheets, food production , therapeutic and religious diet , inventory of food, supplies and equipment for the required period of time, as mandated by the governing body of the facility.

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905.5 MONTHLY REPORTING

In addition to (i) above, MN statute requires the food services manager to collect and maintain accurate meal record data (Minn. R. 2911.4600). Meal should include, but not be limited to, the number of:

- (a) Meals prepared and served for each meal period.
- (b) Meals served per location.
- (c) Prescribed therapeutic diet meals served.
- (d) Authorized religious diet meals served.
- (e) Authorized disciplinary diet meals served.

A monthly report summarizing all data should be provided to the Jail Administrator.

All meal shall be retained in accordance with office retention schedules and state statutory regulations.

Inspection of Food Products

906.1 PURPOSE AND SCOPE

The purpose of this policy is to establish methods by which the Food and Drug Administration (FDA) and/or the United States Department of Agriculture (USDA) inspections and/or approvals are conducted on any food products grown or produced within the jail system.

906.2 POLICY

The Beltrami County Sheriff's Office will ensure the safety and quality of all food products grown or produced at this facility through routine inspections and approvals, as required by law.

906.2.1 FOOD INSPECTION PROCEDURES

The food services manager is responsible for developing procedures for ensuring that all food used in the food services operation has been inspected and/or approved to standards established by statute and that the delivery of all foodstuffs to the jail kitchens and to the inmates occurs promptly to reduce the risk of any food-borne illness or contamination.

The food services manager shall establish inspection procedures in accordance with established standards and statutes. Such procedures shall include, but are not limited to:

- (a) The FDA or USDA inspection and/or approval of all food products grown or produced by this facility prior to distribution.
- (b) A system of periodic audits and inspections of the facility and of all raw material suppliers, either by custody staff or by a third-party vendor.
- (c) A system of thorough documentation of all inspection and approval processes, training activities, raw material handling procedures, activities, cleaning and sanitation activities, cleanliness testing, correction efforts, record-keeping practices and the proper use of sign-off logs shall be developed and implemented.
- (d) Processes of evaluating the effectiveness of training, and validating cleanliness through testing (e.g., swabs, bioluminescence and visual, taste and odor evaluations) shall be created and implemented. Records of all such activities shall be documented.
- (e) Documentation of any recommendations for continuous quality improvement and their implementation, with the intent of eliminating deficiencies. Documentation should include a post-deployment verification of the correction.
- (f) The food services manager is responsible for ensuring adherence to the following practices, including, but not limited to:
 1. The scope of food products being grown or processed internally is well-defined.
 2. All critical processes are validated to ensure consistency and compliance with specifications.
 3. Any changes to the process are evaluated for effectiveness.

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4. There are clearly written instructions and procedures for the staff and inmates to follow.
5. The staff and inmates are trained to perform all established tasks and document all necessary procedures.
6. Physical barriers for separating raw and cooked food-processing areas are established and maintained.
7. The traffic flow of workers is designed to minimize the risk of any cross-contamination.
8. All drains are used and cleaned properly, within industry standards.
9. Proper equipment and/or tools are provided and designated for specific use.
10. All persons working in the food services areas are wearing proper clothing and protective devices at all times.
11. All persons working in the food services areas wash their hands properly and frequently.
12. Only authorized personnel are allowed in the food processing areas.
13. Only potable water is used for growing or washing produce.
14. The distribution of all prepared food is done in a manner that reduces the risk of food-borne illness or contamination.

Food Services Facilities Inspection

907.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for inspecting food services areas and facilities to ensure a safe and sanitary environment for staff and inmates.

907.2 POLICY

It is the policy of the Beltrami County Sheriff's Office that the food services area be maintained in a safe, sanitary condition by conducting regularly scheduled inspections, both by facility staff and by an outside independent inspection authority as may be required by law.

907.3 CLEANING AND INSPECTIONS BY STAFF

The food services manager shall ensure the dining and food preparation areas and all equipment in the food services area are inspected weekly. Adequate hot and cold water should be available in the kitchen. Water temperature of all fixtures, including washing equipment, should be checked and recorded weekly to ensure compliance with the required temperature range. Deficiencies noted by inspections shall be promptly addressed.

A cleaning schedule for each food services area shall be developed and posted for easy reference by staff, and shall include areas such as floors, walls, windows and vent hoods. Equipment, such as chairs, tables, fryers and ovens, should be grouped by frequency of cleaning as follows:

- After each use
- Each shift
- Daily
- Weekly
- Monthly
- Semi-annually
- Annually

The food services manager is responsible for establishing and maintaining a record-keeping system to document the periodic testing of sanitary conditions and safety measures, in accordance with established retention schedules. At the direction of the Jail Administrator or the authorized designee, the food services manager shall take prompt action to correct any identified problems.

907.3.1 SAFETY INSPECTION CHECKLIST

The following items should be part of the weekly inspection:

- Lighting is adequate and functioning properly.
- Ample working space is available.
- Equipment is securely anchored.

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- There are suitable storage facilities, minimizing the risk of falling objects.
- Floors are clean, dry, even and uncluttered.
- Machines have proper enclosures and guards.
- A clear fire safety passageway is established and maintained.
- Fire extinguishers and sprinkler systems are available, not expired and are tested regularly.
- The food preparation area has good ventilation.
- Furniture and fixtures are free from sharp corners, exposed metal and splintered wood.
- All electrical equipment is in compliance with codes and regulations.
- All workers wear safe clothing, hair coverings, gloves and protective devices while working.
- All workers are in good health, with no symptoms of illness or injury that would pose a risk to food safety.
- All ranges, ovens and hot holding equipment are clean and in good operating condition.
- Mixers and attachments are clean and in good operating condition.
- Dishwashing machines are clean and in good operating condition, and proper chemicals are in use.
- Water temperatures for hand sinks, ware washing sinks and dishwashing machines meet minimum acceptable temperatures.
- All hand-washing stations have free access, soap, nail brushes, hot and cold running water under pressure and a method to dry hands.
- Toilet facilities are in good repair and have a sufficient supply of toilet paper.
- All temperature charts and testing documents are current, accurate and periodically reviewed and verified by the food services manager.
- Only authorized personnel are allowed in the kitchen area.
- Foods are labeled and stored properly using the first-in first-out system.
- The refrigerators and freezers are in good operating condition and maintain proper temperature.
- There is no evidence of cross-connection or cross-contamination of the potable water system.

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907.4 CONTRACTING FOR INSPECTION

The food services manager is responsible for ensuring that the food services operation works in accordance with all state and local laws and regulations.

The Jail Administrator shall contract with an independent, outside source for periodic inspection of the food services facilities and equipment, to ensure that established state and local health and safety codes have been met.

Documentation of the inspections, findings, deficiencies, recommended corrective actions and verification that the corrective standards were implemented will be maintained by the facility in accordance with established retention schedules.

A contract for services from an independent and qualified inspector should include, but is not limited to, the following components:

- (a) The inspector should conduct a pre-inspection briefing with the Jail Administrator and other appropriate personnel, including the food services manager, to identify the applicable government health and safety codes and the areas to be inspected. The inspector should provide the necessary equipment to conduct the inspection.
- (b) The inspector should audit the policies and procedures of the food services operation.
- (c) During the course of the inspection, the inspector should study and report on whether the following meet acceptable standards:
 1. Walls, ceilings and floors are in good condition, smooth and easily cleanable.
 2. The kitchen layout is properly designed to avoid cross-contamination.
 3. The kitchen is properly lighted and ventilated.
 4. The temperature controlled storage areas are in good operating condition and proper temperatures are being maintained.
 5. Dry foods are properly stored off the floor, away from the walls and ceilings.
 6. There is no sign of vermin infestation.
 7. All equipment is properly maintained, in a sanitary condition and is certified by one of the American National Standards Institute certification agencies (e.g., Underwriters Laboratories, Extract, Transform and Load, or the National Science Foundation product certification mark).
 8. The dishwashing equipment is clean, in good operating condition and maintains proper washing and rinsing temperatures.
 9. There is no evidence of cross-contamination between the potable and contaminated water systems.
 10. The ware washing area is clean and supplied with proper chemicals and Material Safety Data Sheets.

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11. The food is properly stored, labeled and rotated according to first-in first-out procedures.
12. The food services staff and inmate workers are wearing clean uniforms and practice proper personal hygiene.
13. All food services workers are trained for proper food handling and there is a person in charge who is responsible for the food safety of the facility.
14. There are ample hand-washing stations supplied with warm water under pressure, soap, nail brushes, a method to dry hands, a waste container and employee hand-washing signs.

Any deficiencies should be noted by the inspector in his/her inspection report and recommendations made for corrective action.

At the exit interview the inspector should cite any violations according to the government health and safety codes.

The inspector should conduct a follow-up inspection to verify the deficiencies have been corrected as recommended.

The food services manager should provide the Jail Administrator with a plan to implement the recommended corrections in a timely manner and schedule a post-correction inspection with the original independent inspector.

Food Storage

908.1 PURPOSE AND SCOPE

The purpose of this policy is to establish food storage methods that are designed to meet manufacturer's recommendations, health and safety codes, state laws and local ordinances, and to safely preserve food, extend storage life and reduce food waste.

908.2 POLICY

Food and food supplies will be stored in sanitary and temperature-controlled areas in compliance with state and local health laws and standards.

908.3 PROCEDURES

The food services manager shall be responsible for establishing procedures to ensure the safe preservation and storage of food in the most cost-effective manner, beginning with the receipt of the raw materials through the delivery of prepared meals.

When receiving food deliveries, food services staff shall inspect the order for quality and freshness and shall ensure that the order is correct by checking the order received against the order form. All delivery vehicles shall be inspected by food services staff to make certain that the vehicles are clean, free from vermin infestations and are maintained at the appropriate temperature for the type of food being carried.

If food quality and freshness do not meet commonly accepted standards or if it is determined that proper storage temperatures have not been maintained, the employee checking the order in will refuse the item and note the refusal on the invoice.

Any food destined for return to the vendor should be stored separately from any food destined for consumption. The food services manager will contact the vendor and arrange for replacement of the unacceptable food items.

Storage temperatures in all food storage areas should be checked and logged on a daily basis. Records of the temperature readings should be maintained in accordance with established retention schedules.

An evaluation system should be established for food stored in any area with temperature readings outside the normal range and should include contingency plans for menu changes, food storage relocation or food destruction, as indicated. All actions taken to ensure the safety of the food served should be documented and retained in accordance with established retention schedules.

908.4 DRY FOOD STORAGE

Canned items and dry food that does not need refrigeration should be stored in a clean, dry, secure storage area where temperatures are maintained between 45 and 80 degrees. Temperatures shall be monitored and recorded once each day on a checklist.

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All dry items shall be stored at least 6 inches off the floor and at least 6 inches away from any wall. Only full unopened cans and containers shall be stored in the storerooms. Open containers and packages shall be appropriately stored in the working or holding areas.

All storage areas will be kept locked when they are not in actual use. New food shipments shall be placed behind existing like items and rotated using a first-in first-out rotation method.

Personal clothing and personal items shall not be stored in food storage areas.

908.4.1 MAINTENANCE OF DRY FOOD STORAGE AREAS

Inmate workers or staff should clean the storage areas at least once each day by sweeping and mopping all floors and wiping down shelves and walls. Any damaged items should be inspected for spoilage and repackaged or discarded as appropriate. Food services staff should inspect the storage areas to ensure they are clean and orderly. Staff will document the inspection and record the daily temperature on the storage area checklist.

908.5 REFRIGERATED AND FROZEN STORAGE

Unless health codes dictate otherwise refrigerators must be kept between 32 and 41 degrees. Deep chill refrigerators will be set between 28 and 32 degrees for cook-chill products, dairy and meat items, to extend shelf life. Freezers shall be maintained at 32 degrees or below.

All freezer and refrigerator storage areas should have at least two thermometers to monitor temperatures. One thermometer should have a display visible to the outside. The second thermometer shall be placed in the warmest place inside the storage area. Daily temperature readings shall be recorded on the storage area checklist. Any variance outside of acceptable temperature range shall be immediately addressed.

All food must be covered and dated when stored. Cooked items shall not be stored beneath raw meats. Cleaned vegetables shall be stored separately from unwashed vegetables. Storage practices shall use a first-in first-out rotation method.

908.5.1 MAINTENANCE OF REFRIGERATED AND FREEZER AREAS

Refrigeration storage units should be cleaned daily, including mopping floors and wiping down walls. A more thorough cleaning should occur weekly to include dismantling and cleaning shelves. Food services staff should inspect the contents of freezers and storage units daily to ensure all items are properly sealed and labeled.

908.5.2 STORAGE OF CLEANING SUPPLIES AND MATERIALS

The storage of soaps, detergents, waxes, cleaning compounds, insect spray and any other toxic or poisonous materials are kept in a separate, locked storage area to prevent cross contamination with food and other kitchen supplies.

908.6 WASTE MANAGEMENT

The food services manager shall develop and maintain a waste management plan that ensures the garbage is removed daily. This plan also should include methods to minimize the waste of

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edible food and to dispose of non-edible or waste food material without utilizing a landfill (Minn. R. 2911.7600).

Prescribed Therapeutic Diets

909.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that inmates who require prescribed therapeutic diets as a result of a diagnosed medical condition are provided with nutritionally balanced therapeutic meals that are medically approved and meet nutritional and safety standards.

909.2 POLICY

The Responsible Physician, in consultation with the food services manager, shall:

- (a) Develop written procedures that identify individuals who are authorized to prescribe a therapeutic diet.
- (b) The therapeutic diets utilized by this facility shall be planned, prepared and served with consultation from a registered dietitian.
- (c) The Jail Administrator shall comply with any therapeutic diet prescribed for an inmate.
- (d) The Jail Administrator and the Responsible Physician shall ensure that the therapeutic diet manual, which includes sample menus of therapeutic diets, shall be available in both the health services and food services work areas for reference and information. A registered dietitian shall review, and the Responsible Physician shall approve, the therapeutic diet manual on an annual basis.

All therapeutic diet prescriptions should be reviewed and rewritten, if appropriate, on a quarterly basis. This is to reduce the risk of an inmate developing an adverse medical condition or nutritional effect as the result of a diet that is inconsistent with the inmate's current medical needs. A diet request form should be made available to inmates.

Pregnant or lactating women shall be provided a balanced, nutritious diet approved for pregnant women by a physician (Minn. R. 2911.4200).

909.3 STAFF COMMUNICATION/COORDINATION

It is the responsibility of the health authority to compile a daily list of all inmates who are prescribed therapeutic diets. The list should contain the following information:

- (a) Inmate's name
- (b) Inmate's identification number
- (c) Housing location or dining location where the meals will be delivered
- (d) Inmate's therapeutic diet type
- (e) Special remarks or instructions

Any time inmates are assigned to a different housing area, correctional staff must notify the food services personnel immediately.

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Prescribed Therapeutic Diets

909.4 PREPARATION AND DELIVERY OF MEALS

The food services manager or the authorized designee is responsible for reviewing the therapeutic diet lists prepared by the Responsible Physician, counting the number and type of therapeutic meals to be served and preparing the food according to the therapeutic menu designed by the registered dietitian.

Therapeutic diets may include snacks and oral supplements. Snacks and supplements may be distributed with regularly scheduled hot water delivery, with inmate medications, or as ordered by medical staff. Individual labels or written documents containing the following information should be prepared by the kitchen, clearly identifying each meal and any included snacks:

- (a) Inmate's name
- (b) Inmate's identification number
- (c) Housing location or dining location where the meals will be delivered
- (d) Inmate's therapeutic diet type
- (e) A list of items provided for the meal

The custody staff responsible for meal distribution shall ensure that any inmate who has been prescribed a therapeutic meal by the Responsible Physician or the authorized designee receives the prescribed therapeutic meal. Unless a therapeutic diet was prescribed with a specific end date, only the Responsible Physician or the authorized designee may order that a therapeutic diet be discontinued.

Inmates who are receiving therapeutic diets must receive clearance from the Responsible Physician before he/she may receive a religious or disciplinary diet.

If prescribed by the Responsible Physician, supplemental food shall be served to inmates more frequently than the regularly scheduled meals. An inmate who misses a regularly scheduled meal shall receive his/her prescribed meal.

909.5 THERAPEUTIC AND RELIGIOUS MEAL RECORDS

Inmates receiving prescribed therapeutic diet meals and/or authorized religious diet meals shall have documentary evidence that the diets are provided as ordered by the physician indicating:

- (a) The dates and times of service
- (b) The inmate's name and booking or identification number
- (c) Inmate's housing location or dining location where the meals will be delivered
- (d) Inmate's therapeutic diet type
- (e) A list of items provided for the meal

All information regarding a therapeutic diet is part of an inmate's medical record and is therefore subject to state and federal privacy laws concerning medical .

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All meal shall be retained in accordance with established retention schedules and applicable statutory regulations (Minn. R. 2911.4200 and Minn. R. 2911.4300).

Chapter 10 - Inmate Programs

Inmate Programs and Services

1000.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the programs and services that are available to inmates. The programs and services exist to motivate offenders toward positive behavior while they are in custody. The policy identifies the role and responsibilities of the Inmate Programs Coordinator, who manages a range of programs and services.

1000.2 POLICY

The Beltrami County Sheriff's Office will make available to inmates a variety of programs and services subject to resources and security concerns. Programs and services offered for the benefit of inmates may include social services, faith-based services, recreational activities, library access, educational/vocational training, alcohol and drug abuse recovery programs, and leisure time activities (Minn. R. 2911.3100).

1000.3 JAIL PROGRAM DIRECTOR RESPONSIBILITIES

The Inmate Programs Coordinator is selected by the Jail Administrator and is responsible for managing the inmate programs and services, including the following:

- (a) Research, plan, budget, schedule and coordinate security requirements for all inmate programs and services.
- (b) Develop or procure programs and services as authorized by the Jail Administrator.
- (c) Act as a liaison with other service providers in the community that may offer social or educational programs, (e.g., school districts, department of social services, health educators and substance abuse counselors).
- (d) Develop, maintain and make available to inmates the schedule of programs and services.
- (e) Develop policies and procedures and establish rules for the participation of inmates in the programs and services.
- (f) Develop and maintain records on the number and type of programs and services offered, as well as inmate attendance at each offering.
- (g) Establish controls to verify that the content and delivery of programs and services are appropriate for the circumstances.
- (h) Accumulate data and prepare monthly and annual reports as directed by the Jail Administrator.

1000.4 SECURITY

All programs and services offered to benefit inmates shall adhere to the security and classification requirements of this facility. To the extent practicable, the Inmate Programs Coordinator will

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develop individualized programs and services for inmates who are housed in high-security or administrative segregation.

1000.5 DISCLAIMER

Inmate programs are provided at the sole discretion of the Beltrami County Sheriff's Office in keeping with security interests, available resources, and best practices.

Nothing in this policy is intended to confer a legal right for inmates to participate in any program offered other than what is required by law or that which is medically required.

Inmate Welfare Fund

1001.1 PURPOSE AND SCOPE

The Office is authorized to maintain a fund derived from proceeds from the commissary, vending machines, telephones and other inmate-related commerce activities, to be used primarily to provide welfare and education programs for the benefit of the inmate population. This policy establishes guidelines for maintaining and administering the Inmate Welfare Fund.

1001.2 INMATE WELFARE FUND

Jail Administration in cooperation with the Auditor/Treasurers Office will establish and maintain an Inmate Welfare Fund where proceeds derived from inmate telephones, commissary profits, vending machines and other income intended for the support of inmate programs, is deposited.

The Inmate Welfare Fund is allocated to support a variety of programs, services and activities benefiting the general inmate population and enhancing inmate activities and programs. This includes capital construction and improvement projects in support of such programs, services and activities.

1001.3 INMATE WELFARE FUNDING SOURCES

Revenues and funding from the following sources shall be deposited into the Inmate Welfare Fund account:

- (a) All proceeds from commissary operations
- (b) Proceeds from vending machines made available for inmate use
- (c) Proceeds from the operation of inmate telephones
- (d) Donations (Waivered Prisoner Funds)
- (e) Interest income earned by the Inmate Welfare Fund

1001.4 EXPENDITURE OF INMATE WELFARE FUNDS

The Inmate Welfare Fund shall be used solely for the welfare and benefit of the inmate population or as otherwise permitted by law.

Expenditures permitted from the Inmate Welfare Fund include, but are not limited to, the following:

- (a) Education programs
- (b) Recreational goods and services, such as:
 - 1. Recreational equipment, games and sporting goods
 - 2. Televisions and cable/satellite subscriptions, video players and content media
 - 3. Library books
 - 4. Vending machines

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- (c) Salary and benefit costs for personnel while they are employed in positions or are performing activities solely for the benefit of inmates or to facilitate inmate programs
- (d) Welfare packages for indigent inmates
- (e) Alcohol and drug treatment programs
- (f) Office facility commissaries, including vending machines available for inmate use
- (g) Inmate trust accounting system
- (h) Envelopes, postage and personal hygiene items for indigent inmates
- (i) Approved non-prescription, over-the-counter health aids for inmate use
- (j) Libraries designated for inmate use
- (k) Visiting room equipment, supplies and services
- (l) Inmate activity programs, including:
 - 1. Equipment for television viewing
 - 2. Visiting music/entertainment groups
 - 3. Music equipment and supplies
 - 4. Activities equipment, supplies and services
 - 5. Repair of equipment purchased from the Inmate Welfare Fund
 - 6. Food or supplies for special occasions
 - 7. Inmate awards for the purpose of providing umpires or referees, and maintaining activity equipment and apparel
 - 8. Inmate tournaments and holiday events
 - 9. Inmate club activities
 - 10. Entertainment equipment, cable or satellite subscription services and other related supplies
 - 11. Materials for faith-based programs

1001.4.1 PROHIBITED EXPENDITURES OF INMATE WELFARE FUND

Except as permitted by law, the Inmate Welfare Fund shall not be used to fund activities associated with any of the following:

- (a) Security-related functions, including staff, safety equipment, radios, non-lethal weapons or control devices, specifically designated for use by custody staff relating to the security, safety and maintenance of order in the facility
- (b) Food service, staff costs, equipment and supplies
- (c) Medical/dental services, staff costs, equipment and supplies

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- (d) Maintenance and upkeep of office facilities not otherwise permitted by law
- (e) Janitorial services and supplies
- (f) Transportation to court, medical appointments or other reasons not related to inmate programs
- (g) Any other normal operating expenses incurred by the day-to-day operation of the Office

1001.5 FINANCIAL ACCOUNTING OF INMATE WELFARE FUNDS

The Inmate Programs Coordinator in cooperation with the Auditor/Treasurers Office shall maintain an accounting system to be used for purchasing goods, supplies and services that support inmate programs.

An audit of the Inmate Welfare Fund shall be completed annually by a certified auditor recognized by the Office as an authorized financial auditor.

Inmate Accounts

1002.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures for managing, handling and accounting of all money belonging to inmates that is held for their personal use while they are incarcerated in this facility.

1002.2 INMATE ACCOUNTS

The Office will establish an inmate account for the purpose of receiving funds from authorized sources for inmate use. An inmate account will be established for each inmate when he/she is booked into this facility.

When an inmate is admitted to the jail, a written, itemized inventory of the money in the inmate's possession shall be completed. Any subsequent deposits to the inmate's fund shall be inventoried and documented. An inmate shall be issued a receipt for all money held until his/her release (Minn. R. 2911.2525, Subp. 4).

An inmate may use money in his/her inmate account to purchase items from the inmate commissary, to post bail and to pay established jail fees. Jail staff will deduct all legally prescribed fees (e.g., booking fee, pay for stay) from funds in an inmate's account (Minn. Stat. § 641.12). Funds will be made available to inmates for their use in accordance with the rules and regulations established by the Jail Administrator.

1002.3 FUNDING SOURCES

The inmate account will only accept funds for deposit from approved sources. If an inmate account is in negative balance, 50 % of the funds deposited will go toward the lien amount until it is satisfied, and the other 50 % will be available for the inmate to use.

Approved funding sources include:

- (a) Cash
- (b) Money orders
- (c) Checks from other correctional facilities

1002.3.1 DEPOSITS DURING BOOKING

Money received during the booking process shall be deposited to the inmate's account after the inmate signs an acknowledgement agreeing to the amount. Coins will be sealed in a plastic pouch and placed in the inmate's property.

1002.3.2 DEPOSITS THROUGH THE MAIL

Money received through the mail from approved funding sources are acceptable for deposit into inmate accounts. Although cash may be accepted for deposit, it is not recommended that cash be sent through the mail. All personal checks, payroll checks and other unapproved monies will be forwarded to the personal property storage area and placed in the inmate's property bag.

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1002.3.3 VISITOR DEPOSITS

General public may deposit cash to an inmate account using a kiosk in the first floor public lobby of the Jail. No receipt will be printed for this transaction, but a confirmation number will be displayed. The option to have a receipt emailed is available.

Funds may be deposited to an inmate account using a credit card online at www.inmatecanteen.com

1002.4 AUTHORIZATION FOR SELF-BAIL

Inmates wishing to use their personal funds as bail will be allowed to do so.

1002.5 RELEASE OF FUNDS TO OTHER PERSONS

Inmates wishing to release all or part of their personal funds to a person who is not in custody must sign the check receipt attached to the bottom of the check. The person to whom the funds are being released to must furnish a valid driver's license or state-issued identification card to the staff. The person receiving the funds must sign the check receipt as well. The signed check receipt will be filed in the inmate's jail file.

1002.6 RELEASE FROM CUSTODY

Staff members who are responsible for the release of inmates will site charge any necessary items prior to closing the inmate account. When deactivating the inmate account card, any funds remaining on the card will be applied to outstanding liens on the account. Inmates have the option of donating any account balance of \$5 or less to the Inmate Program/Education Fund.

All refunds to an inmate will be in the form of a check.

1002.7 CASHIER RESPONSIBILITY

The cashier will balance the funds deposited towards the inmate accounts through the TurnKey Elite Account Management System using the secure booking money kiosk, lobby kiosk and the locked money box weekly. The monies will be bundled and deposited at the bank.

Any unresolved discrepancies found during the balancing procedure shall be promptly reported. The cashier reporting the discrepancies shall prepare a report showing the amount of the discrepancy.

The report shall include the following:

- (a) Date and time of discrepancy
- (b) Amount of overage or shortage
- (c) Explanation of the cause of the overage/shortage
- (d) Documentation used to identify the error
- (e) Recovery attempts
- (f) Name of person reporting the discrepancy

Jail Administration shall approve the report.

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1002.8 SECURE BANKING OF INMATE FUNDS

All monies collected by custody personnel shall be secured daily in an officially designated and secure place, and verified by a supervisor.

1002.9 AUTOMATED KIOSKS

The use of automated kiosks for the deposit of monies into the inmate trust fund or to transfer inmate monies for the purchase of commissary or other authorized items will meet the financial accounting requirements of this policy and other standard financial practices.

Counseling Services

1003.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a process for providing counseling and crisis intervention services to inmates.

1003.2 POLICY

This office will provide counseling and crisis intervention services to any inmate who either requests services or is determined by a health provider to be in need of counseling or crisis intervention services. These services may be provided by:

- (a) Medical/mental health staff assigned to the facility.
- (b) Faith-based counseling by the chaplain or religious volunteers (see the Religious Programs Policy) (Minn. R. 2911.3100, Subp. 2).
- (c) Corrections officers assigned to the facility who have specific training and expertise in this area.

The Jail Administrator shall coordinate with the Responsible Physician to develop and maintain privacy of the records of counseling and crisis intervention services provided to inmates and to ensure that those records are retained in accordance with established records retention schedules.

The Jail Administrator shall ensure that request options are available for inmates to request counseling services. All inmate requests for counseling shall be forwarded to jail medical. If an inmate displays behavior indicating a need for counseling or crisis intervention services, the facility employee shall notify the Shift Supervisor. Jail medical shall assess the need and area of counseling and make a reasonable effort to provide the inmate with the requested counseling as soon as reasonably practicable with consideration given to facility security, scheduling and available resources.

1003.3 NON-CRISIS COUNSELING

The Office shall, when reasonably practicable, make counseling services available to assist inmates who are being released into the community.

Inmate Exercise and Recreation

1004.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines and procedures ensuring that the Beltrami County Sheriff's Office facility will have sufficiently scheduled exercise and recreation periods, and sufficient space for these activities, as required by law.

1004.1.1 DEFINITIONS

Definitions related to this policy include:

Exercise - The physical exertion of large muscle groups.

Recreation - Activities that may include table games, watching television or socializing with other individuals.

1004.2 RESPONSIBILITIES

The Jail Administrator or the authorized designee shall be responsible for ensuring there is sufficient secure space allocated for physical exercise and recreation outside the cell and adjacent dayroom areas and that a schedule is developed to ensure accessibility for all inmates (Minn. R. 2911.3100).

1004.3 ACCESS TO EXERCISE

Inmates shall have access to exercise opportunities and equipment, including access to physical exercise outside the cell and adjacent dayroom areas, and the opportunity to exercise outdoors when weather permits (Minn. R. 2911.3100).

The Shift Supervisor shall use the approved daily log sheet to document when inmates of like classification status are scheduled to exercise each day and shall record the exercise of an inmate, or that the inmate has declined outside exercise.

Daily log sheets should be collected monthly and forwarded to the Jail Administrator. Log sheets shall be maintained in accordance with established records retention schedules.

1004.4 ACCESS TO RECREATION

Inmates shall have access to recreation activities outside their cells and adjacent dayroom areas a minimum of seven hours per week, over a minimum of five days per week. The length of time will be determined by the inmate's classification status, security concerns, and operational schedules that preclude recreation during a period of time (e.g., meal times, searches, lockdown, court). The staff should ensure that the maximum time possible is provided to the inmates for this purpose.

Televisions, newspapers, table games, and other items may also be made available to enhance recreation time. Consideration will be given to the activity needs of older inmates and inmates with disabilities (Minn. R. 2911.3100).

Inmates in segregation shall receive a minimum of one hour a day, seven days a week, of exercise outside their cells, unless security or safety considerations dictate otherwise (Minn. R. 2911.3100).

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Inmate Exercise and Recreation

1004.4.1 USE OF THE INMATE WELFARE FUND

Monies derived from the Inmate Welfare Fund may be used to purchase and maintain recreational equipment and supplies.

1004.5 SECURITY AND SUPERVISION

Staff shall be responsible for inspecting recreational equipment to ensure it appears safe for use. Broken equipment or equipment that is in an unsafe condition shall not be used. All equipment shall be accounted for before inmates are returned to their housing unit.

The staff or program volunteer may terminate the program or recreation period at any time a safety or security risk is perceived. Whenever a program or recreation period is terminated for those reasons, the staff will document the incident and rationale for terminating the recreation period, and will determine whether disciplinary action is warranted.

1004.6 EXERCISE SPACE

Exercise areas, as specified by federal, state, and/or local laws or requirements, should be sufficient to allow each inmate a minimum of one hour of exercise every day. Use of outdoor exercise is preferred, but weather conditions may require the use of covered/enclosed space. Dayroom space is not considered exercise space.

Inmates on segregation status shall have access 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 (Minn. R. 2911.3100).

1004.7 INABILITY TO MEET REQUIREMENTS

In the event that the inmate population exceeds the ability of the facility to meet the exercise and recreation requirements, the facility should notify the governing body about the deficiency in space for exercise, that it may violate the law and/or the requirements, and request funds to remedy the situation. The facility should document all action taken to try to remedy the situation, including funding requests, population reduction requests and all responses to those requests.

1004.8 POLICY

It is the policy of this office to provide inmates with access to exercise opportunities, exercise equipment, and recreation activities in accordance with state laws or requirements.

Inmate Educational, Vocational and Rehabilitation Programs

1005.1 PURPOSE AND SCOPE

This office provides educational and vocational programs that are designed to help inmates improve personal skills, assist in their social development and improve inmate employability after release. The ability of the office to offer educational programs is dictated by available funding, inmate classification and other required inmate programs and routines.

1005.2 POLICY

The educational and vocational programs offered by the Office are available to all eligible inmates and are subject to schedule, space, personnel and other resource constraints.

Designated space for inmate education and vocational programs will, whenever practicable, be designed in consultation with the appropriate school authorities or educational/vocational service providers.

Adequate funding is required. If the funding source reduces or eliminates funding in these areas, educational and/or vocational programs may be reduced or eliminated.

While the housing classification of an inmate has the potential to pose security issues, every effort, to the extent reasonably practicable, will be made to provide individualized educational opportunities (Minn. R. 2911.3100, Subp. 1, Subp. 4 and Subp. 5).

1005.3 JAIL PROGRAM DIRECTOR

The Chief Deputy or the authorized designee shall appoint an Jail Program Director, who shall be responsible for managing all aspects of the inmate educational and vocational program. Those duties include, but are not limited to:

- (a) Conducting an annual needs assessment to determine the type of programs needed to serve the inmate population.
- (b) Developing the program plans.
- (c) Developing and implementing individualized programs for high-risk or administrative inmates, as needed.
- (d) Coordinating with corrections staff regarding the security issues associated with these programs.
- (e) Developing and maintaining records of inmate attendance.
- (f) Forecasting the annual cost of the program and coordinating with the budget office to secure funding.

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Inmate Educational, Vocational and Rehabilitation Programs

1005.4 COURSE OFFERINGS

Course offerings will be subject to need, available resources, security concerns, available space and inmate classification, and may include the following:

- (a) Basic education, General Educational Development (GED) preparation
- (b) Basic literacy
- (c) Substance abuse and healthy lifestyles education
- (d) Parenting courses
- (e) Basic life skills
- (f) Other courses as deemed appropriate by the Jail Program Director

1005.5 OUTREACH

Information about educational opportunities should be included in the general inmate orientation. At a minimum, inmates should receive instruction on how to request participation in the inmate education programs, along with eligibility requirements and rules for participation.

1005.6 ELIGIBILITY REQUIREMENTS

Educational/vocational programming (other than televised courses) may be offered to sentenced and pretrial inmates. The Sheriff shall ensure that there is equal opportunity for participation for male and female inmates (Minn. R. 2911.3100, Subp. 1).

1005.7 INMATE REQUESTS

Inmates may request to participate in inmate programs. See Programming Access C 1010.4. Inmates may also contact a Jail Program Director at any time via General Request on the inmate kiosk.

Inmates have the right to refuse to participate in programs other than work assignments or programs that are required by statute or court order.

Inmates may have their access to programming suspended while under disciplinary status.

1005.8 HIGH-SECURITY/ADMINISTRATIVE SEGREGATION INMATES

To the extent reasonably practicable, high-security inmates and those held in administrative segregation may receive individual instruction in the form of handouts.

1005.9 REHABILITATION PROGRAM

The Office provides opportunities for rehabilitation programs that are based upon victim and community input and are fashioned in a way that gives the inmate an opportunity to make amends for the harm done.

The Sheriff and Jail Administrator should work with other justice system partners to create such programs and opportunities. Examples include the following:

- Programs designed to deter domestic violence and substance abuse

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- Community service, such as supervised public works projects
- Making restitution to victims
- Paying court fines

1005.10 DISCLAIMER

Nothing in this policy is meant to confer a legal right for inmates to participate in any educational offering. Educational programming is provided at the sole discretion of the Sheriff and Jail Administrator.

1005.11 CLASSROOM USE AND DESIGN

The demographics of the inmate population should always be considered when developing educational and other programs. Inmate classification and segregation requirements also need to be considered.

The Jail Administrator should encourage and include educators in the set up and design of classrooms that have been identified for inmate education and vocation programs. To the extent reasonably possible, in consideration of the space design and the ability to provide adequate security, teachers, education managers and administrators should be consulted to ensure that their needs are met.

In addition to the traditional classroom approach to educational programming, there are several other delivery methods. These include independent study and computer education programs.

1005.12 NEW CONSTRUCTION OR RENOVATION

Whenever construction of new facilities is considered, the Jail Administrator may include education specialists during the design phase to ensure that the needs of education providers are met with regard to security, sound levels and educational equipment.

The Jail Administrator may seek technical assistance from consultants to school districts that provide education programs in correctional settings. There are also networks of educators who can provide valuable consulting services in order to keep pace with rapidly evolving program and legislative issues that are related to education.

Commissary Services

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish a commissary program that will give inmates the opportunity to purchase personal items that are not provided by the facility.

1006.2 POLICY

It is the policy of this office to provide space for an inmate commissary, or to provide for a commissary service, so that inmates who are not on disciplinary restriction and who have funds posted to their inmate accounts may purchase approved items that are not furnished by the facility (Minn. R. 2911.4800).

To the extent reasonably practicable, the prices for items offered to the inmates in the commissary shall correspond to local retail store prices.

Any commissary inventory or sales issues related to religious diets shall be addressed in the Religious Programs Policy.

1006.3 COMMISSARY MANAGER RESPONSIBILITIES

The Jail Administrator shall be responsible for designating a qualified vendor to act as the Commissary Manager who shall be responsible for the accounting and general operation of the commissary, which shall include, but is not limited to:

- Maintaining current rules, regulations and policies of the commissary and ensuring compliance by commissary staff.
- Managing inventory and processing orders in a timely manner.
- Ensuring that sufficient space is provided either on or off facility property, for the storage and processing of commissary orders.
- Ensuring facilities are sanitary and secure.
- Conducting a quarterly inventory of all supplies and immediately reporting any discrepancies to the Jail Administrator.
- Ensuring that all inmates who are approved to purchase commissary items are provided with a list of items that are available.

1006.4 COMMISSARY ACCOUNTING

The Shift Supervisor shall be responsible for ensuring that all inmates who have commissary privileges have the opportunity to order and receive items in a timely manner.

All inmates shall be afforded the opportunity to review an accounting of their money held in their account, to include deposits, debits and canteen goods purchased and received. Any discrepancy of the inmate's funds shall be immediately reported to the Commissary Manager. If the Commissary Manager and the involved inmate cannot settle the discrepancy, the Jail Administrator shall be notified and the Jail Administrator will resolve the discrepancy.

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1006.5 INMATE WELFARE PACKS

The Jail Administrator or the authorized designee shall monitor the provision of welfare packs to indigent inmates. Welfare packs shall include, but not be limited to:

- (a) Two postage-paid post cards each week to permit correspondence with family members and friends.
- (b) Personal hygiene items, including toothbrush, toothpaste, soap, deodorant and other supplies deemed to be appropriate for indigent inmates.

The Sheriff may expend money from the Inmate Welfare Fund to provide indigent inmates with essential clothing and limited transportation expenses upon release.

1006.6 ANNUAL AUDIT OF THE CANTEEN

The County shall ensure that an annual audit of the canteen operation is conducted by a certified auditor who is recognized by the Office as an authorized financial auditor. The written report prepared by the auditor shall be provided to the County Auditor/Treasurers Office.

All excess funds derived from the operation of the canteen shall be deposited into the Inmate Welfare Fund or otherwise used for the benefit of the inmates. They also may be deposited and used in accordance with expenditures authorized by the County Board. An itemized report of expenditures shall be submitted annually to the Board.

Library Services

1007.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for funding of library services and for providing inmates access to leisure and legal reading materials.

1007.2 RESPONSIBILITIES

The Jail Administrator or the authorized designee is responsible for the administration of the library services and should appoint a capable member to serve as librarian to run the daily library operations. The library services shall include access to legal reference materials, current information on community services and resources, and religious, educational, and recreational reading material (Minn. R. 2911.3100, Subp. 3).

The librarian shall ensure that reading materials are provided to the general housing units and that any member assigned to assist with the delivery of library services has received the appropriate training in facility safety and security practices.

1007.3 LIBRARY FUNDING AND MAINTENANCE

The Jail Administrator should ensure that funding is available to operate the library. The Jail Administrator may use monies from the Inmate Welfare Fund to offset the cost of salaries, services, and supplies. The librarian may enlist the assistance of the local public library system and other community organizations to maintain and update the library. Donated books and materials should be screened by the librarian for permissible content and safety prior to being distributed to inmates.

The Office may reject library materials that may compromise the safety, security, and orderly operation of this facility (see the Inmate Mail Policy for examples of materials that may be rejected).

The library shall be operated within the physical, budgetary, and security limits of the existing facility.

Books and other reading material should be provided in languages that reflect the population of the facility.

1007.4 LEISURE LIBRARY MATERIALS

Each inmate is allowed to have no more than two books at any given time. Existing selections must be returned before new books may be selected by an inmate. Inmates who destroy or misuse books and library materials will be subject to disciplinary action and may be required to pay for the material.

1007.5 ALTERNATE MEANS OF ACCESS TO LEGAL RESOURCES

Nothing in this policy shall confer a right to access a law library. Unless it is specified by court order, the Sheriff may provide access to legal resources by a variety of means that may include public or private legal research services (e.g., web-based legal resources).

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Library Services

1007.6 POLICY

It is the policy of this facility to operate a library service that provides leisure and legal reading materials to inmates.

1007.7 ACCESS TO LIBRARY

Access to the inmate library or to library materials shall be based on inmate classification, housing location, and other factors that legitimately relate to maintaining the safety and security of the facility.

Inmates in disciplinary segregation shall have the same access to reading materials and legal materials as the general population unless a restriction is directed by the court.

Inmate Mail

1008.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the receipt, rejection, inspection and sending of inmate mail.

1008.2 POLICY

This office will provide ample opportunity for inmates to send and receive mail, subject to restriction only when there is a legitimate government interest.

1008.2.1 PROCEDURES

The Jail Administrator will ensure that procedures are developed to support the legal and orderly processing of inmate mail and ensure this policy is implemented appropriately. The procedures will ensure (Minn. R. 2911.3300):

- (a) The volume of written mail to or from an inmate is not restricted.
- (b) Inmate letters, both incoming and outgoing, are opened and inspected for contraband appropriately.
- (c) Inmates are appropriately notified in writing when incoming or outgoing letters are rejected.
- (d) Safeguards are in place to prevent letters from being read or censored if they are between an inmate and an elected official, officials of the Department of Corrections, the ombudsman for corrections, attorneys, or other officers of the court, and are opened only to inspect for contraband and only in the presence of the inmate.
- (e) Cash or money orders shall be removed from incoming mail and credited to the inmates' account.
- (f) Indigent inmates receive a postage allowance sufficient to maintain communications with elected official, officials of the Department of Corrections, the ombudsman for corrections, attorneys, or other officers of the court a minimum of two letters per week.
- (g) Safeguards are in place to identify materials and information that are deemed detrimental to the security and orderly function of the facility and restricts inmate access from that material and information.

The Jail Administrator will ensure that the policies that govern inmate correspondence are available to all staff and inmates and are reviewed annually and updated as needed (Minn. R. 2911.3300).

1008.3 MAIL GENERALLY

Inmates may, at their own expense, send and receive mail without restrictions on quantity, provided it does not jeopardize the safety of staff, visitors or other inmates, or pose an unreasonable disruption to the orderly operation of the facility.

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However, inmates are only allowed to store a limited number of letters, as determined by the Jail Administrator, in their cell. Excess mail will be stored with the inmate's personal property and returned at his/her release.

1008.4 CONFIDENTIAL CORRESPONDENCE

Inmates may correspond confidentially with courts, legal counsel, officials of this office, elected officials, officials of the Minnesota Department of Corrections, jail inspectors, government officials or officers of the court. This facility will also accept and deliver a fax or interoffice mail from these entities (Minn. R. 2911.3300).

Foreign nationals shall have access to the diplomatic representative of their country of citizenship. Staff shall assist in this process upon request.

Facility staff may inspect outgoing confidential correspondence for contraband before it is sealed, provided the inspection is completed in the presence of the inmate. In the event that confidential correspondence is inspected, staff shall limit the inspection to a search for physical items that may be included in addition to the correspondence and shall not read the content of the correspondence itself (Minn. R. 2911.3300).

1008.5 SUSPENSION/RESTRICTION OF MAIL PRIVILEGES

Mail privileges may be suspended or restricted upon approval of the Jail Administrator whenever staff becomes aware of mail sent by an inmate that involves:

- (a) Threats of violence against any member of the government, judiciary, legal representatives, victims or witnesses.
- (b) Incoming or outgoing mail representing a threat to the security of the facility, staff or the public.

The County Attorney or County Attorney should be consulted in cases where criminal charges are considered against an inmate or there is an apparent liability risk to the Office that relates to suspension or restriction of mail privileges.

1008.6 PROCESSING AND INSPECTION OF MAIL BY STAFF

Staff should process incoming and outgoing mail as expeditiously as reasonably possible. All incoming and outgoing mail should be held for no more than 24 hours and packages should be held for no more than 48 hours. Mail processing may be suspended on weekends, holidays or during any emergency situation resulting in the suspension of normal facility activities. An emergency situation may include, but is not limited to, a riot, escape, fire, natural disaster, employee action or other serious incident.

Corrections staff should open and inspect all incoming general mail of current inmates and may read the correspondence as frequently as deemed necessary to maintain security or monitor a particular problem. Mail for inmates no longer in custody should not be opened.

Outgoing mail may not be sealed by the inmate and (except for confidential correspondence) may be read and inspected by staff when:

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- (a) There is reason to believe the mail would:
 - 1. Interfere with the orderly operation of the facility.
 - 2. Be threatening to the recipient.
 - 3. Facilitate criminal activity.
- (b) The inmate is on a restricted mail list.
- (c) The mail is between inmates.
- (d) The envelope has an incomplete return address.

When mail is found to be inappropriate in accordance with the provisions of this policy or when an inmate is sent material that is not prohibited by law but is considered contraband by the facility, the material may be returned to the sender or held in the inmate's property to be given to the inmate upon release.

Inmates are allowed to correspond with other inmates in this jail, as well as other jails or correctional institutions, as long as they pay for the mailing and the mailing is sent and received through the U.S. Postal Service.

Inmates shall be notified whenever their mail is held or returned to the sender. Mail logs and records, justification of censoring or rejection of mail, and copies of hold or return notices shall be maintained in the inmate's file in accordance with established records retention schedules.

Cash and money orders contained in incoming inmate mail will be removed and credited to the inmate's account.

1008.6.1 CENSORSHIP OF INCOMING AND OUTGOING NON-CONFIDENTIAL CORRESPONDENCE

In making the determination of whether to censor incoming non-confidential correspondence, consideration shall be given to whether rejecting the material is rationally related to a legitimate government interest, and whether alternate means of communicating with others is available. The impact the correspondence may have on other inmates and jail staff is also a factor. Reasonable alternatives should be considered and an exaggerated response should be avoided; for example, discontinuing delivery of a magazine because of one article.

Outgoing non-confidential correspondence shall only be censored to further a substantial government interest, and only when it is necessary or essential to the address the particular government interest. Government interests that would justify confiscation of outgoing mail include:

- (a) Maintaining facility security.
- (b) Preventing dangerous conduct, such as an escape plan.
- (c) Preventing ongoing criminal activity, such as threats of blackmail or extortion, or other similar conduct.

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- (d) Preventing harassment of those who have requested that no mail be sent to them by the inmate.

Correspondence and material identified for censorship shall be delivered to the Shift Supervisor, who shall make the decision if such mail will be censored.

Notices should be sent to the sender of censored correspondence or publications, even when the sender is the editor or publisher. A single notification may be sent if the publication is received by multiple inmates.

1008.7 BOOKS, MAGAZINES, NEWSPAPERS AND PERIODICALS

Publications, magazines or newspapers received by mail shall be placed in the inmate's property. A local daily newspaper in general circulation shall be made available to interested inmates.

1008.8 FORWARDING OF MAIL

Any non-legal mail received for a former inmate should be returned to the sender with a notation that the inmate is not in custody. Obvious legal mail should be forwarded to the former inmate's new address if it is reasonably known to the facility. Otherwise, legal mail should be returned to the sender.

Inmate Telephone Access

1009.1 PURPOSE AND SCOPE

This policy establishes guidelines for permitting inmates to access and use telephones.

1009.2 POLICY

The Beltrami County Sheriff's Office will provide access to telephones for use by inmates consistent with federal and state law. The Jail Administrator or the authorized designee shall develop written procedures establishing the guidelines for access and usage. All inmates will be provided a copy of the telephone usage rules as part of their inmate orientation during the booking process.

1009.3 PROCEDURE

Inmates housed in general population will be permitted reasonable access to public telephones at scheduled times in the dayrooms to make calls at the inmate's expense unless such access may cause an unsafe situation for the facility, staff or other inmates. All calls, with the exception of calls to a verified attorney, are monitored and recorded (Minn. R. 2911.3400).

Inmates are not permitted to receive telephone calls. An inmate Voice Messaging system is available to inmates during normal phone use hours to retrieve message left for them. Messages will only be delivered in the event of a verified emergency.

In the event of a facility emergency, or as directed by the supervisor, the Jail Administrator or the authorized designee, all telephones will be turned off.

For security reasons, inmates who are awaiting transport to another facility or release to another agency are not permitted to use the telephones.

Telecommunications Device for the Deaf (TDD) or equally effective telecommunications devices will be made available to inmates who are deaf, hard of hearing or have speech impairments to allow these inmates to have equivalent phone access as those inmates without these disabilities.

The minimum time allowed per call should be 10 minutes, except where there are substantial reasons to justify such limitations.

Reasons for denial of telephone access shall be documented and a copy placed into the inmate's file. The rules governing the use of the telephone will, in addition to being provided to inmates during orientation, be posted near the telephones.

The staff should monitor the use of public telephones to ensure inmates have reasonable and equitable access and that the rules of use are observed. Any inmate refusing to cooperate with the telephone rules may have his/her call terminated, telephone privileges suspended and/or incur disciplinary action (Minn. R. 2911.3400).

Requirements relating to the use of telephones during booking and reception are contained in the Inmate Reception Policy.

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1009.4 USE OF TELEPHONES IN HIGH-SECURITY OR ADMINISTRATIVE SEGREGATION HOUSING

Inmates who are housed in high-security or administrative segregation may use the public telephones in the dayroom during the time allocated for that classification of inmate to utilize that space. If portable telephones are available in the facility, inmates who are housed in high-security or administrative segregation units may have reasonable access to the portable telephones.

1009.5 COURT-ORDERED TELEPHONE CALLS

If a court order specifying free telephone calls is received by the facility, or a supervisor determines there is a legitimate need for a free telephone call for a specific inmate, the supervisor may direct that an inmate use a facility telephone at no charge. Calls placed from a facility telephone should be dialed by a staff member. The staff shall be responsible for ensuring that the inmate is not calling a number that has been restricted by a court order or by request of the recipient. Such a call shall be recorded to the same extent authorized for calls that are not court-ordered.

All unrecorded calls will be documented in the inmate's electronic file under the phone calls tab.

1009.6 ATTORNEY-CLIENT TELEPHONE CONSULTATION

At all times through the period of custody, whether the inmate has been charged, tried, convicted or is serving an executed sentence, reasonable and non-recorded telephone access to an attorney shall be provided to the inmate at no charge to either the attorney or to the inmate, in accordance with the Inmate Access to Courts and Counsel Policy (Minn. Stat. § 481.10).

Foreign nationals shall be provided access to the diplomatic representative of their country of citizenship. Staff shall assist them upon request. Domestic and international calling cards are available through the inmate commissary.

1009.7 TELEPHONE CONTRACTS AND CHARGES

The Jail Administrator or the authorized designee is responsible for ensuring that all contracts involving telephone services for inmates comply with all applicable state and federal regulations, that rates and surcharges are commensurate with those charged to the general public for similar services, and that the broadest range of calling options is provided, in accordance with sound correctional management practices.

Inmate Visitation

1010.1 PURPOSE AND SCOPE

The purpose of this policy is to establish rules for visitation and to provide a process for inmate visits and visitors. Visitation is a privilege and is based on space availability, schedules and on-duty staffing.

1010.2 POLICY

It is the policy of the Beltrami County Sheriff's Office to allow inmate visitation, including video visitation when applicable, as required by law.

1010.3 PROCEDURES

The Office shall provide adequate facilities for visiting that include appropriate space for the screening and searching of inmates and visitors and storage of visitors' personal belongings that are not allowed in the visiting area.

The Jail Administrator shall develop written procedures for inmate visiting, which shall provide for as many visits and visitors as facility schedules, space and number of personnel will reasonably allow, with no fewer visits allowed than specified by Minn. R. 2911.3200 per week, by type of facility. The procedures are subject to safety and security requirements and should consider:

- The facility's schedule.
- The space available to accommodate visitors.
- Whether an emergency or other conditions justify a limitation in visiting privileges.

The visiting area shall accommodate inmates and visitors with disabilities. Visitors with disabilities who request special accommodations shall be referred to a supervisor. Reasonable accommodations will be granted to inmates and disabled visitors to facilitate a visitation period.

Visitor logs and records shall be developed and maintained in accordance with established records retention schedules.

Court orders granting a special inmate visitation are subject to county legal review and interpretation

Person's visiting in the jail lobby are allowed one visit per day.

1010.3.1 VISITOR REGISTRATION AND IDENTIFICATION

All visitors must register and produce a valid state, military, tribal or other government identification. Identification will be considered valid for 90 days after expiration, provided the visitor has renewed the ID and has proof of the renewal.

- (a) The registration form must include the visitor's name, address and the relationship to the inmate.
- (b) A valid identification shall include the following:

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1. A photograph of the person
 2. A physical description of the person
- (c) An official visitor shall present proof of professional capacity. For example, attorney license/Supreme Court card, law enforcement identification or a business card/letterhead of business with the visitor's name.

Failure or refusal to provide a valid identification is reason to deny a visit (Minn. R. 2911.3200).

1010.4 AUTHORIZATION TO SEARCH VISITORS

Individuals who enter the secure perimeter of this facility are subject to search if there is reasonable cause to believe the visitor has violated the law, is wanted by a law enforcement agency, or is attempting to bring contraband onto the facility property or into the facility. Individuals who refuse to submit to a search will be refused entrance into the facility. All searches shall be made in accordance with current legal statutes and case law (Minn. R. 2911.5300).

1010.5 VISITING SCHEDULE

The Jail Administrator shall designate a person to develop a schedule for inmate visitation (Minn. R. § 2911.3200 (E)). The facility will schedule at least three separate and distinct visiting times with a minimum total of eight hours per week, including the normal business day, evenings and weekends. The visitation schedule will be provided to each inmate in the inmate handbook and at orientation. The visiting hours will also be posted in the public visitation area.

1010.6 DENIAL OR TERMINATION OF VISITING PRIVILEGES

Visitation may be denied or terminated by jail staff if the visitor poses a danger to the security of the facility or there is other good cause, including, but not limited to the following including offsite visiting sessions via the internet:

- (a) The visitor appears to be consuming or under the influence of drugs and/or alcoholic beverages.
- (b) The visitor refuses to submit to being searched.
- (c) The visitor or inmate violates facility rules or posted visiting rules.
- (d) The visitor fails to supervise and maintain control of any minors accompanying him/her into the facility.
- (e) Visitors attempting to enter this facility with contraband will be denied a visit and may face criminal charges.
- (f) Inappropriate behavior during a visiting session including obscene gestures, threatening or graphic language, inappropriate pictures or objects.
- (g) A visitor or inmate visits with someone other than the registered person.
- (h) Any visitation that is denied or terminated early, on the reasonable grounds that the visit may endanger the security of the facility, shall have the actions and reasons

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documented. A copy of the documentation will be placed into the inmate's file and another copy will be forwarded to the Jail Administrator (Minn. R. § 2911.3200 (G)).

1010.7 GENERAL VISITATION RULES

All visitors and inmates will be required to observe the following general rules during visitation:

- (a) A maximum of two adults and two children will be permitted to visit an inmate at any one time. Juveniles visiting inmates must be deemed age appropriate by the parent or guardian accompanying the child. Where a dispute over children visiting occurs between the inmate and the parent or legal guardian, the inmate will be advised to use the court for resolution. Adults must control minors while they are waiting to visit and during the visit (Minn. R. 2911.3200(L)).
- (b) An inmate may refuse to visit with a particular individual.
- (c) Those inmates who are named as the restrained person in any restraining or other valid court order shall not be allowed visits from persons who are protected by the order.
- (d) Visitors must be appropriately attired prior to entry into the visitor's area of the facility.
- (e) Inappropriate clothing, such as transparent clothing, halter tops, excessively tight or revealing clothing, hats and bandannas or any other clothes associated with a criminal gang or otherwise deemed by the staff to be unacceptable, will not be permitted.
- (f) All visitors must have footwear.
- (g) Visitors will leave all personal items, with the exception of car keys and identification, outside of the secure area. Visitors who enter the facility with handbags, packages or other personal items will be instructed to lock the items in a vehicle or locker or return at another time without the items. The facility is not responsible for lost or stolen items.
- (h) Food or drink is not permitted in the visitor's area.
- (i) Inmates will be permitted to sign legal documents, vehicle release forms or any other items authorized by the Shift Supervisor. Transactions of this nature will not constitute a regular visit.
- (j) Any area used for inmate visiting may be subject to audio monitoring, recording or both. Inmates must be advised of monitoring and recording by signs and the inmate handbook. Professional visits shall not be recorded unless a court order has been issued (Minn. R. 2911.3200(I)).

1010.8 ATTORNEY VISITS

Inmates shall have access to any attorney retained by or on behalf of the inmate, or to an attorney the inmate desires to consult, in a private interview room. Staff shall not interfere with, suspend or cancel official visits except in circumstances where the safety, security or good order of the facility is compromised (see the Inmate Access to Courts and Counsel Policy) (Minn. R. § 2911.3200 (A)).

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Any electronic devices brought into the secure perimeter must be pre-approved by staff prior to use with an inmate.

All items brought into the secure perimeter by an attorney, physician, officer, etc are subject to search.

Work Release Program

1011.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines and requirements for the Work Release Program. The Work Release Program allows inmates to maintain employment, support families and facilitate a successful return to the community.

1011.2 POLICY

It is the policy of this office to operate a voluntary Work Release Program to provide inmates with opportunities to secure or maintain employment, support families, assist in the payment of fines and penalties to the court and promote a successful return to the community.

Release programs shall be conducted in accordance with state and local guidelines. In cases of pretrial release, the courts may have jurisdiction over release decisions.

1011.3 WORK RELEASE PROGRAM

Any inmate who has met the eligibility requirements and received approval may be granted permission to leave the facility to work at his/her place of employment in accordance with state and local guidelines, court orders and the provisions of this policy.

The Jail Administrator or the authorized designee has sole authority to approve participation in the program for each inmate, and is responsible for the overall conduct and administration of the Work Release Program.

The Work Release Program participants are limited to geographic restrictions of the facility and must remain within 45 miles of the facility, unless otherwise ordered by the sentencing court.

1011.3.1 ELIGIBILITY

In order to be eligible for the Work Release Program, an inmate must meet the following requirements:

- Sentenced directly to work release programs by the court
- No documented disciplinary incidents
- No outstanding warrants, wants or detainers

Inmates who do not adhere to the rules of the program will be subject to removal from the program and to disciplinary and criminal action in accordance with the rules of the facility and applicable laws.

1011.3.2 STAFF RESPONSIBILITY

The Work Release Program staff is responsible for contacting the employer prior to authorizing the work assignment. The staff should inform the employer and the inmate of the rules and expectations for program participants.

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The program staff shall provide each employer with the facility's contact information, including the contact person and telephone number, and should be instructed to notify the contact person immediately if an inmate does not report to work, leaves prior to the scheduled departure time or if any concerns arise during the work shift. The facility should provide a contact person who is available 24 hours a day, seven days a week, as some inmates will work evening or overnight shifts.

1011.3.3 HOUSING

Inmates participating in the Work Release Program should be housed in an area other than general population housing, when feasible, to reduce the possibility of contraband entering the facility. Factors to consider when determining appropriate housing for program participants include the following:

- Rated bed capacity of the facility
- Current occupancy
- Housing options and security capabilities outside the secure perimeter of the facility
- Number of inmates approved to participate in the program

1011.3.4 DAILY WORK ITINERARIES

Inmates must have an approved daily work itinerary prior to leaving the facility. The itinerary should include the following:

- Scheduled start and stop times for work
- Anticipated amount of travel time between the facility and the employer each way
- Mode of transportation each way (e.g., bus, car, walk)
- Location of the workplace
- Contact name, address and telephone number of the employer
- Contact name, telephone number, driver's information of the transport person if the inmate does not have a valid license

Any change to the itinerary (e.g., overtime, location of the work place, transportation) must be approved in advance.

1011.3.5 FINANCIAL OBLIGATIONS

All inmates who participate in the Work Release Program shall ensure that the appropriate funds are deposited into their inmate account. Funds from the inmate account will be subtracted for room and board, program drug testing, booking fees, etc. Fines to the court, victim restitution, allowances to help pay family financial obligations and funds for a savings account may also be taken from the account with the permission of the inmate or by order of the court.

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1011.3.6 EMPLOYER VERIFICATION

The Work Release Program staff may make scheduled telephone calls and random site visits to the inmate's employer to ensure compliance with the rules of the program.

1011.3.7 PROGRAM CONFLICTS

The Work Release Program staff shall make every attempt to ensure the inmate's work schedule does not conflict with his/her required participation in treatment programs at the facility.

1011.3.8 DRUG TESTING

Random and scheduled drug testing shall be conducted on all inmates participating in the Work Release Program. Any positive results may cause the inmate's disqualification from the program, as well as disciplinary sanctions or criminal charges, if warranted.

1011.4 RECORDS

The following records shall be maintained by the Jail Administrator or the authorized designee on all inmates participating in the Work Release Program:

- (a) All payments and accounting associated with the Work Release Program
- (b) All contacts between the staff and employers prior to releasing inmates to work and confirming all employment information
- (c) All daily logs of time worked and payments received

Inmate Work Program

1012.1 PURPOSE AND SCOPE

The purpose of this policy is to establish the guidelines and requirements for the Inmate Work Program. The Inmate Work Program allows inmates to improve and/or develop useful job skills, work habits and experiences that will facilitate a successful return to the community.

1012.2 POLICY

The Beltrami County Sheriff's Office shall operate an Inmate Work Program within the secure perimeter of the facility, in accordance with all applicable federal, state, or local work safety laws, rules, and regulations, and to the extent that the operation of inmate work programs do not pose a risk to the safety of the staff, other inmates, or the public. This policy establishes the requirements, selection process, supervision, and training of inmates prior to and after entering the facility's Inmate Work Program (Minn. R. 2911.3100, Subp. 6F).

1012.3 LEGAL REQUIREMENTS

1012.3.1 SENTENCED INMATE WORK REQUIREMENTS

All sentenced inmates who are physically and mentally able shall work if they are not assigned to other programs. Inmates shall not be required to perform work which exceeds their physical limitations. Inmates may be excused from work in order to maintain their participation in an educational, vocational or drug abuse treatment program. The Office will abide by all laws, ordinances and regulations when using inmates to work in the facility.

1012.3.2 PRETRIAL AND INMATES NOT UNDER SENTENCED WORK REQUIREMENTS

Pretrial and inmates not under sentence may volunteer to participate in the Inmate Work Program but shall not be required to participate in work beyond maintaining the immediate living area (Minn. R. 2911.3100, Subp. 6A).

1012.3.3 DISABLED INMATE WORK REQUIREMENTS

The Inmate Work Program coordinator is responsible for providing work opportunities for disabled inmates (Minn. R. 2911.3100, Subp. 6E).

1012.4 INMATE WORKER SELECTION

The Inmate Work Program coordinator shall be responsible for the selection and assignment of inmates to the various work assignments. The Coordinator should solicit input from other custody staff in assisting with inmate selection and assignment. Staff shall take into consideration the following eligibility criteria:

- (a) Inmates who have posed a threat in the past or have been charged with escape should be carefully screened for inmate work projects.
- (b) The inmate's charges and classification are such that the inmate will not pose a security risk to other inmates, staff, or the public.
- (c) The inmate's capacity to perform physical tasks will match the job requirements.

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- (d) The inmate is able to learn the necessary work routines.
- (e) The special interests, abilities, craft, or trade of the inmate will benefit the work assignment.

Inmates must be able to pass a health-screening test in accordance with the policies contained in this manual, and must meet all statutory and regulatory requirements. Health-screening shall be done for inmates who work in the kitchen, around food products, or who serve meals to the inmate population.

1012.5 WORK ON PUBLIC PROJECTS

Sentenced inmates may be assigned to public works projects with state, municipal and local government agencies, or to community service projects, with the approval of the Sheriff and in accordance with all applicable laws and regulations.

1012.6 PROHIBITION OF NON-PUBLIC WORK PROJECTS

Work projects on behalf of any private individual or to an individual's private property are strictly prohibited and may constitute a violation of the law.

1012.7 SUPERVISION OF INMATE WORKERS

Facility staff in charge of work programs or who provide supervision of inmates assigned to work crews should adhere to the following:

- (a) Inmate workers should be provided with safety equipment, clothing, and footwear commensurate with the work performed. Safety equipment may include but is not limited to eye protection, gloves, hardhat or headwear, and sunscreen or other protection from sun exposure.
- (b) Work periods shall not exceed 10 hours per day (Minn. R. 2911.3100, Subp. 6C).
- (c) Inmate workers should be provided with work breaks to allow them to take care of personal needs.
- (d) Inmate workers shall have access to nutritious meals and a reasonable amount of time to consume those meals during their work period.
- (e) Inmates who work shifts during the early morning or late-night hours should be provided with a quiet space to allow for sleep during daytime hours.
- (f) The inmate workday approximates the workday in the community.
- (g) Inmate performance is regularly evaluated and recorded.
- (h) Inmates receive written recognition of the competencies they acquire.

Inmate workers shall be under the direct supervision of the facility staff at all times when they are on assignment through the Inmate Work Program.

Persons who are responsible for the supervision of inmates on work crews should receive training in basic areas of safety, security, and reporting procedures.

Disciplinary action for inmate worker misconduct shall adhere to the Inmate Discipline Policy.

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1012.8 INMATE WORKER TRAINING

Inmates who are assigned to work in any area that may require the handling of any chemicals or the use of any equipment shall receive training from the respective Office supervisor prior to using the chemicals or equipment. Work-crew supervisors shall also train inmate workers on safety practices. Inmates should never be assigned to handle dangerous chemicals or equipment that normally require a level of expertise and competency beyond their demonstrated ability.

1012.9 INMATE WORKER INCENTIVES

The Jail Administrator is responsible for establishing a recognition program for inmates assigned to the Inmate Work Program. Recognition of inmates can be observed in the following ways:

- (a) Granting "Good Time and Work" credits as allowed by state or local law.
- (b) Using credits for sentence reduction when allowed by statute.
- (c) Granting special housing, extra privileges, recreation, and special rewards, as allowed by law, regulation, and policy. Inmate welfare funds may be used to offset the cost of a reward program.
- (d) Awarding certificates of achievement for successful completion of vocational, educational, and/or work programs.
- (e) When allowed by law, ordinance, and in consideration with local labor relations, giving monetary compensation for work on government projects.

Religious Programs

1013.1 PURPOSE AND SCOPE

This policy provides guidance regarding the right of inmates to exercise their religion and for evaluating accommodation requests for faith-based religious practices of inmates.

1013.1.1 DEFINITIONS

Definitions related to this policy include:

Compelling government interest - A method for determining the constitutionality of a policy that restricts the practice of a fundamental right. In order for such a policy to be valid, there must be a compelling government interest, which is necessary or crucial to the mission of the Office, as opposed to something merely preferred, that can be furthered only by the policy under review.

Least restrictive means - A standard imposed by the courts when considering the validity of policies that touch upon constitutional interests. If the Office adopts a policy that restricts a fundamental religious liberty, it must employ the least restrictive measures possible to achieve its goal.

Religious exercise - Any exercise of religion, whether or not it is compelled by, or central to, a system of religious belief. The key is not what a faith requires but whether the practice is included in the inmate's sincerely held religious beliefs.

Substantial burden - For the purposes of this policy, substantial burden means either of the following:

- A restriction or requirement imposed by the Office that places an inmate in a position of having to choose between following the precepts of his/her religion and forfeiting benefits otherwise generally available to other inmates, or having to abandon one of the precepts of his/her religion in order to receive a benefit.
- The Office puts considerable pressure on an inmate to substantially modify his/her behavior in violation of his/her beliefs.

1013.2 STAFF RESPONSIBILITIES

Members shall not show favoritism or preference to any religion and will not discriminate or retaliate against any inmate for participating or not participating in any religion or religious practice. Inmates are not required to participate in religious programs or activities.

Facility staff will not allow their personal religious beliefs to influence them in the daily management of the inmate population, particularly as it relates to religious practices.

1013.3 CHAPLAIN

The Sheriff shall appoint an individual to serve as the chaplain for the facility. The chaplain shall be responsible for assisting the Jail Administrator with supervising, planning, directing and coordinating religious programs. The chaplain may be responsible for duties including, but not limited to:

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- (a) Coordinating religious services.
- (b) Maintaining a list of accepted religious practices that have been approved by the Jail Administrator and ensuring the current list is available to the staff.
- (c) Reviewing requests for religious accommodations.
- (d) Providing or arranging for grief counseling for inmates.
- (e) Distributing a variety of religious texts.
- (f) Developing and maintaining a liaison with a variety of religious faiths in the community.
- (g) Making reasonable efforts to enlist religious leaders from outside the community as necessary.
- (h) Seeking donations for religious programs from the community, when appropriate.
- (i) Working with inmate families when requested.
- (j) Periodically surveying the facility population to assist in determining whether current resources are appropriate for the inmate population.
- (k) Providing guidance to the Sheriff and the Jail Administrator on issues related to religious observance.

1013.4 RELIGIOUS BELIEFS AND ACCOMMODATION REQUESTS

Inmates are not required to identify or express a religious belief. An inmate may designate any belief, or no belief, during the intake process and may change a designation at any time by declaring his/her religious belief in writing to the chaplain. Inmates seeking to engage in religious practices shall submit a request through the established process. Requests to engage in practices that are on the facility's list of accepted practices should be granted. Requests to engage in religious practices that are not on the approved list shall be processed as provided in this policy.

All requests for accommodation of religious practices shall be treated equally, regardless of the religion that is involved. Equal and consistent treatment of all religions and religious beliefs shall not always require that all inmates of the same religion receive the same accommodations. Requests for accommodation of religious practices shall be submitted to a supervisor. In determining whether to grant or deny a request for accommodation of a religious practice, the supervisor will work with the chaplain to determine the sincerity of the religious claim of an inmate. Requests should be denied only if the denial or reason for denial would further a compelling interest of the facility and is the least restrictive means of furthering that compelling interest.

A supervisor who does not grant the accommodation, either in part or in full, should promptly forward the request to the Jail Administrator, who, after consultation with legal counsel as appropriate, should make a determination regarding the request within 10 days following the inmate's request.

A Jail Administrator who does not grant an accommodation, either in part or in full, should forward the request to the Sheriff with the basis for the denial within 14 days of the inmate's original request

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being made. The Sheriff or the authorized designee will review the denial and respond to the requesting inmate as soon as reasonably practicable.

The Jail Administrator and the Sheriff shall be informed of all approved accommodations. The chaplain should make any necessary notifications to staff as necessary to meet an approved accommodation.

All inmate requests for religious accommodations and related determinations shall be fully documented in the inmate's record.

1013.4.1 SUSPENSION OR REVOCATION OF ACCOMMODATIONS

In an emergency or extended disruption of normal facility operations, the Jail Administrator may suspend any religious accommodation. The Jail Administrator may also revoke or modify an approved religious accommodation if the accommodated inmate violates the terms or conditions under which the accommodation was granted.

1013.4.2 APPEALS OF SUSPENSION OR REVOCATION OF ACCOMMODATIONS

Inmates may appeal the Jail Administrator's denial, suspension or revocation of an accommodation through the inmate appeal process.

1013.5 DIETS AND MEAL SERVICE

The Jail Administrator should provide inmates requesting a religious diet, including fasting and/or hour of dining, a reasonable and equitable opportunity to observe their religious dietary practice. This should be done within budgetary constraints and be consistent with the security and orderly management of the facility. A list of inmates authorized to receive religious diets will be provided to the food services manager. The food services manager shall establish a process for managing religious meal accommodations.

1013.5.1 PROHIBITION ON USE OF ALCOHOL OR DRUGS FOR RELIGIOUS OBSERVANCE

Illegal substances are prohibited from use in religious services under RLUIPA. Otherwise legal substances, such as alcohol, may be permitted in religious rituals provided that:

- There is a recognized legitimate religious practice of which the consumption of a substance is an essential aspect of the religious practice.
- No reasonable alternative (such as non-alcoholic) means exists to exercise such an essential aspect of an inmate's faith and this imposes a substantial burden on an inmate's faith.
- The quantity of the substance consumed as part of the ritual will not intoxicate or impair the inmate.
- Adequate controls on the substance and limits upon the quantity are provided by the chaplain and approved by the Jail Administrator.
- The activity will not otherwise disrupt facility safety or control interests.

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Limited exceptions may be made in writing by the Jail Administrator based upon the chaplain's recommendation that there is significant compelling reason to permit ceremonial consumption.

1013.6 HAIRSTYLES AND GROOMING

Unless it is necessary for the health and sanitation of the facility, inmates who wear head and facial hair in the observance of their religion will generally not be required to shave or cut their hair. To the extent reasonably practicable, alternative housing may be considered to accommodate the need for religious hair and grooming, while meeting the health and sanitation needs of the facility.

Any inmate whose appearance is substantially altered due to changes in facial hair or hair length may be required to submit to additional identification photographs.

1013.7 RELIGIOUS TEXTS

Religious texts should be provided to the requesting inmate if the texts available do not pose a threat to the safety, security and orderly management of the facility.

1013.8 UNAUTHORIZED PRACTICES OR MATERIAL

The following list, which is not intended to be exhaustive, includes materials or practices that shall not be authorized:

- (a) Animal sacrifice
- (b) Language or behaviors that could reasonably be construed as presenting a threat to facility safety or security
- (c) Self-mutilation
- (d) Use, display or possession of weapons
- (e) Self-defense or military training
- (f) Disparagement of other religions
- (g) Nudity or sexual acts
- (h) Profanity
- (i) Use of illegal substances or controlled substances without a prescription

1013.9 GROUP RELIGIOUS SERVICES

Group religious services may be allowed after due consideration of the inmate's classification or other concerns that may adversely affect the order, safety and security of the facility.

Alternatives to attendance of group religious services may include, but are not limited to:

- The provision of religious books and reading materials.
- Access to religious counselors.
- Recorded religious media (e.g., DVDs, CDs, videotapes).

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1013.10 RELIGIOUS SYMBOLS AND IMPLEMENTS

Religious items entering the facility during booking and used in the exercise of religion should generally be accepted and stored with the inmate's property unless the item poses a threat to the safety and security of the facility.

Religious items are generally not allowed in the housing units but may be kept by programming staff for the inmate's use at a scheduled time. An Inmate may request to schedule time to use such items by submitting a request to programming staff. Scheduled time is subject to availability of space and in consideration of facility functions.

Alternatives to the provision of religious items may be considered when security, safety or efficient operations may be jeopardized (e.g., substitution of a towel in lieu of a prayer rug).

All items are subject to search in a courteous and respectful manner.

1013.11 RELIGIOUS GARMENTS AND CLOTHING

Religious garments that substantially cover the inmate's head and face will be removed during the booking process.

To the extent reasonably practicable, alternative housing may be considered to accommodate an inmate's need for religious attire, while meeting the security needs of the facility.

1013.12 FAITH- AND MORALS-BASED COUNSELING

The Jail Administrator shall be responsible for establishing a plan for inmates to receive faith- and morals-based counseling from the chaplain or religious volunteers. Inmates should be reasonably accommodated, including reasonable access to clergy members and spiritual advisers, volunteer religious organizations, faith- and morals-based programs and other secular volunteer programs.

No inmate shall be required to participate in any such program.

1013.13 SPACE AND EQUIPMENT FOR RELIGIOUS OBSERVANCES

The Jail Administrator shall ensure that there are sufficient facilities and resources for the chaplain to serve the inmate population, including providing access to areas of the facility. Space for group worship will be dictated by the availability of secure areas and the classification status of the inmates to be served. All recognized religious groups should have equal access to the space, equipment and services which the facility normally provides for religious purposes.

1013.14 COMMUNITY RESOURCES

The chaplain may minister his/her particular faith and any other similar faiths to inmates but should also establish contacts with clergy of other faiths who can provide services to inmates of other religious denominations.

Whenever the chaplain is unable to represent or provide faith-based services to an inmate, a religious leader or other volunteer from the community, credentialed by the particular faith, should be sought to help provide services. All individuals providing faith-based services should be supervised by the chaplain. All efforts to contact faith-based representatives should be documented and retained in accordance with established records retention schedules.

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Volunteers are another valuable resource that could be utilized extensively in the delivery of the religious program (see the Volunteers Policy). A volunteer could ensure that religious personnel who provide programming in the facility possess the required credentials and have the security clearance to enter the facility.

The chaplain, in cooperation with the Jail Administrator or the authorized designee, shall develop and maintain communication with faith communities. The chaplain shall review and coordinate with the Jail Administrator regarding offers to donate equipment or materials for use in the religious programs. All communication efforts and donations should be documented and retained in accordance with established records retention schedules.

1013.15 TRAINING

The Office shall provide training to facility staff on the requirements of this policy.

The Office shall also provide training in safety and security to the chaplain. The chaplain shall approve and train clergy and religious volunteers. This includes the preparation of a training curriculum, as well as the development and maintenance of training records.

1013.16 POLICY

It is the policy of this office to permit inmates to engage in the lawful practices and observances of their sincerely held religious beliefs consistent with the legitimate government objectives of the facility.

Chapter 11 - Facility Design

Space and Environmental Requirements

1100.1 PURPOSE AND SCOPE

This policy describes the desired space and environmental requirements for the physical plant.

1100.2 POLICY

It is the policy of this office to comply with federal and state laws, codes and correctional standards in matters relating to the jail space and environmental requirements. Any designs for renovations, modifications, additions or new construction within the facility should be in compliance with federal and state laws, codes and jail standards.

Planned designs for renovations, modifications, additions or new construction within the facility should facilitate continuous personal contact and interaction between the correctional staff and inmates. This contact should be by direct physical observation of all cells, dayrooms and recreation areas. Electronic surveillance may be used to augment the observation of inmates but shall not be used as a substitute for personal contact and interaction.

All parts of the facility that are accessible to the public should be accessible to and usable by disabled persons.

1100.3 SPACE REQUIREMENTS

Except for emergency accommodations of a limited duration, all areas in the physical plant shall conform to building and design requirements contained in federal and state law, codes and minimum jail standards as required for their intended design and use. Areas that are repurposed for other than their original intended use shall likewise comply with all building design requirements for the new purpose.

1100.3.1 SINGLE-OCCUPANCY CELL SPACE

Single-occupancy cells shall contain at least 70 square feet of total floor space per inmate. No more than one inmate at a time should be housed in each single-occupancy cell. Single occupancy cells used for the detention and confinement of inmates prior to May 15, 1978 shall provide a minimum of 50 square feet per inmate (Minn. R. 2911.0330).

1100.3.2 DORMITORY CELL SPACE

Dormitories shall contain at least 60 square feet of floor space per inmate. The number of inmates in the dormitory shall not exceed the space per occupant requirement (Minn. R. 2911.0330).

1100.3.3 DOUBLE OCCUPANCY CELLS

Double occupancy cells shall contain at least 70 square feet of floor of floor space (Minn. R. 2911.0330).

1100.3.4 CONDEMNED BEDS

Beds that have been condemned shall not be used.

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1100.4 ALTERNATE APPROVED CAPACITY

If needed, the Jail Administrator may base the approved capacity on an alternate method of calculation as provided in the jail standards. This alternate method allows capacity to be based on overall living space available to inmates, adjusted for the time inmates actually have access to any specific areas. If this method is selected, the Jail Administrator, together with county officials, should develop a plan to bring the facility into agreement with the space-related standards within a five-year period.

1100.5 DETENTION HARDWARE

All locks, detention hardware, fixtures, furnishings and equipment shall have the proper security value for the areas in which they are used. The use of padlocks in place of security locks on cell or inmate housing unit doors is generally prohibited, as unauthorized locking mechanisms may pose a significant threat to the safety and security of the facility in the event of an emergency.

1100.6 ENVIRONMENTAL REQUIREMENTS

All occupied areas of the physical plant shall conform to the building and design requirements contained in federal and state law, codes and jail standards with respect to light, air and noise level.

1100.6.1 LIGHTING LEVELS

Lighting throughout the facility shall be sufficient for staff and inmates to perform necessary tasks. Night lighting levels should permit adequate illumination for supervision but should not unnecessarily interfere with the ability of inmates to sleep.

1100.6.2 NATURAL LIGHT

All inmate living areas should provide visual access to natural light, unless prohibited by security concerns.

1100.6.3 NOISE LEVEL

Noise levels at night should be sufficiently low to allow inmates to sleep. Nothing in this policy is intended to limit or impair in any way staff's ability to monitor the jail in a manner that is consistent with safety and security and good correctional practices. Noise measurements in each housing unit shall be documented by a qualified independent source no less than once per annual inspection cycle and a report provided to the Jail Administrator.

1100.6.4 VENTILATION

The ventilation system shall be sized and calibrated to supply fresh or circulated air in accordance with federal and state laws, codes and jail standards. Toilet rooms and cells with toilets shall be calibrated to have no less than four exchanges of air per hour, unless local codes require a different number of air exchanges.

Other than an emergency situation, inmates or jail staff shall not adjust or restrict the ventilation systems without the express permission of the supervisor. Any adjustments made to the ventilation system shall only be allowed for the duration of the emergency or until qualified maintenance personnel can adjust or repair the ventilation system.

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Air quantities shall be documented at least annually by a qualified independent contractor, and a report provided to the Jail Administrator.

1100.6.5 TEMPERATURE LEVELS

Temperature and humidity levels shall be mechanically maintained at a level established by facility maintenance personnel and deemed comfortable and cost efficient.

Temperature readings shall be documented for each area of the facility on a weekly basis on the appropriate log. Staff shall immediately contact facility maintenance in the event that temperatures or humidity levels become uncomfortable.

1100.6.6 CELL FURNISHINGS

Each inmate housed in this facility shall be provided with the following items:

- A sleeping surface and mattress at least 12 inches off the floor
- A writing surface and seat
- An area for the storage of clothing and personal belongings

1100.7 DAYROOMS

Dayrooms shall be equipped with at least one shower for every 15 inmates or fraction thereof, and tables and sufficient seating for all inmates at capacity. Where inmates do not have continuous access to their cells, dayrooms shall also be equipped with one toilet, an immediate source of fresh potable water and lavatory with hot and cold water for every 12 inmates or fraction thereof.

1100.8 JANITOR CLOSETS

Janitor closets shall be located near or inside each housing unit. Each janitor closet should contain a sink and the necessary cleaning implements. Access to the janitor closets shall be controlled and supervised by the staff. Only inmates with an inmate worker classification status shall be allowed access to the janitor closets.

1100.9 EMERGENCY POWER

The facility shall be equipped with a sufficient emergency power source to operate communications, security and alarm systems in control centers, and emergency lighting in corridors, stairwells, all inmate housing areas, security control points and audio-visual monitoring systems.

1100.10 NEW CONSTRUCTION AND RENOVATION

In the case of partial renovation of an existing facility, it is intended that these standards should apply only to the part of the facility being renovated. The remainder of the facility would be subject to the existing standards.

Smoking and Tobacco Use

1101.1 PURPOSE AND SCOPE

This policy establishes limitations on the use of tobacco products by employees and others while on-duty or while in Beltrami County Sheriff's Office facilities or vehicles.

1101.2 POLICY

The Beltrami County Chief Deputy's Office recognizes that tobacco use is a health risk and can be offensive to other employees and to the public. It is the policy of the Beltrami County Chief Deputy's Office to prohibit the use of tobacco by employees while in public view representing the office.

1101.3 EMPLOYEE USE

Tobacco use by employees is prohibited any time employees are in public view representing the Office.

Smoking and the use of other tobacco products is not permitted inside any county facility, office or vehicle.

It shall be the responsibility of each employee to ensure that no person under his/her supervision smokes or uses any tobacco product inside county facilities and vehicles.

1101.4 ADDITIONAL PROHIBITIONS

The Minnesota Clean Indoor Air Act prohibits smoking in public indoor places, places of employment, public transportation and public meetings (Minn. Stat. § 144.412).

Control Center

1102.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for a control center for monitoring and coordinating facility security, safety, and communications.

1102.2 POLICY

It is the policy of this office to provide sufficient space for a 24-hour secure control center, which shall be staffed continuously for the purpose of monitoring and coordinating the facility's security, life safety and communications systems. It is the responsibility of the Jail Administrator to ensure that current written orders for every Central Control post are available and that a process is in place to verify that corrections officers assigned to those posts acknowledge in writing by signature and date that they have read and understand the orders. The Jail Administrator or the authorized designee shall review post orders annually and update them as needed (Minn. R. 2911.5000).

1102.3 COMMUNICATIONS AND MONITORING CAPABILITIES

Central Control shall have multiple means of direct communication capabilities with all staff control stations in inmate housing areas, including telephone, intercom and radio.

The Central Control staff shall be responsible for monitoring fire, smoke and life safety alarms and shall have the means to summon assistance in the event of an emergency.

1102.4 SECURITY

Access into the Central Control should be through a sallyport entrance controlled by the staff inside the Central Control.

At no time should inmates be allowed to enter the Central Control.

Crowding

1103.1 PURPOSE AND SCOPE

One of the determining factors in maintaining a safe and secure jail is to limit the inmate population to the number of beds constructed in each inmate classification level. Occasionally, emergencies occur that will require the jail to exceed its approved bed capacity. This policy establishes the approved bed capacity of the facility, addresses temporary population excess, and provides a plan for gathering statistics and projecting long-term space needs via a jail needs assessment.

1103.2 RESPONSIBILITIES

The Sheriff is responsible for ensuring that the facility has a sufficient number of housing units in an appropriate configuration so that inmates can be separated according to the facility's classification plan (Minn. R. 2911.0330 through Minn. R. 2911.0370).

In the event of an emergency that causes the facility to be populated beyond the approved bed capacity, every reasonable effort should be made to reduce the inmate population to the approved bed capacity as soon as reasonably practicable. The Office will take affirmative action to address excess population. In the event that the inmate population remains over capacity or continues to increase, a crowding committee should be formed to examine any and all methods to ensure that the facility population is reduced and remains within the approved bed capacity.

1103.2.1 EMERGENCY NOTIFICATION

Whenever the Jail Administrator determines that it is necessary for the facility to be populated beyond the approved bed capacity due to an emergency, the Jail Administrator or the authorized designee shall notify the Minnesota Department of Corrections in writing as soon as practicable, but no later than 72 hours after the emergency (Minn. R. 2911.0400). Facility capacity may not be exceeded for more than seven days without obtaining approval for a variance from the Commissioner of the Department of Corrections (Minn. R. 2911.0400).

1103.3 OVERCROWDING FACILITY PLAN

Whenever a facility exceeds its approved bed capacity for seven consecutive days or 15 days within a month the Jail Administrator shall use available contract per diem beds in office approved facilities within a 125-mile radius. The Jail Administrator may allow the facility to exceed its approved bed capacity established under Minn. R. 2911.0330 et seq., when no space is available for contract per diem beds within 125 miles. The unavailability of space shall be documented at least once a day for continued authority to exceed bed capacity. The documentation shall include the person contacted, the date and time of the contact and a statement by the person as to the availability of contract space (Minn. R. 2911.0400).

1103.3.1 NOTIFICATION

The Jail Administrator shall notify the Department of Corrections in writing of each incidence of failure to maintain the population at or below the facility-approved bed capacity for more than

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seven consecutive days or 15 days of any month in which the facility has had an average daily population greater than its approved capacity (Minn. R. 2911.0400, Subp. 7).

1103.4 INTERMITTENT SENTENCING CONTINGENCY PLAN

In the event that the number of inmates in the facility at 8 a.m. on any day and the number of inmates serving intermittent sentences scheduled for admission to the facility that day exceeds the facility's approved bed capacity, the following will occur (Minn. R. 2911.0400, Subp. 9):

- The Jail Administrator or the authorized designee will coordinate with the sentencing court or probation office to reschedule the inmates serving an intermittent sentence.
- If approval is granted, the Jail Administrator or the authorized designee will reschedule inmate admissions to a date when the facility will not be crowded.
- In the event that the facility is chronically crowded, the Jail Administrator will attempt to locate a contract per-diem bed in a neighboring jurisdiction.
- In the event that the inmates cannot be rescheduled or there are no contract per-diem beds available, refer to the Overcrowding Facility Plan in this policy.

1103.5 CROWDING COMMITTEE

The Sheriff or the authorized designee is responsible for forming the crowding committee and for facilitating its meetings. When the inmate population nears the approved bed capacity of the facility, the Sheriff should schedule a meeting with the committee for the purpose of identifying potential solutions to reduce the population to, or below, the approved bed capacity.

A complete report describing facility population conditions and mitigation recommendations should be provided to all members of the committee, as well as being released to the public.

The committee membership should include but is not limited to the following:

- (a) The Sheriff of the Office
- (b) The Jail Administrator
- (c) A member of the local judiciary
- (d) A representative of the District or Prosecuting Attorney's Office
- (e) A representative of the Public Defender's Office
- (f) A representative from the County Administrator's/County Administrator's Office
- (g) A representative from the office's legislative body (e.g., counsel, supervisor, commissioner)
- (h) One or more members of the public

1103.6 FACILITY NEEDS ASSESSMENT

In the event that the jail maintains an average 80 percent occupancy rate consistently for one year, the Office should initiate a jail needs assessment. The assessment initiates a systematic process that is designed to identify a variety of operational issues and program needs, and may indicate when expansion or replacement of the facility is warranted.

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Crowding

1103.7 INMATE POPULATION REPORTS

The Jail Administrator or the authorized designee is responsible for ensuring that the facility's inmate population information reflecting the monthly, average daily population of sentenced and non-sentenced inmates by categories of male, female and juvenile is reported to the Statewide Supervision System (S3), which is a computerized data collection system maintained by the Minnesota Bureau of Criminal Apprehension (Minn. Stat. § 241.065). Population reports summarizing this information should be made available to the Sheriff.

1103.7.1 REQUIRED REPORTING

The Jail Administrator shall ensure information reflecting the monthly average daily population of sentenced and non-sentenced inmates by categories of male, female, and juvenile is reported to the Statewide Supervision System (S3), which is a computerized data collection system maintained by the Minnesota Bureau of Criminal Apprehension (Minn. Stat. § 241.065).

1103.8 POLICY

It is the policy of the Beltrami County Sheriff's Office to manage the inmate population to the extent as is reasonably possible to avoid exceeding the facility's approved bed capacity.

Attachments

**MN POST Professional Conduct of
Peace Officers Model Policy.pdf**

PROFESSIONAL CONDUCT OF PEACE OFFICERS MODEL POLICY

MN STAT 626.8457

I. POLICY

It is the policy of the _____ (law enforcement agency) to investigate circumstances that suggest an officer has engaged in unbecoming conduct, and impose disciplinary action when appropriate.

II. PROCEDURE

This policy applies to all officers of this agency engaged in official duties whether within or outside of the territorial jurisdiction of this agency. Unless otherwise noted this policy also applies to off duty conduct. Conduct not mentioned under a specific rule but that violates a general principle is prohibited.

A. PRINCIPLE ONE

Peace officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

1. **Rationale:** Peace officers conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

2. Rules

- a) Peace officers shall not knowingly exceed their authority in the enforcement of the law.
- b) Peace officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants, and preservation of evidence, except where permitted in the performance of duty under proper authority.
- c) Peace officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.
- d) Peace officers, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction.
- e) Peace officers will not, according to MN STAT 626.863, knowingly allow a person who is not a peace officer to make a representation of being a peace officer or perform any act, duty or responsibility reserved by law for a peace officer.

B. PRINCIPLE TWO

Peace officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.

1. **Rationale:** Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The peace officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.

2. Rules

- a) Peace officers shall carry out their duties with integrity, fairness and impartiality.

- b) Peace officers shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.
- c) Peace officers shall truthfully, completely, and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.
- d) Peace officers shall take no action knowing it will violate the constitutional rights of any person.
- e) Peace officers must obey lawful orders but a peace officer must refuse to obey any order the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
- f) Peace officers learning of conduct or observing conduct that is in violation of any law or policy of this agency shall take necessary action and report the incident to the officer's immediate supervisor who shall forward the information to the CLEO. If the officer's immediate supervisor commits the misconduct the officer shall report the incident to the immediate supervisor's supervisor.

C. PRINCIPLE THREE

Peace officers shall perform their duties and apply the law impartially and without prejudice or discrimination.

1. **Rationale:** Law enforcement effectiveness requires public trust and confidence. Diverse communities must have faith in the fairness and impartiality of their police. Peace officers must refrain from fostering disharmony in their communities based upon diversity and perform their duties without regard to race, color, creed, religion, national origin, gender, marital status, or status with regard to public assistance, disability, sexual orientation or age.
2. **Rules**
 - a) Peace officers shall provide every person in our society with professional, effective and efficient law enforcement services.
 - b) Peace officers shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, gender, marital status, or status with regard to public assistance, disability, sexual orientation or age.

D. PRINCIPLE FOUR

Peace officers shall not, whether on or off duty, exhibit any conduct which discredits themselves or their agency or otherwise impairs their ability or that of other officers or the agency to provide law enforcement services to the community.

1. **Rationale:** A peace officer's ability to perform his or her duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Peace officers must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.
2. **Rules**

- a) Peace officers shall not consume alcoholic beverages or chemical substances while on duty except as permitted in the performance of official duties, and under no circumstances while in uniform, except as provided for in **c**).
- b) Peace officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. A peace officer shall not report for work with the odor of an alcoholic beverage on the officer's breath.
- c) Peace officers shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, the officer shall inquire of the prescribing physician whether the medication will impair the officer in the performance of the officer's duties. The officer shall immediately notify the officer's supervisor if a prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.
- d) Peace officers, whether on or off duty, shall not engage in any conduct which the officer knows, or should reasonably know, constitutes sexual harassment as defined under Minnesota law, including but not limited to; making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.
- e) Peace officers shall not commit any acts which constitute sexual assault or indecent exposure as defined under Minnesota law. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.
- f) Peace officers shall not commit any acts which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the peace officer from the petitioner's home or workplace.
- g) Peace officers, in the course of performing their duties, shall not engage in any sexual contact or conduct constituting lewd behavior including but not limited to, showering or receiving a massage in the nude, exposing themselves, or making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the agency.
- h) Peace officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or agency. This rule does not prohibit those associations that are necessary to the performance of official duties or where such associations are unavoidable because of the officer's personal or family relationships.

E. PRINCIPLE FIVE

Peace officers shall treat all members of the public courteously and with respect.

1. **Rationale:** Peace officers are the most visible form of local government. Therefore, peace officers must make a positive impression when interacting with the public and each other.
2. **Rules**
 - a) Peace officers shall exercise reasonable courtesy in their dealings with the public, other officers, superiors and subordinates.

- b) No peace officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.
- c) Peace officers shall promptly advise any inquiring citizen of the agency's complaint procedure and shall follow the established agency policy for processing complaints.

F. PRINCIPLE SIX

Peace officers shall not compromise their integrity nor that of their agency or profession by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments or by using their status as a peace officer for personal, commercial or political gain.

1. **Rationale:** For a community to have faith in its peace officers, officers must avoid conduct that does or could cast doubt upon the impartiality of the individual officer or the agency.

2. Rules

- a) Peace officers shall not use their official position, identification cards or badges for: (1) personal or financial gain for themselves or another person; (2) obtaining privileges not otherwise available to them except in the performance of duty; and (3) avoiding consequences of unlawful or prohibited actions.
- b) Peace officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the chief law enforcement officer.
- c) Peace officers shall refuse favors or gratuities which could reasonably be interpreted as capable of influencing official acts or judgments.
- d) Unless required for the performance of official duties, peace officers shall not, while on duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This rule does not prohibit officers from conducting walk-throughs of such establishments as part of their regularly assigned duties.
- e) Peace officers shall:
 - not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of this agency in connection with advertisements for any product, commodity or commercial enterprise;
 - maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity;
 - not make endorsements of political candidates while on duty or while wearing the agency's official uniform.

This section does not prohibit officers from expressing their views on existing, proposed or pending criminal justice legislation in their official capacity.

G. PRINCIPLE SEVEN

Peace officers shall not compromise their integrity, nor that of their agency or profession, by taking or attempting to influence actions when a conflict of interest exists.

1. **Rationale:** For the public to maintain its faith in the integrity and impartiality of peace officers and their agencies officers must avoid taking or influencing official actions

where those actions would or could conflict with the officer's appropriate responsibilities.

2. Rules

- a) Unless required by law or policy a peace officer shall refrain from becoming involved in official matters or influencing actions of other peace officers in official matters impacting the officer's immediate family, relatives, or persons with whom the officer has or has had a significant personal relationship.
- b) Unless required by law or policy a peace officer shall refrain from acting or influencing official actions of other peace officers in official matters impacting persons with whom the officer has or has had a business or employment relationship.
- c) A peace officer shall not use the authority of their position as a peace officer or information available to them due to their status as a peace officer for any purpose of personal gain including but not limited to initiating or furthering personal and/or intimate interactions of any kind with persons with whom the officer has had contact while on duty.
- d) A peace officer shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the officer's ability to impartially perform the officer's official duties.

H. PRINCIPLE EIGHT

Peace officers shall observe the confidentiality of information available to them due to their status as peace officers.

1. **Rationale:** Peace officers are entrusted with vast amounts of private and personal information or access thereto. Peace officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information and to maintain public faith in the officer's and agency's commitment to preserving such confidences.

2. Rules

- a) Peace officers shall not knowingly violate any legal restriction for the release or dissemination of information.
- b) Peace officers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.
- c) Peace officers shall not divulge the identity of persons giving confidential information except as required by law or agency policy.

I. APPLICATION

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with MN STAT 626.89, Peace Officer Discipline Procedures Act and the law enforcement agency's policy on Allegations of Misconduct as required by *MN RULES* 6700.2000 to 6700.2600.

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