November 9, 2023

Kristi Strang
Director, Inspection & Enforcement Unit
Minnesota Department of Corrections
1450 Energy Park Drive, Suite 200
Saint Paul, Minnesota 55108

Director Strang:

We are in receipt of your letter dated October 27, 2023, regarding the most recent inspection of the Adult Detention Center (ADC) and the request for additional information so that the Department of Corrections (DOC) can evaluate the release of the current conditional license, which has temporarily reduced the number of individuals in the county can hold in-custody at the ADC.

The DOC completed a full inspection of the ADC that spanned several days in late September. This inspection encompassed a review of policies, procedures, staff training, quality and timing of well-being checks, the booking processes, incident reports, and other pertinent information in addition to interviews and meetings with individuals in-custody and medical personnel. Thank you for acknowledging that Ramsey County “has made significant progress and engaged in improvements to address the previously identified issues…” I want to recognize the work of ADC staff in leading the implementation of several improvements as well as note the assistance received from the County Board, County Manager’s Office, the Human Resources Department, and the Finance Department with respect to the recent hiring of Correctional Officers to help ensure a fully staffed ADC.

The attached document and action plan, prepared by the Adult Detention Center, provides the requested additional information with the intent to be released current conditional license.

If you have any questions, please do not hesitate to contact me or Undersheriff Bill Finney.

Sincerely,

Bob Fletcher
Ramsey County Sheriff

Copy: Trista Martinson, Chair, Ramsey County Board of Commissioners
William Finney, Undersheriff, Ramsey County Adult Detention Center
Greg Huska, Inspector General, Minnesota Department of Corrections
Ramsey County Action Plan for
Release of a Conditional Licensing Order

Introduction
This document serves as the action plan as requested by the Department of Corrections to evaluate the release of a conditional licensing order, which is currently in effect for Ramsey County. This action plan was requested by the Department of Corrections on October 27, 2023, and has been provided within 15 calendar days.

Background
On February 3, 2023, the Department of Corrections issued a conditional licensing order that required Ramsey County to reduce the jail population at the Adult Detention Center due to “noncompliance with minimum staffing requirements under Minnesota Rule 2911.0900 and other identified rule violations that appear to stem from these staffing issues.” The approved capacity at the Adult Detention Center was reduced to 360 individuals in-custody (inmates) and the operational bed capacity was reduced to 324 individuals in-custody from February 3, 2023, until November 30, 2023, or until further order by the Department of Corrections. Prior to this order, up to nearly 500 individuals could be held in-custody. The Department of Corrections noted that staffing issues in the Adult Detention Center have contributed to conditions believed to “pose an imminent risk of life-threatening harm or serious physical injury” to individuals in the county’s care and custody.

Leading up to this, it is important to note that for two years (2020 and 2021), the jail population remained low due to the county’s justice system collaboration and response to COVID-19 pandemic. However, the jail population increased and since the start of 2022, Ramsey County has had a significantly higher jail population. The increase in the jail population was due to many factors, including but not limited to the court backlog following the pandemic and increases in violent crime. In fact, the number of individuals being held in the county’s care and custody at the Adult Detention Center has exceeded historical averages, presenting several operational, staffing, and budgetary challenges. For reference:

- Both the average daily population and the average length of stay have increased above historical averages.
- The average daily population in 2020 was 245, which increased 65% to 404 in 2022. This trend continues today with a year-to-date average daily population of approximately 390 (including individuals housed in county and out of county).
- The average length of stay doubled from 6 days in 2019 to nearly 12 days in 2022. In 2023, the average length of stay has recently been trending downward, but still around 10 to 11 days.
- Ramsey County has a very complex jail population with individuals suffering from various mental and behavioral health concerns and medical conditions. A lack of mental health bed space at the state and local level is also a contributing factor.

On February 6, 2023, the Sheriff’s Office provided a “capacity reduction plan” to the Department of Corrections as requested. This plan included four action steps that the county would undertake to reduce the jail population to comply with the conditional licensing order starting on February 8, 2023. The four steps included:

- Housing inmates at the Ramsey County Correctional Facility.
- Leasing jail bed space at other facilities.
- Housing interim commitments at the Department of Corrections.
Ramsey County Action Plan for
Release of a Conditional Licensing Order

- Requesting additional support from the Ramsey County Board.

In the following months, Ramsey County was able to reduce the jail population at the Adult Detention Center by implementing the four action steps above. Leasing jail bed space at other facilities was the most utilized method to reduce the jail population. It is estimated that housing individuals out of county will cost $1.787 million in 2023 in addition to $250,000 in additional transportation costs.

While the jail population was reduced, the Adult Detention Center was able to dedicate time and resources to address the issues that lead to the conditional license order. In addition, the Adult Detention Center was able to install safety and suicide prevention barriers in two housing units (pods).

From September 23, 2023 through September 26, 2023, the Department of Corrections conducted a full inspection of the Adult Detention Center. This inspection included a review of policies, procedures, staff training, quality and timing of well-being checks, the booking processes, incident reports, and other pertinent information in addition to interviews and meetings with individuals in-custody and medical personnel. The purpose of this inspection was to evaluate Ramsey County’s current compliance with applicable statutes and rules.

On October 27, 2023, the Department of Corrections informed the county, “Based on this inspection, it is evident that [Ramsey County] has made significant progress and engaged in improvements to address the previously identified issues and ensure compliance with governing rules and statutes.” As a result, information has been requested by the Department of Corrections to evaluate the release of a conditional licensing order. If released, the population limitation would no longer apply and there would no need to house individuals out of county.

Requested Information
In order to evaluate the release of Ramsey County from the conditional license order status, the Department of Corrections has requested a detailed action plan. Specifically, the following information was requested. It is important to note that additional information is being provided for reference purposes.

Description of How the Issues Identified in the Conditional License Order were Corrected
In summary, the conditional license order cited possible violations related to minimum staffing requirements, medical care, and timely and appropriate well-being checks. The conditional license order noted that these issues appear to stem from staffing issues, particularly understaffing.

- **Staffing.** As the Department of Corrections noted, possible violations occurred due to understaffing. A Chief Correctional Officer (Lieutenant) was assigned all training and recruitment functions. Several career/job fairs, community events, and recruitment events have been attended. This has resulted in the identification of numerous individuals who are interested in serving as Correctional Officers, including merit/lateral transfers. To help with staffing, seven full-time Correctional Officers were hired in September 2023. Of the Correctional Officers hired, 50% were female, 50% were male, and 70% represented persons of color. Since August 1, 2023, open/unfilled shifts in the Adult Detention Center are being made available to out of division personnel to help ensure full coverage.

In addition, regular meetings have been established between the Sheriff’s Office, Human Resources Department, and members of county management where conversations have, and continue to, take place about staffing, hiring, and vacant positions. A new light duty policy was also implemented that limits the amount of time a Correctional Officer can remain on restricted duty. This change will help to proactively address staff coverage needs in the long term. Efforts are currently underway to fill current budgeted
vacant Correctional Officer positions with merit transfers. There have been various and ongoing conversations between the Sheriff, Chief Deputy, Undersheriffs, County Board Chair, County Manager, Deputy County Manager, Chief Financial Officer, Human Resources Department staff, and others regarding the staffing needs of the Adult Detention Center.

As a result of the conversations with county leadership, the Sheriff’s Office has submitted a proposal to add 12.0 full-time Correctional Officers effective January 1, 2024, to the Adult Detention Center. A copy of this proposal is attached for reference. A final decision regarding 2024 Correctional Officer staffing is expected on or about December 19, 2023.

A County Board workshop with all seven county commissioners is scheduled for December 12, 2023, and the main topic of this meeting is Adult Detention Center staffing needs. There is consensus among the Sheriff’s Office, County Board, County Manager’s Office, and county departments that ensuring full staffing of the Adult Detention Center is a priority and shared responsibility.

• **Medical care.** The following changes related to medical care were implemented. A medical receiving screening is completed on individuals coming into the Adult Detention Center and prior to transferring to housing. All individuals coming back from the emergency room are seen by medical staff prior to transferring to a housing unit. A corrective action plan for prescribed medication upon transfer or release was implemented. Starting in June 2023, the Saint Paul-Ramsey County Public Health Department started to include Correctional Officers in training to help with teambuilding and enhancing the partnership between medical and correctional staff. When requested by public health staff, medical-related transports receive additional communication and prioritization, regardless of the reason, symptom, or complaint, even when more overtime costs are incurred or if reassignment of sworn law enforcement personnel is needed.

• **Well-being checks.** The following changes related to well-being checks were employed. A mobile inmate activity and welfare documentation system, called Guardian RFID, was implemented. In doing so, this system replaced a manual, paper-based, and labor-intensive process; reduced potential litigation exposure; enhanced reporting, auditing, and retention capability; promoted greater accountability; fostered staff efficiency and better use of time; and, improved services to individuals in-custody. It should be noted prior to Guardian RFID, the well-being check process was manual data entry with hand-written forms that provided no automation, no reporting, and very limited accountability. A well-being check tour audit process was modified to view more staff performing well-being checks. An afternoon “watch commander” (Lieutenant) was also staffed from with the current staffing complement through redeployment of current personnel. This has increased higher ranking supervision in the afternoon and evening hours.

**Description of the Measures to Address Concerns Since Calendar Year 2022**
A series of measures and changes have been implemented to improve Adult Detention Center operations. Select measures include the following:

• Well-being checks in open booking now use 3 ‘run tags’ and four additional monitors were added (two in open booking and two in transfer and release) so staff can see and hear the compliance monitor. Shift meetings followed to review open booking run tags and other topics.

• Individuals in-custody are entered into the Guardian RFID system right after booking, including uncooperative individuals to ensure they are accounted for in Guardian RFID. This is especially important
A new policy for unprocessed/uncooperative individuals in open booking was implemented.

A Department of Corrections inspector visited the Adult Detention Center in late May 2023, to observe the changes implemented.

Additional changes and improvements also include the following:

- Completely revised the policy/procedure manual.
- Expanded visiting hours.
- Increased scenario-based training, fire, and severe weather drills.
- Improved door/lock checks, sanitation and fire inspections, and security inspections.
- Created a process in which an individual’s custody status is reviewed on a regular basis.
- Started to increase programming to include services for individuals with chemical dependency.

**Description of the Measures to Continue to Sustain this Level of Compliance**

To sustain such a high level of compliance, several steps have been and continue to be taken. First, a proposal (attached) has been provided from the Sheriff’s Office to the County Board Chair, County Manager, Deputy County Manager, Chief Financial Officer, and Chief Human Resources Officer to add 12 additional full-time Correctional Officers. The addition of staff will remedy any future staffing concerns. The attached document provides additional information. The County Board Chair is supporting this request.

Second, the afternoon/evening “watch commander” (Lieutenant) and the Lieutenant assigned to lead all training and recruitment functions will continue to remain in place for the foreseeable future. This will help to increase supervision and help ensure a strong pool of candidates to serve as Correctional Officers as budgeted positions become vacant.

Third, the use of the technology will continue to be utilized to support Adult Detention Center operations. This includes the mobile inmate activity and welfare documentation system as well as jail management system, including for permanent and temporary movement of inmates as well as for the pod activity log to record count, meals, supplies, and any other relevant actions. Fourth, more frequent and scheduled policy reviews continue to occur as staffing issues resolve. Lastly, staffing training continues to remain a priority with more expansive training being provided.

**Proposal for Increasing Capacity in the Event that the Approved Capacity is Increased**

Should a release of a conditional licensing order occur and the approved capacity is increased, it is estimated that up to 10 individuals in-custody housed out of county can be transported back per day to Ramsey County care and custody.
Executive Summary

Over the last year, staffing levels of the Adult Detention Center (ADC) have been an area of broad organizational concern for Ramsey County, especially in light of the very complex – and sometimes overcrowded – jail population. In fact, the Minnesota Department of Corrections has noted the dangers of understaffing in correctional and detention facilities. Understaffing can lead to an inability to meet state standards as well as create health and safety concerns for individuals in-custody and employees, including Correctional Officers, mental health providers, public health and correctional healthcare staff, social workers, probation officers, attorneys, and others. Understaffing also increases operating costs through overtime, increased risk and liability, and retention issues.

Staffing the 24-hour operations of the ADC has always been a challenge since the facility opened in December 2003. Previous investments have helped to remedy immediate needs, but never really addressed the longer-term requirements, particularly in the areas of well-being checks, programming, and a relief factor. Thus, to help address long-term needs, it is proposed to increase the ADC staffing complement by 12.0 full-time equivalent (FTE) Correctional Officers with no additional levy increase through the:

- Strategic reallocation of temporary and intermittent salaries into permanent salaries.
- Intentional use of the additional levy allocation included in the 2024-2025 budget.

The addition of full-time Correctional Officers will:

- Improve the health and safety of everyone, including individuals in-custody and employees.
- Greatly reduce, if not eliminate, the likelihood of any future conditional license order, which could reduce the jail population and require housing individuals out-of-county at a substantial cost.
- Ensure well-being checks are completed and allow for an increase in direct services, such as programming.
- Reduce overtime costs as a relief factor is present; a relief factor is critical to reduce overtime and provide staff coverage for sick leave, vacations, military leave, training, leaves of absences, etc.
- Continue the trajectory of building a diverse workforce that is reflective of the community served.

At the end of September 2023, seven (7) full-time Correctional Officers, who recently served as temporary employees, were hired to fill budgeted vacant positions. Of the Correctional Officers hired, 50% were female, 50% were male, and 70% represented persons of color.

As designed, this proposal also aligns with the following county strategic priorities:

- Residents First: Effective, Efficient, and Accessible Operations.
- Advancing Racial and Health Equity and Shared Community Power.
- Aligning Justice System Outcomes with Community Values.
- Advancing a Holistic Approach to Strengthen Families.
- Talent Attraction, Retention and Promotion.

The following pages provide additional information to support this proposal, including a detailed financial analysis. Questions can be directed to Chief Deputy Dave Metusalem, Undersheriff Bill Finney, or Undersheriff Kyle Mestad.
Strategic Reallocation of Temporary and Intermittent Salaries into Permanent Salaries

In the 2024-2025 proposed budget as presented to the County Board by the County Manager, and discussed at the Safety & Justice Service Team budget hearing, the ADC is already budgeted for:

- Effective January 1, 2024, the use of temporary and intermittent employees would end in support of full-time employees.
- Hiring of temporary and intermittent employees have proven very difficult in the current job market, as candidates want full-time jobs with benefits.
- Time is better spent on recruitment efforts for full-time positions and not managing expectations of temporary and intermittent employees.
- Scheduling intermittent Correctional Officer has also become more demanding as employees have other jobs, often full-time positions with benefits and are not available.
- As a result of no longer utilizing temporary employees to meet mandatory staffing levels, there would be additional savings because unemployment would no longer be paid to temporary employees who request this benefit once their temporary appointment ends.
- By eliminating the use of temporary and intermittent employees, staff time, including Human Resources staff time, can be spent maintaining a current Correctional Officer list at all times instead of processing temporary hire paperwork on a regular basis.

Intentional Use of the Additional Levy Allocation included in the 2024-2025 Budget

An “additional levy allocation” was provided in 2024-2025 proposed budget:

- During the Safety & Justice Service Team budget hearing, the additional levy allocation was discussed, and it was noted that the ADC staffing is priority and additional staffing is needed.
- The additional levy allocation is designed to address a variety of needs. Under this proposal, a portion of the additional levy allocation would be used to address ADC staffing.

Annual Costs of Correctional Officers

The estimated annual cost of a Correctional Officer 1 (Step 1) in 2024 is $77,258, and $78,960 in 2025. This includes salary, benefits, uniforms, etc. as outlined below:
The estimated annual cost of 12.0 FTE Correctional Officers is $927,096 in 2024 and $947,522 in 2025.

The addition of these positions can occur with no additional levy increase because of strategic and intentional financing.

### Strategic and Intentional Financing

To finance the costs of Correctional Officers without a levy increase, the following adjustments are proposed:

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<tr>
<th>Correctional Officer</th>
<th>2024</th>
<th>2025</th>
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<tbody>
<tr>
<td>Annual</td>
<td>Step 1</td>
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<td>Deferred Compensation</td>
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<td>Retirement (PERA)</td>
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<td>Social Security</td>
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<td>Medicare</td>
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<td>Long Term Disability</td>
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<td>Benefits (Insurance)</td>
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<td>Other Post Employment Benefits (OPEB)</td>
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<tr>
<td>Uniforms</td>
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<tr>
<td><strong>Annual Cost</strong></td>
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| Cost of 12.0 FTE Correctional Officers | $927,096 | $947,522 |

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<tr>
<th>Strategic and Intentional Financing</th>
<th>2024</th>
<th>2025</th>
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<tr>
<td>Decrease/Transfer Temporary Salaries</td>
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<td>$ (150,000)</td>
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<tr>
<td>Decrease/Transfer Intermittent Salaries</td>
<td>(400,000)</td>
<td>(300,000)</td>
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<tr>
<td>Use of Additional Levy Allocation</td>
<td>(377,096)</td>
<td>(497,522)</td>
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<tr>
<td><strong>Total</strong></td>
<td>$ (927,096)</td>
<td>$ (947,522)</td>
</tr>
</tbody>
</table>

Increase Permanent Salaries/Benefits | $927,096 | $947,522 |

**Impact to the Property Tax Levy** | $ - | $ - |
Next Steps
Review this document with county staff, including Finance and the Controller for Safety & Justice. Bring forth a Request for Board Action (RBA) to increase the staffing complement. The goal should be to always have a fully staffed ADC at all times and minimize having any vacant positions to control overtime costs. This will require a strong partnership with the Human Resources Department.