

U.S. Department of Homeland Security
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**U.S. Immigration
and Customs
Enforcement**

April 25, 2018

MEMORANDUM FOR: Tae D. Johnson
Assistant Director
Custody Management Division

THROUGH: Jay M. Brooks
Deputy Assistant Director,
Detention Management Division

FROM:  Peter B. Berg
Field Office Director
Saint Paul Field Office

SUBJECT: Kandiyohi County Jail, MN - Waiver Request: Barber Shop

Purpose:

This memorandum requests that the Assistant Director for Custody Management approve a waiver for the Kandiyohi County, MN Jail to use the common areas of the cell pods for barbering. This space meets all requirements other than being a separate and dedicated room for this purpose.

Background:

On March 22, 2018, the Nakamoto Group performed the initial inspection of the Kandiyohi County Jail for compliance with the ICE National Detention Standards in Willmar, Minnesota. The inspection found that Kandiyohi County Jail was deficient regarding the barber shop being in a separate room. The inspection found that the jail utilizes the housing units for haircuts.

The applicable Environmental Health and Safety in Detention Facilities standard within the 2000 National Detention Standards (NDS) is section (III)(P)(1), "Guidelines for the Specific Areas of the Facility; Barber Operations," which states:

The operation will be located in a separate room not used for any other purpose. The floor will be smooth, nonabsorbent and easily cleaned. Walls and ceiling will be in good repair and painted a light color. Artificial lighting of at least 50-foot candles will be provided. Mechanical ventilation of five air changes per hour will be provided if there are no operable windows to provide fresh air. At Least one lavatory will be provided. Both hot and cold water will be available,

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and the hot water will be capable of maintaining a constant flow of water between 105 degrees and 120 degrees.

Discussion:

Kandiyohi County Jail housing units have access to both hot and cold water and the same sanitation and cleaning requirements will be enforced as if it was in a designated barber shop. Physical plant limitations preclude a separate room for the sole purpose of barbering operations. Significant remodeling, including structural changes with a great monetary cost would be required by the facility to meet this standard. Kandiyohi County Jail currently provides safe procedures for signing out barber clippers to ICE Detainees. The facility currently takes appropriate care of all equipment and sanitation requirements.

Analysis:

Under the current practice, the common areas in the housing units are able to meet sanitation, ventilation, water access, and privacy needs of the barber and any barbering customer. Requiring a separate single use dedicated barbering space would require costs in excess of the limited need for barbering operations in this small facility.

Recommendation:

I recommend authorization of a waiver for the Kandiyohi County, MN Jail for NDS Standard Section (III)(P)(1), due to structural space limitations and prohibitive construction cost limitations.

Date Authorized gnb 8/1/18

Date Not Authorized _____

Date Modified _____

Needs More Discussion _____