

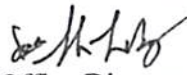


U.S. Immigration  
and Customs  
Enforcement

August 22, 2018

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

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

FROM: Peter Berg   
SPM Field Office Director

SUBJECT: Nobles County Jail, Minnesota – Waiver Request

Purpose

Provide a waiver for the SPM Field Office/Nobles County, MN Jail as it relates to the Environmental Health and Safety in Detention Facilities, Section (III) (P) (1) within the 2000 National Detention Standards (NDS), specifically; Guidelines for 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 5 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, AND THE HOT WATER WILL BE CAPABLE OF MAINTAINING A CONSTANT FLOW OF WATER BETWEEN 105 DEGREES AND 120 DEGREES."

Background: As the May 24, 2018, ODO Compliance Inspection of the Nobles County, MN Jail Facility reported; The facility has a set of clippers that are rotated among the housing units. Officers monitor the barbering operations and per the OCI and housing unit staff, clean the clippers between haircuts. (EH&S)(III)(P)(1).

Discussion: The Nobles County, MN Jail is a relatively small facility with limited auxiliary dedicated space capabilities. Physical plant limitations preclude a separate room for the sole purpose of barbering operations. Significant remodeling, including structural changes would be required by the facility to meet this standard in whole. The facility currently takes much care in

providing the most appropriate available space for barbering operations. The facility currently uses the isolation or medical area for haircuts. The area meets most parts of this standard but it is not in a separate room not used for any other purpose. There are sources of hot and cold water available and it is a clean well-lit area. The facility asserts that barbering only occur on weekends and requests are relatively infrequent.

Recommendation

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

Date Authorized Jmb 11/8/18 Date Not Authorized \_\_\_\_\_

Date Modified \_\_\_\_\_ Needs more discussion \_\_\_\_\_