

U.S. Department of Homeland Security  
500 12th Street, SW  
Washington, DC 20024



U.S. Immigration  
and Customs  
Enforcement

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

THROUGH: *Jay M. Brooks, (A) AD*  
Jay M. Brooks  
Deputy Assistant Director, Detention Management Division

FROM: *[Signature]*  
Harold Tucker  
(A) Unit Chief, Detention Standards Compliance Unit

SUBJECT: Freeborn County Jail, MN – Waiver Request (Environmental Health and Safety)

Purpose

Provide a waiver for the SPM Field Office/Freeborn 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 January 6, 2014, ODO Compliance Inspection of the Freeborn County, MN Jail Facility reported; Barbering takes place in the waiting area of the health services department (EH&S)(TII)(P)(I). This is a repeat finding from ODO's July 17, 2012 inspection.

Discussion

The Freeborn County, MN Jail is a relatively small facility with somewhat 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 waiting area of the health services area. The area meets all parts of this standard other than that it is not in a separate room not used for any other purpose. There are two sources of

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hot and cold water and it is a clean well lit area. The facility asserts that barbering requests only occur about once per week (59 total requests for 2013) and are relatively infrequent.

Approve / date

Jay M Brooks 3/19/14

Disapprove / date

Modify / date

Needs more discussion