

**A. Type of Facility Reviewed**

- ICE Service Processing Center
- ICE Contract Detention Facility
- ICE Intergovernmental Service Agreement

**B. Current Inspection**

Type of Inspection  
 Field Office  HQ Inspection

Date[s] of Facility Review  
**11/14/2018 - 11/16/2018**

**C. Previous/Most Recent Facility Review**

Date[s] of Last Facility Review  
**12/5/2017 - 12/7/2017**

Previous Rating  
 Superior  Good  Acceptable  Deficient  At-Risk

**D. Name and Location of Facility**

Name  
**Sherburne County Jail**

Address (Street and Name)  
**13880 Business Center Drive Suite 200**

City, State and Zip Code  
**Elk River, MN 55330**

County  
**Sherburne**

Name and Title of Chief Executive Officer (Warden/OIC/Supt.)  
 [REDACTED]

Telephone # (Include Area Code)  
 [REDACTED]

Field Office / Sub-Office (List Office with oversight responsibilities)  
**St. Paul, MN**

Distance from Field Office  
**40 miles**

**E. ICE Information**

Name of Inspector (Last Name, Title and Duty Station)  
 [REDACTED] / **LCI/Detainee Rights / Nakamoto Group**

Name of Team Member / Title / Duty Location  
 [REDACTED] / **Medical SME / Nakamoto Group**

Name of Team Member / Title / Duty Location  
 [REDACTED] / **Medical SME / Nakamoto Group**

Name of Team Member / Title / Duty Location  
 [REDACTED] / **Safety SME / Nakamoto Group**

Name of Team Member / Title / Duty Location  
 [REDACTED] / **Security SME / Nakamoto Group**

**F. CDF/IGSA Information Only**

Contract Number [REDACTED] Date of Contract or IGSA [REDACTED]

Basic Rates per Man-Day [REDACTED]

Other Charges: (If None, Indicate N/A)  
 [REDACTED]

Estimated Man-days Per Year:  
 [REDACTED]

**G. Accreditation Certificates**

List all State or National Accreditation[s] received:  
**American Correctional Association (ACA)**

Check box if facility has no accreditation[s]

**H. Problems / Complaints (Copies must be attached)**

The Facility is under Court Order or Class Action Finding  
 Court Order  Class Action Order

The Facility has Significant Litigation Pending  
 Major Litigation  Life/Safety Issues

Check if None.

**I. Facility History**

Date Built  
 [REDACTED]

Date Last Remodeled or Upgraded  
 [REDACTED]

Date New Construction / Bed space Added  
 [REDACTED]

Future Construction Planned  
 [REDACTED]  [REDACTED] Date: [REDACTED]

Current Bed space [REDACTED] Future Bed space (# New Beds only)  
 Number: [REDACTED] Date: [REDACTED]

**J. Total Facility Population**

Total Facility Intake for previous 12 months  
 [REDACTED]

Total ICE Man-days for Previous 12 months  
 [REDACTED]

**K. Classification Level (ICE SPCs and CDFs Only)**

	L-1	L-2	L-3
Adult Male	N/A	N/A	N/A
Adult Female	N/A	N/A	N/A

**L. Facility Capacity**

	Rated	Operational	Emergency
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**M. Average Daily Population**

	ICE	USMS	Other
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

**N. Facility Staffing Level**

Security: [REDACTED] Support: [REDACTED]

**Significant Incident Summary Worksheet**

For Nakamoto to complete its review of your facility, the following information must be completed prior to the scheduled review dates. The information on this form should contain data for the past twelve months in the boxes provided. The information on this form is used in conjunction with the ICE Detention Standards in assessing your Detention Operations against the needs of the ICE and its detained population. This form should be filled out by the facility prior to the start of any inspection. Failure to complete this section will result in a delay in processing this report and the possible reduction or removal of ICE' detainees at your facility.

<i>Incidents</i>	<i>Description</i>	Jan – Mar	Apr – Jun	Jul – Sept	Oct – Dec
Assault: Offenders on Offenders <sup>1</sup>	Types (Sexual <sup>2</sup> , Physical, etc.)	S/P	S/P	S/P	S/P
	With Weapon	0/0	0/0	0/0	0/0
	Without Weapon	0/6	0/3	0/7	0/4
Assault: Detainee on Staff	Types (Sexual Physical, etc.)	S/P	S/P	S/P	S/P
	With Weapon	0/0	0/0	0/0	0/0
	Without Weapon	0/0	0/0	0/0	0/0
Number of Forced Moves, incl. Forced Cell moves <sup>3</sup>		0	0	0	0
Disturbances <sup>4</sup>		0	0	0	0
Number of Times Chemical Agents Used		3	1	1	0
Number of Times Special Reaction Team Deployed/Used		1	0	0	0
# Times Four/Five Point Restraints applied/used	Number/Reason (M=Medical, V=Violent Behavior, O=Other)	0	0	0	0
	Type (C=Chair, B=Bed, BB=Board, O=Other)	N/A	N/A	N/A	N/A
Offender / Detainee Medical Referrals as a result of injuries sustained.		3	4	4	5
Escapes	Attempted	0	0	0	0
	Actual	0	0	0	0
Grievances:	# Received	90	102	73	76
	# Resolved in favor of Offender/Detainee	5	15	25	3
Deaths	Reason (V=Violent, I=Illness, S=Suicide, A=Attempted Suicide, O=Other)	N/A	N/A	N/A	N/A
	Number	0	0	0	0
Psychiatric / Medical Referrals	# Medical Cases referred for Outside Care	15	1	3	9
	# Psychiatric Cases referred for Outside Care	0	0	0	0

<sup>1</sup> Any attempted physical contact or physical contact that involves two or more offenders

<sup>2</sup> Oral, anal or vaginal penetration or attempted penetration involving at least 2 parties, whether it is consenting or non-consenting

<sup>3</sup> Routine transportation of detainees/offenders is not considered "forced"

<sup>4</sup> Any incident that involves four or more detainees/offenders, includes gang fights, organized multiple hunger strikes, work stoppages, hostage situations, major fires, or other large-scale incidents.

DHS/ICE Detention Standards Review Summary Report									
1. Acceptable		2. Deficient		3. At Risk		4. Repeat Finding		5. Not Applicable	
Legal Access Standards					1.	2.	3.	4.	5.
1.	Access to Legal Materials				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.	Group Presentations on Legal Rights				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
3.	Visitation				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
4.	Telephone Access				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Detainee Services									
5.	Admission and Release				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
6.	Classification System				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
7.	Correspondence and Other Mail				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
8.	Detainee Handbook				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
9.	Food Service				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
10.	Funds and Personal Property				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11.	Detainee Grievance Procedures				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
12.	Issuance and Exchange of Clothing, Bedding, and Towels				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
13.	Marriage Requests				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14.	Non-Medical Emergency Escorted Trip				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15.	Recreation				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
16.	Religious Practices				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
17.	Voluntary Work Program				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Health Services									
18.	Hunger Strikes				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
19.	Medical Care				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
20.	Suicide Prevention and Intervention				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
21.	Terminal Illness, Advanced Directives and Death				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Security and Control									
22.	Contraband				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
23.	Detention Files				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
24.	Disciplinary Policy				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
25.	Emergency Plans				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
26.	Environmental Health and Safety				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
27.	Hold Rooms in Detention Facilities				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
28.	Key and Lock Control				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
29.	Population Counts				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
30.	Post Orders				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
31.	Security Inspections				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
32.	Special Management Units (Administrative Segregation)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
33.	Special Management Units (Disciplinary Segregation)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
34.	Tool Control				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
35.	Transportation (Land management)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
36.	Use of Force				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
37.	Staff / Detainee Communication (Added August 2003)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
38.	Detainee Transfer (Added September 2004)				<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

All findings (Deficient and At-Risk) require written comment describing the finding and what is necessary to meet compliance.



**LCI Review Assurance Statement**

By signing below, the Lead Compliance Inspector (LCI) certifies that all findings of noncompliance with policy or inadequate controls contained in the Inspection Report are supported by evidence that is sufficient and reliable. Furthermore, findings of noteworthy accomplishments are supported by sufficient and reliable evidence. Within the scope of the review, the facility is operating in accordance with applicable law and policy, and property and resources are efficiently used and adequately safeguarded, except for the deficiencies noted in the report.

Lead Compliance Inspector: (Print Name) [REDACTED]	Signature [REDACTED]
Title & Duty Location Lead Compliance Inspector, The Nakamoto Group, Inc.	Date 11/16/2018

**Team Members**

Print Name, Title, & Duty Location [REDACTED], Safety SME, The Nakamoto Group, Inc.	Print Name, Title, & Duty Location [REDACTED], Medical SME, The Nakamoto Group, Inc.
Print Name, Title, & Duty Location [REDACTED], Security SME, The Nakamoto Group, Inc.	Print Name, Title, & Duty Location [REDACTED], Medical SME, The Nakamoto Group, Inc.

- Recommended Rating:**
- Superior
  - Good
  - Acceptable
  - Deficient
  - At-Risk

Comments: The Sexual Abuse and Assault Prevention and Intervention Standard was inspected during this inspection, but is not referenced in the Detention Standards Review Summary Report. The standard was rated as Meets Standard for this inspection. The SIS reflects information specific to the ICE detainee population.

There were two allegations of sexual abuse or assault during the inspection period. In the first incident, detainee one claimed detainee two exposed his penis. Following an investigation, it was learned detainee one had his back to detainee two and did not actually witness detainee two exposing his penis and, according to detainee one, no physical contact occurred. The incident was determined to be unsubstantiated. In the second incident, in a housing unit dayroom, detainee one pulled down detainee two's pants and underwear. Video monitors confirmed the incident. The incident was substantiated, and detainee one received discipline. The incidents were investigated, reported, and documented as required by the standard.

There were no escapes, deaths, or serious suicide attempts involving an ICE detainee during the past year. The facility does not deploy canines in the presence of ICE detainees. Tasers and chemical agents will be deployed on ICE detainees, if necessary. The facility has a waiver to use Freeze Plus-P, a combination of oleoresin capsicum with a chemical compound known as tear gas.

There was one calculated use of force incident during the inspection period. A detainee with mental health issues refused to come out of his cell to be placed in a suicide smock. A cell extraction was initiated. The review of documentation confirmed that officers' actions were within the guidelines of the standard.

[REDACTED]

There were eleven immediate use-of-force incidents involving ICE detainees. Seven of these incidents involved separating detainees in physical altercations with each other. In five of these physical altercations staff used approved chemical agents when detainees refused orders to stop fighting. There were four separate incidents resulting in use force on a detainee for makings threats toward staff or refusing to comply with orders by staff. Detainees were properly decontaminated in instances where chemical agents were used. After each incident, each detainee was taken to the medical unit for assessment. There were no major injuries as a result of any of these incidents. Two of the detainee-on-detainee altercations resulted in minor abrasions. An after-action review was completed for each use of force incident. It was determined that force was justified in all twelve incidents.