



STATE OF IOWA

THOMAS J. VILSACK, GOVERNOR
SALLY J. PEDERSON, LT. GOVERNOR
Iowa Results Website (www.resultsiowa.org)

DEPARTMENT OF CORRECTIONS
GARY D. MAYNARD, DIRECTOR
Website (www.doc.state.ia.us)

April 7, 2006

Lewis Todtz, Chairperson
Clinton County Supervisors
P.O. Box 2957
Clinton, Iowa 52732-2957

Re: Clinton County Jail Inspection

Dear Chairperson Todtz:

The Clinton County Jail was inspected on March 27, 2006 by the Iowa Department of Corrections, as required by Iowa Code Section 356, to ensure compliance with Chapter 201-50 of the Iowa Administrative Code. The inspection included an examination of staff training records, required documentation, prisoner files, jail policy and procedures and a tour of the jail. Please note the following Iowa Administrative Code Sections, comments and recommendations for corrective actions:

IAC 201-50.2(356,356A) General provisions.

50.2(2) Capacity. Established capacities as determined by these rules shall not be exceeded except in the event of an emergency, and then only for such a period of time as is necessary to arrange for alternate housing or release of sufficient inmates to bring the number of persons confined into compliance with the rated capacity.

Comment: Records at the Iowa Department of Corrections show a history of over-capacity conditions at the Clinton County Jail. Over-capacity creates conditions that lead to unhealthy, unsafe, unsanitary and unconstitutional conditions for prisoners and jail staff. Over-capacity causes non-compliance with other sections of Chapter 201-50 of the Iowa Administrative Code and increases the counties liability. On the day of the inspection, 15 prisoners were housed in other counties and eight (8) prisoners were in an electronic monitoring program.

Recommendation: Continue to arrange for alternate housing of prisoners when over-capacity conditions exist.

The mission of the Iowa Department of Corrections is to:
Protect the Public, the Employees, and the Offenders

IAC 201-50.4(356,356A) Physical plant-general.

50.4(5) Lighting. Lighting shall be a minimum of 20 candlepower at the table top for the purposes of reading and writing.

Comment: Lighting in “Cell Block 4”, “Work Release”, “Segregation” and “Trustee” does not meet the requirement of 20 candlepower at tabletop height. Lighting in other cell areas has been increased since the last inspection.

Corrective action: Please bring the lighting in all cell areas into compliance with Chapter 201-50.5(5) of the Iowa Administrative Code prior to the next inspection.

IAC 201-50.9(356,356A) Fire safety and emergency evacuation.

50.9(11) Mattresses. Only fire-resistant mattresses of a type that will not sustain a flame and certified by the manufacturer and approved by the state fire marshal or qualified local fire prevention authority shall be used in jails. Mattresses that are ripped, excessively cracked or which contain large holes will be replaced. Pillows will be replaced when torn or excessively cracked.

Comment: Some mattresses are becoming cracked and ripped.

Corrective action: Please replace excessively cracked and ripped mattresses prior to the next inspection.

IAC 201-50.18(356,356A) Prisoner activities.

50.18(1) Exercise. Prisoners held beyond seven days and not leaving the jail pursuant to Iowa Code section 356.26 shall be offered exercise time.

a. A minimum of two one-hour exercise sessions shall be offered during each full calendar week. Playing board games or cards or reading is recreation and is not considered exercise. A record of exercise sessions shall be maintained according to subrule 50.22(15).

Comment: A review of exercise documentation shows that prisoners are not always offered exercise or that exercise is not always documented.

Corrective action: Please ensure that prisoners are offered exercise as required by Chapter 201-50.18(1)(a).

Additional comments:

IAC 201-50.12(356,356A) Standard operating procedures manual. Pursuant to the authority of Iowa Code sections 356.5 and 356.36, each jail shall establish and the jail administrator shall ensure compliance with a standard operating procedures manual to include the following administrative rules: subrules 50.2(5), 50.2(6), 50.4(11), 50.9(3), 50.9(4), 50.10(1), 50.10(2), 50.10(3), 5-11(1) and rules 50.13(356,356A) to 50.22(356,356A) as noted. The following standards do not require written policy: 50.13(2)“c”(3), 50.15(4), 50.16(4), and 50.16(8).

Comment: On December 28, 2005 revisions to Chapter 201-50 went into effect. A review of the Clinton County Jail Policy and Procedures Manual shows the following sections will need to be included in the jail policy and procedures manual:

| | |
|------------------------|---|
| IAC 201-50.10(3) | Conflict of interest |
| IAC 201-50.13(1)(g) | Housing for prisoners with disabilities |
| IAC 201-50.13(2)(e)(2) | Security inspections |
| IAC 201-50.13(2)(e)(3) | Prisoner movement |
| IAC 201-50.13(2)(e)(4) | Incidents that threaten facility security |
| IAC 201-50.18(4) | Discrimination (Services and programs available for disabled) |
| IAC 201-50.19(1)(e) | Prisoner mail |
| IAC 201-50.19(5) | Detaining non-U.S. citizens |
| IAC 201-21(4) | Description of disciplinary hearing process |
| IAC 201-50.22(14) | Incident reports |

Improvements since the last inspection include the completion of the remodeling of the outside exercise area, which has improved security. Additional improvements include the repainting of some of the cell areas and the remodeling of the attorney visitation areas.

The jail is clean and well-managed. However, this is an older facility that will require continued maintenance to comply with jail standards. Rick Laurion, Facilities Maintenance, did accompany jail staff during the tour of the jail, which is an indication of the efforts to maintain the facility.

The Jail staff is doing a good job in a facility that was not designed for current needs.

Upon completion of the above corrective actions, the Clinton County Jail will be in compliance with Chapter 201-50 of the Iowa Administrative Code.

Page 4
Clinton County Jail Inspection

I wish to thank Sheriff Rick Lincoln, Dan Birdsley, Craig Eberhart and the jail staff for their cooperation and assistance during the inspection.

Sincerely,

Mike Richardson
Chief Jail Inspector

cc: Sheriff
County Attorney
File