



STATE OF IOWA

CHESTER J. CULVER, GOVERNOR
PATTY JUDGE, LT. GOVERNOR

DEPARTMENT OF CORRECTIONS
JOHN R. BALDWIN, INTERIM DIRECTOR

March 19, 2007

Jill Davisson, Chairperson
Clinton County Supervisors
P.O. Box 2957
Clinton, Iowa 52732-2957

Re: Clinton County Jail Inspection

Dear Chairperson Davisson:

The Clinton County Jail was inspected on March 12, 2007 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 dating back to 1994. 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, three (3) prisoners were housed in other counties and one (1) prisoner was in an electronic monitoring program.

During the tour of the jail, two of the prisoner housing areas raised some questions on prisoner capacities. These were the work release dormitory and trustee dormitory. These areas were measured by jail staff during this inspection. The work release dormitory contains 400 square feet of floor space and the trustee housing area contains 246 square feet of floor space. The administrative rules require sixty square feet of floor space per prisoner in dormitory style housing.

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This requirement limits the capacity to six (6) prisoners in the work release dormitory and four (4) prisoners in the trustee dormitory. At the time of the inspection, the work release dormitory contained eight (8) beds and the trustee dormitory contained six (6) beds. This issue was discussed with Sheriff Lincoln and Lt Eberhart at the time of the inspection, with the understanding that I would review the Iowa Department of Corrections file on the Clinton County Jail for any additional information and advise them of my findings. A review of the file shows that in March of 1994 the Iowa Department of Corrections approved the remodeling of an area on the first floor of the sheriff's office building as a work release dormitory to accommodate seven prisoners. A drawing of the work release dormitory shows 450 square feet of floor space was available for this dormitory area. However, the dimensions shown on the plans do not properly display the actual interior square feet of floor space. The Clinton County file does not contain any information on the use of the trustee dormitory for the housing of prisoners.

The results of this review and inspection of the Clinton County Jail shows the rated capacity of cell areas as:

Cell Block 1	5
Cell Block 2	6
Cell Block 3	5
Cell Block 4	8
Cell Block 5	3
Cell Block 6	2
Cell Block 7	4
Segregation	1
Trustee	4
Work Release	6
Temp. Holding	10
Total Capacity	54

Corrective action: Arrange for alternate housing of prisoners when over-capacity conditions exist in cell areas.

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 Blocks 1 and 4, does not meet the requirement of 20 candlepower at tabletop height.

Corrective action: Please bring the lighting in these 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 201-50.12(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: A review of the Clinton County Jail Policy and Procedures shows that wording from the following sections of the administrative rules may need to be included in the jail policy and procedures manual:

IAC 201-50.13(1)(g)	Housing for prisoners with disabilities
IAC 201-50.13(2)(a)(5)	Female staffing
IAC 201-50.13(2)(c)(4)	Prisoner rules to contain definition of contraband
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
	Riots
	Disturbances
	Hunger strikes
	Hostage situations
	Escape attempts
	Medical emergencies

	Natural disasters
	Staff shortages
IAC 201-50.18(4)	Discrimination (Services and programs available for disabled)
IAC 201-50.19(1)(e)	Prisoner mail distribution
IAC 201-50.19(5)	Detaining non-U.S. citizens
IAC 201-21(4)	Description of disciplinary hearing process. Sections a, b, Subsections 2, 5, 9, 10, 11, 13, and Section c.
IAC 201-50.22(14)	Incident reports (c) Inmate/inmate assaults and inmate/staff assaults (d) Escapes, fires, unusual incidents

IAC 201-50.13(356,356A) Admissions/classification and security.

50.13(2) Security and control.

a. Supervision of prisoners.

(3) At least hourly, personal observation of individual prisoners shall be made and documented. Prisoners considered to be in physical jeopardy because of physical or mental condition, including apparently intoxicated persons, as indicated by the medical history intake process and by personal observation, shall be checked personally at least every 30 minutes until the condition is alleviated. A CCTV-audio monitoring system may supplement but shall not replace personal observations. In order to use a CCTV-audio monitoring system, the following requirements must be met: CCTV and audio must be operational at all times. Visual and audio must be clear and distinct. Observation of shower and restroom activities shall be at the discretion of the jail administrator.

Comment: An examination of documentation shows that personal hourly observations of prisoners are not always documented. Failure to conduct and document the personal observation of prisoners creates a serious liability issue.

Corrective action: Please ensure that personal observation of all prisoners are conducted and documented.

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).

c. Exercise areas. An exercise area outside the cell shall be available. Such area must provide opportunity for adequate exercise. Corridors and hallways must remain clear of equipment or material and must provide unimpeded access to exits.

d. Suspension of outdoor exercise. Outdoor exercise may be suspended baring inclement weather. Appropriate clothing shall be provided for exercise during winter months.

Comment: A review of exercise documentation shows that prisoners are not always offered exercise or that exercise is not always documented. Clinton County has an outdoor exercise area. During inclement weather prisoners have access to a piece of exercise equipment in the library area between cell blocks.

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

Additional comments:

Improvements since the last inspection include the repainting of cell areas, the replacement of some mattresses and installation of fire resistant doors in the kitchen area.

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.

Following a review of prisoner medication procedures it is recommended that a method be established to document the type and amount of medication returned to prisoners upon release from the jail.

The original storage area for prisoner property has become inadequate due to the overcapacity conditions.

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.

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I wish to thank Sheriff Rick Lincoln, Lt. Craig Eberhart, Sgt Joe Steffen and the jail staff for their cooperation and assistance during the inspection.

Sincerely,

Mike Richardson
Chief Jail Inspector

cc: Sheriff
County Attorney
File