

**2911.0200 DEFINITIONS.**

Subpart 1. **Scope.** For the purpose of this chapter, the following terms have the meanings given them.

Subp. 2. **Administrative segregation.** "Administrative segregation" means the status of an inmate prone to escape, prone to assault staff or other inmates, or likely to need protection from other inmates or self, an inmate with a mental illness or a developmental disability who is in need of special care, or an inmate on medical isolation or infirmary status.

Subp. 3. **Assistant jail administrator.** "Assistant jail administrator" means an administrative officer who assists the facility administrator responsible for managing and operating the facility.

Subp. 4. **Admission or intake.** "Admission" or "intake" means the processing of an inmate upon entry into a facility.

Subp. 5. **Alternative sentence.** "Alternative sentence" includes, but is not limited to, a sentence including court ordered sanctions that allow one or more of the following:

- A. work release;
- B. intermittent sentences;
- C. community service;
- D. sentencing to service requirements;
- E. educational release; or
- F. electronic monitoring.

Subp. 6. **Average daily population.** "Average daily population" means the average number of inmates residing daily during the last calendar year. An inmate on furlough or hospitalized is excluded. Average daily population is calculated by dividing the total number of inmate days served in the facility by the number of days in the calendar year.

The total number of inmate days includes computation of any time an inmate spends in the community on alternative sentence when the inmate's primary residence for that day is the correctional facility governed by this chapter.

An offender on electronic monitoring or other sentencing sanction who reports to a sanction such as community or sentencing to service programs from a residence is not to be considered in average daily population computation.

Subp. 7. **Booking.** "Booking" in a detention facility is a procedure for the processing of a person charged with or convicted of an offense, and includes procedures such as

searching, fingerprinting, photographing, medical screening, and collecting personal history data.

Subp. 8. [Repealed, 38 SR 523]

Subp. 9. **Cell.** "Cell" means a sleeping space in a detention facility for the confinement of not more than two inmates, except as approved by the Department of Corrections.

Subp. 10. **Cellblock or housing unit.** "Cellblock" or "housing unit " means a group of cells immediately adjacent and directly accessible to a dayroom.

Subp. 11. **Class I facility.** "Class I facility" means a secure adult detention facility used to confine inmates for a time not to exceed 72 hours excluding holidays or weekends. A Class I facility is known as a holding facility.

Subp. 12. **Class II facility.** "Class II facility" means a secure adult detention facility used to confine inmates before an appearance in court and sentenced inmates for a time not to exceed 90 days. A Class II facility is known as a lockup facility.

Subp. 13. **Class III facility.** "Class III facility" means a secure detention facility used to confine sentenced inmates for a time not to exceed any limits set by Minnesota Statutes, adult pretrial and presentenced detainees indefinitely, and juveniles up to the limits prescribed by Minnesota Statutes and commissioner approval. A Class III facility is known as a jail facility.

Subp. 14. **Class IV facility.** "Class IV facility" means a minimum security adult detention facility used to confine sentenced inmates for a time not to exceed any limits set by Minnesota Statutes or adult pretrial or presentenced detainees indefinitely. A Class IV facility is known as a jail annex.

Subp. 15. **Class V facility.** "Class V facility" means a secure adult detention facility used to detain adult pretrial and presentenced detainees indefinitely. A Class V facility is known as an adult detention center.

Subp. 16. **Class VI facility.** "Class VI facility" means a facility used to confine presentenced and sentenced inmates for periods of time not to exceed any limits set by Minnesota Statutes. A Class VI facility is known as an adult corrections facility.

Subp. 17. **Classification.** "Classification" means a process for determining the needs and security requirements of inmates for whom confinement has been ordered and for assigning the inmates to housing units and programs according to their needs and existing resources.

Subp. 18. [Repealed, 38 SR 523]

Subp. 19. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Corrections.

Subp. 20. **Contraband.** "Contraband" means an item possessed by an inmate or found within the facility that is prohibited by statute or facility policy. This includes items that are authorized but in excess of allowable limits.

Subp. 21. [Repealed, 38 SR 523]

Subp. 22. **Control center.** "Control center" means a secure post within a facility where security activities are monitored and controlled.

Subp. 23. **Controlled substance.** "Controlled substance" means a medication, substance, or immediate precursor in Schedules I to V of Minnesota Statutes, section 152.02.

Subp. 24. **Crowded facility.** "Crowded facility" means a condition when the facility's operational capacity is exceeded.

Subp. 25. [Renumbered subp 56a]

Subp. 26. **Custody personnel.** "Custody personnel" means those staff whose primary duty is supervision of inmates.

Subp. 27. **Dayroom.** "Dayroom" means a room that is adjacent to a cell or cells or detention room, and that is used as a dining, exercise, or other activity room for inmates.

Subp. 28. **Department of Corrections or DOC.** "Department of Corrections" or "DOC" means the Minnesota Department of Corrections.

Subp. 29. **Disciplinary segregation.** "Disciplinary segregation" means the status assigned an inmate following a hearing in which the inmate was found in violation of a facility rule or state or federal law or the status assigned an inmate before a hearing when segregating the inmate is determined to be necessary in order to reasonably ensure the security of the facility.

Subp. 30. **Dormitory.** "Dormitory" means a housing unit designed to house no fewer than three nor more than 48 inmates. Dormitory includes sleeping and dayroom areas.

Subp. 31. **Emergency.** "Emergency" means a significant incident or disruption of normal facility procedures, policies, routines, or activities.

Subp. 32. **Emergency care.** "Emergency care" means medical or dental or mental health care of an acute illness or unexpected health care need that cannot be deferred until the next scheduled sick call.

Subp. 33. [Repealed, 38 SR 523]

Subp. 34. [Repealed, 38 SR 523]

Subp. 35. **Facility.** "Facility" means a county, multiple county, or private corrections facility of a Class I to Class VI type.

Subp. 36. **Facility administrator.** "Facility administrator" means the individual who has been delegated the responsibility and authority for the administration and operation of a facility.

Subp. 37. [Repealed, 38 SR 523]

Subp. 38. **First aid.** "First aid" means emergency treatment administered to injured or sick persons before professional medical care is available.

Subp. 38a. **General population.** "General population" means inmates who are typically classified as medium-risk. This group may also include reclassified inmates from special-management or minimum-security status. This group is most often the majority of inmates in a facility.

Subp. 39. **Health authority.** "Health authority" means an individual or agency licensed to practice medicine and provide health services to the inmate population of the facility or the physician at an institution with final responsibility for decisions related to medical judgments.

Subp. 40. **Health care personnel.** "Health care personnel" means an individual whose primary duty is to provide health services in accordance with their respective license. The individual must be a RN, LPN, nurse practitioner, physician, or physician assistant.

Subp. 41. **Health-trained staff person.** "Health-trained staff person" means a person who provides assistance to the responsible physician or health care personnel in keeping with the person's levels of education, training, and experience.

Subp. 42. **Holding area.** "Holding area" means a cell or room used to hold one or more persons temporarily.

Subp. 43. [Repealed, 38 SR 523]

Subp. 44. **Indigent.** "Indigent" means an inmate with no funds or source of income.

Subp. 45. **Individual with a disability.** "Individual with a disability" means a person who has a physical or mental impairment that substantially limits one or more major life activities, a record of an impairment, or is regarded as having an impairment.

Subp. 46. **Inmate or detainee.** "Inmate" or "detainee" means an individual, adult, or juvenile, detained or confined in a Class I to Class VI facility.

Subp. 47. [Repealed, 38 SR 523]

Subp. 48. **Informed consent.** "Informed consent" means the agreement by an inmate to a treatment, examination, or procedure after the inmate receives the material facts regarding the nature, consequences, risks, and alternatives concerning the proposed treatment, examination, or procedure.

Subp. 49. **Inspection.** "Inspection" means an assessment of existing conditions made to determine the facility's compliance with this chapter.

Subp. 49a. **Intermittent sentence.** "Intermittent sentence" means a court-ordered sanction that requires a person to report to a Class I to Class VI facility on more than one occasion under the same sanction.

Subp. 50. [Renumbered subp 58a]

Subp. 51. **Life safety code.** "Life safety code" means minimum standards for fire safety published and updated by the National Fire Protection Association and other authorities having jurisdiction.

Subp. 52. **Limited use agreement.** "Limited use agreement" means a written agreement between the Department of Corrections and local officials that restricts a facility's operation and establishes timelines for facility improvements.

Subp. 53. [Repealed, 38 SR 523]

Subp. 54. [Repealed, 38 SR 523]

Subp. 55. **Medication.** "Medication" means any remedial agent that has the property of curing, preventing, treating, or mitigating diseases, or that is used for that purpose. For the purposes of this chapter, medication includes prescription and nonprescription medications.

Subp. 56. **Minimum security area.** "Minimum security area" means an area that provides functional living accommodations with a nominal reliance on physical security for the control and management of inmates.

Subp. 56a. **Overcrowded facility.** "Overcrowded facility" means a condition when the facility's approved bed capacity is exceeded.

Subp. 56b. **Override.**

A. "Override" means the assignment of a custody level other than the one designated by scored custody and needs assessment and is based upon professional judgment and factors that are not captured by the classification forms.

B. "Discretionary override" means a change in classification based upon the professional judgment of the classification staff, and the inmate's crime, prior record, or institutional adjustment.

C. "Nondiscretionary override" means a formal policy to prohibit the placement of certain inmates from the general population housing or minimum security housing.

Subp. 57. **Perimeter security.** "Perimeter security" means a system that controls ingress and egress to the interior of a facility. The term may also include electronic devices, walls, fences, sally ports, and patrols.

Subp. 58. **Policy.** "Policy" means a written statement declaring mission and purpose.

Subp. 58a. **Prescription medication.** "Prescription medication" means a medication that is required by federal law to bear the following statement: "Caution: Federal law prohibits dispensing without prescription."

Subp. 59. **Procedure.** "Procedure" means a written statement establishing the action plan to implement policy.

Subp. 60. **Responsible physician.** "Responsible physician" means an individual licensed to practice medicine and provide health services to the inmate population of the facility or the physician at an institution with final responsibility for decisions related to medical judgments.

Subp. 61. **Sally port.** "Sally port" means an enclosure situated in the perimeter wall or fence of the facility containing gates or doors at both ends, only one of which opens at a time, ensuring there will be no breach in the perimeter security of the facility.

Subp. 62. **Secure facility.** "Secure facility" means a facility that is designed and operated to ensure that all entrances and exits are under the exclusive control of the facility's staff.

Subp. 63. [Repealed, 38 SR 523]

Subp. 63a. **Security equipment.** "Security equipment" means an approved security device used by staff as a response to or prevention of resistance.

Subp. 64. **Security perimeter.** "Security perimeter" means the outer portions of a facility that provide for secure confinement of facility inmates.

Subp. 65. [Repealed, 38 SR 523]

Subp. 65a. **Segregation area.** "Segregation area" means an area of the facility that houses inmates requiring either prehearing detention, administrative segregation status, or lockdown time for disciplinary violations. This area is separate from the general population and houses inmates individually.

Subp. 65b. **Sexual misconduct.** "Sexual misconduct" means any sexual contact or sexual acts between inmates or between inmates and staff that is either illegal or maltreatment under Minnesota Statutes. Sexual misconduct includes consensual sexual contact or acts between staff members and inmates.

Subp. 65c. **Special management area.** "Special management area" means an area that provides the greatest degree of physical security for the control and separation of inmates.

Subp. 66. **Special management inmate.** "Special management inmate" means an inmate who presents a serious threat to safety or security of the facility, staff, general inmate population, or self.

Subp. 67. **Special needs inmate.** "Special needs inmate" means an inmate whose mental or physical condition requires special handling and treatment by staff.

Subp. 68. [Repealed, 38 SR 523]

Subp. 69. **Substantially conform.** "Substantially conform" means a compliance rating of 100 percent on rules under part 2911.0300, subpart 5a, item B, and 90 percent compliance on rules under part 2911.0300, subpart 5a, item C.

Subp. 70. [Repealed, 38 SR 523]

Subp. 71. **Variance.** "Variance" means an exception to a specific rule or rules for a specified period of time.

Subp. 72. [Repealed, 38 SR 523]

**Statutory Authority:** *MS s 241.021*

**History:** *23 SR 1834; L 2013 c 62 s 32; 38 SR 523*

**Published Electronically:** *December 20, 2013*