

**2911.0900 STAFFING REQUIREMENTS.**

Subpart 1. **Staffing plan and staffing analysis.** The facility administrator shall prepare and retain a staffing plan.

The staffing plan shall identify:

- A. jail personnel assignments for:
  - (1) facility administration and supervision;
  - (2) facility programs including exercise and recreation;
  - (3) inmate admission, booking, supervision, and custody;
  - (4) support services including medical, food service, maintenance, and clerical; and
  - (5) other jail-relevant functions such as escort and transportation of inmates;
- B. the days of the week that the assignments are filled;
- C. the hours of the day that the assignments are covered; and
- D. any deviations from the plan with respect to weekends, holidays, or other atypical situations must be considered.

The facility administrator or designee shall review the facility's staffing plan at least once each year. The review shall be documented in written form sufficient to indicate that staffing plans have been reviewed and revised as appropriate to the facility's needs or referred to the facility's governing body for funding consideration.

A facility with a design capacity of more than 60 beds must have a staffing analysis and staffing plan approved by the commissioner of corrections. This staffing analysis shall include all posts, functions, net annual work hours appropriate to each post, and total number of employees to fill the identified posts and functions.

Subp. 2. **Administrator.** There shall be a single administrator of each facility.

Subp. 3. **Class I and Class II facilities.** In Class I and Class II facilities with average daily inmate populations of less than 30, the administrator may be a designated staff person with primary responsibility other than administration of the facility.

Subp. 4. **Class III facilities.** Class III facilities with average daily inmate populations under 30 shall have a full-time staff person employed as facility administrator/program coordinator who shall not be classified as a custody person whose primary duty is supervision of inmates.

Subp. 5. **Class I to Class VI facilities.** Class I to Class VI facilities with average daily inmate populations exceeding 30 shall have a single administrator of the facility whose duties are solely related to administration of the facility.

Subp. 6. **Centralized administration.** In Class I to Class VI facilities where multiple facilities are under a centralized administration, the total average daily inmate population of facilities involved shall determine the level of facility administration required. Where multiple facilities are under a centralized administration, the most stringent facility classification requirement with respect to facility administration shall be met.

Subp. 7. **Assistant jail administrator.** Where the custodial responsibility of inmates exceeds 60, an assistant jail administrator shall be required. Assistant jail administrators shall not be classified as custody personnel whose primary duties are supervision of inmates.

Subp. 8. **Staff person in charge.** Facility administration shall designate a staff person to be in charge at all times in the absence of administrative staff from the facility.

Subp. 9. **Condition of custody staff person on duty.** An inmate shall not be detained without custody staff on duty, present in the facility, awake and alert at all times, and capable of responding to emergencies or the reasonable needs of inmates.

Subp. 10. **Supervision of inmates of opposite gender.** Staff members shall not be placed in positions of responsibility for the supervision and welfare of inmates of the opposite gender in circumstances that can be described as invasion of privacy, degrading, or humiliating to the inmates. When staff of one gender are used as program resource personnel with inmates of the opposite gender, staff of the inmates' gender must be on duty and in the facility.

Subp. 11. **Maintenance personnel and custody staff; separation of duties.** Maintenance personnel shall be employed to perform preventive, routine, and emergency maintenance functions. Custody staff shall not be given physical plant maintenance duties that detract from their primary responsibilities for ongoing supervision of inmates.

Subp. 12. **Assistance for dispatcher or custody staff person.** In a facility that uses the dispatcher or custody position as sole supervision, the dispatcher or custody staff person must be assisted on duty by another custody staff person when the facility's inmate population exceeds five.

Subp. 13. [Repealed, 38 SR 523]

Subp. 14. **Backup resource assistance.** In facilities that use the dispatcher or custody position as sole supervision, policy and procedures shall be implemented that assure a reasonable level of security and backup resource assistance for the dispatcher or custody person in circumstances that require emergency response assistance. The DOC shall review and approve the policy and procedures.

**Subp. 15. Ratio of custody staff to inmates, reporting incidents, and responding to emergencies.**

A. A facility with a design capacity of 60 or fewer beds shall meet the staffing ratios in this item. For inmate supervision, the overall facilitywide minimum ratio of custody staff to inmates shall be one custody officer to 25 inmates. These staff must be in the facility and on duty at all times and not involved in temporary duties outside of the facility. Included in this ratio are all staff who are assigned and trained in the custody and supervision of inmates as their primary duty. Staff not directly responsible for custody and supervision of inmates such as administrative, supervisory, program, bailiff, or support staff shall not be included in this ratio.

B. A facility with a design capacity of 60 or more beds shall meet the staffing ratios in this item. For inmate supervision, the overall facilitywide minimum ratio or custody staff to inmates shall not be less than:

- (1) 1 to 60 inmates for direct supervision housing units with lockdown capability;
- (2) 1 to 48 inmates for direct supervision dormitories;
- (3) 1 to 40 for indirect or podular inmate supervision; and
- (4) 1 to 25 inmates for linear housing areas.

C. A facility administrator may apply for a specific variance from the staffing requirements in this subpart from the commissioner. Consideration of this variance shall require that supervision of inmates is accomplished in an appropriate manner and that the safety and security of the facility, staff, and inmates are not compromised.

**Subp. 16. [Repealed, 38 SR 523]**

**Subp. 17. Escort, movement, or booking staff.** Class I to Class VI facilities' staff shall be provided as follows:

A. internal escort, rover, or movement officers in sufficient numbers as determined in the approved staffing plan under this subpart to ensure that inmates have access to staff, programs, activities, and services, and that the safety and security of the facility is not compromised;

B. sufficient staff present to provide for the booking of offenders without a reduction in the safety or security of the facility and inmates;

C. in multifloor jails, custody staff posted on each floor occupied by inmates; and

D. sufficient numbers of staff to complete duties listed in post orders.

Class I to Class VI facility staff shall not be used for the external transportation of inmates or court security if the level of inmate supervision, inmate admission, programs, or

internal inmate movement would be reduced below minimums afforded under the facility's staffing plan.

Subp. 18. **Program staff requirements for Class II.** In a Class II facility a staff person shall be designated to coordinate community services and volunteer programming.

Subp. 19. **Class I exemptions.** Class I facilities are exempt from the requirement in subpart 18, except those facilities approved by the commissioner to house inmates serving alternative sentences.

Subp. 20. **Coordination of programs.** In a Class III and Class VI facility, a staff person shall be designated to coordinate educational and vocational programs, social service programs, work release, and volunteer services programs. The following minimum inmate to program staff ratio shall apply for the average daily population:

- A. 30 or under, program staffing needs comply with subpart 4;
- B. 31 to 60, one full-time program staff person; and
- C. over 60, program staffing needs are addressed as part of the overall facility staffing plan.

Subp. 21. **Class IV facilities.** Class IV facilities shall meet the same requirements as Class III facilities unless 75 percent or greater of the inmates served are on a work release, educational release, community service, or sentencing to service status. When such is the case the program staff requirements may be reduced by 50 percent for the Class IV facility. When Class III and Class IV facility program staff requirements are met from a central source, rather than at each facility independently, the total program staff must be representative of the requirements applicable to each facility.

Subp. 22. **Class V facilities.** Class V facilities with 60 or fewer inmates shall provide program staff at one-half the ratio required for Class III facilities. If over 60 inmates, a staffing plan is required for assessment.

Subp. 23. **Custody staff override.** The ratio of custody staff to inmates may be reduced proportionate to the facility's population decrease during those hours that inmates are released from the facility for work release, educational release, community service, or sentencing to service activities.

No override reduction is allowed in any facility using a custody staff person or dispatcher as sole supervision or facilities using staffing patterns that employ one dispatcher and one custody staff person.

Facilities using the override allowed in this subpart must document the number of inmates in the facility on an hourly basis and those under the facilities' jurisdiction that are temporarily released from the facility for work, education, community service, or

sentencing to service programs. The facility shall also document the number of available custody staff for the population housed in the facility on an hourly basis.

Subp. 24. **Program staff increase override.** The number of program staff required shall be increased in facilities that provide program oversight and supervision of alternative to incarceration programs such as home detention, electronic monitoring, or sentencing to service involving offenders who are not incarcerated or detained in the facility a portion of each day.

Subp. 25. **Support staff requirements.** Support staff requirements are as follows: clerical, maintenance, and food service staff shall be provided to meet operational requirements applicable to the facility.

Subp. 26. **Ancillary functions.** Personnel shall be provided to perform ancillary functions such as transportation or court escort to the extent necessary to ensure that security, supervision of inmates, the administration of program activities, and the efficient operation of the facility are not reduced or jeopardized by such activities.

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

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