



TERRY E. BRANSTAD, GOVERNOR
KIM REYNOLDS, LT. GOVERNOR

DEPARTMENT OF CORRECTIONS
JOHN BALDWIN, DIRECTOR

August 5, 2013

Gary Boswell, Chairperson
Decatur County Supervisors
207 N. Main Street
Leon, Iowa 50144

Re: Decatur County Jail Inspection

Dear Chairman Boswell:

The Decatur County Jail was inspected by the Iowa Department of Corrections on June 27, 2013, 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 action:

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

50.13(1) Admission and classification.

b. With the exception of incidental contact under staff supervision, the following classes of prisoners shall be kept separate by architectural design barring conversational and visual contact from each other:

(1) Juveniles and adults (pursuant to Iowa Code section 356.3).

(2) Females from males (exception-alternative jail facilities) (pursuant to Iowa Code section 356.4).

c. The following shall be kept separate whenever possible:

(1) Felons from misdemeanants.

(2) Pretrial prisoners from sentenced prisoners.

(3) Witnesses from prisoners charged with crimes.

d. The following shall be kept physically separated:

(1) Prisoners of whom violence is reasonably anticipated.

(2) Prisoners who are a health risk to others.

(3) Prisoners of whom sexually deviant behavior is reasonably anticipated.

(4) Prisoners likely to be exploited or victimized by others.

Comment: The jail consists of two (2) cell areas with one (1) adjoining dayroom. Classification and separation of prisoners as required by IAC 201-50.13(1) cannot be accomplished. Verbal assurance from Sheriff Muir and Jail Administrator Arnold indicating prisoners are moved to other facilities when separation is required.

The mission of the Iowa Department of Corrections is:

To advance successful offender reentry to protect the public, staff and offenders from victimization.

(Office) 515-725-5701 - 510 East 12th Street, Des Moines, Iowa 50319 - (FAX) 515-725-5799

Corrective action: The admission and classification requirements noted in Chapter 201-50.13(1) shall be strictly followed and prisoners requiring separation shall continue to be moved to a jail that can provide the required separation.

IAC 201-50.19(356,356A) Communication

50.19(4) General visitation.

a. All prisoners in normal status shall be allowed visitation.

Comment: The Iowa Administrative Code requires that prisoners be allowed reasonable visitation. Persons visiting prisoners stand in the courthouse hallway and visit with prisoners through steel grating. The visitation procedure requires staff be available to monitor visitation in order to prevent the introduction of contraband into the jail. This issue has been noted in inspection reports since June of 2001. The shower and restroom facilities are located inside the door where the prisoner would stand. Any prisoner that would be showering or using the restroom facilities at the time of a visit could be subjected to the view of visitors and the general public. This practice is an excellent opportunity for contraband to be introduced into the jail and for court ordered no contact orders to be violated. These issues create a safety and security concern for prisoners, staff and the public.

Corrective action: Decatur County shall address the issues of public and staff safety, security, and the privacy of the prisoners.

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

50.4(8) Storage.

b. Adequate storage space for prisoners' personal clothing and property shall be provided. Space provided shall be secure, and the prisoner's name or identification number shall be affixed to the storage space. Property shall be inventoried and accounted for as provided in Iowa Code section 804.19. Previously addressed in 50.13(2)(c).

Comment: Prisoner property storage is located in the booking room in unlocked file cabinets. The public has easy access to this area.

Corrective action: Please ensure prisoner property is secured to prevent loss and theft.

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.

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 exits.

Comment: The Iowa Administrative Code requires that prisoners be offered exercise outside the cell area. A secure exercise area is not available. The jail policy is to allow prisoners outside of the building with staff escort. This procedure allows prisoners to walk in the public area around the courthouse and/or to a public park. During inclement weather prisoners are allowed to walk the hallways of the courthouse. This is an unsafe situation for the prisoners, jail staff and the public and has been noted in inspection reports since June of 1998.

Corrective actions: The current practice of exercise creates a serious safety and security issue as well as creating a tremendous liability for Decatur County. Decatur County should give serious consideration to discontinuing these practices and find an alternate method of providing exercise to the prisoners.

IAC 201—50.14(356,356A) Cleanliness and hygiene.

50.14(1) Housekeeping.

a. The jail shall be kept clean and sanitary. Toilets, wash basins, showers and other equipment throughout the facility shall be maintained in good working order. Walls, floors and ceilings shall be well maintained.

Comment: During the walk through of the jail, stucco was peeling off the walls in several areas. These pieces of concrete could be used as a weapon to further damage the interior of the jail or used against staff or another prisoner. This is a serious safety and security concern for prisoners, staff and public.

Corrective action: Please ensure these areas are properly addressed to promote safety and security in the jail.

Additional comments:

The design and staffing of the jail creates a safety and security concerns for staff, prisoners and the public. There are numerous pipes, protrusions and holes in the walls of the jail that a prisoner could harm themselves or someone else with. The door going into the jail is insecure and readily accessible to the general public due to the door of the jail leads directly into corridor of the courthouse. Booking is being conducted in an unsecured office. The prisoner has access to the entire east half of the Sheriff's Office and to the entire courthouse. Any citizen conducting business with the Sheriff's Office, regardless of the time of day, is subjected to the booking process. These safety and security concerns have been brought to your attention during previous inspections and corrective action has been requested.

The current Decatur County Jail has outlived its usefulness. Staff is doing a good job with a facility that does not meet current needs of law enforcement or the safety of the public.

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Several issues and concerns have been discussed in the letter. These issues have all been discussed in previous letters without being adequately addressed. Please review this letter, understanding these are the major concerns and are not an all-inclusive detailed list of deficiencies.

Sheriff Muir advised me a bond issue vote is scheduled for November 2013 to address the needs of the jail. He gave a summary of the plans for the buildings across the street and how they would be utilized. I encourage Decatur County to continue to aggressively move forward with this plan.

I wish to thank Sheriff Bert Muir, Sergeant Randy Arnold, and the sheriff's office staff for their cooperation and assistance during the inspection.

Sincerely,
Delbert G. Longley
Chief Jail Inspector

cc: Sheriff
County Attorney
File