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State of Wisconsin Department of Corrections

January 2, 2007

Sheriff Robert Carlson
Racine County Sheriff's Department
717 Wisconsin Avenue
Racine, WI 53403

RE: Racine County Jail, 2006 Annual Inspection

Dear Sheriff Carlson:

On October 18 and October 19, 2006, the *Annual Inspection* of the Racine County Jail was conducted pursuant to Wisconsin Statute 301.37(3). The inspection compared the facility and its operations to the Department of Correction Administrative Code, Chapter DOC 350, and to applicable state statutes. The facility has a maximum approved capacity of 650 inmates, and on the date of the inspection there were 719 inmates in custody (620 Male, 99 Female). This correspondence summarizes the findings of the inspection and outlines some of the improvements and enhancements since the last annual inspection in 2005, as well as areas in violation of administrative code and those in need of improvement.

INSPECTION SUMMARY

Summary of Progress from the Previous Year

The last *Annual Inspection* occurred in February 2005, and since that time there have been a number of changes and improvements at the facility. Some of these changes and improvements include the following:

- Construction of the addition to the Law Enforcement Center commenced this summer and significant progress is being made that will help reduce the present crowding situation at the jail.
- The Criminal Justice Coordinating Committee continues to meet on a monthly basis to address areas of current and future need, including alternatives to incarceration.
- A second shift classification officer has been added to the facility to ensure that inmates are being properly housed in a timely manner.

- Approximately 100 new mattresses have been purchased to replace many that are old and ripped due to inmate use and abuse.
- The contract with HPL for healthcare coverage at the jail is being expanded to 24 hours every day.
- The ratio of Deputies assigned to the jail has continued to decrease as new vacancies are being filled with civilian Corrections Officers. Seven new officers were recently hired at the jail.

Safety and Security Practices

There is a process in place to conduct regular security checks in the living units as stipulated in DOC 350.12. These security checks are recorded via the "De-Tex" system in place throughout the jail. However, the "De-Tex" is only being utilized during 3rd shift when inmates are locked in their cells. As a supplement to the "De-Tex", Deputies/Officers complete an electronic activity log that is entered into the facility's Criminal Justice Management System (CJMS). It should be noted that a review of both the "De-Tex" and activity logs indicated that the frequency of security checks is not in accordance with administrative code (i.e., DOC 350.07(7)) or good correctional practice.

Monthly lock and fire exit inspections are being conducted on a monthly basis by one of the Department's Sergeants. These checks are completed and documented as is required in DOC 350.12(5). The form being utilized to document these monthly checks is excellent and provides detailed information. When problems are uncovered, maintenance is immediately notified. There is also a system in place to conduct shakedowns of the facility, including the Huber inmate "hot" lockers.

The last two fire inspections by the Racine Fire Department were completed on June 29, 2006 and October 27, 2005. An extensive fire drill involving multiple county agencies and the local fire department is conducted on an annual basis. Self-contained breathing apparatuses are being checked on a monthly basis and documented. There is also a system in place for contracted vendors to check the fire safety equipment on a regular basis as well.

Records and Reporting

The Racine County Jail maintains records and logs pursuant to DOC 350.11. A review of the system in place indicated that appropriate information is being obtained on each individual being booked into the facility. Policies and procedures are in place to inventory property, complete the Intake Health Screen, and to prepare inmates for entry into the facility. Significant events and incidents are recorded in the CJMS.

The reporting requirements for unusual occurrences are outlined in DOC 350.11(4). Since the last annual inspection, your staff has contacted this office in a timely manner when significant incidents have transpired. Your staff has also provided any documentation requested by this office as soon as available and has cooperated fully with the Department of Corrections.

Inmate Management

Pursuant to DOC 350.15(1), each individual admitted to the facility is provided with a copy of the inmate rules. Additionally, the rules of the facility have been placed onto transparencies and affixed to the glass in the living unit for inmate reference and to maintain visual observation by the Deputy/Officer. This is an excellent practice that I have also shared with other jails in the Southeast Region. There is a system in place to handle violations of the rules. There is a due process system which includes hearings if requested and a review process by supervisory staff.

A solid inmate classification system is being utilized at the jail which has been expanded by the placement of an additional classification officer on second shift. Given the continuous crowding occurring at the jail, classification staff has done an extraordinary job at objectively assigning inmate housing assignments despite insufficient bed space. Concurrently, however, the effect of crowding at the facility has led to the placement of multiple inmates in a cell that limits the effectiveness of classification decisions by increasing security risks to both staff and inmates. On the two days of the inspection as well as other site visits, many units were housing three inmates to a cell. This greatly increases the potential for serious incidents to arise despite the presence of an objective classification system.

Inmate Health Screening and Care

Health care staff availability at the jail appears significant with nurses on duty 20 hours per day. As noted earlier, the contract with HPL is being amended and will increase coverage at the jail 24 hours per day. The physician is on site approximately 4 hours per week but on call at all times. Dental services are provided through a local dentist, and involves about 10-12 inmate visits per month for primarily extractions or temporary fillings.

Each inmate being admitted into the facility has a health screening form completed on them by the booking Deputy/Officer with a copy sent to the nursing staff for review. Inmates who indicate "yes" to any of several questions (e.g., diabetic) are then seen by the nurse to receive a thorough assessment. Inmate testing for TB and physicals are completed within the first 14 days of confinement. Inmates also maintain the ability to request routine medical care by completing a form that is forwarded to health care. No set sick call hours are scheduled, as staff will see inmates at any time throughout the day.

All medications entering the facility are verified and counted by a nurse. Nursing staff develop the Medication Administration Records (MARS) for each inmate taking a prescription. Medications are then sent to the units where they are passed to inmates by the Deputy/Officer. The MARS are checked by nursing staff once per month to ensure proper documentation.

One area of concern brought forth during the inspection involved the absence of proper documentation of stock medications being kept at the facility, particularly controlled substances. Additionally, the counting of these medications was inaccurate during a review done by myself and one of the nurses. Although these medications are maintained in a locked cart, access to these medications by unauthorized staff or inmates exists. Due to health care staffing shortages at the jail, Sergeants have access to the medical cart key to obtain medications but with no documentation of what was taken or for whom. This is a serious concern that could potentially jeopardize the security of the facility.

Requests for special diets are also reviewed by health care staff and are provided if deemed medically necessary and verified. Food service is then notified of any special dietary needs for an inmate. There is also a system in place to complete a Health Transfer Form as is required in State Statute 302.388.

Suicide Prevention and Special Needs

The identification of inmates with suicidal ideologies or other special needs is initially completed via the inmate health screening form that is completed at booking. Those identified as being suicidal or "at risk" are placed on a 15 minute watch. Additionally, inmates currently incarcerated within the units may also be placed on a suicide watch based upon behavior or suicidal comments made to staff or other inmates. If there is a risk of self-harm, a referral form is completed and sent to the health care office as well as Racine Psychological Services who provides the mental health services for the facility. Health care staff is also notified to ensure that the physiological well-being of the inmate is maintained. An inmate can only be taken off of the suicide watch by a mental health professional.

As noted above, the security checks for inmates placed on a suicide watch is to be every 15 minutes and is typically recorded on the electronic activity log. However, a review of these logs indicated that no consistent practice exists, and that some of the checks are longer than 15 minutes. For example, some staff attempt to log each check as they are completed, while others record each check on a piece of paper and enter the information into the log as time permits. Still other staff document suicide checks through a 3-4 hour block of time, stating that checks were conducted every 14-15 minutes. There appears to be too much inconsistency with the suicide checks.

Food Service

A walk-through of the kitchen area showed it to be clean, well maintained and organized. Racine County utilizes a 5 week menu cycle which was found to offer a variety of meals and maintains appropriate caloric content. All menus are reviewed by a certified Dietician who also reviews the menus for the Juvenile Detention Center. The kitchen area employees 3 full-time and 4 part-time cooks, and has a number of inmate workers assigned to the area to provide food preparation tasks. Food temperatures are being taken as are those for the freezers and coolers within the kitchen area.

One area of concern brought forth during the inspection concerned the need to develop a more detailed tool/knives control log. The log currently being used is not being kept accurate in terms of detailing the name of the inmate or staff member checking out a knife. All persons should sign out and sign back in any sharp being taken from the secure box in the kitchen area.

Requests for special diets are initially screened by health care staff which will be honored if deemed medically necessary via external documentation. Upon approval, special diets are sent to the kitchen staff that then provides the meal.

Programming

There are a number of programming opportunities available to inmates confined at the Racine County Jail. Programs include a comprehensive Jail Alternative and Diversion Programs overseen by Zimmerman Consulting that involves Alternatives to Incarceration, AODA, Day Reporting Center, Employment Programs, Intensive Supervision, and Jail Literacy. GED and tutoring services are also available where many inmates have taken advantage and graduated from the jail. Additionally, two teachers from the Racine Unified School District provide educational services to eligible inmates.

The Jail Chaplaincy Program is also positively received by inmates confined at the jail. A wide range of services are available that among others, include Bible Study, Alcoholics Anonymous meetings, anger management, domestic violence, group counseling, and life skills. Worship services are also provided each week at the facility.

The unfortunate aspect of the programming at the facility involves the lack of space available to the many volunteers and inmates requesting services. Much of the programming is currently being completed in the corridors of the jail. It is hoped that the programming space designated for the jail expansion will provide some relief to this problem.

Inmate Services

The inspection included a review of the facility's practices regarding inmate services. Policies and procedures are in place for inmate services such as mail (incoming/outgoing), visitation, reading materials, and canteen. Although recreational areas exist, the lack of staffing at the jail renders these areas vacant due to the operational problems moving inmates back and forth. However, the policies and procedures in operation indicate that all inmates are being provided reasonable access to these services.

An area of concern brought forth during the inspection involves the jail's inmate grievance procedure. Many inmates during the two day inspection provided documentation of complaints that they filed that have never been responded to by staff. Although inmates should attempt to initially resolve their complaints or concerns informally by discussing with the unit Deputy/Officer, the formal process for submitting complaints does not appear to be fully operational. Currently, inmates are handing their complaints to the Deputy/Officer who is then responsible for either addressing the concern or disseminating to a supervisor if the issue remains unresolved. If a complaint is brought against the unit Deputy/Officer, inmates are encouraged to wait until the next shift. This process, however, compromises the integrity of the grievance procedure. One suggestion is to maintain a locked box either on the floor or in the units where supervisory staff would only have access. Additionally, the timeliness of providing responses to inmates should be strictly enforced.

Jail Maintenance, Sanitation & Physical Plant

In large part, a review of the sanitation practices in place at the Racine County Jail was found to meet the requirements set forth in DOC 350.08. Linens and clothing are being exchanged at the proper rates per week. However, an area to be addressed involves the lack of cleaning of mattresses that are located on the floors due to crowding. These mattresses should be sanitized, as all others, upon the release of the inmate. Additionally, many of the inmates spoken with

throughout the facility continually requested cleaning supplies so that they could sanitize their living area, dayroom, and shower. Further, the food tray passage for many of the units were in need of being thoroughly cleaned and sanitized.

Violations of Administrative Code/Recommendations

The *2006 Annual Inspection* of the Racine County Jail identified a number of violations of Administrative Code. Based upon a review of past inspections, many of these violations have been longstanding in nature and are a reflection of the crowding present at the facility. Again, it is hoped that, upon completion, the expansion of the jail will rectify some of the physical plant limitations currently existing. The areas that have been identified as being in violation are as follows:

DOC 350.07(7)

This section of the Administrative Code covers the double-celling provisions for county jails. In particular, the code requires that when inmates are locked in their cells jail staff shall physically observe each inmate in all areas at least once every 60 minutes at irregular intervals. These checks should be documented. A review of the "De-Tex" found a number of examples where cell checks were not being done at the 60-minute minimum intervals.

DOC 350.05(3)(d)(1)

This section of the code requires that a rigidly constructed metal bed or one built of masonry be provided for each inmate at the facility. Many of the housing units had inmates sleeping on the floor. In those areas where double-celling occurs, three inmates were housed in one cell.

DOC 350.05(4)(b)

This section of the Administrative Code requires that all dayrooms have sufficient seating and tables for the number of occupants in these areas. When crowding exists, there is not sufficient seating and tables in the dayroom areas for the number of occupants there.

In addition to the violations noted above, several recommendations are being provided to the Racine County Jail based upon observations taken during the 2006 annual inspection. These recommendations are being provided to ensure the continued safety and security of the facility.

- The Dietician should conduct a thorough inspection of kitchen operations, sanitation, compliance with menus, etc. on an annual basis. This practice has been found to be extremely beneficial to a number of county jails in order to maintain healthy and sanitary practices.
- Both kitchen staff and inmates should be required to accurately sign tools and knives out and back in each time they are removed and brought back to the secure lock box.
- All stock medications (prescription and narcotics) should be logged when they are passed to inmates. Counts of stock narcotics need to match what is currently available in the blister packs. A review during the inspection revealed missing medications without proper documentation.

- Access to medications, including controlled substances should be limited to health care staff only. In times when nursing staff is limited, only supervisory staff should have access, but should also be required to document what they took and for whom.
- As with other areas of the jail, long-term memorandums or directives intended for the inmate population should be placed on transparencies. Several areas of the jail such as the male Huber and on the holding room windows have notices that are paper that is torn.
- The inmate grievance procedure should be re-examined so that complaints are handled by the most appropriate area/staff in the jail. Responses to inmate complaints should be timely. To maintain the integrity of the system, it is suggested that locked boxes be placed on each floor or unit, with access limited to supervisory staff.
- Physical security checks should be enforced throughout the jail to ensure that staff is observing inmates at frequent and irregular intervals. In many instances, it appears that staff is simply not documenting, or taking credit for monitoring inmates within the units.

Conducting 15 minute physical security checks of inmates on suicide watch needs to be strictly enforced. Documentation should either be manual or on the electronic activity log.

- The basketball hoop in the outdoor recreation area of 2A (AODA unit) should either be removed or replaced.
- All mattresses and particularly those being used for inmates sleeping on the floor should be sanitized upon the release of the inmate.

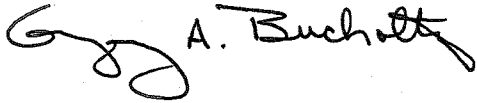
Approval

It is clear that the crowding present at the Racine County Jail is having an adverse effect on the operation of the jail. Many of the administrative code violations found during the inspection are a direct result of crowding. The housing of 3 inmates per cell in many areas of the facility could potentially jeopardize the safety of staff and inmates. Although it is hoped that the expansion project will help to alleviate much of the crowding, it is not a panacea to this problem. As such, the idea of transferring inmates to other local facilities should not be dismissed.

The Racine County Jail is conditionally approved for operation by this department. This approval is based on the provision that steps will be taken to correct the violations identified in this report.

I would like to thank Captain James Scherff and Lieutenant John Gordon for their assistance and cooperation during the inspection. I would also like to extend my thanks to Deputy Jon Hansen who escorted me throughout the facility during the two day inspection. Please feel free to contact me should you have any questions, or if I can be of assistance to you and your department.

Sincerely,

A handwritten signature in black ink, appearing to read "Gregory A. Bucholtz". The signature is written in a cursive style with a large, looping initial "G".

Gregory A. Bucholtz, Inspector
Office of Detention Facilities

Cc: William McReynolds, Racine County Executive
Michael J. Miklasevich, Racine County Board Chairman
Joan C. Rennert, Racine County Clerk
Jon Lehman, Racine Corporation Counsel
James Scherff, Captain
Marty Ordinans, DOC/ODF
File