



U.S. Department of Homeland Security
U.S. Immigration and Customs Enforcement
Office of Professional Responsibility
ICE Inspections
Washington, DC 20536-5501

**Office of Detention Oversight
Special Review
2024-003-336**

**Enforcement and Removal Operations
ERO Saint Paul Field Office**

**Sherburne County Jail
Elk River, Minnesota**

April 30-May 2, 2024

**SPECIAL REVIEW
of the
SHERBURNE COUNTY JAIL
Elk River, Minnesota**

TABLE OF CONTENTS

FACILITY OVERVIEW	4
SPECIAL REVIEW PROCESS	5
FINDINGS BY NATIONAL DETENTION STANDARDS 2019 MAJOR CATEGORIES	6
DETAINEE RELATIONS	6
SPECIAL REVIEW FINDINGS	6
CARE	6
FOOD SERVICE	6
CONCLUSION	7

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ODO

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Creative Corrections

Creative Corrections

FACILITY OVERVIEW

The U.S. Immigration and Customs Enforcement (ICE) Office of Professional Responsibility (OPR) Office of Detention Oversight (ODO) conducted a special review of the Sherburne County Jail (SCJ) in Elk River, Minnesota, from April 30 to May 2, 2024.¹ The facility opened in 1979 and is owned by Sherburne County and operated by the Sherburne County Sheriff's Office. The ICE Office of Enforcement and Removal Operations (ERO) began housing detainees at SCJ in 1989 under the oversight of ERO's Field Office Director in Saint Paul (ERO Saint Paul). The facility operates under the National Detention Standards (NDS) 2019.

██████████ A jail commander handles daily facility operations and manages ██████████ support personnel. Trinity Services provides food services, Wellpath provides medical care, and Sherburne County provides commissary services at the facility. The facility was accredited by the American Correctional Association in August 2021 and the National Commission on Correctional Health Care in January 2022. In April 2022, SCJ was audited for the Department of Justice (DOJ) Prison Rape Elimination Act (PREA) and was DOJ PREA certified.

Capacity and Population Statistics	Quantity
ICE Bed Capacity ²	██████████
Average ICE Population ³	██████████
Adult Male Population (as of April 30, 2024)	██████████
Adult Female Population (as of April 30, 2024)	██████████

During its last rated inspection, in Fiscal Year (FY) 2023, ODO found 1 deficiency in the following area: Transportation by Land (1).

¹ This facility holds male and female detainees with low, medium-low, medium-high, and high security classification levels for periods greater than 72 hours.

² Data Source: ERO Custody Management Division Authorized Facility List as of April 29, 2024.

³ *Ibid.*

SPECIAL REVIEW PROCESS

ODO conducts oversight inspections of ICE detention facilities with an average daily population (ADP) of 10 or more, and where detainees are housed for over 72 hours, to assess compliance with ICE national detention standards. While these inspections focus on facility compliance with detention standards that directly affect detainee life, health, safety, and/or well-being, in FY 2024 ODO added additional standards to the scope of each full inspection to ensure ODO inspects every standard at each facility at least once every other year.⁴

ODO identifies violations of ICE detention standards, ICE policies, or operational procedures, as “deficiencies.” ODO highlights instances when the facility resolves deficiencies prior to completion of the ODO inspection. Where applicable, these corrective actions are annotated with “C” under the *Compliance Inspection Findings* section of this report.

In FY 2022, ODO began conducting special reviews of under 72-hour ICE detention facilities with an ADP of 1 or more detainees and over 72-hour ICE detention facilities with an ADP of 1 to 9 detainees. Additionally, ODO began conducting unannounced inspections of ICE detention facilities, regardless of ADP of detainees, as well as reviews of ICE special/emerging detention facilities/programs. As such, these facility inspections will result in an ODO Inspection Compliance Rating; however, for facilities that are not contractually obligated to an ICE NDS, those ratings will be for ERO’s informational purposes. ODO will conduct a complete review of several core standards, in accordance with the facility’s contractually required ICE NDS or in accordance with the ICE NDS listed in the current ERO Custody Management Division Authorized Facility List for facilities that are not contractually obligated to an ICE NDS, which may include but are not limited to Medical Care/Health Care, Medical Care (Women)/Health Care (Females), Significant Self-harm and Suicide Prevention and Intervention, Hunger Strikes, Food Service, Environmental Health and Safety, Special Management Units (SMU) or Hold Rooms (if the facility does not have an SMU), Use of Force and Restraints/Use of Physical Control Measures, and Sexual Abuse and Assault Prevention and Intervention.

Upon completion of each special review or unannounced inspection, ODO conducts a closeout briefing with facility and local ERO officials to discuss preliminary findings. A summary of these findings is shared with ERO management officials. Thereafter, ODO provides ICE leadership with a final compliance inspection report to: (i) assist ERO in developing and initiating uniform corrective action plans (UCAPs); and (ii) provide senior executives with an independent assessment of facility operations. ODO’s findings inform ICE executive management in their decision-making to better allocate resources across the agency’s entire detention inventory.

⁴ ODO reviews the facility’s compliance with selected standards in their entirety.

FINDINGS BY NATIONAL DETENTION STANDARDS 2019 MAJOR CATEGORIES

NDS 2019 Standards Inspected ^{5,6}	Deficiencies
Part 1 - Safety	
Environmental Health and Safety	0
Sub-Total	0
Part 2 - Security	
Use of Force and Restraints	0
Special Management Units	0
Staff-Detainee Communication	0
Sexual Abuse and Assault Prevention and Intervention	0
Sub-Total	0
Part 4 - Care	
Food Service	1
Hunger Strikes	0
Medical Care	0
Significant Self-Harm and Suicide Prevention and Intervention	0
Sub-Total	1
Part 7 - Administration and Management	
Detention Files	0
Sub-Total	0
Total Deficiencies	1

DETAINEE RELATIONS

ODO interviewed one detainee, who voluntarily agreed to participate. The detainee did not make allegations of discrimination, mistreatment, or abuse and reported satisfaction with facility services.

SPECIAL REVIEW FINDINGS

CARE

FOOD SERVICE (FS)

ODO interviewed the FS director and assistant building facilities director, reviewed the inspection documents on the fixed fire suppression system in the FS department, and found August 2023 was

⁵ For greater detail on ODO's findings, see the *Special Review Findings* section of this report.

⁶ During a special review, ODO will review a facility's compliance with at least 10 individual standards.

the last inspection of the facility’s fixed fire suppression system (**Deficiency FS-112⁷**).

CONCLUSION

During this special review, ODO assessed the facility’s compliance with 10 standards under NDS 2019 and found the facility in compliance with 9 of those standards. ODO found one deficiency in the remaining standard. This was SJC’s first special review.⁸ Because of the change from biannual inspections to special reviews, a trend analysis of SCJ is not available; however, SCJ remained consistent with one deficient standard and one deficiency between last year’s full inspection and this special review. ERO Saint Paul provided ODO with the UCAP for ODO’s last full inspection of SJC in April 2023, which likely resolved the deficiency from that inspection. ODO recommends ERO Saint Paul continue to work with the facility to resolve any deficiencies that remain outstanding in accordance with the contractual obligations.

Compliance Inspection Results Compared	FY 2023 Full Inspection (NDS 2019)	FY 2024 Special Review (NDS 2019)
Standards Reviewed	19	10
Deficient Standards	1	1
Overall Number of Deficiencies	1	1
Priority Component Deficiencies	0	0
Repeat Deficiencies	0	0
Areas Of Concern	0	0
Corrective Actions	0	0
Facility Rating	Superior	Superior

⁷ “A qualified contractor shall inspect the system every six months.” See ICE NDS 2019, Standard, Food Service, Section (II)(I)(10)(c).

⁸ SCJ’s FY 2023 final ADP was less than 10, which moved SCJ from biannual inspections to special reviews in FY 2024.