

NEWS

Report: \$500K settlement reached in Ramsey County jail inmate's beating

By **KRISTI BELCAMINO** | kbelcamino@pioneerpress.com | Pioneer Press
May 30, 2019 at 10:29 p.m.

A man beaten while handcuffed and restrained at the Ramsey County jail will receive more than \$500,000 as part of a settlement reached with the county, according to a KMSP-TV report Thursday.

A video of the April 13, 2016, incident shows Terrell Wilson being punched in the chest and kned in the crotch by Ramsey County sheriff's correctional officer Travis VanDeWiele while he was being held down by several other officers in a transport chair.

Wilson's attorney Mike Padden said in March that the 27-year-old would pursue a claim for compensation, attempting to negotiate a resolution before possibly pursuing litigation.

Reached Thursday night, Padden said that no lawsuit had been filed and that he could neither confirm nor deny that a settlement had been reached.

An agenda for the Ramsey County Board meeting Tuesday shows the following: "Executive Session ****CLOSED TO PUBLIC**** Re: Claim of Terrell Isaiah Wilson."



According to the video of the incident, while officers tried to secure Wilson into a transport chair, VanDeWiele kned Wilson in the crotch several times and then when he pushed on the restrained man's head and neck, Wilson complained of excessive force.

VanDeWiele responded, "You ain't seen excessive force yet" and punched the restrained man four times in his abdomen or chest area, according to the criminal complaint against VanDeWiele.

Johnson, previously known as Terrell Johnson, was having a hard time talking, but he managed to say, "Please don't kill me," the complaint continued.

The video also shows that while Wilson is bent forward at the waist in the chair, VanDeWiele forcibly presses Wilson's head down into his legs. At the time, Wilson had a "spit hood" over his mouth, which officers had placed on him earlier.

VanDeWiele resigned in February, a year after he pleaded guilty to a misdemeanor in connection with his treatment of the inmate.

Ramsey County Sheriff Bob Fletcher, who was not working at the sheriff's office at the time of the incident, called the events captured on video "extremely disturbing to me and other members of the Ramsey County Sheriff's Department."

An acting correctional sergeant recorded the incident — they've been videotaping at the Ramsey County jail for years to ensure only the necessary amount of force is used when responding to an uncooperative detainee, Fletcher said.

Fletcher said the video was not only troubling because of VanDeWiele's actions: "Equally disturbing is the fact that no one else in that video, whether it was the six correctional officers or the two police officers, were willing to step forward and put a hand on Mr. VanDeWiele and say, 'Hold on, I've got it from here' and intervene in that cycle," Fletcher said.

In addition to VanDeWiele's departure, the sergeant on duty at the time of the Johnson case left the sheriff's office in March 2017, a month after VanDeWiele was charged.

Fletcher said the video "demonstrated failed supervision and poor training."

"The supervisor present and all employees witnessing these actions had a duty to intervene to stop the assaultive tactics and the use of excessive force," Fletcher wrote in a statement. "The conduct captured on the video will not be tolerated under my watch. Misconduct will be investigated expeditiously and if personnel are found at fault, discipline will be swift and thorough."

Tags: **Bob Fletcher, Crime, Ramsey County**

 Author **Kristi Belcamino** | Weekend reporter

Kristi Belcamino works as a weekend reporter at the Pioneer Press. Her first reporting job was at the White Bear Press. After working as a police reporter at the Contra Costa Times in the San Francisco Bay Area, she moved back to Minnesota. She has worked at the Pioneer Press since 2013.

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2/7/23, 6:35 AM

Report: \$500K settlement reached in Ramsey County jail inmate's beating – Twin Cities

NEWS > CRIME & PUBLIC SAFETY

Ramsey County reaches \$1.5M settlement with jailers who said they were segregated from Derek Chauvin

Eight correctional officers filed a lawsuit and county commissioners are scheduled to vote on the settlement Tuesday.

By **MARA H. GOTTFRIED** | mgottfried@pioneerpress.com | Pioneer Press
PUBLISHED: August 4, 2022 at 6:48 p.m. | UPDATED: August 5, 2022 at 12:14 p.m.

Ramsey County has reached a settlement of nearly \$1.5 million with correctional officers of color who were initially ordered to stay away from the floor of the Ramsey County jail where Derek Chauvin was being held.

Eight correctional officers filed a lawsuit last year, in which they said they “were segregated and prevented from doing their jobs ... solely because of the color of their skin.”

County commissioners are scheduled to vote on the settlement Tuesday, according to a board agenda published Thursday.

The county will issue a written statement and apology acknowledging the May 29, 2020, order by the jail’s then-superintendent “was discriminatory and wrong,” the settlement agreements state.



After the May 25, 2020, death of George Floyd in Minneapolis, then-Minneapolis officer Chauvin was charged with murder and manslaughter and arrested. He was initially booked at the Ramsey County Adult Detention Center in St. Paul, where the jailers work. Chauvin was later convicted of the state charges, as well as separate federal civil rights charges, and sentenced to more than 20 years in prison. Chauvin is white; Floyd was Black.

Steve Lydon, the Ramsey County jail superintendent at the time, ordered that all correctional officers of color — including the eight people who filed the lawsuit — not interact with or guard Chauvin, or enter the fifth floor where Chauvin was held, according to the lawsuit filed in Ramsey County District Court.

JAIL DIRECTOR SAYS HE REALIZED ERROR; ATTORNEY SAYS WORKERS DISTRESSED

Lydon has said he had 10 minutes' notice that Chauvin was being brought to the jail.



Steve Lydon (Pioneer Press)

"Recognizing that the murder of George Floyd was likely to create particularly acute racialized trauma, I felt I had an immediate duty to protect and support employees who may have been traumatized and may have heightened ongoing trauma by having to deal with Chauvin," Lydon said in a public statement in 2020. "Out of care and concern, and without the comfort of time, I made the decision to limit exposure to employees of color to a murder suspect who could potentially aggravate those feelings."

Lydon said jail staff expressed concern about his decision and "within 45 minutes I realized my error and reversed the order."

Lucas Kaster, one of the attorneys represented the correctional officers, spoke when he filed the lawsuit in February 2021. He said the impact on the workers "has been immense, they're deeply humiliated and distressed. The bonds necessary within the high-stress and high-pressure environment of the (detention center) have been broken."

The workers alleged multiple violations of the Minnesota Human Rights Act, including race and color discrimination and hostile environment. Three later added claims of reprisal under the Human Rights Act. They sought attorney's fees, and emotional distress and punitive damages; some alleged loss of income.

INDIVIDUAL SETTLEMENTS RANGE FROM \$76K TO \$251K

Both sides took part in mediation in May and July and agreed to the settlement during the July session. Two of the settlement agreements for correctional officers are for \$251,000, five for \$176,000 and one for \$76,000.

Four remain Ramsey County employees and the other four no longer work for the county.

The county denies liability and is settling the lawsuit to "avoid the risks, uncertainty, and costs associated with litigation," according to the settlement agreements.

Ramsey County Sheriff Bob Fletcher removed Lydon from his job supervising the jail. He's now a director of planning and policy for the sheriff's office, which was a demotion and resulted in a substantial salary reduction, according to the sheriff's office.

The lawsuit named Ramsey County as a whole and the sheriff's office "consequently had no decision-making authority in the settlement with the eight plaintiffs," according to Roy Magnuson, sheriff's office spokesman.

County officials aren't able to comment on the settlement until after the board votes on Tuesday, a county spokeswoman said Thursday. Kaster also didn't have a comment Thursday.

Tags: **Bob Fletcher, Derek Chauvin, Ramsey County, Ramsey County Board**

 Author **Mara H. Gottfried** | St. Paul crime and public safety reporter

Mara Gottfried has been a Pioneer Press reporter since 2001, mostly covering public safety. Gottfried lived in St. Paul as a young child and returned to the Twin Cities after graduating from the University of Maryland. You can reach her at 651-228-5262.

mgottfried@pioneerpress.com

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To: Bob Fletcher, Sheriff

From: Sara Hollie, Director, Public Health
Kathy Hedin, Deputy County Manager, Health and Wellness

CC: Ryan O'Connor, County Manager
Scott Williams, Deputy County Manager, Safety and Justice
Fue Thao, Assistant County Attorney
Kimberly Parker, Assistant County Attorney
Michelle Dean, Correctional Health Division Manager
Dr. Lynne Ogawa, Medical Director, Public Health
Dr. Michelle VanFranken, Medical Director, Correctional Health
William Finney, Undersheriff
Michael Johnson, Assistant Superintendent

Date: December 21, 2022

Re: Medical Direction and Care at the Adult Detention Center

Recent incidents have occurred at the Adult Detention Center that violate the attached Memorandum of Agreement between Public Health and the Adult Detention Center.

Most recently we have documented the following when working to provide medical oversight and care to people in custody at the Adult Detention Center and during the booking process.

- **October 2022 to date, transport has contacted Correctional Health staff to cancel 19 appointments. There is no consultation on urgency, or the emergency need for these appointments with our Medical Directors or Correctional Health staff.** These appointments take months to coordinate and many contacts with outside providers. This delays care and urgent follow-up that our patients need to maintain their health and safety while in your custody at the ADC. We recently met with your team to navigate this challenge and remain hopeful that your team can address the staffing issues they face with you and the Superintendent. We all agree that would help reduce and even eliminate cancellations and monitoring of patients at Regions Hospital.
- **December 16, 2022, a high-speed chase and roll over occurred with an individual in Ramsey County.** It's our understanding the Sheriff's office was the department that made the arrest and denied the person medical care before he was eventually released from custody the same day. The Medical Directors and Correctional Health team were told that the directive was made by you and a member of your leadership team to not send this person to Regions Hospital for further medical evaluation before this person was booked at the ADC.

Correctional Health staff were not able to evaluate the person in order to recommend if he was fit for confinement. Per the attached October 8, 2019, letter to Ramsey County Chiefs it's stated that:
Our nursing staff may refuse an intake of an arrestee due to their current medical status. Arrestees will need to be evaluated at Regions Hospital ER where their staff will be able to provide medical treatment, care recommendations and determine if the arrestee can be housed at the ADC.

As the provider of medical services at the ADC, our Medical Directors and Correctional Health Division Manager has the authority to determine if someone is fit for confinement. Public Health has a duty to provide the medical care of residents while in custody. When you or your department leadership directs Correctional Officers to **not** work with us to get basic health care, it puts our medical licensures at risk, the leadership of the Adult Detention Center at risk, and the liability of safety and care at risk for people in our care. We have not received any documentation that a physician cleared the person at the scene to be fit for confinement. As a result, we charted that we did not clear this person for custody last Friday before his release. This information will be subject to Department of Justice review when audited.

To date, there has also been no documentation or communication from your office to us in writing that the directives have changed.

On behalf of Public Health and the Health and Wellness Service Team, we request that any changes in your directives that conflict with the attached MOU and letter to the Ramsey County Chiefs regarding medical care and services to people in your custody be communicated in writing to us **by Thursday, December 22, 2022.**

We also ask that you continue to abide by the agreed upon MOU until a new MOU is written and agreed upon by Public Health and the Ramsey County Sheriff's Office.

Sincerely,

Sara Hollie, Director – Saint Paul Ramsey County Public Health

Kathy Hedin, Deputy County Manager – Health and Wellness Service Team



Ramsey County Sheriff's Office

Bob Fletcher, Sheriff

Detention Services Division

425 Grove Street • Saint Paul, Minnesota 55101

Phone: 651-266-9352 • Fax: 651-266-9351

www.RamseyCountySheriff.us

October 8, 2019

Dear Ramsey Chiefs,

The Ramsey County Sheriff's Office Adult Detention Center (ADC) ability to provide diagnosis, treatment recommendations or emergency care is very limited. Our medical unit functions similarly to a doctors' office. On occasion, our nursing staff may refuse intake of an arrestee due to their current medical status. Arrestees will need to be evaluated at Regions Hospital Emergency Department their staff will be able to provide medical treatment, care recommendations and determine if the arrestee can be housed at the ADC.

Prior to transportation to the ADC, Regions Hospital staff should have the opportunity to evaluate arrestees with the following conditions:

- Significant untreated injuries, open wounds or infections.
- Indication or suspicion of drug ingestion.
- Suicide attempt immediately prior to arrest.
- Unable to walk or stand (not due to disability)
- Hallucinations or disorientation to person, place or time.
- Extreme anxiety, insensitivity to pain or abnormal strength.
- If the arrestee was evaluated by medics the Officer needs to bring documentation of what the medics have cleared the arrestee for.
- Chest pain or shortness of breath
 - If the arrestee was evaluated by medics at the scene, please have the officer bring in the 12-lead EKG strip
 - It is an information gathering tool and may not prevent the nurse from sending the arrestee to Regions.
- Involved in an accident immediately prior to arrest.
- Under constant medical care, assistance or therapy.

It is imperative that the documented treatment paperwork accompanies the inmate to the ADC after the hospital discharges the arrestee. If your officers have any questions, please have them contact the Booking Sergeant at 651-266-9402.

Stephen Lydon
ADC Superintendent

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (“MOU”) is between the Saint Paul – Ramsey County Department of Public Health (hereinafter referred to as “Public Health”), the Ramsey County Sheriff’s Office (hereinafter referred to as “Sheriff”), and the Ramsey County Community Corrections Department (hereinafter referred to as “Corrections”).

WHEREAS, Ramsey County, through the Sheriff, operates the Ramsey County Adult Detention Center (“ADC”), located at 425 Grove Street, St. Paul, Minnesota; and

WHEREAS, Ramsey County, through Corrections, operates the Ramsey County Correctional Facility (“RCCF”), located at 297 S. Century Avenue, Maplewood, Minnesota; Boys Totem Town (“BTT”), located at 398 Totem Road, St. Paul, Minnesota; and the Juvenile Detention Center (“JDC”), located at 480 St. Peter Street, St. Paul, Minnesota; and

WHEREAS, Ramsey County has the legal obligation to provide health care for detainees/residents; and

WHEREAS, Public Health, Sheriff, and Corrections have reached agreement on the terms and conditions under which Public Health will provide on-site professional medical services to detainees/residents at the ADC, BTT, JDC and RCCF;

NOW, THEREFORE, Public Health, the Sheriff, and Corrections agree:

I. Term

The initial term of this MOU is July 1 2016, through June 30, 2021 (“Initial Term”). This MOU will automatically renew for additional twelve-month periods (“Renewal Terms”).

II. Public Health Services

During the Initial Term of this Agreement, and any Renewal Terms, Public Health will, in consultation with the contracted Health Care Services Medical Director for the Facilities, perform and provide the following services (“Health Care Services”):

- A. Ensure the provision of all health care services to detainees/residents at the ADC, BTT, JDC and RCCF (collectively the “Facilities”) pursuant to, and in accordance with, all applicable federal and state laws, regulations, decrees, orders, standards, contracts, and other agreements, including, but not limited to, the Americans with Disability Act, Minnesota Rules Chapters 2911 and 2960, and Immigration and Customs Enforcement (ICE) Detention Healthcare Standards; the Minnesota Department of Health, the regulations of all Minnesota health care credentialing boards and commissions, all regulations and policies of the Minnesota Department of Corrections, and policies pertaining to the delivery of health care services at the facilities. All Public Health and contracted services shall be provided by licensed professionals as required by the State of Minnesota.
- B. Be responsible for determining the level of services needed by the detainee/resident which may include the determination of whether an detainee/resident is in need of

onsite medical care, emergency department referral, referral to an outside specialist, or otherwise in need of specialized care.

- C. Provide scheduled nursing services at each facility which includes individual health appraisals, intake screening, scheduled sick call, triage, documentation, medication management, treatment plans and medication delivery training for non-licensed staff.
- D. Coordinate and schedule contracted professional medical, dental, psychiatric and other related health care for detainees/residents. Assignment of such contracted personnel is subject to successful completion of a criminal history background investigation, Prison Rape Elimination Act (PREA) training and verification of appropriate licensure.
- E. Provide management and supervision of all health care services staff including the following:
 - 1. Work with the contracted Medical Director to establish policies and procedures that are compliant with the Minnesota Department of corrections policies, facility policies and to coordinate medical services provided on-site.
 - 2. Interview, selection, and evaluation of Health Care Services personnel.
 - 3. As requested, provide specific staffing plans for health care services personnel to all facility Administrators. This plan shall allow for coverage during holidays at the ADC and the RCCF and provide a schedule to the Superintendent/Administrator of each facility upon request.
 - 4. Be responsible for gathering quarterly statistics detailing the number of detainees/residents served at each Facility by each of the primary services: medical, dental, psychiatry, special therapies, inpatient care and other support services. Quarterly statistics shall be sent to the Ramsey County Health Care Administrator and the Public Health Clinical Services Division Manager. Annual patient-based data will be gathered when an electronic health records system is implemented at each facility.
 - 5. Assist the Sheriff and Corrections with the orientation of corrections/detention staff on health policies and procedures as requested.
 - 6. Provide training to unlicensed Corrections staff to properly deliver medications within 30 days of request.
 - 7. Perform annual performance appraisals for all Health Services staff with input as appropriate from by the Sheriff and Corrections.
- F. Prison Rape Elimination Act (PREA)

Public Health staff (Health Services and SOS) will comply with the Prison Rape Elimination Act and with all applicable PREA Standards including background checks, county policies related to PREA and county standards related to PREA. Public Health acknowledges that, in addition to "self-monitoring requirements" the County will conduct "on-site" compliance monitoring.

- G. Verify that all staff providing Health Care Services (employees of Public Health and those providing direct services under contract with Public Health contracted personnel) under this MOU are licensed as required by the State of Minnesota and maintain records of credentials for such staff. In the event that any such licenses are canceled, revoked, suspended, or expired while this MOU is in effect, Public Health agrees to immediately remove the unlicensed person from the facility, notify facility administrator, and replace with a licensed person.
- H. Submit a separate quarterly invoice to the Health Care Administrator for Health Care Services provided at each Facility. Each invoice will specify the dates of service; actual costs incurred by Public Health to provide the service, including any necessary administrative and supervisory costs; and a detailed listing of the employees providing services at each Facility, along with hours worked, compensatory time used and actual costs of same. The annual maximum cost per Facility will be agreed upon during the budget process and amended as necessary to ensure adequate service/staffing levels and program needs.

III. Sheriff and Corrections Responsibilities

During the Initial Term and any Renewal Terms, the Sheriff and Corrections shall, as appropriate to their respective Facilities:

- A. Provide space in the Facilities, supplies and detainee/resident records requested by Public Health as necessary for Public Health to provide Health Care Services in accordance with the provisions of this MOU. This shall include but is not limited to:
 - 1. Providing a clinic setting that assures privacy and is equipped to examine, evaluate and treat Inmates that allows for the provision of quality medical care as defined by the National Commission on Correctional Health Care.
 - 2. Purchasing and updating equipment as recommended by Public Health in coordination with facility administrator.
 - 3. Providing as safe and secure an environment as is possible within the correctional or detention facility.
 - 4. Provision of up to 20 hours a week of clerical support at RCCF. Exact schedule and hours to be agreed upon by Public Health and facility administration.
 - 5. Provide accounts payable services at the ADC.

- B. Meet a minimum of quarterly with supervisory staff from Public Health to review Health Care Services policies, staffing, quality assurance, and other related issues.
- C. Conduct routine criminal history background investigations for contracted staff.
- D. Review and evaluate the Health Care Services for each Facility on an annual basis. This review shall be completed in conjunction with the Public Health Clinical Services Division Manager in collaboration with facility administrators as applicable.
- E. Incorporate the agreed upon Health Care Services policies and procedures into each Facility's policies and procedures.
- F. Work with Public Health to provide transportation and security resources necessary for detainees/residents to access off-site health care services.

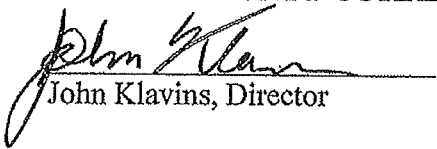
IV. General Conditions

- A. The contact person for each of the parties to this MOU are:

Public Health:	Marina McManus
RCCF:	Allen Carlson
BTT:	Keith Lattimore
JDC:	Peter Jessen-Howard
ADC:	Joe Paget

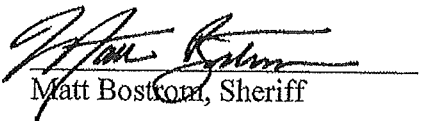
WHEREFORE, the parties have executed this MOU as of the last date written below.

RAMSEY COUNTY CORRECTIONS


 John Klavins, Director

Date: 5-17-16

RAMSEY COUNTY SHERIFF'S OFFICE


 Matt Boston, Sheriff

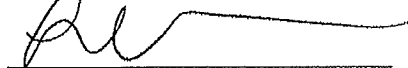
Date: 5/26/16

SAINT PAUL - RAMSEY COUNTY PUBLIC HEALTH


 Rina McManus, Director

Date: 5/10/16

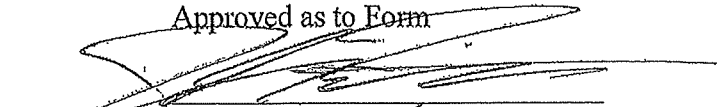
RAMSEY COUNTY HEALTH CARE ADMINISTRATION



Leon Boeckermann, Administrator


Date: 5-24-16

Approved as to Form



John Ristad 5/16/2016
Assistant County Attorney

Approved as to Form



Kimberly Parker 5-17-16
Assistant County Attorney

2-17-78

1000

OConnor, Ryan

From: Hollie, Sara
Sent: Wednesday, December 21, 2022 11:48 AM
To: Fletcher, Bob B; Hedin, Kathy
Cc: OConnor, Ryan; Williams, Scott; Thao, Fue L; Parker, Kimberly R; Dean, Michelle; Ogawa, Lynne; VanVranken, Michele; Finney, William; Johnson, Mike T
Subject: Medical Direction and Care at the Adult Detention Center
Attachments: Medical Direction and Care at the Adult Detention Center Memo_12.21.22.pdf; MOU.2016-2021.pdf; Letter to Chiefs October 2019.pdf

Good morning Sheriff Fletcher,

Please see the attached memo from Deputy County Manager Hedin and I regarding the recent incidents that have occurred at the Adult Detention Center.

We are requesting a response from you by **tomorrow, Thursday, December 22, 2022.**

Sincerely,
Sara

Sara Hollie, MPH

Director

Saint Paul-Ramsey County Public Health | *Health and Wellness Service Team*

Phone: 651-266-2424

90 Plato Blvd. West, Suite 200, Saint Paul, MN 55107



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Cathy St. Michel | Administrative Assistant
Assistant to Public Health Director, Sara Hollie
Saint-Paul Ramsey County Public Health
Phone: 651-266-2454
www.ramseycounty.us

OConnor, Ryan

From: Hollie, Sara
Sent: Tuesday, January 24, 2023 10:53 AM
To: Fletcher, Bob B; Hedin, Kathy
Cc: OConnor, Ryan; Williams, Scott; Thao, Fue L; Parker, Kimberly R; Dean, Michelle; Ogawa, Lynne; VanVranken, Michele; Finney, William; Johnson, Mike T
Subject: FOLLOW-UP: Medical Direction and Care at the Adult Detention Center
Attachments: Medical Direction and Care at the Adult Detention Center Follow-up Memo_1.24.23.pdf; MOU.2016-2021.pdf; Letter to Chiefs October 2019.pdf

Importance: High

Good morning Sheriff Fletcher,

Deputy County Manager Hedin and I sent the following information and request to you and your staff on December 21, 2022. This is our second inquiry after not receiving a response back.

We look forward to your response by **Friday, January 27, 2023**.

Sincerely,
Sara

Sara Hollie, MPH

Director

Saint Paul-Ramsey County Public Health | *Health and Wellness Service Team*

Phone: 651-266-2424

90 Plato Blvd. West, Suite 200, Saint Paul, MN 55107



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Cathy St. Michel | Administrative Assistant
Assistant to Public Health Director, Sara Hollie
Saint-Paul Ramsey County Public Health
Phone: 651-266-2454
www.ramseycounty.us

From: Hollie, Sara
Sent: Wednesday, December 21, 2022 11:48 AM
To: Fletcher, Bob B <Bob.Fletcher@CO.RAMSEY.MN.US>; Hedin, Kathy <kathy.hedin@CO.RAMSEY.MN.US>
Cc: OConnor, Ryan <ryan.oconnor@CO.RAMSEY.MN.US>; Williams, Scott <Scott.Williams@CO.RAMSEY.MN.US>; Thao, Fue L <fue.thao@co.ramsey.mn.us>; Parker, Kimberly R <kimberly.parker@co.ramsey.mn.us>; Dean, Michelle <Michelle.Dean@CO.RAMSEY.MN.US>; Ogawa, Lynne <lynne.ogawa@CO.RAMSEY.MN.US>; VanVranken, Michele <Michele.VanVranken@CO.RAMSEY.MN.US>; Finney, William <William.Finney@CO.RAMSEY.MN.US>; Johnson, Mike T <mike.t.johnson@CO.RAMSEY.MN.US>
Subject: Medical Direction and Care at the Adult Detention Center

Good morning Sheriff Fletcher,

Please see the attached memo from Deputy County Manager Hedin and I regarding the recent incidents that have occurred at the Adult Detention Center.

We are requesting a response from you by **tomorrow, Thursday, December 22, 2022.**

Sincerely,
Sara

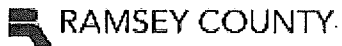
Sara Hollie, MPH

Director

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Cathy St. Michel | Administrative Assistant
Assistant to Public Health Director, Sara Hollie
Saint-Paul Ramsey County Public Health
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Ramsey County Sheriff's Office

Bob Fletcher, Sheriff

Office of the Sheriff

425 Grove Street • Saint Paul, Minnesota 55101

Phone: 651-266-9308 • Fax: 651-266-9301

www.RamseyCountySheriff.us

MEMORANDUM

To: Sara Hollie, Director, Public Health
Kathy Hedin, Deputy County Manager, Health and Wellness

From: Bob Fletcher
Sheriff

Date: January 30, 2023

Copy: Ryan O'Connor, County Manager
Scott Williams, Deputy County Manager, Safety and Justice
Fue Thao, Assistant County Attorney
Kimberly Parker, Assistant County Attorney
Michelle Dean, Correctional Health Division Manager
Dr. Lynne Ogawa, Medical Director, Public Health
Dr. Michelle VanFranken, Medical Director, Correctional Health
William Finney, Undersheriff - Superintendent, Adult Detention Center
Michael Johnson, Assistant Superintendent, Adult Detention Center

Reference: Response to Your Letter Regarding Medical Direction and Care at the Ramsey County Adult Detention Center

I learned long ago that it is important to have your facts correct before slandering another public agency. Your letter contains false statements and gross inaccuracies. By now, I assume you have heard that on Wednesday, January 25, 2023, I informed jail supervisors that I am intending to look for alternative public health services for the Ramsey County Jail.

This memorandum will address your false accusations, which are only part of my belief that we can find better service that meets the needs of inmates and jail staff from a provider other than the Saint Paul-Ramsey County Public Health Department.

You stated that our office has cancelled "19 clinic appointments" with "no consultation" with medical staff since October 2022. This is false. The facts are:

- In the 14 documented rescheduled clinics during this period, there was *a/ways* consultation between the Sheriff's Office (Regions Hospital Holding Unit Sergeant) and Public Health (Medical Clerk). In the period referenced, our office completed 78 clinics, 72 of which were at locations outside of Regions Hospital.



- On two occasions, Public Health scheduled a second, short notice, urgent clinic appointment at the same time as another clinic appointment. On at least one occasion, the patient refused to go to their clinic appointment.
- In most cases, the Sergeant requested a rescheduled clinic because Deputies were involved with the custody of multiple individuals at Regions Hospital. This is because Public Health sends a high number of individuals to Regions Hospital. In this period, there were 106 in-custody patients sent to the Regions Hospital Emergency Department (ED), 29 of whom were admitted to the hospital.
- The Sheriff's Office is required to maintain direct custody of individuals sent to the Regions Hospital ED. Since October 1, 2022, maintaining direct custody accounted for over 3,726 hours of one-on-one custody at Regions Hospital.

You stated that a “high-speed chase and roll over” occurred on December 16, 2022. This is false.
The facts are:

- The incident referenced was a single vehicle crash involving a suspected impaired driver.
- No high-speed chase occurred, nor was such information communicated by our staff to Public Health.
- The driver was evaluated by Allina medical personnel, including their on-duty physician, prior to their transport to the Adult Detention Center (ADC). This was noted on the documentation brought to the ADC as well as in the Deputy's report.
- The decision was made that the individual would be booked upon arrival, and that if the nurse on-duty conducted an evaluation and a Public Health doctor determined that the individual should have further medical treatment, that could occur after the booking process was complete.
- Public Health staff made no attempt to evaluate the individual, but rather made the decision that the evaluation needed to be completed by Regions Hospital staff.

Sheriff's Office commitment to health and well-being of individuals in-custody

Under state law, “the sheriff shall have the charge and custody of the county jail...” (see Minn. Stat. § 387.11). State statute provides for the sheriff to “require the aid of such persons or power of the county as the sheriff deems necessary” in meeting statutory mandates (see Minn. Stat. § 387.03). This means the Sheriff's Office is legally obligated to take custody of any individual arrested and brought to the jail. The Sheriff's Office continues to maintain the right to book individuals, prior to sending them to Regions Hospital, barring an immediate emergency medical condition.

The Sheriff's Office is committed to the medical care of individuals in-custody. Since October 1, 2022, we have dedicated over 5,654 hours of regular time and 2,443 hours of overtime to clinics and custody of individuals sent to Regions Hospital for medical concerns.



Based on the high number of individuals Public Health frequently sends to Regions Hospital, it would appear that the Public Health Department is unable to accomplish basic healthcare needs in the ADC. This creates staff shortages and increased costs for county taxpayers.

Memorandum of understanding

As you know, the memorandum of understanding between the Public Health Department and Sheriff's Office expired June 30, 2021 and has automatically renewed for one year periods. The current agreement expires again on June 30, 2023. No signatory to this agreement is currently an elected official or appointed county department director.

Our office has previously requested revisions to this agreement, but Public Health has not taken any steps to advance a revised agreement. We were hopeful a revised agreement with the Public Health Department would improve services, collaboration, and healthcare to avoid looking at other correctional healthcare service options.

Over the last several years, there have been several incidents related to the provision of correctional healthcare services provided under the Public Health Department. This has raised the question if Public Health is the best fit for the delivery of such services at the Ramsey County Jail. As such, I informed jail supervisors on Wednesday, January 25, 2023, that I am intending to look for alternative healthcare services for the Ramsey County Jail.

Next steps

The letter dated October 8, 2019, to the Ramsey County Chiefs will be revised to provide additional clarity. You will be provided with a copy of the updated letter.

In the interim, until a long-term solution is identified for correctional healthcare services for the ADC, we encourage the Public Health Department to demonstrate leadership, care, and:

- **Work collaboratively with the Sheriff's Office and ensure you have the facts.** The Sheriff's Office will continue to work with and support the Public Health Department, and we hope you will support our office.
- **Update and revise the agreement between the Public Health Department and Sheriff's Office related to the delivery of correctional healthcare services.** As the current correctional healthcare provider, it is your responsibility to ensure all agreements are up to date, including any changes to services, programming, and practices. We hope you will take this responsibility seriously and engage with our office to update the agreement.
- **Develop relationships and agreements with emergency medical service providers to ensure Public Health staff have access to timely and accurate information to inform decision-making and medical care.** Due to a variety of legal, privacy, and logistical concerns, the Sheriff's Office cannot assume responsibility for the provision of healthcare records management, including information sharing.



- **Ensure the necessary healthcare and medical equipment is made available for Public Health staff.** Within reason, the Sheriff's Office will support requests made by the Public Health Department, including funding from capital improvement program (CIP), to ensure healthcare and medical equipment is available. Please include Undersheriff Bill Finney and Undersheriff Kyle Mestad on any such requests.
- **Support county-wide efforts to reduce the jail population and ensure contract service providers for Rule 20 evaluations.** As you know, the ADC is overpopulated due to delays in the court system following the COVID-19 pandemic and delays in the Rule 20 process. We have repeatedly requested space at the Correctional Facility, but to date, every request has been denied. As leaders within the Health and Wellness Service Team, you have failed to act upon your opportunity to positively impact residents in-custody.

There are other issues not contained in the memorandum regarding the performance and criminal activity of your Public Health Department employees that I will be glad to discuss in a face-to-face meeting.

As a final thought - hospitals are the most dangerous point in the chain of custody of an offender. There have been several law enforcement officers in Minnesota, including a Ramsey County Deputy, killed in the line of duty while providing custodial care in a hospital setting. The safety of staff and the community must not be overlooked.

Thank your time and attention to these matters.



**DEPARTMENT
OF CORRECTIONS**

VIA EMAIL ONLY

Sheriff Bob Fletcher
Ramsey Sheriff's Office
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Trista MatasCastillo, Chair
Ramsey County Board
15 W. Kellogg Blvd, Suite 220
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Undersheriff William Finney
Ramsey County Adult Detention Center
425 Grove Street
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CONDITIONAL LICENSE ORDER

Pursuant to Minnesota Statutes, section 241.021, subdivision 1a (a), the Minnesota Department of Corrections (DOC) hereby places Ramsey County Adult Detention Center's (ADC) license to provide adult detention facility services at 425 Grove Street, Saint Paul, MN 55101 on conditional status as of the date of this order. This means the Ramsey County ADC must limit its capacity to detain inmates as detailed below. This order is based on the Ramsey County ADC's failure to substantially conform to the minimum standards required under Minnesota Rules chapter 2911, and its failure to make satisfactory progress toward substantial conformance. These violations include Ramsey County ADC's repeated and ongoing noncompliance with minimum staffing requirements under Minnesota Rule 2911.0900 and other identified rule violations that appear to stem from these staffing issues as detailed below. Based on the DOC's investigation to date, Ramsey County ADC's failure to comply with applicable minimum staffing requirements has contributed to conditions that pose an imminent risk of life-threatening harm or serious physical injury to individuals confined or incarcerated in the facility, such that the reduction of capacity limits imposed by this conditional license order is necessary and will promptly correct the imminent risk of harm. This reduction in capacity is designed to ensure that Ramsey County ADC's staffing is sufficient to maintain the safety and wellbeing of the individuals in its care.

MINIMUM STANDARDS VIOLATED

Minn. R. 2911.0900

Minn. R. 2911.5800, subp. 2

Minn. R. 2911.5800, subp. 6

Minn. R. 2911.2525, subp. 1.A

Minn. R. 2911.5000

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Main: 651.361.7200 | Fax: 651.642.0223 | TTY: 800.627.3529
www.mn.gov/doc

FINDINGS OF VIOLATIONS OF MINIMUM STANDARDS

On January 27, 2023, the DOC received notice of a complaint against the Ramsey County ADC by Ramsey County Public Health, health authority for the Ramsey County ADC, that the safety and health of individuals at the facility are at risk. Specifically, the concerns raised in this complaint include the failure by Ramsey County ADC staff to follow directives of the health authority resulting in the denial of medical care to inmates as well as failures by Ramsey County ADC staff to transport multiple individuals to medical appointments that were determined to be necessary by the health authority. The DOC is currently investigating this complaint and has discovered in the course of its ongoing investigation multiple repeated violations of Minnesota Rules chapter 2911, which governs adult detention facilities.

Violations of Minimum Staffing Requirements

The DOC's ongoing investigation shows that Ramsey County ADC has repeatedly failed to meet minimum staffing requirements in violation of Minnesota Rule 2911.0900. After an inspection in November 2022, the DOC directed Ramsey County ADC to comply with minimum staffing requirements and directed the facility to submit a staffing plan to the DOC by December 31, 2022. On December 30, 2022, Ramsey County ADC submitted this required plan and informed the DOC that it was meeting required staffing levels. An audit of staffing records conducted as part of the DOC's current and ongoing investigation, however, found that minimum staffing levels were not met during 12 shifts between January 7 and January 25, 2023 in violation of Minnesota Rule 2911.0900.

Repeated Incidents of Failing to Provide Medical Care As Ordered by Ramsey County ADC's Health Authority

At 6:22 p.m. on December 12, 2022, correctional staff sought medical care for an individual in the Ramsey County ADC. At 6:35 p.m. the individual was assessed by medical staff who directed she be sent out by ambulance for medical care due to a suspected stroke. Correctional staff advised they did not have staff available and would call once they did. No ambulance was called until 7:42 p.m. and the individual was not admitted to the hospital until 7:58 p.m., more than an hour and a half after her symptoms were first observed. She was indeed suffering from a stroke. This is a violation of Minnesota Rule 2911.5800, subp. 2, which provides that medical matters are the sole province of the treating medical professional. In addition, the well-being checks immediately preceding this incident were reviewed and found to be out of compliance with the requirements of Minnesota Rule 2911.5000 in that correctional staff failed to take sufficient time to personally observe the well-being and status of the individual suffering the stroke.

On January 13, 2023, an inmate at Ramsey County ADC was sent to the hospital after he reported having swallowed drugs. When he returned to the facility, he reported that he ingested drugs between the time he left the hospital and his arrival back at the facility. Medical staff directed he be returned to the hospital for evaluation. Correctional staff refused to comply with this directive. This is a violation of Minnesota Rule 2911.5800, subp. 2, which provides that medical matters are the sole province of the treating medical professional.

On December 16, 2022, Medical staff was prevented from medically screening an individual who was initially brought to the Ramsey County ADC after an auto accident in violation of Minnesota Rule 2911.5800, subp. 6, which requires medical screenings to be "performed and recorded by trained staff on all inmates" on admission to a facility. Medical staff directed that the individual be screened but correctional staff refused in violation of Minnesota Rule 2911.5800, subp. 2. This individual was released without any medical screening being conducted.

On September 22, 2022, an individual entered the Ramsey County ADC and was placed in a holding cell from 7:48 a.m. until 1:10 a.m. on September 23, 2022 after being arrested for obstructing legal process and interfering with a police officer. Video evidence reveals that he was not provided any food or water during this time and that for a two-hour period he was bleeding without any attention from correctional staff. He was transported to the hospital at approximately 1:30 a.m. on September 23, 2022 for evaluation. This is a violation of Minnesota Rule 2911.5800, subp. 6, which requires medical screenings be performed and recorded by trained staff upon admission. In addition, Ramsey County ADC violated Minnesota Rule 2911.2525, subp. 1.A by failing to obtain and document emergency medical information within two hours of admission to the facility. This incident involved a delay in the provision of medical care due to correctional staff's failure to conduct proper well-being checks in violation of Minnesota Rule 2911.5000, subp. 5. The DOC provided Ramsey County ADC with a letter dated December 19, 2022 to Undersheriff Finney regarding this special incident.¹ In its letter the DOC required Ramsey County ADC to complete a written plan as to how it would address the violations by February 1, 2023. Ramsey County ADC failed to submit a plan.

Interviews with Ramsey County ADC staff identified inadequate staffing as contributing to the failure to timely follow medical directives as to the incidents described above.

Pattern of Failure to Conduct Timely and Appropriate Well-Being Checks

Ramsey County ADC has a long-documented history of failing to comply with the requirements of Rule 2911.5000, subp. 5 by failing to conduct timely and appropriate well-being checks of those in its custody. On February 10, 2022, the DOC issued Ramsey County ADC a correction order directing the facility to address its repeated and ongoing noncompliance with Rule 2911.5000, subp. 5. This correction order advised Ramsey County ADC that it was the "final correction order issued related to this ongoing noncompliance." The DOC's November 2022 inspection specifically identified continued non-compliance with well-being check requirements and the DOC directed Ramsey County ADC to submit a plan to address these concerns by December 15, 2022. In response, on November 29, 2022, Ramsey County ADC provided the DOC with a directive to their staff for well-being check audits beginning December 1, 2022. DOC's current investigation, however, identified continued non-compliance with well-being check requirements in December 2022 and January 2023 including well-being checks immediately preceding the incident involving the individual suffering a stroke detailed above.

TERMS OF CONDITIONAL LICENSE

Ramsey County ADC is hereby required to comply with the following terms in order to maintain its license:

1. Ramsey County ADC's approved capacity is reduced to 360 inmates and its operational bed capacity is reduced to 324 inmates from February 3, 2023 until November 30, 2023 or until further order by the DOC.
2. Ramsey County ADC must submit to the DOC a capacity-reduction plan to reach the capacity limits imposed by this Conditional License Order by close of business on Monday, February 6, 2023. This

¹ Ramsey County ADC is required to report emergencies or unusual occurrences at the facility to the DOC. *See* Minn. Stat. § 241.021, subd. 1, Minn. R. 2911.3700, subp. 4 (identifying types of occurrences required to be reported to the DOC, commonly referred to as special incidents).

plan must result in achieving the ordered capacity reduction no later than noon on Wednesday, February 8, 2023.

3. Ramsey County ADC must begin to immediately reduce facility population to comply with the capacity limits imposed by this order and provide daily written updates to Senior Detention Inspector Jen Pfeifer on these capacity-reduction efforts until the facility population is reduced to the capacity limits imposed by this order.
4. Ramsey County ADC must report to Senior Detention Inspector Jen Pfeifer any time the facility's population exceeds the capacity limits imposed by this order.

RIGHT TO REQUEST RECONSIDERATION

Ramsey County ADC has the right to request reconsideration of this conditional license order. Under Minnesota Statutes Section 241.021 subdivision 1e, any request for reconsideration does not stay any provision of this order. A request for reconsideration must:

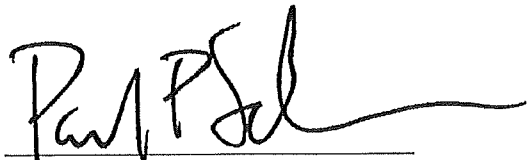
- Be in writing
- Be sent by certified mail to the Commissioner and postmarked no later than 30 calendar days after receipt of this order
- Specify the parts of the order that are alleged to be in error
- Explain why the order is in error
- Include any supporting documentation to show why the order is in error

Failure to follow these requirements will result in the loss of the right to request reconsideration. The timeline to seek reconsideration begins upon receipt of this order. Please send any request for reconsideration to:

Commissioner, Department of Corrections
ATTN: Inspection and Enforcement Unit
1450 Energy Park Drive, Suite 200
St. Paul, MN 55108

So ordered,

Date: 02/03/2023



Paul Schnell
Commissioner of Corrections