

**2945.0100 DEFINITIONS.**

Subpart 1. **Scope.** For the purpose of this chapter, the following terms have the meanings given them.

Subp. 2. [Repealed, 39 SR 1203]

Subp. 3. **Approved capacity.** "Approved capacity" means the maximum number of detainees that any cell, room, unit, building, facility, or combination of them is approved for in compliance with the standards.

Subp. 4. **Average daily population.** "Average daily population" means the average number of detainees residing daily during the last calendar year. Detainees on furlough or hospitalized are excluded.

Subp. 5. **Class I municipal lockup facility.** "Class I municipal lockup facility" means an adult detention facility operated by a municipal government used to confine detainees for more than 48 hours and no more than 72 hours, excluding weekends and holidays.

Subp. 6. **Class II municipal lockup facility.** "Class II municipal lockup facility" means an adult detention facility operated by a municipal government used to confine detainees for up to 48 hours excluding weekends and holidays.

Subp. 7. **Class III municipal lockup facility.** "Class III municipal lockup facility" means an adult detention facility operated by a municipal government used to confine detainees for up to 16 hours.

Subp. 8. **Class IV municipal lockup facility.** "Class IV municipal lockup facility" means an adult detention facility operated by a municipal government used to confine detainees for up to four hours.

Subp. 9. **Commissioner.** "Commissioner" means the commissioner of the Minnesota Department of Corrections.

Subp. 10. **Communicable disease.** "Communicable disease" means a disease or condition that causes serious illness, serious disability, or death, the infectious agent of which may pass or be carried, directly or indirectly, from the body of one person to the body of another.

Subp. 11. **Contraband.** "Contraband" means those items designated by the municipal lockup facility as prohibited on the physical premises of the facility.

Subp. 12. **Controlled substance.** "Controlled substance" means a drug, substance, or immediate precursor in Schedules I to V of Minnesota Statutes, section 152.02. The term does not include distilled spirits, wine, malt beverages, intoxicating liquor, or tobacco.

Subp. 13. **Court holding facilities.** "Court holding facilities" means those areas where persons are held in conjunction with a court appearance. Court holding facilities

may be secure but are nonresidential in design, and persons are not normally held there beyond four hours.

Subp. 14. **Custody personnel.** "Custody personnel" means those staff members or employees who are responsible for the custody and supervision of detainees.

Subp. 15. **Department of Corrections; department.** "Department of Corrections" or "department" means the Minnesota Department of Corrections.

Subp. 15a. **Detainee.** "Detainee" means an individual, adult or juvenile, detained or confined in a local facility.

Subp. 16. [Repealed, 39 SR 1203]

Subp. 17. **Emergency.** "Emergency" means a significant incident or disruption of normal facility procedures, policies, routines, or activities arising from events such as: fire, riot, natural disaster, suicide, assault, or medical emergency.

Subp. 18. [Repealed, 39 SR 1203]

Subp. 19. **Facility administrator.** "Facility administrator" means the individual who has been delegated the responsibility and authority for the administration and operation of a local facility.

Subp. 20. **Holding cell.** "Holding cell" means a cell or room in a lockup facility used to hold one or more persons temporarily while awaiting release, booking, court appearance, transportation, or interrogation.

Subp. 21. **Inspection.** "Inspection" means an on-site assessment of existing conditions made to determine the facility's compliance with this chapter.

Subp. 22. [Repealed, 39 SR 1203]

Subp. 23. [Renumbered subp 32a]

Subp. 24. **Local facility.** "Local facility" means any city lockup.

Subp. 25. [Repealed, 39 SR 1203]

Subp. 26. [Repealed, 39 SR 1203]

Subp. 27. **Medication.** "Medication" means a remedial agent that has the property of curing, preventing, treating, or mitigating diseases, or that is used for that purpose. For the purpose of this chapter, medication includes prescription and nonprescription medications.

Subp. 28. [Repealed, 39 SR 1203]

Subp. 29. [Repealed, 39 SR 1203]

Subp. 30. [Repealed, 39 SR 1203]

Subp. 31. **Nonresidential.** "Nonresidential" means that the holding area or room is not designed to be lived in. Nonresidential space would not typically include a bed, toilet, and wash basin.

Subp. 32. **Policy.** "Policy" means a written statement declaring mission and purpose.

Subp. 32a. **Prescription medication.** "Prescription medication" means a medication required by federal law to bear the following statement: "Caution: Federal law prohibits dispensing without prescription."

Subp. 33. [Renumbered subp 15a]

Subp. 34. **Procedure.** "Procedure" means a written statement establishing the action plan to implement policy.

Subp. 34a. **Special management detainee.** "Special management detainee" means a detainee who presents a serious threat to safety or security of the facility, staff, general detainee population, or self.

Subp. 34b. **Special needs detainee.** "Special needs detainee" means a detainee whose mental or physical condition requires special handling and treatment by staff.

Subp. 35. [Repealed, 39 SR 1203]

Subp. 36. [Repealed, 39 SR 1203]

Subp. 37. **Undue hardship.** "Undue hardship" means the financial costs are not warranted when weighed against the benefits derived.

Subp. 38. **Variance.** "Variance" means an exception to a specific rule or rules for a specified period of time.

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

**History:** *17 SR 711; L 2002 c 221 s 50; L 2005 c 56 s 2; L 2013 c 59 art 3 s 21; 39 SR 1203*

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