



# STATE OF IOWA

KIM REYNOLDS, GOVERNOR  
ADAM GREGG, LT. GOVERNOR

DEPARTMENT OF CORRECTIONS  
JERRY W. BARTRUFF, DIRECTOR

January 16, 2018

Mr. Doug Shull, Chairman  
Warren County Board of Supervisors  
301 N. Buxton, Suite 202  
Indianola, Iowa 50125

RE: Warren County Jail

Dear Chairman Shull,

I am contacting you in regards to the Warren County Jail. As you know, the Department of Corrections Jail Inspector conducted the annual inspection on January 3, 2018 to ensure compliance with the State of Iowa jail inspection standards and to determine the status of bonding issues related to the jail.

Several ongoing deficiencies were cited that have not been corrected such as cleanliness, sanitation, HVAC, and housing conditions. Of major concern is the State Fire Marshal Certificate of Occupancy, which expired in September 2017. The Iowa Department of Corrections assisted Warren County in getting an inspection conducted by the State Fire Marshal on January 4, 2018. The State Fire Marshal cited Warren County with 14 violations of the State Fire Code including, but not limited to, the fire alarm system is to be inspected twice a year and has only been completed one time in 2017, all smoke detectors are to be tested every two years and this has not been completed, a monthly inspection of all fire extinguishers is required and this has not been completed, the annual inspection of the fire sprinkler system has not been completed, emergency battery back-up lights were found to be inoperable, and there was an excess buildup of dirt on a fire sprinkler head.

Warren County Jail inspection reports from 2010 to current have a common theme: consistently addressing housekeeping including food storage in the hallway, mold, climate control issues, spray foam insulation, rust, chipping paint, plumbing, HVAC system, exposed electrical wiring, fire barriers, poor water pressure, sewer issues including sewer gas; overcrowding, admission and classification, prisoners with mattresses on the floor, housing felons with misdemeanor, housing charged with convicted, those likely to be exploited with likely victims; along with safety and security concerns.

June 1, 2015. Two prisoners escaped from the jail. One of the escapees was charged with vehicular manslaughter.

The mission of the Iowa Department of Corrections is:  
**Creating Opportunities for Safer Communities**

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August 15, 2016. Another prisoner escaped from the jail.

October 11, 2016. A prisoner committed suicide. The design and conditions of the jail are, in part, tied to these incidents.

June 22, 2016. The Iowa State Sheriff's and Deputies Association Jail Committee was invited by Sheriff Vos to conduct an independent tour of the jail in order to assess the on-going issues raised in past jail inspection reports. Their comments concurred with past jail inspection reports (see attached letter).

From September 2015 until January 2017, three different mold tests have been completed by different firms with varying opinions and results. The Honorable Chief Judge Arthur Gamble made numerous attempts to have the unsanitary conditions in the jail and courthouse addressed without satisfactory results.

June 28, 2016. The Honorable Chief Judge Arthur Gamble made a decision to move out of the Warren County Courthouse.

March 9, 2017. The Department of Corrections Jail Inspector received a letter from Supervisor Dean Yordi. The letter discusses admission and classification, admitting it is nearly impossible due to the configuration of the jail; housekeeping issues to be addressed in spring 2017, and a bond issue for a new facility in August of 2017. The August 2017 bond issue was never formalized.

May 5, 2017. Supervisor Yordi advised the Department of Corrections Jail Inspector in a phone conversation and followed up with an email clarification on May 16, 2017, that hopefully a bond issue will take place in November 2017. The November 2017 bond issue was never formalized.

July 14, 2017. The Department of Corrections sent Warren County a letter advising that formal proceedings outlined in Iowa Code §356.43 would be initiated if the November 2017 bond referendum was not scheduled or passed by January 31, 2018 (see attached letter).

September 2017. Supervisor Yordi advised the Department of Corrections Jail Inspector with a letter stating, *"An agreement was reached between the 3 supervisors to move forward with a bond issue for the Law Enforcement Center that would include a new jail, sheriff's office, and attorney's office. March 6, 2018 will be the date of the bond issue."* The March 6, 2018 bond issue was never scheduled.

November 16, 2017. Supervisor McIntyre advised the Department of Corrections Jail Inspector by e-mail stating, *"We can not agree on plans to move forward as a Board on the Jail or the Courthouse. Last I knew, we were going to put the Jail on a bond in March 2018 but absolutely no meetings have occurred since that September meeting."*

January 3, 2018. The Department of Corrections Jail Inspection Unit conducts annual inspection of the jail with Supervisor Yordi.

January 4, 2018. The Department of Public Safety Fire Marshal conducts emergency inspection and issues *Letter of Non-Compliance* (see attached letter).

January 16, 2018. The Warren County Board of Supervisors will vote to set a bond referendum.

The Iowa Department of Corrections recognizes the deteriorating condition of the Warren County Jail and has diligently attempted to work with Warren County authorities since 2010 to find a workable solution. We are at a critical juncture where the life safety, security, and health of staff, prisoners, and the public are at risk with allowing the Warren County jail to continue operating in contradiction of State Jail standards.

Therefore, pursuant to Iowa Code §356.43, the Iowa Department of Corrections hereby Orders and prohibits Warren County from the continued confinement of prisoners in the jail, effective February 2, 2018. This will provide Warren County the needed time to make arrangements for the transfer of prisoners and for the relocation of staff working at the jail. The records of the Iowa Department of Corrections Jail Inspection Unit show that Warren County is currently, on an average daily basis, housing 18 prisoners at the jail and sending 27 prisoners out of county to be housed at another jail.

As always, the Department of Corrections Jail Inspection Unit and the Iowa State Sheriff's & Deputies Association stand ready to be of assistance and to be a resource as you move forward.

With kind personal regard,

*Michael V. Savala*

Michael V. Savala  
General Counsel

Cc: Brian Vos, Warren County Sheriff  
Jerry Bartruff, Director, Iowa Department of Corrections  
Delbert Longley, Jail Inspector, Iowa Department of Corrections  
Deputy Josh Hammen, President, Iowa State Sheriff's and Deputies Association  
The Honorable Chief Judge Arthur Gamble, Fifth Judicial District  
Todd Nuccio, State Court Administrator