

PREA AUDIT: AUDITOR'S SUMMARY REPORT

NATIONAL
PREA
RESOURCE
CENTER



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Bureau of Justice Assistance
U.S. Department of Justice

[Following information to be populated automatically from pre-audit questionnaire]

Name of facility:		Richland Correctional Institution	
Physical address:		1001 Olivesburg Road, Mansfield, Ohio 44901	
Date report submitted:		May 23, 2014	
Auditor Information			
Address:		26 Waterford Lane	
Email:		Tome8689@gmail.com	
Telephone number:		315-730-7980	
Date of facility visit:		April 21-25, 2014	
Facility Information			
Facility mailing address: <i>(if different from above)</i>			
Telephone number:		419-526-2100	
The facility is:	<input type="checkbox"/> Military	<input type="checkbox"/> County	<input type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	XX State
	<input type="checkbox"/> Private not for profit		
Facility Type:	<input type="checkbox"/> Jail	x Prison	
Name of PREA Compliance Manager:		Brad Hoffert, Investigator	Title:
Email address:		BradHoffert@odrc.state.oh.us	Telephone number:
Agency Information			
Name of agency:		Ohio Department of Rehabilitation and Correction	
Governing authority or parent agency: <i>(if applicable)</i>		State of Ohio	
Physical address:		770 West Broad Street, Columbus, Ohio 43222	
Mailing address: <i>(if different from above)</i>			
Telephone number:		614-752-1159	

Agency Chief Executive Officer			
Name:	Gary C. Mohr	Title:	Director
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Agency-Wide PREA Coordinator			
Name:	Andrew Albright	Title:	Chief, Bureau of Agency Policy and Operational Compliance
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AUDIT FINDINGS

NARRATIVE:

The PREA audit of the Richland Correctional was conducted on April 21-25, 2013. During the three days the auditor toured the institution and conducted formal staff and inmate interviews. Ten random inmates from all of the housing units, 12 specialized staff and 10 random staff were questioned about PREA training, how to report, to whom to report, filing reports, available interventions, conducting interviews, evidence collection, follow up and monitoring retaliation. During the conduct of the audit the following dignitaries were present: Margaret Bradshaw- Warden, Tim Milligan-Deputy Warden, Staci Freeman-Warden, Jennifer Gillece-Warden Assistant, Andrew Albright- Chief, Bureau of Agency Policy and Operational Compliance and Liann Bower.

DESCRIPTION OF FACILITY CHARACTERISTICS:

Richland Correctional Institution is a medium/minimum security facility located on State Route 545 north of Mansfield, Ohio. It is collocated with the Mansfield Correctional Institution and the, now abandoned, Ohio State Reformatory where The Shawshank Redemption was filmed. The prison is situated on 78 acres. The area inside the fence is 45 acres. The institution was originally designed with open bay dormitories to hold 1,855 offenders. There are 18 buildings located inside the main compound, including five housing units and one segregation unit. Located outside the fence are additional buildings. Two of these buildings, the warehouse and garage, are shared facilities on the grounds of the neighboring Mansfield Correctional Institution

SUMMARY OF AUDIT FINDINGS:

Richland had eleven (11) sexual abuse investigations from August 20, 2012, to the present. Six (6) of these sexual abuse investigations were allegations of inmate abuse by another inmate. Three (3) of these allegations were unfounded, one (1) was substantiated, one (1) was unsubstantiated, and one (1) is being investigated. The facility had five (5) allegations of sexual abuse of an inmate by staff. Two (2) of these

allegation were unfounded, one (1) was unsubstantiated, and two (2) are still under investigation.

Richland had seventeen (17) sexual harassment allegations investigations. Thirteen (13) of these sexual harassment investigations were allegation made by an inmate against an inmate. Three (3) of these allegations were unfounded, two (2) were substantiated, six (6) were unsubstantiated, and two (2) are still being investigated. The facility had four (4) allegations of sexual harassment investigations of an inmate by staff. One (1) of these allegations was substantiated, and three (3) are still under investigation.

The investigator received an allegation of retaliation against an inmate by a staff member. It is still pending.

The facility has a very impressive relationship with the Ohio Highway Patrol, the Agency responsible for criminal investigations. They train together and each go out of their way to keep the other informed on all cases. They work extremely hard to ensure all cases are referred for prosecution.

Number of standards exceeded:	4
Number of standards met:	37
Number of standards not met:	0
Non-applicable:	2

§115.11 - Zero tolerance of sexual abuse and coordinator

Richland Correctional Institution meets Standard. Agency Policy, Prison Rape Elimination, 79-ISA-01 outlines the Agency zero tolerance toward all acts of sexual abuse and sexual harassment. This policy describes in detail the agency's approach to preventing, detecting, and responding to sexual abuse and sexual harassment. The Agency PREA Coordinator and Richland PREA Manager indicated they have sufficient time to handle their PREA duties during the interview process.

§115.12 - Contracting with other entities for the confinement of inmates

Richland Correctional Institution meets Standard. State of Ohio does contract with two private prisons. Interview with Kelly Sanders, Contract Manager indicates both contracts include provisions that they comply with PREA standard requirements and she monitors facility compliance.

§115.13 – Supervision and Monitoring

Richland Correctional Institution meets Standard. Richland has a staffing plan that requires taking into account items such as generally accepted detention practices, physical plant, inmate population and prevalence of substantiated and unsubstantiated sexual abuse allegations. PREA Coordinator and Facility PREA Manager are personally involved when reviewing staffing requirements and appropriate numbers of assigned staff. To date the facility has not deviated from their staffing plan. Frequent unannounced rounds are made on all shifts by mid level supervisors. This was observed during the site visit.

§115.14 – Youthful Inmates

Richland Correctional Institution has no youthful offenders. It is an adult facility. Standard does not apply.

§115.15 – Limits to Cross-Gender Viewing and Searches

Richland Correctional Institution meets the Standard. There have been no incidents of cross gender body searches or viewing. Should an exigent circumstance exist a logbook is maintained detailing the circumstances requiring it, the person who conducted it and the individual that authorized it. Inmates are provided privacy while showering (curtains) and while using the bathroom. Female staff announce each time they enter into the housing units. They use they personal alarms to set off a buzzer and light in the housing unit before entrance. Inmates that were formally interviewed and those questioned during the tour did understand the cross gender notification process.

§115.16 – Inmates with Disabilities and Inmates English Proficient

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Richland Correctional Institution meets Standard. The auditor interviewed an inmate who was deaf about his ability to participate and benefit in all aspects of PREA. He indicated he felt he was afforded the same opportunities that every other inmate received. He indicated that staff did everything possible to provide him with information on PREA reporting. Richland has a contract with Affordable Language Services Line LTD for interpretation for all languages if needed. They have had no need to use the service as of the audit date.

§115.17 – Hiring and Promotion Decisions

Richland Correctional Institution meets Standard. Richland Correctional Institution policy 34-PRO-07 does not allow hiring or promotions including volunteers/contractors who have been convicted of sexual abuse in prison/jail or in community. During the initial site visit there were questions whether the facility was deficient with the 5-year recapture of background checks. There was also a concern with annual employee evaluation reviews and questioning staff about instances of misconduct notifications. These issues were resolved prior to the submission of the Initial Report.

§115.18 – Upgrades to Facilities and Technology

- \ Richland Correctional Institution meets Standard. During interview with Director Mohr, he indicated when expanding or upgrading facilities he requires that new technologies be taken into consideration during the design phase to safeguard staff and inmates. Richland has 242 cameras currently. The Warden indicated that she would continue to request funding for technologies to enhance safety for staff and inmates.

§115.21 – Evidence Protocol and Forensic Medical Examinations

Richland Correctional Institution meets the Standard. Administrative investigations are conducted by the facility Investigator. The Ohio State Patrol conducts all criminal investigations. Both Investigators sat together in training classes on conducting PREA investigations utilizing protocols adapted by recent DOJ National Protocol for Sexual Assault Medical Forensic Examinations. The local hospital, Med Central Hospital, performs the forensic exams for Richland Correctional Institution if needed at no cost to the victim. Richland has tried but has been unsuccessful in obtaining the service of the local rape crisis advocacy agency. This is due to the agency being unstaffed for the required community needs. They have indicated that if they get additional staff they would enter into an agreement to provide services. The facility has trained six staff members from all shifts to provide advocate service if needed.

§115.22 – Policies to Ensure Referrals of Allegations for Investigations

Richland Correctional Institution Exceeds the Standard. As noted in the narrative statement, Richland has an extremely cooperative working relationship with the OHIO State Patrol. Both the Investigator and the State Trooper attended PREA Investigator

training together. The auditor went over each of the cases files with the facility investigator. The entire Investigation Policy is readily available on the Ohio Agency web site.

§115.31 – Employee Training

Richland Correctional Institution Exceeds the Standard. Staff has been trained on the Agency policy on zero tolerance and their responsibilities to fulfill their obligations including the searching of transgendered or intersex inmates. Training, that staff is mandated to attend, requires a written test at the conclusion of the training. If the employee fails the test, they must go through it again. Interviews of random staff and general questions asked during the tour clearly indicated staff understanding of all aspects of responding to allegations of sexual abuse.

§115.32– Volunteer and Contractor Training

Richland Correctional Institution meets the Standard. All contractors and volunteers receive PREA training prior to assuming their responsibilities. The auditor reviewed training records in which they signed acknowledging understanding the training. This was also substantiated during the contractor and volunteer interviews.

§115.33 – Inmate Education

Richland Correctional Institution meets the Standard. The auditor attended PREA training all inmates are required to attend during intake. It was very informative. There is a video and written materials outlining inmates right to be free from sexual abuse and how and to whom they can report. Posters about being free from sexual abuse are prevalent throughout the institution with toll free numbers they can call to report on each. Inmate interviews indicated, regardless of how long they have been at Richland, they have been trained and received written materials as well.

§115.34 – Specialized Training: Investigations

Richland Correctional Institution exceeds the standard. The facility Investigator and the Ohio Highway Patrol Investigator receive the same PREA investigation training which insures that administrative and criminal investigations are done to insure that confirmed allegations are not lost due to poor communication between both Investigators. The training included techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral. The communication and cooperation between both agencies is impressive and was confirmed during the interviews of both.

§115.35 – Specialized training: Medical and mental health care

Richland Correctional Institution meets the Standard. A review of training records and interviews with Medical and Mental Health staff demonstrated staff has had the basic PREA training that all staff receives. Interviews of medical and mental health staff

demonstrated they understood: how to detect and assess signs of sexual abuse and sexual harassment; how to preserve physical evidence of sexual abuse; how to respond effectively and professionally to victims of sexual abuse and sexual harassment; and how and to whom to report allegations or suspicions of sexual abuse and sexual harassment.

§115.41 – Screening for Risk of Victimization and Abusiveness

Richland Correctional Institution Meets the Standard. Inmates arriving at Richland during the day are received through the Intake Area (R&D) and are screened for victimization by a Nurse. The form is secured and picked up by a classification specialist who then reviews all available pertinent information and adds that information. The Unit Management Chief reviews all the information and then makes a final decision for act risk status. Inmates are then re-evaluated again within 30 days. The auditor sat through intake screening and verified the screening tool. It was objective and covered the required risk for victimization categories.

§115.42 – Use of Screening Information

Richland Correctional Institution meets the Standard. The auditor verified how form is used to determine work/housing and education assignments and it was confirmed during the interview of the Unit Management Chief. Central Office Committee does placement of transgendered and/or intersex inmates prior to placement in any parent facility.

§115.43 – Protective Custody

Richland Correctional Institution meets the Standard. Segregation is not used to house inmates at risk of victimization and is outlined in policy 79-ISA-11, The Warden, during her interview indicated placing inmates, who are or may be victims of sexual assault, in segregation, is only done in rare occasions for a very short period of time. This was also confirmed in interviews with Segregation staff.

§115.51 – Inmate Reporting

Richland Correctional Institution meets the Standard. Inmates have access to multiple means of reporting sexual abuse. Facility does have toll free number to outside agency, Franklin County Juvenile Detention Facility, who reports all allegations to the facility. Posters throughout the facility indicate to the inmate how they can report. During the random inmate interviews most inmates were aware of all means to report sexual abuse and that it could be done anonymously.

§115.52 – Exhaustion of Administrative Remedies

Richland does not have administrative procedures to address inmate grievances regarding sexual abuse. THE STANDARD IS NOT APPLICABLE

§115.53 – Inmate Access to Outside Confidential Support Services

Richland Correctional Institution meets the Standard. Richland has tried to establish a MOU with the community advocacy group. The local group indicated it did not have the staff to provide services to the facility. The Advocacy Agency has indicated should they

get additional staff they would consider providing advocate services to Richland. The facility has provided National support services addresses through housing unit postings.

§115.54 – Third-Party Reporting

Richland Correctional Institution meets the Standard. The facility has third party reporting of sexual abuse or sexual harassment through the Agency web site. The link on the web page clearly indicates PREA. It is easily accessible for making a report and inmates were aware of it when questioned during the interviews.

§115.61 – Staff and Agency Reporting Duties

Richland Correctional Institution meets the Standard. Staff duties for reporting are outlined in policy 79-ISA-11, reiterated in the training each staff member receives and was articulated by staff during interviews. Every employee that was interviewed knew their responsibility in confidentiality of information and disclosure only to their supervisor as needed for an investigation.

§115.62 – Agency Protection Duties

Richland Correctional Institution meets the Standard. Staff duties for reporting are outlined in policy 79-ISA-11. All staff interviewed formally and questioned informally were aware of their responsibility to report any suspicion of inmate at substantial risk. The Warden indicated inmate safety and protection as the primary concern during the interview.

§115.63 – Reporting to Other Confinement Facilities

Richland Correctional Institution meets the Standard. Policy requires the Warden at the receiving facility must notify within 72 hours the Warden at the sending facility when an allegation has occurred at his/her facility. Agency Policy 79-ISA-11 requires this and the process was confirmed during the interview with the Warden.

§115.64 – Staff First Responder Duties

Richland Correctional Institution meets the Standard. All staff is trained as first responders and responsibilities to safeguard inmates and evidence. During the interviews staff was able to indicate the actions they would take if an inmate made a sexual abuse allegation to them. The interview with the facility investigator indicated no cases were affected negatively based on how the staff responded and handled the situation.

§115.65 – Coordinated Response

Richland Correctional Institution Meets the Standard. Facility policy 79-ISA-RICI describes institutional plan to coordinate actions taken in response to an incident of sexual abuse among staff first responders, medical and mental health practitioners, investigators, and facility leadership. Interviews with specialized staff confirmed they were knowledgeable about the PREA Plan and the coordinated duties and collaborative

responsibilities.

§115.66 – Preservation of ability to protect inmates from contact with abusers

Richland Correctional Institution meets the Standard. Central Office reported that there has been no collective bargaining agreement entered into or renewed since August 2012 that limits agency ability to remove staff sex abusers from inmate contact pending investigation outcome.

§115.67 – Agency protection against retaliation

Richland Correctional Institution Meets the Standard. Agency Policy 79-ISA 2 stipulates that the investigator is responsible for monitoring retaliation of inmates and staff. The interview of the investigator and review of his documentation revealed periodic checks up to 90 days but beyond if they feel the situation requires it. With inmates they looks at inmate disciplinary reports, housing or program changes. With staff they looks at performance reviews or reassignments and shift changes.

§115.68 – Post-Allegation Protective Custody

Richland Correctional Institution meets the Standard. The Agency policy allows the facility use of segregation only as a last resort, for a minimal time before either transfer or removal of abuser. Richland has not used segregation for this purpose during the evaluation period.

§115.71 – Criminal and Administrative Agency Investigations

Richland Correctional Institution Exceeds the Standard. The institution investigator conducts the investigation immediately on being notified of an allegation. His training record and interview demonstrated the special training he received. The credibility of an alleged victim, suspect, or witness is assessed on an individual basis and not determined by the person's status as inmate or staff. Once his investigation supports criminal prosecution he works closely with the Ohio State Patrol. The facility investigator does not proceed with any further part of the investigation unless directed by the State Trooper. Both these individuals sat together in the same PREA Investigative training. These two individuals work closely with local prosecutors bringing confirmed cases to trial.

§115.72 – Evidentiary Standard for Administrative Investigations

Richland Correctional Institution Meets the Standard. Facility Policy 79-ISA-2 indicates that only a preponderance of evidence as the standard when determining allegations are substantiated. The Investigator indicated that this is the threshold during his interview.

§115.73 – Reporting to Inmate

Richland Correctional Institution meets the Standard. Facility Policy 79-ISA-2 2 indicates that the Investigator report to the inmate if any sexual abuse or sexual harassment allegation is substantiated, unsubstantiated and unfounded. In each case file was written notice of notification of completed investigations where the inmate was informed of the outcome of the investigations whether it had been determined to be substantiated, unsubstantiated, or unfounded. For sexual abuse by a staff member the inmate is informed in writing to include whenever: the staff member is no longer posted within the inmate's unit; the staff member is no longer employed at the facility; the agency learns that the staff member has been indicted on a charge related to sexual abuse within the facility; or the agency learns that the staff member has been convicted on a charge related to sexual abuse within the facility. If the inmate was alleged to have been sexually abused by another inmate, the investigator informs the alleged victim whenever: the alleged abuser has been indicted on a charge related to sexual abuse within the facility; or been convicted on a charge related to sexual abuse within the facility. The policy was also confirmed in the interview with the Investigator.

§115.76 – Disciplinary sanctions for staff

Richland Correctional Institution Meets the Standard. Standards of Employee Conduct, 31-SEM-02, state staff will be terminated for any sexual abuse. Interviews with the Director and the Warden indicated this same policy. Richland has not terminated any one for a PREA issue.

§115.77 – Corrective action for contractors and volunteers

Richland Correctional Institution Meets the Standard. Agency Policy 79-ISA-01 indicates removal from the facility for any sexual abuse by either a contractor or volunteer. Interviews with the Director and the Warden indicated this same policy. Richland has not removed any contractor or volunteers for a PREA issue.

§115.78 – Disciplinary sanctions for inmates

Richland Correctional Institution meets the Standard. Inmate Rules of Conduct prohibit all sexual activity between inmates and discipline inmates for such activity. It also outlines what the penalties are for inmate on inmate sexual abuse at the Disciplinary Hearing.

§115.81 – Medical and mental health screenings; history of sexual abuse

Richland Correctional Institution meets the Standard. During the intake screening, inmates indicating previous victimization are seen by medical and mental health within 14 days. This is mandated by policy 79-ISA-04 and confirmed with medical and mental health interviews and review of files

§115.82 – Access to emergency medical and mental health services

Richland Correctional Institution Meets the Standard. Agency Policy 79-ISA-02 mandates immediate access to medical and mental health services. The institution and Med Central Hospital provides this care. Inmates receive immediate access to sexually transmitted infection prophylaxis. There is no cost to the inmate

§115.83 – Ongoing medical and mental victims and abusers

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Richland Correctional Institution Meets the Standard. Agency Policy 79-ISA-02 Agency policy 79-ISA-04 requires all inmates be offered medical and mental health evaluations to those who were sexually abused in any prison, jail or juvenile facility including follow up services. FCI Berlin also attempts to conduct mental health evaluations on all known inmate abusers, offering treatment when appropriate. This practice was confirmed by interviews with Medical and Mental Health staff and file reviews.

§115.86 – Sexual abuse incident reviews

Richland Correctional Institution Meets the Standard. Post incident reviews are done in accordance with Policy 79-ISA-03 within 30 days of conclusion of investigation in all cases except unfounded. This was confirmed in interviews with the Investigator and Warden and during incident reviews paperwork.

§115.87 – Data Collection

Richland Correctional Institution Meets the Standard. Agency collects data on all allegations of sex abuse and aggregates the info annually. This was confirmed in the interview with the Agency PREA Coordinator

§115.88 – Data Review for Corrective Action

Richland Correctional Institution meets the Standard. Agency reviews all allegations of sexual abuse to make improvements to the Agency as whole. This was confirmed in the interview with the Agency PREA Coordinator. All aggregated sexual abuse data is available on the Agency web page.

§§115.89 – Data Storage, Publication, and Destruction

Richland Correctional Institution meets the Standard. Agency Policy 79-ISA-01 states all sexual abuse case records are securely maintained for a minimum of 10 years. The data is available on the Agency web page. The Agency PREA manager confirmed the retention schedule and web site publication during the interview.

AUDITOR CERTIFICATION:

The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.

Thomas Eisenschmidt

June 16, 2014

Auditor Signature

Date