

SUBJECT: Protection from Harm and Inappropriate Supervision	PAGE <u> 1 </u> OF <u> 2 </u>
	NUMBER: 64-DCM-01
RULE/CODE REFERENCE: 5120-9-03, 5120-9-04	SUPERSEDES: 64-DCM-01 dated 06/13/14
RELATED ACA STANDARDS: 4-4277, 4-4281; 2-CO-5E-02; 2-CI-5A-02, 2-CI-5A-08	EFFECTIVE DATE: December 19, 2016
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to establish procedures, which provide offenders with protection from physical harm, harassment, and unreasonable searches.

III. APPLICABILITY

This policy applies to all persons employed by or under contract with the Ohio Department of Rehabilitation and Correction (DRC) that interact with offenders.

IV. DEFINITIONS

Inappropriate Supervision - Any continuous method of annoying or harassing an offender or group of offenders including, but not limited to, abusive language, racial slurs, and the writing of conduct/violation reports strictly as a means of harassment. A single incident may, due to its severity or egregiousness, be considered inappropriate supervision for purposes of this rule.

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction that no inmates or offenders under the supervision of APA will be subjected to personal abuse, corporal punishment, personal injury, disease, property damage, or harassment. Offenders shall be subject to reasonable and appropriate supervision and no administrative action or decision shall reflect bias toward any offender or group of offenders because of race, color, religion, gender, sexual orientation, disability, age, national origin or political views.

VI. PROCEDURES

- A. The DRC shall keep a record of conduct reports or violation reports written by each staff member. The record shall include a copy of the report and its disposition, and shall be referred to if an offender complains of the staff member's conduct/violation reporting practices.
- B. The inspector of institutional services (IIS) shall have the responsibility of investigating institutional offender allegations of inappropriate supervision, in accordance with Administrative Rule 5120-9-04, Appropriate Supervision, Discrimination and Racial Issues, and Administrative Rule 5120-9-31, Inmate Grievance Procedures. Any substantiated acts of discrimination on the part of staff shall be addressed through the employee disciplinary process.
- C. The regional administrator/designee shall have the responsibility of reviewing APA offender allegations pursuant to DRC policy 100-APA-17, Offender Grievance Procedures, which if true would constitute inappropriate supervision. Any substantiated acts of discrimination on the part of staff shall be addressed through the employee disciplinary process.
- D. All new employee orientation training (NEO) and in-service training and staff development shall include extensive programs in inter-personal communications and human relations, including appropriate supervision and cultural sensitivity. All employees shall be informed of their obligation to treat all offenders with equal dignity and courtesy.
- E. Other procedures governing protection from harm and excessive force are contained in Administrative Rules 5120-9-01, Use of Force; 5120-9-02, Use of Force Report and Investigations; 5120-9-03, Inmate Complaints of Use of Force Where No Use of Force Report Has Been Made; 5120:1-1-39, Use Of Force; and DRC policy 32-SEM-01, Standards of Employee Conduct.