



Department of  
Rehabilitation & Correction

John R. Kasich, Governor  
Gary C. Mohr, Director

April 25, 2016

Sheriff Russell Martin  
Delaware County Jail  
844 U.S. 42 North  
Delaware, Ohio 43015

RE: 2015 Annual Jail Inspection

Sheriff Martin,

In accordance with Section 5120.10 of the Ohio Revised Code and Executive Order 92-03 of the Department of Rehabilitation and Correction, the Delaware County Jail (FSJ) was inspected on October 29<sup>th</sup> and 30<sup>th</sup>, 2015. The inspection was restricted to assessing compliance with a group of one hundred and seventeen (117) standards, selected from the Minimum Standards for Jails in Ohio promulgated by the Department of Rehabilitation and Correction. The group of standards being inspected focused on reception & release, classification, security, housing, sanitation and environmental conditions, communication, visitation, medical, food service, recreation, inmate discipline, administrative segregation, grievance, staffing, and staff training. Please note that this inspection does not reflect a comprehensive evaluation of the overall jail condition. The inspection consisted of this Inspector receiving and/or reviewing requested documentation and/or materials, touring selected areas of the jail, and having a brief interview with Jail Administrator – Lt. Pfan, and Sgt. Stonebarger.

The total actual housing capacity for the Delaware County Jail (FSJ) is (286), consisting of (242) adult males, (32) adult females, (0) mixed (either adults or juveniles), and (12) special housing beds. On the date of the actual jail inspection, there were (211) inmates incarcerated in the Delaware County Jail (FSJ). The Ohio Department of Rehabilitation and Correction recommended housing capacity for the jail is (286), which is based upon total available living space and other requirements. Officials should maintain prisoner counts within the Department's recommended capacity figure. The Delaware County Jail (FSJ) is in compliance with the following standards:

5120:1-8-01 (A)(01); -01(A)(3); -01(A)(4); -01(A)(7); -01(A)(9); -01(A)(12); -02(B)(1); -02(B)(2); -02(B)(4); -02(D); -03(A)(1); -03(A)(3); -03(A)(4); -03(A)(5); -03(A)(6); -03(B)(2); -03(B)(5); -03(B)(8); -03(B)(9); -03(B)(10)(b); -03(B)(10)(c); -03(B)(10)(d); -03(B)(11)(b); -03(B)(12); -03(B)(15); -03(B)(17)(a); -04(A)(4)(A); -04(B); -04(C); -04(D); -04(E); -04(F); -04(G); -04(H); -04(J); -04(A)(4)(k); -05(A); -05(B); -05(C); -05(E); -05(G)(1); -05(G)(2); -05(H)(3); -05(I); -05(J); -05(K); -05(L); -05(N); -05(P); -05(Q); -06(B); -06(C); -06(G); -07(A); -07(D); -07(E); -07(H); -07(I); -

09(A); -09(B); -09(D); -09(E); -09(F); -09(G); -09(H); -09(J); -09(K)-09(U); -09(V); -09(X); -10(A); -10(B); -10(C); -10(D); -10(E); -10(F); -10(G)(1); -10(G)(2); -11(A); -11(B); -11(E); -12(B); -12(C); -12(F); -12(G); -12(H); -15(B); -15(D); -15(E); -16(A); -17(D); -17(E); -17(F); -17(G); -18(A); -18(B); -18(C); -18(D); -18(E).

The Delaware County Jail (FSJ) did not comply with (16) of the standards upon which the facility was inspected. This letter is intended to serve as a basis for developing plans of action for bringing the facility into compliance with the deficiencies noted during the inspection.

5120:1-8-03(A)(7)(Essential): Each full-service jail shall ensure there is equipment necessary to maintain utilities, communication, security and fire protection in an emergency. Documentation to support that such equipment is tested, repaired, or replaced as needed must also be created. The current jail policy, procedures and practices need updated to reflect the requirements of this standard.

5120:1-8-03(B)(4)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure that there is a plan that guides the jail's response to emergencies. All Jail personnel are to be trained in the implementation of the emergency plan. The emergency plan should also include procedures to be followed in situations that threaten the jail security. The current jail policy needs updated to reflect the requirements of this standard and verification that all staff have been trained in the implementation of the jail's response to emergencies.

5120:1-8-03(B)(6)(Essential): Each full-service jail shall have written policies, procedures and practices to cover official jail counts. There shall be no less than three official counts daily, not to exceed nine hours in duration from the previous official count. The current jail policy needs updated to reflect the requirements of this standard.

5120:1-8-03(B)(7)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure personal observation checks are being completed every 60 minutes as mandated by Ohio Jail Standards. These checks must be completed at varying times and documented. A document/log reviewed on the date of the inspection showed logged times exceeding 60 minute personal observation checks.

5120:1-8-03(B)(10)(a)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure that use of force shall be limited to instances of justifiable self-defense, prevention of self-inflicted harm, protection of others, prevention of riot, discharge of firearm or other weapon, escape or other crime and controlling or subduing an inmate who refuses to obey a staff command or order. The current jail policy does not reflect all of the components listed in this standard.

5120:1-8-03(B)(11)(c)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure the jail's administration or designee shall be notified of any discovered contraband or physical security deficiencies. The appropriate disposition of contraband and the remediation of security deficiencies shall be documented. The jail's policy and practices were not sufficient to address all of the requirements of the standard (e.g. the appropriate disposition of contraband and the remediation of security deficiencies).

5120:1-8-03(B)(16)(Important): Each full-service jail shall have written policies, procedures and practices to ensure keys, tools, and culinary equipment are inventoried/documented. The jail needs to develop logs for documentation and

accountability purposes. The policy, procedures and practices also need updated to reflect the requirements of the standard.

5120:1-8-05(M)(Essential): Each full-service jail shall have a written fire safety plan approved by local fire officials, and that is reviewed annually and updated as needed. The plan shall include fire prevention, training and drills, fire response and post fire documentation and review. A current copy of the plan shall be maintained at the local fire department. The policy, procedures and practices need updated to reflect the requirements/components of this standard. The plan must also be approved by a local fire official(s).

5120:1-8-05(O)(Essential): Each full-service jail shall ensure fire drills shall be conducted every three months on each shift. On the day of the inspection, there was no evidence/documentation of fire drills having been conducted.

5120:1-8-09(C)(Essential): Each full-service jail shall ensure jail staff have completed training in conducting the receiving screening. The documentation needs to be maintained by the jail to verify the staff members are health trained. No training records were provided at the time of the inspection that documented jail staff have completed the receiving screening training. After review of the receiving screening form, it was observed that (3) Medical disposition of inmate was not listed on the receiving screening form. Any changes to the medical policies, procedures and practices to include forms/logs must have the approval of the Health Authority.

5120:1-8-09(M)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure inmates who are evidencing signs of mental illness or developmental disability shall be referred immediately to qualified mental health personnel. The health authority shall develop and approve policies for the following areas: (1) Screening for mental health problems, (2) Referral to outpatient services, including psychiatric care, (3) Crisis intervention and management of acute psychiatric episodes, (4) Stabilization of the mentally ill and prevention of psychiatric deterioration in the jail, (5) referral and admission to inpatient facilities, (6) informed consent. Any changes to the medical policies, procedures and practices to include forms/logs must have the approval of the Health Authority.

5120:1-8-09(N)(Essential): Each full-service jail shall have a suicide prevention program. The health authority shall have a plan for identifying and responding to suicidal and potentially suicidal inmates. The components shall include: Identification, Training, Assessment, Housing, Monitoring, Referral, Communication, Intervention, Notification, Reporting, Review, and Critical Incident debriefing. The suicide prevention program must be approved by a mental health professional and /or the jails health authority. Health Authority approval needed in order for this standard to be compliant.

5120:1-8-09(P)(Essential): Each full-service jail shall have written policies, procedures and practices that establish an infectious disease program. The health authority shall have a written infectious disease control program which collaborates with the local health department and shall include, at minimum, an exposure control plan and standard isolation precautions for inmates and staff, which are updated annually. The jails current policy and procedure that supports this standard need updated to reflect standard and all the components listed. Health Authority approval needed in order for this standard to be compliant.

5120:1-8-09(Q)(Essential): Each full-service jail shall ensure pregnant inmates shall receive appropriate and timely pre-natal care, delivery and postpartum care, as determined by the health authority. Health Authority approval is needed in order for this standard to be compliant.

5120:1-8-09(R)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure the use of restraints for medical and psychiatric purposes shall be applied in accordance in policies and procedures approved by the health authority. The jails current policy and procedure that supports this standard need updated to reflect standard and all the components listed. Health Authority approval is needed in order for this standard to be compliant.

5120:1-8-09(W)(Essential): Each full-service jail shall have written policies, procedures and practices that address intoxication and detoxification. The health authority shall develop specific policies and protocols in accordance to local, state, and federal laws for the treatment and observation of inmates manifesting symptoms of intoxication or detoxification from alcohol, opiates, hypnotics, or other drugs. Specific criteria are established for immediately transferring inmates experiencing severe, life threatening intoxication or detoxification symptoms to a hospital or detoxification center. . The jails current policy and procedure that supports this standard need updated to reflect standard and all the components listed. Health Authority approval is needed in order for this standard to be compliant.

Plan of action forms are enclosed. Completed form(s) and/or corrective materials addressing the noted deficiencies must be completed and returned to Assistant Bureau Administrator Jon Radebaugh (jon.radebaugh@odrc.state.oh.us) within 45 days of receipt of this correspondence. Feel free to contact me if you need assistance or clarification in this effort. The Department remains available to discuss the aspects of this report or to provide reference materials or assistance as desired.

Sincerely,



Scott Filicky, State Jail Inspector

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