

# Ohio | Department of Rehabilitation & Correction

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

April 20, 2016

Sheriff Tedd E. Frazier  
Jackson County Correctional Facility  
372 Portsmouth St.  
Jackson, Ohio 45640

RE: 2015 Annual Jail Inspection

Sheriff Frazier,

In accordance with Section 5120.10 of the Ohio Revised Code and Executive Order 92-03 of the Department of Rehabilitation and Correction, the Jackson County Correctional Facility (FSJ) was inspected on December 1<sup>st</sup> & 2<sup>nd</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 Captain D. Willis, Lt. Sprague and Officer Neal.

The total actual housing capacity for the Jackson County Correctional Facility (FSJ) is (40), consisting of (40) adult males, (0) adult females, (0) mixed (either adults or juveniles), and (0) special housing beds. On the date of the actual jail inspection, there were (42) inmates incarcerated in the Jackson County Correctional Facility (FSJ). The Ohio Department of Rehabilitation and Correction recommended housing capacity for the jail is (40), which is based upon total available living space and other requirements. Officials should maintain prisoner counts within the Department's recommended capacity figure. The Jackson County Correctional Facility (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)(12); -02(B)(1); -02(B)(4); -02(D); -03(A)(1); -03(A)(3); -03(A)(4); -03(A)(5); -03(A)(6); -03(A)(7); -03(B)(2); -03(B)(5); -03(B)(6); -03(B)(7); -04(D); -04(E); -04(F); -04(G); -04(H); -04(J); -04(A)(4)(K); -05(A); -05(E); -05(G)(2); -05(H)(3); -05(I); -05(J); -05(K); -05(L); -05(O); -05(P); -05(Q); -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(M); -09(N); -09(Q)(N/A) -09(U); -09(V); -09(X); -10(B); -10(C); -10(D); -10(E); -10(G)(1); -10(G)(2); -11(A); -11(B); -11(E); -15(E); -17(E); -17(F); -17(G); -18(C); -18(D); -18(E).

The Jackson County Correctional Facility (FSJ) did not comply with (41) 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.

5120:1-8-01(A)(9)(Important): Each full-service jail shall ensure inmates are not confined in the reception area for more than twelve hours except when security, health, and mental health concerns are being addressed. The jail's current policy and procedure that supports this standard need updated to reflect standard.

5120:1-8-02(B)(2)(Important): Each full-service jail shall have written policies, procedures and practices to ensure violent and non-violent inmates are not placed in the same cell or unsupervised areas together. Due to overcrowding issue(s), the jail was unable to properly separate violent and non-violent inmates into separate confinement areas.

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(s). 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. There also needs to be verification that all staff have been trained in the implementation of the jail's response to emergencies.

5120:1-8-03(B)(8) (Important): Each full-service jail shall have written policies, procedures and practices to ensure special needs inmates are recognized and that the jail addresses the management of those inmates with special needs. Policy needs created and/or re-written. The current jail policy does not specifically cover special needs inmates. Additionally, supporting documentation to support this standard was not available at the time of the inspection.

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 jail policy needs to be updated to reflect the current language and intent of the standard.

5120:1-8-03(B)(10)(b)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure use of force shall be limited to the amount of force necessary to control a given situation and shall include a continuum of escalating force levels. In no event is physical force to be used as punishment. The jail policy needs to be updated to reflect the current language and intent of the standard.

5120:1-8-03(B)(10)(c)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure that an examination and/or treatment by qualified health care personnel shall be provided to inmates or staff involved in a use of force incident when there is obvious physical injury or there is a complaint of injury or request for medical attention. The jail policy needs to be updated to reflect the current language and intent of the standard.

5120:1-8-03(B)(10)(d)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure use of force incidents shall be recorded and reviewed by the jail administrator or designee. Jail policy needs updated to support this requirement.

5120:1-8-03(B)(11)(b)(Essential): Each full-service jail shall have written policies, procedures and practices to ensure a security inspection of the jail shall be conducted once per month. Jail policy and procedure need updated to support this requirement.

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 current jail policy needs updated to reflect the requirements of this standard.

5120:1-8-03(B)(12)(Important): Each full-service jail shall have written policies, procedures and practices to ensure inmate movement from one area to another is controlled by staff. The jail's policy needs to be updated to include procedures for inmate movement.

5120:1-8-03(B)(15)(Important): Each full-service jail shall have written policies, procedures and practices to provide gender and cross gender supervision guidelines. Jail policy needs updated to support this requirement. As discussed at the time of the inspection, please refer to the standard discussion.

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 policy, procedures and practices need updated to reflect the requirements of the standard.

5120:1-8-03(B)(17)(a)(Important): Each full-service jail shall have written policies, procedures and practices to ensure toxic, corrosive and flammable substances shall be stored in a secure area and used by inmates only under direct supervision and used only according to manufactures' instruction. The substances must only be accessible to authorized persons. The policy, procedures and practices need updated to reflect the requirements of the standard. Additionally, the policy needs to identify the storage area to be utilized for these materials.

5120:1-8-04(A)(4)(a)(Important): Each full-service jail shall have written policies, procedures and practices to ensure prisoners in dormitories are provided with sufficient dayroom space as mandated by the Ohio Jail Standards. All dormitory spaces must provide housed prisoners with at least 35 square feet of day space per prisoner. The jail has exceeded the Bureau Recommended Capacity for their facility and does not have the required amount of day space for each inmate. At the time of the inspection, several 4 man cells had a total of 5 inmates housed in these cells.

5120:1-8-04(B)(Important): Each full-service jail shall ensure seating shall be provided in holding areas, housing cells, dormitories, dayrooms and eating areas for each inmate. At their current capacity, the jail does not provide sufficient seating for all inmates.

5120:1-8-04(C)(Important): Each full-service jail shall ensure single cells/rooms and multiple occupancy cells/rooms/dormitories shall have an air circulation of fifteen cubic feet of outside or recirculated filtered air per minute per occupant or as required by the local authority having jurisdiction. Documentation from a qualified source shall be maintained by the jail. The jail did not have documentation from a qualified source showing adherence to this standard.

5120:1-8-05(B)(Essential): Each full-service jail (MSJ) shall ensure all areas of the jail be safe and sanitary, including the food service and laundry areas. Staff and inmates shall have specific housekeeping responsibilities, which shall include, but not limited to daily cleaning of toilets, urinals, sinks, drinking facilities and showers in areas occupied by inmates and the disposal of garbage daily. The policy, procedures and practices need updated to reflect the requirements of the standard. Additionally, supporting documentation to support this standard was not available at the time of the inspection.

5120:1-8-05(C)(Essential): Each full-service jail shall ensure monthly sanitation, vermin, and safety inspections of all areas shall be done by a designated, trained staff person. Any treatment or extermination shall be conducted by a licensed pest control professional. On the date of the inspection, inspection logs were not available to evidence compliance for this standard.

5120:1-8-05(G)(1)(Important): Each full-service jail shall ensure there is at least twenty foot-candles of light, measured thirty inches above the floor in inmate reading areas. On the date of the inspection, the levels measured 15.77 foot-candles. Steps must be taken to increase jail lighting in inmate reading areas.

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(N)(Important): Each full-service jail shall ensure training in jail fire safety equipment shall be conducted annually. Training shall be provided on jail fire safety equipment for all jail staff. The fire safety equipment required is at the discretion of the local fire official. This training shall occur annually and be documented in the jail staff training records. At the time of the inspection, the jail did not provide training documentation to evidence compliance with this standard.

5120:1-8-06(B)(Important): Each full-service jail shall ensure incoming and outgoing inmate mail, correspondence, and packages shall be opened and inspected in order to intercept contraband or non-permitted items. The jail shall document procedures for the appropriate disposition of any intercepted items. The jail's current policy, procedure and practices need updated to reflect how intercepted items are logged and/or documented.

5120:1-8-06(C)(Important): Each full-service jail shall ensure legal mail and correspondence shall be opened and inspected in the presence of the inmate to intercept contraband. The jail shall document procedures for the appropriate disposition of intercepted items. The jail's current policy, procedure and practices need updated to reflect how intercepted items are logged and/or documented.

5120:1-8-09(C)(Essential): Each full-service jail shall have written policies, procedures and practices regarding the receiving screen. Health trained personnel, in accordance with protocols established by the health authority, shall perform a written medical, dental, and mental health receiving screening on each inmate upon arrival at the jail and prior to being placed in general population. At the time of the inspection, several components listed under the inquiry, observation and medical disposition were not included on the receiving screen form. The current jail policy, procedures and practices need updated to reflect the components listed for this standard and must have the approval of the health authority.

5120:1-8-09(P)(Essential): Each full-service jail (MSJ) 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 jail's current policy and procedure that supports this standard need updated to reflect standard and all the components listed.

5120:1-8-09(R)(Essential): Each full-service jail (MSJ) 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 jail's current policy and procedure that supports this standard

need updated to reflect standard and all the components listed. The revised policy and procedures for medical and psychiatric restraints must be approved by the health authority.

5120:1-8-09(W)(Essential): Each full-service jail (MSJ) 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 jail's current policy and procedure that supports this standard need updated to reflect standard and all of the components listed.

5120:1-8-10(A)(Essential): Each full-service jail shall ensure documentation that the food service operation complies with the regulations of the local or state health department. The jail's current policy and procedure that supports this standard need updated to reflect standard.

5120:1-8-10(F)(Essential): Each full-service jail shall ensure all persons involved in the preparation of food shall receive a pre-assignment medical examination and annual re-examinations. During the inspection, the jail was not able to show documentation evidencing compliance with this standard. Additionally, the jail policy and procedure need updated to reflect the standard. Current jail policy indicates "periodic examinations".

5120:1-8-12(B)(Important): Each full-service jail shall ensure that there shall be a sanctioning schedule for rule violations. The Jail Administrator or designee shall approve any penalty exceeding suspension of rights or disciplinary isolation for more than one hundred twenty hours. The maximum sanction for rule violations shall be no more than sixty days for violations arising out of one incident. Continuous confinement for more than thirty days requires the review and approval of the jail administrator or designee. The jail's current policy and procedure that supports this standard need updated to reflect standard. Documentation evidencing compliance with this standard was also not available at the time of the inspection.

5120:1-8-12(C)(Important): Each full-service jail shall ensure that inmate rules shall specify the fundamental rights that cannot be suspended except in an emergency or other condition beyond the control of the jail administrator. The jail's current policy and procedure that supports this standard need updated to reflect standard.

5120:1-8-12(F)(Important): Each full-service jail shall ensure pre-disciplinary hearing requirements shall include, at a minimum a written incident report, an inmate's opportunity to waive in writing the disciplinary hearing, an investigation that commences within twenty-four hours of the incident to determine whether sufficient evidence exists to support the charge, a written notification to the inmate of the nature and date of the violation within twenty-four hours of the alleged violation(s) or discovery of the alleged violation(s). The jail's current policy and procedure that supports this standard need updated to reflect standard.

5120:1-8-12(G)(Important): Each full-service jail shall ensure an inmate shall have a minimum of twenty four hours after receiving written notification of the rule violation(s) to prepare for the disciplinary hearing. The inmate may waive the twenty four hour period. The inmate is given a hearing within forty eight hours excluding holidays, weekends, and emergencies after receiving the written notification if placed in isolation or within three business days if the inmate is not placed in isolation. Postponement of the hearing may be granted. The jail's current policy and procedure that supports this standard needs updated to reflect standard.

5120:1-8-12(H)(Important): Each full-service jail shall ensure disciplinary hearing requirements shall include an impartial hearing officer appointed by the jail administrator or designee; the inmate's opportunity to be heard,

present evidence and question witnesses subject to limitations imposed by the hearing officer, the hearing officer shall state the reasons for any limitations in writing; a written statement by the hearing officer of the facts relied upon and reasons for the imposition of any penalties shall be provided to the inmate and a copy placed in the inmate's file; and selection by the jail administrator or designee of a staff person to assist an inmate when the inmate is unable to effectively communicate. The jail's current policy and procedure that supports this standard need updated to reflect standard.

5120:1-8-15(B)(Important): Each full-service jail shall ensure the use of administrative segregation as a penalty and/or punishment shall be prohibited. Steps must be taken to ensure inmates who are placed in administrative segregation are receiving the same privileges as the general population. The jail's current policy and procedure that supports this standard need updated to reflect standard.

5120:1-8-15(D)(Important): Each full-service jail shall ensure that within twenty four hours of administrative segregation, the inmate shall be provided with written documentation of the reason for confinement. The inmate shall also be provided an opportunity for a written or oral response to the jail administrator or designee, to be reviewed within seventy two hours for determination of continued confinement. The jail's current policy and procedure that supports this standard need updated to reflect standard.

5120:1-8-16(A)(Important): Each full-service jail shall have inmate rules to include a grievance procedure that is available to inmates and includes at least one level of appeal. The jail's current policy and procedure that supports this standard need updated to reflect standard.

5120:1-8-17(D)(Important): Each full-service jail shall have a written, implemented staffing plan that includes jail personnel assignments, days of the week and hours of the day that assignments are covered and any deviations from the plan with the respect to weekends, holidays and other atypical situations. (1) The plan shall include all posts and functions, a calculated shift relief factor, sufficient numbers of male and female jail staff on duty and available to perform sensitive functions and procedures as necessary by inmate gender, and total number of employees required to fill identified functions. (2) The plan shall reflect that the jail has staff for administration and supervision; inmate programs; inmate supervision, custody and back up; support services including medical, food service, maintenance and clerical; staff training; and other jail-related functions such as escort and transportation of inmates. The jail's current policy and procedure that supports this standard need updated to reflect standard and all the components listed.

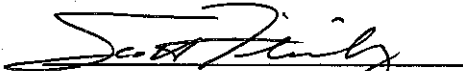
5120:1-8-18(A)(1)(2)(Important): Each full-service jail shall ensure jail support staff with routine contact shall receive training and pertinent agency policies and procedures prior to or in conjunction with assignment to jail duties. During the first year of assignment, they must receive twenty four hours of training including legal aspects of corrections, basic security concepts, emergency preparedness, interpersonal communications, first aid/CPR, unarmed self-defense, and Standards for jails in Ohio. They must also receive two hours of in-service training each subsequent year of employment addressing specific job assignments and/or jail related issues. The jail's current policy and procedure that supports this standard need updated to reflect standard and all the components listed. Training files and/or other verification of the required training could not be produced by Jail Administration at the time of the inspection.

5120:1-8-18(B)(2)(Important): Each full-service jail shall ensure that: (1) Correctional officers shall receive training in jail policies within sixty days of employment; (2) During the first year of assignment, training consistent with Chapter 109:2-9 of the Administrative code; and (3) Eight hours of in-service training each subsequent year of employment addressing specific job assignments and/or jail related issues. These training hours are in addition to training mandated by other standards. On the day of the inspection, jail administration informed this writer

that two officers were past their first year of assignment in order to be in compliance with this standard. It should be noted that the OPOTA Basic class these officers were originally signed up for had been cancelled per jail administration.

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,



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cc: John F. Adams, Bureau Administrator  
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File