

Ohio

Department of Rehabilitation & Correction

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Inmate Grievance Procedure Annual Report for 2018
September 2020

Authority

The Office of the Chief Inspector, in accordance with Administrative Rule 5120-9-30, has the authority to administer all aspects of the grievance process for the Ohio Department of Rehabilitation and Correction (ODRC). Administrative Rule 5120-9-31 outlines the grievance procedure and the requirements associated with its use.

This report, as required by Administrative Rule 5120-9-30 (12), provides descriptive statistical information related to the grievance procedure primarily during 2018, while also providing some basic descriptive trend comparisons for the last 5 complete calendar years (2014 to 2018).

Inmate Grievance Procedure Transition in 2018

Calendar year 2018 represents the first full year of ODRC's automated inmate grievance procedure. Ohio is the only known three-step procedure that is fully automated among the largest correctional agencies in the United States. Two states, Georgia and New Jersey, have adopted similar electronic systems utilizing a two-step procedure, however, neither state creates a formalized annual report on their respective inmate grievance procedures for a more detailed comparison with Ohio.

The implementation of the electronic system in ODRC has resulted in significant increases in the use of the grievance procedure from previous years, demonstrating a greater access for the inmate population. The new system includes features that ensure staff and inmate accountability for meeting time deadlines at each step of the process, further enhancing the credibility the procedure has with staff and inmates for addressing concerns.

Inmate Grievance Procedure

The grievance procedure is a three-step process that begins with the filing of an Informal Complaint Resolution (ICR) to the supervisor of the area where the inmate has a concern. For example, a complaint would be issued to a Food Service Manager for concerns related to food quality. If an inmate is not satisfied with the response rendered in the ICR, the inmate may file a grievance to the Inspector of Institutional Services.

Once a grievance is filed, the Inspector of Institutional Services conducts a thorough investigation into the matter and will determine if any policy, rule, or procedural guideline was violated. The Inspector renders a decision of denied or granted. In some cases, the complaint may be considered non-grievable for not meeting the requirements of AR 5120-9-31 or the inmate may withdraw the complaint. If an inmate is not satisfied with the decision by the inspector, an appeal may be filed to the Office of the Chief Inspector for review by an assigned Assistant Chief Inspector where the decision is considered final.

Inmates may also file grievances directly to the Chief Inspector in instances where they believe the Warden or Inspector of Institutional Services was personally and knowingly involved in a violation of law, rule or policy, or condoned such a violation.

Inmate Grievance Procedure Descriptive Trend Information

Table 1 displays the aggregate agency informal complaint resolutions, grievances, appeals, and direct grievances from 2014 to 2018.

All data provided for 2018 is obtained from the automated grievance procedure application (in use at 26 of 28 prisons) and the agency's Departmental Offender Tracking System (DOTS) Portal data warehouse (in use at OSP and SOCF). The newly adopted automated grievance procedure application was implemented at different time points at different prisons throughout 2017 and reflect a combination of both the automated grievance procedure application and the DOTS Portal data warehouse. All data prior to 2017 is obtained from the DOTS Portal data warehouse.

The adoption of the new system, which can be accessed by inmates at approximately 797 kiosks located throughout the facilities, generated a significant increase in filings at all three levels of the inmate grievance procedure. This increase is especially apparent in 2018 where the vast majority of prisons utilized the automated grievance procedure application for the entire year.

Administrative Rule 5120-9-31 (12) requires the annual report to provide the status of all pending grievances. Because the data was captured after the exhaustion of all timeframes related to the grievance procedure, there are no pending grievances for 2018.

Table 1. Informal Complaint Resolutions, Grievances, Direct Grievances, and Appeals Filed, 2014-2018

Filing Type	2014	2015	2016	2017	2018
Informal Complaint Resolutions	41810	36468	35799	41234	62309
Grievances	6172	5518	5323	8227	17874
Appeals	2597	2332	2224	3534	7772
Direct Grievances	520	451	437	1824	3422

Inmate Grievance Procedure Descriptive Statistics for Calendar Year 2018

Table 2 provides a graph of informal complaints, grievances, and appeals in 2018 expressed in rates per 1,000 inmates by institution. The use of rates is a conventional method that is appropriate when comparing groups (i.e., prisons) with different sized populations.

Please find Table 2 below on page 4 of this report.

Table 3 surrounds the grievance subject area. This table also illustrates the percent of grievances granted by each particular subject area for all grievances filed in 2018.

Please find Table 3 below on page 5 of this report.

Table 2. Grievance Procedure Rates per 1,000 Inmates, 2018.

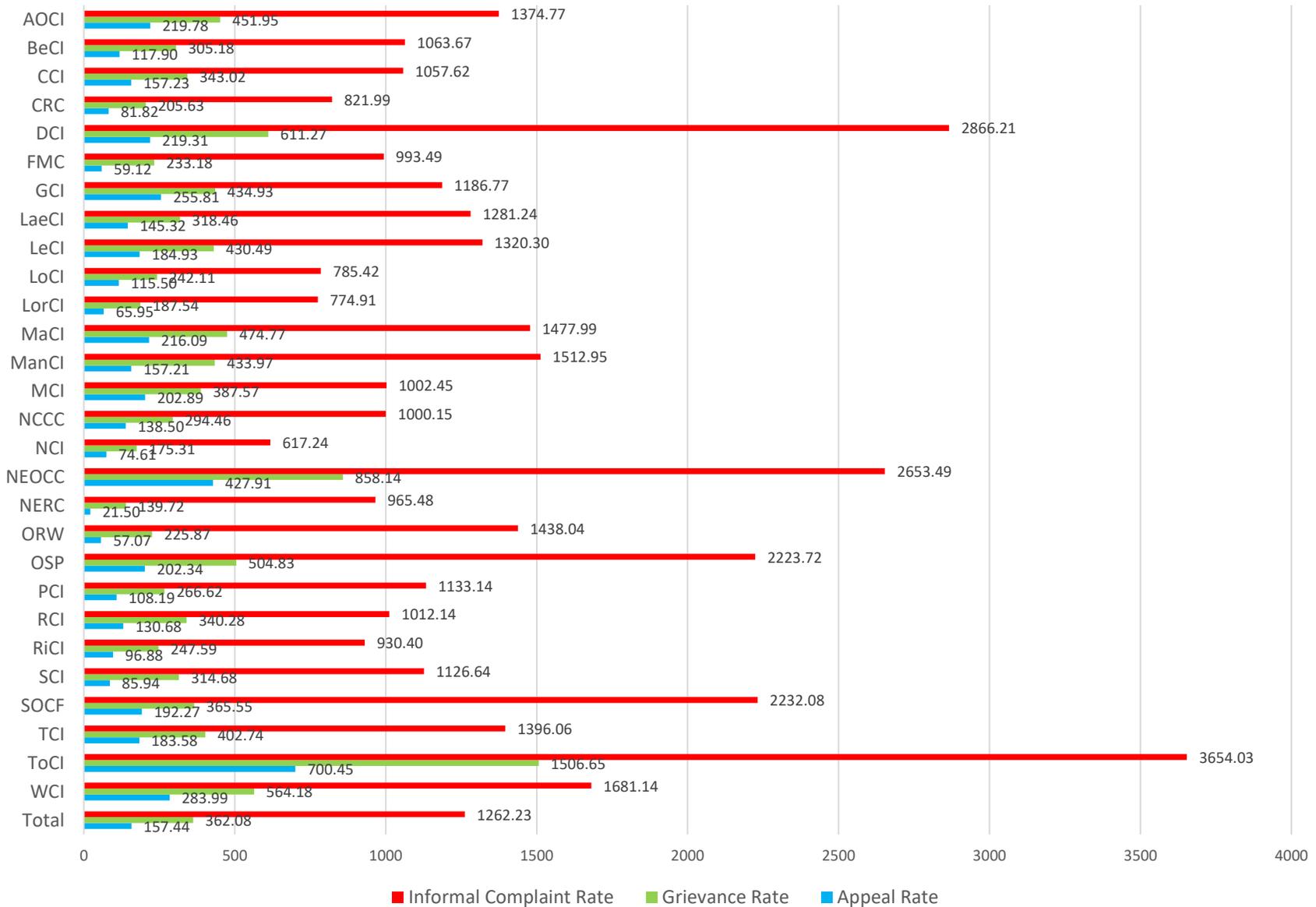


Table 3. Grievance Subject Area by Percent of Grievances Granted, 2018

Grievance Subject Area	n	Percent Granted
Administration	944	3.0
Business Office	82	8.5
Cashiers Office	648	9.0
Classification	196	3.6
Commissary	277	10.5
Communication	175	1.7
Drug Testing	110	3.6
Education/Vocational	253	13.0
Food Service	990	10.3
Healthcare	1820	4.8
Inmate Groups	26	7.7
Inmate Programs	35	2.9
Inspector of Institutional Services	2	0.0
Laundry/Quartermaster	209	14.8
Legal Services	20	0.0
Library Services	280	3.9
Mail/Package	1567	8.6
Maintenance	166	9.6
Mental Health Services	268	1.9
Non-Grievable Matters	31	0.0
PREA/Sexual Harassment	145	1.4
Property	1537	18.3
Recovery Services	75	2.7
Recreation	117	6.8
Religious Services	139	5.0
Sanitation	99	11.1
Security	2702	5.7
Security Threat Groups	89	1.1
Special Management Housing	318	4.4
Supervision	194	3.1
Unit Management	3639	6.1
Use of Force	75	5.3
Visitation	205	4.4
Warden	441	3.2
Total	17874	7.2