



Department of  
Rehabilitation & Correction

Mike DeWine, Governor  
Annette Chambers-Smith, Director

11/08/2019

Sheriff Dave Duchak  
Miami County Jail  
201 W. Main Street  
Troy, OH 45373

RE: 2019 Annual Jail Inspection

Dear Sheriff Dave Duchak:

In accordance with Section 5120.10 of the Ohio Revised Code and Executive Order 92-03 of the Department of Rehabilitation and Correction, the Miami County Jail, a full service jail, was inspected on 09/24/2019. The inspection was restricted to assessing compliance with a group of standards, selected from the 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 and Mental Health Services, Food Service, Recreation and Programming, Inmate Discipline, Administrative Segregation, Grievance, Staffing, and Staff Training. The inspection consisted of this Inspector receiving and/or reviewing requested documentation and/or materials, touring selected areas of the jail, and having discussions with various jail staff.

The total actual general housing capacity for the Miami County Jail is 108. On the date of the jail inspection, there were 70 inmates incarcerated in the Miami County Jail. The Ohio Department of Rehabilitation and Correction recommended housing capacity for the jail is 48, which is based upon total available living space and other requirements. Officials should maintain prisoner counts within the Department's recommended capacity figure.

The Miami County Jail (Full Service Jail) is in compliance with 98 standards, 44 "Essential", and 54 "Important".

5120:1-8-01 (A)(1); -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)(7); -03 (B)(2); -03 (B)(4); -03 (B)(5); -03 (B)(7); -03 (B)(8); -03 (B)(10)(a); -03 (B)(10)(b); -03 (B)(10)(c); -03 (B)(10)(d); -03 (B)(11)(c); -03 (B)(12); -03 (B)(15); -03 (B)(16); -03 (B)(17); -04 (B); -04 (C); -04 (D); -04 (E); -04 (F); -04 (G); -04 (H); -04 (K); -05 (A); -05 (B); -05 (C); -05 (H)(3); -05 (I); -05 (J); -05 (L); -05 (M); -05 (N); -05 (O); -05 (P); -05 (Q); -06 (G); -07 (A); -07 (D); -07 (H); -07 (I); -09 (A); -09 (B); -09 (C); -09 (E); -09 (F); -09 (G); -09 (H); -09 (M); -09 (N); -09 (P); -09 (Q); -09 (U); -09 (V); -09 (W); -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 Miami County Jail did not comply with 16 standards, 8 "Essential", and 8 "Important". 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) Each full service jail shall maintain the following minimum standards in regard to security of the jail. (6) (Essential) A two-way communications system between central control, staffed posts and inmate occupied areas.

Comments: On the day of the inspection there was no two-way communication in all inmate occupied areas. Jail officials should make two-way communication available in all inmate occupied areas.

5120:1-8-03 (B) Each full service jail shall have written policies and procedures, and practices which evidence, that the following minimum standards are maintained. (6) (Essential) An official count shall be conducted to verify inmates' physical presence and identification. There shall be no less than three official counts daily, not to exceed nine hours in duration from the previous official count. The official counts will be reconciled. Jail staff conducting the count shall record the count.

Comments: On the day of the inspection policy and documents provided did not show how counts are reconciled. Jail officials should update policy to tell how count is reconciled.

5120:1-8-03 (B) Each full service jail shall have written policies and procedures, and practices which evidence, that the following minimum standards are maintained. (9) (Essential) Inmates in physical restraints shall be personally checked by staff every ten minutes. The report of the use of physical restraints shall be reviewed and signed off by a non involved supervisor or higher ranking personnel. The use of physical restraints shall be reviewed for policy compliance by the jail administrator or designee.

Comments: On the day of the inspection 10 minute checks were over a on a few occasions. Jail officials should tighten up the 10 minute checks to make sure none are over the 10 minute checks.

5120:1-8-03 (B) (11) Procedures guide searches of jails and inmates to control contraband.  
(b) (Essential) A security inspection of the jail shall be conducted once per month.

Comments: On the day of the inspection documents downloaded did not demonstrate security inspection once a month, documents downloaded were every other month. Jail officials should download security inspection in consecutive months to demonstrate compliance.

5120:1-8-04 (A) (4) Full service jails shall provide inmates with sufficient space. The jail shall maintain documentation regarding square footage and maximum occupancy figures for all housing and holding areas, and shall comply with the following minimum requirements: Dayspace: (Important) Thirty-five square feet per number of occupants occupying the dayspace at one time. Minimum size of one hundred five square feet.

Comments: On the day of the inspection the jail was over the recommended BRC. Jail officials should work to maintain jail capacity within the BRC.

5120:1-8-04 (J) (Important) Natural light shall be provided in housing units, dorms, cells and/or dayspaces.

Comments: On the day of the inspection some holding/ housing areas did not provide natural light. Jail officials should work make sure all areas are provided natural light.

5120:1-8-05 (E) (Essential) The jail shall be inspected annually by local or state health authorities and a written report shall be provided. There shall be a written plan to correct jail-related deficiencies.

Comments: On the date of the inspection the health inspection provided was from 2018. Jail officials should download a copy of the 2019 Health Inspection.

5120:1-8-05 (G) The jails shall maintain documentation that the following standards are met with regard to interior lighting: (1) (Important) At least twenty foot-candles, measured thirty inches above the floor, in inmate reading areas.

Comments: On the day of the inspection light readings did not meet the 20 foot candles in inmate reading areas. Jail officials should bring lighting up to the standard of 20 foot candles in inmate reading areas.

5120:1-8-05 (G) The jails shall maintain documentation that the following standards are met with regard to interior lighting: (2) (Important) At least fifteen foot-candles, measured thirty inches above the floor, in inmate accessible areas.

Comments: On the day of the inspection lighting did not make the 15 candle foot per standard in all inmate accessible areas. Jail officials should work bring lighting to standard in all inmate accessible areas.

5120:1-8-05 (K) (Important) Shaving equipment and supplies shall be made available daily. Issuance and retrieval of shaving equipment and supplies shall be documented.

Comments: On the day of the inspection logs provided do not match up as to razors passed and collect on 4/5/2018. Jail officials should have staff make sure they are correctly and effectively documenting all information.

5120:1-8-06 (B) (Important) Incoming and outgoing inmate mail, correspondence and packages shall be opened and inspected to intercept contraband or non permitted items. The jail shall document procedures for the appropriate disposition of intercepted items.

Comments: On the day of the inspection the policy does not comply with the standard, all incoming and outgoing mail shall be inspected to intercept contraband or non permitted items. Jail officials should update policy to meet the standard. Furthermore jail officials should provide a log or policy to how intercepted contraband is disposed of.

5120:1-8-06 (C) (Important) Legal mail or 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.

Comments: On the day of the inspection no documentation was provided showing how contraband items are disposed of. Jail officials should provide a log or policy to how intercepted contraband is disposed of.

5120:1-8-07 (E) (Important) The jail shall provide general visitation hours that provide inmates the opportunity for thirty minutes of visitation per week. If the jail utilizes video visitation, it will provide weekly general visitation hours that are supported by the video visitation system utilized, no less than twenty minutes per visit. A schedule of visiting hours shall be posted in inmate and visitor areas.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard. Policy and procedures do not meet the intent of the standard for video visitation. Jail officials should update policy and procedure to meet the video visitation requirements.

5120:1-8-09 (D) (Essential) Health appraisal. Within fourteen days, a licensed nurse, physician, physician's assistant, EMT or paramedic shall complete a health appraisal to determine the medical and mental health condition for each inmate in custody. Such appraisal shall at least include the following:

- (1) Review of receiving screen.
- (2) Collection of additional data to complete the medical, dental and mental health history.
- (3) Laboratory and/or diagnostic tests to detect tuberculosis and other suspected communicable diseases as designated by the health authority.
- (4) Recording the height, weight, pulse, blood pressure and temperature.
- (5) Medical examination as determined by the examiner.
- (6) Mental health assessment.
- (7) Initiation of therapy when determined necessary by the examiner.
- (8) Development and implementation of a treatment plan.
- (9) Other test and examination as determined by the examiner or health authority.

Comments: On the day of the inspection documents provided did not demonstrate that TB tests were being conducted on all inmates on or before the 14 day health appraisal. Jail officials should make sure TB tests are being conducted on all inmates prior to or at that 14 day health appraisal.

5120:1-8-09 (J) (Essential) Medical/mental health record. The jail shall maintain an accurate health/mental health record in written or electronic format. The health authority shall develop policies and procedures concerning the following areas:

- (1) Health records remain confidential and are only accessible to personnel designated by the health authority.
- (2) Correctional staff may be advised of inmates' health/mental health status only to preserve the health and safety of the inmate, other inmates, jail staff and in accordance state and federal laws.
- (3) Retention and reactivation of said records if an inmate returns to the facility.
- (4) Transfer of medical/mental health information or record to external care provider.

Comments: On the day of the inspection it was stated that there is a system in place to reactive inmate health records but it does not elaborate on what it is. Jail officials should download the procedure to demonstrate compliance.

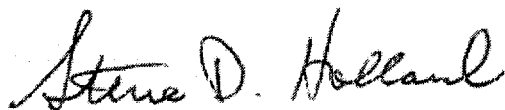
5120:1-8-09 (K) (Essential) Pharmaceuticals. Pharmaceuticals are managed in accordance with policies and procedures approved by the health authority and in compliance with state and federal laws and regulations and include the following:

- (1) The policies require dispensing and administering prescribed medications by health-trained personnel or professionally trained personnel, adequate management of controlled medications, and provisions of medication to inmates in special management units.
- (2) The jail shall develop a policy, approved by the health authority, regarding incoming medications.

Comments: On the day of the inspection no documentation was provided to demonstrate how incoming medication was addressed. Jail officials should demonstrate how incoming medication is address whether it is at booking on the inmates person or family bringing outside medication in to the jail.

Plan of action forms are enclosed. Completed form(s) and/or corrective materials addressing the noted deficiencies must be completed and submitted through the Ohio Jail Management System (OHJMS) at [www.OHJMS.Intelligrants.com](http://www.OHJMS.Intelligrants.com) within 45 days of receipt of this correspondence. Please feel free to contact the Bureau if you need assistance or clarification in this effort. The Bureau remains available to discuss the aspects of this report or to provide reference materials or assistance as desired.

Sincerely,



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