

01/30/2020

Sheriff Paul Monroe  
Trumbull County Adult Justice Center  
150 High Street  
Warren, OH 44481

RE: 2019 Annual Jail Inspection

Dear Sheriff Paul Monroe:

In accordance with Section 5120.10 of the Ohio Revised Code and Executive Order 92-03 of the Department of Rehabilitation and Correction, the Trumbull County Adult Justice Center, a full service jail, was inspected on 09/04/2019. 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 Trumbull County Adult Justice Center is 313. On the date of the jail inspection, there were 292 inmates incarcerated in the Trumbull County Adult Justice Center. The Ohio Department of Rehabilitation and Correction recommended housing capacity for the jail is 313, which is based upon total available living space and other requirements. Officials should maintain prisoner counts within the Department's recommended capacity figure.

The Trumbull County Adult Justice Center (Full Service Jail) is in compliance with 86 standards, 37 "Essential", and 49 "Important".

5120:1-8-01 (A)(1); -01 (A)(3); -01 (A)(4); -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)(6); -03 (A)(7); -03 (B)(2); -03 (B)(5); -03 (B)(6); -03 (B)(8); -03 (B)(10)(a); -03 (B)(10)(b); -03 (B)(11)(b); -03 (B)(11)(c); -03 (B)(12); -03 (B)(15); -03 (B)(17); -04 (A)(4); -04 (B); -04 (C); -04 (F); -04 (G); -04 (J); -04 (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 (M); -05 (N); -05 (P); -05 (Q); -06 (B); -06 (C); -06 (F); -06 (G); -07 (A); -07 (D); -07 (E); -07 (H); -07 (I); -09 (E); -09 (F); -09 (G); -09 (H); -09 (J); -09 (M); -09 (P); -09 (Q); -09 (U); -09 (V); -09 (W); -09 (X); -10 (A); -10 (B); -10 (D); -10 (E); -10 (G)(1); -10 (G)(2); -11 (A); -11 (B); -11 (E); -15 (B); -15 (D); -15 (E); -16 (A); -17 (D); -17 (E); -17 (F); -18 (A); -18 (E);

The Trumbull County Adult Justice Center did not comply with 29 standards, 16 "Essential", and 13 "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.

5120:1-8-01 (A) (7) (Important) The jail shall develop and implement policies and procedures governing strip searches and body cavity searches during reception in consultation with the county prosecutor, city attorney or law director consistent with section 2933.32 of the Revised Code.

Comments: The jail did not provide evidence supporting that the policy governing strip and body cavity searches was developed and implemented in consultation with the county prosecutor, city attorney or law director, consistent with section 2933.32 of the Revised Code.(see notes within the standard in OHJMS).

5120:1-8-03 (A) Each full service jail shall maintain the following minimum standards in regard to security of the jail. (5) (Essential) If installed, closed circuit televisions that are operational and preclude the monitoring of shower, toilet and clothing exchange areas.

Comments: During the annual inspection, several closed circuit televisions systems in the jail were not functioning properly.

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. (4) (Essential) There is a plan that guides the jail's response to emergencies. All jail personnel are trained in the implementation of the emergency plan. The emergency plan should include procedures to be followed in situations that threaten jail security.

Comments: The jail did not provide supporting documentation to evidence new jail staff are trained in the implementation of the jail's emergency plans (see notes within the standard in OHJMS).

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. (7) (Essential) Personal observation checks of inmates shall be conducted every sixty minutes on an irregular schedule. Observation checks shall be conducted at varying times and shall be documented after completion by the staff person performing the check.

Comments: At the time of inspection, the jail's supporting documentation did not evidence compliance for this standard (see notes within the standard in OHJMS).

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: The jail's supporting documentation showed incident reports are not being reviewed and signed off by a non-involved supervisor or higher-ranking personnel.

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. (10) In regard to the use of force:

(c) (Essential) 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.

Comments: The jail's supporting documentation did not show compliance with sections (B)(10)(c) and (B)(10)(d) in accordance with the standard (see notes within the standard in OHJMS).

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. (10) In regard to the use of force:

(d) (Essential) Use of force incidents shall be recorded and reviewed by the jail administrator or designee.

Comments: The jail's supporting documentation did not show compliance with sections (B)(10)(c) and (B)(10)(d) in accordance with the standard (see notes within the standard in OHJMS).

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. (16) (Important) Keys, tools and culinary equipment are inventoried and use is controlled.

Comments: The jail is not following their policy regarding the issuance and control of keys, tools and culinary equipment. During the tour of the jail, this inspector observed the jail's key control, tools, and culinary equipment are not inventoried and controlled (see notes within the standard in OHJMS).

5120:1-8-04 (D) (Important) Temperature is mechanically raised or lowered to acceptable comfort levels.

Comments: During the inspection, temperatures in the inmate housing units ranged from 59-64 degrees Fahrenheit.

5120:1-8-04 (E) (Important) Sanitation facilities shall include access to an operable flush toilet and lavatory with hot and cold potable water on a twenty-four hour a day basis without staff assistance.

Comments: During the inspection, several housing and holding areas were found to have non-functioning toilets and lavatories.

5120:1-8-04 (H) (Important) One operable wash basin with hot and cold potable water for every twelve occupants.

Comments: During the inspection, the several housing units within the jail did not provide an operable lavatory for the inmate population.

5120:1-8-05 (O) (Essential) Fire drills shall be conducted every three months on each shift.

Comments: The jail did not provide documentation showing that fire drills are conducted on all shifts every three months.

5120:1-8-09 (A) (Essential) Health authority. The jail has a designated health authority with responsibility for health and/or mental health care services pursuant a written agreement, contract or job description. The health authority may be a physician, health administrator or agency. When the health authority is other than a local physician, final clinical judgment rests with a single, designated, responsible, local physician licensed in Ohio. The health authority is responsible and authorized to: A1): Provide written policies and procedures specifically designed for the jail for all aspects of this standard that shall be reviewed on an annual basis. A2): Arranges for all levels of health care, mental health care and dental care and assures quality, accessible and timely are services for inmates. When necessary medical, mental health or dental care is not available at the jail, inmates referred to an appropriate setting. A3): Ensure where there is a separate organizational structure for mental health services; there is a designated mental health clinician. A4): Ensure decisions and actions regarding health care and mental health care meet inmate's serious medical and mental health needs are the sole responsibility of qualified health care and mental health professionals. A5): No inmate shall be denied necessary health care, as designated by the health authority.

Comments: The jail's policy needs updated to include language showing compliance with section (A)(3) of the standard. This information will need to include the review and approval of the Health Authority (see notes within the standard in OHJMS).

5120:1-8-09 (B) (Essential) Inmate pre-screen. Before acceptance into jail, health-trained personnel shall inquire about, but not be limited to the following conditions and the health authority shall develop policies for the acceptance or denial of admission for:

- (1) Suicide thoughts/plan.
- (2) Current serious or potentially serious medical or mental health issues needing immediate attention.
- (3) The use of taser, pepper spray or other less lethal use of force during arrest.

Comments: The jail did not provide documentation showing that staff who conduct inmate pre-screens were health-trained. (see notes within the standard in OHJMS).

5120:1-8-09 (C) (Essential) 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.

(1) Inquiry includes at least the following:

- (a) Current and past illness and health problems;
- (b) Current and past dental problems;
- (c) Current and past mental health problems;
- (d) Allergies;
- (e) Current medications for medical and mental health;
- (f) Hospitalizations for medical or mental health purpose(s);
- (g) Special health needs;
- (h) Serious infection or communicable illness(s);
- (i) Use of alcohol and drugs including types, amounts and frequency used, date or time of last use and history of any problems after ceasing use i.e. withdrawal symptoms;
- (j) Suicidal risk assessment;
- (k) Possibility of pregnancy;
- (l) Other health problems as designated by the health authority.

(2) Observation of the following:

- (a) Behavior including state of consciousness, mental health status, appearance, conduct, tremors and sweating;
- (b) Body deformities and ease of movement;
- (c) Condition of skin, including trauma markings, bruises, lesions, jaundice, rashes, infestations and needle marks or other indications of drug abuse.

(3) Medical disposition of inmate:

- (a) General population;
- (b) General population with prompt referral to appropriate health or mental health services;
- (c) Referral for emergency treatment;
- (d) Medical observation/isolation;
- (e) Mental health observation/precautions;
- (f) Documentation of date, time and signature and title of person completing screening.

Comments: The jail did not provide documentation showing that staff who conduct inmate receiving screens were health-trained. (see notes within the standard in OHJMS).

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: Information reviewed during the 2019 Annual Inspection of the Trumbull County Adult Justice Center, showed inmate health appraisals are not completed within the required 14-day period (see notes within the standard in OHJMS).

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: The jail's policy needs updated to include language showing compliance with sections (K)(2) of the standard. This information will need to include the review and approval of the Health Authority .

5120:1-8-09 (N) (Essential) Suicide prevention program. The health authority shall have a plan for identifying and responding to suicidal and potentially suicidal inmates. The plan components shall include:

- (1) Identification - The receiving screening form contains observation and interview items related to the inmate's potential suicide risk. Circumstances include but are not limited to: profound incidents/issues, court dates, loss of significant others either by accident, natural causes or by suicide, sentencing, divorce, rejection, bad news, after a humiliating issue, etc. may be high risk periods for inmates.
- (2) Training - Staff members who work with inmates are trained to recognize verbal and behavioral cues that indicate potential suicide and how to respond appropriately. The plan includes initial and annual training.
- (3) Assessment - The plan specifies a suicide risk assessment and level system. The assessment needs to be completed every time an inmate is identified as being or potentially being suicidal, or if circumstances change. Only a qualified mental health professional may remove inmates from suicide risk status.
- (4) Housing - The plan must designate the housing beds/units for the suicidal or potentially suicidal inmates.
- (5) Monitoring - The plan specifies the procedures for monitoring an inmate who has been identified as potentially suicidal. A suicidal inmate is checked at varied intervals not to exceed ten minutes . Regular documented supervision is maintained. Inmates are placed in a designated cell, all belongings removed and other prevention precautions initiated, as appropriate.
- (6) Referral - The plan specifies the procedures for referring a potentially suicidal inmate and attempted suicides to a mental health care provider or facility, and includes timeframes.
- (7) Communication - The plan specifies for ongoing communications (oral and written), notifications between health care and correctional personnel regarding the status of suicidal inmates.
- (8) Intervention - The plan addresses how to handle a suicide in progress, including first-aid measures.
- (9) Notification - The plan includes procedures of notifying the jail administrator, outside authorities and family members of completed suicides. The plan shall consider safety and security issues when it comes to notification.
- (10) Reporting - The plan includes procedures for documenting, monitoring and reporting attempted or completed suicides. Completed suicides are immediately reported to the coroner/medical examiner and the division of parole and community services within thirty days of the incident.
- (11) Review - The plan specifies procedures for medical and administrative review if a suicide or a serious suicide attempt occurs.
- (12) Critical incident debriefing - The plan specifies the procedures for offering critical incident debriefing to affected staff and inmates.

Comments: The jail did not provide supporting documentation to evidence compliance with section (N)(5) of the standard. Additionally, the jail did not provide supporting documentation evidencing annual suicide prevention training (section (N)(2) of the standard) was conducted for all jail staff (see notes within the standard in OHJMS).

5120:1-8-09 (R) (Essential) Restraints. Use of restraints for medical and psychiatric purposes shall be applied in accordance with policies and procedures approved by the health authority, including:

- (1) Conditions under which restraints may be applied.
- (2) Types of restraints to be applied.
- (3) Identification of a qualified medical or mental health professional who may authorize the use of restraints after reaching the conclusion that less intrusive measures are not a viable alternative.
- (4) Monitoring procedures.
- (5) Length of time restraints are to be applied.
  - (a) There shall be ten-minute, varied checks by correctional staff;
  - (b) There shall be thirty-minute checks by health-trained personnel;

(c) Inmates in medical restraints, if possible, after every two hours of continuous use, each extremity is freed or exercised for a period of five to ten minutes.

(6) Documentation of efforts for less restrictive treatment alternatives.

(7) An after-incident review.

Comments: The jail's supporting documentation did not evidence compliance with section (R)(5)(a) of the standard (see notes within the standard in OHJMS).

5120:1-8-10 (C) (Essential) Menu cycles and contents shall be evaluated and approved annually by a licensed nutritionist or registered dietitian or registered dietitian nutritionist.

Comments: The jail failed to provide evidence showing their menu cycle had been approved by a licensed nutritionist, registered dietitian, or registered dietitian nutritionist.

5120:1-8-10 (F) (Essential) All persons involved in the preparation of food shall receive a pre-assignment medical examination and annual re-examinations.

Comments: The jail did not provide evidence food service staff and approved inmate workers in the food service area had received pre-assignment medical examinations and annual medical re-examinations.

5120:1-8-12 (B) (Important) 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.

Comments: The jail did not provide additional documentation to evidence compliance in accordance with the standard (see notes within the standard in OHJMS).

5120:1-8-12 (C) (Important) 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.

Comments: At the time of inspection, the jail did not provide supporting documentation did not evidence compliance for this standard (see notes within the standard in OHJMS).

5120:1-8-12 (F) (Important) Pre-disciplinary hearing requirements shall include, at 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, and 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).

Comments: The jail did not provide additional documentation showing compliance in accordance with the standard (see notes within the standard in OHJMS).

5120:1-8-12 (G) (Important) The inmate shall have a minimum period 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.

Comments: The jail did not provide additional documentation showing compliance in accordance with the standard (see notes within the standard in OHJMS).

5120:1-8-12 (H) (Important) 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.

Comments: The jail did not provide additional documentation showing compliance in accordance with the standard (see notes within the standard in OHJMS).

5120:1-8-17 (G) (Important) A written code of ethics shall be provided to jail staff.

Comments: The jail did not upload documentation to evidence a written code of ethics are provided to new jail staff.

5120:1-8-18 (B) (Important) Correctional officers shall receive training as follows:

- (1) Training in jail policies and within sixty days of employment.
- (2) During the first year of assignment, training consistent with Chapter 109:2-9 of the Administrative Code.
- (3) Eight hours of-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.

Comments: The jail supporting documentation did not to show compliance with sections (B)(1) and (B)(2) of the standard. Additionally, the jail did not provide supporting documentation in order to evidence compliance section (B)(3) (see notes within the standard in OHJMS).

5120:1-8-18 (C) (Important) Administrators and supervisors shall receive training in addition to the training specified in paragraph (B) of this rule as follows:

- (1) Training in jail policies and procedures prior to assignment to jail duties.
- (2) During the first year of assignment, forty hours of training including legal aspects of jail management, managerial principles, labor relations, and records/information management.
- (3) Eight hours of in-service training each subsequent year of employment addressing special issues, skills-enhancement, and other assignment related topics.

Comments: The jail did not provide documentation to show compliance with sections (C)(2) of the standard (see notes within the standard in OHJMS).

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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Joel Commins, State Jail Inspector  
Bureau of Adult Detention  
161 South High St.  
Akron, Ohio 44308  
Phone: (614) 357-4245  
Email: [joel.commins@odrc.state.oh.us](mailto:joel.commins@odrc.state.oh.us)