



Department of
Rehabilitation & Correction

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

03/28/2018

Sheriff Dave Phalen
Fairfield County Justice Center
345 Lincoln Ave.
Lancaster, OH 43130

RE: 2017 Annual Jail Inspection

Dear Sheriff Dave Phalen:

In accordance with Section 5120.10 of the Ohio Revised Code and Executive Order 92-03 of the Department of Rehabilitation and Correction, the Fairfield County Justice Center, a full service jail, was inspected on 12/14/2017. 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 Fairfield County Justice Center is 384. On the date of the jail inspection, there were 302 inmates incarcerated in the Fairfield County Justice Center. The Ohio Department of Rehabilitation and Correction recommended housing capacity for the jail is 384, which is based upon total available living space and other requirements. Officials should maintain prisoner counts within the Department's recommended capacity figure.

The Fairfield County Justice Center (Full Service Jail) is in compliance with 92 standards, 43 "Essential", and 49 "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)(6); -03 (A)(7); -03 (B)(2); -03 (B)(5); -03 (B)(6); -03 (B)(7); -03 (B)(8); -03 (B)(9); -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)(17); -04 (A)(4); -04 (B); -04 (D); -04 (E); -04 (F); -04 (G); -04 (H); -04 (J); -04 (K); -05 (A); -05 (C); -05 (E); -05 (G)(1); -05 (G)(2); -05 (H)(3); -05 (L); -05 (O); -05 (P); -05 (Q); -06 (B); -06 (C); -06 (G); -07 (A); -07 (D); -07 (E); -07 (H); -07 (I); -09 (A); -09 (C); -09 (E); -09 (F); -09 (G); -09 (H); -09 (J); -09 (K); -09 (P); -09 (Q); -09 (R); -09 (U); -09 (V); -09 (W); -09 (X); -10 (A); -10 (C); -10 (E); -10 (G)(1); -10 (G)(2); -11 (A); -11 (B); -11 (E); -12 (B); -12 (F); -12 (G); -12 (H); -15 (B); -15 (D); -15 (E); -17 (D); -17 (E); -17 (F); -17 (G); -18 (E);

The Fairfield County Justice Center did not comply with 23 standards, 10 "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.

5120:1-8-03 (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: At the time of inspection, the jail did not provide supporting documentation in order to evidence compliance for this standard.

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: At the time of inspection, Jail Administration did not provide supporting documentation (i.e. consecutive months) in order to evidence compliance for this standard.

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: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-04 (C) (Important) 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.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-05 (B) (Essential) All areas of a full service jail shall be safe and sanitary, including the food service and laundry areas. Staff and inmates shall have specific housekeeping responsibilities, which shall include, but are not limited to daily cleaning of toilets, urinals, sinks, drinking facilities and showers in areas occupied by inmates and disposal of garbage.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-05 (I) (Important) Each inmate shall be provided the opportunity for a hot shower not to exceed forty-eight hours.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-05 (J) (Important) The jail shall make provisions for inmate haircuts.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

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: At the time of inspection, the jail did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-05 (M) (Essential) The 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.

Comments: At the time of inspection, the jails current policy and procedures need updated to reflect this standard and components specified. Additionally, the jail did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-05 (N) (Important) Training in jail fire safety equipment shall be conducted annually.

Comments: At the time of inspection, Jail Administration was not able to provide supporting documentation in order to evidence compliance for this standard.

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: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

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: At the time of inspection, several random medical files were obtained that revealed the jail had not completed health assessments within the time requirement for this standard. A physical examination, collection of health history and other health data shall be conducted for inmates whose confinement will exceed ten days, prior to their fifteenth consecutive day of confinement. Additionally, the current health assessment form by the jail does not include all components indicated in the standard.

5120:1-8-09 (M) (Essential) Mental health services. Inmates evidencing signs of mental illness or developmental disability shall be referred immediately to qualified mental health personnel. The health authority shall develop 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.

Comments: At the time of inspection, the jails current policy and procedures need updated to reflect this standard and components specified.

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: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-10 (B) (Essential) Inmates shall be served a minimum of three meals daily at regularly scheduled intervals, not to exceed fourteen hours between meals. Inmates can be served a minimum of two meals daily at regularly scheduled intervals, not to exceed fourteen hours between meals, on weekends, state holidays and during emergencies.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-10 (D) (Important) Records of food items served at meals shall be maintained pursuant to the jail's record retention schedule.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

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: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

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 jails current policy and procedures need updated to reflect this standard and components specified.

5120:1-8-16 (A) (Important) Inmate rules shall include a grievance procedure that is available to inmates and includes at least one level of appeal.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-18 (A) (Important) Jail support staff with routine contact shall receive training in pertinent agency policies and procedures prior to or in conjunction with assignment to jail duties.

(1) During the first year of assignment 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."

(2) Two hours of in-service training each subsequent year of employment addressing specific job assignments and/or jail related issues.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

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.

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.

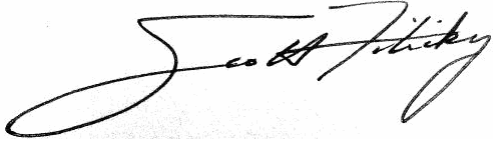
Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

5120:1-8-18 (D) (Important) Jail support staff with occasional contact shall receive training in pertinent agency policies and procedures prior to or in conjunction with assignment to jail duties.

Comments: At the time of inspection, Jail Administration did not provide supporting documentation in order to evidence compliance for this standard.

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 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,

A handwritten signature in black ink, reading "Scott Filicky". The signature is written in a cursive style with a large, looping initial "S".

Scott Filicky, State Jail Inspector
Bureau of Adult Detention
770 West Broad Street
Columbus, Ohio 43222
Phone: (614) 387-0588
Email: scott.filicky@odrc.state.oh.us

Ohio | Department of Rehabilitation & Correction

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

May 16, 2018

Sheriff Dave Phalen
Fairfield County Justice Center
345 Lincoln Ave.
Lancaster, Ohio 43130

RE: 2017 – Annual Jail Inspection

Dear Sheriff Phalen,

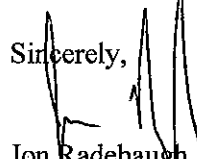
The Bureau of Adult Detention has received the Plans of Action and additional corrective material you submitted through the Ohio Jail Management System (OHJMS) in response to the annual inspection of the Fairfield County Justice Center on December 14, 2017. We appreciate your efforts in attempting to maintain compliance with the Standards for Jails in Ohio.

I have reviewed the provided material. The documentation will increase compliance for the Fairfield County Justice Center on Jail Standards: 5120: 1-8-04(C)(Important); and -09(B)(Essential).

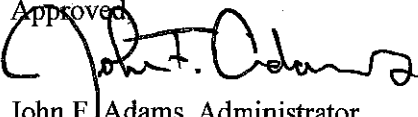
The facility remains out of compliance with Jail Standards: 5120: 1-8-03(B)(4)(Essential); -03(B)(11)(b)(Essential); -03(B)(16)(Important); -05(B)(Essential); -05(I)(Important); -05(J)(Important); -05(K)(Important); -05(M)(Essential); -05(N)(Important); -09(D)(Essential); -09(M)(Essential); -09(N)(Essential); -10(B)(Essential); -10(D)(Important); -10(F)(Essential); -12(C)(Important); -16(A)(Important); -18(A)(Important); -18(B)(Important); -18(C)(Important); and -18(D)(Important). Plans of Action identifying the proposed means for bringing the jail back into compliance with these standards were submitted. We encourage you to implement these changes as soon as possible. The Fairfield County Justice Center will remain a *Status Jail* until the next inspection or until the remaining corrective action has been completed.

Please feel free to contact me if you have questions or concerns relating to this correspondence. As always, the Bureau remains available to provide technical assistance upon request.

Sincerely,


Jon Radebaugh, Assistant Administrator
ODRC/Bureau of Adult Detention
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Approved


John F. Adams, Administrator
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Office: (614) 752-1834
Email: john.adams@odrc.state.oh.us

cc: Lt. Jason Hodder, Jail Administrator
Fairfield County Board of Commissioners
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