



Department of
Rehabilitation & Correction

Mike DeWine, Governor
Stuart C. Hudson, Interim Director

02/11/2019

Sheriff Clifford Pinkney
Cuyahoga County Correction Center
1215 West 3rd Street
Cleveland, OH 44113

RE: 2018 Annual Jail Inspection

Dear Sheriff Clifford Pinkney:

In accordance with Section 5120.10 of the Ohio Revised Code and Executive Order 92-03 of the Department of Rehabilitation and Correction, the Cuyahoga County Correction Center, a full service jail, was inspected on 11/06/2018. 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 Cuyahoga County Correction Center is 1765. On the date of the jail inspection, there were 2202 inmates incarcerated in the Cuyahoga County Correction Center. The Ohio Department of Rehabilitation and Correction recommended housing capacity for the jail is 1765, which is based upon total available living space and other requirements. Officials should maintain prisoner counts within the Department's recommended capacity figure.

The Cuyahoga County Correction Center (Full Service Jail) is in compliance with 51 standards, 18 "Essential", and 33 "Important".

5120:1-8-01 (A)(2); -01 (A)(5); -01 (A)(6); -01 (A)(11); -01 (A)(13); -01 (A)(14); -01 (A)(15); -02 (B)(3); -02 (B)(5); -03 (A)(1); -03 (A)(3); -03 (A)(4); -03 (A)(5); -03 (A)(7); -03 (B)(1); -03 (B)(5); -03 (B)(6); -03 (B)(7); -03 (B)(11)(a); -03 (B)(11)(b); -03 (B)(11)(c); -03 (B)(13); -03 (B)(14); -04 (I); -05 (E); -05 (F); -05 (G)(3); -05 (H)(4); -05 (L); -05 (P); -06 (D); -06 (F); -07 (B); -07 (C); -07 (F); -07 (G); -09 (E); -09 (L); -09 (O); -09 (X); -09 (Z); -10 (A); -10 (B); -10 (G)(1); -12 (A); -12 (E); -12 (I); -15 (A); -15 (C); -17 (B); -17 (C);

The Cuyahoga County Correction Center did not comply with 84 standards, 35 "Essential", and 49 "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) (8) (Important) Inmates who are to be integrated with the general population and/or whose clothing is soiled or infested shall receive a shower and clean uniform clothing. In a minimum security jail, if inmates are permitted to wear personal clothing, the jail shall implement a policy and procedure that limits the amount and type of personal clothing an inmate may possess while in the jail.

Comments: The jail is failing to follow it's policy in regards to the inmates assigned to the 3rd floor intake housing unit.

The inmates are not provided with showers, nor are they being issued new/clean clothing.

5120:1-8-01 (A) (10) (Important) The jail shall develop, implement, maintain, and update as necessary a set of generally applicable inmate rules. The rules shall be accessible to all inmates and shall provide information regarding confinement including sleeping hours, meals, mail, work assignments, telephone access, visitation, correspondence, medical care, hygiene, laundry, recreation, programs, rules of conduct, disciplinary procedures and grievance procedures. A staff member or translator shall assist the inmate in understanding the inmate rules if there is a literacy or language problem. The jail shall maintain signed acknowledgements from each inmate acknowledging that the rules were received by and/or explained to them.

Comments: At the time of the inspection, the jail's the inmates in the 3rd floor intake housing unit did not have the inmate rules available to them.

5120:1-8-02 (A) (Important) Each full service jail shall have a written inmate classification system that specifies the criteria and procedures for determining and changing the classification of inmates to determine the level of custody required, special needs, housing assignment and participation in programming. Each minimum security jail, as defined in paragraph (A)(4) of rule 5120:1-7-02 of the Administrative Code, shall have a written inmate classification system that limits inmates housed in the jail to those sentenced or transferred by order of a judge for a traffic offense, misdemeanor or felony of the fourth or fifth degree that are not offenses of violence as defined in division (A)(9) of section 2901.01 of the Revised Code. The classification system shall include the evaluation of each inmate to determine whether the inmate is suitable to be housed in the minimum security jail. Determination to transfer an inmate from the minimum security jail shall be made by the jail administrator or designee based on the best interests of the inmate, staff and/or the safe, secure operation of the jail.

Comments: Due to overcrowding and the frequent use of "Red-Zoning", inmates with special needs are not being properly classified, nor are they receiving the opportunity to participate in programming.

*Note: "Red Zoning" is a term used by the Cuyahoga County Correction Center to describe a staffing pattern utilized during times of staffing shortages. During these times, the jail staff will lock the inmates in their cells and assign one staff member to supervise more than one housing unit.

5120:1-8-02 (B) (2) (Important) Each full service jail shall have written policies and procedures, and practices which evidence, compliance with the following standards: Violent and non-violent inmates are not placed in the same cell or unsupervised areas together.

Comments: Violent and non-violent inmates are not being properly separated and/or supervised during processing.

5120:1-8-02 (B) (4) (Important) Each full service jail shall have written policies and procedures, and practices which evidence, compliance with the following standards: Juvenile and adult inmates are separated in a manner consistent with sections 2151.311 and 2152.26 of the Revised Code.

Comments: The U.S. Marshall's 2018 Quality Assurance Review revealed that juvenile inmates were not properly separated from adult inmates in the disciplinary housing units.

5120:1-8-02 (D) (Important) Inmates, when placed in general population, shall be: D1): Assigned a bed. D2): Provided with a mattress, blanket, bed linens, and towels. D3): Provided with articles to maintain personal hygiene (toothbrush, toothpaste, feminine hygiene items and soap).

Comments: On the day of the inspection the jail was found to have a population in excess of both the Bureau Recommended Capacity and the General Housing Capacity. As a result, inmates were not assigned a bed and had to sleep on mattresses placed on the floor.

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: During the annual inspection, the two-way communication systems in several inmate housing units were not functioning properly.

5120:1-8-03 (B) Each full service jail shall have written policies, and practices which evidence, that the policies and procedures, and practices which evidence, that the policies and procedures following minimum standards are maintained. (3) (Important) Procedures and practices governing strip and body cavity searches following reception shall be developed and implemented 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.

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 failed to provide records of staff being trained in the implementation of emergency plans .

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. (8) (Important) In jails that recognize special needs inmates, they shall develop their own policy to address the management of those inmates with special needs.

Comments: Inmates with special needs are not being properly classified, nor are they receiving the opportunity to participate in programming.

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 failed to provide supporting documentation showing incident reports are 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:

(a) (Essential) 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 .

Comments: The jail failed to provide supporting documentation of use of force incidents, to include all related reports.

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:

(b) (Essential) 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 used as punishment.

Comments: The jail failed to provide supporting documentation of use of force incidents, to include all related reports.

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 failed to provide supporting documentation of use of force incidents, to include all related reports.

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 failed to provide supporting documentation of use of force incidents, to include all related reports.

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 unsecured culinary equipment at the jail staff workstation.

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. (17) (a) (Important) Stored in a secure area and used by inmates only under direct supervision and used only in accordance with manufacturer's instruction. The substances are only accessible to authorized persons.

Comments: According to the U.S. Marshall's 2018 Quality Assurance Review, the review team directly observed inappropriate storage of chemicals and the presence of unlabeled chemicals.

5120:1-8-04 (A) (2) Housing Cells: (c) (Important) One hundred forty-five square feet with nine feet least dimension for triple occupancy, stacked bunk and single bunk; one hundred seventy square feet with twelve feet least dimension for triple occupancy, single bunks.

Comments: The jail is exceeding their Bureau Recommended Capacity by bunking additional inmates in single occupancy cells, double occupancy cells, triple occupancy cells, and quadruple occupancy cells.

5120:1-8-04 (A) (1) Holding Cells: (Important) Sixty square feet for one to three occupants with twenty square feet for each additional occupant up to a maximum of one hundred twenty square feet (six occupants).

Comments: According to the U.S. Marshall's 2018 Quality Assurance Review, the jail was exceeding the capacity for their holding cells.

5120:1-8-04 (A) (2) Housing Cells: (a) (Important) Seventy square feet for single occupancy forty-eight square feet in jails constructed prior to 1983.

Comments: The jail is exceeding their Bureau Recommended Capacity by bunking additional inmates in single occupancy cells, double occupancy cells, triple occupancy cells, and quadruple occupancy cells.

5120:1-8-04 (A) (2) Housing Cells: (b) (Important) One hundred square feet with seven feet least dimension for double occupancy, stacked bunks, one hundred ten square feet with nine feet least dimension for double occupancy, single bunks.

Comments: The jail is exceeding their Bureau Recommended Capacity by bunking additional inmates in single occupancy cells, double occupancy cells, triple occupancy cells, and quadruple occupancy cells.

5120:1-8-04 (A) (2) Housing Cells: (d) (Important) One hundred eighty square feet with nine feet least dimension for quadruple occupancy, two stacked bunks, two hundred fifteen square feet with twelve feet least dimension for quadruple occupancy, single bunks.

Comments: The jail is exceeding their Bureau Recommended Capacity by bunking additional inmates in single occupancy cells, double occupancy cells, triple occupancy cells, and quadruple occupancy cells.

5120:1-8-04 (A) (3) Dormitory Sleeping Space: (a) (Important) Fifty square feet per occupant , except forty-eight square feet in jails constructed prior to 1983, wherein the formula shall be based upon the requirements of paragraph (A)(2)(a) of rule 5120:1-8-04 of the Administrative Code.

Comments: On the day of the inspection, the jail was exceeding their Bureau Recommended Capacity and was failing to provide the inmates with the required 50 sq. ft. of dormitory sleeping space per inmate.

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: Due to the fact that the jail has exceeded their Bureau Recommended Capacity and the fact that they routinely implement "Red-Zoning", the inmates are not being provided with access to the required 35 sq. ft. of dayspace per occupant

5120:1-8-04 (B) (Important) Seating shall be provided in holding areas, holding cells, housing cells, dormitories, dayrooms and eating areas for each inmate.

Comments: Due to the fact that the jail has exceeded their Bureau Recommended Capacity, the inmates are not being provided with sufficient seating in holding areas, holding cells, housing cells, dormitories, dayrooms and eating areas.

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 52-60 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 (G) (Important) Shower facilities at a minimum of one operable shower for every twelve occupants. Water temperatures shall be controlled thermostatically in a range from one hundred five to one hundred twenty degrees Fahrenheit.

Comments: During the inspection, the 3rd floor housing unit did not provide an operable shower for the inmate population.

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 3rd floor housing unit did not provide an operable lavatory for the inmate population. Additionally, according to the U.S. Marshall's 2018 Quality Assurance Review, the 5th floor holding areas also did not meet the requirements of the standards.

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

Comments: The housing units in the 4-North section of the jail have no natural light.

5120:1-8-04 (K) (Essential) Unadjudicated juvenile inmates shall be separated by sight and sound from adult inmates.

Comments: According to the U.S. Marshall's 2018 Quality Assurance Review, juvenile inmates were being housed in the adult inmate disciplinary units.

5120:1-8-04 (L) (Important) If inmate access to clothing, bed, bedding, toilet, lavatory and shower are suspended, there shall be a daily review for reinstatement by the jail administrator or designee.

Comments: Information learned from inmate interviews during the walk-through, and according to the U.S. Marshall's 2018 Quality Assurance Review, indicated jail staff deny inmates access without due process and supervisory approval.

5120:1-8-05 (A) (Essential) The jail shall provide all inmates with hygiene articles at intake and replacement items to indigent inmates.

Comments: From information learned during inmate interviews during the walk-through and according to the U.S. Marshall's 2018 Quality Assurance Review, inmates were being denied access to hygiene items.

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: During the tour of the jail, inmate holding/housing units were found to be unsanitary. Additionally, unsanitary conditions and practices were observed in the food service department.

5120:1-8-05 (C) (Essential) Monthly sanitation, vermin and safety inspections of all areas shall be done by a designated trained staff person.

Comments: During the tour of the jail, insects were observed throughout the showers in the inmate housing units. Additionally, the U.S. Marshall's 2018 Quality Assurance Review noted mice/vermin in the food service storage areas.

5120:1-8-05 (D) (Important) Regular maintenance and repairs shall occur.

Comments: During the tour of the jail, several items were found to be in disrepair. The jail failed to provide documentation that work orders/repairs had been completed.

5120:1-8-05 (H) The jail shall maintain documentation that the following standards are met with regard to bedding, linens and clothing: (1) (Important) Bedding and mattresses shall be in good repair and cleaned prior to being reissued;

Comments: During the tour of the jail, inmate bedding and mattresses were not in good repair and were in need of an exchange. No documentation was provided showing that bedding and mattresses are cleaned prior to being reissued.

5120:1-8-05 (H) The jail shall maintain documentation that the following standards are met with regard to bedding, linens and clothing: (2) (Important) Clean bed linens and towels shall be exchanged once weekly. Issuance of clean linens and towels shall be documented;

Comments: No documentation was provided showing that the jail exchanges bed linens and towels on a weekly basis.

5120:1-8-05 (H) The jail shall maintain documentation that the following standards are met with regard to bedding, linens and clothing: (5) (Important) Mattresses shall be cleaned monthly;

Comments: No documentation was provided showing that the jail cleans the mattresses on a monthly basis.

5120:1-8-05 (H) The jail shall maintain documentation that the following standards are met with regard to bedding, linens and clothing: (6) (Important) Bedding, mattresses, towels and clothing shall be exchanged or cleaned when soiled.

Comments: No documentation was provided showing that the jail exchanges or cleans bedding, mattresses, towels and clothing when soiled.

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: The jail's fire safety plan, to include the fire evacuation routes has not been approved by the local fire officials.

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

Comments: The jail's fire safety plan, to include the training component, has not been approved by the local fire officials. Additionally, the U.S. Marshall's 2018 Quality Assurance Review noted jail staff do not receive annual training in fire safety equipment.

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.

5120:1-8-05 (Q) (Essential) Jail exits shall be clear and evacuation routes shall be posted or clearly marked throughout the jail.

Comments: The jail's fire plan and evacuation routes have not been approved by the local fire officials .

5120:1-8-06 (A) (Important) There shall be no limitation on the amount of incoming or outgoing mail or correspondence via the postal service when the inmate is responsible for the costs of postage.

Comments: The U.S. Marshall's 2018 Quality Assurance Review noted inmates in RHU and Disciplinary Isolation status can not receive letters.

5120:1-8-06 (H) (Important) Inmates shall have access to legal counsel of record including telephone contact, written communication, and confidential visits.

Comments: Due to the jail's routine use of "Red-Zoning", the inmates' ability to communicate with their attorneys has been negatively impacted.

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: Due to the jail's routine use of "Red-Zoning", the inmates are not being provided with opportunity for thirty minutes of visitation per week.

5120:1-8-07 (J) (Important) Professional visits by attorneys of record or clergy shall be permitted as dictated by jail safety and security needs.

Comments: Due to the jail's routine use of "Red-Zoning", the inmates are not being provided with professional visits by attorneys or record or clergy.

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 are 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 did not upload a copy of any documentation, such as a contract with the Health Authority, showing compliance with the requirements A1, A2, A3, A4, and A5.

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 inmate pre-screens are being completed or that staff who conduct inmate pre-screens were health-trained.

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 inmate receiving screens are being completed or that staff who conduct receiving screens were health-trained.

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 learned during the 2018 Annual Inspection of the Bedford Heights Facility showed the Cuyahoga County Correction Center is not completing inmate health appraisals within the required 14-day period. Additionally, the CCCC's policy contains language regarding the completion of health appraisals of returning inmates that conflicts with the requirements of the standard.

5120:1-8-09 (F) (Essential) Sick call. A physician and/or qualified health care professional conducts sick call.

- (1) Once per week for jails with an average daily population of less than fifty.
- (2) Three times per week for jails with an average population of less than one hundred ninety-nine.
- (3) Five times per week for jails with an average daily population of two hundred or more.

Comments: The jail failed to provide evidence that sick calls are being conducted.

5120:1-8-09 (G) (Essential) Credentials. All health and mental health care personnel who provide services to inmates are appropriately credentialed according to the licensure, certification, and registration requirements of Ohio. Verification of current credentials is on file at the facility. Health care staff work in accordance with profession-specific job descriptions approved by the health authority.

Comments: According to the U.S. Marshall's 2018 Quality Assurance Review, there were medical/mental health staff members whose credentials were not in compliance with the requirements of the standard (expired).

5120:1-8-09 (H) (Essential) Health and mental health complaints. The jail shall ensure that there is a daily procedure whereby inmates have an opportunity to report medical and mental health complaints through health trained personnel, or for urgent matters, to any jail employee. The jail employee shall contact the appropriate medical or mental health department immediately. An inmate grievance system for medical and mental health treatment shall be established by the health authority. Both daily complaints and grievances shall be:

- (1) Addressed in a timely manner.
- (2) Recorded and maintained on file.
- (3) Reviewed daily by qualified health care personnel and treatment or follow-up shall be provided as necessary.

Comments: Information learned during the inspection showed multiple inmates whose medical complaints/grievances were not being answered.

5120:1-8-09 (I) (Important) Personal physician treatment. Inmates can be treated by a personal physician in the jail at their own expense, upon the approval by the jail physician, provided that the current credentials of the personal physician are verified.

Comments: The jail failed to provide evidence of compliance with this standard.

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: The jail failed to provide evidence of compliance with this standard. Policy and procedure need to be provided for review. This information will need to include the review and approval of the Health Authority .

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 failed to provide evidence of compliance with this standard. This information will need to include the review and approval of the Health Authority.

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: There is no evidence submitted by the jail indicating the policy had been reviewed and approved by 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's policy needs updated to include language showing compliance with sections N2, N5, N10, N11, and N12 of the standard. Additionally, there is no evidence that the policy was reviewed and approved by the health authority.

5120:1-8-09 (P) (Essential) Infectious disease control 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 health authority shall develop written policy and procedure.

Comments: There is no evidence that the policy was reviewed and approved by the health authority.

5120:1-8-09 (Q) (Essential) Pregnant inmate. Pregnant inmates shall receive appropriate and timely pre-natal care, delivery and postpartum care, as determined by the health authority.

Comments: There is no evidence that the policy was reviewed and approved by the health authority.

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 policy needs updated to include language showing compliance with Section R(7) of the standard. Additionally, there is no evidence that the policy was reviewed and approved by the health authority.

5120:1-8-09 (S) (Important) Continuous quality improvement program. The health authority shall develop a continuous quality improvement (CPI) system of monitoring and reviewing, at least annually, the fundamental aspects of the jail's health/mental health care system, including but not limited to: access to care; the intake process; emergency care and hospitalizations; and, adverse inmate occurrences, including all deaths. Periodic chart reviews are included to determine the timeliness and appropriateness of the clinical care provided to inmates.

Comments: At the time of the inspection, the jail did not provide evidence that the policy was reviewed and approved by the health authority, nor did they include any quality improvement plan reviews.

5120:1-8-09 (T) (Important) Emergency response plan - The health aspects of the emergency response plan (mass disaster drill & man down drill). Emergency medical care, including first aid and basic life support, is provided by all health care professionals and those health-trained correctional staff specifically designated by the jail administrator. All staff responding to medical emergencies are certified in cardiopulmonary resuscitation (CPR) in accordance with the recommendations of certifying health organizations.

Comments: The jail failed to provide documentation cited in their policy for mass disaster drills, nor did they provide the CPR certifications for jail staff and medical staff.

5120:1-8-09 (U) (Essential) Continuing education for health trained personnel. All qualified health care professionals participate annually in continuing education appropriate for their position.

Comments: According to the U.S. Marshall's 2018 Quality Assurance Review, there were multiple medical staff who did not possess current required certifications and credentials for their positions.

5120:1-8-09 (V) (Essential) Special nutritional and medical diets. Inmate diets are modified when ordered by the appropriate licensed individual to meet specific requirements related to clinical conditions.

Comments: The jail did not provide evidence of any approved special nutritional or medical diets.

5120:1-8-09 (W) (Essential) Intoxication and detoxification. The health authority shall develop specific policies and protocols in accordance with 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 (overdose) or detoxification symptoms to a hospital or detoxification center.

Comments: There is no evidence that the policy was reviewed and approved by the health authority.

5120:1-8-09 (Y) (Important) Informed consent. The health authority shall develop a policy and procedure requiring that all examinations, treatments and procedures are governed by informed consent practices applicable in the jail's jurisdiction.

Comments: There is no evidence that the policy regarding informed consent has been reviewed and approved by the health authority.

5120:1-8-09 (AA) (Important) Inmate death. In all inmate deaths, the health authority determines the appropriateness of clinical care; ascertains whether corrective action in the system's policies, procedures, or practices is warranted; and, identifies trends that require further study.

Comments: There is no evidence that the policy was reviewed and approved by the health authority. Additionally, the jail needs to submit the medical reviews for all deaths occurring in 2018.

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 dietician, or registered dietician nutritionist. Additionally, according to the U.S. Marshall's 2018 Quality Assurance Review, there were inmates who claimed having been served meals of questionable nutritional value.

5120:1-8-10 (E) (Essential) The jail shall make provisions for modified diets by physician's order or to accommodate the mandatory dietary requirements of a recognized religion practiced by the inmate.

Comments: The jail submitted no evidence of diets being modified by a physician's order or to accommodate the practices of a recognized religion.

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 that the approved inmate workers in the food service area had received pre-assignment medical examinations.

5120:1-8-10 (G) (2) (Essential) The food services manager or designee is responsible for a healthy and sanitary kitchen environment and shall immediately address any health or cleanliness issues with kitchen staff or inmate workers.

Comments: During the tour of the jail, unsanitary conditions and practices were observed in the food service department, to include but not limited to unclean floors and equipment.

5120:1-8-11 (A) (Important) Exercise and/or equipment for inmates shall be provided and the jail shall ensure that inmates are offered at least five hours per week.

Comments: Due to the "Red-Zoning" practices of the jail, inmates are not receiving the opportunity to exercise or access to exercise equipment for the required five hours per week.

5120:1-8-11 (C) (Important) The jail shall provide inmate access to reading materials.

Comments: Due to the "Red-Zoning" practices of the jail, inmates are not receiving the required access to reading materials.

5120:1-8-11 (D) (Important) The jail shall provide the opportunity for alcohol and drug abuse treatment, academic training, psychological and social services and other community services.

Comments: Due to the "Red-Zoning" practices of the jail, inmates are not receiving the required access to alcohol and drug abuse treatment, academic training, psychological and social services and other community services.

5120:1-8-12 (D) (Important) Jail disciplinary measures shall not include corporal punishment, discipline administered by inmates and withholding food.

Comments: Inmates in restrictive housing are not provided with the same meals as general population inmates. There is no indication that these modified menus are approved by a licensed nutritionist, registered dietician, or registered dietician nutritionist.

5120:1-8-15 (F) (Important) Inmates in administrative segregation shall receive all privileges and rights unless the inmate poses a threat to the security of the jail or the health and welfare of him/herself or others. Any suspension or modification of privileges and/or rights shall be documented.

Comments: The "Red-Zoning" practices of the jail prevent inmates from receiving all privileges and rights in accordance with the standard.

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: The inmate handbook/rules does not include information regarding the grievance appeal process.

5120:1-8-16 (B) (Important) Retaliation by staff for inmate grievances is prohibited.

Comments: During interviews with inmates, this inspector was informed by several inmates they fear making formal complaints due to retaliation from staff members.

5120:1-8-17 (A) (Important) Each full service jail shall have a designated jail administrator who is qualified by training or experience to supervise and control inmates as outlined in a written job description.

Comments: The jail failed to provide the written job description of the jail administrator.

5120:1-8-17 (D) (Important) There shall be 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 respect to weekends, holidays or 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 posts and 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.

(3) The staffing plan shall be reviewed once a year by the jail administrator and revised as needed .

Comments: Due to the high staff vacancy rate and the routine use of "Red-Zoning", it is apparent the jail is not following their staffing plan.

5120:1-8-18 (E) (Important) The jail policies and procedures shall be available to jail staff , reviewed annually and updated by the sheriff, jail administrator, or designee, as needed.

Comments: Numerous medical policies were found to be lacking the review and approval of the health authority.

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,



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