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State of Ohio  
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**MINIMUM STANDARDS FOR JAILS IN OHIO**  
**FULL SERVICE FACILITY**

**NCJRS**

MAR 22 1988

**ACQUISITIONS**

BUREAU OF ADULT DETENTION  
Jill D. Goldhart  
Administrator

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## FOREWORD

Section 5120.10 of the Ohio Revised Code requires the Director of the Department of Rehabilitation and Correction to promulgate MINIMUM STANDARDS FOR JAILS IN OHIO to serve as criteria for the investigative and supervisory responsibilities vested in the Bureau of Adult Detention.

These standards reflect input received from public hearings held in 1982 during the revision of the standards for temporary holding facilities, and recently enacted legislation regarding strip searches by law enforcement agencies. The Ohio Jail Advisory Board was also involved in the review process serving as representatives of the Buckeye State Sheriffs' Association, the Ohio Association of Chiefs of Police, the County Commissioners Association of Ohio, the Ohio Municipal League, the Ohio Prosecuting Attorneys' Association, the Ohio Township Association, and the Ohio Judicial Conference.

The standards represent a consensus of professional opinion and research of legal requirements, other standards, and management experience. They are considered by those concerned to be the minimum conditions necessary to ensure the safe, efficient, effective, and legal operation of a jail. The standards serve as the basis for evaluating Ohio jails both individually and collectively, and for developing courses of action for needed improvements. They are subject to ongoing revision as legal precedents, existing problems, needs, and capabilities change.

Officials responsible for the management, operation, and funding of adult detention facilities should view these standards as a framework within which to plan and initiate changes necessary to meet contemporary corrections concepts, practices, and requirements. The Bureau of Adult Detention shall assist in whatever manner possible to facilitate such efforts.

Jill D. Goldhart, Administrator  
Bureau of Adult Detention

## PREFACE

### I. Departmental Statutory Responsibilities

#### A. Section 5120.10.

- (A) The Director of Rehabilitation and Correction shall, by rule, promulgate Minimum Standards for Jails in Ohio to serve as criteria for the investigative and supervisory responsibilities vested in a Division of the Department of Rehabilitation and Correction by Division (D) of this section.
- (B) The Director may initiate an action in the Court of Common Pleas of the county in which the facility is situated to enjoin compliance with the Minimum Standards for Jails.
- (C) Upon the request of an administrator of a jail facility, the chief executive of a municipal corporation, or a Board of County Commissioners, the Director of Rehabilitation and Correction or his designee shall grant a variance from the Minimum standards for Jails in Ohio when he determines that strict compliance with the minimum standards would cause unusual, practical difficulties or financial hardship, that existing or alternative practices meet the intent of the minimum standards, and that granting a variance would not seriously affect the security of the facility, the supervision of the inmates, or the safe, healthful operation of the facility. If the Director or his designee denies a variance, the applicant may appeal the denial pursuant to Section 119.12 of the Revised Code.
- (D) The following powers and duties shall be exercised by the Division of Parole and Community Services unless assigned to another division by the Director:
  - (1) The investigation and supervision of county and municipal jails, workhouses, and other penal or reformatory institutions and agencies . . .

#### B. Section 5103.18.

Before their adoption by the proper officials, plans for new jails, workhouses, children's homes, infirmaries, state institutions, and municipal lockups or prisons, and for important additions to or alterations in such existing institutions shall be submitted to the Department of Public Welfare or the proper division of the Departments of Mental Health and Mental Retardation or Rehabilitation and Correction, as the case requires, for its approval.

#### C. Section 341.07

The Department of Rehabilitation and Correction shall provide a copy of the Minimum Standards for Jails in Ohio to the Board of County Commissioners, the Common Pleas Court, and the Sheriff.

## **Preface (Continued)**

### **D. Section 341.08**

The Department of Rehabilitation and Correction may, by rule, revise, alter, or amend the Minimum Standards for Jails in Ohio to reflect changes in case law or public policy. Such revised, altered, or amended standards shall be printed and distributed to the Board of County Commissioners, the Court of Common Pleas, and the sheriff in the manner directed by Section 341.07 of the Revised Code.

### **E. Section 341.09**

When the design of a county jail will permit, the separation of prisoners shall be as required in the Minimum Standards for Jails in Ohio.

The Department of Rehabilitation and Correction shall, when necessary, initiate appropriate judicial proceedings for the enforcement of this section.

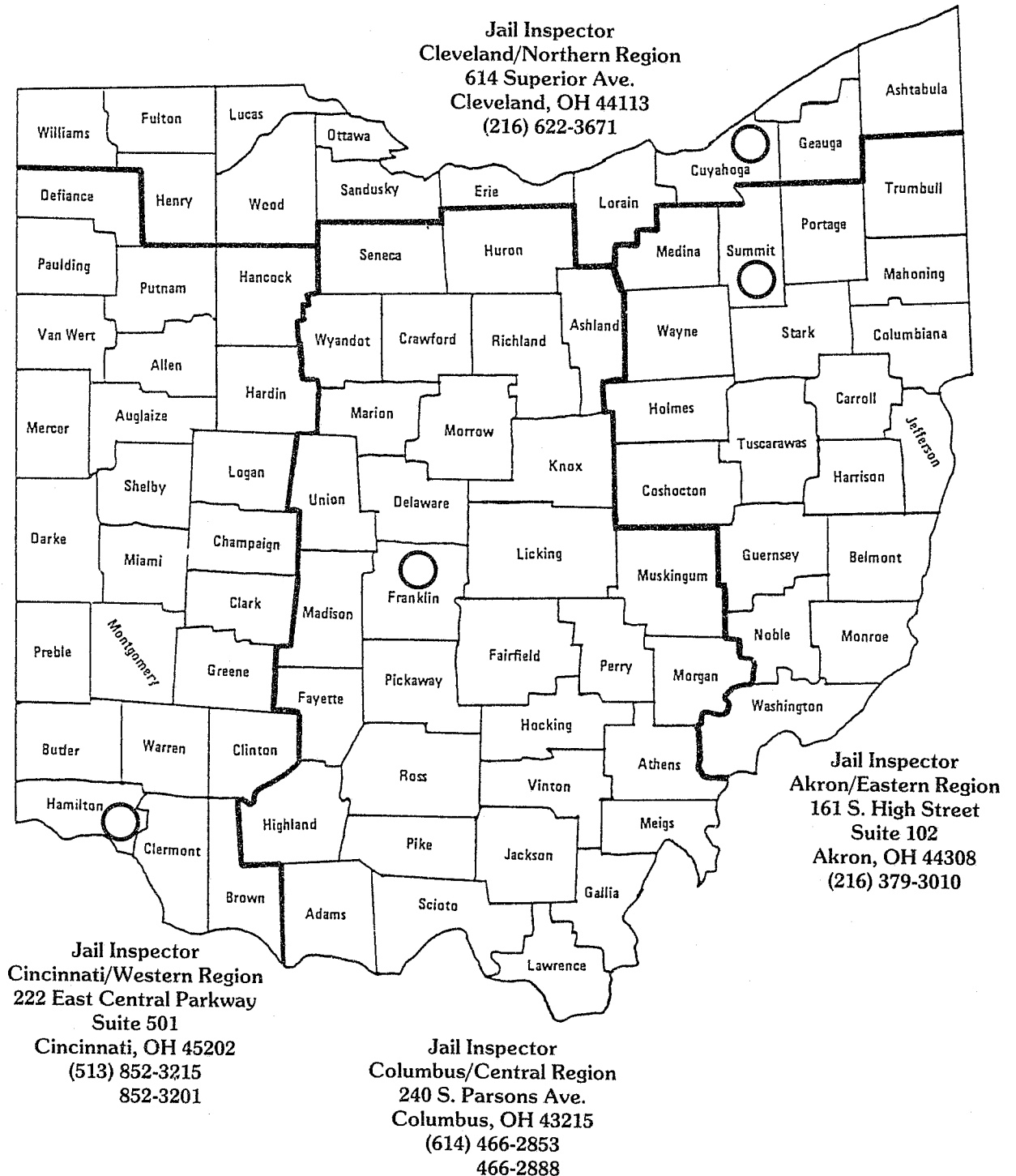
## **II. Scope of Minimum Standards**

- A. The "Minimum Standards for Jails in Ohio—Full Service Facility" applies specifically to county jails, municipal jails and workhouses, and regional jails which choose to house prisoners in excess of one hundred twenty hours. Standards which are applicable to full service facilities may be identified by the code number 8 as in 5120:1-8-01.
- B. Separate manuals containing standards for jails holding prisoners for eight hours or less, or for jails holding/housing up to a maximum of one hundred twenty hours, may be obtained from the Department of Rehabilitation and Correction, if required.

## **III. Other Standards and Requirements**

- A. The Bureau of Adult Detention has relied upon federal case law in the development of the "Minimum Standards for Jails in Ohio." A number of national jail standards were reviewed during the writing and updating of Ohio's minimum jail standards. National standards have been developed by the American Correctional Association's Commission on Accreditation, U.S. Department of Justice, National Sheriffs' Association, American Medical Association, and the American Bar Association.
- B. Jurisdictions contemplating new construction or major renovation of their jail should first contact the appropriate jail inspector to obtain necessary planning materials. The Bureau staff is available to work with the architect, advise the planning committee and speak to public officials and citizen groups. Early involvement of Bureau staff in the planning process will lessen the likelihood of costly changes or delays in the facility design and construction.

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**5120:1-7-01 Bureau Responsibility and Authority.**

- (A) Pursuant to section 5120.10 of the Revised Code, the Division of Parole and Community Services, Bureau of Adult Detention (hereinafter referred to as "the Bureau"), is charged with the investigation and supervision of county and municipal jails and workhouses.
- (B) The Bureau shall make on-site inspections of jails in the state of Ohio. Such inspections shall be scheduled in advance with written notice to the person in charge of the jail.
- (C) Inspectors employed by the Bureau shall have full access to all areas of a jail during an inspection and to all records relating to the operation of the facility. The facility's operational policies and procedures shall be consolidated into a manual and provided to the inspector upon request.
- (D) The inspectors employed by the Bureau shall ascertain compliance with the "Minimum Standards For Jails In Ohio," contained in rules 5120:1-8-01 to 5120:1-12-19 of the Administrative Code.
  - (1) Within sixty days after an inspection, the Bureau shall prepare a written report of its inspection. The report shall include findings of non-compliance and appropriate recommendations where applicable. The report shall be sent to the person in charge of the jail.
  - (2) The Bureau inspector shall send minimum standards compliance forms to the person in charge of the jail within fifteen days after the inspection report is sent. This form will list areas of non-compliance referenced by their respective standard number. Within thirty days of receipt of the compliance form, the person in charge of the jail shall complete the form by stating the proposed remedy and compliance date for each area of non-compliance and submit the form to the Bureau inspector. During this period, the Bureau inspector shall be available to local officials to clarify any areas of the inspection report or compliance form. The Bureau may assist such persons in explaining the report to officials responsible for the maintenance or funding of the jail in order to seek corrective action.
- (E) The Bureau may fully certify any jail which meets the minimum standards. Dual certification is available for jails constructed and occupied prior to 1979. Certification in the areas of "operations" and "physical structure" will be considered independently of each other. Jails constructed and occupied during or after 1979 must be in compliance in both areas in order to be certified. The Bureau may provisionally certify any jail upon completion of a compliance plan and the initiation of corrective action. The Bureau may de-certify any jail upon re-inspection OR determination of non-compliance. Any jail not certified or provisionally certified shall be considered "non-certified."
- (F) If any deficiency cited in the report is not corrected, the Bureau shall notify the local legislative, judicial, or executive authorities responsible for the facility of the failure to correct the deficiencies and shall advise them that the Bureau will not fully certify facility until the minimum standards are met.

- (G) The Bureau may make such inspections and participate in such meetings as it deems necessary for the proper execution of the provisions of this rule. This rule shall not be construed as granting to the Bureau the executive management responsibilities of local officials.
- (H) Pursuant to section 5103.18 of the Revised Code, the Department of Rehabilitation and Correction is required to approve, before adoption by the proper officials, plans for major renovation or new construction of jails, workhouses and municipal lockups.

**5120:1-7-02 Glossary of Terms.**

(A) The term "Minimum Standards for Jails in Ohio" refers to rules 5120:1-8-01 to 5120:1-12-19 of the Administrative Code. The standards apply to county jails, municipal jails, regional jails and workhouses. Each such facility falls within one of the following definitional categories and is subject to the standards identified within the definitions as applicable to those categories:

- (1) "Full service jail": A local facility that may detain persons for more than one hundred twenty hours. The standards set forth in rules 5120:1-8-01 to 5120:1-8-19 of the Administrative Code apply to full service jails.
- (2) "Five-day facility:" A local facility that may detain persons for a maximum of one hundred twenty hours. The standards set forth in rules 5120:1-10-01 to 5120:1-10-19 of the Administrative Code apply to five-day holding facilities.
- (3) "Eight-hour holding facility": A local facility that may detain persons for a maximum of eight hours. The standards set forth in rules 5120:1-12-01 to 5120:1-12-19 of the Administrative Code apply to eight-hour holding facilities.

(B) As used in rules 5120:1-8-01 to 5120:1-12-19 of the Administrative Code, the following terms have the meanings indicated in this rule:

- (1) "Administrative segregation": The act of confining a prisoner to an individual housing cell or designated housing unit, physically separate from the general population for specified reasons other than as a penalty, thereby prohibiting physical contact between this prisoner and the general population.
- (2) "Attorney (of record)": A licensed lawyer (retained or court appointed).
- (3) "Average daily population (ADP)": The number arrived at by totaling the number of meals served prisoners during a specified period of time, divided by three, and then dividing by the number of days during that specified period. This figure is also sometimes derived by dividing the total number of commitments recorded in the jail ledger or the sum of daily official prisoner counts (often the midnight count is used) by the total number of days in the specified period.
- (4) "Censoring of mail": Withholding or deletion of postal material or any part of its contents. Other forms of mail censorship, including reading written material, may only be done as set forth in the standards.
- (5) "Certification": Recognition of a jail for meeting an acceptable level of compliance with the "Minimum Standards for Jails in Ohio." Jails constructed prior to January 1, 1979, are eligible for dual certification based on either operations or physical structure:
  - (a) "Certification of operations": Recognizes the jail management and operation as meeting a required level of compliance with the "Minimum Standards for Jails in Ohio."

- (b) **"Certification of physical structure":** Recognizes the building's compliance with an acceptable level of the standards relating to the physical structure.
- (6) **"Classification":** A system or process for determining the needs and requirements of those persons being confined and for assigning them to housing units and programs. Elements of this determination include the following: security level; work assignments; special treatment services; allowance or denial of certain privileges; and other assignments as may be available.
- (7) **"Confining authority":** Any federal, state, county, or municipal governmental, judicial, or law enforcement agency vested by law with the authority to place a person in confinement.
- (8) **"Contraband":** Anything possessed by prisoners or within the confinement facility which is declared illegal by law or which is expressly prohibited by those legally charged with the responsibility for the administration and government of the jail.
- (9) **"Corporal punishment":** The act of inflicting punishment directly on the body, such as beating, flogging, hitting, kicking, etc.
- (10) **"Decertification":** Withdrawal of certification for failure to maintain an acceptable level of compliance with the "Minimum Standards for Jails in Ohio."
- (11) **"Due process":** A flexible term for the compliance with the fundamental rules which guarantee that a person has notice and an opportunity to present evidence in a dispute and that no law, rule, or procedure is arbitrary or unfair.
- (12) **"Disciplinary isolation":** The act of confining a prisoner to an individual housing cell physically separated from the general prisoner population as a penalty, thereby prohibiting physical contact between the prisoner and other prisoners.
- (13) **"Family":** That group of people who are directly related by ancestry or marriage.
- (14) **"Fundamental rights":** Rights which may not be suspended for disciplinary or classification reasons and which are to be guaranteed to all prisoners except in times of emergency such as riot, fire, severe weather, or other such conditions beyond the control of the facility administrators.
- (15) **"Good time":** A system, established by law, whereby a convicted offender is credited a set amount of time off his sentence for time served in an acceptable manner.
- (16) **"Indigent prisoner":** A prisoner confirmed to have insufficient resources necessary to provide for his basic needs.
- (17) **"Kangaroo court," "tank judge," etc.:** Unauthorized prisoner tribunal used to punish, penalize, control, or regulate the behavior of other prisoners.

- (18) "Leisure-time activities": Such activities as television viewing, cards, checkers, dominoes, and other sedentary entertainment.
- (19) "Medical personnel": Includes persons licensed as medical doctors, osteopaths, nurses (R.N., L.P.N.), physician's assistants, medical interns, paramedics, and emergency medical technicians who are under contract or have been assigned to provide medical services to prisoners.
- (20) "Neutral officer": An officer who was not involved in the incident in question and who was not a witness thereto.
- (21) "Official count": An actual counting and recording of prisoners confined in a facility by verifying the presence of each at a given time.
- (22) "Physical force": Any violence, compulsion or constraint physically exerted upon or against a person's body by any means including the use of firearms, chemical agents, clubs or direct bodily contact.
- (23) "Provisional certification": A temporary recognition of a jail for meeting an acceptable level of standards with minor exceptions. Specific conditions and/or stipulations shall be imposed during the period of time required to comply with the standards in question.
- (24) "Qualified rights": Rights which are enjoyed by prisoners in the general population but which may be suspended for disciplinary or classification reasons as well as in times of emergency.
- (25) "Reception": The period during which a prisoner undergoes admission processing, which may include orientation and initial classification, prior to regular housing assignment.
- (26) "Recreation/Physical exercise": Recreation or physical exercise refers to such activities as athletics and calisthenics which require at least a moderate degree of physical exertion.
- (27) "Restraining device": Any mechanical contrivance, appliance, or object designed or fashioned to physically control or incapacitate a person. These shall include wrist manacles, ankle manacles, "straight jackets," restraining straps, chains, and other such devices.
- (28) "Safety equipment": Firefighting equipment, including chemical extinguishers; hoses, nozzles and water supplies; alarm systems; sprinkler systems; emergency exits and fire escapes; and other firefighting equipment as may be provided. Also included are stretchers; first-aid kits; emergency alarms; and other such provisions and equipment.
- (29) "Search": An examination falling into one of the following three categories:
  - (a) "Frisk search": A search of a prisoner's clothes, head cavities, and a thorough "pat down" as described in the "National Sheriff's Association's" booklet on jail security.

- (b) **“Strip search”**: An inspection of the genitalia, buttocks, breasts, or undergarments of a person that is preceded by the removal or rearrangement of some or all of the person’s clothing that directly covers the person’s genitalia, buttocks, breasts, or undergarments and that is conducted visually, manually, by means of any instrument, apparatus, or object, or in any other manner while the person is detained or confined. Strip search does not mean the visual observation of a person who was afforded a reasonable opportunity to secure release on bail or recognizance, who fails to secure such release, and who is to be integrated with the general population of any detention facility, while the person is changing into clothing that is required to be worn by inmates in the facility.
- (c) **“Body cavity search”**: An inspection of the anal or vaginal cavity of a person that is conducted visually, manually, by means of any instrument, apparatus, or object, or in any other manner while the person is detained or confined.
- (30) **“Security devices”**: Locks, gates, doors, windows, bars, fences, screens, ceilings, floors, walls, and barriers used to confine and control prisoners. Also included are electronic monitoring equipment, security alarm systems, security light units, auxiliary power supply, and other equipment used to maintain jail security.
- (31) **“Security perimeter”**: A secure boundary which encloses the entire portion of the facility in which prisoners are confined, including any area to which prisoners may have access. Passage through this boundary must be strictly controlled.
- (32) **“Security spotcheck”**: Unscheduled search and examination for weapons, contraband, and other security irregularities.
- (33) **“Separation (segregation)”**: Whenever possible, to be physically set apart in order to prohibit bodily contact and, where possible, communication.
- (34) **“Slight physical force”**: The use of hands to restrain and/or compel action by a prisoner without exerting any holds or striking any blows.
- (35) **“Statutory violation”**: A violation of any federal, state, or municipal statute or law; an act which is considered a crime.
- (36) **“Variance”**: The process of receiving approval for a method of complying with the intent of a standard when strict compliance would cause unusual, practical difficulties or financial hardship. The alternative practice must not seriously affect the security of the facility, the supervision of inmates, or the safe, healthful operation of the facility.
- (37) **“Work release”**: A formal arrangement, sanctioned by law, whereby a prisoner is permitted to leave confinement for approved employment in a job and/or participation in specific programs.

**5120:1-7-03 Introduction to Minimum Standards.**

Nothing contained in the "Minimum Standards for Jails in Ohio" shall be construed to prohibit a city, county, or combined city and/or county agency operating a local detention facility from adopting standards and requirements governing its own employees and facilities, provided that such rules meet or exceed and do not conflict with these standards.

**5120:1-8-01 Reception and Release - Full Service Jail.**

- (A) Each jail shall develop policies and procedures governing the reception, orientation, and release of prisoners.
- (B) Reception of all commitments by proper authority requires documentation as prescribed by law.
- (C) The arresting or committing officer shall be positively identified.
- (D) A booking and identification record shall be made of every commitment. Such records/ID shall include the following information:
  - (1) Time and date of commitment.
  - (2) Name and alias.
  - (3) Official charge or charges.
  - (4) Authority ordering commitment.
  - (5) Date of birth.
  - (6) Race.
  - (7) Sex.
  - (8) Weight and height.
  - (9) Home address and phone number.
  - (10) Marital status.
  - (11) Spouse/Next of kin.
  - (12) The person to notify in case of an emergency.
  - (13) Employer, place of employment, and phone number.
  - (14) Social security number.
  - (15) Other identifying characteristics (e.g., scars and marks).
  - (16) Prisoner identification by photograph and/or ID bracelet to be issued during reception.
  - (17) Photographs and/or ID bracelets are not required for prisoners detained eight hours or less.
- (E) During the admissions process, all persons to be confined in a local jail shall be permitted to complete telephone calls to:
  - (1) Retain an attorney.
  - (2) Contact a person of their choice.



- (F) A preliminary health evaluation record shall be completed on all prisoners upon admission and prior to being placed in the general population to determine if the prisoner is experiencing any serious physical or mental disorder; and, in the event such a condition appears to exist, treatment will be provided prior to confinement in accordance with the medical and health care plan in paragraphs (B) and (C) of rule 5120:1-8-09 of the Administrative Code.
- (G) Prisoners evidencing signs of serious untreated injury, shall not be admitted prior to their examination and/or treatment by appropriate medical personnel.
- (H) No prisoner shall be admitted in a state of unconsciousness without documented approval from a licensed physician.
- (I) During admission, every prisoner shall be properly searched, and all unauthorized items shall be properly confiscated, recorded, and secured.
- (J) Strip searches and body cavity searches shall only be conducted in accordance with written policies and procedures established by the facility administrator, paragraphs (J), (K) and (L) of this rule, and section 2933.32 of the Revised Code.
- (K) A person detained or confined for the alleged commission of a misdemeanor or traffic offense shall only be subject to a strip search and/or body cavity search when the staff member who is conducting the reception process has probable cause to believe that the person is concealing evidence of the commission of a criminal offense, including fruits or tools of a crime, contraband, or a deadly weapon, as defined in section 2923.11 of the Revised Code, that could not otherwise be discovered, or when it is necessary for any legitimate medical or hygienic reason.
  - (1) In determining probable cause for purposes of this paragraph, the staff member shall consider the nature of the offense, the circumstances of the person's arrest, and, if known, the prior conviction record of the person.
  - (2) A strip search and/or body cavity search of such persons shall only be conducted after the staff member obtains a written authorization for the search from the person in command of the confining agency, or from a person specifically designated by the person in command to give a written authorization for either type of search, unless there is a legitimate medical reason or medical emergency that makes obtaining written authorization impracticable.
  - (3) A body cavity search of such persons shall only be conducted after a search warrant is issued that authorizes the search, unless there is legitimate medical reason or medical emergency justifying a warrantless search.
  - (4) A strip search and/or body cavity search of such persons shall be conducted by a person or persons who are of the same sex as the person who is being searched.
  - (5) A body cavity search shall only be conducted under sanitary conditions by a physician, or a registered nurse or licensed practical nurse, who is registered or licensed to practice in this state.

- (6) The strip search and/or body cavity search shall be conducted in a manner and in a location that permits only the person or persons who are physically conducting the search and the person who is being searched to observe the search.
- (7) A strip search and/or body cavity search shall be conducted in a manner that preserves the dignity of the person being searched to the degree possible.
- (8) Upon completion of a strip search and/or body cavity search of such persons, the person or persons who conducted the search shall prepare a written report concerning the search that shall include all of the following:
  - (a) The written authorization for the search obtained from the person in command of the confining agency or his designee.
  - (b) The name of the person who was searched.
  - (c) The name of the person or persons who conducted the search, the time and date of the search, and the place at which the search was conducted.
  - (d) A list of items, if any, recovered during the search.
  - (e) The facts upon which the staff member based his probable cause for the search, including, but not limited to, the review of the nature of the offense with which the searched person is charged, the circumstances of his arrest, and, if known, his prior conviction record.
  - (f) A record of all unusual findings (e.g., cuts, bruises, body vermin, needle scars, and other injuries).
  - (g) The legitimate medical reason or medical emergency that justified the warrantless search, or made obtaining written authorization impracticable pursuant to paragraphs (K)(2) and (K)(3) of this rule.
- (9) A copy of the written report required by paragraph (K)(8) of this rule shall be kept on file by the confining agency, and another copy of it shall be given to the person who was searched.
- (10) Persons who are afforded a reasonable opportunity to secure release on bail or recognizance, but who fail to secure such release, and who are to be integrated with the general population of the detention facility shall be visually observed by a person of the same sex while changing into clothing that is required to be worn by inmates in the facility in accordance with paragraph (M) of this rule.
- (L) A person detained or confined for an alleged commission of a felony, or sentenced to serve a term of imprisonment, and who is serving that term in a detention facility, as defined in section 2921.01 of the Revised Code, shall be subject to a strip search when the person's present or prior behavior indicates that he/she is likely to be concealing contraband or a weapon, or to a body cavity search when reasonable cause exists to believe that a weapon or contraband is being concealed.

- (1) A strip search of such persons shall be conducted by a person or persons who are of the same sex as the person who is being searched.
  - (2) A body cavity search of such persons shall only be conducted under sanitary conditions by medical personnel.
  - (3) The strip search and/or body cavity search shall be conducted in a manner and in a location that permits only the person or persons who are physically conducting the search and the person who is being searched to observe the search.
  - (4) A strip search and/or body cavity search shall be conducted in a professional manner that preserves the dignity of the person being searched to the degree possible.
  - (5) Upon completion of a strip search and/or body cavity search of such persons, the person or persons who conducted the search shall prepare a record of all unusual findings (e.g., cuts, bruises, body vermin, needle scars, and other injuries).
  - (6) Persons who are afforded a reasonable opportunity to secure release on bail or recognizance, but who fail to secure such release, and who are to be integrated with the general population of any detention facility shall be observed by a person of the same sex while changing into clothing that is required to be worn by inmates in the facility in accordance with paragraph (M) of this rule.
- (M) Each prisoner's clothing needs shall be evaluated at reception (e.g., heavily soiled, vermin infested) and clean clothing provided, if necessary.
- (1) Prisoners who will be integrated with the general population, or confined over one hundred twenty hours, shall be provided clean uniforms or other clothing by the jail.
  - (2) Prisoners shall be observed by a designated staff member of the same sex while changing into issued clothing.
  - (3) A detailed record shall be made of any observed infestation, injury or unusual mark or scar, including cuts, bruises, body vermin and needle scars.
- (N) Prisoners who are neither strip searched nor observed while changing into issued clothing shall be confined in an area which separates them from those who have been.
- (O) Immediately after admission, every prisoner determined to be in need and who cannot be segregated from other prisoners shall be required to bathe/shower before being integrated with the general population.
- (1) Each prisoner determined to be infested with lice or scabies, referenced in paragraph (C)(6) of rule 5120:1-8-09 of the Administrative Code, shall be deloused in a manner prescribed by the facility physician.
  - (2) Bathing/showering and/or delousing shall be required prior to the issuance of clean clothing in accordance with paragraph (M) of this rule.

- (P) Each prisoner confined for more than eight hours shall be assigned a bed and provided with a mattress, blankets(s), bed linens, towels, and soap.
- (Q) Any prisoner not having articles for maintaining personal hygiene (i.e., toothpaste, toothbrush, feminine hygiene items) shall be notified that these items are provided by the confining authority upon request.
- (R) Shaving equipment shall routinely be available in a manner which is acceptable to local or state health officials, and which ensures facility security.
- (S) During admission, every prisoner shall be notified of the rules governing prisoner conduct.
  - (1) Every prisoner shall be given a copy of the rules, or the rules shall be posted in conspicuous places within the confinement areas.
  - (2) Prisoners who cannot read shall have the rules explained by staff.
  - (3) Prisoners who are intoxicated shall be notified of the rules governing prisoner conduct when they become reasonably coherent.
  - (4) The prisoner shall sign a statement to verify that he/she has been notified of the rules governing prisoner conduct.
- (T) During admission no juvenile shall be placed or allowed to remain within sight, sound, or touch of adult prisoners; female prisoners shall not be placed or allowed to remain in the same cell or unsupervised areas with male prisoners.
- (U) No prisoner shall be permitted to possess any form of money while in confinement.
- (V) Prisoners' personal property shall be listed in an inventory which includes an objective description of each item.
  - (1) Money taken from the prisoner shall be counted in his/her presence.
  - (2) The prisoner's signature shall be affixed to the completed inventory or, if unobtainable, the accuracy of the inventory shall be witnessed by a third party.
  - (3) All property not returned to the prisoner shall be carefully secured.
- (W) Authorization shall be required prior to the release or removal of any prisoner from confinement.
- (X) When a prisoner is released to the custody of another jurisdiction, the identity of the escorting officer shall be verified.
- (Y) The escorting officer shall sign a release authorization for the prisoner.
- (Z) A record shall be made of the time and date of release from confinement, the authority by which released, and into whose custody the prisoner is released.
- (AA) Those prisoners being released or removed from confinement in any jail where the capacity exceeds ten prisoners shall be positively identified by a photograph or ID bracelet.

- (BB) All prisoners shall sign a receipt for property, valuables, and cash returned to them at the time of release or transfer to another facility.
- (CC) Any complaint regarding property returned which is not immediately resolved, must be made in writing, with specific details of the complaint.
- (DD) Prisoners shall be visually observed while changing into street clothes upon release in order to detect contraband, physical injury, illness, or any other abnormality which may have occurred during confinement.
- (1) A written record shall be made of any significant findings.
  - (2) The observation shall be conducted by a staff member of the same sex as the prisoner.

**5120:1-8-02 Classification - Full Service Jail.**

- (A) Each jail shall develop an appropriate classification system.
  - (1) The criteria to be used in the classification system shall be assigned priority as follows:
    - (a) Sex.
    - (b) Juvenile and adult.
    - (c) Tendency for violent behavior.
    - (d) Special needs (e.g. mental and physical handicaps).
    - (e) Age and prior criminal behavior.
    - (f) Pre-arraignment, post-arraignment, and post-trial.
  - (2) The criteria shall be implemented to the maximum extent, consistent with the design and capacity of the jail.
  - (3) Housing assignments shall not be made on the basis of race, color, creed, national origin, or political belief.
- (B) At no time shall prisoners of the following classifications be permitted together in an unsupervised area:
  - (1) Adult male.
  - (2) Adult female.
  - (3) Juvenile male.
  - (4) Juvenile female.
- (C) Any classification action which significantly deprives a prisoner of privileges afforded other prisoners or in any way places him/her in a lesser status shall be justified in writing.
- (D) Facilities utilizing trustees shall evaluate and select prisoners on criteria which include but are not limited to:
  - (1) The nature of the prisoner's offense and sentence.
  - (2) Previous attempts to escape by the prisoner.
  - (3) The prisoner's ability to understand directions.
  - (4) The prisoner's day-to-day behavior.

**5120:1-8-03 Security - Full Service Jail.**

- (A) All facilities shall develop written policies and procedures governing all security aspects of jail operations.
- (B) Direct, in-person surveillance of each prisoner shall be conducted on an irregular schedule, no less than every sixty minutes. Hourly checks must be logged.
- (C) The following classifications and physical arrangements require increased documented surveillance at intervals of no more than twenty minutes: suicidal; assaultive; escape risk; mentally/emotionally disturbed prisoners; housing and day areas which serve potentially incompatible classifications; multiple-occupancy holding areas; padded or rubberized rooms or cells.
- (D) When available, closed-circuit television (CCTV) shall be primarily used to monitor hallways, stairwells, sallyports, perimeter security, points of egress, and common areas and in a manner which preserves the dignity of the prisoner.
- (E) There shall be at least three official counts every twenty-four hours (once per shift) during which each prisoner's physical presence, movement, or speech shall be observed to verify his/her presence. A record shall be made of such counts and signed by the jail staff member who observes the prisoner's presence.
- (F) Prisoners must be able to verbally contact jail staff at all times. An audio communication system which permits prisoners to initiate contact shall be used when a staff person is not within normal hearing distance of the prisoner.
- (G) All jail administrators shall establish a routine procedure for thoroughly inspecting all facility areas accessible to prisoners for contraband and physical security on at least a weekly basis.
  - (1) Isolated security "spot checks" shall be conducted on a daily basis.
  - (2) Items considered as contraband or items permitted in the jail shall be defined in the rules governing prisoner conduct.
  - (3) There shall be a written procedure for reporting security irregularities.
- (H) All facilities shall establish a security perimeter, to the maximum extent that design permits.
- (I) No weapon, ammunition, chemical agent, related security equipment, or any object which presents the potential of being used as a weapon shall ever be permitted in the confinement area unless authorized by the jail administrator, sheriff, or other officials specifically designated as having administrative responsibility for the confinement facility.
- (J) All unissued firearms, weapons, and/or chemical agents shall be stored outside the security perimeter or in an arsenal, vault, or other secure room under double lock.
  - (1) The storage area shall be inaccessible to all unauthorized persons.
  - (2) There shall be a written procedure for issuing and accounting for all weapons.

- (K) All jails shall have a locked storage area (i.e., pistol locker, weapons cabinet) for the temporary securing of weapons when persons enter the security perimeter.
- (L) A written entry (e.g. on a jail log) shall be made of all significant activities occurring within the confinement facility to include but not be limited to:
  - (1) Surveillance checks.
  - (2) Security inspections.
  - (3) Prisoner counts.
  - (4) Use of force.
  - (5) Disciplinary actions.
  - (6) Movement inside and outside the jail.
  - (7) Medical treatment.
  - (8) Feeding.
  - (9) Critical incidents (e.g., fires, assaults, attempted/completed suicides and escapes, and other deaths).
  - (10) Prisoner vandalism (e.g., destruction of jail property, flooding, or other acts of vandalism).
- (M) All security devices and safety equipment shall be inspected monthly to ensure they are maintained in proper working order and the inspections logged.
- (N) All jails shall have a key control system. This system shall include but not be limited to the following elements:
  - (1) A key control center which is secure and inaccessible to unauthorized persons at all times.
  - (2) An accounting procedure for issuing and returning keys.
  - (3) A procedure for immediate reporting and repairing of any broken or malfunctioning key or lock.
  - (4) A set of duplicate keys to be maintained in a separate, secure place, which is readily accessible during emergencies.
  - (5) A third set of keys to be kept at a location outside the jail for use during an emergency.
- (O) In addition, the key control system shall include but not be limited to the following provisions:
  - (1) No prisoner shall ever handle keys used to operate jail security locks.
  - (2) Keys operating locks to outside doors and/or gates will not be in the confinement area except in an emergency.



- (3) Emergency keys and keys to control security areas (e.g., arsenal) must be clearly marked and only be issued in accordance with written procedures established by the jail administrator.
- (4) Precautions similar to those outlined above shall be taken to ensure the security of all non-key-operated locking devices (e.g., electrical switches, levers).
- (P) All tools; toxic, corrosive, and flammable substances; and other potentially dangerous supplies and equipment shall be stored in a locked area which is secure and located outside the security perimeter of the confinement area.
- (Q) Tools, supplies, and equipment which are hazardous shall be used by prisoners only under direct supervision.
- (R) At no time shall any prisoner be assigned to a position of authority over any other prisoner or be in charge of providing prisoner services such as commissary, telephone calls, or delivery of meals.
- (S) Prisoners shall never be permitted to perform or assist in any security duties.
- (T) Jail administrators choosing to assign prisoners to trusty status shall establish procedures which regulate their movement and activity inside and, if applicable, outside the facility.
- (U) Facilities with work release programs shall establish special control procedures to minimize contact between prisoners with work release privileges and other prisoners.
- (V) Prisoners shall be properly searched whenever entering or leaving the security perimeter.
- (W) Written procedures shall be developed for transporting prisoners outside the facility.
- (X) Written procedures shall be established to minimize prisoners being alone with staff members of the opposite sex.
- (Y) Each jail administrator shall develop written policies and procedures governing the use of physical restraints.
- (Z) No prisoner placed in physical restraints shall be left unmonitored or unattended for a period which exceeds ten minutes.
- (AA) Restraining devices shall only be employed during transportation or pending the approval of the jail administrator or his designee for the following:
  - (1) To prevent the prisoner from harming himself;
  - (2) Protection of another person from a prisoner attack; and
  - (3) Self-defense of staff.
- (BB) Physical force shall be employed only when reasonably necessary for the following:
  - (1) Self-defense from an assault by a prisoner.

- (2) Defense of third persons from an assault by a prisoner.
  - (3) Prevention of riot, escape, or other crime.
  - (4) Controlling or subduing a prisoner who refuses to obey the jail rules governing prisoner conduct.
  - (5) Controlling a prisoner to prevent self-inflicted harm.
- (CC) Only the amount of force reasonably necessary to control a given situation shall be used.
- (DD) All use of physical force shall be thoroughly documented with a detailed account including but not limited to:
- (1) Who was involved.
  - (2) The force that was used.
  - (3) Justification for its use.
- (EE) An examination and/or treatment by in-house medical personnel or outside emergency medical services shall be provided to prisoner(s) and/or staff involved in any use-of-force incidents when:
- (1) A person involved has obviously suffered physical injury, or
  - (2) A person involved complains of an injury or requests a medical examination, or
  - (3) More than slight physical force has been employed.
- (FF) The examination and/or treatment resulting from the use-of-force incident shall be documented.
- (GG) All jails shall have available written procedures for emergency situations including but not limited to:
- (1) Escapes.
  - (2) Taking hostages.
  - (3) Fires.
  - (4) Riots.
  - (5) Food poisoning.
  - (6) Civil disturbances in the community.
  - (7) Natural disasters.
  - (8) Suicides.
  - (9) Other deaths.
  - (10) Job actions.
  - (11) Outbreaks of contagious disease.
  - (12) Prisoner strikes and other disturbances.

**5120:1-8-04 Housing - Full Service Jail.**

- (A) Unless otherwise specified by court order, prisoners in the following classifications shall be housed completely separate by sight and touch and out of the range of normal conversation at all times.
  - (1) Adult male.
  - (2) Adult female.
  - (3) Juvenile male.
  - (4) Juvenile female.
- (B) All prisoners shall be provided sufficient space for reasonable and necessary movement.
- (C) There shall be sufficient seating for each prisoner in holding areas, cells, dormitories, dayrooms, and/or eating areas.
- (D) Reasonable efforts shall be made to maintain temperatures in prisoner quarters within the normal comfort zone (sixty-eight degrees F. to eighty-five degrees F.) during daytime hours and not below sixty degrees F. at night.
- (E) Cells and surrounding confinement areas shall be finished with non-flammable, non-toxic, washable, predominantly light-colored materials.
- (F) Cells shall be equipped with a sanitary, working flush toilet, lavatory (hot and cold water) and drinking water if used to confine prisoners not having access to such facilities on a twenty-four-hour basis.
- (G) In multiple cells and dormitories, there shall be at least one flush toilet and one wash basin for every twelve prisoners.
- (H) Prisoner housing areas shall be equipped with adequate shower/bathing facilities or, such facilities shall be available within the security perimeter to prisoners.

**5120:1-8-05 Sanitation/Environmental Conditions - Full Service Jail.**

- (A) Each jail shall develop written policies and procedures for ensuring the safe and sanitary condition of the jail, including maintenance and repairs.
- (B) Each jail and the immediate grounds shall be kept reasonably free of health, fire and safety hazards.
- (C) All grounds, walkways, driveways, and parking areas adjacent to the jail facility shall be in good repair and well lighted to ensure safety and perimeter security.
- (D) The jail administrator shall request in writing to have the entire jail facility inspected by local or state health authorities on an annual basis.
- (E) Arrangements shall be made for monthly insect and rodent inspections and control.
- (F) All building elements shall be clean and in good repair.
- (G) All painted surfaces shall be painted as needed.
- (H) Ventilation shall be sufficient to remove dangerous odors and minimize disagreeable odors.
- (I) All areas designated for prisoner reading shall provide thirty footcandles of light (measured at thirty inches above the floor).
  - (1) Sufficient lighting shall be provided to ensure effective security in all areas (i.e., fifteen to twenty footcandles).
  - (2) Reduced lighting shall be provided in the prisoner confinement areas during sleeping hours (i.e., two to four footcandles).
  - (3) Natural light shall be provided in the confinement areas where physically possible.
- (J) Consistent with paragraph (P) of rule 5120:1-8-01 of the Administrative Code, bedding and mattresses shall be cleaned in a manner which is approved by local or state health officials, prior to being reissued to new admission.
- (K) Bed linens and towels shall be changed at least once each week.
  - (1) Blankets shall be laundered as necessary.
  - (2) Mattresses shall be cleaned regularly in a manner which is acceptable to local or state health officials.
- (L) Prisoners shall be required to keep their persons and quarters clean and in proper order.
- (M) Garbage and trash receptacles shall be emptied and cleaned daily.
- (N) Toilets, urinals, sinks, drinking facilities and bathing facilities in areas being occupied by prisoners shall be cleaned daily.
- (O) Jail laundry equipment shall be kept clean and in good repair.

- (P) Regular sanitation inspections shall be made by the facility administrator or his designee to ensure that sanitary conditions are maintained. Such inspections shall be documented.
- (Q) All supply and equipment storage areas shall be located so as to minimize safety hazards. Such areas shall be maintained in a clean and orderly manner.
- (R) Issued clothing shall be exchanged at least twice weekly.
- (S) Facilities shall be available or arrangements made to exchange and launder personal clothing (i.e., undergarments) at least twice weekly.
- (T) Each prisoner shall be provided with the opportunity to shower/bathe daily. Showers/bathing facilities and lavatories shall be provided for all prisoners with an adequate supply of soap, warm and/or hot (regulated to prevent scalding) and cold water.
- (U) Arrangements for prisoner haircuts shall be made upon request of the prisoner or as needed.
- (V) The jail administrator shall request in writing that the jail be inspected by a certified local or state fire safety inspector at least annually.
- (W) All deficiencies contained within the fire safety inspector's report shall be corrected within the time frame specified.
- (X) Jails shall be appropriately equipped with fire emergency equipment as approved by local or state fire safety inspectors including:
  - (1) Smoke detection;
  - (2) Smoke evacuation;
  - (3) Fire suppression;
  - (4) Self-contained breathing apparatus (minimum of thirty-minute air supply).
- (Y) Jail personnel shall be trained in the proper use of the equipment listed in paragraph (X) of this rule.
- (Z) Each jail shall establish a fire safety plan, approved by the certified local or state fire safety officials.
  - (1) Provisions shall be made to ensure the prompt, safe evacuation of persons from all affected areas of the facility.
  - (2) Evacuation routes shall be posted or otherwise clearly marked throughout the facility.
  - (3) Periodic fire drills will be conducted in cooperation with appropriate fire, medical and safety officials.
  - (4) Controls shall be formalized (e.g., in prisoner rules) to prevent the creation of fire safety hazards with prisoners' personal effects, clothing, reading materials, and commissary items.

**5120:1-8-06 Communication - Full Service Jail.**

- (A) Each jail shall develop written policies and procedures governing prisoner correspondence.
- (B) There shall be no limitation on the amount of incoming or outgoing first-class correspondence.
- (C) Incoming correspondence shall not be censored, except as provided in paragraphs (I), (I)(1), and (I)(2) of this rule.
  - (1) Incoming correspondence shall be inspected for contraband items prior to delivery.
  - (2) Incoming correspondence from the courts, an attorney of record, or public officials shall be opened in the presence of the prisoner.
- (D) Outgoing correspondence shall be forwarded sealed without inspection except as provided in paragraphs (I), (I)(1) and (I)(2) of this rule.
- (E) Each jail shall provide the necessary writing materials, envelopes, and postage for a minimum of two letters per week for indigent prisoners.
- (F) Each jail shall have a procedure for recording all deposits and disbursements of prisoner funds in accordance with procedures adopted by the auditor of state.
- (G) A receipt shall be made of all prisoner fund deposits with a copy given to the prisoner.
- (H) Packages received for a prisoner shall be thoroughly examined for contraband.
- (I) Each jail shall develop a written policy governing the censoring of mail. Any regulation for censorship shall meet the following criteria:
  - (1) The regulation must further an important and substantial governmental interest unrelated to the suppression of expression (e.g., detecting escape plans which constitute a threat to facility security and/or the well-being of staff and/or prisoners).
  - (2) The limitation must be no greater than is necessary to the protection of the particular governmental interest involved.

**5120:1-8-07 Visitation - Full Service Jail.**

- (A) Each jail administrator shall develop written policies and procedures governing prisoner visitation.
- (B) Each jail shall provide a secure visiting area free from obstructions or obstacles to normal conversation or viewing.
  - (1) The area shall be equipped with sufficient seating and lighting and shall provide reasonable privacy.
  - (2) Lighting in attorney visiting areas shall be a minimum of thirty footcandles.
  - (3) Contact visits shall be permitted at the discretion of the jail administrator.
- (C) Each jail shall maintain a record of visitors including date, visitor name, prisoner visited and length of visit. All visitors shall be required to show proper identification.
- (D) General visiting hours shall be scheduled at the discretion of the jail administrator but shall provide for visiting during each of the following periods:
  - (1) Daytime hours, Monday through Friday.
  - (2) Evening hours.
  - (3) Weekends.
- (E) When circumstances prevent visits from occurring during general visiting hours, special visits shall be allowed at times and under conditions as approved by the facility administrator or his designee.
- (F) Each prisoner shall be permitted a minimum of one weekly visiting period of no less than thirty minutes or two fifteen-minute sessions, unless circumstances dictate temporary suspension (e.g., major disturbance).
- (G) Visitors shall be subjected to security controls established by the jail administrator to prevent contraband and weapons from being brought into the jail.
- (H) Prisoners shall not be restricted in regard to whom they visit unless the facility administrator determines that a visitor should be excluded due to the existence of one or more of the conditions listed in paragraph (I) of this rule.
- (I) Visitation can be denied by the jail administrator under the following conditions:
  - (1) The visitor represents a clear and present danger to security.
  - (2) The visitor has a past history of disruptive conduct at the jail.
  - (3) The visitor is under the influence of alcohol or drugs.
  - (4) The visitor refuses to submit to a search or show proper identification.

- (5) The prisoner refuses the visit.
- (6) Visiting restrictions have been placed on the prisoner for reasons involving discipline or security.
- (J) The jail staff shall not listen to visitors' conversations but may observe the visitation.
- (K) Any attorney of record shall be allowed to visit his client at all reasonable times, both daytime and evenings.
- (L) A member of the clergy shall be allowed to visit a prisoner at all reasonable times, both daytime and evenings.



**5120:1-8-08 Telephone - Full Service Jail.**

- (A) Each jail administrator shall develop written policies and procedures governing prisoner telephone communications.
- (B) Each jail shall have provisions for making telephone calls from a secured area.
  - (1) Prisoners shall be provided an opportunity to use this equipment to make at least one local call each week to a relative, employer, friend, attorney, or clergy.
  - (2) Additional calls to legal counsel shall be provided for unsentenced prisoners.
  - (3) Prisoners not residing or having family in the local area shall be permitted one long-distance collect call per week.

**5120:1-8-09 Medical - Full Service Jail.**

- (A) All jails shall employ or contract with a designated facility physician licensed to practice medicine or osteopathic medicine in the state of Ohio.
- (B) The facility physician shall supervise the development of and approve a written medical and health care plan outlining policies and procedures regulating all aspects of medical treatment and services to prisoners.
- (C) A medical staff member or the receiving officer shall complete a preliminary health evaluation record for all new admissions including but not limited to:
  - (1) Current illnesses and health problems including those specific to women.
  - (2) Medications taken and special health requirements.
  - (3) Screening of other health problems designated by the responsible physician.
  - (4) Behavioral observation, including state of consciousness and mental status.
  - (5) Notation of body deformities, trauma markings, bruises, lesions, ease of movement, jaundice.
  - (6) Condition of skin, including rashes and infestations.
  - (7) Disposition, if applicable.
  - (8) Document referral of prisoners to qualified medical personnel for emergency treatment.
  - (9) Notation of personal physician and any medical needs.
  - (10) Assessment of suicidal risk.
- (D) Within fourteen days after admission, a health appraisal shall be completed for each prisoner whose stay exceeds ten days. This appraisal shall include but not be limited to:
  - (1) Review of the preliminary health evaluation.
  - (2) Additional data to complete the medical and psychiatric history.
  - (3) Laboratory and diagnostic tests to detect communicable diseases, if deemed appropriate by medical staff.
  - (4) Height, weight, pulse, blood pressure, and temperature.
  - (5) Other tests and examinations as appropriate.
- (E) Every jail shall have emergency medical treatment available either through an in-house or outside medical service arrangement on a twenty-four hour basis for all prisoners.

- (F) Sick call shall be conducted by a physician and/or allied medical personnel as follows:
- (1) A minimum of once per week for jails whose average daily prisoner population is less than fifty.
  - (2) A minimum of three times per week for jails whose average daily prisoner population is between fifty to one hundred ninety-nine.
  - (3) A minimum of five times per week for jails whose average population is two hundred or more.
- (G) The use of allied medical personnel (e.g., registered nurses, licensed practical nurses, physician assistants, paramedics, emergency medical technicians) shall be determined by the jail physician subject to limitations imposed by law. All medical work of such medical personnel shall be under the supervision of the facility physician.
- (H) Each jail shall provide a daily procedure whereby each prisoner may have an equal opportunity to report medical complaints to the facility physician, either directly or through his designee(s).
- (1) All medical complaints shall be recorded and maintained on file.
  - (2) All medical complaints shall be reviewed daily by allied medical personnel in conjunction with the facility physician, and treatment provided as deemed appropriate.
- (I) Prisoners shall be permitted to be treated by their personal physicians in the jail at their own expense provided the identity of the physician is verified and such attention is deemed necessary and advisable by the facility physician.
- (J) Accurate records documenting all patient-perceived medical problems, examinations, diagnosis, and treatment shall be maintained at the facility under the supervision of the physician in charge.
- (1) All medical records shall be considered confidential and accessible only to designated personnel.
  - (2) Medical records maintained at the jail shall include documentation of all treatment provided by a personal physician or outside mental health professionals during the prisoner's confinement.
- (K) The jail physician shall establish and supervise the maintenance of a listing of both prescription and non-prescription medications and supplies which are permitted for use in the facility. Any limitations on their use must be specified.
- (L) The administration of prisoner medications and medical supplies shall be regulated by the written medical and health care plan.
- (M) Medications shall only be administered in the dosage, form, and at the time prescribed by the physician treating the prisoner.
- (N) A complete and accurate record of all prisoners receiving their medications and supplies shall include but not be limited to:

- (1) The kind and amount of medication administered and/or medical supplies used.
- (2) The time and by whom such medications are administered and supplies are used.
- (O) Prisoner medications and medical supplies (e.g., controlled substances, hypodermic needles, syringes, medical instruments) and medical records shall be stored in secure locked cabinets, storage rooms, and refrigeration units. Potentially dangerous substances shall be disposed of in accordance with Chapter 3719. of the Revised Code.
- (P) No prisoner shall be denied medical attention for disciplinary reasons or on the basis of his classification status.
- (Q) A written contract or agreement shall be secured with a dentist or clinic to provide prisoners with access to professional dental treatment for extractions and other work of an emergency nature, as needed.
- (R) Prisoners who have been confined for a continuous period of six months or more shall be provided professional dental services, both preventative and corrective, as needed.
- (S) All prisoners evidencing signs of serious mental disorder shall be referred to the jail physician, or other qualified mental health professional or agency, for appropriate psychiatric or psychological services or other courses of treatment which may be deemed necessary.
- (T) The referral and the delivery of treatment services by mental health professionals shall be documented and communicated to appropriate jail medical staff.
- (U) There shall be written policies and procedures governing suicide prevention, detection, intervention and response.
- (V) Emergency medical equipment and supplies, as determined by the attending physician for the jail, shall be readily available at all times, periodically inventoried, and replenished as needed.

**5120:1-8-10 Food Service - Full Service Jail.**

- (A) Each facility shall develop written policies and procedures governing the food service operation including but not limited to:
- (1) All prisoners, including those in disciplinary confinement, shall be served a minimum of three meals a day at regularly scheduled intervals, no span to exceed fourteen hours between meals.
  - (2) Menus shall be evaluated and approved by a qualified dietician.
  - (3) Menus shall be planned at least thirty days in advance and maintained on file as a permanent record.
  - (4) Permanent records of food items served at meals shall be maintained on file.
  - (5) Modified diets shall be prepared for prisoners when requested by medical staff or by a physician's order; and all reasonable efforts shall be made to accommodate dietary needs of a religion.
  - (6) Food shall be served fresh, in reasonable variety, and at optimum temperatures consistent with rules adopted by the Department of Health under Chapter 3701. of the Administrative Code.
  - (7) Each jail shall provide adequate tables and seats and necessary eating utensils to accommodate the feeding of prisoners.
  - (8) All food preparation, serving areas, and methods shall meet sanitary standards consistent with Chapters 3707. and 3709. of the Revised Code.
  - (9) Persons working in the preparation and serving of food shall initially be screened for contagious diseases by medical staff.
- (B) Each jail shall appoint a person with experience and/or training in food service to be responsible for the management of the jail's food service operation.
- (C) Procedures shall be established to ensure security within the kitchen area, including accounting for utensils, controlling supply storage, supervising incoming supplies, and disposal of garbage.

**5120:1-8-11 Recreation/Programming - Full Service Jail.**

- (A) Each jail shall develop written policies and procedures for the development and implementation of correctional services and recreation programs including but not limited to:
- (1) All jails shall provide for an on-going recreational program to include: physical exercise not less than five hours per week for those prisoners who are physically able, those who desire exercise, and those whose stay will exceed one hundred twenty hours.
  - (2) The on-going recreational program shall provide an opportunity for outdoor exercise when weather permits.
  - (3) Leisure-time activities to include television viewing and table games (e.g., cards, checkers, dominos) shall be provided.
  - (4) All jails shall provide prisoners with commissary privileges either through in-house or other arrangement.
    - (a) The established commissary program shall provide for the distribution to indigent prisoners of necessary hygiene articles and writing materials.
    - (b) The management of commissary funds shall be strictly controlled in accordance with procedures adopted by the auditor of state.
  - (5) All jails shall arrange for professional intervention through qualified in-house staff or written agreements with appropriate community service agencies in the areas of: alcohol and drug abuse treatment; academic and vocational training; psychological and social services; and other community services when appropriate.
  - (6) All jails shall provide prisoners access to a variety of reading materials to include: legal references, when prisoners are not represented by counsel; local newspaper; and other printed materials approved by the facility administrator.
- (B) All jails shall develop written policies and procedures to permit prisoners to practice their religion, subject only to the limitations necessary to maintain security and order.

**5120:1-8-12 Discipline - Full Service Jail.**

- (A) Each facility shall develop written policies and procedures governing all disciplinary actions.
- (B) Jail rules governing prisoner conduct shall clearly define violations and classify them as being either minor, major, or serious in nature.
  - (1) The rules shall also list penalties which may be imposed on prisoners found guilty of a rule violation(s).
  - (2) The rules shall be posted in a conspicuous place within the confinement area if not issued to prisoners in printed form.
- (C) Maximum levels for disciplinary isolation or loss of privileges and certain rights shall be for a specified number of hours or days.
  - (1) Privileges which may be suspended:
    - (a) Entertainment (e.g., radio, television, movies, games).
    - (b) Commissary (except personal hygiene items).
    - (c) Visits by friends.
    - (d) Phone calls to friends and family.
    - (e) Desserts, snacks.
  - (2) Qualified rights which may be suspended:
    - (a) Minimum of one visit per week by family. (Review weekly for reinstatement.)
    - (b) Two hours of exercise per week. (Review weekly for reinstatement.)
    - (c) Clothing, bed, bedding, unlimited access to toilet, lavatory, and shower. (Review daily for reinstatement.)
    - (d) The qualified rights provided in paragraphs (C)(2)(a), (C)(2)(b) and (C)(2)(c) of this rule may be suspended only:
      - (i) When the practice in a particular case poses a serious threat to security, or
      - (ii) When the jail property issued is seriously abused.
    - (e) The suspension of qualified rights and their review for reinstatement shall be in accordance with written policies and procedures, and the justification for suspension documented.
    - (f) The decision by the facility administrator or his designee to deny a prisoner of a provision(s) provided in paragraphs (C)(2)(a), (C)(2)(b) and (C)(2)(c) of this rule shall be reviewed for the purpose of reinstating the provision(s) at the earliest possible time.

- (3) Fundamental rights which cannot be suspended:
  - (a) Visits by attorneys.
  - (b) Visits by clergy.
  - (c) Phone calls to attorneys or clergy.
  - (d) Adequate food (nutritional diet).
  - (e) Adequate light, ventilation, temperature control, and sanitation.
  - (f) Medical care.
- (4) The facility administrator or his designee must approve any penalty greater than a verbal reprimand.
- (5) The assessment of penalties against a prisoner shall be documented.
- (D) Corporal punishment shall be prohibited.
- (E) Under no circumstances shall discipline be administered by prisoners through the use of proceedings or enforcers commonly referred to as "kangaroo court," "tank judge," barn boss," "sanitation committee," or other such devices.
- (F) Criminal misconduct by a prisoner(s) shall be referred to the appropriate prosecuting authority.
- (G) Prisoners whose misconduct constitutes a crime shall be informed that anything they say in a disciplinary hearing may be used against them in a court of law.



**5120:1-8-13 Violations and Penalties - Full Service Jail.**

Rules shall be divided into three distinct categories according to the nature of the violation and the maximum penalty which may be imposed.

**(A) Minor violations**

- (1) Minor violations shall include acts which do not constitute a present and immediate threat to the security of the facility, its staff, prisoners, visitors, or the prisoner who committed the violation (e.g., "horse-playing," excessive noise, dirty clothing or living quarters, poor personal hygiene).
- (2) Minor violations may be penalized by no more than a verbal reprimand unless authorized by the jail administrator. In no event shall the penalty exceed restriction of privileges such as commissary and entertainment for a period greater than forty-eight hours.

**(B) Major violations**

- (1) Major violations shall include persistent minor rule infractions, cases where a determination is made that the remedy for a minor violation serves no deterrent effect, and violations which cannot be considered minor but do not constitute a violation of statutory law or a present and immediate threat to the security of the jail, its staff, prisoners, visitors, or the prisoner committing the violation (e.g., carelessness with tools and equipment, obscene gestures, lying).
- (2) An offense report must be filed with the facility administrator and the offender notified of the alleged major rule violation(s), at which time the prisoner may request an impartial review by a hearing officer. The facility administrator or his designee shall review this request and determine if a hearing is warranted.
- (3) Major rule violations shall be subject to restriction or suspension of the privileges and qualified rights enumerated in paragraph (C) of rule 5120:1-8-12 of the Administrative Code for a period up to one hundred twenty hours. Such penalty may include disciplinary isolation for a period of up to one hundred twenty hours.

**(C) Serious violations**

- (1) Serious violations shall include acts which constitute violation of statutory law and/or violations which constitute a present and immediate threat to the security of the facility, its staff, prisoners, visitors, or the prisoner who committed the violation (e.g., fighting; possession of drugs, intoxicants, weapons and contraband; gambling; threats; creating a disturbance; malicious destruction; alteration or misuse of property).
- (2) Serious rule violations may be penalized by disciplinary isolation for a period up to ten days, the loss of "good time" where applicable, and/or suspension of privileges and certain rights for a period up to ten days.

- (3) **When a member of the facility staff suspects that a prisoner has committed a serious rule violation, he may place the prisoner in isolation upon receiving the approval of his immediate supervisor. Such action should be taken in cases when there is a substantial reason to believe that the prisoner's presence in the general population poses a threat to security or the well-being of the prisoner or others.**

**5120:1-8-14 Due Process Requirements - Full Service Jail.**

- (A) A due process hearing shall be conducted under the following circumstances:
  - (1) The prisoner is charged with committing a serious rule violation as defined in paragraph (C) of rule 5120:1-8-13 of the Administrative Code.
  - (2) The prisoner charged with a major rule violation requests a hearing and the facility administrator or his designee determines a hearing is warranted.
  - (3) The prisoner is charged with committing a major rule violation that will likely result in disciplinary isolation.
- (B) Prisoners shall be provided the opportunity to waive, in writing, their right to a disciplinary hearing.
- (C) When a prisoner is charged with a serious rule violation, an investigation shall take place within twenty-four hours of the incident to determine whether sufficient evidence exists to support the charge.
- (D) A charged prisoner shall be informed in writing within twenty-four hours (after being placed in disciplinary isolation) of the following:
  - (1) The specific rule(s) broken.
  - (2) The accuser, unless deemed inadvisable by the investigation.
  - (3) The time the violation occurred.
  - (4) The date and place of the violation and the facts on which the charge is based.
  - (5) A written summary of the prisoner's due process rights as specified in paragraphs (F), (G), (H), (I) and (J) of this rule.
- (E) The hearing officer shall assign a staff member or another prisoner to assist a prisoner in presenting his case if:
  - (1) The issue is complex, or
  - (2) There is a language barrier, or
  - (3) The prisoner is functionally illiterate or is otherwise unable to effectively communicate due to a mental or physical disability.
- (F) The prisoner shall have a minimum period of twenty-four hours after receiving the written information contained in paragraph (D) of this rule in which to prepare a defense.

- (1) The prisoner may waive the twenty-four hour period, but such waiver shall be in writing and signed by the prisoner.
  - (2) The prisoner must be 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 prisoner is not placed in isolation.
  - (3) A continuance of the hearing may be granted for good cause.
- (G) An impartial hearing officer of supervisory rank shall be appointed by the facility administrator to conduct the hearing.
  - (H) The prisoner has the right to be heard, present evidence, and cross-examine witnesses, subject to limitations imposed by the hearing officer.
  - (I) The reasons for any limitations imposed by the hearing officer on testimony or witnesses shall be stated in writing by the hearing officer.
  - (J) The hearing officer shall be required to find substantial evidence of guilt before imposing sanctions. A written statement of facts relied upon and reasons for the action shall be provided to the prisoner following the hearing.
  - (K) If the decision finds the offender did not commit the violation, the facility shall maintain a record of the incident; however, it shall not be used against the prisoner in any future disciplinary hearings.
  - (L) A procedure shall be established wherein prisoners are afforded an opportunity to appeal disciplinary actions to the facility administrator.

**5120:1-8-15 Administrative Segregation - Full Service Jail.**

- (A) Each facility shall develop written policies and procedures governing the administrative segregation of prisoners from the general population.
- (B) Administrative segregation shall be employed to separate a prisoner from the general population whenever:
  - (1) The prisoner presents a chronic inability to adjust in the general population; or
  - (2) The prisoner poses a major threat to himself, others, or the security of the facility; or
  - (3) The prisoner presents a valid need for protection as determined by the facility administrator; or
  - (4) The prisoner has a communicable disease; or
  - (5) The jail administrator has otherwise determined that such segregation is necessary and in the best interests of the prisoner, staff, or the safe, secure operation of the facility.
- (C) Written documentation of one or more of the conditions referred to in paragraphs (B)(1), (B)(2), (B)(3), (B)(4), and (B)(5) of this rule shall be maintained.
- (D) Prisoners who disagree with the administrative segregation decision shall be provided an opportunity to express their views to the jail administrator, who shall then review the decision.
- (E) Prisoners placed in administrative segregation during treatment for minor medical or psychiatric problems shall be reviewed daily by staff and medical personnel to determine the need for continued administrative segregation.
- (F) When a prisoner is held in administrative segregation thirty consecutive days, he shall receive an administrative review by the facility administrator or his designee. Subsequent reviews shall be conducted every thirty days.
- (G) Prisoners placed in administrative segregation shall receive all regular privileges and rights unless they pose a serious threat to the security of the facility or the health and welfare of the individual.
- (H) The use of administrative segregation as a penalty shall be expressly prohibited.
- (I) Prisoners transferred to administrative segregation shall be provided an explanation of their new status by a staff person.

**5120:1-8-16 Grievance Procedure - Full Service Jail.**

- (A) Each facility shall establish a written procedure whereby a prisoner may effectively express his grievance to the facility administrator without fear of reprisal.
- (B) All prisoners shall be notified of the grievance procedure in writing through the rules governing prisoner conduct.

**5120:1-8-17 Staff - Full Service Jail.**

- (A) Each jail shall develop written policies and procedures governing jail personnel requirements.
- (B) The official charged with responsibility for operating a jail shall function as the jail manager or shall designate a jail manager who is qualified by training and/or experience to supervise and control prisoners.
- (C) Jails shall have personnel assigned to jail duty as full-time employees.
- (D) Jail personnel duties shall be limited to the operation and/or management of the confinement facility.
- (E) Prior to employment, all employees of a confinement facility shall be subject to a thorough background investigation.
- (F) A written standardization individual performance evaluation shall be conducted at least annually.
- (G) Jail personnel shall receive salaries equal to other employees with comparable qualifications and seniority within the agency.
- (H) All jails shall have staff available to fulfill the responsibilities specified in the Minimum Standards for Jails in Ohio.
  - (1) Jails housing prisoners in excess of one hundred twenty hours or whose average daily population is ten or more shall have a staff person assigned to each security post or station.
  - (2) A second staff person shall be available to provide assistance when multiple occupancy areas are entered by staff as necessitated by security needs.
  - (3) When applicable, the jail shall provide sufficient staff to conduct prisoner transportation and court escort without disrupting routine jail operations.
  - (4) A sufficient number of trained jail staff shall be employed to ensure adequate relief to cover expected absenteeism.
- (I) Each jail shall establish a sufficient number of security posts based on prisoner security classifications, facility design, and prisoner services (e.g., visitation, programming).
- (J) Each jail shall employ a sufficient number of female jail staff to be available to perform all sensitive reception and release procedures for female prisoners (e.g., searches, showers, and clothes exchange).
- (K) Female staff shall be on duty for the duration of a female prisoner's confinement.

**5120:1-8-18 Staff Training - Full Service Jail.**

- (A) Each jail shall develop written policies and procedures for the training of jail personnel.
- (B) New or newly assigned support employees who have occasional contact with prisoners shall receive training as follows:
  - (1) Training in pertinent agency policies and procedures prior to assignment to jail duties.
  - (2) A minimum of twenty hours of training during the first year of assignment to include at least:
    - (a) "Minimum Standards for Jails in Ohio."
    - (b) Unarmed self-defense.
  - (3) Sixteen hours of in-service training each subsequent year of employment, addressing specific job assignments.
- (C) New or newly assigned support employees who have routine prisoner contact (e.g., medical or other program or service delivery) shall receive training as follows:
  - (1) Training in pertinent agency policies and procedures prior to assignment to jail duties.
  - (2) A minimum of forty hours of training during the first year of assignment to include:
    - (a) "Minimum Standards for Jails in Ohio."
    - (b) Unarmed self-defense.
    - (c) Jailer/Inmate communication.
    - (d) First aid/CPR.
    - (e) Behavioral/Psychological aspects of incarceration.
  - (3) Twenty-four hours of in-service training each subsequent year of employment, addressing specific job assignments.
- (D) New or newly assigned correctional officers/jail staff shall receive training as follows:
  - (1) Training in the agency's policies and procedures prior to assignment to jail duties.
  - (2) A minimum of eighty hours of training during the first year of assignment to include:
    - (a) "Minimum Standards for Jails in Ohio."
    - (b) Unarmed self-defense.



- (c) Jailer/Inmate communication.
  - (d) First aid/CPR.
  - (e) Behavioral/Psychological aspects of incarceration.
  - (f) Legal aspects of corrections.
  - (g) Crisis intervention.
  - (h) Jail security.
  - (i) Supervision of inmates.
  - (j) Recognition of abnormal inmate behavior.
  - (k) Suicides.
  - (l) Stress management.
  - (m) Report writing.
  - (n) Fire safety.
  - (o) Forty hours may be waived with documentation of previous equivalent training as an Ohio peace officer.
- (3) Twenty-four hours of in-service training each subsequent year of employment, addressing special issues, skills-enhancement, and other assignment-related topics.
- (E) New or newly assigned administrators and supervisors shall receive training in addition to the training specified in paragraph (D)(2) of this rule as follows, unless previous equivalent training has been documented:
- (1) Training in the agency's policies and procedures prior to assignment to jail duties.
  - (2) A minimum of forty hours of training during the first six months of assignment to include:
    - (a) "Minimum Standards for Jails in Ohio."
    - (b) Legal aspects of corrections.
    - (c) Managerial principals and related subjects.
    - (d) Labor relations
    - (e) Records/Information management.
  - (3) Twenty-four hours of in-service training each subsequent year of employment, addressing special issues, skills-enhancement, and other assignment-related topics.

- (F) All incumbent personnel who have contact with prisoners shall receive training, as specified, within two years of the effective date of this rule. Exceptions to this rule shall be recognized with documentation of previous equivalent training.
- (G) A training officer shall be designated for all jails employing ten or more jail personnel.

**5120:1-8-19 Code of Ethics for Jail Employees - Full Service Jail.**

**(A) Jail employees shall not:**

- (1) Exchange personal gifts or favors with prisoners, their family, or friends.**
- (2) Accept any form of bribe or unlawful inducement.**
- (3) Perform duties under the influence of intoxicants or consume intoxicants while on duty.**
- (4) Violate or disobey established rules, regulations, or lawful orders from a superior.**
- (5) Discriminate against any prisoner on the basis of race, religion, creed, gender, national origin, or other individual characteristics.**
- (6) Employ corporal punishment or unnecessary physical force.**
- (7) Subject prisoners to any form of unwarranted physical or mental abuse.**
- (8) Intentionally demean or humiliate prisoners.**
- (9) Bring any type of weapon or item(s) declared as contraband into the facility without proper authorization.**
- (10) Engage in critical discussion of staff members or prisoners in the presence of prisoners.**
- (11) Divulge confidential information without proper authorization.**
- (12) Withhold information which, in so doing, threatens the security of the facility, its staff, prisoners, visitors, or the community.**
- (13) Through negligence or neglect, endanger the well-being of self or others.**
- (14) Engage in any form of business or profitable enterprise with prisoners.**
- (15) Inquire about, disclose, or discuss details of a prisoner's crime(s) other than as may be absolutely necessary in performing official duties.**

**(B) Jail employees shall:**

- (1) Comply with all established rules, regulations, and lawful orders from superiors.**
- (2) Treat all prisoners in a fair, impartial manner.**