

CORRECTIONAL INSTITUTION INSPECTION COMMITTEE REPORT:
INSPECTION AND EVALUATION OF
MARION CORRECTIONAL INSTITUTION

Prepared and Submitted by CIIC Staff

June 2, 2010

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**CORRECTIONAL INSTITUTION INSPECTION COMMITTEE REPORT:
INSPECTION AND EVALUATION OF
MARION CORRECTIONAL INSTITUTION**

INSPECTION PROFILE

Date of Inspection:	November 30, 2009
Type of Inspection:	Unannounced
CIIC Member and Staff Present:	Senator David Goodman Shirley Pope, Executive Director Toni Del Matto, Inspector Darin Furderer, Inspector
Facility Staff Present:	Maggie Beightler, Warden Jason Bunting, Deputy Warden Tim Milligan, Deputy Warden

CIIC spoke with many additional staff at their posts throughout the course of the inspection.

Areas/Activities Included in the Inspection:

Entrance/Processing	Administrative Hallway
R Block	Segregation
Commissary	Prison News Network
Lifeline	Auto Mechanics Vocational Shop
OPI Wood Furniture Shop	OPI Metal Shop
Welding	Laundry
8 Dorm	Food Service
Wildlife	A Dorm – Horizon Inter Faith
E Dorm	5 dorm
M Dorm	

INSPECTION SUMMARY

On December 2, 2009, the CIIC Director provided the following inspection summary to the DRC Assistant Director and Warden. Although the goal is to complete the full report within 30 days of the inspection, the volume of inspections conducted in the time period, a total of 17 from August 2009 through January 2010, caused an unavoidable delay in the completion of the full report in this instance.

Verbal communication to the Warden is always provided at the closing immediately following the inspection prior to leaving the institution. The purpose of the closing is to ensure that any

serious issue or concern is shared with the Warden who has the authority to determine the facts and to take any corrective action found warranted. The detailed written inspection summaries serve to provide prompt, yet more detailed communication to the Warden and key DRC central office staff for their information and evaluation.

In the communication to the DRC Director and MCI Warden on December 2, 2009, the CIIC Director termed the facility “*amazing and inspiring and deserves to be regarded as a model.*” Marion CI is probably one of the least likely to experience a major disturbance in these difficult times, due to their ‘*community*’ view and the respect and admiration they have earned from inmates. *The ‘family’ bond between all levels of staff was incredible. Staff’s attitude toward inmates is like none ever seen anywhere.*”

Following completion of the full inspection report on June 2, 2010, the Warden, DRC Director and Regional Director were provided with the opportunity to preview the report and to provide follow-up communication to identify any perceived errors, inaccuracies or needed clarification. The Warden’s follow-up communication was received on June 28, 2010 and has been included in the appropriate sections of this report as “DRC Follow-Up Communication.” The Warden’s input on important areas, as well as the multiple areas in which efforts have been taken or are ongoing to address suggestions for improvements, were most appreciated.

As noted above, the following detailed summary was provided to such staff on December 2, 2009:

Overview

The facility was found to be clean, orderly, quiet, and free of tension. Interaction and communication from staff and inmates was extraordinary. Without any solicitation on CIIC’s part, inmates expressed praise and appreciation of the staff. Many expressed appreciation for being at Marion CI based on their past experiences elsewhere. They regard Marion CI as a “religious camp” or a “program prison.” Many spoke of how the staff and experience at Marion CI helped them to see things differently, to make a positive change. Staff expressed great pride in their facility, their staff, and their inmates. It was amazing to hear from staff how they love their work at Marion CI, how they continue to get excited about their opportunity to make a difference. From the number of years that many staff indicated that they have worked at Marion CI, they appear to have an excellent staff retention rate. In spite of the serious recognition of the struggles which come from the simultaneous combination of overcrowding and understaffing, the staff and inmates appear to have the most positive attitude, and to be the happiest encountered to date in the 2009 inspections.

In the 2005 inspection of Marion CI, the facility was identified as one that has truly been transformed. The caring, respectful relationship between staff and inmates was evident. If an inmate approached administrative staff with a problem, they immediately stopped, listened and arranged for that inmate’s concern to be addressed. It was evident that inmates were genuinely liked, and that staff regarded their problem solving responsibility as a top priority. It was also evident that inmates and staff were engaged in purposeful activities. Everyone seemed to

regard what they were doing as important. Staff had helped countless inmates discover their own talents and gifts which were being directed to programs and activities that helped others in some way.

Based on the recent inspection, including individual and group communication from staff and inmates, the facility continues to be special in terms of the staff/inmate communication and mutual appreciation, staff dedication to re-entry preparation and to prisoners, and staff and inmates' view of the prison as their community. All seemed to agree that it is not just the programs, but the people connected to the programs, which makes such a difference.

DRC Follow-up Communication: *Marion Correctional Institution (MCI) staff and inmates take great pride in the commitments made to improve opportunities to prepare inmates for a successful reentry into their communities. Staff continue to lead programs that are beneficial to the inmate in their adjustment to the correctional setting, as well as provide them tools they can use to be successful in making good life choices.*

Not one inmate and not one staff person expressed any concern about the youthful offenders who have caused major grief and disruption to inmates and staff at numerous institutions. When asked about the young inmate population, the staff talked about the H.O.P.E. program, a mentoring program in which their older population is more than willing to try to help the young inmates. Staff relayed that they try to identify the young offender on arrival, and pair them up quickly with a mentor. The program description on their website is provided below:

- **H.O.P.E (Helping Ourselves Pursue Excellence):** The mission of H.O.P.E is to: 1) Create safe places for learning and healthy relationships; 2) to promote a sense of connectedness rather than individualism. H.O.P.E is men at various levels of development and with varying lengths of time served, meeting regularly for learning and support. The focus is on young men and their issues during incarceration. It involves peer mentoring to cultivate communal self-awareness, deep awareness of our human connectedness, awareness that all behaviors, choices and decisions affect our families, friends and communities. Participants acknowledge the impact of their actions on others and take personal responsibility for their actions, thoughts and behaviors. They learn life skills such as listening, body language and healthy communication, thinking styles, leadership, problem solving, conflict management, analysis of individual thinking and leadership styles, group development and job search skills. Participants enjoy opportunities to create through drama and art and to exercise teamwork in presentations and other activities.

It is recognized that not everything is perfect at Marion CI or at any correctional institution. There were reports of a young inmate in segregation who recently broke water sprinklers. One inmate reported problems with his cellie that staff

allegedly did not take seriously. One inmate claimed that staff told him that he cannot get into a GED program because his outdate is too far away. One older inmate was concerned about having to wait since June for a requested physical exam and expressed that he was made to feel that his request was not important. The segregation cells showed lack of enforcement of rules which prohibit cord/rope hanging in cells, or having windows blocked by towels, sheets, or any material. This was observed in many cases.

DRC Follow-Up Communication-Bed moves: *Inmates requesting a bed move or unit transfer are placed on a waiting list and moved as a vacancy occurs. At a rated capacity of 134% this can be a very difficult task and may appear slow or as though no moves are being made. Units within MCI have one day per week where moves are made. Should the need arise outside of that day moves are made on a case by case basis after reviewed by unit staff and supervisors.*

Staff indicated that due to the budget cuts, they lost 15 positions, including Deputy Warden, Unit Manager, Unit Management Administrator and Mental Health Administrator which has been vacant approximately five months. They have 20 to 23 Correctional Officer vacancies, but have permission to fill five. Due to the staff reductions, the 21 housing areas have been consolidated from five units to four. The rated capacity of the facility is approximately 1,600 and the current population is approximately 2,200.

Although not often, staff indicated that they must mandate staff overtime to fill positions. However, they explained that every effort is made to find a replacement in order to relieve the mandated staff member as soon as possible. Staff have been understanding and responsive to the needs reportedly because the supervisory staff sincerely try to accommodate their needs.

Staff indicated that inmates' biggest concern would likely be medical because they have a backlog in chronic care and in Doctor's Sick call. This is due to having only one primary physician. However, they are in the process of filling the second physician position that has been vacant.

It was disappointing to learn that Project Exodus no longer exists due to the loss of contractual services previously funded through a grant. Project Exodus was a highly praised re-entry program that worked with the community to meet essential needs of inmates after release.

Still, the overwhelming positive aspects of the culture and environment at the Marion CI demonstrate that in spite of funding and staff shortages, in spite of severe overcrowding, they have maintained the fundamental core of operations, conditions and programs which set them apart from the past and from every other institution. They are proof that prison culture (attitudes, beliefs and practices) can change to create an environment in which inmates and staff are part of the same team. The benefits of such an environment are likely evident in grievances filed, use of force incidents, conduct reports and Rules Infraction Board hearings,

assaults and injuries. Of equal importance, as the staff said, "It works!" referring not only to enhancing safety and security, but it helps inmates to be the best they can be while in prison and when they are released.

The following outline is provided based on the inspection:

Conversion of R2 Segregation to Long Termers Cells

- Staff relayed that six months ago, they were able to convert unused segregation space in R2 to long term single celled housing. The fact that they had unused segregation space is certainly a positive indicator of inmate behavior at MCI. The conversion of the space makes better use of existing space, provides a highly desirable unit for long term inmates, and thereby provides an incentive for good conduct to earn or retain such placement. It also requires less staff supervision due to the major differences in security requirements for segregation compared to general population blocks.

Lifer's Group

- The facility has a Lifer's Group, another example of how they show their appreciation for the lifers which have long been known system-wide to be a stabilizing force in an institution. It is also another example how staff are focused on responding to the special needs of their population.
- Staff relayed that they will be starting an organic gardening program for lifers to maintain. Staff indicated that outside volunteers will be involved and inmates could become "Master Gardeners."

Segregation

- Segregation consists of 68 cells including two crisis cells, with a maximum capacity of 127 if all are double celled. Segregation count was 83.
- Most of the segregation cells that were observed had cord/rope lines hanging and/or had coverings on the outer window or cell door window. Staff affirmed that lines and coverings are against the rules. An officer relayed that they tell the inmates to take them down during rounds, but the inmates just put them back up again. The log book records the time when rounds were made, but no notations were included about any such ropes or window coverings that were ordered to be removed, that were confiscated, or whether any conduct reports were issued for such rule violations. An officer indicated that sometimes conduct reports are written.

Prison News Network

- Prison News Network will be moving into a new space that was created through a renovation project funded by a grant. The completed project was most impressive, and is of truly professional quality. Staff relayed that the year and one half project included five months of actual construction/renovation work that employed approximately 40 inmates.
- A visit was made to the current PNN location. Staff and inmates are extremely excited about moving into the new location, which will help them to maximize the potential of the excellent program and services which benefit the participants, the institution and others who receive services. The network includes an audio, video, graphics and animation department as well as web design including database design and custom

software solutions. Staff cited recent examples of products created by the inmates which will enable superior tracking of uniform inventory. The mission includes provision of products to train, educate, inform and entertain. The inside talent and creative resources used by PNN makes products available to the community that otherwise would not be attainable due to cost considerations.

Auto Mechanics Vocational School

- The walk through the Auto Mechanics Vocational School included a discussion with the Instructor regarding the program. Sixteen inmates are in the year long program that can lead to vocational certification from the Ohio Central School System. Fifteen inmates are in the afternoon career course consisting of five weeks of classroom instruction.
- Staff relayed that the vehicles that are repaired are owned by DRC employees who appreciate the service. However, it was noted that there is a long waiting list for services. It was also explained that the employees pay a small fee as well as the cost of materials needed to make repairs.
- The inmates perform comprehensive auto repair and maintenance services, such as brakes, oil, and engine work.

Dumpster Refurbishing

- Although MCI lost the OPI wood shop, they are using the physical area to refurbish local dumpsters and making contact with an outside firm who may be interested in paying for their refurbishing services.

***DRC Follow-up Communication:** As well, MCI has repaired a total of 50 dumpsters. Currently MCI does dumpster refurbishing for SIMS, General recycling, and Rob's Hauling. All work is completed by the OPI sheet metal workers.*

Welding Shop

- The welding shop provides a one year program for 16 inmates in the morning. The afternoon session consists of seven inmates in the 24 years old and under apprenticeship, which is ready to start a new class.
- The instructor described the inmates as well-behaved. However, he mentioned that sometimes the inmates need to be motivated due to the nature of the work. He relayed that the American Welding Society certificate is the inmate's prize.
- Discussion indicated that some of the inmates who have been through the program and have been released have contacted the instructor, relaying their thanks and letting him know how they are doing. Like so many of the staff met during the inspection, the instructor seems to truly care about his students, realizes that the teaching goes far beyond the trade skills alone, and seemed to enjoy his job which he has had for 16 years.

Recycling

- It was apparent from the signs and containers seen throughout the facility, that they have a major recycling program.

***DRC Follow-up Communication:** MCI started recycling all paper products in November 2009. As of the date of this response MCI has recycled 28, 120 pounds*

of paper with the average being 1124 pounds per pick up. MCI continues to promote recycling by placing recycle bins in every work office and living area. The expansion of recycling is being reviewed to include other recyclable items such as plastics. This has allowed MCI to reduce its cost for on site dumpsters.

Eight Dorm

- Eight Dorm was described as the preferred housing in the summer because it has air conditioning due to its location on top of the institution's massive laundry room, which handles all institutional laundry including bed linens and personal items.
- The CIIC memo is posted in the dorm.
- One inmate relayed concerns about not being provided with partial dentures. He was reportedly told that "we have to pay" for any needed partials. He relayed that he tried, but cannot understand the legal language contained in the DRC dental policy. He stated that he did not receive any inmate handbook.
- One inmate stated that "The soap's too little." The soap was observed elsewhere, and appeared to be slightly larger than the size of motel/hotel soap.
- One inmate commented on the cool temperature, saying that the heat has not been turned on yet, so they must always wear jackets. (No inmate was observed wearing a jacket.)

Commissary

- Staff relayed that the commissary sells gum now, which has proven not to be a problem. Staff also relayed that inmates are issued debit cards which they can use in vending machines in the institution. The cost of purchases is deducted from their inmate accounts through the Cashier's Office. Outside vendors stock the machines.
- The commissary was included in the inspection. The staff proudly showed the outside delivery dock that was built four years ago.
- Staff relayed having no real rodent problem, noting that anything experienced is seasonal and quickly resolved with a request for pest control services.
- Staff relayed that approximately 10 percent in profit is made by the commissary which goes into the I&E fund (Industrial and Entertainment Fund), ranging from \$5,000 to \$10,000 in deposits per month.
- Staff showed the improvements that have been made in the operation of the commissary merely by switching shelving so that shelves with no backs are now used where purchases are made to enable visibility of inmate workers behind the shelves. They also increase efficiency in the commissary operations by enabling easier access to stocked products. The shelves with backs are now used in a commissary storage location, which work well for that purpose, with the shelves lined up against the wall.
- The commissary space is possibly the largest physical area that has been observed to date.
- All areas of the commissary were clean and inventory was well-organized.
- It is another area in which the staff seemed truly excited about their job and the services provided.
- It was noted that their inventory includes numerous over the counter medications. Staff indicated that they are communicating with the medical staff to ensure that they are aware of what is available so that they can take that into account when deciding if a prescription is needed or if over the counter medication should be recommended.

Inmate Communication

- An inmate described Marion CI as “more like a religious camp.” He spoke extremely positively about the experience at Marion CI. He continues to be amazed at the people who appreciate his artwork. He noted that he painted a wall mural in the inmate dining room of the Southern Ohio Correctional Facility many years ago, which still bears his signature. He was refurbishing outdoor nativity scenes for churches on the inspection of November 22, 2004, and seemed pleased to relay that he is still doing the same work as an artist.
- It was relayed that the Major listened to the inmates and expanded the time of recreation so that inmates can have something to do. The Major relayed to the inmate that the officers should get the credit, for they are the ones who relayed the request and recommendation.
- One inmate relayed that the Parole Board is taking old law inmates from as far back as 1972 and putting them under the current law. The practices were described as “illegal.”
- One inmate relayed that programs are provided by the inmate’s outdate. The inmate relayed that he asked to get into the GED program, but was told “We go by outdate.”
- One inmate relayed that the facility is “run like a close camp,” that is, like a higher security institution. In discussion with the inmate and others present, they agreed that they like the fact that they are in a safe, secure institution.
- One inmate relayed concerns that he was denied his request for a cell move, when he has reported problems and growing tension with his cellie. He felt that he did what he was supposed to do, but staff reportedly seemed not to take the problem seriously. He felt strongly that inmates should not have to refuse to lock, receive a conduct report and disciplinary action in order to be removed from a bad situation. He repeatedly cited the seriousness of the problem, and added that he told the staff that he would move anywhere, yet they refused. The reported concerns were shared with the administrative staff at the closing.
- One inmate relayed that he came to prison with a sentence of 15 years to life, but the Parole Board reportedly keeps changing it so that “It’s now 70 years to life.” He has reportedly seen paperwork that lists his indefinite sentence as “8888888888,” and has been told that when it is added up, it totals 70 years, which he now believes is his minimum sentence. The Warden agreed that the Case Manager would be able to explain the use of eights and verify his actual sentence. It was suggested that he contact his Case Manager.
- One inmate stated that he signed up for a physical exam on June 29, 2009, and added that he has not had a physical for seven years. The response of staff regarding his request for a physical was perceived by the inmate as saying that he is not important, that his concern is not important. The reported attitude reflected in the responses to his request for a physical seemed to matter as much or more than the physical itself.

***DRC Follow-up Communication:** MCI prides itself in the ability to have staff and inmates know there is an open communications channel between them. The administrative, supervisory, and unit staff make regular routine rounds of all areas of the institution. They take time to listen to what staff and inmates are saying to them and make sure the appropriate staff is responding to those needs. With the installation of computers in all custody posts as well as unit offices, the ability to email requests and responses alleviates a lot of the lost time between receiving a complaint and getting the complaint resolved. Inmate orientation is*

addressed by the Warden and her Executive staff to ensure those new arrivals are made aware of the open communication channels used at MCI.

Meal Period

- There is one inmate dining room with two sides, separated by two serving lines down the middle of the dining room.
- The meal consisted of two soft tortilla shells, chopped broccoli, Spanish rice, chunks of boiled chicken, beans, an apple and a Kool Aid like drink. The meal was rated adequate to good by the CIIC staff. Inmates described it as “one of the better meals.”
- One inmate showed a hair that was clearly visible in the side dish of Spanish rice on his tray. This was mentioned in the closing. Facility staff asked what the inmate did about the problem, indicating that he could have returned it. The inmate ate the other parts of the meal, but did not eat the rice while seated at the table with the CIIC Director.

Wildlife Work Center

- A brief stop was made into the Wildlife Work Center, which included a discussion with an inmate caring for the birds. The cages were clean, the birds appeared to be healthy and content, and the inmate appeared to be proud of the program and of his participation in it. He described how they breed some of the birds, sell and trade birds, and use the profit to buy food for the birds. The birds ranged from common parakeets to smaller, seemingly exotic birds of extraordinary colors.
- One of the inmates in the new long term housing unit, a former segregation unit converted to coveted single celled housing, had an empty cage in his cell which prompted him to explain that he is a participant in the Wildlife Work Center program, similar to the program at the Ohio Reformatory for Women.

Horizon Interfaith Dorm

- A Dorm, the location of the Horizon Interfaith Dorm, was included in the inspection and also served to meet the statutory requirement to attend an educational or rehabilitative program. Persons who provide Horizon contract services provided information about the program, which is celebrating their tenth year of operation. The program was termed a collaboration between DRC and the faith community. It was noted that they have 75 volunteers who participate and later learned from the inmates the important impact made by the volunteers. The dorm is set aside for the program participants, but as we later learned, graduates leave the dorm yet continue to be involved as “encouragers.” One inmate relayed that when they leave the program they “show others” in other housing units through their example what they have learned about how to better themselves. They also have a positive impact on those around them in general population outside of the Horizon dorm.
- There were 22 graduates in 2008. The program is reported to have had “remarkable success” in terms of recidivism. Of the 100 total graduates who have been released, 15 have returned to prison.
- A group of inmates spoke one by one to the CIIC team. It was relayed that once per week, there is one on one contact with a volunteer which was described as making a difference. The volunteer instills the inmate’s belief that “you can change and we’ll help.” It gives them hope. Staff relayed that they have had no trouble recruiting volunteers. One inmate relayed that in groups, people tell each other that they care and

they do care, but volunteers show they care. Some volunteers, for example commute over an hour just to meet with them. They cited the sacrifices made by the volunteers as truly appreciated and moving them to change their perception that everyone is “setting us up to fail.” “It gives us hope. We learn that we are more alike than we are different. They are actually expecting us to succeed.”

- Staff relayed that of their 40 program openings, they receive from 20 to 50 applicants. The program that began on August 1, 2009 will end with graduation in June 2010. Staff responded that if there is an empty bed in the dorm, they will try to get a program graduate to fill the bed rather than place a non-participant in the dorm.
- The program accepts persons of any religion recognized by the state of Ohio that can provide the services of a religious advisor. Wiccan, Buddhist and Native American are among the unusual faiths which have participated. The 48 bed dorm is divided into eight cubicles, each constituting a six member family. All cubicles consist of mixed faiths, regarded as an improvement over previous practices in which particular faiths formed their own families. Each cubicle has a study table for the “family.” One small area at the back end of the dorm contains a kneeler and two chairs with a schedule posted for prayer times. Inmates relayed that all are asked to respect the area by taking their shoes off and by keeping quiet. The dormitory was observed as clean and neat. Cleanliness is reported to at the core of their program.
- Inmates explained that participants are provided with postage paid envelopes, funded through donations, to write their immediate family two letters per week. One relayed that through writing, he was able to reconnect with siblings, part of the core of the program.
- One inmate relayed that the program includes character reformation, teaching about criminal thinking which he began to realize had been his downfall. They learned the importance of not only being spiritually sound, but also having “character balance.” He relayed that they learned that change begins inside and goes out. They have found that the best teachers in Alcoholics Anonymous, for example are those who have suffered through addiction and who succeeded in recovery. One of their previous residents went on to earn a doctoral degree and developed a program termed “Awakening.” The inmate relayed that “he asks deep questions and teaches not to blame others.”
- An Encourager spoke of their work in “building communities,” in using communication to discuss issues like anger, learning “why we act the way we do.” Three to ten volunteers join in the discussion groups.

E Dorm and B Dorm

- E Dorm is used as a residential recovery services program, which consists of the Intensive Outpatient Program (IOP) participants and aides. The area was clean and quiet.
- B Dorm is a double-bunked general population dorm. The area was also clean and quiet.
- The atmosphere of both housing units was relaxed, free of any signs of tension.

M Block Incentive Block

- M block incentive or merit block was inspected. The block contains 108 inmates.
- Inmates commented, “It’s a community here. They push programs and have quarterly programs in the block. They make us want to stay in programs.” Inmates commented that there are “long waiting lists” but noted various programs which they have been able to participate, such as Victim Awareness, Life Line, Opening Doors, and Parenting.

ID Checks, Rounds, Staff Access, Interaction

- Officers stationed in the hallway were observed checking the identification of every inmate entering the block. Staff indicated this is routine and of equal importance, administrative staff relayed that they “do lots of rounds and they have access to us.” It was clear that staff’s knowledge of inmates and a positive relationship with the inmates serves not only rehabilitative purposes, but also enhances safety and security of the facility.

STAFF COMMUNICATION

A group of staff were gathered in a conference room, chosen by the Warden to reflect the variety of different departments and positions of staff employed at the facility. Each staff person was given an opportunity to relay any problems, issues or concerns, and/or areas of pride. The following summarizes the content of their communication.

Maintenance

- Due to staff cut backs in maintenance, they lost five positions. They previously had 13 positions including the supervisor. Only four staff were at work today.
- I’m proud of the staff here and proud of the inmates in the Prison News Network project. It’s a good group of inmates.
- We have no problem with misuse of tools. We have B tools designated as not requiring direct supervision. We send inmate out with their tools to help in maintenance.

***DRC Follow-up Communication:** As of the date of this response MCI has one Maintenance Supervisor and 12 maintenance staff assigned. Maintenance has the ability to assign inmates to work inside the living units without the requirement to have an escort. Inmates are given a tool box with tools that are not required constant direct supervision that is secured and upon arrival to the unit the officer unlocks the box and completes an inventory and allows the inmate entry to complete the work required.*

Unit Staff

- I’m proud of the programs. They keep them focused. The faith based programs keep them focused and out of trouble.
- A concern is that our caseload keeps expanding, preventing us from providing services to inmates. They deserve more attention than they get.
- There are extensive waiting lists for programs. The Victim Awareness program is one of the most popular. There is a four to six month wait.
- We have a caseload of 320.

***DRC Follow-up Communication:** MCI currently has four unit managers, 10 case managers, eight correctional counselors and four secretaries in four separate units. The unit staff continue to provide required programming to ensure inmates are receiving the tools they need to be successful while incarcerated and upon their release into the communities.*

Recovery Services

- We used to have six staff. Now we only have four.
- Staff help with social work and earned credit, too.
- I feel proud of the offenders. Most seek out programs and services.
- We know that 80 percent of the inmates have drug related problems, yet we provide services to only two percent. It is difficult to understand why we are not putting more resources into recovery services.
- I'm proud of the facility. We know our clientele. We know the importance of quality programming.
- Unit staff have large caseloads, yet are expected to run two programs. All staff have felt the staff cuts.
- I'm proud of the Warden and Deputies, and believe in their philosophy. It filters down to everyone. The philosophy is to help offenders to go home to stay. It means a hands-on approach and open door policy, to talk to and relate to offenders and resolve problems. If they are not resolved, inmates can and should use the grievance procedure. I'm impressed with our grievance system.

Security

- I love my job. There are a lot of religious programs here. We're getting ready to put on the Christmas play and have an Easter play. I work with a bunch of good people here.
- I have no concerns. I work outside. I like being a team player and a role model. I try to help out as much as I can. I like the programs here.
- I was here when there were constant fights. Ms. Money came here and started programs. People began to buy in when they saw the changes. Some questioned programs, and then they saw how it helps the inmates. She used to say, "Dare to care!"
- Mentally ill inmates see me every day. They know me. They can come in and talk and I'll listen.
- I enjoy this place, and I'm proud of our community service work, the relationship with local law enforcement and I'm proud of our banquets.
- I drive an hour and a half to get here. The staff here are awesome, as well as the programs.
- The only concern is that we are short of staff. It is always a concern. Everyone is short handed.
- Staff here adapt to change. At my previous prison, there are staff that will never change.
- The administrative staff here make rounds, which makes a huge difference. There is good security and supervision here.
- The way this institution is run, with all the programs, really works.

DRC Follow-up Communication: Currently, MCI has six Captains, nine Lieutenants and 268 Correctional Officers. At the time of this report, there were 10 Correctional Officers hired and either attending or preparing to attend the Corrections Training Academy prior to assuming their duties as an Officer, and one awaiting Central Office approval for the position of Captain. Correctional Officers range from less than one year experience to 30 years of experience with 50% of Officers having 11 or more years of service. The recent hiring of new officers will alleviate the burden to some from being mandated overtime.

Training

- I go to the Warden often. She has an open door policy and truly means that. The Warden and administration are supportive of good ideas, like the community garden for long term offenders. They make you want to do those things, be creative. It creates excitement for me. I'm proud to work here.
- We do mediation that helps staff/staff relations.
- We have a program for inmates to make quilts for children in foster homes. We made so many for our local areas that we now make them for the Akron foster care system. The child gets to pick out their quilt and they keep it forever.
- In the Lifer's Group, they talk about whether they are ready to face dying in prison and they talk about forgiveness. Outside groups are involved. I learn from the offenders.

Administration

- I'm proud of the staff. All of them have different talents and gifts. I've learned that they do not all have to be on the same page, but we need to be working from the same book.
- The concern stems from the positions we have lost. Prisons used to provide job security, but no longer. I'm proud of the security of this prison. Good programming is good security.
- I'm proud of released offenders who have had success and have come back to share the struggles and success with others, giving them hope. We have had 1,000 attend.
- A concern is the age of the facility and the need for maintenance, yet having little money to do it.
- I am proud of our philosophy and of our culture. We take care of each other. All have bought into this.
- People here are second to none, so unique and skilled. We celebrate successes here and we get through tragedies in life with each other.
- The biggest concern is that staffing and overtime in several departments, including food services and the power house, has created stress.
- It's amazing how busy this place is.
- I have more problems with staff, not with the inmates.
- Here it is like your family. I work as community service coordinator and with the Wildlife Program. I am constantly amazed with the talent here and the willingness to help others.
- The concern is quantity vs. quality. With 2,000 inmates and the staff shortages, some things are done because they must be done, and some things that we really want to do, that we love to do, must be set aside. I used to run a program that seemed to make a difference, but had to give that up. It's like being on that fence that is frustrating.
- We must continue to adapt to the challenges. We're doing well, but it seems that there is no relief in sight. The Director has expectations for us, that we provide quality services and prepare guys to go home to stay. We're afloat. Our capacity is 1,600, but we have 2,267 inmates.

INSTITUTION OVERVIEW

Marion Correctional Institution (MCI) opened in 1954, and is a level two (medium security) facility, which houses level one (minimum security) and level two (medium security) inmates.

POPULATION

Staff relayed that they have an estimated rated capacity of about 1,600, but have approximately 2,200 inmates. According to the Department of Rehabilitation and Correction (DRC) Bureau of Classification, the inmate count as of November 2, 2009, at Marion Correctional Institution (MCI) was 2,265 inmates. The facility's reported *rated capacity is 1,666*, which computes to *136 percent of their rated capacity*.

According to the Ohio Department of Rehabilitation and Correction website, the Marion Correctional Institution inmate population as of November 2009 was **2,288**, with 745 level one (minimum) security level, comprising 33 percent of their population, and 1,543 level two (medium) security, comprising 67 percent of their population.

Of the 2,288 total population, 1,161 were black comprising 50.74 percent of the population, and 1,038 were white, comprising 45.37 percent. There were also 56 Hispanic inmates, comprising 2.45 percent of the population and 33 "Other" inmates, comprising 1.44 percent of the population.

Table 1. Inmate Population at the Marion Correctional Institution as of November 2009 with Breakdown by Race and Security Level

Inmate Category	Number of Inmates	Percent
African-American	1,161	50.74%
Caucasian	1,038	45.37
Hispanic	56	2.45
Other	33	1.44
TOTAL POPULATION	2,288	100%
Security Level 2 (medium)	1,543	67%
Security Level 1 (minimum)	745	33
TOTAL POPULATION	2,288	100%

Table 2. Prison Rated Capacity with Population as of November 2, 2009 and Percent of Capacity

Prison	Rated Capacity	Population Count, November 2, 2009	Percent of Capacity
Lorain CI Reception	756	2,006	265%
Lebanon CI	1,481	2,723	184
Chillicothe CI	1,673	2,905	174
Warren CI	807	1,375	170
Corr Reception Center	900	1,512	168
Hocking CI	298	489	164
Grafton CI	939	1,527	163
Mansfield CI	1,536	2,492	162
Allen CI	844	1,361	161
Ohio Ref for Women*	1,641	2,587	158
Ross CI	1,643	2,559	156
Trumbull CI*	902	1,391	154
Belmont CI	1,855	2,648	143
Marion CI	1,666	2,265	136
Richland CI	1,855	2,507	135
Noble CI	1,855	2,475	133
North Central CI	1,855	2,308	124
Southeastern CI	1,358	1,508	111
London CI	2,290	2,493	109
Madison CI	2,167	2,315	107
North Coast Corr TF	660	674	102
Dayton CI	482	485	101
Montg. Educ PRC	352	353	100
Lake Erie CI	1,498	1,496	100
Franklin PRC	480	475	99
Toledo CI	1,192	1,157	97
Pickaway CI	2,465	2,237	91
Southern Ohio CF	1,540	1,382	90
Northeast PRC	640	576	90
Oakwood CF	191	166	87
Ohio State Penitentiary	684	537	79
Corr Medical Center	210	127	60
TOTAL	38,715	51,111	132.02%

*On November 5, 2009, DRC staff provided data which shows an increase in beds at the Ohio Reformatory for Women by 395 and a decrease in beds at the Northeast Pre-Release Center by 50 beds. DRC opened a new dorm at ORW that raised their capacity. The ORW capacity has been adjusted in the above table. According to the NEPRC Warden's office contacted on February 12, 2010, the facility has always had a rated capacity of 608 beds.

STAFFING

As of November 2009, there were **453 total staff** at the Marion Correctional Institution, with 272 security staff, comprising 60 percent of the employees.

Staff relayed that MCI has experienced significant staff shortages due to previous budget cuts, as the institution has lost 15 positions. Some of the positions lost include a Deputy Warden position, a Unit Manager, and the Unit Management Administrator position. At the time of the inspection, the institution reportedly had 20 to 23 correctional officer vacancies. However, staff relayed that MCI has been approved to fill five of the correction officer vacancies. Staff relayed that they do not typically mandate officers to work overtime, but when they do, they try to find relief as quick as possible to make the officer's mandated shift no longer than necessary. In addition to the vacant correction officer positions, MCI has not had a Mental Health Administrator for four or five months.

USE OF FORCE

The use of force is authorized per administrative rule 5120-9-01 which lists six general circumstances when a staff member may use less than deadly force against an inmate or third person as follows:

1. Self-defense from physical attack or threat of physical harm
2. Defense of another from physical attack or threat of physical attack
3. When necessary to control or subdue an inmate who refuses to obey prison rules, regulations or orders
4. When necessary to stop an inmate from destroying property or engaging in a riot or other disturbance
5. Prevention of an escape or apprehension of an escapee
6. Controlling or subduing an inmate in order to stop or prevent self-inflicted harm.

Administrative Rule 5120-9-02 requires the *Deputy Warden of Operation to review the use of force packet prepared on each use of force incident*, and to determine if the type and amount of force was appropriate and reasonable for the circumstances, and if administrative rules, policies and post orders were followed. The *Warden reviews the submission and may refer any use of force incident to the two person use of force committee or to the Chief Inspector*. The Warden **must** refer an incident to a **use of force committee or the Chief Inspector** in the following instances:

- Factual circumstances are not described sufficiently.
- The incident involved serious physical harm.
- The incident was a significant disruption to normal operations
- Weapons, PR-24 strikes or lethal munitions were used.

Monthly Reports

Every month the Department records data on the number of use of force incidents. A copy is provided to the CIIC and the report form states that it is provided to the DRC Regional Director by the fifth of each month. On May 10, 2010, a review was made of the monthly "Report of

Racial Breakdown and Use of Force” from the Marion Correctional Institution from January 2009 through March 2010. No report was received for November 2009.

The report review shows that two different Captains prepared the reports during the period. The monthly report provides, in part, information on whether the use of force incidents that occurred in the month were logged as “No further action required” or if they were assigned to a use of force investigating committee. Those logged as “No further action required” tend to be minor. Based on the criteria listed above, it can be concluded that in the incidents logged as “No further action required,” circumstances were described sufficiently, no serious physical harm was involved, the incident was not a significant disruption to normal operations, and no weapons, PR-24 strikes or lethal munitions were used. Otherwise, according to the relevant administrative rule, the incident was required to be referred for investigation by a use of force committee.

In the 14 month period, 79 incidents were logged as “No further action required,” and eight incidents were assigned to a use of force investigating committee. Based on the 79 incidents logged as “No further action required,” MCI had a monthly average of 5.6 such determinations in the period. Based on the eight incidents assigned to the use of force investigating committee, less than one occurred per month.

However, both outcomes total 87, leaving **69 unknown outcomes of the 156 total incidents reported to have occurred in the 14 month period. The unknown outcomes comprise 44.2 percent of the total incidents.**

One of the concerns about the months of missing or inaccurate information is that it is an *indication of the absence of further review and monitoring whether at the institution or by the DRC Central Office.* CIIC staff contacted the institution regarding the May 2009 report and received verification that the 15 incidents which were mistakenly reported as “Referred to the employee disciplinary process” were in fact “logged as “no further action required.” *If there was any review of such data, surely it would have prompted concern from the reviewer to inquire further, and thereby to alert the preparer to the error, as well as to the need to report the outcome on every incident.*

DRC Follow-up Communication: *In the monthly report, the DRC form currently utilized can be misleading in that there is no training on how to correctly complete the form, each person completing the form utilizes their own interpretation as to what information the form is seeking. The total number of inmates on the form may be from one incident, but it can appear to be from several incidents. In the past there was no one person assigned to complete the form, so any data from a previous form that could alleviate the duplication of data.*

**Table 3. Use of Force Incidents at the Marion Correctional Institution, January 2009 through March 2010 with Outcome
(Excludes November 2009 data due to non-receipt)**

Use of Force Reports that were:	Total	Percent
Logged as "No Further Action Required"	79	90.8%
Assigned to Use of Force Committee for Investigation	8	9.2
Subtotal	87	100%
<i>Unknown (Not logged as either of the above)</i>	<i>69</i>	<i>44.2%</i>
TOTAL USE OF FORCE INCIDENTS REPORTED	156	100%
Referred to the Employee Disciplinary Process	0	0
Referred to the Chief Inspector	0	0

Racial Breakdown

In regard to the monthly reports on use of force from January 2009 through March 2010, excluding November 2009 which was not received, the other significant finding pertains to the racial breakdown of use of force incidents involving black inmates, white inmates or those classified as "Other." On October 29, 2009, the DRC website reported that the 2,267 inmates at the Marion Correctional Institution consisted of 1,151 **black inmates (50.8 percent)**, **1,025 white inmates (45.2 percent)**, **58 Hispanics (2.6 percent)**, and **44 "Other" inmates comprising 1.9 percent of their total population.**

Although 50.8 percent of the inmate population was classified as black, **70.5 percent of the use of force incidents involved black inmates.** Although white inmates comprised 45.2 percent of their population, as shown below, **only 28.8 percent of the use of force incidents involved white inmates.** In the 14 month period on average, there were **11 use of force incidents per month, with an average of eight per month involving a black inmate, and an average of three per month involving a white inmate. On a monthly range basis, incidents per month involving a black inmate ranged from the low of one to as high as 15. Incidents involving a white inmate ranged from as low as zero in one month, to as high as seven.**

It is suggested that the racial disparity be carefully reviewed and an effort be made to determine the reason. Use of force data in the same format as is reported today, is one of the oldest areas of data collection in the DRC. There were very good reasons why the Department developed department wide use of force data that included the racial breakdown of the inmates involved in use of force. For the data to serve a good purpose, it must be monitored and when warranted, should prompt action to address areas of concern. The racial breakdown of use of force incidents at the Marion Correctional Institution shows racial disparity. *Whether it is solely an inmate problem, staff problem, or problem involving both, there is enough disparity to determine the cause and develop ways that the problem can be addressed.*

DRC Follow-up Communication: In 2009 MCI had a total of 96 uses of force. Of those instances where force was used, four were referred to the use of force committee and one was returned as an excessive force and appropriate measures were taken. Currently MCI has had 33 uses of force incidents since January 2010. The majority of forces used are to separate combatants or to restrain inmates with cuffs. MCI continues to practice the use of verbal communications versus hands on when dealing with offenders. MCI currently houses 1,155 black inmates or 51%, 1,074 white inmates or 47.42%, and 36 other or 1.59%. In some instances inmates normally rated as other are listed as Black on the use of force reports instead of being marked as other. MCI has 452 total staff of which 404 are White, 40 are Black, five are Hispanic and three are listed as other. MCI will continue to monitor all instances of when force is used and take the necessary steps as needed for any corrections.

Table 4. Use of Force Incidents at MCI January 2009 through March 2010 by Race

Month	Black	White	Other	Total
January 2009	8	2	0	10
February	4	0	1	5
March	15	5	0	20
April	7	1	0	8
May	12	3	0	15
June	7	6	0	13
July	16	7	0	23
August	13	7	0	20
September	10	5	0	15
October	3	1	0	4
November	No report	No report	No report	No report
December	6	1	0	7
January 2010	6	5	0	11
February	1	1	0	2
March	2	1	0	3
Total	110	45	1	156
Percent	70.5%	28.8%	.6%	100%
Monthly Range	1-15	0-7	0-1	2-23
Monthly Average rounded to nearest whole number	8	3	0	11

MEDICAL SERVICES

An administrative hallway contains several offices including doctor's sick call and the Inspector's office. Staff relayed that the doctor's sick call area is converted office space and it has increased the operational efficiency of doctor's sick call as it provided more room.

Due to the extremely large number of inmates within the correctional system and the elevated health care costs, medical services typically remain an area of concern with inmates and correctional officials. Staff relayed that they currently only have one primary physician and are presently getting back to two. They relayed that they have a backlog in chronic care and doctor sick call and that medical will likely be a common concern expressed by inmates.

The following is a table which reflects a three month breakdown of medical services at MCI from January 2010 to March 2010.

**Table 5. Marion CI Medical Monthly Institutional Statistical Summary
January 2010 through March 2010**

	January	February	March	Total
Sick Call				
Nurse Intake Screen	84	129	91	304
Nurse Referrals to Doctor	156	171	172	499
New Intakes Referred to Physician	84	129	91	304
Nurse Sick Call and Assessments	737	676	754	2,167
Doctor Sick Call	604	286	417	1,307
Doctor History and Physicals Done	116	29	22	167
Doctor No Shows	0	0	0	0
Emergency Triage				
Sent to local ER	8	10	13	31
Sent to OSU ER	4	2	3	9
Sent from Local to OSU	2	2	11	15
Inmate Emergencies Treated On Site	61	77	60	198
Staff Treated	24	8	33	65
Visitors Treated	0	0	0	0
Infirmiry Care				
Bed Days Used for Medical	18	8	31	57
Bed Days Used for Mental	2	0	9	11
Bed Days Used for Security	9	24	41	74
Dental Care				
Scheduled Visits	523	409	480	1,526
Emergency Visits	22	28	28	78
Total Visits	363	283	309	955
No Shows	0	0	0	0
AMAs	11	3	10	24

Specialty Care On Site				
Optometry				
Consults	0	0	0	0
Inmates Seen	46	76	81	203
Emergencies Seen	0	0	0	0
Hours On Site	12	12	12	36
Podiatry				
Consults	0	0	0	0
Inmates Seen	76	73	41	190
Emergencies Seen	0	0	0	0
Hours On Site	9	9	6	24
OB Gyn				
Consults	0	0	0	0
Inmates Seen	0	0	0	0
Emergencies Seen	0	0	0	0
Hours On Site	0	0	0	0
Pharmacy				
Medical Refills	3,692	3,685	4,419	11,796
Mental Refills	420	451	579	1,450
Medical New Prescriptions	3,085	2,903	2,869	8,857
Mental New Prescriptions	569	536	543	1,648
Total Prescriptions	7,766	7,575	8,410	23,751
Medical Controlled Prescriptions	6	8	6	20
Mental Controlled Prescriptions	0	0	0	0
Lab Data				
Blood Draws	696	767	854	2,317
DNA Blood Draws	0	0	0	0
Mental Health Blood Draws	44	39	54	137
EKGs	74	122	73	269
Non CMC X-Rays	94	99	60	253
Infections Disease Data				
Number Inmates Tested for TB	1	1	1	3
Positive PPD Test	0	0	0	0
Staff PPD	0	0	2	2
Inmates Completed INH	1	0	0	1
Inmates Incomplete INH	13	16	16	45
Inmates Refusing INH	0	0	0	0
HIV Positive Inmates	0	26	27	53
Inmate HIV Conversions	0	0	0	0
Deaths				
Deaths Expected	0	0	0	0
Deaths Unexpected	1	0	1	2
Suicides	0	0	0	0
Homicides	0	0	0	0
Deaths at Local Hospital	0	0	1	1
Deaths at OSU	0	0	0	0
Deaths at CMC	0	0	0	0

DRC Follow-up Communication: Marion currently has one Doctor, one Physician Assistant, 14 RN's, and four LPN's. Since November MCI has made progress in the back log of Doctor's sick call as well as in chronic care issues. Currently MCI has 198 inmates on the Doctor Sick Call waiting list. Forty-one are for physicals thus leaving 157 on the list. Twenty one of the 157 have an appointment to see the doctor, leaving 136 to be scheduled based upon their medical needs. These totals include nurse sick call referrals as well as any outside hospital follow ups.

MENTAL HEALTH SERVICES

On November 31, 2009, Marion Correctional Institution had **426** inmates on the mental health caseload. There were 175 inmates with Serious Mental Illness (classified as C1), 198 inmates classified as C2, and 53 inmates classified as C3.

On April 30, 2010, the institution's mental health caseload consisted of 292 inmates classified as "C2," 171 inmates classified as "C1" or Seriously Mentally Ill, and no inmates classified as "C3," with a total of **463** inmates on the mental health caseload.

Table 6. Inmates on the Mental Health Caseload at MCI with Breakdown of Mental Health Classification Level on November 31, 2009 and April 30, 2010 with Number and Percent

Mental Health Classification Level	Number of Inmates on 11-31-09	Number of Inmates on 4-30-10	Percent
C2	198	292	63.1%
C1 (Serious Mental Illness)	175	171	36.9
C3	53	0	0
Total	426	463	100%

The following is based on DRC Policy 67-MHN-02 explaining the different mental health classifications:

C1 - Categorical	The offender meets criteria for SMI designation: a substantial disorder of thought or mood which significantly impairs judgment, behavior, and capacity to recognize reality or cope with the ordinary demands of life within the prison environment and which is manifested by substantial pain or disability.
C1 – Functional	The offender may have any DSM- IV diagnosis. The offender's acuity or functional level is impaired as demonstrated in a pattern of high-risk behaviors.
C2	The offender does not meet the criteria for SMI but has a DSM-IV diagnosis. The offender is receiving mental health services which include medication prescription; however, the offender's acuity functional level is not impaired as demonstrated in a pattern of high risk behavior.
C3	The offender does not meet the criteria for SMI but has a DSM-IV diagnosis. The offender is receiving mental health services which do not include medication prescription.
N	The offender does not require mental health services.

Table 7. Seriously Mentally Ill by Institution with Number and Percent as of April 30, 2010

Institution	Number of Seriously Mentally Ill	Percent
Ohio Reformatory for Women (Females)	645	14.8%
Chillicothe Correctional Institution	255	5.8
Belmont Correctional Institution	245	5.6
Southern Ohio Correctional Facility	219	5.0
Lebanon Correctional Institution	216	4.9
Allen Correctional Institution	196	4.5
Mansfield Correctional Institution	196	4.5
Marion Correctional Institution	171	3.9
Warren Correctional Institution	169	3.9
Madison Correctional Institution	165	3.8
Noble Correctional Institution	156	3.6
Northeast Pre-Release Center (Females)	148	3.3
Grafton Correctional Institution	145	3.3
London Correctional Institution	139	3.2
Correctional Reception Center	134	3.1
Pickaway Correctional Institution	128	2.9
North Central Correctional Institution	118	2.7
Franklin Pre-Release Center (Females)	117	2.7
Trumbull Correctional Institution (Female Minimum Camp)	110	2.5
Ross Correctional Institution	104	2.4
Southeastern Correctional Institution	103	2.4
Richland Correctional Institution	95	2.1
Toledo Correctional Institution	90	2.1
Oakwood Correctional Facility	89	2.0
Lorain Correctional Institution	80	1.8
Lake Erie Correctional Institution	61	1.4
Hocking Correctional Facility	39	.9
Corrections Medical Center	17	.4
North Coast Correctional Treatment Facility	8	.2
Ohio State Penitentiary	5	.1
Montgomery Education and Pre-Release Center	1	.0
TOTALS	4,364	100%

**Table 8. Percent of Prison Population on the Mental Health Caseload by Institution
Based on 2008-2009 Data**

Institution	Percent of 2008 Total Population on Mental Health Caseload	January 9, 2009 Institutional Population	Monthly Average on the Mental Health Caseload in 2008
Oakwood Correctional Facility	56%	133	75
Franklin Pre-Release Center (Females)	50%	455	229
Northeast Pre-Release Center (Females)	49%	551	269
Ohio Reformatory for Women (Females)	41%	2470	1004
Southern Ohio Correctional Facility	30%	1406	428
Trumbull Correctional Institution	26%	1363	348
Allen Correctional Institution	24%	1323	317
Corrections Medical Center	24%	134	32
Hocking Correctional Facility	21%	486	101
Chillicothe Correctional Institution	20%	2923	592
Mansfield Correctional Institution	20%	2452	487
Toledo Correctional Institution	20%	1088	220
Grafton Correctional Institution	18%	1507	270
North Coast Correctional Treatment Facility	18%	661	116
Southeastern Correctional Institution	17%	1642	274
Pickaway Correctional Institution	17%	2409	413
North Central Correctional Institution	17%	2335	406
Warren Correctional Institution	17%	1393	243
Marion Correctional Institution	16%	2237	360
Correctional Reception Center	16%	1754	286
Belmont Correctional Institution	15%	2784	422
Lebanon Correctional Institution	15%	2669	403
Noble Correctional Institution	15%	2456	379
Richland Correctional Institution	14%	2571	349
London Correctional Institution	14%	2563	351
Madison Correctional Institution	14%	2222	307
Ross Correctional Institution	13%	2613	345
Lake Erie Correctional Institution	12%	1493	181
Lorain Correctional Institution	7%	1999	144
Ohio State Penitentiary	7%	548	39
Dayton Correctional Institution	0%	475	1
Montgomery Education and Pre-Release Center	0%	333	1
TOTALS	17.7%	51,448	9,113

Suicides and Attempts

In all of 2009, there were 72 suicide attempts in Ohio prisons, including *one suicide attempt at Marion Correctional Institution*. From January to March 2010, there have been 13 suicide attempts system-wide, with no suicide attempts occurring at Marion Correctional Institution.

In 2009, there were three suicides system-wide, with one in February at the Pickaway Correctional Institution, one in August at the Lebanon Correctional Institution, and one in October at the Lorain Correctional Institution Reception Center. One suicide occurred in February 2010 at the Lebanon Correctional Institution. One occurred on April 23, 2010 at the Southern Ohio Correctional Facility.

Table 9. Number of Inmate Suicide Attempts in 2009 by Institution

Institution	Number of Suicide Attempts
Chillicothe Correctional Institution	8
Grafton Correctional Institution	7
Ohio Reformatory for Women	7
Corrections Reception Center	5
Southern Ohio Correctional Facility	5
Lake Erie Correctional Institution	4
Lorain Correctional Institution	4
Mansfield Correctional Institution	4
Warren Correctional Institution	4
Belmont Correctional Institution	3
Oakwood Correctional Facility	3
Pickaway Correctional Institution	3
Lebanon Correctional Institution	2
Noble Correctional Institution	2
Ross Correctional Institution	2
Trumbull Correctional Institution	2
Allen Correctional Institution	1
Corrections Medical Center	1
Hocking Correctional Facility	1
Marion Correctional Institution	1
North Central Correctional Institution	1
Northeast Pre-Release Center	1
Toledo Correctional Institution	1
Dayton Correctional Institution	-
Franklin Pre-Release Center	-
London Correctional Institution	-
Madison Correctional Institution	-
Montgomery Education Pre-Release Center	-
North Coast Correctional Treatment Facility	-
Ohio State Penitentiary	-
Richland Correctional Institution	-
Southeastern Correctional Institution	-
TOTAL	72

THE INSPECTION

Processing/Visiting

The entry area at Marion Correctional Institution is *fairly small with limited seating, but appears to have adequate amenities for visitors. Entry staff maintained a professional manner during the processing procedures.*

As provided on the Marion CI website, open visitation is provided on Monday, Thursday and Friday from 8:00 a.m. to 3:00 p.m. Saturday and Sunday visiting is available by reservation only. There is no holiday visitation according to the posting. Facility staff relayed that inmates may have 15 people on their visiting list and may visit with each twice per month.

Meeting with Administration

Prior to the inspection, a meeting was held with the Warden to discuss pertinent information about the institution as well as the inspection requirements. A meeting was also held with the Warden following the inspection to discuss concerns, comments, and positive institutional aspects based on observations and/or communication from staff and inmates.

Segregation

The segregation unit reportedly has 68 cells, including two crisis cells, and can house approximately 127 inmates when double celled. The structure of the unit was likened to a telephone pole design. On the day of the inspection there were 83 *inmates in segregation. Although the ranges are labeled with the different segregation statuses (Security Control, Disciplinary Control, Local Control), staff relayed that the inmates are in fact mixed rather than separated by their status., in order to use all available bed space.*

The unit was well maintained and the inmates remained quiet and relaxed. Many inmates in the unit were observed to be sleeping. The cell door windows are fairly small, but provide enough visibility to see the entire cell. *Numerous inmates had “mush fake” string or cord hanging from their cell windows like clotheslines, made from tearing state issued sheets into strips. Some were being used for hanging towels or laundry. Such cords are against institutional rules not only due to the destruction of state property, but because the cords have been used system-wide in suicide attempts by hanging, in attacks on one’s cellie, and for obstructing the view of the officer. Some had coverings on their cell door window.* Although facility staff indicated that they constantly tell the inmate to take the lines down, and to remove the coverings, they reportedly continue to put the lines and coverings up again. The verbal discussion with the officer indicated *inconsistent practices in response to the reported rule violations which may be part of the problem.*

The unit has eight cages in the middle common area for segregation indoor recreation, which is provided to segregation inmates one hour each day. Staff relayed that the inmates are permitted to recreate outside of their cell five days per week. Weather permitting, they may go outside.

DRC Follow-up Communication: *Since November 2009 MCI segregation unit maintains an average of 75-80 inmates at any given time. One attribution to this average is the “no tobacco” stand within the department that was implemented in*

November of 2009. Recently MCI assigned a new segregation supervisor to the unit. He is working with the officers in the unit to ensure it is cleaned by having porters from population assigned to the unit. Daily Officers are inspecting the cells as well as assigning duties to the porters as they are reporting to duty.

R-Block

R-Block is the long-term privilege housing unit located in the former segregation area. The unit, designed for inmates who have long sentences, is single celled. Many of the inmates in the unit have served more than 20 years of their sentence. The cleanliness and atmosphere of the unit was most impressive. It is an excellent example of how even an old segregation cellblock, if well-tended, can be transformed into a coveted, well respected living space. The temperature in the area was pleasantly cool and well-lit, with plenty of sunlight in the area. Staff relayed that there is a waiting list to get into the unit. Such units can serve as an excellent incentive for good behavior to earn placement in the highly preferred celled housing.

A CIIC memo was found on a wall with other important information for the inmates.

E Dorm and 5 Dorm

E dorm and 5 dorm both had a similar set-up with minor differences. The space and facilities in both areas appeared to be adequate in terms of cleanliness and maintenance. E dorm is an Intensive Outpatient Program, which is a residential unit for recovery services (substance abuse) programming. The dorm is single bunked and was calm, relaxed, and quiet. Five dorm had a similar layout and atmosphere, but is double bunked.

M Dorm

M dorm is an incentive housing area where inmates perform extra community service work. The unit is doubled celled on the top and bottom ranges. The top range of the unit did not have a fence or barrier, generally used to prevent accidents or other incidents from falls, pushes or jumps. The unit has several indoor recreation cells which provide exercise equipment, a television, and musical instruments. One room in the unit serves as an art room with an airbrush station. Inmates were observed playing a game of chess.

8 Dorm

Eight dorm is a bunked dormitory with an approximate capacity for 76 inmates. Staff relayed that this dorm is desired during the summer months as it is the only dorm with air conditioning, a necessity due to its location directly above the institution laundry.

Laundry

The institutional laundry services are located in a large centralized area. All items from personal clothing to beddings and linens are washed and dried in the laundry room. This is in contrast to institutions which have individual washers and dryers in the housing units. Staff mentioned that laundry is done daily from Monday through Friday, and sometimes even on third shift.

Commissary and I and E Fund

Facility staff relayed that in an effort to increase commissary sales, they started *selling gum in the commissary, which has not caused any problems and which is appreciated by inmates who were former smokers*. They also sell *vending machine cards, which act as debit cards, so that inmates may purchase snacks and drinks from the vending machines in the hallway*. Staff relayed that they are communicating with the institutional doctors to make sure that they are aware of what over the counter medications are available to inmates through the commissary.

It was relayed that *10 percent of the sales (approximately \$5,000 to \$10,000 per month) is put in the Industrial and Entertainment (I and E) funds. The I and E fund is a fund maintained by the institution used to purchase items that solely benefit inmates*. It is a subject that has prompted numerous questions and much interest from CIIC members of the Legislature during past inspections. Administrative Rule (AR) 5120-5-04 titled “Administration of Industrial and Entertainment Funds” includes the following:

Income for this fund shall come from, but shall not be limited to, the following sources: ***commissary profits and interest, donations, vending machine commissions***, interest from interest-bearing checking accounts (e.g., industrial arts fund and inmate personal fund), interest from institution investment accounts (e.g., savings accounts and certificates of deposit), transfer of funds under the provisions of the revised code and rules of the administrative code (e.g., closing inactive inmate accounts), and ***occupational and/or activities therapy projects (e.g., barber and beauty shops, shoe shine shops, gift shops, and car washes)***.

All disbursements from the industrial and entertainment fund shall be used for purchases which exclusively benefit inmates. No disbursements will be approved for items to be used for the benefit of an individual inmate, inmate group, or employees. Disbursements from this fund may be made for, but shall not be limited to, the following: recreation equipment, entertainment, library supplies and equipment, video purchase, rental, and licensing, chapel expenses, occupational and/or activity therapy supplies, going-home clothes, inmate free postage, hygiene and legal kits, and repair and maintenance of equipment eligible for purchase with these funds. For specifically planned events (e.g., yard day), specialty food items may be purchased with the approval of the chief of the division of business administration or designee. Disbursements shall not be made for legal books required by department policy; such books shall be purchased through general revenue funds.

The inspection included the *commissary, which was impressive in terms of size and organization*. Staff relayed that they recently renovated the commissary area to acquire more room and have *altered their operations to increase efficiency*. Their commissary loading dock was described as relatively new and has allowed them to unload products much easier and quicker than in the past. They have also moved to a different type of metal shelving which has no backing so that it is open on both sides. *This new metal shelving allows for better visibility for supervision and easier access to stocking the materials*. The old shelving is serving a better purpose in the storage area.

Staff relayed that they *do not have a problem with insects or rodents, described as a seasonal issue. If they do experience a problem it is reportedly treated quickly.* Staff noted that inventory is conducted once per month.

**STATUTORY REQUIREMENT:
ATTENDANCE AT A GENERAL MEAL PERIOD**

Per the statute, a general meal period was attended. The meal on the day of the inspection consisted of two soft tortilla shells, chunks of boiled chicken, beans, Spanish rice, chopped broccoli, and a Kool-Aid type of drink. *The food was appropriate in terms of temperature and portions. Many inmates relayed that the lunch served on the day of the inspection was one of the better meals served at the institution.*

The inmate dining room is a large open room that is separated into two sides by two serving lines that run down the center of the room. *Inmates proceeded through the lines in an orderly manner. The food is placed in a warming table, and inmate workers place the appropriate serving of each food item on a tray.* Inmates are then provided with their meal tray, and are permitted to sit down where they wish to eat. *The inmate workers serving the meal wore hairnets and disposable plastic gloves. One inmate eating lunch with the CIIC Director pointed out a piece of hair in his food.*

**STATUTORY REQUIREMENT:
ATTENDANCE AT AN EDUCATIONAL OR REHABILITATIVE PROGRAM**

The statute also states that attendance at a rehabilitative or educational program must be included in each inspection. Several educational and rehabilitative programs were visited by CIIC. Information about each program visited is provided below.

Wildlife Program

The inspection included a visit to the wildlife room, where inmates breed pet birds. An inmate worker stated that they sell the birds for 10 dollars to pet stores or trade them for bird seed. He also relayed that the birds are obtained from pet stores or donated from outside sources. All of the bird cages were *clean, and the birds appeared to be well cared for by the inmates.* The birds ranged from common parakeets to smaller, seemingly exotic birds of extraordinary color.

The program is similar to the program at the Ohio Reformatory for Women, which is the only other program of its kind in the Ohio prison system. The inmate worker who was caring for the birds seemed to have a *sense of purpose and appeared grateful for the opportunity to perform such work. The inmate also demonstrated expertise about the program operations and was very knowledgeable about how to care for the animals.*

A Dorm – Horizon Inter Faith

The Horizon Inter-Faith dorm is in its 10th year of existence and is a collaboration with DRC and the faith community. The 48 inmates in the dorm are arranged into *families of six with each family residing in one of eight cubicles. One member of each family is a previous graduate of*

the program and is known as the “encourager.” All families consist of mixed faith, which was regarded as an improvement over previous practices in which a particular faith formed their own family. Staff reported that the inter-faith concept is a unique part of the program and that participants belong to any religion recognized by the state of Ohio. Wiccan, Buddhist, and Native American are among the unusual faiths that have participated. Each cubical has a study table for the family, and a small area in the back of the dorm is maintained as a prayer area. Inmates using the prayer area are asked to respect the space by removing their shoes and keeping quiet. The entire dormitory was clean and neat. Cleanliness is reported to be an important part of the program.

Staff relayed that they have over 75 volunteers for the program and have not had significant problems recruiting volunteers. Staff relayed that they have had over 227 program graduates as of 2008. In regard to recidivism, it was also reported that *only 15 inmates out of 100 inmates that have graduated from the program and been released from prison, have returned to prison.* Staff commented that *what works well is the concept of restoring the inmates back to the community.*

Inmates spoke very highly of the program and offered testimony of how they have been positively impacted by being a part of Horizon. One inmate spoke about outside brothers and stated that the volunteers show that there are people in the community who care about them and want to see them succeed following their release. Another inmate commented on the importance of character reformation and changing his criminal way of thinking. A separate inmate mentioned the importance of what he has learned regarding change starting from within. One inmate relayed that through letters, he was able to reconnect with siblings, which is part of the core of the program. Inmates involved with the program also explained that participants are provided with postage paid envelopes, funded through donations, to write their immediate family two letters per week. In contrast, all other prisoners receive one postage paid envelope per month.

The following is information provided by staff regarding the Horizon Program:

Horizon seeks to effect an inner transformation of inmates, preparing them to live with others in mutual support, trust and respect. Horizon unites corrections, faith and community leaders surrounding the institution to collaborate in this vision.

Most inmates will return to society in less than three years. To sustain a changed heart and prepare for a successful re-entry to society, Horizon presents programs for emotional, social, cognitive, and cultural growth. Participants with longer sentences have a significant positive affect on the institutional environment after completing the Horizon program.

Overview and Objectives – Horizon Communities in Prisons is an outgrowth of Kairos Prison Ministry. It builds supportive connections between the correctional institution and community volunteer leaders, and among funding sources, state and federal agencies to present its programs. Inmates volunteer and *48 to 65 are housed in a separate unit, modified slightly to create a living and learning environment where inmate participants can have the maximum opportunity for significant growth.* Horizon’s objectives are:

- Increase personal responsibility and enable participants to live by a code of conduct within existing security regulations
- Increase family responsibility with programs to strengthen family relations
- Enhance employability through education, computer skills, life skills and mentoring
- Develop cooperation and citizenship through weekly group and community meetings
- Offer programs taught or led by qualified faith and community volunteers

Horizon Components – The curriculum extends over 10 to 12 months. Two managers are hired to assure proper program delivery and develop local resources. They work with the institutional staff and recruit and train volunteers to facilitate programs.

The nurturing aspects of small group work helps participants grow in their love, compassion and caring for one another. It emphasizes listening as a ministry to others. Core program components targeting specific objectives are:

- Life Skills – Emphasizes decision-making, anger management, relationships, parenting, consequences of substance abuse and other life skills.
- Mentoring – Informal mentoring with weekly visitation by volunteers from local churches, synagogues, mosques and other community organizations.
- Family Relations – Weekly letter writing to family members and/or children; a special Family Day.
- Spiritual Development – Participants are encouraged to attend chapel services of their choosing and commit to serving others. Scripture-based studies in the major faith traditions are led by faith leaders in the community and volunteers.
- Computer Skills – Basic computer literacy, word processing and office skills for job preparedness.
- Workshops – Victim awareness and restitution, decision-making, conflict resolution and addition issues.
- Education/Other – Education is encouraged and in some units supported with computer-assisted learning from basic grade level education through GED preparation. Some units offer financial literacy, small business concepts, fatherhood and substance abuse programs.

Prison News Network

The Prison News Network (PNN) is a unique program offered only at Marion Correctional Institution. The network includes an audio, graphic, video, animation, and web design department. PNN also functions similar to a news station and delivers news and information via videotaped segment or live feed to inmates and staff throughout the institution. The PNN, per the DRC Policy 01-COM-12, also *produces, edits, and catalogs videos for the Department of Rehabilitation and Correction. In addition, the PNN has a web design area where they develop*

and create websites. They have constructed several websites including the new DRC website and are working on a re-entry coalition website.

The institution recently completed construction of a new area for the Prison News Network to carry out their studio functions. The institution utilized what used to be empty warehouse space in the institution to provide the new program area. *The work completed by an estimated 30 to 40 inmates in the new studio area was most impressive.* It was reported that the construction took approximately five months to build, and was funded through a grant. The area includes a new studio and sound room. The current PNN location was also visited during the inspection. *Staff and inmates alike were extremely excited about moving to their new location, as they believe it will help maximize their program potential.*

Lifeline Reentry Community Center

Lifeline is a re-entry computer center, where inmates can learn various computer skills including basic functions such as typing. Staff commented they do not offer formal classes and *inmates learn at their own pace, many of which rely on the assistance from other inmates such as inmate tutors.* The inmates work with Microsoft Office software such as Word, Excel, Access and PowerPoint, and may earn Microsoft certifications, which are the same certifications offered to the general public.

Inmates may also participate in the graphic arts program and learn via programs such as photo shop and illustrations illustrator. In addition, inmates can gain knowledge of web design as well as computer programming (Java).

There is also a *foreign language computer area* for students to use that are involved in the language programs. The computers are equipped with software for learning specific languages. Although the students meet in the education area, they can use the computers for additional assistance/practice.

The Lifeline computers and equipment are obtained through donations, but it was mentioned that they are “limping along” with the hardware they have. Processing speed, RAM (Random Access Memory), and hard drives are reportedly inadequate for some of their functions. Staff commented that they have approximately *160 inmates on the waiting list for the program.*

The *Hope Program*, a program that helps develop *conflict management skills* is also conducted in the *Lifeline Reentry Community Center community lab.* The Hope Program is currently run by two retired teachers and an ex-offender. Mentoring is a component to the program. Inmates involved with the program also provide assistance to institutional staff. For example, they recently created a database that will track staff clothing.

Auto Mechanics Vocational Shop

The auto mechanics vocational shop is a vocational program where inmates can learn how to perform almost every type of mechanical work except body repair. Two programs are offered in the auto mechanics shop. One program, consisting of *16 inmates, is a year long program that can lead to vocational certification.* A *five week career course is also offered in the afternoon for 15 inmates.* They can learn how to change oil, check, replace, and/or repair engines, brakes,

transmissions, etc. *Staff relayed that the cars worked on in the shop are all owned by employees of the institution or neighboring institution. The employees must pay a small fee as well as purchase the materials for the repair.* Upon release from prison, inmates are provided with a *skill sheet* to verify what type of work they have performed, which is beneficial for inmates when seeking employment opportunities.

OPI Wood Furniture Shop

Staff commented that the OPI wood furniture shop was recently closed. However, the space is being utilized for a new project, which involves refurbishing dumpsters for an outside waste and recycling company. The following was contained in a memo of December 1, 2009 from the OPI Chief to Valued Customers regarding the *OPI wood shop discontinuation*:

As you are aware, the State of Ohio has been severely impacted by the downturn in the nation's economy. Over the course of the last couple of years, OPI has made significant strides in its efforts to reduce operational expenses while maintaining high levels of quality and service for its customers. It is with deep regret that *OPI must implement additional cost-saving measures at this time including the closure of our Wood Office Furniture operations.* As a result, OPI will only accept orders for Wood Office Furniture until Friday, December 4, 2009.

In the meantime, we are pursuing other alternatives to meet your office furniture needs. We hope to have this information available soon. In addition, for purchases of wood office furniture from another source, please continue to contact OPI for a waiver.

OPI is sincerely grateful for your patronage over the years as we *strive to help offenders develop marketable employment skills through the sale of our products and services.* We are very hopeful that these changes, while extremely difficult, will position OPI for future growth and diversity in the years to come.

OPI Metal Shop

One of the products the Marion Correctional Institution OPI metal fabrication shop manufactures is *metal bunk beds for other facilities.* One of the staff members commented that this shop is one of the only OPI shops that is "in the black," that is, not losing money.

Welding

The inspection also included a discussion with the welding instructor. The instructor explained that he has two classes, with one in the morning, and one in the afternoon. The morning class is a *one year program and currently has around 16 inmates. The afternoon class has seven inmates aged 24 years and under, who are provided with an apprenticeship opportunity that can run up to four years in length.* The instructor stated that due to the nature of the work being performed, it is sometimes difficult to motivate the inmates because welding can sometimes be mundane and repetitive. The instructor relayed that inmates may earn their *AWS (American Welding Society) certification.* Staff relayed that the equipment is replaced as it ages and that the financial support

is provided through federal funds. It was relayed that *staff members can bring in items to be repaired and cited an example of the inmates repairing a trailer. They also perform small repairs to institutional property if it can be transported back to the welding bay, as they do not work outside of the area.*

Additional Programs

Inmates are able to become involved with additional programs at Marion Correctional Institution. The inmate handbook lists the following other programs offered at the institution:

- **Cage Your Rage**
- **CDL**
- **Financial Management**
- **Goals**
- **Growth Potential Self Awareness (GPS)**
- **Responsible Family Life Skills (RFLS)**
- **Toastmasters**
- **Positive Solutions**
- **Victim Awareness**
- **9 to 5 Beats Ten to Life**
- **Conflict Resolution**
- **Quest**
- **PROVE (Personal Responsibility of Violence Elimination)**
- **The Dog Program**
- **Ministry of Theater**
- **My Child and I Day**

Education

Inmates are also provided with the opportunity to be involved with educational programs and classes. The Education Department offers both Adult Basic Education (ABE) and General Equivalency Diploma (GED). All inmates who do not possess a high school diploma or GED are enrolled in school for a minimum of two quarters. Inmates with a reading comprehensive score between 227 and 239 will be placed in pre-GED classes. Inmates that score 239 or higher will be placed in GED classes. Inmates are scheduled to take the GED examination as they demonstrate their proficiency. A literacy program is also available for those offenders with a reading score below 226. For those inmates who have already obtained a GED or diploma, Marion Technical College (MTC) offers college classes, also known as *advanced job training*.

Inmates may also participate in apprenticeship programs. The total hours required for apprenticeship programs range from 2000 to 8000 hours. In order for an inmate to be enrolled in a program, the inmate must be able to complete at least half of the hours during their incarceration. The following apprenticeships are available:

- **Animal Trainer**
- **Audio Operator**
- **Baker**
- **Cook**
- **Farm Worker**
- **Program Assistant (PNN)**
- **Small Engine Mechanic**
- **Welder**

The following tables provide a snapshot of educational services offered by MCI for the month of December 2009.

**Table 10. MCI Ohio Central School System Monthly Enrollment Report
December 2009**

Program	For Month	< 22	YTD	Waiting List	# of Certificates		% Attained Goals	
					Month	YTD	QTR	YTD
Literacy	102	3	161	85	24	53	100%	100%
ABLE (Adult Basic and Literacy Education)	0	0	0	0	0	0	0%	0%
Pre-GED	75	2	116	111	27	47	100%	100%
GED	32	2	52	96	0	17	100%	100%
GED Evening	29	0	46	0	0	5	0%	0%
HS/HS Options	0	0	0	0	0	0	0%	0%
Academic Total	238	7	375	292	51	122	100%	100%
Career-Tech (by program)	For Month	< 22	YTD	Waiting List	# of Certificates		% Attained Goals	
					Month	YTD	QTR	YTD
AOT	14	0	14	436	0	0	100%	100%
Auto Technology	16	0	16	391	0	0	100%	100%
Cabinetmaking	14	2	15	292	0	0	100%	100%
Production AG	10	1	14	6	0	0	100%	100%
Welding	15	1	16	503	0	0	100%	100%
Career-Tech Total	69	4	75	1,628	0	0	100%	100%
Special Education	7	7	8					
Title One								
EIPP (Education Intensive Prison Program)								
TEP (Transitional Education Program)								
YTP								
ESL (English as Second Language)								
Career Enhancement	51	0	183		46	155		

					50%	100%	50%	100%	–	–
Apprenticeship	16		24		1	0	6	1	–	–
	For Month	< 22	YTD	Waiting List	Program Cert.		1-Year Cert.		2-Year Cert.	
					Term	YTD	Term	YTD	Term	YTD
Advanced Job Training	124	5	148		0	0	5	5	2	2

	For Month	< 22	YTD	Waiting List	# of Certificates		% Attained Goals	
					Month	YTD	QTR	YTD
Total GEDs given	0		59					
Total GEDs passed	0		32					
Literacy Tutors	14		15					
Other Tutors	10		15					
Tutors Trained	10		24					
Tutor Hours	648		6,694					
Children served in Reading Room	74		378					
Narrator Hours	43		251					
Work Keys	0		0					

CIIC STATUTORY REQUIREMENT:

ASSIST IN THE DEVELOPMENT OF IMPROVEMENTS

The statute requires the CIIC to “Evaluate and assist in the development of programs to improve the condition or operation of correctional institutions; (and to) Prepare a report for submission to the succeeding General Assembly of the findings the Committee makes in its inspections and of any programs that have been proposed or developed to improve the condition or operation of the correctional institutions in the state.” The statute’s use of the term “programs” can include the traditional concept of programs, such as the rehabilitative or educational programs that the CIIC is required to attend during each inspection. In addition, the dictionary definitions for “program” include, “a plan or procedure for dealing with some matter,” which would be consistent with any recommendation to assist in bringing about improvements in conditions or operations.

CIIC CONTACTS AND REPORTED CONCERNS

The best source of recommendations for improvements is communication from those who live or work in the correctional institutions. As a result, the CIIC has always welcomed communication regarding prison operations, conditions, programs or grievance procedure. The CIIC appreciates and relies on such communication from staff and inmates in the Ohio prisons to assist the CIIC in identifying problems, issues, concerns and/or areas in need of improvement. Such communication assists in determining areas in need of focus on inspections or through inquiries.

As shown in the table below, *system-wide*, from January 1, 2009 to April 21, 2010, **3,158 persons contacted the CIIC relaying 13,435 problems, issues or concerns.** The largest

number of contacts pertained to the Southern Ohio Correctional Facility with 610 contacts, comprising 19.31 percent of all contacts received. Mansfield CI ranked second highest, with 287 contacts followed by Chillicothe CI and Pickaway CI with 177 and 176 contacts respectively. *Marion Correctional Institution ranked fifth highest in the number of contacts, with 149 persons relaying 497 problems, issues or concerns.*

Also shown in the tables below, the largest category of reported concern regarding Marion Correctional Institution is **“Supervision” with 77 reported concerns**, comprising 15.5 percent of the reported concerns regarding the Marion Correctional Institution. Within the category, the largest number pertained to “Unprofessional Conduct,” with 17 reported concerns. The second highest subgroup in the category was “Harassment” with 14, followed by 10 each regarding “Abusive Language” and “Conduct Report for No Reason.” There were nine reports of “Intimidation/Threats”, six each of “Retaliation for voicing complaints”, and “Racial or Ethnic Slurs,” three regarding “Retaliation for Filing Grievance” and one each regarding Privacy Violations and “Other.”

The second largest category of reported concern regarding the Marion Correctional Institution was **Health Care with 72 such concerns**, comprising 14.5 percent of all reported concerns regarding the Marion Correctional Institution. The largest subcategory within the group was “Improper/Inadequate Medical Care” with 23 reported concerns, followed closely by “Access/Delay in Receiving Medical Care” with 21 reported concerns. There were ten reported concerns regarding “Delay/Denial of Medication, followed by eight concerns regarding “Diagnosis/Treatment,” three regarding “Medical Restriction, two each regarding “Medical Records” and “Forced Medical Testing,” and one each regarding “Medical Aide/Device” and “Other.”

The third largest group of reported concerns regarding the Marion Correctional Institution is **“Staff Accountability”** with 57 reported concerns comprising 11.5 percent of all MCI concerns. The largest number of concerns within the group is “Failure to Follow Policies” with 22, followed by 14 concerns each regarding “Failure to Perform Job Duties” and “Failure to Respond to Communication,” four regarding “Access to Staff,” and three “Other.”

The **“Non-Grievable”** category ranks fourth in number of reported concerns, with a total of 48, comprising 9.7 percent of all reported concerns regarding Marion CI. Within the category, the largest sub-group pertains to “RIB/Hearing Officer” with 20, followed by 12 regarding the Parole Board, eight regarding the Court, five regarding “Separate Appeal Process,” two regarding “Other,” and one regarding “Legislative Action.”

The fifth largest category of concern regarding the Marion Correctional Institution is the **Inmate Grievance Procedure**, with 36 comprising 7.2 percent of all MCI reported concerns. Within the group, there were 17 concerns pertaining to the Inspector, nine regarding the Chief Inspector and eight regarding the Informal Complaint stage. Two additional complaints were in an “Other” subcategory.

Table 11 . Number of Contacts received by CIIC regarding the Prisons with Breakdown by Institution from January 1, 2009 to April 21, 2010

Institution	Number of Contacts	Percent
Southern Ohio Correctional Facility	610	19.31%
Mansfield Correctional Institution	287	9.08%
Chillicothe Correctional Institution	177	5.6
Pickaway Correctional Institution	176	5.57
Marion Correctional Institution	149	4.71
London Correctional Institution	136	4.3
Toledo Correctional Institution	135	4.27
Lebanon Correctional Institution	135	4.27
Grafton Correctional Institution	118	3.73
Madison Correctional Institution	112	3.54
Warren correctional Institution	99	3.13
Lake Erie Correctional Institution	97	3.07
Ohio State Penitentiary	96	3.03
Trumbull Correctional Institution	92	2.91
Ohio Reformatory for Women	83	2.62
North Central Correctional Institution	74	2.34
Allen Correctional Institution	72	2.27
Ross Correctional Institution	58	1.83
Belmont Correctional Institution	53	1.67
Other	43	1.36
Lorain Correctional Institution	43	1.36
Southeast Correctional Institution	41	1.29
Oakwood Correctional Facility	41	1.29
Richland Correctional Institution	40	1.26
North Coast Correctional Treatment Facility	36	1.13
Noble Correctional Institution	36	1.13
Northeast Ohio Correctional Center	34	1.07
Corrections Reception Center	27	.85
Hocking Correctional Facility	19	.60
Northeast Pre-Release Center	17	.53
Dayton Correctional Institution	11	.34
Montgomery Education and Pre-Release Center	6	.18
Corrections Medical Center	3	.09
Franklin Pre-Release Center	2	.06
TOTAL	3,158	100%

Table 12. Subject of Reported Concerns Received by the CIIC Regarding Marion CI from January 1, 2009 through April 21, 2010 with Number and Percent

Subject of Reported Concern	Number of Concerns	Percent
Supervision	77	15.5%
Health Care	72	14.5
Staff Accountability	57	11.5
Non-Grievable	48	9.7
Inmate Grievance Procedure	36	7.2
Personal Property	31	6.2
Institution Assignment	23	4.6
Discrimination	18	3.6
Housing Assignment	16	3.2
Special Management Housing	15	3.0
Visiting	13	2.6
Other	10	2.0
Security Classification	8	1.6
Food Service	7	1.4
Force	7	1.4
Religious Services	7	1.4
Job Assignments	6	1.2
Inmate Relations	6	1.2
Educational/Vocational Training	6	1.2
Mail/Package	5	1.0
Commissary	5	1.0
Facility Maintenance	4	.8
Inmate Account	4	.8
Laundry/Quartermaster	3	.6
Recreation	3	.6
Legal Services	2	.4
Records	2	.4
Library	2	.4
Safety and Sanitation	1	.2
Recovery Services	1	.2
Telephone	1	.2
Psychological/Psychiatric	1	.2
Dental Care	-	
Protective Control	-	
Inmate Groups	-	
Total	497	100%

The breakdown of the top five categories of reported concerns regarding the Marion Correctional Institution is provided below:

Table 13 . Breakdown of Top Five Reported Concerns Regarding Marion Correctional Institution from January 1, 2009 through April 21, 2010

Supervision	Number of Concerns
Unprofessional Conduct	17
Harassment	14
Abusive language	10
Conduct report for no reason	10
Intimidation/threats	9
Retaliation for voicing complaints	6
Racial or ethnic slurs	6
Retaliation for filing grievance	3
Other	1
Privacy violations	1
Retaliation for filing lawsuit	0
Total	77

Health Care	Number of Concerns
Improper/inadequate medical care	23
Access/delay in receiving medical care	21
Delay/denial of medication	10
Disagree with diagnosis/treatment	8
Medical restriction	3
Medical records	2
Forced medical testing	2
Other	1
Medical aide/device	1
Prosthetic device	1
Medical transfer	0
Medical co-pay	0
Eye glasses	0
Total	72

Staff Accountability	Number of Concerns
Failure to follow policies	22
Failure to perform job duties	14
Failure to respond to communication	14
Access to staff	4
Other	3
Total	57

Non-Grievable	Number of Concerns
RIB/Hearing Officer	20
APA	12
Court	8
Separate appeal process	5
Other	2
Legislative action	1
Transitional Control	0
Total	48

Inmate Grievance Procedure	Number of Concerns
Inspector	17
Chief Inspector	9
Informal Complaint	8
Other	2
Total	36

LISTENING SESSION WITH STAFF GROUP

The 2009-2010 inspections to date have all included a group session with a variety of staff of the Warden's choosing. On CIIC's request, a representative group of staff members gathered for a listening session in an open forum. They were asked to relay any problems, issues, concerns or areas of pride. The following is a summary of that communication.

Maintenance staff stated that they have had several *staff cutbacks*. They previously had 13 staff members, but throughout the last two years have reportedly lost five. They reportedly only had *four maintenance staff members* on the day of the inspection. It was relayed that they are *proud of their staff and of the inmates*. They commented that they have a *good group at the institution and are proud of what they are able to do at MCI*. Staff proudly relayed that they *do things differently* at MCI. It was noted that inmates are permitted to use some of the tools and can assist with maintenance and repairs.

Unit staff relayed that they are *proud of the programming that they offer, and that it keeps inmates focused and out of trouble*. Unit staff expressed that their *greatest concern is that the caseload keeps increasing*. Staff stated that *Case Managers have approximately 320 inmates on their caseloads*. This reportedly prevents them from helping as much as they feel that they should. Staff also relayed that there is a *long waiting list for programs*. *The Victim Awareness program is reported to be a very popular program, and has a waiting list from four to six months*.

Recovery Services staff stated that they are *proud of the offenders, as the majority attempt to get into programming to break their addiction*. It was relayed that a major concern of recovery services staff is that an estimated *80 percent of inmates who come into the system are drug and/or alcohol dependent, but they only provide services to about two percent*. One staff member stated that they have *all felt the cuts* and expressed that when they first started there were *six recovery staff members, but now they only have four*. They *complimented unit staff and stated that Unit Managers know their clientele and offer quality programming*. They commented that the *administration sets the tone and they believe in their philosophy, which they explained is all about "helping offenders go home to stay."* Finally, staff conveyed that they are *"hands on, help offenders, and resolve problems."*

Security staff commented that the institution provides *"a lot of programming."* They also relayed that they are *pleased with their posts and can go to their supervisor to get help at anytime*. Another officer stated that he *likes being a team player and supports the administration*. Another *security staff* member talked about how the institution has drastically changed for the better since the change in administration in 1996. *Staff relayed that the "programs are great," they have an open-door policy, and they know the inmates*. They relayed that they put on a banquet for local law enforcement as a service for their work and expressed that they really enjoy the event. A separate *security staff* member relayed that they provide *many programs, which keep inmates very busy*. They expressed concern for the *lack of custody staff, adding that it affects their mission of maintaining safety of staff and inmates*. *Security staff* also expressed that *staff at Marion CI adapt to change*. They expressed that they have a *great group of supervisors and complimented administrative staff for making frequent rounds which makes "a huge difference."*

The *training officer* relayed concern for the *staffing level*. He depends on staff members with expertise in their respective departments to assist with the training, but many do not have time. The administration was praised for having an *open door policy and being highly supportive of ideas*. It was also noted that the training officer is actively involved in *staff mediation, the lifers group, and a quilting program, in which quilts are made and donated*.

Administrative staff relayed that the facility is heavily involved in *community service*. As of the date of the inspection, 422,076 hours of community service were provided by MCI inmates. It was also relayed that they *consider themselves family*. Another administrative staff member commented that they are *most proud of their staff and most concerned about the positions that were lost during the budget cuts*, which was termed the hardest season. Staff also relayed that they are *proud of their security and commented that good programming equals good security*. In addition, staff stated that they are *proud of the philosophy they adopted as well as the offenders who have been released and are successful*. Concern was relayed about the *age of the facility causing constant maintenance needs, but little money to make repairs*. Other administrative staff stated that their greatest concern remains the *staffing issue*. One staff person shared that their *biggest problems relate to staff, not the inmates*. Staff relayed concern that they are *losing quality with a shift into more quantity instead of quality*. It was also conveyed that there does *not seem to be any relief in sight*. One staff member shared that due to the staff shortages, he had to give up facilitating one of the programs, even though it was a time that he truly enjoyed. There was sadness about the loss, yet it communicated the need to tend to priorities first, such as the critical importance of meaningful rounds by administrative staff. Great appreciation was expressed toward staff, which were likened to “family.” The staff person relayed that it would be impossible to pay MCI back for all that has been learned while working at MCI. The concluding thought was that unlike some institutions, MCI staff adapt to change, and must continue to adapt. Various staff commented, “We’re doing well,” and “We’re afloat” and we’re “on that fence.” The message was that it has not been easy, that there has been and continues to be much sacrifice due to the staff loss, inadequate operating funds, and overcrowding.

INMATE COMMUNICATION ON SITE

- An inmate relayed his belief that *taking away cigarettes and reducing the food is an attempt to provoke inmates*. He added that the food reduction has caused problems.
 - CIIC Commentary: The Department now provides what is termed a “*heart healthy diet*” which has been a subject of reported concern from inmates system-wide. Of all the inspections in this biennium, CIIC staff cannot recall even one positive comment by anyone, including food services administrators, regarding the “*heart healthy diet*.” Inmates claim that it is *not healthy*, let alone heart healthy. Like the MCI inmate’s comments, some see it as a mere “*food reduction*” reportedly necessitated by budget cuts. Yet, the posted memos on the subject which inmates have sent to the CIIC indicate that the portions are the same. The weekend and holiday “*brunch*” in which inmates reportedly receive the equivalent of breakfast and lunch at brunch later in the day, reducing meals and food service staff to two shifts instead of three, has also been alleged to be a “*food reduction*” method. System-wide, the most common concern about the brunch is the time between meals, some reporting as many as 20 hours. *It is suggested that those who know the facts regarding the “Heart Healthy Diet” should be communicating the facts to staff and inmates alike. If in fact it is a way to cut the*

cost of food while still meeting the minimum nutritional requirements, honesty would be far better received and understood, and far less “provoking” to the inmates.

- Regarding the temperature in 8 Dorm, one inmate relayed that they have not turned on the heat yet. He relayed that due to the *cold temperature in the dorm, they must wear jackets most of the time, but no inmates were observed wearing jackets.* Another inmate in 8 Dorm voiced concerns about the sanitation in the dormitory bathrooms and alleged that there is a problem with gnats. However, based on the inspection of the restroom, the area appeared to be *well maintained and relatively clean. No gnats, vermin, or any other insects were observed in the bathrooms.*
- Inmate relayed concerns about *food portions* and stated that the *vents need to be cleaned.*
- One inmate relayed that MCI is *better than other institutions he has been to, as there are many program opportunities.*
- Some inmates relayed concerns regarding the *long waiting list for programs.*
- One inmate *praised the staff for the newly implemented practice of opening up recreation to allow inmates to recreate more frequently.*
- Some inmates were very *excited about the Christmas play* that they were soon to present. They commented that they really enjoy the production and explained that they have an excellent turnout from members of the surrounding communities. They stated that they have *a play every season and maintained a sense of pride in their work.*
- A number of inmates expressed that MCI is a “good institution.”
- One inmate voiced concerns about the *doors in the back of the housing areas being closed.* He stated that this limits the inmate’s availability to move to recreation as all inmates must go down the main hallway. He believes that this would cut down on the frustration and congestion during this time of overcrowding. Staff responded to the comment and explained that the *back doors are closed as a security precaution. It was mentioned that if these doors were open, inmates would have direct access to the fence and other dorms because they do not have security posts/supervision in those areas.*

COURT ORDERED PAYMENTS

Throughout the course of the 2009 inspections, institutional staff members commented on several problems related to processing court ordered payments for a stated obligation. ***It is suggested that a means be devised for DRC at least to be compensated for their time and efforts in processing such payments or amendments be made to allow inmates to maintain a significantly larger portion of the proceeds sent from their families and/or friends.*** The latter would hopefully increase commissary sales, provide inmates with adequate finances for monthly supplies/provisions, and would likely increase the amount of money the courts receive, while possibly reducing the number of thefts throughout the institutions. Staff at one of the prisons suggested that inmates should be able to keep half of what they receive, while the other half

would go to the court ordered collection. Other suggestions were relayed at other prison inspections through facility staff communication. ***It is recommended that DRC staff consider the extent to which the concerns can be addressed administratively and the extent to which legislative action is needed to resolve this system-wide problem that has been clearly cited as a burning issue by staff and inmates at a number of the institutions.***

THE LIBRARY: CREATION OR EXPANSION OF MINORITY BOOK SECTIONS

During the course of the 2009 inspections which included the library, then CIIC Chairman, Representative Tyrone K. Yates, cited the need for African American and also Hispanic designated Book Sections in Ohio prisons and juvenile correctional facilities. He cited a need for sufficient copies of periodicals of popular magazines for the African American and Hispanic inmates. Jet, Ebony, and Black Enterprise were suggested. In addition to the literature, African American and Hispanic movies, and books on tape were recommended. The purpose of the proposed improvements is to enhance cultural awareness, not only one's own but of others, and to enlighten inmates through classic biographies.

The proposal will help to improve inmates, contribute to good order, and improve the libraries. Much good could be done by a focus on the library, which could provide books about real people who inspire and bring out the best in us. In the therapeutic community model of substance abuse treatment in prisons, they insist that the critical ingredient for success is that a real person is on the staff who has been where the offender is, and who has succeeded in changing their life. They provide the model and this is said to provide renewed hope and confidence that they, too, can overcome addiction and make something of their life. The same inspiration can come from books about real people.

With the overcrowding and understaffing, it is a constant challenge for staff to keep the inmates busy with programs and activities, yet idleness leads to serious safety and security problems. Many inmates genuinely enjoy reading and enjoy being in the library, possibly for the solace that it provides. Many more could learn to enjoy reading with the right selection available.

Surely some of the reading incentives that the public libraries and schools use for school children, could be used within the DRC and DYS institutions. The facilities could form ad hoc committees to include inmates in order to zero in on making their library the best that it can be.

There are dedicated librarian staff in the prisons. Unfortunately, a number of librarian positions have been left vacant due the budget problems. At some institutions, other staff volunteer their time just to keep the library open for a few hours a day.

Inmates in segregation have limited access to the library. Those in Local Control are in segregation for up to six months. Those in "4B" and above are effectively in isolation indefinitely, sometimes for years. If they were provided with good biographies and even good self-help books, at least the reading materials could be filling their mind with something positive that may make a difference in their life. Reading can keep them mentally healthy, as well as make them think, which ultimately affects their actions.

STATUTORY REQUIREMENT: EVALUATION OF THE INMATE GRIEVANCE PROCEDURE

The statute requires the CIIC to evaluate the grievance procedure at each institution and to report findings and any recommendations for improvements to the Ohio General Assembly. In partial compliance with the requirement, the CIIC in cooperation with DRC, conducted surveys of wardens, inspectors and a random sample of inmates system-wide in the previous biennium, and completed reports on the results in 2009. Each report is posted on the CIIC website at www.ciic.state.oh.us.

CIIC staff are currently focusing on completing the inspection reports and on completing the remaining inspections due in 2010. However, it is CIIC staff's sincere hope to carefully study and identify the most significant findings in the system-wide survey that can evolve into proposals or recommendations to assist in the development of improvements in the grievance procedure. *The grievance procedure's importance is reflected in the CIIC statutory requirement to evaluate and report on the procedure at each institution. The grievance procedure has the potential to prevent costly litigation by preventing and solving problems. It has the potential to prevent violence, both individual and mass violence that can otherwise erupt from unaddressed problems.*

MCI SURVEY HIGHLIGHTS

A review was made of the CIIC Report on the Evaluation of the Inmate Grievance Procedure at the Marion Correctional Institution, completed on April 13, 2008. The survey on the grievance procedure was distributed to *a random sample of 342 inmates at the Marion Correctional Institution, of which 118 or 35 percent responded.* The following provides the results of the multiple choice questions.

Retaliation

- **93.8 percent agreed that “Staff will retaliate or get back at me if I use the grievance process.”** 6.2 percent disagreed.
- **65.5 percent responded “Yes” to “Were you ever retaliated against or treated unfairly for using any part of the grievance process?”** 34.5 percent responded “No.” 18.7 percent of all respondents (excluded from the yes/no respondents previously) wrote “I have never used the grievance system.”

Information about the Grievance Process

- **83.3 percent agreed with, “Most of what I’ve learned about the grievance process is from other inmates.”**
- **78 percent responded “Yes” to “I received a copy of written material (handbook or pamphlet) explaining the Inmate Grievance Procedure.”**
- **66.6 percent of the respondents disagreed with, “Most of what I’ve learned about the grievance process is from prison staff.”**

Access to Forms

- **80 percent agreed with, “Informal complaint forms are easy to get,”** while 10.4 percent disagreed, and 9.6 percent responded, “I don’t know.”
- **42.6 percent disagreed with, “Formal grievance forms are easy to get,”** while 40.9 percent agreed and 15.6 percent responded, “I don’t know.”
- **38.3 percent disagreed that “Forms for filing a grievance appeal are easy to get,”** while 33 percent agreed and 28.7 percent responded, “I don’t know.”

Easy/Difficult to Understand

- When asked if the separate process for filing a **grievance concerning the Warden or Inspector** is difficult or easy to understand, **75.4 percent** said it was **difficult or “I don’t know what this is.”** 55.3 percent responded, “I don’t know what this is,” while 24.6 percent responded that it is easy and 20.2 percent
- **74 percent** responded that the **informal complaint form was easy to understand.** 14.8 percent responded that it was difficult. 11.1 percent responded, “I did not use the informal complaint form.
- **71.3 percent** responded that the **informal complaint process is easy to understand.** 22.6 percent responded that it is difficult. 6.1 percent responded, “I don’t know what this is.”
- **64 percent** responded that the **formal grievance process is easy to understand.** 35.9 percent responded either that it is difficult to understand or “I don’t know what this is.” 27.2 percent responded that it is difficult. 8.8 percent responded, “I don’t know what this is.”
- **57.9 percent** responded that the **written material that explains the grievance process is easy to understand.** 25.4 percent responded that it was difficult. 14.9 percent responded, “I did not receive any written material.” 1.8 percent responded, “I did not read the written material.”
- **57 percent** responded, **“The grievance process was never explained to me”** when asked, “When I first got to this prison, the grievance process, as explained by staff, was difficult or easy to understand.” 28.1 percent responded that it was easy, and 14.9 percent responded that it was difficult.
- **53.1 percent** responded that the grievance **appeal process is easy to understand.** 46.8 percent responded that it is difficult to understand or “I don’t know what that is.” 32.4 percent responded that it is difficult. 14.4 percent responded, “I don’t know what that is.”
- **51.9 percent** responded that the **formal grievance form was easy to use.** 32.7 percent responded that they did not use a formal grievance form. 15.4 percent responded that it was difficult to understand.

- **50.5** percent of the respondents responded **“I did not use a grievance appeal form,”** to “Was the grievance appeal form easy or difficult to understand? 46.6 percent responded that it was easy to understand. 12.9 percent responded that it was difficult.

Response Time

- **70.2** percent **agreed that “Supervisors take too long to respond to informal complaints.”** 12.6 percent responded “I don’t know.” 11.7 percent disagreed. 5.4 percent relayed, “The supervisor never responded.”
- **65.8** percent **agreed that “The Institutional Inspector takes too long to respond to a formal grievance.”** 22.8 percent wrote, “I don’t know.” 11.4 percent disagreed.
- **54.4** percent responded **“I don’t know”** to whether the Chief Inspector takes too long to respond to appeals or grievances concerning the Warden or Inspector. 39.5 percent agreed that he takes too long. 6.1 percent disagreed.

Help Needed with Forms

- **60.6** percent responded that they **did not need help filling out any of the grievance forms.** 26.6 percent responded that they needed help and 12.8 percent responded “I have never filed a grievance or informal complaint.”
- When asked, “If you needed help, who helped you?” **51** percent replied that **an inmate helped them.** 29 percent relayed that they have never used any part of the grievance process.
- When asked, “If you have used any part of the Inmate Grievance Procedure, check each part you needed help with,” **36** percent of the respondents relayed that **they never used the grievance process.** 18.9 percent responded that they needed help with the informal complaint. 20.7 percent needed help with all three forms used in the grievance procedure.

Paperwork

- **41.6** percent of the respondents **disagreed with “There is too much paperwork in the grievance process.”** 40.7 percent agreed with the statement, and 17.7 percent replied, “I don’t know.”

Time to File

- **56.1** percent of the respondents **disagreed with “The amount of time to file a grievance is long enough”** or relayed that they do not know how much time is allowed. 43.9 percent agreed that the amount of time to file a grievance is long enough.

Thoroughness of Response

- **68.2** percent **disagreed that “The supervisor clearly addressed all parts of my informal complaint.”** 17.3 percent agreed. 14.6 percent wrote, “I have never filed an informal complaint.”
- As to whether the Chief Inspector clearly addressed all parts of their grievance concerning the Warden or Inspector, **65.7** percent wrote **“I have never filed a grievance**

concerning the Warden or Institutional Inspector.” 22.8 percent disagreed and 11.4 percent agreed.

- **52.3 percent disagreed that “The Institutional Inspector clearly addressed all parts of my formal grievance.”** 30.3 percent wrote “I have never filed a formal grievance.” 17.4 percent agreed.
- As to whether the Chief Inspector clearly addressed all parts of their grievance appeal, **49.1 percent responded, “I have never filed an appeal.”** 35.2 percent disagreed. 15.7 percent agreed.

Fairness

- As to which statement best describes the grievance process, **73.6 percent responded that it is “hardly ever” or “never fair.”** 26.4 percent responded that it is “always fair” or fair “most of the time.”
- **72.2 percent disagreed with “Institutional supervisors resolve complaints fairly.”** 14.7 percent agreed. 13 percent wrote “I don’t know.”
- **65.8 percent disagreed that “Institutional Inspectors resolve grievances fairly.”** 17.5 percent agreed. 16.7 percent wrote, “I don’t know.”
- **64.3 percent responded “I don’t know”** to whether “**The Chief Inspector at Central Office in Columbus resolves grievances concerning the Warden or Institutional Inspector fairly.**” 26.1 percent disagreed. 9.6 percent agreed.
- **59.3 percent responded that their worst chance of having their complaint fairly investigated and resolved is during the informal complaint.** 20.4 percent cited the appeal to the Chief Inspector as their worst chance. 20.4 percent cited the formal grievance as their worst chance.
- **53.9 percent responded “I don’t know”** to “**The Chief Inspector at Central Office in Columbus resolves appeals fairly.**” 32.2 percent disagreed. 13.9 percent agreed.
- **50 percent responded that their best chance of having their complaint fairly investigated and resolved is during the appeal to the Chief Inspector.** 30.4 percent responded that their best chance is in the informal complaint. 19.6 percent responded that their best chance is in the formal grievance.

Good Way to Solve Problems

- **65.2 percent disagreed that, “The grievance process is a good way to solve my problems.”** 34.8 percent agreed.

Usefulness

- **59.7 percent agreed that “Inmate complaints are useful because they alert staff to problems.”** 40.4 percent disagreed.

Win or Lose

- **58.7 percent agreed that “The inmate grievance process is really a win or lose situation.”** 21.1 percent disagreed. 20.2 percent had no opinion.

Grievance Usage

- Of those who **never used any part of the grievance procedure**, **40.5 percent** cited the reason as **“N/A or No Need.”** 38.1 percent cited one or more of the following reasons “Retaliation, Non-Response, Not Taken Seriously, Waste of Time, No Positive Results, Retaliation.”
- **36 percent** responded that they have **only filed an informal complaint** in the past. 27 percent responded that they have used all three steps of the grievance procedure. 20.2 percent have filed an informal complaint and grievance, but no appeal. 15.7 percent wrote “I have never used any part of the grievance process.”

Grievance Procedure Steps

Per Administrative Rule 5120-9-31 inmates may document and report problems or concerns through the use of a three step process known as the Inmate Grievance Procedure (IGP). The first step of the grievance procedure is an Informal Complaint Resolution (ICR), which must be submitted to the supervisor of the staff member who is the direct cause of the complaint. The second step is a Notification of Grievance (NOG), which is filed with the Inspector of Institutional Services (IIS) at the facility. The third and final step is a grievance appeal, which is an appeal to the Chief Inspector at DRC Central Office. Inmates may file original grievances concerning the Warden or the Inspector directly to the Chief Inspector at DRC Central Office.

The following table outlines the timeframe by which an inmate must exercise each step of the grievance procedure as well as the time whereby the staff member must provide a response:

Table 14. Inmate Grievance Procedure Timeframe per AR 5120-9-31

Step of Grievance Procedure	Time Frame for Inmate to File	Time Frame for Staff to Respond
Informal Complaint Resolution (ICR)	14 calendar days of the date of the event giving rise to the complaint	7 calendar days*
Notification of Grievance (NOG)	14 calendar days from the date of the informal complaint response or waiver of the informal complaint step	14 calendar days (The inspector of institutional services may extend the time in which to respond, for good cause, with notice to the inmate)
Grievance Appeal	14 calendar days of the date of the disposition of grievance	30 calendar days (The chief inspector or designee(s) may extend the time in which to respond for good cause, with notice to the inmate)

*If staff does not respond within a reasonable time, inmate is to contact the Inspector. Inspector is to take prompt action to ensure that a written response is provided within four calendar days. If no response is provided by the end of the fourth day, the informal complaint process is waived.

Administrative Rule 5120-9-29 outlines the duties of the inspector of institutional services as follows:

- Facilitate all aspects of the inmate grievance procedure, as established by rule 5120-9-31 of the Administrative Code.
- Investigate and respond to grievances filed by inmates;
- Monitor the application of institutional and departmental rules and policies affecting conditions of incarceration; and report to the warden any noncompliance including recommendations for corrective action;
- Conduct regular inspections of institutional services and serve as a liaison between the inmate population and institutional personnel;
- Review and provide input on new or revised institutional policies, procedures and post orders;
- Provide training on the inmate grievance procedure and other relevant topics;
- Perform other duties as assigned by the warden or chief inspector which do not create a conflict with (top two points)
- Submit all reports, documents, or other forms of accountability of their work to the chief inspector and/or warden as directed

GRIEVANCE STATISTICS

The following table is a breakdown of the institutional grievance statistics for the month of December 2009 as contained in the top sheet of the monthly reports. It states that in 2009, 492 grievances were filed in the year by 295 different inmates. The largest number of grievances filed by one inmate was 22. The Inspector received 35 grievances in the month and received 173 informal complaints. The Inspector receives the informal complaints for monitoring purposes in terms of content and responsiveness of the staff supervisor responsible for answering the informal complaint. Of the 25 grievances investigated and decided by the Inspector in the month, 17 were denied, comprising 68 percent. Eight grievances were granted, comprising 32 percent of the grievance dispositions. Of the eight grievances termed “granted,” in six cases, the problem was corrected, and in the remaining two cases, the problem was noted and a report/recommendation was made to the Warden.

Table 15. MCI Grievances Statistics, December 2009

Grievance Numbers	
Total Number of Grievances Filed During Year	492
Total Number of Inmates Who Filed Grievances During Year	295
Highest Number of Grievances Filed by Single Inmate	22
Grievances on Hand at Beginning of This Period	19
Grievances Received during this period	35
Total	54
Grievances Completed During This Period	25
Grievances on Hand at End of This Period	29
Total	54

ICR Summary				
Number of Informal Complaints Received	173			
Number of Informal Complaint Responses Received	144			
Number of Informal Complaint Responses Untimely	36			
Dispositions				
Granted	White	Black	Other	Total
Granted – Problem Corrected	1	5	0	6
Granted – Problem Noted, Report/Recommendation to the Warden	2	0	0	2
Granted – Problem Noted, Correction Pending	0	0	0	0
Subtotal Granted	3	5	0	8
Denied				
Denied – Insufficient Evidence to Support Claim	2	9	0	11
Denied – Staff Action Was Valid Exercise of Discretion	3	1	0	4
Denied – No Violation of Rule, Policy, or Law	1	0	0	1
Denied – Not within the Scope of the Grievance Procedure	1	0	0	1
Denied – False Claim	0	0	0	0
Denied – Failure to Use Informal Complaint Procedure	0	0	0	0
Denied – Not within Time Limits	0	0	0	0
Subtotal Denied	7	10	0	17
Withdrawn				
Withdrawn at Inmate's Request	0	0	0	0
Pending				
Pending Disposition	16	9	1	26
TOTALS	26	24	1	51
Percent				
Extensions				
14-Day Extensions	13			
28-Day Extensions	0			
Total	13			

A review was made of the monthly grievance reports from January 2009 through March 2010. Since no report was received for March 2009, data for the month is excluded in the tables below. Grievances received per month averaged 44.29 and ranged from 29 in February 2009 to a high of 57 in March of 2010. A total of 620 grievances were filed in the period.

Informal complaints in the period averaged 189.64 per month, ranging from a low of 117 in February 2009 to a high of 280 in August 2009. A total of 2,655 informal complaints were submitted in the period.

Table 16. Number of Grievances and Informal Complaints Received at the Marion Correctional Institution by Month from January 2009 through March 2010 (March 2009 Missing)

Month	Grievances Received	Informal Complaints Received
January 2009	36	177
February	29	117
March	No report	No report
April	42	230
May	41	195
June	37	193
July	47	216
August	46	280
September	57	193
October	50	163
November	36	162
December	35	173
January 2010	54	160
February	53	225
March	57	171
Total	620	2,655
Average Per Month	44.29	189.64
Monthly Range	29-57	117-280

During the period, a total of 626 grievance dispositions were made, with the largest number denied. Specifically, 473 were “denied,” comprising 75.56 percent of the grievance dispositions, and 153 grievances were “granted,” comprising 24.44 percent of the grievance dispositions. As shown in the table below, of the 473 dispositions in which the grievance was denied, the largest number were denied due to “Insufficient Evidence to Support the Claim,” a total of 208 grievance denials comprising 44 percent of the total denials. The second largest group of denied grievances were denied due to a determination that staff action was a valid exercise of discretion, a total of 99 decisions comprising 20.9 percent of all denials. The third largest group of denials totaled 91 and were based on a determination that there was no violation of rule, policy or law, comprising 19.2 percent of the denials. Sixty grievances were denied due to not being within the scope of the grievance procedure. Significantly, only six grievances were denied due to a determination that the grievance was a “false claim,” only five were denied for failing to use the informal complaint procedure and only four were denied for not being within the time limits.

Table 17. Grievance Dispositions Denied by Month from January 2009 through March 2010 with Reason for Denial (March 2009 Missing)

Month	Insufficient Evidence to Support Claim	Staff Action Was Valid Exercise of Discretion	No Violation of Rule, Policy, or Law	Not Within Scope of Grievance Procedure	False Claim	Failure to Use Informal Complaint Procedure	Not Within Time Limits	Total Denied
January	14	5	8	2	0	1	0	30
February	13	3	6	7	0	0	0	29
March	No Report	No Report	No Report	No Report	No Report	No Report	No Report	No Report
April	9	9	6	6	1	1	0	32
May	16	10	7	3	2	0	0	38
June	11	5	3	6	0	0	0	25
July	15	5	7	3	1	0	1	32
August	17	7	9	4	0	0	2	39
September	14	13	7	2	2	0	0	38
October	15	5	7	8	0	3	0	38
November	19	6	7	6	0	0	0	38
December	11	4	1	1	0	0	0	17
January 2010	13	9	7	1	0	0	0	30
February	21	7	8	6	0	0	0	42
March	20	11	8	5	0	0	1	45
Total	208	99	91	60	6	5	4	473
Percent of Those Denied	44.0%	20.9%	19.2%	12.7%	1.3%	1.06%	.8%	100%
Monthly Average	14.9	7.1	6.5	4.3	.4	.4	.3	33.8
Monthly Range	9-21	3-13	1-9	1-8	0-2	0-3	0-2	17-45

As shown below, there were 153 granted grievance dispositions in the period, an average of 10.9 granted grievance dispositions per month, ranging from as low as six in February 2009 to as high as 16 in February 2010. Of the total grievances that were granted, the problem was actually corrected in 98 grievance dispositions, comprising 64.1 percent of the granted dispositions. The second largest group of granted grievances totaled 32, and consists of those in which the problem was noted and a report/recommendation was made to the Warden by the Inspector. Such granted grievance dispositions averaged 2.3 per month. The smallest group of granted grievances totaled 23 and consisted of a decision in which the problem was noted, and the correction is pending. Such granted grievances averaged 1.6 per month.

Table 18. Number of Granted Grievance Dispositions with Status of Problem Correction from January 2009 through March 2010 (March 2009 Missing)

Month	Problem Corrected	Problem Noted, Report/Recommendation to the Warden	Problem Noted, Correction Pending	Total Granted
January 2009	9	4	0	13
February	3	1	2	6
March	No Report	No Report	No Report	No Report
April	4	3	0	7
May	8	5	1	14
June	8	0	3	11
July	6	2	0	8
August	6	1	0	7
September	9	4	2	15
October	7	0	6	13
November	4	2	4	10
December	6	2	0	8
January 2010	10	1	1	12
February	11	3	2	16
March	7	4	2	13
Total	98	32	23	153
Monthly Average	7	2.3	1.6	10.9
Monthly Range	3-11	0-5	0-6	6-16

As shown in the table below, based on a review of the monthly grievance reports in which each grievance is identified by subject, the largest number of grievances pertained to personal property, with 176 grievances comprising 28.34 percent of all grievances.

The second largest number of grievances at the Marion Correctional Institution pertained to Health Care, with a total of 124 grievances comprising nearly 20 percent of their total grievances.

Ranking third and fourth respectively, grievances regarding staff supervision totaled 95 and comprised 15.3 percent of their grievances, while grievances about staff accountability totaled 67 and comprised nearly 11 percent of their grievances. *These top four grievance categories combined comprise 74.4 percent of all grievances at MCI.*

Table 19. Subject Category of Grievances Filed from January 2009 through March 2010 at MCI with Number and Percent (March 2009 Missing)

Grievance Category	Number of Grievances	Percent
Personal Property	176	28.34%
Health Care	124	19.97
Supervision	95	15.30
Staff Accountability	67	10.79
Laundry/Quartermaster	22	3.54
Non-Grievable Matters	21	3.38
Food Services	20	3.22
Inmate Account	17	2.74
Mail/Packages	16	2.58
Job Assignments	11	1.77
Housing Assignment	10	1.61
Dental Care	7	1.13
Library	4	.64
Force	4	.64
Safety and Sanitation	4	.64
Religious Services	3	.48
Commissary	3	.48
Records	3	.48
Recreation	2	.32
Institutional Assignment	2	.32
Education/Voc. Training	2	.32
Legal Services	2	.32
Recovery Services	2	.32
Visiting	1	.16
Facilities Maintenance	1	.16
Security Classification	1	.16
Psychological/Psychiatric	1	.16
Total (14 mos.)	621	100%
Monthly Average	44.36	

The breakdown of grievance categories is provided below, from the largest grouping to the smallest. As shown, of the personal property grievances, nearly 60 percent pertain to personal property that was allegedly lost, damaged or confiscated by staff, and nearly 49 percent of those grievances were “granted,” indicating that the grievance had merit and was corrected or recommended for correction. Another 41 grievances in the category pertain to personal property that was allegedly stolen or damaged by another inmate, most of which were denied. *The number of grievances regarding personal property that was improperly lost, damaged or confiscated by staff would seem to indicate an area in which grievances could be prevented and cost of reimbursement eliminated if measures were taken in staff communication, instruction and training.*

Even the number of grievances regarding personal property allegedly stolen or damaged by another inmate would seem to be an area in which policies, procedures and practices including but not limited to staff supervision could impact the reported problems.

Of the 124 grievances regarding health care, only ten were granted. Considering the subject of the grievances identified below, and considering that so many grievances were found to have no merit, *it is suggested that improved direct communication between the health care staff and the patient could significantly reduce the extent of dissatisfaction, disagreement and perception of error in decisions regarding diagnosis and treatment.*

As shown below, of the 95 grievances pertaining to staff supervision, 30 were granted and 65 were denied. The top three subcategories consist of *unprofessional conduct, harassment and abusive language. This is another area in which focused communication, instruction and training could make a significant impact. The difference observed at Marion Correctional Institution in the attitude and interaction of the administrative staff with the inmates has been described as a cultural difference which sets itself apart from most if not all of the other prisons. The cultural change that is promoted at Marion CI is the exact opposite of unprofessional conduct, harassment and abusive language. Again, the attitude, beliefs and practices that culminate in positive, respectful, and effective interaction with inmates would seem to be an absolute essential component to staff training, especially at Marion Correctional Institution. Marion CI and the Ohio State Penitentiary have both been cited by the CIIC as two Ohio prisons that have experienced true transformation in their history to something far better than their past. In both prisons, the fundamental difference lies in the interaction with inmates. Both prisons are uniquely suited to develop effective staff training that will continue the cultural change that happens also to enhance safety and security.*

Table 20. Number of Grievances Granted and Denied by Subject at the Marion Correctional Institution from January 2009 through March 2010 (March 2009 Missing)

Subject of Grievance	Granted	Denied	Subtotal	Total
Personal Property				
Lost, Damaged, Confiscated by Staff	51	54	105	
Stolen or Damaged by Inmate	9	32	41	
Other	4	13	17	
Lost or Damaged During Transfer	5	3	8	
Denied Permission to Receive/Possess	2	2	4	
Improperly Charged for damaged Clothing	1		1	
Personal Property Total	72	104	176	176
Health Care				
Delay/Denial of Medication	1	26	27	
Disagree with Diagnosis/Treatment	1	20	21	
Improper/Inadequate Medical Care	2	17	19	
Access/Delay in Receiving Medical Care		17	17	
Medical Co-Pay	3	11	14	
Medical Restriction	1	7	8	
Medical Records		6	6	
Medical Aide/Device	2	4	6	
Other		5	5	
Prosthetic Device		1	1	
Health Care Total	10	114	124	124

Subject of Grievance	Granted	Denied	Subtotal	Total
Supervision				
Unprofessional Conduct	12	19	31	
Harassment	8	19	27	
Abusive Language	7	7	14	
Other	1	6	7	
Retaliation for Filing Grievance		6	6	
Retaliation for Voicing Complaints		5	5	
Intimidation/Threats	1	3	4	
Racial or Ethnic Slurs	1		1	
Supervision Total	30	65	95	95
Staff Accountability				
Failure to Follow Policies	5	21	26	
Failure to Perform Job Duties	7	15	22	
Other	1	13	14	
Failure to Respond to Communication	2	3	5	
Staff Accountability Total	15	52	67	67
Laundry/Quartermaster				
Clothing Lost/Not Returned	6	11	17	
Clothing Damaged		2	2	
Improperly Charged for Damaged Clothing	1		1	
Denied Item		1	1	
Other		1	1	
Laundry/Quartermaster Total	7	15	22	22
Non-Grievable Matters				
Rules Infraction Board/Hearing Officer	1	14	15	
Other		5	5	
APA (Parole)		1	1	
Non-Grievable Matters Total	1	20	21	21
Food Service				
Food Portions	1	3	4	
Medical Diet		4	4	
Unsanitary Cooking Conditions		2	2	
Poor Quality		2	2	
Religious Diet		2	2	
Deviation from Menu		2	2	
Other		2	2	
Denial		1	1	
Food Not Properly Prepared		1	1	
Food Service Total	1	19	20	20
Inmate Account				
State Pay	4	4	8	
Court Ordered Collection		3	3	
Funds Lost/Not Posted		2	2	
Other	2		2	
Account Balance		1	1	
Improper Charge	1		1	
Inmate Account Total	7	10	17	17

Subject of Grievance	Granted	Denied	Subtotal	Total
Mail/Package				
Handling of Legal Mail	1	7	8	
Delay/Failure in Delivery		2	2	
Delay/Failure in Sending		2	2	
Denial	1	1	2	
Damaged or Missing	1		1	
Other		1	1	
Mail/Package Total	3	13	16	16
Job Assignments				
Job Assignments		3	3	
Job Removal	1	7	8	
Job Assignments Total	1	10	11	11
Housing Assignment				
Cell/Bed Assignment	3	6	9	
Other		1	1	
Housing Assignment Total	3	7	10	10
Dental Care				
Access/Delay in Receiving Dental Care		3	3	
Delay/Denial of Dentures		3	3	
Other		1	1	
Dental Care Total		7	7	7
Safety and Sanitation				
Handicapped Facilities		3	3	
Other		1	1	
Safety and Sanitation Total		4	4	4
Force				
Use of Force with No Report		3	3	
Reported Use of Force		1	1	
Force Total		4	4	4
Library				
Library Materials		2	2	
Library Hours		1	1	
Other		1	1	
Library Total		4	4	4
Commissary				
Exchange/Refund		2		
Other		1		
Commissary Total		3	3	3
Religious Services				
Services for Particular Faith		1	1	
Religious Materials		1	1	
Other		1	1	
Religious Services Total		3	3	3

Subject of Grievance	Granted	Denied	Subtotal	Total
Records				
Good Time Credit		1	1	
Earned Credit		2	2	
Records Total		3	3	3
Recreation				
Recreation Facilities/Equipment		1		
Other		1		
Recreation Total		2	2	2
Legal Services				
Law Library Hours		1	1	
Legal Reference Materials		1	1	
Legal Services Total		2	2	2
Recovery Services: Drug Testing Procedure		2	2	2
Institution Assignment: Transfer or Denial		2	2	2
Education/Vocational Training: Other		2	2	2
Security Classification: Procedural Issues		1	1	1
Visiting: Visitor Not Approved/Removed from List		1	1	1
Facilities Maintenance: Water Temperature		1	1	1
Psychological/Psychiatric: Other		1	1	1
TOTAL (14 months)	150	471		621
PERCENT	24.4%	75.6%		100%

DRC Follow-Up Communication: While the Inspector continues to have open office hours five days a week and reports seeing from 60-70 inmates per week providing a means for the inmates to have a formal channel of communicating in an informal manner to the executive staff their concerns. Marion will also continue to provide in service training to its staff to ensure they are well versed in inmate rights, and have a clearer understanding of everyday cultural changes that impact the work place.