

CORRECTIONAL INSTITUTION INSPECTION COMMITTEE OHIO GENERAL ASSEMBLY

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TOLEDO CORRECTIONAL INSTITUTION FOLLOW-UP INSPECTION April 29, 2011

On April 29, 2011, CIIC Member Senator Edna Brown, CIIC Director Joanna Saul, Toledo City Council Member Paula Hicks-Hudson, and Lucas County Recorder Jeanine Perry conducted a follow-up inspection of Toledo Correctional Institution. In addition to the concerns from the 2010 biennial inspection, inmates relayed new concerns due to the double-bunking of the facility. During the inspection, the Protective Control Unit, Inmate Dining Hall, and A Block (General Population) were inspected. The following are key findings from the inspection:

- Inmates appeared to be handling the double-bunking well, with no reports of tension or increased assaults. While the cells were certainly small for two men, the space appeared sufficient and manageable, absent reports of increased assaults or tension.
- The most concerning aspect of the double-bunking is the lack of facility resources for the doubled population: inmates pointed out that the washer/dryer machines, telephones, and seating areas were installed with the single-celled population in mind. Now that the population will double in some areas, there is a need for a similar increase in each of these resources.
- The most concerning issue overall is the use of “dorms” in the Protective Control unit. At the time of the inspection, the rooms were empty; however, overcrowding will lead to the use of the rooms. Two of the rooms barely had enough space for one person to turn around; placing four men in the room appears highly problematic. The rooms are in the back corner of the unit, out of the eyesight of the officer. The doors are left unlocked to facilitate access to the restroom, but this also allows inmates to potentially move from one room to another. Furthermore, the Protective Control Unit is specifically for inmates at risk for harm. **While CIIC understands that overcrowding is forcing the DRC to take creative measures, it strongly urges the DRC to reconsider the use of these rooms.**

The following tables display the concerns from the 2010 inspection of the Toledo Correctional Institution and the findings from the 2011 follow-up inspection, as well as recent concerns relayed by inmates. The DRC response to the double-bunking issue is presented at the end.

CIIC Concern: 8/16/10	TOCI Action Plan	Follow-Up: 4/29/11
<ul style="list-style-type: none"> • Insect Infestation: Flies were present in the TOCI Kitchen. Upper range showers in A Block had paper over the vents, reportedly to keep out gnats. 	<ul style="list-style-type: none"> • Outside company specializing in insect control has been contacted and an appointment scheduled for these areas to be treated...The concrete around the Kool Aid area was resurfaced, painted, and new nozzles were purchased for the coolers to prevent leakage. Meals have been monitored. 	<ul style="list-style-type: none"> • When asked, inmates alleged that gnats were still a problem in the showers and kitchen. However, the CIIC inspection team did not see any insects, nor could the inmates produce evidence of insects when asked. • Kool Aid is no longer served in the inmate dining hall area, which likely has reduced the number of insects in the dining hall.
<ul style="list-style-type: none"> • Food Services: The CIIC inspection team had differing opinions on the food; one CIIC member thought the food was tasteless, another thought that the food was fine. 	<ul style="list-style-type: none"> • ToCI staff ate the same meal and found no issues with the taste, warmth, or presentation of the meal. Temperatures were taken of the meal before, during, and after service. 	<ul style="list-style-type: none"> • The CIIC inspection team did not eat a meal on the day of the follow-up inspection; however, the team did observe a meal – fried potatoes, fish, and applesauce – and it appeared appetizing.
<ul style="list-style-type: none"> • Mold in Showers: Several showers in A Block had mold surrounding the metal fixtures. Staff appeared to be unsure whether and how they could obtain bleach. 	<ul style="list-style-type: none"> • The mildew that is soaked into the caulking surrounding the metal fixtures is scheduled to be removed and replaced with new caulking. Staff are being reeducated on the proper chemicals that can be used to clean the showers to prevent the mildew from occurring. A “Bleach Procedure” was placed in every unit to ensure staff is aware how and when they can request bleach for their unit. 	<ul style="list-style-type: none"> • Ongoing Concern. Several showers were observed to still have the mildew surrounding the metal fixtures. <ul style="list-style-type: none"> ➤ Staff said that they are still in the process of recaulking the fixtures. • Ongoing Concern. An unprompted inmate concern in the Protective Control Unit was the lack of cleanliness in the showers and the “watered down” chemicals provided. Staff were unaware of any “Bleach Procedure” and also stated that the

		<p>chemicals were watered down.</p> <ul style="list-style-type: none"> ➤ Administrative staff relayed that bleach is no longer being used because the chemicals that they purchase from OPI do a better job of cleaning than bleach. ➤ Administrative relayed that showers are sprayed down twice per day with a strong disinfectant/cleaning agent. ➤ Administrative staff agreed to check the strength of the chemicals used in the PC unit to ensure they are the same strength.
<ul style="list-style-type: none"> • Segregation: Several inmates relayed that they had been held in segregation without a conduct report. Staff relayed that the institution has been forced to keep inmates in segregation because general population (GP) beds are full. 	<ul style="list-style-type: none"> • At times inmates may spend a few extra days beyond their segregation release date. When this happens, it is monitored and inmates are released as soon as GP beds become available. TOCI is in weekly contact with the Bureau of Classification regarding the GP bed space. 	<ul style="list-style-type: none"> • Staff relayed that adding more GP beds has helped. On the day of the follow-up inspection, the total count in segregation was 122, out of a total capacity of 186.
<ul style="list-style-type: none"> • Protective Control Unit: Multiple inmates relayed concerns regarding food prep and alleged that Food Services workers “mess” with the food. Inmates were also concerned regarding their privileges and relayed that they had limited programming and no inmate groups. 	<ul style="list-style-type: none"> • Food trays are prepared by GP inmates. They are monitored by staff. The Inspector observed meal prep and delivery and did not find any evidence to the allegation. • The PC Unit does provide limited 	<ul style="list-style-type: none"> • When asked, a PC inmate relayed that this is still a problem and that it has happened “several times” in 24 months; however, he could not identify the most recent time. An officer who had worked the unit for the previous two weeks said that he was not aware of this occurring during the two week

	<p>programming, including Recovery Service, Mental Health, and Religious programming. Unit staff will also introduce programs via video so that all security level offenders will have access.</p>	<p>timeframe.</p> <ul style="list-style-type: none">• Ongoing Concern. An unprompted inmate concern was the lack of programming in the PC unit. Video programming had not been implemented at the time of the follow-up inspection.<ul style="list-style-type: none">➤ Staff relayed that video programming will not be implemented because the recent closure of the ToCI Camp has resulted in additional staff moving inside the compound, who will be able to provide programming.➤ Staff relayed that PC inmates recently completed Money Smart and that they are also offered Victims Awareness.
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RECENT CONCERNS RELAYED BY INMATES
February-April 2011

Since its construction, Toledo Correctional Institution has been a single-bunked Level 3 (close) security facility, meaning that only a single inmate was placed in a cell. As discussed in the DRC response below, the institution was tasked in Fall 2010 to develop a plan to double-bunk, meaning that two inmates were placed in a cell. The double-bunking began in late February/early March, at which point inmates began to send letters to CIIC to relay serious concerns regarding the double-bunking process and the effects on the inmate population. The following table displays the summarized concerns relayed by inmates to CIIC, as well as the information obtained during the follow-up inspection.

Inmate Concern	Inspection Follow-Up																					
<ul style="list-style-type: none"> Violence has started due to double-bunking 	<ul style="list-style-type: none"> According to DRC information provided on-site, ToCI issued 104 conduct reports for assaults/fighting in 2010. As of the date of the follow-up inspection, it had issued 28 in 2011. According to staff, there has not been a perceptible increase in inmate-on-inmate assaults; however, inmate-on-staff assaults reportedly increased. The following lists the monthly breakdown for assaults: <table style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Month</th> <th style="text-align: center;">Inmate-on-Inmate</th> <th style="text-align: center;">Inmate-on-Staff</th> </tr> </thead> <tbody> <tr> <td>November</td> <td style="text-align: center;">0</td> <td style="text-align: center;">3</td> </tr> <tr> <td>December</td> <td style="text-align: center;">2</td> <td style="text-align: center;">8</td> </tr> <tr> <td>January</td> <td style="text-align: center;">2</td> <td style="text-align: center;">9</td> </tr> <tr> <td>February</td> <td style="text-align: center;">0</td> <td style="text-align: center;">3</td> </tr> <tr> <td>March</td> <td style="text-align: center;">1</td> <td style="text-align: center;">8</td> </tr> <tr> <td>April</td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> </tr> </tbody> </table> 	Month	Inmate-on-Inmate	Inmate-on-Staff	November	0	3	December	2	8	January	2	9	February	0	3	March	1	8	April	1	1
Month	Inmate-on-Inmate	Inmate-on-Staff																				
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<ul style="list-style-type: none"> Two showers in Housing Unit A range two do not work 	<ul style="list-style-type: none"> According to DRC information provided on-site, seven of the 40 shower rooms have been completed for maintenance. 																					

	<ul style="list-style-type: none"> The CIIC inspection team asked inmates in each pod of A Block whether the showers worked. Inmates said that they did, although they stated that the water pressure is low and that the showers run out of hot water.
<ul style="list-style-type: none"> Only two of the three washing machines work and they take weeks to fix 	<ul style="list-style-type: none"> The CIIC Inspection team asked inmates in each pod of A Block whether the washing and drying machines worked. Inmates said that they worked; however, some of the dryers did not sufficiently dry and some of the washing machines did not have a functioning spin cycle, meaning inmates had to wring out their clothes.
<ul style="list-style-type: none"> Inmates now only have ten minutes to eat instead of twenty 	<ul style="list-style-type: none"> DRC staff relayed that inmates have a mandatory twenty minutes to eat; however, if an inmate is finished with his meal, he is generally asked to leave.
<ul style="list-style-type: none"> Quartermaster does not have sufficient clothing for the inmates 	<ul style="list-style-type: none"> DRC staff relayed that no grievances have been received on this issue. In addition, staff relayed that the “ToCI Quartermaster continues to operate with adequate clothing supplies. All inmates are issued the proper clothing amounts upon arrival at the facility.”
<ul style="list-style-type: none"> Medical Services cannot handle increased inmate caseload 	<ul style="list-style-type: none"> According to DRC information provided on-site, there is no nursing backlog as of April 29, 2011. 139 inmates are on backlog for Doctor’s Sick Call. By way of explanation, DRC staff stated that the nurse practitioner position has been vacant for six weeks and that a contract nurse practitioner is scheduled to begin May 2.
<ul style="list-style-type: none"> Inmates on top bunks receive only a cardboard rather than a locked box to store personal property 	<ul style="list-style-type: none"> DRC staff stated that this is not true. Furthermore, the CIIC inspection team observed a double-bunked cell, which had two metal locker boxes in the cell.

DRC RESPONSE TO DOUBLE-BUNKING CONCERN

ToCI was given the task by the Operation Support Center to review the facility for possible double bunking in October 2010. ToCI conducted several reviews regarding the materials that would be needed in order to double bunk the facility. The review included the following categories:

1. Cell Modification Requirements (including size and accommodations)
2. Increased Offender Needs (to include clothing, food production, utilities, etc.)
3. Operation Impact (to include feeding schedules, commissary schedules, recreation schedules, programming requirements, staffing issues, etc.)
4. Comparison to Other Level 3 facilities that are double bunked

Throughout this process, all factors were taken into consideration regarding doubling the offender population and the impact the added population would have on quality of life issues for offenders and staff safety concerns. This double bunking report was submitted at the Operation Support Center's request for review and approval. Approval was given for portions of the plan and the double bunking process began in February 2011. Throughout this process the Operation Support Center has been aware of the operational needs that are required for the double bunking process and is in communication with the facility to adjust its implementation.

It should be important to note that this process has been a gradual one, in order to slowly ease our current inmate population to become accustomed to the change. The Operation Support Center has set a target of an additional 200 to 300 offenders within our "first wave" of new inmates.

According to OSC, there will be a break in transfer of new inmates in order to allow time for the current offender population to adjust. Within the last 60 days, TOCI has received an additional 256 inmates to bring TOCI's current population to 1204 (not including offenders who are out to court). The 256 offenders have been dispersed throughout the 3 main housing unit blocks so that the population is not concentrated in one area. Because of this, only a select few housing units have been double bunked. Of the ten offenders who wrote to the CIIC regarding their complaints about the double bunks, none of the offenders are currently living in a pod that is double bunked, nor do they have a cellmate.

In terms of comparison to other Level 3 facilities, it should be emphasized that ToCI is the last Level 3 prison to be double bunked. At all other Level 3 facilities, offenders do have cellmates. As stated, ToCI did review and compare these other facilities to our own when looking at quality of life issues. Below are some facts to compare ToCI to other Level 3 facilities in terms of cell space, etc.

INSTITUTION	CELL SIZE	DAYROOM SIZE
TOCI	66.75 square feet	3370 square feet – 96 inmates
LECI	62.4 square feet	2275 square feet – 248 inmates 1879.5 – 248 inmates 2794.5 – 296 inmates
TCI	80 square feet	74 square feet – 120 inmates
MANCI	70 square feet	Unknown

In terms of the allegations that ToCI has encountered an increase in violence since increasing our offender population, below are some statistics:

	2010	2011
R19 (fighting) convictions	104	28
Inmate on Inmate Assaults	29	7
Inmate on Staff Assaults	20	10

According to the numbers, violence has not spiked within the last 60 days upon receiving the additional inmates, when it comes to violence between inmates.