



**FACILITY AUDIT**  
OPERATIONAL AND POLICY COMPLIANCE

**STRUTHERS CITY JAIL**  
ADMINISTRATION OF STRUTHERS, OHIO

**PRESENTED TO:**

**TERRY P. STOCKER, MAYOR**  
**CITY OF STRUTHERS, OHIO**

**SEPTEMBER 07, 2016**

**Robert B. Pace**  
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September 07, 2016

Mr. Terry P. Stocker, Mayor  
City of Struthers, Ohio  
6 Elm Street  
Struthers, Ohio, 44471

**Reference: Facility Compliance Audit, Struthers City Jail**

Dear Mayor Stocker:

Please find the attached document for your review concerning the facility audit of the Struthers City Jail, conducted between March 24, 2016 and May 18, 2016. The numerous findings and recommendations are intended to support your ongoing executive supervision of the facility and provide functional options for consideration. In addition, I've included an Addendum to this report that contains the Planning Team results from the Administration Building Access and Security Project that you initiated in June, 2016.

This report, although thoroughly researched by the consultant, is a reflection of the many individuals and officials who generously shared their time, perspectives and experience during the course of the audit. It truly represents a "City of Struthers" collaboration, which I am grateful to have been a part of.

Thank you for giving me the opportunity to work with you on this important initiative. Please feel free to contact me should you have questions or need additional information.

Sincerely,



Robert B. Pace

Robert Pace, Principal

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Strategic Planning



Project Management



Quality Assurance

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## **FORWARD**

On February 17, 2016, I was retained by attorney John Travis [Gallagher Sharp, LLP] to research, review and provide my professional opinion as a corrections expert regarding the circumstances involving the confinement and subsequent death of Mr. Peter Bugno in the Struthers City Jail. I was specifically asked to examine the policies, procedures, protocols and practices of the facility and assigned employees as they were applied and documented during the incarceration of Mr. Bugno, on September 10, 2015.

In addition to the above, I was asked to compare operational life-safety and security practices at the Struthers City Jail with established professional standards in the field of corrections. The audit and evaluation process included an examination of relevant documentation [i.e., case files, facility records, Ohio Minimum Jail Standards, inspection reports, administrative documents] as well as an onsite review and informal audit of the facility. Attorney Travis provided me with incident reports to begin my review.

On Friday, February 26, 2016 I met with Mayor Terry Stocker, Public Safety and Service Director Eddie Wildes and Police Chief Tim Roddy at the Struthers Administration Building to begin my onsite review of the incident, obtain relevant documentation and tour the Struthers City Jail facility.

On Tuesday, March 1, 2016 I met with attorney John Travis in his office to review and discuss my findings and professional opinions concerning the confinement death of Mr. Bugno. Mr. Travis provided me with additional documentation relating to the incident of September 10, 2015, and requested that I contact him, via telephone, to discuss the events and findings further.

On Monday, March 14, 2016, I contacted attorney Travis and shared my professional findings and opinions with him as they related to the review of all relevant documentation and Struthers City Jail operations.

All contact with Mr. Travis was conducted via telephone, email or in-person. No report was requested or provided concerning my review.

## **EXECUTIVE SUMMARY**

Although the original scope of this project was to audit the Struthers City Jail and provide recommendations concerning its performance and mission, at the request of Mayor Stocker, a second phase was initiated in June, 2016 to review Administration Building security and functional processes, to provide a [more] comprehensive assessment of total systems needs. This report contains professional observations from the consultant, in addition to valuable perspectives and suggestions from a wide variety of city and community stakeholders.

Although the Struthers City Jail has been classified by the State of Ohio as a 12 Day Jail, on June 01, 2016, Mayor Stocker modified its scope to that of a "Holding Facility," with a length-of-stay not to exceed six [6] hours. The two [2] jail utilization options outlined in this report for the near-term future [Q4, 2016; Q1, 2017] are as follows:

1. Request a reclassification from the State of Ohio, through the Bureau of Adult Detention, to a Temporary Holding Facility [THF], to be effective no later than January 01, 2017. The Struthers THF should be operated with restrictions, as outlined in Section 2 of this report, until operational improvements are made.

[or]

2. Develop and implement a plan to close the Struthers City Jail, to be effective no later than January 01, 2017. Such a plan would take into consideration confinement alternatives, Administration Building security, Municipal Court operations and criminal justice system interactions.

The three [3] recommendations for a continued review of Administration Building security and systems for the near-term future [Q4, 2016; Q1, 2017] are as follows:

1. Redefine and control access [ingress and egress] to the building.
2. Install Video and audio monitoring systems for access to the building.
3. Initiate Risk Assessments for the Boiler Room, Telephone Room and Dispatch Room and develop a plan for remediation of area and building hazards.

**E**

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# BACKGROUND

## Project History

In March 09, 2016, I spoke, via telephone, with Mayor Terry Stocker regarding consulting services that I might provide to the City of Struthers concerning their jail facility. We discussed the city jail and his interest in evaluating its operational compliance with correctional best practices. Mayor Stocker and I subsequently met in his office on March 18, 2016, at which time he shared his perspectives on three [3] areas of interest, as follows:

1. The need to **conduct a facility audit** to ascertain the assets and liabilities of the **Struthers City Jail**;
2. The need to **review operational protocols, procedures and practices** to evaluate compliance with existing professional standards and best practices;
3. The need to **identify and assess options for jail facility classification** and use for the near-term future.

On March 23, 2016, Struthers City Council, at the request of Mayor Stocker, approved an **Emergency Ordinance [#16-007]** authorizing a professional services agreement with **Robert Pace** to provide recommendations and an action plan concerning the operations of the Struthers City Jail.

On March 24, 2016, I met with Mayor Stocker to finalize the **scope of services, project timelines and project deliverables** for the above-referenced professional services agreement. It was decided that I would present those project options to members of Struthers City Council on **March 30, 2016**.

## AUDIT:

A systematic review, conducted by an outside person, to assess compliance with established standards.

## **BACKGROUND**

### **Project Methodology**

The methodology I utilize when conducting an audit involves a **comprehensive literature/documentation review**, intensive **interviews with staff and personnel** representing all functions of the operation and a **physical inspection of all facility and building spaces**. The process of accessing relevant documents was initiated in **February, 2016**, during my review of the **Bugno suicide of September 10, 2015** - and included all official reports concerning the critical incident, in addition to investigative reports from internal and external sources. The process of collecting relevant documentation continued throughout the consulting period [Note: All documents referenced in this report are included in **Appendix 2 of the Master Report**].

I initiated interviews with **Struthers police department** patrolmen and supervisors on **March 29th & 30th, 2016**, and continued interviewing stakeholders through **May, 2016**. On **March 30, 2016**, I asked **Captain Richard Deem [Ret.]** to assist in interviewing patrolmen and supervisors because of his 35 years experience as a policeman, Jail Administrator and Captain.

The initial **timeline** for completion of the consulting project encompassed a **fourteen [14] day schedule** - as **mayor Stocker** and I had hoped to have options and recommendations presented to elected officials by **April 30, 2016** [see **March 20th email to John Travis/ Appendix 1**], but we subsequently agreed to extend the original schedule to provide more time to complete the important and complex tasks of the audit.

Captain Richard Deem retired from Fairview Park, Ohio Police Department after 35 years as a police officer, Jail Administrator and Captain. He interviewed numerous Struthers Police patrolmen and supervisors, in addition to inspecting the city jail and reviewing facility procedures.



## **BACKGROUND**

### **Project Table of Documents**

Although additional documents from those on this list were reviewed for purposes of the audit, the following are considered the core resources from which information was obtained concerning operational procedures for the **Struthers City Jail**. Each of these documents is contained in **Appendix 2 of the Facility Audit Master Report**.

1. **Minimum Jail Standards for Jails in Ohio [12 Day Jails / 2005, 2016];**
2. **Temporary Holding Facility Guidelines and Requirements [January, 2003];**
3. **Ohio Court Security Standards [Ohio Supreme Court, 1994];**
4. **NFPA 101: Life Safety Code, 2015 Edition;**
5. **2014 Annual Jail Inspection / Bureau of Adult Detention [Struthers City Jail];**
6. **ODRC Jail Inspection Correspondence / 2014 Annual Jail Inspection;**
7. **Struthers Police Department Policy Manual [#902, #903, #904, #909 #916, #918];**
8. **Struthers Police Department Policy Manual [#208];**
9. **Agreements Between the City of Struthers and FOP/#41 [Captains & Patrolmen];**
10. **Struthers Police Department Daily Jail Log[s], September 9 & 10, 2015;**
11. **OAG/BCI Investigative Report [Peter Bugno];**
12. **Report of Autopsy / Coroner's Findings [Theresa Valek, Mahoning County];**
13. **Ohio Uniform Incident Reports [Peter Bugno Arrest & Suicide, Struthers PD];**
14. **Struthers Police Incident Reports [September 10, 2015 / Peter Bugno];**
15. **Ohio Revised Code Chapter 737.02; ORC Chapter 737.06;**
16. **Ohio Revised Code 5120.10 and Ohio Administrative Code 5120:1-7-01.**

## **BACKGROUND**

### **Project Outreach**

Although the **Struthers Jail Audit** project was initiated and defined by **Mayor Terry Stocker**, numerous elected officials and stakeholders were instrumental in refining its scope and providing significant support for its positive outcomes. The city jail operates as part of a larger building envelope and operation, just as the **Struthers Court and Police Department** are components of complex criminal justice and law enforcement systems. During the course of the audit I reached out to numerous individuals and agencies for assistance - often in the form of meetings and interviews, in addition to status presentations to share project scope and deliverables. **Note: Copies of slides from all presentations are contained in Appendix 3 of the Master Report.**

**Mahoning County Sheriff Jerry Greene** and numerous members of his staff were instrumental in providing important mentoring and expertise, contributing to improved arrest and confinement protocols for **Struthers Court and Police Department**;

**Judge James Lanzo** and his experienced and professional court team provided invaluable assistance in working on criminal justice issues;

**Struthers City Council**, especially **Mike Patrick** and **Jim Kosek**, were major contributors to the planning and development of the audit project;

**Auditor Christina Bohl** provided constant support, advice and leadership throughout the project;

**Struthers officials, police and city employees** were an invaluable source of information and collaboration from the project's inception;

**Marian Kutlesa** provided the special gift of **Struthers city history**.

## BACKGROUND

### Facility Mandates

Confinement facilities, regardless of type or classification, have three major responsibilities, as follows:

1. Maintain occupant life safety, including that of inmates, staff and visitors;
2. Provide facility security, including the prevention of, and effective response to, assaults, escapes, contraband and other events that threaten safety and good order;
3. Manage operational efficiency, to maximize the cost-effective and diligent performance critical to high security residential facilities.

To effectively evaluate compliance with the above, this audit will divide all operations into **three [3] functional categories**:

**PEOPLE:** Those individuals who provide direct or indirect support and services to the jail facility, including **Struthers Police Department staff, city administrators and employees**, and those with **access to the city jail**, but **not affiliated** with the **City of Struthers** [eg. police officers from outside agencies];

**PLANS:** Any documentation that provides **statutory, administrative or operational direction** [state standards, policies, procedures, training plans, forms, reports, etc.];

**PLACE:** All physical locations within the **Struthers city jail**, all **direct & support fixtures and equipment** and any locations that **affect, and/or support jail functions** [eg. **boiler room, telephone room, Struthers courtroom, building envelope**, etc.].

### ORC 341.01

... shall keep such persons safely, attend to the jail, and govern and regulate the jail according to the minimum standards for jails in Ohio promulgated by the department of rehabilitation and correction.

## BACKGROUND

### Facility Classification

The State of Ohio, through its Division of Parole and Community Services, is responsible for the creation of “Standards for Jails in Ohio,” in addition to its responsibility to inspect all jail facilities to ensure minimum standards compliance [ORC 5120.10 and OAC 5120: 1-7-01]. To that end, four [4] sets of minimum standards and guidelines have been promulgated for county and city jails in Ohio; including, [1] Full Service [facilities holding inmates for more than 288 hours], [2] Twelve Day [facilities holding inmates for a maximum of 288 hours], [3] Twelve Hour [facilities holding inmates up to twelve hours], and [4] Temporary Holding Facilities [facilities holding inmates up to six hours].

Those standards deemed requirements for purposes of daily operations and annual inspections are described as, “Essential,” and “Important,” and are defined by the State of Ohio, as follows:

**Essential:** These jail standards have been designated to directly support the life, safety and health of jail inmates, employees, contract employees and volunteers. All full service and minimum security jails must comply with all essential jail standards.

**Important:** These jail standards have been designated to support good correctional practices in training, operations, inmate services, physical plant, safety and emergency procedures, sanitation, food service, inmate rules and discipline and other areas that address good correctional practice. All full service and minimum security jails shall comply with 90 percent of all Important Standards.

As of the beginning of this audit project, the Struthers City Jail was classified and operated as a Twelve Day facility. At the time of the audit, the most recent inspection by the Bureau of Adult Detention, for which a report was available, was completed on December 23, 2014. The results and consequential actions are as follows:

## BACKGROUND

### Annual Jail Inspection, Struthers City Jail [2014]

On December 23, 2014, State Jail Inspector Joel Commins inspected the Struthers City Jail with Police Chief Tim Roddy. In total, sixty-four [64] standards [12 Day Jails, 2005] were included in the compliance review, with a finding of **twenty-eight [28] standards that were not in compliance.** Those **Important and Essential** minimum standards that were considered [either] out of compliance, or in need of remedial action, were as follows:

**5120: 1-10-01 [A][06] Preliminary Health Screening Training [Essential]** - Minimum Standards require that employees conducting a preliminary health screening be trained by a qualified health care professional. Training documentation is required.

**5120: 1-10-03[A][05] Two-Way Communication System [Essential]** - Minimum Standards require that a communications system between the inmate/prisoners and the facility staff be established and operable.

**5120: 1-10-03 [B][07] Observation Checks of Inmates/Prisoners [Essential]** - Minimum Standards require that security checks be conducted, on an irregular basis, **no less than every sixty [60] minutes.** Observation checks must be documented.

**5120: 1-10-05 [L][2] Fire Drills [Essential]** - Minimum Standards require that fire drills shall be conducted every three months on each shift.

**5120: 1-10-09 [O] Suicide Prevention Training [Essential]** - Minimum Standards require that employees receive training on suicide prevention and ideation.

**5120: 1-10-17 [D][02] Staffing Plan [Essential]** - Minimum Standards require a plan that includes assignments [days and hours] for employees assigned to jail duties.

**5120: 1-10-18 [A][B] Staff Training [Essential]** - Minimum Standards require new hire, annual and in-service training on legal issues, facility policies and procedures and emergency preparedness for all employees. Certificates of completion must be maintained.

**Note:** Due to the physical age, problematic [linear] design, limited staffing and building support issues, compliance with these standards is critical to maximizing life safety in the facility.

## BACKGROUND

### **Annual Jail Inspection, Struthers City Jail [2014] - *continued***

The State of Ohio, through the Division of Parole and Community Services and the Bureau of Adult Detention notified the City of Struthers [see correspondence from Jail Inspector Joel Commins to Chief Roddy; March 27, 2015] that the Struthers City Jail failed to comply with a total of twenty-eight [28] Minimum Jail Standards during the inspection on December 23, 2014. [Note: that number represents the seven previously referenced Essential standards, in addition to twenty-one non-Essential standards]. The correspondence was an official record of the inspection results, as well as a request for action plans to remediate the compliance issues. Two additional attempts were made by Jail Inspector Joel Commins and Assistant Administrator Jon Radebaugh to Chief Roddy for said action plans, with no record of response from the City of Struthers.

As a result of the continued compliance issues, the City of Struthers was notified on August 14, 2015 that it was classified as a "Status Jail" for the 2014 inspection cycle - meaning that it had officially failed its annual inspection [see correspondence from Assistant Administrator Jon Radebaugh and Administrator John Adams to Chief Roddy].

**Note:** Although the 2015 Annual Jail Inspection of the Struthers City Jail was not available when I began my facility audit, I have since obtained a summary copy for review. The Inspection was completed on December 1, 2015, and the report from the Bureau of Adult Detention was sent to the City of Struthers on January 5, 2016 [see correspondence from Inspector Commins to Chief Roddy]. In summary, the number of non-compliant standards totaled eight [8], including four [4] Essential Standards - all of which had been previously identified in the 2014 Inspection Report as non-compliant: 5120: 1-10-03[A][05] Two-Way Communication System, 5120: 1-10-03[B][07] Observation Checks, 5120:1-10-03 [B][13][f] Key Control, 5120: 1-10-05 [L][2] Fire Drills.

In addition, this consultant could find no record of remediation or compliance with Essential Standards from the 2014 Inspection concerning Preliminary Health Screening, Suicide Prevention Training, [facility] Staffing Plan or Staff Training.

## **BACKGROUND**

### **Facility Audit Summary [March 18, 2016 - May 26, 2016]**

Beginning with my initial review of City of Struthers documents and reports [February, 2016] concerning the **Peter Bugno suicide of September 10, 2015**, and continuing with my initial tour of the **Struthers City Jail on March 18, 2016** [accompanied by Mayor Stocker, Director Wildes and Chief Roddy], it was apparent that the facility, both physically and operationally, was **not in compliance** with numerous **Essential and Important Minimum Jail Standards for 12 Day Jails [5120: 1-10]**. As I continued to conduct the facility audit in **March [24, 29, 30, 2016], April [4, 5, 6, 8, 13, 14, 19, 20, 26, 27, 28, 2016]** and **May [4, 11, 17, 18, 19, 26, 2016]** with **on-site visits, document reviews and employee & stakeholder interviews**, I observed that the City of Struthers was operating its jail with consistent disregard to prevailing Minimum Jail Standards. Although the total number of standards not complied with is significant, the following are of greatest concern to this consultant:

**5120: 1-10-01 [A][06] Reception and Release [Essential]** - Minimum Standards require that **employees conducting a preliminary health screening be trained by a qualified health care professional**. Training documentation is required.

**5120: 1-10-03 [A][1-3] Security [Essential]** - Minimum Standards require physical limitations concerning the security perimeter and booking and release area and protocols for temporary weapons storage **[including ammunition]**.

**5120: 1-10-03[A][5] Security [Essential]** - Minimum Standards require that a **two-way communications system** between the inmate/prisoners and the facility staff be established and operable.

**5120: 1-10-03[A][6] Security [Essential]** - Equipment used to **maintain utilities, communications, security and fire safety** should be available and tested quarterly.

## **BACKGROUND**

### **Facility Audit Summary [March 18, 2016 - May 26, 2016] - *continued***

**5120: 1-10-03 [B][1, 4, 5] Security [Essential]** - Minimum Standards require the Jail Administrator authorize and control jail security equipment and devices, and supervise and document training of same. Policies and Procedures concerning an emergency operations plan must be available, and all jail staff trained on same.

**5120: 1-10-03 [B][7] Security [Essential]** - Minimum Standards require that personal observation checks of prisoners be conducted, on an irregular basis, at least once every sixty minutes. Observation Checks must be documented.

**5120: 1-10-04 [G][6] Housing [Important]** - Minimum Standards require policies, procedures and training concerning the correct use of security key controls.

**5120: 1-10-05 [L][2] Sanitation and Environmental Conditions [Essential]** - Minimum Standards require that fire drills shall be conducted every three months on each shift. Jail exits must be clear for evacuation and emergency illumination and signage in place.

**5120: 1-10-09 [O] Medical [Essential]** - Minimum Standards require that employees receive training on suicide prevention and ideation.

**5120: 1-10-17 [D][02] Staffing [Essential]** Minimum Standards require a plan that includes assignments [days and hours] for employees assigned to jail duties.

**5120: 1-10-18 [A][B] [Essential] Staff Training** - Minimum Standards require new hire, annual and in-service training on legal standards, facility policies and emergency preparedness for all employees. Certificates of completion must be available.

Regarding each of the preceding Minimum Jail Standards, non-compliance compromises facility life-safety and facility security mandates, putting all occupants at risk and exposing the City of Struthers and its employees to increased professional and personal liability.



## BACKGROUND

### Struthers City Jail [Options]

After extensively interviewing stakeholders, reviewing facility documentation and conducting a thorough physical audit of the jail and its functional surroundings [Administration Building envelope and mechanical infrastructure], in my professional opinion, the decision regarding Struthers City Jail's near-term and future classification comes down to a choice between two distinct options:

1. **Initiate improvements & provide resources for the physical space**, staffing plan, policy directives and facility supervision [line staff, Captain rank, Jail Administrator and Safety-Services Director], after which the city jail can be operated as a [restricted] **Temporary Holding Facility**, [or]
2. **Close the facility to all inmates/prisoners** and make alternate arrangements for confinement housing, in addition to implementing a comprehensive **building security plan for City Hall** on days when **Municipal Court** is in session.

The compelling logic behind these two options has to do, primarily, with the **operational challenges, financial costs and inherent legal liability** associated with operating a [50+ year old linear-design] city jail. The efforts to adequately staff and fund a full service confinement facility are enormous, and compliance with any of the **Ohio Minimum Jail Standards** is a significant administrative and legislative responsibility - invariably competing for scarce municipal resources. In addition, the City of Struthers has a clear record of Minimum Standards non-compliance concerning its jail, going back [at least] to the **2014 Annual Inspection** by the Bureau of Adult Detention. Such a record only complicates its risk of vicarious liability.

In this consultant's opinion, attempting to operate, and comply with Minimum Standards, for a **12 Day, 12 Hour** or [unrestricted] **Temporary Holding Facility** would require unrealistic time and funding resources, and could potentially increase the existing legal exposure for the City of Struthers and its stakeholders.

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## RECOMMENDATIONS

### STRUTHERS [restricted] TEMPORARY HOLDING FACILITY [rTHF]

Should the City of Struthers decide to operate a Temporary Holding Facility [THF], it is recommended that the following actions be taken prior to utilizing the facility to house prisoners:

[rTHF] 1. The Mayor's Office and the Director of Public Safety should contact the Ohio State Jail Inspector [Joel Commins] for the Bureau of Adult Detention [BAD] and inform him of the City's intention to classify its jail as a Temporary Holding Facility [THF]. The correspondence should include tentative dates for said classification and request information and direction concerning same. It should be requested that all correspondence/communication concerning the Struthers Holding Facility be directed to the Mayor, Safety Director and Police Chief.

#### Requirements / Rationale:

ORC Section 5120:10, ORC Section 733.03, ORC Section 737.02, ORC Section 737.06

[rTHF] 2. The Mayor, Director of Public Safety and Police Chief should designate Captains/Turn supervisors to oversee operations of the Struthers THF, and provide them with the necessary training, resources and supervision to fulfill those attendant responsibilities. All Captains, Patrolmen and Dispatchers should receive a copy of the Temporary Holding Facility Guidelines and Requirements promulgated by the Bureau of Adult Detention, and the Captains should complete the Self Audit Form contained therein. Completed Self Audit Forms should be submitted to the Police Chief, Director of Public Safety and Mayor for review.

#### Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06, Captains Unit Agreement [FOP Lodge 41], Chief of Police Job Description [Struthers Police Department Policy 208], Captain Job Descriptions [City of Struthers General Orders, Struthers Police Department Policy 208]

## RECOMMENDATIONS

### STRUTHERS [restricted] TEMPORARY HOLDING FACILITY [rTHF]

Should the City of Struthers decide to operate a Temporary Holding Facility [THF], it is recommended that the following actions be taken prior to utilizing the facility to house prisoners:

[rTHF] 3. All Struthers Police Department Policies relating to custody or confinement of prisoners [Lexipol; Custody: 900-922] should be reviewed and revised for accuracy, applicability and compliance with THF Guidelines and Requirements. All staff and employees who may be assigned to duties in the Struthers THF shall be provided written copies of referenced Policies and [THF] Requirements and trained on same. In addition, operational Procedures for implementing the revised Struthers THF Policies [Custody] should be developed by the Captains and submitted to the Police Chief, Director of Public Safety and Mayor for review.

#### Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06, Captains Unit Agreement [FOP Lodge 41], Chief of Police Job Description [Struthers Police Department Policy 208], Captain Job Descriptions [City of Struthers General Orders, Struthers Police Department Policy 208], Patrolman's Unit Agreement [FOP Lodge 41], THF Guidelines and Recommendations [THF.1: a. - o.]

[rTHF] 4. No person should be allowed or authorized access to the Struthers THF, unless they have received assignment by a Captain [or higher rank] and training compliant with [THF] Requirements and Struthers Police Department Policies and Procedures [Custody].

#### Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06, Chief of Police Job Description [Struthers Police Department Policy 208], Captain Job Descriptions [City of Struthers General Orders, Struthers Police Department Policy 208].

## RECOMMENDATIONS

### STRUTHERS [restricted] TEMPORARY HOLDING FACILITY [rTHF]

Should the City of Struthers decide to operate a Temporary Holding Facility [THF], it is recommended that the following actions be taken prior to utilizing the facility to house prisoners:

[rTHF] 5. A physical space [room] to provide for documentation, supplies and equipment used in THF operations should be designated and prepared. Emergency equipment [fire extinguisher, ligature cut-down tool, AED, first aid kit, department radio, portable telephone, breathing masks, headlamps, key control cabinet, restraints/ handcuffs, leg shackles, etc.] should be located in this “THF Duty Office.” In addition, electrical and computer equipment necessary to support THF operations should be located in this space. **Note: The current “Interrogation Room” and adjacent visitation room would be well-suited for this purpose.**

#### Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06, THF Guidelines and Recommendations [THF 1, 2, 4, 5, 7, 12, 13, 14, 16, 18, 19, 24, 25].

[rTHF] 6. **Fire and Carbon Monoxide detection devices** should be installed in both housing units, the adjacent hallway and in the “THF Duty Office.” **Audio monitoring [two-way] and Video monitoring equipment** should be installed, with coverage for both housing units. The audio and video data should be capable of being monitored in the “THF Duty Office,” the Dispatch Room and on smart phones. Computer servers, routers and recording devices/equipment should be located and secured in the “THF Duty Office,” and Policies and Procedures should be developed for their use and storage.

#### Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06, THF Guidelines and Recommendations, NFPA 101: Life Safety Code, 2015 Edition.

## RECOMMENDATIONS

### STRUTHERS [restricted] TEMPORARY HOLDING FACILITY [rTHF]

Should the City of Struthers decide to operate a Temporary Holding Facility [THF], it is recommended that the following actions be taken prior to utilizing the facility to house prisoners:

[rTHF] 7. An Emergency Plan should be developed for the Struthers THF which includes Incident Prevention, Incident Response and Incident After-Action Protocols. Training on said Plan should be provided to all employees who have access to the THF, in addition to those agencies that could respond to any emergency at that location. Emergency lighting and marking [phosphorescent paint], in addition to emergency egress signage, should be installed from the housing unit doors and continuing through area, floor and building exit[s]. Prisoners housed in the THF should be made aware of audio and video protocols, in addition to emergency egress signage and procedures.

#### Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06, THF Guidelines and Recommendations [THF 1: b., i., l., m. o.; THF 4, 12, 17, 18, 26], NFPA 101: Life Safety Code, 2015 Edition.

[rTHF] 8. All mechanical locks, keys and locking devices should be inspected and maintained, or replaced. Note: At present, three [3] cell door locks should be considered inoperable/unusable due to their inconsistent functioning. In addition, the main key should be secured in [either] Dispatch or the THF Duty Office, and backup keys should be available in an alternate locations outside of the THF/Police Department perimeter, as well as the Struthers Fire Department.

#### Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06, NFPA 101: Life Safety Code, 2015 Edition.

## RECOMMENDATIONS

### STRUTHERS [restricted] TEMPORARY HOLDING FACILITY [rTHF]

Should the City of Struthers decide to operate a Temporary Holding Facility [THF], it is recommended that the following actions be taken prior to utilizing the facility to house prisoners:

[rTHF] 9. All heating vents located in prisoner cells should be completely removed, leaving a clear opening to the ventilation system [horizontal run]. Note: Although the effort to reduce the risk of these vents being used to support a ligature [suicide] has been completed, it's still possible to utilize the new cover for ligature-support.

#### Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06, Chief of Police Job Description [Struthers Police Department Policy 208], OAG/BCI Investigative Report [Peter Bugno], Ohio Uniform Incident Reports [Peter Bugno Arrest & Suicide, Struthers PD].

[rTHF] 10. The Struthers Municipal Court, Struthers Police Department, Mahoning County Sheriff's Office and area law enforcement agencies should be part of the establishment of parameters and restrictions for the Struthers Temporary Holding Facility. In my opinion, the following should be considered:

- THF should only operate during those days/times when court is in session;
- Prisoners are brought into the building through [either] the "man door" or PD garage;
- Agencies transporting prisoners to Struthers Court park on Elm Street;
- All prisoners are restrained with [both] handcuffs and leg shackles at all times;
- Prisoners are the sole responsibility of the transporting agency, when not in the THF;
- All prisoners are escorted to, and from the courtroom through the same door;

#### Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06.

## RECOMMENDATIONS

### CLOSING OF THE STRUTHERS CITY JAIL [CLSE]

Should the City of Struthers decide to close its city jail, it is recommended that the following actions be taken prior implementing an alternate confinement plan:

[CLSE] 1. The Mayor's Office and the Director of Public Safety should contact the Ohio State Jail Inspector [Joel Commins] for the Bureau of Adult Detention [BAD] and inform him of the City's intention to close its jail facility. The correspondence should include tentative dates for said closing and request information and direction concerning same. It should be requested that all correspondence/communication concerning the Struthers Holding Facility be directed to the Mayor, Safety Director and Police Chief.

Requirements / Rationale:

ORC Section 5120:10, ORC Section 733.03, ORC Section 737.02, ORC Section 737.06

[CLSE] 2. The Mayor, Director of Public Safety, Police Chief and Municipal Judge should develop an action plan for Administration Building and Courtroom security that includes prisoner transport, police vehicle parking, prisoner supervision, prisoner holding, prisoner restraints and prisoner access to the courtroom. In addition, Policies and Procedures should be developed for holding prisoners inside of the courtroom, taking into consideration Municipal Court employees, defendants, attorneys and visitors. Note: Sheriff Greene and his staff exercise best practices in all aspects of prisoner holding and courtroom security and should be consulted for their expertise.

Requirements / Rationale:

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06, Ohio Court Security Standards [Court Security and Emergency Preparedness].



## RECOMMENDATIONS

### CLOSING OF THE STRUTHERS CITY JAIL [CLSE]

Should the City of Struthers decide to close its city jail, it is recommended that the following actions be taken prior implementing an alternate confinement plan:

[CLSE] 3. The Mayor's Office, Director of Public Safety and Police Chief should contact the seven [7] agencies [MCSO, Poland Village, New Middletown, Springfield, Poland Township, Lowellville, Ohio State Highway Patrol] with the highest volume of interaction with the Struthers Administration Building and Struthers Courtroom to discuss and meet on the proposed changes. For optimum communication and results, meetings should be convened onsite, giving all stakeholders an opportunity to both understand and contribute to the developing protocols.

**Requirements / Rationale:**

ORC Section 5120:10, ORC Section 733.03, ORC Section 737.02, ORC Section 737.06

[CLSE] 4. Video and Audio [two-way] systems need to be installed at all points of access [ingress & egress] to the Administration Building. Those locations include the [main] front doors, front man-door, Police Department garage man-door, interior garage building access door and the back door.

**Requirements / Rationale:**

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06.

[CLSE] 5. An operational Risk Assessment of the Boiler Room, Telephone Room and Dispatch Room should be included in a building Master Plan that considers reuse of jail space, potential building renovations and assessments of current and future functionality through 2020.

**Requirements / Rationale:**

ORC 5120:10, ORC Section 733.03, ORC Section 737.02, ORC 737.06.

## RECOMMENDATIONS

### TEMPORARY HOLDING FACILITY

#### 1. SCOPE:

- THF Only, Restricted to Days and Hours when Struthers Municipal Court is in Session;
- Assigned and Trained Staff Only;
- Complete Documentation Revision;
- Prisoner Admission and Movement Controlled and Monitored;
- Per-Diem Charges to Agencies;
- Locking Mechanisms Repaired;
- Infrastructure Evaluation & Repair;
- Video, Audio and Fire Detection;
- Heating Vent Blades Removed;
- Emergency Equipment & Training.

#### 2. SCHEDULE:

- 3-6 Months

#### 3. COST:

- \$30,000 - \$50,000

#### 4. ISSUES:

- Liability, Vicarious Liability

### CLOSING STRUTHERS CITY JAIL

#### 1. SCOPE:

- Closed to all seven PD/LE agencies;
- Collaboration with CJS/LE/Struthers stakeholders on building security and access;
- Infrastructure Evaluation & Repair;
- Video, Audio and Fire Protection;
- Emergency Equipment & Training;
- Building Use & Master Plan to 2020.

#### 2. SCHEDULE:

- 3 Months

#### 3. COST:

- \$30,000

#### 4. ISSUES:

- Building & Courtroom Security