

COVID-19: A YEAR IN REVIEW



Department of
Rehabilitation & Correction

LETTER FROM THE DIRECTOR

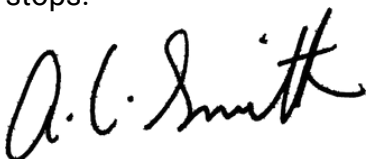
Last year was a year like no other. Thankfully, pandemics of this magnitude happen only about once every 100 years. There have been heart breaking and horrible things that occurred this year, and it has been full of loss and grief. The lives of 140 people have been lost in our department: 10 staff members and 130 incarcerated people. This year, we will plant buckeye trees and place a plaque at the Memorial Park at the Corrections Training Academy to memorialize the staff members we lost to COVID-19: **Bernard Atta, Gloria Boyer, Steven Cooke, John Dawson, DeWane Gannon, Mark Jones, David Keith, Terry Loomis, Tina Reeves, and Jermaine Shelby.**

Before I can talk about the work our department has done to respond, I must thank our staff. We have all felt the tremendous impact to our families, our physical and mental health, and our personal and professional lives. Yet while juggling everything, DRC staff has always been there. We have been a shining example of teamwork, collaboration, compassion and professionalism. Officers, the backbone of our department, never bending, never breaking, are sacrificing in countless ways to keep everyone safe by working double shifts and 12-hour shifts to maintain coverage. Thank you to our medical staff, the doctors and nurses who enter our facilities every day and worked to provide excellent care even when we were extremely shorthanded. I must thank our incarcerated population as well. They have not only cooperated with our efforts, but they have assisted us by making masks, cleaning and sanitizing tirelessly and helping in any way they can.

We have not worked alone. The work we have done would not have been possible without the help of many people outside of DRC. I want to thank Dr. Andrew Eddy, Dr. Mark Weir, Dr. Amy Acton, Director McCloud, Dr. Mary Kate Francis, Dr. Mary Applegate, Dr. Andy Thomas, Dr. Bruce Vanderhoff, the Ohio State University Wexner Medical Center, the Ohio Department of Medicaid, and the Ohio Department of Health for their ongoing advice and assistance. When more of our staff got sick, and we could no longer manage everything ourselves, the Ohio National Guard and the Ohio State Highway Patrol came to our rescue. I've thanked them repeatedly, but I want to thank them again here because they truly have been a godsend. They helped us with perimeter patrol, COVID testing, symptom screening, security missions, and contact tracing. They have literally filled in where needed, when needed, and we cannot thank them enough.

Our efforts to prevent, mitigate, and treat COVID-19 have been relentless and unceasing. This report details the numerous steps our agency has taken to respond to the pandemic. In addition to the agency efforts, the wardens of our twenty-eight institutions and their dedicated staff have worked diligently and tirelessly to implement guidance from the Centers for Disease Control and Prevention (CDC), Ohio Department of Health (ODH), and DRC. This report focuses on the efforts in 2020. Those efforts continue in 2021. We have begun distributing COVID-19 vaccines to our employees and the incarcerated population in line with the State's vaccine distribution plan. We currently administer a COVID-19 test to every person who enters a DRC facility, including staff, contractors, and visitors. Many of the efforts described in this report are ongoing, including wastewater testing, manufacturing and distributing personal protective equipment (PPE), cleaning products, soap, and installing physical barriers.

I would again like to recognize the diligence and spirit of service demonstrated by DRC staff in the face of unprecedented circumstances. They have answered the call, continuing our vital work, which truly never stops.

A handwritten signature in black ink that reads "A.C. Smith". The signature is written in a cursive, flowing style.

TIMELINE

FEB	<p>February 13, 2020 – DRC participates in tabletop exercises about pandemic preparedness</p> <p>February 21, 2020 – The Director and wardens discuss pandemic preparedness</p> <p>February 26, 2020 – The Director and APA supervisors conduct tabletop exercises about pandemic preparedness</p> <p>February 27, 2020 – DRC forms a Commodities Task Force to identify sources for personal protective equipment and track inventory</p>
MAR	<p>March 4, 2020 – DRC begins asking incarcerated individuals about flu-like symptoms during health care encounters and begins tracking symptoms</p> <p>March 5, 2020 – DRC activates the Incident Command System (“ICS”) to guide our COVID-19 response</p> <p>March 9, 2020 – Governor DeWine declares a state of emergency</p> <p>March 10, 2020 – Visiting at all institutions closed (Visiting is now being reopened as it becomes safe to do so).</p> <p>March 11, 2020 – DRC begins a health screening for every person entering a DRC facility</p> <p>March 16, 2020 – Director Chambers-Smith issues an executive order regarding transfers from jails to DRC</p> <p>March 18, 2020 - Governor DeWine orders businesses to conduct daily health screenings for employees</p> <p>March 27, 2020 – Staff and inmates are permitted and encouraged to wear masks inside DRC facilities</p>
APR	<p>April 3, 2020 – The CDC recommends wearing masks</p> <p>April 10, 2020 – DRC announces hazardous pay and COVID-19 sick leave benefits for staff</p> <p>April 11, 2020 – DRC began mass testing of staff and incarcerated individuals at three facilities</p>
MAY	<p>May 4, 2020 – DRC implements a multi-tiered plan to test incarcerated individuals based on mass testing results and after consultation with medical experts</p>
JUN	<p>June 10, 2020 – Wastewater testing begins at Pickaway Correctional Institution</p>
AUG	<p>August 14, 2020 – All 28 DRC institutions are “red” status, meaning one staff member or one incarcerated individual has a confirmed case of COVID-19</p> <p>August 31, 2020 – Weekly wastewater testing is done at all DRC facilities</p>
SEP	<p>September 29, 2020 – DRC announces routine testing of all staff for COVID-19</p>
NOV	<p>November 19, 2020 – For the first time, an Ohio county is designated “purple” on the Ohio Public Health Advisory System</p>
DEC	<p>December 11, 2020 – DRC extends hazardous pay and COVID-19 sick leave benefits for staff to March 31, 2021</p> <p>December 28, 2020 – DRC begins providing COVID-19 vaccines to some staff and incarcerated individuals, consistent with the scheduled phases established by the State for providing vaccines in the community</p>

SUPPORTING OUR EMPLOYEES

Our staff have gone above and beyond. They are truly a model of teamwork and leadership. In April 2020, we were able to secure hazardous duty pay for those working inside our prisons and in the field as parole officers. Although the federal Families First Coronavirus Response Act excluded health care providers and emergency responders from the paid sick leave provisions, we wanted to ensure that it was feasible for our employees to stay home when they were sick or quarantined. We worked closely with the Department of Administrative Services and the Office of Budget Management and were able to provide additional leave specifically for COVID-19. We also set up a “leave bank” to make it easier for employees to donate leave to one another.

Staff safety is paramount to DRC’s mission. To improve staff safety, we have implemented technological solutions to limit travel, reduce the size and frequency of gatherings, and have suspended non-essential in-person staff training. We continuously promote hand-washing and social distancing. Since early March 2020, we have permitted staff to bring in and carry an alcohol-based hand sanitizer on their person. At heavily affected institutions, DRC has provided hotel accommodations for staff so that they can shower and change or proactively isolate while off of work if they are concerned about exposing a loved one. In March 2020, we also began allowing state employees to text their loved ones from work so that they could maintain communication while working long hours in an unprecedented situation. Where appropriate and possible, we have permitted staff members to work from home to decrease the number of people entering our facilities.

The mental wellbeing of our staff is just as important as their physical health. Even before the pandemic began, DRC had an Employee Services Team in place. That team develops initiatives to increase staff wellness, support services, and strengthen the practice of trauma-informed care. The team also encompasses the Employees Support and Assistance Program, which includes general staff peer support and specialized support for current and former members of the military. The Employee Services Team has increased its outreach efforts and added programs, including “Wellness Wednesday,” a speaker series focused on mental health, and “Take 20” that encourages employees to take 20 minutes each day for self-care.

ADAPTING TO THE PANDEMIC

It has been over a year since DRC began discussions about responding to the novel coronavirus, also known as COVID-19, with Governor DeWine, the Governor’s Cabinet, and the leadership of the Department of Rehabilitation and Correction. On February 13, 2020, Director Chambers-Smith participated in a Governor’s Cabinet tabletop exercise regarding pandemic flu preparedness. The following week, the Director spoke with the wardens, regional directors, and other agency leaders about preparing for the possibility that COVID-19 would infect people in Ohio. On March 5, 2020, she activated the Incident Command System (ICS) to guide our COVID-19 response. ICS is a management tool used by agencies responding to emergencies of all kinds throughout the country. Since last March, DRC has held regular meetings with wardens, deputy directors, and agency leadership to discuss COVID-19 prevention and mitigation. We have coordinated our efforts with the Governor’s Office, the ODH, the Office of Emergency Command, and the Ohio State University, among others, to ensure that our actions are consistent with the medical community’s understanding of this novel disease.

ADAPTING TO THE PANDEMIC

We had begun preparing for a pandemic before Governor DeWine declared Ohio to be in a state of emergency on March 9, 2020 after ODH testing confirmed the presence of COVID-19 in the State of Ohio. But the nature of COVID-19 proved to be challenging – the long incubation period and high number of asymptomatic carriers meant that the isolation and quarantine protocols used for previous infectious illness had to be revisited. The supply of PPE that we had accumulated in preparation for a pandemic was insufficient. As was true throughout the world, our supply was quickly outpaced by the need. The first case of COVID-19 at DRC appeared on March 29, 2020, when a staff member at the Marion Correctional Institution learned that he had tested positive for COVID-19. On April 3, 2020, an incarcerated individual at Marion Correctional tested positive. This was the first incarcerated individual to test positive at DRC.

We have done everything in our control to keep our people safe. When we couldn't buy PPE, we started making our own. We test the wastewater at every prison weekly as part of our COVID surveillance system. Since we know COVID originates outside the prison, we now require every staff member, volunteer, or contractor going into our facilities to test for COVID once a week. We also have a robust testing policy for the people who live in the prisons. In December 2020, we began administering the Moderna vaccine to our staff and incarcerated adults in the same phases as the rest of Ohio's communities. Each prison has restrictions in place that match the current level of contagion in that prison.

As part of DRC's response to the declared COVID-19 state of emergency, DRC facilities, institutions and offices were designated as being green, orange, or red status.

- Green status or level green means operations are normal.
- The change to orange status or level orange is based upon the conditions of the local communities and areas surrounding the prisons. The change to orange status is made when the daily challenges of staffing a twenty-four hour operation, with three shift changes per day, warrants additional precautionary measures, despite the fact that no COVID-19 positive cases are currently present for staff or incarcerated adults.
- A single positive case among staff or incarcerated adults at an institution results in a red status or level red. In all cases where that has occurred, a multi-disciplinary, senior executive team confers with the respective warden to identify the additional institution-specific mitigation efforts. Each level red facility has made operational changes in an effort to promote "best practices" in terms of mitigation efforts, as well as customized protocols or procedures that have been tailored to the unique circumstances of each institution, including the conditions presenting at the time, the mission of the institution, and the physical plant.

Initially, all 28 DRC institutions were level green. On March 10, 2020, all institutions were designated level orange because Ohio had community-spread cases of COVID-19. All of our institutions have been designated level red at some point in time.

We have regularly monitored and carefully considered COVID-19 prevention and mitigation guidance issued, and subsequently updated, by the ODH and the CDC. We have also regularly consulted with outside experts, including OSU environmental health engineer Dr. Mark Weir, Dr. Amy Acton, Dr. Mary Kate Francis, Dr. Mary Applegate, Dr. Andy Thomas, Dr. Bruce Vanderhoff, and other doctors from the OSU Wexner Medical Center, the Ohio Department of Medicaid, and ODH.

Regular visitation opportunities from family and friends are an important component of incarceration and critical to the reentry process. That is why the decision to close in-person visitation on March 10, 2020 was difficult. Since that day, however, we have looked for opportunities to safely open visitation. In addition to the 8 free emails provided to each incarcerated adult every month, we have worked with GTL and JPay to provide two free five-minute calls and a free 15-minute video visit each week to every incarcerated adult, reduce the price of video visits, and allow free access to e-books. We also increased the number of food packages that were permitted, which gave family members and friends more opportunities to make a connection with their loved ones.

Where it is safe to do so, visitation has reopened. We now require every visitor be tested, require that all visitors and incarcerated individuals wear facial coverings throughout the visit, have placed physical barriers in the visitation area, and have increased the frequency and duration of our cleaning procedures. Expansion of visiting opportunities will continue safely as conditions allow.

CHANGES INSIDE OF OUR FACILITIES

In April 2020, in order to minimize contacts with potentially infected individuals, the staff and incarcerated population were divided into “cohorts” – groups of individuals who live and work in the same area. The use of cohorts minimizes the number of persons each individual comes into contact with to decrease the possibility of exposure. Dedicated prison sanitation crews regularly disinfect common area and high-touch surfaces with chemicals that the United States Environmental Protection Agency has identified as being effective against COVID-19.

We have adapted routine operations to preserve cohort arrangement. We suspended most off-grounds work assignments and placed limitations on the contractors and non-institutional staff who could enter prisons. While movement throughout the prison was limited, we have acted to ensure our population can still access services. For example, the library divided up recreational reading materials to distribute to cohorts and routinely rotated selection of those materials; commissaries changed their procedures to take orders and do deliveries to cohorts, and institutions provided programming in a cohort setting. To ensure continued access to legal resources, we provided access to LexisNexis on tablets, created printed copies of commonly requested legal forms to loan out, and provided copies of additional materials via the kite system. Religious services have been provided remotely by our chaplains, volunteers, and contractors, who have also regularly sent email messages to the population. We have begun reintroducing congregate programs to the institutions where it is possible to maintain cohorts and ensure that these activities take place in space that can be thoroughly cleaned.

Like school systems throughout the country, our schools have adapted to provide lessons remotely or virtually. In 2020, we installed an educational wireless network. This year, we will distribute Chromebooks that will use this network to deliver online educational programming. Our juvenile high school program at the Correctional Reception Center has already successfully implemented this solution. This technology will allow DRC to increase access to important education and programming opportunities.

As we have seen everywhere, the pandemic can take a toll on mental health. DRC inventoried trends within our inmate population, the community and other correctional agencies to create a robust response to the behavioral health impact of COVID-19. We created a holistic response to promote positive patient outcomes and maintain a person-centered approach. Examples of this response include: ensuring open office hours for behavioral health remained available during the pandemic, implementing brief behavioral health services for those patients who do not require caseload placement but would benefit from treatment, and utilizing structured meaningful rounds for high-risk patients. We have also created and distributed supplemental therapeutic interventions, such as educational packets on mental health focused topics such as depression, anxiety, suicide awareness, nutrition, dual-diagnosis, gambling, and medication management. Our behavioral health staff have worked to increase their visibility within the facilities to promote patient access. We have increased our education of all staff members to promote patient referrals via different points of contact, for example, medical appointments and religious contacts. We continue to work to create a culture of support for our staff and the individuals in our custody.

PERSONAL PROTECTIVE EQUIPMENT AND CLEANING

Since the beginning of the pandemic, DRC has worked diligently to provide its employees and incarcerated individuals with PPE. In late February, a task force was created to review DRC's need for and supply of PPE. The Ohio Penal Industries (OPI) continues to play an integral role in response to the COVID-19 pandemic. From continuing the manufacturing of existing products such as cleaning supplies and toilet paper, to working with our DRC partners to create new products to meet their needs, OPI has been front and center since the COVID-19 pandemic first began. In order to provide the much-needed rapid response to the pandemic, some OPI shops shifted their focus to manufacturing primarily PPE and related supplies. OPI has been manufacturing masks since April, including reusable cloth facial coverings for incarcerated adults and disposable facial coverings for staff and visitors. OPI also produces gowns, wearable face shields, soap, and hand sanitizer. In addition to our normal manufacturing role, OPI's Central Distribution Center worked hand-in-hand with DRC to help facilitate the distribution of other needed commodities, such as test kits, thermometers, masks and more.

OPI PPE PRODUCTION

Disposable Barrier Masks	247,800
Cloth Barrier Masks	674,600
Face Shields	40,080
Disinfect Cleaner	89,225 Gallons
Hand Sanitizer	25,492 Gallons
Disposable Medical Gowns	51,036
Barriers	3,157
Bed Dividers	22,212

In addition to masks and cleaning, DRC has taken steps to change the physical operation of each facility. Beginning in April 2020, we have taken many steps to reduce exposure through ventilation interventions such as ionization systems, high quality air filters, changes to the air mix being used on air handling units. We have also distributed mini ionization systems and disinfectant sprayers to our facilities for use throughout operations, such as in common spaces, bathrooms, and on transport vehicles. Open bay facilities have rearranged their housing to increase the distance between beds, and asked individuals to sleep "head to toe." OPI has created barrier shields as part of the return-to-work plans, to place in between beds, for use in visitation, and for other new normal operations within our facilities.

PERSONAL PROTECTIVE EQUIPMENT AND CLEANING

For nearly a year, since the end of March 2020, everyone entering or living in a DRC facility has been permitted to wear a facial covering. As supply levels have increased, so has DRC's ability to provide incarcerated persons and employees with PPE. Every person incarcerated at DRC receives four cloth face masks and those masks are regularly replaced. An incarcerated person working in an area where COVID-19 may have been present or handling laundry or other items from those suspected of having COVID-19 also receives gloves and a gown or coveralls while working, and may also be issued an N-95, depending on the situation. Employees receive face masks, and may also receive eye protection, gloves, and a gown or coveralls depending on their work assignment. Our employees who have direct contact with or provide medical care to those confirmed or suspected to have COVID-19 are supplied with N-95s, eye protection, gloves, and a gown or coveralls, including those involved in transport and parole officers. Since April 2020, Battelle has sterilized N-95s for staff, which allowed us to increase the availability of N-95s. In furtherance of that partnership, OPI has worked diligently to provide trucks and drivers to facilitate the sanitization of masks through Battelle.

On multiple occasions, DRC has distributed hygiene packages to the incarcerated population, containing soap, shampoo, deodorant, lotion, lip balm, and a post card. We have also given each employee care packages with a digital thermometer, pulse oximeter, face masks, single-use mask filters, and hand sanitizer. Since March 2020, all employees have been permitted to carry an alcohol-based personal hand sanitizer. We have put up educational posters in common areas at DRC facilities emphasizing the importance of handwashing and increased the availability of handwashing stations and hand sanitizer.

TESTING AND VACCINES

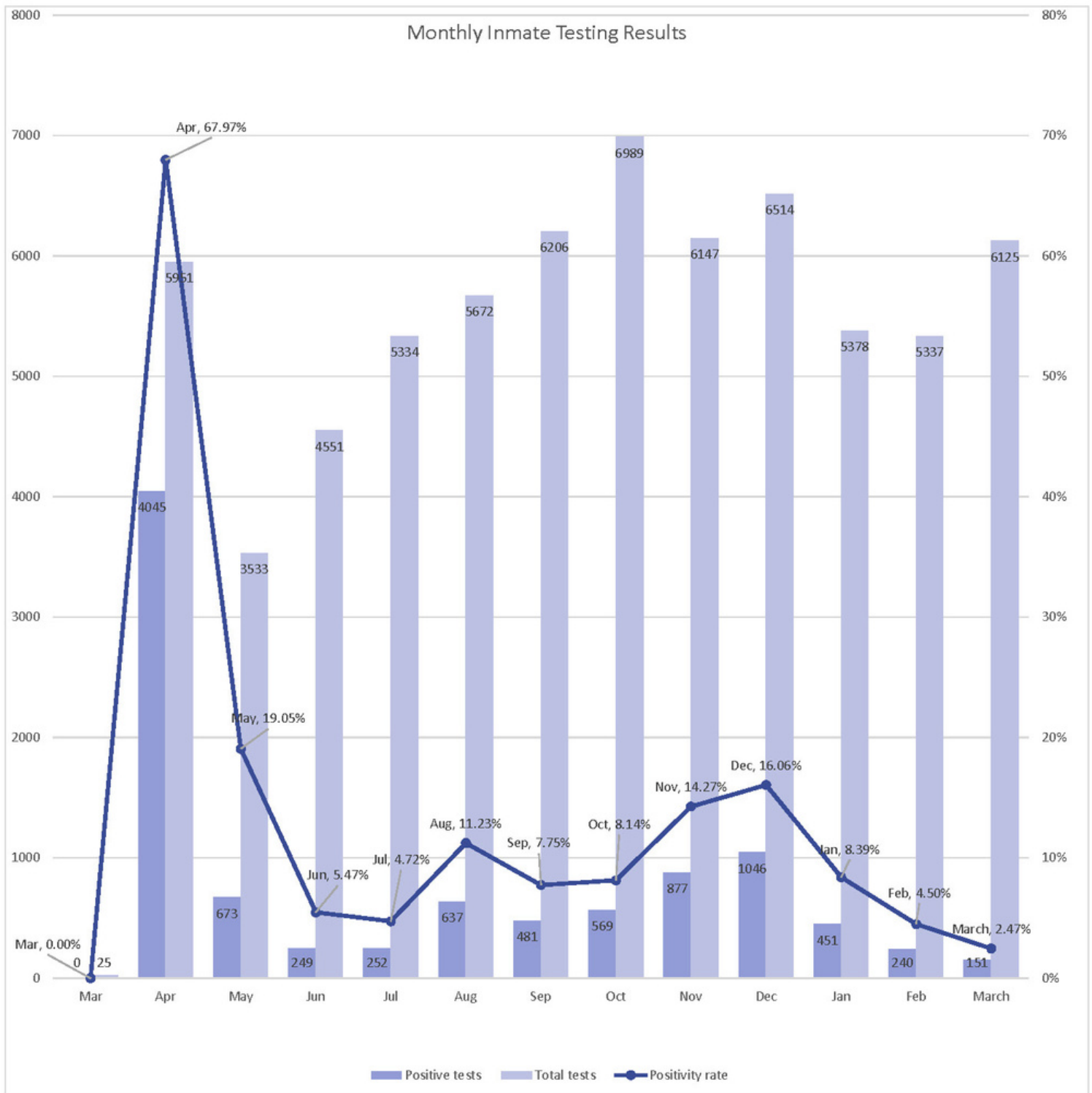
DRC has worked to provide multiple testing avenues to employees since March 2020. DRC worked closely with ODH to ensure that our staff were considered “first responders” who were eligible for early testing and expedited lab results. We provided staff with a letter documenting their qualifications for this testing if they saw a private healthcare provider, and we partnered with Ohio Health and OSU early on to provide multiple testing sites to symptomatic staff members. In April 2020, the Ohio National Guard provided assistance to DRC to conduct COVID-19 staff testing at DRC facilities. As COVID-19 testing became more available in the community in June 2020, DRC was able to partner with healthcare providers throughout Ohio for voluntary staff testing that would be billed directly to DRC. We also granted special situation leave for staff members who took the test during work hours as approved by their supervisor. In September 2020, we began piloting on-site staff testing at multiple DRC facilities. On October 6, 2020, DRC began required COVID-19 testing of employees at DRC worksites. The frequency of testing is determined by reviewing the results of staff and incarcerated population testing, as well as the wastewater testing results. Throughout the pandemic, we have ensured that our staff have multiple avenues for testing, whether at work or through their healthcare provider.

On April 11, 2020, DRC conducted mass testing of the incarcerated population and staff members at three facilities: Marion Correctional Institution, Pickaway Correctional Institution, and Franklin Medical Center. The incarcerated population at Marion Correctional is older and there is a higher percentage of incarcerated adults with chronic disease at this facility. Indications suggested that there were multiple asymptomatic, positive individuals that were fueling the growth of symptomatic individuals. The Pickaway Correctional Institution was chosen because that institution has a higher acuity medical mission. The Pickaway Correctional Institution includes the Frazier Health Center, which is designed to accommodate incarcerated adults requiring long-term health treatment, such as elderly, chronically ill, and terminally ill incarcerated individuals, including those requiring dialysis. The Franklin Medical Center was chosen because that facility also has a higher acuity medical mission and is a hospice center for DRC. It was anticipated that the results of this testing would reveal that 20-30% of the incarcerated population was asymptomatic and positive for COVID-19, and that mass testing would enable this population to be separated from incarcerated adults who tested negative. The results of the mass testing revealed that approximately 81% of the incarcerated population at Marion Correctional Institution was positive. It also revealed that the majority of incarcerated adults, approximately 94%, who tested positive were asymptomatic. The isolation and quarantine protocols then in place were not stopping the spread of COVID-19 because so many individuals were asymptomatic.

After mass testing was completed, DRC consulted with experts at OSU, ODH, and the Ohio Department of Medicaid, as well as benchmarking with other state correctional systems, DRC implanted a multi-tiered testing plan for the incarcerated population. The multi-tiered approach for testing the incarcerated population provides for testing for surveillance and for clinical need. In addition to testing, DRC conducts regular symptom screenings of the incarcerated population that include temperature and pulse oximeter checks.

In December 2020, as COVID-19 vaccinations became available to the community in Ohio, DRC made the vaccine available to employees and incarcerated individuals based on the guidance and phased approach established by ODH.

TESTING AND VACCINES



POPULATION

On March 24, 2020, there were 49,080 adults incarcerated at DRC. The entire criminal justice continuum played a part in safely reducing our population. The population decrease can be attributed to efforts to limit the intake of new individuals into DRC facilities and efforts to identify individuals who would be suitable candidates for early release. Governor DeWine and Ohio Supreme Court Chief Justice O'Connor set the tone in the beginning of the pandemic. Our Governor exercised authority under Ohio's emergency early release statute for the first time in our state's history. Chief Justice O'Connor sent a letter to Ohio's judges outlining reduction strategies that would affect prisons and jails. We worked collaboratively with the Ohio Public Defender's office to help identify potential candidates for judicial release and provided those candidates to local judges for consideration. DRC worked in conjunction with Sinclair College to expand programming that qualified for early release credit. As a result of these efforts, our population has decreased by approximately 12.5% since March 2020.

CHANGES TO INTAKE

Throughout the last year, local jails and courts have engaged in concerted efforts to reduce their populations as well as the number of new commitments transferred to DRC. Likewise, DRC took steps to limit the number of individuals incarcerated for parole or post-release control violations by focusing on individuals who posed a risk to the community because their violations were directly related to sexual misconduct, violence, or weapons.

Over the past year, DRC's Bureau of Adult Detention has worked with county jails on prevention and mitigation efforts to control the spread of COVID-19 at county jail facilities and to decrease the introduction of COVID-19 into DRC facilities, from transfers of DRC commitments, where it can spread to other incarcerated individuals, staff members, and then back out into the community. On March 16, 2020, Director Chambers-Smith issued an Executive Order that articulated pre-transfer screening requirements applicable to any municipal or county jail housing a DRC commitment. That order requested that local and county jails screen every individual who was to be transferred to DRC's custody before transporting them to an DRC facility and encouraging them not to transport symptomatic individuals or those with positive COVID-19 tests. It also ordered that all individuals transferred to DRC would be screened for symptoms of COVID-19 and, if an individual presented with symptoms, that individual and all other individuals transported in the same vehicle, would be returned to the sending county. The order noted that future transports could be refused if an individual was transported to DRC and arrived presenting with COVID-19 symptoms.

On April 8, 2020, the Correction Reception Center stopped receiving individuals after an incarcerated individual at that facility tested positive for COVID-19. The following week, the Lorain Correctional Institution, which served as a reception facility for many northern Ohio jails, stopped receiving individuals. On May 15, 2020, the Ohio Reformatory for Women stopped accepting individuals after a COVID-19 individual was transferred from a county jail. The following Monday, May 18, 2020, the Correction Reception Center reopened to male incarcerated adults with revised reception procedures. The Correction Reception Center is now the only male reception center. This change was part of our strategy to limit COVID-19. The Ohio Reformatory for Women reopened reception in June.

Since that initial order, specific screening criteria and guidance was published and has been continuously updated and revised pursuant to guidelines published by the CDC, ODH, or both.

CHANGES TO INTAKE

In an effort to best mitigate all the risks associated with accepting transfers from outside agencies, DRC has placed the following conditions on transfers to DRC reception centers:

- transports must be scheduled in advance;
- limitations are placed on the maximum number of intakes to be processed per week;
- actively COVID-19 symptomatic or positive individuals cannot be transferred;
- symptom screening and temperature checks must be completed before transfer;
- complete documentation of screening must be submitted with transfers;
- masks and social distancing are required during transport;
- DRC also completes screening and testing at reception;
- when an offender presents as symptomatic, the transport is refused; and
- jails may face a potential suspension of transfers if symptomatic individuals are transported to DRC.

The Bureau of Adult Detention has offered its assistance to, and worked closely with, leadership at jails and correctional centers throughout the state as they implement quarantine and isolation procedures, identify cohorts, conduct screening and testing, and prepare individuals for transfer to DRC's custody.

EXPANDING DRC RELEASE PROGRAMS

DRC's ability to release incarcerated individuals is limited because DRC is an executive branch agency. The Ohio Constitution provides that the powers of clemency and commutation may only be exercised by the parole board and the governor, and that the power of reprieve is the governor's alone. Each week, DRC receives dozens of early release requests for incarcerated individuals, as well as their family members, friends, and attorneys. Each request is evaluated to determine what release options for which the individual may be eligible. DRC also continues to accept clemency applications and we provide the materials to those who inquire about clemency or release.

The Parole Board determines release suitability of eligible offenders serving indefinite sentences. Most incarcerated adults at DRC are not subject to Parole Board release discretion because their statutory sentences do not include parole consideration. The Parole Board also considers clemency applications. As part of the effort to safely reduce DRC's population, DRC reviewed all parole-board-eligible individuals who were age 60 or older, whose hearings were previously continued, and who had served at least half of the continuance period. Special parole hearings were held for those determined to be good candidates for parole. In addition, DRC reviewed all individuals who had served at least 50% of their sentence and were over the age of 60 or diagnosed with a condition that might make them more susceptible to COVID-19. Those who were determined to be appropriate for consideration of release were referred to the Parole Board for an expedited clemency consideration.

The determination of sentences is a judicial function, as is the ability to order judicial release pursuant to state law. As part of its population reduction efforts, DRC identified all women who were pregnant, post-partum, or had children in the ORW nursery program and sent letters to their sentencing courts asking that the court consider judicial release options for those individuals. DRC also sent letters to sentencing courts asking them to consider the release of identified individuals who were over the age of 60, within 120 days of release, and had at least one condition that required chronic care.

EXPANDING DRC RELEASE PROGRAMS

Additionally, DRC collaborated with the Ohio Public Defender's Office to identify potential candidates for judicial release. The agency also worked with the Ohio Public Defender's Office to provide an expedited process for supplying institutional summary reports to courts for those applying for judicial release. As part of DRC's ongoing efforts to limit the potential of exposure to COVID-19, DRC regularly communicates with county courts to increase the use of video conferencing technology for court appearances, including judicial release hearings. DRC has also worked successfully with many courts to ensure that individuals being considered for judicial release are quarantined and tested prior to the judge ordering their release to minimize the risk that individuals ordered released from DRC custody will bring COVID-19 to their community.

DRC has the statutory authority to release certain incarcerated individuals in limited circumstances. In April 2020, Director Annette Chambers-Smith pursued and received the authority to reduce sentences of eligible individuals in 90-day increments pursuant to R.C. 2967.18, Overcrowding Release. On April 7, 2020 Director Chambers-Smith wrote a letter to the Correctional Institution Inspection Committee notifying the committee that she had determined that COVID-19 had created an overcrowding emergency and asking that they find that emergency existed. On April 14, 2020, Director Chambers-Smith testified before the Committee and the Committee unanimously voted to declare an emergency existed. The next day, Governor DeWine signed a certified authorization that allowed DRC to begin using the statutory process to reduce the sentences of certain incarcerated adults by 90 days. This process continues as new, eligible individuals approach their release date. Overcrowding release is not available to all individuals. DRC regularly screens every individual who is approaching their estimated release date to see if they meet the statutory and administrative criteria for a 90-day sentence reduction.

Incarcerated individuals may also be eligible for "earned credit," as described in Ohio Administrative Code 5120-2-06, Earned Credit for Program Participation. DRC has expanded the educational opportunities that incarcerated individuals can participate in via distance learning. In 2020, DRC worked in collaboration with Sinclair College to offer an accredited college program that provides a certification in customer service. Individuals who complete the program may receive up to 90 days of earned credit depending on the length of their sentence.

DRC continues to utilize early release options that were available prior to COVID-19, including Treatment Transfer and Transitional Control. Every individual released from DRC's custody receives medical, mental health, and recovery/addiction information; assistance to enroll in Medicaid, if eligible; COVID-19 education and prevention literature; and, if necessary, a link to public health resources.

FOR MORE INFORMATION

This report is intended to provide a brief overview of the efforts DRC has taken to manage COVID-19 at DRC. Throughout the pandemic, DRC has been transparent about responsive efforts and established multiple sources to provide information and to answer questions from the public about management of the risk presented by COVID-19 in Ohio's institutions:

- Each business day, a report regarding incarcerated adult testing, quarantine, and isolation at each facility is made available at <https://coronavirus.ohio.gov/static/reports/DRCCOVID-19Information.pdf>.
- Updated COVID-19 information, answers to frequently asked questions and information about visiting and entry screening are available on our website: <https://www.drc.ohio.gov/Family/COVID-19-UPDATES>.
- If you have additional questions about DRC's response to COVID-19, you can reach us using the dedicated **email address – DRC.covid19@DRC.state.oh.us – or telephone hotline – (614) 728-1142.**