

ODRC Director's Order 20-01

WHEREAS, I, Annette Chambers-Smith, Director of Ohio Department of Rehabilitation and Correction (ODRC), have the authority pursuant to Section 5120.15 of the Ohio Revised Code to regulate the admission and discharge of inmates; and

WHEREAS, as Director of ODRC, I have the authority to confer the duties of the various institutions and divisions of the Department, as authorized by Section 5120.01 of the Ohio Revised Code;

WHEREAS, on March 9, 2020, the Governor of Ohio signed Executive Order 2020-01D, declaring a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19.

WHEREAS Executive Order 2020-01D declares that state agencies like ODRC shall develop and implement procedures, including suspending or adopting temporary rules with an agency's authority, consistent with recommendation from the Department of Health designed to prevent or alleviate the COVID-19 public health threat.

WHEREAS, as of March 15, 2020, there were 37 confirmed cases of COVID-19 in Ohio.

WHEREAS, individuals within various communities in Ohio, including inmates in local and county jails awaiting potential transfer to ODRC, will very likely become symptomatic of COVID-19 and may be tested for, and confirmed to have, COVID-19;

WHEREAS, the ODRC currently has a population of nearly 50,000 male and female inmates, the vast majority of whom, because of their close proximity and contact with each other in living/housing units and food halls, are especially vulnerable to contracting and spreading COVID-19;

WHEREAS, the ODRC currently has limited housing capacity to isolate and quarantine inmates who present as symptomatic for, or test positive for, COVID-19; and

WHEREAS, the ODRC receives daily transfers of inmates from local and county jails who have been convicted of criminal offenses and sentenced by Ohio courts to the custody and control of ODRC.

NOW THEREFORE, I do hereby **ORDER** the following to prevent the spread of COVID-19 into the institutions operated by ODRC:

1. Local and county jails will be requested to screen every inmate who is to be transferred to the custody and control of the ODRC before those inmates are transported to an ODRC facility.
2. Local and county jails will be encouraged to not transfer to ODRC any inmate in their custody who is symptomatic of COVID-19 or who test positive.
3. ODRC will screen every inmate who is transferred to ODRC for symptoms of COVID-19. If an inmate upon arrival presents with symptoms of COVID-19, that inmate will not be received by ODRC, nor will any of the other inmates who traveled in close contact on the same transport vehicle. Those inmates will be placed back on the transport vehicle that brought them to ODRC to be returned to the sending county. The transport vehicle will wait at the ODRC reception facility until ODRC completes screening of all inmates from that vehicle in order to be able to promptly return inmates, if necessary.
4. ODRC will promptly notify the county sending the inmates that the inmates are being returned because they screened affirmative for COVID-19 symptoms.
5. ODRC will also notify the sending county that if any additional inmates are transported to ODRC who upon arrival are screened by ODRC and found to be symptomatic of COVID-19, then ODRC may, in connection with future inmate transports, refuse to receive inmates from that county. These decisions will be made on a case by case, county-by-county, basis.

6. This Order shall take effect immediately and remain in full force and effect until the State of Emergency declared by the Governor no longer exists, or the Director of the ODRC rescinds or modifies this Order.

A.C. Smith

Annette Chambers-Smith, Director

3/16/20

Date