

**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF ILLINOIS
URBANA DIVISION**

DANIEL LEE ROBINSON,

Plaintiff,

vs

JEFF WOOD, in his individual capacity and in
his official capacity as Edgar County Sheriff,
JAY WILLAMAN, JESSE LEWSADER,
EDGAR COUNTY, ILLINOIS, and CITY OF
PARIS, ILLINOIS, a municipal corporation,

Defendants.

Case No. 20-cv-2341

COMPLAINT

Plaintiff, by counsel, alleges as follows:

1. This is a civil action arising under the First, Sixth and Fourteenth Amendments to the United States Constitution and 42 U.S.C. §§ 1983 and 1988 and the common law of Illinois. The Court has jurisdiction of this matter pursuant to 28 U.S.C. §§ 1331, 1343(a)(3), and supplemental jurisdiction over state law claims pursuant to 28 U.S.C. § 1367.

2. This judicial district is an appropriate venue under 28 U.S.C. § 1391(b) because the events giving rise to the suit happened in this judicial district.

PARTIES

3. Plaintiff Daniel Lee Robinson is a citizen of the City of Paris, Edgar County, Illinois and at all relevant times he was a pretrial detainee.

4. Defendant Jeff Wood was, at all times relevant, the sheriff of Edgar County, Illinois. He is sued in his individual and official capacities and at all times

relevant hereto was acting under color of state law.

5. Defendant Jay Willaman was, at all times relevant, a deputy sheriff and the Administrator of the Edgar County Jail in Paris, Illinois. He is sued in his individual capacity and at all times relevant hereto was acting under color of state law.

6. Defendant Jesse Lewsader was, at all times relevant, a police officer employed by the City of Paris, Illinois. He is sued in his individual capacity and at all times relevant hereto was acting under color of state law.

7. Defendant County of Edgar, Illinois is sued as a necessary party in interest to a civil rights lawsuit seeking monetary damages alleged against a deputy of an independently elected county sheriff. *Carver v. Sheriff of LaSalle County*, 324 F.3d 946 (7th Cir. 2003). Edgar County is required by statute to fund the Sheriff's expenses, including any judgments entered against the Sheriff in his official capacity. 55 ILCS 5/5-1106.

8. The City of Paris, Illinois is a Municipal Corporation which operates a Police Department and employs police officers, including Defendant Lewsader.

FACTS COMMON TO ALL COUNTS

9. In its March 27, 2019 Edgar County Jail Inspection Report,¹ the Illinois Department of Corrections found that the Edgar County Jail “continues to violate multiple Illinois County Jail Standards” since February 2011, and referred the Edgar County Jail to the Illinois Attorney General’s Office for enforcement. A copy of the

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<https://www2.illinois.gov/idoc/aboutus/JDS2017/2019%20Jail%20Inspections/Edgar%County.pdf#search=2019%20edgar%20county%20jail%20inspection%20report>

3/27/19 Report (and 5/21/19 cover letter) is attached hereto and incorporated herein as Exhibit A. The violations noted include, but are not limited to:

- * Insufficient staffing – on most shifts there is a single correctional officer whose duties include “oversees all detainees, distributes all meals, books/releases detainees, oversees recreation, completes laundry, issues commissary/clothing, cleans the jail, provides the proper equipment to clean and sanitize all toilets, washbasins, showers, and sinks, collects and distributes incoming and outgoing mail, dispensing medications, etc.”;

- * The lengthy list of duties imposed on the jail staff calls into question their ability to complete these task in an adequate fashion;

- * The short “staffing issues raise security concerns (especially in light of the jail’s physical condition) and could pose a serious liability risk to Edgar County”.

- * Two cells in the upper area are without running water due to the “inability to source or fabricate replacement parts for the facility’s sinks and toilets”;

- * “The intake shower in the booking area continues to not be used on every detainee lodged. As before, all detainees are directed to take their intake shower once they are assigned a cell block or detention room. The cell assignments continue to be of very poor quality in regard to physical requirements and mechanical discrepancies. The physical limitations of the building continue to prevent adequate classification/separation compliance.”

- * “All areas within the facility are in need of major repair; many of the showers are rusted and or in disrepair. Many of the sinks and/or toilets are in need of repair. The light fixtures provided are not tamper proof and are easily broken or missing in some

areas. Many of the required mirrors are missing. Some minimal repairs have happened since the last inspection but the jail is in need”

- * No educational programs exist within the facility.”

- * The outdoor recreation area is never utilized. If more staff were on duty, detainee movement to the recreation yard could be made possible.”

- * There are not sufficient personnel assigned to provide 24 hour supervision of detainees;

- * Extraordinary or unusual occurrences are not properly reported;

- * Detainees are not assigned to suitable quarters;

- * Cells do not conform to current building and accessibility codes;

- * Showers are not provided in each cellblock;

- * The jail is not comfortably heated or cooled according to season;

- * The ventilation system does not eliminate disagreeable odors and/or does not routinely provide temperatures within the normal comfort zone;

- * All required medical and mental health services are not available to detainees;

- * A medical doctor is not available to attend to the medical and mental health needs of detainees;

- * Walls are not kept clear of etched or inscribed graffiti or writing;

- * A source of drinking water is not provided in each cell and day room;

- * Some detainees are not locked in their individual cells at night, where the cells have no functional toilets;

- * Glass and unsecured metal items are not prohibited in the detention area;

- * Damaged or nonfunctioning security equipment is not promptly repaired.

10. On August 23, 2019, the Illinois Counties Risk Management Trust Insurance Program Managers Group, LLC informed the Edgar County Board that, effective 12/01/2019, “Premises and operations at the Edgar County Jail, located at 228 North Central, Paris, Illinois, will be excluded for General Liability, Law Enforcement Liability, Property and Inland Marine Coverage.” A copy of the Notice and attached recommendations is attached hereto and incorporated herein as Exhibit B.

11. Photographs which accompanied the Illinois Department of Corrections’ 2012-13 Edgar County Jail Inspection Report depict many of the conditions which currently exist, as described in the 2019 Edgar County Jail Inspection Report. A copy of the 2012 Edgar County Jail Photographs is attached hereto and incorporated herein as Exhibit C.

12. On or about December 1, 2019, Edgar County began housing it’s inmates and pretrial detainees at jails in other counties.

13. At some time in 2020, Edgar County began, once again, housing inmates and pretrial detainees in the Edgar County Jail, including Daniel Lee Robinson, despite the fact that necessary repairs had not been completed and “the physical limitations of the building continue to prevent adequate classification/separation compliance”, particularly in regards to a quarantine/segregation area for inmates who were confirmed positive for COVID-19 by lab-confirmed tests.

14. Plaintiff faces numerous felony charges in Edgar County, including 2012-CF-186, for which he was tried twice (12/02/2013 and 10/18/2016), both convictions were reversed by the Fourth District Appellate Court (2015 IL App (4th) 140147-U and 2019 IL App (4th) 170099-U) due to the trial court’s errors in making it’s determination

of mental fitness to stand trial.

15. On April 23, 2013, Dr. Marilyn Marks-Frey, a licensed clinical psychologist, conducted a fitness examination of the Plaintiff, pursuant to 725 ILCS 5/104-13 and diagnosed Plaintiff with (1) bipolar disorder (manic with psychotic features), (2) cyclothymic disorder, (3) intermittent explosive disorder, (4) psychotic disorder due to chronic substance abuse, (5) polysubstance dependence, and (6) antisocial disorder, and conceded that “there is very little likelihood that [defendant] will attain fitness within one year, regardless of treatment modality.” *People v. Robinson*, 2015 IL App (4th) 140147-U, ¶ 7 (2015).

16. After serving some time in prison on 2012-CF-186, Plaintiff was released in June 2019, after the second conviction was reversed by the appellate court.

17. Plaintiff was arrested on May 14, 2020 for felony charges in Edgar County and held in jail, as a pretrial detainee, with a bond of \$25,000.

18. On or about June 7, 2020 Plaintiff attempted suicide by cutting his arm and trying to hang himself in a noose.

19. Plaintiff is documented to have made other suicide attempts and has been placed on suicide watch while in jail in year 2020.

20. On June 8, 2020, Plaintiff requested and was granted a furlough from the Edgar County Jail in order to seek mental health treatment at the Behavioral Health Unit of Regional Hospital in Terre Haute, Indiana, where he was admitted to the psychiatric ward on that same day.

21. The Edgar County Jail does not have a physician or any qualified mental health professionals on staff or contracted to conduct regular visits to detainees in need

of these services.

22. At Regional Hospital, Plaintiff was diagnosed with major depressive disorder, recurrent severe F33.3,2 ADHD and amphetamine use disorder.

23. After his mental conditions were stabilized by medication, on June 12, 2020, Plaintiff was released from Regional Hospital, with prescriptions for the following medications: Ritalin, Nicoderm patch, Cymbalta, Vistaril and Seroquel.

24. Plaintiff was indigent, unable to pay for the prescription medications, and quickly became mentally unstable and paranoid.

25. After his release from Regional Hospital, Plaintiff failed to report back to the Edgar County Jail as ordered and was arrested on a warrant on July 15, 2020, he was disoriented, unmedicated and feeling suicidal and he was placed on suicide watch at the Edgar County Jail.

26. On July 16, 2020, Plaintiff was taken to court for arraignment on the felony charge of *Failure to Report to Penal Institution*, without first being evaluated by a qualified mental health professional or being provided the prescription medications designed to control mania, hyperactivity and maintain mental balance; he became irrational and angry; he verbally expressed his frustrations and kicked a free standing podium at which time he was violently taken to the floor and shackled by two officers, Defendant Willaman and Defendant Lewsader, thereby incurring injuries to his back and his neck.

27. Plaintiff has never been taken to a doctor for the back and neck pain

2 F33.3 is a Billable ICD code used to specify diagnosis of major depressive disorder, recurrent, severe psychotic symptoms.

incurred on July 16, 2020, despite repeated requests to be taken and despite written grievances; he remains in custody at the Edgar County Jail.

28. From July 15, 2020 to November 20, 2020, Plaintiff has not been allowed any recreational time outside of his cell, despite written grievances requesting recreational time.

29. From approximately October 27, 2020 to November 17, 2020, or longer, Plaintiff was held in a 10' x 10' isolation cell with no bed or floor mattress, furnished only with a jail toilet/sink that has a problem flushing.

30. From October 29, 2020 to November 17, 2020 Plaintiff was denied paper so he was not allowed to write grievances about the conditions of his pretrial confinement or to write letters to his attorney, his minister or anyone.

31. Knowing that Plaintiff had previously attempted suicide by cutting his own arm and that Plaintiff did intermittently experience suicidal and/or homicidal ideations, Defendants Wood and/or Willaman housed Plaintiff in an isolation cell that had a cracked glass window which was neither made of shatter-proof glass nor protected by a tamper-proof covering.

32. On November 4, 2020, Plaintiff, feeling manic, suicidal and otherwise out of control, punched his hand through the cracked glass window in his isolation cell, incurring injury to his hand and arm.

33. On two separate occasions, while Plaintiff was removed from his isolation cell for something, he returned to discover that all of his court papers, medical papers and all his confidential letters from his lawyer had been confiscated and he was not told why or how to get his papers back, which caused extreme mental distress,

anger, mania, paranoia and disorientation.

34. The Edgar County Jail does not supply a non-recorded telephone line for Plaintiff or for any inmates to talk with their attorneys about pending criminal cases.

35. Plaintiff filed grievances about his inability to speak confidentially with his criminal defense attorney and Sheriff Wood responded: “all phones in jail are recorded J. Wood”

36. “Nurse Ruth”, who is not at the jail every day, is the only access inmates and pretrial detainees have for medical/mental health issues in the Edgar County Jail, besides correctional officers who are not medically trained professionals.

37. By September 15, 2020, Plaintiff had not been taken to talk with his psychiatrist via telepsych and he was not getting the medications prescribed by the doctors at Regional Hospital.

38. On or about September 16, 2020, Plaintiff began bleeding from his penis and he requested to be taken to a doctor but was not taken to a doctor.

39. Beginning October 1, 2020, Plaintiff filed numerous grievances because his request to see a doctor about the bleeding from his penis was ignored.

40. By September 17, 2020, Plaintiff had not yet been allowed to speak, by telephone from the jail, with a mental health counselor at LifeLinks, had not been given his psychiatric medications and he reported feeling suicidal and homicidal; he was later allowed to speak with a LifeLinks counselor, by telephone, on September 21, 2020.

41. On October 2, 2020, Plaintiff was taken for a visit with his psychiatrist, done by tele-psych, who prescribed the medication Straterra for control of his ADHD.

42. For approximately one month, Defendants Jeff Wood and Jay Willaman

refused to pay for Plaintiff's ADHD medication, Strattera, stating in response to numerous grievances filed by Plaintiff to obtain the Strattera, that Plaintiff's [Medicaid] insurance is the "hold up", "we are not paying for your meds ", "this is the way the jail is" and "when your insurance company takes care of it you will get your meds".

43. Without having the Strattera, and because his medical and legal paperwork was confiscated, Plaintiff became suicidal, manic, paranoid, was unable to control his behavior and acted out at the jail, incurring additional felony charges on October 30, 2020 and November 4, 2020.

44. On October 14, 2020, Plaintiff received a letter from his primary care physician, requesting that Plaintiff come in for a follow-up appointment.

45. Plaintiff was denied transportation from the Edgar County Jail to Horizon Health, in Paris, Illinois, for follow-up psychiatric and medical visits, on numerous occasions.

46. On two occasions, when Plaintiff hurt himself at the jail, he was taken to Horizon Health for examination of his arm and wrist, but when he started to report his other medical problems (bleeding from penis and continuing back/neck pain) Defendant Jeff Wood and Defendant Jay Willaman told Plaintiff they were only there for the arm/wrist problem and to shut up about that other stuff.

47. On or about October 5, 2020, the Edgar County Public Health Department recorded that four inmates of the Edgar County Jail were confirmed positive for COVID-19 by a lab-confirmed test.

48. Inmates who tested positive for COVID-19 were not properly segregated from other inmates and at least one inmate was told by jail staff not to tell the other

inmates that he had tested positive for COVID-19.

49. Plaintiff became aware of COVID-19 in the jail and he requested to be tested for COVID-19 and filed grievances because he believed he had been exposed to inmates who tested positive for COVID-19 and his requests to be tested were ignored; in response to Plaintiff's grievance, Defendant Willaman responded "When I have an issue I will address that".

50. Despite requesting cleaning supplies, Plaintiff was denied supplies to clean and sanitize his cell, which concerned him because of COVID-19.

51. The corrections officers do not clean and sanitize the cells and the common areas, pursuant to Illinois Department of Public Health standards.

52. Plaintiff has been abusing substances since he was a young teenager, which is a factor affecting his criminal charges, and he seriously needs drug abuse help and counseling.

53. The Edgar County Jail has no substance abuse program, no educational programs and does not have any social service agencies that come to the jail to address the rampant problem of substance abuse among Edgar County Jail inmates.

54. Edgar County does not have a Drug Court Treatment Program.

55. In accordance with and acting pursuant to a widespread, though unwritten, custom of the Edgar County Sheriff of allowing and condoning inhumane conditions of confinement for inmates of the Edgar County Jail, including the Plaintiff herein, Defendants Jeff Wood and Jay Willaman knowingly subjected the Plaintiff to the following inhumane conditions while confined at the Edgar County Jail:

a. inadequate heat and/or cooling;

- b. no bed or floor mattress for over 21 days;
- c. no out-of-cell recreation at all;
- d. cracked, non-tamper-proof glass window in the isolation cell used to house Plaintiff, a known suicide risk and mentally impaired inmate;
- e. filthy cells and failure to provide cleaning and sanitizing supplies;
- f. exposure to COVID-19 due to lack of segregation of infected inmates.

COUNT I – 42 U.S.C. § 1983 – DEFENDANT JESSE LEWSADER

56. Plaintiff incorporates by reference paragraphs 1-8 and paragraph 26 as if fully set forth herein.

57. As a result of his use of unreasonable force, Defendant Jesse Lewsader acted under color of law but contrary to law, and did deprive Plaintiff of his rights, privileges or immunities secured under the Constitution and laws of the United States and 42 USC § 1983, including:

His right, as a pretrial detainee, to be free from objectively unreasonable force, when he attacked plaintiff, threw plaintiff to the floor, and roughly shackled Plaintiff, causing pain and suffering, in violation of Amendment XIV.

WHEREFORE, Plaintiff demands judgment against Defendant Jesse Lewsader for compensatory damages and for punitive damages in amounts to be determined by the jury, plus costs, pre-judgment and post-judgment interest, and actual attorney fees pursuant to 42 USC §1988.

COUNT II – 42 U.S.C. § 1983 – DEFENDANT JEFF WOOD

58. Plaintiff Incorporates by reference paragraphs 1-55 as if fully set forth herein.

59. As a result of his unlawful, malicious, reckless and/or indifferent conduct, Defendant Jeff Wood acted under color of law but contrary to law, and did deprive Plaintiff of his rights, privileges or immunities secured under the Constitution and laws of the United States and 42 USC § 1983, including:

a. His right, as a pretrial detainee, to receive adequate medical diagnosis, treatment and medications for his objectively serious medical and mental health needs, in violation of Amendment XIV;

b. His right, as a pretrial detainee, to humane conditions of confinement, in violation of Amendment XIV;

c. His right to freedom of speech, by stopping Plaintiff from communicating his serious medical needs to a medical doctor at Horizon Health and by restricting Plaintiff's access to paper on which to write grievances and letters in violation of Amendment I;

d. His rights to access to the courts by confiscating Plaintiff's legal papers and confidential attorney correspondence and by failing to provide a non-recorded telephone line for attorney calls in violation of Amendment VI;

e. His right, as a pretrial detainee, to be protected from state created dangers or unsafe conditions of confinement, by locking Plaintiff into an isolation cell with access to a non-tamper-proof broken glass window, knowing that Plaintiff had been suicidal/homicidal in the recent past, posing an unreasonable risk of serious damage to his future health, in violation of Amendment XIV.

WHEREFORE, Plaintiff demands judgment against Defendant Jeff Wood for compensatory damages and for individual liability punitive damages in amounts to be

determined by the jury, plus costs, pre-judgment and post-judgment interest, and actual attorney fees pursuant to 42 USC §1988.

COUNT III – 42 U.S.C. § 1983 – DEFENDANT JAY WILLAMAN

60. Plaintiff Incorporates by reference paragraphs 1-55 as if fully set forth herein.

61. As a result of his unlawful, malicious, reckless and/or indifferent conduct, Defendant Jay Willaman acted under color of law but contrary to law, and did deprive Plaintiff of his rights, privileges or immunities secured under the Constitution and laws of the United States and 42 USC § 1983, including:

a. His right, as a pretrial detainee, to be free from objectively unreasonable force, when he attacked plaintiff, threw plaintiff to the floor, and roughly shackled Plaintiff, causing pain and suffering, in violation of Amendment XIV;

b. His right , as a pretrial detainee, to receive adequate medical diagnosis, treatment and medications for his objectively serious medical and mental health needs, in violation of Amendment XIV;

c. His right, as a pretrial detainee, to humane conditions of confinement, in violation of Amendment XIV;

d. His right to freedom of speech, by stopping Plaintiff from communicating his serious medical needs to a medical doctor at Horizon Health and by restricting Plaintiff's access to paper on which to write grievances and letters in violation of Amendment I;

e. His rights to access to the courts by confiscating Plaintiff's legal papers and confidential attorney correspondence and by failing to provide a non-recorded

telephone line for attorney calls in violation of Amendment VI.

f. His right, as a pretrial detainee, to be protected from state created dangers or unsafe conditions of confinement, by locking Plaintiff into an isolation cell with access to a non-tamper-proof broken glass window, knowing that Plaintiff had been suicidal/homicidal in the recent past, posing an unreasonable risk of serious damage to his future health, in violation of Amendment XIV.

WHEREFORE, Plaintiff demands judgment against Defendant Jay Willaman for compensatory damages and for punitive damages in amounts to be determined by the jury, plus costs, pre-judgment and post-judgment interest, and actual attorney fees pursuant to 42 USC §1988.

**COUNT IV –STATE LAW CLAIMS – DEFENDANTS JESSE LEWSADER,
AND JAY WILLAMAN**

62. Plaintiff Incorporates by reference paragraphs 1-8 and paragraph 26 as if fully set forth herein.

63. Defendants Jesse Lewsader and Jay Willaman had a duty to exercise ordinary care for the person of the plaintiff, in the exercise of their official duties.

64. Notwithstanding their aforesaid duty, Defendants Jesse Lewsader, and Jay Willaman willfully and wantonly engaged in a course of conduct and action with an actual or deliberate intention to cause harm to, or, if not intentional, with an utter indifference to or conscious disregard for the safety of the person of the Plaintiff, in violation of Illinois law, thereby proximately causing, in whole or in part, mental and emotional distress and physical injury.

65. By the actions described herein, Defendants Jesse Lewsader and Jay

Willaman willfully and wantonly committed the following wrongful act against the Plaintiff, which are tortious under the laws of the State of Illinois:

Battery by violently taking Plaintiff to the floor and roughly shackling Plaintiff to effect an arrest, which was a harmful or offensive un-consented touching of Plaintiff's person.

WHEREFORE, Plaintiff demands judgment against Defendants Jesse Lewsader, and Jay Willaman for compensatory damages and for punitive damages in amounts to be determined by the jury, plus costs, pre-judgment and post-judgment interest.

COUNT V – RESPONDEAT SUPERIOR - DEFENDANT CITY OF PARIS, ILLINOIS

66. Plaintiff Incorporates by reference paragraphs 1-8, 26 and 63-65 as if fully set forth herein.

67. While committing the misconduct alleged in Count IV, Defendant Jesse Lewsader was an employee and agent of Defendant City of Paris, Illinois, acting at all relevant times within the scope of his employment.

68. Defendant City of Paris, Illinois, is liable as principal for all state law torts committed by its agents, including Defendant Jesse Lewsader.

WHEREFORE, Plaintiff demands judgment against Defendant City of Paris, Illinois for compensatory damages in an amount to be determined by the jury, plus costs, pre-judgment and post-judgment interest.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment as follows:

On all Counts

- (a) Compensatory general and special damages in accordance with proof;
- (b) Costs of suit necessarily incurred herein;
- (c) Such further relief as the Court deems just or proper;
- (d) Reasonable Attorney's Fees and expenses of litigation if and as allowed by state or federal statute on each Count as so allowed; and
- (e) Punitive damages against the individual defendants, as allowed under the law, (except the immune entity defendant) in an amount sufficient to punish those defendants and to deter future misconduct of these defendants and other similarly situated police officers.

**PLAINTIFF DEMANDS TRIAL BY JURY
RESPECTFULLY SUBMITTED,
DANIEL LEE ROBINSON**

November 27, 2020

/s/ JUDE MARIE REDWOOD

Mrs. Jude M. Redwood 6257623
For the plaintiff
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EXHIBIT A

JB Pritzker
Governor



Rob Jeffreys
Acting Director

The Illinois Department of Corrections

1301 Concordia Court, P.O. Box 19277 • Springfield, IL 62794-9277 • (217) 558-2200 TDD: (800) 526-0844

May 21, 2019

Sheriff Jeff Wood
Edgar County Sheriff's Office
228 North Central Street
Paris, Illinois 61944

Edgar County Clerk August Griffin
115 West Court Street, Room J
Paris, IL. 61944

Dear Sheriff Wood and County Clerk Griffin:

A copy of our recent inspection report of your county jail is enclosed. The *Illinois Compiled Statutes* [730 ILCS 5/3-15-2(b)] mandate the Department of Corrections to inspect county jails annually and to make the results available for public review. Your offices should make this inspection report available for public review in the records of Edgar County and you are encouraged to give notice to the citizens of your county, by news release or other means, that this report is available for the public's review.

The physical limitations of a structure built in 1892 and the management methods employed by the Sheriff's office make the safety and security of the Edgar County Jail ("facility") an issue. Short staffing still remains an issue at the Edgar County Jail. The current and ongoing practice of assigning a single officer to most shifts means that no immediate backup is available at the facility. These staffing issues raise security concerns (especially in light of the jail's physical condition) and could pose a serious liability risk to Edgar County. Correctional Officers at the Edgar County Jail have numerous duties to complete on each shift. A single jail staff member oversees all detainees, distributes all meals, books/releases detainees, oversees recreation, completes laundry, issues commissary/clothing, cleans the jail, provides the proper equipment to clean and sanitize all toilets, washbasins, showers, and sinks, collects and distributes incoming and outgoing mail, dispensing medications, etc. The lengthy list of duties imposed on your staff calls into question their ability to complete these tasks in an adequate fashion.

The County's inability to source or fabricate replacement parts for the facility's sinks and toilets render two of the cells in the upper area of the facility without running water. Because of this issue, the detainees in the upper block are not locked down after lights out. The heating equipment designed to provide heat to the upper left side of the facility does not work and no timetable has been set to repair it.

Mission: To serve justice in Illinois and increase public safety by promoting positive change in offender behavior, operating successful reentry programs, and reducing victimization.

www.illinois.gov/idoc

As previously indicated to your office, failure to comply with the County Jail Standards could result in enforcement actions brought on behalf of DOC by the Illinois Attorney General. In light of this Unit's inspections of the Edgar County Jail conducted February 9, 2011 through May 2018, the DOC has referred the Edgar County Jail to the Illinois Attorney General's Office. The results of this inspection and any further correspondence with Edgar County officials will be submitted to their office as well. As previously documented and reported during the annual inspections, the Edgar County Jail continues to violate multiple Illinois County Jail Standards.

Our office is available for consultation should you desire. You may reach our office at 217/558-2200, ext. 4212.

Sincerely,

A handwritten signature in black ink, appearing to read "Edwin R. Bowen". The signature is fluid and cursive, with a large initial "E" and "B".

Edwin R. "Bob" Bowen
Manager
Jail and Detention Standards Unit

cc: County Board Chairman Jeffry Voigt
Specialist Melissa Pelker

JB Pritzker
Governor



Rob Jeffreys
Acting Director

The Illinois Department of Corrections

1301 Concordia Court, P.O. Box 19277 • Springfield, IL 62794-9277 • (217) 558-2200 TDD: (800) 526-0844

EDGAR COUNTY JAIL 2019 INSPECTION REPORT

The Edgar County Jail was inspected on March 27, 2019. Entrance and exit interviews were conducted with Brice Stratton.

IMPROVEMENTS SINCE LAST INSPECTION

1. New washer and dryers.
2. Ongoing repairs to plumbing throughout jail.
3. Three doors in cellblock repaired.
4. Currently repairing shower in the lower cell block.
5. New restraints.
6. Purchased new jumpsuits, shoes, bedding, towels and bed mats for detainees.
7. Fire extinguishers exchanged.
8. Officers in the jail now have protective vests as part of their uniform.

NONCOMPLIANCES WITH THE ILLINOIS COUNTY JAIL STANDARDS

1. 701.20 Personnel

(a) Jail Officer Staffing

- 1) Each jail must have sufficient personnel to provide adequate twenty-four hour supervision of detainees.
- 4) If the facility has more than one floor of detention, one jail officer shall be required for each additional floor when 15 or more detainees are confined. This minimum standard does not apply to the midnight shift provided the 30-minute supervisory checks are performed.

Recommendation: Staff numbers remain insufficient and must be increased. This standard requires at least two security staff members per shift each day.

2. 701.40 Admissions Procedures

(m) Showers

All detainees must shower or bathe when admitted.

(n) Cell Assignment

(1) The detainee shall be assigned suitable quarters.

(2) Jail staff shall be responsible for cell assignment and shall consider, among other matters:

(D) Classification and separation criteria outlined in Section 701.70.

Recommendation: The intake shower in the booking area continues to not be used on every detainee lodged. As before, all detainees are directed to take their intake shower once they are assigned a cell block or detention room. The cell assignments continue to be of very poor quality in regard to physical requirements and mechanical discrepancies. The physical limitations of the building continue to prevent adequate classification/separation compliance.

3. 701.70 Classification and Separation

(a) Classification Information

Each facility shall have a written guideline for the classification of detainees that specify criteria and procedures for determining and changing the status, assignment, or security of a detainee. To determine each detainee's degree of security, housing, programs, and assignments, the following information, to the extent available, shall be considered, among other matters:

(1) Sex

(2) Age

(3) Offense

(4) Status, that is, pretrial, awaiting sentence, or sentenced

(5) Past criminal history, including known prior institutional history

(6) Probation or parole status

(7) Medical condition and treatment needs

(8) Mental and emotional condition and needs

(9) History of substance abuse

- (10) Homosexuality
- (11) Academic and Vocational needs
- (12) Special service and program needs
- (13) Detainee's attitude regarding him or herself and his or her future
- (14) Gang activity
- (15) Physical size and stature

(b) Separation by Category

4) Non-Criminal

- B) When possible, non-criminal offenders such as traffic violators, non-support cases, and persons charged with civil contempt who are supervised under the indirect supervision option shall be kept separate by detention room cluster or cell block from persons charged with criminal offenses.
- C) When possible, misdemeanants and felons should be housed separately, except where the detainee's prior history warrants similar housing.

(c) Classification Review

Review of the committed person's security and assignment classification shall be conducted periodically, but at least every 60 days.

Recommendation: A comprehensive operations manual remains lacking and would address all classification issues relating to placement within the facility. As before, the jail lacks any records which indicate necessary classification reviews are being conducted. The physical limitations of the facility continue to make classification issues difficult. More attention should be paid to separation issues.

4. 701.80 Housing

(b) Cell or Detention Occupancy

All existing cells and detention rooms should be designed for a maximum of double occupancy (two inmates per cell or detention room).

(c) Cell or Detention Room Equipment

Each cell or room shall be equipped with:

- (1) A rigidly constructed metal bed, with a solid or perforated metal bottom, securely anchored to the floor or wall or a concrete sleeping surface; a flame-retardant mattress with no inner spring; staph-check mattress covering; and bed

covers suitable to the season. A sleeping surface constructed of concrete may only be used if the construction design was approved in advance by the Department. In determining whether to approve design of concrete beds, the Department will consider, among other matters, the architectural design, whether the concrete is solid, whether beds would be constructed in a manner which would not affect heating of the cell, whether the height and measurements are similar to a standard jail bed, and whether the location of the bed would restrict detainee movement.

- (2) A washbasin with piped hot and cold water.
- (3) A prison type toilet.
- (4) Illumination sufficient to assure comfortable reading at desk level (at least 20 foot-candles illumination at a height of three feet above the floor). Light fixtures shall be tamper proof.

(h) Day Room

- (2) Each day room shall be equipped with securely anchored metal tables as well as chairs or benches. Tables and chairs do not have to be securely anchored in direct supervision units provided that alternatives would not affect the safety and security of the facility or individuals. Adequate seating shall be provided for detainees.

(i) Showers

Showers shall be provided in each cell block area.

(j) Mirror

Cells and detention rooms shall contain a metal mirror anchored securely to the wall.

(k) Ventilation

Detention areas shall be comfortably heated and cooled according to the season with a system designed to eliminate disagreeable odors and to routinely provide temperatures within the normal comfort zone.

(l) Compliance

- 1) All requirements of a physical nature shall be complied with by the jails. However, if the Department has previously given written approval for final architectural plans for new construction or remodeling, new standards of a physical nature will not be enforced.

Recommendation: All areas within the facility are in need of major repair; many of the showers are rusted and or in disrepair. Many of the sinks and/or toilets are in need of repair. The light fixtures provided are not tamper proof and are easily broken or missing in some areas. Many of the required mirrors are missing. Some minimal repairs have happened since the last inspection but the jail is in need

5. 701.130 Supervision

- a) Shift Coverage
 - 1) There must be a sufficient number of officers present in the jail, awake and alert at all times, to provide supervision directly or indirectly while detainees are in custody.
 - 2) A jail officer shall provide personal observation, not including observation by a monitoring devise, at least once every 30 minutes.
- d) Night Hours
 - 1) Detainees shall be locked in their individual calls between the designated times of lights out and arising in the morning, except for night work crews which are continuously supervised.

Recommendation: More staff must be hired and trained. Staffing levels now are at noncompliant numbers. Documents show numerous cell checks over thirty minutes. Ensure these checks are being completed and documented according to the ICJS. Because of the lack of running water and flush toilets in the upper cell block, it is impossible to lock detainees in their individual cells.

6. 701.140 Security

- (5) Backup personnel shall be notified and available when cell doors to living quarters are opened.

Recommendation: Backup personnel are not presently being provided. More staff must be retained.

7. 701.220 Education

- a. Jails are encouraged to provide relevant educational programs which may include:
 - 1. Adult Basic Education Courses aimed at reducing the level of illiteracy by increasing individual reading vocabulary, encouraging writing skill, explaining basic arithmetic, and providing an opportunity for detainees to learn more about community business and social activities which affect their lives.
 - 2. Elementary and High School Courses that are specific or general. Depending upon the aim of the detainee, these courses may serve to provide knowledge related to a definite interest or be suitable for a continued educational program in the community after release.

3. General Education Development (G.E.D.) courses to prepare qualified detainees for the G.E.D. test so they can earn a high school equivalency diploma.
4. Correspondence Courses for both high school students and graduates can be arranged through local school districts, state colleges, and universities.
5. Social Education taught by instructors from local schools and colleges, volunteers from community agencies, and university students to instruct detainees in understanding self-concept, how to modify existing life style habits, and how to understand and relate to others. Detainees, individually or in groups, can be introduced to acceptable methods of finding and getting a job. They may also be introduced to vocational requirements such as proper work habits, job performance, personal relationships, and keeping a job. Jail personnel can assist detainees in obtaining birth certificates and social security numbers, to find suitable employment after release, and to utilize the services of community agencies such as local unions, employment offices, and private agencies or industries.
 - i. Educational information and academic materials shall be permitted and made accessible to detainees.
 - ii. Vocational information and materials shall be permitted and made accessible to detainees, provided their presence does not jeopardize security.

Recommendation: No educational programs exist within the facility. Efforts should be made to secure linkage agreements with service providers and community outreach organizations.

8. 701.260 Recreation and Leisure Time

- (a) All construction designs submitted for approval after publication of these standards must include an exercise room or yard of sufficient area to allow strenuous physical exercise. A day room may be designated as an exercise room provided the minimum standards for exercise areas are met.
- (b) The exercise area shall be appropriately equipped and utilized within the limitations of security requirements.

Recommendation: Because of understaffing on every shift, the outdoor recreation area is never utilized. If more staff were on duty, detainee movement to the recreation yard could be made possible.

Melissa Pelker
Criminal Justice Specialist

Bruce Rauner
Governor



John Baldwin
Acting Director

The Illinois Department of Corrections

1301 Concordia Court, P.O. Box 19277 • Springfield, IL 62794-9277 • (217) 558-2200 TDD: (800) 526-0844

EDGAR COUNTY JAIL 2018 INSPECTION REPORT

The Edgar County Jail was inspected on April 19, 2018 and May 15, 2018. Entrance and exit interviews were conducted with C/O Zeb Washburn in April and Sheriff Jeff Wood in May.

IMPROVEMENTS SINCE LAST INSPECTION

Repairs to damage in lower level cell block were made, including patching holes, new door hinges, new locks on the doors within the cell block, and repairs to exposed metal that was torn away from the wall.

NONCOMPLIANCES WITH THE ILLINOIS COUNTY JAIL STANDARDS

1. 701.20 Personnel

(a) Jail Officer Staffing

- 1) Each jail must have sufficient personnel to provide adequate twenty-four hour supervision of detainees.
- 2) A jail administrator, qualified by training and experience to supervise staff and detainees, shall be appointed when the average daily jail population is expected to exceed 25. If the average daily jail population is 25 or less, the sheriff may function as the jail administrator for purposes of this Part.
- 4) If the facility has more than one floor of detention, one jail officer shall be required for each additional floor when 15 or more detainees are confined. This minimum standard does not apply to the midnight shift provided the 30-minute supervisory checks are performed.

Recommendation: Staff numbers remain insufficient and must be increased. This standard requires at least two security staff members per shift each day. Of the 3 full-time officers on duty during these inspections, 2 had yet to complete basic jail officer training academy.

Mission: To serve justice in Illinois and increase public safety by promoting positive change in offender behavior, operating successful reentry programs, and reducing victimization.

www.illinois.gov/idoc

2. 701.40 Admissions Procedures

(m) Showers

All detainees must shower or bathe when admitted.

(n) Cell Assignment

(1) The detainee shall be assigned suitable quarters.

(2) Jail staff shall be responsible for cell assignment and shall consider, among other matters:

(D) Classification and separation criteria outlined in Section 701.70.

Recommendation: The intake shower in the booking area continues to not be used on every detainee lodged. As before, all detainees are directed to take their intake shower once they are assigned a cell block or detention room. The cell assignments continue to be of very poor quality in regard to physical requirements and mechanical discrepancies. The physical limitations of the building continue to prevent adequate classification/separation compliance.

3. 701.70 Classification and Separation

(a) Classification Information

Each facility shall have a written guideline for the classification of detainees that specify criteria and procedures for determining and changing the status, assignment, or security of a detainee. To determine each detainee's degree of security, housing, programs, and assignments, the following information, to the extent available, shall be considered, among other matters:

- (1) Sex
- (2) Age
- (3) Offense
- (4) Status, that is, pretrial, awaiting sentence, or sentenced
- (5) Past criminal history, including known prior institutional history
- (6) Probation or parole status
- (7) Medical condition and treatment needs
- (8) Mental and emotional condition and needs
- (9) History of substance abuse
- (10) Homosexuality
- (11) Academic and Vocational needs

- (12) Special service an program needs
- (13) Detainee's attitude regarding him or herself and his or her future
- (14) Gang activity
- (15) Physical size and stature
- (b) Separation by Category
 - 4) Non-Criminal
 - B) When possible, non-criminal offenders such as traffic violators, non-support cases, and persons charged with civil contempt who are supervised under the indirect supervision option shall be kept separate by detention room cluster or cell block from persons charged with criminal offenses.
 - C) When possible, misdemeanants and felons should be housed separately, except where the detainee's prior history warrants similar housing.
- (c) Classification Review

Review of the committed person's security and assignment classification shall be conducted periodically, but at least every 60 days.

Recommendation: A comprehensive operations manual remains lacking and would address all classification issues relating to placement within the facility. As before, the jail lacks any records which indicate necessary classification reviews are being conducted. The physical limitations of the facility continue to make classification issues difficult. More attention should be paid to separation issues. Additionally on a tour of the jail inmates advised that they are not assigned to a particular cell on the unit; jail staff verified that they give detainees a cell assignment but do not enforce that they remain there.

4. 701.80 Housing

- (b) Cell or Detention Occupancy

All existing cells and detention rooms should be designed for a maximum of double occupancy (two inmates per cell or detention room).

- (c) Cell or Detention Room Equipment

Each cell or room shall be equipped with:

- (1) A rigidly constructed metal bed, with a solid or perforated metal bottom, securely anchored to the floor or wall or a concrete sleeping surface; a flame-retardant mattress with no inner spring; staph-check mattress covering; and bed covers suitable to the season. A sleeping surface constructed of concrete may only be used if the construction design was approved in advance by the Department. In determining whether to approve design of concrete beds, the Department will consider, among other matters, the architectural design, whether the concrete is solid, whether beds would be constructed in a manner which would not affect heating of the cell, whether the height and

measurements are similar to a standard jail bed, and whether the location of the bed would restrict detainee movement.

- (2) A washbasin with piped hot and cold water.
- (3) A prison type toilet.
- (4) Illumination sufficient to assure comfortable reading at desk level (at least 20 foot-candles illumination at a height of three feet above the floor). Light fixtures shall be tamper proof.

(h) Day Room

- (2) Each day room shall be equipped with securely anchored metal tables as well as chairs or benches. Tables and chairs do not have to be securely anchored in direct supervision units provided that alternatives would not affect the safety and security of the facility or individuals. Adequate seating shall be provided for detainees.

(i) Showers

Showers shall be provided in each cell block area.

(j) Mirror

Cells and detention rooms shall contain a metal mirror anchored securely to the wall.

(k) Ventilation

Detention areas shall be comfortably heated and cooled according to the season with a system designed to eliminate disagreeable odors and to routinely provide temperatures within the normal comfort zone.

(l) Compliance

- 1) All requirements of a physical nature shall be complied with by the jails. However, if the Department has previously given written approval for final architectural plans for new construction or remodeling, new standards of a physical nature will not be enforced.

Recommendation: All areas within the facility are in need of major repair; many of the showers are rusted and or in disrepair. Many of the sinks and/or toilets are in need of repair. The light fixtures provided are not tamper proof and are easily broken or missing in some areas. Some light fixtures were being held in place with pieces of torn clothing or socks, dangling. Jail staff have hung rope lights on the ceiling in an attempt to provide more light, however it is still inadequate. Many of the required mirrors are missing. The cell block areas are lined with exposed wiring and some had even been spliced together by the detainees. One cell block had a broken metal fan guard leaning up against the cells within detainees reach. This non-compliance has continued through several inspections, with the fan still leaning within reach of the inmates. A general sweep of the detention areas needs to be performed to remove dangerous and unsafe contraband.

5. 701.90 Medical and Mental Health Care

- b) Physician, Mental Health and Dental Services
 - 1) A medical doctor shall be available to attend the medical and mental health needs of detainees.
- d) Sick Call
 - 3) Detainees with emergency complaints shall receive attention as quickly as possible, regardless of the sick call schedule.
- e) Written Record or Log

A written record shall be maintained, as part of the detainee's personal file, of all treatment and medication prescribe, including the date and hour the treatment and medication is administered. A written record shall be maintained of over-the-counter medication, for example, aspirin, cough medicine, etc., issued by jail staff. A written record shall be kept of all detainees' special diets.

Recommendation: *Medication logs are not being filled out by staff. Staff needs to properly fill out the medication log, keeping track of what medication was administered, the time administered and the initials of whom administered it.*

During the April inspection, a female detainee advised she had just returned to the jail from being medical furloughed for a week due to a MRSA infection. She showed her bandaged foot to inspectors and stated that she had gone three weeks before any action was taken to take her to the doctor and at that time she needed a week of IV anti-biotics to fight the infection. Jail staff confirmed that it was only when her foot became so swollen and infected did they act on her request for medical care. Jail staff explained that when they do not have the manpower to take detainees to the doctor they cancel the appointments.

During the interaction with the detainee, another female detainee stepped forward and advised that she had been caring for the sick detainee, dressing her wound, etc. and that she had no medical training. Jail staff did not dispute her claim but did advise they had documentation that they had taken her to the hospital.

Upon exiting the cell block, inspectors discussed that the filth in the female cell block was unacceptable, especially given the detainee housed there was fighting a serious infection.

6. 701.120 Sanitation

- a) General Requirements
 - 6) Walkways and corridors shall be free of trash and debris.
- b) Facility Equipment
 - 1) Toilets, washbasins, shower stalls and sinks shall be thoroughly cleaned and sanitized each day with detergent and a germicidal agent.

Recommendation: *On the April inspection date the trash cans were overflowing and the catwalk area of the units were littered with trash that the inspector had to step over to conduct the inspection. Staff needs to ensure that trash cans are emptied when full and that the catwalk area is kept clear of trash. The toilets on the unit that housed the female detainees had Kotex stuck around the seat areas of two toilets. This prevents the area from being properly cleaned daily and has the potential to harbor germs and bacteria. Staff needs to ensure that these are removed and that the detainees are NOT allowed to*

replace them. Shower curtains were moldy and being held in place with pieces of socks or other garments that detainees had torn into order to hold the curtain up.

5. 701.130 Supervision

a) Shift Coverage

- 1) There must be a sufficient number of officers present in the jail, awake and alert at all times, to provide supervision directly or indirectly while detainees are in custody.
- 2) A jail officer shall provide personal observation, not including observation by a monitoring device, at least once every 30 minutes.

d) Night Hours

- 1) Detainees shall be locked in their individual cells between the designated times of lights out and arising in the morning, except for night work crews which are continuously supervised.

Recommendation: More staff must be hired and trained. Staffing levels now are at noncompliant numbers. Documents show numerous cell checks over thirty minutes. Ensure these checks are being completed and documented according to the ICJS. Because of the lack of running water and flush toilets in the upper cell block, it is impossible to lock detainees in their individual cells.

6. 701.140 Security

c) Facility Security Measures

Jail officers only must exercise and control security measures and shall not permit detainee assistance.

- (1) All jail locks, doors, bars, windows, screens, grilles, and fencing shall be regularly and frequently inspected to ensure proper functioning and to detect and prevent escape efforts.
- (12) Bars, walls, windows and floors of the jail and detention sections shall be regularly and frequently inspected and kept clear of large posters, pictures, calendars and articles of clothing that obstruct direct observation of detainee activity.
- (5) Unoccupied cells, detention rooms, and storage rooms shall be kept locked at all times.
- (5) Backup personnel shall be notified and available when cell doors to living quarters are opened.
- (6) Glass or unattached metal items shall not be permitted in the detention area.
- (11) A documented inventory of all keys available to jail officers shall be made at the beginning of each shift.

d) Maintenance

Any damaged or nonfunctioning security equipment must be promptly reported and repaired.

h) Key Control

- 1) A record of all keys inventoried and issued shall be maintained.

i) Firearms and Other Weapons

- 1) No person, including law enforcement personnel, shall be permitted to enter any section of the jail with a gun or other weapon on his or her person.
- 2) Weapons shall be stored in a secure and locked drawer, cabinet or container outside of the security area.

j) Chemical Agents

- 1) Chemical agents shall be used only as a last resort to bring detainees under the necessary degree of control and only after thorough consideration of alternative means and of the hazards involved, including the physical characteristics of the area where it is to be used. A record of the incident shall be made.

Recommendation: Backup personnel are not presently being provided. More staff must be retained. All non-working security equipment must be repaired immediately. A comprehensive tool log must be started and maintained. An unusual occurrence report must be submitted to the Detention Standards Unit after each use of chemical agents. On the date of inspection, references to unusual occurrences were discussed for which the JDSU had no report. Reports of unusual occurrences must be submitted to the unit within 72 hours. On the second day of the inspection one staff member was walking around the secured jail area with his handgun on his person. No one should be allowed to enter the secured area of the jail with a weapon upon their person.

Detainees are permitted to hang clothing, towels, sheets and other items from the walls of the cell blocks obstructing the view of jail staff doing their tours. This was discussed during the April visit and was present again in May.

In addition, while passing chow, the correctional officer left his keys in the cell block door while the chuck hole was open, as well as the secure door being propped to the remainder of the jail. Exterior doors of the jail were opened to allow inspector entrance while the secure fence around the back of the jail was also unsecure. At that time, a detainee was being booked into the jail. These unsecure doors created an unobstructed passage to the parking lot of the jail.

7. 701.220 Education

- a. Jails are encouraged to provide relevant educational programs which may include:
 - 1. Adult Basic Education Courses aimed at reducing the level of illiteracy by increasing individual reading vocabulary, encouraging writing skill, explaining basic arithmetic, and providing an opportunity for detainees to learn more about community business and social activities which affect their lives.
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 - 3. General Education Development (G.E.D.) courses to prepare qualified detainees for the G.E.D. test so they can earn a high school equivalency diploma.
 - 4. Correspondence Courses for both high school students and graduates can be arranged through local school districts, state colleges, and universities.
 - 5. Social Education taught by instructors from local schools and colleges, volunteers from community agencies, and university students to instruct detainees in understanding self-concept, how to modify existing life style habits, and how to understand and relate to others. Detainees, individually or in groups, can be introduced to acceptable methods of finding and getting a job. They may also be introduced to vocational requirements such as proper work habits, job performance, personal relationships, and keeping a job. Jail personnel can assist detainees in obtaining birth certificates and social security numbers, to find suitable employment after release, and to utilize the services of community agencies such as local unions, employment offices, and private agencies or industries.
 - i. Educational information and academic materials shall be permitted and made accessible to detainees.
 - ii. Vocational information and materials shall be permitted and made accessible to detainees, provided their presence does not jeopardize security.

Recommendation: No educational programs exist within the facility. Efforts should be made to secure linkage agreements with service providers and community outreach organizations.

8. 701.260 Recreation and Leisure Time

- (a) All construction designs submitted for approval after publication of these standards must include an exercise room or yard of sufficient area to allow strenuous physical

exercise. A day room may be designated as an exercise room provided the minimum standards for exercise areas are met.

- (b) The exercise area shall be appropriately equipped and utilized within the limitations of security requirements.

Recommendation: Because of understaffing on every shift, the outdoor recreation area is never utilized. If more staff were on duty, detainee movement to the recreation yard could be made possible.

Melissa Pelker
Criminal Justice Specialist

EXHIBIT B

FILED

SEP 09 2019

[Signature]
EDGAR COUNTY CLERK

NOTICE OF MATERIAL CHANGE TO POLICY

Insurance Company: Illinois Counties Risk Management Trust
Insurance Program Managers Group, LLC, Program Administrators
225 Smith Road
St. Charles, IL 60174

Name and Address of Insured: Edgar County
115 West Court Street, Room J
Paris, IL 61944

Coverage: General Liability, Law Enforcement Liability,
Property, Inland Marine

Renewal of Policy Number: P5-1000447-1819-01

Material Change will take effect: 12-01-2019 12:01AM

Date of Mailing: 08-23-2019

You are hereby notified that your insurance renewal effective 12-01-2019 will include a material change in coverage. This change is as follows:

Premises and operations at the Edgar County Jail, located at 228 North Central, Paris, Illinois, will be excluded for General Liability, Law Enforcement Liability, Property and Inland Marine Coverage.

[Signature]
Authorized Signature
Insurance Program Managers Group, LLC
Program Administrator for ICRMT



ILLINOIS COUNTIES RISK MANAGEMENT TRUST



COPY

Edgar County Liability Review

After reviewing critical tasks and the facility at Edgar County I have identified several issues. I would recommend a full audit by LLRMI (law enforcement consultant with IPMG) and follow up to assist with compliance. Some of their issues are rooted in lack of financial resources. One suggestion would be to contract with a grant writer who can seek out sources of revenue for their many needs.

Jeff Badicore

These are the following critical issues identified:

1. Policy – Recommend complete re-write of critical policy by LLRMI (free of charge). I would seek assistance in having them custom tailored to the needs of Edgar County Jail.

Do this, still will they do that now for us - have ours on file

This policy will replace all other policy, and the staff must be trained in the new policy, and document acknowledgment that they have received and been trained in the new policy.

Corrections

The policy should be reviewed yearly and signed off on by the Sheriff or his designee.

All jail practices must model policy....there can't two different standards (policy/practice)

2. Strip Searches – There must be an effort made to avoid strip searches for minor crimes/traffic offense. The opportunity should be given to bond out, or they should be held separately for a reasonable amount of time. As noted in provided policy, all strip searches in this category require supervisor approval and documentation. If all efforts are exhausted and they are admitted into general population then strip searching without reasonable suspicion, supervisor authorization, or documentation is authorized; however, you could still require for this class of inmates if the jail has the resources to do so.

3. Medical/Medication Screening – It should be in practice and policy that all personnel who dispense medications are trained to do so (or do so under the supervision of trained personnel). The same standard should apply to staff that performs medical tests such as blood sugar levels and blood pressure monitoring. Medications should all be vetted/verified by medical personnel, and there should be an ability to do this at all hours of the day, including at night.

There should be an on-call doctor on contract who can be called for consult on medical issues. This same doctor should also make regular periodic rounds of the jail, in addition to nursing services.

4. Mental Health/Suicide Prevention – There should be a contract with a mental health professional who makes regular periodic rounds of the jail, in addition to consulting with suicidal subjects.

5. PREA Compliance – *on line?* There should be an officer who is designated the PREA coordinator, and this person would be responsible for making sure inmates are informed of their rights under PREA. Full compliance under PREA greatly reduces liability in the case of alleged cases of sexual misconduct within the jail.



6. Use of Force – All uses of force should be documented on a separate form (can/should use the normal incident report for the narrative portion). These reports should be reviewed by a supervisor immediately with a determination if the use of force was justified or not. Any incident that is deemed inappropriate or questionable should be investigated by an outside agency.
7. Training – Training must be consistent and conducted on a regular basis. All training must meet the minimum training requirements mandated by the state. These training sessions should be documented for each officer so that an alert is present indicating when a particular officer is deficient in any area of training.

All officers should be certified correctional officers and undergo appropriate training, including part-time officers.

All officers who perform medical functions and dispense medicine should also be trained in this particular area.

8. Internal Affairs – Discipline investigations should not be handled by the Sheriff. They should be handled by someone who is a subordinate because all internal affair investigations need to be reviewed by a person of superior rank.
9. Jail Physical Condition – The jail is old and in dire need of upgrades to its infrastructure. I witnessed Christmas lights hanging in place of lighting fixtures. The jail was also dirty and had trash and liquid on the ground. Ideally a new facility should be used, but that would be costly; however, this jail does not appear to meet the basic needs of a secure and safe facility.

One option would be to conduct a cost study on utilizing different jails for housing Edgar County inmates.

Another option is to seek out a grant writer to assist with funds to upgrade the facility and bring it up to acceptable standards.

EXHIBIT C

EDGAR COUNTY PHOTOGRAPHS JANUARY 2013



EDGAR COUNTY PHOTOGRAPHS JANUARY 2013



EDGAR COUNTY PHOTOGRAPHS JANUARY 2013



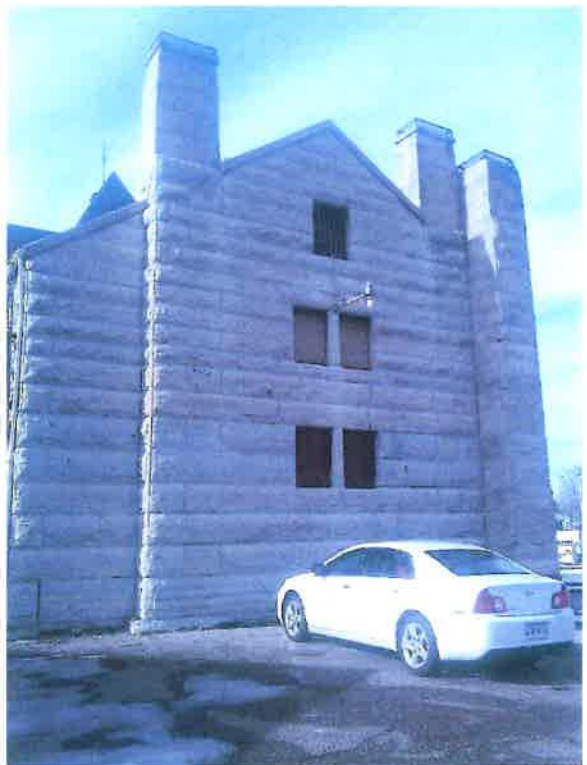
EDGAR COUNTY PHOTOGRAPHS JANUARY 2013



EDGAR COUNTY PHOTOGRAPHS JANUARY 2013



EDGAR COUNTY PHOTOGRAPHS JANUARY 2013



EDGAR COUNTY JAIL PHOTOGRAPHS AUGUST 2012



EDGAR COUNTY JAIL PHOTOGRAPHS AUGUST 2012



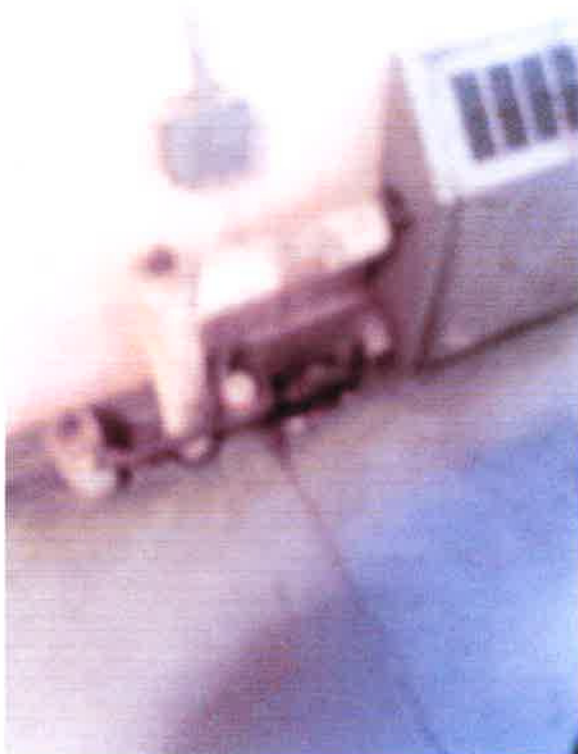
EDGAR COUNTY JAIL PHOTOGRAPHS AUGUST 2012



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