



January 6, 2025

Annette Chambers-Smith
Director, Ohio Department of Rehabilitation and Corrections
770 West Broad Street
Columbus, OH 43222

Dear Director Chambers-Smith:

We, the undersigned members of the 136th General Assembly, write to you today with serious and urgent concerns regarding the conditions at the Butler County Jail, which is currently being used to hold Immigration and Customs Enforcement (ICE) detainees. As we explain below, it is imperative that the Ohio Department of Rehabilitation and Corrections (ODRC) exercises its jurisdictional authority to immediately increase inspection frequency and implement enhanced monitoring protocols at this facility to protect the health, safety, and constitutional rights of all individuals in state custody.

Our concerns are grounded in documented evidence of dangerous and deteriorating conditions discovered during a July 2025 inspection. An ODRC report issued in August revealed that the Butler County facility was holding 805 inmates, which was 49 inmates over the state-recommended capacity of 756. Rather than addressing this critical overcrowding issue, the facility has been accepting additional detainees since that time. The facility is holding 1,045 inmates, or 289 inmates over the state's recommended capacity as of this writing. This continued practice of exceeding safe capacity limits represents a fundamental failure to meet the state's duty of care to those held in its facilities.

The Butler County Jail was also cited for noncompliance with food service standards during the same July inspection, specifically for punishing inmates by serving the substandard "Warden Burger" instead of the same meal served to other inmates.

Beyond the food service and capacity crisis, we have received credible reports of severe heating deficiencies during the winter months, resulting in inmates and detainees being subjected to crowded, cold conditions that threaten their basic health and well-being. The combination of overcrowding and inadequate climate control creates dangerous

conditions that are wholly unacceptable in any facility. These are not minor inconveniences but conditions that pose genuine risks to human health and dignity.

Additionally, we are deeply troubled by reports that ICE detainees are being housed together with the general inmate population. This practice raises significant questions about appropriate classification, the delivery of specialized services required for immigration detainees, and whether proper protocols are being followed to ensure the safety and appropriate treatment of both populations. Any commingling of these distinct populations without clear justification or adequate safeguards is inconsistent with best practices in correctional administration.

We must emphasize a critical legal reality. By choosing to house ICE detainees in state facilities, Ohio assumes direct liability for their confinement. If individuals suffer harm from overcrowding, poor heating, lack of medical care, or other care failures, the state and its taxpayers will almost certainly face litigation and possible judgments. The legal and financial risks Ohio faces are very serious. We are responsible for those in custody and to Ohio's citizens, and therefore must avoid preventable legal and fiscal liability from state operations.

The current situation demands immediate action. We respectfully but firmly request that the Department of Rehabilitation and Corrections take the following five steps without delay:

- Immediately implement a schedule of unannounced inspections of the Butler County Jail, with particular attention to documenting capacity levels, environmental conditions, including heating and ventilation systems, medical care provision, and the appropriateness of housing classifications. We would also ask to be included in these inspections to better help us fulfill our constitutional obligations to our constituents.
- Conduct an immediate, comprehensive review of the facility's current capacity levels and develop an action plan to bring the population into compliance with state-recommended limits within six months of receipt of this letter.
- Assess and remedy all heating system deficiencies before severe winter weather has a chance to pose a threat to human life, ensuring that all housing areas maintain temperatures consistent with basic health and safety standards.
- Provide our offices with a detailed explanation of the rationale for housing ICE detainees with the general inmate population, and the specific safeguards in place to protect both groups.

- Prepare a comprehensive report on the state's potential legal liability arising from current conditions at this facility and present recommendations for mitigating that exposure.

Ohioans expect humane and constitutional treatment for everyone held in custody, no matter their location, immigration status, or detention reason. Current conditions at the Butler County facility appear to fall short and thus put the state at legal and moral risk. We trust you share our dedication to dignity for those in custody and ensuring that the law is upheld in Ohio.

We also respectfully request a written response to this letter, including a timeline for the implementation of the requested inspections and corrective measures. We stand ready to work with the department to ensure that Ohio's correctional and detention facilities meet the highest standards of care and accountability.

Thank you for your attention to this urgent matter.

Sincerely,



Christine Cockley
State Representative
House District 6



Mark Sigrist
State Representative
House District 10



William P. DeMora
State Senator
Senate District 25