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DEPARTMENT OF CORRECTIONS

BUREAU OF STANDARDS, AUDITS AND ACCREDITATION

OFFICE OF COUNTY INSPECTIONS AND SERVICES

**PA CODE TITLE 37, CHAPTER 95
STANDARDS COMPLIANCE INSPECTION**

FAYETTE COUNTY PRISON

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37 PA CODE § 95.220 et seq.*

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A. Introduction

Director Thomas Greishaw and Inspector Stephen Noll conducted the review of policies/procedures, support documentation, and physical plant inspection of the Fayette County Prison on November 22, 2016.

B. Facility Demographics

Fayette County Prison

Approved Bed Capacity: 264

Actual In-House Population (at time of inspection): 211 / Males: 171 / Females: 40

Temporary Emergency Beds (at time of inspection): 0 / Males: 0 / Females: 0

Average Daily Population for the last 6 months: 220

Administrative Staff: 4

Authorized: 4

Line Supervisor Staff: 7

Authorized: 7

Full-time Line Staff: 43

Authorized: 51

Part-time Line Staff: 10

Authorized: 10

Treatment Supervisor Staff: 2

Authorized: 2

Full-time Treatment Staff: 0

Authorized: 0

Part-time Treatment Staff: 0

Authorized: 0

Support Staff Supervisors: 0

Authorized: 0

Full-time Support Staff: 0

Authorized: 0

Part-time Support Staff: 0

Authorized: 0

C. Facility Description

The Fayette County Prison is located at 12 Court Street, Uniontown, PA. The facility opened in 1889 and was originally built for 76 inmates. Renovations occurred in 1965, 1989, and 1990 with an Annex Building constructed in 2002 allowing Fayette County to increase the capacity to 264 inmates. Additional construction projects have been underway in 2015/2016 to include a new roof, renovations to central control, and the addition of segregation fencing and new over-head door in the outdoor recreation area. The facility is a multi-story structure made of stone and steel and is adjacent to the courthouse. The inmate population is monitored by staff through indirect supervision. The Fayette County Prison serves as the county's provider for male and female inmates who are un-sentenced or are serving maximum sentences of two years less one day.

The Fayette County Prison is overseen by the Fayette County Prison Board of Inspectors.

D. The Inspection Process

1. Entrance Interview

The entrance interview was conducted in the staff breakroom with Warden Brian Miller and Deputy Warden Michael Zavada. Director Greishaw discussed what was to be expected during the inspection process and that the goal was to be helpful and non-intrusive.

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2. Examination of Policy

The Inspectors conducted the policy review prior to the physical inspection of the facility. During the review of policy/procedure the Inspectors noted several standards that did not meet Title 37, Chapter 95 compliance for written local policy requirements. The Fayette County Prison Administration corrected all identified policy/procedure revisions for compliance with Title 37, Chapter 95 standards by the date of this report.

The Inspectors reviewed support documentation prior to the physical inspection of the facility on the date of inspection. Support documentation met the minimum requirements of Title 37, Chapter 95. All required support documentation was received by the date of this report.

3. Facility Tour

Areas Visited	Cell Totals	Bed Totals
Unit 18 (Annex)	Dorm	80
Unit 21	22	44
Unit 22	22	44
Unit 23	22	44
Unit 24 - (IWU)	Dorm	24
Unit 25 - (SMU)	12	12
Unit 25 - Intake	N/A	N/A
Unit 26 - (CRP)	Dorm	10
SHU	4	4
Medical Unit	2	2
Armory		
Control Center		
Dietary		
Laundry		
Library		
Maintenance		
Medical Department		
Property Storage		
Recreation Area		
Sally Port		
Treatment/Education		
Visitation		

4. Conditions of Confinement / Quality of Life

During the physical inspection of the facility, the Inspectors observed that the overall conditions of confinement and quality of life were consistent with Title 37, Chapter 95 requirements. The housing and support areas were reasonably clean and maintained in conditions that appeared consistent with the age of the facility. The overall conditions were observed to have improved substantially since recent years' inspections.

E. Areas Reviewed

The Inspectors evaluated the conditions and operations at the facility as they pertain to Title 37, Chapter 95.

1. Personnel

The Fayette County Prison requires that all full-time employees are sent to the Pennsylvania Department of Corrections Training Academy within one year of full-time status. The facility orientation training outlines the required topics to include an overview of Title 37, use of force, prohibition on seeking and dispensing of favors to and from the inmate population, and instructions in the facility's code of conduct and ethics. Orientation and basic training cover the required subjects in accordance with Title 37, Chapter 95.

The annual training schedules and documentation of training recorded in the employees' personnel files were observed. Annual training is being provided that satisfies Title 37, Chapter 95 yearly requirements for specific subject matter.

The annual reviews of the Personnel Manual and associated documentation requirements were observed. The policies for Drug Free Work Place and Sexual Harassment/Misconduct were reviewed and are in compliance with Title 37, Chapter 95.

2. Admission and Release

The written local policy/procedures describe an admission process that includes the verification of commitment under legal authority and completeness of paperwork. The policy directs that inmates may not be admitted when they are in need of medical treatment beyond what the facility could provide. Admission procedures were adequate relating to inmate searches for contraband, property disposition, notification, medical assessment, personal hygiene, and to ensure all basic personal information is obtained for identification and classification purposes. Inmates receive a copy of the inmate rules and can notify a relative of their location. If non-United States citizens are detained, the detainee shall be informed of the right to have the consular officials notified. The Fayette County Prison admission policy, procedures, and documentation meet the requirements of Title 37, Chapter 95.

The policy/procedures direct that before an inmate is released, proper legal authority and completeness of paperwork shall be verified with the identification of the inmate. During the release process a review is conducted of the inmate's file for detainers, disposition of facility and personal property, information exchange, medication supply and instructions, and completion of victim notification. Inmate release paperwork is reviewed by the records department. Inmate release documentation was reviewed by the Inspectors and is in compliance with Title 37, Chapter 95.

3. Orientation

The written local policy identified the inmate orientation process being provided within the minimum requirement of 14 days per Title 37, Chapter 95. The inmate receives a copy of the Inmate Handbook during admission. All illiterate and non-English speaking inmates are provided assistance if needed. The delivery of orientation and provided Inmate Handbook are documented in the inmate's file.

The policy identifies the grievance process to include the method for submitting a grievance, staff responsible for responding to grievances, written record of grievances, at least one level of appeal, and timeframes for responses and appeals. Policy permits every inmate to make a request or submit a grievance to the facility administrator, judiciary, or other proper authority without censorship. Grievance documentation was observed to be in compliance with written local policy and Title 37, Chapter 95 requirements.

4. Inmate Rules / Staff Procedure

The Inspectors reviewed written local policies applicable to inmate rules and determined that they presented adequate direction for ensuring the security, control, safety, consequences for unacceptable behavior and orderly administration of the facility. The policy identifies the procedures for the implementation of new and revised information for staff and inmates. The policies for fire, escape, and riot were observed. These policies and procedures direct staff on actions to be performed in a given duty assignment or duty post in these situations. The inmate rules, staff procedures, and annual review were observed by the Inspectors and found to be in compliance with Title 37, Chapter 95.

5. Classification

The written local policy identifies the classification process, appeals process, review mechanism and procedure for reclassification. An initial classification is conducted upon completion of the commitment intake/booking process. Variables considered for primary classification include: security risk, behavior, gender, inmates requiring disciplinary detention, inmates requiring administrative segregation, potentially suicidal inmates, and inmates with mental or physical disabilities. Each inmate is evaluated in terms of his/her need for special housing assignment.

Initial information is gathered from the inmate and is entered electronically in the automated Global Tel*Link Offender Management System that produces actuarial assessment scores. The inmate's information is reviewed to ensure treatment assessment needs are met, health care screening is completed, and initial issued items have been received. The Inspectors reviewed the Classification Policy which met all requirements of Title 37, Chapter 95.

6. Housing

The written local policy includes procedures for an inmate requiring segregation from general population due to a medical condition, mental illness or contagious disease concerns. Inmates who display special needs during the intake booking/classification process are communicated through security, medical, and classification staff for diversion to housing appropriate to their need where available.

Climate conditions, floor space, heating, ventilation, lighting, bathing/toilet areas, and housekeeping in the housing units were observed by the Inspectors during the physical inspection. The housing units were reasonably clean, quiet, and orderly. Cell content was minimal and cells were clean. Temperature and airflow appeared to be adequate. Showers were clean and maintained. The housing areas had ample access to a secure segregated outdoor yard.

7. Clothing

The written local policy identifies the issued items that inmates receive upon commitment, procedures on possession of personal clothing, and how personal items would be stored. The property room for inmate personal items was clean and well organized. Clothing worn initially upon admission is inventoried and stored in the property storage room in a sanitary manner. The facility allows inmates to retain their under clothing and approved footwear. The inmates' clothing appeared to be clean and in satisfactory condition. Improvements to the organization and overall appearance of the laundry area were observed.

8. Bedding

The written local policy identifies the required issued bedding items consistent with Title 37, Chapter 95. Sleeping surfaces must be a minimum 12 inches off the floor with fire retardant and waterproof covers in areas approved for residential occupancy. Sanitization of bedding items is required. There was sufficient bedding for the population. Pillows, mattresses, sheets, and blankets were clean and in satisfactory condition. Bedding items are laundered weekly. There is a process in place to ensure compliance with the movement of inmates every 30 days from temporary bedding when in use. Fayette County Prison utilizes contracts with surrounding county correctional institutions to manage any inmate population overflow beyond the facility's capacity. A multi-purpose room that is utilized for religious services and other programming is occasionally secured for inmate population intake overflow as emergency bedding until inmates can be transferred to contract county correctional institutions.

9. Food Services

The written local policy includes direction regarding menu requirements, sanitation of food preparation areas, food service staff training, use of gloves/hairnets, accountability of culinary equipment, food service staff/inmate medical clearances, cleaning/rinsing of eating and drinking utensils, use of compartmented trays, and food being served at the proper temperature.

The Fayette County Prison Food Service Department is operated by ABL Management with the assistance of corrections staff posted in the food service area. The food service area was reasonably clean and orderly, with all required temperatures for food items, dishwashers, walk-in refrigerators and freezers being recorded. Menus are reviewed and signed-off by a registered dietitian and the Warden. Special diets and religious meals are adequately provided.

All inventories for culinary items, cutlery, cleaning equipment, and chemicals were observed. The cutlery was appropriately documented as being checked out and in to control use at all times. Required ServSafe training certifications and medical clearance documentation for staff and inmate workers were observed. Stored foods were covered and dated to assure freshness, to prevent spoilage, and damage from insects and rodents. The food service documentation for tool inventories, temperature logs, and inmate worker orientations were in compliance with Title 37, Chapter 95.

10. Personal Hygiene

The written local policy and the Inmate Handbook outline the procedures for the inmates to maintain their personal hygiene. The policy identified the means for inmates to obtain clean clothing weekly. The overall appearance of the inmates appeared to be adequate during the inspection. Inmates that are determined to be indigent are provided items to maintain proper hygiene. All inmates are required to maintain a minimal level of personal cleanliness and are provided the means to do so. The Inspectors observed the laundry schedule and operation of the facility laundry room.

11. Medical / Health Services

The Fayette County Prison medical services, to include mental health and dental, are contracted with PrimeCare Medical, Inc. The facility policy/procedures for operational direction of the medical department are in compliance with Title 37, Chapter 95 requirements.

The Inspectors observed the required annual medical report. Inmate medical records were observed to ensure that the inmates are being seen by medical within 24 hours of commitment for an initial health risk assessment, and a physical is conducted within 14 days. Policy describes procedures for routine screening pertaining to infectious disease, acute illness and suicide risk. The medical area was inspected for accountability and storage of medical equipment, syringes, and management of pharmaceuticals.

Inmates can request medical or dental care through the Inmate Request process. The Inspectors observed the documentation for the required annual Suicide Prevention training, and staff are Basic First Aid and Cardiopulmonary Resuscitation (CPR) certified as required by Title 37, Chapter 95.

12. Visiting

The written local policy and the Inmate Handbook describe the procedures for regular, official, attorney, and clergy visits. The policy identified visiting procedures, the availability of contact/non-contact visits, the visitor approval process, the frequency/duration of visits, and all restrictions that may be placed on visits. All regular visits are conducted through non-contact, standing-only vestibules. The procedures were posted in the main lobby and on the Fayette County Prison webpage for visitors to view. Inmates are permitted a minimum of one half-hour visit per week depending on custody status. Attorneys, clergy, law enforcement, or other professional visitors have the ability to have private conversations during visits. The Warden may approve special visits.

13. Telephone Communications

The written local policy and the Inmate Handbook outline the inmate telephone procedures to include: hours of use, limitations on calls, monitoring of telephone conversations, and restrictions necessary to maintain the security of the facility. These procedures are posted in the lobby area.

The Fayette County Prison utilizes Global Tel*Link as the contracted provider for the inmate telephone service. Inmates have access to the phone system on their housing unit during out-of-cell time, seven days per week. Inmates and the public are notified that all telephone conversations are recorded. Each inmate is provided a telephone ID number at the time of commitment, which will allow the inmate access to the inmate telephone system. All calls are made on a collect basis or pre-paid system.

14. Inmate Mail

The written local policy and the Inmate Handbook describe the procedures used for inmate mail to include the sending/receipt of mail process and any restrictions that may be placed on an inmate to ensure the safety of the facility. Regular incoming inmate mail is opened and checked for contraband. Outgoing mail is checked by authority of the Warden or designee if there is suspicion. Legal mail is logged and opened in the presence of the inmate.

15. Work Programs

The written local policy identifies available institutional jobs. Policy prohibits staff from using their official position to secure privileges. Policy defines requirements for inmate participation, compensation, and orientation procedures. The facility provides inmates jobs through select support area roles: block workers, laundry, general housekeeping, grounds keeping and food service workers with compensation.

16. Access to Legal Services

The written local policy and the Inmate Handbook describe the procedures for inmates to obtain access to legal material and a means of assistance for inmate(s) that do not speak

English. The Fayette County Prison uses Thompson Reuters-West as its electronic law resource provider. This provider meets the minimum requirements for legal access. The Inspectors observed one terminal located within the administrative area, and offered that this may pose security risk. This terminal's usage is dependent upon additional staff coverage and is not accessible to disciplinary custody inmates.

17. Religion

The written local policy and the Inmate Handbook include the procedures for inmates to seek religious services, the possession of religious objects, special religious foods/diets, and procedures for accommodating inmate requests for these practices. Each inmate is allowed to satisfy the needs of his or her religious life consistent with the orderly administration of the facility.

Religious programming and activities are conducted by community volunteers who are approved by the Deputy Warden. The Administration Officer is responsible for overseeing the scheduling and coordination of all religious programs provided by community volunteers, under the supervision of the Deputy Warden. The Fayette County Prison reports a collective average of 10 hours of religious programming per week. A multi-purpose room that is utilized for religious services and other programming is occasionally secured for inmate population intake overflow as emergency bedding until inmates can be transferred to contract county correctional institutions. When this room is used for temporary housing, religious services are typically cancelled.

18. Recreation

The written local policy directs procedures for indoor and outdoor activities including two hours of outside recreation daily, weather permitting, for general population inmates. The facility's recreational programming is segregated by inmate populations requiring appropriate security measures. Inmates in disciplinary status and segregation are afforded at least one hour of recreation five days per week. The current secured open-air recreation yard has been renovated by adding security fencing for segregation purposes and now offers adequate recreation for the facility inmate population.

The Inspectors observed that each housing unit had access to a shared, secure recreation yard for outdoor recreation, weather permitting. The facility appeared to have minimal reading and instructional materials available to the inmates. Inmates are permitted to order recreational and instructional reading materials for delivery directly from the publisher. Block activities include television, reading books, playing cards, and board games.

19. Commissary / Other Funds

The written local policy and the Inmate Handbook identify the commissary procedures. Commissary items are available to inmates through a contracted vendor, Oasis Commissary. Policy requires an annual audit of commissary, inmate accounts, inmate telephone system, and the work release program. Annual audit letters were observed.

20. Inmate Discipline

The written local policy and the Inmate Handbook describe the inmate rules and disciplinary procedures. These procedures include details regarding the rules, criminal offenses, disciplinary reports, prehearing actions, prehearing detention, appeal process, and major/minor infractions. Findings of major infractions are made part of the inmate's permanent file. The policy states that inmates will be free from cruel and unusual punishment as required by Title 37, Chapter 95. When an inmate in disciplinary status is deprived of any usually authorized items or activity a report of the action is to be made to the administrator. All inmates receive an orientation upon admission in which the rules and expectations are thoroughly explained, as well as the consequences of noncompliance. The disciplinary procedure provides clear notice of prohibited behavior, outlines a hearing process, sanctions for violations of rules and regulations, and an appeals process. The documentation for misconducts including those found guilty, not guilty, and appeals were observed.

21. Security

The written local policies identify the security measures and procedures required by Title 37, Chapter 95. The security measures include: staffing analysis, post assignments, prohibition of inmate authority over other inmates, operation of a 24-hour control center, and monthly administration visits to the facility's living and activities areas. The Warden has conducted a staffing analysis identifying the staffing allotment and post assignments necessary to safely operate the facility, including calculation of relief factors for each classification of staff that is assigned to relieve posts or positions. Support documentation of the staffing analysis review and administration visits were observed. The control center is staffed 24 hours per day. This post is tasked with monitoring and operating various electronic doors in the facility and monitoring the video camera system.

The written local policies are in compliance with Title 37, Chapter 95 for the use of force and staff training in the use of force, armory procedures, and secure storage arrangements for the required security equipment. Support documentation for staff training records was reviewed. The Inspectors observed the storage arrangements and inventories of the security equipment.

The written local policies/procedures comply with Title 37, Chapter 95 requirements for emergency plans and staff training of emergency plans, key control, searches, tool/equipment control, inmate count control, and inmate transportation procedures. The support documentation for key control, searches, inmate count, tool control, and staff trainings were observed during the physical inspection.

The Inspectors observed key and tool/equipment storage and control practices to be in compliance with Title 37, Chapter 95 while conducting the physical tour of the facility. Key accountability and tool control are maintained through a manual system that requires a staff member to log (sign out/sign in) the key or tool until it is returned. The Fayette County Prison utilizes maintenance staff employed at the facility and does not permit inmates unsupervised access to the maintenance room or restricted tools/equipment.

22. Statistical Information Reporting

The written local policy outlines the procedures for reporting the monthly facility population, monthly extraordinary occurrences, the annual General Information Report, and the procedures for transfer of documentation for inmates committed to the custody of the Department. The annual General Information Report was properly submitted. The monthly Extraordinary Occurrence Reports have been submitted in a timely manner.

23. Treatment Services

The written local policy outlines the treatment programs and the procedures/requirements within the programs. The requirements include the designation of treatment services, what treatment services are provided, who is responsible for each, and that a record of screenings be kept as part of the permanent facility document. The policy contains the required treatment services for education, social services, alcohol/other drugs, and counseling services. Policy language was observed for mental health procedures, inmates' right to refuse treatment and that there will be no discrimination for treatment services. The Fayette County Prison has a minimal list of programs available through community resources.

Fayette County Prison offers drug and alcohol programs to include assessments provided by the Fayette County Drug and Alcohol Commission, and Alcoholics and Narcotics Anonymous sessions provided by approved community volunteers.

Fayette County Prison provides Act 30 programing (High School Diploma) conducted by the Uniontown High School, and General Educational Development (GED) provided by Intermediate Unit #1, for educational programming.

Fayette County Prison offers social service programs to include Celebrate Recovery and Purpose Driven Life provided by trained staff.

Fayette County Prison offers mental health services provided by the Fayette County MH MR Program, for a counseling program.

The Inspectors observed treatment services to be in compliance with the Title 37, Chapter 95 requirements.

24. Incoming Publications

The written local policy and Inmate Handbook provide that inmates may receive books and magazines that come directly from the publisher. A procedure for receiving/reviewing incoming publications was observed. Obscene, pornographic, and any materials deemed to pose a security risk to the institution are not permitted. The Warden or designee may review any publication that is or may be deemed a threat to the orderly and secure running of the facility.

25. Deaths / Sexual Assaults

The written local policy identifies the procedures applicable in the event of a death of an inmate, facility employee, volunteer, contractor or visitor. These procedures include the notification of appropriate medical personnel, law enforcement, the coroner, and designated facility administrators. The Shift Supervisor will immediately contact the Uniontown Police Department and County Detectives, Pennsylvania State Police, and the Fayette County Coroner. The Warden will initiate an investigation of all inmate, employee, volunteer, contractor or visitor deaths occurring in the facility, on facility property, or while in the custody of facility staff. The Warden or designee will provide any required documentation to the governing county prison authority, the Pennsylvania Department of Corrections and the United States Department of Justice.

The written local procedures outline what staff should do in the event of allegations of sexual assault/sexual assault occurring within the facility, on facility property, or while an inmate is in the custody of facility staff. The Warden will immediately direct an investigation of all allegations of sexual assault by notifying the Pennsylvania State Police, Uniontown Police Department and the County Detectives, and coordinate all investigation efforts. The Warden or designee will provide any required documentation to the governing county prison authority, the Pennsylvania Department of Corrections and the United States Department of Justice.

26. Notifications

The written local policy contains notification procedures in the event of an inmate's death, serious illness or serious injury. Official notification procedures in the event of an inmate's death are identified in the section above. The Warden's designee will ensure that the inmate's emergency contact is notified in the event of his/her death, serious illness or serious injury; and notify an inmate in the case of the inmate's immediate family member's death, serious illness or serious injury.

The facility will notify the appropriate crime victims and witnesses when inmates are considered for community activity, release, transfer, or if one of these events has been approved. The process for this notification is through the Pennsylvania Statewide Automated Victim Information and Notification system known as SAVIN, which is a 24-hour automated service that keeps victims up to date on the custody status of their offender.

27. Sanitation, Maintenance, Safety

The written local policy describes the requirements to ensure that the facility adheres to applicable Department of Labor and Industry regulations regarding sanitation, maintenance and safety inspections. This policy addresses sanitation and housekeeping, control of vermin/pests, documenting sanitation inspections, preventive maintenance, inventory/control of toxic substances, handling of blood-borne pathogens, maintaining safe and clean support areas, required licenses or documentation for facility compliance with applicable building code/safety codes, and documentation for emergency power back-up testing. Documentation of the emergency power back-up testing was provided to the Inspectors by

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the date of this report. The boiler that is utilized at the Fayette County Prison is exempt from inspection under the Department of Labor and Industry Boiler Division Standards. Support documentation was provided for verification.

The maintenance needs of the facility are provided by Fayette County staff, and contracted vendors where required. The Inspectors observed conditions during the tour of the physical plant that showed evidence of compliance with preventive maintenance and routine housekeeping as required by Title 37, Chapter 95.

The written local policy identifies a fire emergency/evacuation plan, annual review of this plan, response procedures, staff training requirements, annual fire drills, and annual documentation for inspection/testing/certification of the fire detectors/smoke alarms and panels, and firefighting equipment. The annual documentation of fire drills and maintenance on the fire safety system was observed. The required code compliance and equipment certification were observed.

F. Exit Discussion

An exit interview was held with Warden Brian Miller and Deputy Warden Michael Zavada. The review of policies/procedures and physical tour of the facility were discussed. The individual findings were reviewed with those attending the exit discussion. Director Greishaw explained the preliminary findings and reporting requirements that would follow the inspection. All staff were thanked for their consideration and preparation for the compliance process.

The overall operations of the Fayette County Prison are in full compliance with the minimum requirements of Title 37, Chapter 95 as of the date of this report.