

STATE OF OHIO  
OFFICE OF THE INSPECTOR GENERAL

RANDALL J. MEYER, INSPECTOR GENERAL

REPORT OF  
INVESTIGATION



AGENCY: OHIO DEPARTMENT OF REHABILITATION AND CORRECTION  
FILE ID NO.: 2014-CA00012  
DATE OF REPORT: NOVEMBER 25, 2014

## The Office of the Ohio Inspector General ... The State Watchdog

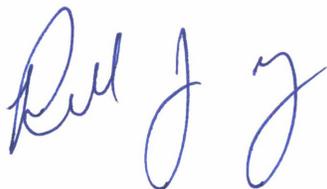
*“Safeguarding integrity in state government”*

The Ohio Office of the Inspector General is authorized by state law to investigate alleged wrongful acts or omissions committed by state officers or state employees involved in the management and operation of state agencies. We at the Inspector General’s Office recognize that the majority of state employees and public officials are hardworking, honest, and trustworthy individuals. However, we also believe that the responsibilities of this Office are critical in ensuring that state government and those doing or seeking to do business with the State of Ohio act with the highest of standards. It is the commitment of the Inspector General’s Office to fulfill its mission of safeguarding integrity in state government. We strive to restore trust in government by conducting impartial investigations in matters referred for investigation and offering objective conclusions based upon those investigations.

Statutory authority for conducting such investigations is defined in *Ohio Revised Code §121.41* through *121.50*. A *Report of Investigation* is issued based on the findings of the Office, and copies are delivered to the Governor of Ohio and the director of the agency subject to the investigation. At the discretion of the Inspector General, copies of the report may also be forwarded to law enforcement agencies or other state agencies responsible for investigating, auditing, reviewing, or evaluating the management and operation of state agencies. The *Report of Investigation* by the Ohio Inspector General is a public record under *Ohio Revised Code §149.43* and related sections of *Chapter 149*. It is available to the public for a fee that does not exceed the cost of reproducing and delivering the report.

The Office of the Inspector General does not serve as an advocate for either the complainant or the agency involved in a particular case. The role of the Office is to ensure that the process of investigating state agencies is conducted completely, fairly, and impartially. The Inspector General’s Office may or may not find wrongdoing associated with a particular investigation. However, the Office always reserves the right to make administrative recommendations for improving the operation of state government or referring a matter to the appropriate agency for review.

The Inspector General’s Office remains dedicated to the principle that no public servant, regardless of rank or position, is above the law, and the strength of our government is built on the solid character of the individuals who hold the public trust.



Randall J. Meyer  
Ohio Inspector General



STATE OF OHIO  
**OFFICE OF THE INSPECTOR GENERAL**

---

RANDALL J. MEYER, INSPECTOR GENERAL

**REPORT OF INVESTIGATION**

**FILE ID NUMBER:** 2014-CA00012

**SUBJECT NAME:** Ernie Moore  
Bradley Hillard

**POSITION:** Warden  
Correction Officer

**AGENCY:** Ohio Department of Rehabilitation and  
Correction, Lebanon Correctional Institution

**BASIS FOR INVESTIGATION:** Complaint

**ALLEGATIONS:** Falsification of Training Records

**INITIATED:** February 2, 2014

**DATE OF REPORT:** November 25, 2014

## **INITIAL ALLEGATION AND COMPLAINT SUMMARY**

On January 29, 2014, the Office of the Ohio Inspector General received a complaint from former Ohio Department of Rehabilitation and Correction (ODRC) Correction Officer Richard Stiehl alleging Lebanon Correctional Institution Warden Ernie Moore directed Correction Training Officer Bradley Hillard to falsify spring 2013 firearms in-service training records at the institution. Stiehl stated this occurred for every staff member at the institution who was required to attend the training. Stiehl wrote:

A large number of staff were rushed through the range exercises in as little as 20-minutes for both lesson plans. In all cases, the approved lesson plans were not adequately provided to staff members or not conducted at all.

It was Stiehl's belief that all staff members were to receive four or more hours of classroom time and practical application (firearms recertification) during these training sessions. Stiehl claimed, "All of the hundreds of training records reflect 4-hours of training that was not actually performed." Stiehl said when other training officers questioned Hillard about the shortened training sessions, Hillard responded that the reduced time spent at the training sessions had been approved by management.

On February 4, 2014, the Office of the Ohio Inspector General opened an investigation into the complaint filed by Stiehl.

## **BACKGROUND**

### *Ohio Department of Rehabilitation and Correction*

The Ohio Department of Rehabilitation and Correction (ODRC) is charged with the supervision of felony offenders in the custody of the state, including providing housing, following their release from incarceration, and monitoring the individuals through the parole authority. The department also oversees the community control sanction system that provides judges with sentencing options to reduce the inmate population. There are currently 28 state-operated correctional institutions and two privately-operated correctional institutions throughout the state. The director of ODRC is appointed by the governor and confirmed by the Ohio Senate. ODRC

is funded through General Revenue Funds, federal funding, and revenue earned through sales from the Ohio Penal Industries.<sup>1</sup>

## **INVESTIGATIVE SUMMARY**

The Office of the Ohio Inspector General requested and reviewed lesson plans, training session reports (TSRs), and training policies, prior to interviewing ODRC Academy Superintendent Tracy Reveal and Lebanon Correctional Institution Warden Ernie Moore. The investigators also spoke with Richard Stiehl by phone to discuss and clarify the details of his complaint. It was learned from Stiehl and confirmed through the Ohio Administrative Knowledge System (OAKS)<sup>2</sup> that Correction Training Officer Bradley Hillard was terminated from his employment with ODRC on February 21, 2014.

Additionally, investigators reviewed ODRC Policy 39-TRN-02 which states, in part:

It is the policy of the Ohio Department of Rehabilitation and Correction to require employees to complete the minimum prescribed number of in-service training hours as determined by the American Correctional Association every year following their first year of employment in order to enhance employee professionalism, proficiency, and development.

On March 14, 2014, the Office of the Ohio Inspector General conducted an interview with ODRC Academy Superintendent Tracy Reveal, who oversees training for the entire agency. Investigators discussed with Reveal the complaint submitted by former ODRC employee Richard Stiehl.

During the interview, Reveal explained that ODRC is nationally accredited by the American Correctional Association (ACA). As such, a certain number of in-service training hours, determined by the ACA, are required to be completed by all employees throughout the fiscal training year.<sup>3</sup> According to Reveal, the number of in-service training hours has historically

---

<sup>1</sup> Source: ODRC biennial budget documents.

<sup>2</sup> The Ohio Administrative Knowledge System (OAKS) is the official state accounting system.

<sup>3</sup> The fiscal training year runs from July 1 through June30 of the following year. This mirrors the standard fiscal year used in state government.

been 40 hours of mandated training each fiscal year. For those employees tasked with security duties, specifically correction officers, firearms recertification is part of this mandatory training and is completed once during each 12-month fiscal training cycle.

Reveal stated all required personnel had recertified with firearms prior to the spring of Fiscal Year (FY) 2013. The few institutions that held an additional spring firearms recertification session were doing so to comply with a recommendation to adjust the training schedules. Reveal said the reason given for this adjustment was to potentially eliminate overtime related to in-service training during peak months when employees would be using the most permissive leave hours. Reveal explained the additional sessions were meant only to be a “shoot for score,” or proficiency demonstration. By holding these sessions, the participating institutions were able to adjust their respective training schedules so that the time between firearms recertifications would remain approximately 12 months. These spring firearms recertification sessions were in addition to, but not part of, mandatory in-service training for FY2013. Reveal explained the classroom training for the second session time was not necessary since employees had already received the classroom training earlier in the training year.

Reveal provided to investigators a copy of an email she had sent on October 18, 2012, to all institution training officers in preparation for the FY2014 training cycle. ([Exhibit 1](#)) In this email, Reveal discussed scheduling the dates of in-service trainings – including firearms recertifications – outside of the months when leave usage is high for each individual institution.

Regarding the allegation that employees were credited with more training hours than the time actually spent during the spring recertification sessions, Reveal acknowledged that this had occurred at the Lebanon Correctional Institution and possibly at other institutions as well. Reveal said that generally, officers receive four or more hours of classroom and practical application for the firearms training. Because the officers had already received the required classroom time earlier in the fiscal year, Reveal said the decision was made to have the officers at participating institutions complete only a “shoot for score” to demonstrate proficiency and then return to work. She again referred to the October 18, 2012, email instructing the training

officers how they were expected to conduct the additional firearms recertification session. The email states:

As we discussed during the FTO quarterly meeting, the 2[nd] recert session in FY13 will be focused on PROFICIENCY DEMONSTRATION, and not require staff to spend an extensive amount of time off shift. Firearms should be focused on shoot-for-score, and the USD lesson plan that is being finalized is also designed to have staff walk through a demonstration of techniques (since they will have already had the new 8-hr course).

A second email sent by Reveal to the training officers, dated November 2, 2012, ([Exhibit 2](#)) was more informative on how to calculate the number of hours earned from completing the additional spring training session. This email, sent to the training officers regarding an additional FY2013 spring session to recertify officers in Unarmed Self Defense (USD), was specific about the training officers only recording the actual time spent completing the proficiency aspect of the training for the spring sessions. This spring session of USD training was also authorized to allow the institutions to shift their training schedules.

On April 21, 2014, telephone contact was made with the complainant, Richard Stiehl. Stiehl said the primary concern in his complaint was the safety of the correction officers who recertified with their firearms but did not receive the classroom training during the spring recertification session at Lebanon Correctional Institution. Stiehl believed that ODRC policy mandates all employees required to qualify with firearms should receive the classroom training prior to the practical application on the range and he added that this did not occur during the spring recertification session. Stiehl also said that he saw a memo from the training officer stating that the classroom time was not necessary and that the officers should simply be taken to the range to qualify and then return to work. Stiehl believed this compromised the safety of the officers and that one of the reasons for this abbreviated training was to save overtime costs.

Stiehl acknowledged the falsification of the training records was a secondary concern and said he could understand how employees could get credit for the full amount of time allotted by the lesson plan, but he felt that some of the cases were “extreme.” As an example, Stiehl cited an

employee who he believed only spent 30 minutes on the range recertifying with his firearm but was credited with four hours of training.

On May 28, 2014, the Office of the Ohio Inspector General interviewed Warden Ernie Moore. Moore was asked about the spring 2013 firearms recertification session and how it was conducted. Moore said he recalled seeing a memo or other correspondence directing the institutions to adjust their training schedules so that their in-service trainings would not take place during high leave usage months. Moore was aware the spring recertification was meant to be a “shoot for score” only to show proficiency with the firearm. He said the officers had already received the classroom portion of the training and recertified in August 2012, and that the spring session was simply conducted to adjust the training schedule.

When asked about the training hours entered for the officers who participated in the spring firearms recertification session, Moore seemed surprised the officers were credited for more hours than what was actually spent involved in the training. Moore reviewed the training session reports (sign-in sheets) for the officers who recertified during the spring session and noted the sheets indicated under the total training hours caption that only two hours were to be credited. Moore felt this was more accurate to the actual time the officers spent involved in this training session. Moore said he could understand how these erroneous entries into the training database could occur since the default number of hours for this training is four hours. Moore also noted the spring session played no part in the mandatory accreditation hours required by ACA. He said those required hours had already been met by the institution prior to the spring recertification session.

## **CONCLUSION**

The issue of employees not receiving the classroom training along with the second firearms recertification in spring 2013 was a decision made by management and forwarded to the training officers at the institutions. This decision, according to ODRC Academy Superintendent Tracy Reveal, was based on the fact that all required employees had previously received the classroom portion of the firearms training in FY2013. The second recertification was simply to allow the participating institutions to adjust their training schedules to comply with the new

recommendation to have in-service training occur outside of the high leave usage months to reduce overtime costs.

The complainant believed the process in which the second firearms recertification session was conducted at the Lebanon Correctional Institution was decided by Warden Moore and Training Officer Hillard, when in fact it was not. Moore and Hillard simply followed the direction given by ODRC Academy Superintendent Reveal and the Corrections Training Academy.

**Accordingly, the Office of the Ohio Inspector General finds no reasonable cause to believe that a wrongful act or omission occurred in this instance.**

The complainant alleged the training hours recorded for the spring firearms recertification session at Lebanon Correctional Institution were falsified and that employees were being credited for more hours than actually spent at the training. Reveal acknowledged this had occurred at Lebanon Correctional Institution and at other institutions.

The email Reveal sent to the training officers regarding the additional firearms recertification session explained how to conduct the training but was vague on how to record the actual training hours. A second email sent by Reveal to the training officers regarding a second session for unarmed self-defense training was very clear and stated that the training officers were to record only the time actually spent engaged in the training. In both emails, it was clear the goal of the two additional training sessions was for officers to exhibit proficiency only.

The additional firearms session was in addition to and not part of the FY2013 in-service training. There was no benefit to “pad” the training hours to achieve the mandatory in-service training as these hours had previously been assigned by Reveal and her staff based on yearly required training to maintain accreditation. Even though the training records reflect entries that credit the employees involved in the additional firearms recertification session with the default number of hours normally received during firearms training, any additional time recorded did not count towards the mandatory hours for in-service training. Though the entries in these officers’ training records are erroneous, the Office of the Ohio Inspector General determined the entries

seemingly represented a lack of understanding by staff on how to record earned training hours rather than deliberate acts of fabrication.

**Accordingly, the Office of the Ohio Inspector General finds no reasonable cause to believe that a wrongful act or omission occurred in this instance.**

**RECOMMENDATION(S)**

The Office of the Ohio Inspector General makes the following recommendation and asks the director of the Ohio Department of Rehabilitation and Correction to respond within 60 days with a plan detailing how the recommendation will be implemented:

1. The Ohio Department of Rehabilitation and Correction should consider reviewing the training records of the correction officers who participated in the FY2013 spring firearms recertification session and adjust the recorded training hours to more accurately reflect the actual time the officers spent engaged in the training.

**REFERRAL(S)**

The Office of the Ohio Inspector General has determined that no referrals are warranted for this report of investigation.

**[\(Click here for Exhibits 1 – 2 combined\)](#)**



STATE OF OHIO  
**OFFICE OF THE INSPECTOR GENERAL**

---

RANDALL J. MEYER, INSPECTOR GENERAL

**NAME OF REPORT: Ohio Department of Rehabilitation and Correction**

**FILE ID #: 2014-CA00012**

**KEEPER OF RECORDS CERTIFICATION**

**This is a true and correct copy of the report which is required to be prepared by the Office of the Ohio Inspector General pursuant to Section 121.42 of the Ohio Revised Code.**

**Jill Jones**  
**KEEPER OF RECORDS**

**CERTIFIED**  
**November 25, 2014**

*MAILING ADDRESS*

OFFICE OF THE INSPECTOR GENERAL  
JAMES A. RHODES STATE OFFICE TOWER  
30 EAST BROAD STREET – SUITE 2940  
COLUMBUS, OH 43215-3414

*TELEPHONE*

(614) 644-9110

*IN STATE TOLL- FREE*

(800) 686-1525

*FAX*

(614) 644-9504

*EMAIL*

OIG\_WATCHDOG@OIG.STATE.OH.US

*INTERNET*

WATCHDOG.OHIO.GOV