



To: Correctional Institution Inspection Committee

From: Gary Daniels, Chief Lobbyist

Date: July 30, 2014

Re: Aramark-Correctional Services and Ohio's prisons

AMERICAN CIVIL
LIBERTIES UNION
OF OHIO
4506 CHESTER AVENUE
CLEVELAND, OH 44103-3621
T/216.472.2220
F/216.472.2210
WWW.ACLUOHIO.ORG
contact@acluohio.org



In the world of prison reform, advocacy and reentry, we appreciate second chances. Providing second chances to those with criminal records is very important for a variety of reasons. It is recognition that some crimes are momentary lapses of judgment and reason for which prison may not be the best solution. It is a realization that many crimes are fueled by drugs, mental health issues and other variables for which the person may have little control. It is an admission that, with a prison system bursting at the seams, many people do not belong in prison in the first place.

But, while second chances are appropriate for many of those who are incarcerated, can the same be said of the company feeding them? Aramark Correctional Services, the company chosen for a second time to feed Ohio prisoners, is the beneficiary of seemingly endless opportunities.

Much like the ongoing debacle the state of Ohio created when it inexplicably sold a prison to Corrections Corporation of America, the rush to privatize everything in sight has proven disastrous for food service in our prison system.

One would think the previous failed experiment of allowing Aramark to profit from our prisoners was enough for Ohio. Indeed, Aramark's tenure of providing food for just one prison – Noble Correctional Institution – was a failure roughly 15 years ago. The most visible problem then involved overbilling. It was thought this problem was "solved" when the ODRC, in secret, orally (but not in writing) agreed to contract changes with Aramark that resulted in the state paying even *more* for their services.

Thomas Haskins, who was warden of NCI at the time, tried to blow the whistle mere weeks after Aramark took over. He was rebuffed by superiors, who threatened to transfer him for doing his job. Soon after, he resigned and retired.

After prisoner boycotts and incidents of throwing food, another ODRC official expressed concern for prison security stating, "we were concerned about the safety of our staff and inmates". That official was Gary Mohr, who was the deputy director of administration at the time, before becoming the current director of ODRC.

This all after Aramark took over food service for only a single prison in Ohio.

What is the response from Ohio legislators to this complete and utter failure? The state decided in 2013 to once again contract with Aramark, but this time in all of its prisons.

It is no surprise, then, that the Ohio Experiment version 2.0 has fared worse than the first time. Multiple sightings of maggots, food shortages, unauthorized food replacements, improper relationships between workers and inmates, employee no-shows and fines totaling (for now) \$142,000 are the latest legacies of Aramark in Ohio.

One should not be left with the impression that Ohio is the only state grappling with the pitfalls of contracting with Aramark.

Florida ended its relationship with Aramark several years ago after repeated fines and an audit accused them of skimping on meals. A 2012 audit in Kentucky revealed similar skimping, safety issues, excessive billing and a refusal by Aramark to turn over records.

Michigan has joined Ohio in learning the hard way about Aramark: As of March 2014, our neighbor to the north has fined Aramark almost \$100,000 for maggot problems, unauthorized meal substitutions and not preparing enough food a whopping 240 times in a period of about 6 months since Aramark assumed control.

I take no pleasure in pointing out none of this comes as a surprise. The ACLU of Ohio, among others, last year repeatedly warned of the problems of turning over food service to those whose sole interest in the issue is maximizing profit and who have demonstrated in multiple states and at multiple times sheer incompetence and unprofessionalism. When dollars are the motive, none should be surprised when corners are cut and obligations are unfulfilled.

Aramark has been given more than enough chances in Ohio and elsewhere. The ODRC has tried to fine them, institute more inspections, and hold them accountable, but little has improved. In fact, Aramark seems to still be in denial that these issues are widespread and serious. Prisons are heavily controlled environments where seemingly small changes to routines may produce large consequences. With a prison system already bursting at the seams, poor food quality is akin to tossing a lit match into a room full of dynamite. While we do not expect prisoners to have four star entrees, spoiled and rotten food—or no food at all—is unacceptable. Fraternizing with prisoners is unacceptable. Bringing contraband into prisons is unacceptable.

While we cannot turn back time and reverse the bad decisions of the past, we can plan for the future. The future of our dangerously over-crowded prison system should be one that does not involve Aramark Correctional Services.

How much more evidence do we require?