

IN THE COURT OF CLAIMS OF OHIO

**CHUN WONG-LANSING, EXECUTOR OF
THE ESTATE OF ANDREW STEVEN
LANSING (DECEASED),**
8 Timberidge Ct
Chillicothe, OH 45601

Plaintiff,

vs.

**OHIO DEPARTMENT OF
REHABILITATION AND CORRECTION,**
c/o Annette Chambers-Smith, Director
4545 Fisher Road, Suite D
Columbus, Ohio 43228

Defendant.

Case No. _____

Judge _____

COMPLAINT

PARTIES, JURISDICTION, AND VENUE

1. Plaintiff, Chun Wong-Lansing, is the Executor of the Estate of Andrew Steven Lansing (deceased) (hereinafter "***Mrs. Lansing***"), duly appointed by the Probate Court Division of the Common Pleas Court of Ross County, Ohio in Case No. 2025E0012 on January 29, 2025. A true and accurate copy of the Entry Appointing Fiduciary; Letters of Authority issued by the Probate Court Division of the Common Pleas Court of Ross County, Ohio is attached hereto as Exhibit "A".

2. Andrew Steven Lansing (deceased) (hereinafter "***Mr. Lansing***"), died on December 25, 2024 and was, at all times relevant herein, a resident of the City of Chillicothe, County of Ross, State of Ohio.

3. Mrs. Lansing brings this action as personal representative of Mr. Lansing's estate and for the exclusive benefit of the spouse, children, and the other next-of-kin of Mr. Lansing.

4. Defendant, Ohio Department of Rehabilitation and Correction, as well as its agents, employees, servants, independent contractors, officers, wards, and/or directors (hereinafter collectively “**ODRC**”), is, and was at all times relevant herein, an agency and/or instrumentality of the State of Ohio.

5. At all times relevant herein, ODRC employed and/or entered into an independent contractual relationship with others to carry out its operations, including, but not limited to, the operations of the Ross Correctional Institution, which is located at 16147 State Route 104, Chillicothe, Ohio 45601 in Ross County, Ohio (hereinafter “**RCI**”), including, but not limited to, RCI’s warden, William Cool, and ODRC’s director, Annette Chambers-Smith.

6. Upon information and belief, at all times relevant herein, agents, employees, servants, independent contractors, officers, wards, and/or directors were acting within the scope and course of their agency and/or employment with ODRC.

7. Upon information and belief, at all times relevant herein, ODRC authorized and/or ratified the actions and/or inactions of its agents, employees, servants, independent contractors, officers, wards, and/or directors.

8. At all times relevant herein, ODRC, specifically including the warden of RCI, acted as guardian of its ward, RCI incarcerated person Rashawn Cannon (hereinafter “**Inmate**”).

9. On December 25, 2024, the Inmate fatally attacked Mr. Lansing at RCI (hereinafter the “**Attack**”).

10. On or about December 30, 2024, Mrs. Lansing served ODRC, through its director, and RCI, through its warden, with a letter demanding preservation of certain

relevant evidence. A true and accurate copy of said letter is attached hereto as Exhibit "B".

11. Despite attempts to obtain the identities of individual ODRC agents, employees, servants, independent contractors, officers, wards, and/or directors, by way of a January 21, 2025 public records request, as well as other relevant documentation and information, Mrs. Lansing was not provided with a single document from ODRC. A true and accurate copy of said public records request and email correspondence regarding the same is attached hereto collectively as Exhibit "C".

12. This Court has exclusive jurisdiction of the claims filed herein pursuant to Chapter 2743 of the Ohio Revised Code, as ODRC is an agency and/or instrumentality of the State of Ohio.

13. Prior to the filing of this Complaint, Mrs. Lansing attempted to have the within claims compromised by the Office of Risk Management in the Ohio Department of Administrative Services pursuant to R.C. 2743.16(B).

14. On May 16, 2025, Timothy Winner, who is the Claims Manager for the Office of Risk Management in the Ohio Department of Administrative Services, issued a "right to sue" letter to Mrs. Lansing counsel pursuant to R.C. 2743.16(B), which indicated that the State of Ohio declined to compromise Mrs. Lansing's within claims and that Mrs. Lansing could proceed to commence an action against the State of Ohio. A true and accurate copy of said letter is attached hereto as Exhibit "D".

FACTS COMMON TO ALL CLAIMS

ODRC

15. Mrs. Lansing adopts and incorporates by reference each preceding paragraph the same as if fully rewritten herein.

16. ODRC is responsible for the prison system within the State of Ohio.

17. ODRC's responsibilities are codified in Ohio Revised Code section 5120.01, et seq. and Ohio Administrative Code section 5120.

18. ODRC is managed by a director who is appointed by the Governor of Ohio.

19. ODRC oversees the operation of RCI.

20. RCI houses incarcerated persons.

21. In Ohio, incarcerated persons are classified in terms of the danger they present and the level of supervision, control, and housing they require.

22. Incarcerated persons can be reclassified to a lower level or higher level while incarcerated in the prison system.

23. ODRC is responsible for defining the classification levels given to incarcerated persons in its prisons.

24. ODRC is responsible for defining the policies regarding the reclassification of incarcerated persons while in the prison system.

25. RCI primarily houses incarcerated persons designated as Level 3 Offenders.

26. Level 3 Offenders pose a higher risk of violence.

27. Level 3 Offenders require controlled and supervised movement.

28. ODRC's first core value is to "Take care of our staff; they will transform our offenders."

29. ODRC is required to provide a safe working environment.

30. ODRC has a duty to protect its employees from incarcerated persons.

31. ODRC made promises to its employees that it would protect them from incarcerated persons.

32. ODRC is required to develop, maintain, follow, and enforce policies and procedures for the safe operation of prisons in Ohio, including RCI.

33. ODRC made promises to its employees that it would develop, maintain, follow, and enforce policies and procedures for the safe operation of prisons in Ohio, including RCI.

34. ODRC is required to provide adequate staffing to ensure the safety of its employees and incarcerated persons, including RCI.

35. ODRC made promises to its employees that it would provide adequate staffing to ensure the safety of its employees and incarcerated persons, including RCI.

36. ODRC is responsible for determining, following, and enforcing the staffing requirements for the safe operation of prisons in Ohio, including RCI.

37. ODRC made promises to its employees that it would determine, follow, and enforce staffing requirements for the safe operation of prisons in Ohio, including RCI.

38. ODRC is responsible for the appropriate interviewing, hiring, training, placement, monitoring, supervision, and protection of its employees, including those at RCI.

39. ODRC made promises to its employees that it would appropriately interview, hire, train, place, monitor, supervise, and protect its employees, including those at RCI.

40. ODRC is authorized to involuntarily require its employees to remain at work in certain circumstances.

41. ODRC is responsible for determining, following, and enforcing policies and procedures for the surveillance and supervision of incarcerated persons in the prisons in Ohio, including RCI.

42. ODRC made promises to its employees that it would determine, follow, and enforce policies and procedures for the surveillance and supervision of incarcerated persons in the prisons in Ohio, including RCI.

43. ODRC is responsible for determining, following, and enforcing policies and procedures for the controlled movement of incarcerated persons in the prisons in Ohio, including RCI.

44. ODRC made promises to its employees that it would determine, follow, and enforce policies and procedures for the controlled movement of incarcerated persons in the prisons in Ohio, including RCI.

45. ODRC is required to appropriately discipline incarcerated persons for violations of laws, rules, policies, and procedures.

46. ODRC made promises to its employees that it would appropriately discipline incarcerated persons for violations of laws, rules, policies, and procedures.

47. ODRC is responsible for determining, following, and enforcing policies and procedures for the safety equipment used by its employees, including the employees at RCI.

48. ODRC made promises to its employees that it would determine, follow, and enforce policies and procedures for the safety equipment used by its employees, including the employees at RCI.

49. ODRC is responsible for providing proper and functioning safety equipment to its employees, including the employees at RCI.

50. ODRC made promises to its employees that it would provide proper and functioning safety equipment to its employees, including the employees at RCI.

51. ODRC is vicariously liable for the actions, omissions, and/or failures of its agents, employees, servants, officers, wards, and/or directors and the injuries and damages directly and proximately caused thereby.

Inmate Rashawn Cannon

52. Mrs. Lansing adopts and incorporates by reference each preceding paragraph the same as if fully rewritten herein.

53. In 2015, the Inmate was found guilty and convicted of burglary and robbery charges.

54. In 2023, the Inmate was found guilty and convicted of felonious assault and illegal possession of a firearm.

55. As a result of the 2023 incident, the Inmate was sentenced to eight (8) years in prison.

56. The Inmate was a ward of ODRC and of the warden at RCI from approximately October 18, 2023 to December 25, 2024.

57. Upon his admission to RCI, the Inmate was classified as a Level 3 Offender.

58. During his incarceration at RCI, the Inmate violated the law.

59. During his incarceration at RCI, the Inmate violated RCI's rules and regulations.

60. Prior to the Attack but while incarcerated, the Inmate was found out of place at RCI.

61. Prior to the Attack but while incarcerated, the Inmate has been disrespectful towards others at RCI.

62. Prior to the Attack but while incarcerated, the Inmate instigated or perpetuated fighting at RCI.

63. Prior to the Attack but while incarcerated, the Inmate has been disobedient of direct orders of RCI personnel.

64. Prior to the Attack but while incarcerated, the Inmate has threatened to beat his cellmate at RCI.

65. Prior to the Attack but while incarcerated, the Inmate was found in possession of illegal narcotic, K2, which is a synthetic cannabinoid intended to mimic the effects of THC.

66. On or about March 13, 2024, Mr. Lansing conducted a routine shakedown of the Inmate's cell at RCI and found a significant amount of pre-cut K2 as well as hooch, which is an improvised alcoholic beverage prohibited at RCI.

67. Upon information and belief, Mr. Lansing filed a conduct report against the Inmate regarding the March 13, 2024 incident.

68. Upon information and belief, the RCI hearing officer(s) and rules infractions board did not review, or make any determination of, the Inmate's conduct regarding the March 13, 2024 incident.

69. On or about April 1, 2024, the Inmate demanded Mr. Lansing provide him with early access to a phone to make a phone call.

70. Mr. Lansing denied the Inmate's demand.

71. Later on April 1, 2024, the Inmate was permitted to use the phone but became loud and aggressive during his call.

72. Mr. Lansing told the Inmate to quiet down and de-escalate several times.

73. In response to Mr. Lansing, the Inmate subsequently threatened Mr. Lansing by yelling, "**FUCK YOU, I KILL YOU!**"

74. The Inmate's behavior during this April 1, 2024 incident became increasingly aggressive toward Mr. Lansing.

75. As a result of the Inmate's increased aggression toward Mr. Lansing during the April 1, 2024 incident, it was necessary for other ODRC staff to assist Mr. Lansing in order to restrain the Inmate.

76. Upon information and belief, Mr. Lansing filed a conduct report against the Inmate relative to the April 1, 2024 incident.

77. Upon information and belief, the RCI hearing officer(s) and/or rules infractions board reviewed the April 1, 2024 incident and found the Inmate guilty of misconduct.

78. The only punishment for the Inmate regarding the April 1, 2024 incident was a 30-day phone restriction.

79. The Inmate is a violent man.

80. ODRC knew or should have known of the Inmate's violent nature.

81. ODRC knew or should have known of the Inmate's threat against Mr. Lansing.

82. The Inmate's classification was never raised above a Level 3 Offender during the time he was incarcerated as RCI.

The Attack

83. Mrs. Lansing adopts and incorporates by reference each preceding paragraph the same as if fully rewritten herein.

84. At all times relevant herein, ODRC entered into an employment contract with Mr. Lansing whereby Mr. Lansing worked as a corrections officer within RCI.

85. Mr. Lansing reported to work at RCI in the morning hours of December 25, 2024 and was assigned to the center guard shack.

86. Mr. Lansing was required to work his shift at RCI on the date of the Attack.

87. Mr. Lansing was not free to leave RCI on the date of the Attack until his shift was complete.

88. On the morning of the Attack, the Inmate was permitted to exit his cell and residential housing unit without supervision.

89. On the morning of the Attack, the Inmate was able to move alone and without supervision or control across RCI's grounds.

90. Immediately before the Attack, the Inmate traveled by himself to the center guard shack where Mr. Lansing was working.

91. Once inside the doorway of the center guard shack, the Inmate viciously attacked Mr. Lansing.

92. Mr. Lansing was transported by ambulance to Adena Regional Medical Center and then to Ohio State University Wexner Medical Center for medical care and treatment of the injuries that he sustained from the Attack.

93. Mr. Lansing was pronounced dead at Ohio State University Wexner Medical Center on December 25, 2024 at approximately 11:38 a.m. as a result of the Attack.

94. As a direct and proximate result of the Attack, Mr. Lansing suffered severe and permanent injuries, which caused him great physical and mental pain and anguish, loss of enjoyment of life, disability, and financial damages.

95. As a direct and proximate result of the Attack, Mr. Lansing died.

Failures of ODRC

96. Mrs. Lansing adopts and incorporates by reference each preceding paragraph the same as if fully rewritten herein.

97. ODRC knew or should have known that the Inmate previously threatened to kill Mr. Lansing.

98. ODRC kept the Inmate at RCI despite the Inmate's threat against Mr. Lansing.

99. ODRC failed to raise the Inmate's classification despite years of violence, violations of law, violations of rules, possession of controlled substances in prison, and threatening to kill another individual.

100. The Attack was foreseeable by ODRC.

101. The Attack was preventable by ODRC.

102. ODRC failed to protect Mr. Lansing from the Inmate during the morning of the Attack.

103. ODRC failed to warn Mr. Lansing of the Inmate's uncontrolled and unsupervised movements during the morning of the Attack.

104. Prior to the Attack, up to and including the time of the Attack, ODRC failed to follow all applicable laws, regulations, policies, procedures, rules, and guidelines regarding the safe operation of RCI.

105. ODRC fell below the accepted standard of care, skill, and diligence for the operation of a correctional facility.

106. Prior to the Attack, up to and including the time of the Attack, ODRC failed to provide a safe working environment for Mr. Lansing.

107. Prior to the Attack, up to and including the time of the Attack, ODRC failed to protect Mr. Lansing.

108. Prior to the Attack, up to and including the time of the Attack, ODRC failed to uphold the promises it made to its employees, including Mr. Lansing.

109. Prior to the Attack, up to and including the time of the Attack, ODRC failed to develop, maintain, and enforce policies and procedures for the safe operation of prisons in Ohio, including RCI.

110. Prior to the Attack, up to and including the time of the Attack, ODRC failed to adequately staff RCI.

111. Prior to the Attack, up to and including the time of the Attack, ODRC failed to properly interview, hire, train, place, monitor, supervise, and protect its employees.

112. Prior to the Attack, up to and including the time of the Attack, ODRC failed to make, follow, and enforce policies and procedures for the surveillance and supervision of incarcerated persons at RCI, including the Inmate.

113. Prior to the Attack, up to and including the time of the Attack, ODRC failed to determine, follow, and enforce policies and procedures for the controlled movement of incarcerated persons at RCI, including the Inmate.

114. Prior to the Attack, up to and including the time of the Attack, ODRC failed to appropriately discipline the Inmate for the Inmate's violations of laws, rules, policies, and procedures.

115. Prior to the Attack, up to and including the time of the Attack, ODRC failed to determine, follow, and enforce policies and procedures for the safety equipment used by its personnel at RCI, including Mr. Lansing.

116. Prior to the Attack, up to and including the time of the Attack, ODRC failed to provide proper and functioning safety equipment to its personnel at RCI, including Mr. Lansing.

117. Prior to the Attack, up to and including the time of the Attack, ODRC knew or should have known that its actions, inactions, and/or defaults, operating singularly or in combination, created dangerous conditions at RCI.

118. Prior to the Attack, up to and including the time of the Attack, ODRC knew or should have known that its actions, inactions, and/or defaults, operating singularly or in combination, directly and proximately caused assaults on, and injuries to, ODRC employees by incarcerated persons at RCI.

119. The actions, inactions, and/or defaults of ODRC, operating singularly or in combination, were the direct and proximate cause of Mr. Lansing's injuries, physical pain, mental pain, anguish, loss of enjoyment of life, disability, financial damages, and death.

COUNT ONE
(Personal Injury - Employer Intentional Tort)

120. Mrs. Lansing adopts and incorporates by reference each preceding paragraph the same as if fully rewritten herein.

121. At all relevant times herein, including the date of the Attack, Mr. Lansing was an employee of ODRC working at RCI.

122. ODRC's actions and/or inactions were committed with the intent to injure its employees at RCI.

123. ODRC's actions and/or inactions were committed with the intent to cause the deaths of its employees at RCI.

124. ODRC's actions and/or inactions were committed with the belief that injuries to its employees at RCI were substantially certain to occur.

125. ODRC's actions and/or inactions were made with the belief that the deaths of its employees at RCI were substantially certain to occur.

126. As a direct and proximate result of ODRC's conduct, Mr. Lansing sustained and suffered from the injuries and damages stated herein.

127. As a direct and proximate result of ODRC's conduct, Mr. Lansing died.

128. As a direct and proximate result of ODRC's conduct, Mrs. Lansing has suffered damages in excess of twenty-five thousand dollars (\$25,000.00).

COUNT TWO
(Personal Injury - Negligence)

129. Mrs. Lansing adopts and incorporates by reference each preceding paragraph the same as if fully rewritten herein.

130. ODRC owed a duty of care to Mr. Lansing.

131. ODRC breached the duty of care it owed to Mr. Lansing.

132. As a direct and proximate result of ODRC's breach of the duty of care it owed to Mr. Lansing, Mr. Lansing sustained and suffered from the injuries and damages stated herein.

133. As a direct and proximate result of ODRC's breach of the duty of care, Mrs. Lansing has suffered damages in excess of twenty-five thousand dollars (\$25,000.00).

COUNT THREE
(Wrongful Death)

134. Mrs. Lansing adopts and incorporates by reference each preceding paragraph the same as if fully rewritten herein.

135. Mr. Lansing died on December 25, 2024 as a direct and proximate result of the wrongful acts, neglects, and/or defaults of ODRC.

136. Mrs. Lansing brings this action on behalf of Mr. Lansing's surviving spouse, children, and other next-of-kin.

137. As a direct and proximate result of the wrongful acts, neglects, and/or defaults of ODRC, Mr. Lansing's surviving spouse, children, and other next-of-kin have suffered damages for funeral and/or burial expenses for Mr. Lansing.

138. As a direct and proximate result of the wrongful acts, neglects, and/or defaults of ODRC, Mr. Lansing's surviving spouse, children, and other next-of-kin have lost the consortium, society, and services of Mr. Lansing, including his companionship, care, assistance, support, attention, protection, advice, guidance, counsel, instruction, training, and education.

139. As a direct and proximate result of the wrongful acts, neglects, and/or defaults of ODRC, Mr. Lansing's surviving spouse, children, and other next-of-kin have suffered extreme and severe mental anguish.

140. As a direct and proximate result of the wrongful acts, neglects, and/or defaults of ODRC, Mrs. Lansing has suffered damages in excess of twenty-five thousand dollars (\$25,000.00).

COUNT FOUR (Promissory Estoppel)

141. Mrs. Lansing adopts and incorporates by reference each preceding paragraph the same as if fully rewritten herein.

142. Mr. Lansing relied on the promises made by ODRC.

143. Mr. Lansing's reliance on the promises of ODRC was reasonable and foreseeable.

144. ODRC failed to fulfill one or more of the promises it made to Mr. Lansing.

145. Mr. Lansing relied on ODRC's promises to his detriment.

146. As a direct and proximate result of Mr. Lansing's reliance on ODRC's promises and ODRC's failure to fulfill its promises to Mr. Lansing, Mrs. Lansing has suffered damages in excess of twenty-five thousand dollars (\$25,000.00).

COUNT FIVE
(Breach of Contract)

147. Mrs. Lansing adopts and incorporates by reference each preceding paragraph the same as if fully rewritten herein.

148. Mr. Lansing had a contractual relationship with ODRC for Mr. Lansing's employment at RCI as a corrections officer.

149. Upon information and belief, Mr. Lansing may have also been an intended, third-party beneficiary of contracts regarding his employment relationship at ODRC.

150. Despite reasonable efforts to obtain any and all such written contracts from ODRC, ODRC has refused to provide the same to Mrs. Lansing, and, therefore, Mrs. Lansing is unable to attach copies of such written contracts to this Complaint.

151. Upon information and belief, any such written contracts are in the sole possession of ODRC.

152. Mr. Lansing fulfilled his contractual obligations owed to ODRC.

153. ODRC failed to fulfill contractual obligations owed to Mr. Lansing.

154. As a direct and proximate result of ODRC's failure to fulfill its contractual obligations, Mrs. Lansing has suffered damages in excess of twenty-five thousand dollars (\$25,000.00).

WHEREFORE, as to all Counts in this Complaint, Mrs. Lansing demands judgment against ODRC for compensatory damages in an amount in excess of twenty-five thousand dollars (\$25,000.00), for pre-judgment interest, for post-judgment interest, for Mrs. Lansing's reasonable attorney fees, for Mrs. Lansing's costs incurred herein, and for such other relief as this Court may deem just and equitable.

Respectfully Submitted,

/s/ Mark D. Tolles, II (#0087022)

MICHAEL L. BENSON (#0085654)

MARK D. TOLLES, II (#0087022)

BENSON & SESSER, LLC

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Chillicothe, OH 45601-3238

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mark@benson.law

*Attorneys for Plaintiff, Chun Wong-Lansing, as
the Executor of the Estate of Andrew Steven
Lansing (deceased)*

PROBATE COURT OF ROSS COUNTY, OHIO

FILED

ESTATE OF ANDREW STEVEN LANSING

Case No. 2025E0012

JAN 29 2025
DECEASED

J. Jeffrey Benson, Judge
Common Pleas Court, Probate Division
ROSS COUNTY, OHIO

ENTRY APPOINTING FIDUCIARY; LETTERS OF AUTHORITY

[For Executors and all Administrators]

Name and Title of Fiduciary Chun Wong-Lansing, Executor

On hearing in open court the application of the above fiduciary for authority to administer decedent's estate, the court finds that:

Decedent died [check one of the following]

testate

intestate

on December 25, 2024, domiciled in Chillicothe, Ross County, Ohio.

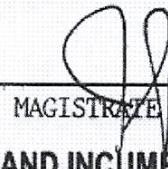
[Check one of the following]

Bond is dispensed with by the will
 Bond is dispensed with by law
 Applicant has executed and filed an appropriate bond, which is approved by the court;
and

Applicant is a suitable and competent person to execute the trust.

The Court therefore appoints applicant as such fiduciary, with the power conferred by law to fully administer decedent's estate. This entry of appointment constitutes the fiduciary's letters of authority.

Date 1/24/25


MAGISTRATE

CERTIFICATE OF APPOINTMENT AND INCUMBENCY

The above document is a true copy of the original kept by me as custodian of the records of this Court. It constitutes the appointment and letters of authority of the named fiduciary, who is qualified and acting in such capacity.

J. JEFFREY BENSON

Probate Judge /Clerk

by: 

JAN 29 2025

Date

[Seal]





December 30, 2024

Ohio Dept. of Rehabilitation & Corrections
Attn: Annette Chambers-Smith, Director
4545 Fisher Road, Suite D
Columbus, OH 43228
SENT VIA CERTIFIED U.S. MAIL

Ross Correctional Institution
Attn: Bill Cool, Warden
16197 State Route 104
Chillicothe, OH 45601
F. 740-774-7055
SENT VIA CERTIFIED U.S. MAIL AND FACSIMILE

RE: OUR CLIENT: CHUN LANSING, EXECUTRIX OF LANSING ESTATE
YOUR EMPLOYEE: ANDREW LANSING
DATE OF INCIDENT: 12/25/2024

Dear Director Chambers-Smith and Warden Cool,

My office represents Chun Lansing who is the widow of the late Andrew Lansing, as well as the named executrix in Mr. Lansing's Last Will and Testament. This letter is intended to inform you that my firm has been retained to assist with Mr. Lansing's Estate as well as to pursue any and all claims for Mr. Lansing's personal injuries and wrongful death arising from an incident that occurred on December 25, 2024 ("Incident"). As such, please have no further contact with my client or my client's family, and please direct all communication and correspondence directly to my attention.

This letter is also intended to formally demand the preservation of certain evidence related to Mr. Lansing's injuries and death and the circumstances surrounding the same. A failure to preserve this information may result in a claim for spoliation of evidence. The Ohio Supreme Court has set forth the elements of a claim for "spoliation of evidence and/or tortious interference with prospective civil litigation" as follows: "(1) pending or probable litigation involving the plaintiff, (2) knowledge on the part of defendant that litigation exists or is probable, (3) willful destruction of evidence by defendant designed to disrupt the plaintiff's case, (4) disruption of the plaintiff's case, and (5) damages proximately caused by the defendant's acts." *Smith v. Howard Johnson Co., Inc.*, 67 Ohio St.3d 28 (1993).

Although spoliation constitutes a separate cause of action, an aggrieved party is not required to seek redress solely by instituting this type of claim. Rather, a court can impose sanctions on the spoliator. Such sanctions include permitting the jury to infer that such evidence would have been unfavorable to the spoliator. *Keen v. Hardin Memorial Hospital*, 3rd

Dist., Nos. 03-LW-4989, 2003-Ohio-6707 ¶ 10 citing *Banks v. Canton Hardware Co.*, 156 Ohio St. 453 (1952), or creating a rebuttable presumption of negligence, *Signs v. Ohio Dept. of Rehab. & Corr.*, 10th Dist. No. 94 API05-628 (Nov. 22, 1994).

If you fail to properly secure and preserve these important pieces of evidence, it may give rise to the legal presumption that the evidence would have been harmful to your side of the case. In addition, if you fail to preserve and maintain this evidence, we may seek any sanctions available under the law.

The destruction, alteration, or loss of any of the items requested below may be considered a spoliation of evidence under Ohio law. Generally, we are requesting that you preserve all video recordings, audio/radio transmissions, and surveillance footage for the entire premises of the Ross Correctional Institution ("RCI") on December 25, 2024 (the "Incident Date"); all incident reports, accident reports, or other documentation regarding the Incident; all incident reports, accident reports, or other documentation filled out by any inmate, any employee, any contractor, any other affiliated entity, or any of their employees, agents, officers, directors, or managers, regarding the Incident; all policies and procedures in effect at RCI on the Incident Date; all documentation relative to the maintenance of the structure and its equipment where Andrew Lansing was stationed, as well as the same for the on-person equipment on Andrew Lansing's person, on the Incident Date; and any other documentation relative to the Incident.

More specifically, we request that the following evidence be maintained and preserved, and not be destroyed, modified, altered, repaired, or changed in any manner, and further that you immediately put any third party vendor that has or controls this information, material, or documentation, on notice to maintain and preserve it without change:

1. The entire inmate file for any incarcerated person involved, in any way, with the Incident, but specifically to include the inmate file for Rashawn Cannon (Inmate No. A818917).
2. Any reports, memos, notes, logs or other documents evidencing complaints about inmate Rashawn Cannon at any time.
3. All correspondence and documents regarding any safety issue for inmate Rashawn Cannon (Inmate No. A818917) to include but not be limited to the initiation, investigation, and final conclusion of any:
 - a. warning letters,
 - b. behavior reports,
 - c. any document regarding any threats or any violent behavior.
4. All documentation, information, audio recordings, video recordings, or any other evidence related to Case Number RCI-24-003209, which said incident took place on or about April 1, 2024.
5. A listing of all RCI staff working on the Incident Date, to include where each was stationed and a listing of all logs of breaks, movements, or location data for each such

staff member on the Incident Date.

6. All work schedules for RCI for the Incident Date.
7. All documents reflecting when RCI staff were working for the Incident Date, including any punch detail reports, payroll reports, or similar reports showing when each RCI staff member started working and stopped working on the Incident Date.
8. All emergency alert equipment and systems data for the six (6) months prior to the Incident, including the Incident Date. This should include any personal/duress alarm system, camera system, and any personal protective equipment.
9. Accounting records, bills, and payment records for the mobile shack unit where the Incident occurred, all emergency alert equipment and systems located on said mobile unit, and all emergency alert equipment and systems used by RCI staff, for the six (6) months prior to the Incident.
10. All letters, reports, and written material from a government entity involving staffing and safety at RCI including, but not be limited to, any audits by OSHA, by the state or by the federal government or any of its agencies, including any of the same generated internally by RCI administration or other staff. The request is limited to two (2) years prior to the Incident and includes any subsequent document, report, letter, or other material (to include electronically transmitted information) that includes the Incident Date.
11. All documents prepared for, submitted to, or sent to any government entity involving staffing or safety at RCI, including, but not limited to, any requests for additional staffing or additional equipment at RCI. The request is limited to two (2) years prior to the Incident and includes any subsequent document, report, letter, or other material (to include electronically transmitted information) that includes the Incident Date.
12. All reports, tickets, incident reports, and other logs from any RCI employee pertaining to safety, staffing, and/or Andrew Lansing, including during the two (2) years preceding the Incident, as well as all results of any audit of the logs by RCI or a third party.
13. All structural and equipment inspection and maintenance reports for the mobile shack unit where the Incident occurred, to include all existing daily inspection reports for the five (5) year period preceding the Incident.
14. All maintenance, inspection, and repair records or work orders on the mobile shack unit where the Incident occurred or any of the equipment located therein / thereon for the five (5) year period preceding the Incident through the present.
15. Any and all staffing procedures and policies, inmate handbooks, personnel handbooks, collective bargaining agreements, standard operating procedures, standard operating guidelines, as well as any updates or amendments thereto, for RCI for the five (5) years prior to the Incident, including the Incident Date.
16. Any and all reports of incidents of attacks on RCI staff members, Ohio Department of Rehabilitation and Corrections staff members at RCI, or contractors at RCI for five (5)

years prior to the Incident, including the Incident Date.

17. Photographs, video, computer generated media, or other recordings of the interior and exterior of the mobile shack unit where the Incident occurred, the Incident scene, the Incident itself, or relating to any equipment or things originally located at or near the site of the Incident, which shall include the Incident Date, five (5) days prior to the Incident Date, and five (5) days after the Incident Date.
18. Any and all photographs, video, computer generated media, or other recordings from RCI for twelve (12) hours prior to the Incident on the Incident Date and five (5) days after the Incident Date.
19. Any purchase contracts, lease contracts, or other agreements regarding the mobile shack unit where the Incident occurred, as well as any amendments, renewals, or extensions of any such contracts or agreements, that were in effect at the time of the Incident or at any time during the five (5) years prior to the Incident.
20. Any purchase contracts, lease contracts, or other agreements regarding any equipment located on or in the mobile shack unit where the Incident occurred, as well as any amendments, renewals, or extensions of any such contracts or agreements, that were in effect at the time of the Incident or at any time during the five (5) years prior to the Incident.
21. Any purchase contracts, lease contracts, or other agreements regarding any equipment issued to, worn by, used by, or located on or about Andrew Lansing's person on the Incident Date, as well as any amendments, renewals, or extensions of any such contracts or agreements, that were in effect at the time of the Incident or at any time during the five (5) years prior to the Incident.
22. Any post-Incident maintenance, inspection, or repair records or invoices in regard to the mobile shack unit where the Incident occurred.
23. Any post-Incident maintenance, inspection, or repair records or invoices in regard to any equipment located in or on the mobile shack unit where the Incident occurred.
24. Any Ohio Department of Rehabilitation and Corrections e-mails, electronic messages, letters, memos, all social media postings, private messages, and transmissions including but not limited to, Facebook and Twitter, or other documents concerning this Incident. This includes any such documents prepared, generated, disseminated, posted, and/or received by any RCI employee, Ohio Department of Rehabilitation & Corrections employee, or contractor.
25. Any and all communications via radio, mobile or satellite communication systems, email, cellular phone, pager or other internal communication devices at RCI to include the bills for the devices for the day before, the day of, and the five (5) days after the Incident.
26. Any and all computer, electronic, or e-mail messages, postings, and transmissions created in the five (5) days immediately after the Incident, including but not limited to, Facebook, Messenger, and X (Twitter), by and between any Ohio Department of

Rehabilitation and Corrections employee, RCI employee, or contractor and any agents or third parties relating to the facts, circumstances, or investigation of the Incident as well as any computer messages which relate to this particular Incident, whether generated or received.

27. Any and all internal messages, emails, text messages and any and all messages using any other application or computer software sent or received by RCI administrators and employees who were working during the shift when the Incident occurred. This request shall be limited to any such documentation and information from December 24, 2024 onward.
28. All correspondence and documents regarding any safety issue for RCI to include but not be limited to the initiation, investigation, and final conclusion of any:
 - a. any off-site investigation,
 - b. any on-site investigation,
 - c. any cooperative safety plan,
 - d. any notice of violation,
 - e. any notice of claim/settlement agreement,
 - f. any document that stated RCI was unfit,
 - g. any document that RCI was to be subjected to targeted inspections, and
 - h. any complaints regarding safety at RCI.
29. All correspondence and documents regarding any staffing issue for RCI to include but not be limited to the initiation, investigation, and final conclusion of any:
 - a. any off-site investigation,
 - b. any on-site investigation,
 - c. any staffing plan,
 - d. any notice of violation,
 - e. any notice of claim/settlement agreement,
 - f. any document that stated RCI had inadequate or insufficient staffing,
 - g. any document that stated RCI had unqualified staffing,
 - h. any document that RCI was to be subjected to targeted inspections, and
 - i. any complaints regarding staffing at RCI.
30. All other e-mail and information about e-mail (including message contents, header information and logs of e-mail system usage) containing information about or related to

RCI staffing, safety and safety policies, the Incident, witnesses to the Incident, Andrew Lansing, inmate Rashawn Cannon (Inmate No. A818917), the facts of the Incident, and preventability determinations.

31. All databases (including all records and fields and structural information in such databases), containing any reference to and/or information about or related to RCI staffing, safety and safety policies, the Incident, witnesses to the Incident, Andrew Lansing, inmate Rashawn Cannon (Inmate No. A818917), the facts of the Incident, and preventability determinations.
32. All electronic documents and the storage media on which they reside which contain relevant, discoverable information beyond that which may be found in printed documents.
33. Therefore, even where a paper copy exists, we will seek all documents in their electronic form along with information about those documents contained in the media. We also will seek paper printouts of only those documents that contain unique information after they were printed out (such as paper documents containing handwriting, signatures, marginalia, drawings, annotations, highlighting and redactions) along with any paper documents for which no corresponding electronic files exist. Our discovery requests will ask for certain data on the hard disks, floppy disks and backup media used in your computers, some of which data are not readily available to an ordinary computer user, such as "deleted" files and "file fragments."
34. With regard to electronic data created by application programs which process financial, accounting and billing information, all electronic data files, including prior drafts, "deleted" files and file fragments, containing information about or related to RCI staffing, safety and safety policies, the Incident, witnesses to the Incident, Andrew Lansing, inmate Rashawn Cannon (Inmate No. A818917), the facts of the Incident, and preventability determinations.
35. All files, including prior drafts, "deleted" files and file fragments, containing information from electronic calendars and scheduling programs regarding or related to RCI staffing, safety and safety policies, the Incident, witnesses to the Incident, Andrew Lansing, inmate Rashawn Cannon (Inmate No. A818917), the facts of the Incident, and preventability determinations.
36. All electronic data files, including prior drafts, "deleted" files and file fragments about or related to RCI staffing, safety and safety policies, the Incident, witnesses to the Incident, Andrew Lansing, inmate Rashawn Cannon (Inmate No. A818917), the facts of the Incident, and preventability determinations.
37. **Replacement of Data Storage Devices:** You or your agents are not to dispose of any electronic data storage devices and/or media that may be replaced due to failure and/or upgrade and/or other reasons that may contain electronic data meeting the criteria listed above.
38. **Fixed Drives on Stand-Alone Personal Computers and Network Workstations:** With regard to electronic data meeting the criteria listed above, which existed on fixed drives attached to stand-alone microcomputers and/or network workstations at the time

of this letter's delivery: You are not to alter or erase such electronic data, and are not to perform other procedures (such as data compression and disk defragmentation or optimization routines) that may impact such data, unless a true and correct copy has been made of such active files and of completely restored versions of such deleted electronic files and file fragments, copies have been made of all directory listings (including hidden files) for all directories and subdirectories containing such files, and arrangements have been made to preserve copies during the pendency of this litigation.

39. **Evidence Created Subsequent to This Letter:** With regard to electronic data created subsequent to the date of delivery of this letter, relevant evidence is not to be destroyed and you are to take whatever steps are appropriate to avoid destruction of evidence.
40. We require you to put any vendor which stores, possesses, or audits any of the above information, documentation, and other evidence on notice of the need to preserve this data.

In order to assure that your obligation to preserve documents and things is met, please immediately forward a copy of this letter to all persons and entities with custodial responsibility for the items referred to in this letter, to specifically include third parties and vendors.

In the meantime, should you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Sincerely,



MICHAEL L. BENSON
Attorney at Law



January 21, 2025

Ohio Department of Rehabilitation and Correction
Attn: Custodian of Public Records
4545 Fisher Road, Suite D
Columbus, Ohio 43228
Fax: (614) 752-1171
Email: Margaret.Moore@drc.ohio.gov

RE: PUBLIC RECORDS REQUEST PURSUANT TO R.C. 149.43

Dear Custodian of Public Records:

I am submitting this request to your attention pursuant to Section 149.43 of the Ohio Revised Code, which is the Ohio Public Records Act. The “records” to be produced should include all originals of any nature whatsoever, all identical copies, and all non-identical copies thereof pertaining to any medium upon which such information is recorded, and includes without limitation, all letters, electronic mail, inter-office communications, intra-office communications, drafts, compilations of data, computer generated materials, computer storage materials, correspondence, agreements, memoranda, reports, records of telephone calls, notes from meetings, and notes in general, along with any blank forms associated with such records.

You are requested to produce copies of the following:

Policies Regarding Facility Security Level Classifications, Incarcerated Person Security Level Classifications, Facility Requirements, and Staffing Requirements

1. All policies, procedures, protocols, facility regulations, and general orders regarding the determination, establishment, amendment, or setting of security levels of *state correctional institutions* in Ohio that the Ohio Department of Rehabilitation and Corrections had in place at any time from January 1, 2015 to the present.
2. All policies, procedures, protocols, facility regulations, and general orders regarding the *security level classifications of incarcerated persons* (i.e. inmates) that the Ohio Department of Rehabilitation and Corrections had in place at any time from January 1, 2015 to the present.
3. All policies, procedures, protocols, facility regulations, and general orders regarding *facility requirements for state correctional institutions, separated/organized by the different incarcerated persons' security level classifications* that the Ohio Department of Rehabilitation and Corrections had in place at any time from January 1, 2015 to the present.
4. All policies, procedures, protocols, facility regulations, and general orders regarding security level 3 incarcerated persons (i.e., inmates) that were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.

5. All policies, procedures, protocols, facility regulations, and general orders regarding the *process and methodology for increasing an incarcerated person's security level from level 3 to level 4*, which were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.
6. All policies, procedures, protocols, facility regulations, and general orders that were *drafted for, adopted by, or implemented at Ross Correctional Institution* at any time from January 1, 2015 to the present, along with any records associated with the same.
7. Any records pertaining to Ross Correctional Institution that were generated by or for the *Ohio Correctional Institution Inspection Committee* from January 1, 2015 to the present.

Records Regarding Facility Level Classifications

8. All records pertaining to the *past or current security level classifications of the Ross Correctional Institution* at any time since said institution opened through the present, including any assessments, evaluations, inspections, determinations, and audits initiated or generated to establish, maintain, or change any such security level classification at Ross Correctional Institution.
9. All records pertaining to any *complaint or concern regarding the security level classification of the Ross Correctional Institution* that was made to or received by the Ohio Department of Rehabilitation and Corrections, the Ross Correctional Institution, or any of their administrative staff at any time from January 1, 2015 to the present.
10. All records pertaining to any *complaint or concern regarding the use of Ross Correctional Institution as a security level 3 facility* that was made to or received by the Ohio Department of Rehabilitation and Corrections, the Ross Correctional Institution, or any of their administrative staff at any time from January 1, 2015 to the present.

Policies Regarding Minimum Staffing Requirements and Duty Assignments at RCI

11. All policies, procedures, protocols, facility regulations, and general orders regarding the determination, establishment, amendment, or setting of *amount of staffing required, including corrections officers*, at state correctional institutions in Ohio, including but not limited to the calculations and determinations of minimum staffing requirements, total officer numbers, and relief factor values, that the Ohio Department of Rehabilitation and Corrections had in place at any time from January 1, 2015 to the present.
12. All policies, procedures, protocols, facility regulations, and general orders regarding the *assignment of duty locations for corrections officers* that were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.
13. All policies, procedures, protocols, facility regulations, and general orders regarding the *use of mobile shack units* (e.g., TIE Units) that were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.

Records Regarding Staffing at RCI

14. Any and all *funding letters* regarding the Ross Correctional Institution since said institution was opened through the present.

15. Any and all *pick-a-post agreements* that apply to the Ross Correctional Institution since said institution was opened through the present.
16. Any and all *relief factor calculations* that apply to the Ross Correctional Institution since said institution was opened through the present, along with all formulas as to how each such relief factor was calculated since said institution was opened through the present.
17. All records regarding the *determination of staffing needs and minimum staffing requirements at Ross Correctional Institution* at any time from January 1, 2015 to the present.
18. All records pertaining to any *assessment, evaluation, or audit regarding staffing or staffing assignments at Ross Correctional Institution* at any time from January 1, 2015 to the present.
19. All records pertaining to any *complaint or concern regarding staffing at Ross Correctional Institution* that was made to or received by the Ohio Department of Rehabilitation and Corrections, Ross County Institution, or any of their administrative staff at any time from January 1, 2015 to the present.

Policies Regarding Incarcerated Person Movement and Supervision at RCI

20. All policies, procedures, protocols, facility regulations, and general orders regarding *supervision of incarcerated persons' (i.e., inmates') movements and enforcement of the same, including any controlled movement plans*, which were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.
21. All policies, procedures, protocols, facility regulations, and general orders regarding *internal corrections officer communications about incarcerated persons' movements* that were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.
22. All *"back-to-basics" plans, and any records associated therewith*, that were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.

Records Regarding Incarcerated Person Movement and Supervision at RCI

23. All records pertaining to the *review, assessment, and evaluation of any plans, schedules, or related records regarding the movement of incarcerated persons* at Ross Correctional Institution at any time from January 1, 2015 to the present, including any reports, memos, notes, logs, minutes of meetings, or related documents.
24. All records pertaining to the *review, assessment, and evaluation of any "back-to-basic" plans* at Ross Correctional Institution at any time from January 1, 2015 to the present, including any reports, memos, notes, logs, minutes of meetings, or related documents.
25. All records pertaining to any *complaint or concern regarding the supervision or movement of incarcerated persons* at Ross Correctional Institution that was made to or received by the Ohio Department of Rehabilitation and Corrections, Ross Correctional Institution, or any of their administrative staff at any time from January 1, 2015 to the present.

Policies and Records Regarding Correction Officer Safety at RCI

- 26.** All policies, procedures, protocols, facility regulations, and general orders regarding the *safety and protection of corrections officers and staff* that were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.
- 27.** All policies, procedures, protocols, facility regulations, and general orders regarding all *emergency alert equipment and systems, including any personal/duress alarms systems, "man-down" systems, LPASS systems, camera systems, or personal protective equipment used or worn by corrections officers and all emergency alert equipment in mobile shack units*, that were in place at Ross Correctional Institution on December 25, 2024.
- 28.** All records pertaining to any *complaint or concern regarding the safety of corrections officers and staff at Ross Correctional Institution* that were made to or received by the Ohio Department of Rehabilitation and Corrections, Ross Correctional Institution, or any of their administrative staff at any time from January 1, 2015 to the present.
- 29.** All records regarding the *issuance and maintenance of any personal/duress alarm systems, camera systems, or personal protective equipment to corrections officer Andrew Lansing (DOB 04/19/1962)* at Ross Correctional Institution, specifically including records regarding the equipment issued to and/or worn by corrections officer Andrew Lansing (DOB 04/19/1962) on December 25, 2024, from January 1, 2015 to the present.
- 30.** All records regarding any *complaints regarding the inoperability, malfunctioning, or other abnormal operations of any emergency alert equipment and systems, including any personal/duress alarms systems, "man-down" systems, LPASS systems, camera systems, or personal protective equipment used or worn by corrections officers or any emergency alert equipment in mobile shack units*, at Ross Correctional Institution from January 1, 2015 to the present, including any incident reports, complaint forms, witness statements, reports, memos, notes, logs, repair requests, repair logs, statistical data, or related documents.

Policies Regarding Incidents Involving Incarcerated Persons

- 31.** All policies, procedures, protocols, facility regulations, and general orders regarding *how to handle incarcerated persons' behavioral issues* that were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.
- 32.** All policies, procedures, protocols, facility regulations, and general orders regarding *how to handle safety issues/concerns caused by incarcerated persons* that were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.
- 33.** All policies, procedures, protocols, facility regulations, and general orders regarding *how to handle any incidents involving threats made by incarcerated persons toward corrections officers or other staff* that were in place at Ross Correctional Institution at any time from January 1, 2015 to the present.
- 34.** All policies, procedures, protocols, facility regulations, and general orders regarding *how to handle any incidents involving acts of physical violence by incarcerated persons* that were in place at Ross Correctional Institution from January 1, 2015 to the present.

- 35.** All policies, procedures, protocols, facility regulations, and general orders regarding *disciplinary actions and procedures for incarcerated persons* that were in place at Ross Correctional Institution from January 1, 2015 to the present.
- 36.** All policies, procedures, protocols, facility regulations, and general orders regarding *use of force by corrections officers and staff* that were in place at Ross Correctional Institution from January 1, 2015 to the present.
- 37.** All policies, procedures, protocols, facility regulations, and general orders regarding the *issuance of tablets or other electronic devices to incarcerated persons* that were in place at Ross Correctional Institution from January 1, 2015 to the present.

Incidents Involving Rashawn Cannon
(Ross Correctional Institution)

- 38.** All records pertaining to the *incident that occurred at Ross Correctional Institution on December 25, 2024 involving Rashawn Cannon (DOB 02/10/1997) and corrections officer Andrew Lansing (DOB 04/19/1962)*, including any incident reports, witness statements, audio recordings, video recordings, photographs, reports, memos, notes, logs, disciplinary actions, or related documents.
- 39.** All records pertaining to any *investigation or resolution of the incident that occurred at Ross Correctional Institution on December 25, 2024 involving Rashawn Cannon (DOB 02/10/1997) and corrections officer Andrew Lansing (DOB 04/19/1962)*.
- 40.** All records pertaining to the *incident that occurred at Ross Correctional Institution on or about April 1, 2024, which has been referred to as Case No. RCI-24-003209*, including any incident reports, witness statements, audio recordings, video recordings, photographs, reports, memos, notes, logs, disciplinary actions, or related documents.
- 41.** All records pertaining to any *investigation or resolution of the incident that occurred on or about April 1, 2024, which has been referred to as Case No. RCI-24-003209*.
- 42.** All records regarding any *incidents involving or mentioning Rashawn Cannon (DOB 02/10/1997) at Ross Correctional Institution* from January 1, 2015 to the present, including any incident reports, witness statements, audio recordings, video recordings, photographs, reports, memos, notes, logs, disciplinary actions, or related documents.
- 43.** All records pertaining to any *investigation or resolution of any incidents involving or mentioning Rashawn Cannon (DOB 02/10/1997) at Ross Correctional Institution* from January 1, 2015 to the present.
- 44.** All records regarding any *complaints from, about, and/or involving Rashawn Cannon (DOB 02/10/1997) at Ross Correctional Institution* from January 1, 2015 to the present, including any complaint forms, witness statements, audio recordings, video recordings, photographs, reports, memos, notes, logs, disciplinary actions, or related documents.
- 45.** All records pertaining to any *investigation or resolution of any complaints from, about, and/or involving Rashawn Cannon (DOB 02/10/1997) at Ross Correctional Institution* from January 1, 2015 to the present.
- 46.** All records regarding any *safety issue or behavioral issue from, about, and/or involving Rashawn Cannon (DOB 02/10/1997) at Ross Correctional Institution* from January 1,

2015 to the present, including any reports, witness statements, audio recordings, video recordings, photographs, memos, notes, logs, disciplinary actions, or related documents.

47. All records pertaining to any *investigation or resolution of any safety issue or behavioral issue from, about, and/or involving Rashawn Cannon (DOB 02/10/1997) at Ross Correctional Institution* from January 1, 2015 to the present.

Incidents Involving Rashawn Cannon
(Allen-Oakwood Correctional Institution)

48. All records regarding any *incidents involving Rashawn Cannon (DOB 02/10/1997) at Allen-Oakwood Correctional Institution* from January 1, 2015 to the present, including any incident reports, witness statements, audio recordings, video recordings, photographs, reports, memos, notes, logs, disciplinary actions, or related documents.

49. All records pertaining to any *investigation or resolution of any incidents involving Rashawn Cannon (DOB 02/10/1997) at Allen-Oakwood Correctional Institution* from January 1, 2015 to the present.

50. All records regarding any *complaints from, about, and/or involving Rashawn Cannon (DOB 02/10/1997) at Allen-Oakwood Correctional Institution* from January 1, 2015 to the present, including any complaint forms, witness statements, audio recordings, video recordings, photographs, reports, memos, notes, logs, disciplinary actions, or related documents.

51. All records pertaining to any *investigation or resolution of any complaints involving Rashawn Cannon (DOB 02/10/1997) at Allen-Oakwood Correctional Institution* from January 1, 2015 to the present.

52. All records regarding any *safety issue or behavioral issue involving Rashawn Cannon (DOB 02/10/1997) at Allen-Oakwood Correctional Institution* from January 1, 2015 to the present, including any reports, witness statements, audio recordings, video recordings, photographs, memos, notes, logs, disciplinary actions, or related documents.

53. All records pertaining to any *investigation or resolution of any safety issue or behavioral issue involving Rashawn Cannon (DOB 02/10/1997) at Allen-Oakwood Correctional Institution* from January 1, 2015 to the present.

Incidents Involving Rashawn Cannon
(Ohio State Penitentiary)

54. All records regarding any *incidents involving Rashawn Cannon (DOB 02/10/1997) at Ohio State Penitentiary* from January 1, 2015 to the present, including any incident reports, witness statements, audio recordings, video recordings, photographs, reports, memos, notes, logs, disciplinary actions, or related documents.

55. All records pertaining to any *investigation or resolution of any incidents involving Rashawn Cannon (DOB 02/10/1997) at Ohio State Penitentiary* from January 1, 2015 to the present.

56. All records regarding any *complaints from, about, and/or involving Rashawn Cannon (DOB 02/10/1997) at Ohio State Penitentiary* from January 1, 2015 to the present,

including any complaint forms, witness statements, audio recordings, video recordings, photographs, reports, memos, notes, logs, disciplinary actions, or related documents.

57. All records pertaining to any *investigation or resolution of any complaints involving Rashawn Cannon (DOB 02/10/1997) at Ohio State Penitentiary* from January 1, 2015 to the present.
58. All records regarding any *safety issue or behavioral issue involving Rashawn Cannon (DOB 02/10/1997) at Ohio State Penitentiary* from January 1, 2015 to the present, including any reports, witness statements, audio recordings, video recordings, photographs, memos, notes, logs, disciplinary actions, or related documents.
59. All records pertaining to any *investigation or resolution of any safety issue or behavioral issue involving Rashawn Cannon (DOB 02/10/1997) at Ohio State Penitentiary* from January 1, 2015 to the present.

Incidents Involving Other Incarcerated Persons at RCI

60. All records regarding any *incidents involving behavioral issues of any Incarcerated Person at Ross Correctional Institution* from January 1, 2015 to the present, including any incident reports, complaint forms, witness statements, reports, memos, notes, logs, disciplinary actions, statistical data, or related documents.
61. All records regarding any *incidents involving safety issues caused by any Incarcerated Person at Ross Correctional Institution* from January 1, 2015 to the present, including any incident reports, complaint forms, witness statements, reports, memos, notes, logs, disciplinary actions, statistical data, or related documents.
62. All records regarding any *incidents involving any threats of violence or threats of violent behavior made by any Incarcerated Person at Ross Correctional Institution* from January 1, 2015 to the present, including any incident reports, complaint forms, witness statements, reports, memos, notes, logs, disciplinary actions, statistical data, or related documents.
63. All records regarding any *threats made against corrections officers and other facility staff at Ross Correctional Institution* from January 1, 2015 to the present, including any incident reports, complaint forms, witness statements, reports, memos, notes, logs, disciplinary actions, statistical data, or related documents.
64. All records regarding any *incidents involving acts of physical violence committed by any Incarcerated Person at Ross Correctional Institution* from January 1, 2015 to the present, including any incident reports, complaint forms, witness statements, reports, memos, notes, logs, disciplinary actions, statistical data, or related documents.
65. All records regarding any *action by an Incarcerated Person at Ross Correctional Institution that was reported to the Rules Infraction Board* from January 1, 2015 to the present.
66. All records regarding any *use of force actions requested, made, or taken by any corrections officers and/or staff at Ross Correctional Institution* from January 1, 2015 to the present, including any reports, memos, notes, logs, statistical data, or related documents.

Other Records

- 67.** All records *showing the location and movement of Rashawn Cannon (DOB 02/10/1997) at Ross Correctional Institution from December 18, 2024 until he was transferred out of Ross Correctional Institution*, including any reports, memos, notes, logs, audio recordings, video recordings, photographs, or related documents.
- 68.** All records regarding the *issuance of any tablets or other electronic devices to Rashawn Cannon (DOB 02/10/1997) at Ross Correctional Institution*, as well as any records of use of the same by Rashawn Cannon (DOB 02/10/1997), *including any device history data, internet history data, or related documents*.
- 69.** All records demonstrating the *names and total number of incarcerated persons at Ross Correctional Institution on December 25, 2024 and their respective security level classifications*.
- 70.** All records demonstrating the *names and total number of employees who were scheduled to work at Ross Correctional Institution on December 25, 2024 and the respective time period(s), shift(s), and/or total number of hours that each employee was scheduled to work*.
- 71.** All records demonstrating the *names and total number of employees who worked at Ross Correctional Institution on December 25, 2024 and the respective time period(s) that each employee worked*.
- 72.** Any and all records in your possession pertaining to, involving or mentioning Rashawn Cannon (DOB 02/10/1997) that are not specifically requested elsewhere herein.

Understanding that some of the records I am requesting may be more readily available than others, I would prefer to receive separate, rolling responses, as I would prefer to receive the records as soon as they are available rather than wait for a single response. Additionally, I would prefer to receive the requested records in a digital format, if possible. If any of the requested records are not available in digital form, please let me know the cost of reproducing them in paper format before proceeding.

Should any part of my request be unclear or overly broad, I am happy to work with you to clarify or narrow it, and should any portion of the requested records be exempt from disclosure under Ohio law, please specify the exemption, as well as an explanation for any redactions, deletions, withholdings, and exclusions, and thereafter provide any non-exempt portions of the records.

I look forward to your response within a reasonable timeframe, as required by law. In the meantime, should you have any questions or concerns, please do not hesitate to contact me at your earliest convenience.

Sincerely,

/s/ Michael L. Benson

MICHAEL L. BENSON
Attorney at Law
michael@benson.law

From: Margaret.Moore@drc.ohio.gov 
Subject: RE: Public Records Request
Date: January 21, 2025 at 4:19 PM
To: Michael Benson michael@benson.law

M

Michael,

I received the your public records request. Our public records team will collect responsive documents and provide them to you.

Thanks,

Meggan Moore
Assistant Chief Counsel
Ohio Department of Rehabilitation and Correction
4545 Fisher Rd.
Columbus, Ohio 43228
Direct: (614) 752-1603
Main: (614) 752-1765



From: Michael Benson <michael@benson.law>
Sent: Tuesday, January 21, 2025 1:11 PM
To: Moore, Margaret <Margaret.Moore@drc.ohio.gov>
Subject: Public Records Request

Meggan,

As we discussed, I am routing my public records request through you, and I have attached it to this email for your review. I realize we are requesting a lot of records, but please send your responses as they become available instead of waiting to send one large response.

Also, I was hoping I could schedule a call with you sometime this week if you're available. Tomorrow afternoon I'm completely free, and I'm also free at 11:30 a.m. and 1:00 p.m. on Friday. Please let me know if any of those times work for you.

Thank you in advance, and I look forward to hearing from you.

Sincerely,

MICHAEL L. BENSON, ESQ.
Benson & Sesser, LLC
36 South Paint St.
Chillicothe, Ohio 45601
P: 740.773.3600

F: 740.773.3610
michael@benson.law

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May 16, 2025

Michael Benson
36 South Paint Street
Chillicothe, Ohio 45601

RE: Claim #: 2024022856
Date of Loss: 12/25/2024
Agency: Ohio Department of Rehabilitation and Correction (DRC)
Your Client: Chun Lansing, Executrix of Andrew Lansing Estate

Dear Michael Benson:

This will acknowledge that you have reported your claim to the Office of Risk Management for attempted compromise pursuant to Ohio Revised Code 2743.16(B). At this time, we decline to compromise your claim. If you choose, you may proceed with the commencement of an action.

While we are providing you with this letter, this does not mean the merits of your case have been found in your favor or that the state is legally liable.

Sincerely,

Tim Winner

Tim Winner
Claims Manager
Office of Risk Management
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