

IN THE COURT OF CLAIMS OF OHIO

BYRON HARRIS

Plaintiff

v.

OHIO DEPARTMENT OF
REHABILITATION AND CORRECTION

Defendant

Case No. 2025-00618AD

Deputy Clerk Holly True Shaver

MEMORANDUM DECISION

{¶1} Byron Harris (“plaintiff”), an inmate, filed a complaint against defendant, Ohio Department of Rehabilitation and Correction (“ODRC”). Plaintiff related on March 4, 2024, at defendant’s Mansfield Correctional Institution, plaintiff was denied a lunch meal as he did not have his identification card. Plaintiff also alleges he was denied medication and cough drops because of his lack of identification. Plaintiff states that correction officers searched his cell, but his identification card was not found. Plaintiff also states that he was not given a replacement identification card. Plaintiff states that he is suing defendant and Aramark for “punitive damages” for failure to properly train, supervise, or instruct defendant’s employees. Plaintiff further brings claims and seeks punitive damages for inappropriate supervision, denial of food, and not replacing plaintiff’s identification card.

{¶2} Plaintiff seeks solely punitive damages in the amount of \$3,000.00. Plaintiff was not required to submit the \$25.00 filing fee.

{¶3} Defendant submitted an investigation report denying liability in this matter. Defendant argues that plaintiff’s claim ultimately relates to an alleged policy violation and should be denied. Defendant argues that its employees properly followed policies. After investigating the related incident, defendant found footage which showed plaintiff in possession of his identification card prior to his attempt to get lunch. Defendant asserts that when plaintiff was presented with the video footage, he was able to locate his

identification card. However, by the time plaintiff located his identification card, lunch was no longer being served.

{¶4} To prevail in a claim for negligence, plaintiff must prove, by a preponderance of the evidence, that defendant owed plaintiff a duty, that defendant breached that duty, and that defendant's breach proximately caused plaintiff's damages. *Armstrong v. Best Buy Co., Inc.*, 2003-Ohio-2573, ¶ 8, citing *Meniffee v. Ohio Welding Prod., Inc.*, 15 Ohio St.3d 75, 77 (1984).

{¶5} Whether a duty exists is a question of law to be decided by the court, while breach of such duty is a question of fact. *Snay v. Burr*, 2021-Ohio-4113, ¶ 14, citing *Mussivand v. David*, 45 Ohio St.3d 314, 318 (1989).

{¶6} Plaintiff has the burden of proving, by a preponderance of the evidence, that plaintiff suffered a loss and that this loss was proximately caused by defendant's negligence. *Coffman v. Mansfield Corr. Inst.*, 2009-Ohio-5859, ¶ 9 (10th Dist.).

{¶7} In addition, prison regulations, including those contained in the Ohio Administrative Code ("OAC"), "are primarily designed to guide correctional officials in prison administration rather than to confer rights on inmates." *State ex rel. Larkins v. Wilkinson*, 79 Ohio St.3d 477, 479, (1997), citing *Sandlin v. Conner*, 515 U.S. 472, 481-482 (1995). Moreover, this court has held that "even if defendant had violated the Ohio Administrative Code, no cause of action would exist in this court. A breach of internal regulations in itself does not constitute negligence." *Williams v. Ohio Dept. of Rehab. & Corr.*, 67 Ohio Misc.2d 1, 3 (Ct. of Cl. 1993). Accordingly, to the extent that plaintiff alleges that ODRC somehow violated internal prison regulations and the OAC, plaintiff fails to state a claim for relief. See *Sharp v. Ohio Dept. of Rehab. & Corr.*, 2008-Ohio-7064 (Ct. of Cl.), ¶ 5.

{¶8} To recover against a defendant in a tort action, plaintiff must produce evidence which furnishes a reasonable basis for sustaining plaintiff's claim. If plaintiff's evidence furnishes a basis for only a guess, among different possibilities, as to any essential issue in the case, plaintiff fails to sustain the burden as to such issue. *Landon v. Lee Motors, Inc.*, 161 Ohio St. 82 (1954).

{¶9} The credibility of witnesses and the weight attributable to their testimony are primarily matters for the trier of fact. *State v. DeHass*, 10 Ohio St.2d 230 (1967),

paragraph one of the syllabus. The court is free to believe, or disbelieve, all or any part of each witness's testimony. *State v. Antill*, 176 Ohio St. 61 (1964). The court finds plaintiff's statement not particularly persuasive.

{¶10} Under the Eighth Amendment to the U.S. Constitution, prison officials have a duty to provide humane conditions of confinement, ensuring that inmates receive, among other things, adequate food. See *Farmer v. Brennan*, 511 U.S. 825 (1994). Inmate complaints regarding the conditions of confinement are treated as claims arising under Section 1983, Title 42, United States Code. *State ex rel. Carter v. Schotten*, 70 Ohio St.3d 89, 91-92 (1994). Such claims are not actionable in the Court of Claims. See *Washington v. Ohio Dept. of Rehab. & Correction*, Ct. of Cl. No. 2015-00298, 2015 Ohio Misc. LEXIS 79 (July 14, 2015).

{¶11} Initially, while plaintiff alleges that defendant's employees violated ODRC policy when he was refused a meal by an Aramark employee because he did not have his identification, plaintiff's statements are unpersuasive as they relate to Eighth Amendment Constitutional Claims, i.e. adequate food. See *Farmer, supra*. However, even if plaintiff's claim could be construed as a non-constitutional claim, plaintiff's claims fail. Plaintiff offers no evidence that it is ODRC policy to require correction officers to "order" inmates meals when inmates fail to present their required identification at mealtime. Additionally, the record clearly shows that defendant's employees conducted a cell search to assist plaintiff in locating his identification card. Yet, when confronted with video evidence that showed plaintiff that he possessed his identification card prior to attempting to get his lunch, plaintiff was suddenly able to locate his identification card. Accordingly, any loss which may have occurred by plaintiff missing a meal was solely attributable to plaintiff, not ODRC.

{¶12} Next, plaintiff states that he seeks only punitive damages regarding his claims. However, it is well established that "the General Assembly never intended that the state be held liable for other than compensatory damages." *Drain v. Kosydar*, 54 Ohio St.2d 49, 56 (1976). Thus, it is well-settled that punitive damages are not recoverable in the Court of Claims. *Id.* Accordingly, plaintiff's claim for punitive damages fails as a matter of law.

{¶13} Therefore, judgment is rendered in favor of defendant.

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ENTRY OF ADMINISTRATIVE
DETERMINATION

{¶14} Having considered all the evidence in the claim file, and for the reasons set forth in the memorandum decision filed concurrently herewith, judgment is rendered in favor of defendant. Court costs are assessed against plaintiff.

HOLLY TRUE SHAVER
Deputy Clerk

Filed 1/9/26
Sent to S.C. Reporter 3/9/26