



STATE OF WASHINGTON  
**DEPARTMENT OF CORRECTIONS**  
P.O. Box 41100 • Olympia, Washington 98504-1110

April 17, 2020

Joanna Carns  
Office of Corrections Ombuds  
PO Box 43113  
Olympia, WA 98504

Dear Ms. Carns:

The Washington Department of Corrections appreciates the opportunity to respond to the OCO Report on the ‘the monitoring visit that the Office of the Corrections Ombuds (OCO) conducted to the Monroe Correctional Complex on April 10, 2020’ completed by the Office of Corrections Ombuds.

<b>Recommendation</b>	<b>Response</b>
<p>The facility is unable to effectively impose social distancing due to facility structure and population size. Both staff and incarcerated individuals asked for a release of individuals to create greater space and smaller cohorts of individuals, which would also reduce stress on staff.</p>	<p>The Department of Corrections has continuously informed the population of the much encouraged physical distancing guidelines recommended by the Centers for Disease Control (CDC). The department is encouraging all staff and incarcerated population to follow physical distancing recommendations to best protect themselves during this pandemic.</p> <p>In the minimum security units and co-located facilities, we have repurposed currently unused space, such as weight decks, visit rooms, extended family visit units, unused dining areas, classrooms, etc. into temporary housing quarters to further enhance physical distancing.</p> <p>The department has begun to implement an incarcerated population reduction effort to better address the space constraints, both in the Monroe Correctional Complex as well as across all Washington state correctional facilities.</p>



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	Please see the Attached Memo
Staff are under tremendous stress. Multiple negative interactions were viewed between the staff and the incarcerated, and between staff themselves. DOC administrators shared that staff shortages due to COVID-positive or quarantined staff have resulted in several dozen staff working overtime and serving in relief roles, causing confusion and disruption in the units.	<p>The Department recognizes the high anxiety faced by everyone during this worldwide pandemic. The Employee Assistance Program (EAP) is being promoted among staff for free counseling assessments and consultation. Mental health professionals continue to be available, make rounds through the correctional institutions and remain accessible for appointments and consultations.</p> <p>The agency is accustomed to a frequent overtime staffing model due to staffing models being under-funded in the agency operating budget. Correctional administrators shared that staff shortages due to COVID-positive or quarantined staff have resulted in several dozen staff working overtime and serving in relief roles, causing some confusion and disruption of normal routines in the units. The agency emergency operations center (EOC) is actively working to update the staffing models within the isolation and quarantine units to provide relief and alleviate staff and to alleviate concerns pertaining to the pandemic.</p> <p>Employees have had to rapidly adapt to changing processes and protocols while still managing security and safety for everyone inside the prison. Staff are working tremendous amounts of overtime while worrying along with the incarcerated about their own health and</p>



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	<p>families. It is reasonable to expect that the increased stress and frustration may affect temperament and interactions between staff and with the incarcerated population.</p>
<p>Incarcerated individuals reported that stress, fear, and frustration with both their situation and with staff resulted in the disturbance.</p>	<p>The Department of Corrections recognizes the stress, fear, and frustration that the incarcerated population is reporting. The agency is working to minimize the level of disruption to the incarcerated population's sense of normalcy. High-risk individuals are encouraged to isolate, but are allowed to stay in their housing unit if they wish. In-housing unit activities are being provided in the event that recreation time or dayroom use is limited, and have extended video visitation hours to encourage communication to those who have access.</p> <p>Frequent scheduled meetings with representatives of the population and frequent management walkabouts within each facility is not indicating that additional disturbances will be occurring at this time. Local family council meetings are still occurring weekly with facility management and the local family councils are not reporting hearing anything about additional disturbances.</p> <p>The department is making constant efforts to communicate with the incarcerated population to keep them informed of the changes as they are being implemented and are taking their feedback into consideration as protocols are being adjusted. Given the seriousness of the situation and the amount of change that</p>



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	<p>has been quickly implemented, the overall population and staff are managing emotion and change extremely well.</p>
<p>Individuals in disciplinary isolation for involvement in the disturbance appeared to not have suffered mistreatment or injuries and were receiving food.</p>	<p>The mentioned individuals were placed in restrictive housing for investigation of their involvement in the disturbance. We appreciate the OCO's recognition that individuals in restrictive housing do not "suffer mistreatment or injuries" and do continue to receive food. The humane treatment of those in restrictive housing is a matter of policy and practice across the system.</p> <p>The Department of Corrections responds to large disturbances as best as the situation allows. As there were no cameras in the area of the disturbance, the agency relies upon the testimony of the incarcerated individuals and the staff on duty to identify those who were involved. The investigation into the disturbance is ongoing and early in its preliminary investigative stages, as the disturbance was six business days ago.</p>
<p>All units appeared clean. However, incarcerated individuals reported a delay in fresh laundry exchange and were observed not using preferred chemicals for cleaning.</p>	<p>The Department acknowledges the delay in laundry service due to the disturbance at the Monroe facility on April 8, 2020. In response to the delay, Correctional Industries workers worked overtime on Saturday, April 11, 2020, to ensure that the facility laundry services were current. Since that time, the laundry schedule has returned to normal schedule.</p>
<p>Symptomatic individuals in isolation did not report medical distress and reported</p>	<p>The Department has ensured the facility is allowing the use of personal property in</p>



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<p>that they were receiving medical care. However, conditions in isolation are grim, with individuals reporting only receiving showers once a week, complete lack of access to communication with loved ones or legal counsel, lack of any personal property including televisions or Jplayers, lack of recreation, and poor cell conditions.</p>	<p>the isolation units, such as JPay devices, televisions as permitted and address books for letter writing. To prevent the continued potential spread of COVID-19, the agency has restricted access to recreation activities for those who are on isolation status because of a positive test result or portraying symptoms of the virus, until being cleared.</p> <p>Where the infrastructure exists, personal electronics were moved with individuals. Where the infrastructure does not exist, big screen televisions and other diversions to keep idleness to a minimum were introduced. When possible, telephones were introduced.</p> <p>With regard to showers, isolation cells do not contain their own shower so all showers must be shared by those on isolation. Any movement and use of shared items outside an isolation room risks exposure to others. The Department is following the agency’s infectious disease physician’s recommendations.</p>
<p>The environment in the units could be described as tense. The monitoring group observed several negative interactions between staff and the incarcerated. At one point, a member of the monitoring group intervened in a discussion because she feared a physical confrontation was about to erupt. Incarcerated individuals relayed that this negative interaction was a primary cause of the disturbance, that there was an “us versus them” attitude rather than both</p>	<p>The Department of Corrections recognizes the stress, fear, and frustration that the incarcerated population is reporting. The agency is working to minimize the level of disruption to the incarcerated population’s sense of normalcy. High-risk individuals are encouraged to isolate, but are allowed to stay in their housing unit if they wish. In-housing unit activities are being provided in the event that recreation time or dayroom use is limited, and have extended video visitation hours to</p>



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<p>groups working together through the conflict. They reported that incarcerated individuals were frustrated that staff would only enforce social distancing at times “for show” such as at the chow hall, which disrupted programming and recreation, but then they had to crowd together in the housing units anyway. They further reported that staff themselves did not social distance and were concerned they were the ones bringing in the disease.</p>	<p>encourage communication to those who have access.</p> <p>The department is making constant efforts to communicate with the incarcerated population to keep them informed of the changes as they are being implemented and are taking their feedback into consideration as protocols are being adjusted. The department continues to encourage physical distancing among the incarcerated population.</p> <p>The department has informed the population of the much encouraged social distancing guidelines recommended by the Centers for Disease Control (CDC) and is encouraging all staff and incarcerated population follow these recommendations to best protect themselves during this pandemic.</p> <p>The department has begun to implement an incarcerated population reduction effort to better address the space constraints, not only in the Monroe Correctional Complex, but across all Washington State Correctional Facilities.</p>
<p>Social distancing was not observed by either staff or incarcerated individuals and it was not possible in the MSU space. To use the phones, individuals had to sit close together. The hallways are narrow and individuals had to closely pass each other. Individuals also crowded together at the doorways.</p>	<p>The department has informed the population of the much encouraged social distancing guidelines recommended by the Centers for Disease Control (CDC). The department is encouraging all staff and incarcerated population to follow these recommendations to best protect themselves during this pandemic.</p> <p>The department has begun to implement</p>



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	<p>an incarcerated population reduction effort to better address the space constraints, not only in the Monroe Correctional Complex, but across all Washington State Correctional Facilities.</p> <p>Please see the Attached Memo</p>
<p>The incarcerated individuals relayed that they had not had linen/laundry exchange in two weeks, which included sheets, towels, and even their underwear that they had to wear several days. They shared that there were fresh linens available behind a locked area that they were not allowed by staff to access.</p>	<p>The Department acknowledges the miss in laundry service due to the disturbance at the Monroe facility on April 8, 2020. In response to the delay, Correctional Industries workers worked overtime on Saturday, April 11, 2020, to ensure that the facility laundry services were current.</p>
<p>The general housing unit area appeared clean and the unit smelled of bleach. However, although the smell of bleach may be comforting to persons for whom the smell is synonymous with cleanliness, it is not one of the preferred EPA-approved disinfectants recommended for use and may be an irritant to those with breathing conditions. Containers of appropriate disinfectants were sitting out, but it was unclear where or how they were being used and an incarcerated individual was observed using a bleach solution to wipe down the phone. When asked why, he responded that it was “quicker” since the recommended disinfectants have to sit for a period of time on the surface in order to be effective.</p>	<p>The Department of Corrections issued a <a href="#">Cleaning and Disinfecting Guidance memo</a> to all superintendents on April 8, 2020. This memo outlines the specific cleaners that are approved for use in the facilities and how to properly use them. Superintendents were instructed to print the included guidelines and distribute to the incarcerated population for their knowledge as well.</p>
<p>It was apparent that both the incarcerated and staff had the option to wear masks.</p>	<p>The Department of Corrections distributed a memo, <a href="#">Mandatory use of Face</a></p>



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<p>Some but not all staff and incarcerated individuals wore masks or other PPE.</p>	<p><a href="#"><u>Coverings – ALL DOC LOCATIONS</u></a> on April 10, 2020. The memo informed Superintendents that the agency is now requiring all staff entering a DOC location are required to wear a face covering, and all incarcerated individuals will be given the resources to create a face covering for their use as well. Facilities have begun implementing this protocol since the release of the direction.</p>
<p>A primary issue evident on the unit was once again staff stress. The monitoring team observed negative staff interactions with the incarcerated, with each other, and with the monitoring team. It is quite difficult to imagine the mental and emotional strain of the custody staff coming in each day to work with a population sick with a terrifying pandemic disease and who are kept in stark conditions for which they have legitimate complaints, but the staff do not have the power to change.</p>	<p>The Department recognizes the high anxiety environment for everyone during the worldwide pandemic. The agency is accustomed to a frequent overtime staffing model due to our facilities ideal staffing models being under-funded in the agency operating budget.</p> <p>The agency emergency operations center (EOC) is actively working to update the staffing models within the isolation and quarantine units to alleviate staff of the high stress environments, to provide relief and to alleviate concerns pertaining to the pandemic.</p>
<p>E unit was a previously soft-closed segregation unit that was reopened for this specific purpose. In speaking with an incarcerated worker on the unit who had been held on the unit in isolation and who volunteered to continue working on the unit once he was released, the unit was reportedly freezing cold with cold, brown, undrinkable water. The room temperature had since improved, as felt by the monitoring team, but the cold, brown water</p>	<p>The Department of Corrections reopened the E-unit at the Monroe Correctional Complex for the purpose of providing an isolated area for the COVID-19 pandemic. As the problems reported in the unit have been identified, the facility leadership is putting together a plan to move those in E-unit to a different isolation location that will remedy these identified issues.</p>





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<p>reportedly was still an issue. One individual reported that when he attempts to use the sink, it floods the entire cell. He showed that he was using his linens on the floor around the toilet to soak up the water. Other individuals in neighboring cells reported similar issues.</p>	
<p>The primary concern was the lack of access to telephones to speak with their loved ones, both for their own emotional wellbeing and for their families, who were worried and without any information. They reported that they had paper and pencils, but as they were completely without personal property, they did not have their address books to know where to send the letters. One individual stated that he did not have his reading glasses to be able to write. They also were worried about sending letters to their loved ones, concerned that it might be infectious, indicating they also did not have access to basic information about the disease and contamination.</p>	<p>The emergency operations center (EOC) is working with the Chief Medical Officer and the Infectious Control Physician to develop a protocol that will prevent the potential spread of the COVID-19 virus and allow the incarcerated population telephone access to communicate with their loved ones. Those who are in isolation do have access to their JPay players if they had them in their possession before their being placed on isolation status.</p>
<p>The second large concern was the lack of access to showers. Staff relayed that the incarcerated were allowed showers three times a week, but multiple incarcerated individuals stated that they were only allowed one shower every seven days and in between were offered what was colloquially known as a “birdbath.” The birdbath is a basin with hot water and a rag.</p>	<p>The department is following the <a href="#">WA State DOC COVID-19 Screening, Testing, and Infection Control Guideline</a>. These guidelines were put into place to prevent the potential spread of the COVID-19 virus with the direction of the Infectious Control Physician and the Chief Medical Officer.</p> <p>The department recognizes the need for maintaining hygiene during this time, and</p>



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	<p>in response is issuing each individual a wash basin, soap that will be replaced as needed, and wash rags that will be replaced daily for use in between the allotted showers.</p>
<p>The third primary concern was the lack of access to personal property, including anything with which to occupy their minds. They did not have personal televisions or Jplayers, and it did not appear that they had much if any reading material. They had no access to news or information. They felt frustration at being kept in stark conditions. One individual's chief request was simply coffee, which he had brought with him to E unit and then was not allowed to have.</p>	<p>The Department has ensured the facility is allowing the use of personal property in the isolation units, such as JPay devices, televisions as permitted and address books for letter writing. To prevent the continued potential spread of COVID-19, the agency has restricted access to recreation activities for those who are on isolation status because of a positive test result or portraying symptoms of the virus, until being cleared. Individual situations, such as those involving coffee, will be addressed on a case-by-case situation.</p>
<p>Individuals raised concerns about the lack of recreation, stating that they only were able to leave their cells once a week to get an X-ray. They stated that "guys in IMU are treated better," which is an accurate statement when it comes to the level of privileges.</p>	<p>To prevent the continued potential spread of COVID-19, those individuals who are on isolation status because of a positive test result or portraying symptoms of the virus, the agency has restricted access to recreation activities until being cleared of isolation status.</p>

Staff in all capacities are working extremely hard to keep the potential spread of the COVID-19 virus from our facilities, and limited to, and treated within, the one minimum security unit in which it does exist. The Department's work is conducted with an understanding that each day may present a different challenge and our teams are dedicated to performing their jobs and fulfilling our mission to the best of our ability.

The Department of Corrections continues to appropriately align its practices to reflect the guidance of the CDC and Department of Health (DOH) to ensure the health and safety of the incarcerated population and staff in the Washington correctional facilities. The



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department will continue being part of the solution, adjusting protocols and precautionary measures being taken accordingly during this uncharted time.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Sinclair".

Steve Sinclair, Secretary  
Washington Department of Corrections



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**OFFICE OF THE SECRETARY**  
P.O. Box 41101 • Olympia, Washington 98504-1101

April 16, 2020

**TO:** All DOC Staff

**FROM:** Stephen Sinclair, Secretary

**SUBJECT: Upcoming Transfer of Individuals Back to the Community**

The Washington Department of Corrections is planning for the transfer of incarcerated individuals back to their communities. The goal in transferring a limited number of individuals to the community is to provide more physical distancing within the state's correctional facilities.

The Department is implementing strategies to reduce the population in state correctional facilities, while also considering public safety. The strategies focus on individuals who are not currently incarcerated for violent or sex offenses and nearing the end of their incarceration.

It will be confirmed by correctional staff that individuals transferring to the community will have an established address and a current Washington state identification, and that the current sentence being served is for non-violent or drug/alcohol related offenses.

On April 15, 2020, Governor Inslee issued an [emergency commutation](#) to allow for the release of incarcerated individuals. The [commutation](#) is specific to those in custody whose judgment and sentences include only non-violent offenses or drug or alcohol offenses and whose projected release date (PRD) is prior to or on June 29, 2020. It authorizes their transfer from confinement within seven days of the order, or as soon as can be reasonably achieved thereafter.

In addition to the Governor's commutation, based on [Governor's Proclamation 20-50 Reducing Prison Population](#), Secretary Sinclair will take additional measures to provide more physical distancing. The [Rapid Reentry program](#) allows incarcerated individuals an

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opportunity to serve an expanded portion of their sentence of confinement in the community on electronic monitoring (up to six months). Individuals are subject to conditions and, if they violate those conditions, could be returned to confinement.

Within the Secretary's authority, he has waived certain policy restrictions. Individuals are included who meet the [Centers for Disease Control guidelines](#) of those at higher risk for health complications related to COVID-19. The following restrictions are among those that remain in place:

- Felony Detainer/Felony Warrants
- Sex Offenses
- Violent Offenses

By the statutory furlough authority granted to Secretary Sinclair, he will be granting [emergency furloughs](#) to those incarcerated individuals in work release settings, as established through careful legal advisement and statutory reviews. Furlough means an authorized leave of absence for an eligible individual, without any requirement that the individual be accompanied by, or be in the custody of, any corrections official while on such leave. Furloughed individuals are subject to their conditions of furlough and, if they violate those conditions, could be returned to confinement.

Since the beginning of March, the Department has developed and implemented new protocols and directives specifically to [combat the COVID-19 pandemic](#). The steps being taken this week represent the latest work in the agency's diligent efforts to preserve the health of institutions and all people – staff and incarcerated individuals.

SS:jb