



STATE OF WASHINGTON

OFFICE OF THE CORRECTIONS OMBUDS

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Date: January 29, 2021

To: Secretary Steve Sinclair
Department of Corrections (DOC)

Subj: Follow-up to OCO COVID-19 Reports

First, thank you for all of the work that you and all of the DOC staff have done to address the threat of the COVID-19 pandemic in the Washington corrections system. We acknowledge that as the pandemic has entered the facilities, it has caused an extreme level of stress on staff and disruption to normal operations. I want to personally recognize the courage, bravery, and commitment of the DOC staff who daily work in a facility that has experienced an outbreak.

Since the beginning of December, however, the situation has become far more grave than it was even before. The majority of institutions have now experienced an outbreak, with at least three having over half their population testing positive (AHCC, SCCC, and LCC). The number of incarcerated individuals who have died due to COVID has increased to ten. For at least the next several months, we will be in the deadliest period of the virus in the community, and it would seem to be the same for the correctional system.

The following are key items that OCO submits as recommendations to you for your consideration and action:

- (1) **Social Distancing and Vaccination.** We continue to urge any and all actions to reduce the population to promote social distancing and to prioritize the correctional population for vaccinations at the earliest possible time.
- (2) **Improve Family Connections.** Recognizing that visitation may be shut down for another six months, we urge you to do everything in DOC's power to increase connections between family members and incarcerated individuals, which could include but is not limited to the following:
 - a. Reduce restrictions on packages from secure/approved vendors.
 - b. With visitation halted, family communication has shifted to physical mail and JPAY (telecommunication) email, which both have to be screened by mailroom staff, resulting in backlogs. OCO recommends addressing the high amount of JPAY messages through any of the following possibilities: (1) reduce or temporarily halt the practice of flagging JPAY messages for review; (2) expedite the already-planned internal review of flagged words; (3) provide additional resources to the mailroom (such as re-deploying the visitation staff as visitation is not open), and/or (4) examine where more information or direction to the public about the system could help reduce the number of flagged messages.

- c. Review all current restrictions (such as those on photographs for one example) with an eye toward increasing family connections and keeping only those restrictions that truly implicate security issues.
- d. Regarding physical mail, to reduce the burden on staff, consider inspecting outgoing mail for physical contraband only.
- e. Evaluate whether any additional opportunities for communication could be added – such as additional phones.
- f. Work collaboratively with the Statewide Family Council to continue to utilize IIBF funds for comfort foods, purchase of gym equipment for housing units, new games and books, better quality/namebrand hygiene items, etc.

(3) Improve Preparedness.

- a. Credible reports have been made to OCO that the implementation of cohorting and contact tracing, necessary to slow or stop the spread of the disease, has been impeded due to staff being assigned to do it who had little to no training, potentially because the staff who had had the training were mapped out due to their own exposure to COVID. There should be written guides with basic plans for cohorting and contact tracing, individualized to each facility, that provides a base level of information for whomever is handed the task of leading cohorting or contact tracing, regardless of their former level of training or knowledge.
- b. Related, as discussed in OCO's CRCC investigation report, consider creating a role for the FMD on-site at the facility to have some oversight of this process to catch mistakes early.

(4) Improve Quality Assurance.

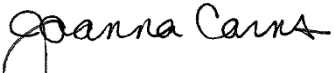
- a. Conduct an after-action/CIR review of the facilities that experienced an outbreak resulting in over 50% of their population testing positive for COVID-19. What are the lessons learned that could assist other facilities or the future pandemic response?
- b. Many, many incarcerated individuals have reported DOC staff not following social distancing and/or mask wearing, but that their attempts to report have been met with apathy by administrators ("It's tough for everyone") or barriers (deeming such issues not grievable). OCO believes that instances of staff failures to follow directives would decrease if they knew that they were being monitored and that transgressions would be addressed. We recommend developing a stronger process for both incarcerated individuals and staff to confidentially report instances of staff failures to follow COVID-19 prevention measures and to have those be meaningfully addressed.

(5) Implement Lessons Learned from the Disturbances that have Occurred.

- a. For the most part, the incarcerated population has been very understanding of the risks posed by the pandemic and have not complained about the restrictions that have been placed on the few items – programs, family connections, recreation, etc – that can make carceral time more bearable. Where disturbances and uses of force have occurred, they have generally resulted from basic issues or needs not being met – for example, needing to use the bathroom (the cause of multiple incidents), being in quarantine for weeks, poor conditions of confinement due to the quick setup of alternative living arrangements, etc. Since the causes of the disturbances and use of force incidents appear to be relatively known, OCO recommends proactive brainstorming around some solutions to reduce the likelihood of disturbances and uses of force in the future.

Thank you for your time and consideration. Again, I do recognize that the COVID-19 pandemic is unprecedented and that DOC staff have been working around the clock for the past year to do everything in their power to prevent the spread of the infection. Thank you for your work.

Sincerely,


Joanna Carns
Director



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DEPARTMENT OF CORRECTIONS
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February 26, 2021

Joanna Carns
Office of Corrections Ombuds
2700 Evergreen Parkway NW
Olympia, WA 98505

Dear Ms. Carns:

The Washington Department of Corrections thanks you for your acknowledgment of all the hard work and commitment that DOC staff have continued to contribute throughout the COVID-19 pandemic. We are extremely proud of the staff and the incarcerated population for consistently showing their flexibility and willingness to adjust to new protocols and procedures as data and information pertaining to the COVID-19 virus continues to be provided. Department staff are dedicated to continuing to learn as we progress through facility pandemics and update protocols and procedures to best ensure the health and safety of the staff and the incarcerated population.

As the nation has continued to see increases in COVID-19 presence in the past few months, our facilities have also seen an increase and have made many adjustments. The agency was able to learn and implement adjustments as the latest surge took place, and is preparing for any future outbreak surges that may occur.

All facilities are continuing to remind and enforce protocols to ensure that social distancing occurs at all possible times within the facilities. The department has adopted procedures of cohorting to ensure manageable numbers of individuals are able to move about units and yard spaces and to ensure accurate tracing can be done in the event an individual were to become COVID-19 positive in the facility.

The department continues to have conversations with the Governor's office to ensure the incarcerated population and staff have access to the COVID-19 vaccine as soon as possible. The department has vaccination teams in place and has already begun to administer the vaccine to those who fit the approved criteria. The department will continue to promptly vaccinate staff and the incarcerated population as they meet the approved criteria provided by the Washington Department of Health.

The department has had to reduce the amount of allowable packages in the height of the outbreak due to the resource strains and not having staff capacity to ensure these products were delivered in a timely manner to the incarcerated individuals. As facilities are able to lift this restriction, the department has returned to normal operation. Additionally, the department is



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putting together a pilot plan to implement packages being received on a bi-monthly schedule beginning in June of 2021 through December 2021. At that time, the agency will evaluate the staff workload and cell property management impacts that were affected by this change.

The department is well aware of the increase of JPay communications that are occurring due to the in-person visitation restrictions. The process for screening these messages are in place to ensure the safety and wellbeing of the incarcerated population and the staff in the facilities. Through these processes currently in place the department is able to identify, act upon, and at times mitigate instances such as:

- Hiding of COVID-19 symptoms
- Heightened mental health distress
- Potential disturbances
- Sexual assaults/PREA actions
- Introduction of drugs/paraphernalia
- Introduction of contraband
- J&S violations – no contact orders/contact with minors
- Ongoing criminal activity
- Protest activity
- Pruno in facilities
- Planned assaults
- Work stoppage
- Theft
- Coding to circumvent the JP5 players and computer systems

To continue to provide a safe environment for staff and incarcerated individuals, the department will continue to follow protocols pertaining to review of JPay messaging, in person mail, and photos. The department has reviewed the flagged words for screening of messages at each facility and has reduced some facility lists to increase timeliness of message being reviewed. Additionally, the department is reviewing a weekly report to ensure that all facilities are in accordance with the 7 business day time frame required per policy [450.100 Mail for Individuals in Prison](#). The department will also continue review the staff needs and ensure that resources are available to get messages to the population and loved ones in a timely manner.

All facilities have acquired additional phones for all areas that don't have access. Additionally, the vendor has accommodated us by providing wireless access points in alternate living areas to help with keeping incarcerated individuals in touch through JPay. Also, although it was not included in the Office of Corrections Ombuds memo, the phone vendor has worked hard to provide phone access to alternate living areas as well. The department will continue to monitor the availability of phones and ensure facilities are continuing to acquire phones as needed to alleviate access to phones as is safe to do so.



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The department has worked with all facilities to secure comfort items for the entire incarcerated population through use of Incarcerated Individual Betterment Funds (IIBF). Additionally, the Correctional Program Administrator has worked with families on the Statewide Family Council to gather additional ideas that may be used for future purchases with the IIBF funds. These ideas have been shared with facilities for reference in future purchasing.

Incident Commands at all facilities are in communication as best practices are learned in response to COVID-19. This includes cohort model practices. The Prison/Health Services Unified Command has shared cohort model examples with multiple facilities that are suspected of experiencing a COVID-19 outbreak. The department will continue to share with facility leadership the importance of ensuring staff have an appropriate understanding of the COVID-19 protocols to include cohort modeling.

Facility Infection Prevention Nurse (IPN) teams are responsible for contact tracing (or mapping) of the incarcerated population and the Occupational Nurse Consultant (ONC) team is responsible for contact tracing among staff. These two teams work together on overlapping cases, such as when a suspected incarcerated individual may have had close contact with a staff person and vice versa. The IPN and ONC teams work with a trained Mapping Team at each facility to assist with these overlapping efforts. In addition, the facilities are ensuring that the IPN teams actively involve the Facility Medical Directors in facility COVID-19 responses. FMD's and/or designees interact multiple times daily and are working in collaboration with prison leadership and headquarters to ensure that any missteps may be intercepted and corrected early.

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The Assistant Secretary for Prisons has put together a team to develop a standard after action review report template that can be used by the entire agency. This after action report will include a section for feedback from the incarcerated population and will be shared with all other Incident Command Posts for informational purposes.

The department takes compliance of the COVID-19 protocols and procedures very seriously and has instructed facility leadership to ensure these protocols are being followed. If disciplinary action is required, leadership has been directed to follow that pathway. Additionally, the department is beginning to replace the current signage at all facilities with updates and clean signage. There will be a developed rotation of replacing signs on a regular basis to refresh the look and keep the information current. With signage rotation we hope to encourage staff and the incarcerated population to continue to review and help remind of the



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importance of mask wearing, social distancing, and increased hand washing.

The department has heard the need for increased communications with the population to address the changes and restrictions in place due to the COVID-19 pandemic. In an attempt to better inform the incarcerated population and DOC Staff, the department has worked with Dr. Anna Wald, Head of Allergy and Infectious Diseases Division, Professor of Medicine, Laboratory Medicine & Pathology & Epidemiology, University of Washington, to host a recorded webinar to provide education on the safety and efficacy of the COVID-19 vaccines, and to have a session for questions and answers afterwards. This webinar will be shared in facilities and with all department staff.

Additionally, facilities have begun to distribute memo communication to the staff and population on a frequent basis to provide information about moves, quarantine/medical isolation protocols and procedures, cohort necessity, schedule changes, etc. The department has seen a positive impact of these communications and the incarcerated individuals have remained more compliant and understanding of the need to be flexible during this time. The department understands that this is an ongoing situation and will continue to have strategic conversations on how to better this strategy moving forward. All facilities are resuming regular tier rep meetings to discuss concerns and questions regarding COVID-19 and what additional communications may be helpful.

Again, thank you and your office for the acknowledgement of the hard work being done by all staff and the incarcerated population to ensure the health and safety of all individuals in a Washington Correctional Facility. The department appreciates the opportunity to collaborate with the Office of Corrections Ombuds to proactively improve protocols and procedures being implemented throughout this COVID-19 pandemic.

Sincerely,

Steve Sinclair, Secretary
Washington Department of Corrections