

**OCO Facility Monitoring Visit to Monroe Correctional Complex
October 30, 2020
Conducted by OCO Director Joanna Carns and Volunteer Bill Schrader**

Background

- The Office of the Corrections Ombuds (OCO) received numerous concerns regarding the Department of Correction's (DOC) response to COVID-19. Additionally, OCO received several requests to enter DOC facilities and perform monitoring visits. For the above reasons, on October 30, 2020, OCO Director Joanna Carns accompanied by OCO Volunteer Bill Schrader conducted a monitoring visit at Monroe Correctional Complex (MCC). The purpose of the visit was to observe MCC's ongoing response to COVID-19.

Statutory Authority

- Per RCW 43.06C.050, OCO has "reasonable access" to all state correctional facilities in order to monitor compliance with respect to the rights and safety of incarcerated individuals.

Key Points

- OCO received numerous concerns both before the visit and during the visit regarding DOC's stated intention to re-start cell searches. Incarcerated individuals were very concerned regarding the close contact with the staff, particularly going through their personal belongings and potentially both bringing in and transmitting COVID-19. Following the visit, OCO Director sent concerns to the DOC administration and subsequently, in light of the rise of cases in the community, DOC decided to pause the restart of cell searches.
- TRU tier reps stated that there is a "double standard" applied to the behavior of staff not wearing masks and not social distancing and to the incarcerated individuals, who are threatened with infractions for the same behavior.
- Incarcerated individuals and staff in MCC-Twin Rivers Unit (MCC-TRU) were observed not socially distancing.
- Most but not all persons observed wore masks. Incarcerated individuals reported that they would like more masks. Upon receiving this concern, DOC administration stated that they would send a reminder that incarcerated individuals only need to request masks from staff and they should receive them.
- Almost all persons stated that cleaning happens frequently.

- One additional issue of concern from TRU was the reported lack of heat; the heat in the unit is reportedly touch and go due to an aging infrastructure and when it is fixed in one place, it breaks in another.
- The Minimum Security Unit (MSU) appeared significantly less populated than during the March facility monitoring visit, indicating that the Governor's release provisions to create more social distancing had had an impact.
- OCO ate a lunch meal while on MSU, which was served in a to-go Styrofoam container. Individuals distanced as they walked through the line to grab the meal and take it back to their units. The meal, while not bad-tasting, had small portions for the fruit and vegetable sides. Upon receiving that communication from OCO, DOC administration reportedly addressed it with MCC food services staff.
- The quarantine/isolation unit, located in MCC's Intensive Management Unit (IMU), demonstrated improvements over prior visits in that all cells appeared wired for television, MCC staff had acquired thicker, better quality mattresses, DOC had increased the number of showers and the opportunities for television, and the units appeared clean. OCO staff spoke to almost everyone who was awake on both the quarantine/isolation side of IMU and the disciplinary side and there were very few concerns relayed, which is very positive.

Observations

Entry

- Upon approaching MCC, OCO was stopped and asked screening questions by the entry officer, fully dressed in PPE, as well as had their temperature taken.

Twin Rivers Unit (TRU)

- OCO started its facility monitoring visit with a meeting with the tier representatives from TRU, which numbered approximately twelve. The concerns expressed by the group were similar to those OCO had received via its hotline in advance of the visit and they were also echoed during the rest of OCO's site visit.
 - A primary concern was DOC's stated intention to restart cell searches at 50%. The concern from the population was that staff are the ones who are out in the community and potentially bringing in COVID-19 to the facility and that they will then be in close proximity to the incarcerated population to conduct the pat searches that go with the cell search and to their personal belongings in the cell. They were particularly concerned that they had heard that CORE members (trainees) would be used, meaning that new staff from all over the state could be coming in. Further, by conducting cell searches, staff would go from one person's

cell to another, potentially causing spread in that way. When OCO asked how the searches could be more safely conducted, they relayed the following:

- All staff should be wearing masks at all times.
- Staff should change gloves between each cell and pat search. If hand sanitizer is to be used on the gloves, then it should be required, not just suggested, in between each search.
- No CORE members should be used; rather it should be staff already entering the institution.
- Rather than two staff doing the cell search, should be just one to cut down on potential spread of virus.

OCO communicated these concerns to DOC administration and DOC subsequently relayed that due to the rising number of cases in the community, it would pause the restart of the cell searches. OCO hopes that the above suggestions will be kept in mind for the future time that DOC decides to restart the searches.

- A second concern was that they did not have enough face coverings to adequately protect themselves and keep face coverings clean. The majority of people in the group stated that they had two cloth, homemade face coverings and they would ideally like at least four so that they could be regularly washing and rotating them. They would also like to be able to purchase surgical, disposable masks and gloves through Commissary.
 - Individuals relayed that they are reliant upon donated materials to make face coverings and only a limited number of individuals are involved in making them. Further, since they all have other jobs, they work limited hours and do not receive additional compensation.
 - DOC stated that they would follow up with a reminder to both staff and incarcerated that masks should be available to incarcerated individuals upon request. They stated that they did not want to provide masks for purchase when they were providing face coverings for free. However, if people want to buy the surgical masks, OCO does not see the harm in allowing them to purchase them through Commissary and this should be considered.
- Another concern is that staff bunch up on the breezeway. They stated that there is a double standard applied to incarcerated individuals by staff that they do not apply to themselves. They stated that the administration does not take it seriously and when they report that staff are not wearing masks, they are told it's "just human nature," but if they do not wear masks, they are threatened with infractions.

- Last, the tier reps relayed that the heat was out in some units. It had just recently been fixed on A side, but the heat was now out on B side and it was freezing at night. OCO later visited B side to confirm (see below discussion) and confirmed that it was quite cold. They stated that they also could not exchange blankets in B unit.
- OCO stopped by B unit to confirm the above concern regarding heat. OCO first noted that incarcerated individuals were not practicing social distancing and were congregating in areas similar to pre-COVID times. Noting that there are two landing areas where people could populate, OCO suggests DOC consider placing a television in the upper landing area to space people out more. OCO confirmed that the back cells were frigid and also noted the poor conditions in the showers with missing tiles (picture in Appendix). OCO also noted that it did not see cleaning chemicals easily available.
- OCO observed mass movement as individuals left an outdoor recreation area and noted that both staff and incarcerated individuals were not practicing social distancing (picture in Appendix).
- Prior to leaving TRU, OCO stopped in at the dining hall where the kitchen workers were eating. OCO noted that although only two people were sitting per table, they were not wearing masks, were in an enclosed space, and were less than six feet apart, all of which is concerning.

Minimum Security Unit (MSU)

- OCO staff visited MSU C and D unit, which OCO had visited as part of its March MCC site visit following a disturbance. The unit seemed notably less in population. DOC staff relayed that MSU's population has decreased by about 100 people across the MSU living units due to the Governor's proclamation related to releases for social distancing purposes.
- The only concern that OCO observed regarding MSU was that unlike TRU, OCO did not see any roving porter continuously cleaning. The primary concern relayed by individuals on the unit was regarding the delays in medical and dental care due to COVID-19.
- OCO ate a meal while on MSU. The incarcerated individuals walked in a socially distanced line to pick up food in a to-go Styrofoam container, which they then brought back to their housing units to eat. Staff stated that the incarcerated individuals preferred this method and it reduced potential for COVID spread as people quickly cycled through the line and returned to their units.
- The meal consisted of BBQ chicken, rice, biscuit, two strawberries, and 2-4 broccoli florets with butter. Of the two person OCO team, one thought the entrée tasted fine if a

bit sweet and the other did not like the taste and thought the chicken was stringy. However, the strawberry and broccoli sides were noticeably small (see picture in Appendix). After communicating with DOC CI staff, CI confirmed that they were small and stated that they would follow up with MCC food services staff to ensure appropriate portions.

Intensive Management Unit (IMU)/Quarantine and Isolation Area

- OCO staff walked through the IMU. The MCC IMU is split into two sides. One side holds individuals in IMU for disciplinary or investigative reasons and the other side holds the COVID-19 quarantine and medical isolation pods, including the violator population (people coming directly from the street).
- Walking first through all of the pods on the disciplinary side, OCO staff spoke with most individuals who were awake. Most individuals did not have concerns about conditions of confinement, although they did note that they only received ½ a Dixie cup of germicide once a week to clean their cells and that they were only given one mask.
- On the quarantine and isolation side, the OCO Director walked through every pod and again spoke to almost all individuals who were awake. At the time of the visit, DOC staff reported that there were 10 people on isolation and one person on quarantine, in addition to the violators.
- Overall, the unit appears to be improved over prior visits, as all of the cells appear to be wired for television and DOC had also purchased better quality mattresses (see picture in Appendix). Individuals who are symptomatic or who test positive for COVID are now only prohibited from taking showers for the first seven days and DOC now has a phone set up that can roll down the tier for people to call their loved ones. OCO observed books on the units. Incarcerated individuals stated that they were being seen by medical and mental health staff and receiving food. They did not relay many concerns other than wanting to return to their unit as soon as possible. OCO notes that although the units are an improvement, they are still austere segregation cells and not an inducement for self-reporting symptoms, which has been a problem noted in OCO's investigation into the CRCC outbreak in May.

Appendix



Photo A
TRU Pod



Photo B
TRU Shower



Photo C

Plastic divider separating phones in TRU



Photo D

TRU Cleaning Chemicals



Photo E

TRU mass movement; neither staff at front nor incarcerated individuals engaged in social distancing



Photo F

TRU Dining Hall with kitchen workers. Note: faces are blurred, but none of the individuals are wearing masks.



Photo G
MSU Living Quarters. Individuals sleep on bottom bunks.

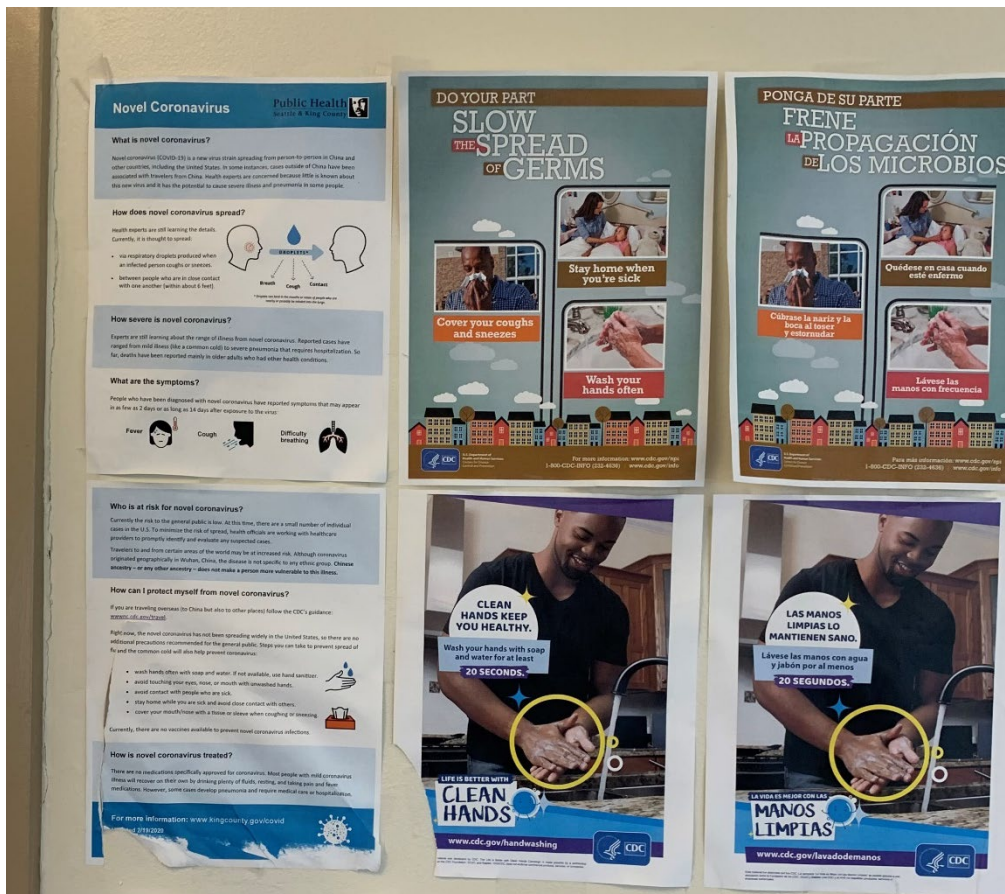


Photo H
MSU COVID-19 Posters



Photo I
MSU Phone Dividers



Photo J
MSU Meal Pick-Up



Photo K

MSU
Individuals
walking in
distanced line to
pick up meal



Photo L

MSU Meal:
BBQ chicken,
rice, biscuit,
strawberries, and
broccoli with
butter



Photo M
Better quality
mattresses for
quarantine/isolation
unit



Photo N
Quarantine cell



Photo O

Phone unit (including phone that can roll down the tier) on the quarantine/isolation unit



Photo P

Recreation area in quarantine pod



Photo Q
Pod in COVID
quarantine/isolation
block

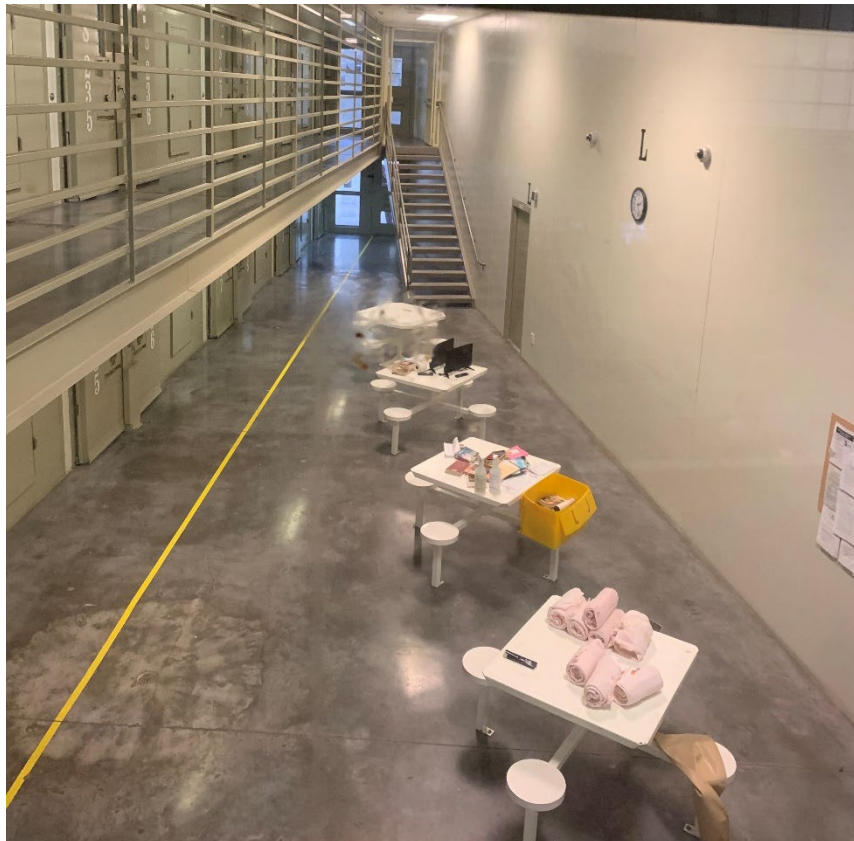


Photo R
Pod in COVID
quarantine/isolation unit



Photo S
Cell prepared for
COVID positive
person



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December 14, 2020

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

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 October 30, 2020’ completed by the Office of Corrections Ombuds.

Recommendation	Response
A concern is that staff bunch up on the breezeway. They stated that there is a double standard applied to incarcerated individuals by staff that they do not apply to themselves. They stated that the administration does not take it seriously and when they report that staff are not wearing masks, they are told it’s “just human nature,” but if they do not wear masks, they are threatened with infractions.	Staff are expected to socially distance and wear face mask just as the incarcerated population. When we are made aware of a staff member who fails to comply with PPE and social distancing protocols, they are reminded to do so. In some cases, with repeat offenders, corrective action is taken against the staff member. HQ has assisted the administration in supporting corrective and disciplinary actions when staff are found to not be in compliance We are doing several things to ensure staff are complying with these expectations. We communicate the expectations frequently through memos, verbal reminders, and posters/signage throughout the facility; there are quality assurance teams who visit the facility monthly to observe the facilities response to COVID-19 and report back to the administration on its compliance; and recently an internal quality assurance team was implemented that monitors COVID-19 precautionary measure compliance and reports back to



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	<p>administration with findings and suggestions.</p> <p>In addition, with the additional direction from HQ, the MCC management team has gone out and spoken with supervisors on all shifts reiterating the expectation of appropriate PPE use and social distancing as well as holding individuals accountable for those who fail to do so.</p>
<p>The tier reps relayed that the heat was out in some units. It had just recently been fixed on A side, but the heat was now out on B side and it was freezing at night. OCO later visited B side to confirm (see below discussion) and confirmed that it was quite cold. They stated that they also could not exchange blankets in B unit.</p>	<p>The heat for the living units was turned back on on October 12, 2020, following the summer months when the heat is turn down. The heat is provided with steam and does take time to reach all of the units. In addition, because the units are comprised of thick concrete, it takes a longer time than normal to heat the concrete and thus heat the units. It should also be noted that MCC-TRU is one of, if not the only, facility in Washington State with the ability for the incarcerated individuals to open their cell windows. Open windows also plays a part in the time it takes to reheat the units in full.. The facility acknowledges that you had noticed the temperatures seemed to feel lower and did ensure that temperatures were set to the normal operating temperature. Since that time, no complaints have been received.</p> <p>In regards to the unit not exchanging blankets, at the time of your visit, the units had recently handed out extra blankets due to the unit temperatures that were noted as colder due to the system taking time to properly reheat and did not have extras to provide for exchange. Since that time, the</p>



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	<p>unit now has plenty of blankets for exchange for the incarcerated population.</p>
<p>OCO stopped by B unit to confirm the above concern regarding heat. OCO first noted that incarcerated individuals were not practicing social distancing and were congregating in areas similar to pre-COVID times. <u>Noting that there are two landing areas where people could populate, OCO suggests DOC consider placing a television in the upper landing area to space people out more.</u> OCO confirmed that the back cells were frigid and also noted the poor conditions in the showers with missing tiles (picture in Appendix). OCO also noted that it did not see cleaning chemicals easily available.</p>	<p>Heat question answered above. We can look at adding a TV upstairs but that will require running cable to the area. It should be noted that we have provided TVs to the entire population to use in their cells.</p> <p>There are tiles missing from the showers, the facility has been aware and will not dispute this fact. Work orders have been submitted to repair the tiles and the unit CUS will be following up with maintenance to see what the time lines are for repair. Due to COVID-19 and other projects being prioritized, maintenance teams have been working diligently to ensure that amenities were in place for the population during the COVID-19 pandemic and some routine projects have been put on hold.</p> <p>Cleaning supplies are not left on the tiers. Individuals are trained for using cleaning products and the products are to be supervised by unit staff for safety and security reasons. If an individual needs cleaning supplies they can go to the cage area next to the Sergeants office, and those supplies can be checked out. Early in the pandemic response the facility tried leaving cleaning supplies on the tiers but unfortunately they would be taken and not returned.</p>
<p>OCO observed mass movement as individuals left an outdoor recreation area and noted that both staff and incarcerated individuals were not practicing social distancing (picture in Appendix).</p>	<p>We continue to work on the issue with the incarcerated population regarding social distancing. We have changed the movement schedule to reduce individuals competing for recreation equipment. We</p>



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	<p>continue to look for ways to encourage social distancing.</p> <p>Staff are expected to socially distance the same as the incarcerated population. When we are made aware of a staff member who fails to comply with social distancing protocols, they are reminded to do so, and if the behavior continues, corrective action will be taken.</p>
<p>The only concern that OCO observed regarding MSU was that unlike TRU, OCO did not see any roving porter continuously cleaning.</p>	<p>Each unit porter schedule is different, however extra porters have been hired at each facility, in every unit, to do extra cleaning throughout the day. When OCO walked through MSU, the units were released for lunch, therefore porters were not readily available for cleaning.</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 department will continue being part of the solution, adjusting protocols and precautionary measures being taken accordingly during this uncharted time.

Sincerely,

Eric Jackson, Superintendent
 Monroe Correctional Complex