

OCO Monitoring Report to Stafford Creek Corrections Center
Conducted by Joanna Carns, OCO Director
December 8, 2020

Background

- On December 3, 2020, Stafford Creek Corrections Center (SCCC) began reporting positive COVID-19 test results, indicating an outbreak had begun at the facility. The Office of the Corrections Ombuds (OCO) received numerous concerns regarding conditions of confinement at SCCC, including that a use of force had occurred resulting in the death of an incarcerated individual. For those reasons, OCO Director Joanna Carns decided to make a site visit to SCCC to monitor and report back on conditions.¹

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

- Unlike OCO’s prior visit in May, it was evident that the COVID-19 outbreak was being taken very seriously by staff. PPE stations had been established at all living units with sufficient supplies for staff. All staff have been tested weekly. As of the writing of this report, all incarcerated individuals are being mass tested. SCCC are clearly taking actions to isolate individuals with known positive cases of COVID-19, quarantine suspected/potential cases, and to restrict the movement of the rest of the compound to prevent further spread of the disease.
- OCO met with the individual reported to be deceased. While he did report serious allegations regarding the use of force that occurred that need to be investigated, he is not deceased and reports only bruises and minor injuries. The underlying use of force incident will be investigated by both DOC and OCO.
- In the hours after OCO’s visit, there was a disturbance in SCCC’s H2 unit following another use of force, in which incarcerated individuals took over the unit. The disturbance was quickly and peaceably resolved by staff.
- Incarcerated individuals reported a number of concerns from being moved around to different units based on the quarantine/isolation protocols, including a lack of clothes, cleaning chemicals, mail, showers, and even medications. Recognizing that multiple issues have arisen at various facilities related to lockdowns and especially bathroom

¹ Director Carns was also accompanied by DOC HQ staff Jeremy Barclay, who attended all parts of the tour except the interview with the incarcerated individual referenced in the report and entering the H1 unit with COVID-positive individuals.

access, OCO recommends for future DOC outbreaks that a proactive plan is put in place to get incarcerated individuals what they need in order to reduce concerns that may have driven both uses of force and the disturbance.

Observations

- At the time of OCO's visit, staff reported that out of a population of 1,860, 239 incarcerated people had tested positive and 23 staff. There were 200 individuals on quarantine and 244 on isolation. DOC staff also reported that there were 60 staff screened out.

Entry

- SCCC has established an entry screening station with a touchless thermometer via a tablet that scans a person's temperature. Screening questions are asked via an automated voice now. Staff then proceed to a testing station on a weekly basis. Staff reported that test results had been coming back within 48 hours, but now with the expanded testing and strain on resources, testing results were taking up to a week. One staff on-site reported that as an RN, they were moving all over the compound and it concerned them that it could take days to find out results; if they were positive, they could spread it to many additional persons in the time it took to receive results.
- Overall, the screening and testing process appeared smooth and organized.

Interview with Incarcerated Individual involved in Use of Force

- OCO's first stop was to the segregation unit to interview the individual who was involved in a use of force over the weekend and who had been reported as dead or at least seriously injured. He was not dead or seriously injured, but he did report allegations regarding the use of force. With his permission to relay details to the community, the following is his report of what happened:

He was located in H1B, a unit that had begun reporting positive cases. He was locked in his cell for four hours and had to go to the bathroom because he took a water pill. When staff came to do a screening check, an officer told him he could go to the bathroom. He exited his cell and headed for the bathroom. A sergeant stopped him and said he couldn't go. The individual said that he really needed to use the bathroom. The sergeant then sprayed mace at him and he fell backwards. The sergeant tried to close the door and caught his finger in it. Additional staff arrived and sprayed more OC spray. The individual started to have a grand mal seizure and at that point he does not have further recollection, but he was told by others that staff then "dogpiled" on top of him. He was taken by ambulance to the hospital to be assessed and then returned to the facility and placed in the

infirmary. He reported that he had not had a shower since the incident and was still covered in OC spray. He did not have any of his property and had not been allowed to call anyone. He reported he had bruises, a hurt hand/fingers, and possibly a rib fractured. He said that he thought it was racially motivated as it involved all white officers on a Black man.

- OCO notes that several of the above elements are similar to another use of force that occurred earlier in the year at SCCC, which OCO has been in the process of investigating and will be publishing a report on.
- The use of force is currently being investigated by SCCC. OCO has already requested documentation and video and will be separately investigating.

Gym

- OCO viewed the gym, which has been set up as an alternate housing area for asymptomatic positive cases, which will almost certainly be activated as soon as mass testing is conducted. Bare cots no more than a few feet apart fill the space (see picture in appendix). People would be placed in this unit for their convalescent period of 10-14 days. DOC has also created new, temporary showers to accommodate the population (see picture in appendix). OCO Director Carns relayed concerns to the Superintendent regarding the quality of conditions in this unit for sick individuals, the lack of separation and privacy between cots, and the potential security concern of such a large grouping of COVID-positive individuals who are unhappy with their housing conditions.
- DOC followed up on December 10 to relay the following changes since OCO's visit:
 - Adjusted the beds in the gym to reduce the number down to 65 and give more personal space
 - Ensured they have activities such as games and cardio equipment for them to utilize in there.
 - The phones, TVs , and showers have been installed

H2

- OCO's proceeded to H2, a unit which was not on quarantine or isolation status. The unit appeared clean and calm. Both staff and incarcerated individuals were all observed wearing face coverings and maintaining appropriate distance.
- The first concern is that breakfast was being served at 10:30 (and for some units even later than that). DOC relayed that they had a staffing issue impacting delivery for that day. Incarcerated individuals reported that the meal was cold. The breakfast meal consisted of a Styrofoam container of oatmeal, biscuit and gravy, and potatoes. A banana and milk were also available. OCO notes that most of these items would likely be

unpalatable if cold. Individuals also picked up a “boat” for their lunch, consisting of two sandwiches, a brownie, and a bag of chips. (Pictures of both meals are available in the appendix.)

- OCO walked around both A and B side and spoke to a number of individuals on the lower level. All individuals appeared in good spirits, said that they were doing fine, did not really have any concerns to report, and thanked OCO for coming. The primary issues/concerns reported other than the food was (1) wanting surgical masks instead of cloth face coverings, (2) concerns that the COVID-positive people were allegedly being allowed to run free while they were locked down; and (3) the allegations of a rumored death due to a use of force. OCO also recommends that since the facility is actively dealing with an outbreak, all persons in all units should be given surgical masks on a regular basis until the outbreak is under control.
 - Following OCO’s visit, DOC relayed that they distributed surgical masks to all units.
- Following OCO’s visit, H2 was the site of a disturbance following another use of force. OCO believes that the rumors of the alleged death fueled fears both inside and externally; community members posted a number of frantic messages on social media and reported concerns to OCO. As an example of the rumors, OCO heard reports of the incarcerated individual dying three different ways. Further, both incarcerated individuals and family members showed that JPAY messages on the topic of the Saturday use of force were being rejected/censored by DOC staff; understanding that SCCC staff were trying to prevent the spread of misinformation, it instead came off as a cover-up, further fueling fears and rumors.

The following is the DOC summary of the incident:

Today an incarcerated individual at Stafford Creek Corrections Center refused to comply with a staff directives when asked to return from his JPay video visit to his cell. Additional directives were ignored, resulting in a use of force in which OC spray was disseminated.

During the use of force, unit staff were giving directives to the remaining incarcerated individuals on the pod to return to their cells. The pod has a current population of 130 male incarcerated individuals. Multiple individuals refused to return to cells and began confronting correctional staff, circling around them and staff exited the pod for their safety.

Once staff exited the pod, the participating incarcerated individuals turned over trashcans, placing them in front of the door into the unit to block entrance/exit.

Individuals used sheets to tie the remaining doors closed on the pod, preventing staff from entering the pod.

Members of the facility's Crisis Negotiation Team (CNT) and management reported to the pod and were communicating with the incarcerated individuals regarding their concerns. The main concerns raised by individuals was 1) wanting to be COVID tested, 2) permitting JPay video visits and 3) not being sent to segregation as a result of participating in the demonstration.

After continued dialogue between the CNT, management staff and the incarcerated, the incarcerated individuals cleaned the unit, removed the sheets/obstacles from the doors and returned to their cells.

G Unit A Pod

- OCO proceeded to G Unit, which is where individuals on quarantine were placed. Staff relayed that anyone symptomatic or confirmed positive was moved from G Unit to H1. Overall, the unit appeared very clean. OCO only spoke to the individuals on quarantine status. They relayed a number of concerns that all ultimately boiled down to staff not meeting their needs, perhaps due to confusion in staff protocols:
 - One person reported that he had COPD and it was hard for him to breathe, his chest was tight and his lungs hurt. He reportedly had been in the unit for several days and had requested his inhaler from every staff but had not received it. Another individual stated that he couldn't get his medication refilled.
 - Multiple people showed that they had garbage built up in their cells from several days.
 - Multiple people relayed that they could not clean their cells and had not been provided cleaning chemicals. One individual stated that his cellie had been removed from his cell for a positive test result and he had not been given chemicals to clean.
 - Multiple individuals said that they had not received mail.
 - One individual stated that he had missed attorney phone calls.
 - Multiple individuals relayed concerns regarding not receiving information regarding test results.
 - Individuals from one cell stated that because of people coming in and out of the unit and confusion of staff, they hadn't been able to use the phones in 12 days, hadn't been able to shower in six days, and hadn't received mail in eight days.
 - Multiple individuals also relayed concerned related to the rumors of a person being killed via a use of force and also that COVID positive individuals were allowed to "run around freely" while they were significantly locked down.
- Directly outside the housing unit pods, OCO staff observed three officers who sat together in a small enclosed office to eat lunch with their masks down. OCO recommends

that DOC mandate that staff should not gather together to consume food or drink or any other activity that requires lowering the mask while they are indoors.

- DOC followed up on December 10 to relay changes to G unit following OCO's visit:
 - After communication with unit they continue to receive cleaning supplies for the unit, every time the cohort comes out they receive supplies
 - Garbage is on a regular pick to ensure sanitation is maintained.
 - They have a cohort schedule that they maintain

H1 Unit – A Pod

- OCO then proceeded to the unit holding the individuals testing positive for COVID-19. As alleged by individuals throughout the facility and unlike the rest of the facility, the individuals who have tested positive are allowed out freely into the dayroom to take showers, use the phones, play games, etc (see picture in the Appendix). At the time of OCO's visit, there were about three dozen individuals viewed out. OCO Director Carns would like to extend her sincere appreciation and respect for the DOC staff who work on that unit every day, surrounded by COVID-positive individuals, with only basic PPE to protect them, and hopes that they are receiving some sort of hazard pay.²
- Despite this freedom, many of the incarcerated individuals still had concerns:
 - Almost all of the individuals who spoke with OCO reported that they had not received new clothes since they had arrived on the unit, with some saying that they had not received new clothes in over a week.
 - Several individuals reported that they did not have hygiene items.
 - One individual reported that he had been diagnosed with pneumonia in addition to COVID and he had not received any medications, even Tylenol.
 - Some of the individuals themselves relayed concerns about the freedom of movement in the unit, as someone at the end of their convalescent time could mix with someone newly on the unit and then release back to the general population, and they were concerned about additional transmission. As mentioned above, at least one individual had additionally been diagnosed with pneumonia.
- DOC followed up on December 10 to provide an update on improvements to conditions:
 - Cohorting all of H1 to reduce the amount of incarcerated individuals out in the pod at one time and to minimize the incarcerated individual concerns³
 - All the individuals in the unit have clean clothes and are on a regular routine to receive clean clothes

² Staff were wearing a K95 masks, a face shield, paper gowns, and gloves.

³ OCO appreciates the change to reduce the amount out but also hopes that the cohorting is not as restrictive as in other units.

- They have all been informed that they are positive.

Appendix



Photo A

Entry screening area. The tablet with the blue light to the left is the temperature screener.

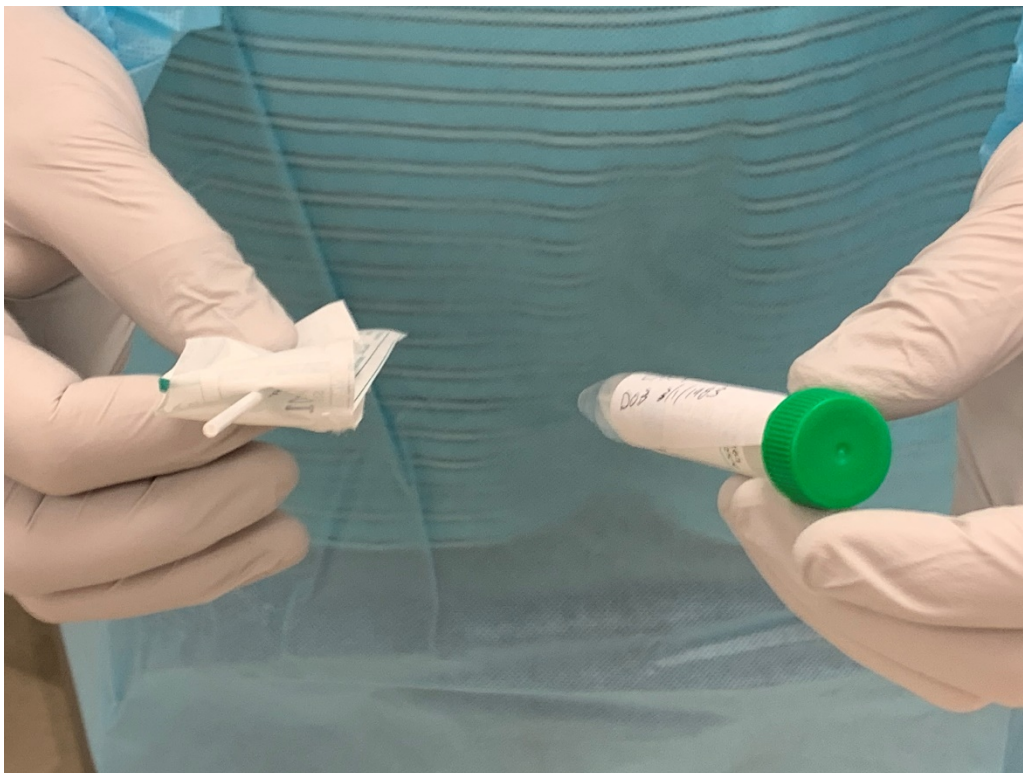


Photo B

COVID-19 test. The test is self-administered, with the individual inserting the cotton swab to the left for ten seconds on each nostril and then inserting into the tube on the right, which is shipped to the lab.



Photo C

Gym converted to alternate housing area. OCO has concerns regarding this number of individuals tightly packed together.



Photo D

New, temporary showers installed in the gym alternate housing area



Photo E

Donning and doffing area with PPE. Every housing unit had a donning and doffing area with gowns, face shields, gloves, masks, hand sanitizer, and disinfectant wipes.



Photo F

H2 Unit. Everyone was wearing face coverings and appropriately social distanced to pick up their food.



Photo G

Breakfast meal served in Styrofoam container. Appears to be oatmeal, biscuit and gravy, and potatoes. Also provided banana and milk (not pictured). Individuals reported their food was cold and it was served late.



Photo H

Lunch "boat" that individuals pick up with their breakfast. Lunch includes two sandwiches, chips, and a brownie.



Photo I

H2 Unit.
Individuals on
phones with
dividers.



Photo J

G Unit – A
pod.
Individuals on
quarantine in
the cells on
the bottom
row.



Photo K

Unit H1-A.
These are
all COVID-
positive
individuals
with free
movement
around the
unit.



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December 14, 2020

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

Dear Ms. Carns:

The Washington Department of Corrections appreciates the opportunity to respond to the 'OCO Monitoring Visit to Stafford Creek Corrections Center on December 8, 2020' completed by the Office of Corrections Ombuds.

The Department of Corrections takes the health and safety of the incarcerated population and staff in the Washington correctional facilities very seriously. The agency appreciates the opportunity to have your staff tour the Stafford Creek Corrections Center and evaluate the facility's implementation of the protocols and procedures put in place to respond to the COVID-19 pandemic. The information provided by the OCO was useful to ensure the Department of Corrections is doing everything it can to protect the incarcerated populations health and safety while incarcerated, especially during the COVID-19 pandemic.

Recommendation	Response
For future DOC outbreaks that a proactive plan is put in place to get incarcerated individuals what they need in order to reduce concerns that may have driven both uses of force and the disturbance.	The department has many strategic plans to have resources available and is in constant communication with State Emergency Operation Center and local logical resources. Due to the entire state experiencing a high rate of COVID-19 outbreak, the timeframes to get these resources has increased. To be mindful of budgets, the department is analyzing situations and ordering resources as needed with a stock to support needs as possible. As an example, the Prisons/Health Services Unified Command (PHSUC) meets with all superintendents several times a week.



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	<p>During one of those meetings in the first week of December 2020, the PHSUC ensured all facilities had placed orders for additional phones for all expanded housing units and began to review what additional resources may be needed to ensure those areas are operational and available, if needed, in a short time period. If additional resources are needed, orders are immediately placed.</p>
<p>One staff on-site reported that as an RN, they were moving all over the compound and it concerned them that it could take days to find out results; if they were positive, they could spread it to many additional persons in the time it took to receive results.</p>	<p>The department is working diligently to acquire additional resources to reduce the need for all staff to move throughout the entire facility to manage daily operation. At this time, the resources have not been located, but conversations continue and the department is aware of the need.</p>
<p>H2 Unit: Breakfast was being served at 10:30, cold. OCO notes that most of these items would likely be unpalatable if cold.</p>	<p>During the initial phase of the current outbreak at Stafford Creek, the majority of kitchen staff were amongst those screened out. This screened out status led to a shortage of both incarcerated workers and AC cooks, and the facility immediately began implementing backup staff and procedures.</p> <p>The facility acknowledges there have been delays with meal times since these staff were screened and contact-mapped out of the facility. As would happen with any new process being put into place, it has taken the facility time to adjust and improve to ensure that times and warmth of meals are returned to what the population is accustomed to.</p> <p>The facility food service manager 5 is</p>



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	working to change the food delivery schedule so the meals will be delivered in a timely fashion for each meal, hoping to assist in temperature preservation as well. The facility will continue to strategize ways to better improve this process.
H2 Unit: (1) wanting surgical masks instead of cloth face coverings, (2) concerns that the COVID-positive people were allegedly being allowed to run free while they were locked down; and (3) the allegations of a rumored death due to a use of force.	(1) Surgical masks are now being distributed daily to the incarcerated population and staff within the facility. (2) Those who have tested positive are housed together and are allowed more unrestricted access to dayroom areas as there is not the same risk of spread as there is in quarantine or isolation units. (3) This allegation has been addressed and confirmed with the population and stakeholders a false report.
G-A: Reportedly had been in the unit for several days and had requested his inhaler from every staff but had not received it.	Nursing staff are following up on medical concerns that have been identified. All individuals that had medical related complaints noted by the Office of Corrections Ombuds have been seen by medical and evaluated for their concerns.
G-A : Another individual stated that he couldn't get his medication refilled	Nursing staff are following up on medical concerns that have been identified. All individuals that had medical related complaints noted by the Office of Corrections Ombuds have been seen by medical and evaluated for their concerns.
G-A : Multiple people showed that they had garbage built up in their cells from several days.	The facility has ensured that garbage is on a regular routine for pick up to ensure sanitation is maintained.
G-A : Multiple people relayed that they	After communication with unit, the



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could not clean their cells and had not been provided cleaning chemicals. One individual stated that his cellie had been removed from his cell for a positive test result and he had not been given chemicals to clean.	facility has ensured that the incarcerated population continue to receive cleaning supplies for the unit. Every time a cohort comes out of the unit they receive cleaning supplies.
G-A : Multiple individuals said that they had not received mail.	The facility acknowledges that there have been some delays in processing mail due to a number of factors such as temporary layoffs mandated to all State of Washington employees and then the contact mapping and screening processes put into place to protect the staff and incarcerated population during the COVID-19 pandemic. The facility is currently strategizing ways to provide assistance and accelerate the mail process ensuring that the population receive mail in a timely manner throughout the COVID-19 pandemic.
G-A : Hadn't been able to use the phones in 12 days, hadn't been able to shower in six days, and hadn't received mail in eight days.	The facility has ensured that all unit sergeants have reviewed the current medical isolation and quarantine protocols so as to resolve these issues.
G-A : Three officers who sat together in a small enclosed office to eat lunch with their masks down. OCO recommends that DOC mandate that staff should not gather together to consume food or drink or any other activity that requires lowering the mask while they are indoors.	<p>The facility takes the COVID-19 precautionary measures and protocols very seriously and has sent many memos to staff and the incarcerated population reminding of the importance to continue adhering to these protocols.</p> <p>Additionally, facility leadership met with all area supervisors to reiterate that staff are not to be gathering together, small staff areas have limitations for number of individuals present at one time, and that</p>



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	wearing masks appropriately is required at all times other than when eating or drinking. Corrective and/or disciplinary action will be taken if staff do not follow this requirement.
H1: Reported that they had not received new clothes since they had arrived on the unit, with some saying that they had not received new clothes in over a week.	The facility has ensured that all incarcerated individuals in the unit have clean clothes and are on a regular routine to receive clean clothes and laundry services.
H1: They did not have hygiene items.	Stafford Creek has allowed individuals to take their own hygiene items to their new housing location during the housing moves resulting from the COVID-19 outbreak. Once individuals were moved, the housing unit staff replenish hygiene items as needed/requested. The facility leadership has ensured all individuals were given replacement hygiene items and additionally ensure that staff were aware that they were to ensure incarcerated individuals have access.
H1: One individual reported that he had been diagnosed with pneumonia in addition to COVID and he had not received any medications, even Tylenol.	Nursing staff are following up on medical concerns that have been identified. All individuals that had medical related complaints noted by the Office of Corrections Ombuds have been seen by medical and evaluated for their concerns. The facility thanks the Ombuds for bringing this to our attention. Additionally, all incarcerated individuals are receiving test results as quickly as staff are able to safely distribute them.
H1: Some of the individuals themselves	Larger cohorting models have been



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<p>relayed concerns about the freedom of movement in the unit, as someone at the end of their convalescent time could mix with someone newly on the unit and then release back to the general population, and they were concerned about additional transmission.</p>	<p>recommended by clinical leadership for all facilities who have positive COVID-19 units. H1 has reduced the amount of incarcerated individuals out in the pod at one time and to minimize the incarcerated individual concerns to a larger cohort model.</p> <p>There is no clinical concern based on the data presented throughout the COVID-19 outbreak that individuals will be diagnosed again with COVID-19 by close contact with someone who is a newer COVID-19 diagnosis. Clinical staff will continue to monitor diagnosis and will work to ensure that individuals with additional transmissible diagnosis are not mixed with the positive cohort models.</p>
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We appreciate your team's understanding of the unique implementation across facilities and the addition of policies and procedures being put in place to protect our populations. We will continue to proactively implement precautionary measures as the COVID-19 pandemic progresses. Moving forward, Washington Department of Corrections will continue to collaborate with the Office of the Corrections Ombuds on any future quality assurance visits.

Sincerely,

A handwritten signature in black ink, appearing to read "Ronald Haynes".

Ronald Haynes, Superintendent
Stafford Creek Correctional Complex