

**OCO Monitoring Visit to Washington State Penitentiary
Conducted by Caitlin Robertson, Assistant Ombuds-Eastern Division and
LaQuesha Turner, Early Resolution Ombuds and Race Equity Specialist
June 10-11, 2020**

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 June 10 and June 11, 2020, OCO Assistant Ombuds Caitlin Robertson and OCO Early Resolution Ombuds and Race Equity Specialist LaQuesha Turner conducted a monitoring visit to Washington State Penitentiary (WSP). The purpose of the visit was to observe WSP's 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.

Executive Summary/ Key Findings

- Throughout the two-day OCO monitoring visit, interactions between DOC staff and incarcerated individuals, among DOC staff, and within the incarcerated population appeared normal. The facility appeared clean and orderly. Porters were observed cleaning throughout the facility with Germicidal Disinfectant spray bottles and rags were widely available.
- Overall, OCO observed a very high level of compliance with DOC staff wearing face coverings (personal fabric cloth coverings, surgical masks, etc.), as well as, a very high level of compliance with the incarcerated population wearing face coverings (various types of fabric cloth coverings, DOC provided surgical masks, DOC provided bandanas, and DOC provided orange replacement cloth coverings).
- Throughout the facility OCO observed displays of COVID-19 communication in the form of letters, posters, and visual graphics. However, in various living units and yards, OCO signage and information was not posted, while in others, signage was easy to locate. At the conclusion of each monitoring day, OCO elevated the lack of consistently posted hotline information to facility leadership. Additional discussions may be necessary to ensure adequate signage is created and maintained throughout the facility.
- Many incarcerated individuals spoke to OCO about replacement face coverings. The general consensus of these conversations was the creation of an ongoing replacement distribution policy rather than the current protocol which requires an incarcerated person to ask a staff member for a replacement face covering. Some incarcerated individuals reported that the commercial laundry ruined their original bandanas; others said they did not know how to

obtain a replacement covering; and while others knew the process to obtain a replacement, they wanted more than one replacement at a time. On the first monitoring day, OCO observed a stockpile of multiple bags of the orange replacement face coverings in the main administration building; however, on that day we did not observe a single interaction of an incarcerated person receiving a new face covering. On the second day of monitoring, OCO observed incarcerated individuals asking for replacement face coverings and facility staff distributing replacement coverings. Since April 10, 2020, it is mandatory in all DOC locations to wear approved face coverings by direction of Secretary Sinclair. Therefore, OCO recommends that WSP, and all other DOC facilities, quickly operationalize an on-going process to replace face coverings that does not necessitate an incarcerated individual asking for a replacement. OCO supports automatically providing incarcerated individuals with an on-going supply of new and clean face coverings. As the April 10, 2020 directive applies to all persons in all DOC facilities then the ease of obtaining new face coverings should be equally applied.

- Prior to the monitoring visit, OCO requested an opportunity to meet with all Offender Communication Liaisons (OCL) without DOC staff present. Due to security concerns, it is not possible for all OCLs to attend the same meeting. Therefore, OCO attended four separate meetings, two per day. During all four meetings, OCO staff utilized the time to describe the purpose and intent of the office, the OCO complaint process and pathway, and answered some individual questions. The general consensus in all groups was a desire to easily obtain additional face coverings; increased yard time, including access to the weight pile; “the forbidden three”;¹ frustration with the quality of food; concerns about the quality of JPay; a dissatisfaction with the aloe vera style bars of soap in comparison to the first anti-bacterial bars; and questions about the multi-step county phase reopening and the potential for visitations to restart.
- Worth noting, both a cultural group and a wellness group were observed programming in their small yards. In conversations with unit and facility leadership, OCO learned that both groups receive support to continue their on-going, outdoor, small-group interactions. OCO commends WSP Leadership for finding ways to maintain small-group cultural and wellness interactions in these units and supports ongoing efforts to safely increase access to outdoor programming throughout WSP and all DOC facilities.
- All kiosks state-wide were inoperable during this two-day monitoring visit. There seemed to be a general confusion within the incarcerated population regarding the status of these machines. Moving forward, OCO suggests streamlining more timely communication regarding statewide system problems on machines that are widely used by most incarcerated individuals.

¹ The “forbidden three” refers to higher sanctions that DOC has placed on assaults on staff, assaults with a weapon, or multi-man fights in an effort to particularly dissuade those incidents.

Observations

Entrance

- On both days at the main entrance of WSP, OCO was asked screening questions, one by one. After answering no to all questions, temperature was taken by DOC staff. At the time of entrance, OCO staff were the only people screened. All DOC staff were observed wearing face coverings and the staff persons taking temperatures were wearing gloves and standing behind a clear barrier (Appendix A, Photo A). OCO observed a collection of donated face coverings available for guests or staff, should someone need a face covering. OCO verbally reviewed screening out policies with DOC staff and visibly reviewed WSP's "enhanced screening" log book (Appendix A, Photo B).

Day One – June 10, 2020

South Complex - Williams Unit-B (Medium)

- OCO observed all staff and incarcerated individuals wearing face coverings, COVID-19 information was posted in the dayroom, and OCO posters and hotline information were visible (Appendix A, Photo C). The housing unit appeared clean and orderly, soap and water were available, germicidal spray and rags were available for use, and hand sanitizer was not available (Appendix A, Photo D and E). When asked, incarcerated individuals showed OCO that maintaining six feet of distance inside their cells is not possible. OCO successfully placed a phone call to the OCO hotline from a dayroom phone. Interactions between staff and incarcerated individuals appeared calm and, while speaking individually with a group of incarcerated individuals, many suggested that three staff in particular are kind and demonstrate a high level of care. OCO passed along this positive information to unit leadership.
- OCO observed the lunch mealtime process, which is a staggered release by section to enable social distancing (Appendix A, photo E). The kitchen/warming area appeared clean and soap and water were available. In the warming areas, food grade sanitizer is used by cleaners after servers finish their tasks. Serving staff (incarcerated individuals) were observed, to the best of their ability based on the design of the area, maintaining social distancing. After the meal was served, OCO observed incarcerated individuals in a spaced-out line, in order to queue for their medication.

South Complex - Victor Unit-B (Medium)

- In the unit's small yard, OCO observed an Asian and Pacific Islander cultural group practicing as preparation for future family events. OCO learned that this group, and others, have continued to program while socially distancing in small groups, in the small yards (Appendix A, photo F).

East Complex - Unit 6 (Minimum)

- OCO entered the large dayroom and interacted with a number of incarcerated individuals, individually and in small groups. Interactions between staff and incarcerated individuals appeared normal and most people were appropriately wearing face coverings in the day room (Appendix A, photo G). Porters were observed using germicidal spray and rags to clean surfaces, including tables, seats, and phones after every use. COVID-19 information was clearly visible; however, while OCO signage was posted the hotline information was not as easily located as the PREA hotline. The physical design of the tables does not offer six feet of distance and all seats were available for use. In addition, there are no dividers at the phones.
- OCO walked the unit's three tiers, without a DOC escort, and interacted with multiple groups of incarcerated individuals in their cells. Incarcerated individuals reported that social distancing inside the cells was not possible, nor is sleeping head to foot as their TVs were placed at the far end of the wall. Many people reported mold on the shower curtains in the showers (Appendix A, photo H). OCO learned from the CUS that new shower curtains had been ordered and would soon arrive. After the monitoring visit, on June 17, 2020, OCO received photos from Associate Superintendent Barker documenting installation of new shower curtains (Appendix A, photo I).

East Complex - Big Yard

- OCO signage was not visible in the phone area of the yard; however, OCO successfully placed a call to the hotline. The weight pile was locked up, due to DOC Headquarters' COVID-19 restrictions (Appendix A, Photo J).

Day Two – June 11, 2020

West Complex – Delta Unit-West (Close)

- COVID-19 and OCO information was clearly posted in the unit and the unit appeared clean and orderly (Appendix A, Photo K). OCO observed multiple incarcerated individuals asking for and receiving the orange colored replacement face coverings (Appendix A, Photo L). One incarcerated individual brought a sample of the aloe vera soap for OCO to inspect (Appendix A, photo M). Unit staff agreed that many people, staff included, do not like the consistency and smell of this particular product. OCO successfully placed a call to the OCO hotline (Appendix A, photo N). Finally, a wellness group was observed programming in the small yard (Appendix A, photo O).

Correctional Industries - Main Kitchen

- After donning hair nets, OCO entered the main kitchen for the facility and observed incarcerated individuals wearing PPEs (gloves, hair nets, shoe covers, face covering, bibs, and face coverings) while working at various stations (Appendix A, Photo P). COVID-19 information was posted while OCO information was not. Germicidal spray and food grade disinfectant were observed, soap and water were available, and hand sanitizer was not

available. When asked, incarcerated individuals stated that their work areas are cleaned before and after each shift. Additionally, multiple incarcerated individuals told OCO that their work in the kitchen was a good opportunity to “get-away” and everyone got along well with each other. OCO observed multiple respectful interactions while in the kitchen area (Appendix A, photo Q)

Clinic

- All custody staff were observed wearing face coverings and medical staff were observed wearing additional PPEs. Inside the clinic waiting area, OCO observed yellow tape on the benches to demarcate social distancing space (Appendix A, photo R). Within the clinic, medication is directly delivered to incarcerated patients in their cells (Appendix A, photo S) and all other pill lines are administered in unit.

Rainier Unit-A

- COVID-19 and OCO information were both posted. The unit appeared clean and germicidal spray and rags were available for use (Appendix A, photo T). All interactions between staff and incarcerated individuals appeared calm and when asked individually and in small groups everyone said that it was positive. Incarcerated individuals were observed gathering at the tables, wearing face coverings (Appendix A, photo U).

West Complex - Echo East (Close)

- At the completion of the first monitoring day, OCO learned from facility leadership that multiple incarcerated individuals were transferred from Coyote Ridge Correction Center’s IMU to WSP that day. At the direction of facility medical staff, these individuals were housed in medical isolation in West Complex- Echo East (Appendix A, photos V & W). OCO met cell-front with all individuals housed in Echo East and asked a series of questions related to their transfer and status of confinement. By directly speaking to these individuals, OCO learned that none had showered or made a phone call since arrival at WSP. Moreover, no individuals had possession of their chain bus property (more than 24 hours after arriving at WSP).
- After meeting with all individuals cell-front, OCO spoke with the unit staff about the conditions of confinement, specifically noting that many individuals were approaching seven days without a shower and questioned the location of their chain bus property. Prior to leaving the unit, OCO observed unit staff preparing to distribute the chain bus property in brown bags (Appendix A, Photo X). OCO discussed the phone protocol with unit staff and observed a portable phone, which was in the process of becoming operationalized (Appendix A, Photo Y).
- One week after the monitoring visit, OCO followed-up with unit staff regarding the status of these individuals. On June 18, 2020, DOC responded that all individuals in Echo East were able to shower on June 13 and June 14, 2020, and then again on June 18, 2020. Moving forward the reported shower schedule for this unit is every Wednesday. With

regard to the use of the portable phone, as of June 18, 2020, the incarcerated individuals had not received an opportunity to utilize the phone, rather, the unit CUS acted as a conduit of information with their personal contact.

Appendix A

Photos



Photo A

Description: Main entrance staff performing screening and temperature checks

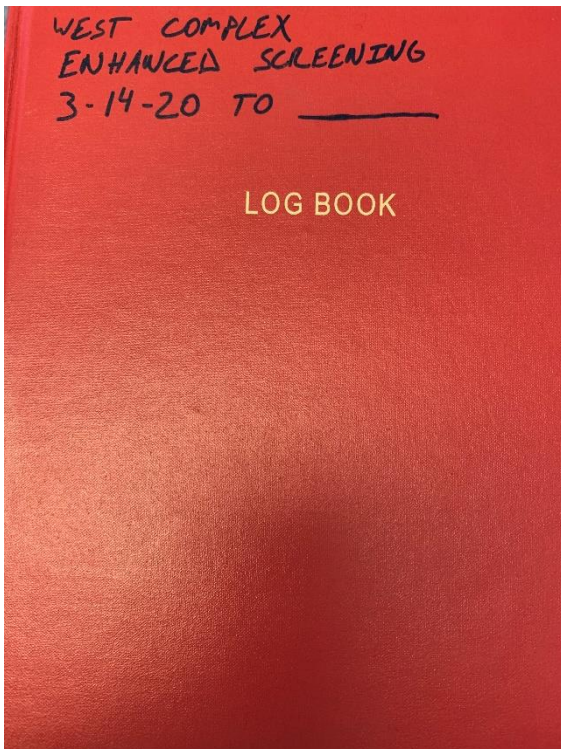


Photo B

Description: Enhanced Screening log book for employees

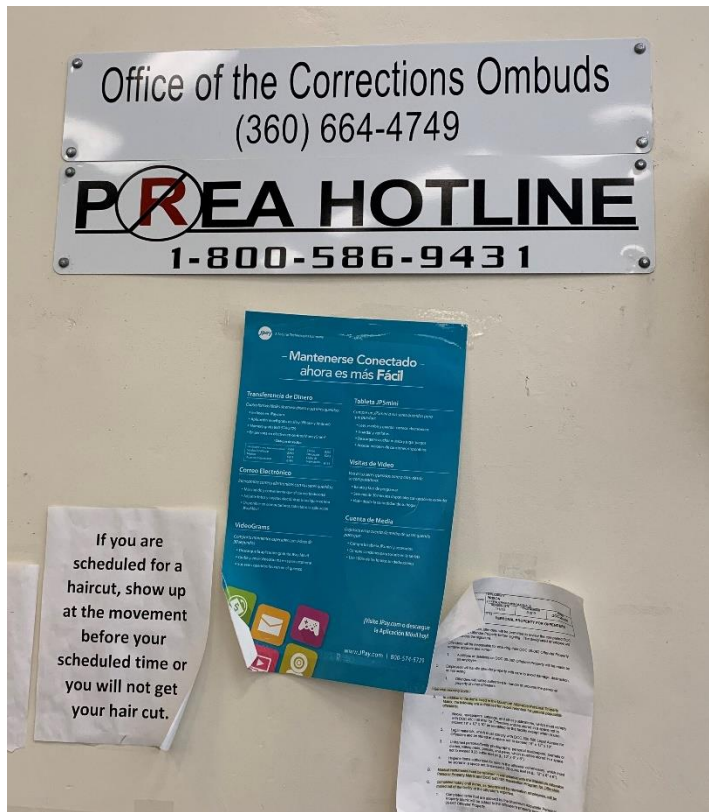


Photo C

Description: OCO hotline information posted in Williams-B

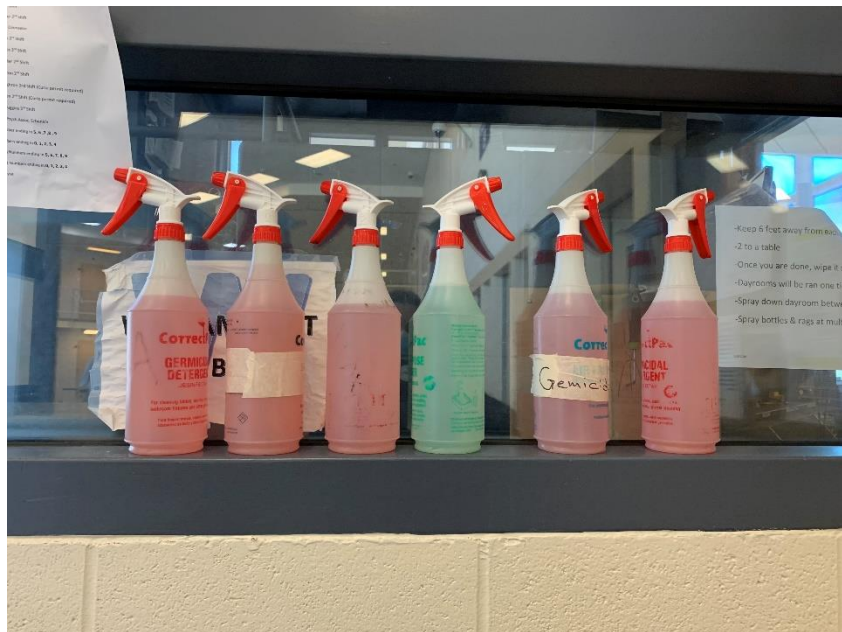


Photo D

Description: Germicidal spray bottles



Photo E

Description: Williams-B dayroom



Photo E

Description: Williams-B meal line



Photo F

Description: Cultural group practicing in small yard



Photo G

Description: Unit 6 dayroom



Photo H

Description: Mold in Unit 6 showers

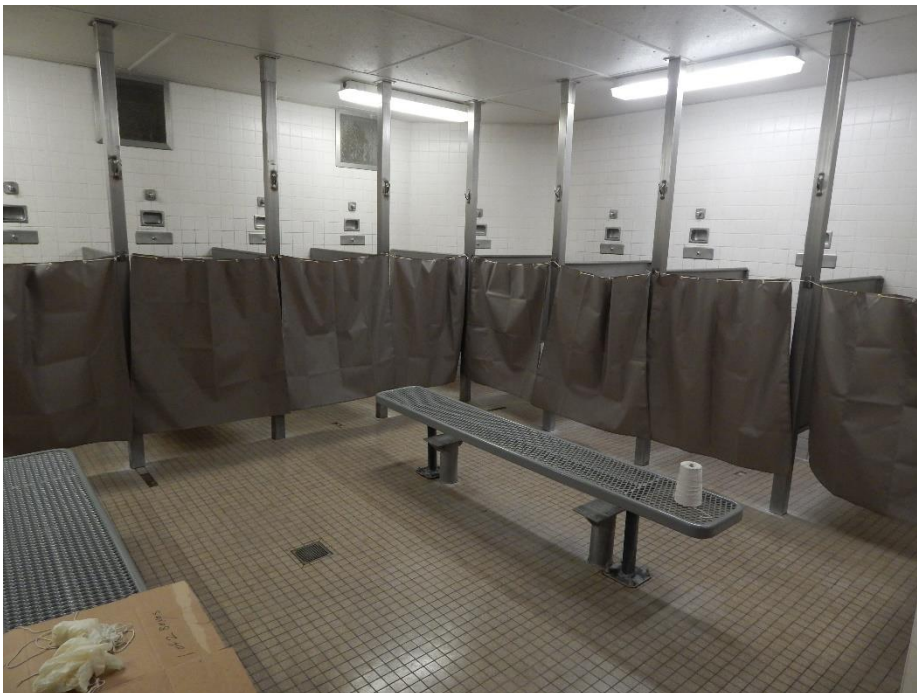


Photo I

Description: Photo of replacement shower curtains received in an email from Associate Superintendent Barker on June 17, 2020, after monitoring visit



Photo J

Description: East Complex- Big Yard

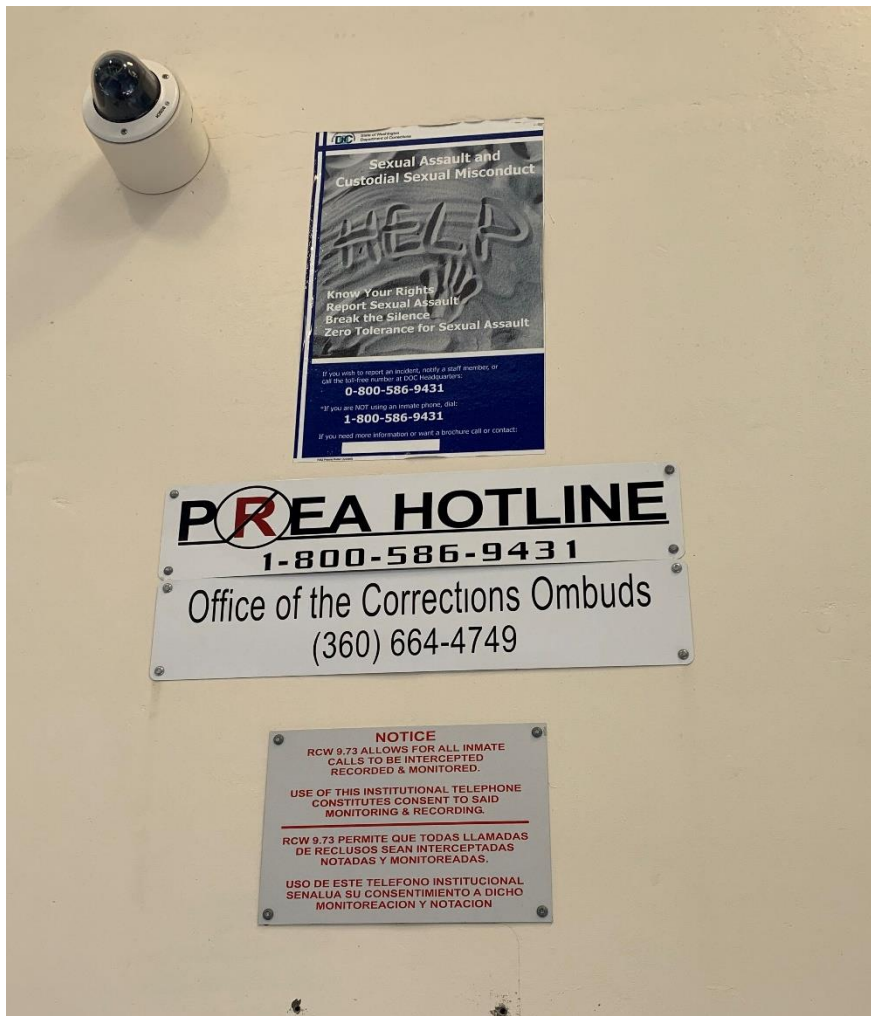


Photo K

Description: Delta Unit OCO posted hotline signage



Photo L

Description: Delta Unit Staff distributing the orange replacement face coverings



Photo M

Description: Aloe vera style bar of soap



Photo N

Description: Phones in Delta West dayroom



Photo O

Description: Wellness group programming



Photo P

Description: CI
Kitchen



Photo Q

Description: CI
Kitchen



Photo R

Description: Yellow tape to create social distancing in clinic waiting room



Photo S

Description: Medication being delivered cell front to incarcerated patients in clinic



Photo T

Description: Cleaning supplies in Rainier Unit



Photo U

Description: Rainier Unit

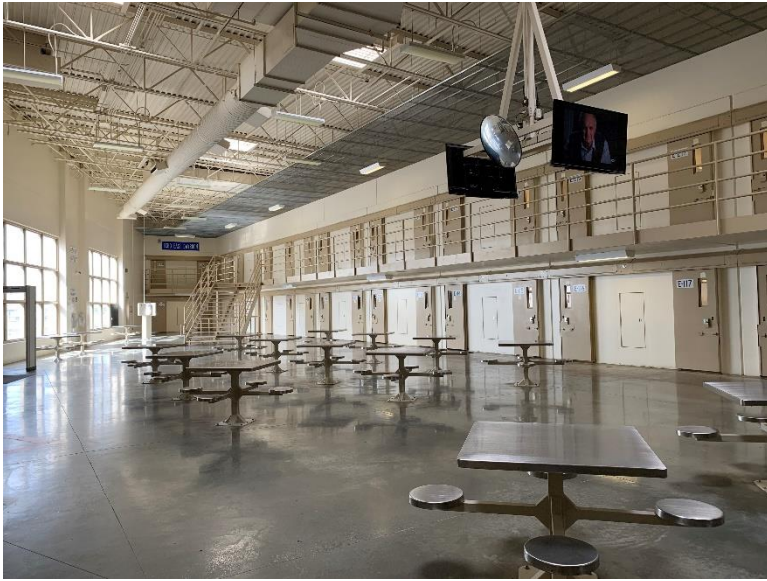


Photo V

Description: Echo East, WSP's Medical Isolation Unit



Photo W

Description: Echo East showers



Photo X

Description: Chain bus property bags in preparation for delivery



Photo Y

Description: Echo East portable phone to be used by incarcerated individuals in medical isolation



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

July 16, 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 Rapid Monitoring Visit to Washington State Penitentiary' completed by the Office of Corrections Ombuds (OCO).

The Department of Corrections takes very seriously the health and safety of the incarcerated population and staff in the Washington state correctional facilities. The agency appreciates the opportunity to have your staff tour the Washington State Penitentiary and evaluate the facility's implementation of the protocols and procedures, especially cleaning and communication tools, 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 ensure an incarcerated individuals health and safety while incarcerated, especially during the COVID-19 pandemic.

OCO Recommendation	DOC Response
OCO recommends that WSP, and all other DOC facilities, quickly operationalize an on-going process to replace face coverings that does not necessitate an incarcerated individual asking for replacement.	At this time, the Department of Corrections is providing additional face coverings to the incarcerated individuals as they request them. The department knows that the incarcerated individuals are the correct person to identify if they need an additional face covering and has allowed them to request additional as needed through unit staff. Headquarters is working on a process that will add this face covering check into a more daily routine procedure without over providing an overage and continuing to conserve resources. These conversations are continuing and as updates to procedures are made, they will be shared with the

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OCO suggests streamlining more timely communication regarding statewide system problems on machines that are widely used by most incarcerated individuals.	population and external stakeholders. While the CePrisons system was down, all memos sent to facilities were sent to the facilities with direction to post in the living dayroom areas for all to see, or hand-delivered cell front to those individuals on quarantine or medical isolation status. The facilities coordinate communications about systems being down at tier rep meetings that are held at least weekly, sometimes daily, and as inquired upon from the incarcerated individuals. We will continue to improve communication as the COVID-19 response progresses, and will continue to post information or hand deliver if required so all of the population has access to information.
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We also 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. Moving forward, Washington Department of Corrections will continue to collaborate with the Office of the Corrections Ombuds on any future quality assurance visits.

Sincerely,

Steve Sinclair, Secretary
Washington Department of Corrections

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