



STATE OF MICHIGAN
DEPARTMENT OF CORRECTIONS
LANSING

GRETCHEN WHITMER
GOVERNOR

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DIRECTOR'S OFFICE MEMORANDUM 2020 - 30

EFFECTIVE: Immediately

DATE: April 8, 2020

TO: Executive Policy Team
Administrative Management Team
Wardens

FROM: Heidi E. Washington, Director

SUBJECT: COVID-19

The MDOC is taking many steps to protect staff and prisoners from the spread of COVID-19, including developing isolation areas to place and treat prisoners who have tested positive for COVID-19 or who are under investigation for having COVID-19, as well as those who have had close contact with a known-positive COVID-19 individual. This DOM outlines the precautions staff shall take to help prevent COVID-19 from spreading. This DOM controls when in conflict with any other DOM or Department policy or procedure.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

At a minimum, all staff and prisoners shall always wear a mask. Additionally, required PPE shall be worn by staff at all times when they are in an isolation area, transporting a prisoner with a confirmed or suspected case of COVID-19, packing the property of a prisoner with a confirmed or suspected case of COVID-19, or at any time the staff member has close contact (i.e., within six feet) with an offender (i.e., prisoner, parolee, probationer) who has a confirmed or suspected case of COVID-19. As outlined in the approved protocol, PPE shall include an N95 or other mask, a gown, eye protection, and gloves. PPE worn in an isolation area shall be removed before going to another area of the facility.

SCREENING OF INDIVIDUALS BEFORE ENTERING A FACILITY OR OFFICE BUILDING

All individuals shall be screened for potential signs and symptoms of COVID-19 before entering a correctional facility or office building. Any individual who shows symptoms of COVID-19 shall be denied entry. Consistent with Executive Order 2020-36, employees who are feeling sick with any illness must stay home.

SOCIAL DISTANCING

In accordance with the Centers of Disease Control (CDC) recommendations, social distancing recommendations shall be followed at all times, including programing, classrooms, chow lines, staff screenings, office buildings, etc. This means that there shall be a distance of at least six feet between all individuals. Staff meetings and other group interactions of 10 or more individuals shall be limited. Technology must be used in place of group interactions, when possible.

ISOLATION AREAS

The CFA Deputy Director shall determine where isolation areas are located. A prisoner who tests positive for COVID-19 shall be placed in quarantine in a designated isolation area as soon as resources permit regardless of their security level or prior criminal history. All of the requirements set forth in PD 03.03.130 "Humane Treatment and Living Conditions for Prisoners" apply to prisoners in an isolation area with the exception of two hours of indoor/outdoor recreation. Psychological services shall be provided to a prisoner in an isolation area only when immediate intervention is needed as determined by the Chief Psychiatric Officer (CPO). The CFA Deputy Director shall consult with the Office of Legal Affairs Administrator and the BHCS Administrator to determine what movement and activities may take place in an isolation area including access to programming, religious services, and law library material. At no time shall a prisoner who is placed in an isolation area be permitted outside of the area, unless it is for an emergency, or as approved by the Assistant Deputy Director (ADD). If a prisoner becomes extremely disruptive while in an isolation area, staff may use management techniques and equipment as set forth in PD 04.05.112 "Managing Disruptive Prisoners." Staffing levels in an isolation area shall be determined by the Warden.

A sign shall be placed outside of each isolation area that notifies staff that they are about to enter a restricted area, and what PPE shall be worn before entering the area. Only staff approved by the Warden or designee may enter an isolation area, unless an emergent situation (e.g., any situation that would require a critical incident report to be written) arises.

The BHCS Administrator shall ensure cleaning procedures are in place for isolation areas. Volunteer prisoner porters will be assigned to the isolation area and will clean as needed. Prisoner porters will be provided with appropriate PPE, when available. Staff shall document that PPE was provided to the porters in the logbook.

A prisoner shall only be released from an isolation area after they have been cleared by a Physician, and approval from the BHCS Administrator or Chief Medical Officer/Assistant Chief Medical Officer has been obtained.

PRISONERS UNDER INVESTIGATION FOR COVID-19

Separate isolation areas shall also be developed for prisoners who are under investigation (PUIs) for having COVID-19 as well as for those who have had close contact with a PUI or known-positive COVID-19 individual (Close Contacts), as necessary. The isolation areas for PUIs shall follow the same criteria as the isolation areas for prisoners with confirmed cases of COVID-19. A PUI shall be placed alone in a cell pending the outcome of their test results. Staff transporting a PUI shall wear the

same PPE that is required for transporting a prisoner with confirmed COVID-19.

PRISONER PERSONAL PROPERTY

To control the spread of the COVID-19 virus that may be lying dormant, facility staff shall secure and inventory the property of prisoners with confirmed COVID-19 as well as PUIs and Close Contacts if the prisoner is placed in an isolation area. Prisoner property shall not be allowed while in an isolation area. Staff shall wear gowns, face shields, masks, and gloves when handling the property. Perishable food items that are not in a sealed or unopened container shall be discarded. A prisoner's property shall be immediately returned to them once they are released from the isolation area.

PRECAUTIONS IN CFA FACILITIES

Alcohol-Based Hand Sanitizer and Wipes

Until further notice, alcohol-based hand sanitizer and wipes that are provided to correctional facilities by the Department shall be permitted within the secure perimeter of a correctional facility for use by staff. Hand sanitizer shall not be used in place of good hand washing technique. When not in use, the hand sanitizer and wipes shall be stored in accordance with Chapter 12 of the Environmental and Waste Management Plan. Staff shall not be permitted to bring personal alcohol-based hand sanitizer or wipes through the gate.

Gate Security

During the pendency of this pandemic only, Directors of Nursing (DONs) are authorized to possess their Department-issued cellular telephones inside the secure perimeter of a facility.

Staff are permitted to bring in the following items without a gate manifest:

- Department-issued hand sanitizer and wipes
- Acceptable gloves made of vinyl, nitrile, or latex;
- Surgical masks made from polypropylene, polystyrene, polycarbonate, polyethylene, cotton, or polyester. They may be disposable or reusable (require washing); and
- Disposable or reusable fabric gowns.

Reassignment of Staff

Staff shall be reassigned as necessary to meet the needs of the facility or the Department. Corrections Transportation Officers (CTOs) shall be reassigned to facilities as necessary to augment custody staff.

Visits, Telephone Calls, and JPay

Prisoner visits shall be suspended until further notice, including visits/programming from volunteers. In lieu of visits, prisoners shall be given two free phone calls (each lasting five minutes) and two free JPay stamps per week. Security Threat Group (STG) prisoners shall also be allowed the two free phone calls and two free JPay stamps per week.

Attorney Visits

To reduce the number of people entering facilities, attorneys shall be encouraged to speak with their clients via phone instead of conducting an in-person visit. While prisoners may continue to use the GTL phone system to call their attorneys, attorneys may contact the facility to request the opportunity to speak with their clients in lieu of an attorney visit. If requested, staff shall promptly arrange calls between attorneys and their clients and provide the prisoners with an opportunity to make this call. Accommodations shall also be made to assist attorneys with getting documents signed and returned via email or fax, if requested, to prevent unnecessary attorney visits to the facility. All in-person attorney visits must be approved by the appropriate ADD.

Parole Board Representatives

Prisoners are allowed one representative at Parole Board hearings, but the representative may only attend via telephone or other available electronic means.

Large Gatherings

All large in-person gatherings shall be canceled including graduations, trainings, and job fairs. Annual fit testing shall be postponed. The following training shall be permitted:

- Weapons
- SCBA
- Expirations
- CCMW
- Court-ordered/settlements
- Deaf and/or Hard of Hearing Prisoners
- New Orientation

All staff are still required to complete computer-based training (CBT).

Transfers and Cell Moves

No transfers shall be made unless approved by the CFA Deputy Director. Cell moves shall only be made if absolutely necessary (e.g., medical, PREA). If a prisoner needs to be transferred to an isolation area, transportation staff shall wear all required PPE.

Overtime Procedures for Security Unit Employees

With approval of the appropriate ADD, probationary employees may be authorized to work voluntary and mandatory overtime prior to completing six months of satisfactory service. During the pendency of this pandemic, mandatory overtime shall be assigned using 100 percent of the shift seniority list for the departing shift on a rotational basis. Mandatory overtime shall be tracked in accordance with DOM 2020-26 "Overtime Distribution Process for Security Unit Employees."

School and Programming

School classes and programming may be canceled as determined by the Warden or their designee in consultation with the appropriate ADD. The number of prisoners in each program shall be reduced to allow for appropriate social distancing. When possible, prisoners attending the class/program shall be seated a minimum of six feet apart. Face-to-face college courses shall be suspended.

Searches

Clothed-body or thorough pat-down searches of prisoners, as outlined in PD 04.04.110 "Search and Arrest in Correctional Facilities" Paragraph T, are suspended for (1) prisoners who have tested positive for COVID-19, (2) PUIs, and (3) are a Close Contact. Similarly, the searches of prisoner living areas, as outlined in PD 04.04.110 Paragraph V, are suspended for cells or areas whose occupants (1) have tested positive for COVID-19, (2) are a PUI, and (3) Close Contacts. The search of common areas is still required and shall be completed when prisoners are not present.

In the event a suspended pat-down search or cell search is required, the staff conducting the search shall wear PPE.

Prisoner Hygiene and Housing Unit Cleanliness

Adequate soap shall be provided to prisoners at all times. Bleach is permitted to be used and stored in the housing units, and other areas of the facility as determined by the Warden. Only prisoners who are assigned as a porter may clean with bleach, and they shall be under direct staff supervision while cleaning with bleach. When the bleach is not in use, it shall be stored in accordance with Chapter 12 of the Environmental and Waste Management Plan. The bleach shall be inventoried daily on the Hazardous Material Inventory Checklist (CAH-159) even if the NFPA/HMIS hazardous rating is not two or higher.

Health Care

Prisoners shall not be charged a copay for COVID-19 testing and management. All non-urgent and non-emergent Health Care appointments, including dental, shall be postponed. All annual Health Care screens shall be postponed and rescheduled. TB testing for employees shall also be postponed. Prisoners who are paroling shall be provided with a 60-day supply of medication due to possible shortages in the community. Due to the need for nurses to be on duty, nurses shall be allowed to accrue up to a maximum of 80 hours of compensatory time. Prisoner Palliative Care Aids shall not be utilized unless there is a prisoner in vigil status.

Due to the COVID-19 Emergency Declaration, employees responding to victims of cardiac and/or respiratory emergencies are directed to respond as follows:

- When delivering Cardiopulmonary Resuscitation (CPR), employees shall follow the American Heart Association (AHA) guidelines for "Hands-Only" CPR.
- Hands-Only CPR eliminates the delivery of rescue breaths by non-Health Care employees while delivering consistent compressions to the victim at a rate of 120 bpm.

- Rescue breaths will only be delivered by Health Care employees using the Ambu bag with the spacer and filter.
- Non-Health Care employees will continue to assist with compressions, scene safety, and the AED as trained.
- This direction includes any victim found to be unconscious due to an obstructed airway, opiate overdose, or all other emergencies that may require CPR or rescue breaths.

Food Service

The Business Manager shall ensure extra food is ordered (14 days on hand). The number of prisoners allowed to attend a meal at one time shall be reduced as determined by the Warden. Prisoners eating in the dining hall shall be seated in a fashion that allows them to avoid close contact with each other (i.e., six feet apart) and tables shall be sanitized between use. Prisoners shall stand at least six feet apart while waiting in line to receive their meal.

Gate Traffic

The number of individuals allowed in the gate area has decreased from eight to four.

Warden's Forum

Warden's forum may continue to be held in the units and counted as a monthly meeting.

Prisoner Store

A prisoner may spend up to \$150 plus any applicable sales tax once every two weeks (i.e., 26 times per calendar year) to purchase Standardized Store List items from the vendor.

Additional Suspensions/Postponements

Along with the items noted above, the following shall be suspended or postponed in CFA:

- Mobilizations shall be suspended.
- Weight pits for prisoners and staff weight rooms shall be closed at facilities on quarantine status.
- Gate pass prisoners may be laid in and will only be assigned in essential positions.
- Performance audits and all inspections that are not conducted at the facility level shall be postponed.
- Hiring shall be suspended except for Corrections Officers, Food Service, and Health Care staff.
- Pest control shall be postponed unless there is an urgent need.
- Construction projects shall be postponed unless they are emergent.

Any other decision to change or suspend facility operations shall be made on a case by case basis as determined by the CFA Deputy Director.

CREDIT RESTORATIONS

The following requirements for credit restorations listed in PD 03.01.100 “Good Time Credits” and PD 03.01.101 “Disciplinary Credits” will be modified:

- Restorations may be initiated at a Warden’s discretion and may impanel committee members to assist in providing recommendation for restoration.
- Initiation of a restoration will not be limited to an annual review period or exemplary or meritorious acts.
- Prisoners are not automatically ineligible for restoration of credits because of their disciplinary history; however, a Warden may consider disciplinary history when deciding whether or not to restore credits.
- All recommendations for restoration must continue to be referred to the CFA Deputy Director for approval.

PRECAUTIONS TO BE TAKEN BY FOA

The following precautions shall be taken by FOA to protect staff, parolees, and probationers:

- In-person contacts (IPC) shall be held by telephone or video whenever possible.
- IPCs that cannot be held by telephone or video shall be limited as much as possible.
- No Preliminary Breath Tests (PBT) shall be administered.
- Telehealth shall be utilized for community programming when feasible.
- Case notes can document why forms were not signed/initialed in person when not able to be signed/initialed in person.
- Parole Board public hearings are placed on hold.
- In-reach services may be accelerated.
- The ADD of OPPS must approve all return-to-prison parole violation decisions.
- Because Absconder Recovery Unit (ARU) investigators are currently working at a facility, the standards listed in the ARU Operations Manual are suspended.
- Suspend placing parole violators (PVs) in the Intensive Detention Reentry Programs (IDRP) at Clinton and Ingham counties.
- Only PV returns will be held in custody; reinstatements will be expedited.
- All PV intake at the Detroit Reentry Center (DRC) has been suspended. Detroit Detention Center (DDC) parole arrestees shall not be sent to DRC;
- Arrests that are returns shall be sent directly to Charles Egeler Reception and Guidance Center (RGC), Women’s Huron Valley Correctional Facility (WHV), or Marquette Branch Prison (MBP), as appropriate.
- Masks and hand sanitizer shall be given to field staff.
- Oral swabs have been purchased for substance abuse testing.
- Instructions have been provided on how to eliminate face-to-face installation of EMS.
- A phone call from the transportation officer to the Agent shall replace a signature when dropping off a parolee at their destination.

Parolee Substance Abuse Testing

The standard of six months with no positive alcohol or drug tests (and no refusals) and no arrests, or citations for drug or alcohol-related offenses will be reduced to three. After three months of sobriety, the Substance Abuse (SA) designation can be removed and testing thereafter will be at the discretion of the Agent. However, if at any time the parolee's behavior warrants reinstatement of the SA designation, it shall remain until the parolee has maintained sobriety for a term of three months and has completed any required SA programming.

Screening of New Parolees

All new parolees must be screened by Health Care staff for COVID-19 symptoms prior to release and provided instruction on what to do if they become symptomatic. Additionally, all known-positive COVID-19 parolees, PUIs, and Close Contacts shall be reported to the local county health department.

DISCIPLINARY CONFERENCES

All investigations, including those in progress, shall be postponed except for stop orders and investigations involving PREA. Notification shall be sent to the Office of Executive Affairs (OEA) Administrator or designee of all investigations that are continued. All new allegations shall be entered into AIM and left as pending.

WORKING REMOTELY

All staff who have the ability to work remotely shall be required to do so, as approved by their supervisor. Staff shall be permitted to take their work computers and any other supplies that are required for them to perform their duties outside of the office to work remotely. Staff working remotely are required to check their work e-mail, work voice mail, and shall be available by phone during business hours. Staff working remotely shall also keep a daily log of their activities, and the log shall be turned into their immediate supervisor at the end of the week.