

Evidence of Critical COVID-19 Risk to Arizona Incarcerated

CDC Guidelines on Communication and Coordination:

Create and test communications plans to disseminate critical information to incarcerated/detained persons, staff, contractors, vendors, and visitors as the pandemic progresses.

What ADCRR has reported it is doing to meet this requirement:

ADCRR has posted a total of six (6) “Management Strategy Updates” (MSUs) on its webpage to date. Some of these announcements have received news coverage in print or on television. For those families without internet access, it appears that the Department has made no effort to communicate these changes.

A wide array of evidence from multiple sources indicates that ADCRR’s efforts in this area are insufficient and do not fully meet the CDC guidelines. This evidence includes:

1. [A survey of families of incarcerated people](#) A survey of families of incarcerated people conducted by the American Friends Service Committee-Arizona between March 13, 2020 and March 20, 2020. The results, from 65 respondents, indicated that even after ADCRR released their MSUs on March 18 and March 20, many family members did not know of the actions being taken to address COVID-19 inside state prisons. The results of the survey include the following findings:

- Sixty-four percent (64%) of respondents said they had received little to no information about COVID-19 in the prison where their loved one is living. Some indicated they had spoken to their loved one, but no information was disseminated to the people inside.
- Only 3 respondents (4%) said their loved one received information from a prison warden or “meeting” inside.
- While 24.2% of respondents said they saw the March 13 announcement regarding Visitation Suspension, this small number exhibits the inadequacies in ADC’s communication methods with the public.

Most families and loved ones of people who are incarcerated in Arizona prisons relied on television news, print/online news articles, social media support groups, and DHS for information about COVID-19. **Respondents noted that they only relied on information from ADCRR 13.4% of the time.**

2. On March 30, 2020, national organization FAMM sent a [letter to ADCRR Director Shinn](#) requesting that he create an online “dashboard” via the ADCRR webpage similar to that offered by DHS and several Departments of Correction in other states (including Pennsylvania, California, Ohio, Washington, and Illinois). This site would provide data on testing and results; new cases; quarantines and lockdowns; deaths; and recoveries. As of this writing, there has been no response to the letter.

3. Members of the [Arizona House Judiciary Committee sent a letter](#) to Director Shinn on March 31, 2020 asking for “immediate confirmation that the Department is following CDC recommendations to prevent transmission of the virus and a plan to furlough elderly and vulnerable prisoners, for their safety and to make space for quarantining others.”

Rep. Kirsten Engel spoke openly to the press regarding the frustration among state lawmakers regarding the lack of information being made available by the Department about its response to the pandemic. “It’s been a black box. We do not know what is going on,” she told the *Arizona Capitol Times*.

4. Attorneys in the *Parsons v. Shinn* medical class action lawsuit [requested](#) names and information about the incarcerated people that the Department had announced it had tested for COVID-19. The Department initially refused to provide the names to these attorneys. On April 3, 2020, the Judge in the *Parsons v. Shinn* class action healthcare suit intervened and [ordered ADCRR](#) to release weekly reports on how many inmates in state-run prisons have been tested, as well as the results of those tests.

5. According to a March 16 [sworn statement](#) made by Wendy Orm, Statewide Medical Director for Centurion of Arizona in the *Parsons v. Shinn* case, Centurion had identified 6,600 incarcerated people it determined to be vulnerable to COVID-19 based on their age (60 and over), health status, and diagnoses. This information was reportedly sent to ADCRR for “weekly welfare checks and education urging the inmates to report any symptoms that may be associated with COVID-19.” No further information has been provided to the public or the attorneys in the case regarding the identity of these individuals, what testing and monitoring – if any – has been provided, or the outcomes of these precautions. Without updates and transparent information, action or inaction of ADCCR is unknown.

CDC Communications Guideline

Post signage throughout the facility communicating the following:

- *For all: Symptoms of COVID-19 and hand hygiene instructions*
- *For incarcerated/detained persons: report symptoms to staff*
- *For staff: Stay at home when sick; if symptoms develop while on duty, leave the facility as soon as possible and follow CDC-recommended steps for persons who are ill with COVID-19 symptoms including self-isolating at home, contacting their healthcare provider as soon as possible to determine whether they need to be evaluated and tested, contacting their supervisor*
- *Ensure signage is understandable for non-English speaking persons and those with low literacy and make necessary accommodations for those with cognitive or intellectual disabilities and those who are deaf, blind, or low-vision*

What ADCRR reports it is doing to meet this requirement:

“ADCRR and Centurion are communicating with staff and inmates about how they can reduce the risk of contracting COVID-19, including washing hands, sanitizing surfaces, covering coughs and sneezes and encouraging employees to stay home if they are sick. Bulletins advising of the same are posted in inmate housing units, medical departments, and high activity locations. Inmate bulletins are also broadcast on ADCRR’s inmate CCTV-system.” (From ADCRR’s response to PLO Emergency Motion).

Reports from individuals incarcerated across the state of Arizona, as well as statements posted on social media by families of incarcerated people and prison staff contradict this claim.

A survey conducted by a group of family members of people who are incarcerated asked over 100 Arizonans to collect information from their incarcerated loved ones regarding the response to COVID-19 in the facilities where they are held. The survey specifically asked: “Is there written literature posted about the COVID-19 pandemic? If, so where is it being posted?”

Of the 110 responses they received to this question as of March 23, 2020, only 30 (27%) had seen information posted in their units. By contrast, 55 said no such information was available and 25 said they didn’t know. In short, ***a staggering 72% of individuals surveyed were unaware of any information related to COVID-19 being provided in their prison unit.***

CDC Guidelines on Operations:

Ensure that sufficient stocks of hygiene supplies, cleaning supplies, PPE, and medical supplies (consistent with the healthcare capabilities of the facility) are on hand and available; have a plan in place to restock as needed if COVID-19 transmission occurs within the facility.

- **Standard medical supplies for daily clinic needs**
- **Tissues**
- **Liquid soap when possible. If bar soap must be used, ensure that it does not irritate the skin and thereby discourage frequent hand washing**
- **Hand drying supplies**
- **Alcohol-based and sanitizer containing at least 60% alcohol (where permissible based on security concerns)**
- **Cleaning supplies, including EPA-registered disinfectants effective against the virus that causes COVID-19**
- **Recommend PPE (face masks, N95 respirators, eye protection, disposable medical gloves, and disposable gowns/one-piece coveralls)**
- **Sterile viral transport media and sterile swabs to collect nasopharyngeal specimens if COVID-19 testing is indicated**

Provide a no-cost supply of soap to incarcerated/detained persons, sufficient to allow frequent hand washing.

CDC Guidelines on Cleaning and Disinfecting Practices:

Even if COVID-19 cases have not yet been identified inside the facility or in the surrounding community, begin implementing intensified cleaning and disinfecting procedures according to the recommendations below

Adhere to CDC recommendations for cleaning and disinfection during the COVID-19 response. Several times per day, clean and disinfect surfaces and objects that are frequently touched, especially in common areas. Such surfaces may include objects/surfaces not normally cleaned daily (e.g. doorknobs, light switches, sink handles, countertops, toilets, toilet handles, recreation equipment, kiosks, and telephones).

What ADCRR reports it is doing to meet these requirements:

Per COVID-19 Management Strategy Update on March 18, ADCRR reported:

- **Until such time as the COVID-19 Emergency Declaration has expired, ADCRR will provide free hand soap to all inmates upon request, effective immediately. As recommended by ADHS, frequent handwashing remains the preferred method of virus prevention.**
- **Effective this week, Wardens at each Arizona prison complex are initiating a weekly deep cleaning of all facilities. Wardens are also taking part in regular ongoing meetings with ADCRR leadership to ensure robust availability of soap, paper towels, hygiene items, and cleaning agents for both inmates and staff.**

Again, available evidence suggests that ADCRR's response is insufficient, and that in certain cases, the official information presented by the Department is contradicted by numerous accounts in the media, correctional staff, and from incarcerated people and their loved ones.

1. ADCRR's directive for a weekly deep cleaning clearly fails to meet the CDC's directive for *daily* cleaning of shared surfaces.
2. Per a [motion filed by the Prison Law Office](#) in the *Parsons v. Shinn* medical class action lawsuit, as of March 16, "incarcerated people reported that they were not provided any disinfectant cleaning supplies to clean their cells or personal bed space, but rather were told to use their personal supplies of shampoo or soap to clean hard surfaces."
3. On March 20, 2020 KJZZ reported that the "[Department of Corrections is selling prison toilet paper](#) to employees at cost during a pandemic that has caused shortages of personal hygiene products." The information was gathered via a [Facebook page for guards in ADCRR facilities](#). Posts from members indicated that the sales of toilet paper were sanctioned by prison administration:

*"Admin wanted to do something to help the staff," the group member wrote.
"The request was elevated to central office and authorization to do this for staff was obtained."*

As a result of the media coverage, the Department announced that the sales had been discontinued.

4. Per numerous first-hand accounts, both posted on social media sites and through direct contact with AFSC-Arizona staff, the free soap being provided to incarcerated people is clearly insufficient to meet the requirements set forward by the CDC. The bars are reportedly the same size as those frequently provided in hotel rooms. These are distributed only every two weeks. It is unlikely that a bar this small would last an individual two weeks if they are following the guidelines regarding frequent hand washing that ADCRR itself has acknowledged is the primary means of preventing infection.

Photographs of the [soap posted on social media](#) show that the individual bars are only about two inches in length – the size of two quarters.

5. Posts on the same Facebook group for prison guards referenced in the aforementioned KJZZ article indicate that staff are not being provided the hygiene or cleaning supplies necessary, despite ADCRR's claims to the contrary. Posts include:

"If anybody has hand sanitizer with alcohol, rubbing alcohol, or aloe vera gel, I will buy it off you. I am trying to get enough for as many people as possible. We still don't have any at Cook Unit." [Link](#)

"[Lewis & Perryville complexes] all of a sudden are super stocked with cleaning supplies and TP. Maybe that magic will happen at Eyman." [link](#) and [link](#)

"Douglas [complex] hand sanitizer dispensers are as dry as they come in the box."
"I haven't seen hand sanitizer in a long time." [Link](#)

"Not even soap or paper towels, or even working toilets in the control rooms."
[Link](#)

CDC Guidelines on Prevention Practices for Staff:

Perform verbal screening (for COVID-19 symptoms and close contact with cases) and temperature checks for all staff daily on entry.

What ADCRR reports it is doing to meet these requirements:

Per COVID-19 Management Strategy Update on March 18, ADCRR reported:

"Effective immediately, ADCRR is requiring all employees entering Arizona prison complexes to undergo an Infectious Disease Symptoms Check that includes a series of health questions. In partnership with ADCRR's inmate healthcare vendor, Centurion, ADCRR staff will be checked for symptoms of COVID-19 continuously as they enter each facility. Inmate work crews are already being screened as they depart and re-enter all prison complex facilities."

While it appears that staff are being verbally screened, there are inconsistencies regarding whether and when staff are undergoing temperature checks per CDC guidelines. The above public statement does not explicitly mention temperature checks.

Per social media posts from prison staff, the application of these guidelines is not consistent across all units statewide. One person posted:

"They don't take our temperatures at Eyman, they just ask a couple questions."
[Link](#)

This person then went on to ask his colleague what unit he worked at and what type of thermometer was being used there.

As of the date of this writing, [three correctional staff have reportedly tested positive for COVID-19](#). Two of them worked in the Tucson Complex, where there are medical and Special Needs Units that specifically house people who have chronic illnesses, disabilities, or are elderly. The third worked in Winslow. ABC15 also obtained documentation that ADCRR was monitoring approximately 500 staff and incarcerated people for possible exposure to the disease. According to this report:

“While the department reports no positive cases of COVID-19 for inmates inside its prisons, the documents show only about 30 percent of 113 symptomatic prisoners placed on medical watch have been tested.

In addition, 358 employees have been turned away from work due to health screenings at prison entrances, emails show. So far, 183 of those employees have gone back to work — with many of them returning after days and not weeks of quarantine.”

Staff should exercise caution when in contact with individuals showing symptoms of a respiratory infection. Contact should be minimized to the extent possible until the infected individual is wearing a face mask. If COVID-19 is suspected, staff should wear recommended PPE per the guidelines in the table below:

<https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html#Table1>

Classification of Individual Wearing PPE	N95 Respirator	Face Mask	Eye Protection	Gloves	Gown/Coveralls
Staff having direct contact with asymptomatic incarcerated/detained persons under quarantine as close contacts of a COVID-19 case (but not performing		Staff cleaning an area where a COVID-19 case has spent time			

temperature checks or providing medical care)					
Staff performing temperature checks on any group of people (staff, visitors, or incarcerated/detained persons), or providing medical care to asymptomatic quarantined persons		X	X	X	X
Staff having direct contact with (including transport) or offering medical care to confirmed or suspected COVID-19 cases	X		X	X	X
Staff present during a procedure on a confirmed or suspected COVID-19 case that may generate respiratory aerosols	X		X	X	X
Staff handling laundry or used food service items from a COVID-19 case or case contact				X	X

Staff cleaning an area where a COVID-19 case has spent time	Additional PPE may be needed based on the product label. See CDC guidelines for more details.		
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On March 26, Lt. Mark Hasz filed a whistleblower complaint with ADCRR Director Shinn, Governor Ducey and DHS Director Christ. According to [a report aired on ABC 15](#):

“Hasz claimed Shinn personally told staff during a townhall meeting at Lewis Prison last week that they couldn’t wear their own PPE (personal protective equipment).”

“I was shocked at the response,” Hasz’s complaint states. “Director Shinn confirmed that he had given the order forbidding staff from bringing in and wearing their own PPE.”

Hasz also said Shinn gave the order because he believed the masks would scare the inmates.

“The reasoning is ridiculous and Director Shinn’s decision is putting the health of the staff, inmates and the general public at increased risk,” according to the complaint.”

A subsequent report, published on April 2 in [Tucson Weekly](#) quotes another whistleblower (who chose to remain anonymous), confirming that guards are being discouraged from wearing masks, even in units where sick prisoners are being quarantined:

“ADC is discouraging their employees from bringing in masks to work because they don’t want to ‘create panic’ in the prison...”

At this particular prison, which has capacity for nearly 5,000 men, incarcerated individuals who show flu-like symptoms will be evaluated by a nurse, and if they are deemed to potentially have COVID-19, correctional officers will take them to a quarantine unit they made themselves.

This quarantine unit is made up of separate cells built for two people each, but the officer said they heard discussions about making them into three-person cells.

A captain responded to one email saying ‘it is not necessary for any of our staff to be wearing masks here at the unit.’ That unit in particular was the Manzanita Unit, which the correctional officer says is being used for quarantining sick prisoners.”

Carlos Garcia, President of the Arizona Correctional Peace Officers Association, has been a vocal critic of ADCRR administration and Governor Ducey for their handling of this situation. Garcia posted a [video message via a prison guard YouTube Channel](#), delivering a blistering critique of the Department and its failure to protect guards. He calls on prison staff to defy the order and wear masks to work. He also states that he intends to call for Shinn’s resignation.

Only after these complaints became public, did the [Department reverse its policy](#) and announce on April 3 that it would allow staff to wear masks.