

OCO Monitoring Report to Airway Heights Corrections Center
Conducted by Caitlin Robertson, Assistant Ombuds – Eastern Division
December 11, 2020 & December 17, 2020

Background

- On December 7, 2020, Airway Heights Correction Center (AHCC) reported an increase from 64 to 541 positive COVID-19 test results for incarcerated individuals, indicating a large outbreak underway at the facility. The Office of the Corrections Ombuds (OCO) received numerous concerns regarding conditions of confinement at AHCC and decided to make a site visit to monitor and report back.
- On December 17, 2020, AHCC reported a total of 1047 incarcerated individuals and 112 staff members testing positive for COVID-19. The facility continues to see an increase in positive cases. The current COVID-19 confirmed cases data can be found on this DOC website: <https://doc.wa.gov/corrections/covid-19/data.htm#confirmed>

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

- There is a significant COVID-19 outbreak at AHCC with a rapid increase of positive cases in the facility. The facility moved to quickly test all incarcerated individuals in the main complex; it became apparent that in many units there were more positive than negative people. As the response changed from isolating and quarantining small groups of people to a large-scale movement of hundreds, concerns and complaints about inconsistent messaging grew. At the time of the monitoring visit, a large number of incarcerated individuals had either been moved to a new location or were anticipating being moved, based on their COVID-19 status.
- Incarcerated individuals reported a number of concerns from a dissatisfaction of being moved around to different units based on the quarantine/isolation protocols; to cold and delayed meal delivery; to delays in receiving clean laundry, including linens; to frustration about shower, phone, and dayroom schedules; to a desire for more clear and consistent messaging; and to confusion about when, or if, they would receive their COVID-19 test results.
- OCO received numerous complaints that incarcerated individuals from the MSU were told that unless they worked in the main complex they would be infraacted. During the visit, OCO was approached by many in the MSU expressing frustration that they were threatened with infractions for refusing to work in a location that they did not feel was safe. When asked, no person had evidence of an infraction being issued for a work

refusal. DOC staff denied these accusations and reiterated many times that the facility is not currently at a point where infracting for refusals to work is necessary. OCO acknowledges that even mentioning the possibility of an infraction for a person in camp, who may have a record of good behavior and a short time to release, might be received as a threat and many may feel compelled to work.

- OCO spoke with many DOC staff across AHCC who communicated working very long hours, often many days in a row. The staff appeared tired; yet, almost everyone was calm, stoic, and many were friendly. Throughout the facility, OCO witnessed various staff members working outside their normal job descriptions, expressing a willingness to be flexible and creative in getting tasks completed, and mostly communicating to incarcerated individuals in a polite and professional manner. In return, OCO heard many incarcerated individuals thanking staff, especially health services, for coming to work that day. Many also thanked OCO for being on-site.
- OCO observed 100% compliance with all DOC staff wearing surgical masks.

Observations

Entry

- AHCC has established an entry screening station with a touchless thermometer via a tablet that scans a person's temperature, with a staff member asking the screening questions. All AHCC staff participate in a weekly serial testing and OCO's Eastern Division Assistant Ombuds also participates. Overall, the screening and testing process appeared smooth and organized.

Minimum Security Unit (MSU), C5

Appendix, Photos A, B, and C

- OCO observed Health Services staff performing temperature checks and baseline checks in multiple open dorm tiers of C5. The staff used a touchless forehead thermometer and collected every person's temperature. When one person had a temperature outside of the normal range, the staff retested using an oral thermometer. The staff consistently sanitized the medical equipment. All staff, including OCO, wore appropriate PPE for that location: N95 mask, surgical mask on top of N95 mask, face shield, gloves, and gown. The staff collected many medical kits. After additional observation of one person, they determined that he needed to be immediately removed from the tier and placed in isolation. OCO observed this person being escorted to a dayroom in order to receive additional medical care.
- While observing temperature and baseline checks in multiple open dorm tiers, OCO saw many incarcerated individuals not wearing masks. However, OCO observed full compliance of masks in hallways and breezeways.

- The unit appeared clean and mostly calm. Many incarcerated individuals asked for clarification about how many days they would be in quarantine and what to expect during that time. Additionally, many communicated that they had not had clean pillow cases in multiple weeks.

Correctional Industries' Food Production Facility

Appendix, Photo D

- OCO walked around the assembly line and the bread baking areas of the facility and observed only a handful of incarcerated workers. OCO spoke with a group of Department of Natural Resources (DNR) workers from the MSU and asked them about allegations of threats of infractions for refusal to work. Most communicated that they were willingly working in the facility that day but that at the start of the outbreak they felt pressure to agree to work.
- The production facility was operating at a very low capacity and OCO observed DOC staff doing work that incarcerated workers normally perform. In the breakroom, OCO spoke with about five incarcerated workers from MSU. Themes of the conversation were a request for sandwiches, more frequent communication from CI leadership, and a general frustration that a large percentage of their wages would be directed toward mandatory debts and legal financial obligations. OCO spoke with CI management and communicated the requests.

Main Complex, K Unit

Appendix, Photo E

- OCO spoke with unit porters and a Tier Representative in the dayroom. Staff and incarcerated individuals were wearing the appropriate PPE for the unit and OCO observed ample amounts of surgical masks available. While the unit appeared calm and clean, the group communicated complaints about timeliness of meal delivery, temperature of delivered food, and inconsistency of laundry services.
- K Unit has operated under a protected status since the spring of 2020 because it is classified as a special population unit and mostly houses seniors (55 and older) and people with significant underlying medical conditions. As a result of the protected status, the incarcerated individuals with CI jobs have been unable to work. Early on in the COVID-19 response, DOC provided gratuity to incarcerated individuals who were unable to complete their job duties due to no fault of their own. However, DOC discontinued that gratuity on July 31, 2020, as a result of the state's predicted revenue shortfall. In K Unit many incarcerated individuals state that they do not receive financial support from outside people. Many communicated that without their CI jobs they had very little money for commissary and the lack of available funds, coupled with the ongoing restrictions, was contributing to a collective feeling of boredom and frustration. CI management has frequently communicated to OCO that many of their best workers are from K Unit and that their contribution to the CI workforce is noticed and very much missed.

Main Complex, L Unit

Appendix, Photo F

- At the time of the monitoring visit, L Unit had more incarcerated individuals with positive than negative test results. The people with previous negative tests results completed their second tests about one hour prior to OCO entering the unit. The unit was calm and on a four-cell rotation for shower access. OCO observed the unit porter wearing appropriate PPE and all incarcerated individuals wearing masks.

Main Complex, M Unit

Appendix, Photo G

- The unit staff reported that everyone housed in M Unit had received a positive COVID-19 test. The incarcerated population was operating under a free movement protocol with no more than 64 people in the dayroom at one time. Cross movement between pods was not allowed. OCO did not enter the pods; instead, observed the unit from the hallway and behind the health services staff delivering medication at the entrance of each pod. Interactions seemed positive and OCO heard many people expressing gratitude to the staff for coming to work that day.

Main Complex, N Unit

Appendix, Photo H

- Health Services staff were observed going cell to cell performing wellness checks. Unit staff were observed interacting with the population, readying water bottles to be delivered, and new laundry was tied to each door to be delivered during the next meal service. OCO observed the unit Sergeant performing many duties outside his normal job description. When approached without DOC staff present, unit porters communicated to OCO their satisfaction with how the unit was running. Trash was in the process of being removed and staff and unit porters worked together to complete the task.

Main Complex, R Unit

Appendix, Photo I

- Staff and unit porters were actively preparing R Unit for an expected transfer of additional incarcerated individuals marked for isolation. More than half of the cells were empty and ready to be occupied. OCO performed wellness checks and spoke at cell front with a number of people whose main complaints were delayed laundry and a concern that they were not receiving consistent messaging; all communicated medical concerns were elevated to AHCC Health Services staff.

Main Complex, T Unit

Appendix, Photo J

- While in T Unit, OCO learned that maintenance staff had fixed multiple plumbing issues that day and that the CUS was actively working to obtain permission to facilitate a

shower schedule. With nearly half of the unit receiving positive test results, it was determined that one person showering at a time was the best option to help slow the spread. While OCO was in the unit, the CUS announced over the intercom that showers were starting.

- OCO observed DOC staff and unit porters delivering meals and performing wellness checks. At the same time but in an opposite direction, OCO walked the unit and performed wellness checks cell front with every person standing at their window. The majority expressed extreme frustration that they had not been out of their cell in four days and that their meals were being delivered late and cold; all communicated medical concerns were elevated to AHCC Health Services staff.

Temporary Housing Area, Gym

Appendix, Photo K

- Asymptomatic positive incarcerated individuals were housed in the main gym area and the programming side of the gym, which had been converted to an alternative housing area with cots. OCO had received several complaints and allegations that the gym area specifically had feces and other human bodily waste in it. The night before OCO's visit, tensions increased in the gym area and DOC engaged in dialogue with multiple incarcerated individuals in order to alleviate some of the pressure and improve the conditions in the temporary housing area. OCO did not personally tour the area but conducted a review of living conditions through the windows and via security cameras.¹
- Viewed through external windows, the gym areas appeared somewhat calm and there were no obvious signs of trash or human waste on the floor. In the main gym, OCO observed a group of DOC staff distributing clothing. While OCO was not able to hear the conversations, the interactions appeared tense but purposeful. Later that same day, OCO again observed multiple areas of the gym through a selective call-up, live-viewing, security video system with the Superintendent in his office. Zooming in on multiple areas, OCO observed no obvious signs of trash or human waste.
- OCO discussed the concerns that had been brought to it via the OCO hotline and community members related to the gym. DOC reports that by the end of the day on December 12, 2020, the following tasks were accomplished:
 - Five hard line phones were installed to provide more connection to the incarcerated loved ones.

¹ OCO has the statutory right to access any housing unit. However, OCO also listens to and gives full consideration to DOC staff's security concerns and requests. In this case, in light of the recent tensions and also the need to create social distance to protect OCO staff's health, DOC requested that if OCO staff went into the gym, that security staff be sent with her. Weighing the balance of further imposing on DOC staff who were already stretched thin, their health and potential exposure, and OCO staff's own potential exposure in comparison to whether the objectives could be similarly met through other means, OCO staff decided not to enter the gym area, but pursue the alternative means of viewing it to evaluate for the reported sanitation issues.

- Two portable restrooms and procedures around use were delivered to address limited bathroom access.
 - A shower schedule was developed to allow escorts during all three counts to COVID positive unit(s) to address limited shower areas.
 - Custody and CI worked together to address meal delivery issues. Commissary was delivered on 12/12/2020.
 - Mail delivery issues were addressed.
 - Clothing and linen issues were addressed on 12/12/2020.
 - Additional hygiene items and cleaning supplies were delivered.
 - Health Services questions and concerns were addressed on 12/12/2020.
 - All incarcerated housed in recreation received their test results on 12/12/2020.
- OCO returned on December 17, 2020, for an unannounced visit and again viewed multiple areas of the gym live on the security video system with the Superintendent. The area appeared much calmer than the previous week and most people were observed lying on cots, playing games, reading, watching television, or exercising.

Temporary Housing Area, “Tents”

Appendix, Photos L, M, and N

- On December 12, 2020, OCO observed the in-process installation of a multi-room, portable structure with the capability of housing incarcerated individuals. At the time of the monitoring visit, DOC was deciding how to best utilize the temporary structure.
- On December 17, 2020, OCO returned to the portable structure to observe the installation progress. OCO observed hospital-type beds staged in two small rooms of the structure and electricity appeared available. OCO also spoke with a RN Education and Clinical Nurse Specialist from DOC Headquarters who was surveying the structure to determine its readiness for activation. He communicated areas for improvement, which he was preparing to elevate to the facility leadership and Headquarters.

Temporary Housing Area, Main Visiting Room

Appendix, Photo O

- On December 17, 2020, OCO toured the main visiting room which was staged with hospital-type beds. This temporary housing area, if needed, has the capacity to provide a higher level of medical care than is available in the permanent living units.

Recommendations

- On both site visit days, OCO directly communicated all observed immediate medical and unit needs to DOC staff, including the Superintendent. In return, OCO received either direct communication that appropriate steps would immediately be taken or follow up email correspondence when the action items were completed. Recognizing that the response to the outbreak must be fluid, and that the constant change to the incarcerated population is stressful and often upsetting, **OCO believes that providing consistent,**

correct, easy to understand, and, when possible, verbal in addition to written communication to the incarcerated population is important for the well-being of everyone at AHCC. OCO viewed the daily staff memos and is supportive of leadership empowering all informed staff members to immediately correct rumors and inaccurate statements whenever possible.

Appendix

Photo A: Health Services staff checking temperatures in MSU



Photo B: Health Services staff checking temperatures in MSU



Photo C: Health Services staff documenting temperatures and baseline information in MSU



Photo D: Correctional Industries' Food Production Facility with DOC staff working in the background



Photo E: K Unit dayroom
M Unit, Health Services



Photo F: L Unit, with unit porter in
PPE



Photo G: M Unit, Health Services staff member
distributing medicine at entrance to B-pod



Photo H: N Unit, with Health
Services staff visiting cell front



Photo I: R Unit, sanitation backpack used by unit porters to clean showers



Photo J: T Unit, unit porters and DOC staff delivering meals in cell



Photo K: Temporary housing area, main area of gym, photo taken from outside and through the window (12/11/2020)



Photo L: Temporary housing area, “tents” (12/11/2020)



Photo M: Temporary housing area, “Tents” hospital-type beds in a small room (12/17/2020)



Photo N: Temporary housing area, “Tents” hospital-type beds in another small room (12/17/2020)



Photo O: Temporary housing area, main complex visiting room (12/17/2020)





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

December 24, 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 Monitoring Report at Airway Heights Corrections Center' from both December 11 and December 17, 2020, as completed by the Office of Corrections Ombuds.

The Department of Corrections and the staff at the Airway Heights Corrections Center (AHCC) take 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 AHCC and evaluate the facility's implementation of the protocols and procedures put in place to respond to the current outbreak of COVID-19 at the facility. The facility thanks your office for the thoroughness and thoughtful approach in monitoring the facility response, and will continue to communicate and provide information to your office as needed.

AHCC is working every day to improve the services available and housing situations for all of the incarcerated population. During the current outbreak, AHCC staff are aware of the changes and impacts these moves have made on the population. Additional phones have been ordered and installed, expanded housing units with showers and bathroom facilities have been implemented for use, cohort schedules have been modified to include time outside and time for video visiting opportunities, laundry services have been contracted out to ensure timely laundry service, and many other proactive facility improvements.

The AHCC health services team and incident management team have been working diligently to mitigate the spread of the COVID-19 virus within the facility. The facility has heard from the population and the Office of Corrections Ombuds of the interest for the K-unit population to return to work, and the facility is working to ensure that it is safe to approve this operational change. The facility is working through broad-based testing to remove the K-unit from quarantine status, and once that status is lifted, clinical leadership and facility leadership will move discussions toward returning individuals to work.

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Beginning in early December, AHCC recognized the need for additional communication to the population to alleviate concerns and confusion based on the scale of the current outbreak situation. AHCC leadership has been distributing regular memos, sometimes multiple times in a day, to provide information pertaining to process improvements, process changes, movement information, current COVID-19 information, and encouragement to continue to mitigate the spread by following the recommended protocols. Additionally, available facility leadership, health services and custody staff are walking the units to provide information and answer questions as they are able.

We also appreciate your team's understanding of the unique implementation of protocols in response to the current outbreak situation and the addition of policies and procedures being put in place to protect staff and the incarcerated population. We will continue to proactively implement precautionary measures as the COVID-19 pandemic progresses. Moving forward, Washington Department of Corrections and AHCC staff will continue to collaborate with the Office of the Corrections Ombuds on any future monitoring visits.

Sincerely,

James Key, Superintendent
Airway Heights Corrections Center

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