

Keith Barber Ombudsman

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## Office of Legislative Corrections Ombudsman

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# (All new information)

# COVID Prisoner Cases and Locations \*Updated 4/21/2020, 11:30 p.m.

Location	Prisoners Tested	Prisoners Confirmed	Prisoners Negative	Pending Tests	Step Down Unit*	Prisoners Recovered*	Prisoner Deaths
Alger Correctional Facility	2	0	2	0			
Alger Correctional Facility	2	0	2	0			
Baraga Correctional Facility	0	0	0	0			
Bellamy Creek Correctional Facility	10	0	10	0			
Carson City Correctional Facility	7	0	7	0			
Central Michigan Correctional Facility	15	0	15	0			
Charles E. Egeler Reception and Guidance Center	44	26	17	1	4		2
Chippewa Correctional Facility	1	0	1	0			
Cooper Street Correctional Facility	2	0	2	0			
Detroit Rentry Center	29	17	12	0	1		2
Duane Waters Health Center	45	20	23	2			1
Earnest C. Brooks Correctional Facility	6	0	6	0			
G. Robert Cotton Correctional Facility	121	74	47	0			
Gus Harrison Correctional Facility	22	10	11	1			
Ionia Correctional Facility	14	2	12	0			
Kinross Correctional Facility	10	1	8	1	1		
Lakeland Correctional Facility	150	128	22	0	15		8
Macomb Correctional Facility	97	84	12	1	34		4
Marquette Branch Prison	21	0	19	2			
Michigan Reformatory	2	0	2	0			
Muskegon Correctional Facility	2	0	2	0			
Newberry Correctional Facility	15	1	14	0			
Oaks Correctional Facility	2	0	2	0			
Parnall Correctional Facility	186	164	22	0	63		5
Richard A. Handlon Correctional Facility	0	0	0	0			
Saginaw Correctional Facility	13	1	12	0			
St. Louis Correctional Facility	4	0	4	0			
Thumb Correctional Facility	21	15	6	0			
Women's Huron Valley Correctional Facility	92	70	21	1	12		3
Woodland Center Correctional Facility	15	6	7	2	1		
Total	948	619	318	11	131		25

There continues to be positive COVID test results in both the prisoner and staff populations. To date, there have been 619 positive prisoner cases and 220 positive employee cases. At this time, 25 prisoners and 2 staff who tested positive for COVID-19 have passed away.

Location	Staff confirmed	Staff deaths
Central Office	1	
Charles E. Egeler Reception and Guidance Center	10	
Cooper Street Correctional Facility	1	
Detroit Detention Center	3	
Detroit Reentry Center	14	1
Field Operations Administration Metro	16	1
Gus Harrison Correctional Facility	4	
G. Robert Cotton Correctional Facility	8	
Jackson Regional Warehouse	3	
Lakeland Correctional Facility	30	
Macomb Correctional Facility	21	
Parnall Correctional Facility	68	
Saginaw Correctional Facility	2	
Thumb Correctional Facility	5	
Women's Huron Valley Correctional Facility	19	
Woodland Center Correctional Facility	15	
Total	220	2

#### Staff Cases

# Prisoner COVID Testing (NEW)

MDOC has test kits for prisoners available at every prison and administers the COVID tests consistent with the Michigan Department of Health and Human services (MDHHS) protocols. MDOC is no longer required to obtain preauthorization to administer tests provided MDHHS protocols are met, i.e., the prisoner is exhibiting COVID symptoms.

Most MDOC employees are still doing being tested via their own provider.

# Potential Early Release of State Prisoners (NEW)

The potential for early release from prison has been a topic of conversation among prisoners' loved ones and the advocacy community almost since the COVID pandemic began and continues to be discussed today. Many prisoner and civil rights advocates formally asked the Governor to issue an executive order to allow such early releases outside of the requirements of current law. Up until recently, the Governor has not addressed that question.

At a regular press conference on April 17, Governor Whitmer stated that the Michigan Department of Corrections Parole Board has reached its maximum capacity for releasing prisoners who are eligible for parole. The Governor said, "Anything I would do would still go through that same system". This indicates the Governor would not change the current parole and commutation systems established in state law and presently being used by the Parole Board. She also stated, "There's nothing I can do right now in a safe way to ensure people have a place to go and (that) if they return to society they are safe to do so." The Governor said the safest option now is to watch the situation attentively and to be prepared if additional measures must be taken.

As a result, the current regular parole process will continue to operate, as it has since the beginning of the pandemic, and the commutation process is still suspended at this time. Unless some change specifically addressing this is initiated by the Governor, the commutation process described in statute including the time limits will continue to be used.

It appears the Parole Board is expediting parole releases as much as possible. State law grants victims and prosecutors notice of a parole decision and the Parole Board is required by rule to give victims and prosecutors 28 days to raise objections about the impending parole before the prisoner can be released. The MDOC has been asking prosecutors for waivers to the 28-day rule when there are no registered victims. Additionally, pre-parole investigations including home placement approvals continue to occur for all parole cases prior to release, however, field staff are accomplishing those investigations in 5 days rather than the normal 10 days.

# New Recovered Patient Unit

MDOC has opened a new recovered patient unit at the Central Michigan Correctional Facility (STF) in St. Louis. Prisoners at the Gus Harrison Correctional Facility (ARF) step-down unit in Adrian will be the prisoners transferred to the STF recovery unit at this time. These individuals all have tested negative for COVID, they pose no risk to staff or prisoners at STF because they are not infectious and have fully recovered.

Prisoners who have been symptom free at least 4 weeks since the start of symptoms, have been cleared by healthcare, and receive a new negative COVID test, will be transferred from the ARF step-down unit back to a general population unit at STF. They will initially be living together in a designated unit.

The MDOC had originally planned to send recovered prisoners back to their original facility after being cleared at the ARF step-down unit, but they decided not to return them to those sites as they want the ability to have more social distancing at prisons with continued positive cases like the Lakeland and Parnall Correctional Facilities.

# **New COVID Positive Unit**

The MDOC will be opening a new unit for COVID positive prisoners at the former Maxey Annex in Whitmore Lake (now called Green Oaks) across the street from the Woodland Center Correctional Facility (WCC). This is the location of the planned MDOC Corrections Academy. It is likely this unit will come on line this Friday, April 24, 2020.

This site is being added as a contingency plan for additional COVID positive capacity. Green Oaks also includes some extra security features including single wet cells in case COVID positive cases are identified in higher custody prisons and MDOC does not feel the features at the two present COVID positive units are sufficient. It has a capacity of 79, but that could be increased if needed. This location is also very close to the U-M Hospital for offsite care which has available capacity. The facility will be attached to WCC for leadership, oversight, and meals will come from the WCC kitchen. MDOC staff are volunteering to work there and others may be reassigned from other locations if needed.

The use of this site will be temporary and based on the COVID-19 response. When the need for this capacity ends, MDOC will continue with its original plans to turn this into the new MDOC training site and academy.

## MDOC Prisoner Communication (NEW)

The MDOC sends daily updates to prisoners throughout the state via the prisoner email system, JPay, that list all positive cases by facility, so they are aware if there have been positive cases at their location. The MDOC has advised me that these emails are printed and posted in common areas for prisoners without immediate JPay access.

Wardens with COVID positive units have also sent out JPays to their facilities explaining where the units are located, how they operate, and that there is no crossover between the unit and the rest of the facility. MDOC staff are also talking to the Warden's Forums at their prisons along with other prisoners about the COVID positive units in an effort to avoid rumors.

A special notification was sent to the STF population explaining the recovered prisoner unit to try to alleviate fears that COVID positive prisoners are being transferred there.

The vendors providing phone and email services to the prisoner population continues to provide two free five-minute phone calls and two free JPay emails each week.

## **Quarantined Prisoner Property (NEW)**

COVID positive prisoners are not allowed to have their personal property when quarantined. This is an effort to reduce potential infection from the virus that may still reside on a person's personal items. They are transferred to one of the designated COVID positive units at the Cotton and Carson City Correctional Facilities.

Female COVID positive prisoners are being provided with diversions such as TV's and DVD's, activity booklets like crossword puzzles, word searches, adult coloring books, colored pencils, playing cards, and fiction books. COVID positive male prisoners also get access to similar activities including TV's and cable.

Prisoners on PUI status (person under investigation=COVID-like symptoms awaiting test results), which lasts less than 48 hours, are isolated and generally don't have access to these activities.

Prisoners isolated as a close contact of a positive case at the female and male prisons are provided with various activities described above. The availability of TV's with DVD players in male prisons is dependent on the physical plant of the area they are in, so access to these is not universal.

Prisoners in the step-down at Gus Harrison Correctional Facility have their own property including their TV's. That property will be transferred with them when they are moved to the recovered unit at the Central Michigan Correctional Facility.