OIG | OFFICE of the INSPECTOR GENERAL

Fact Sheet

November 10, 2020

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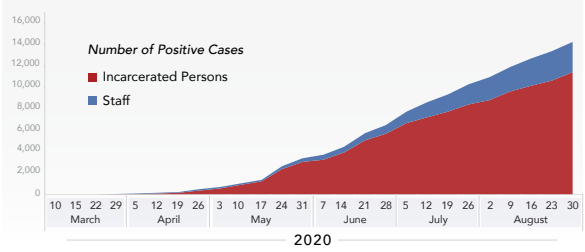
THE COVID-19 REVIEW SERIES: A SPECIAL THREE-PART REVIEW PREPARED BY THE OFFICE OF THE INSPECTOR GENERAL AT THE REQUEST OF THE CALIFORNIA STATE ASSEMBLY

In April 2020, the Speaker of the California State Assembly requested the Office of the Inspector General (the OIG) to assess the policies, guidance, and directives the California Department of Corrections and Rehabilitation (the department) had implemented since February 1, 2020, in response to the novel coronavirus disease (COVID-19). Specifically, the Speaker requested we focus on three concerns: 1) the department's screening process for all individuals entering a prison or facility in which incarcerated persons are housed or are present, 2) its distribution of personal protective equipment to departmental staff and incarcerated persons, and 3) how it treats incarcerated persons who are suspected to have either contracted or been exposed to COVID-19. This *Fact Sheet* presents highlights from the first two reports in this series, which we published in August and October, 2020.

Time Line of the Number of Confirmed COVID-19 Cases Among Departmental Staff and the Incarcerated Population



Source: Unaudited data from the California Department of Corrections and Rehabilitation's population and staff COVID-19 trackers.

Part One

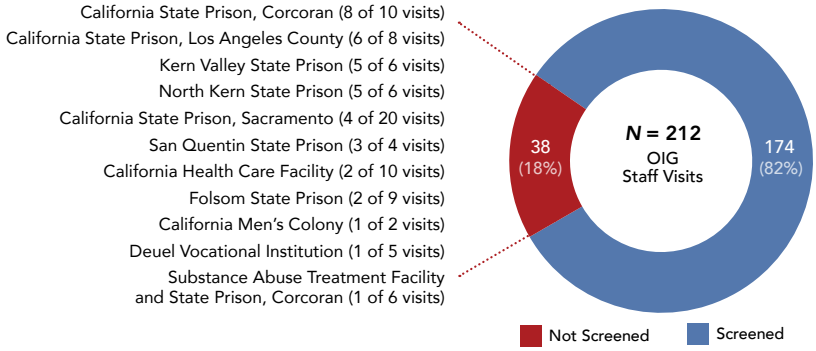
Inconsistent Screening Practices May Have Increased the Risk of COVID-19 Within California's Prison System

Beginning in March 2020, the department took multiple steps to prevent staff and visitors from introducing COVID-19 into its prisons:

- March 11: The department suspended normal visitation
- March 14: The department began verbal screening of staff and visitors for signs and symptoms of COVID-19
- March 27: The department began temperature screening

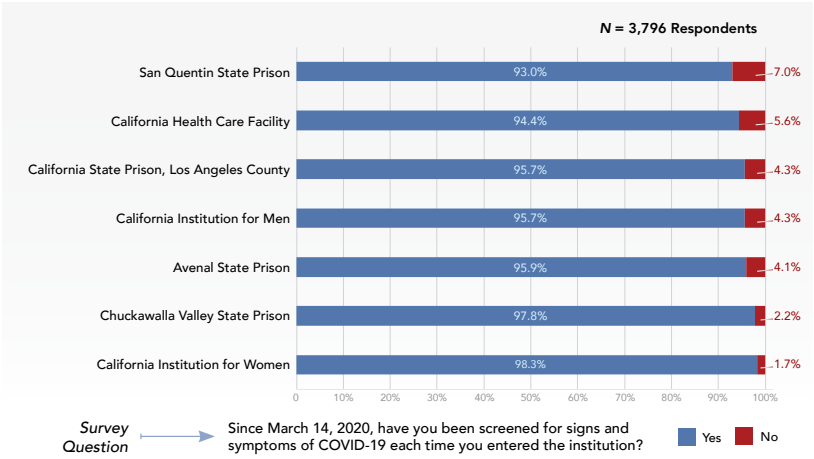
Percentage of OIG Employees Screened Upon Prison Entry During Our Review Period

Number of Times OIG Staff Entered Prisons Unscreened
(Total Visits in Parentheses)



Source: The Office of the Inspector General's analysis of an internal survey of our staff members' prison visits between May 19, 2020, and June 26, 2020.

Prison Staff Survey Responses Related to the COVID-19 Screening Process



Note: Survey data as of June 26, 2020.
Source: The Office of the Inspector General's analysis of its survey conducted with departmental staff at seven prisons.

Notable Results

- Due to a lack of standardized guidance from the department, prisons used two different methods to screen staff and visitors entering prisons:
  - Seven prisons screened staff and visitors in their vehicles; and
  - 27 prisons screened staff and visitors after they had parked their vehicles and walked to a screening area.
- Prison staff did not screen all staff and visitors for signs and symptoms of COVID-19:
  - From May 19, 2020, through June 26, 2020, OIG staff were not screened in 38 of their 212 prison visits.
  - On average, 5 percent of the departmental staff we surveyed at seven prisons responded that they had not always been screened.
- Our survey of departmental staff who were responsible for screening staff and visitors revealed that screeners reported using thermometers that were faulty or had malfunctioning batteries.
- Screeners also received little to no training on COVID-19 screening protocols.

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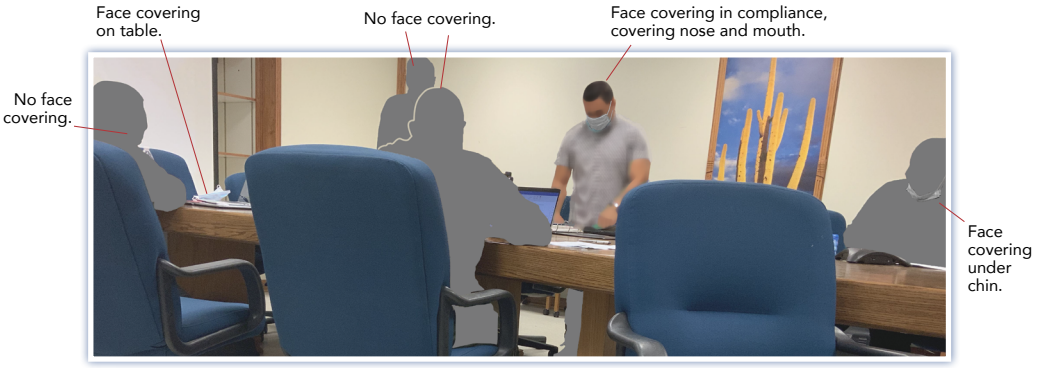
Part Two

The Department Distributed and Mandated the Use of Personal Protective Equipment and Cloth Face Coverings; However, Its Lax Enforcement Led to Inadequate Adherence to Basic Safety Protocols

Beginning in March 2020, the department issued a series of memorandums to its staff, several of which established the department's expectations regarding personal protective equipment (PPE), cloth face coverings, and physical distancing:

- March 11: The department specified the use of PPE for incarcerated persons with signs and symptoms of COVID-19
- April 16: The department directed staff and incarcerated persons to wear face coverings and recommended practicing physical distancing
- May 11: The department issued physical distancing directives for incarcerated persons
- May 22: The department's memorandum expanded requirements for face coverings and physical distancing
- June 11: The department relaxed its face covering requirement for staff
- June 24: The department relaxed its face covering requirement for incarcerated persons
- July 1: The department issued a memorandum stating it expected supervisors and managers to follow progressive discipline when staff did not comply with its face covering mandate



California State Prison, Los Angeles County. Staff sitting together at a table, not physical distancing or properly wearing face coverings, with the exception of one staff member. (Photo taken by OIG staff on June 3, 2020, at the prison in Lancaster, California.)

Summary of Documentation Provided by Five Sampled Prisons of Disciplinary Actions Taken by Supervisors and Managers for Staff Members Failing to Comply with Face Covering or Physical Distancing Requirements

Prisons		California Institution for Men	California Institution for Women	California Health Care Facility	California State Prison, Los Angeles County	San Quentin State Prison
Total Number of Employees		**1,736**	**1,192**	**3,933**	**1,588**	**1,933**
Number of Discipline Actions Taken	Prior to July 1 memorandum	0	9	2	1	1
	After July 1 memorandum	0	7	7	2	0
	Total	0	16	9	3	1
Type of Discipline Taken	Verbal Counseling	0	0	7	0	0
	Written Counseling	0	16	1	1	1
	Letter of Instruction	0	0	1	1	0
	Referrals for Investigation or Punitive Action	0	0	0	0	0
	Punitive Action	0	0	0	1	0

Source: California Department of Corrections and Rehabilitation documentation of prisons' progressive discipline actions provided to the Office of the Inspector General.

Comment from a Staff Member at California State Prison, Los Angeles County in Response to the OIG Survey

"The majority of custody staff refused to wear PPE and when this was reported to supervisors, their repeated response was that the mandates were unenforceable because these were adults."

Source: OIG survey of all staff at seven prisons.

Notable Results

- The department was mostly able to procure and maintain supplies of PPE for staff.
- The department distributed more than 752,000 cloth face coverings to staff and incarcerated persons.
- OIG staff observed departmental staff failing to comply with the department's face covering directives at 23 of the 34 prisons we visited.
- We surveyed all staff at seven prisons. Of the staff who responded to our survey, 31 percent reported they had observed staff or incarcerated persons failing to properly wear face coverings.
- Of the staff who responded to our survey, 38 percent stated they had observed staff or incarcerated persons not complying with physical distancing requirements.
- A sample of five prisons that employ a total of 10,382 staff showed that prison supervisors and managers had taken just 29 disciplinary actions in seven months for noncompliance with face covering or physical distancing requirements.
- Hiring authorities statewide requested formal investigations or punitive actions for misconduct related to face covering or physical distancing requirements for only seven staff members.
- In June, despite experiencing an increase in cases of COVID-19, the department sent two memorandums relaxing face covering requirements for staff and incarcerated persons.