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GOVERNOR



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DEPARTMENT OF PUBLIC SAFETY

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No. PSD 2020-1065

March 19, 2020

Mr. Mateo Caballero, Legal Director
ACLU Hawaii
P.O. Box 3410
Honolulu, HI 96801

Dear Mr. Caballero:

This is in response to your letter dated March 12, 2020, addressed to Director Nolan Espinda and myself, relating to the Department of Public Safety's (PSD) COVID-19 Response Plan.

In response to COVID-19, the Department has developed a comprehensive response plan consistent with the conditions and environment of our correctional facilities. The Department has and continues to dialogue with the State Department of Health, other governmental agencies, and nationwide correctional institutions to formulate and update our current response plan.

The current plan includes general COVID-19 information, safety and sanitation practices, and health care objectives for all statewide correctional facilities:

1. "Table top" discussions led by our Health Care Division are ongoing for both staff and offenders;
2. COVID-19 posters are on display and hand-outs are being distributed;
3. Current offenders and new intakes are watching an educational COVID-19 video; and
4. All incoming/outgoing offenders continue to be screened by Health Care staff.

In addition, our Health Care Division has developed an Infectious Disease Clinical Care Guide in response to COVID-19. We are closely monitoring our facilities and we are in the process of implementing enhanced screening procedures to avoid community spread in our correctional facilities.

Thank you for your inquiry however, we are not available to meet at this time as our top priority is to manage this situation to ensure the health and safety of the public, staff, and offenders under our supervision.

Mr. Mateo Caballero
March 19, 2020
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If you have any further questions concerning our COVID-19 response plan, feel free to call me at (808) 587-1340 or the Department's Health Care Division Administrator, Dr. Gavin Takenaka at (808) 587-1250.

Sincerely,



Shari L. Kimoto
Deputy Director of Corrections

Attachments (2)

cc: Bruce S. Anderson, MPH, Ph.D./Director, DOH



Instruction Bulletin

How to Respond to the Coronavirus

ABOUT THE 2019-NOVEL CORONAVIRUS (COVID-19)

The Department of Public Safety is closely monitoring the spread of the 2019-novel coronavirus (COVID-19). According to the Center for Disease Control and Prevention (CDC):

Coronavirus is a contagious virus that spreads on droplets when an infected person coughs or sneezes. In some cases, it may be spread in the stool.

Symptoms of coronavirus (COVID-19) often begin with a fever and a cough, followed by muscle aches and headache. The respiratory symptoms can abruptly worsen causing bronchitis, pneumonia, or acute respiratory distress.

A person is contagious from the onset of symptoms. Without precautions, a contagious person could pass the infection to others.

On average, it takes from two days up to two weeks from an exposure for a person to develop symptoms of an infection.

There is no vaccine for the coronavirus. The best prevention is handwashing and avoidance of close contact with infected individuals.

HOW TO ADDRESS THE CORONAVIRUS AT YOUR FACILITY

Your job during an outbreak is to help identify cases, refer suspected cases to medical staff, treat or provide security for infected individuals, educate others about COVID-19 with accurate information, and prevent the spread of virus within your facility. Here are the steps involved in a response:

- 1. IDENTIFY CASES:** Staff shall look for individuals who meet both of the following criteria:
 - **Clinical criteria:** fever or symptoms of lower respiratory tract infection (i.e. cough, difficulty breathing), **AND**
 - **Epidemiologic criteria:** contact with an individual who is infected with or suspected to be infected with the coronavirus.

Note: all new inmates should be asked about recent travel activities within the past 30 days.
- 2. MEDICAL ISOLATION**
 - Anyone determined to be at moderate or higher risk with clinical symptoms of coronavirus must be placed in a medical isolation cell.
 - Standard/Contact/Airborne precautions with directions shall be posted for medical isolation cells.

- Standard/Contact/Airborne precautions shall be used by all staff when entering the medical isolation cell, caring for the inmate, or when transferring the inmate.
- Wear appropriate PPE, including respiratory protection, when entering the medical isolation cell.
- The inmate must wear a surgical mask when moving within or outside the facility.
- Alert the medical unit to a suspected case of coronavirus. The medical staff is responsible for reporting a case that meets criteria for coronavirus to the Medical Director for further instruction.
- Pregnant inmates, pregnant medical staff, or pregnant security staff should not be assigned to a module or work in an area where an infected inmate is housed.
- **An inmate with confirmed coronavirus should remain in medical isolation until cleared by a medical provider.**

3. EDUCATE STAFF AND INMATES

- Place educational posters throughout the facility alerting inmates and staff to report any coronavirus symptoms.
- Distribute education on the signs and symptoms of coronavirus to facility staff.
- Instruct staff on medical isolation procedures for the facility and the posting of modified droplet precautions.

4. STOP TRANSMISSION OF VIRUS

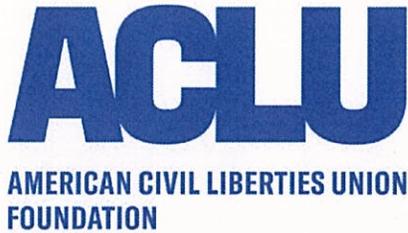
- Movement of inmates to and from a facility with a confirmed case of coronavirus should be minimized.
- Movement in and out of a module/quad which housed an infected inmate should be minimized.
- Any room occupied by an infected individual should be thoroughly cleaned. This includes cleaning and disinfection of all surfaces.
- **Wash hands with soap and water after providing patient care, making inmate contact, or handling items used by an infected person.**

5. SURVEILLANCE FOR NEW CASES

- It takes fourteen days after a case of coronavirus has been confirmed to determine whether the infection has spread to others.
- Inmates and staff should immediately report suspicion of new coronavirus cases to the medical staff.

2020-1065

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DIRECTOR'S OFFICE
DEPARTMENT OF
PUBLIC SAFETY

Hawai'i

BY EMAIL AND CERTIFIED MAIL

March 12, 2020

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Re: COVID-19 Response Plan

Dear Director Espinda and Deputy Director Kimoto:

We are writing to urge you to immediately develop evidence-based and proactive plans for the prevention and management of COVID-19 in the correctional and detention facilities under the oversight of the Department of Public Safety. We would like to schedule a call with you within the next two weeks to discuss how you are protecting the health of the over 5,000 people in your custody—including persons housed in Arizona—as well as the people who work for the Department.

People in prisons and jails are particularly vulnerable to outbreaks of contagious illnesses. They are housed in close quarters and are often in poor health. Without the active engagement of correctional staff, they have little ability to inform themselves about preventive measures, or to take such measures if they do manage to get such information.

We ask that you immediately reach out to the Department of Health to develop plans to address the virus in the prison and jail system. This is an urgent and important matter. Having an appropriate, evidence-based plan in place can help prevent an outbreak and minimize its impact if one does occur. Not having one in the middle of a declared pandemic may cost lives.

While the plan should be developed collaboratively by your department and the Department of Health, some of the critical issues that such plan must address include:

- **Education of the people in your custody:** People housed in the prisons and jails need to be informed about the virus and the measures they can take to minimize their risk of contracting or spreading the virus. They must be educated on the importance of proper handwashing, coughing into their elbows, and social distancing to the extent they can. Information about the spread of the virus, the risks associated with it, and prevention and treatment measures must be based on the best available science.
- **Education of the staff:** Correctional, administrative, and medical staff must be educated about the virus to protect themselves and their families, as well as the people in their custody.
- **Staffing plans:** Regardless of how many staff stay home because they are sick, the prisons and jails will need to continue functioning. There must be a plan for how necessary functions and services will continue if large numbers of staff are out with the virus.
- **Staffing plans for services provided by prisoners:** Many tasks in prisons, such as food preparation and basic sanitation, are performed by prisoners and detainees. The plans for an outbreak must also address how necessary tasks performed by prisoners and detainees will continue if large numbers of people are ill.
- **Provision of hygiene supplies:** The most basic aspect of infection control is hygiene. There must be ready access to warm water and adequate hygiene supplies, both for handwashing and for cleaning.
- **Screening and testing of the people in your custody:** The plan must include guidance, based on the best science available, on how and when to screen and test people in your facilities for the virus.
- **Housing of persons exposed to the virus:** The plan must describe how and where people in the prison system will be housed if they are exposed to the virus, are at high risk of serious illness if they become infected, or become sick with it. *This should not result in prolonged, widespread lock-downs.* Any lock-downs or interruptions in regular activities, such as exercise or visits and phone calls with families or attorneys, should be based solely on the best science available and should be as limited as possible in scope and duration.

Re: COVID-19 Response Plan

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- **Treatment:** Courses of treatment must be evidence-based, available immediately, and in compliance with scientifically-based public health protocols.
- **Vulnerable Populations:** The plan must provide for additional precautions for those who are at high risk of serious illness if they are infected, such as pregnant women and people with chronic illnesses, compromised immune systems, or disabilities, and people whose housing placements restrict their access to medical care and limit the staff's ability to observe them. The Department may also want to also consider exercising its authority to release or recommend release of people held in jail and prison under Haw. Rev. Stat. §§ 353-10, 353-36 and other relevant policies and statutes.
- **Data collection:** The collection of data regarding COVID-19 will be part of the public health response. As with any contagious disease, data collection is critical to understanding and fighting the virus. Your Department must be part of this process. The same information that is tracked in the community must be tracked in prisons and jails.
- **Intergovernmental coordination:** In the event of an outbreak at any of your facilities, the Department should immediately notify the Governor, the Judiciary, the Legislature, the Office of the Public Defender, and relevant Prosecuting Attorney's Offices and Police Departments so that they may take the risk posed by COVID-19 into consideration in exercising their power and discretion.

Please let us know when you will be available to discuss your plans with us. We would appreciate a prompt response acknowledging receipt of this letter and proposing times to talk by March 16, 2020. In the meantime, I can be reached at (808) 522-5908 or mcaballero@acluhawaii.org.

Sincerely yours,



Mateo Caballero
Legal Director

cc: Bruce S. Anderson, MPH, Ph.D.
Director, Department of Health
Bruce.S.Anderson@doh.hawaii.gov