

County of Santa Clara

Public Health Department

Communicable Disease Prevention & Control
976 Lenzen Avenue, Suite 1800
San José, CA 95126
408.885.4214



TO: Sheriff Laurie Smith

FROM: Sarah L. Rudman, MD MPH, Assistant Public Health Officer
County of Santa Clara Public Health Department

DATE: April 13, 2020

RE: April 10, 2020 Visits to Main Jail and Elmwood Correctional Facilities

Thank you for the request that Public Health visit the Main Jail and Elmwood Correctional Facility this past Friday, April 10, 2020 to observe the measures the Sheriff's Office has adopted to reduce the risk of COVID-19 infection in the jails and to provide any additional guidance that the Public Health Department deemed appropriate. I also appreciated the opportunity to discuss with you, your staff, and inmates in the jails the issues that had been raised by community members who likewise requested that Public Health leaders visit the County jails and review current conditions and practices. As we discussed, there are a number of unique challenges presented in jail settings with respect to COVID-19, the potential for transmission, and the need to maintain appropriate safety and security.

As I told you on Friday, the vast majority of the disease control measures your Office has implemented are excellent. From my observation, I believe you are very much in compliance with both the letter and the spirit of all important public health measures, and I believe that the County's jails are doing a better job of addressing COVID-19-related concerns than the vast majority of other custody settings to prevent the risk of infection for both staff and inmates.

This memorandum describes the many policies and measures I observed that are very much in line with Public Health Department recommendations. I have also identified some areas where I believe your Office can build on the work you have already done. In my opinion, the Sheriff's Office has very effectively minimized the risk that inmates will transmit COVID-19 to staff or to one another. The primary remaining threat of COVID-19 in the jail facilities is infection brought in by a staff member that spreads to other staff and inmates, particularly at the Minimum Camp. I appreciate that our guidance recently changed to recommend face covering in many new settings. The main interventions I recommend, in addition to the many you have already put in place, are (1) mandatory masking and hand hygiene for all staff; (2) masking of all inmates to the maximum extent possible; (3) mandatory hand hygiene for inmates at booking, prior to inmate movement, and before meals; (4) investigating the feasibility of further decreasing the number of inmates in the Minimum Camp barracks; and (5) considering pharmacy policies that help reduce the number of inmates congregating at pill call.

Board of Supervisors: Mike Wasserman, Cindy Chavez, Dave Cortese, Susan Ellenberg, S. Joseph Simitian
County Executive: Jeffrey V. Smith

Once you have reviewed this memorandum, please let me know if you would like to set up a phone call to further discuss any of my observations and recommendations. I am available to provide any further guidance you would find helpful.

Overall Scope of Observation:

In addition to the onsite observation at the two County jails, we visited the deputy training site and field decontamination site. Within the jails, we visited Transport, Entry Screening, Booking, Holding, Classification, Infirmary, staff dining hall at the Main Jail; and staff screening, Minimum Camp, Food Preparation, Food Service, phone area, Observation Section (Quarantine), Infirmary, Industry, and staff dining room at Elmwood. I was able to speak directly with inmates in multiple settings, including Observation, the Minimum Camp, and Food Preparation. I was also able to speak with Adult Custody Health staff and Sheriff's Office Custody Deputies in the Infirmary, Observation, Minimum Camp, and Food Preparation settings.

Observations and Recommendations for Specific Areas:

A. Contact Tracing for known COVID-19 cases

The Sheriff's Office has set up an innovative and impressive contact tracing team for known COVID-19 cases, called the COVID Investigation Unit (CIU). The CIU is working extremely well at using criminal analysts and video footage to provide contact tracing for confirmed cases. The CIU is also often successfully excluding exposed workers before they become symptomatic/infectious, significantly reducing the COVID-19 risk to staff and, importantly, reducing the greatest COVID-19 threat to the jail population of infection being brought in by a staff member as well as the risk of transmission from one staff member to another.

As areas for further improvement, I recommend that where the CIU identifies areas of transmission risk (e.g., staff-to-staff transmission in Classification), that the Sheriff's Office quickly implement additional policies and procedures to mitigate the risks the CIU has identified. You should also continue to regularly provide staff with suggestions on how to reduce the likelihood they will contract COVID-19 when they are in the community (i.e., rigidly following social distancing protocols), given the risk of staff bringing infection from the broader community into a locked facility.

B. Field Exposures and Decontamination

The Sheriff's Office has implemented a very detailed and thoughtful Virus Response Team (VRT), which includes a field decontamination procedure to decontaminate vehicles, gear, and Sheriff's Deputies who believe they may have been exposed to COVID-19 in the field. Another strength of the VRT is a team that goes into the field for any high-risk call (e.g. dead body, report of person coughing) to monitor infection control practices while responders focus on usual law enforcement needs. As areas for further improvement, I recommend that the Sheriff's Office consider enhanced routine cleaning of vehicles and equipment, even if no specific exposures in the field are identified. I understand that the Sheriff's Office already does not transport suspects in patrol vehicles and instead transports all suspects in special transport vehicles and has ordered equipment to facilitate deeper cleaning of all vehicles which will be arriving today or shortly thereafter.

C. Transport and Courts

Multiple things are working well in the area of transportation and court hearings, including use of buses and full-size vans with fewer inmates in each run and using more vehicles to allow six feet of spacing between all inmates during transport, and to ensure decontamination procedures for vehicles between trips that were described during my visit.

D. Booking Process and Classification

I observed many positive practices here, including initial screening for fever and symptoms of inmates immediately upon their arrival at Booking, and immediate isolation if they have a fever or other symptoms; a second in-depth screening by nurses; and provisions for all inmates to sit six feet apart in holding cells. Classification, which is likely the highest-risk location based on existing contact tracing, now has staff wearing masks; alternating desks vacant; and plexiglass up between staff and inmates at some interview sites. I did not personally observe cleaning of these areas, but an appropriate cleaning process was described to me.

As areas for further improvement, I saw some staff at Booking and Classification who were not wearing masks. I recommend requiring all staff to wear masks to the maximum extent possible. I also observed one instance of two inmates in a single holding cell, not sitting six feet apart although they had room to do so, when other holding cells were empty and seemingly available. I recommend that if holding cells are not all filled, inmates be separated from each other.

E. Quarantine/Observation Process

I observed multiple good practices in the Quarantine/Observation area. The most important is the strict fourteen-day observation of individuals after initial arrival to the jail with daily temperature and symptom checks, which can dramatically reduce the risk of someone who contracted COVID-19 outside the jail passing into the General Population and exposing the broader jail population. In this setting, I observed adequate soap supply, inmates wearing masks, adequate space to allow more than six feet of separation in common areas, and signage about social distancing and hand hygiene posted for staff on high-risk surfaces such as phones.

As areas for further improvement, I recommend that the Sheriff's Office consider procedures to ensure that individuals remain six feet apart when inmates are in common areas such as using phones or in front of the television to the extent practicable. I also observed that inmates are placed two to each cell, which puts them less than six feet apart whenever they are in the cell. Where security, census, and other factors allow for inmates to be in separate cells, I recommend the Sheriff's Office investigate procedures to allow inmates to be separated. The Public Health Department plans to work with Custody Health and the Sheriff's Office to consider whether additional COVID-19 testing can be utilized to reduce overall risk of outbreaks as supplies and testing capacity permit.

F. Minimum Camp

Many things are working well here, including (a) the population in the most crowded barracks has been reduced very significantly, with alternating upper and lower bunk assignments allowing nearly 6

feet of space between inmates when in the center of their assigned bunk; (b) there are lines on the ground indicating six-foot distances for pill call and food; (c) for telephone use, smaller groups are released from the barracks at once to discourage crowding around phones; (d) I understand phones are cleaned between use by each group, and inmates are given the option to clean them again before use with provided spray bottles; and (e) there are signs posted on phones reminding inmates to space themselves out and clean the phones. I also understand that some medically vulnerable persons in Minimum Camp have been identified both for consideration of early release and for movement to single cells where feasible.

Inmates in the Minimum Camp are at the highest risk for COVID-19 spread if infection is introduced, given the population, facility size, and structure. Inmates reported crowding at times when they are moved as a group. I did not observe this during my visit but did see inmates who were contained in the barracks areas who were standing clustered together and not wearing masks, although there would have been enough space to spread out if they chose to do so. I also observed many staff members not wearing masks (although no staff were observed within six feet of inmates during my visit).

In addition to mandatory masking for staff to the extent possible, and maximizing masking of inmates to the extent possible, I also recommend issuing frequent reminders to inmates about distancing from each other at all times. With respect to sleeping arrangements, I recommend a completely empty bunk bed between each occupied bed to the extent possible. To build on the six-foot spacing at pill call, I recommend further minimizing lines at pill call by instituting a “keep on person” policy for pill distribution if feasible.

In addition, inmates reported insufficient spray bottles for cleaning and inadequate soap. The Sheriff’s Office is unable to supply hand sanitizer to inmates in some circumstances due to its alcohol content, and it is unclear how often handwashing is occurring. I recommend requiring hand hygiene prior to meals and inmate movement from one location to another (e.g. transfer from one unit to another or transport for medical care) and issuing reminders on these issues, as well as ensuring that adequate soap continues to be supplied, which I witnessed and was assured is occurring.

G. Food Preparation and Food Service

Positive practices here include pre-packaging of meals to reduce face-to-face interactions with food handlers and shared objects on buffet lines; reductions in staff to reduce crowding in food preparation spaces; and ability to work at stations six or more feet apart.

As areas for further improvement, some Food Prep staff were observed without masks and some choosing to work at a shared workstation instead a separate available one spaced six or more feet apart. Both of these issues should be addressed. I also recommend required hand hygiene prior to mealtime as above.

H. Medical Care and Preparation for Surge

Enough infirmary beds are available for the current demand relating to COVID-19 and contingencies planned that could accommodate increased demand for care should a moderate surge occur. Plans have been put in place for overflow and appropriate isolation beds if needed. There are appropriate isolation and quarantine policies in place as well.

As areas for further improvement, there is currently insufficient access to swabs and viral transport medium required for COVID-19 testing. The Public Health Department and Emergency Operations Center will continue to support Custody Health in obtaining supplies that are on national backorder and developing testing policies and procedures that will optimize testing capacity.

I. Inmate Needs and Resources

By the time of my visit, several concerns raised previously by inmates regarding needs and resources had been addressed by the Sheriff's Office. Specifically, since some of the usual commissary items were not available given the partial or complete closure of commissary to reduce COVID-19 transmission, inmates had been provided with hygiene kits that included deodorant, additional soap, and toothpaste as well as other indigent items; additional food is accessible outside of usual meal hours (in addition to appropriate snacks provided for anyone with medical need); and stamps and paper had been provided to facilitate legal and social communication for inmates.

J. Staff Risk

Many things are working well to reduce the risk of COVID-19 for staff, including temperature screening for all staff at entry, reorganization of the staff break room and dining room to ensure six feet of social distancing, and carryout options only (no buffet) to reduce high-touch areas. Staff in Custody Health are also able to use the back patio for dining, although they do not appear to be using these areas often.

As areas for further improvement, I observed that staff were usually not wearing masks, even when seen within six feet of one another. As we discussed during the visits, I recommend enforcing a mandatory mask-wearing policy for staff to the extent possible.

Thank you very much for accompanying me to Elmwood and Main Jail, facilitating my direct observation of all the areas I wanted to see, and sharing your related policies with me. I was pleased to see that the Sheriff's Office and Custody Health had taken many proactive and effective steps to reduce the risk of transmission of COVID-19 in the jails, and I look forward to working with you on additional improvements to further protect your staff and inmates.