April 29, 2020

Director Shinn,

As elected officials it is our top concern that the lives, health and safety of all Arizonans are prioritized and protected. We have been increasingly concerned over the ongoing lack of transparency from the Arizona Department of Corrections in relation to the public health dangers of Covid-19 and how it is impacting the health and wellbeing of staff and inmates.

As members of the Joint Legislative Budget Committee we cannot in good conscience give a favorable recommendation to the Arizona Department of Corrections Review of FY 2020 Third Quarter Correctional Officer Staffing Report and the Review of FY 2020 Proposed Bed Capacity Changes when we are not able to get clear answers about the department’s plan on protecting staff and incarcerated individuals during the COVID-19 pandemic. We believe that to vote otherwise would be a dereliction of our duty.

Furthermore, as our members attempted to make a motion to discuss our concerns and were barred from doing so, we are sending this letter listing out our questions and concerns.

Already we have seen reports from ADC staff who are concerned for their health and wellbeing, and we have recently learned that the first fatality from COVID-19 in Arizona prisons came two weeks ago when a 64-year-old inmate with diabetes died in Tucson. Yet Arizona Department of Corrections officials had been refusing to say whether any prisoners had died from the virus.

We still have no information on the level of testing in Arizona prisons, or the availability of personal protection equipment for staff. The Arizona Department of Corrections, nor any taxpayer-funded state agency, should not operate under such a shroud of secrecy. We know Director Shinn has answer some of these questions already via conversations with members, but we would be grateful to the answers in a comprehensive manner. We would also respectfully request answer to these questions by Monday, May 4th at 9am.

The Democratic members of JLBC are requesting adequate responses to the following questions:

1. The Papago unit is a remodeled motel in Douglas. If the Papago unit will be used for COVID, what are the current building conditions? Can it handle disease prevention and treatment or in the alternative, what will it take to make it ready?

2. At the December JLBC meeting, Director Shinn admitted staffing the Papago unit was difficult due to the high vacancy rates plaguing the department. The department remains understaffed. How will the Papago unit be staffed when in fact the vacancy rate for the Douglas prison has increased from 12.6% to 16.4%? How does the Department plan to adequately staff the unit with the increased vacancy rate? If the unit is still opened, will there be medical staff, clinical rooms, health services at that facility to treat those housed there?
3. How did the Department determine that opening the Papago unit made the most sense? What other alternatives to Papago were considered by the Department as part of its COVID-19 mitigation and response efforts?

4. What are the most recent staffing numbers? Can the Department confirm or disprove the reports that staff are not reporting for work due to fears about COVID-19?

5. How many CDC COVID-related sick days has ADC paid to its employees since the Governor’s stay-at-home order was put into place?

6. We were told that the inmate industry was going to start making PPE do we know what happened to that?

7. How much money has ADC spent on COVID-19 mitigation and what has the money been spent on? How much money does ADC believe it needs in order to implement a program for COVID-19 medication that is fully CDC guideline-compliant?

8. Just yesterday we found out the first COVID-19 fatality in the prison population occurred two weeks ago. Why is the department not releasing this information as a matter of public health? Why did we have to find out from third-party sources and not directly from the Department?

9. How many tests does each prison have? And why are there discrepancies in the number of positive tests? What is the total number of ADC staff that has tested positive as of today?

10. The ADC COVID-19 dashboard does not include staff information. Other states provide that vital information. Why does the Department not include staff that has been tested, the result of the test, and the facility location of the staff?

11. ADC staff has gone to the press about their concern about a lack of testing, PPE, and a general disregard for staff by the department's administration. Does the department have N95 masks for each staff member? Is there sufficient hand sanitizer and disinfectants to protect the wellbeing of staff and incarcerated individuals?

Sincerely,

LISA OTONDO
Senate Democratic Whip
State Senator, LD 4

CHARLENE FERNANDEZ
House Democratic Leader
State Representative, LD 4

Sincerely,

[Signature]

LISA OTONDO
Senate Democratic Whip
State Senator, LD 4

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