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Information about COVID-19 in CDCR – January 19, 2021

Hello,

The coronavirus or COVID-19 has had a great impact everywhere, including in CDCR. To try to slow down the spread of the virus, CDCR has among other things shut down or modified many programs including visiting and issued educational information (our own FAQ about COVID, including information about vaccines, is attached, and other information about the vaccine is also included here). CDCR has also closed or slowed down intake from county jails, and limited transfers between prisons. To reduce crowding, CDCR in March released 3,500 people early and took other actions starting in July under which about 7,500 have been released early. **The only current early release programs are for (1) some within 180 days of release, and (2) some within a year of release, or who have served their base term, and are at high risk if infected with COVID-19 (see attached information).** CDCR has also tried to establish social distancing practices (keeping people six feet apart and establishing groups of eight people in dorms), provided face coverings for staff and incarcerated people, and N95 masks in some circumstances. It also tests staff for COVID-19 at all prisons, and screens staff and sends them home if a nurse says they are sick. It also tries to use medical isolation for incarcerated people who are infected and quarantines for those who have been exposed to the virus and might get sick.

CDCR has also made changes to medical and mental health care, such as postponing or cancelling on-site and off-site non-essential appointments. The changes have been made to prevent the spread of the virus, to account for staff who are cannot work because they are sick or taking care of family, and so that staff can focus on those who might be or are infected with the virus.

CDCR medical staff tests people for COVID-19. People who report symptoms are tested, others are tested randomly, and sometimes an entire housing unit, yard, or prison is tested. Currently, almost everyone in CDCR custody have been tested, with tens of thousands tested more than once, and many tested five, ten, or more times. **More than 45,000 have been confirmed to have COVID-19. Currently, about 4,000 people are positive. Sadly, more than 175 people in CDCR have died from the disease, and almost 1,200 hospitalized (currently about 100 are in hospitals). About 40,000 are said to be “resolved,” meaning they are recovered and no longer considered infectious. A list of CDCR prisons, and the number of confirmed COVID-19 cases at each, is attached to this letter. Every day more tests are done and more test results received, so this information changes frequently. If you are not feeling well (see attached symptoms) you should let staff know right away.**

We closely monitor what CDCR does in response to the virus and are working hard to make sure necessary care and preventive measures are done. Please write us if you have concerns. We believe CDCR’s crowded conditions cause an unacceptable risk of harm from COVID-19, especially to those
(Letter continues on other side of page)

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over age 65 or who have certain medical conditions. Unfortunately, in March and April the federal courts denied our motions for an order requiring CDCR to release people, or to submit a plan to keep safe those at highest risk for severe complications from the virus.

We continue to fight for your rights and those of everyone else in CDCR by doing what we can to force CDCR to take steps to reduce the risk from COVID-19. This includes in the federal class actions about medical care (*Plata*), mental health care (*Coleman*), and disability accommodations (*Armstrong*). We believe our work in *Plata* was a major reason CDCR started new early release programs, tests staff for COVID-19, set aside empty beds at each prison to use for medical isolation and quarantines, **and has begun offering vaccinations against COVID-19 (see attached and enclosed information)**. CDCR must also report that on staff who are disciplined for not wearing a face-covering. In *Armstrong*, we asked for and CDCR agreed to an order that prohibits housing people with disabilities who have not tested positive in units with people who have confirmed, active COVID-19, and requires accessible housing for those on medical isolation or quarantine.

We are sorry that we cannot help you or any individual get released from prison.

Important Advice Regarding COVID-19 / Coronavirus

The coronavirus is very contagious. Most who get COVID-19 have no or mild symptoms. Some, especially the elderly and those with serious medical conditions, can get very sick (pneumonia) or die. Experts say it is crucial to avoid close contact with (stay six feet from) people and wear a mask as much as possible to reduce the chances of catching or spreading the virus. Many people who have the virus and are contagious have no symptoms or only minor ones, so you may not know if you or others are infected and can infect others. It is safest to assume that anyone can have the virus, and to reduce contact in order to protect yourself. You should also wash your hands a lot, and not touch your face. If you are not feeling well, let staff know immediately. If you have an emergency or urgent medical care concern, tell any staff member at any time.

Important Advice Regarding Other Medical or Mental Health Care Issues

You may have a medical care or mental health issue that is not related to COVID-19. You should continue to let staff know about your symptoms or problem, including by putting in a Form 7362. All 7362s with symptoms of a medical condition should result in a face-to-face triage with a registered nurse, although such appointments may be at your cell or dorm or, if for a non-urgent condition, delayed, depending on the circumstances at your prison. You should also continue to receive any medication ordered by your doctor. Pill lines may be run differently, or even delivered cell front, depending on staffing and quarantines. Also, medical staff should promptly respond to medical emergencies, and send a person to a community hospital if needed. Similarly, mental health emergencies should result in a prompt evaluation by a clinician, and a transfer to an actual or temporary crisis bed if necessary. You should tell any staff member at any time if you have an emergency or urgent health care issue.

Please take care, stay well, and look out for each other.

-- Prison Law Office

COVID-19 -- Frequently Asked Questions (January 19, 2021)

What is COVID-19? COVID-19 stands for "coronavirus disease 2019." It is caused by a virus called SARS-CoV-2. The virus first appeared in late 2019 and quickly spread around the world. Most people who get COVID-19 will not get severely ill. But some do.

How is COVID-19 spread? The virus that causes COVID-19 mainly spreads from person to person, and due to inhaling microscopic bits of virus in the air, mainly indoors. This usually happens when an infected person coughs, sneezes, or talks near other people. The virus can be passed easily between people who live together. But it can also spread at gatherings where people are talking close together, shaking hands, hugging, sharing food, or even singing together. Doctors also think it is possible to get sick if you touch a surface that has the virus on it and then touch your mouth, nose, or eyes.

A person can be infected, and spread the virus to others, even without having any symptoms. This is why keeping people apart is one of the best ways to slow the spread.

What are the symptoms of COVID-19? Symptoms usually start 4 or 5 days after a person is infected with the virus. But in some people, it can take up to 2 weeks for symptoms to appear. Some people never show symptoms at all. When symptoms do happen, they can include one or more of the following:

- Fever ● Cough ● Trouble breathing ● Shortness of breath ● Feeling tired ● Shaking or chills ● Muscle aches ● Headache ● Sore throat ● Problems with sense of smell or taste ● digestive problems like nausea or diarrhea.

Many have no symptoms. For people with symptoms, most get better within two weeks. But some people continue to have some symptoms for weeks or months. This seems to be more likely in people who are sick enough to need to stay in the hospital. Doctors are still learning about the long-term effects of COVID-19.

Am I at risk for getting seriously ill? It depends on your age and health. In some people, COVID-19 leads to serious problems like pneumonia, not getting enough oxygen, heart problems, or even death. This risk gets higher as people get older. It is also higher in people who have other health problems like serious heart disease, chronic kidney disease, type 2 diabetes, chronic obstructive pulmonary disease (COPD), sickle cell disease, or obesity. People who have a weak immune system for other reasons (for example, HIV infection or certain medicines), asthma, cystic fibrosis, type 1 diabetes, or high blood pressure might also be at higher risk for serious problems.

What should I do if I have symptoms? Tell any staff member at any time.

[Please see other side of page for more questions and answers/]

What happens if I test positive for COVID-19? You will be placed in medical isolation for 14 to 21 days. During that time, CDCR medical policy says a nurse will twice a day check your vital signs, including your oxygen level. You should be in a housing unit only with people who have also tested positive. If there are people in the unit who have not tested positive, you should be in a cell with a solid door, and should not program with them. People who are positive can be housed in a dorm or gym together.

How long is a person with COVID-19 contagious? Doctors currently say people with COVID-19 can infect others for 10 to 14 days after they get the disease, or longer if there are serious symptoms. That is why CDCR usually isolates people diagnosed with COVID-19 for two weeks, but sometimes for three weeks or longer. After isolation ends, people are no longer contagious, cannot infect others, and are considered resolved patients. People who are resolved and released from isolation can be safely housed with all other people, including those who have never had COVID-19.

Can I get COVID-19 more than once? Doctors currently say that a person who has had COVID-19 is immune from (cannot get) another infection for 12 weeks (approximately 90 days) from the date of first positive test. Doctors currently say it is possible to get COVID-19 again after 12 weeks from the first infection. However, so far, re-infection appears to be very, very rare. Doctors also do not know how sick people get if they get it a second time.

What happens if I was or might have been exposed to someone who has COVID-19? You will be placed in medical quarantine for 14 days. During that time, a nurse at least once a day should check if you have symptoms (such as shortness of breath), and take your temperature. Quarantine should take place in a single cell with a solid door unless that is not available. If not available, people on quarantine can be double-celled together, or kept in a group in a dorm or gym, so long as their date and type of exposure are the same.

Is there a vaccine for COVID-19? Yes. Medical doctors, the federal government, and California's independent review board say the current COVID-19 vaccines are safe and provide protection against severe complications and death if infected. Supplies of vaccine are currently limited. Here in USA, the first COVID-19 vaccines started in mid-December, for healthcare workers and nursing home residents. **CDCR patients in at CHCF, CMF, and the medical units at CCWF have been are being offered vaccine, and now it has been or will be offered to those age 65 and older at all prisons.** Prison Law Office is advocating for all people in CDCR to be offer vaccine as soon as possible. For more information please see the Vaccine "Frequently Asked Questions" that follows, and the enclosed information from University of California San Francisco (UCSF) medical doctors.

COVID-19 VACCINES – FREQUENTLY ASKED QUESTIONS (FAQs)

Prison Law Office -- January 19, 2021

Will I be offered a vaccine against COVID-19?

Yes. CDCR medical policy says everyone will receive vaccine. People who have not had COVID-19 will be vaccinated first. Those who have had COVID will be vaccinated later.

When will I be offered a COVID-19 vaccine?

That depends on whether you have had COVID-19, your age, and your medical condition. See the answer to the next question for more details.

Who in CDCR will be vaccinated first, then who after that?

CDCR has offered COVID-19 vaccine to everyone at CHCF, CMF, and the medical units at CCWF who has not had COVID-19. CDCR is now offering vaccine to everyone age 65 or older at all other prisons who has not had COVID-19. CDCR will then offer it everyone at all prisons who has not had COVID-19 and has a Weighted COVID Risk Score of 3 or higher (in other words, those who have medical conditions that cause a risk of serious problems if infected with COVID-19). All this should happen before the end of January, 2021. After that, CDCR medical says it will as soon as possible offer vaccinations to everyone else who has not had COVID-19. Once that starts, CDCR medical says it will take about a month to offer those people vaccines. CDCR medical indicates that it will then offer vaccine to people who have already had COVID-19.

Are all prison staff being offered COVID-19 vaccinations now?

Yes. National and state guidelines provide for health care and other prison staff needed for health care to be among the first who get vaccinated against COVID-19. We believe CDCR plans to offer all staff vaccinations by the end of January 2021.

[Please see other side of page for more questions and answers.]

What does the COVID-19 vaccine do?

Please see the enclosed information about the vaccine from University of California, San Francisco (UCSF) Amend program. Medical doctors say the vaccine is very effective in preventing you from getting sick if infected with the virus. If you get vaccinated, there will be very little chance of you having to go to the hospital or dying from COVID-19. This is important because more than 1,200 people in CDCR have been hospitalized because of COVID-19, and more than 175 have died.

It is not yet known if the vaccine stops you from infecting others. That's why you need to keep wearing a mask, and practice social distancing as much as possible even after getting vaccinated.

Is the COVID-19 vaccine safe?

Yes, according to medical doctors who did studies involving tens of thousands of people. The vaccine has been approved by the federal government and an independent California medical review board. Please see the enclosed UCSF / Amend information about vaccine safety.

How is the COVID-19 vaccine given?

The current approved vaccines are given by an injection (a shot) into the upper arm. Two doses are needed, which are given 21 or 28 days apart. Full protection comes about two weeks after the second injection.

What if I have more questions?

All people should receive information about the vaccine. Nurses should be available to answer questions. You can also try putting in a 7362, or talking to your doctor if you have an appointment.

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COVID-19 Vaccine FAQs – Prison Law Office – January 19, 2021



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COVID-19: CDCR's early release programs (January 19, 2021)

In response to COVID-19, to reduce the prison crowding, CDCR in March released approximately 3,500 people early who were within 180 days of their parole date. In July, CDCR awarded 12 weeks of time credit to most people. It also started three programs to release people early, using California Government Code section 8658, which allows (but does not require) the CDCR Secretary to remove or release people in an emergency. Approximately 7,500 people have been released early under these newer programs. CDCR in late September ended two of the programs that started in July. **The only currently announced early release programs are for (1) some within 180 days of release, and (2) some within a year of release, or who have served their base term, and are high risk if infected with COVID-19.** We and the judge in the Plata case have asked CDCR to re-start the other programs.

Current Early Release Programs

Early release for some people with 180 days or less to serve (all prisons, on-going).

According to CDCR, incarcerated people must meet **all** of the following criteria to be considered for this kind of early release:

- Have 180 days or less to serve on their sentence
- Are not currently serving time for domestic violence, or a violent or serious crime as defined by law
- Have no current or prior sentences that require them to register as a sex offender under Penal Code 290
- Not have a California Static Risk Assessment score indicating a high risk for violence
- Must submit to COVID-19 testing

As of 1/13/21, CDCR says 6,833 people have been released early from prisons under this program.

Early release for some with one year or less to serve, or who have served their base term, and are at high risk for medical complications if infected with COVID-19 (all prisons, on-going).

CDCR says 1,690 people qualify for this program, which requires a Weighted COVID Risk Score of three or above (see bottom of other side of page for Risk Score factors). CDCR will either release people, refer to the superior court for resentencing, or deny release. As of 1/8/21, 553 had been reviewed, with 115 released and 152 referred to the sentencing court. **(Please see other side of page)**

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One-Time and Discontinued (No Longer Happening) Early Release Actions and Programs

12 Weeks of Time Credit: In July, everyone received a one-time special award of 12 weeks of time credits, unless they (1) were condemned or serving LWOP, or (2) were found guilty of a Rules Violation Report between March 1 and July 5, 2020 (or are found guilty of a pending RVR from that period). The credits were awarded under Title 15, section 3042.6, which allows CDCR to give credit to those who provide exceptional assistance in maintaining prison safety and security.

Early release for some people with less than one year to serve and housed at certain prisons (program ended September 30, 2020): This early release program applied to some people at 12 prisons; it applied to those not convicted of a violent crime and did not have to register as a sex offender. According to CDCR, 552 people were released early under this program. Unfortunately, the law does not require CDCR to continue this program.

Early release consideration for some age 65 or above or with medical conditions that create an especially high risk of serious complications if infected with COVID-19 (program ended in early October): CDCR said this program applied to all with a Weighted COVID Risk Score of four points or higher (see below) who were not condemned or serving LWOP, were considered a low risk for violence, and were not high risk sex offenders. CDCR says 6,599 people were eligible for early release consideration. However, for various reasons it only considered 1,335 for release. Unfortunately, CDCR says only 60 people were released under this program. We are very disappointed that CDCR released so few people who have a high risk of serious problems infected with COVID-19. Unfortunately, the law does not require CDCR to consider or release more people, or prohibit it from stopping the program.

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We are sorry, but we are not able to help you be considered for or to get released. If you believe you are eligible for release consideration, we advise you to contact your correctional counselor through open line, a Form 22, or a CDCR 602. -- **Prison Law Office (January 19, 2021)**

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The **COVID Weighted Risk Score Factors** (with points in parentheses) used by CDCR medical officials are:

Age 65+ (4), Advanced Liver Disease (2), High Risk Cancer (2), COPD (2), Immunocompromised (2), Persistent Asthma (1), Chronic Lung Disease (including Cystic Fibrosis, Pneumoconiosis, or Pulmonary Fibrosis) (1), Chronic Kidney Disease (CKD) (1), Stage 5 CKD or receiving dialysis (1), Diabetes (1), High Risk Diabetes (1), Heart Disease (1), High Risk Heart Disease (1), Hemoglobin Disorder (1), HIV/AIDS (1), Poorly Controlled HIV/AIDS (1), Hypertension (1), Neurologic Conditions (1), Obesity (1), Other High Risk Chronic Conditions (1), and Pregnancy (1).

CDCR PATIENTS: CONFIRMED COVID-19 AND OUTCOMES



Chart from CDCR website, Tuesday, January 19, 2021

■ Please note the different column headings
(please see other side for other prisons)

Institution	Institution Name	Confirmed	New In Last 14 Days	Active In Custody	Released While Active	Resolved	Deaths
ASP	Avenal State Prison	3,099	13	14	83	2,994	8
CAC	California City Correctional Facility	936	34	38	7	889	2
CAL	Calipatria State Prison	1,001	250	265	13	722	1
CCC	CA Correctional Center	1,243	31	46	39	1,158	0
CCI	CA Correctional Institution	1,276	48	64	74	1,134	4
CCWF	Central CA Women's Facility	697	132	143	1	553	0
CEN	Centinela State Prison	836	11	37	10	788	1
CHCF	California Health Care Facility	583	38	120	5	448	10
CIM	CA Institution for Men	1,497	3	7	39	1,424	27
CIW	CA Institution for Women	442	7	7	10	424	1
CMC	CA Mens Colony	2,298	908	1,086	18	1,191	3
CMF	CA Medical Facility	680	194	174	3	496	7
COR	CA State Prison Corcoran	909	199	206	6	695	2
CRC	CA Rehabilitation Center	1,956	43	60	56	1,839	1
CTF	Correctional Training Facility	2,607	248	362	25	2,205	15
CVSP	Chuckawalla Valley State Prison	1,779	0	0	28	1,742	9
DVI	Deuel Vocational Institution	273	92	93	0	180	0
FSP	Folsom State Prison	1,353	1	1	12	1,338	2
HDSP	High Desert State Prison	1,970	32	45	6	1,917	2
ISP	Ironwood State Prison	1,040	174	184	9	846	1
State Total		45,477	3,377	4,098	663	40,541	175

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Institution	Institution Name	Confirmed	New In Last 14 Days	Active In Custody	Released While Active	Resolved	Deaths
CVSP	Chuckawalla Valley State Prison	1,779	0	0	28	1,742	9
DVI	Deuel Vocational Institution	273	92	93	0	180	0
FSP	Folsom State Prison	1,353	1	1	12	1,338	2
HDSP	High Desert State Prison	1,970	32	45	6	1,917	2
ISP	Ironwood State Prison	1,040	174	184	9	846	1
KVSP	Kern Valley State Prison	870	35	40	7	818	5
LAC	CA State Prison, LA County	1,459	29	29	9	1,410	11
MCSP	Mule Creek State Prison	1,598	108	135	4	1,455	4
NKSP	North Kern State Prison	804	112	152	13	636	3
PBSP	Pelican Bay State Prison	203	9	10	5	188	0
PVSP	Pleasant Valley State Prison	1,984	8	8	10	1,963	3
RJD	R.J. Donovan Corr. Fac. Rock Mtn.	1,001	57	91	1	894	15
SAC	CA State Prison, Sacramento	269	31	32	4	233	0
SATF	Substance Abuse Treatment Facility	3,004	6	16	18	2,964	6
SCC	Sierra Conservation Center	1,221	55	102	13	1,106	0
SOL	CA State Prison, Solano	827	157	187	8	630	2
SQ	CA State Prison, San Quentin	2,240	4	4	57	2,151	28
SVSP	Salinas Valley State Prison	551	103	108	7	435	1
VSP	Valley State Prison	1,637	85	86	15	1,535	1
WSP	Wasco State Prison	1,334	120	146	48	1,140	0
State Total		45,477	3,377	4,098	663	40,541	175