

Exhibit A

Memorandum

Date: February 24, 2021

To: Associate Directors, Division of Adult Institutions
Wardens

Subject: **INMATES REFUSING TO COMPLY WITH HOUSING PROTOCOLS IN REGARDS TO COVID-19 ISOLATION AND QUARANTINE**

The purpose of this memorandum is to standardize a process to address inmates who refuse to comply with direction to move to an appropriate isolation or quarantine cell, housing unit, or alternate housing site as recommended by health care staff and COVID-19 protocols. Bed moves are an essential step the Department is taking to lower the risk of COVID-19 transmission within the institutions. Movement from one location to another shall be limited to that which is necessary for clinical care, medical isolation or quarantine, reduction of overcrowding, and/or serious custody concerns.

This memorandum further provides guidance and direction for the documentation, tracking, and use of progressive discipline for inmates refusing to move from one bed, cell, housing unit, or alternate housing location, to another. All institutions shall implement and abide by the procedures outlined in this memorandum to improve the consistency and effectiveness of monitoring, tracking, and compliance of inmates refusing to comply with housing protocols.

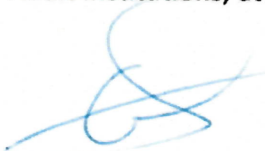
In order for institutions to be consistent in the monitoring and tracking of the inmate non-compliance related to COVID-19 housing, Wardens are directed to have their designated staff implement the following steps when documenting and disciplining an inmate's refusal to move to a designated isolation or quarantine cell, housing unit, or alternate housing location. The steps shall be completed as follows:

- Health care shall conduct rounds in the housing units documenting vitals, collecting medical information, and looking for inmates with symptoms consistent with COVID-19. Based on this information, healthcare may test for COVID-19.
- Health care will inform the inmate of their COVID-19 results and provide education.
- Custody staff will instruct the inmate to move to a designated cell, housing unit, or alternate housing location.
- If the inmate complies with the bed move, the inmate will be permitted to take their property at the time of the move.
- If the inmate refuses, Health care staff shall explain the circumstances and medical reasons pertaining to the move, ensuring the inmate understands why they are required to move. Health Care and Custody staff will ensure effective communication is established and achieved.

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- If the inmate refuses to move, Custody staff shall document the inmate's refusal on a General Chrono (CDCR Form 128B), also documenting effective communication was established and how.
- If the inmate refuses to sign the CDCR Form 128B, Custody staff will indicate the inmate refusal on the CDCR Form 128B.
- Custody shall scan the CDCR Form 128B and email a copy of the CDCR Form 128B to the Incident Command Post (ICP) to track.
- The ICP staff shall add the inmate refusals to the Quarantine/Isolation Bed Move, Inmate Non-Compliance Tracking Log.
- After emailing the CDCR Form 128B to the ICP, facility Custody shall forward the original CDCR Form 128B to the Case Records Department for inclusion into the inmate's Electronic Records Management Systems file.
- Copies of the CDCR Form 128B will also be forwarded to the Facility Captain, Facility Lieutenant, Correctional Counselor I, and the inmate by Custody.
- Progressive discipline will be in accordance with California Code of Regulations, Title 15, Section 3312 Disciplinary Methods.

All institutions will forward their completed Quarantine/Isolation Bed Move, Inmate Non-Compliance Tracking Log to their respective Associate Director by the 5th of the following month for the preceding month. If you have any questions, please contact W. Anthony Dobie III, Special Assistant to Deputy Director, Facility Operations, Division of Adult Institutions, at (916) 323-1029 or Willie.Dobie@cdcr.ca.gov.



CONNIE GIPSON
Director
Division of Adult Institutions

DocuSigned by:

Barbara Barney-Knox

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BARBARA BARNEY-KNOX

Deputy Director, Nursing Services
Statewide Chief Nurse Executive

Attachments

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