

Exhibit C

Office of the Inspector General
Updated Face Covering and Physical Distancing Follow-up Monitoring Plan
April 2021

In October 2020, the Office of the Inspector General (the OIG) issued a public report regarding the California Department of Corrections and Rehabilitation's (the department) compliance with face covering and physical distancing requirements for staff and incarcerated persons¹. The report identified frequent noncompliance by both staff and incarcerated persons, lax enforcement efforts by departmental supervisors and managers, and questioned the prudence of loosening of face covering requirements in June 2020. In response to the report, United States District Court Judge Jon Tigar invited the OIG to conduct follow-up monitoring at the department's prisons to observe and report whether staff and incarcerated persons have come into compliance with the department's current requirements. Additionally, in March 2021, Judge Tigar invited the OIG to continue its monitoring unless and until face coverings and physical distancing are no longer required in California's prisons, or the OIG determines that the monitoring is no longer necessary or appropriate. Beginning in April 2021, the OIG proposes to perform the monitoring activities described below in response to the court's invitation:

OIG staff in our three regional offices will observe and report on the department's efforts to ensure its staff and incarcerated population comply with face covering and physical distancing requirements at the department's 35 prisons. OIG staff will conduct the following ongoing monitoring activities to review the extent of statewide compliance with the department's directives:

- The OIG will conduct visits to the department's 35 prisons, visiting each prison no less than once every four months. As workload allows, the OIG will conduct monitoring visits more frequently at the prisons for which we previously identified repeated significant levels of noncompliance. During these visits, OIG staff will visit multiple locations throughout the prisons to observe and record their observations of face covering and physical distancing compliance by department staff and incarcerated persons. The OIG will continue to use a standard monitoring tool to record its staff's observations during each visit. The OIG does not plan to continue face covering and physical distancing monitoring visits at the three juvenile facilities.
- The OIG will also record face covering and physical distancing noncompliance observed by OIG staff during their routine monitoring activities.
- The OIG will obtain and review the department's noncompliance tracking logs as well as documentation of progressive discipline actions related to face covering or physical distancing noncompliance taken by prison supervisors and managers.

The OIG will continue to provide the court, and all parties, monthly reports summarizing the results of our monitoring activities.

¹ The OIG's report can be found at <https://www.oig.ca.gov/wp-content/uploads/2020/10/OIG-COVID-19-Review-Series-Part-2-%E2%80%93-Face-Coverings-and-PPE.pdf>

Note: Where available, the OIG's previous monitoring activities included reviewing video footage to determine compliance with the department's protocols. However, we do not plan to request and review that footage going forward for the following reasons:

- We requested a sampling of times and locations from prisons with usable video; however, some of the footage provided little value because the video showed very few people.
- Due to video quality or the proximity of the individuals to the cameras, we were not always able to definitively determine whether or not the individuals were properly wearing face coverings.
- The video footage rarely showed compliance levels different than the compliance levels that we observed during our in-person visits. As a result, the video footage had little impact on the prisons' ratings.