
CORRECTING MYTHS AND MISINFORMATION ABOUT BOP AND COVID-19

The following information is compiled to address misreporting and misinformation about the BOP's response to COVID-19. The most comprehensive information about the BOP can always be found on the BOP's public website: <https://www.bop.gov>

Prisoners, fearing they may be abandoned in an isolation cell and left for dead, are not reporting their symptoms.

Facts: Health Services staff throughout the BOP are conducting rounds and checking inmate temperatures at least once a day. In those locations where inmates are in quarantine or isolation, Health Services staff are conducting rounds and temperature checks twice a day.

Prison staff walk the grounds, often without masks and gloves, failing to observe social distancing with either inmates or themselves.

Facts: All BOP staff **AND** inmates have been issued cloth masks to use, particularly when social distancing is not possible. Any staff working in a quarantine unit where asymptomatic inmates are housed are required to wear masks and gloves. Any staff working in an isolation unit (where symptomatic inmates are housed), are required to wear masks, gowns and gloves. Staff are not required, but can opt to wear masks while walking on the compound, per CDC guidance of recommendations to wear masks where social distancing measures are difficult to maintain.

In the case of FCI Oakdale, a site of particular interest, since March 27, 2020, each staff member has been provided a surgical mask and gloves as they arrive to work each day. FCI I and the Camp staff are provided surgical masks each day as well since March 29, 2020. FCC Oakdale is making every effort to keep staff at their assigned posts to help mitigate the spread of COVID-19.

Inmates fear the U.S. Bureau of Prisons' handling of the pandemic at Oakdale and in prisons across the nation will lead to a massive death toll that extends outside the prisons and into the community.

Facts: The BOP has contingency plans and has previously dealt with pandemic disease outbreaks throughout its history. Infectious disease management is a way of life in corrections and due the vast diversity of the federal prison population (which includes foreign-born inmates), unfortunately, outbreaks occur. In response to the COVID-19 outbreak, the BOP began preparing for its response in January 2020 by updating its pandemic flu plan. The BOP reviewed and incorporated CDC guidance in its planning.

More recently, the BOP engaged the CDC to review the BOP's strategy with regard to its actions at Oakdale along with local Department of Health staff. The CDC confirmed that the COVID management measures reported by the facility are all in line with current CDC guidance for COVID management in correctional facilities. The CDC is also working with BOP to shape its response at FCC Forrest City.

Throughout the country, BOP Wardens are reaching out to local health departments and community partner hospitals to shape their planning and assess resources in order to ensure that inmates housed in the facility remain healthy and that community resources remain available to members of the public.

Prisoners assigned to clean facilities are ignoring their job assignments because they fear the work will kill them.

Facts: Myths and misinformation in the public about the transmission of COVID-19 have led to inmate reactions that are not grounded in science or fact. To counter these efforts, BOP has educated as to CDC best practices regarding disease transmission and prevention, including sanitation via broadcast messages on the inmate bulletin boards and town halls. Cleaning supplies have been provided to inmates and increased sanitation measures are undertaken in each facility.

Inmates must have a fever and other COVID-19 symptoms to be placed in isolation. Only those ill enough to be taken to a hospital are tested for the coronavirus.

Facts: Inmates exhibiting signs or symptoms of COVID-19 are placed in isolation in accordance with CDC guidelines. Inmates whose conditions cannot be managed within the institution are sent to the local hospital for management. Testing of inmates within the institution and by the local hospital is conducted in accordance with CDC and local health department guidance.

Bureau staff are not educated about what to do.

Facts: The BOP has published extensive guidance to all staff regularly and has a special Coronavirus page on both its intranet and public website. Staff have access to all the resources in those locations as well as regular video updates by the BOP Director. The BOP has also established a 24x7 hotline manned by clinical psychologists to offer staff assistance and answer questions to address their concerns.

Wardens at BOP facilities are also making rounds amongst the staff and inmate population, communicating with staff on all shifts to answer to staff questions regarding COVID-19.

BOP sites have also posted hygiene signage (hand washing and etc.) throughout facilities.

Staff who have had sustained contact with infected inmates or family are required to report to work.

Facts: In keeping with CDC “Guidance for Safety Practices for Critical Infrastructure Workers Who May Have Had Exposure to a Person with Suspected or Confirmed COVID-19,” the BOP performs pre-screening of all employees reporting to work and requires exposed workers to wear a mask for 14 days after last exposure. They are also expected to perform regular self-monitoring for symptoms, practice social distancing and to disinfect and clean their work spaces. Anyone who develops signs or symptoms of illness are sent home.

The Barr initiative is narrowly focused.

Facts: Given the surge in positive cases at select sites and in response to the Attorney General's directives, the BOP has begun immediately reviewing all inmates who have COVID-19 risk factors, as described by the CDC, starting with the inmates incarcerated at FCI Oakdale, FCI Danbury, FCI Elkton and similarly-situated facilities to determine which inmates are suitable for home confinement.

Inmates do not need to apply to be considered for home confinement. Case management staff are urgently reviewing all inmates to determine which ones meet the criteria established by the Attorney General. The Department has also increased resources to review and make appropriate determinations as soon as possible.

While all inmates are being reviewed for suitability, any inmate who believes they are eligible may request to be referred to Home Confinement and provide a release plan to their Case Manager.

Inmates say correctional officers are ordering them to stay six feet apart, but most of them are living in dormitory-style settings with 100 or more men. A handful of sinks, showers and toilets are shared by all.

Facts: Social distancing is difficult in certain correctional settings but to counter this limitation, BOP has issued cloth face masks to all inmates and common areas are sanitized multiple times a day. Their cells can be cleaned at least 1x a day.

Masks are not being provided in a majority of BOP facilities.

Facts: On April 4, 2020, the CDC amended its guidance regarding the use of face masks, encouraging all persons to use masks in public. As a result, staff and inmates have been issued masks to wear on a daily basis.

A video shot by an unidentified Elkton prisoner alleges that he is housed with infected inmates.

Facts: The inmate was in general population and he and his cellmates were not symptomatic. As noted by the local Union President: *“Joseph Mayle, union president for officers at Elkton, disputed the inmates’ claims, saying prisoners with symptoms are pulled from the general population and that 80 inmates are in isolation.”*

Staff escorting symptomatic inmates to hospitals are being told to return to work.

Facts: Under the CDC guidance for employees supporting critical infrastructure, employees may be cleared to return to work after review by employee occupational health staff. See:

<https://www.cdc.gov/coronavirus/2019-ncov/downloads/critical-workers-implementing-safety-practices.pdf>

The BOP’s Staff Screening tool is available and posted on the agency’s Coronavirus page:

https://www.bop.gov/coronavirus/docs/covid19_staff_screening_tool_v2.8_20200327.pdf

Officers who work in the building where inmates have developed COVID-19 symptoms frequently walk throughout a facility.

Facts: As of Phase V of the BOP’s Action Plan response to COVID-19, the BOP has advised the National Union and implemented practices whereby staff are assigned to static posts and facilities to minimize movement and transmission.

Symptomatic inmates work in Food Services, packing sack lunches for the rest of the prisoners so they could be served the meals in their cells to limit contact.

Facts: Inmates cleared to prepared meals are asymptomatic, screened by medical staff, and cleared to work in Food Service.

Inmates are being moved from facility to facility, increasing the risk of spreading COVID-19 to other institutions.

Facts: Internal BOP inmate movement has been limited as much as possible in cooperation with the US Marshals Service (USMS). As a direct result of these steps, BOP movement nationwide is down 95% when comparing March 13, 2020, to April 23, 2020, to the same timeframe last year. The BOP is still required, however, to accept inmates awaiting trial remanded to our custody. The BOP must also accept newly-convicted inmates for service of their sentence. To address COVID transmission risks, the USMS is screening inmates prior to moving inmates to BOP and inmates wear cloth face coverings during transport. If an inmate

is symptomatic, the BOP will not accept them. All newly-admitted inmates coming into the BOP are also screened and temperature checked by BOP employees wearing Personal Protective Equipment (PPE), to include surgical masks, face shields/goggles, gloves, and gowns in accordance with CDC guidance. When new inmates come into a BOP facility, they are quarantined for 14-days to ensure they remain asymptomatic before being introduced into the main population.

Quarantine sites are being used to house COVID-19 positive inmates

Facts: Quarantine sites are not being used to house COVID-19 positive inmates. Pretrial offenders and new inmates are normally housed at detention centers and at other key detention locations throughout the country. Once a pre-trial offender is sentenced, they are usually designated for service of sentence at a non-detention facility. Detention facilities cannot hold all newly-admitted inmates permanently; they do not have sufficient bedspace. In order to relieve population pressures at detention centers and other key locations throughout the country, we identified ten sites that will house inmates for the purpose of quarantining them for 14 days until the inmates are medically cleared to be moved to their designated institution. The institutions identified as quarantine sites, like other BOP facilities, have PPE inventories and all needed sanitation supplies on hand, have available bedspace, and are adequately staffed to handle these inmates. The USMS is screening inmates prior to moving them to the BOP and inmates wear cloth face coverings during transport. If an inmate is symptomatic, the BOP will not accept them. All newly-admitted inmates coming into the BOP are screened and temperature checked by BOP employees wearing Personal Protective Equipment (PPE), to include surgical masks, face shields/goggles, gloves, and gowns in accordance with CDC guidance.

Federal Prisons Industries (“Unicor”) is taking business opportunities away from small businesses during the COVID emergency

Facts: On March 31st, all UNICOR factories were closed but at the request of DOD, a small number of factories were reopened to supply items deemed critical to supporting the warfighter and for COVID-19 relief efforts. Some additional factories were brought on line to service DHS and BOP’s COVID response (including face coverings, shields and hand sanitizer). Since the passage of the National Defense Authorization Acts for fiscal years (FY) 2002 and 2003 and the Consolidated Appropriations Act of FY 2004 and 2005, several conditions must be met for UNICOR to be considered a mandatory source for products. The Federal Acquisition Regulations (FAR) require that purchasing officials determine that UNICOR products are comparable to the private sector in terms of price, quality, and time of delivery in order to purchase from UNICOR without competition. These regulations provide purchasing officials with wide latitude to purchase from private sector sources.

UNICOR’s current operations are producing critical items for the support of BOP and to fulfill current DoD contracts that the military has deemed essential. Since PPE supplies nationwide are scarce and there are insufficient suppliers to meet the national demand for these products, there are opportunities for small

businesses to fulfill demands in this sector. In fact, UNICOR purchases raw materials, supplies, services and construction in support of UNICOR operations and does so using local businesses in the communities where they are located. Consequently, UNICOR is actually providing revenue to many small businesses in the community.

May 6, 2020