

bopc - BoPC Public Comment 10.25.21

From: Jodi Hocking <returnstrong.fuji.nv@gmail.com>
To: bopc bopc <BOPC@doc.nv.gov>
Date: 10/24/2021 8:53 PM
Subject: BoPC Public Comment 10.25.21
Attachments: The_Silenced_Voices_of_the_Incarcerated_FINAL (2).pdf

Dear Board Members,

My name is Jodi Hocking, I am the founder of Return Strong! Families United for Justice for the Incarcerated, a collective of activists and supporters calling for communication, transparency and accountability from NDOC and from state officials.

Over the past year we have attended meeting after meeting and repeatedly plead with you to address the issues and concerns that are coming to us from inside Nevada's prisons. Using the public comment section of the agenda has been useless, to the point at the last BoPC I sat and watched Daniels and Williams rolling their eyes at each other as each citizen stood to make comments. My members in Carson City watch YOU Governor Sisolak ignore everyone that spoke while you were on your phone the entire time.

So I am going to highlight our concerns here, and have asked my activists to do the same, holding a thread of hope that if YOU won't listen, there are people who are and we will continue to use this space to make the issues known. So our hope to be heard is balanced by the fact that if we are not, we have made this part of the public record and that our pleas will never be silenced.

First, I will address the issues that are on the agenda.

1. Regarding posting and public comments. The agenda states that this was posted on NDOC's website, where the public generally goes to get information on your meetings. While it was posted on the Nevada Public Notice website on 10.19.21, it was not posted on NDOC until Friday 10.22.21 in the afternoon. We checked that site everyday since the beginning of the 4th Quarter. Since last year, it has always posted on the NDOC website although without notice, and changed timelines for submission of public comments.

Attorney General Ford, this is at least the third time that Open Meeting Laws have been broken or played with. We believe it is intentional on the part of NDOC and would like the actual law fully enforced.

2. Medical Care/Neglect: Over the past year we have had hundreds, close to thousands of reports of delay in medical care, denial of prescribed medications and such long delays in medical care that upon release people are suffering long term effects from the horrible medical care within Nevada prisons. This isn't just because of the pandemic, it is also an everyday occurrence. The pandemic only amplified it.

I recently spoke to a Doctor who has ended his contract with treating inmates from Nevada prisons because NDOC would not follow his follow up treatment plans after surgeries AND wasn't giving

post surgery antibiotics and pain-killers. In his words, you are putting people's lives at risk.

3. Lack of mental health care in the face of the pandemic and lockdowns and the rash of attempted suicides and suicides in Nevada prisons that go unreported.

4. As I am sure you are aware, we have documented thousands of letters that document the first hand experience of incarcerated people during the pandemic, Using those letters, and documentation, Heidi McGarrety, a postgraduate researcher in Criminology prepared a published report from that data for the Crime and Justice Institute. That report is attached and *I stand with families and incarcerated people across Nevada demanding an independent investigation into the handling of the pandemic in NDOC*. We have heard repeatedly from Director Daniels about what an amazing job was done, this report sheds serious concerns about the truth of that, which we have been asking you to address for over a year.

5. We are asking for answers into the plan for the continued staffing shortages that will be even worse following November 1st. As part of the request for the independent investigation we ask that the BoPC consider implementing a Ad Hoc Committee including representatives from your offices, NDOC administration, AFSCME and community stakeholders to work collectively on finding solutions to these issues.

Unfortunately, lockdowns and "quarantines" for 23-24 hours a day is not a solution and we won't stand by while that becomes the contingency plan. We would like to know what is the plan for staffing and for safely and humanely confining people. I am hoping some of those answers come today, but if not, I would like to ask that we convene an Ad Hoc committee immediately.

We have heard that there is an impending 90 day hard lock down due to staffing shortages. I'll remind the board of Balla vs. Idaho Department of Corrections, staffing shortages do not give permission to inhumanely confine people.

Finally, our favorite topic, AR258 and the revision of this. Once again, while SB22 resolved some of the issues. Governor Sisolak you ordered NDOC to address the issues with money previously taken and advise where it is, how much was collected and the decision about retroactively returning that money was NOT decided, and was postponed after they reported that information. A year later, there has been no answer to the money taken in September and then again in March - June.

In addition, there has been no response to the issues with gift coupons that were paid for by family members and then made inactive by NDOC with no notice. Where is our money? We paid for those coupons according to an available program and they were discontinued with no notice. This has also never been addressed.

I am hoping that we can get answers to our questions and action to the issues from the State.

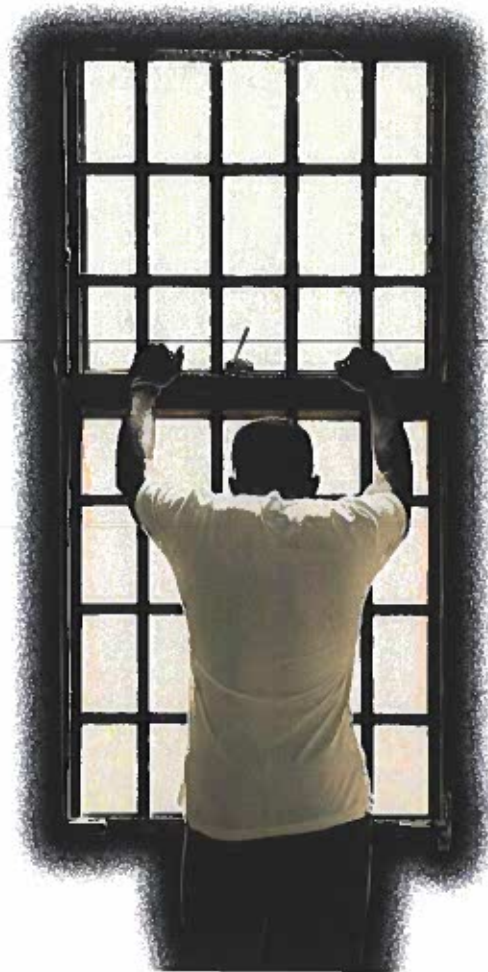
Thank You,

Jodi Hocking
Return Strong FUJI
Founder. Visionary. Organizing Director

The silenced voices of the incarcerated

Learning from the survivors of the COVID-19 pandemic in Nevada

Produced by Return Strong: Families United for
Justice for the Incarcerated, Nevada
October 2021



The silenced voices of the incarcerated

This report has been produced by a team of volunteers at Return Strong: Families United for Justice for the Incarcerated (RS), founded by Jodi Hocking. We are an organization dedicated to three main areas of work:

1. Improving the inhumane conditions within the Nevada Department of Corrections (NDOC), by holding NDOC accountable and shedding light on the conditions within the prisons
2. Bringing systemic change to the criminal justice system in Nevada
3. Developing activists and leaders who are impacted by this system, both family members and previously incarcerated people

RS is a female-led collective in the process of securing 501c4 status, formed in early 2020, in response to the COVID-19 pandemic. It has a network of over 800 incarcerated members and is made up entirely of volunteers.

In August 2021, we were approached by the Crime and Justice Institute (CJI) to provide insights into the experiences of inmates housed by the Nevada Department of Corrections, who will be referred to from here on as our 'members'. CJI are currently producing a report outlining the impact the pandemic has had on the criminal justice system throughout Nevada. We hugely welcomed this opportunity to provide data in order to support their research and expedited this preliminary report to meet their deadline. For almost a year, we have been encouraging our members to write to us regularly and share their experiences. To date, we have collected over 1000 letters which chronicle the pandemic as it has unfolded.

We are keen to highlight that the motivation behind this report is to help educate and inform. We wish to work *with* NDOC to help them improve their ongoing handling of the pandemic and the devastating impact it has had on our members and their families. We have approached NDOC on multiple occasions and offered to provide insights on how to better safeguard our members. We were invited to meet with the Nevada Covid Taskforce who welcomed our series of suggestions for change within prisons in Nevada. However, we are yet to see any of these implemented by NDOC. We appreciate that the unprecedented nature of the pandemic and the speed at which it spread caused immense challenges, but we remain alarmed at NDOC's resistance to learn from its mistakes, to embrace transparency and admit significant errors were made that must be avoided again in future. We are particularly concerned that the new vaccine mandate for NDOC staff from 1 November 2021, although entirely welcomed by our organization, will result in increased suffering for our members who, as you will read in the following pages, have experienced immense trauma, deprivation, physical suffering and anxiety. The data we have collected shows that staff shortages have already been a major issue throughout the pandemic, and we fear the situation will get much worse. We would like to, once again, invite Director Daniels and his team to meet with us and please *listen* to those NDOC have a duty of care to protect.

Finally, we would like to take a moment to pay tribute to the 3 NDOC staff members (as of October 2021) who lost their lives after contracting COVID-19. Our thoughts and prayers are with their families and we thank them for their courageous, selfless service. We also extend our deepest condolences to the families of the 54 inmates (as of October 2021) housed by NDOC who have died because of the pandemic.¹

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.

The U.S. Declaration of Independence

¹<https://covidprisonproject.com/data/nevada/>

Acknowledgements

None of this work would be possible without the strategic leadership provided by the founder of Return Strong: Families United for Justice for the Incarcerated, Jodi Hocking, along with RS's exceptional team of volunteers and justice activists. The data that has informed this report has been collected, organized and stored by Jodi and her team. The analysis of the data and this report were completed by Heidi McCafferty, a postgraduate research student in the School of Law at Birkbeck, University of London studying for an MSc in Criminology: Race, Crime and Justice. This preliminary report forms part of the author's main dissertation due to be submitted in Spring 2022. The author has been a volunteer with Return Strong since May 2021 and has been involved in criminal justice reform activism in Nevada since 2018. She would like to extend her immense gratitude to all of the volunteers who worked tirelessly to transcribe the data before it was made available to her along with the original sources, and to Jodi for her leadership, energy and unwavering passion for social justice and human rights.

Finally, we extend our sincere thanks to our incarcerated members who provided us with the data required to produce this report and the hundreds of others who have kept us updated throughout the pandemic. We encourage our members to continue writing to us and keeping us informed of their experiences.

Key Findings

The ten most prevalent (and urgent) issues our members brought to our attention include:

1 The impact of extensive periods of lockdown (often justified as being 'quarantine' extending up to 17 months)



2 Masks and Personal Protective Equipment not being worn by the majority of staff (despite NDOC's mandates for its employees)



3 Reports of staff behavior which increases the risk of harm to our members, chronic staff shortages, ignored grievances and poor communication



4 Restrictions on phones to speak with loved ones, showers and kiosks (required to receive emails from family and to order food), education, programs and access to religious areas



5 Paused/reduced visits with loved ones



6 Frequent bed moves and the ongoing mixing of inmates, despite Director Daniels' public assurance this was not occurring



7 A chronic and sustained lack of medical help



8 Many of our members' mental health has declined with references to some inmates taking their own lives



9 Limited cleaning, a lack of access to the items needed for inmates to keep themselves safe (hand sanitizer, masks) and ventilation issues



10 A significant reduction in food has meant many of our members are hungry. Restricted access to the store means those with the means to buy extra can't



Introduction

NDOC claims to have “been doing a great job keeping inmates safe during a pandemic”², but quantitative data published by NDOC suggest otherwise³ and data published by the Marshall Project ranks Nevada as having the highest prisoner death rate (per 10,000 inmates) in the USA⁴. The ramifications of the COVID-19 pandemic have affected those in detention the most severely⁵ as inmates are extremely vulnerable, subjected to over-crowding, unsanitary conditions and limited medical support⁶. It means that prisons are one of the worst environments for the transmission of a virus like COVID-19⁷.

NDOC are responsible for detaining 10,644 people (as of August 2021)⁸ and have a duty of care to all those they house. A series of concerns have been brought to our attention by our members which we are keen to see addressed urgently. This report and analysis of qualitative data collected over a period of 10 months from our members provides vital insights that we hope will help NDOC and other providers to be better equipped to handle this pandemic and protect inmates and staff. The main objective of this report is to encourage NDOC to become transparent with Governor Sisolak and the public. Through our evidence-based response, we strongly urge Governor Sisolak to commission an independent investigation into NDOC’s handling of the pandemic so lessons can be learned and crucially, lives of NDOC staff and inmates can be saved.

Methods and Ethics

This report provides *preliminary* findings into the mental and physical impact of NDOC’s handling of the pandemic on the men and women it is responsible for. A more detailed report will be published in Spring 2022 as part of the author’s dissertation. This initial analysis had to be completed within just ten weeks, including securing ethics approval from the Law School at Birkbeck, University of London and informed consent forms from members. 28 informed consent forms were received by the deadline (8 October 2021) which meant the analysis included a total of 37 letters from 28 participants, sent to the organization between December 2020 and September 2021. All of the data used by the author in this analysis has been double-anonymised to ensure the wellbeing and safety of participants. It will be uploaded on to the [Birkbeck Data Repository](#) once this report has been published and we actively encourage other organizations and institutions to make use of it. The sample includes participants from 9 NDOC facilities across Nevada. 25% of this sample were women (one Black, five white and one Asian). 75% of this sample were male (six Black, fourteen white and one Hispanic).

² <https://knpr.org/knpr/2020-07/1918-pandemic>

³ https://doc.nv.gov/About/Statistics/Inmate_Mortality_Statistics/

⁴ <https://www.themarshallproject.org/2020/05/01/a-state-by-state-look-at-coronavirus-in-prisons#prisoner-deaths>

⁵ <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7338113/>

⁶ <https://www.nejm.org/doi/full/10.1056/NEJMp2005687>

⁷ <https://journals.sagepub.com/doi/full/10.1177/1090198120927318>

⁸ <https://doc.nv.gov/uploadedFiles/docnv.gov/content/About/Statistics/WFS/20210829%20WeeklyFacts.pdf>

Extensive lockdowns and quarantines

While we fully appreciate facility-wide lockdowns and quarantining are a necessary (temporary) strategy for minimising the spread of COVID-19 within prison environments, some NDOC facilities have remained on lockdown for 17 months (and continue to stay locked down). For the majority of members who contributed to this report, lockdown has often meant permanent enclosure within their cells, with as little as 20 minutes out (sometimes only on to the tier) once every three days. Within this time, they are forced to choose between calling loved ones (if they have access to a phone), a shower or accessing the kiosk which allows them to receive emails and order food items. We have received reports of members being granted a total of just “6 or 7 hours” of access to outside space across a period of 10 months. The impact of this on wellbeing and physical health is deeply concerning.

The lack of yard and fresh air are not only having physical effects, but mental ones. A kid recently committed suicide. He was locked in a cell and forgotten

Since March 2020 [letter written December 2020] we have received maybe 6 or 7 hours of yard... we come out every 3 days for 30 minutes for phone and showers

Lockdowns in the spirit of 'Quarantine' became 24/7 x 3 weeks, without even running yard for an hour

STILL ON 23 HOUR A DAY LOCKDOWNS

Most of this year has been on lockdown. It's hard to stay healthy when your [sic] stuck in a small cell and need fresh air and exercise to stay healthy. The rooms are cold and this whole set-up is un-healthy [sic]. We can't go outside

During the 20 minutes every 3 days I had to choose between showering, calling my family, and ordering store. I chose to call my wife

Masks and Personal Protective Equipment

One of the main issues our members referenced in their letters was NDOC staff's failure to wear personal protective equipment or masks. From 5 January 2021, all NDOC staff were mandated to "wear an N95 mask at all times while on NDOC property or sanctioned off-property movements"⁹. NDOC rules state that "supervisors are required to ensure that all NDOC employees and contractors always wear face masks while on NDOC property while maintaining social distancing of at least 6 feet from others".

At the Nevada Sentencing Commission meeting held on 21 May 2021, Dr Minev, NDOC's Medical Director, stated that "we are sticking to the requirements to have all NDOC staff, offenders, and visitors to our facilities wear N95 masks at all times"¹⁰. Director Daniels reminded those at the same meeting that "on April 27, I issued a statement making it mandatory that NDOC employees working inside a secure facility wear a protective mask". However, reports from our members suggest that this mandate is not being followed by staff, nor is it being enforced by supervisors.

N95 masks have been given to guards, but almost none of them wear them. Tonight's guard carried six food trays on a large plastic tray, huffing and puffing all over the food and trays with his cloth mask securely around his chin so his mouth and nose were fully exposed

We are not the ones who bring the virus into our facilities so why should we be locked in our rooms for 22 hours a day while the ones that can bring it in here walk around the facility and visit in a small confined bubble without their masks on?

Even in a quarantine unit some of the C/Os didn't have the PPE gear on

COs were seen wearing N95 masks (the one and only day) paper aprons, hair nets, and booties on their feet... at 3:35pm 17 admin and looked like health department (unknown for sure) - stopped by [unit removed] and were seen looking around our tiers. Then they left about 20 min later. The COs all suited up served dinner and never wore that stuff since.

Looking back it all started with not issuing proper protective equipment or proper testing on all NDOC staff in entering this institution

It is important we highlight that one of our members within the sample did provide an example of a Correctional Officer at their facility not only adhering to the rules himself but also working hard to ensure others do too. We acknowledge that there are staff who have been operating to high standards of professionalism and we extend our sincere gratitude to those doing all they can to protect those in their care under extreme circumstances.

[Staff name removed] had a meltdown on yard at 3.50pm. Yelling at CO [name removed] that they should be telling everyone out on yard to put their masks on unless their [sic] exercising

⁹ https://doc.nv.gov/About/Press_Release/covid19_updates/

¹⁰ <https://sentencing.nv.gov/uploadedFiles/sentencingnv.gov/content/Meetings/2021/NSC%205.21.21%20Draft%20Minutes.pdf>

Staff Behavior and Staff Shortages

Beyond some staff's failure to wear PPE and masks, we have received reports of incidents that have put many of our members at increased risk. Although NDOC publicly states that "the employees of the Nevada Department of Corrections are committed to providing the highest most professional level of service possible"¹¹, the evidence we have gathered challenges this statement. Although our sample is formed of members from across nine facilities managed by NDOC, our members' experiences were similar.

One C/O, when being told to 'wear your mask', while checking inmates' lunch sacks coming out of the chow hall, responded by coughing into an inmate's lunch sack

Administration knew full well where their positive cases originated from but continued with deliberate indifference, disregarding our wellbeing

I was in prison for the whole pandemic. The Correctional staff portrayed it as a big joke and inconvenience

The emergency buttons in our cells do not work so there is no calling for help and the buttons that do work the C/Os ignore or turn off. Kicking on the doors or yelling for a C/O is no help they simply close the windows and close doors

Communication to our members by staff and administration has remained inconsistent and often minimal, thus increasing their confusion, concerns and anxiety, despite Director Daniel's statement that "most of our inmates appreciate the fact that we communicate with them very directly"¹². We saw no evidence within our sample to support his claim.

They refuse to listen to us. They (the Wardens) do not communicate with any of us at all and it really is getting frustrating and stressful

“ So, here at [NDOC facility] we got hit hard and fast with the virus. They didn't tell us Jack s***, locked us down, fed us cold food for 3 weeks, NO PPE, promised supplies, that never arrived ”

A number of our members also reported that the grievance process was withdrawn at their facility or that their filings were ignored.

No access to Grievances during the lockdown

They're not giving us the Grievances we ask for

¹¹ https://doc.nv.gov/Contact/Complaint_and_Commendation_Guide/

¹² <https://sentencing.nv.gov/uploadedFiles/sentencingnv.gov/content/Meetings/2020/NSC%2012.9.20%20Minutes-Approved.pdf>

NDOC's "chronic understaffing" (see comments made by Director Daniels at the Board of Prison Commissioners meeting on 25 January, 2021)¹³ appear to have been used as the justification for extended lockdowns.

[NDOC facility] is exploiting the 'staff shortage' to deny access to outdoor recreation. In the past three weeks, we were scheduled to have 18 hours of yard. Instead, we've had six hours

All we're told is we're short staff

They admit that there is not enough staff

Most of the negligence to civil rights is blamed on staff shortages due to the pandemic

From 1 November 2021, NDOC staff will be mandated to receive the COVID-19 vaccine. Those who fail to comply will lose their employment. As an organization, we wholly support this mandate, but have concerns about the ramifications of the reduction in staff. We have heard unsubstantiated reports that NDOC's strategy is currently to implement a hard, 90 day lockdown from 1 November 2021 across all of its facilities. Our members have already suffered immensely over the past 17 months and we remain concerned for their physical and mental wellbeing. We are unclear why NDOC continues to resist the development of a decarceration plan, despite multiple invitations from civil rights organizations in Nevada, including ourselves, keen to support NDOC design, implement and responsibly manage this. NDOC does not have the infrastructure required to house the magnitude of inmates the state detains, many of whom are incarcerated for non-violent crimes or whose sentences are due to expire soon. The system is reaching breaking point and once again, those likely to suffer the most are our members.

¹³ <https://doc.nv.gov/uploadedFiles/docnvgov/content/Meetings/2021/BOPC%20Mtg%20Minutes%20FINAL%20January%2025.%202021.pdf>

Restrictions

Although this theme links closely with extended quarantines and lockdowns, this category encompasses reduced access to the phones (a crucial element of remaining engaged with family and support systems), showers, kiosks, education, programs and access to religious areas. At the Nevada Sentencing Commission meeting on 21 May 2021, Director Daniels stated that from “March 20, 2020, inmates were provided with two free phone calls per week in response to the cancellation of visiting privileges”¹⁴. This statement is accurate but what Director Daniels failed to outline is that the majority of our members had little to no access to a phone for *months*, meaning these calls could not be used. One of our members advised that in the 20 minutes he was allowed out of his cell every three days, the phones were often malfunctioning or unavailable due to demand, meaning he was unable to speak to a loved one or friend.

During my 20 minutes, the phones were shut off, so I couldn't call anybody

Another big painful issue is that we only get out every 3 days for 20 minutes for shower & phone. If we are lucky! My roommate [name removed] has not had a chance to talk to his love ones whom he thinks may have Covid. He has not been able to get access to the phone for 7 days

Phone calls to our families have almost ceased... all we want to do is be able to talk to our families and have positive structure

All weekend since Wednesday no phone calls no 1/2 hour tier time. Since yesterday it went from 25 minutes yesterday no phone to 15 minutes to no phone today

We didn't get no yard time or phone time for the first two weeks. The second two weeks we was allowed twenty minutes out of our cell you had to pick take a shower, call home, or go outside

One of our members reported the pressure of such limited resources between so many individuals causing increased tension and violence within their facility.

“ I literally broke up a fight over the phones today so we wouldn't get locked down, but then the phones shut off anyway ”

¹⁴ <https://sentencing.nv.gov/uploadedFiles/sentencingnvgov/content/Meetings/2021/NSC%205.21.21%20Draft%20Minutes.pdf>

These restrictions also extend to showers, with reports of many malfunctioning or being turned off.

4 of the 7 showers in [unit name removed] were shut off and I was told by [staff name removed] that the Director ordered the showers shut off for 'social distancing' even though each shower is its own self-contained stall with three walls and a door

We were given 30 minutes for 50 inmates to shower, make phone calls etc. with seven showers and four phones.

26 people 1 hr - 4 phones - 4 showers

We are now allowed 1 hour for 20 cells at a time to use 3 phone, KIOSK and 6 showers available for 40 inmates

There continues to also be restricted access to the kiosk, which is required to receive communication from loved ones or to order food.

[We] fight it out with 50 other inmates to shower (7 showers), call my loved ones (4 phones), check the kiosk for mail to order canteen (one kiosk), and cook food (one microwave)

NDOC must urgently improve access to loved ones and support networks, especially as facilities including Ely State Prison face new outbreaks and new lockdown procedures. In the UK, 50 prisons already have in-cell phones so prisoners are able to maintain regular contact with families. The pausing of in-person visits was offset by the roll out of additional phones by the UK Government whereby "secure phone handsets will be given to prisoners at 55 jails"¹⁵. Other than the temporary addition of two free calls a week in 2020, ceasing in early 2021 (which, as discussed, could rarely be used anyway), we have not seen any evidence of NDOC working to compensate the dramatic reduction in family contact for those in its care.

Visits

A research study by Dr Karen De Claire and Dr Louise Dixon analysed the canon of research relating to the impact of family contact during incarceration. Their work highlights a study by William Bales and Daniel Mears, which showed prisoners who were visited had "significantly lower recidivism rates and lived longer in the community without re-offending than those who were not visited. Further, as the number of visits increased, the likelihood of recidivism significantly reduced". It is argued that the "loss of such visits could lessen the use of social support for mitigating against and coping with mental distress, and the risk of suicide and self-harm"¹⁶. In the United Kingdom, research conducted by the Ministry of Justice shows that, for a prisoner who receives visits from a partner or family member, the odds of reoffending are 39% lower than for prisoners who had not received such visits¹⁷. The lack of visits for our members, coupled with minimal access to the phones or kiosks, means they continue to be isolated from those they love and the support networks vital to their wellbeing.

We are painfully missing visits with our loved ones

¹⁵ <https://www.gov.uk/government/news/prison-visits-cancelled>

¹⁶ <https://journals.sagepub.com/doi/abs/10.1177/1524838015603209>

¹⁷ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/642244/farmer-review-report.pdf

Movement

On 9 December 2020, Director Daniels stated that NDOC “implemented what we call a ‘Fire Wall Strategy.’ It was initially established on March 16, 2020 and that is continually modified thanks to the recommendations of the CDC, which is the Centers for Disease Control, or the WHO, which is the World Health Organization, and also, the Nevada State Medical Director”;¹⁸ a process designed essentially to halt interactions with anyone outside of NDOC (which resulted in the pausing of visits). As an organization, we had expected to see this run consecutively with reduced movement of inmates within and across facilities. However, 42% of those in our sample referenced ongoing mixing and transfers by NDOC between and across facilities, which we are eager for NDOC to explain. We received reports of “mass transfers to and from Ely” State Prison in late 2020, months after Director Daniels made the “fire wall” claim. Again, we would like to see an investigation into NDOC’s persistent mixing and movements of those in its care. Reports we have reference this happening across **seven facilities**.

They move people from the sick unit to all the other units and people that were not sick from all the other units into the one where everyone was sick. They tested us a few days later and everyone but 16 people tested positive but it took 5 days for the results and by that time 15 more people were feeling symptoms

People don’t get tested before bed moves some inmates told the officers they were sick before they moved everybody around and they were told to move anyway and got everybody sick

They’ve made 1 big move [unit removed] moved over here in our [unit removed] so that made our body count increase. That doesn’t make any sense when were suppose [sic] to be social distancing

Since this camp started getting positive Covid cases they have cross contaminated the units by moving people from other units and then moving them again. Now they have 46 of us who are positive for Covid crammed into a unit that holds 48, while 3 out of 5 units are pretty much empty

“ On 12-20-2020 NDOC begin to move in and transfer/place Covid-19 contaminated inmates into a Covid-19 clear housing unit with deliberate indifference ”

People are not being tested before bed moves. In fact, there have been times where they moved 1 person from a cell just to bring someone from another unit to switch out with him without a test

Last week of October [2020] they moved people into this unit, who were still awaiting test results. I noticed I was sick October 28th Wed. 2020. We went from no cases to hundreds in a period of 10 days. They mismanaged the situation

¹⁸ <https://sentencing.nv.gov/uploadedFiles/sentencingnv.gov/content/Meetings/2020/NSC%2012.9.20%20Minutes-Approved.pdf>

Medical support

An ongoing lack of access to health and medical support was a leading issue for 60% of our members. Not only did this relate to those who contracted Covid-19 and were unwell, but it also had an impact on those with chronic health issues who were unable to access medical support due to the prioritisation of Covid-19 patients.

Access to what medical?... My cellee [sic] tried to call man down 2x and they were ignored, custody staff wont [sic] call medical unless your [sic] already dead which has already happened in that unit 2 days ago

I got covid on 11-1-20 along with 300 other inmates at first the nurses wouldn't even tell us if we were positive

Their way of dealing with a person who's infected is locking him in his cell with his cellmate and leaving him in the same unit with the other 54 of us who tested negative so we can eventually get sick as well

I and other inmates received no medical treatment while suffering from Covid 19 symptoms

In addition, those incarcerated by NDOC continue to be charged for medical help, a cost that is often passed on to family members, who already carry the burden of astronomical prison-related fees (including the cost of phone calls, Corrlinks, Access Securepak, administrative fees etc)

I was also charged eight dollars for catching or having covid

“ They charged me \$25.00 for a man down fee. They gave me the virus ”

Our members also highlighted a lack of access to dentists and optometrists.

“ As far as medical goes, it is a joke here at [NDOC facility]. Kites for appointments are ignored. We have no eye doctor for over 3 years here ”

“ Today I had to have my roommate pull out my tooth due to the fact that medical is non existent. Due to the fact they are very 'overwhelmed' (so they say) ”

I was transferred here on [exact date removed - Autumn 2020] my dental work started at [NDOC facility] I wear upper and lower partials. I cannot chew food properly due to I have no teeth. I've wrote [NDOC facility] in which they mailed my partial to [another NDOC facility the writer is not currently based at]

As for medical, dental, mental health services? It's almost non existent

Finally, those with chronic conditions have been struggling to access the services they require to maintain their health.

I have diabetes and high blood pressure and have not been seen by my Dr. since some time in May [letter written December 2020], but thats [sic] not the worst. The prison conducted a Hep C test on the whole prison back in March and I was told I tested positive... they refuse to treat me for Hep C, they tell me I'm 'not sick enough' for the treatment

There is a posted memo dated [summer 2020] by Warden [name removed]. To paraphrase it stated COVID 19 supersedes all medical/dental appointments... all appointments have been cancelled. Chronic condition medical treatment or normal day to day care is all on an indefinite hold

The wait to see the one, medical doctor [name removed] is 8-9 months!

Mental Health

Our members reported a shortage of mental health provision across their facilities. They used terms like “stressful”, “overwhelmed”, “miserable” and “frustrating” to describe their experiences. We received two reports of members receiving “wellness checks” through their cell doors, but these appear to be singular occurrences, with one following a suicide on the unit.

[A] Psychologist [name removed] went cell to cell asking inmates in [unit removed] how they were feeling because someone had committed suicide. This was the first time any medical professional had been to my door or inquire about my health in years

Outside of handing out pills to inmates with prescriptions and administering Covid test [sic] once every few months, no medical staff checks on the health and welfare of any inmates

I told the psychologist the detrimental physical and mental effects this extended lockdown is having on all inmates, as evidence by increased violence and deaths, and he said he would tell his boss

For members who rely on medication to regulate their mental health, we were alarmed to receive a report of one who had been taken off of his without explanation.

I'd been taken off of my medication that I take for Anxiety Attacks abruptly without notice. I've sent multiple kites within the past 3 months, the psych doctor has also refused to assist me with my dilemma. They're refusing me mental health services. Consequently, I am constantly having Anxiety Attacks

Another member reported the impact of those with poor mental health being locked in their rooms for extended periods.

“ They've [medical teams] given psych meds for their [inmates'] mental instabilities already and then they lock them in their rooms for 22 hours a day. It really can cause some of them to be in a downward spiral because they can be depressed and with no social contact it makes it worse for them ”

Others described the impact NDOC's handling of the pandemic was having on them mentally.

Mentally, physically, emotionally and spiritually, this is breaking me

It takes all of my strength to keep my emotions under control

Cleaning and sanitation

On 9 December 2020, Director Daniels stated that NDOC had “made sure hand sanitizer was available to all offenders upon request”¹⁹ but reports from our members refute this claim.

We are not being given any hand sanitizers or cleaning supplies for cleaning our cells

They never gave us any kind of hand sanitizer. Ever!

Hand sanitizer was signed for 1 day and taken away 3 days later, excuse was 2 people drank theirs

We recognise NDOC later collected “hand sanitizer back from offenders simply because some of them started to ingest it, obviously, to treat it as regular alcohol” (see the Nevada Sentencing Commission Minutes from 9 December 2020). We do not believe a facility-wide removal of hand sanitizers was an appropriate solution in response to the thoughtless and desperate behavior of a tiny minority of inmates. Return Strong suggested to the Nevada Covid Taskforce that NDOC install hand sanitizer stations on tiers at the wing intersections, near phones and high traffic areas. We continue to urge NDOC to consider this recommendation.

Director Daniels stated that “we implemented sanitation protocol that also included a ten (10) percent bleach solution to wipe down all areas, which happen constantly in all our common areas. Showers, places where inmates congregate, or where they have access to their cells.”²⁰ Once again, this claim was refuted in the data we collected.

“ We don’t get cleaning supplies to clean the cells ”

Prison officials refuse to give us cleaning supplies to clean our cells, with the Covid 19 pandemic going on they refuse to assist us with hand sanitizer, disinfectants, in this regard prison officials have a complete disregard for our health

“ The units are not provided with bleach or proper disinfectant (I’ve asked the porters) Nor are we, inmates, given more to clean with than the regular state soap, and for a while were not given toothpaste or toothbrushes but for once every month or two. You’d think if anything would teach the staff at [NDOC facility] to take hygiene seriously it would a pandemic, but logic does not apply here ”

No cleaning supplies to sanitize our living areas and common areas. It’s one of the 1st thing [sic] they promised that they didn’t deliver on

It is stressful being in prison where they either pretend to disinfect or outright refuse to. They pass the phone from cell to cell without ever disinfecting it once

¹⁹ <https://sentencing.nv.gov/uploadedFiles/sentencingnv.gov/content/Meetings/2020/NSC%2012.9.20%20Minutes-Approved.pdf>

²⁰ <https://sentencing.nv.gov/uploadedFiles/sentencingnv.gov/content/Meetings/2020/NSC%2012.9.20%20Minutes-Approved.pdf>

In addition to concerns around hygiene and sanitation, two of our members provided reports around ventilation issues.

An officer put 2 signs on 3 doors - RED & Quarantine Green. 'Red doors are in quarantine, no outside cell movement'. One of those doors is next to me & we share air vents.

[Unit removed] is now COVID patients (10 or so) on top tier and bottom tier is now women who go out for doctors appointments, surgery. The vents are connected so above, the covid patient is coughing, sneezing, spreading the disease in to the vent goes to the bottom vent and out to the room

Food

Whilst we appreciate efforts to minimise contact in chow halls, the current process devised by NDOC has resulted in a significant reduction in portion size which is leading a number of our members to report being hungry and losing weight. Access to buy additional foods has at times been stopped entirely, while others have been restricted to a maximum spend of just \$35 per week. The delivery of these items is reported to be exceptionally slow.

People are constantly hungry... I went from 172lbs to 143lbs in 45 days

They are cutting down on food portions so we are always hungry and some of us are actually losing weight

Since the COVID-19 pandemic they've been feeding us using trays that are much smaller than the normal feeding trays, they're in turn giving us small portions and we're still hungry. They aren't giving us commissary on time, sometimes weeks go by to where we aren't able to order food. Or if we order it, it doesn't come

They serve animals with more respect than they do us. We eat in our cell on styrofoam trays that hold the smallest portions ever

“ We are grown men so their peanut butter & jelly at least 4 days out of the week for breakfast & lunch with a childs [sic] portion for dinner is not enough, they need to change that policy ASAP ”

They feed us in here like dogs

Last week the fruit and oatmeal had bugs in it!

However, this was not the case across all facilities. Two of our members reported:

The chow hall is no longer being used to feed inmates. Instead, all meals are being brought to the units in styros. If there's a reduction in portions, it's only slight.

The meals are more or less the same

Conclusion

These preliminary findings outline the ten most pressing concerns our members told us they are currently facing, extracted by manually coding qualitative data in the form of letters sent to Return Strong across a 10 month period. As advised, further data will be analysed between now and Spring 2022 in order to triple this sample size and gather further insights into the impact NDOC's handling of the pandemic on the mental and physical wellbeing of inmates.

We continue to invite NDOC to meet with us and to work together to improve the conditions within the prison system in the state of Nevada. In the meantime, we hope that the data provided in this report supports academics, policymakers, civil society organizations and government in their work relating to the impact of Covid-19 on the incarcerated.

Finally, and most importantly, we hope this report brings hope to our members who are beginning to see their voices amplified. Hold on to the knowledge that people do care about you and your wellbeing and please remember, **you are not alone.**

Contact

Jodi Hocking
Founder, Return Strong:
Families United for Justice for the Incarcerated

Email returnstrong.fuji.nv@gmail.com

Phone 775 530 7130

Postal address

Return Strong, PO Box 1155, Carson City, Nevada 89701



The voices of our members

No matter what we've done in our past that has brought us here, we are human beings who do not deserve to be treated like this

This system is horrific

These people will let us die in here before they let anyone go. They LIE. And they're incredibly scandalous

They are deliberately trying to murder while pretending to be protecting us

“

Prison officials have a complete disregard for our health

”

Everyone was just sentenced to death! Because the staff don't care, we are a replaceable commodity, were [sic] expendable!

This place has no mercy

Pretty much all rights and privileges have been revoked under the false guise of 'protecting' us from COVID

