

**Testimony of The Philadelphia Department of Prisons
Commissioner Blanche Carney
Before the PA Senate Democratic Policy Committee
January 7, 2021**

Good morning Chair members Muth and Williams and members of the Pennsylvania Senate Democratic Policy Committee. I am Blanche Carney, Commissioner of the Philadelphia Department of Prisons (PDP). Thank you for inviting the Department of Prisons to provide testimony on the impact of COVID-19 on the Philadelphia County Prison.

The onset of the Covid-19 pandemic presented operational challenges to the safety and security of the Philadelphia Department of Prisons which required a strategy to mitigate the spread of Covid-19 inside our facilities. Safety precautions and protocols were quickly implemented by sheltering in place, suspending civilian visits, and maintaining security, food, medical, behavioral health, social services, and access to chaplains and contact tracing. The PDP works closely with the Philadelphia Department of Public Health (PDPH) while following CDC Guidelines for Correctional Facilities, in mitigating Covid-19 inside our facilities.

The PDP began manufacturing cloth masks for staff and the inmate population independent of the limited available resources that were fiercely competed for in the open market. Staff were and continue to be assigned levels of personal protective equipment (PPE) commensurate with their posts. The assignment of our PPE was modeled after the medical model ensuring staff working with Covid-19 positive inmates are issued the highest-level PPE (e.g. n95 mask, gown, apron) and staff assigned to general population quarantine areas are issued appropriate level PPE (kn95, non-surgical and cloth masks) and all staff having access to gloves. PDP has an ample supply of PPE on hand and continues to issue to staff accordingly. PDP installed plexiglass throughout its facilities on housing unit areas, offices, lobbies, and in official visiting areas. Hand sanitizer dispensers were installed in staff common areas, lobbies, and in official visiting areas. Floor markings and signage were placed throughout the facilities as a visual indicator for staff and inmates to practice social distancing to the extent possible.

In-person screening inclusive of temperature checks and a health screening questionnaire was established at all facilities entrances from the outset of Covid-19 and remain in effect. Anyone presenting with symptoms, high temperature or positively responding to the health screening questionnaire has been sent home to self-quarantine for fourteen (14) days and encouraged to test for Covid-19. Anyone reporting exposure to someone who tested positive for Covid-19 was also required to self-quarantine. Moreover, PDP began its contact tracing to mitigate the possible spread of the virus. PDP created educational campaigns regarding Covid-19, mask-wearing, and FLU immunization that are shown to staff and the inmate population, respectively using our closed-circuit TV system. Lunch periods are staggered and roll-call for uniform staff were relocated to allow for social distancing. Enhanced sanitizing protocols remain in place.

In the early onset of the Covid-19 pandemic, the PDP transitioned to shelter in place restricting the movement of the population to mitigate the spread of Covid-19. Inmates are issued multiple masks that must be worn at all times when outside of their cells. New masks are exchanged when they become

damaged. The PDP provides masks, soap, and cleaning supplies for inmates to maintain their hygiene and to clean their cells and common areas. Inmates were permitted to be outside of their cells for showers and phone calls. In May 2020, PDP conducted a one-time universal mass testing of inmates which resulted in an infection rate of 5.8%. Such results informed operations and the ability to transition to the then “yellow phase” with larger numbers of inmates permitted outside of their cells for showers, phone calls, and recreation for 45 minutes or longer, daily.

From the onset of Covid-19, the PDP expanded the intake quarantine period from five (5) to fourteen (14) days following the CDC guidelines. Symptomatic inmates were immediately isolated and tested, and the respective housing unit was placed in quarantine and the entire unit was tested. Moreover, after transitioning to the “yellow phase” to further identify exposure, PDP implemented Covid-19 testing for all newly admitted inmates.

The infection rate for six months of the pandemic remained below a 5% infection rate. The recent uptick in positive cases in November, resulted in a 9% infection rate and testing continued where clinically indicated. This increase resulted in the PDP transitioning back to shelter in place on December 5, 2020 with inmates permitted outside of their cells for showers and phone/virtual calls, daily. Further, we are in the process of our second round of universal testing for the inmate population.

Additionally, on December 22, 2020, the PDP has commenced universal testing for all staff, contractors and official visitors entering our facilities. Upon results of the universal inmate and staff testing, the results will be released accordingly. It is important to note, outside introduction of Covid-19 can occur through off-site clinic trips, hospitalization, and court-related appointments. If a positive case is identified with staff at one of the Criminal Justice partner agencies, who may have had contact with the inmate population during offsite court proceedings, the PDP safety officer is notified and contact tracing is instituted immediately.

Moreover, the PDP has tried to minimize the amount of contact the inmate population is having with others, including working with the Courts and other criminal justice agencies to make inmates available for virtual legal visits and virtual court proceedings to the extent possible. We acknowledge that the PDP was challenged with limited internet capability due to the original design of the buildings. However, PDP stood up several workarounds to continue court proceedings (e.g. Gagnon 1 hearings, early bail reviews, and detainer hearings with Montgomery County) and created access to virtual legal visits. In-person legal visits continued during this period, with masks being mandatory for both inmate and the visiting attorney, seating arranged so that there would be more than six feet of social distance with plexiglass barriers, and the entire room being sanitized after each visit. Given the urgency in ensuring our virtual capability was expanded within a short time frame, the PDP selected the best internet option to create and expand the virtual capability to the Court and for legal visits. Other options (e.g. independent kiosks) were not selected due to projected completion mid to late 2021.

During the initial height of the pandemic, from March to May 2020, to make sure inmates did not stay in custody longer than they had to, PDP began providing weekly lists of inmates to the Courts, District Attorney and Defenders Association for consideration for early release; and, working together with our

other partner criminal justice agencies collectively, this resulted in a decrease of the PDP's population by 21% during that period. The PDP continues to provide the weekly lists.

Regarding the PDP's virtual capability, PDP has been constantly compared to counties with a total population at or below that of the Curran-Fromhold Correctional Facility's population of 2200 inmates on a given day. There are differences in facilities design and space specifically dedicated to ensuring confidentiality for legal visits and court proceedings. Kiosks used in other jurisdictions would have required more extensive infrastructure installation projected into mid to late 2021 and if selected would have resulted in the PDP not having expanded access for legal visits. Further, issuing an RFP would not have been prudent given the extensive time constraints during the pandemic.

In partnership with the First Judicial District (FJD), use of the Court video portals was made available to the Defenders Association to conduct virtual legal visits from 2 PM to 7 PM in addition to in-person legal visits with the safety precautions in effect as mentioned above. In support of the virtual visits, PDP stood up an additional laptop via appointment at each facility to increase access for virtual legal visits and extended the hours to 10 PM. The FJD agreed to extend the use of the portals to 10 PM to align with PDP's extended hours. Additionally, the PDP introduced its virtual tablet platform making legal and civilian visits available, respectively. Tablet legal virtual visits began October 1, 2020, and civilian virtual visits began December 15, 2020. The PDP has extended Zoom virtual legal visits through March 2021 as we transition to the tablet platform. The platform is designed for 15-minute intervals and requires the inmate to initiate additional calls up to one hour for virtual legal visits, with two free 15-minute virtual civilian visits per week. The inmate can successively initiate virtual legal calls without delay. The PDP continues to provide 10 minutes of free phone time daily, in addition to virtual visits. Since the tablet program's inception for virtual legal visits on October 1, 2020, there have been 1,532 virtual legal visits. Legal visits during the pandemic from April to date, 7,377 were in-person; and August to date, 3,066 have been via Zoom. The PDP does not charge for virtual legal visits as do other counties.

The PDP continues to manage the operational challenges driven by Covid-19 using our best efforts to keep staff and inmates safe. We remain fully committed to working with our fellow criminal justice partners to safely effectuate increased legal proceedings to reduce the prison population. Lastly, we will work with the PDPH regarding vaccine distribution.

Thank you. I will be happy to respond to questions.