

THE PANDEMIC INSIDE: COVID-19 IN MICHIGAN PRISONS

*compiled and edited by Michigan Abolition
and Prisoner Solidarity (MAPS)*

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MAP OF MDOC FACILITIES



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APPENDIX

	Total People Tested	Total Positive Cases	Total COVID Deaths	Infection Rate (per 10,000)	Death Rate (per 10,000)
MDOC	43221	26733	143	7003	37
United States				1189	19

As the table shows, prisoners in MDOC facilities are much more vulnerable to infection and death from COVID-19 than the US population in general. Specifically, Michigan prisoners are about seven times more likely to be infected and about twice as likely to die from COVID-19. The data in the table comes from the MDOC, the UCLA Law COVID-19 Behind Bars Data Project, and the CDC, and was accessed on September 3, 2021. One limitation of the data collected by the MDOC is that it lacks a timeline of infections and deaths, so it is hard to track the progression of the disease. We know, however, that cases exploded in MDOC facilities early on in the pandemic, and by May 2020 the Detroit Free Press reported that Michigan ranked highest in the country for prisoner deaths from COVID-19.

<https://medium.com/@MichiganDOC/mdoc-takes-steps-to-prevent-spread-of-coronavirus-covid-19-250f43144337>
<https://uclacovidbehindbars.org/states/michigan>
https://covid.cdc.gov/covid-data-tracker/#cases_casesper100k

INTRODUCTION

by MAPS

In March 2020, the COVID-19 pandemic hit the Macomb Correctional Facility (MRF), slowly spreading throughout the Michigan Department of Corrections (MDOC). All programming at MRF and around the state was cancelled. In the fall of 2020, mandatory MDOC programming resumed at MRF only to be stopped, again, due to another COVID-19 outbreak. In March 2021, only mandatory MDOC programming resumed at MRF for those prisoners within months of their ERDs. No other programming has been allowed to start for prisoners with life or long-indeterminate sentences.

On March 23, 2021, the MRF population was given the opportunity to receive the Johnson and Johnson COVID-19 vaccine. Between 50 to 60 percent of the prisoner population chose to take the vaccine, while only 30 to 40 percent of the prison staff took the vaccine.

With just over 50 percent of prisoners and staff combined taking the vaccine, the only change in operations at MRF was the start of in-person visitation behind plexiglass on March 26. No GED classes, no college classes, no vocational classes, no law library, no AA/NA meetings, and no self-help rehabilitation classes have opened for the prisoner population. The school building has remained closed. Prisoners cannot use the gym, weight pit, or pull-up bars. Outside recreation has been extended an hour and 20 minutes, 3 days per week because of daylight savings.

With vaccines being administered at MRF and with MRF failing to return to any semblance of normalcy, it appears corrections officials have resorted back to “warehousing” prisoners under the guise of the COVID-19 pandemic.

In certain ways, a global pandemic can act as a kind of equalizer. COVID testing and vaccination have demonstrated some collective capacity for free, universal healthcare in a country with a system long dominated by for-profit healthcare providers. In a very short period of time, telehealth services long-needed by many working, chronically ill, or disabled people became ubiquitous, simply because “everyone else” needed them too. And 2020 saw the rollout of the closest thing Americans have known to universal basic income in the form of enhanced unemployment benefits.

But we also know that COVID-19 did not affect everyone equally. As usual, already marginalized populations bore the brunt of its effects. Without the resources to ride out the pandemic, for example, many people in poor and racialized communities had to keep working in person and were exposed to infection and premature death at much higher rates than the wealthier and mostly white communities that could afford to take an extended leave or work remotely. In other words, the pandemic exacerbated already existing and uneven forms of suffering and death.

This structural violence has been especially apparent in prisons. The pandemic hit hard and fast in Michigan prisons, and by May 2020 the Michigan Department of Corrections (MDOC) had logged more prisoner deaths than any other state. As we write this introduction in August 2021, 143 prisoners have officially died from COVID-19 in MDOC facilities (and this is probably an undercount), and Michigan prisons still lead the country in infections per capita (7,003 per 10,000).*

Statistics like these can give us a general overview of the catastrophe, indicating some of the mechanisms by which prisons make prisoners disposable, but they can't account

* see appendix pg. 41

for the granular, embodied experience of daily life under such conditions. They miss the fears, hopes, and frustrations, the abuse, cruelty, and indifference to which incarcerated people were subjected by politicians, officials, and guards at every level. They also fail to document the forms of mutual aid and resistance, some more spectacular than others, by which prisoners have tried to stay safe. This is why we have decided to publish a selection of writings on the experience of the coronavirus pandemic by prisoners of the MDOC. These writings were sent to Michigan Abolition and Prisoner Solidarity (MAPS), a group organizing in solidarity with prison rebels, over the last year and a half. Many of these submissions were initially intended for MAPS's quarterly newsletter, *The Opening Statement*, which circulates among over a hundred imprisoned subscribers. However, we hope they can find a broader audience outside Michigan's state prison walls, as a testimony to the harm caused by prisons, and the spirit of collective resistance to carceral violence that persists even as things go "back to normal."

These essays and letters detail daily suffering and administrative incompetence as well as the structural impediments to effective care in the prison system. Although the MDOC is a rigidly hierarchical system, the central administration in Lansing often struggles to standardize implementation of its policies across all of its prison facilities. Workplace culture varies from prison to prison; wardens have greater or lesser regard for the rules that supposedly govern them; and staff may have a broad range of intentions behind their activities. During the pandemic, some prisoners received the appropriate cleaning supplies and masks promised by the state, while others were forced to purchase them on prison wages, and still others couldn't acquire them at all. Some prisons tried to follow distancing protocols more closely while others opted to further overcrowd their facilities and shut down entire wings, enforcing lockdowns in ways that left infected people in cramped quarters with others who weren't. Meanwhile, despite the governor's directives against them, prisoner transfers sparked new outbreaks by introducing infected prisoners to facilities where

CORRECTIONS OFFICIALS RESORT BACK TO WAREHOUSING UNDER GUISE OF COVID-19 PANDEMIC

Jamie Meade

Macomb Correctional Facility

March 28, 2021

After Robert Martinson's influential 1974 essay "What Works: Questions and Answers about Prison Reform" was published, the "Nothing Works" era ushered in "warehousing" prisoners in prisons across the country. The prison population started to climb in the United States reaching an alarming 2 million, putting the US first in the world in incarcerating its citizens. Michigan's prison population also reached a high of just over 50 thousand. The politicians' tough-on-crime and lock-'em-up-and-throw-away-the-key approach, along with the Parole Board's life-means-life policy of the early 90s, fueled "warehousing" and mass incarceration in Michigan.

With Congress passing the 1994 Crime Bill, college programs were eliminated throughout Michigan's prison system. Corrections officials implemented "warehousing" policies restricting prisoners from participating in educational, vocational, and rehabilitation programming unless they were within a few years of their Earliest Release Date (ERD). Lifers and long-indeterminate sentenced prisoners were prohibited from participating in programs and merely "warehoused."

In the mid-2000s, influenced by the racial injustice and social justice arguments, the criminal justice pendulum started to swing back towards rehabilitating offenders instead of "warehousing" them. Social justice advocates called for the end to the mass incarceration era.

abusers and veiled racists. The term law and order is nothing but race based rhetoric recycled from the old Ronald Reagan election days meaning “harass, target and lock up black and brown bodies.”

It was said that prison is to protect the public and rehabilitate and reform the alleged violator. Sorry but this is the farthest from the truth. COVID has really unmasked the cruelty and inhumanity of our keeps/captors and their mistreatment and indifference to the lives of the “kept” and vulnerable population.

Since the pandemic, I’ve observed prisoners denied humane treatment or not given treatment at all. I’ve watched Warden Chapman, Deputy Warden Stephanson and Doctors Kim Farris, Nurse Practitioner Juliano Martino minimize or blatantly lie or misrepresent the condition of sick and dying prisoners. The responses have been deplorable. So our civil servants have become our victimizer and executioner and the law sanctions it.

Now what’s even more hurtful is our keepers or those in control are profiting off of our (prisoners) suffering. Officers who work for MDOC are receiving an additional \$700 on each paycheck due to prisoners being infected with COVID. This means officers and administrators have a \$700 incentive to not implement measures that would protect and prevent prisoners from coming into contact with or being infected with COVID.

Ask yourself who profits off of the suffering of not only other people but also vulnerable people besides depraved devils? Now when I say devil, I don’t mean a spirit, because the hell we’re receiving is from flesh and blood bodies and the policies they implement.

In conclusion, the system must be challenged via lawsuits, mass organization, economic boycotts, establishing black and brown businesses so the change can start with us.

COVID had not yet begun to spread.

But, as a universal trend, the pandemic empowered prison administrators to make all sorts of capricious and harmful decisions at all levels. In some places, mail was delayed for up to two months due to understaffing as many prison guards opted to use time off, retire, or quit outright rather than work in pandemic conditions. The scant offerings of classes and rehabilitative programming at many facilities were simply discarded, causing a backlog/slowdown of parole hearings. Prisoners were denied in-person visits with loved ones, to the profit of the price-gouging communications contractors who sell phone, email, and most recently video visitation services to prisoners. Mobility was further restricted, often without rhyme or reason, as lockdowns were required and prisons had to operate on a skeleton crew staff, with wardens at times working in prison kitchens just to keep things running. Pre-existing environmental problems like black mold, unclean water, and rotting food were simply ignored. On top of all of this, the fascist architecture of the prison makes infection nearly inevitable. How does one socially distance in a 10x10’ room shared by 8 people?

With cases in Michigan prisons once again rising fast due to the appearance of the delta variant, it is clear that the pandemic is far from over. Overall, the pandemic has clarified why abolition is necessary: *prisons amplify existing social problems and create new ones instead of solving them.* These accounts of prisoners’ experiences of the pandemic and struggles for survival and dignity in the face of premature death document some of the multiple forms that abolitionist politics can take even inside the prison walls.

Each article includes the name and MDOC number of the author. We encourage you to reach out to authors about reflections, feedback, solidarity and more. To find the most updated information on a prisoner’s location, search their name or number on the OTIS website: <https://mdocweb.state.mi.us/otis2/otis2.aspx>

COVID-19 MAKES THE VIOLENCE OF PRISONS MORE OBVIOUS

Bruce X Parker

Macomb Correctional Facility

November 28, 2020

In Peace. As usual this article is meant to enlighten and hopefully help someone caught up in this beast we call the prison industrial complex. I use industrial because black and brown bodies are being peddled, traded in America's prison economy like cows or pigs from one farm to the next, then finally to the slaughter house through state sponsored violence dressed up in the racial rhetoric of law and order.

Pay attention when folks use words such as law and order because violence is sure to follow in the contemplated policies that "they" are laying the groundwork for before duping the masses of unconscious consumers. Be careful of what you allow to be shoved down your throat. Destruction nowadays doesn't require physical contact but rather a few minutes of our time and a catchy gimmick. FYI: This is a slick-tongued and accept-anything-that-sounds-good generation.

Entertaining illogical and bad information causes us to malfunction and destroy ourselves from within. So I offer one remedy out of the many to protect and prevent us from becoming proverbial pigs swallowing everything that sounds good to the ear but isn't good when applied. Study and look into what's been vomited on you. Remember half-truths and falsehoods come in many forms and through many people. First things first and last things last.

Now this brings me to my subject matter: the mask of civility worn by the keepers/captors is being removed. The peddlers of the term law and order are nothing but

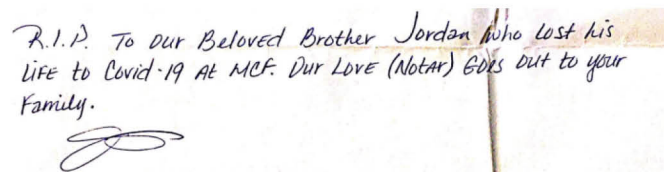
tainty. Like the days of old during slavery, guys are literally being snatched up and being taken. Some being taken to "outbreak" units, being taken to makeshift designated areas, like intake and the gymnasium and school building. Some being taken to classrooms and elsewhere. After literally seeing officers lose their mind, break down, throw clip boards, walk out of their designated units they were assigned to, pleading for calmness and serenity. After watching nurses panic, frustrated, and yell and damn near in tears. After listening to authority like the warden, deputy warden, inspectors, RUMs and ARUSs, mislead, and lie, and look confused, and act in accordance to that confusion. One would first have to take a minute and breathe, and then be beyond strong mentally. I understand it's not easy to do, but that's when you rely on faith. You can't rest on action without faith, nor faith without action. They go hand-in-hand.

To the MCF administration (The Body Snatchers), to be negligent, reckless, and careless in the midst of COVID-19 is one thing. But to jeopardize the lives of thousands of human beings, regardless of their crimes and convictions because of that behavior during this pandemic is a whole other thing. It is no different than an act of attempted murder. God forbid if someone dies because of your behavior. That death sentence was delivered and carried out by you.

Is that something you can live with?

I'm not sure where things go from here. I've heard the saying "It'll get worse before it gets better." I'm not sure when the Body Snatchers will show up at my door and I'm not sure I'll see my family again. Imagine that. One thing I do know is, "When God succors, the triumph comes." Take care, family.

Jermond Perry aka GodSun



R.I.P. To our Beloved Brother Jordan who lost his life to Covid-19 at MCF. Our Love (Notar) Goes out to your Family.

I WAITED TO SPREAD THIS INFORMATION...

Eugene Marr #703334

G. Roberts Cotton Correctional Facility

April 4, 2020

There are entirely just too many of us in one place to even begin to stop the spread of COVID-19. The restrooms which each unit has two of have no room at all inside to be 6ft apart, the JPay machines and telephones that we all have to use are all in closest proximity to each other, including the area that is provided for us to eat our meals. Prisoners of older age and others that are like me with an immune deficiency are at a high risk and in danger of contracting COVID-19, which is already inside of the Michigan Department of Corrections. I am reaching out to the public through all my resources asking that you all help bring awareness to the lives of us that are here. We ask you to spread this information so that something is done. It seems like as more inmates are catching COVID-19, the rest of us just are sitting here waiting for it. We understand the concerns of the public with their safety issues and health issues—as well we share the same concern. I waited to spread this information because of fear from consequences of retaliation and singling out from the MDOC, but if that is what it is going to take to bring awareness I will just have to deal with it. I feel that our health and well-being is more important than fear of punishment. Thank you for listening, please, share, tag, repost, etc this information with everyone.

Sincerely,

Eugene Lee Marr Jr.

ABOLITION

Edward Combs #285318

Chippewa Correctional Facility

April 6, 2020

Once again this is Edward Combs #285318 reporting to you live from Chippewa Correctional Facility in Michigan. My comrade Edward Walton #517281 has yet to be released from segregation and my other comrade Eric Woods #342158 was recently placed in segregation as well for “flu-like symptoms” which I personally believe is the coronavirus.

COVID-19 has spread like wildfire throughout MDOC. However, the administration has yet to issue masks or gloves but they’re telling the public otherwise. Correctional officers and staff alike are not wearing any protective equipment yet they go back and forth from society to the prison on a daily basis. This back and forth movement is putting our (prisoners’) lives in imminent danger. From what I’ve been told, staff members’ vitals are being checked prior to them entering the building. However, unbeknownst to them and us staff can be carrying the virus without showing any symptoms. Governor Gretchen Whitmer should mandate all MDOC employees to wear protective equipment at all times—NO EXCEPTIONS! COVID-19 does not discriminate, it kills prisoners and civilians alike, so we must be afforded the protection as those in society or WE SHOULD BE RETURNED TO SOCIETY where we can receive the same healthcare as members of society.

Respectfully,

Edward Combs

#STAYSTRONG

BODY SNATCHERS

Jermond Perry #427193

Muskegon Correctional Facility

August 31, 2020

I have always wondered what goes through one’s mind when you’re snatched up, not knowing where you’re going, not knowing what’s going to happen to you or if you’re ever going to be able to talk to a loved one anytime soon. With corona being the case, you gotta wonder if you’re ever going to see that one love again or will they see you. That sense of uncertainty can be frustrating and scary in most cases, but definitely mind-boggling and leaves room for a hell of a testimony if you make it through.

I have been in prison for 17 years now, and I thought being at URF (also known as “Chippewa Correctional Facility,” a prison in Michigan’s Upper Peninsula) was the worst part of my bid. I went through a lot at URF. I felt that my faith had been tried and tested to the fullest and if I could withstand all that I went through there with all the administration threw at me by discriminating against me, harassing me, classifying me as a security threat, etc., I know I could withstand anything. In that time I turned to a religious practice I identify as Radehood, and my God saw me through it all and kept me together mentally during a time most in my situation would have crumbled. I’m still here!

Now that I’m no longer at URF, I look at the silver lining of it all and as the adage goes, “Circumstances don’t make you, it reveals you unto yourself.” I honestly believe all I had went through mentally at URF, it was preparing me for something else, something to come that I would have to deal with. Now that I’m at MCF (Muskegon Correctional Facility) during an outbreak of coronavirus, I’ve watched bodies get snatched up almost every night after testing three or four days prior, and there is a lot of uncer-

for those who think that COVID-19 can only be caught from prisoners and use that as an excuse not to take protective steps, i.e. wearing masks and gloves at all times, and making violations of such measures a crime punishable by prison if caught putting staff and prisoners life at risk.

Make all prison administrations separate the medically vulnerable from the healthy prisoners, so that if an outbreak takes place they can be aided in ways to protect their health.

Decrease the prison population, by making room for social distance, by releasing prisoners from prison, via placing them on parole, or assisting them in getting an emergency sentencing deduction that will put them in a position to receive parole.

For the prison population that remains, decrease the overcrowdedness by disallowing the two persons locked in single man cells, and all the other cell overcrowdedness that they have allowed to take place, even if that means reopening the prisons (that are suitable for humane living) that have been closed, and ensure that they are not stuffed past their capacity limits as has happened in most prisons nowadays.

The corrections staff need to stand by these measures as well.

1 Love, Many Lives, 1 Nation, 1 Struggle.

K-UNIT DUBBED "KORONA-UNIT" AND THE APPROACHING DISASTER FOR MICHIGAN PRISONERS

Robert Winburn #222196

G. Roberts Cotton Correctional Facility

April 6, 2020

In Michigan, both non-violent and violent offenders are sentenced to prison, not the death penalty. Thankfully, on March 30, 2020, Governor Whitmer announced she is considering early release of low risk and/or vulnerable prisoners amid the coronavirus. Plainly, in an open dormitory setting with 8 prisoners in each cube originally designed for 4 occupants, and having approximately 400 prisoners residing in each of these structures, "social distancing" orders cannot be carried out. Research shows that prisoners are more likely to report experiencing infectious diseases, indicating that prisoners face a heightened risk during this pandemic. See *United States v Kennedy* (2020). We are at a growing risk of a major crisis in the Michigan Department of Corrections ("MDOC") by bureaucrats ill-prepared for COVID-19.

To begin, there is a great deal of concern because MDOC staff have conveyed to general population prisoners that the Center for Disease Control ("CDC") has supplied the State with over 500 body bags. What the general public doesn't know is that after dozens of prisoners tested positive for COVID-19 at other facilities, MDOC Director Heidi Washington approved G. Robert Cotton Correctional Facility ("JCF") as the official disaster site for warehousing infected prisoners in a purported isolation zone. K-Unit, which had previously been shuttered, was reopened for this purpose and is now known as "Korona Unit" or the Catacomb of Death. Oddly enough, it is reported that Warden Noah Nagy volunteered this facility as a containment zone without any consultation with staff.

If anything is certain, “Korona-Unit” is a “tidal wave” that will surely make its way into the general population, and foster a microclimate for propagating the virus. Having prisoners enclosed within a small area is a fertile ground for a lethal virus, and will only serve to endanger the general public’s health as well as custody staff, inmates and local residents. Notably, at that same location is a mini-city where there are over 1,200 prisoners, many of whom are in poor health. And its environment poses a particular threat to the prison system’s older inmates—and possibly to the outside world.

As it happens, medical staff directly interact with both populations (i.e. the sick and unsick). For instance, since Korona-Unit’s inception, health care personnel (i.e. Health Unity Manager S. Landfair) and other medical staff freely come and go between the isolation unit, and the general population Health Care Center. In addition, some medical equipment is also shared. Thus, not only is the decision to house infected prisoners in such close proximity to uninfected prisoners gross negligence, but it makes infection to the larger population all but inevitable. Indeed, at present date, MDOC staff are not being provided with “adequate masks” or protective equipment. On March 30, 2020, everyone was issued homemade masks which is a piece of cloth made from prisoner blues. Staff are told to re-use gloves after pat-downs due to a shortage created by being starved out by President Trump as a result of animosity between the President and Governor Whitmer. Incredibly, FOIA documents (of an internal memorandum) for MDOC personnel, reveal that front-line officers are being told that so long as they don’t have more than 30 minutes of exposure to an infected prisoner, there is no risk of spreading the disease.

Hence if one thought the 9/11 Commission and related compensation packages for first responders was an important lesson in human history, the ineptitude of bureaucrats now hiding behind video monitors will be 100 times worse. The question is not if we will be infected. It is when.

It must be made clear that the correctional officers that tested positive for COVID-19 are returning to their respective communities and coming into contact with their family, friends, and local businesses (e.g. schools, stores, gyms, malls, and the list goes on), as is the case for Chippewa correctional officers. Most of these officers stay in neighboring cities and counties and this is a major problem for the communities at large that are constantly coming into contact with corrections staff that is entering prisons that have prisoners that tested positive for COVID-19 and returning to the general public from prisons that have been infected with the plague of COVID-19.

It should be noted that the prison is an isolated place, so the disease that plagues communities outside of prisons can only come into prison if it’s brought into the prisons by staff or visitors. But once a disease like COVID-19 (which is untreatable right now) enters a prison it is going to spread like wildfire, which will include having asymptomatic corrections staff and prisoners walking around spreading COVID-19 while showing no sign of having the disease.

There is a deliberate ignorance among corrections officers in regards to spreading and catching COVID-19. They seem to think that they can only catch COVID-19 from prisoners, while allowing each other to come to work showing clear signs of having COVID-19 and allowing these officers to interact with the prisoners by searching their persons, cells, and property, and often time this is done without protective gloves and masks, or they’ll search multiple prisoners without changing gloves, knowing that the disease can live on a surface for hours, possibly days according to medical experts.

HOW DO WE FIX THIS?

Corrections administrations (from the top down) across the country need to take the proper steps to ensure that their staff is secured health wise, and make it punishable

1. The court in *Hernandez v. Kolutwenzw* (2020) revealed that 185 correctional officers tested positive for COVID-19, with 2 officers dying at Cook County, Jerome Combs Detention Facility, Kankakee, Illinois.

2. The court in *Derron B. v. Tsoukaris* (2020) revealed 24 corrections officers and 4 nurses tested positive for COVID-19 at ICE Hudson County Correctional facility (HCCC), Kearny, New Jersey.

3. The court in *Asmed B. v. Becker* (2020) revealed that 24 corrections officers, 6 sheriffs, and 4 nurses tested positive for COVID-19 at Bergen County Jail, Hackensack, New Jersey.

4. The court in *United States v. Salley* (2020) revealed that one staff member died at Ohio Marion Correctional Facility; April 28, 2020.

5. In Michigan so far 374 corrections officers tested positive for COVID-19, with 2 deaths.

6. The court in *Matias v. United States Dept. of Homeland Security* (2020), revealed that according to the Declaration from Ron Edwards, the director of HCCC, 97 members of the correctional staff tested positive for COVID-19.

7. The court in *Swain v. Junior* (2020) revealed that 16 staff tested positive for COVID-19 at Metro West Detention Center in Florida.

8. The court in *Rafael L.O. v. Tsoukaris* (2020) revealed that 10 staff and 1 nurse tested positive for COVID-19 at Essex County Correctional facility in New Jersey.

9. The court in *Ruderman v. Kolutwenzew* (2020) revealed that at least 300 correctional officers tested positive for COVID-19 at Cook County Jail in Chicago, Illinois.

10. The court in *Jose v. Tsoukaris* (2020) as of May 11, 2020, revealed that 84 correctional officers, and 4 civilian staff tested positive for COVID-19.

Under Michigan Administrative Code 791.716 there is a unique safety provision providing for the EMERGENCY RELEASE OF PRISONERS by mandating staff implement policy, procedure, and practices that direct the release of prisoners in case of emergency. Freeing up prison space through the release of parole violators, prisoners with paroles who are deemed a non-threat to public safety (such as Robert Winburn #222196), but having stale (i.e. 3-year old) detainers precluding release to county jails, will enable the remaining prisoners to be isolated, to prevent or control an outbreak. We have seen what happens without this action in prisons overseas; infection spreads rapidly and foments unrest among prisoners. In Italy and Colombia, prisoners feared that they faced a death sentence because of COVID-19 and this resulted in riots and multiple deaths.

In closing, U.S. Attorney General Barr issued a directive ordering the Bureau of Prisons to “prioritize home confinement as appropriate in response to the COVID-19 pandemic to protect the health and safety of BOP personnel and the people in our custody.” Interestingly, Michigan already has statutory authority to remedy the problem. In particular, Administrative Code 791.716 mandates supervisory personnel implement policy, procedure, and practice that provide guidance for the release of prisoners in case of emergency. Opening up prison space through the release of prisoners will enable the remaining prisoners to be isolated, to prevent or control an outbreak. Housing infected prisoners at the same location as uninfected prisoners, and simultaneously sharing the same medical staff and equipment, is a recipe for disaster, and the federal courts have repeatedly held that exposure to potentially deadly communicable diseases violates the Eighth Amendment’s ban against cruel and unusual punishment. See, for example, *Pittman v Kolb* (2009) noting Robert Winburn stated a claim by providing credible facts that established exposure to potentially deadly diseases.

SYMPTOMS & SOLITARY

Eric Woods #342158

Chippewa Correctional Facility

April 24, 2020

I asked a guard making a round one night on third shift for medical attention because I wasn't feeling well and thought to be experiencing some symptoms of the coronavirus. However, the officer refused to call the health care office. I stated in a non-threatening manner that the officer shouldn't have this job because he doesn't know how to deal with people and even though I was in prison I still have rights. I guess the c/o instantly became upset by my comments because he had me placed in solitary confinement by writing a misconduct stating I threatened him with clenched fists and curses to the point he had to keep distance between he and I to stay safe. This charge was later proven to be a fabrication via video review upon my prison court hearing where the court officer review of the camera from the incident of the night in question and found that my fists were never clenched, nor did I act in a manner threatening to the officer. However, I spent 7 days in solitary confinement before the hearing and was then released, but placed on 30 days loss of privileges/top lock in my housing because the court officer decided to find me guilty of a lesser misconduct that I was never charged with in order to cover the officer's unethical abuse of power and position.

ities and nursing homes. This is a significant reason why individuals within these environments are at a particularly high risk of contracting COVID-19. Shared dining halls, bathrooms, showers, and other common areas, as well as a lack of necessary medical and hygiene supplies, catalyzes the rapid spread of infectious diseases among jail inmates. Spaces within jails are poorly ventilated, fueling more of the same. Incarcerated individuals also are more likely than members of the general public to have the chronic underlying health problems that cause greater risk of infection. Staff, visitors, contractors, vendors, and rapid turnover of the prison population means that people often cycle between facilities and communities."

The greed of the MDOKKK has caused them to fill the prisons to the point of it becoming overcrowded which ended up setting up prisoners and prison staff to be two of the most at risk populations from the COVID-19 pandemic.

In the San Francisco Bay View National Black Newspaper Volume 45, number 5, May 2020, Rev. Jesse Jackson states: "Across the United States and across the world, prisoners are among the most vulnerable to the coronavirus. Overcrowded facilities, shortages of medicine, and totally inadequate testing, expose prisoners who are disproportionately poor and afflicted with prior conditions that render them vulnerable to the disease."

He further states: "Experts across the world are urging governments to reduce their prison population swiftly." Michelle Bachelet, the United Nations high commissioner for human rights, warned, "the consequences of neglecting [overcrowded conditions] are potentially catastrophic."

Even if the government has an "F prisoners" mentality, then they should at least have concern for the correctional officers across the country. The following cases reveal how real the COVID-19 threat is in regards to corrections officers.

those same cells with two people. Prisoners housed in buildings with cubes that were meant to only hold 4 people per cube, are now locked in those same cubes with 8 people. And the list goes on. Way past the capacity limits with no sanctions imposed on them for such, as is the case with other businesses operating within the United States of America. Even with the inspections imposed on them by the government, the inspectors come inside the correctional facilities and check them off as being within compliance with the building Codes, Laws, Ordinances and Regulations.

HOW DOES THIS RELATE TO THE COVID-19 PANDEMIC?

The overcrowding of prisons across the country has led to prisons becoming an incubator system that breeds the spreading of COVID-19. The Center for Disease Control [CDC] has confirmed that there is no cure for COVID-19 at this present time, and that as of right now, the only way to combat the virus is to avoid catching it, and by social distancing, staying clean, wearing protective clothing when out in public, as well as staying away from group settings.

The courts stated in *Cameron v. Bouchard (2020)* that *"Currently, there is no vaccine to protect against COVID-19. To prevent infection and mitigate the spread of the virus, the CDC and other public health agencies universally recommended social distancing (i.e. remaining at least six feet from every other person), not gathering in groups, staying out of crowded places and avoiding mass gatherings, wearing a face cover, and rigorous hygiene—including regular and thorough handwashing with soap and water, the use of alcohol based hand sanitizer, proper sneeze and cough etiquette, and frequent cleaning of all surfaces.*

COVID-19 is more easily transmitted within communal living and densely packed environments, such as jail facil-

LACK OF SOCIAL DISTANCING CAUSES COVID-19 EXPLOSION IN MICHIGAN'S AGING AND OVERCROWDED PRISONS: AN OPEN LETTER

Rand W. Gould C-187131

Kenneth Smith A-212103

Central Michigan Correctional Facility

Gov. Gretchen Whitmer
George W. Romney Bldg. P.O. Box 30013
Lansing, MI 48909

April 29, 2020

RE: LACK OF SOCIAL DISTANCING CAUSES COVID-19 EXPLOSION IN MICHIGAN'S AGING AND OVERCROWDED PRISONS

Dear Gov. Whitmer:

While you've been busy reopening the state for business, via your MI Safe Start plan, the COVID-19 pandemic is exploding like a biological time-bomb in Michigan's aging and overcrowded prisons, with a 50% infection rate among state prisoners confirmed by recent news broadcasts. Your current plan to expedite the parole of state prisoners who are past their earliest release dates will, at best, only release a thousand prisoners, more or less. This is a far cry from half of the state's 38,000+ prisoners that need to be released in order to effectively practice the bare minimums of social distancing required to protect prisoners, staff, and the community from the unnecessary and criminal exposure to COVID-19. Given the 30 prisons currently operating in Michigan, a good portion of which are old polebarns built as "temporary facilities," Michigan's prisons are currently being operated at double their designed capacity.

Fortunately, there are two viable options you, as governor, can exercise to alleviate the severely overcrowded conditions in Michigan's prisons and therefore to put in place the minimum social distancing protocols to contain the current COVID-19 explosion:

You can use your emergency powers to make across-the-board 90-day time cuts to prisoners' sentences. Governors Milliken and Blanchard did exactly this in the '80s to alleviate overcrowding, at least before they began the massive prison building program, continued by governor Engler, which saddled state taxpayers with our current bloated and costly (\$2 billion per year for the past two decades) prison system and set the table for the COVID-19 explosion you're facing now. Additionally, you can work with the state legislature to repeal the disciplinary time law (so-called "Truth-In-Sentencing") and retroactively restore prisoners' disciplinary credits, thereby reducing sentences by 5-days per month for good behavior. This option has the added benefit of eventually saving the state hundreds of millions of dollars, because, even after the COVID-19 pandemic is over, many more prisons could be closed for good. Or...

You could reopen the state's many closed prisons and transfer prisoners into them. This would also alleviate the overcrowding due to operating the state's prisons at double their designed capacity and it would enable prison administrators to institute genuine minimum social distancing protocols, as opposed to sham protocols currently in place. However, bringing these old prisons on-line and up-to-code, as well as hiring the new employees to operate them, would cost the state's taxpayers several hundred millions of dollars.

Consequently, we both suggest you implement option #1, immediately! Lives are at stake, including ours! We're both past our earliest release dates (Gould's was in May 2019; Smith's would be in October 2018, with the restoration of earned disciplinary credits), so your expediated parole process didn't help us, as we're still here

RELEASING PRISONERS IS GOOD PUBLIC HEALTH

Charles Payton #571203
Chippewa Correctional Facility

August 11, 2020

Social distance and hygiene measures are prisoners' only defense against COVID-19, but those measures are physically impossible in prison settings, especially with the overcrowding crisis. The only way to decrease the spread of COVID-19 in prisons is to decrease the prison population itself. Other countries have reduced their prison populations in order to reduce the spread of this deadly virus. The government of Turkey released over 45,000 prisoners. The government of Indonesia released over 30,000 prisoners. The government of Iran released over 85,000 prisoners. If these countries, that are looked at as less than by the United States of America, can use such measures to reduce the spread of COVID-19, and it's actually working, then why is it that America, which has more prisoners than any other country, finds it hard to follow suit in order to reduce the spread of COVID-19?

What they never tell the people is that, when they do actually close the prisons, the prisoners that were housed at the closed plantations were shipped off to another plantation, to be stacked on top of other slaves. This is what started the overcrowding of prisons in Michigan. It's to the point that the DOKKK is the only business in Michigan, and the country at large, that's allowed to operate and fill its buildings to a point of violating city and county ordinances, laws, and regulations, in regard to the capacity that houses, buildings, and apartments are allowed to legally hold per square foot. In fact, the MDOKKK's prison population far exceeds their facilities' capacity. Prisoners housed in buildings that were designed for only one person per cell per Ordinance Laws & Regulations, are now being forced to lock in

St. Augustine stated, "An unjust law is no law at all. People have the right to resist through violence or civil disobedience." Meaning, it doesn't matter whether you're a prisoner or a civilian, the people will be violent or disobedient to preserve their lives. It's called nature and its first law is self-preservation. If you have a problem with that, in the words of Mozy, "Take it up with God." Ain't nobody trying to get buried on the hill. At the end of the day, the people just want to live and make it home to their families and loved ones. Is that too much to ask for?

at Central Michigan Correctional Facility, crammed like sardines into 8-man cubes, with less than 8 square feet of unencumbered floor space per person, in 8 old cattle-barns housing 320 men each, for a total of 2,560 Level 1 prisoners, all of whom could be, and should be, released to parole, and none of whom should have to risk death in prison from COVID-19 as part of their sentence. Please note, our 8 square feet of floor space is 3 times less than the 25 square feet of floor space required for great apes by the Improved Standards for Laboratory Animals Act of 1985.

Thank you for your prompt attention to this life and death matter.

Sincerely,

Rand Gould
Kenneth Smith

Cc: Dana Nessel
Michigan Legislators
Public



Every day, the local news reports thousands of deaths in a mere 48 hours. So, I don't have to explain to you how fast this virus can spread and kill. I think we all know, hence the title, *Pandemic (Panic Dammit)*. Not only has Warden Burt allowed various areas of the facility to possibly become contaminated with COVID because of her willful neglect and carelessness to implement quarantine safety measures, but she has gone as far as making a decision to place bunks in unit dayrooms to house even more prisoners making social distancing impossible, as if it isn't already difficult in a place like this, thus exceeding the capacity space. It has gotten to the point that her own officers no longer believe she's fit for duty, but as Shakespeare goes, "Thus, conscience makes cowards of us all," and they're not willing to put it in writing.

On July 29, 2020, several prisoners protested the way MCF administration has been handling the coronavirus here at this facility by walking out of their unit and peacefully standing together. On July 30, 2020, an uprising took place and prisoners refused to lock down during formal count. ERT was called and they arrived suited up with their shields and pepper spray and shotguns with rubber bullets looking like the front page of every newspaper in the nation right now. They sounded the alarm (emergency count) and every administrative official and officer responded. Now we've been on lockdown for 48 hours and counting. No showers, chow is being brought to the unit, meds are being brought to the unit, etc. There has been no movement in or out of our unit as the rest of the facility operates as if our unit is on foreign soil. The strangest thing is, being that we're now isolated from everyone else, we may be in the safest position, for now.

MCF's entire population has been tested before and by the grace of God, all tests were negative. Since the July 25th positive result, we're all waiting to be tested again. There have been several positive results coming back from people who have been tested, and the numbers are on the rise.

48 HOURS OF PANIC DAMMIT (PANDEMIC)

Jermond Perry #427193
Muskegon Correctional Facility

August 3, 2020

COVID-19, no doubt, has ravaged the United States, and Michigan has been hit hard. So, what does that say about its prisoners and what they have to look forward to? Majority of them have served time past their earliest release date (ERD), many are elderly and sick with health ailments, etc. And, because MDOC is second per capita when it comes to the fatality rate due to coronavirus, most of these guys I know have already been preparing their will. One of the most disturbing things is, many of them have out dates, some as short as months which now feels like a life sentence to them. But here's something just as disturbing: a facility that had no positive cases changed overnight. Now, I'm not saying that Muskegon Correctional Facility (MCF) was exempt from coronavirus, but willful neglect and carelessness of the warden and her administration made it much easier for the virus to enter into the facility. Sherry L. Burt, MCF warden, decided to accept transferred inmates from a facility with known cases and received medical run patients, and chose not to quarantine the incoming inmates for at least 14 days as required by the CDC, WHO, and other health care officials. Unfortunately for us, she withheld a positive result, refusing to notify the population for 48 hours that the deadly virus was now active here at MCF.

On July 25, 2020, COVID-19 found its way into MCF, which houses some nearly 1600 prisoners (give or take, could be more, could be less). We didn't find out until July 27, 2020, 48 hours later about the deadly virus. And although our crimes and sentences may vary, no one throughout the Michigan Department of Corrections was sentenced to death.

OPEN LETTERS

Jamie Meade #232516
Macomb Correctional Facility

June 14, 2020

Dear Director Heidi Washington and Deputy Director Ken McKee:

According to a June 9, 2020 article in the Detroit Free Press, MDOC legislative liaison Kyle Kaminski testified in front of the House Appropriations Subcommittee on Corrections that the MDOC was ranked number 1 in the nation in May on prisoner COVID-19 infections and deaths. This is very alarming and raises the question: What are other states doing that prison officials in Michigan are not? Here are some concerns I have with the decisions still being made by prison staff at the Macomb Correctional Facility that I'm pretty sure other states are not making. I pray you will decide to intervene at Macomb and require prison staff to follow CDC guidelines for prisons.

After the June 2, 2020 blunder of misreading COVID-19 tests resulted in placing prisoners who were negative in cells with prisoners who tested positive for the virus, the incompetent decision making at the Macomb prison has continued with no regard for the health of prisoners nor fear of discipline by your office.

Prison staff at the Macomb prison have been moving prisoners, who are housed in the COVID-19 unit in a cell with someone positive, directly into a general population cell without providing them clean bedding and clothing or disinfecting their property. This bedding, clothing, and property contains the COVID-19 virus. This puts all prisoners, especially the one in the cell they are moving into, in jeopardy of contracting the virus.

Macomb prison staff have decided to reduce the availability of bleach for cleaning. Instead, prison staff are providing a new cleaning product. Macomb prison has a COVID-19 housing unit. Using a cleaning agent that requires a 10 minute activation time is not adequate to prevent the spread of COVID-19. Also, prison staff are not supplying soap on a regular basis.

Prison staff should be required to be tested for COVID-19 to prevent the spread. One prison staff said he would not take the test because if he was positive he could not come to work and collect the hazard pay. In order to stop the spread of COVID-19 in prisons, prison staff must be tested to stop those who are positive from continuously bringing the virus into the facility.

Macomb prison staff are still violating social distancing by patting prisoners down and shaking down cells. Most of the time they do not change their gloves, and when asked to do so, they become belligerent, blaming prisoners for the virus outbreak.

On June 12, 2020, Macomb prison staff attempted to move 34 prisoners from the gym and school building to the COVID-19 unit for housing. Those prisoners refused in fear of their health and safety. Again, an incompetent decision by Macomb prison staff to put prisoners' lives in danger and to perpetuate the spread of the virus.

Another very serious issue that needs to be addressed is forced housing. Macomb has a Residential Treatment Program housing unit for mental health. Prisoners who are outpatient mental health are housed in general population. Macomb also has a large population of younger prisoners. Both outpatient and younger prisoners have no regard for social distancing or washing their hands. I have a heart murmur. Being exposed to this virus again can put serious stress on my heart. I have a family history of heart disease. I've already developed a serious cough from being exposed to the virus once.

We committed crimes, some more heinous than others, but that doesn't negate the fact that we have a right to be treated humanely and in most cases deserve a chance to live and make it home to our loved ones. I say most and not all because I'm speaking realistically. The truth is there are some beautiful people incarcerated behind these walls, but you also have the evil lurking inside as well.

These are the things that needs to be addressed to society. In prison, is it COVID that's killing and harming us, or is it the staff?

Christopher Clark/Chris X

I was positive in April but the actual test results came in May. It was the scariest days of my life. I grew up in the middle of Detroit in a small city called Highland Park and it wasn't at all a park. I've seen and did things that I'm not proud of. Guns drawn and pointed in my face some went off some didn't. I was sentenced to natural life for murder. Still those things didn't compare to my COVID-19 experiences. Waking up with a gold glow over my body and vibration lines radiating from the gold glow—I was hallucinating from me not having enough oxygen to my brain. 1:47 a.m. I got up and told myself over and over: I'm not going to die in prison. The glow and vibration lines disappeared once I got out the bunk and walked around the unit getting my breathing under control. I once didn't go back to sleep because I was scared I was going to die. I fought it for as long as I could. I lost my taste and smell, had continuous bowel movements, loss of appetite, cold chills, dizziness, nausea, and shortness of breath.

We lost a couple guys at this facility, one in particular I used to converse with on the regular. His name was Sanders-Bey. By him being an elder I was always on his back about exercising but he would never go, so I would playfully bust him upside the head and take off running to try and get him to chase me. It worked a couple of times but as time went on he would just curse me out and say, "you'll be my age one day." We lost that brother to COVID-19. I can't believe that he's actually gone.

We are trapped inside a cesspool of sick individuals. We can't determine if we're going to live or die because of another person's greed or ignorance. Our lives are basically in someone else's hand, and that hand may be the hand that writes you direct order citations, or put handcuffs on you escorting you to segregation, or aiming a taser at you, or the hand that shakes you down passing you the COVID-19 virus. As you can see none of these were helping hands.

In addition, prisoners who have tested positive for COVID-19 and who are housed in the COVID-19 unit are only allowed to shower 3 times a week, are only given 30 minutes outside, are limited phone calls and ability to clean cells, and are not allowed to use JPay nor have fans in their cells.

My previous email to you went unanswered. I hope you will address this one.

Sincerely,

Jaime Meade #232516
Macomb Correctional Facility
34625 26 Mile Rd.
Lenox Township, MI 48048

Dear Representative Thomas A. Albert:

I'm writing you regarding MDOC legislative liaison Kyle Kaminski's testimony in front of the House Appropriations Subcommittee on Corrections last week. There is a serious problem when Michigan's prison system leads the country in infection and deaths. This is very alarming and raises the question: What are other states doing that prison officials in Michigan are not?

I'm incarcerated at the Macomb Correctional Facility. I was exposed to COVID-19. I have a heart murmur and family history of heart disease. Since exposed I've developed a severe cough that health care refuses to address because of the State of Emergency. I do not want to die from COVID-19 in prison. I'm scared and asking you to please help me.

Many incompetent decisions are being made by prison staff at Macomb. On June 2, 2020, prison staff misread 108 COVID-19 nasal swab test results placing 54 negative prisoners in the COVID-19 housing unit in cells with positive prisoners.

COVID-19 spread rampantly through the prisoner population at Macomb. Instead of isolating those infected, prison staff moved prisoners unit-to-unit increasing the spread of the virus.

On May 11, 2020, the prison population was threatened and forced to give blood to the National Guard under the guise of antibody testing. Blood went to Wayne State University for research. 788 prisoners had COVID-19 antibodies. That is a 70 percent infection rate. Threatening prisoners to participate in research is illegal. I'm asking your Subcommittee on Corrections to initiate an investigation into this conduct.

It is alarming that prison staff are not being required to be tested for COVID-19. One prison staff member that works in Housing Unit 1 stated he would not consent to testing because he is afraid he may test positive and not be allowed to come to work and collect the hazard pay. Prison staff are the source of COVID-19 entering the prison. How can the spread of COVID-19 be stopped in prison when prison staff are not required to be tested?

I do not know if I can survive another wave of COVID-19 sweeping through prison. I do not want to die. I am asking the House Appropriations Subcommittee on Corrections to take action by initiating an investigation into MDOC Director Heidi Washington's response to COVID-19 at the Macomb Correctional Facility. Many decisions were made that appear to contribute to the spread instead of preventing it.

Sincerely,

Jamie Meade (MDOC ID No. 232516)
Macomb Correctional Facility
34625 26 Mile Rd.
Lenox Township, MI 48048

WHO IS THE REAL KILLER?

Christopher Clark/Chris X #511663

Thumb Correctional Facility

August 3, 2020

COVID-19 attacked the MDOC's inmates in early March. But it wasn't COVID that attacked the inmates, it was callous staff members who arrived to work every day knowing full and well that there's a deadly pandemic ravaging the State. With staff having more exposure to the virus, you'd think that they'd be more considerate of the fact that they have the potential of bringing the deadly virus inside the prison. How can inmates escape that? That's the million-dollar question. There's no escaping. Social distancing is not applicable in prison when you have selfish people who are motivated by a check, but are not required to be checked; unless done so voluntarily. What sense does that make! Inmates cannot bring the virus in. And we can't blame this on visitation either, because visits were terminated approximately six months ago, and most recently the virus had ceased spreading. According to MDOC's testing, results, and reports during the week of 07/17/20, then the following week of 07/25/20 there were no positive cases within the entire MDOC. On 07/23/20 it was reported that 10 staff members tested positive for the COVID-19 virus; no inmates though. Then on 07/30/20 ten inmates somehow showed up positive for the virus and it's re-flaring. Now keep in mind that visits ceased six months ago. Now you do the math. Who's endangering who? I'm not saying that all staff had malicious intent, but when you have no regard for human life and choose to come to work every day knowing that you're sick or may have been in contact with the virus, what kind of intent is that? We were punished because of someone else's doing. Having to be locked down, placed in isolation, property destroyed, and most importantly being subjected to having to contract and, God willing, suppress this deadly virus with no immediate or long term complications.