

County of Santa Clara

Office of the County Executive

County Government Center, East Wing
70 West Hedding Street
San Jose, California 95110
(408) 299-5105



MEMORANDUM

Date: October 15, 2020

To: Honorable Members of the Board of Supervisors
Jeffrey V. Smith, M.D., J.D., County Executive

From: Ky Le, Deputy County Executive DS
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Nick Birchard, Deputy Chief Probation Officer
Tim Davis, Assistant Sheriff
Eureka C. Daye PhD., MPH, MA, CCHP, Director, Custody Health Services
George Han, MD, MPH, Deputy Health Officer

Subject: Protocols to Prevent Transmission of COVID-19 in Custody Settings – Report #2

On September 18, 2020, the Administration submitted an off-agenda report regarding efforts to reduce and prevent the transmission of COVID-19 in Main Jail, the Elmwood Correction Facility (Elmwood), Juvenile Hall and the William F. James Ranch (the Ranch). This report includes the most recent policy changes and an update on several unresolved matters. The changes are intended to strengthen disease prevention protocols and to reduce risks ahead of restoring in-person visitation at Juvenile Hall and the Ranch and educational and vocational at Main Jail and Elmwood.

- 1. Face Coverings.** With few exceptions, such as eating during breaks, wearing masks or face coverings has long been mandatory for all County staff working in the four custodial settings. Wearing masks or face coverings protects both the wearer and others. On October 8, Public Health recommended that all County staff who work in custody settings wear surgical masks and not other types of face coverings to further reduce the risk of transmission in these settings, as surgical masks are more effective than cloth face coverings or neck gaiters. Custody Health Services (CHS), Sheriff's Custody Bureau (Custody Bureau) and the Probation Department (Probation) have ordered surgical masks and will be increasing their stores. In the meantime, the Departments can obtain surgical masks through the County Emergency Operations Center's (EOC) stockpiles. For certain situations (e.g., providing in-person patient care to COVID-19 confirmed patients), CHS staff are required to wear N95s. Inmates can continue using their current face coverings because staff are the ones who are coming in and out of the custody settings, and we have a longstanding effective protocol for detecting new cases among newly booked inmates and youth.
- 2. Educational and Vocational Services for Inmates.** While most services at Main Jail and Elmwood have continued in-person or via Zoom, educational, vocational, and other supportive services were suspended on March 13, 2020.

Memorandum RE: Protocols to Prevent Transmission of COVID-19 in Custody Settings – Report #2

October 15, 2020

Page 2 of 4

The Custody Bureau's Programs Unit is approximately three weeks away from piloting educational classes via Zoom. Providers include Milpitas Adult Education (MAE), Goodwill and Steps. Instructors would teach the classes remotely while inmates would be together, but socially distanced, and required to correctly wear face coverings at all times. The classes will be offered at both Main Jail and Elmwood.

The Programs Unit is also restoring structured programming offered by Five Keys and MAE. Structured programming is primarily geared toward helping inmates obtain a high school diploma. The Programs Unit has created procedures for Five Keys to recruit inmates and procedures allowing inmates to receive, complete and turn in educational packets. Five Keys began providing structured programming in August-2020. MAE will provide structured programming in two-three weeks.

The Sheriff's Office has executed agreements with two community colleges and are working on two additional agreements to bring the following vocational classes to Main Jail and Elmwood: Web Design, Welding, HVAC, Automotive, and Culinary/ServSafe. The Sheriff's Office also recently signed an agreement with CityLab to offer Certified Cisco Networking Associate classes, these classes would be offered remotely. Custody Bureau anticipates that some of the classes will begin late November and that all classes are targeted to begin in Spring 2021.

- 3. Visitation for Youth.** At the Ranch and at Juvenile Hall facilities, family visitation is currently conducted using Zoom. The target date to resume in-person visitation at both facilities is November 3. For the Ranch, Probation is currently building and is expected to complete a gazebo to accommodate in-person visitations. In addition, Probation is fabricating outdoor visitation tables for Juvenile Hall those will also be ready by late October.
- 4. Surveillance Testing Implementation Priorities.** To support the restoration of services, including visitation at the Ranch and Juvenile Hall, the Administration is working to fully implement surveillance testing of staff, inmates, and youth in all four facilities. Public Health's recommendation is for all inmates and youth to be tested once every four weeks and for all staff to be tested *every two weeks*. The latter is a new recommendation by Public Health on October 8. Previously, the Administration was working towards testing all staff once every five weeks.

CHS is adding up to 10 FTE temporary staff, a combination of registered nurses, licensed vocational nurses, and medical assistants to meet surveillance testing recommendations. Full implementation across all four facilities is contingent on how quickly additional nurses can be hired. As resources are added, Administration is prioritizing surveillance testing of staff at Elmwood, then staff at Main Jail, inmates in the Elmwood dormitories, staff and youth at Juvenile Hall and the Ranch, inmates at the Elmwood minimum security camp, and, finally, Main Jail inmates, the majority of whom reside in cells with one other inmate. Risks are further mitigated by procedures to quarantine and serially test all newly booked inmates and youth.

Memorandum RE: Protocols to Prevent Transmission of COVID-19 in Custody Settings – Report #2

October 15, 2020

Page 3 of 4

While CHS is adding temporary nursing staff, the Administration is taking steps to make compliance with testing easier. CHS is implementing self-collection procedures and all staff are encouraged to obtain tests from their medical providers, County-operated community testing sites (e.g., Fairgrounds) or other community-testing sites (e.g., Verily).

The County Executive's Office is preparing a memorandum clarifying that all County staff assigned to the four custody facilities must comply with the requirement to be tested for COVID-19 every two weeks. Until CHS has sufficient additional staffing, Departments will have some discretion in enforcing the requirement.

5. Surveillance Testing of Staff.

- a. **Elmwood and Main Jail.** On August 3, 2020, the Administration began surveillance testing of staff in Elmwood and Main Jail. There are approximately 357 CHS staff and 881 Custody Bureau staff assigned to the two facilities. Since August 3, 2020, there have been two five-week periods, the first ending on September 6, 2020, and the second ending on October 11, 2020. The surveillance testing program reached 46% of CHS and Custody Bureau staff.
- b. **The Ranch and Juvenile Hall.** The Administration began surveillance testing of staff in Juvenile Hall and the Ranch on September 4, 2020. The first five-week period went through October 8, 2020. There are approximately 28 CHS staff and 313 Probation staff assigned to the two facilities. The surveillance testing program is reaching 48% of CHS staff and 20% of Probation staff.

6. Surveillance Testing of Inmates and Youth.

- a. **Elmwood and Main Jail.** The Administration began surveillance testing of inmates in Elmwood's four dormitory facilities (M2, M3, M8 and W2) on September 7, 2020. Because the dormitories are locked, congregate living facilities, inmates held here are at the greatest risk of infection. The dormitory inmates are approximately 46% of inmates at Elmwood, which, between July 1 and September 30, 2020, had an average daily census of 1,420 inmates. As of October 9, 2020, approximately 68% of dormitory inmates had been tested over a six-week period. While some inmates refused to be tested and some inmates were released or rehoused before they could be tested, the primary reason for why some inmates were not tested was because CHS does not have sufficient staffing. The Administration anticipates starting surveillance testing of Main Jail inmates by mid- to late-November after additional nurses are hired and after surveillance testing has been implemented for the higher priority groups.
7. **Youth.** The County has not implemented surveillance testing for youth because of the facilities' low census and minimal positive cases among staff or youth since the shelter-in-place order. The average daily census has been reduced by up to 60%. However, given the goal

Memorandum RE: Protocols to Prevent Transmission of COVID-19 in Custody Settings – Report #2

October 15, 2020

Page 4 of 4

of restoring in-person visitation as soon as possible, the Administration will begin surveillance testing of youth approximately one week after initiation of visitation and continue serial surveillance testing for all youth monthly. Additionally, in collaboration with Santa Clara Valley Medical Center, a pop-up testing site will be offered at Juvenile Hall for families, household members, and others wanting to be tested. This will be offered the week prior to the onset of visitation, and is planned for Thursday, October 22. The goal is to encourage community engagement and have this test site available to family and household members on a recurring basis.

CC: Chief Board Aides

Laurie Smith, Sheriff, County of Santa Clara

Miguel Márquez, M.P.P., J.D., Chief Operating Officer

James Williams, County Counsel

Megan Doyle, Clerk of the Board

Deputy County Executives

Sara Cody, M.D., Director, Public Health Department and Public Health Officer

Laura Garnette, Chief Probation Officer