



PC-DC-011-005

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WOMENS PRISONERS OF THE D.C. DEPARTMENT :
OF CORRECTIONS, et al.,

Plaintiffs :

v. :

DISTRICT OF COLUMBIA, et al., :

Defendants :

Civil Action No.
93-2052
(JLG)

FILED

FEB 17 1995

CLERK, U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

INMATES OF MODULAR FACILITY, et al., :

Plaintiffs, :

v. :

DISTRICT OF COLUMBIA, et al., :

Defendants

Civil Action No. 90-727
(JLG)

NOTICE OF FILING

At a hearing before the Court on February 14, 1995, defendant indicated it would submit to the Court a status report addressing the issues raised in Ms. Lopes' letter to undersigned counsel dated February 7, 1995. The attached memorandum from Adrienne R. Poteat, Warden, Correctional Treatment Facility, is hereby submitted in response to the issues raised in Ms. Lopes' letter.

GARLAND PINKSTON, JR.
Acting Corporation Counsel, D.C.
MICHAEL E. ZIELINSKI
Assistant Deputy Corporation Counsel, D.C.
Civil Division

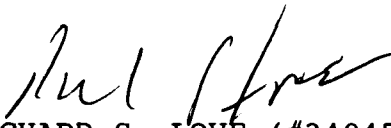
RICHARD S. LOVE (#340455)
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197

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Notice of Filing was mailed postage prepaid to Tracy A. Thomas, Esquire, Covington & Burling, 1201 Pennsylvania Avenue, N.W., P.O. Box 7566, Washington, D.C. 20044, Brenda V. Smith, Esquire, National Women's Law Center, 1616 P. Street, N.W., Suite 100, Washington, D.C. 20036 and Grace M. Lopes, Special Officer of the Court, 1130 17th Street, N.W., Suite 400, Washington, D.C. 20036 on this 21st day of February, 1995.


RICHARD S. LOVE (#340455)
Assistant Corporation Counsel, D.C.



Government of the District of Columbia
DEPARTMENT OF CORRECTIONS
1901 E Street, Southeast
Washington, D.C. 20003

Attachment 1
93-2052
JLG

Office of the Warden

February 17, 1995

MEMORANDUM

TO : ~~Rick S. Love~~
Chief, Correctional Litigation

FROM : ~~Adrienne R. Potest~~
Warden

SUBJECT: Response to Questions

RE : Special Officer of the U.S. District Court

FILED

FEB 17 1995

CLERK, U.S. DISTRICT COURT
DISTRICT OF COLUMBIA

Pursuant to your request are the responses to questions raised by the Special Officer of the U.S. District Court, Grace Lopes and her Consultant, Jim Henderson as a result of a walk through inspection of the Correctional Treatment Facility.

Heating, Air Conditioning, and Ventilation: Seneca Balance of Maryland reported to the facility to survey the problem of the said system on Wednesday, February 8, 1995, in accordance with a time and material Purchase Order, Fl 51086M, authorizing them to adjust the air flow to include replacement of minor parts to bring the air flow circulation flow up per minute. Also attached is a Purchase Order for the Landis and Gyr Power Company for a full service agreement contract to provide emergency repair of the Energy Management Controller Card located in the C-Building. A representative was called to see if there was any way the system could be manipulated to get more benefit of the system. (See Attachments)

In reference to the cells being cold, our first plan of action included locating and utilizing portable cots to be placed in the day room areas for inmates to sleep during inclement weather. However, we were not able to locate any, even with the assistance of the Supply Management Unit. Therefore, our next option included allowing inmates to remove their mattresses from their respective cells and place them in the day room areas for sleeping purposes. Those units occupied by females were staffed only with female correctional or substance abuse staff during the midnight shift. Inmates were receptive to the idea and no incidents were reported.

In regards to the Infirmary, Dr. Hall was in conversation with the Director of D.C. General Hospital to develop a plan to house our infirmary patients on a vacant ward at D.C. General in which we would be responsible for providing medical and correctional staff coverage. We identified approximately ten (10) patients who were terminally ill whom we wanted to move first. There have been no inmates who have suffered adverse medical effects from the low temperature. In as much as there was not a confirmation to this proposal, in the interim, each inmate was provided four to five blankets, thermal underwear and socks. We closed the last room on the ward which was extremely cold. Additionally, we allowed the inmates to leave their doors open which generated some heat in the rooms. Additional coverage was provided by correctional staff and constant monitoring by the Shift Supervisors since both men and woman were housed on the ward.

Sick Call: Provided for your review are the sick call and dental call list for the Correctional Treatment Facility from Friday, February 3, 1995, to present that will show that the Medical Staff and Dental Staff are actively making rounds for sick calls and dental services to each unit of the inmate population. At the time of Ms. Lopes visit, the contract for Physician Assistants had expired and therefore, sick call was being provided on an emergency basis only. At the present time, we are providing sick call, either on days or evenings, to the inmates at this facility. The procedure for sick call requires that the

sick call request forms be submitted to the Command Center to be picked up by 7:30 p.m. daily, by the Medical Records Staff. Any forms not available at this time are not included for the next day. Once the Medical Record's clerk pick them up, there is a process whereby units submitting sick call slips are listed as well as those that have not submitted. An exception to this rule is the Behavior Management Unit in which sick call is provided on a daily basis without request. Urgent medical complaints are evaluated and determined by Medical Staff after notification is received.

Pharmacy: At the time of Ms. Lope's visit, there was no provisions for blanket agreements in place for purchasing medications. However, there is currently a Blanket Agreement # FL 58338C in place to address the Medications needed for the Correctional Treatment Facility. This same Purchase Order will address any emergency ordering of medications that are requested but are not on hand at the time of the request. There is currently an adequate supply of medications on hand. (See attachments of recent medications received).

Health/Sanitation: provided for your review are copies of Receiving Reports to display that we have received both detergent and other cleaning supplies, linen and towels, clothing and other supplies ordered by this facility (See attached).

Maintenance Problems: Attached for you review are copies of work order by the Facilities Management Team to show repairs were made to the Washers and Dryers in the housing units. To date, it is my understanding that there is only one washing machine that is inoperable due to the unavailability of the part on the vendor. The necessary repairs will be made the moment the part becomes available. There are a number of Blanket Agreements in place to help assist with the problem. (See attached).

In regards to the nurse call system, this is an annually awarded contract through the Department of Public Works. At the time it was discovered the system was not working, a call was made to the last known contractor at which time it was discovered that the old contract was no longer valid and that a new one had not been awarded by the Department of Public Works. Since that time Mr. White, Acting Chief of Facilities Management forwarded a memorandum of concern and has identified a contractor A-COM who can provide him with the part needed to repair the system on sight. This company has a blanket agreement in place. As soon as the parts are received, repairs will be made.

The leaking shower beds have not been repaired. See attached response dated January 24, 1995, which provides a solution to

this problem.

Physical Plant Limitations: The ratio of sinks, toilets, showers reflected in this report are accurate if we were to double bunk the facility. If additional bathroom equipment is added, it would require major structural modifications. This would be a major capital project.

The day room configurations are correct.

Legal Mail/Legal Calls/ Law Library: On Friday, February 10, 1995 a check in the amount of \$ 5,000.00 was received by this office and then issued to the Mail Room Officer. On the same date, the postage meter was removed and carried to the Post Office and the funding was placed on the meter. A memorandum has been generated to the population advising them that free and legal mail are available in accordance with Department Order regulations. (See attached).

Casemanagers response to inmate requests for legal calls is being monitored.

Each unit is scheduled for the law library for ninety (90) minutes per week. This limited time is to accommodate the entire inmate population. Those inmates who have pending cases utilize the Law Library clerks for assistance.

Programs: Presently, there are limited work opportunities for the men due to the efforts to ensure that there is limited contact between male and female prisoners. Male inmates are assigned some paid detail opportunities on their assigned housing units and are also assigned limited work details in the Culinary Unit. Based on the conditions outlined in the recent Woman's Prisoners' Class Action Consent Decree and the Katrina Houser Consent Decree, there are inadequate education and vocational programs for the current population. The male population of the facility is essentially idle and are provided inadequate recreational outlets as well as inadequate access to the law library while the Institution attempts to comply with the referenced Court Orders. As per the Special Officer of the Court's report, the recreation yards cannot accommodate all of the inmates who are currently housed at the facility. However, I have attached for your review the Purchase Order forwarded for approval to install a security fence in the recreation yard to adequately address security concerns (See attached).

Officer Staffing: This facility does not have an authorized officer compliment and will need to appear before the Human Resource Management Team to evaluate and determine appropriate staffing. We are currently utilizing overtime as necessary to provide coverage.

Diagnostic Unit: As a result of a recent conference call between myself, Grace Lopes and Rick Love, a plan of action is being prepared to evaluate and revise procedures currently operating in the Reception and Diagnostic Unit with special emphasis on accessing the ability of the Reception and Diagnostic Unit to comply with the stipulations outlined in the 12 John Doe Consent Decree.

Food: Provided for you review are copies of several Receiving Reports to reflect that food products are being received at the Correctional Treatment Facility. With adequate food levels I have directed the Culinary Staff to discontinued using the "Desert Storm " entrees and that is to remain in place until further notice from this office. Also attached is a invoice from Crown Supply Company to show that we have received both bulk forks and spoons to meet the needs of the inmate population. Additionally, I have appointed Ms. Dorothy Martin, Sanitarian, as the Supervisor for Food Services. Ms. Martin has expertise in the area of food, safety, fire and sanitation and thus will be a valuable asset to this process. We have implemented the use of new monitoring forms for food delivery, storage and temperature control which are attached. Lastly, we passed the inspection from DCRA in the Culinary Unit. (See attachment)

Access to Case Workers: This office has recently re-issued the Department Order which address casemanagement procedures and most particularly processing parole progress reports. Casemanagers and Unit Managers have signed receipt of same. Recent visits to the inmate housing units by the Warden and Deputy Warden reveal there has been some inconsistency in regard to prompt attention to casemanagement issues. As a result, a re-audit has been directed to determine eligibility status of all inmates currently assigned to the Woman's Program and Reception and Diagnostic Unit. Additionally, supervisory staff have been directed to conduct periodic audits of at least ten(10) percent of cases on a monthly basis varying selection each month so that all cases in the unit are reviewed annually (see attached). The Deputy Warden for Programs/Support will be responsible for visiting housing units on a weekly basis to monitor casemanagement issues. Inmate complaints shall be recorded and forwarded to this office for investigation and appropriate action.

Visitation: In order to provide equal visiting privileges for males and female prisoners, two additional visiting days will be required and additional correctional coverage as well.

Drug Programs: The double celling of the Correctional Treatment Facility would result in the elimination of the current intensive Substance Abuse Treatment Services. The existing standards for treatment would be greatly impacted by the escalation of service demands.