DEPARTMENT OF CORRECTIONS

Internal Memo – Central Office

Date: June 16, 2020

To: The Incarcerated Men and Women and Residents of Minnesota Correctional Facilities

From: Commissioner Paul Schnell

RE: **Update on COVID-19 Response**

I write to you with an update on a number of important matters. As I write this, we continue our efforts to combat COVID-19 – both in Minnesota and within the DOC. COVID-19 creates a number of major challenges. Among them is the fact that COVID-19 often spreads quickly and silently. COVID-19 affects people in very different ways with some people being entirely unaware that they are infected by the virus and others becoming very ill. One of the most disturbing challenges is the fact that we don't know when we'll be able to get on the other side of the virus with an effective vaccine. In the meantime, we continue to do our best to manage the introduction, spread, and impact of COVID-19 on all of you and DOC staff.

This memo summarizes a number of key updates that I hope you will find useful. If you have questions about any of the issues I address, please communicate them to your facility's leadership.

COVID-19 Testing Expansion

Within the DOC we have taken a broad approach to combating COVID-19. We've implemented the "Stay with Unit" plans, enacted mandatory barrier mask policies, and installed handwashing stations in each facility. Recently, we've expanded our testing capacity. Comprehensive testing of the population – and of facility staff – will occur over the next few weeks. The exact schedule is being finalized and testing may occur on an ongoing basis.

We believe testing is a critical component of a comprehensive strategy to mitigate the risk of spread of COVID-19, especially as Minnesota opens up business and industry. While most cases result in only mild symptoms, the longer the virus is undetected the greater the possibility for someone to be impacted with life threatening complications. Obviously, we must do all we can to mitigate risk, especially for those in our population most vulnerable to COVID-19 infection. All of us play a critical role by regularly washing hands, complying with mask wear, and fully participating in screening and testing.

We strongly encourage you to participate with screening and testing. As with any medical test, you may refuse. However, should you choose to not get tested, you will be subject to quarantine for at least 14 days pursuant to guidance from the Minnesota Department of Health (MDH) and the Centers for Disease Control and Prevention (CDC).

COVID-19 Expanded Work Release

Part of our approach to combating COVID-19 involves maximizing space inside the facilities to increase social distancing where possible and better manage expected COVID-19 outbreaks that will occur. One population reduction strategy is the expanded use of work release status for those who meet program criteria and are within 90 days of their regularly scheduled release date.

We are actively identifying individuals who are determined to be eligible for this expanded work release. If you screen-in as program eligible, your case manager will notify you and provide you with the application to aid in release planning. Those who apply and meet all the established release criteria may be released as soon as their release plan is finalized and approved.

COVID-19 Conditional Medical Release

Because COVID-19 presents a new threat to the health of people with particular medical conditions, we've expanded consideration of conditional medical release (CMR) to those for whom a COVID-19 infection could create a grave medical condition. CMR is NOT an early release program – it is a medical release program. Release under CMR is conditional meaning that when an effective vaccine is available and the condition warranting release no longer exists, CMR releasees who have not hit their release date will be required to surrender as directed or be subject to arrest and reincarceration. Those granted CMR are placed on house arrest under agent supervision.

We have spent hundreds of hours reviewing applications for conditional medical release. As of this writing, approximately 130 people have been approved for CMR. We continue to process applications every day.

Pandemic Recovery

Minnesota, our entire country, and the global community face a long road to recovery. In our state, more than 600,000 people are out of work and many businesses face uncertain futures. The economic impact of COVID-19 will affect our state in the immediate future and long-term.

As an agency, the pandemic is causing significant impact on our budget. Our goal is to manage the agency's budget in a way that minimizes the impact on needed programming and services to those incarcerated in DOC facilities or under community supervision.

I know the last several months have been long and hard for everyone. Everyone feels anxious with a desire to return to normal. The reality is that until there is an effective and available vaccine, COVID-19 is a reality that will require a new normal. Right now, we don't know exactly what that new normal looks like. I want to thank you for your patience as we've worked through the start of the COVID-19 crisis. Though it may feel like it, we are not out of danger and must remain diligent in our spread prevention and early detection strategy, including:

- Regular handwashing
- Maintaining social distancing, whenever possible
- Wearing a barrier mask
- Don't touch you face
- When feeling ill – report it
- Fully participate in testing, when offered

Reopening In-Person Visiting

You should know that each facility is developing a plan to reopen in-person visiting. The current plan is to begin in-person visiting on or about July 6, 2020. Understand that visiting will be dependent on the status of COVID-19 in each facility. You should also know that visiting will look and feel different because it is necessary that we comply with all CDC and MDH recommendations to the fullest extent possible.

When visiting plans are finalized, we will get the information distributed within the facility and post it on the DOC website.

The Future: Building a More Fair & Just System

The death of George Floyd at the hands of a police officer has had a profound impact on Minnesota, our nation, and each of us in various personal ways. Incidents like this further erode the trust in the criminal justice system.

I also recognize that these events add stress to your already difficult environment. Governor Walz and the legislature have made police and criminal justice reforms a priority. We expect that the current special legislative session will give particular focus to police reform. We also anticipate bringing forward a variety of criminal justice reform measures in the next regular legislative session (January 2021).

Periodically, I receive legislative policy recommendations from men and women incarcerated in the state's correctional facilities. Know that your proposals are reviewed and evaluated for possible inclusion in the agency's recommendations to the Governor. I welcome your thoughts, ideas, and submissions. Remember, that despite your incarceration, you have every right to engage elected officials – and you are encouraged to do so.