

District of Columbia Corrections Information Council



RECOMMENDATION ASSESSMENT REPORT: DISTRICT OF COLUMBIA DEPARTMENT OF CORRECTIONS (DOC)

September 13, 2023



District of Columbia Corrections Information Council

Charles Thornton, Board Chair
Katharine A. Huffman, Board Member
Nkechi Taifa, Board Member

About the District of Columbia Corrections Information Council

The District of Columbia Corrections Information Council (CIC) is an independent oversight body mandated by the United States Congress and the Council of the District of Columbia to inspect, monitor, and report on the conditions of confinement in correctional facilities where residents from the District of Columbia are incarcerated. This includes facilities operated by the Federal Bureau of Prisons (BOP), the District of Columbia Department of Corrections (DOC), and private contractors.

The CIC reports its observations and recommendations to the District of Columbia Representative in the United States Congress, the Mayor of the District of Columbia, the Council of the District of Columbia, the District of Columbia Deputy Mayor for Public Safety and Justice, the Director of the BOP, the Director of the DOC, and the community.

About the Recommendation Assessment Series

The Corrections Information Council inspects and reports on conditions of confinement in correctional facilities where DC Code offenders are located. The Recommendation Assessment series reviews and reports on common recommendations from previous inspection reports. The series also assesses the implementation of recommendations. In some instances, additional recommendations are provided to better address residents' needs. The CIC will monitor and report on the recommendations and publish updates following significant changes to the implementation or creation of new recommendations.

In accordance with the requirements of the Corrections Oversight Improvement Omnibus Amendment Act, this report reviews the implementation of all previous recommendations made by the CIC concerning DC DOC facilities since 2018. Recommendations that have not yet been fully implemented or that require updated recommendations are covered in the subsequent body of the report. Many previous recommendations were specific and already resolved by DOC staff; these recommendations are included in Appendix A.

Recommendation	Status
Increase language access practices and staff education on how to communicate with non-English proficient and limited English proficient residents.	Partially resolved
Expand programming offered at CDF and CTF.	Partially resolved
Increase resident access to outdoor recreation.	Not resolved
Increase staffing to facilitate additional correctional officers and program managers.	Partially resolved
The DOC should increase the amount of fruit and vegetables offered to residents.	Partially resolved
Improve grievance system to increase resident access and ensure residents receive responses in accordance with DOC policy.	Partially resolved
Increase access to health services by removing barriers to receiving care.	Partially resolved
Improve quality of medical care by increasing communication between providers and residents and ensuring residents medical accommodations are honored.	Partially resolved

Previous Recommendation: Increase language access practices and staff education on how to communicate with non-English proficient and limited English proficient residents.

Status: Partially resolved

The DOC has taken steps to comply with DC’s Language Access Program, however there is still not a consistent incorporation of all aspects of the program in all DOC facilities. The DOC must provide, at a minimum, a Spanish translation of all vital documents to residents.¹ Translated signage is sometimes missing from certain housing units or common areas. Additionally, language access must be a consideration for all programming and services offered to residents, which extends to communications over APDS and GTL tablets and in-person programming. The DOC usually has bilingual officers on each shift, but these officers are not a substitution for the translation services the

¹ At this time, the DOC is only mandated to provide Spanish translations for vital documents based on the language needs of the current population. See Language Access Act, DC Official Code § 2-193, (2004). <https://code.dccouncil.gov/us/dc/council/code/sections/2-1931.html>

DOC is mandated to provide under the Language Access Act.² DOC staff and DOC contractors should also utilize the interpreter services available through the Language Access Program.

Previous Recommendation: Expand programming offered at CDF and CTF.

Status: Partially resolved

The DOC has many programs available on APDS tablets and several notable in person programming opportunities for residents, but resident comfort with navigating and learning from a tablet might vary, which inhibits the effectiveness of electronic programming. Orientation to the APDS tablets should be conducted as part of resident orientation and intake with the option for residents to schedule additional help sessions as needed.

Some programming, such as therapeutic programming or reentry preparation, requires continuous interaction between resident and instructor and is better suited to in-person meetings. The CIC recommends that these in-person programs are made available to residents of all housing units and custody classifications.

Previous Recommendation: Increase resident access to outdoor recreation.

Status: Not resolved

On previous inspections, the CIC noted that the timing outdoor recreation is offered and the lack of staffing contributed to residential reports of lack of outdoor recreation. While the DOC does have an outdoor recreation schedule, the ability to offer this is inhibited by weather and staffing constraints. If there is no staff available to supervise outdoor recreation, it will not be offered that day, which is a concern as the DOC continues to face staffing shortages. Additionally, residents report that outdoor recreation is sometimes offered at inopportune times, such as very early morning. DOC policy states that residents cannot engage in outdoor recreation prior to sunrise or when the temperature is under 40 degrees. Offering recreation time at the coldest part of the day increases the likelihood that temperatures will be too cold for residents to participate that day. Instead, DOC should establish an outdoor recreation schedule that maximizes residential opportunities for participation by adjusting the schedule for staffing and weather concerns as needed. During the summer season, for

² Language Access Act, DC Official Code § 2-193, (2004).

example, additional daylight hours and hot daytime temperatures mean outdoor recreation might better serve residents if it is offered in the evening, while this would not be true during the winter months. In previous reports, the DOC has stated that outdoor recreation must be done when it does not interfere with programming; however, the DOC determines the schedule for all facility operations, including programming. DOC should explore ways to accommodate both programming and outdoor recreation into resident schedules.

Previous Recommendation: Increase staffing to facilitate additional correctional officers and program managers.

Status: Partially resolved

The DOC has continuously recruited for additional hires; however, the agency consistently has staff vacancies. A shortage of correctional officers means existing staff must work overtime hours to supplement the vacancies, which results in a lack of capacity to execute other tasks, such as supervising outdoor recreation or transporting residents to off-site medical appointments. The current program manager vacancies have resulted in some units in CDF having no program managers at all, which inhibits the amount and type of programming within those units.

Previous Recommendation: The DOC should increase the amount of fruit and vegetables offered to residents.

Status: Partially resolved

Updated Recommendation # 1: Provide additional nutritious food options for purchase at the commissary.

Residents consistently request additional access to fresh fruits and vegetables. In addition to what is offered at meals, the CIC recommends the DOC expand the fruit and vegetable offerings that residents can purchase through the commissary. While fresh fruit and vegetables cannot be offered in the commissary, preserved options such as dried fruit are suitable alternatives.

Previous Recommendation: Improve grievance system to increase resident access and ensure residents receive responses in accordance with DOC policy.

Status: Partially resolved

The DOC revised its grievance policy and established shorter timelines for DOC staff to respond to grievances, which has increased the response rate for residents who file grievances. Additionally, grievance forms are now readily available on resident tablets. Despite these improvements, some grievances are returned with decisions rendered but no written response from the grievance coordinator as required by DOC policy.³ All grievances are responded to by the Inmate Grievance Program (IGP) Coordinator and then reviewed and signed by the IGP Program Manager; the Program Manager should note when the IGP Coordinator has failed to provide a written response to the resident and should return the grievance to the IGP Coordinator for completion.

Updated Recommendation # 2: Post instructions for IGP process in all housing units in English and Spanish.

Instructions for filing grievances should be clearly visible and posted near grievance boxes in Spanish and English in accordance with DOC policy.⁴

Previous Recommendation: Increase access to health services by removing barriers to receiving care.

Status: Partially resolved

Previous Recommendation: Improve quality of medical care by increasing communication between providers and residents and ensuring residents medical accommodations are honored.

Status: Partially resolved

³ DOC, "Inmate Grievance Procedure (IGP).", DOC, May 20, 2023.

<https://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/PP%204030.1M%20Inmate%20Grievance%20Procedure%20%28IGP%29%2005-20-2022.pdf>

⁴ Id.

Updated Recommendation # 3: DOC policy should be changed to state that residents will be seen by a medical provider within 24 hours of submitting a sick call slip, rather than within 24 hours of the slip being collected by staff.

The DOC's sick call policy currently states that residents will be seen within 24 hours of a sick call slip being collected⁵. Previous DOC inspections and audits of the medical system have shown that the DOC largely complies with this timeline; however, residents continue to report delays between submitting sick call slips and seeing a provider. The CIC identified a potential source of this disconnect as the difference in time between resident submission of a sick call slip and staff collection. Unity and DOC do not have a methodology for ensuring staff pick up sick call slips twice daily. As a result, residents may submit a sick call slip after the morning collection but not have it collected by staff until the following day's collection, thereby delaying the time between a resident submitting a sick call slip and the initial clinical encounter. The CIC recommends Unity staff implement a log annotating when staff are leaving to conduct sick call slip collection and that staff members on each housing unit log Unity staff arrival. In instances when residents submit grievances regarding delays in care, Unity and DOC reviewers should consider the time of resident submission and initial clinical encounter, rather than just the time between collection and the encounter. Ensuring the time between resident submission and initial clinical encounter is also within the 24-hour window will improve resident perceptions of timely access to care.

Updated Recommendation # 4: Ensure appointments are scheduled in accordance with the timelines in the DOC/Unity contract and that DOC is appropriately staffed to facilitate resident transportation to off-site appointments.

Residents who are referred to providers outside the DOC for clinical appointments are to be transported by DOC staff per Unity's contract with the DOC. However, widespread understaffing jeopardizes the ability of the DOC to ensure that there will always be staff and transportation available to get residents to scheduled appointments. Many appointments with outside providers are for specialty services not offered within the DOC; therefore, missing or rescheduling a resident's appointment could have serious medical consequences. The CIC recommends the DOC analyze the

⁵ DOC, "Medical Management", DOC, June 20, 2018,

<https://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/PM%206000.11%20Medical%20Management%2006-20-2017.pdf>

number of outside appointments requiring resident transportation each month and hire an appropriate number of contractor positions solely to facilitate resident transportation.

Updated Recommendation # 5: When appropriate, incorporate policy changes in accordance with quality improvement meetings.

Residents have consistently expressed dissatisfaction with DOC medical services throughout the last five years of CIC inspections, often around the same specific issues such as wait times and quality of care. Per DOC policy, both DOC and Unity must engage in continual quality care improvement meetings in which both parties review past grievances and identified issues and incorporate changes that will address these issues moving forward.⁶ The CIC recommends that both parties work together to establish the policy changes recommended in this report and develop additional changes as needed to improve the quality of care provided to residents. In instances where residents have raised persistent concerns, but DOC and Unity officials believe appropriate actions have been taken, DOC and Unity staff should conduct further analysis and resident interviews to identify reasons for resident dissatisfaction.

Conclusion

The CIC will continue to work with the DOC to address resident concerns around medical care, grievances, food, and outdoor recreation and will report updates when significant policy changes or practices have occurred in these areas. The CIC will assess the DOC's implementation of suggested recommendations during FY24.

⁶ DOC, "Medical Management."

Appendix A: Previous DOC Recommendations 2018 – 2023

Recommendation	Status	Add. Information
DOC staff should ensure that the process for reviewing and approving religious diet requests is timely and efficient.	Resolved	Religious services reviews and responds to requests in the order they are submitted.
The DOC should ensure that restrictions are only being placed on residents after documentation of a legitimate violation of DOC policy and a fair hearing.	Resolved	DOC follows DC DOC policy 5300.1 Inmate Disciplinary and Administrative Housing Hearing Procedures.
The DOC should ensure that residents are always provided with documentation stating why they are under investigation.	Resolved	Per DC DOC policy 5300.1, Investigative Officers (IOs) give residents copies of disciplinary reports and residents can request copies of any statements they made. In certain instances, residents will not be notified that they are being investigated and their visits may be suspended if there is credible intelligence that the visit could jeopardize the safety and/or security of the facilities.
DOC staff should clearly communicate the process for transferring property when a resident transfers units, document and inform the resident of any property that has been confiscated and will not be returned and communicate to residents a clear process for addressing missing property complaints.	Resolved	The agency has taken additional steps to ensure proper accountability of resident property.
The DOC should ensure that there is a clear policy that applies to decisions made regarding individuals with a special handling status, and should clearly communicate the restrictions, reasons for them, and process for having the restrictions lifted.	Resolved	The DOC has a specific policy for addressing residents with special handling status: DOC policy 5500.2 Restrictive Housing of Inmates. Policy 5300.1 Inmate Disciplinary and Administrative Housing Hearing Procedures outlines the process for placement and lifting of restrictions.
The DOC should provide residents with documentation of all filed disciplinary actions that are formally charged or result in sanctions.	Resolved	Per DC DOC policy 5300.1, Investigative Officers (IOs) give residents copies of disciplinary reports and residents can request copies of any statements they made. In certain instances, residents will not be notified that they are being investigated and their visits may be suspended if there is credible intelligence that the visit could jeopardize the safety and /or security of the facilities.
The DOC should ensure that the government witness unit operates in a sanitary and safe manner, including the delivery of cleaning supplies and the proper sealing, labeling, and handling of meals.	Resolved	Each Housing Unit has an assigned detail crew and Officers have a cleaning schedule.
Acquire more reentry resources to connect the residents with the outside world. Residents will need tangible resources upon their release, such as food and shelter.	Partially Resolved	The READY Center can connect residents to community resources through Link U, an online referral platform.

Recommendation	Status	Add. Information
Implement an online screening process for volunteers.	Resolved	DOC Online volunteer services application should be available online as of October 2020.
Communicate with community partners and develop a plan to both extend YME into the community and acquire resources needed for implementation, because as the young men are released, the continuity of structure and support is still needed.	Resolved	DOC works with community partners and the READY Center to develop reentry supports, however once individuals are released, they are out of DOC purview.
Implement technology that improves connectivity for the tablets throughout the facility. Ensure residents understand how to use tablets.	Resolved	Tablet connectivity has improved and orientation for the tablets is ongoing.
DOC should ensure that all cells at CCB are operable, including the handicapped cells.	Partially Resolved	CCB has reduced number of inoperable cells from 25 to 3.
The DOC should ensure that all residents in restrictive housing units have a mattress.	Resolved	DOC issues mattresses to all residents in restrictive housing.
The DOC should ensure that both screens in CCB used for court are in working condition.	Resolved	Maintenance has fixed this issue.
The DOC should assure that all residents who participate in a particular religious observance receive meals in a timely fashion.	Resolved	DOC has addressed this issue.
Ensure all housing units have hot water.	Resolved	Maintenance has fixed this issue.
Fix seven inoperable phones in Southwest 2.	Unknown	
The DOC should repair the source of the regular flooding in CCB.	Resolved	Maintenance has fixed this issue.
Fix heating / air conditioning ventilation issue.	Resolved	DOC cleaned and added fans to unit.
The DOC should ensure that restrictive housing units have adequate cleaning supplies.	Resolved	All units receive cleaning chemicals daily and supplies weekly or as needed.
Ready Center should resume in person operations.	Partially Resolved	Ready Center now operating temporarily from the Reeves Center.
DOC should provide a physical space for the Ready Center to conduct in person counseling services.	Partially Resolved	A temporary space is being identified for READY center.
The READY Center should increase staff and create an updated comprehensive plan explaining current services and required partnerships with DC Gov Organizations.	Partially Resolved	Staffing and partnerships are being planned and they will be readily available once solidified.
DOC should perform maintenance on all inoperable visiting screens in restrictive housing and general population units.	Resolved	ViaPath, the vendor for visitation screens, completed these repairs.
Eliminate any practice of housing unvaccinated residents with vaccinated residents.	Unknown	DOC and Unity Health follow the guidelines of DC Health and the "Modified Medical Stay-in Place" policy.

Recommendation	Status	Add. Information
Fix four broken phones in CDF.	Resolved	Maintenance has fixed this issue.
Fix two broken visitation screens in Northwest 1.	Unknown	
Fix four broken phones and three inoperable visitation screens in Southwest 3.	Unknown	Repair started July 17th, 2022.
Fix broken toilet in Southwest 3.	Resolved	Maintenance has fixed this issue.
Address conditions of showers in female units of CTF.	Unresolved	CTF Inspection in May 2023 showed showers are still in need of repair.
Ensure staff checks the requirements and accuracy of dietary specific trays.	Resolved	Staff were retrained on diet menu requirements.
Residents should receive maintenance in a timely fashion when there are issues with toilets, lights, and sinks in their cells.	Resolved	Officers inspect cell and common areas daily and notify maintenance as appropriate.
Restrictive housing units should receive cleaning supplies daily.	Resolved	All units receive cleaning chemicals daily and supplies weekly or as needed.
Develop a system for issuing the GTL tablets so that everyone in each housing unit has an opportunity to use them.	Resolved	APDS or GTL tablets or both are available to all residents as of September 2020.
Fix broken phone in TV room of South 1.	Resolved	DOC reports phones being repaired.
Address resident report of mold in cell.	Resolved	CIC staff did not see any mold during the inspection and staff inspect cells for maintenance issues and cleanliness daily. Residents can request maintenance from staff.
Address flooding from chase closets.	Resolved	Chase closet leak repaired August 13, 2022.
Fix broken TV and visitation screen in South 1.	Resolved	Maintenance has fixed this issue.
Address conditions of showers in South 1.	Resolved	Maintenance has fixed this issue.
Issue cleaning supplies to residents.	Resolved	Maintenance has fixed this issue.
Eradicate mice in cell of South 1.	Resolved	Maintenance has fixed this issue.
Address reports that TV room does not have fan and TV only has four channels.	Rejected	DOC will not put fan in dayroom or supply additional channels.
Address reports of no phones or tablet access.	Resolved	Residents have phone and tablet access.
Address reports that restrictive housing time exceeds time required by Adjustment Board.	Resolved	In some situations, administrative constraints such as separation orders between incarcerated residents resulted in lack of available general population housing for certain individuals whose disciplinary time in segregated housing is complete. In these cases, individuals are held in restrictive housing for their own safety until the Housing Board can coordinate for a new housing assignment.
Issue mattresses in special circumstances.	Resolved	As of April 16, 2022, mattresses are issued to all pregnant female arrestees and all arrestees that arrive on Saturday after the last court hearing.
Increase access to commissary.	Resolved	All residents have access to the commissary.
Improve quality of laundry services.	Resolved	May 2023 inspection showed most residents are satisfied with laundry services.
Fix the broken computer in E2B.	Unknown	

Recommendation	Status	Add. Information
Address lack of access to writing, legal, grievance, reading materials and visitation while in SHU.	Resolved	Residents can purchase these items from the commissary and indigent residents are offered them.
Provide writing materials, including envelopes, to women who want to communicate with their families and loved ones.	Resolved	Materials are available in the commissary for purchase and are free to indigent residents.
Fix non-functional handicap cell in CCB.	Resolved	Maintenance has fixed this issue.
Fix delay in issuing phone cards.	Resolved	The Office of Inmate Finance reviewed financial transactions and found no funds deducted from resident accounts for telephone services during the period in question. The Office of the Chief Financial Officer cancelled the distribution of calling card services for that week. Residents typically receive cards within seven days of funds being deducted.
Fix sump pump issue.	Resolved	Maintenance has fixed this issue.
Fix issues with APDS tablets and facial recognition software.	Resolved	DOC and APDS confirmed tablet issues have been resolved.
Address reports of no GED classes.	Resolved	GED classes are offered.