

BILL LEE
GOVERNOR



TONY PARKER
COMMISSIONER

STATE OF TENNESSEE
DEPARTMENT OF CORRECTION
SIXTH FLOOR RACHEL JACKSON BUILDING
320 SIXTH AVENUE NORTH
NASHVILLE, TENNESSEE 37243-0465
OFFICE (615) 253-8139 • FAX (615) 532-8281

April 7, 2020

Executive Director Randy Stamps
Email: randy.stamps@tseonline.org
Tennessee State Employees Association
627 Woodland Street
Nashville, TN 37206-4291

Dear Executive Director Stamps:

Thank you for your letter dated April 3, in which you conveyed concerns from various state employees. As you know, the Department of Correction has long maintained emergency and continuity of operations plans for a variety of emergency events and have implemented a series of these operation plans in response to the COVID-19 situation as it has developed.

The Department's Chief Medical Officer closely monitors the medical situation and provides updates daily, at times multiple times daily, to executive staff to facilitate coordinated decision-making. Further, my staff is in constant contact with local health authorities and other state correctional authorities to monitor and evaluate potential developments in case operational changes are needed.

Specific to your letter, I will address each matter referenced in your letter in-turn below.

Screenings at Facilities

We began conducting noninvasive screenings of all staff and contractors by Friday, March 13, for symptoms such as fever (over 100.4F) and difficulty breathing prior to entry to maximize prevention efforts. We further suspended visitation and volunteer activities around that same time, as well as suspended intra-facility transfers. The Department's screenings integrated thermometer use at all facilities and, as of the week of March 30, "no touch" thermometers were delivered to all facilities. There is also a mandatory screening of all inmates who may be leaving and/or returning to a facility for court or medical appointments; however, we note that these specific inmate movements are currently extremely limited.

Activity Level of Offenders in Our Facilities

As a Department, we have worked to maintain regularity in the facilities for the inmate population while working to meet our established guidelines that are supported by the recommendations of the Centers for Disease Control and Prevention (CDC) and the Tennessee Department of Health (TDOH). It is vital that the Department not take actions relative to the inmate population related to COVID-19 that could be in any way construed to be a punitive to the inmate population.

We have committed to continuing prison education programs and inmate programming and those programs operate on modified scheduling to encourage social distancing practices. The reasons for this are that without inmate programming, it creates a scenario in which large numbers of inmates are idle. This would likely require at least partial lock-down situations in the prisons. Lock-downs for non-security related matters are never ideal, and it places a significant burden on security staff—which we know have been challenged with vacancies long before the current COVID-19 situation.

Use and Availability of Masks at all Facilities

It is no secret that masks and other personal protective equipment (PPE) are in extremely high demand nationwide. However, we have been working to ensure staff have materials needed to be safe and effective in furtherance of their duties. We are actively engaged in procuring reusable, washable masks for wide-scale deployment to our staff and inmates alike and hope to be able to deploy those on a facility-by-facility basis this week.

Cleaning and Soap Availability

According to CDC guidance, washing hands with regular soap and water, for at least 20 seconds, is effective in disrupting the virus. The reason soap is so effective against viruses generally is that it tears the virus apart when coupled with normal hand washing actions. COVID-19, which is a coronavirus, is held together by a fatty shell, a lipid membrane. Soap, by its molecular nature, strips that protective fatty layer away from the virus.

Since COVID-19 is a virus, antibacterial hand soap will not provide any additional prevention against COVID-19. Further, there is a litany of research available on the CDC's website that suggests that there is no added health benefit for consumers using soaps containing antibacterial ingredients compared with using plain soap.

Probation/Parole Drug Testing Frequency

As we discussed, Community Supervision staff is operating under modified protocols designed to limit personal contact with probationers and parolees, with the majority of staff working in an alternative workplace solution most of the time. Drug screens for probationers and parolees have been reduced primarily to those required by Intake, when personal contact with an offender is also required to obtain fingerprints and a DNA sample. We also continue to conduct certain other drug screens such as those required by court orders and Board of Parole mandates. Officers are wearing gloves and a mask when conducting drug screens, collecting DNA, and obtaining fingerprints. We are engaging in ongoing review of procedures for all processes, including drug screens, to determine how we can most effectively balance our public safety mission with the health and welfare of staff and offenders.

"Essential duties" and "Essential workers"

Because of the critical nature of TDOC's mission and the vital role all employees play in our continuity of operations, every employee is considered essential staff and performing job duties that are essential to the mission. Essential staff have been informed that they should use their best judgment and avoid the workplace, if they are symptomatic. Employees who are in a high-risk category, as defined by the CDC, may seek an accommodation to work remotely or take leave, depending on their job responsibilities. Since this situation began, TDOC has worked to reduce the number of employees

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required to report to a physical workspace and will continue to look for opportunities to further reduce that number.

I have heard from a small number of prison counselors and teachers with concerns (and claims) that they are not essential employees. I firmly disagree. If counselors and teachers were not essential, it again creates a situation in which large numbers of inmates are faced with idle time. Once again, this would likely require at least partial lock-down scenarios in the prisons. Lock-downs for non-security related matters are never ideal, and it places a significant burden on security staff.

Additionally, relating to staff, meetings have been significantly scaled back, and social distancing is being followed as well as the aforementioned screenings prior to being allowed near inmates.

I point out that all Department of Correction employees must be part of the fight against COVID-19, and it takes each one of the Department's 6,000+ employees to do his/her part to ensure that we continue to meet our mission.

Finally, I encourage your office to recommend concerned individuals and groups to use the Department's website, which has a FAQs section on COVID-19, and social-media resources.

Facebook: <https://www.facebook.com/TNDepartmentofCorrection>

Twitter: <https://twitter.com/TNTDOC1>

TDOC: <https://www.tn.gov/correction>

Sincerely,



Tony Parker
Commissioner

TP:TG

pc: Lisa Helton, Assistant Commissioner for Community Supervision (lisa.helton@tn.gov)

Lee Dotson, Assistant Commissioner of Prisons (lee.dotson@tn.gov)

Brian Hughes, Director of Human Resources (brian.hughes@tn.gov)

Torrey Grimes, Senior Counsel/Legislative Liaison (torrey.s.grimes@tn.gov)

Linda Klingmann, Legislative Liaison (linda.klingmann@tn.gov)