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July 29, 2020 Update from MCI-Norfolk

There has been little structural change since the last update. The unit on lockdown at that time was released with no evidence of Covid infection. Each unit remains quarantined from all others. As before, yard access is restricted to specified times and areas with no mixing between units. Similarly, prisoners are going to medline and canteen one unit at a time, with lines limited by social distancing and mask requirements.

These are reasonable precautions except that the DOC allows substantial mixing of prisoners from all units in work areas. Approximately 100 prisoners from all units are going to Industries every weekday, where masks are not routinely worn after arrival. Similarly, Kitchen, Maintenance, Canteen, Trash Pick-up, Yard mowing and maintenance, and other workers from varied units are working together and mixing in their work areas. Maintenance workers (e.g., HVAC, sprayers, electrical, plumbing, repairs, etc) also are routinely entering units to perform services and repairs. It is notable that all these workers keep the institution functioning and unburden correctional staff from having to perform these tasks. As such, the administration labels them "essential". However, these prisoners then return to their own housing units for meals, recreation and sleep. Since early July, units are wide open internally, with no restrictions for moving about and gathering, which would allow rapid spread of infection if it were present.

By stark contrast, all activities that would benefit prisoners and foster rehabilitation or allow access to fellow prisoners residing in other units is prohibited. Of note, prisoners have no means of connecting remotely with prisoners in other units. Since prisoners also have no say about which unit they are assigned, they likely do not live with their normal circle of associates. This essentially cuts them off all contact with friends established after decades of shared confinement. This total isolation is in stark contrast with the free world in which reliance upon telephone, Zoom and other virtual interactions have been critical to sustain relationships and mental health. These conditions substantially add to the damaging mental health consequences of enforced prisoner quarantines, making them more damaging and isolating than even the difficulties experienced by those in the community.

Of greatest concern is that none of the activities conducive to positive adjustment have been preserved by the administration's arbitrary quarantining decisions. No rehabilitative programming or education, either vocational or academic, is still being offered. Even the federally funded "Spectrum" program conducted in three self-contained residential units are limited to pamphleteering only. The usual group activities essential for sharing and exploring behaviors are not being conducted. It is not uncharitable to conclude that the only reason that this limited Spectrum programming is offered is to receive federal funds. Additionally, all prisoner gatherings have been prohibited, including religious services. There are also no self-help and self-improvement group meetings, including important AA and NA. In short, all activities that are needed to benefit prisoners' rehabilitation, education, vocational preparation and mental well-being and positive adjustment have been eliminated through DOC mandate.

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There continues to be no useful access to the courts because the law library offers only token access, typically consisting of a single prisoner in the law library for 1 hour intervals, by appointment only. Mostly, only one prisoner is allowed in at a time, even though the library as presently configured could easily contain 8-10 socially distanced individuals. With minimal rearrangement, (mostly extension wiring and repositioned terminals), a dozen or more prisoners could be accommodated. Legal storage access is severely curtailed and has recently required filing grievances for access. These failings make it impossible for prisoners to have meaningful access to the courts.

Miscellaneous Issues: Medical: appointments are again posted, but prisoners must wait to be called. However, calls often never result. For example, I waited two days to be called for my scheduled appointment with the Doctor. Similarly, I have been on the medical list for two days for a nursing appointment for which I have yet to be called. Property: access to the property department is severely limited. There is no access to state-supplied T-shirts, underwear and socks normally issued quarterly. By contrast, clothing and sneakers which prisoners must purchase from Keefe Corp (which generates a commission to the DOC) continue to be delivered. Similarly, access to replacement bedding materials which require pre-approval by unit staff has been arbitrarily canceled. Food: Meals which had marginally improved after prisoner workers returned, have substantially deteriorated during this month. Fresh fruit has disappeared, low quality cold cuts and "chicken" patties made from waste are replacing usual entrees, breakfast has been reduced to rice-powder "rice krispies" or grits, and every meal is missing substantial items from the required cycle menu. Food quality and nutritional adequacy has been severely curtailed during the entire lockdown, but inexplicably has reached a new nadir recently.

That conditions here are stressful for prisoners is manifest by steadily increasing disciplinary offenses. More frequent fights and other violations of rules are resulting in locking prisoners in solitary confinement. However, vacated cells are refilled without delay, such that there is no change in the crowded conditions in the units.

CONCLUSION

It is gravely disturbing that, under the guise of quarantining, the DOC has abandoned all semblance of providing any rehabilitation for prisoners while simultaneously and cavalierly reinstating only those jobs that lighten the workload for staff and facilitate prison functioning despite their greater potential for spreading infection. It appears that rehabilitation is considered "non-essential" while cheap \$1/hour labor to ease staff workload is deemed "essential".

This clearly reveals the DOC's priorities. For at least the last decade, the DOC has used less than 2% of their budget for all prisoner rehabilitation. This includes all rehabilitative programming as well as academic and vocational education, and important self-improvement activities such as AA and NA and many other important programs. Viewed from that perspective, it is obvious that rehabilitation of prisoners and preparing them for re-integration into society has never been a central concern for the DOC. The current situation, constituting nothing more than mind-numbing warehousing of prisoners with no regard for long-term outcomes, dramatically exposes the DOC's real motivations. This is not only inhumane, but counterproductive and damaging to the Commonwealth's long-term interests.

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