

The next virus outbreak in Utah's jails is already here

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Yet another Utah jail is experiencing a COVID-19 outbreak, this time in Cache County. Nationally, jails and prisons have become some of largest and fastest-spreading COVID-19 hot spots with a dangerous ability to impact neighboring communities. As a result, the repeated outbreaks in Utah's jails should surprise no one. But even more troubling is how the multiple failures that caused about 300 incarcerated people in Utah to be infected this spring and summer have not been fixed.

In both Washington and Weber counties, we know that corrections staff routinely declined to wear masks around inmates until after the outbreaks spread. In Washington County, many inmates were denied masks even when they requested them, including at the housing section where the outbreak started. Symptomatic inmates living in dorm-style housing were kept with nonsymptomatic individuals while COVID-19 tests were pending.

This disregard for commonsense public health practices is unacceptable, and our correctional facilities must do better. How can the governor mandate masks for children and teachers who attend school for seven hours a day, yet not take any action in Utah's jails where people live, eat, and sleep communally 24 hours a day?

We need to provide every incarcerated person in the state with a reliable supply of reusable masks and require corrections staff to wear masks while interacting with incarcerated people. While the Utah Department of Corrections has implemented these policies at state prisons, county jails retain a patchwork of policies even though many state inmates are housed in county facilities. This inconsistency left inmates at jails in Washington and other counties unable to take basic steps to protect themselves.

In both Washington and Weber counties, the recent outbreaks likely began among newly-arriving infected inmates who were placed in community settings without a sufficient quarantine period. Even after inmates became symptomatic, testing was delayed and the populations continued to mingle. In addition, jail officials were unable to meaningfully contain any outbreaks because their facilities lacked the space to effectively quarantine inmates pending test results. Instead, the virus was allowed to spread rapidly within locked down housing sections as exposed individuals shared sleeping areas, bathrooms, and phones with dozens of other inmates. In both facilities, some inmates who initially tested negative for COVID later tested positive after being infected by a lack of social distancing. Those individuals were needlessly afflicted because the jails were too full to quarantine the people housed inside. Similarly, Cache County couldn't test exposed inmates until after they mingled with each other for nine days.

Driving the rash of outbreaks is the fact that the United State incarcerates people at a higher rate than any other nation. It is clearly unsafe to hold hundreds of people in congregate living settings with no way to social distance. This makes it dangerous not only for incarcerated people, but also for corrections staff, their families, and nearby communities. So far in 2020 over 100,000 incarcerated people in the United States have been infected and over 1,000 inmates and staff have died as a result.

In response to an outbreak at the Weber County jail in July, County Attorney Chris Allred announced in July that his office would begin reviewing inmates to identify who could be safely released. But we still don't know whether these reviews occurring or how many inmates have been released. Meanwhile in Washington County, officials have taken no steps to identify people for release despite the jail being too crowded to quarantine newcomers or effectively contain an outbreak. Simply put, the fewer people in each housing section, the easier to test, separate, and quarantine the most vulnerable.

In my work I often hear from frightened and anxious incarcerated people and their family members. They are frustrated that ineffective policies and indifferent attitudes are placing incarcerated people at greater risk during this deadly pandemic. Our government officials have a duty, both moral and constitutional, to protect the health and safety of incarcerated people. No one died in the Washington and Weber jail outbreaks, but county attorneys and sheriffs should not wait for a COVID-19 fatality on their watch before they take all reasonable steps to prevent and mitigate future outbreaks, most urgently systemically reviewing inmates for safe release.

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