

Exhibit 3

DECLARATION OF TRAVIS TURNER

"I am over 21 years of age, of sound mind, capable of making this declaration, and personally acquainted with the facts herein stated.

I am a Deputy Director of the Administrative Review and Risk Management Division, a part of the Texas Department of Criminal Justice (TDCJ) located in Huntsville, Texas. Attached are true and correct copies of *e-mails, including their attachments, produced in response to Request for Production No. 9*. These records are being produced to supplement the records previously produced by this office and accompanied by an affidavit dated May 14, 2020. The attached records are kept by the TDCJ in the regular course of its business activity. The entries of such records were made as a regularly conducted activity and a regular practice of the TDCJ, and were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters.

My name is Travis Turner and I am an employee of the TDCJ, a governmental agency. I am executing this declaration as part of my assigned duties and responsibilities. I declare under penalty of perjury that the foregoing is true and correct."

Executed in WALKER County, State of Texas, on the 29th day of May, 2020.



TRAVIS TURNER
Deputy Director
Administrative Review and Risk
Management Division
Texas Department of Criminal Justice

Jessica Riley

From: Jessica Riley
Sent: Tuesday, May 26, 2020 10:24 AM
To: Doyle Davis; Bonnie Cummins; Stephanie James; Lisa Pelitire; Tracey Ortiz
Cc: Lori Sanford; Karen Norman; Monica Aguilar; Virginia Garcia; Kaysha Dunaway; Jeanette Lombrano; Vickie Barrow; Tyra Phillips; Megan Lewandowski; Heather Pederson
Subject: COVID-19 Related Grievance Instructions
Attachments: COVID Grievance Instructions for UGIs.doc

Good morning all,

Please see the attached instructions related to processing COVID-19 related grievances effective today. Tyra will be reaching out to answer any questions.

Thank you for being patient as we work through this new challenge.

Jessica Riley
Manager II
Resolution Support
Administrative Review and Risk Management
Phone: (936) 437-4875
Fax: (936) 437-4876

The information contained in this electronic mail and attachments is intended for the exclusive use of the addressee(s) and may contain confidential, privileged or proprietary information. Any other interception or use of these materials is strictly prohibited. This email may not be forwarded outside the Texas Department of Criminal Justice Office of the Administrative Review and Risk Management Division without the permission of the original sender. If you have received these materials in error, please notify me immediately by telephone and destroy all electronic, paper, or other versions.

*Texas Department of Criminal Justice
Administrative Review and Risk Management Division
Offender Grievance Program
COVID-19 Grievance Process
May 18, 2020*

Criteria for code 930 COVID-19 grievances to include but not limited to:

- COVID-19 or any mention of corona, virus, pandemic
- Agency response to COVID-19
- Testing for COVID-19 or related issues
- Personal Protective Equipment
- Sanitation and cleaning supplies
- Any complaint related to precautionary lockdown, medical restriction, or medical isolation
 - Visitation
 - Use of phones
 - Commissary restrictions
 - Meals (no hot meals, inadequate johnnies, calories, nutrition, etc.)
 - Limited medical care or medications
 - Limited programming, education, or other services
 - Unable to submit a grievance or grievances not being picked up

When a Step 1 grievance related to COVID-19 is filed by an offender, the following process is followed:

- The Unit Grievance Investigator (UGI) will
 - Code the grievance as 930 COVID-19, adding a secondary code indicating the categorical issue in the third space for problem codes or,
 - If the COVID-19 grievance is in reference to a medical symptom (fever, cough, shortness of breath, chest pain, etc. in relation to COVID-19), the UGI will assign an issue code 003 Medical Emergency and a secondary issue code of 930 COVID-19 and the grievance will be worked as an emergency grievance by medical staff.
 - Grievances coded 930 COVID-19 are not eligible for any screening criteria except *1. Grievable time period has expired and 9. Redundant.*
 - Send a copy of the grievance via email to Manager I, Offender Grievance, or designee.
 - Process the code 930 COVID-19 grievance as a regular grievance with an expedited time frame (15 calendar days) with no extensions.

- GR00 is programmed to calculate the due dates for this code

DEFS 3RD SUPPL DISCLOSURE - 2443

*Texas Department of Criminal Justice
Administrative Review and Risk Management Division
Offender Grievance Program
COVID-19 Grievance Process
May 18, 2020*

When a Step 2 grievance related to COVID-19 is filed by an offender, the following process is followed:

- The UGI will
 - Image the Step 2 COVID-19 related grievance and forward via email to offendergrievance@tdcj.texas.gov.
 - Forward the original Step 2 COVID-19 related grievance to the Central Grievance Office (CGO) via normal procedures.
 - Designated CGO staff will retrieve Step 2 grievances from the email inbox and assign and distribute to an analyst (930 COVID-19) or Health Services (003 Medical Emergency, other 600 codes) for investigation.
 - Grievances coded 930 COVID-19 are not eligible for any screening criteria except *1. Grievable time period has expired and 9. Redundant*.
 - The CGO grievance analyst will process the Step 2 grievance 930 COVID-19 as a regular grievance as outlined in the OGOM 2.01 Step 2 Grievances with the exception of the expedited time frame (15 calendar days) with no extensions.
 - Health Services will process any 003 Medical Emergency COVID-19 related grievances as an emergency grievance as outlined in OGOM 2.05 Step 2 Emergency Grievances.

*Texas Department of Criminal Justice
Administrative Review and Risk Management Division
Offender Grievance Program
COVID-19 Grievance Process
May 18, 2020*

Examples:

Offender alleges he thinks he may have COVID-19 and has a fever and shortness of breath

Code: 003

Secondary Code: 930

Offender alleges he has been exposed to other offenders with COVID-19 and is coughing and not feeling well

Code: 003

Secondary Code: 930

Offender alleges he is not able to go to commissary due to medical lockdown

Code: 930

Secondary Code: 501

Offender alleges he is not being seen by medical for a chronic condition because it is not deemed an emergency due to COVID-19

Code: 930

Secondary Code: 608

Offender alleges that his johnnies do not have enough calories and nutrition (as a result of medical lockdown)

Code: 930

Secondary Code: 500

Offender alleges that he was moved to quarantine and is now missing property

Code: 930

Secondary Code: 515

Offender alleges he is not able to use the phones due to medical lockdown

Code: 930

Secondary Code: 301

Exhibit 4

ORAL DEPOSITION OF BRYAN COLLIER

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

LADDY CURTIS VALENTINE	*	Case No. 4:20-cv-01115
and RICHARD ELVIN KING,	*	
individually and on	*	
behalf of those similarly	*	
situated,	*	
	*	
Plaintiffs,	*	
	*	
VS.	*	
	*	Hon. Keith P. Ellison
BRYAN COLLIER, in his	*	
official capacity; ROBERT	*	
HERRERA, in his official	*	
capacity; and TEXAS	*	
DEPARTMENT OF CRIMINAL	*	
JUSTICE,	*	
	*	
Defendants.	*	

ORAL AND VIDEOTAPED DEPOSITION OF
BRYAN COLLIER

June 4, 2020

(Reported Remotely)

ORAL AND VIDEOTAPED DEPOSITION of BRYAN COLLIER, produced as a witness at the instance of the Plaintiffs, and duly sworn, was taken in the above-styled and numbered cause on the 4th day of June, 2020, from 10:11 a.m. to 4:17 p.m., via videoconference, before Holly P. Burns, CSR, RMR, CRR, in and for the State of Texas, reported by machine shorthand, at the offices of Texas Department of Criminal Justice, Huntsville, Texas, pursuant to the Federal Rules of Civil Procedure, Seventeenth Emergency Order Regarding the COVID-19 State of Disaster, and the provisions stated on the record or attached hereto.

Job No. 67601

ORAL DEPOSITION OF BRYAN COLLIER

Page 2

1 A P P E A R A N C E S

2 (Via Videoconference)

3 FOR THE PLAINTIFFS:

4 Mr. John Keville

5 Mr. Jason Rudloff

6 Mr. Brandon Duke

7 Winston & Strawn, L.L.P.

8 1111 Louisiana, 25th Floor

9 Houston, Texas 77002

10 Telephone: (713) 651-2600 -- Fax: (713) 651-2700

11 jkeville@winston.com

12 Mr. Jeff Edwards

13 The Edwards Law Firm

14 The Haehnel Building

15 1101 East 11th Street

16 Austin, Texas 78702

17 Telephone: (512) 623-7727 -- Fax: (512) 623-7729

18 jeff@edwards-law.com

19

20 FOR THE DEFENDANT:

21 Ms. Christin Vasquez

22 Ms. Landon Wade

23 Office of the Attorney General

24 300 West 15th Street

25 Austin, Texas 78701-1220

Telephone: (512) 463-2080 -- Fax: (512) 936-2109

christin.vasquez@oag.texas.gov

FOR DEFENDANT TEXAS DEPARTMENT OF CRIMINAL JUSTICE:

Ms. Kristen Worman

Mr. Eric K. Miller

Ms. Katherine S. Tanner

Ms. Melinda Hall

Texas Department of Criminal Justice

Office of the General Counsel

P.O. Box 4004

Huntsville, Texas 77342

Telephone: (936) 437-6700

22

23 ALSO PRESENT:

24 Mr. Tony Tran, the Videographer

25 Mr. Manu Vadlamudi

Mr. Adam Shaw

Ms. Catherine Urbanek

ORAL DEPOSITION OF BRYAN COLLIER

Page 3

I N D E X

1		
2		
3		Page
4	Appearances	2
5	BRYAN COLLIER	
6	Examination By Mr. Keville	4
7	Examination By Ms. Vasquez	191
8	Further Examination By Mr. Keville	193
9	Changes and Signature Pages	195
10	Reporter's Certificate Pages	197

EXHIBIT INDEX

15	Exhibit No.	Description	Marked
16	Collier 1	Declaration of Justin Brock;	194
17		Board Policy, Offender Grievances (0342-0352)	
18	Collier 2	Declaration of Travis Turner;	194
19		e-mail (2441-2445)	
20	Collier 3	Affidavit by Frances Gattis;	194
21		Offender Grievance Form (0637-0644)	

ORAL DEPOSITION OF BRYAN COLLIER

Page 4

1 THE VIDEOGRAPHER: Today's date is
2 June 4th, 2020. The time is 10:11 a.m. We are
3 beginning the deposition of Bryan Collier.

4 Will all attorneys present please
10:11 5 introduce themselves for the record?

6 MR. KEVILLE: For the plaintiffs, this is
7 John Keville.

8 MS. VASQUEZ: For the defendants,
9 Christin Vasquez.

10:11 10 THE VIDEOGRAPHER: Counsel has agreed
11 that pursuant to the COVID-19 emergency order this
12 deposition will be taken by videoconference via Zoom
13 and the court reporter will swear in the witness
14 remotely.

10:12 15 (Witness sworn.)

16 MS. VASQUEZ: And Defendants would like
17 to read and sign, please. Thank you.

18 BRYAN COLLIER,
19 having been first duly sworn, testified as follows:

10:12 20 EXAMINATION

21 BY MR. KEVILLE:

22 Q. Sir, would you introduce yourself, please?

23 A. (No answer.)

24 Q. Mr. Collier, can you hear me?

10:12 25 A. Yes, sir, I can hear you now. Sorry.

ORAL DEPOSITION OF BRYAN COLLIER

Page 98

1 quickly.

2 Q. (BY MR. KEVILLE) So, the only reason you can
3 think of is in order to be able to respond more quickly
4 as to the time line. I'm not talking about changes to
13:33 5 copays or that. As to reducing the time line from 80
6 to 160 days down to 30 days, you would agree that the
7 only reason that was done that you're aware of was
8 because the prior policy wasn't quick enough to respond
9 to COVID-19?

13:33 10 A. Yes, sir. I would say the prior policy's time
11 frames did not give adequate attention to the COVID-19
12 issue.

13 Q. Okay. Has there been any time other than in
14 response to COVID-19 that TDCJ has shortened the
13:34 15 response time on grievance procedures?

16 A. Historically I do not -- I don't personally
17 recall one, but I'm not aware if there have been others
18 in the past.

19 Q. Sure, but in your time frame you are not aware
13:34 20 of any?

21 A. Not that I'm personally aware of, no, sir.

22 Q. And you would be personally aware of that
23 because policy changes like that are ultimately
24 approved by you, correct?

13:34 25 MS. VASQUEZ: Objection.

ORAL DEPOSITION OF BRYAN COLLIER

Page 194

1 So, we thought elevating that to make
2 sure that we are quickly reviewing those in case an
3 offender might be putting a medical issue on there --
4 that really should be something brought to staff
16:16 5 informally, but if they are putting a medical concern
6 on there, we have that so it can be reviewed quickly
7 and the sense of urgency within our grievance staff
8 would be increased.

9 MR. KEVILLE: Okay. No further
16:17 10 questions. Thank you.

11 MS. VASQUEZ: Thank you, Mr. Collier.

12 THE VIDEOGRAPHER: The time is 4:17 p.m.
13 We're going off the record, ending the deposition.

14 (Collier Exhibits Nos. 1 through 3
15 marked.)

16 (Deposition concluded at 4:17 p.m.)

17

18

19

20

21

22

23

24

25

ORAL DEPOSITION OF BRYAN COLLIER

Page 195

CHANGES AND SIGNATURE			
	PAGE	LINE	REASON
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			

I, BRYAN COLLIER, solemnly swear or affirm

under the pains and penalties of perjury that the

ORAL DEPOSITION OF BRYAN COLLIER

Page 196

1 foregoing pages contain a true and correct transcript
2 of the testimony given by me at the time and place
3 stated, with the corrections, if any, and the reasons
4 therefor noted on the foregoing correction page(s).

5

6

BRYAN COLLIER

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
2 HOUSTON DIVISION

ORAL DEPOSITION OF BRYAN COLLIER

Page 198

1 return to INNOVATIVE LEGAL SOLUTIONS within 30 days;

2 That the amount of time used by each party at the
3 deposition is as follows:

4 Mr. John Keville - 04:04
Ms. Christin Vasquez - 00:01

5
6 I further certify that I am neither attorney nor
counsel for, related to, nor employed by any of the
7 parties to the action in which this testimony was
8 taken. Further, I am not a relative or employee of any
9 attorney of record in this cause, nor do I have a
10 financial interest in the action.

11

12 SUBSCRIBED AND SWORN TO by the undersigned on this
13 the _____ day of _____, 2020.

14

15

16

17

18

19

20

21

22

23

24

25


HOLLY P. BURNS, CSR, RMR, CRR
Texas Certification No. 4956
Expiration Date: 7/31/2022
Innovative Legal Solutions, Inc.
Firm Registration No. 370
The Lyric Centre
440 Louisiana, Suite 1100
Houston, Texas 77002
713.658.0802



Exhibit 5



North America Europe Asia

800 Capitol St., Suite 2400
Houston, TX 77002-2925
T +1 713 651 2600
F +1 713 651 2700

JOHN KEVILLE
Partner
+1 713 651 2659
JKeville@winston.com

Via Electronic Filing through CM/ECF

June 1, 2020

Mr. Lyle W. Cayce, Clerk
U.S. Court of Appeals for the Fifth Circuit
600 S. Maestri Place
New Orleans, LA 70130-3408

Re: *Valentine v. Collier*, No. 20-20207

Dear Mr. Cayce:

In apparent recognition of the alarming spread of COVID-19 inside the Pack Unit, during oral argument on May 28, 2020, the Court asked Plaintiffs-Appellees to file a letter describing the additional steps that should be taken to address this outbreak. To start, all of the requirements already ordered by the district court in its preliminary injunction remain necessary, and this Court should uphold that injunction and allow it to take immediate effect. In addition to those requirements, and given the changes in circumstance resulting from the disastrous increase of COVID-19 cases inside the Pack Unit, more steps are now necessary to help contain the outbreak and protect Plaintiffs and the Unit's other medically vulnerable inmates:

It is now clear that COVID-19 arrived in full force in the Pack Unit in the past several weeks and spread is likely still occurring. It is well accepted now that COVID-19 spreads from those who are otherwise asymptomatic. Consequently, merely monitoring temperatures or observing inmates and staff for signs of symptoms is necessary but not sufficient to contain the outbreak and protect the uninfected. Regular and frequent testing of inmates and staff who have tested negative or whose tests were invalid, along with isolating and contact tracing for those that test positive, are critical to containing the outbreak in this congregative environment.¹ TDCJ's plan and ongoing activities are gravely deficient on both fronts.

Continued Frequent Testing and Medical Isolation

Despite the need for continued and frequent testing, nowhere in the Report submitted by Defendants do they set forth a plan to conduct any supplemental testing of either inmates or staff at the Pack Unit. Indeed,

¹ See, e.g., Center for Disease Control and Prevention, *Testing Guidance for Nursing Homes, Interim Testing Guidance in Response to Suspected or Confirmed COVID-19 in Nursing Home Residents and Healthcare Personnel*, <https://www.cdc.gov/coronavirus/2019-ncov/hcp/nursing-homes-testing.html> ("Continue repeat testing of **all** previously negative **residents** (e.g., once a week) until the testing identifies no new cases of COVID-19 among residents or [healthcare personnel] over at least 14 days since the most recent positive result.")

June 1, 2020
Page 2

TDCJ's Rule 30(b)(6) representative confirmed during his deposition on Friday May, 29 that TDCJ has no plans to conduct any additional testing of Pack Unit inmates or staff who previously tested negative. Mendoza Dep. Tr. Vol. 2 30:21–31:9.² The prior week, Warden Herrera testified similarly. Herrera Dep. Tr. 182:3–12.³

The TDCJ's Strike Team has conducted one round of COVID-19 testing at the Pack Unit. According to Plaintiffs' medical experts and CDC Guidelines, it is necessary for that testing to continue at regular and frequent intervals for inmates, correctional officers, contractors, and prison staff. The testing should include, at a minimum, one test for each inmate, officer, contractor (including the contract medical staff), and staff member at least once every seven days. A single round of testing is not sufficient, particularly here, because during the pendency of the test results (which lasted two weeks or more in several instances), people who ultimately tested positive were housed with individuals who later tested negative—increasing the likelihood that someone who ultimately tested negative contracted the virus in the interim. Indeed, the tests TDCJ administered are known to have a 10% false negative rate, meaning that the number of infections is likely 10% higher than currently identified.⁴ Accordingly, the results from the Strike Team testing, which occurred May 12–14, are no longer representative of the current state of COVID-19 at the Pack Unit. In effect, the Strike Team testing was a snapshot in time: it was a necessary step to provide a baseline regarding the extent of the virus at the Unit in mid-May, but it did not capture the actual state of the outbreak as it stands today.⁵

Those inmates who test positive should immediately be isolated and quarantined from all inmates who test negative and whose tests remain pending or are invalid or inconclusive. All surfaces in the COVID-positive inmate's cubicle should be immediately and thoroughly disinfected, including but not limited to, cubicle walls and floors, bedding, tables, chairs, etc. This is essential before inmates who test negative are moved into any cubicles previously occupied by inmates who test positive and are moved into quarantined dormitories. Inmates who test positive may be placed in medical isolation together in the same dorms but must be completely separated from inmates who test negative and whose tests remain pending or invalid, with no contact between inmates who tested negative, whose test results are pending, or whose test results are invalid or inconclusive, on the one hand, and inmates who tested positive, on the other, during the pendency of the isolation and quarantine. Medical isolation should include careful steps by staff to avoid cross contamination. Any objects that leave the dorm such as food trays, medical supplies, laundry items, and staff protective equipment must not be used in other dorms without first being thoroughly disinfected.

² Excerpts from the Rule 30(b)(6) deposition are attached as Exhibit A.

³ Excerpts from Warden Herrera's deposition are attached as Exhibit B.

⁴ Jolie McCullough, *Texas is spending \$45 million on new coronavirus tests that prisoners are administering to themselves*, Texas Tribune, May 14, 2020, <https://www.texastribune.org/2020/05/14/texas-prisons-coronavirus-tests-curative/>.

⁵ "If you test negative for COVID-19 by a viral test, you probably were not infected at the time your sample was collected. However, that does not mean you will not get sick. The test result only means that you did not have COVID-19 at the time of testing." Center for Disease Control and Prevention, *Testing for COVID-19*, <https://www.cdc.gov/coronavirus/2019-ncov/symptoms-testing/testing.html>.



June 1, 2020
Page 3

If the inmate who tested positive is asymptomatic, the medical isolation and quarantine should last for 14 days, provided the inmate remains asymptomatic throughout the isolation period. After that 14-day period, the inmate can be returned to the general population of inmates after they are evaluated by a physician, nurse practitioner, or physician's assistant who confirms the patient has no symptoms.

If the inmate who tested positive displays COVID-19 symptoms, including but not limited to fever, shortness of breath, or cough, the medical isolation and quarantine shall continue for a period until the inmate is asymptomatic for seven consecutive days, including at least three consecutive days with no fever, and tests negative for COVID-19 two times in tests conducted at least 24 hours apart. After this period, the inmate may be returned to the general population of inmates.⁶ Again, the inmate must be evaluated by an appropriate medical provider to confirm they are asymptomatic and safe to return to general population.

Any correctional officers, contractors, or staff at the Pack Unit who come into contact with inmates who test positive for COVID-19, including during medical isolation and quarantine, must don the appropriate personal protective equipment, including a gown, masks, gloves, and eye protection, which must be correctly disposed of to ensure there is no contamination of other surfaces or clothing.

Any correctional officers, contractors, or staff who test positive for COVID-19 shall self-isolate or quarantine in their homes for 14 days. Any correctional officers or staff who test negative should continue to be retested at least once every seven days. Before the employee returns to work, they must present documentation from a medical provider confirming they have been asymptomatic for the necessary period. Once a correctional officer, contractor, or staff member tests positive and completes self-isolation or quarantine, that officer, contractor, or staff member need not be retested for COVID-19.

Contact Tracing

Contact tracing is critical for containing the outbreak, especially because asymptomatic individuals can nevertheless spread the disease. Although contact tracing is purportedly in effect at the Pack Unit, two fatal problems with this effort are clear from limited discovery thus far.

First, testimony from the Unit's warden acknowledges that the tracing forms are not being completed correctly, and in the case of Mr. Clerkly's tracing form in particular, certain parts of the form were inappropriately left completely blank. Herrera Dep. Tr. 217:19–221:6. This means that no investigation is actually done to find points of contact; in practice, TDCJ has merely considered the dormitory to be a close contact and ended its investigation.

Second, even if the contact tracing process were completed as intended, the existing procedure is inadequate on its face because it is limited to a cursory investigation of only the two days before "symptoms"

⁶ "For individuals who will be tested to determine if they are still contagious: [1] The individual has been free from fever for at least 72 hours without the use of fever-reducing medications AND [2] The individual's other symptoms have improved (e.g., cough, shortness of breath) AND [3] The individual has tested negative in at least two consecutive respiratory specimens collected at least 24 hours apart." Center for Disease Control and Prevention, *Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities*, <https://www.cdc.gov/coronavirus/2019-ncov/downloads/guidance-correctional-detention.pdf>.

June 1, 2020
Page 4

were detected. The scientific evidence shows that COVID-19 can spread from an asymptomatic carrier, so this cutoff period is simply arbitrary and potentially ignores many other transmission vectors.

For any inmate, officer, or staff member who tests positive, contact tracing should be immediately performed to determine the individuals the infected person contacted during the two-week period before the positive result. The investigation should be carefully and systematically documented, with notations for trips to the infirmary, work assignments, and any other contact outside the dormitory. Those inmates who have come into contact with an individual who has tested positive for COVID-19, but who have not themselves tested positive, should be placed on medical restriction for 14 days and tested for COVID-19 as soon as possible, but in any event, within seven days. In prison, contact tracing should be easy to complete as inmates' movements are highly controlled, and TDCJ should (theoretically) know where every inmate is at all times.

Conclusion

In addition to the requirements mandated by the district court in its preliminary injunction, more steps are now necessary to help contain the outbreak and protect Plaintiffs and the Pack Unit's other medically vulnerable inmates, including the following:

- Continued testing of inmates, correctional officers, and prison staff (for those who previously tested negative) at least once every seven days;
- Those inmates who test positive should immediately be isolated and quarantined from all inmates who test negative and whose tests remain pending or are invalid or inconclusive;
- All surfaces in the COVID-positive inmate's cubicle should be immediately and thoroughly disinfected, including but not limited to, cubicle walls and floors, bedding, tables, chairs, etc.;
- If the inmate who tested positive is asymptomatic, the medical isolation and quarantine should last for 14 days, provided the inmate remains asymptomatic throughout the isolation period;
- If the inmate who tested positive displays COVID-19 symptoms, including but not limited to fever, shortness of breath, or cough, the medical isolation and quarantine shall continue for a period until the inmate is asymptomatic for seven consecutive days, including at least three consecutive days with no fever, and tests negative for COVID-19 two times in tests conducted at least 24 hours apart;
- Any correctional officers or staff at the Pack Unit who come into contact with inmates who test positive for COVID-19, including during medical isolation and quarantine, must don the appropriate personal protective equipment, including a gown, masks, gloves, and eye protection, which must be correctly disposed of to ensure there is no contamination of other surfaces or clothing;
- Any correctional officers or staff who test positive for COVID-19 shall self-isolate or quarantine in their homes for 14 days. Any correctional officers or staff who test negative should continue to be retested at least once every seven days; and

WINSTON
& STRAWN
LLP

June 1, 2020
Page 5

- For any inmate, officer, or staff member who tests positive, contract tracing should be immediately performed to determine the individuals the infected person contacted during the two-week period before the positive result. Those inmates who have come into contact with an individual who has tested positive for COVID-19, but who have not themselves tested positive, should be placed on medical restriction for 14 days and tested for COVID-19 as soon as possible, but in any event, within seven days.

Sincerely,

/s/ John Keville
John Keville
Counsel for Plaintiffs-Appellees