



COMMONWEALTH OF PENNSYLVANIA
GOVERNOR'S OFFICE OF GENERAL COUNSEL

April 1, 2020

VIA PACfile

Amy Dreibelbis, Esquire
Deputy Prothonotary
Supreme Court of Pennsylvania
Pennsylvania Judicial Center
601 Commonwealth Avenue, Suite 4500
Harrisburg, PA 17106-9185

Re: *In re: Petition of Pennsylvania Prison Society, et al*
Docket No. 70 MM 2020

Dear Ms. Dreibelbis:

Pursuant to the provisions of Pa.R.A.P. 123, Pennsylvania Department of Corrections (“DOC”), by and through counsel, respectfully advises this Court that we will not be filing an answer to the application for extraordinary relief recently filed by the Pennsylvania Prison Society, *et al*. This letter, however, should not be construed as a concurrence with any factual assertion or legal argument contained in the Petitioners’ application and we reserve the right to present all arguments in the context of briefing.

Statutorily, the DOC does not control or operate the county jails; these facilities are part of the county governments and fall solely within their control.

The DOC has already taken numerous actions to reduce the movement of inmates into its prison populations and to minimize the spread of the COVID-19 virus within its walls. On March 29, 2020 the DOC placed all institutions and inmates on quarantine. All new inmates are being screened before being admitted into prison. Likewise, inmates are not being released without screening for symptoms. Also, all staff members are screened before entering the facility. Any staff member who tests positive for COVID-19 is being sent home, and any inmate that tests positive for COVID-19 is placed in isolation.

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The DOC is not permitting new inmates at SCI Laurel Highlands, SCI Fayette, and SCI Waymart because those Institutions house a large number of vulnerable inmates. Further, all SCIs are identifying their vulnerable populations to keep them isolated.

The DOC is providing Personal Protection Equipment (“PPE”) to all staff members, to include masks, gloves, and safety goggles. Staff and inmates are required to wear masks at all times. Inmates are being provided with materials to clean their cell daily and antibacterial soap to wash their hands. Additionally, Town Hall meetings are held *via* television to educate inmates on COVID-19 and the proper use of PPE.

Further, the movement of inmates within the state facilities has been reduced to a minimum. The use of “cohorting” as suggested by the PADOH is being implemented, to include providing inmates with out-of-cell opportunities in groups of 8 or less, and maintaining that group for the duration of the recommended period. Movement from outside the institutions has been limited as well—the DOC suspended family visitations and has offered a new video visitation program to maintain contact with family and friends. To the extent possible in an institutional setting, the practice of social distancing has been implemented and enforced.

In closing, the DOC is implementing every measure at its disposal to limit the spread of COVID-19.

Respectfully submitted,

Timothy A. Holmes

By: /s/ Timothy A. Holmes
Timothy A. Holmes
Acting Chief Counsel
Pa. Department of Corrections