



**U.S. Department of Justice  
Federal Bureau of Prisons**

Washington, D.C. 20534

June 30, 2020

**MEMORANDUM FOR ALL CHIEF EXECUTIVE OFFICERS**

**FROM: ANDRE MATEVOUSIAN, ASSISTANT DIRECTOR  
CORRECTIONAL PROGRAMS DIVISION**

**NICOLE  
ENGLISH**  
N. C. ENGLISH, ASSISTANT DIRECTOR  
HEALTH SERVICES DIVISION

Digitally signed by NICOLE ENGLISH  
Date: 2020.06.30 14:50:28 -0400

**SUBJECT: CORONAVIRUS (COVID-19) PHASE EIGHT ACTION PLAN**

This memorandum describes the Bureau's (BOP) Coronavirus (COVID-19) Phase Eight Action Plan, which includes an extension of previously disseminated guidance along with new measures to implement in the management of the pandemic.

**EXTENSION OF PHASE SEVEN ACTION PLAN:**

Effective Wednesday, July 1, 2020, the BOP will continue its nationwide action as described in the Phase Seven Action Plan. These restrictions will remain in place through July 31, 2020, at which time the plan will be reevaluated.

**COURT TRIPS:**

A number of variables affect the risk of COVID-19 transmission during in-person court appearances and will determine some of the specific management strategies that are needed at each location. The U.S. Marshals Service (USMS) takes responsibility for the inmate once they leave the BOP institution until their return. Each USMS district may have their own procedures. Individual courts may also have different COVID mitigation procedures and requirements. Knowing the likelihood of BOP inmates mixing with non-quarantined, Non-BOP inmates while in USMS custody during a court visit is essential to determine the risk of COVID-19 exposure. The frequency of an inmate's court appearance and the number of inmates going to a court at any one time are also important factors to consider. It is recommended that each BOP detention center contact the USMS and the court to ascertain their COVID-19 mitigation procedures and consult with Regional Health Services staff on developing an individualized strategy. The following are general principles to follow:

- Inmates in COVID isolation should not have in-person court appearances unless absolutely necessary. Strongly consider the inmate appearing via telephone hearing. If a VTC is accessible, that can also be used as an alternative.
- Inmates in COVID quarantine (intake/exposure) should delay in-person court appearances until they are COVID tested at the end of quarantine. It is recommended that VTC or telephone appearances be used as alternatives. In general, testing an inmate immediately before or after a court visit would have little utility and is not recommended. However, Abbott ID NOW tests can be used on a case-by-case basis, especially if a visit is required by the court.
- Inmates should wear face coverings and perform hand hygiene just before departure from and upon return to the institution.
- BOP officials should request that BOP inmates be cohorted only within their own housing or quarantine cohort and not be mixed with inmates from other housing units or other institutions, or transported with inmates from other institutions to the extent possible while at court.
- Upon return to the detention center, inmates should be quarantined if they were outside of the institution and were exposed to inmates from other housing units or locations (e.g., county jails). Periodic testing of inmates with frequent court appearances should be considered. The 14-day quarantine period must be restarted for any inmate who is in close contact with other inmates not from their housing unit or location.

## **INTAKES:**

As we return to a more normalized inmate movement, the quarantine site model will no longer be utilized. All inmates entering an institution will require enhanced intake procedures:

- Institutions are to designate specific quarantine and isolation areas in advance with capacity numbers commensurate with anticipated levels and frequency of incoming inmates. Ideally, inmates should be quarantined or isolated in single-cell, if possible. When cohorting is necessary, the best practice is to keep cohorted inmates together and not add to the cohort when new intakes arrive.

New intakes should undergo the same previously described intake screening process with symptom and temperature screening. Inmates will be tested on arrival with an approved viral PCR test from a nasopharyngeal swab using either an Abbott ID Now POC test or commercial send out lab test.

- Inmates that test positive and/or are symptomatic will be placed immediately in isolation. They will remain in Isolation until they meet the CDC test-based strategy criteria for isolation release which includes two negative tests at least 24 hours apart, the first may be performed with either Abbott ID POC or commercial lab test, but second must be commercial lab test.
- Inmates that are asymptomatic and test negative are placed in quarantine. They will remain in quarantine until:



- They become symptomatic during the quarantine period. These inmates should be tested (Abbott or commercial) and placed in Isolation immediately. Depending on the housing circumstances, potential contacts (e.g. cellmate, cohort, housing unit) will need to reset their quarantine. When risk of exposure and/ or spread of transmission is higher, re-testing of potential contacts could be considered. A testing frequency of every 3 to 4 days is preferred whenever feasible in consultation with Regional Infection Prevention and Control Consultant and the Regional Medical Director.
- On or after 14 days. The inmates that have remained asymptomatic will be tested with a commercial lab test. Inmates should remain in quarantine status until test results are complete. If the test is positive, see above bullet. If the test is negative, the inmate may be released to General Population.

## **MOVEMENT:**

Movement of inmates between BOP institutions can be a simple, short-distance transfer between two institutions or a complex, multi-day, multi-institution process. When a planned movement involves multiple stops, staff and agencies, and potential mixing with other inmate groups from other BOP facilities or other correctional jurisdictions, the risk of COVID-19 exposure and transmission increases. Refer to the HSD Guidance (6/19/20) for Inmates who are transferring or Releasing from a BOP Facility, [https://sallyport.bop.gov/co/hsd/infectious\\_disease/covid19/docs/guidance\\_for%20transferring\\_or%20releasing%20inmates\\_20200619.pdf](https://sallyport.bop.gov/co/hsd/infectious_disease/covid19/docs/guidance_for%20transferring_or%20releasing%20inmates_20200619.pdf)

- As inmate movement operations move toward “normalizing”, the number and complexity of inmate moves will increase. This process of normalizing should be done in a measured approach to allow institutions, regions and the agency develop best practices moving forward.
- Institutions/ Regions should evaluate their space and staffing resources to accommodate increased numbers of the various types of quarantine inmate groups (intake, exposed and pre-release) as well as isolation inmates in various stages of the process. Moving to a test out strategy for discontinuation of isolation may prolong isolation for various groups of inmates longer than 14 days. Various and/or large groups of quarantine and isolation inmates may require a re-distribution of inmates amongst institutions within a region.
- The first step in ensuring safe inmate movement is a full test-in/out, 14-day pre-release quarantine of transferring inmates prior to transport.
  - Planning an inmate move should occur with enough time in advance to allow for a full test in/out 14-day quarantine and turnaround time for test results (21 days).
  - Planning should be coordinated with all the institutions involved from the beginning stages so that setting of dates will allow for the above process to occur for all the potential inmates on that move.

- Inmates who have tested negative at the completion of their quarantine should stay in quarantine status until they are transferred, preferably within 5 days of the negative result, but may still move within 14 days of the negative result.
- If an inmate develops symptoms and/or tests positive, they will not be permitted to travel until they have met the CDC test-based criteria for test-based release from isolation. On rare occasions, there may be exceptions where an inmate must travel prior to the completion of this process or even with a positive result (e.g. court ordered transfer). In these cases, the transfer must be discussed and approved by local executive staff from the institutions and regions involved with input from health services staff, as needed.
- For inmates who have previously tested positive for COVID-19: (refer to [https://sallyport.bop.gov/co/hsd/infectious\\_disease/covid19/docs/covid19\\_testing\\_expanded\\_inmate\\_testing\\_strategies\\_2020619.pdf](https://sallyport.bop.gov/co/hsd/infectious_disease/covid19/docs/covid19_testing_expanded_inmate_testing_strategies_2020619.pdf))
  - If they cleared isolation using the CDC test-based strategy more than 14 days prior to travel date, they will need one negative commercial viral lab test completed prior to travel and do not need any further testing or quarantine prior to transfer
  - If they cleared isolation using a symptom or time-based strategy, they will need one negative commercial viral lab test completed prior to travel and do not need further testing or quarantine prior to transfer.
  - If the test is positive, they cannot travel and must be placed in isolation until they meet the test-based criteria with two negative tests at least 24 hours apart. The first may be performed with either Abbott ID POC or commercial lab test, but second must be commercial lab test.
- Planning of inmate movement should be coordinated with close involvement of local Executive Staff, CMC, Unit Team and Health Services staff from all involved institutions/regions and transport agencies. Communication and accurate information are vital to ensure a proposed inmate movement has minimized any potential risk of COVID-19 exposure/transmission.
- To the extent possible, manifests should be generated that allow for appropriate social distancing during transport (e.g. loading a bus/ plane at 50% capacity).
- “Normal” transport routes and schedules will need to be reviewed and reconsidered. Inmate movement should be coordinated in a manner that:
  - **Has minimal stops/holdovers:** e.g. consider institutions meeting at a halfway point to pick-up inmates rather than having multiple stops and holdovers.



- **Minimizes the amount of time inmates are held in holdover:** the longer an inmate spends in transit, the greater the risk. The frequency of certain drop offs/pick-ups may need to be increased to minimize holdover times.
- **Avoids mixing of inmate groups** as much as possible:
  - The following Inmate group terms will be defined as follows:
    - **BOP group** - inmates who have completed a full test in/out pre-release/transfer quarantine process prior to transfer from a BOP facility.
    - **Non-BOP group** - inmates from other agency/correctional jurisdiction who have not undergone a full test in/out quarantine.
  - Maximize runs with only BOP groups; make every effort to coordinate runs for Non-BOP groups separately.
  - There are many scenarios where mixing of BOP groups from different BOP institutions is unavoidable. If all BOP-groups have been properly tested in/out of a pre-release/transfer quarantine just prior to transport at their sending institution, this practice is acceptable.
  - Ideally, any Non-BOP group during a transfer will have been tested for COVID-19 prior to transport. However, this is often not possible or verifiable. All Non-BOP group inmates must have a temperature check and symptom screen immediately prior to transport. Anyone with a known positive COVID-19 test or who has fever or symptoms will not be admitted on the transport.
  - If a BOP group is mixed with a Non-BOP group at any point in the transfer process, all the inmates in that group will require intake screening, testing and intake quarantine (asymptomatic) or isolation (symptomatic) at their destination institution.
- During transport, BOP-group inmates should wear at least facial coverings and staff should wear at least facial covering and gloves. For transport of Non-BOP or mixed groups, inmates should wear surgical masks and staff should wear surgical masks and gloves during transport and add gown and eye protection with direct contact.
- Documentation on the BEMR exit summary/transfer paperwork (e.g. In-Transit Form) needs to include results of the same-day symptom screen and temperature check, the most recent COVID-19 test result, and the inmate's COVID-19 history. To ensure proper documentation of negative COVID-19 testing from a commercial lab is displayed on the exit summary, the BOP ICD code of Z03818-c19 will need to be added to the inmate's health problem list. This will then display properly upon the inmate Exit Summary. The BEMR Exit Summary/transfer paperwork

should be provided to the bus LT/USMS to verify that a commercial lab test has been completed with a negative test result.

- **Holdover Sites/Bus Hubs:**

- Holdover/Bus hub sites should designate specific holdover quarantine areas in advance in numbers commensurate with anticipated levels and frequency of incoming inmates.
- For BOP group transfers that have not mixed with Non-BOP groups and require holdover at a facility, the BOP groups can generally be placed directly into a holdover unit setting without a test in/out process and do not need to complete a full 14-day quarantine prior to moving on to their next destination.
- These holdover groups should be housed separately from the new intake, post-exposure and prior to release/transfer\* quarantine groups at that institution.  
\*Note there is a distinction between inmates coming from another institution in holdover status waiting to "transfer"/continue on to their next destination versus inmates that are originating from the holdover site and waiting to transfer.
- The various holdover groups may be housed together, if necessary.
- If a holdover site/bus hub is known to receive Non-BOP groups, they should consider having designated quarantine/isolation units for them and manage them as new intakes.
  - Those that are symptomatic and/or test positive must be placed in isolation and can be released after meeting CDC test-based criteria for release from isolation into general population or transfer. If transfer is to occur after 14 days from their release from isolation, they will need one negative commercial viral lab test completed prior to travel. They do not need any further quarantine prior to transfer.
  - Those that are asymptomatic and test negative will be placed in quarantine. When they complete quarantine and test-out:
    - For those inmates that are expected to remain at the holdover site for a prolonged period of time, they can be released to General Population. If they are released to General Population, future transfers will require pre-transfer test-in/test-out quarantine.
    - For those inmates expected to transfer within a reasonable period of time, they should remain in quarantine until their transfer date. They should transfer within 14 days of the test-out negative result or be re-tested prior to transfer.

- If a holdover site/bus hub receives a mixed group of BOP and Non-BOP groups or BOP group that has previously mixed with a Non-BOP group, they must now all be managed as a Non-BOP group.

### **DESIGNATED (FINAL RECEIVING) INSTITUTIONS:**

Transferred inmates will undergo the same process as a new intake, to include intake screen and temperature check, COVID-19 testing and isolation versus new intake quarantine at the final designated facility.

### **QUESTIONS:**

If staff have questions about COVID-19, they may reach out to the agency at the following email box: [COVID19Questions@bop.gov](mailto:COVID19Questions@bop.gov).

We appreciate your assistance as we continue to work collaboratively to mitigate the transmission of COVID-19 within our prisons nationwide, and with all phases of our COVID-19 response.