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July 9, 2021

Via E-Mail

E. E. Keenan
Sonal Bhatia
Keenan & Bhatia, LLC
90 Broad Street
New York, N.Y. 10004

Re: Azor-El v NYC Dep't of Correction
20-cv-3650 (KPF)

Dear Counsel:

We write in response to your e-mail of July 5, 2021, seeking updated information, and further to yesterday's phone conversation, in which we provided you with some of the information sought:

- Where DOC is at in terms of vaccination rates among staff and detainees, (along with that, whether DOC is tracking staff who can prove they are vaccinated or not, and making any differentiation in terms of what policies apply to them).

CHS is responsible for patient vaccination. As of June 25, 2021, 40% of patients currently in custody have received at least one dose and 34% have completed vaccination. As of that date, 2,937 patients ever in custody since January 7, 2021 have received at least one dose, and 2,429 total patients ever in custody since that date have completed vaccination. CHS offers vaccination to all its staff and affiliates.

DOC is responsible for monitoring the vaccination of its staff; as of July 7, 2021, 27% have been fully vaccinated on-site at Rikers. DOC only has information of staff vaccinated on-site, as those vaccinated in the community are not required to report this information.

- Whether there have been any changes in the policies or their enforcement (especially masks and sanitation) since we deposed DC Feeney and Chief Scott, including video monitoring.

CHS and DOC have had no COVID protocol changes since the depositions, nor changes in enforcement. The staff that was reassigned from the DOC mentoring unit has not returned, as they continue to perform other needed jail duties. Also please note that Chief Scott retired last week.

- What educational efforts/other efforts or incentives are being made to take the COVID-19 vaccine.

CHS advises us that COVID vaccination information posters are displayed throughout the facilities; CHS staff engage patients regarding vaccination during appointments and encounters; CHS roving vaccination teams visit housing areas; and, as noted in the attached poster, all patients who get vaccinated by CHS now receive a \$25 commissary credit.

DOC also participates in a City vaccination incentive program that offers opportunities to win various prizes, such as tickets to sporting events, product discounts and other incentives. See enclosed e-mail of James Boyd, dated June 23, 2021.¹

-Closure of EMTC and the situation at Bellevue (how many people hospitalized with COVID).

EMTC remains closed, and new admissions are now processed through OBCC and West Facility. Attached is Teletype Order HQ-0147-0 re: Asymptomatic New Admission Housing Process, dated May 13, 2021, which may not have been included in the prior productions. As to the number of people currently in DOC custody hospitalized with COVID, CHS advises us that the current number is zero (and has been for a long time).

We hope this information is helpful.

Very truly yours,



Chlarens Orsland
David Thayer
Assistant Corporation Counsel

¹ The two documents produced herein will also be produced with bates numbers in the next discovery update, which will be sent shortly.

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ATTENTION:
PEOPLE IN CUSTODY

GET FULLY VACCINATED AGAINST COVID-19

STARTING JUNE 1ST
**GET A \$25 COMMISSARY
CREDIT**

As a **THANK YOU** from Correctional Health Services
(CHS) for keeping yourself and others healthy!



Being fully vaccinated means you've received the one-dose J&J vaccine or your second dose of the Pfizer vaccine from CHS. Both vaccines are **safe & effective.**

Have questions about how to get the vaccine?

Call the CHS Health Triage Line at **#614** to speak with a nurse.

Already fully vaccinated by CHS? You'll receive the credit, too!

From: Boyd, James <James.Boyd@doc.nyc.gov>
Sent: Wednesday, June 23, 2021 2:04 PM
Subject: Vaccination distribution at GMDC- Pfizer and Johnson & Johnson

Good afternoon,

We are pleased to announce that effective immediately, the Department will provide staff with both the Pfizer and the Johnson & Johnson vaccines through our on-island vaccination program. The Johnson & Johnson vaccine provides immunity against COVID-19 with only one dose and is considered safe and effective by the CDC. Additionally, staff members who get the COVID-19 vaccine on Rikers island are eligible for the citywide COVID-19 vaccine incentive program.

After receiving your first dose of the vaccine, you will receive an email with instructions for how to choose an incentive and enter to win a competition for your chosen prize. Prizes include but are not limited to: tickets to see the Brooklyn cyclones, the New York football club, liberty island, the New York ferry, a two-week city bike membership, and more. Visit <https://www1.nyc.gov/site/coronavirus/vaccines/vaccine-incentives.page> for a complete list.

Staff who are already vaccinated are not eligible for this incentive program, but may use their CDC vaccination card for discounts and giveaways at locations across the city, including Krispy Kreme, shake shack and crunch gym. You can also get 20% off at the City Store to show your NYC spirit.

To receive your free COVID-19 vaccine on Rikers island, you can register online at <https://vax4nyc.nyc.gov/patient/sl>, or simply walk-in to receive your vaccine. You must wear a mask at all times when receiving your vaccine.

Vaccinations will continue to be available from Mondays to Saturdays at GMDC from 6am – 6pm.

The COVID-19 vaccine, which has been determined to be safe and effective by the FDA, is free and voluntary for staff, and we strongly encourage you to get vaccinated. There is no cost for the vaccine.

Even as the vaccine becomes available, we must continue to follow public health guidance to prevent the spread of the virus. This includes wearing a mask and practicing good hand hygiene and physical distancing. Employees who receive the vaccine will still be required to adhere to social distancing and mask wearing protocols. We also encourage you to get tested frequently for COVID-19, even if you don't have symptoms.

For frequently asked questions about the COVID vaccine, please visit:
<https://www1.nyc.gov/assets/doh/downloads/pdf/covid/covid-19-vaccines-faq.pdf>

Thank you.

James Boyd

Assistant Commissioner, Internal Communications | Office of Public Information

New York City Department of Correction

Work: 718-546-0946 |

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FROM: CHIEF'S ORDER
TO :
SUBJ:

MSG#: 2021-002952
SENT: 05/13/21 1552 HRS

TELETYPE ORDER NO. HQ -01147-0

DATE MAY 13, 2021

TO COMMANDING OFFICERS, FACILITIES AND DIVISIONS

FROM HAZEL JENNINGS, CHIEF OF DEPARTMENT

SUBJECT ASYMPTOMATIC NEW ADMISSION HOUSING PROCESS

******IMMEDIATE ATTENTION******

1. EFFECTIVE AT **0800 HOURS ON MONDAY, MAY 17, 2021** AND UNTIL FURTHER NOTICE, THE PROCESS OF NEW ADMISSION MALE PERSONS IN CUSTODY **SHALL CEASE** AT THE **ERIC M. TAYLOR CENTER**.

2. ALL MALE NEW ADMISSIONS AGE 18 AND OLDER REGARDLESS OF WHAT COUNTY THEY HAVE BEEN ARRESTED IN AND WHO HAVE BEEN DEEMED **ASYMPTOMATIC (NOT PRESENTING SYMPTOMS)**, **SHALL BE PROCESSED AT THE OTIS BANTUM CORRECTIONAL CENTER**.

3. FOR THOSE MALE ADMISSIONS DEEMED **SYMPTOMATIC (PRESENTING SYMPTOMS)**, CHS SHALL BE CONTACTED AND A DETERMINATION SHALL BE MADE WHEREAS THE INDIVIDUAL WOULD BE **TRANSPORTED TO THE WF (CDU)** FOR NEW ADMISSION PROCESSING AND HOUSING.

4. COMMANDING OFFICERS OF FACILITIES AND DIVISION SHALL POST THIS TELETYPE CONSPICUOUSLY IN ALL GENERAL OFFICES, INTAKES, COURT FACILITIES AND THE CENTRAL CASHIER'S OFFICE.

5. COMMANDING OFFICERS OF FACILITIES AND DIVISIONS SHALL ENSURE THAT THE PROVISIONS OF THIS TELETYPE ARE STRICTLY COMPLIED WITH.

6. THE CONTENTS OF THIS TELETYPE SHALL BE READ AT TWENTY-ONE (21) CONSECUTIVE ROLL CALLS.

AUTHORITY:
CHIEF OF DEPARTMENT
HJ/CR