

# The Star-Ledger

## **Sick N.J. corrections officer had to get coronavirus test on his own. Why aren't prisons testing more?**

By Blake Nelson and Joe Atmonavage

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On Monday, an officer at Southern State Correctional Facility received an email from a lab in charge of testing New Jersey first responders: He was "not eligible" for a coronavirus test, the message said, partially "due to current testing capacity."

He decided to get a private test on his own because of how sick he was, his wife Christine McDowell said. The test was positive, according to a LabCorp message reviewed by NJ Advance Media.

Earlier in the month, an inmate at the same prison told his wife he was having trouble breathing. Leslie Beety wrote a prison official twice, according to emails reviewed by NJ Advance Media, and called other officials at least four times, based on her notes, until one promised he'd be tested.

Her husband has not been tested, Beety said.

A growing chorus of people connected to New Jersey prisons say many are being improperly denied COVID-19 tests, despite the hundreds of employees and dozens of inmates that have already tested positive, and experts say the virus could spill into surrounding communities if it's not stopped behind bars.

When asked about a lack of testing April 10, the head of New Jersey's prison system denied a widespread problem.

"I don't believe that, really, anyone can make the point that they don't have access to health care if they have symptoms," state Corrections Commissioner Marcus Hicks said.

He reiterated that point in an interview Thursday. While he acknowledged the state's testing shortage in general, Hicks said it wasn't any worse in prisons.

Yet New Jersey residents are being tested about three times the rate prisoners are.

The state's corrections system oversees about 18,000 inmates, but it had only tested 95 of them by Friday. The overwhelming majority were positive, according to the department's public statistics.

In contrast, the Essex County Jail tested almost that same number in just over a week, despite being in charge of about 16,000 fewer people.

Of the 91 Essex inmates who received a recently approved blood test, more than half either tested positive or had already “developed immunity to the virus after exposure,” according to county officials. Every Essex inmate is scheduled to receive a test.

Overall, about 1.6% of New Jersey residents have been tested, compared to about .5% of the prison population.

“Even if we had a place as isolated as Alcatraz — which we do not anywhere in New Jersey — it would still be risky to not be doing testing in the prison system,” said Christine Tartaro, a criminal justice professor at Stockton University. Inmates are still being released and officers are still moving in and out daily, she said, potentially exposing others.

Officers are trying to isolate themselves, according to a letter the state’s largest corrections union sent Hicks Wednesday. But they were being denied access to hotels and motels despite a federal program that’s supposed to house first responders exposed to COVID-19, a lawyer for PBA Local 105 wrote.

The corrections department has said it’s only in charge of testing inmates, and directed officers to their medical providers, which is why the New Jersey State Policemen’s Benevolent Association opened its labs to prison officers, according to a union representative. PBA President Pat Colligan said no sick officer should be denied a test because their labs had plenty of room.

State officials have not acted on a request to establish a testing site just for prison staff. (A spokeswoman for the governor’s office did not respond to questions about the federal program or a new testing site.)

Furthermore, some officers who were quarantined because of possible exposure will have to return to work anyway as long as they’re not sick, according to a Monday staff memo obtained by NJ Advance Media. The memo cited health department guidelines that allow “essential staff” to break self-quarantine when “staffing levels fall to a critical level.”

More than 200 have already been cleared to return, according to corrections spokesperson Liz Velez, and about 220 are still “pending medical clearance.”

Inmates, their families and officers said problems were especially acute at Southern State, a near-capacity prison in Cumberland County where dozens of prisoners recently formed a blockade in a quarantine unit.

Inmate David Roary told NJ Advance Media that he attended a group meeting April 9 where prison officials said no testing was available, despite symptomatic prisoners. A second inmate at the same meeting confirmed that message. A third said staff sent sick inmates back to their regular units with only “ibuprofen and maybe cough drops.” (Some people interviewed spoke on condition of anonymity out of fear of retribution.)

Velez did not deny that April 9 meeting, but she said sick inmates would be examined by health care providers and the department would “continue to follow guidance” from state and federal health officials. In an online FAQ, the department wrote that inmates would only be tested if they were hospitalized, while those with “mild upper respiratory symptoms” would just be placed in “medical isolation” after an evaluation.

“Every day we hear from family members whose loved ones have no access to enhanced sanitation, personal protective equipment, or clear understanding of medical examination procedures,” said Amos Caley, an organizer with the New Jersey Campaign for Alternatives to Isolated Confinement. “These procedures should have been in place more than a month ago.”

One Edna Mahan Correctional Facility for Women inmate saw her fever top 102 degrees, but Miseka Diggs said she was only locked inside a cell for days without testing. A symptomatic East Jersey inmate was not tested, according to his fiancé, nor was a Mid-State Correctional Facility inmate who died after telling his mother about coughing, night sweats and chills.

At least eight inmates have died of the coronavirus so far.

Bradford Scott was denied a coronavirus test at New Jersey State Prison, according to two members of his family, even though he had trouble breathing last weekend after weeks of illness. He was repeatedly sent back to his cell despite four medical checkups, according to his daughter Kiesha Jenkins.

Only after Scott’s relatives, one of whom worked on former Gov. Jim McGreevey’s transition team, called officials around the state was Scott moved to a hospital and tested.

He was positive, Jenkins said.

*NJ Advance Media staff writers S.P. Sullivan and Arjun Kakkar contributed to this report.*