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### **Spoiler Alert: D.C. Needs A New Jail**

*In the meantime, a new ODCA audit shows that without significant capital funding, the health and safety of inmates and staff are at risk*

**WASHINGTON, February 28, 2019**—Without the capital funds needed to bring the aging D.C. Jail into compliance with environmental standards, the 40-year-old facility continues to deteriorate and has become hazardous to the health and safety of inmates and staff who live and work there, according to a new report by the Office of the D.C. Auditor (ODCA).

“The Department of Health (DOH) has repeatedly cited DOC for water coming through walls from a leaking roof at the D.C. Jail, mold growing on walls, shower stalls being damaged, and temperatures that were frequently outside of allowable standards,” said D.C. Auditor Kathy Patterson. “We have a correctional facility that needs some serious corrections.”

ODCA did the discretionary audit of conditions of confinement at the D.C. Jail, focusing primarily on the physical environment, incident reporting and tracking, and compliance with national correctional, and public health standards. The audit also reviewed the adequacy of jail inspections conducted by the DOH and issues relating to planning for a new jail.

The audit included site observations at the D.C. Jail and Correctional Treatment Facility (CTF), DOH inspection reports of the D.C. Jail, and a review of DOC’s mental health services, and budget requests and documents.

In addition to the environmental shortcomings, ODCA findings include the following:

- Aramark, DOC’s food service provider, was cited by DOH for repeated violations of District regulations related to public health and food service such as unsanitary conditions in food preparation areas.
- During FY 2014 through FY 2018, DOH conducted the required three inspections per year in only two years. DOH acknowledged this, noted three inspections were completed in 2017 and 2018, and stated that “the issues contributing to fewer inspections in prior years have been resolved.”
- The Mayor and Council did not appropriate the full amounts in capital funding DOC requested to make necessary facility improvements. For example, in agency submissions for FY 2014 through FY 2018, DOC sought 1-year capital allocations totaling \$62.4 million, or an

average of \$12.5 million each year. The Mayor and Council approved a total of \$15.7 million, or an average in one-year allocations of \$3.1 million.

The persistence and seriousness of facility citations point to the ongoing need for a new jail, which is one of 10 overall recommendations made by ODCA. DOC accepted four of its six recommendations, including the need for a new jail.

Other recommendations include:

- DOC should take all steps necessary, including requesting additional funding if necessary, to achieve and maintain full compliance with all ACA and APHA requirements.
- DOH should continue to comply with D.C. Code 7-731(a-1)(1) and conduct three inspections per year of the D.C. Jail to help ensure that environmental conditions meet required standards.
- DOC should conduct regular documented monitoring of Aramark's compliance with all requirements of its contract and District food safety laws and regulations and sanction the contractor appropriately if necessary.
- The Mayor and Council should provide a capital budget for DOC that considers the risk of failure to address health and safety hazards identified by the DOH including the risk to the safety of inmates and staff and the risk of additional litigation.

Two recommendations pertain to additional auditor's concerns. The first is that D.C. Code does not require DOH to inspect the CTF. ODCA recommends that DOC and the D.C. Council review the inspection requirement of DOH and make necessary adjustments to the Code in the best interests of inmates housed at the CTF.

The second pertains to the video visitation policy, begun in 2012 after in-person visitation was terminated. Some research suggests that video visitation may lead to a breakdown in an inmate's communication with family and a higher likelihood of recidivism. ODCA recommends that DOC should closely study the effects of its video visitation systems and consider including sufficient space in the plans for the new jail for both in-person and video visitations.

According to Kevin Donohue, Deputy Mayor for Public Safety and Justice, the earliest construction of a new facility could begin is 2025 and would likely take four to five years to complete the project. The report found that further delay heightens the risks associated with the age and deterioration of the facility.

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