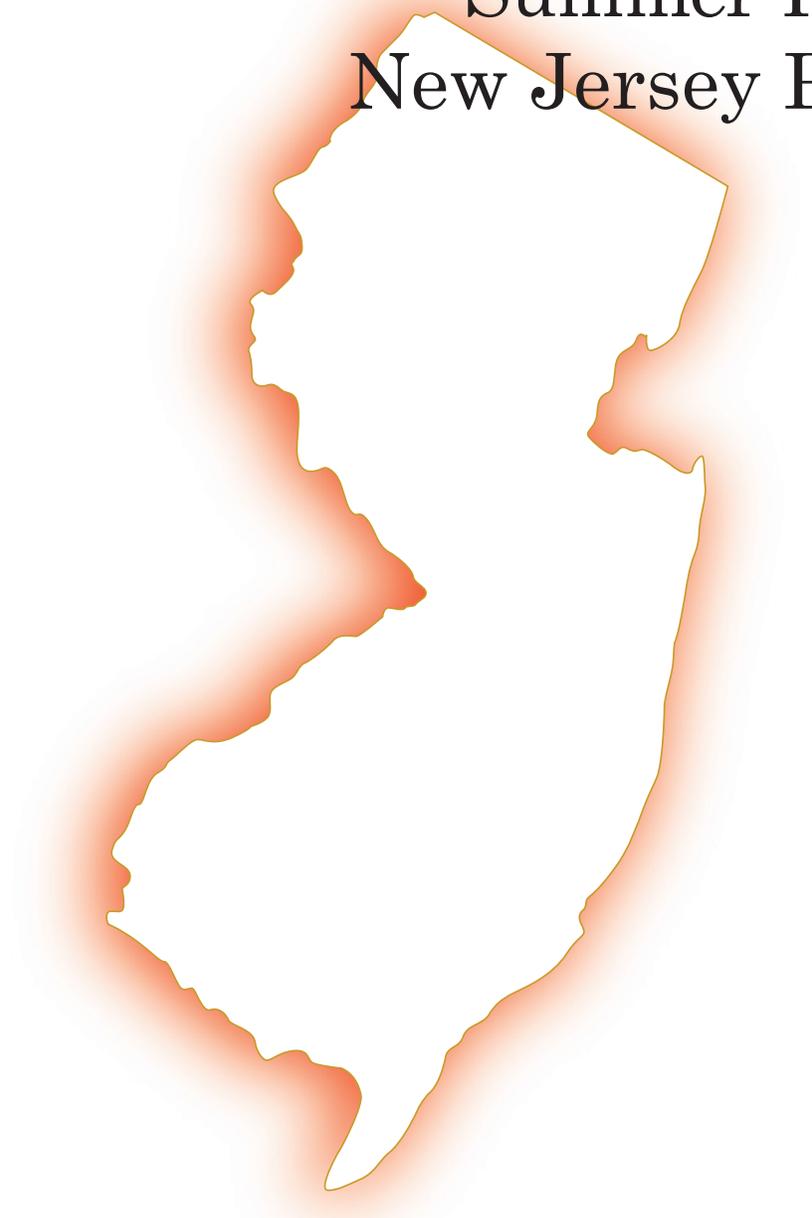


New Jersey Office of the Corrections Ombudsperson

Special Report:
Summer Heat in
New Jersey Prisons



Terry Schuster, New Jersey Corrections Ombudsperson
Kristin King, Assistant Ombudsperson

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Executive Summary

During a summer marked by record-setting heat waves, the state of New Jersey housed roughly 3,500 people in prison housing units with no air conditioning. About 3,000 correctional police officers were also assigned to these non-temperature-controlled spaces.

On July and August site visits, the Office of the Corrections Ombudsperson measured temperatures in 80 percent of the state's populated housing units and conducted brief interviews with incarcerated individuals and staff.

Temperatures inside individual prison cells were as high as 88 degrees Fahrenheit during the July site visit and 94 degrees during the August visit.

People in state prisons described temperatures in their living spaces as “unbearable,” “beyond hot,” and “like Hell.” The Ombuds office heard reports of people engaging in assaultive behavior in order to be transferred to air-conditioned disciplinary housing assignments. The office also heard reports from staff and labor leaders that high heat increased irritability and slowed responses to prison security incidents.

Three prisons—Bayside State Prison, East Jersey State Prison, and Garden State Correctional Facility—account for more than three-quarters of the state's non-air-conditioned prison beds. Another three prisons, including the two largest facilities, are fully air-conditioned. And the remaining three state prisons have a mix of temperature-controlled and non-temperature-controlled housing units.

Because people detained in prison facilities cannot leave of their own accord and have limited control over their movement, possessions, and environment, the state assumes a responsibility for their humane treatment, including a responsibility to protect them from potential harms associated with extended exposure to heat and cold.

Department of Corrections executive and facility leaders have taken proactive and reactive steps to mitigate the heat and have worked closely with the Office of the Corrections Ombudsperson to address areas of concern. They should be applauded for their efforts, utilizing the resources they have, to reduce the risks of heat stroke and other heat-related illnesses and security risks. These risks, however, will continue to surface each summer absent state appropriations for major building repairs.

The Office of the Corrections Ombudsperson and the Department of Corrections collaborated to explore a variety of options for heat remediation in the short- and long-term, including:

ICE. Providing free ice several times a day, including in the evenings.

COOLERS / FANS. Issuing individual coolers for ice and personal fans free of cost.

CLOTHING. Offering sleeveless shirts or lighter clothing options for the female population.

COOLING STATIONS. Creating more cooling stations in common areas and programming areas for incarcerated people and staff.

INVENTORY. Taking stock in the spring and fall of machinery in need of repair and tools/resources needed to mitigate summer heat and winter cold.

INFORMATION. Providing educational materials on heat-related illness.

VULNERABLE POPULATIONS. Expanding the definition of heat-sensitive individuals to include people who are older or who have other physical and health vulnerabilities.

APPROPRIATIONS. Investing in infrastructure to keep prisons at safe temperatures.

Background

The Corrections Ombudsperson provides independent oversight of living conditions in New Jersey state prisons, monitoring the decisions and services of the Department of Corrections that impact incarcerated people’s safety, health, and well-being.

This Special Report reflects information gathered in July and August 2022 related to summer heat.

Of the 11,000 people housed in New Jersey state prisons this summer, roughly 3,500 were housed in living units with no air conditioning. About 3,000 correctional officers are assigned to these non-temperature-controlled housing units, often working double shifts during the summer months. The large majority of non-air-conditioned prison beds are at three of the state’s nine prisons: Garden State Correctional Facility (GSCF), East Jersey State Prison (EJSP), and Bayside State Prison (BSP). (See Figure 1.) Of the remaining six facilities, three are fully temperature controlled, including the two largest state prisons, and three have a mix of air-conditioned and non-air-conditioned housing units.¹ (See Figure 2.)

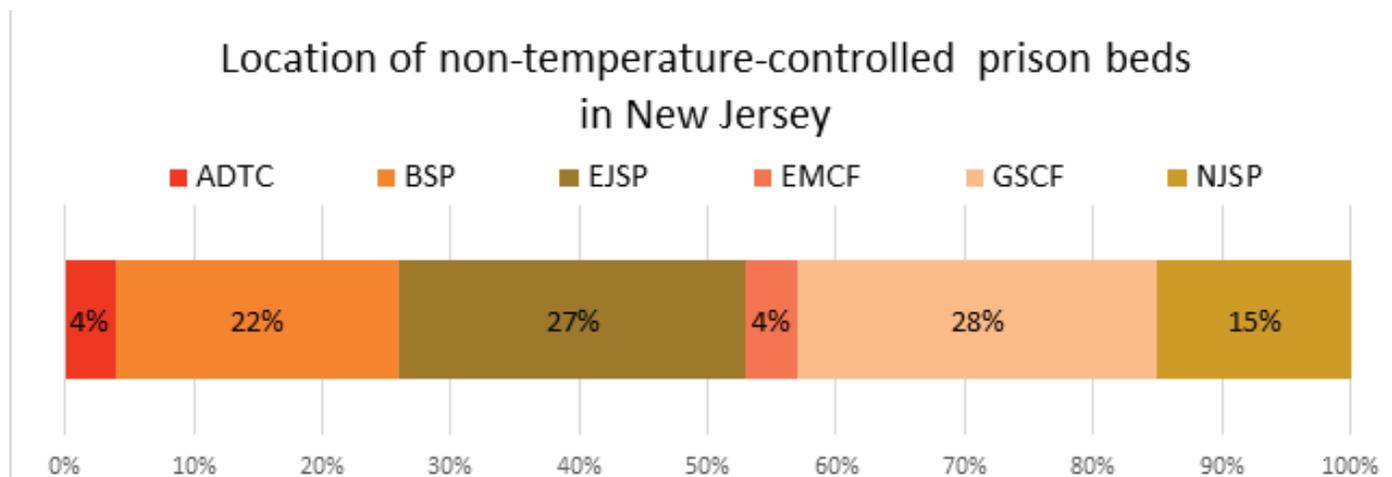
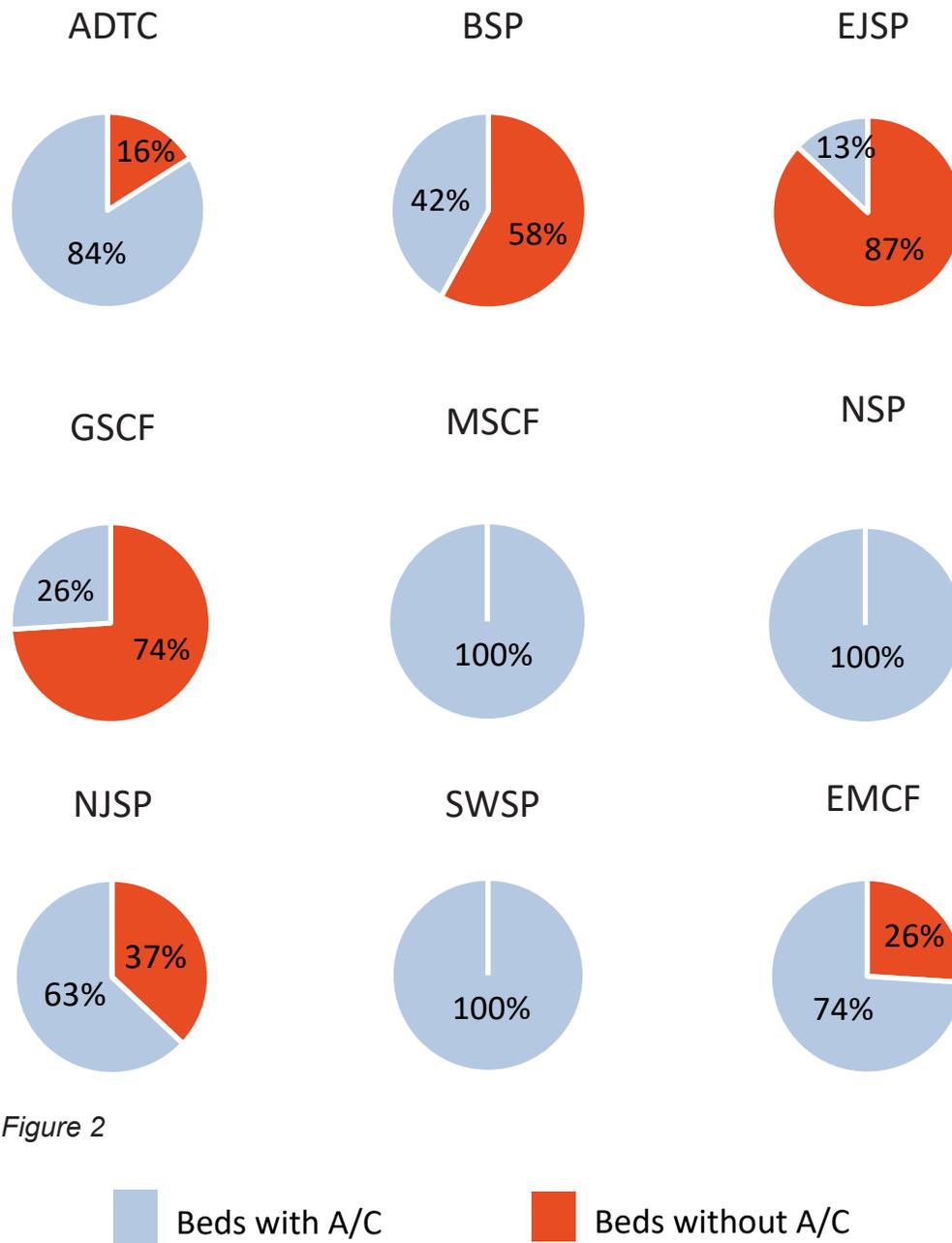


Figure 1 * Institutions that are entirely air-conditioned are not represented in this graph.

1 Mid-State Correctional Facility (MSCF), Northern State Prison (NSP), and South Woods State Prison (SWSP) are fully temperature-controlled. New Jersey State Prison (NJSP), Edna Mahan Correctional Facility (EMCF), and the Adult Diagnostic and Treatment Center (ADTC) have a mix of air-conditioned and non-air-conditioned housing units.

Portion of New Jersey Prison Beds at Each Facility with Air- Conditioning



No institution is completely without air-conditioned beds. Each facility has a location where they may place the most heat-vulnerable population if needed.

More than 80 percent of the prison beds at the Adult Diagnostic and Treatment Center (ADTC) are temperature-controlled, as are over half of the beds at Edna Mahan Correctional Facility (EMCF) and New Jersey State Prison (NJSP). Only about a quarter of the beds at BSP and GSCF are air-conditioned, and at EJSP, less than 15 percent of prison beds are in housing units with air conditioning.

All Restorative Housing Units except the one at EMCF are temperature-controlled for the summer months. On July 8th, the Department of Corrections distributed a memo with directions for statewide heat mitigation protocols when inside temperatures measure 86 degrees Fahrenheit. The memo directs institutional administrators to log temperatures at least once per shift, increase access to showers, fluids, and ice at no cost, open windows where appropriate, make fans available, and refer complaints of heat-related illness to the Department's healthcare provider.

The memo asked administrators to assess the feasibility of installing portable or window A/C units and mist units, to ensure ice machines were working, and to determine if those machines could meet the production demand in each facility. It authorized the addition of cooling towels to the commissary, though the supply this summer has not kept pace with demand.

The policy states educational classes, programming, and work details are to be postponed during periods of excessive heat, which is an unfortunate casualty of operating programs in facilities with significant infrastructure repair needs.

Strategies in Place

- EXTRA SHOWERS
- ICE
- COOLING TOWELS
- PROMOTE INCREASE OF FLUIDS, LIGHT CLOTHING & OPEN WINDOWS

Data Collection and Monitoring

The Office of the Corrections Ombudsman conducted on site visits to each facility the week of July 11-15, 2022 to take temperatures inside individual prison cells, dormitory living spaces, and common areas. The Office made follow-up site visits to monitor temperatures again in the non-air-conditioned housing units between August 2-8. Individual prison cells were as hot as 88 degrees during the July site visit and as hot as 94 degrees during the August visit. (See Figure 3.)

Institution	Highest measured temperature inside a state prison cell	
	July	August
Adult Diagnostic & Treatment Center	81° 3 Wing	88° 2 & 3 Wing
Bayside State Prison	88° A, D, E, F Compounds	91° D & F Compounds
East Jersey State Prison	85° Unit 3	89° Unit 4
Edna Mahan Correctional Facility	88° A Cottage	89° North Hall
Garden State Correctional Facility	87° East 2	94° West 1
Mid-State Correctional Facility	76° Cadre	*
New Jersey State Prison	83° 6 Left & 6 Right	85° 2 Left
Northern State Prison	80° A1 West & A3 West	*
South Woods State Prison	74° H2 Right & H4 Left	*

Figure 3

* Fully air-conditioned facilities were only monitored for temperatures in July.

In the three fully air-conditioned prisons, average temperatures measured by the Ombuds office in prison cells were in the low-to-mid 70s. In other prisons, temperature readings in cells were generally in the low 80s in July and in the high 80s in August. The average cell reading in East Jersey State Prison, for example, was 83.6 degrees during the site visit in July and 87.4 degrees during the site visit in August.

Temperatures were generally cooler in dormitory settings than in prison cells, measuring in the 70s in July. However, in August non-air-conditioned dorms were as hot as 88 degrees during the Ombudsperson site visit.

Most facilities had large industrial fans on the tiers regardless of whether the unit was temperature controlled. Personal fans were available for purchase from the commissary. The Ombuds office confirmed that ice was provided on hot days, however, some facilities provided ice free of charge several times per day while others required a minimal payment or provided ice only on a single shift each day.

The Adult Diagnostic and Treatment Center has three housing units that are not equipped with central air-conditioning. Day spaces and passive recreation rooms had portable A/C units, though some were in need of repair. Incarcerated people reported that they were provided ice at least twice daily. One unit reported having full access to the ice machine on the unit.

Bayside State Prison has no air-conditioning in their general population housing units. During the visits, Assistant Ombudspersons observed the housing unit doors open and industrial fans operating within the tiers. The facility had a limited ice supply and was making plans to repurpose ice machines from Southern State Correctional Facility, a prison that recently closed. During a heat wave in the third week of July, the Ombuds office received more than two dozen complaints from people living at Bayside claiming that facility staff were not providing ice to a specific housing unit.

East Jersey State Prison has mostly non-air-conditioned living areas. The highest temperature reading in July was in a dormitory with a broken air-conditioning unit. A new A/C unit has been ordered for that dorm. The housing areas have industrial fans and all operable windows were opened on the tiers. Ice machines were present on all the housing units, however, they only replenished enough to distribute ice once daily. The facility administration had ordered additional ice machines but they had not yet arrived during the August monitoring visit.

Edna Mahan Correctional Facility has five housing units that are not temperature controlled during the summer months, including the Restorative Housing Unit which is used for disciplinary confinement. In mid-summer, facility leaders relocated individuals housed in B Cottage to temperature-controlled units and installed air conditioning in A Cottage. Temperatures were taken by the Ombuds office in July before the A/C was installed. Fans were present throughout the housing units and coolers placed in the corridors were regularly filled. Incarcerated people were provided with ice several times on each daytime shift.

Garden State Correctional Facility had the highest temperature recorded in August by the Ombuds office in a prison cell (94 degrees). Housing units had large industrial fans and windows opened for air circulation and had ordered wall-mounted fans for living spaces. Incarcerated people reported receiving ice once each day. Facility leaders were seeking additional ice machines from Southern State Correctional Facility, a prison that recently closed, and were working with an outside vendor in the meantime to secure more ice.

New Jersey State Prison is the state's oldest correctional facility still in operation. Incarcerated individuals reported that the heat is particularly oppressive during periods of high humidity. Facility leaders utilize large industrial fans, provide ice, and offer incarcerated people extra showers. Although temperatures were high, those living on the non-air-conditioned West Compound expressed the desire to stay put rather than be moved after living there for many years. An additional non-temperature-controlled unit was temporarily opened mid-summer as a space for COVID quarantine.

Mid-State Correctional Facility, Northern State Prison, and **South Woods State Prison** are all fully temperature controlled.

The Assistant Ombudspersons conducted short interviews with people working and living in the state prisons regarding the heat and their suggestions for short- and long-term improvements. When asked to describe how the unit feels temperature-wise, people on non-temperature-controlled units reported conditions were "unbearable," "scorching," "beyond hot," and "like Hell." At Garden State Correctional Facility, one person reported that when the heat gets intolerable, people will "catch a charge," in order to be sanctioned to time in the air-conditioned Restorative Housing Unit, a scenario that, if true, would endanger other incarcerated people and staff and also carry long-lasting consequences for the individual.

When asked what facility leaders and staff were doing to provide relief, most people who were interviewed described institutional staff providing ice, large fans on the unit, the ability to purchase personal fans, and extra showers. A small number of people at NJSP and BSP said nothing was being done to address the heat.

**IN YOUR OWN WORDS,
HOW DOES IT FEEL IN HERE?**

"UNBEARABLE"

"SCORCHING"

"LIKE HELL"

People suggested that more fans and getting access to ice in the evening hours would help alleviate the heat. Many reported that the existing ice machines could not keep up with the need/demand and often broke during the summer. Several said that large fans placed in hallways were not effective at cooling individual cells if their cell doors were required to be shut. Incarcerated people and staff universally suggested that air-conditioning and other building repairs were badly needed

“What do you find to be the most helpful ways the facility assists in cooling the unit?”

	More small fans		More large fans
	Cold water		More ice
	More showers		Open cell doors
			Air conditioning

Policy Discussion

Ensuring humane living and working conditions without fully air-conditioned prisons is logistically difficult, especially during heat waves, and the Department of Corrections should be applauded for its seasonal adjustments to policy and protocols in attempts to protect incarcerated people and state employees from heat-related harm. Extended exposure to high levels of heat will recur each summer, however, until lawmakers invest in building repairs and capital construction needed to control temperatures inside state prisons.

On August 9th, the Ombuds office and Department of Corrections leadership met to discuss initial findings, potential short-term interventions, and options for longer-term fixes. Below are topics surfaced by the Ombudsperson staff and responsive steps that the Department is taking. More costly infrastructure changes will require capital investment by lawmakers.

PROVIDE FANS AND COOLERS FREE OF COST IN THE SUMMER

The Department has positioned large fans in hallways and communal areas. Smaller personal fans and coolers are made available for purchase through the commissary. Incarcerated people, however, may face long wait times accessing their personal property if they have recently moved from one facility to another or otherwise experience a financial barrier to purchasing a fan and/or cooler.

- The Department will assess the cost of providing personal fans and coolers free of charge to the incarcerated population housed in areas that are not temperature controlled during the summer months. The Ombuds office recommends authorizing and directing facility leaders to distribute a personal fan upon intake or to issue and collect personal fans seasonally at no cost.

ISSUE FREE ICE MORE THAN ONCE ON HOT DAYS

While extensive efforts have been made to provide incarcerated people with ice during the hottest days of July and August, people in some facilities had to pay for ice, got ice only once per day or in some cases not at all. Existing ice machines would break down, refill too slowly, or otherwise be incapable of meeting the demand.

- Facility leaders have taken steps to purchase additional ice machines. The Ombuds office recommends that free ice be provided to people living in non-air-conditioned housing units at least twice a day during the summer, including in the evenings.

EXPLORE LIGHTER CLOTHING OPTIONS FOR SUMMER

At the male facilities, the incarcerated population is allowed to wear tank tops or go shirtless in their rooms and outdoor recreation areas. The female incarcerated population, however, does not have these options.

- The Department will explore alternative clothing options for the female population such as sleeveless shirts and/or lighter and more breathable fabrics.

INCLUDE COOLING STATIONS THROUGHOUT THE FACILITIES

Extended exposure to high temperatures in cells, dormitories, and common areas can increase risk of heat-related illness for incarcerated people and staff, pose security threats by increasing irritability and reducing officer response time, and curb incarcerated people's access to education, employment, programming, and other productive out-of-cell activities.

- The Ombuds office recommends increasing the number of portable A/C units and cooling stations in congregate areas to give incarcerated people and staff regular breaks from high temperatures and to provide urgent access to cooling stations for people who show signs of overheating.
- Facility leaders are surveying programming, vocational, and educational spaces to determine where A/C units can be installed and replaced.

TAKE INVENTORY AND PREPARE FOR SUMMER EVERY SPRING

Readiness for heat-related emergencies requires planning in advance. If air-conditioning and/or ice machines are broken or non-temperature-controlled housing units are inadequately prepared for the hottest weeks of summer, knowing that information in April or May allows for better responsiveness than identifying the problems in July. The same applies for winter readiness. The Department will be more capable of managing living conditions related to cold temperatures if it takes stock in October rather than January of winter clothing, blankets, heaters, and housing units at risk of extreme or extended cold exposure.

- Department leaders prompt facility leaders at least twice a year to assess heating and cooling needs. The Ombuds office recommends that the Department adopt a more comprehensive seasonal protocol and/or workgroup to monitor preventative maintenance and equipment needs and to stock up on supplies that may be needed in heat and cold emergencies.

PROVIDE INFORMATION ON HEAT-RELATED ILLNESS

Heat exhaustion and heat stroke can present in a variety of symptoms, ranging from mild nausea or sweating to life-threatening conditions like fever, seizures, and elevated heart rate. Protecting incarcerated people and staff from harm requires recognizing the signs of heat-related illness.

- The Department has now designed educational posters for distribution to the housing units and common areas on recognizing and addressing the signs of heat stress.

BROADEN THE DEFINITION OF HEAT-SENSITIVE INDIVIDUALS

The Department's Internal Management Procedure MED.PHA.019 establishes interventions to be taken when the heat index reaches dangerous levels, offering general guidance for the population as a whole and additional specific steps to be followed for individuals who are deemed heat-sensitive because they take psychotropic medications.

- The Department's Health Services Unit and contracted medical services provider will review and consider an Ombuds office recommendation to expand the definition of "heat-sensitive" to include older individuals and people with a broader range of physical and health conditions that may elevate their risk of heat-related illness from extended exposure to high temperatures.

INVEST IN INFRASTRUCTURE TO KEEP PRISONS AT SAFE TEMPERATURES

Outfitting old prison facilities with air conditioning is not a simple task. The HVAC infrastructure, insulation, roofing and window repairs needed will likely cost tens of millions of dollars. Getting these capital projects approved, paid for, scheduled, and completed could also take years. But even when the state is downsizing its prison population and aiming to achieve savings from facility closures, these investments should be prioritized.

Because people detained in prison facilities cannot leave of their own accord and have limited control over their movement, possessions, and environment, the state assumes a responsibility for their humane treatment, including a responsibility to protect them from potential harms associated with extended exposure to heat and cold. The state also carries a responsibility to protect its correctional police officers from the occupational hazards and safety concerns presented by high heat.

- State lawmakers should include prison cooling and heating infrastructure improvements among their budget priorities in the coming years.

Acknowledgements

The Office of the Corrections Ombudsperson would like to thank the Department of Corrections for their transparency and cooperation with our summer heat monitoring and requests for information. The Department was attentive, thorough, and responsive to concerns surfaced by our staff and to our recommendations at the individual and systemic level. We would also like to thank union leaders who contributed to this special issue report and Ombuds office staff who collected temperature data and fielded survey questions in the state prison facilities.

Department of Corrections Executive Leadership

Commissioner Victoria Kuhn
Assistant Commissioner of Operations Willie Bonds
Operations Directors Erin Nardelli and Christopher Holmes
External Affairs Director Dan Sperrazza

Department of Corrections Facility Administration

Robert Chetirkin, Adult Diagnostic and Treatment Center
James Stigliano, Bayside State Prison
Patrick Nogan, East Jersey State Prison
Erica Stem, Edna Mahan Correctional Facility
David Richards, Garden State Correctional Facility
Raymond Royce, Mid-State Correctional Facility
Bruce Davis, New Jersey State Prison
Patricia McGill, Northern State Prison
Keisha Fisher, South Woods State Prison

Labor Leaders

PBA Local 105 President William Sullivan
CWA Local 1040 Executive Vice President Michelle Vickers

Assistant Ombudspersons

Megan Farrell
Rachel Fromhold
Carla Gardner
Anissa Jett
Melissa Matthews
Amy Southwick