



December 1, 2020

Commissioner Marcus Hicks
NJ Dept. of Corrections
Whittlesey Road
PO Box 863
Trenton, NJ 08625

Dear Commissioner Hicks:

Part of being a county commissioner is to ensure the health and safety of not just your constituents but also your county employees. This is my reason for writing today.

The Cumberland County Jail has a four alarm public health emergency within the confines of its four walls. The public health emergency? Covid-19 is raging and unrestrained.

Over the past 30 days, more than 40 inmates, 11 correctional police officers, two nurses, and a food service worker have been infected by Covid-19. One correctional police officer was hospitalized as a result. This has gone unreported in the media; however, we have sourcing that verifies these numbers.

Recently, PBA Local 231 members have contacted me regarding the unsafe working conditions at the jail. Following this initial communication, family members of inmates have communicated to me that their family members have been infected by Covid and are in poor health. Since the jail has turned into a "superspreader," it has been on lockdown, preventing family members from visiting their loved ones.

Under Warden Richard Smith's current policy, inmates who are infected with Covid-19 are not being quarantined from non-infected inmates. The result: Covid is spreading faster than ever before with no real solution in sight.

Warden Smith didn't begin testing jail personnel enmasse until the week of November 2, 2020 and the testing was only for a week, nothing since. Even more concerning is the fact that jail staff are being provided with deficient and inadequate levels of personal protection equipment (PPE). Some officers were forced to use one mask for the entire summer. What's more, cleaning supplies and disinfectant wipes are either not available or not the appropriate ones.

According to N.J.A.C. 10A:31-2.2, the New Jersey Department of Corrections (NJDOC) is provided with a mandate and authority to conduct inspections of County Adult Correctional Facilities to ensure that, physically, they are in compliance with the mandates of N.J.A.C. 10A. Additionally, section N.J.A.C 10A:31-1.9 mandates that County Correctional Administrations not adopt policies or procedures that conflict with the relevant sections of the New Jersey Administrative Code. At any time should a county correctional facility be in non-compliance, N.J.A.C 10A Chapter 2 provides your department with the ability to engage in an enforcement to protect the public's interest.

Earlier this year, the NJDOC issued a policy mandate that all Correctional Police Officers work their shifts while wearing a surgical and/or protective mask. This mandate is consistent with the guidelines promulgated by the Centers for Disease Control (CDC) concerning the use of facial masks, surgical masks, and N95 respirators.

Further, in a later publication, the CDC provided mandates that surgical masks are to be used as disposable hygienic instruments and in a healthcare setting, surgical masks are to be discarded after each patient encounter.

This has not been the policy of Warden Smith and has put countless staff, correctional police officers and inmates in jeopardy of being infected. Our officers have been asked to use the same mask for days, weeks, and even months. This is completely unacceptable and gives you some insight into why Covid has spread so quickly.

I am requesting that you use the full powers of your office to conduct an immediate inspection of the Cumberland County Jail, in accordance with administrative code, to hold Warden Smith compliant. I am also asking that you immediately dispatch your staff to Bridgeton to ensure the jail is brought into full compliance with Covid-19 rules.

In advance, I thank you for your service, time, and cooperation.

Sincerely,

Jack Surrency
Commissioner