

Weber County Jail tests for more COVID-19 infections; inmates allege insufficient protections

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OGDEN — More inmates have exhibited possible COVID-19 symptoms and are being tested, the Weber County Jail said Wednesday in the wake of the first confirmed coronavirus case over the weekend.

"We have several tests out," Lt. Joshua Marigoni, the Weber County Sheriff's Office's corrections spokesperson, said. "If somebody is symptomatic the doctor orders that test." Since the positive test Sunday, the jail has asked local police agencies to limit new jail bookings if possible to help hold down the jail population, Marigoni said.

He said the jail "in an ideal world" would like to keep new inmates in isolation for 14 days before they enter the main jail population. But in practice, that has not been possible.

"We have too many inmates and not enough space," Marigoni said. "The biggest factor is the number of bookings coming into the jail daily."

Only 13 bookings were recorded Tuesday, a reduced rate that was common for weeks after pandemic precautions began in March. But in May, daily bookings increased again, according to daily logs distributed by the Sheriff's Office.

The jail has established different areas in the jail to respond to the pandemic and the newly confirmed case, Marigoni said.

"It's very fluid right now," he said. "We're trying to prevent community spread as much as possible."

As of Wednesday, the jail had two isolation areas for new inmates, and separate quarantine areas for the confirmed case and for symptomatic inmates being tested.

"It's very complicated," Marigoni said. "We're moving people around and there's a bunch of moving parts. I don't know how we'll ever get people to understand how difficult it is to run a correctional facility in a situation like this."

Several inmates contacted the Standard-Examiner this week to raise alarm about coronavirus risks in the jail, and the American Civil Liberties Union of Utah said it was looking into the matter.

Scott Rasmussen, a U.S. Marshals' Service prisoner being held on a parole violation, said in a phone interview that the inmate who tested positive did not spend more than a few days in arrival isolation.

"I played cards with him every day for the past two weeks," Rasmussen said.

Another inmate, Justin Jessop, said by email that some inmates are brought into the main areas "right off the streets."

He and Rasmussen said disinfection, hand sanitizers and masks are not universally available to inmates.

"There are no precautions and they don't follow CDC (Centers for Disease Control) guidelines," Jessop said. "People will die due to this negligence."

Rasmussen said corrections officers rarely wore masks until after the positive test, but they donned them afterward.

Marigoni confirmed that, saying the Sheriff's Office mandated mask wearing by corrections officers beginning this week.

He disputed claims that cleaning supplies, soap and masks are not provided to inmates.

"Supplies are distributed to inmates daily," Marigoni said, "and we've got hygiene supplies for everyone."

Another inmate said she had been in the jail since the pandemic began and claimed testing is rare.

"The number of infected people won't climb if no one is being tested," the inmate said by email. She said she did not want to be identified, fearing retribution.

Marigoni disputed that as well, saying testing is being coordinated by the jail's contract medical provider with help from the Weber-Morgan Health Department.

"We've given them guidance on how to isolate cases and we're working with them on testing," said Lori Buttars, health department spokesperson. "We have a good relationship with them and we know they're doing the things they need to do."

Marigoni said the jail has been preparing for the possibility of COVID-19 cases for months.

All inmates have been issued masks "and we will be making more," he said. "We don't use forceful tactics to make them wear them," but they are required to do so when they go to video court or the medical area.

"I know we're going to be criticized," Marigoni said. "We're going to do everything we can to protect our staff and the inmates and the community from COVID-19. We're not just shooting from the hip."

Civil liberties groups petitioned the Utah Supreme Court in April for an order directing jails and prisons to accelerate inmate releases because of the heightened risks for COVID-19 spread in the crowded institutions.

The high court rejected the petition on procedural grounds, and the civil libertarians acknowledged that many jails and the state prisons had done a lot to limit infections.

Asked about the Weber County complaints Wednesday, the ACLU issued a prepared statement.

"We have received reports of serious ongoing failures to take basic measures to protect the health and safety of incarcerated people in Weber County and across the state," the ACLU's Sara Wolovick said. "These failures endanger not just incarcerated people, but also corrections staff, their families, and the broader community. Our investigations are ongoing, and all measures are still on the table."

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