

NORFOLK INMATE COUNCIL

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(Executive Board)

Heat Mitigation Proposal

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( Cooling / Ventilation / Air Improvement )

APRIL 2025

William J. Duclos  
Majority Chairman

Adam Sanders  
Minority Chairman

Jose Negron  
Latino Chairman

## Norfolk Inmate Council

### Heat Mitigation Proposal

#### Introduction:

June 18, 2024 then Interim Commissioner Shawn Jenkins issued a memo "Heat Mitigation Strategy." In the spirit of collaboration and enhancing impactful Heat Mitigation techniques the Norfolk Inmate Council (NIC) offers the following suggestions to better target prisoner (Incarcerated Individuals [II's]) most urgent needs in Cooling, Ventilation & Air Improvement.

#### History:

Successful Heat related illness litigation has ensued across the country from Wisconsin (Ammerman v. Jackson USDC (W.D. Wisc) Case No. 3:23-cv-00156), Florida (Wilson v. Dixon, USDC (S.D. Fla), Case No 1:24-cv-2453), Texas (Tiede v. Collier, USDC (W.D. Tex), Case No. 1:23-cv-01004), (Board v. Farnham, 394 F.3d 469 (7th Cir. 2005), (Gates v. Cook, 376 F.3d 323, 339-40 (5th Cir 2004).

As a result of Commissioner Jenkins' Memo of 2024 Cooling Towels and exterior yard fans were provided at MCI-Norfolk.

Courts have held record temperatures in prison is Cruel & Unusual Punishment, creating 8th Amendment Violations. The Court further has noted "Ventilation is a fundamental attribute of 'shelter' and sanitation." In the past year 2024 after the Commissioners Heat Mitigation Strategy "Temperature Checks" in II housing units and cells between June 17-21 reveal 56 instances where temperatures reached over 90 degrees. When an Lieutenant was asked task with this duty of Temperature Checks, "What temperature creates a response?" The Lt. stated, "None, we give you ice." Then further went on to say he would like to know "I just turn in the numbers".

Senator Edward J. Markey and other members of the legislator visited MCI-Norfolk In April of 2024 speaking to creation of an environmental declaration of rights including extreme temperatures.

#### At Risk Population:

MCI-Norfolk houses an elderly population an increasing number of chronic care II's. These groups suffer from heat related complications and become increasingly sedentary in summer months. It should be noted night time hours after lock in prisoners face "Hot Boxing" situations and have no relief. This also exasperates Mental Health crises and frustrations. Unfortunately outdoor cooling fans do nothing for II's in housing units in the night time hours.

#### Benefits to Improvements:

These improvements would provide safer living conditions for II's and safer and more comfortable conditions for staff. Cooler and cleaner air serves the public interest of not further complicating elderly and chronic medical conditions. Emergency / crises events during high heat conditions places additional stress on staff and II's alike. Improvements for cleaner and cooler air serve the public interest of not further burdening the DOC and local health care providers

responding to emergency calls. Further having cooler, cleaner climates will lessen the environmental impact and culture of the prison when heat related irritability, stress, loss of sleep and discomfort effect the daily prison culture.

- Suggested Improvements -

Attic Ventilation:

Similar to whole house vents in Units 3-2, 6-1 & 6-2 have powered attic vents. Unit 6-1 & 6-2 powered attic vents currently operate. Unit 3-2 the belt which makes the system operational has been broken for years and a new one needs to be ordered and installed.

Chimney Vents :

The current vent screens on many Units are in disrepair and blocked with debris from birds and other pests. This can be cleaned out with one of the lifts which are frequently in the facility, this will create better air circulation.

Welded Windows:

Several housing units have welded windows which greatly impair air flow and fresh from entering the structures. Some windows are sealed shut. Other Units have windows plexi-glassed over such as 2-3 at the end of the tier which can easily be removed to allow fresh air flow. Ordering all windows to be unwelded or unblocked (Units: 2-3, 6-1 & 6-2) will greatly increase air flow and cooling housing units.

Window Coverings:

In the past window covers were permitted when the sun was directly coming through the windows. (See Attached Memos). These coverings were sheet (white) materials thus the cell was still illuminated allowing staff to see in the cells. Similar memos are requested for the prison. Allowing window coverings in the Morning for the East side and Afternoon for the West Side would greatly reduce temperatures in housing units.

12 Inch Oscillating Fans:

12 Inch Oscillating fans are allowed by property policy. The NIC requests these items be allowed for purchase the same as watches and razor heads currently are from Amazon or another vendor.

Wall Fans In Cells:

The NIC requests individuals in cells be allowed to purchase the same model fans which are in the "chow halls" for cells. These can be purchased as appliances / fans are purchased for housing units. Prisoners donating money for this purpose will be donating the fan to the designated call. Thus improving the prison over all. Brackets can be mounted Units by Council Maintenance worker in a short period. Please see attached proposal.

#### Hall Fans:

In order to better circulate the air on the tiers / floors an option is to allow units to purchase one fan for each side of the unit (4) in total to better accommodate air flow.

#### 8 Block Prisoner Air Conditioning:

The 8 Block is designed for Air conditioning however the AC is only available for staff areas and not for prisoners. The NIC would request this be enabled for prisoners cells as well.

#### CSU Mental Health Cells:

These cells are more often than not being used for prisoner/patients returning from medical procedures (heart attacks, etc.). Due to the plexi-glass on the doors and lack of air flow through the windows these cells reach extremely high temperatures and is unsafe for prisoner/patients. The NIC has learned that on the 3rd floor above the MH cells there is a closet which houses ventilation for these cells which appears to be off line and needs repairs. Also fans should be provided for these cells to ensure cooling and air flow.

#### Artic Air Type (Cooling Boxes) :

Other states have utilized such units for personal cooling of cells and NIC request the MCI-Norfolk Administration petition the property committee to source and sell these same items, while providing such units for indigent prisoners. Further we would ask that multiple units be tested at MCI-Norfolk to determine the best product to source.

#### Attic Ventilation:

Similar to whole house exhaust fans, attic ventilation could also be installed on the 3rd floor of all housing Units South and North sides to evacuate the hot air from the building thus cooling the building for better night time sleeping. Option which would be desirable would be to provide for through the tier door vents to allow the continuous draw of air during night time hours. Metal Shop could facilitate this.

#### Duct Pipe Cleaning:

The current heating System ducts have been in place for the life of the facility by all reports and are in desperate need of cleaning. Every time the power shuts down and goes back on dust is released through these ducts covering everything with a light coat of dust substance also causing all staff and prisoners to be subject to these particles. Cleaning the duct system will improve air quality for both prisoners and staff and create a healthier living/ work environment.

#### Air Conditioning:

The NIC has been informed that due to the forced hot air system throughout the prison a cooling (AC) coil can be installed in the heating units for use in the summer months. This is the the most desirable and the NIC requests bids be sought for options in this request. Also consider placing split air systems (similar to CSU and Gym Officers station) for each floor of all housing Units in the halls which would then be circulated via the current blower system. These unit could even be placed in the heater closets or areas to ensure no tampering.

Conclusion:

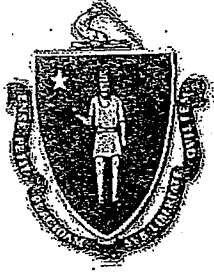
Several Options have been presented in differing degrees. The NIC has tried to submit this earlier enough for consideration in an effort to gain progress and address this ongoing health condition. On behalf of the prison population and NIC this proposal is submitted and thank you for any and all consideration you can provide.

Respectfully Submitted,



William J. Duclos  
Majority Chairman  
Norfolk Inmate Council

cc: file



*The Commonwealth of Massachusetts*  
*Executive Office of Public Safety & Security*

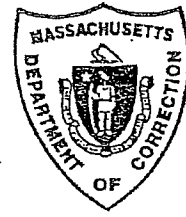
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To: Undersecretary Andrew Peck  
From: Interim Commissioner Shawn Jenkins  
Re: **Heat Mitigation Strategy**  
Date: June 18, 2024

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The Massachusetts Department of Correction (DOC) continuously works to enhance our heat mitigation strategies within our facilities throughout the year in preparation for increased temperatures during the summer months. Each year various staff members from the DOC participate in an annual heat related facility training sponsored by the Department of Public Health (DPH) (see **attachment #1**). The staff attending these annual training courses consist of employees who work in our medical, environmental health and safety divisions, as well as managerial positions. In addition, the DPH issues annual heat related advisories to both state and county correctional facilities (see **attachment #2**).

DOC policy 750 (Hygiene Standards) also specifically provides guidelines to include but not limited to the following for heat related preventative measures:

- Drinking water, including bottled water, if necessary, should always be accessible to maintain hydration.
- Ice should be made available as needed.
- Ensure proper utilization of existing mechanical or natural ventilation design/systems.
- Fans should be provided in areas to enhance existing ventilation.
- Inmates should have increased opportunity to shower.
- Information should be provided for correctional officers about the signs, symptoms, and increased risk factors for heat related illness, e.g., age, weight, hypertension, asthma, mental illness, medical conditions and medication use.

Facilities also outline additional site-specific procedures within their local 750. DOC's policy 512 (Post Orders) also requires all DOC post orders include specific language on identifying heat related illness.

In addition to the information provided above, the DOC requires facility staff to monitor temperatures at various locations inside the facilities on all three shifts. All incarcerated individuals are provided shower shoes and we recently began providing shorts as part of their DOC issued clothing. This morning, we provided a heat related informational flyer to all incarcerated individuals on their DOC issued tablets and we also posted the same flyer in all living areas.

This afternoon, I facilitated a zoom call with all the superintendents and instructed them to alert their Assistant Deputy Commissioner of any heat related concerns that develop and to provide end of day reports daily for the duration of the heat advisory. We were informed today that DPH personnel will be conducting random site visits to monitor heat related issues inside both county and state correctional facilities.

SBCC, MCI-Framingham, Boston Pre-Release, Shattuck (patient rooms) and OCCC minimum are all temperature controlled. BSH is equipped with conditioned air units in all living areas. MCI-Shirley, MTC, Norfolk and MASAC have temperature-controlled environments for their ADL/CSU/HSU living areas only.

Please let me know if you need anything further related to this matter.

