

## Gov. Whitmer Hosts COVID-19 Super-Spreader Event in Michigan Prison: Prisons as Viral Incubators in Michigan Communities

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A successful car caravan protest was held Sunday afternoon, November 15<sup>th</sup>, in St. Louis, Michigan, where the Central Michigan and St. Louis Correctional Facilities are located, and we made the local news broadcasts. Various community groups, including Michigan Abolition and Prisoner Solidarity (MAPS), along with families and friends of prisoners, demonstrated opposition to Gov. Gretchen Whitmer's policy of operating Michigan prisons at double their designed capacity in the midst of the COVID-19 pandemic, resulting in a rotating series of super-spreader events, that is COVID-19 hot-spots, throughout Michigan communities where these prisons, come viral incubators, are located. This, despite her vocal opposition to nearly all other super-spreader events, particularly those of her political opponents.

After being warned against this by myself and others, Gov. Whitmer has continued her disastrous policy, causing multiple super-spreader events at prisons throughout Michigan. This has recklessly endangered prisoners, staff, and the public in nearby communities. (See Rand W. Gould & Kenneth Smith, "Open Letter to Gov. Whitmer, April 29, 2020," at [www.freerandgould.com](http://www.freerandgould.com); also *San Francisco Bay View*, July-August, 2020, 15.)

Consequently, it was only a matter of time before Gov. Whitmer succeeded in exposing all of us prisoners at Central Mich. C.F., along with the surrounding community, to SARS-CoV-2, causing 674 of us, and 84 staff, to contract COVID-19 and creating Michigan's latest COVID-19 hot-spot and super-spreader event.\* Gov. Whitmer has long known social distancing is impossible here, with 2,560 men piled on top of each other—8 men to a cubicle built for 4 and 320 men to a polebarn designed for 160—with no ventilation and all of us forced to eat, sleep, and use the bathroom and telephone within 1 or 2 feet of each other inside these viral incubators called prisons.

Incredibly, staff are not required to be tested for COVID-19 before reporting to work and are only given a cursory temperature check before entering the prison, guaranteeing the inevitability of every prison in Michigan becoming a COVID-19 hot-spot and super-spreader, and some more than once before this winter is over. However, given the temporal proximity of the cause and effect, it is likely that the October 15<sup>th</sup> transfer of approximately 160 prisoners from the Upper Peninsula's Newberry C.F., a known COVID-19 hot-spot, to Central Michigan C.F. caused the current super-spreader event here (Much like the transfer of 121 prisoners from Chino to San Quentin caused that super-spreader event in California's prisons!). The Michigan National Guard warned the MDOC administrators not to transfer prisoners from Newberry C.F. but they did it anyway, with full knowledge of the risks to prisoners, staff, and the public in nearby communities.

To add insult to injury, Gov. Whitmer, through her subordinates MDOC Director Heidi E. Washington and Central Michigan C.F. Warden John Christiansen, declared a so-called

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\* Note from transcriber: At the time of this transcription, December 5, 2020, the number of prisoners who have tested positive for COVID-19 at Central Michigan C.F. has risen to over 2,100.

“quarantine” on Thursday, November 5<sup>th</sup>, confining every prisoner to their unit, i.e., lockdown, but then bizarrely began moving 600 prisoners from bunk to bunk and unit to unit on Friday November 6<sup>th</sup>, the very next day! Whether done intentionally or through sheer ignorance, these moves cross-contaminated the entire prison, super-spreading COVID-19 throughout. It did not take us long to realize that men were being switched between units because of “close contact” with a COVID-19 positive prisoner and that these moves were highly irrational. For example, 7 prisoners in J-Unit were switched with 7 prisoners in E-Unit, when the one other prisoner in each cubicle tested positive. This made no sense. Why not transfer the positive prisoners to a COVID-19 unit and leave the others be? Or transfer them to a “close contact” unit? However, this was not done. What was done is the antithesis of a medical quarantine as required by the MDOC’s Control of Communicable Diseases policy, PD 03.04.110.

This type of reckless and wanton neglect of public duty by Gov. Whitmer and her subordinates within the MDOC led to the car caravan protest and several press releases including the following:

Now that Central Michigan Correctional Facility Warden John Christiansen has succeeded in exposing all of us prisoners and the surrounding community to COVID-19, infecting at least 674 of us and 84 staff, whether intentionally, as it seems, or out of sheer ignorance, there is no longer a reason to continue this so-called “quarantine” and/or lockdown, which in reality is nothing less than an ongoing super-spreader event that serves to deny us access to the yards—the only places we can practice social distancing and breathe fresh air. Thus, Warden Christiansen’s public duty requires him to end this lockdown and only quarantine COVID-19-positive prisoners in accordance with the procedures set forth in the MDOC’s Communicable Diseases Policy in PD 03.04.110.

In other words, Warden Christiansen can stop pretending any steps he has taken to date have been in any way effective in preventing COVID-19 from spreading through the eight overcrowded viral incubators he calls “polebarns”. Quite the opposite, in fact, as he has allowed 160 potentially contagious prisoners to transfer here on October 15<sup>th</sup> from the COVID-19 hotspot of Newberry Correctional Facility, and, further, he did not require testing of staff before entering the facility, only requiring useless temperature checks instead. This, when he knew most of his staff did not take the COVID pandemic seriously, did not practice social distancing, and did not wear masks outside the prison, emulating the buffoon of a current president, Donald J. Trump, who is responsible for this debacle nationally, as Warden Christiansen is locally in both this prison and the surrounding community.

Today, November 16, in a panic due to the car caravan protest and resulting publicity, Warden Christiansen is having staff coerce prisoners, who are not positive, allegedly, for COVID-19, to sign “waivers of liability” in order to remain in their assigned bunks and avoid having to sleep in the gymnasium, or worse. Such a waiver is of no value due to how it was obtained and its lack of retroactive effect, with the Warden, Gov. Whitmer, and Director Washington all liable for the actions they took, or didn’t take, prior to this date. In effect, all Warden Christiansen has accomplished is a further waste of scarce state resources, i.e., taxpayers’ money.

In sum, Gov. Whitmer’s COVID-19 super-spreader events are nothing short of a colossal cluster-fuck and yet another example of her, and her subordinates, willful refusal to perform

their public duties, which is a violation of the public duty doctrine enshrined in state law MCL 750.478.

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