



September 10, 2021

Patricia Coyne-Fague, Director
R.I. Department of Corrections
40 Howard Avenue
Cranston, RI 02920

BY E-MAIL AND MAIL

Dear Director Coyne-Fague:

Our organizations are writing to express our deep concerns about the celebration of National Correctional Officers Week (NCOW)¹ that is taking place in just over a week at the ACI, and to ask that you take immediate steps to cancel scheduled events and lockdowns at the ACI associated with it.

According to information that appears on the R.I. Brotherhood of Correctional Officers' Facebook page,² ACI facilities will be in lockdown for a substantial part of four consecutive days during the week of September 19th in order to allow this commemoration to occur – meaning that education and treatment programming, exercise, and perhaps even meals, showers, and medical care may be temporarily curtailed for all inmates. While we fully recognize that lockdowns must occasionally occur for security reasons, it strikes us as completely inappropriate to implement them for reasons that do not serve any safety, security, or other compelling government interest. In this instance the lockdowns essentially serve to support a private celebration.

One of the day's lockdowns, for example, is to accommodate COs, their families and invitees for a day-long "RIBCO Cookout" at Mulligan's Island. There they will enjoy a day of golf, volleyball and other activities. It is our understanding that the food for the cookout is typically prepared by RIDOC inmates who themselves will be in lockdown when the meal is partaken.

Another lockdown period is for a "Family Night" where families of officers will be able to tour ACI facilities. In prior years, we understand that officers' spouses and children have entered into prisoners' living spaces and walked through individual cellblocks where the prisoners are locked up.

Educational tours of prisons can be positive things, but this particular event can only be seen as voyeuristic and exploitative. The U.S. Supreme Court has recognized that while prisoners "lose many rights when they are lawfully confined . . . [they] retain certain fundamental rights of privacy; they are not like animals in a zoo." *Houchins v. KQED, Inc.*, 438 U.S. 1, 5 n. 2 (1978). But a "Family Night" stroll through ACI facilities offensively treats incarcerated people exactly like animals on display.

¹ The event is generally designated as taking place in May, and is described as celebrating "the work of correctional employees and correctional personnel for their service with honor, respect and integrity." *See, e.g.*, 2021-S 849, "Senate Resolution Celebrating May 2nd Through May 8th, 2021, as 'National Correctional Officers and Employees Week' in the State of Rhode Island." <http://webserver.rilegislature.gov/billtext21/senatetext21/s0849.pdf>

² https://www.facebook.com/permalink.php?story_fbid=4567935209895916&id=120430831313065

It also strikes us as reckless to allow dozens of visitors, who are not there to conduct any actual business at the ACI, to walk through the facilities at the height of the Delta variant pandemic, when the CDC has designated Rhode Island as a state with a “very high” risk of transmission and encouraged prisons to limit non-essential tours of facilities. Even if all these “tourists” are vaccinated, the problem of breakthrough infections is a serious and real one, and the health and safety of those incarcerated at the ACI should not be put at risk to accommodate a sightseeing activity.

Lockdowns and other forms of punishment that are “totally without penological justification” are merely “gratuitous infliction of suffering.” *Gregg v. Georgia*, 428 U.S. 153, 183 (1976). The DOC’s active accommodation of these particular activities advances no state interest, and is in fact counter to RIDOC’s obligation to care for and rehabilitate prisoners. R.I.G.L. § 42-56-1. There is simply no valid basis to curtail basic prison services and programming for four consecutive weekdays in order to facilitate this celebration. It is also deeply disturbing for DOC officials to condone a recreational walk-through of the facilities that has the unseemly effect of turning citizens into zoo animals to be gawked at.

We understand that similar lockdowns in observance of National Correctional Officers Week have taken place at the ACI in past years. But that is no justification for its continuance now that these concerns have been brought to your attention. We appreciate the Department’s interest in collaborating with the correctional officers’ union and we understand RIBCO’s desire to commemorate its officers and the important work they do, particularly in light of the challenges the Department has faced over the past year. However, that collaboration and commemoration must be done in ways that do not harm the rights, humanity, health and well-being of those incarcerated at the prison, who have also been subjected to hazardous conditions and extended lockdowns during the pandemic.

We therefore ask you to cancel all scheduled events at the ACI for NCOW that would introduce custodial staff members’ families or friends into communal and living areas of the ACI, and to prevent the imposition of any lockdowns that serve no public interest. In light of the urgency of the matter, we look forward to hearing back from you about this at the earliest possible opportunity.

Sincerely,



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cc: The Hon. Daniel McKee
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