



**Via Email**

April 2, 2020

Barbara Bazron, Director  
DC Department of Behavioral Health  
64 New York Avenue, NE  
Washington, DC 20002

**Re: COVID-19**

Dear Director Bazron:

According to media reports, a patient and five staff members at St. Elizabeths tested positive for COVID-19 on April 1. We write to request additional information about how you are protecting patients in light of this new information and to urge you to take immediate steps to reduce the patient population at the Hospital.

In your March 18 letter, you indicated that St. Elizabeths was continuing to discharge patients if in-patient care was no longer necessary, but gave no indication that you were expediting evaluations or reevaluating the necessity of patients remaining committed to the Hospital in light of the COVID-19 epidemic. In light of the confirmed outbreak, we renew our request that you **evaluate every patient for community placement** and either release or make appropriate recommendations to the Court to place patients in community settings, as detailed in our prior letters of March 13 and 18. We also request that you continue to take aggressive steps to manage the outbreak for those patients who remain in the Hospital.

The Department of Behavioral Health must protect patients from the unreasonable risk of contracting COVID-19. We are requesting the following information regarding the Hospital's protocols during this time:

- The "Emergency Preparedness Plan" referenced in your March 18 letter and any subsequent plans that have been put in place now that staff and patients are infected;
- Details of the infection control campaign referenced in your March 18 letter, including a description of any Personal Protective Equipment available for staff and patients and how those are being allocated; how residents are being quarantined or otherwise isolated (if at all); how staff are being quarantined or isolated (if at all); and any additional measures in place;
- The current number of patients at Saint Elizabeths, broken down by category (pre-trial competency evaluation, pre-trial competency restoration, long-term civilly committed, and voluntary);
- The number of patients who have been released from Saint Elizabeths since March 11, 2020 (when the Mayor declared the public health emergency);
- The number of patients who have been admitted to the hospital since March 11 both for pretrial matters and civil commitment;

- What plan is in place to mitigate the admissions to the hospital both pretrial and for civil commitment;
- Any plans to evaluate patients for potential release, including whether or not competency evaluations are happening every 30 days for pre-trial detainees as per D.C. Code Sec. 24-531.03(f)(1).

Please share with us as soon as possible the information requested above including the Department's plans for maintaining healthy and sanitary conditions and protecting patients from the further spread of COVID-19 at Saint Elizabeths.

Sincerely,

*/s/ Margaret Hart*  
Maggie Hart, Counsel

*/s/ Kaitlin Banner*  
Kaitlin Banner, Deputy Legal Director

cc: Micah Bluming, DC Office of the Attorney General  
Mark Chastang, Saint Elizabeths CEO  
Councilmember Vincent Gray, Chair, Committee on Health  
Betsy Cavendish, General Counsel, Executive Office of the Mayor  
Matthew Caspari, General Counsel, DC Department of Behavioral Health