

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 1:20-cv-00977-PAB

THOMAS CARRANZA;
JESUS MARTINEZ;
RICHARD BARNUM;
THOMAS LEWIS;
MICHAEL WARD;
COLBY PROPES; and
CHAD HUNTER,

Plaintiffs, on their own and on behalf of a class of similarly situated persons,

v.

STEVEN REAMS, Sheriff of Weld County, Colorado, in his official capacity,

Defendant.

**DEFENDANT’S NOTICE OF ERRATA FOR RESPONSE TO MOTION FOR
TEMPORARY RESTRAINING ORDER, PRELIMINARY INJUNCTION, AND
EXPEDITED HEARING [ECF 1]**

Defendant Sheriff Steven Reams (“Sheriff”), by and through counsel, Hall & Evans, L.L.C., respectfully submits the following as his Notice of Errata for Response to Plaintiffs’ Motion for Temporary Restraining Order ... and Expedited Hearing [ECF 1] as follows:

1. On April 13, 2020, the Sheriff filed his Response to Plaintiffs’ Motion for Temporary Restraining Order ... and Expedited Hearing [ECF 1], ECF 26 (“Response”).

2. Exhibit A-23 to the Sheriff’s Declaration which was submitted in conjunction with the Response and currently is on the Court’s Docket as page 4 of ECF 26-6, was supposed to be a published internal directive on new guidelines for mental health services to inmates in the WCJ. See [ECF 26-1 at 13 ¶ 47].

3. However, such exhibit inadvertently was omitted and two copies of **Exhibit A-24** were submitted instead, one labeled as **Exhibit A-23** and one labeled as **Exhibit A-24**. *Compare* [ECF 26-6 at 4] *with* [ECF 26-6 at 5].

4. **Exh. A-23**, attached hereto, constitutes the correct version of the referenced internal directive on new guidelines for mental health services to inmates in the WCJ and should be deemed substituted in place of the **Exh. A-23** currently on the Court's Docket.

5. The undersigned credits Plaintiffs' counsel for advising of this oversight.

Respectfully submitted this 24th day of April, 2020.

s/ Matthew J. Hegarty

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CERTIFICATE OF SERVICE (CM/ECF)

I hereby certify that on this 24th day of April, 2020, a true and correct copy of the foregoing **DEFENDANT'S NOTICE OF ERRATA FOR RESPONSE TO MOTION FOR TEMPORARY RESTRAINING ORDER, PRELIMINARY INJUNCTION, AND EXPEDITED HEARING [ECF 1]** was electronically filed with the Clerk of Court which will send notification of such filing to the following email addresses:

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EXHIBIT A-23

From: Stephanie Tornquist <stornquist@weldgov.com>
Sent: Saturday, March 21, 2020 8:33 AM
To: DD Sergeants <DDSergeants@co.weld.co.us>
Subject: Fwd: COVID-19 mitigation for Counseling Staff

Good Morning, Sergeants:

Please see the email sent to the counseling team below outlining a change in services. We will continue counseling in person, but are triaging these to limit the movement in the facility. Please let me know you you have any questions or concerns. Thank you.

Stephanie

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From: Brandon Williams <bwilliams@weldgov.com>
Sent: Friday, March 20, 2020 4:07:21 PM
To: Stephanie Tornquist <stornquist@weldgov.com>
Subject: FW: COVID-19 mitigation for Counseling Staff

Good Afternoon,

In an effort to mitigate the risk of the spread of COVID-19 we have temporarily modified our work practices. In addition to washing our hands, reducing the amount of contact with others seems to be the most effective method in slowing the spread of this virus. With this understanding, steps will immediately be taken to implement the following measures:

- Counselors will be assigned specific units to complete Post SUW Contacts. As soon as possible, please deliver all of the files for Post SUW Contact Follow-ups to our office. These will be separated per unit and assigned to a specific counselor on a non-designated day. The expectation will be that the assigned counselor will complete the welfare checks on the date they are assigned.
- As appropriate, Individual Counseling will be suspended. If you believe that such an action isn't prudent at this time staff your concerns with your Clinical Supervisor who will assist you with developing a plan to meet the Inmate's needs. Otherwise send the attached Inmate Request Form to inmates currently receiving counseling services informing them that such services have been suspended and directing them to submit an Inmate Request Form to Inmate Services if they were to present with an urgent need.
- To meet basic counseling needs Counselors will provide Inmates with self-help materials via the existing internal inmate mail system. Utilizing this internal mail system, Inmates may submit completed assignments to their Counselor who then can offer insight and provide feedback.
- The practice of assigning new Inmate Request Forms to counselors will continue. However, the assigned counselor will initially respond via the Inmate Request Form. The Inmate will be provided with self-help materials, encouraged to complete the exercises, and practice the skills; they will be directed

to submit an Inmate Request Form if the symptoms persist at which time the assigned counselor will complete a face-to-face assessment.

EXHIBIT A-23

- When a medication review is warranted, the Inmate will be provided with a self-report questionnaire that they will be expected to complete and return (see attachment). Recognizing that face-to-face encounters will need to occur to obtain ROI, clarify self-reported information, etc, it is expected that the self-report questionnaire will significantly reduce the number of face-to-face encounters.
- When possible, please utilize Professional Visitor Rooms.
- Counselors to evaluate all Special Need Inmates and determine if they are appropriate for a “maintenance case plan”.
- Unit S will be assigned to a single counselor. (caseload weight will be considered)
- Routine Welfare Checks will be assigned daily to a specific non-designated counselor.
- Groups are suspended.

This is our first draft and best effort to address this very dynamic situation. Your patience is appreciated as is your feedback. If you have ideas on how we can modify our practices to better meet the needs of Inmates, please share. As Brene’ reminds us, “clear is kind”.

Lea and Brandon