



Congress of the United States
House of Representatives

March 31, 2020

Mr. Michael Carvajal
Director
Federal Bureau of Prisons
320 First Street NW
Washington, DC 20534

Dear Director Carvajal:

As of March 27, the Federal Bureau of Prisons (BOP) had 14 incarcerated individuals and 13 staff across 16 BOP facilities (in nine different states) who tested positive for COVID-19.¹ We know that the coronavirus presents a unique and serious danger to our nation's prisons and jails. BOP must prioritize the health and safety of correctional staff and incarcerated individuals by taking necessary steps to mitigate the chance of an outbreak of the virus at all BOP facilities, be prepared to provide immediate and comprehensive care to our incarcerated population when COVID-19 is detected at one of our prisons or jails, and prevent transmission between BOP facilities.

We were encouraged to see the March 26 Department of Justice (DOJ) recommendations to prioritize the release of certain at-risk prisoners to home confinement in order to reduce the overall prison population to respond to the ongoing COVID-19 pandemic.² However, we remain concerned for the health and safety of both the nearly 40,000 BOP employees and the 175,000 incarcerated individuals in BOP facilities.³

The Centers for Disease Control and Prevention (CDC) released COVID-19 guidance on March 23 specifically for correctional facilities to protect the health and safety of incarcerated individuals and corrections staff. This included guidance on enhanced cleaning and hygiene practices, inmate transport and transfers, personal protection equipment (PPE), infection control, and clinical care for confirmed and suspected cases.⁴

¹ "Coronavirus Resource Page," Bureau of Prisons, accessed March 27, 2020, <https://www.bop.gov/coronavirus/>.

² "Prioritization of Home Confinement As Appropriate in Response to COVID-19 Pandemic," Department of Justice, accessed March 26, 2020, <https://www.justice.gov/file/1262731/download>.

³ "Federal Prison System (BOP) FY 2020 Budget Request at a Glance," Department of Justice, accessed March 27, 2020, <https://www.justice.gov/jmd/page/file/1142606/download>; "Inmate Statistics," Bureau of Prisons, accessed March 26, 2020, https://www.bop.gov/about/statistics/population_statistics.jsp.

⁴ "Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities," Centers for Disease Control and Prevention, accessed March 26, 2020 <https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html>

In that guidance, the CDC recommends the suspension of all transfers of incarcerated or detained persons to and from other jurisdictions and facilities, unless necessary for medical evaluation, medical isolation/quarantine, care, extenuating security concerns, or to prevent overcrowding. However, it has been brought to our attention that, during the week of March 23, the BOP transferred 19 untested inmates to three federal facilities in Central Pennsylvania. This includes 11 from the Metropolitan Detention Center in Brooklyn, N.Y., where inmates are currently being quarantined after one inmate tested positive for COVID-19.

As such, we request a response to the following questions regarding the BOP's preparations and plan for COVID-19 by April 3, 2020:

Transfer and Transportation of Incarcerated Individuals

1. Why has the BOP continued the transfer of incarcerated individuals between BOP facilities during the COVID-19 crisis?
2. Please describe in detail the BOP's plan to end unnecessary inmate transfers consistent with CDC guidance during the COVID-19 emergency.

Health Care for Incarcerated Individuals and Correctional Staff

3. Are there currently adequate medical staff and supplies to evaluate and care for incarcerated individuals exposed to COVID-19 in each federal facility?
 - a. Do healthcare and non-healthcare staff have an adequate supply of PPE to ensure their safety and the safety of the incarcerated individuals in their care?
 - b. How many ventilators does the BOP have at each of its federal facilities? If ventilators are not currently available, what plan does the BOP have in place to ensure an adequate number of ventilators will be available to each federal prison?
 - c. What are the contingency plans to ensure adequate staffing levels in the case of a COVID-19 outbreak in a federal prison?
4. Please describe in detail BOP's plan to provide hospital care to federal inmates who test positive for COVID-19.
5. What is the BOP's plan to protect federal inmates who have compromised immune systems, underlying medical conditions, or those who are pregnant from being exposed to COVID-19?

Public Health and Safety Measures

6. Please describe the steps BOP is taking to ensure living quarters and common areas in BOP facilities are clean and disinfected according to CDC guidelines.
7. What is BOP's plan to address the need for increased hand washing and other personal hygiene practices by federal inmates?
8. What measures have been taken to ensure incarcerated individuals have no-cost access to soap, hand sanitizer, paper towels, tissues, and trash receptacles?

Communications

9. What communications plans have the BOP put in place to disseminate critical information to incarcerated individuals and their families, staff, vendors, and contractors as the pandemic progresses?

10. What measures are being taken to provide free video conferencing, telephone calls, postage, and when available, tablets to incarcerated individuals to help ensure inmates remain connected with loved ones and to community supports during the suspension of in-person visitation?

It is critical that we do not forget the needs of our correctional employees and incarcerated populations during this crisis. Thank you for your time and consideration, especially in these difficult times. We look forward to your prompt response.

Sincerely,



David J. Trone
Member of Congress



Nydia M. Velázquez
Member of Congress



Jesús G. "Chuy" García
Member of Congress



Johana Hayes
Member of Congress

/s/

Bonnie Watson Coleman
Member of Congress



Cedric L. Richmond
Member of Congress