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RULES AND ADMINISTRATION

United States Senate  
WASHINGTON, DC 20510

May 19, 2020

Michael Carvajal  
Director  
Federal Bureau of Prisons  
320 1st Street NW  
Washington, D.C. 20534

Dear Director Carvajal:

I write again to urge the Bureau of Prisons (BOP) to release demographic data for federal inmates and staff impacted by the coronavirus (COVID-19)—including for inmates who have been transferred to home confinement. In light of BOP’s recent decisions on these critical matters, it is imperative that BOP release this data and clarify how it is determining which inmates are eligible to serve their sentences from their homes.

The recent tragic death of Andrea Circle Bear, a federal inmate who passed away in custody just weeks after giving birth, makes clear why the release of this information is essential. Ms. Circle Bear was 30 years old and was serving a 26-month sentence for a nonviolent drug offense. She was also pregnant and had a pre-existing medical condition, both of which made her more vulnerable to COVID-19. On March 31, she was taken to a hospital with COVID-19 symptoms, and on April 1, she gave birth to her baby while on a ventilator.<sup>1</sup> Ms. Circle Bear died on April 28 while in custody, four weeks after having tested positive for COVID-19.<sup>2</sup> Just over two weeks later, President Trump’s former campaign chairman, Paul Manafort – who was serving an 84-month sentence at a facility that had not reported any confirmed COVID-19 cases – was transferred to home confinement on May 13.<sup>3</sup>

BOP’s actions in these two cases raise serious concerns about how BOP is assessing inmates’ eligibility for home confinement and prioritizing inmates for transfer. Accordingly, I ask that BOP provide information on how it is determining which inmates are eligible for home confinement, including whether BOP considers demographic characteristics when evaluating a person’s vulnerability to COVID-19, and what factors BOP considers when prioritizing inmates for transfer to home confinement. I also reiterate my previous request that BOP release demographic data on the inmates who have been transferred to home confinement during the pandemic, as well as on federal inmates and BOP staff impacted by COVID-19.

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<sup>1</sup> [https://www.bop.gov/resources/news/pdfs/20200428\\_press\\_release\\_crw.pdf](https://www.bop.gov/resources/news/pdfs/20200428_press_release_crw.pdf)

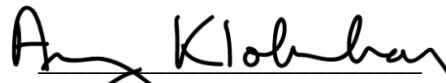
<sup>2</sup> <https://www.nytimes.com/2020/04/29/us/coronavirus-inmate-death-andrea-circle-bear.html>

<sup>3</sup> [https://www.washingtonpost.com/national-security/paul-manafort-granted-home-confinement-due-to-coronavirus-fears/2020/05/13/7746835c-8320-11ea-ae26-989cfce1c7c7\\_story.html](https://www.washingtonpost.com/national-security/paul-manafort-granted-home-confinement-due-to-coronavirus-fears/2020/05/13/7746835c-8320-11ea-ae26-989cfce1c7c7_story.html)

These actions are all the more urgent as conditions at federal prisons have continued to deteriorate in recent weeks, with BOP reporting that 2,338 federal inmates have tested positive for COVID-19 and that 57 inmates have died as a result of the virus as of May 18.<sup>4</sup> With reports suggesting that the number of cases is likely much higher than the latest reported totals and is expected to increase as BOP improves its testing capacity, it is critical that BOP is prioritizing inmates who are the most vulnerable to COVID-19 for home confinement.<sup>5</sup>

Thank you for your attention to this matter.

Sincerely,

  
Amy Klobuchar  
United States Senator

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<sup>4</sup> <https://www.bop.gov/coronavirus/>

<sup>5</sup> <https://apnews.com/fb43e3ebc447355a4f71e3563dbdca4f>