

United States Senate  
WASHINGTON, DC 20510

April 28, 2020

Michael Carvajal  
Director  
Federal Bureau of Prisons  
320 1st Street NW  
Washington, DC 20534

Dear Director Carvajal:

We write to urge the Bureau of Prisons (BOP) to release critical demographic data as our country continues to confront the coronavirus (COVID-19) pandemic. In light of preliminary data collected from the general public that has shown COVID-19's disproportionate impact on certain populations, including racial and ethnic minorities, BOP must take steps to collect and release this type of demographic data.

According to a recent analysis from the Kaiser Family Foundation, state data suggests that COVID-19 poses a higher risk for communities of color. Of the states that have reported the race or ethnicity of people diagnosed with COVID-19 and related deaths, 20 out of 31 states reported that Black people accounted for a higher share of cases compared to their share of the total population, and 19 of 24 states reported that Black people accounted for a higher share of deaths. Similar trends have also been evident in Latino communities.<sup>1</sup>

As of today, BOP reports that 1,046 federal inmates have tested positive for COVID-19 and are still sick, 390 inmates have recovered, and 28 inmates have died as a result of the virus. In addition, 330 BOP staff have tested positive for the virus and are still sick, and 124 staff have recovered; press reports indicate that at least one staff member has died of the virus.<sup>2</sup> BOP should immediately include system-wide demographic data in its public reporting of these numbers—including data on the age, race, ethnicity, religion, gender, pregnancy status, sexual orientation, and disability of all incarcerated people and BOP staff who have been tested for, contracted, recovered from, and died from COVID-19, as well as for those who have been transferred to home confinement or granted compassionate release.

Additionally, as BOP implements the Attorney General's directive to increase the use of home confinement to protect incarcerated people who are particularly vulnerable to COVID-19, BOP must take into consideration that the virus is having a disproportionate effect on racial and ethnic

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<sup>1</sup> *Growing Data Underscore that Communities of Color are Being Harder Hit by COVID-19*, Kaiser Family Foundation, Samantha Artiga, Kendal Orgera, Olivia Pham, and Bradley Corallo, April 21, 2020, <https://www.kff.org/coronavirus-policy-watch/growing-data-underscore-communities-color-harder-hit-covid-19/>.

<sup>2</sup> See BOP Guidance on COVID-19, <https://www.bop.gov/coronavirus/>.

minorities. BOP reports placing 1,576 people on home confinement since March 26,<sup>3</sup> and BOP should immediately include demographic data in its reporting of these statistics, as well as specifying how many people have been transferred to home confinement and how many are awaiting transfer to home confinement.

Thank you for your attention to this important matter.

Sincerely,

/s/ Amy Klobuchar  
United States Senator

/s/ Richard J. Durbin  
United States Senator

/s/ Christopher A. Coons  
United States Senator

/s/ Richard Blumenthal  
United States Senator

/s/ Mazie Hirono  
United States Senator

/s/ Kamala D. Harris  
United States Senator

/s/ Patty Murray  
United States Senator

/s/ Bernard Sanders  
United States Senator

/s/ Robert P. Casey, Jr.  
United States Senator

/s/ Sherrod Brown  
United States Senator

/s/ Edward J. Markey  
United States Senator

/s/ Ron Wyden  
United States Senator

/s/ Chris Van Hollen  
United States Senator

/s/ Robert Menendez  
United States Senator

/s/ Kirsten Gillibrand  
United States Senator

/s/ Elizabeth Warren  
United States Senator

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<sup>3</sup> *Id.*