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# United States Senate
## WASHINGTON, DC 20510

May 8, 2020

The Honorable William P. Barr
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Attorney General Barr:

I write to request information on the steps the Administration is taking to address the rapid outbreak of the coronavirus (COVID-19) at prisons and jails. Reports suggest that many states and the federal prison system have struggled to protect incarcerated people from the virus. The Administration must take immediate action to assist prison systems in responding to the virus.

The Coronavirus Task Force, which was created to "monitor, contain, and mitigate the spread of the virus," did not include any representative from the Department of Justice despite the high risk to incarcerated people due to the conditions of close confinement.[1] Since that time, we have seen a rapid spread of the virus in state and federal correctional facilities. As testing has slowly begun to increase, states are now learning the extent to which the conditions of close confinement in state facilities has contributed to the spread of COVID-19. For example, the Louisiana Department of Corrections recently completed testing at the Elayn Hunt Correctional Center and found that 156 out of 194 inmates were positive for the virus.[2] At two Ohio facilities, about 80 percent of inmates and more than 275 workers have been diagnosed with the coronavirus.[3]

According to analysis by the Marshall Project, the number of incarcerated people impacted by COVID-19 has yet to reach its peak. As of April 29, at least 14,513 people in state and federal prisons have tested positive for COVID-19, which represents a 50 percent increase from the week before, and 218 state and federal prisoners have died, a 66 percent increase.[4]

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[1] *Statement from the Press Secretary Regarding the President's Coronavirus Task Force*, The White House, January 29, 2020, https://www.whitehouse.gov/briefings-statements/statement-press-secretary-regarding-presidents-coronavirus-task-force/.

[2] *Most women in 1 Louisiana prison dorm have COVID-19*, Janet McConnaughey, AP News, May 4, 2020, https://apnews.com/f31d0a19272193a0f461eb96e5c3d23d.
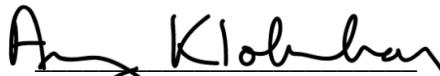
[3] *Expert: Ohio better get ready for more coronavirus hot spots in state prisons*, Catherine Candisky, The Columbus Dispatch, May 5, 2020, https://www.marionstar.com/story/news/local/2020/05/05/ohio-coronavirus-hot-spots-state-prisons/3079443001/.

[4] *A State-by-State Look at Coronavirus in Prisons*, The Marshall Project, May, 1, 2020, https://www.themarshallproject.org/2020/05/01/a-state-by-state-look-at-coronavirus-in-prisons.

It is critical that the Administration consider the risk to incarcerated people and prison staff, and provide guidance to states on how best to mitigate the spread of the virus at state facilities. Therefore, I respectfully request that you provide information on the steps that the Administration has taken to evaluate the risk to incarcerated people and the staff in these facilities during this public health crisis. This should include whether the Department has provided guidance to state facilities on how to reduce the risk of incarcerated people contracting COVID-19, including with respect to people who are most vulnerable to the virus such as the elderly and those with preexisting medical conditions, whether the Department has provided guidance to state facilities on improving testing capabilities, and whether the Department has provided guidance to states on the potential release of non-violent and vulnerable people from incarceration.

Thank you for your attention to this urgent matter.

Sincerely,

Amy Klobuchar
United States Senator