

Congress of the United States

Washington, DC 20510

September 24, 2020

Michael E. Horowitz
Inspector General
Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Inspector General Horowitz:

We write today to urge you to include Federal Correctional Complex (FCC) Petersburg and United States Penitentiary (USP) Lee, both in Virginia, in the Department of Justice Office of the Inspector General's (OIG) remote inspection of facilities housing Federal Bureau of Prisons (BOP) inmates during the COVID-19 pandemic. Our offices have received numerous reports from employees and families of incarcerated individuals regarding the spread of COVID-19 and allegations of deteriorating health and safety conditions within both facilities. These concerns have been raised multiple times by several of our offices with BOP, and we remain deeply troubled by conditions at the two Virginia correctional facilities.

On September 24, 2020, the BOP website reported 200 incarcerated individuals and 13 staff members with active or recovered positive COVID-19 cases at FCC Petersburg. Many of our offices have received reports that – despite denials from BOP – cases are increasing and inadequate steps have been taken to limit transmission at this facility.

USP Lee weathered much of the pandemic without a COVID-19 outbreak. However, on September 9, 2020, BOP transferred at least one person with a positive case of COVID-19 to the facility. Such transfers are a potentially deadly lapse in judgment. USP Lee is one of the largest employers in Lee County, Virginia. Transfers such as this could result in preventable outbreaks, both inside the prison and in the local community.

We also continue to receive reports that BOP has not provided proper personal protective equipment (PPE) for staff and incarcerated individuals at both facilities. As a result, PPE is frequently reused beyond its intended service life. Further, we are concerned that neither facility has taken adequate steps to distance those who have tested positive for COVID-19 from the general population.

Finally, several of our offices have been informed that access to outdoor recreation, exercise facilities, and phones have been reduced due to the pandemic. We recognize the importance of limiting large group gatherings, and that coordinating these activities can present logistical, health, and safety challenges. However, it is imperative that correctional facilities find new ways to maintain and support a healthy quality of life for incarcerated individuals during this crisis. We have also received disturbing reports that both food quality and quantity have significantly declined, including accounts of spoiled food. Such conditions are unacceptable.

We seek to maintain the highest levels of safety for incarcerated individuals, correctional facility staff, and local communities in the Commonwealth, and urge you to include USP Lee and FCC Petersburg in your remote inspections. Thank you for your attention to this matter and we look forward to your response.

Sincerely,



Mark R. Warner
United States Senator



Tim Kaine
United States Senator



A. Donald McEachin
Member of Congress



H. Morgan Griffith
Member of Congress



Robert C. "Bobby" Scott
Member of Congress



Gerald E. Connolly
Member of Congress



Donald S. Beyer Jr.
Member of Congress



Elaine G. Luria
Member of Congress



Jennifer Wexton
Member of Congress