

Congress of the United States
Washington, DC 20515

May 21, 2020

The Honorable Michael Carvajal
Director
Federal Bureau of Prisons
320 First Street N.W.
Washington, D.C. 20534

Dear Director Carvajal:

We write to express our concerns about the health and safety of staff and inmates at Federal Correctional Institution (FCI) Petersburg and United States Penitentiary (USP) Lee, Virginia's two federal correctional facilities. After hearing from employees of both facilities, we believe there are several issues that require immediate attention.

One area of particular concern is the apparent lack of adequate personal protective equipment (PPE) for correctional staff and inmates at FCI Petersburg Low. According to employees at the facility, both correctional staff and inmates are only being given new PPE once or twice a week, which presents serious health and safety risks. We recognize that PPE shortages are a national crisis impacting every sector of our economy. However, given the nature of a correctional facility, including close quarters and frequent person-to-person interaction, correctional staff and incarcerated people alike are particularly susceptible to contracting COVID-19.

The need for adequate PPE is particularly acute because, as critical infrastructure workers, asymptomatic Federal Bureau of Prisons (BOP) employees who have come into contact with someone suspected or confirmed to have COVID-19 are permitted to keep working.¹ Recognizing the BOP's need for PPE, Congress included \$100 million in the recently passed Coronavirus Aid, Relief, and Economic Security (CARES) Act for BOP to respond to the coronavirus pandemic, including by purchasing PPE and other medical equipment, funding overtime, and cleaning facilities. As COVID-19 cases in detention facilities continue to climb across the nation, we urge you to maximize use of these congressionally appropriated resources and take all available steps to address PPE shortages at facilities under the Bureau's jurisdiction.

We have also been informed that correctional staff at the Petersburg facility are no longer receiving a lunch break, despite reportedly working shifts as long as sixteen hours. Not only is this policy inhumane and unacceptable, it is dangerous for facility employees. It is critically important that correctional staff be given a reasonable break for lunch, not only to provide themselves with the sustenance necessary to remain sharp and focused while on duty, but also to recharge and attend to personal matters. We encourage you to institute a break policy—not only at the Petersburg facility, but at BOP's facilities across the nation—that more appropriately responds to correctional staff's basic needs.

Further, we are concerned to hear from employees at USP Lee that BOP is continuing to transfer inmates between correctional facilities. In the midst of a pandemic, this is deeply concerning to us on its

¹ <https://www.cdc.gov/coronavirus/2019-ncov/community/critical-workers/implementing-safety-practices.html>

face. Our concern is compounded by reports we have received that these transfers are happening between facilities with vastly different COVID-19 infection rates and between states with varying degrees of containment and mitigation efforts. At a minimum, we urge you to immediately cease transfers from facilities with COVID-19 cases to facilities without COVID-19 cases. While exigencies will arise, it may also be prudent to consider ceasing transfers altogether until the present health crisis has abated.

We request information on what steps BOP is taking to address these concerns. If there are funding inadequacies that are hindering the Bureau's ability to correct these problems, or if there are additional steps that Congress can take that would support your efforts, please share that information as well. As the number of confirmed COVID-19 cases increases in federal and state correctional facilities, including in Virginia, we are committed to working with you to address the needs of incarcerated individuals and correctional staff. We appreciate your attention to these important issues impacting our constituents.

Sincerely,



A. Donald McEachin
Member of Congress



Mark R. Warner
United States Senator

Tim Kaine
United States Senator



H. Morgan Griffith
Member of Congress