

December 8, 2020

Michelle McConaghy
Nathaniel M. Putnam
United States Attorney's Office
District of Connecticut
157 Church Street, 25th Floor
New Haven, CT 06510
Via e-mail correspondence

Re: *Whitted v. Easter*, Concerns about Conditions at FCI Danbury

Dear Ms. McConaghy and Mr. Putnam:

We write to follow up on our letters of October 30, 2020, November 23, 2020, and December 7, 2020 expressing concern that FCI Danbury is not taking certain actions that it had committed to take to meet the medical needs of prisoners during the COVID-19 pandemic and to mitigate and control the spread of the virus.

We have continued to hear that there are individuals with COVID symptoms in units throughout the three facilities. Temperature checks and symptom screening must scrupulously be performed by medical staff. Individuals with symptoms must immediately be tested and appropriately isolated/quarantined. If FCI Danbury does not have sufficient medical staff to perform these duties, the Warden should seek emergency assistance from BOP. Individuals in medical isolation and who are quarantined with symptoms should be closely monitored and provided with appropriate medical care. If FCI Danbury does not have sufficient space to safely isolate and quarantine people, BOP must immediately remedy this problem so that the people committed to their care stay safe. Significantly, at least half of people incarcerated at FCI Danbury are at increased risk for severe illness or death from COVID-19 because of their medical conditions.

Camp Update

We understand that four women in the Camp received positive results for COVID-19 yesterday. One woman, [REDACTED], is 69 years old, suffers from obesity, and has a history of pneumonia. As of this morning, there had not been facility-wide testing in the Camp. We understand that there are women experiencing symptoms who, as of this morning, had not been tested and remain in the dorm. We fear for the safety of the women in the Camp. The population includes at least seven women in their 60s, a woman who is six-months pregnant, and many people with high risk conditions such as diabetes, heart conditions, and history of smoking.

We ask for immediate COVID testing of all women in the Camp (via rapid test and PCR), screening for symptoms by medical staff, and appropriate isolation/quarantine of those with symptoms pending test results. As we have noted, daily temperature checks and symptom screening did not occur in the Camp from November 23 through December 6, which allowed the spread of the virus among this vulnerable population. During this time period, women who reported symptoms were told they would not be tested because they did not have fevers.

We reiterate our request for **immediate release**, via furlough if necessary, of the women who have been approved for home confinement who are in the Camp. Continuing to hold these women in close proximity to the outbreak subjects them to unjustifiable risk. The following women are already in quarantine, have family within driving distance, and should be released **today**:

Reg. No.	Last Name	First Name	Facility	Date Home Confinement (HC) Approved	Days Waiting	Status per BOP
██████████	F██████	L██████	Camp	9/14/20	83	HC date 1/19/20
██████████	F██████	C██████	Camp	10/6/20*	61	HC date 12/22
██████████	G██████	R██████ A██████	Camp	10/23/20*	44	HC date 12/15
██████████	L██████	N██████	Camp	10/5/20	62	Awaiting date from RRM (RRM seeking HC under a contract facility)
██████████	M██████	D██████	Camp	10/16/20	51	HC date 12/15 (was delayed from 12/2)
██████████	R██████	M██████	Camp	10/5/20	62	RRM awaiting response from probation re electronic monitoring
██████████	T██████	R██████	Camp	10/23/20*	44	Awaiting date from RRM

The following women need transportation to be arranged and should be released via furlough **tomorrow**:

██████████	H██████	J██████	Camp	9/21/20*	76	Probation approved relocation on 11/10
██████████	H██████	W██████	Camp	8/24/20	104	Awaiting date from RRM

We are concerned that Corrlinks access for women in the Camp has been shut down since midday yesterday and telephones have been available only sporadically. As you know, our clients have a

constitutional right to communicate with us and we ask that their access to Corrlinks and the telephone be restored. To the extent there are health concerns with respect to use of the equipment, we ask that cleaning supplies be provided and social distancing guidelines be reiterated. Given our pressing need to speak to our clients, we ask for you to arrange **legal calls today** with the following individuals from the Camp: [REDACTED]

FSL Update

We understand that everyone was tested in the FSL yesterday afternoon via PCR test. We ask that rapid testing be used as well given the BOP’s reported lag in results from the PCR testing. Appropriate space needs to be utilized for isolation and quarantine: yesterday a very ill woman was placed in the cold library with no bed.

Given the vulnerability of the women in the FSL to the COVID outbreak in that facility, we reiterate our request for **immediate release**, via furlough if necessary, of the women who have been approved for home confinement who are in the FSL. The following women, all of whom have family within driving distance, should be released **today**:

[REDACTED]	C [REDACTED]	H [REDACTED]	FSL	9/16/20	81	HC date 12/17/20 but told by case manager it will be delayed
[REDACTED]	C [REDACTED]	I [REDACTED]	FSL	10/21/20	46	HC date 1/7/21
[REDACTED]	Y [REDACTED]	E [REDACTED]	FSL	9/16/20	81	HC date 12/15 (was delayed from 12/8)

The following women need transportation to be arranged and should be released via furlough **tomorrow**:

[REDACTED]	C [REDACTED]	K [REDACTED]	FSL	11/2/20	34	HC date 12/7/20 but will be delayed
[REDACTED]	H [REDACTED]	J [REDACTED]	FSL	11/2/20	34	Awaiting date from RRM

Release of Men

The following men, approved for home confinement and going home to New Jersey and New York, should be released via furlough **today**:

[REDACTED]	D [REDACTED]	M [REDACTED]	Men’s	11/20/20*	16	HC date 12/15/20
[REDACTED]	M [REDACTED]	J [REDACTED]	Men’s	11/6/20*	30	Awaiting date from RRM

We look forward to hearing from you soon regarding these concerns.

Sincerely,

/s/ Sarah French Russell,

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Alexis Farkash, *Law Student Intern*
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