



April 8, 2020

Senator Lamar Alexander  
Chairman  
Senate Health Education Labor & Pensions  
Committee

Senator Patty Murray  
Ranking Member  
Senate Health Education Labor & Pensions  
Committee

Senator Chuck Grassley  
Chairman  
Senate Committee on Finance

Senator Ron Wyden  
Ranking Member  
Senate Committee on Finance

Rep. Frank Pallone  
Chairman  
House Energy and Commerce Committee

Rep. Greg Walden  
Ranking Member  
House Energy and Commerce Committee

**Re: A public health approach to COVID-19 and the health crisis in America’s criminal justice system**

Dear Chairman Alexander, Ranking Member Murray, Chairman Grassley, Ranking Member Wyden  
Chairman Pallone, and Ranking Member Walden,

The undersigned organizations are writing to express our deep concern about the health crisis unfolding in our nation’s jails and prisons. We are grateful for your continued leadership to meet the needs of communities during this unprecedented pandemic. As you craft future legislation, we would encourage you to consider those impacted by this pandemic in our country’s criminal justice system.

Our nations jails and prisons hold over 2.2 million people, and employ countless professionals in law enforcement, corrections, healthcare and behavioral health. This unprecedented pandemic has exposed alarming gaps in the health system’s ability to care for people who are incarcerated. In the many overcrowded jails and prisons, people live in close proximity and basic measures of infection control may be limited<sup>1,2</sup>. These conditions place inmates, and the staff at these facilities, at serious risk for contracting the virus and pose a risk to public health and safety<sup>3,4</sup>.

<sup>1</sup> “Detention Settings Are Extremely Susceptible to Infectious Disease”. American Journal of Preventive Medicine. [https://www.ajpmonline.org/article/S0749-3797\(20\)30144-6/fulltext](https://www.ajpmonline.org/article/S0749-3797(20)30144-6/fulltext)

<sup>2</sup> The New England Journal of Medicine – “Flattening the Curve for Incarcerated Populations – COVID-19 in Jails and Prisons” <https://www.nejm.org/doi/full/10.1056/NEJMp2005687>

<sup>3</sup> NPR - “73% of Inmates at an Ohio Prison Test Positive for Coronavirus” <https://www.npr.org/sections/coronavirus-live-updates/2020/04/20/838943211/73-of-inmates-at-an-ohio-prison-test-positive-for-coronavirus>

<sup>4</sup> Forbes - “Federal Bureau of Prisons Institutions Not Showing Any Signs of ‘Flattening Curve’” <https://www.forbes.com/sites/walterpavlo/2020/04/15/federal-bureau-of-prisons-institutions-not-showing-any-signs-of-flattening-curve/#6107f90654dd>

As states continue to grapple with controlling the spread of this virus, we are increasingly concerned about the ad hoc and improvised response amongst jurisdictions to address its spread in the criminal justice system<sup>5</sup>. Jails and prisons are often seen as a single network. In reality, the criminal justice system is a patchwork of different agencies – at federal, state and local level - without a unifying authority. To protect the health of the millions of Americans who are incarcerated and the correctional staff who work in our nation’s jails and prisons, resources are desperately needed to create a coordinated public health response to address the COVID-19 crisis.

**In future COVID-19 relief legislation, Congress should include measures to establish a coordinated federal/local emergency response to the health crisis in the criminal justice system through the creation of a Correctional Health Coordinators program.**

We urge Congress to act on recommendations from the Community Oriented Correctional Health services’ a proposal titled [“Establishing State and Federal Correctional Health Coordinators to respond to the COVID-19 Pandemic”](#). This proposal emphasizes the importance of creating a coordinated response across the criminal justice system, not only in response to the current COVID-19 pandemic but other future public health crises our country might face. Specifically, we recommend Congress:

*1. Establish a State Correctional Health Coordinators Grant Program*

Congress should make available \$100 million in grant funding to the states to establish a State Correctional Health Coordinator. This position would be tasked with developing and operationalizing emergency response action plans for correctional health, by working with local sheriff’s departments, state departments of corrections, public health agencies, state Medicaid and human service, programs, health care insurers and providers, and other entities, to create a coordinated response to public health emergencies. In response to the current COVID-19 pandemic, they would coordinate with the same entities to create and report a clinical profile of the virus among people who are incarcerated and correctional staff, as well as conduct an operational assessment to aid with current and future response.

*2. Designate a Federal Correctional Health Coordinator*

Congress should designate a Federal Correctional Health Coordinator to oversee the grant program to the states, while at the same time facilitating a coordinated effort amongst relevant federal agencies to identify best practices and standards. Agencies would include the Department of Health and Human Services, FEMA, the National Institute of Corrections, the Bureau of Justice Assistance and other relevant emergency response and criminal justice agencies. The Coordinator would also assist in identifying a coordinated response between local jurisdictions and the Bureau of Prisons to ensure they are part of the local response.

As the COVID-19 virus continues to spread across communities in the United States, we urge you and your congressional colleagues to secure the health and safety of people who are incarcerated and the correctional staff of our nation’s jails and prisons. The above recommendations will help ensure that these vulnerable populations will be protected times of crisis. If you have any questions, please contact Shannon Scully at [sscully@nami.org](mailto:sscully@nami.org).

---

<sup>5</sup> Response to the COVID-19 Pandemic. Prison Policy Initiative. Last updated April 20, 2020. <https://www.prisonpolicy.org/virus/virusresponse.html>

Thank you for your partnership as we work towards the health and wellbeing of our communities during this time.

Sincerely,

The National Alliance on Mental Illness

Community Oriented Correctional Health Services

CIT International

Legal Action Center

National Center for Alcohol and Drug Dependence - Maryland

NACBHDD – The National Assn of County Behavioral Health and Developmental Disability Directors

National Association for Rural Mental Health

National Association of Social Workers

Treatment Advocacy Center