

Dr. Cara Christ, MD MS
Director
Arizona Department of Health Services
150 North 18th Avenue
Phoenix, Arizona 85007

CC: Governor Doug Ducey, ADCRR Director David Shinn

April 7, 2020

Dr. Christ,

We write this to formally request direct and immediate intervention from the Department of Health (DHS) to ensure that the staff and people incarcerated in our state prisons are protected from COVID-19 and that the state is taking all possible steps to prevent contagion to the public.

Attached is a detailed description of the myriad ways in which **the Arizona Department of Corrections Rehabilitation and Reentry (ADCRR) has consistently and deliberately failed to follow the guidelines laid out by the US Center for Disease Control and Prevention (CDC)** for correctional facilities for management of the current pandemic. This failure represents a serious threat to public health for all Arizonans and requires swift action from DHS.

Governor Ducey has officially declared a [State of Emergency](#) related to this pandemic. The same day, he issued an [Executive Order](#) stating that “it is important to institute enhanced protections at facilities that treat and house populations most at risk if they contract COVID-19.” Two days later, President Trump declared a national emergency, noting that “[t]he spread of COVID-19 within our Nation’s communities threatens to strain our Nation’s healthcare systems.”

Prisons are particularly dangerous places during an infectious disease outbreak. There are large numbers of people in close quarters who cannot practice the social distancing required to stay healthy. For people who are incarcerated, access to recommended hygiene and cleaning products like alcohol-based hand sanitizer is [expressly forbidden](#). [A significant number of incarcerated people are over 55](#) and have chronic health problems or other risk factors for COVID-19.

According to ADCRR’s 2019 [Inmate Population Fact Sheet](#):

- 11% of the prison population was over age 55 (4,542 male, 297 female)
- 10% of the confined population (4,315) had been diagnosed with a physical capacity that is “restricted,” “limited,” or “severely limited”.

In 2019, ADCRR admitted 18,159 people and released a total of 17,960. In the month of February 2020 alone, the Department released 1,341 people. The correctional officers, medical personnel, and other staff who work in our state prisons return home to their families every day. The risk to the lives of the tens of thousands of people in Arizona prisons and public health

of Arizona communities is clear and demands immediate action to protect those who live and work in these facilities, as well as the public at large.

In the attached document, we present key recommendations from the CDC, outline what ADCRR has reported it is doing to satisfy each recommendation, and present available evidence that indicates:

1. ADCRR's response is insufficient.
2. There is a multitude of discrepancies between what the Department has claimed it is doing and what is actually taking place within state prison facilities.

The CDC guidelines (as of March 23, 2020) can be found here:

<https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html>

Conclusion

Available evidence, culled from first-hand sources, as well as published media accounts, demonstrate that ADCRR is not responding adequately to this very serious crisis. The Department is not providing comprehensive information on a regular basis to people who are incarcerated, their families, the public, or even to state elected officials. It is not consistently implementing the full scope of recommendations from the CDC for protection of people who live and work in our prisons.

Numerous accounts show serious inconsistencies between what the Department has publicly announced it is doing to adhere to CDC guidelines and the reality of what people who live and work in these facilities are seeing.

The deficit between what the CDC recommends and what is actually being done or provided in our prisons will likely mean the difference in the impact on the spread of the virus and mortality rates.

As the state agency entrusted with protecting the health of the public, it is incumbent upon DHS to act immediately to determine the extent of the problem and work with ADCRR to address it.

Recommendations

We respectfully request that DHS immediately take the following steps:

1. Inspect all state prison units to ensure that CDC guidelines are being followed consistently to prevent and contain the spread of COVID-19.
2. Make the results and findings of these inspections available to the public within 24 hours of the review in order to provide transparency.

3. Should any deficiencies be discovered, provide clear directives – including timelines – to ADCRR on steps to address the problems.
4. Monitor and report publicly on the Department’s response to these directives.
5. Provide ongoing monitoring of facilities and oversight over ADCRR and its evolving response to COVID-19.

Respectfully,

American Friends Service Committee—Arizona
 American Civil Liberties Union
 ACLU of Arizona
 Arizona Attorneys for Criminal Justice
 Arizona Recovers
 Arizona Trial Lawyers Association
 The Cree Project
 FAMM
 FWD.us
 Prison Law Office
 Stand With Children
 The S.T.A.R.T. Project
 William E. Morris Institute for Justice



Arizona Recovers
TRADITION • MENTAL HEALTH • ADDICTION

