



PENNSYLVANIA INSTITUTIONAL LAW PROJECT

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March 20, 2020

Via First-Class mail and Email (info@bop.gov)

Michael Carvajal
Director
Federal Bureau of Prisons
Central Office HQ
320 First Street, NW
Washington, DC 20534

Via First-Class Mail and Email (NERO/ExecAssistant@bop.gov)

David Paul
Regional Director
Federal Bureau of Prisons
RO Northeast Regional Office
U.S. Custom House, 7TH Floor
200 Chestnut Street
Philadelphia, PA 19106

Dear Director Carvajal and Regional Director Paul:

I am writing on behalf of the Pennsylvania Institutional Law Project and the Lewisburg Prison Project, due to a recent report that the Federal Bureau of Prisons (BOP) may be transferring prisoners from BOP facilities located in New York to BOP facilities in Pennsylvania, particularly USP Lewisburg, USP Canaan, and FCI Allenwood. If this is the case, I write to express grave concern about these transfers in light of the current COVID-19 (Coronavirus) pandemic.

The Pennsylvania Institutional Law Project is a legal services organization dedicated to representing incarcerated and institutionalized persons on their civil rights and other civil claims throughout the Commonwealth of Pennsylvania. We seek to ensure the health, safety, and humane treatment of incarcerated individuals, especially during this critical and unusual time.

People in prisons are highly vulnerable to outbreaks of contagious illnesses. They are housed in close quarters and are often in poor health. Due to the nature of coronavirus, we urge that all prisons develop appropriate and evidence-based plans to prevent an outbreak and minimize its impact.

The transfer of prisoners from New York to Pennsylvania raises particular concerns because New York currently has 3083 confirmed cases of coronavirus, with 23 deaths, compared

to Pennsylvania, which has 154 confirmed cases, with only 1 death. (As of March 19, 2020). See <https://www.livescience.com/coronavirus-updates-united-states.html>. At this time, there are no confirmed cases in central Pennsylvania, including Union County where USP Lewisburg and FCI Allenwood are located. See <https://www.health.pa.gov/topics/disease/coronavirus/Pages/Coronavirus.aspx>.

The larger number of individuals in New York who have been confirmed to have Coronavirus raises the high possibility that the Coronavirus is being transmitted in the community through asymptomatic individuals. This concern directly applies to prisoners in New York BOP facilities, where many people are in close physical proximity, and may inadvertently transmit the virus, even if asymptomatic. Therefore, if this transfer occurs, prisoners in the Pennsylvania BOP facilities may be placed at greater risk of infection. This transfer would also increase the risk of spreading Coronavirus to the prison staff who work in the Pennsylvania facilities, their family members, and the surrounding communities in which they live. To the extent that this transfer occurs, significant precautions must be taken.

Therefore, **we write to inform you of our grave concerns regarding transfers of incarcerated individuals in New York BOP facilities to Pennsylvania BOP facilities.** We request that you suspend any plans to transfer these incarcerated individuals and that you consult with medical experts prior to approving such a transfer to ensure the health and safety of all involved.

If you have any questions or concerns, you may contact Su Ming Yeh at smyeh@pailp.org or (267)247-4790. Thank you.

Sincerely,



Su Ming Yeh
Interim Executive Director
Pennsylvania Institutional Law Project

/s/ Angela Trop
Angela Trop
President, Board of Directors
Lewisburg Prison Project

Cc: Michael Romano, Esquire (via email: Michael.Romano@usdoj.gov)
Andrew E. Kline (via email: akline@bop.gov)