



4/29/2020

Dear Secretary Inch,

To date, Florida has rejected the expert consensus that a comprehensive response to the COVID-19 pandemic should include targeted release of some incarcerated people. To help slow the inevitable spread of COVID-19 among incarcerated people, corrections professionals, and the larger community, we renew our call for safe and targeted release of vulnerable and low-risk prisoners.

With or without release, however, the state is obliged to keep incarcerated people and corrections professionals safe. Keeping them safe requires, at a minimum, testing that reveals the spread of the virus inside prisons, maintenance of appropriate staff to prisoner ratios at all facilities, and continued transparency about the Florida Department of Corrections' (FDC) response to COVID-19 in prisons.

We are concerned that, despite best efforts, current testing rates of incarcerated people are too low. Per FDC data, the testing rate of incarcerated people is nearly 70 percent lower than the overall state testing rate. Moreover, the prisoner "positive rate" (i.e., positive tests as a percentage of overall tests) is around 47 percent, or nearly five times the World Health Organization's recommended maximum. This positive rate suggests a significant number of infected but untested people in Florida prisons. We urge you to take whatever steps are necessary to significantly expand testing of incarcerated people, and to reduce the positive rate of incarcerated people to 10 percent or lower. Additionally, while staff positive tests are publicly available, staff testing rates – and, by extension, staff positive rates – are not. We urge you to make staff testing rates available, as other states have done.

Based on the experience of other states, we are also concerned that COVID-19 could have a negative impact on FDC staff levels, which in turn could threaten the security of prison facilities. We request that FDC make staff to prisoner ratios publicly available. Additionally, we urge FDC to provide periodic updates that include steps taken to mitigate the impact of any staff shortages.

Lastly, we urge you to release any reports prepared by FDC or any other state agency that estimated the threat of the coronavirus on the state prison system, or made recommendations about how to respond to that threat. These reports are valuable tools to judge the state's response to the threat, and should be made available to the public and policymakers.

Sincerely,

Greg Newburn
Florida Director, FAMM