

Congress of the United States
Washington, DC 20515

January 5, 2021

Michael Carvajal
Director
Federal Bureau of Prisons
320 First St., NW
Washington, DC 20534

Dear Director Carvajal,

We are writing to express our growing concerns about the rapidly rising rate of COVID-19 infections at FMC Devens in Ayer, Massachusetts, and to respectfully urge your direct engagement to halt and end its further spread.

As of this writing, according to the Bureau's own data, more than 260 inmates have tested positive for COVID-19. With an inmate population of 739, it appears that 35 percent of the facility's inmates have tested positive – with the bulk of the infections being reported in just the past 2 weeks. By comparison, the infection rate in the Commonwealth of Massachusetts, according to the most recent publicly available testing data, is 8.5 percent. We also understand that as many as 15 employees may be infected and that FMC Devens was granted a 30 day inmate transfer moratorium, which would limit inmate movement to court ordered psych studies, self-surrenders, and prisoners from the US Marshals.

While we fully recognize that this virus is especially contagious and can spread via asymptomatic carriers, we also hope you will agree that those traits demand even greater care and precautionary measures to protect your employees and inmates. Indeed, as you know, FMC Devens is among the Bureau's several "Federal Medical Centers." It provides care to inmates with a range of medical conditions before they are re-located to another correctional institution. The Bureau has a special duty of care to take robust precautions considering its immunocompromised population.

Staffing shortages and hospitalizations have helped to give rise to the COVID-19 cases among inmates and staff. Please permit on-site testing of staff, prohibit noncompliance with masking and other standard public health protocols, make full use of your authority under the law to transfer medically vulnerable individuals into home confinement, and continue appropriate use of compassionate release.

While enactment of adequate prevention measures would have been preferable, it is crucial to take robust precautionary actions now that COVID-19 is well inside FMC Devens' walls. It is our hope that you will interrogate this matter and ensure the facility proceeds in accordance with the severity of our declared state of emergency to keep inmates and staff safe and healthy.

As always, if we can be of any assistance, please do not hesitate to contact us if you wish to discuss this further.

Sincerely,



Lori Trahan
U.S. Representative



James P. McGovern
U.S. Representative