



128 Dorrance Street, Suite 400
Providence, RI 02903
Phone: (401) 831-7171
Fax: (401) 831-7175
www.riaclu.org
info@riaclu.org

May 5, 2020

Director Patricia Coyne-Fague
Rhode Island Department of Corrections
40 Howard Avenue
Cranston, RI 02920

VIA MAIL AND EMAIL

Dear Director Coyne-Fague:

Last month, in response to litigation filed by detainees at the Wyatt Detention Center, the U.S. District Court in Rhode Island issued a General Order requiring the facility to prepare a bi-weekly report publicly documenting the steps being taken there to address the potential spread of COVID-19 in the facility. In light of the continued urgency of this crisis, and the corresponding need for transparency, I am writing to urge your Department to do the same.

As I write this letter, at least eleven correctional officers and staff members have thus far tested positive for COVID-19. While there are no reported cases of committed inmates having yet contracted COVID-19 at the ACI, that figure is almost certainly the result of the lack of widespread testing of this congregate population rather than evidence that the disease has somehow managed to avoid infecting inmates. We recognize that the ACI took some early steps to address concerns of transmission within the incarcerated population, and I know that the DOC Facebook page regularly updates the number of officers who have tested positive. However, as it has become clear across the country that prisons and jails are now the greatest hot spots for infection, the release of more specific data is critical to the continued protection of our state's vulnerable prison population.

We therefore strongly urge your office to begin publicly releasing regular, at least twice-weekly, data sets consistent with the information being provided by Wyatt. Specifically, those reports should provide the following information regarding COVID-19 testing within the ACI:

- The total number of inmates who are incarcerated at each ACI facility;
- The number of inmates, by facility, who have been tested for COVID-19 and the number who have tested positive;
- The number of staff at the ACI who have been tested for COVID-19 and the number who have tested positive;
- All efforts undertaken to mitigate the spread of COVID-19 both generally, and in response to any symptomatic inmates, staff members, or positive tests; and
- Protocols for screening and testing inmates, staff, and others who are entering or leaving the ACI.

Over the past few weeks, seeing the toll that COVID-19 has taken in other congregate settings, such as nursing homes and the Veterans' Home, the Department of Health has repeatedly

emphasized the particular importance of widespread testing in such settings and the special efforts that must be undertaken at these facilities to try to prevent or mitigate the rapid spread of the disease. Since the risks of infection are just as high, if not greater, in the prison setting, the routine public release of basic data about the Department's practices and testing of the staff and inmate population will serve an extremely important public purpose. Again, I want to acknowledge the many steps that I know the DOC has taken to try to address this crisis, but we believe this is an essential additional step that should be included in the Department's efforts.

Although I'm sure you have seen it, I have enclosed a copy of the federal court General Order for your reference.

Thank you in advance for your prompt consideration of this request, and please feel free to reach out with any questions you may have. I look forward to hearing back from you at the earliest possible opportunity.

Sincerely,

Steven Brown
Executive Director

Enclosure

cc: Kathleen Kelly
Dr. Jennifer Clarke
The Hon. Gina Raimondo