



April 3, 2020

Re: COVID-19, Questions Regarding Incarcerated Persons

The Honorable Bill Lee
1st Floor, State Capitol
Nashville, TN 37243

Dear Governor Lee,

Your recent executive orders related to COVID-19 focus on maximizing efforts to protect the health and safety of Tennesseans and ensuring that government continue to function with transparency. Since the COVID-19 crisis began, our concern for those currently incarcerated has only grown.

On Wednesday, April 1, the Tennessee Department of Correction (TDOC) reported that three persons incarcerated at Bledsoe County Correctional Complex were likely exposed to coronavirus by a non-state employee. TDOC further reported on the number of additional tests given and the actions taken with the individuals who had been exposed. We commend the public release of this information and encourage further public reporting.

Many Tennesseans are understandably extremely worried about loved ones who are incarcerated. They are desperately seeking updates and information but on the whole are receiving little to no information. We share their concerns.

Such transparency will not only benefit those involved with the criminal legal system, but the public at large. It is inconceivable that an outbreak in a prison or juvenile detention facility will stay confined to that facility. Staff, correctional officers, judges and doctors could all be exposed to COVID-19 in these facilities and carry and spread it in the larger community.

We write to urge you to take further action to protect the lives of the thousands of Tennesseans who live and work in correctional facilities, as well as the general public, by releasing information about rates of infection and testing in Tennessee prison and juvenile detention facilities.

Specifically, without revealing personally-identifying information, we ask that you publicly report the following information at each of your daily press briefings, beginning on Monday, April 6:

1. How many incarcerated people have been tested for COVID-19 in each TDOC/DCS facility? How many have tested positive?



2. How many staff members from each TDOC/DCS facility have been tested for COVID-19? How many confirmed cases have been reported for staff members?
3. For both staff members and incarcerated people, how many COVID-19 tests have been conducted for which test results are still pending? At which TDOC/DCS facilities?
4. How many incarcerated persons in quarantine or medical isolation have not received a test in each TDOC/DCS facility?
5. Please also share a breakdown of suspected, tested and confirmed cases by race, ethnicity and gender.
6. Is anyone in a TDOC or DCS facility being quarantined? If so, how many people in each facility? How/under what conditions?

We know you are well aware how those incarcerated are particularly vulnerable to COVID-19 and how COVID-19 in our institutions further jeopardizes the health of inmates, staff and the rest of Tennessee.

In times of crisis, transparency and communication from our government is key. Sharing such information allows all Tennesseans, including those incarcerated, to take personal responsibility for helping to promote the health and safety of all Tennessee residents. Answering these questions on a daily basis is a much-needed starting point at this time.

A handwritten signature in blue ink that reads "Hedy Weinberg".

Hedy Weinberg
Executive Director
ACLU of Tennessee

A handwritten signature in black ink that reads "Jonathan D. Cooper".

Jonathan D. Cooper
President
Tennessee Association of Criminal Defense Lawyers

CC: Commissioner Tony Parker, Tennessee Department of Correction
CC: Commissioner Jennifer Nichols, Tennessee Department of Children's Services