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April 20, 2020

Secretary Ralph Diaz
California Department of Corrections and Rehabilitation
Division of Adult Institutions
P. O. Box 942883
Sacramento CA, 94283

RE: State action to reduce spread of COVID-19 in facilities

Dear Secretary Diaz:

The COVID-19 pandemic has left no corner of our state government untouched as we work to ensure the health and safety of all Californians. Of particular concern are our residents who are behind bars and are living in conditions not compliant with recommendations made by the Centers for Disease Control and Prevention or California.

On March 19, 2020, Governor Gavin Newsom issued a statewide shelter-in-place order. Millions of Californians are working from home while practicing physical distancing and regularly disinfecting surfaces. We know that these measures are vital to keep Californians safe and healthy by stopping the spread of COVID-19. I have serious and urgent concerns, however, about the health and safety of those living within facilities operated by the California Department of Corrections and Rehabilitation, as well as employees who work in them.

California has committed to releasing 3,500 incarcerated people to reduce population density and prevent deaths. But 3,500 is a tiny portion of a near 115,000 prison population. For Californians who are incarcerated, following recommended safety and health guidelines is impossible. We must act boldly and swiftly lest we continue to put their lives at further risk.

Disturbing stories have been published by the Los Angeles Times and the Sacramento Bee about the spread of COVID-19 among incarcerated populations. Constituents asking for interventions from the state also have shared grave personal stories with me to punctuate the unsafe living conditions at prison and jail facilities. Incarcerated loved ones working in facility health units are forced to expose themselves daily to risk of infection. People who have committed non-violent offenses continue to await early release. Older populations are hesitant to go to chow halls because social distancing while eating is nearly impossible. Other high-risk populations, such as those with pre-existing conditions and the immunocompromised, are not receiving the additional

attention and care they need. People are struggling to meet the requirements of their probation or parole due to job loss, lack of transportation or other obstacles. We cannot overlook the daily contact experienced between people who are incarcerated and employees within facilities. Employees may carry with them contamination contacted in the outside world.

In an effort to take immediate action and increase transparency, I respectfully request that you provide answers to the following inquiries related to conditions within facilities and conditions for those who recently have been released:

1. How is CDCR balancing quarantine practices of isolation and ensuring civil liberties are not violated?
2. What are the racial, ethnic and gender demographics of the 3,500 people slated for early release and people who have been exposed while incarcerated?
3. Is there any actionable plan for CDCR to identify a process to accelerate referrals for early release – such as the inclusion of considerations of age, race, ethnicity and pre-existing conditions – as the burden should not rest with judges who have no daily contact with people seeking early release?
4. What preventative steps are being taken to ensure the health and safety of incarcerated populations, particularly those deemed “high-risk-medical” and the elderly?
5. Do staff have access to regular COVID-19 testing, given their regular contact with populations within and outside of facilities?
6. Are all phones in facilities functioning properly? What steps are being taken to ensure incarcerated people have regular access to stay in contact with loved ones and are phones being sanitized after each use?
7. Is JPay offering any sort of relief during this time of financial uncertainty?
8. Do incarcerated people continue to have access to counsel?
9. Is there an effort by the Division of Adult Parole Operations, as well a concerted effort between CDCR and County Probation Departments, to ensure that requirements for people on probation and parole are manageable in this time of state-wide scarcity (such as remote check-ins)?

This is a matter of immediate concern to me and many others, so I ask for a response within 10 days. Thank you for your prompt reply.

Sincerely,



SYDNEY KAMLAGER
Assemblymember, 54th District
Chair of the Select Committee on Incarcerated Women

Cc: Assemblymember Rob Bonta, 18th District

Assemblymember Jim Cooper, 9th District
Assemblymember Susan Eggman, 13th District
Assemblymember Lorena Gonzalez, 80th District
Assemblymember Mark Stone, 29th District
Assemblymember Marie Waldron, 75th District
Assemblymember Buffy Wicks, 15th District

lc: BA