

Commissioner Paul Schnell  
Minnesota Department of Corrections  
1450 Energy Park Drive  
Suite 200  
St. Paul, Minnesota 55108

Commissioner Schnell:

In the face of a crisis that calls us to act urgently, we are writing as members of organizations who advocate daily for the rights of family, friends, and neighbors who are in detention centers, county jails, and state prisons. While we appreciate the willingness to engage with us in dialogue, we are alarmed at the speed with which this COVID-19 pandemic is spreading in these populations, especially when contrasted with the relatively slow pace at which Immigration and Customs Enforcement and other public officials and agencies are responding. We have many examples of the lack of concern from the federal, state and local governments about the physical and mental health of incarcerated and detained individuals. This is particularly evident in ICE detention centers that continue traumatizing practices such as family separation and as deaths from preventable illness and treatable medical conditions are already common in carceral facilities. Therefore, we are asking you to fully embrace the powers at your disposal to demand that MN DOC-licensed facilities act with speed and transparency to protect all their occupants, including ICE detainees, immediately. We are asking you to act with the speed befitting a life or death situation, which we are seeing every day that this truly is.

We thank the DOC for the important actions you've already taken in requiring hygiene products, information, and access to regular communication with family for the incarcerated. We also appreciate your willingness to share what data you have with our organizations and to add an FAQ page specifically regarding COVID-19 on the DOC website. These are crucial first steps and a good demonstration of DOC stepping into their oversight role. However, families are still understandably anxious and most of them are not connected with large community groups. Based on our conversations, we call for DOC leadership to take the following additional steps:

1. Share maximum occupancy limits that allow DOC facilities to follow MDH guidelines for keeping people safe, such as physical distancing, in both cells and gathering spaces. In this crisis, we would ask the DOC to consider enforcing those occupancy limits in the interest of public health.
2. Make public the contingency plans for what will happen if and when a COVID-19 outbreak occurs, including how medical care will be handled to protect the health of the affected and halt further spread. Families deserve to know what will happen in those instances and provide their feedback before a crisis occurs.
3. Share guidelines and procedures for screening of staff and protection of the incarcerated/detained after a positive diagnosis of a staff member.

4. Publicize COVID-19 testing data for staff and incarcerated individuals in all local jails (including individuals under ICE detention) in addition to state prisons.
5. Make provisions for temporary quarantine accommodations for any individuals released from a facility where COVID-19 infections have been reported.

In addition to these actions, which we believe to be fully under the DOC jurisdiction, we would ask for your intervention with the local ICE Field Office to urge them to release every individual who can safely return to their families as their deportation case is being adjudicated. In this instance, we're asking you to act as a representative of Minnesota who understands that the healthiest situation for everyone at a DOC-licensed facility right now (both staff and inmates) is to reduce occupancy as much as possible to limit the impacts when COVID-19 inevitably is introduced. We also urge you to recommend halting all additional ICE detentions and ICE transfers to minimize public health risk and particularly while immigration court proceedings have been suspended.

We understand that DOC employees, like all of us, are working hard to understand how to protect the public health and still perform our duties. We appreciate the initiatives you have taken to date and urge you to continue looking for ways to release as many of our family members from prisons and jails as possible. As you move forward, it is crucial to include the voices of the families and communities that will be most impacted by a COVID-19 outbreak in a DOC facility. This letter represents some of those voices.

The reality is that, even without a lethal and rapidly-spreading virus, our families and communities would be healthier and safer with their loved ones at home. That reality is only magnified now and forcing us to ask when it is truly serving the public good to separate someone from their community. We appreciate your partnership in answering that question and look forward to your response.

Sincerely,

American Civil Liberties Union of Minnesota

Amnesty International Group 37

Asian American Organizing Project

Communities United Against Police Brutality

Filipinx for Immigrant rights & Racial justice MN (FIRM)

Interfaith Coalition on Immigration

Jewish Community Action

Minnesota Immigrant Movement (MIM)

Minnesota Immigrant Rights Action Committee (MIRAC)

MN Educators Against ICE

NAACP, Minneapolis Branch

Navigate / UnidosMN

Pueblos de Lucha y Esperanza

Racial Justice Network

ReleaseMN8

Voices for Racial Justice

Winona Against Family Separation

Women's March MN