

Congress of the United States
Washington, DC 20515

May 5, 2020

The Honorable Larry Hogan
Chairman
National Governors Association
444 N. Capitol Street
Suite 267
Washington, DC 20001

The Honorable Andrew Cuomo
Vice Chairman
National Governors Association
444 N. Capitol Street
Suite 267
Washington, DC 20001

Dear Governor Hogan and Governor Cuomo:

The nation's governors have been on the front lines of the COVID-19 pandemic. Thank you for your leadership during these challenging and uncertain times. We write to ask that you, as Chair and Vice Chair of the National Governors Association, encourage your fellow governors to direct officials in all fifty states, the District of Columbia, Puerto Rico, and U.S. territories to collect demographic data by race, ethnicity, gender and disability on testing and outcomes in our incarcerated population.

As states have begun to release data on COVID-19 infection and mortality rates, we have seen the alarming and disproportionate impact the virus has had on communities of color, particularly African-Americans. This crisis threatens us all, but the significant racial disparities among those infected with, hospitalized with, or killed by this disease point to deeper issues of discrimination in our country.

The risks for communities of color during this public health crisis are compounded. African-Americans and Latinos are vastly overrepresented in our nation's prisons and jails, they serve longer sentences, and they are more likely to be held in pre-trial detention and to be re-incarcerated for technical violations. The structural conditions and health care disparities that have put minority communities at greater risk of infection and serious complication outside of prison walls are only exacerbated in correctional settings. Forty percent of inmates suffer from a chronic health condition, such as asthma or diabetes. Well before we knew the scope of this pandemic, public health experts noted the perfect storm that awaited us: the inability to socially distance, overcrowding, and lack of cleaning and hygiene products would make prisons and jails

particularly vulnerable to COVID-19, while testing and quality health care would remain mostly inaccessible.

For these reasons, we must work to address the COVID-19 disparities within state and local prisons and jails across the country. We commend your efforts to ensure the health and wellbeing of incarcerated men and women in your states as well as the implementation of best practices to mitigate the spread of COVID-19. But data collection among public safety and correctional agencies should also be shared publicly so that we can first have a fuller understanding of the challenge we face with regard to infections in these environments, and then use that data to guide our response. Public attention has recently focused on the importance of understanding the demographics behind COVID-19 infections. It is essential that we not leave the incarcerated population out of those efforts.

We are encouraged to see many states addressing the COVID-19 corrections crisis by enabling vulnerable incarcerated people who are non-violent and pose minimal likelihood of recidivism to be released under community monitoring or serve their sentences in home confinement. As with the collection and release of demographic data related to testing and COVID-19 health outcomes, we must ensure that release programs are executed fairly and do not create racial disparities in who is ultimately granted release from local prisons during this public health crisis.

While we and other colleagues in the House pursue the release of this data for federal prisons, we would greatly appreciate your help in urging state and local officials to do the same for their prisons and jails.

We thank you both for considering this request and for your help in this important effort.

Sincerely,



David Trone
Member of Congress



Hakeem Jeffries
Member of Congress

/s/

Frederica S. Wilson
Member of Congress

/s/

Earl Blumenauer
Member of Congress

/s/

Eleanor Holmes Norton
Member of Congress

/s/

Ro Khanna
Member of Congress

/s/

Yvette D. Clarke
Member of Congress

/s/

Barbara Lee
Member of Congress

/s/

Alcee L. Hastings
Member of Congress

/s/

Bobby L. Rush
Member of Congress

/s/

Joseph P. Kennedy, III
Member of Congress

/s/

James P. McGovern
Member of Congress

/s/

Adriano Espaillat
Member of Congress

/s/

Ayanna Pressley
Member of Congress

/s/

Jahana Hayes
Member of Congress

/s/

Jason Crow
Member of Congress

/s/

Bennie Thompson
Member of Congress

/s/

Tony Cárdenas
Member of Congress

/s/

Deb Haaland
Member of Congress

/s/

Gerald E. Connolly
Member of Congress

/s/

Ted Deutch
Member of Congress