

August 12, 2020

To: Michael Carvajal, Director
Federal Bureau of Prisons
320 First St., NW
Washington, D.C. 20534

CC: William Barr, U.S. Attorney General
Gene Beasley, Deputy Director, Bureau of Prisons
Nicole English, Assistant Director, Health Services Division, Bureau of Prisons

Re: Expand Humanitarian Releases from Bureau of Prisons

Director Carvajal:

As keepers of diverse faith and spiritual traditions, we hold human life to be sacred. For this reason, we are deeply aggrieved by the life-threatening conditions in federal prisons. Andrea High Bear (also known as Andrea Circle Bear) was a member of the Cheyenne River Sioux Tribe, and only 30 years old when she died after contracting COVID-19 in federal prison only a few weeks after the birth of her child.¹ For more than 100 people like Andrea High Bear, and we fear for many more to come, COVID-19 has turned a prison sentence into a death sentence. We call on you to do everything within your power to protect those detained in federal prisons from COVID-19. In particular, we call for expedited humanitarian release, which could include home confinement, in the cases of all federal prisoners who qualify.

The Coronavirus Aid, Relief, and Economic Security (CARES) Act, passed by Congress in March, expanded the powers of the U.S. Bureau of Prisons to grant emergency release to reduce COVID-19 infections and deaths. Consequently, Attorney General William Barr put out two memos directing the BOP to quickly assess whom among those incarcerated faced increased risks because of being medically compromised, and to take prompt action for their early release or transfer to home confinement. The Bureau has arbitrarily limited access to only those who have completed more than 50 percent of their sentence, which is not a requirement and does not relate directly to increased risk of mortality.²

While most states in the nation move towards re-opening, the conditions in federal prisons with regards to the spread of COVID-19 remain dire. People incarcerated in BOP facilities report a lack of basic hygiene and sanitation supplies to prevent the spread of infection, as well as bed spacing that makes it impossible to implement CDC-recommended social distancing guidelines. Prison guards often do not wear masks, and those living in prison have even been penalized for making their own masks when they were refused them by prison staff. Access to testing remains chronically low, raising questions about the accuracy of BOP's own reported number of cases.³ In Lompoc Federal Prison in California, one of the few locations where mass testing has been implemented, nearly all of the 1,000 people held there tested positive for COVID-19 although many were asymptomatic.⁴

As of mid-August, COVID-19 has already killed more than 110 people inside BOP facilities—entirely preventable deaths—and more than 6,000 incarcerated people have tested positive, though due to lack of testing the true numbers are likely much higher. Still, the releases that could save lives remain painfully slow and stagnated, and the decision-making process has lacked transparency. In your statements from the Bureau, 4,000 inmates (or three percent of the nearly 133,000 people in BOP prisons) are currently under

1. <https://theslot.jezebel.com/native-american-woman-dies-from-coronavirus-in-federal-1843177135>

2. <https://www.forbes.com/sites/walterpavlo/2020/04/24/the-federal-bureau-of-prisons-list-has-caused-confusion-in-courts-and-prisons/#5550f26337d4>

3. <https://www.floridaphoenix.com/2020/06/12/inmates-released-to-home-confinement-say-too-many-remain-in-infected-federal-prisons/>

4. https://lompocrecord.com/news/local/crime-and-courts/nearly-all-inmates-at-lompoc-fci-tested-positive-for-coronavirus-most-asymptomatic/article_f3fb06d7-f231-52b3-8f89-f21f11b73974.html

home confinement or early release, but that is only a small percentage of those who should qualify. Many people have been told verbally that they qualify or even that their release has been approved, but in the months of inaction that have followed, they have not been offered any means to appeal and push for the freedom they have been told they should be granted.

The COVID-19 pandemic has also drawn additional attention to systemic racism in the United States as we witness disparities in the infection and death rates, which aligns closely with the disparities in incarceration rates for Indigenous, Black, and other people of color. We were dismayed to learn the Bureau declared a national lockdown in response to the recent historic uprisings against police violence. This meant no phone calls, no emails, no movement beyond the small cells, and not even any time outdoors, where Indigenous people traditionally pray.

Now we are aware that the Bureau is using a risk-assessment system called PATTERN that potentially has racism integrated into its algorithms, and that the cut-off scores to be rated as “minimum risk” in PATTERN were arbitrarily changed, making many people ineligible for home confinement now who would have been under previous models.⁵

We also assert our solidarity with Indigenous people—who are incarcerated in federal prisons at a rate 38 percent higher than the national average.⁶ In this spirit of solidarity, we specifically call for the release of Indigenous Water Protectors who protected the water supply and sacred sites of Standing Rock and other Indigenous nations from the construction of the Dakota Access Pipeline (DAPL), and who are now held in federal prisons.

In particular, we call for the immediate release of Oglala Lakota tribal member and Water Protector Michael Markus, known by loved ones as Rattler, who is among the thousands of individuals held by the Bureau who have been told that they qualify for humanitarian release under COVID-19, only to remain incarcerated months later with no clear pathway for release in sight. We call for his immediate release along with the other DAPL political prisoners and all people in Bureau facilities who meet the qualifications laid out in the March 26 and April 3 memos from Attorney General Barr to guide these decisions.

As Rattler stated in a communication with *The Progressive*, “[W]e have no social distancing...There are 62 men sharing three toilets, one urinal, three showers, and five sinks. We are a tinderbox waiting for a spark, and the guards are the spark. Because we have only one source of contact with the outside and that is the guard. We live in a bubble, and the guards are the germ carriers.”⁷ Since this article was released, Rattler’s counselors have informed him that he will never be approved for home confinement by the Sandstone Federal Correctional Institution where he is held.

Taking all of this into consideration, we reiterate our call for the immediate release of Michael Markus, the other DAPL political prisoners, and the broadest possible application of humanitarian release for prisoners at large during the COVID-19 pandemic—under home confinement if deemed necessary on a case-by-case basis.

This moment calls on each one of us to re-think the use of incarceration and policing as the go-to solution to all kinds of social and public health problems such as drug addiction, mental health challenges, domestic violence, and homelessness. Please act today to require all Bureau facilities and case managers to swiftly approve and dramatically expand the use of humanitarian release and home confinement before more lives are lost.

Sincerely,

5. <https://www.floridaphoenix.com/2020/06/01/prison-officials-delay-releasing-federal-inmates-into-home-confinement-thumbing-their-nose-at-judges-and-congress/>

6. Greenfield. "American Indians and Crime" (PDF). Bureau of Justice Statistics. US Department of Justice.

7. <https://progressive.org/dispatches/federal-prison-not-death-sentence-madeson-200528/>

Alabama

Rev. Julie Conrady Minister of the Unitarian Universalist Church of Birmingham
Rev. Chris Rothbauer Minister, Auburn Unitarian Universalist Fellowship

Alaska

Rev. Leslie Ahuvah Fails Pastor, Unitarian Universalist Fellowship of Fairbanks

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Rev. David Manker Unitarian Universalist Minister
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Rev. Bethany Russell-Lowe Minister, Unitarian Universalist Church of Tucson
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Carolyn Valenzuela Holistic Theologian
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Rev. Dr. Sofia Betancourt Unitarian Universalist Minister
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Bonnie Ellen Blustein Neighborhood Unitarian Universalist Church
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Intern Minister, Jefferson Unitarian Church
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Pastor, Presbyterian Church USA
Minister, Unitarian Universalist Church of Greeley
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Shoreline Unitarian Universalist Society
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Rev. Canon Paige Hanks
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Clergy, United Methodist Church

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Sam Wilson	Director of Youth Ministries, Unitarian Universalist

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Unitarian Universalist Church of Columbia, MO

Rev. Kim Mason
Unitarian Universalist Minister

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First Unitarian Church of Albuquerque
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Rev. Valerie Freseman
Rev. Lynn Gardner
Rev. Jude Geiger
Rev. Jennifer Hamlin-Navias
Rev. Jacqueline Jefferson
Rev. Kimberly Quinn Johnson
Jone Johnson Lewis
Sarah Martin
Dr. Leanna McMahon
Terri Pahucki
Rev. Ava Schlesinger
Rev. Schuyler Vogel
Rev. Kirianne Elizabeth Weaver
Rev. Margaret L. Weis
Katy Wiss
Rev. Ned Wright
Rabbi Yehoshua Zehavi
Rabbi Lina Zerbarini

Minister, Unitarian Universalist Fellowship at Stony Brook, NY
South Nassau Unitarian Universalist Congregation
Interim Minister, Unitarian Universalist Society of Oneonta, NY
Unitarian Universalist Minister
Unitarian Church of Staten Island
Senior Associate for Climate Justice, Unitarian Universalist Association
Unitarian Universalist Congregation at Shelter Rock
Unitarian Universalist Minister
Minister, Unitarian Universalist Congregation of Saratoga Springs
Unitarian Universalist Minister
New York Insight Meditation Center
Presbyterian Church USA
United Church of Christ
Minister, First Universalist Church of Southold
Unitarian Universalist Society of Schenectady
Minister, Unitarian Universalist Fellowship in Huntington
Minister, First Unitarian Universalist Society of Syracuse
Lutheran Parish of Southern Columbia County, New York
Minister, Unitarian Universalist Congregation of the South Fork
Clergy Leader, Riverdale-Yonkers Society for Ethical Culture
Director of Religious Education, Unitarian Universalist Church of Buffalo
Executive Board President, Unitarian Universalist Congregation of Northern Chautauqua
Intern Minister and Candidate for Ministry, Unitarian Universalist Fellowship of Northern Westchester
One Spirit Learning Alliance
Senior Minister, Fourth Universalist Society in the City of New York
Presbyterian Church USA
Minister, First Unitarian Society of Ithaca
Westchester Insight Meditation Community
Unitarian Universalist Minister

Kehillath Shalom Synagogue

North Carolina

Rev. Amy E. Brooks
Holly Brown
Rev. Cedric A. Harmon

Unitarian Universalist Minister
Ministerial Intern, Piedmont Unitarian Universalist Church
Many Voices

Rabbi Patti Haskell
 Rev. Sadie Lansdale
 Rev. Holly Anne Lux-Sullivan
 Rev. Carol Meyer
 Jim Norris
 Melody Pajak
 Rabbi Salem Pearce
 Yuri Yamamoto
 Mortellus

Congregation Beth Israel
 Unitarian Universalist Church of Greensboro, North Carolina
 Unitarian Universalist Minister
 Unitarian Universalist Minister
 Lay Minister, Unitarian Universalist of Winston-Salem
 Faith Communities Organizing for Sanctuary
 T'ruah: The Rabbinic Call for Human Rights
 Seminars, Church of the Larger Fellowship and Liberation Station, Home for Underground Church
 High Priestess of the Coven of Leaves, affiliated with the Gardnerian Tradition

North Dakota

Pastor Martin Avery
 Father Al Bitz
 Rev. Gretchen Deeg
 Claudia English
 Jessica Jensen
 Elizabeth Loos
 Tim Mathern
 Liz Olday
 Rev Donna Olsen
 Claudette Peterson
 Rev. Elizabeth Sollie
 Rev. Karen Van Fossan

Canaan Moravian Church
 Retired Catholic Priest
 United Church of Christ
 Treasurer, Unitarian Universalist Church of Fargo-Moorhead
 Member, Unitarian Universalist Church of Fargo-Moorhead
 President Board of Trustees, Bismarck-Mandan Unitarian Universalist Fellowship and Church
 North Dakota State Senator
 Member, Unitarian Universalist Church of Fargo-Moorhead
 Hope 4 All UHM Interfaith Community
 Program Chair, Unitarian Universalist Church of Fargo Moorhead
 Unitarian Universalist Minister
 Green Sanctuary Program of the Unitarian Universalist Association

Ohio

Rev. Dr. Alice Diebel
 Rev. Jessica James
 Rev. Kellie C. Kelly
 Prof. Emmanuel Kalenzi Twesigye

Affiliate Minister, Miami Valley Unitarian Universalist Fellowship
 Unitarian Universalist Hospice Chaplain
 Minister, Miami Valley Unitarian Universalist Fellowship
 Theology Professor, Ohio Wesleyan University

Oklahoma

Karyn Bergmann Marsh
 Rev. Gary McAlpin
 Anita Mills
 Rev. Stephanie L. Wooten

Ministerial Intern, All Souls Unitarian Universalist Church
 Unitarian Universalist Community Minister, Sweetwater Foundation
 President Elect, Hope Unitarian
 Minister, United Church of Christ

Oregon

Dana Buhl
 Rev. Leslie Chartier
 Ken Crouse
 Rev. Sean Parker Dennison
 Ruby Grad
 Annie Scott
 Rev. Jennifer Seaich
 Rev. Tracy Springberry
 Rev. Marcia Stanard

Director of Social Justice, First Unitarian Portland
 Unitarian Universalist Chaplain
 First Congregational United Church of Christ
 Minister, Rogue Valley Unitarian Universalist Fellowship
 Buddhist Lay Minister
 Credentialed Religious Educator
 Minister, Beavercreek United Church of Christ
 West Hills Unitarian Universalist Fellowship
 Minister, Unitarian Universalist Congregation at Willamette Falls

Pennsylvania

Lenore Bajare-Dukes
 Rabbi David Bauer
 Elizabeth Bromley
 Tom Buglio
 Rev. Madelyn Campbell
 Rabbi Ari Lev Fornari
 Rabbi Shelley Goldman
 Rev. Beth G. Lyon
 Will Massey
 Rev. Elizabeth Mount
 Rabbi Jessica Rosenberg
 Dawn Star Sarahs-Borchelt
 Rev. Linda Theophilus
 Rev. Jane Thickstun
 Rabbi Brian Walt
 Rabbi Elyse Wewchterman

Director of Lifespan Faith Development, Unitarian Universalist Church of Lancaster
 Director of Religious Education, Director of Music, First Unitarian Universalist Church of Berks County
 Social Justice Leader for Unitarian Congregation of West Chester
 Minister, Unitarian Universalist Church of the Lehigh Valley
 Kol Tzedek Synagogue
 Keshet Israel Congregation
 Glenside United Church of Christ
 Youth Director, Presbyterian Church USA
 Minister, First Unitarian Universalist Church of Indiana, Pennsylvania
 Rabbi
 Credentialed Religious Educator, Master Level, Main Line Unitarian Church
 Emmanuel Lutheran Church
 Unitarian Universalist Church of the North Hills
 Rabbi Emeritus, Mishkan Shalom
 Reconstructionist Rabbinical Association

Puerto Rico

Monisha Rios

Quaker House

Rhode Island

Rev. DL Helfer

Minister, Unitarian Universalist Congregation of South County

South Dakota

Michael W. Shaving

Grass Roots Oyate

Tennessee

Rev. Beth Lefever
Rev. Jake Morrill
Blake Burr

Neshoba Unitarian Universalist Church
Lead Minister, Oak Ridge Unitarian Universalist Church
Lay Leader, Memphis Friends Meeting (Quakers)

Texas

John I. Blair
Rev. Dr. Colin Bossen
Donald Collins
Rev. Beth Dana
Rev. Laura Echols-Richter
Rev. Brian Ferguson
Cindy Fountain
Rev. Christina Hockman
Rev. Dr. Lyssa Jenkins
Marissa E. Palmer
Randolph Partain
Rev. Crystal Silva McCormick
Krystal Stroud
Rev. Erin Walter
Jack Youngkin

Vice President, Board of Trustees, Arlington Unitarian Universalist Church
First Unitarian Universalist Church of Houston
Ecclesia Media
Unitarian Universalist Minister
United Methodist Minister
Wildflower Unitarian Universalist Church
Social Justice Chair, Westside Unitarian Universalist
Minister, Unitarian Universalist Church of Corpus Christi
Unitarian Universalist Service Committee Board Member
Board President, San Gabriel Unitarian Universalist Fellowship
Unitarian Universalist Minister
Church of the Savior, United Church of Christ
Worship Leader, First United Methodist Church of Denton
Unitarian Universalist Minister
First Unitarian Church Dallas

Utah

Heide Cottam
Rev. Monica Dobbins

Communications & Leadership Facilitator, Unitarian Universalist Church of Ogden
Minister, First Unitarian Church, Salt Lake City

Vermont

Joshin Byrnes
Rev. Mara J. Dowdall
Rev. Jane Dwinell
Rev. Sarah Lammert
Poppy Rees

Guiding Teacher, Bread Loaf Mountain Zen Community
Unitarian Universalist Minister
Retired Unitarian Universalist Minister
Unitarian Universalist Association
Director of Religious Exploration, Unitarian Universalist

Virginia

Rev. Max Blalock
Rev. Ellen Comstock
Rev. Dr. Terasa Cooley
Rev. Roberta Finkelstein
Rev. Dr. Debra W. Haffner
Tammy Harden
Rev. Charlotte Lehmann
Rev. Fred Liggio
Rev. Dr. Lilton J. Marks
Rev. Andrew Clive Millard
Rev. Amy Russell
Charlotte Shnaider
Rev. Dr. Kate R. Walker

United Methodist Pastor
Minister, Messiah United Methodist Church
Unitarian Universalist Church of Arlington

Minister, Unitarian Universalist Church in Reston, VA
Executive Director, 3e Restoration, Inc
Bull Run Unitarian Universalists
Lead Pastor, Williamsburg Christian Church
Retired United Church of Christ Clergy
Unitarian Universalist Fellowship of the Peninsula
Unitarian Universalist Community Church
Choir Director, Unitarian Fellowship of Waynesboro
Minister, Mount Vernon Unitarian Church

Washington

Rev. Kay C. Barckley
Rev. Catharine M. Cline
Lucia Faithfull
Rev. Dr. LaVerne C. Hall
Karen Hyams
Rev. Cecilia Kingman
Rev. Katie M. Ladd
Rev. Kate Lore
Rev. Dr. Emily Melcher
Rev. Paul Mitchell
Rev. Jessica Star Rockers
Margaret Rogers
Rev. Laura Shennum
Kyle Turver
Rev. Deanna Vandiver
Dustin Wilsor
Rev. C. Nancy Reid-McKee
Rev. Wendy Taylor

United Methodist Minister
Retired Minister, United Church of Christ
Team Co-Lead, Saltwater Unitarian Universalist Church
Celebrating Women in Ministry
Woodinville Unitarian Universalist Church
Minister for Faith and Justice, Edmonds Unitarian Universalist Congregation
United Methodist Minister
Quimper Unitarian Universalist Fellowship
Unitarian Universalist Minister
Minister, Vashon United Methodist Church
Minister, Kitsap Unitarian Universalist Fellowship
Director of Lifespan Religious Education, Northlake Unitarian Universalist Church
Minister, Cascade Unitarian Universalist Fellowship
Candidate for Ordination, Presbyterian Church USA
Church of the Larger Fellowship Unitarian Universalist
Ministry Associate, Woodland Park Presbyterian Church
Unitarian Universalist Minister
Sanctuary Minister, United Church of Christ

Washington, D.C.

Rabbi Charles Feinberg
Rev. Mark Edwin Hoelster
Eli McCarthy
Rev. Dr. Sharon Stanley-Rea
Rev. Ōshin Jennings
Rabbi Ilana Zietman

Interfaith Action for Human Rights
Church of the Larger Fellowship
Professor, St. Camillus Parish
Director, Disciples Refugee & Immigration Ministries
Soto Zen Buddhist, No Barriers Zen

West Virginia

Rev. Caitlin Cotter Coillberg Minister, Unitarian Universalist Congregation of Charleston
 Rev. Kayla Parker Ordained Unitarian Universalist Minister

Wisconsin

Rev. Karen Armina James Reeb Unitarian Universalist Congregation
 Rev. Stacy Craig Minister, Chequamegon Unitarian Universalist Fellowship
 Rev. Jeffrey Dodson First Congregational Church, United Church of Christ
 Kat Griffith Clerk, Winnebago Quaker Worship Group
 Rev. Eldonna Hazen First Congregational, United Church of Christ
 Rev. Sonja Ingebritsen Community of Hope United Church of Christ
 Marie Luna Director of Congregational Life, Fox Valley Unitarian Universalist Fellowship
 Rev. Suzelle Lynch Unitarian Universalist Church West
 Rev. Leslie Mills Unitarian Universalist Fellowship of La Crosse, Wisconsin
 Rev. Dr. Kevin P. Mundell Our Savior's United Church of Christ
 Rev. Jennifer Nordstrom Senior Minister, First Unitarian Society of Milwaukee
 Rev. Bryan Simon First Congregational United Church of Christ
 Brian H. Smith Professor Emeritus of Religion, Ripon College
 Nancy Vedder-Shults Author, The World is Your Oracle
 Rabbi Laurie Zimmerman Congregation Shaarei Shamayim

Wyoming

Rev. Hannah Roberts Villave Minister, Unitarian Universalist Church of Cheyenne

Canada

Rabbi Laura Duhan-Kaplan Vancouver School of Theology
 Myokyo Judith McLean Abbess, Enpuku-ji Zen Centre
 Rev. Julie Stoneberg Minister, Unitarian Fellowship of Peterborough

Institutions

3e Restoration, Inc
 American Friends Service Committee
 Arlington Street Church (Unitarian Universalist)
 Bismarck-Mandan Unitarian Universalist Congregation
 Brea Congregational Church
 Church of the Larger Fellowship
 Church World Service
 Clergy and Laity United for Economic Justice
 Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
 Direct From the Heart Services
 Duluth-Superior Friends Meeting
 Faith Communities Organizing for Sanctuary
 Father Bede House of Prayer
 First Parish in Brookline
 First Unitarian Church of Oakland
 GreenFaith
 Interfaith Action for Human Rights
 Islamic Center for Human Excellence
 Kol Tzedek Synagogue
 Love Resists | Collaboration of the Unitarian Universalist Service Committee and the Unitarian Universalist Association
 Metropolitan Community Church of El Paso
 Miami Valley Unitarian Universalist Fellowship
 Minnesota Unitarian Universalist Social Justice Alliance
 Mountain Ancestors Grove, A Druid Fellowship
 National Advocacy Center of the Sisters of the Good Shepherd
 NETWORK Lobby for Catholic Social Justice
 New Hampshire Conference of the United Church of Christ
 Nonviolent Peaceforce
 Northwoods Unitarian Universalist Fellowship
 Plymouth United Church of Christ Welcoming Migrants Committee
 Quaker Meeting (Religious Society of Friends), Winona, MN
 Racial Justice Committee of Twin Cities Friends Meeting (Quakers)
 Reconstructionist Rabbinical Association
 Side With Love | Campaign of the Unitarian Universalist Association
 Sisters of Mercy of the Americas Justice Team
 Sojourners
 St. John's United Church of Christ
 T'ruah: The Rabbinic Call for Human Rights
 Three Rivers Restorative Justice
 Unitarian Universalist Fellowship of Silver City
 Unitarian Universalist Congregation of Northern Chautauqua
 Unitarian Universalist Fellowship of Durango
 Unitarian Universalist Justice Arizona Network
 Unitarian Universalist Justice Ministry of California

Unitarian Universalist Mass Action
Unitarian Universalist Ministry for the Earth
Unitarian Universalist Prison Ministry of Illinois
Unity Fellowship Church San Diego
Winnebago Quaker Worship Group
Worthy Now Prison Ministry Network (powered by the Church of the Larger Fellowship)