

July 23, 2020

Via electronic mail

Governor Doug Ducey
Office of Arizona Governor Doug Ducey
1700 W. Washington St.
Phoenix, AZ 85007
engage@az.gov

Dear Governor Doug Ducey,

The US Human Rights Network is a national coalition of over 300 grassroots member organizations and hundreds more individual activists who work on a wide array of human rights issues across the country. We work to bring to light human rights abuses that our members fight against on the ground to human rights bodies and mechanisms on the national and international levels, centering the voices of directly affected individuals and groups.

The Network is reaching out to you in support of our member organization, Phoenix-based Puente Human Rights Movement, to express our grave concern for the growing human rights crisis in the state of Arizona as relating to the COVID-19 pandemic. Under your leadership, the counties of Yuma, Santa Cruz, and Maricopa have emerged as three of the top COVID-19 hotspots in the United States, with the highest numbers of recent cases per resident.¹ We are writing with specific concern for vulnerable people who are incarcerated in prisons, jails, and immigration detention centers under the supervision of the Arizona Department of Corrections, the Maricopa County Sheriff's Office, and Immigration and Customs Enforcement. The US Human Rights Network supports Puente's urgent call to release all people beginning with medically vulnerable people and those eligible for parole in 2020 from AZDOC, MCSO, and ICE facilities, giving priority to people who are LGBTQIA+, over 50 years old, or have chronic health conditions. In addition, we ask that all people who are eligible for parole and bond in 2020 and 2021 are released immediately.

¹ The New York Times. *Coronavirus in the U.S.: Latest Map and Case Count*. July 13, 2020.
<https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html?action=click&module=Top%20Stories&pgtype=Homepage#clusters>

According to the AZDOC website, 4,330 inmates have been tested for COVID-19 out of a population of nearly 40,000 inmates. Of those tested, 530 tested positive (over 12%), plus an additional 341 AZDOC staff who self-reported as testing positive.² Living conditions in jails and prisons do not allow for the practice of social distancing, which public health officials have recommended as the only way to prevent the spread of the coronavirus. People in jails and prisons are not able to stay six feet away from other inmates, and do not always have access to handwashing stations, hand sanitizer, face masks, or other essential personal protective equipment needed to practice preventative hygiene. Jails and prisons create ideal conditions for the deadly spread of communicable diseases like COVID-19. Compounding this situation is the sad and well-known fact that AZDOC already failed to provide adequate healthcare for inmates, long before the coronavirus pandemic reached its prisons.³

The situation in immigration detention facilities is dire. As of July 8, 2020, nearly half of the employees at Eloy Detention Center tested positive for COVID-19.⁴ According to reports from people held at Eloy, decreased staffing has resulted in limited access to showers, laundry services, telephones, medical services, and even food and water, as some people are being kept in lockdown for longer stretches, sometimes for over 24 hours at a time. Over 240 people held in detention at Eloy have already tested positive for the virus, and many people continue to report lack of access to basic sanitation equipment including soap, hand sanitizer, and masks, and report long waiting periods to receive basic medical attention.⁵

According to Puente Human Rights Movement, community members are hearing from their family members inside jails, prisons, and detention centers that sick inmates with COVID-19 symptoms are being housed with inmates not showing symptoms. Many community members have contacted Puente fearing for the welfare of their incarcerated family members who suffer from pre-existing conditions such as asthma, diabetes, and heart disease, which all increase the risk of contracting and becoming seriously or fatally ill from COVID-19.

² Arizona Department of Corrections Rehabilitation and Reentry. *ADCRR COVID-19 Dashboard*. July 13, 2020. <https://corrections.az.gov/adcr-covid-19-dashboard>

³ Phoenix New Times. *ADC Wants Fresh Settlement in Prison Health Care Case as Plaintiffs Seek Trial*. November 5, 2019. <https://www.phoenixnewtimes.com/news/arizona-prison-healthcare-trial-parsons-ryan-settlement-aclu-11380993>

⁴ NBC News. *Nearly half the employees at an Arizona ICE detention center have tested positive for COVID-19*. July 8, 2020. <https://www.nbcnews.com/politics/immigration/nearly-half-employees-arizona-ice-detention-center-have-tested-positive-n1233101>

⁵ National Public Radio. *'You Can Either Be A Survivor Or Die': COVID-19 Cases Surge In ICE Detention*. July 1, 2020. <https://www.npr.org/2020/07/01/871625210/you-can-either-be-a-survivor-or-die-covid-19-cases-surge-in-ice-detention>

You have an obligation to protect the rights of people deprived of their liberty, including the right to health as delineated in the Universal Declaration of Human Rights Article 25, and the International Covenant on Economic, Social, and Cultural Rights, which mandates “the prevention, treatment, and control of epidemic, endemic, occupational, and other diseases.”⁶ The right to health is inclusive of all people, including those who are incarcerated. The right to health includes access to safe drinking water and adequate sanitation; safe food; adequate nutrition and housing; healthy working and environmental conditions; health-related education and information; and gender equality. The right to health also includes the following entitlements: the right to prevention, treatment and control of diseases; access to essential medicines; equal and timely access to basic health services of good quality; and the provision of health services, goods, and facilities without any discrimination.⁷

Based on known conditions inside of AZDOC, MCSO, and ICE detention facilities across the state of Arizona, the US Human Rights Network believes that many of these basic human rights are being violated and there is a growing human rights crisis at jails, prisons, and detention centers under your watch. We demand the immediate release of medically vulnerable people from jails, prisons, and immigration detention centers, giving priority to those who are LGBTQ+, over 50 years old, or have chronic health conditions.

Thank you for your attention to this important matter. Should you have any questions or require further information, please contact shankins@ushrnetwork.org and wyang@ushrnetwork.org.

Sincerely,

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⁶ Health Affairs. *Protecting Incarcerated People In The Face Of COVID-19: A Health And Human Rights Perspective*. May 1, 2020. <https://www.healthaffairs.org/doi/10.1377/hblog20200428.846534/full/>

⁷ Office of the High Commissioner of Human Rights and the World Health Organization. *The Right to Health*. <https://www.ohchr.org/Documents/Publications/Factsheet31.pdf>



CC: Director David Shinn
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