



John B. Gordon
Executive Director
igordon@aclu-mn.org
Office: 651.529.1689

March 18, 2020

Joel Brott
Sherburne County Sheriff's Office

Via email: sheriff@co.sherburne.mn.us

Re: COVID-19 protection and management

Dear Sheriff Brott:

I urge you to immediately develop an evidence-based, aggressive strategy to prevent and manage COVID-19 in the Sherburne County Jail. Please let us know by April 1 how you are fulfilling your legal and moral duty to protect the health of the people in your custody and the people who work in the jail.

People in jails, including immigration detainees, are highly vulnerable to outbreaks of contagious illnesses. They are often housed in close quarters, and they are often in poor health. Unless you help them, they will never learn about necessary preventive measures, much less take such measures. Please reach out now to both the Minnesota Department of Health and ICE to develop plans to address the virus in your jail. This is urgent. If you do not act, some of these folks could well get sick and die.

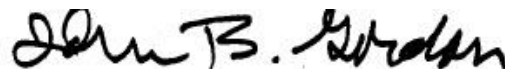
In addition to acting to reduce your jail population per the recommendations outlined in our March 17th letter to the Minnesota Sheriffs' Association and others, ([Important considerations in responding to COVID-19](#)), we urge you to collaborate on a plan with both the Minnesota Department of Health and ICE. Your plan should address at least these critical issues:

- **Educating the people in your custody:** People housed in the jail need to be informed about the virus and the measures they can take to minimize their risk of contracting or spreading the virus. They must be educated on the importance of proper handwashing, coughing into their elbows, and social distancing, to the extent they can. Information about the spread of the virus, the risks associated with it, and prevention and treatment measures must be based on the best available science.
- **Educating your staff:** Correctional, administrative, and medical staff all must be educated about the virus to protect themselves, their families, and the people in their custody.
- **Staffing plans:** Regardless of how many staff stay home because they are sick, the jail will have to continue functioning. You will need a plan to maintain necessary functions and services if large numbers of staff are out with the virus.

- **Staffing plans for services provided by detained people:** Detainees themselves often perform many tasks in jails, such as food preparation and basic sanitation. Your plans must also address how necessary tasks performed by detainees will continue if many detainees are ill.
- **Providing hygiene supplies:** The most basic aspect of infection control is hygiene. There must be ready access to warm water and adequate hygiene supplies, both for handwashing and for cleaning.
- **Screening and testing the people in your custody:** Your plan must include guidance, based on the best science available, on how and when to screen and test people in your facilities for the virus.
- **Housing persons exposed to the virus:** Your plan must describe how and where people in the jail will be housed if they are exposed to the virus, are at high risk of serious illness if they become infected, or become sick with it. *This should not result in prolonged, widespread lock-downs.* Any lock-downs or interruptions in regular activities, such as exercise or visits and phone calls with families or attorneys, should be based solely on the best science available and should be as limited as possible in scope and duration.
- **Treating victims:** Courses of treatment must be evidence-based, available immediately, and in compliance with science-based public health protocols.
- **Protecting vulnerable people:** Your plan must provide for additional precautions for those who are at high risk of serious illness if they are infected, such as pregnant women; people with chronic illnesses, compromised immune systems, or disabilities; and people whose housing placements restrict their access to medical care and limit the staff's ability to observe them.
- **Collecting data:** Collecting data on COVID-19 will be part of the public health response. As with any contagious disease, data collection is critical to understanding and fighting the virus. The prison system must be part of this process. The same information that is tracked in the community must be tracked in the prisons.
- **Avoiding overcrowding:** The Sherburne County Jail should not accept any additional detainees without having proper bed space and procedures to protect the population. Overcrowded conditions make protecting the health of the population nearly impossible.

Please let us know what your plans are by April 1, 2020. We would be pleased to meet with you to discuss these concerns.

Very truly yours,



John B. Gordon (he/him)
Executive Director