

January 11, 2021

The Honorable Jeffrey A. Rosen  
Acting Attorney General of the United States  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Dear Mr. Rosen:

On behalf of the American Medical Association (AMA) and our physician and medical student members, I am writing to urge you to postpone this week's executions scheduled to begin tomorrow at the Federal Correctional Facility at Terre Haute, Indiana (FCC Terre Haute), in light of the current COVID-19 outbreaks in and out of the prison and the potential for these executions to become super-spreader events. Temporarily putting these executions on hold will provide the Department of Justice time to carefully evaluate the safety protocols that need to be in place during the ongoing pandemic to ensure that if the executions proceed, they would be carried out in a manner that does not unnecessarily endanger the lives of people in and out of the prison.

COVID-19 is killing thousands of Americans each day and front-line responders are physically and mentally drained, many hospitals are at capacity, and morgues are overflowing. December 2020 was the deadliest and most infectious month in the United States since the start of the pandemic, with over 77,000 deaths and 6.4 million new cases. Communities large and small across the country are feeling the strain, and prisoners are particularly vulnerable. U.S. Penitentiary Terre Haute, where death penalty inmates are housed, had more positive COVID cases among inmates in late December (400+) than any Bureau of Prisons facility in the country and has ongoing positive cases among inmates and staff. Every execution is a potential COVID-19 super-spreader event. Hundreds of people travel to Terre Haute for the executions and interact with members of the local community, congregate in locations in the prison where social distancing is impossible, and then travel home, potentially contracting or spreading COVID-19 each step of the way. While some increased safety measures have been undertaken pursuant to a [recent court order](#), prison officials have indicated that other safety precautions recommended by the Centers for Disease Control and Prevention (CDC) cannot be implemented. Newly adopted AMA policy recognizes that detention center and correctional workers and incarcerated persons are at high-risk for COVID-19 infection and should be prioritized in receiving access to safe, effective COVID-19 vaccines.

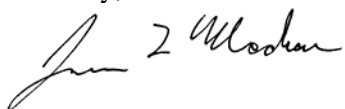
Notwithstanding the AMA's prohibition on physician participation in capital punishment, the federal government should not be engaged in activities that cannot be carried out in compliance with CDC guidance on transmission. There is no compelling reason to hold additional executions now, and from a public health perspective, these are the type of high-risk super-spreader events that the AMA and the CDC have been warning against throughout the pandemic. Conducting the January executions during a time of high community spread poses a substantial and unnecessary risk of further COVID-19 spread, illness, and death to FCC Terre Haute prisoners, employees, and members of the community and beyond. Accordingly,

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we urge you to postpone the scheduled executions until FCC Terre Haute can meet all of the pandemic guidance from the CDC.

Thank you for considering our views.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim L Madara". The signature is written in a cursive style with a large initial "J" and "M".

James L. Madara, MD