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Sheriff Rick Wells  
Manatee County Sheriff's Office  
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Bradenton, FL 34205  
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Email: Rick.Wells@manateesheriff.com

*Sent via email only*

April 6, 2021

Dear Sheriff Wells:

We are writing on behalf of Florida Prisoner Solidarity to urge you to immediately and completely evacuate the Manatee County Jail.

As you are aware, a former phosphate processing plant at Piney Point threatens to release nearly 300 million gallons of toxic water through the area. Officials fear a total breach of the Piney Point site, which could destabilize gypsum stacks that contain radioactive material.<sup>1</sup> Governor Ron DeSantis has declared a state of emergency in the area, and more than 300 homes in a one-mile radius of the Piney Point plant have been evacuated.<sup>2</sup>

Within that one-mile radius lies Manatee County Jail, where more than 1,000 people are incarcerated.<sup>3</sup> The decision first to move all jail staff and incarcerated people to the second floor of the facility<sup>4</sup> and then to move approximately 300 incarcerated people to another location, leaving more than 700 people on the second floor of the jail, is inadequate. First, moving people to the second floor of the facility, where they are not typically held in those numbers, is particularly dangerous during the ongoing COVID-19 pandemic, as transmission of the virus is far more likely when many people are exposed to each other in an indoor space. Second, your office's suggestion that due to the second floor's position 10 feet above ground level, the individuals housed there are safe from the threat of toxic

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<sup>1</sup> Ryan Callihan & Ryan Ballogg, *Piney Point collapse still possible, but Manatee 'more comfortable' after DeSantis aid*, Bradenton Herald (Apr. 4, 2021) <https://www.bradenton.com/news/local/article250420091.html>.

<sup>2</sup> *Id.*

<sup>3</sup> Ryan Ballogg, Ryan Callihan, & Jessica de Leon, *More than 200 Manatee jail inmates evacuated from toxic flood threat at Piney Point*, Miami Herald (Apr. 4, 2021) <https://www.miamiherald.com/news/state/florida/article250429841.html>.

<sup>4</sup> *Id.*

floodwater,<sup>5</sup> ignores the risks of exposure and the recommendation of a full residential evacuation of the area. In ordering a full residential evacuation, officials have warned of the possibility of a 20-foot wall of water<sup>6</sup>—a move to the second floor and sandbags will not suffice at mitigating this risk.

Like all other residents within a one-mile radius of Piney Point, the incarcerated people inside the Manatee County Jail must be evacuated in order to remain safe. Failing to evacuate them subjects them to a substantial risk of serious harm in violation of the Eighth and Fourteenth Amendments of the United States Constitution. We strongly urge that you complete a total evacuation of the jail immediately.

Sincerely,

/s/ Miriam Haskell

Miriam Haskell, Esq.  
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cc: Bill Clague  
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<sup>5</sup> Callihan & Ballogg, *supra*, n.1.

<sup>6</sup> *Id.*