

JENNIFFER GONZÁLEZ-COLÓN
PUERTO RICO, AT LARGE

WASHINGTON OFFICE:
1609 LONGWORTH HOUSE OFFICE BUILDING
(202) 225-6215 FAX: (202) 225-2154

SAN JUAN OFFICE:
157 AVENIDA DE LA CONSTITUCIÓN
ANTIGUO EDIFICIO DE MEDICINA TROPICAL
SEGUNDO PISO
SAN JUAN, PUERTO RICO 00901
(787) 723-6333 FAX: (787) 729-7738



Congress of the United States
House of Representatives
Washington, DC 20515-5400

COMMITTEES:
TRANSPORTATION & INFRASTRUCTURE
SUBCOMMITTEES
ECONOMIC DEVELOPMENT, PUBLIC BUILDINGS AND
EMERGENCY MANAGEMENT
WATER RESOURCES AND ENVIRONMENT

NATURAL RESOURCES
SUBCOMMITTEES
WATER, OCEANS AND WILDLIFE
OVERSIGHT AND INVESTIGATIONS

April 24, 2020

The Honorable Wanda Vázquez-Garced
Governor of Puerto Rico
La Fortaleza
San Juan, PR 00901

Dear Governor Vázquez-Garced:

Today we learned the unfortunate news that the first member of the Puerto Rico Police Bureau has died from COVID-19. This tragic situation underscores how our first responders and law enforcement officers risk their lives on a daily basis to help us respond to this pandemic. It is therefore critical that the Government of Puerto Rico prioritize and ensure our men and women on the frontlines receive the necessary resources and support during this pandemic, including access to personal protective equipment (PPE) and potential death benefits for family members.

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act, P.L. 116-136) provided \$850 million to the U.S. Department of Justice (DOJ) to help state and local governments prepare, prevent for, and respond to the coronavirus. On March 30, 2020, DOJ announced that it would be providing this funding under its Coronavirus Emergency Supplemental Funding program, which will be administered by the Bureau of Justice Assistance (BJA). I am pleased that Puerto Rico is set to receive a total allocation of \$8,823,415 under this program.

According to BJA, funding provided through the Coronavirus Emergency Supplemental Funding program can be used to cover overtime, equipment (including law enforcement and medical PPE), hiring, supplies (such as gloves, masks, and sanitizer), training, travel expenses, and addressing the medical needs of inmates in prisons, jails, and detention centers. However, these grants are not automatically awarded. Puerto Rico and every other eligible jurisdiction need to apply to receive their allocation.

According to the latest statistics, 95 members of the Puerto Rico Police Bureau have tested positive to COVID-19. Hundreds have been forced to self-quarantine due to exposure to the disease. Given this situation, and the urgent need for additional PPE for our law enforcement officers, I respectfully request that you ensure the Puerto Rico Department of Justice promptly applies—if it has yet to do so—to receive the \$8.8 million Coronavirus Emergency Supplemental Funding allocation. The application documents can be found on the following website: <https://bja.ojp.gov/funding/opportunities/bja-2020-18553>.

Additionally, it is important that we provide maximum support to both our public safety officers and their family members during this emergency. Recently, BJA issued guidance to establish eligibility for a first responders' death or disability due to COVID-19 under DOJ's Public Safety Officers' Benefit (PSOB) program. As you are

aware, this program provides death benefits to the eligible survivors of federal, state, territorial, and local law enforcement officers; firefighters; employees of emergency management agencies; and members of emergency medical services agencies who are fatally injured in the line of duty. It similarly provides disability benefits to public safety officers catastrophically injured in the line of duty, and education benefits to the eligible spouses and children of fallen and catastrophically injured officers.

Under current PSOB regulations, conditions caused by infectious diseases, viruses, and bacteria may be found to be an injury sustained in the line of duty. In its recently released guidance, BJA clarified that for the purposes of PSOB eligibility for COVID-19, it will find that evidence shows the virus was contracted in the line of duty when (1) the officer had engaged in a line of duty activity under circumstances that indicate that it was medically possible that the officer was exposed to COVID19; and (2) the officer contracted COVID-19 within a time frame after this exposure in which it was medically possible to contract the disease. Moreover, in the absence of evidence showing a different cause of death, BJA has indicated that it will generally find that the evidence shows a public safety officer who died while suffering from COVID-19 died as the direct and proximate result of COVID-19.¹

As we continue to confront this public health crisis, I believe the Puerto Rico Department of Public Safety and the Puerto Rico Police Bureau must immediately engage with BJA to ensure our law enforcement officers and first responders on the Island can access these benefits should they become disabled or die from COVID-19.

I thank you for your attention to this matter and look forward to continuing working together on behalf of Puerto Rico's public safety officers and their families.

Sincerely,



Jenniffer González-Colón
Member of Congress

Cc. The Honorable Dennise N. Longo-Quñones, Attorney General of Puerto Rico
The Honorable Pedro Janer-Román, Secretary, Puerto Rico Department of Public Safety
The Honorable Henry Escalera-Rivera, Commissioner, Puerto Rico Police Bureau
Ms. Natalie Jaresko, Executive Director, Financial Oversight and Management Board for Puerto Rico

¹ DOJ, BJA, *Public Safety Officers' Benefit Program: Coronavirus/COVID-19 Update*, <https://psob.bja.ojp.gov/COVID-19>.