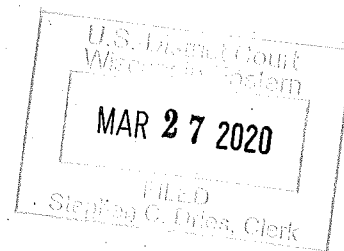


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN
GREEN BAY DIVISION



United States of America
Plaintiff,

vs.

Case No. 17-CR-160

Ronald Van Den Heuvel,
Defendent

**EMERGENCY MOTION FOR COMPASSIONATE RELEASE FOR EXTRAORDINARY
AND COMPELLING REASONS, INCLUDING A PRESIDENTIAL NATIONAL
EMERGENCY DECLARATION.**

NOW COMES, Defendant, Rondal Van Den Heuvel Pro Se to request consideration for immediate compassionate release due to the National Coronavirus outbreak creating a pandemic and "Extra Ordinary and compelling reason for release - 18 USC (c)(1)(A)(i). "

HISTORY

1) Defendant Ronald Van Den Heuvel is 66 years old with a well documented history of chronic and deteriorating health issues is applying for compassionate release as he suffers from a very serious auto immune disease that leaves his immunity non existant. If he were to contract the cornoravirus it would certainly mean a death sentence for him.

2) Mr Van Den Heuvel would be scheduled for release to home confinement, considering food time, on 1/3/2022.

3) Mr. Van Den Heuvel suffers from a serious health condition that, even according to prison officials, can not be treated in the prison system. (EX: See attached medical records)

PRESIDENTIAL NATIONAL EMERGENCY DECLARATION

4) The President of the United States has issued a National Emergency acknowledging the governments inability to control an active coronavirus outbreak. This Pandemic has blanketed the entire world creating an "extra ordinary and compelling reason" (18 use 3582(e)(1)(A)(i) for release.

5) The coronavirus pandemic has upended the day-to-day operation of the criminal justice system. Jury trials and other hearings have been suspended. Courthouses have either been restricted from the public or completely shut down. The State of Minnesota has ordered closure of restaurants, bars and schools as close contact is prohibited and gatherings of "no more than ten" (people) has been ordered by Governor Tim Walz.

6) Prison, like cruise ships and nursing homes put people at a heightened risk of contacting and rapidly transmitting the coronavirus (EX C- Washington post). Lowering the population of prisons and jails is the simplest and most effective way to disrupt the transmission of covid-19 (EX D Mpls Star tribune). A virus that has been overwhelmingly attacking elderly with existing and compromised health conditions.

7) To date more than nine countries have released tens of thousands of non-violent prisoners. The country of Iran released more than 50,000 prisoners as the virus swept the country (EX D) and jails in various states have started releasing non violent offenders.

8) As stated by corrections Commissioner Paul Schnell: "These prisons are petri dishes because they are a contained environment". In action will certainly change inmates imposed sentences to that of terminal.

9)

CONCLUSION

Mr. Van Den Heuvel, a non violent First time offender, BOP scored not a risk to the public, remains housed and daily exposed in close contact to more than 600 individuals. Mr. Van Den Heuvel age, health and environment assure him that he is most at risk if left at his current environment.

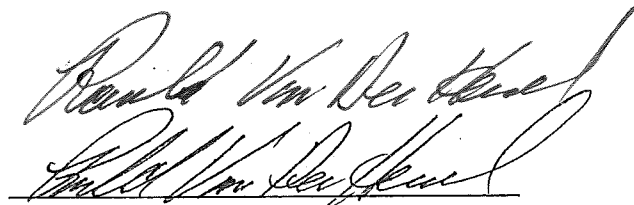
10)

PRAYER OF RELIEF

Mr. VanDen Heuvel request immediate release to home confinement to join his wife and family.

CERTIFICATION

I certify pursuant to 28 USC§1746 that the foregoing is true and correct to the best of my knowledge and belief.



Ronald VanDen Heuvel

3-21-2020

3-21-2020

3/21/20

With Type 1 Onset Auto immune diabetes
And Two Minor Children with my wife their
Mother fighting Breast cancer Time for
Home Confinement and Quarantine is Now.
As you can see the Medical Staff here has
worked hard but now RVDH is in a wheelchair.
RVDH is A Care Level 3 Inmate in A Care 2 Facility.

Dr, Rice,

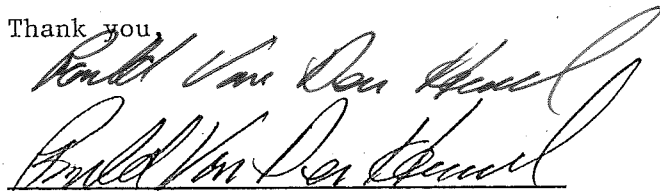
Thank you and your staff for the continued care given to Ronald Van Den Heuvel. I would like to discuss with you a request for compassionate release to self quarantined Home Confinement. As per the first step act of 2018. I am 66 years old with "Late onset auto immune type I diabetes. Officially called Latent Autoimmune diabetes of Adulthood". Even with diet and exercise I can never get off insulins. The auto immune part makes healing extreemily difficult as your staff knows. It has spread to four infections and pain in my lower jaw and has resulted in the loss of four teeth. I have also lost hearing and had my left big toe amputated. I would never survive Corona 19.

My only cure is the insulin pump with full time testing. That requires 10 doses small 8 ml rather than 2 of the 40 ml which is now being given. I am a care level 3 in a care level 2 facility. Compassionate release so I can be put back on the pump and pen is my only care remedy. The constant dysfuction of my insulin Beta cells of my pancrease and the immune systems role in attacking those cells can cause potentially deadly complications and constant pain. At quarantine home confinement cell therapy is available and works on me.

The DOJ and BOP promised me and my breast cancer recovering wife with two minor children that in the BOP the same level of care would be administered. After over two years we now know this was not a correct statement. I took the plea offer based on that promise.

I am a 66 year old first time non-violent offender who does not deserve this type of inadequate medical care! I understand that you and your staff have done everything possible. The facalities available to me at your institution are just not adquate to protect me from further deterioration of my health. The only way I will be safe from the virus and from further detération of my health is for me to get compassionate release to home confinement. In addition as you know an infection has put me in a wheel chair for 12 weeks. Infections can be better managed during home quarantine and confinement.

Thank you

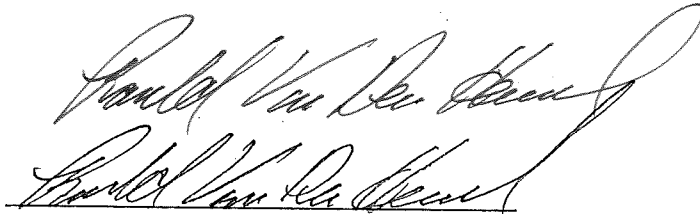
A handwritten signature in black ink, appearing to read "Ronald Van Den Heuvel", written over a horizontal line.

Ronald Van Den Heuvel

CERTIFICATE OF SERVICE

I hereby certify I served a true and correct copy of this pleading entitled:
**"EMERGENCY MOTION FOR COMPASSIONATE RELEASE FOR EXTRAORDINARY AND
COMPELLING REASONS, Including a presidential nation EMERGENCY DECLARATION"**
upon the below-named parties by placing the same in the outgoing U.S.
Mail, with proper postage affixed thereto, at the Duluth Federal Prison
Camp, PO BOX 1000, Duluth MN 55814, on the twenty first day of March
2020, in reliance upon the mailbox rule as cited in Hovston v Lack
(2379 91988), for filing with the court.

To Clerk of the court
Brown County Circuit Court
125 S Jefferson ST STE 102
Green Bay, WI 54301

A handwritten signature in cursive script, appearing to read "Ronald Van Den Heuvel", is written over a horizontal line.

Ronald Van Den Heuvel
15653-089
Federal Prison Camp
PO BOX 1000
Duluth MN 55814

**Bureau of Prisons
Health Services
Medical Duty Status**

Reg #: 15653-089

Inmate Name: VANDEN HEUVEL, RONALD H

Housing Status

☐ confined to the living quarters except ☐ meals ☐ pill line ☐ treatments Exp. Date: _____
☐ on complete bed rest: ☐ bathroom privileges only Exp. Date: _____
☒ cell: ☐ cell on first floor ☐ single cell ☒ lower bunk ☐ airborne infection isolation Exp. Date: 04/24/2020
☒ other: can wear own purchased tennis shoes (includes old pair of diabetic soft shoe) Exp. Date: 01/13/2021

Physical Limitation/Restriction

☐ all sports Exp. Date: _____
☐ weightlifting: ☐ upper body ☐ lower body Exp. Date: _____
☐ cardiovascular exercise: ☐ running ☐ jogging ☐ walking ☐ softball Exp. Date: _____
☐ football ☐ basketball ☐ handball ☐ stationary equipment
☐ other: _____ Exp. Date: _____

May have the following equipment in his / her possession:

Equipment	Start Date	End Date	Return Date
Shower Protection Bag, Leg	02/03/2020	03/31/2020	
Wheelchair	01/09/2020	02/06/2020	
Hearing Aid-L	12/23/2019		
Hearing Aid-R	12/23/2019		
Alternate Institutional Shoes	12/13/2019	01/13/2020	
Diabetic composite Toe Shoes			
Glucose Meter	08/26/2019		
Serial # EL241180 issued 9/3/19			

Work Restriction / Limitation:

Cleared for Food Service: No

Restriction _____

Expiration Date
02/18/2020

Medical Convalescence

Comments: care level 3- toe amputation

Peterson, Ashley FNP-BC

02/04/2020

Health Services Staff

Date

Inmate Name: VANDEN HEUVEL, RONALD H Reg #: 15653-089 Quarters: 002

ALL EXPIRATION DATES ARE AT 24:00

**Bureau of Prisons
Health Services
Medical Duty Status**

Reg #: 15653-089

Inmate Name: VANDEN HEUVEL, RONALD H

Housing Status

☐ confined to the living quarters except ☐ meals ☐ pill line ☐ treatments Exp. Date: _____
☐ on complete bed rest: ☐ bathroom privileges only Exp. Date: _____
☒ cell: ☐ cell on first floor ☐ single cell ☒ lower bunk ☐ airborne infection isolation Exp. Date: 04/24/2020
☐ other: _____ Exp. Date: _____

Physical Limitation/Restriction

☐ all sports Exp. Date: _____
☐ weightlifting: ☐ upper body ☐ lower body Exp. Date: _____
☐ cardiovascular exercise: ☐ running ☐ jogging ☐ walking ☐ softball Exp. Date: _____
☐ football ☐ basketball ☐ handball ☐ stationary equipment
☐ other: _____ Exp. Date: _____

May have the following equipment in his / her possession:

Equipment	Start Date	End Date	Return Date
Alternate Institutional Shoes	04/23/2019		
diabetic soft shoes			

Work Restriction / Limitation:

Cleared for Food Service: NO
Restriction _____ Expiration Date _____
No Work Requiring Safety Shoes 04/24/2020

Comments: care level 3

Rice, Benjamin MD, CD 04/24/2019

Date

Health Services Staff

Inmate Name: VANDEN HEUVEL, RONALD H Reg #: 15653-089 Quarters: 003

ALL EXPIRATION DATES ARE AT 24:00

OTHER VIEWS

PROTECT INMATES

Those in jails and prisons face greater COVID-19 risk

Like cruise ship passengers and nursing home residents, inmates in jails and prisons are at heightened risk of contracting and rapidly transmitting the coronavirus — with the added peril of violent combustion that is ever present in an incarcerated population.

Prisoners at two dozen institutions in Italy rioted this month after the government, seeking to contain the virus, imposed a countrywide lockdown that curtailed prison visits by relatives and others; in the chaos, at least six inmates died and dozens escaped. It is critical that U.S. officials focus right now on how to limit the pandemic's effects in federal and state facilities.

There are no known major outbreaks yet in prisons and jails, though that may reflect the absence of testing, not the absence of COVID-19, in the facilities. Many of them are perfect incubators for the disease, housing packed-in populations more likely than others to have a chronic condition or infectious disease.

Social distancing, the most effective means of impeding the spread of the virus, is all but impossible at most prisons and jails. Overcrowding; broken sinks; unreliable soap supplies; a steady influx of new inmates; and, at many institutions, substandard medical care — these are the ingredients that

could all too easily fuel the pandemic behind bars.

Some 2.2 million prisoners are in U.S. prisons and jails. They are in danger; so are hundreds of thousands of corrections officers and others who work in such institutions and then circulate in their communities. All of them need timely and complete information on protocols and best practices.

Even with full notice, however, intensive mitigation will be required, including shifts in policy designed to thin the ranks of prisoners, especially those most at risk. Prisoner advocate organizations have offered suggestions worth considering. Those include supervised release for nonviolent inmates, especially those who suffer from chronic diseases, and, for some elderly prisoners, expedited parole hearings.

Many state and local institutions that house prisoners are already limiting visits by outsiders, including relatives and lawyers. They would be well advised to compensate by expanding inmates' telephone privileges to the extent practicable, and supplementing them with video links.

The danger is in doing nothing, on the belief that what takes place in penal institutions is less critical or somehow separate from society — or that the lives of convicts themselves are worth less than those of free men and women.

FROM AN EDITORIAL IN
THE WASHINGTON POST

*

(EX C)

STEVE SACK STAR TRIBUNE

STAR TRIBUNE
SACK



FRIDAY
March 13, 2020

StarTribune

2019 LOCAL NEWS

PULITZER FINALIST

Prison visits suspended over virus precautions

By LIZ SAWYER
liz.sawyer@startribune.com

State corrections officials have temporarily halted all in-person visits at Minnesota prisons and jails due to heightened concerns over the novel coronavirus outbreak.

Although there have been no reports of COVID-19 inside U.S. penitentiaries, health experts warn it is only a matter of time before the respiratory disease spreads to the incarcerated — populations that suffer from disproportionately high rates of chronic illness.

"We have to expect that we're going to see this in our facilities," said Corrections Commissioner Paul Schnell, who is preparing for the worst-case scenario. "These prisons are petri dishes, because they're a contained environment."

For the sake of staff and inmates, Schnell said he was forced to act quickly to stave off potential infections. Volun-

See PRISONS on B2

Minn. prison visits suspended to stave off COVID-19

PRISONS from Bl...
teers will be barred from all il
prisons until further notice
and visitation is canceled for
a minimum of two weeks —
or until the Minnesota Depart-
ment of Health advises that it's
safe to resume normal opera-
tions. Until then, the state
agency is exploring how to
expand video visitation and
increase phone privileges so
prisoners can maintain com-
munication with their families
at a reduced cost.

"We recognize the impor-
tance of community connec-
tion and recreational activi-
ties," Schnell said, but "we're
trying to manage spread."

Outbreaks are common
in prisons and jails, where
inmates share tiny cells, use
toilets beside their beds and
spend hours in close contact
with one another. Practicing
basic hygiene, like consistent
hand washing, is not always
easy, because inmates' move-
ments are restricted and alco-
hol-based hand sanitizer is
considered contraband.

In February, a strain of
influenza A swept through the
prison system, sickening 170
inmates around the state — as
many as 70 at Lino Lakes alone.

But health officials say the
flu has proved easier to con-
trol than COVID-19, which
often produces such low-grade
symptoms that people who
are infected may pass on the
virus without ever knowing
they're sick. On Wednesday,
the World Health Organiza-
tion announced that the dis-
ease has reached pandemic
proportions around the world.

"We've never seen any-
thing like this before," said
Tyler Winkelman, a primary
care physician at Hennepin
Healthcare who treats indi-
viduals housed at the county
jail. "It's particularly danger-
ous in contained spaces with
lots of people. ... In places like
prisons and jails, you can go
from your first case to a very
large outbreak in a relatively
short amount of time."

At the Hennepin County jail,
deputies have dusted off pub-
lic health plans written dur-
ing the earlier SARS and H1N1
outbreaks and are screening
incoming inmates for signs
of infection. So far, none has
been identified and visitation
remains unaffected. However,



Photos by RENÉE JONES SCHNEIDER • renee.jones@startribune.com

The Corrections Department's executive team has daily briefings on coronavirus preparations.



Corrections Commissioner Paul Schnell said public safety will be paramount.

officials indefinitely suspended
volunteers and programming
inside the facility.

"At present, the public
shouldn't see any big differ-
ence in the way [the jail] oper-
ates," Sheriff Dave Hutchinson
said in a statement. "That said,
conditions are continually
changing. ... We are confident
in our ability to serve the pub-
lic, provide appropriate medi-
cal care to the inmates in our
jail, and to ensure that our staff
has access to the best precau-
tions available to avoid con-
tracting this illness."

In St. Paul, Ramsey County
Sheriff Bob Fletcher has
ordered daily temperature
checks on several hundred
inmates and even instructed jail
staff to screen visiting clergy
members. Personal visits were
called off Tuesday and are now
conducted only through virtual
monitors.

Beginning Thursday, law-

yers were barred from face-
to-face meetings with clients.
Ramsey County Chief Public
Defender Jim Fleming said he
worries about whether
inmates will receive adequate
medical treatment if corona-
virus infiltrates the facility.

"Jails are going to be a cess-
pool," Fleming said. "This
thing could shut down the
whole court system."

Even before Minnesota
announced its first presump-
tive positive case last week,
preparations were underway
at area prisons to prevent the
virus from creeping behind
bars. Wardens scrambled to
sanitize jail cells, stockpile
medical supplies and develop
screening practices for staff.

Since then, Schnell's exec-
utive team has met daily to
weigh their options. Initial
plans included educating
staff and inmates on proper
hygiene practices, providing
extra soap and transferring
some prisoners to county jails
to reduce the number of dou-
ble-bunked cells. The depart-
ment has also canceled all out-
of-state travel other than pris-
oner transport, suspended
hands-on training exercises
and waived the \$5 copay for
prisoners who seek medical
treatment when exhibiting
flu-like symptoms.

The Twin Cities Incar-
cerated Workers Organizing
Committee, a group of activ-
ists inside and outside of

prison, applauded the DOC
for suspending medical copays
but called on the agency to
broaden that move to include
free phone and video calls.

"Losing visits is like losing
your world," organizers said in
a statement.

The group pointed to rec-
ommendations by the Prison
Policy Initiative, a Massachu-
setts-based public policy think
tank, which calls for U.S. jail
operators to release the elderly
and other high-risk individuals
to reduce overcrowding and
ease staffing pressures.

Iran did that and more last
week, temporarily releasing
more than 50,000 prisoners
as the virus swept the coun-
try. Meanwhile, in Italy, cor-
rections officers have strug-
gled to quash prison riots that
erupted after administrators
suspended family visits. At
least six inmates broke into
the prison infirmary and
fatally overdosed on metha-
done during the unrest, while
several others escaped.

Schnell intends to avoid
a similar fate in Minnesota,
where his staff is focused on
ensuring the continued deliv-
ery of food, water and public
health services to state facili-
ties.

"Public safety is going to be
paramount," he said.

The Associated Press contributed to
this report.

Liz Sawyer • 612-673-4648

(EX'D)