

A Public Statement on Coronavirus and Mass Incarceration

One Voice: The Impact of Coronavirus on Incarcerated People, their Families, and Their Communities.

INTRODUCTION

Coronavirus is here and it is not leaving any time soon. The Federal government has no unified strategy. The White House flippantly minimizes warnings that are issued by [Dr. Anthony Fauci](#), the most credible member of the [White House Coronavirus Task Force](#). Actions by State and City governments range from negligible to extreme. Anxiety is in the air we breathe. The whole nation is at risk and everyone deserves a competent and compassionate response from our government. But there are layers of complexity that we should not ignore. The immediate and long-term consequences of COVID-19 will hit some people harder than others. All will feel a share of the encroaching peak of death and the plummeting economy that looms ahead. Sacrifices will have to be made. Congress is engaged in a process that requires a level of moral insight that the current administration does not usually display. This public statement began as a collective brainstorm on an urgent national conference call. A diverse group of stakeholders and allies took part in that call, and we appreciate their care, concern, and contributions. This statement is one of several initiatives begun on that call. The aim of the statement is to exclusively frame these concerns from the perspective of incarcerated people, previously incarcerated people, and their families.

WHO WE ARE

We are not disinterested observers. We are not an amorphous group of faithful allies. We are not public officials who will be accountable if anything goes horribly wrong behind the walls of institutions of confinement. We are a widely diverse group of people who share an intimate relationship with incarceration. We know how confinement magnifies threats to human health and safety. We have been incarcerated. We are incarcerated. We are the daughters, sons, mothers, fathers, and family members of the incarcerated. We are tethered to the criminal legal system via electronic monitoring and other modes of surveillance that make keeping safe more complex. Our diversity includes gender identity, political persuasion, social ideology, race, ethnicity, immigration status, physical abilities, economic status, age, vocation, and religion. We are not a monolith. We are many. However, in this statement of concern about the need to address the

specific threats that COVID-19 poses to our community, particularly those currently locked behind walls, bars, and razor wire: We are one voice.

HISTORICAL CONTEXT

The risks linked to COVID-19 will not enter the atmosphere in isolation. These dangers follow a series of threats to our democratic republic. We have survived years of punitiveness called justice, state violence named public safety, greed branded success, and apathy toward poverty disguised as fiscal conservation. We see a bold and overt resurgence of misogyny, xenophobia, bigotry, and racism spouted from the highest bully pulpit to the streets of Charlottesville. Those of us who have been most susceptible to these pressures must be hyper-vigilant to minimize the damage that COVID-19 will have on our communities. We want reason to trust that those empowered to decide who deserves to be aided through this crisis have the moral conviction embodied in our national declarative statement: ... all [humans] are created equal and endowed ... with certain inalienable rights.

The COVID-19 pandemic evokes new fears and amplifies existing concerns. Those whose work centers around the lives of imprisoned humans, their families, and the communities most affected by the United States criminal legal and immigration systems are far too aware of gaps and failures to protect the health and safety of all. Amid natural disasters, extreme weather conditions, and institutional cultures of violence, we have been the ones who remove the veil of secrecy. We have appealed to the public, systems administrators, and the government officials who are responsible for the lives of people confined in these institutions. We have demanded that they fulfill the mandate to care for the lives under their control. The American criminal legal system embodies structural and systemic inequities that reflect an historical tendency to value some lives more than others. Irrefutable and abundant data prove that the lives of people locked behind the walls of American jails and prisons are always in peril.

IMMEDIATE RISKS

Renowned physician and former Chief Medical Officer of NYC Jails, [Dr. Homer Venters](#), has said, “Incarceration is a deadly health risk.” A massive public health crisis exacerbates this fact. That is why the government must include the plight of incarcerated people and their families in all plans to reduce the harm that the COVID-19 pandemic will inevitably cause. Concern about us cannot be an afterthought. The media must raise the issues that are specific to our health and safety with the same urgency and sincerity they show when reporting on other vulnerable populations. Incarceration is itself a category of vulnerability.

Authorities that monitor and control jails and prisons must take proactive steps to protect people currently held prisoner as well as employees of these facilities from exposure to COVID-19. Government must recognize that people with criminal records and their families have not ceased to be human. Therefore, efforts to address their concerns must extend beyond the jurisdiction of the department of justice and legal systems. Labor, health and human services, education, housing, and commerce, among others, must add incarcerated people—and the cumulative consequences of mass incarceration—to the calculations being used to estimate the damage and create solutions.

For decades, we have spoken about inhumane conditions in jails and prisons. These conditions are hidden from public view and protected by failure to regulate and enforce transparency. Overcrowding and insufficient oversight worsen unsanitary conditions. Blood and fecal matter on multiple surfaces, unsafe building materials, limited access to showers and running water, inadequate clean clothing, denial of cleaning and hygiene supplies, and the absence of routine health screenings are just a few facts [on the record](#).

Unless we take immediate measures, the rapid spread of any infectious disease under these conditions will be unstoppable. Inhumane solitary confinement is not to be confused with medical isolation or quarantine. A [report by ABC](#) reveals that unsanitary conditions are even worse in cells designed for complete isolation. These inhumane conditions in the nations' jails and prisons put all of us at risk. Unsafe conditions and neglect are the source of the risk—not the people.

COVID-19 will enter jails and prisons, exit, and return to our neighborhoods and homes. Each day thousands of people walk in and out of these spaces. [The U.S. Department of Health and Human Services](#) notes, “Each year, more than 600,000 individuals are released from state and federal prisons. Another 9 million cycle through local jails.” Additionally, 415,000 correctional employees work in these facilities according to the [U.S. Department of Labor](#). Volunteers, vendors, attorneys, and civilian staff add an unknown quantity. One can estimate that about 440,000 people enter and exit jails and prisons each day, carrying with them all the experiences of the day.

The White House Coronavirus Task Force confirms that COVID-19 poses the greatest risk to the elderly and those who are immunocompromised because of preexisting medical conditions. Thousands of incarcerated people meet this high-risk criterion. A [study](#) published in the American Journal of Public Health found chronic illness at the rate of 43 and 39 percent in federal and state prisons respectively. Various studies show that 12-15% of incarcerated people

are past age 60, though criminologists acknowledge that [recidivism declines significantly with age](#).

It is likely that conditions of confinement increase the probability of rapid spread of COVID-19 within jails and prisons. At minimum, authorities should grant compassionate release to people over age 60 who have chronic health conditions. They should evaluate all who have chronic conditions and employ the safest and most compassionate alternatives available. Pregnant women and women with newborns in jail or prison nurseries should simply be removed from those spaces.

TO THE MEDIA

People across areas of expertise are raising awareness about the effects COVID-19 will have on various segments of the population. We, who are survivors of public policy gone awry, are among the list of experts who want to engage in this conversation. We are still working to tackle the consequences of the drug war, disinvestment in communities, ongoing destruction of the social safety net, and the 1994 [Violent Crime Control and Law Enforcement Act](#). We urge all stakeholders to consider how policies created to buffer the blow of COVID-19 will hurt or help communities that still suffer harm based on those policies, and the years of mass incarceration that followed. Some claim the current era to be a period of bi-partisan willingness for criminal justice reform. Let's remain aware of the layers of complexity created by our history and add those layers to conversations about exposure to COVID-19.

When you discuss who is most vulnerable and susceptible to the public health and economic implications of COVID-19, remember us. When you have an opportunity to discuss the lesser-known risks, when you look for pundits who have the specific expertise of being considered “the least of these”—Don't just talk about us. Invite us to your socially distanced workspaces. Interview us. Put us on your panel segments. Have a dialogue with us. Use your platforms to elevate our voices and help us show that we are more than the worst thing that's ever happened to us or the worst thing we've ever done. Show the world what it looks like to treat everyone with human dignity.

DEMANDS

We don't claim to have all the answers. There are many who have acquired expertise through education, governmental experience, professions in the criminal legal system, and broad social activism. They may also have access, power, and influence: levers needed to accomplish the list of outcomes we would like to see. We elicit their support and welcome their contribution. We

would like to be the ones to articulate what it is that we truly need. We offer a place to start. The recommendations below, if implemented, would result in better COVID-19 related health outcomes for the entire nation, and would aid in the struggle to prove that the punitive design of the American criminal legal system is unnecessary, costly, ineffective, and a threat to public health.

1. Implement immediate safety protocols to protect people who live and work in jails and prisons. These include, but are not limited to:
 - a. Administer the COVID-19 test to every jail and prison employee, incarcerated person and routine volunteer, including attorneys
 - b. Medically/humanely isolate those who test positive
 - c. Relocate all positive people to hospitals immediately
 - d. Design and implement living conditions that meet CDC recommendations
 - e. Deny admittance to people whose COVID-19 status is unknown
 - f. Abolish solitary confinement
 - g. Collect data and share data on rates of COVID-19 in jails and prisons
 - h. Screen employees and incarcerated people with daily temperature checks
 - i. Provide everyone who lives or works in jail or prison infirmaries with proper protective gear
 - j. Allow incarcerated people to opt out of work assignments that increase their exposure to COVID-19
 - k. Distribute accurate and current information regarding COVID-19 safety to jail and prison administrators, staff, and incarcerated people
 - l. Allow external oversight
 - m. Expand canteen/commissary access and freeze pricing to ensure that vendors do not gouge incarcerated people
 - n. Supply nutritious meals that support healthy immune systems.
 - o. Issue personal supplies that support safe and sanitary living conditions to incarcerated people
 - i. Clean bedding and laundry each day
 - ii. Cleaning supplies and disinfectant for living quarters
 - iii. Hand sanitizer that meets CDC standards
 - iv. Soap, extra towels, toilet paper sanitary napkins and masks (when medically indicated)
 - p. Maintain safe and sanitary working conditions. Supply incarcerated persons working in culinary, porters and other support services with the following
 - i. Gloves and face masks each day prior to their shift
 - ii. Cleaning supplies
 - iii. Clean work uniforms

- iv. CDC recommended sanitizer
- 2. End practices that add financial burden to the families of incarcerated people
 - a. Provide cost-free opportunities for incarcerated people to communicate with their family members and attorneys including but not limited to - free phone calls, videoconferencing, e-mail and postage
 - b. End health-related copays and fees that incarcerated people currently pay for medical treatment
 - c. End all incarceration, parole, and probation fees
- 3. Depopulate jails and prisons
 - a. Expand use of executive clemency and commutation powers
 - b. Implement aggressive compassionate release
 - c. Release pregnant women and women with babies in jail or prison nurseries to a safe living environment
 - d. Issue moratoriums on probation and parole revocations for technical violations
 - e. End the use of cash bail and pretrial detention
 - f. End pre-arraignment confinement
 - g. Stop arrests for misdemeanor offenses
 - h. Do not use criminalization to enforce CDC or other government recommendations that pertain to COVID19
- 4. Build systems that support the safety and health of people after they are released into the community
 - a. Suspend required in-person reporting for people on probation and parole
 - b. Suspend in person court appearances
 - c. Permit travel person on probation, parole or electronic monitoring to travel for medical needs and to take care of family
 - d. Abolish policies that prevent people with criminal records from living in HUD supported housing whether alone, or with family members
- 5. Support stimulus proposals and related appropriations that represent the concerns of the incarcerated, their families, and their communities by considering the following opportunities to meet the needs
 - a. Funding to municipalities and other stakeholders to support transition planning for youth and adults prior to release from federal, state, and local prisons, jail, detention, and secure confinement facilities to ensure connection to critical community-based services upon release¹
 - b. Funding to ensure that youth and adults who are released from custody have immediate access to safe and appropriate housing for the duration of the COVID-19 epidemic and beyond²

¹ The Justice Roundtable, Reentry Working Group

² Ibid.

- c. Funding to increase the capacity of community based organizations to offer proven and innovative support services to increase access to safe housing, living wage employment, basic and higher education, physical and mental health treatment, financial capability, and other strategies for long-term success in the community
- d. Incentives for states to convert temporary buildings assembled in response to COVID-19 into safe living quarters for displaced and homeless people, including those formerly incarcerated. Follow with funding to qualified organizations to help transition people housed in temporary situations to permanent housing.

CONCLUSION

We appreciate that many long-standing institutions and leaders have spoken out in ways that show some awareness of the specific issues that we face. However, we would like to take this opportunity to speak for ourselves. It is beneficial to all of us that there is an opening to raise these issues as priorities in the national conversation about the response to COVID-19. Most of the signatories on this statement have worked exclusively on this issue for decades and have served a cumulative number of years in jails and prisons that would stretch over centuries. We want nothing more than to be included as part of the solution because of our expertise which is derived from decades of study, service, and activism—not solely as a result of having been incarcerated. Your consideration is appreciated.

Please refer to the press release or the list of signatories to contact people affiliated with supporting organizations.

Respectfully,

ORGANIZATIONS

1982

A New Way of Life

A.F.S.C.of Tucson, AZ

Abolition Apostles Jail & Prison Ministry

Aging People in Prison Human Rights Campaign

All Of Us or None/ Legal Services For Prisoners With Children

All of Us or None

All of Us or None, Central Illinois

All of US or None, Riverside

All Of Us Or None, Sacramento

All of Us or None, Texas
All of Us or None, St. Louis
Bard Prison Initiative
Beauty after the Bars
Beyond Day Zero
Butterfly Life Journeys, Inc.
CA Coalition for Women Prisoners
Cabrini Green Leadership Council
California Families Against Solitary Confinement
Californians United for a Responsible Budget (CURB)
CARE Consulting and Coaching
Chance For Life Organization
Claremont Colleges Prison Abolition Collective
College and Community Fellowship
Convict Criminology
Creative Build
Criminologist
Dignity & Power Now
Dream Defenders
Dream Deferred Inc.
Emerge / New Hour
Equity And Transformation
EX-incarcerated People Organizing (EXPO)
Families for Justice as Healing
First Followers
Formerly Incarcerated, Convicted People and Families Movement (FICPFM)
Formerly Incarcerated Students Club (Humboldt State University)
Forward Justice
Freedom Prep
Fresh Coast Alliance
From the Block to the Boardroom LLC
Frontline Wellness Network
Gender Justice LA
Georgetown University, Prisons and Justice Initiative
Giving Others Dreams God
Harm Reduction Therapy Center
Heartland Alliance
Homies Unidos Inc.
Humility Counseling Services & Multicultural Center
I. Am. Legacy
Impact Equitable Justice Inc
Incarcerated Relief Resource Center
Indiana State University
Inland Congregations United for Change
Inside out with Kristy

Institute of Forgiveness
J&D Restoration Services
Just Leadership
Justice 4 Housing
Justice For Families
Justice Roundtable
JustLeadership USA
La Defensa
Lamano Law Office
LEAP International Montessori School, LLC
Legal Services for prisoners with Children and All of Us or None
Life Coach Each One Teach One Re Entry Fellowship
Live Free Of Faith in Action
LSPC
LSPC/AOUON
MD Consulting & Psych Services
MECHA
Media Justice
Michigan Liberation
Mission: Launch
National Assoc. for Rational Sexual Offense Laws
National Association of Social Workers
National Religious Campaign Against Torture
NCRSOL
New Direction Coaching & Consulting, LLC
New Hour
Nolef Turns Inc.
Nondis Naturals
North Bronx Racial Justice
Northwest Initiative ARRO
Operation Restoration
Outside Solutions Consulting
Positive Women's Network-USA
Post-Prison Education Program
Presbyterian Church (USA)
Prison + Neighborhood Arts Project
Prison Scholar Fund
Progressive Prison Ministries, Inc.
Project Operation Change
Project Rebound CSU San Marcos
Pure Hot Yoga
R3 Score Technologies, Inc.
Reentry Advocacy Project
Reentry Consultants LLC
Reign 4 life

Release Aging People in Prison/RAPP Campaign
Reproductive Justice Inside and Interfaith Action for Human Rights
RGBessRecovery
Rich Family Ministries
Rights Restoration Project
Rising Sun Ink and Nation Outside Detroit Chapter
Root & Rebound
Rosado
Safe Return Project
Safer Foundation
Saint Augustine Harm Reduction Collective
San Diego Original Black Panther Party for Community Empowerment
Santa Cruz Barrios Unidos
SAVE
Save the Kids
Sero Project
Sex Workers and Allies Network
Social & Environmental Justice Committee of the Universalist Unitarian Church of Riverside
Starting Over, Inc
Students for Sensible Drug Policy
Supporting Our Loved Ones Group
SURJ Marin
Survivors speak
SWOP Behind Bars
SWOP Bronx
SWOP Brooklyn
SWOP Kentucky
SWOP RVA
SWOP Salt Lake City
SWOP Seattle
T.R.I.B.E. Inc
The Dirt Advocacy Movement
The Forestry and Fire Recruitment Program
The Freedom BLOC
The National Council for Incarcerated and Formerly Incarcerated Women and Girls
The Ripple Effects
The Taifa Group, LLC
The Tree of Hope Ministry
Time for Change Foundation
TRANScending Barriers Atlanta
Transition Collective
Transitions Youth Council
TransSOCIAL, Inc.
Tranz of Anarchii Inc.
University of Washington Tacoma Post-Prison Education Research Lab

Voice of the Experienced
Voice of the Incarcerated
Voters Organized to Educate
What's Next Washington
Who Speaks For Me?
Witness to Mass Incarceration
Women Against Mass Incarceration
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Women on the Rise GA. Org
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Turquoise Martin
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Ucedrah Osby
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Valente Martinez
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Vivian Nixon
Vonya Quarles
Waciuma Maina
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Willard Ali Birts.Jr
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