

# PRISON COVID

★ COVID-19 Information for Prisoners and Staff ★

★ Volume 1, Number 11, December (Second Issue) 2020 ★

## A CALL TO END SLAVERY

Amid nationwide protests for social justice and cries that “Black Lives Matter” from ancestors of African slaves, the fact that slavery still exists in the United States seems to have been forgotten.

Following President Lincoln’s issuance of the Emancipation Proclamation in 1863, the United States constitution was amended to specifically authorize enslavement of one group of people—prisoners: “Neither slavery nor involuntarily servitude, except as punishment for crime whereof the party shall have been duly convicted, shall not exist within the United States, or any place subject to their jurisdiction.” 13th Amendment, Section 1.

This form of slavery—subjugation based upon social status rather than race—is still slavery in all of its abhorrent forms. The fact that states like Washington have craft-

ed their criminal laws to disproportionately target people of African descent, *Farrakhan v. Washington*, 338 F.3d 1009, 1013-14. (9th Cir. 2002) (compelling evidence of racial bias and discrimination in Washington’s criminal justice system), blurs the line between “race-based” and “social-status-based” forms of slavery to the point of being indistinguishable.

To be clear: the state of Washington in the year 2020 has slaves, and they are forced to work in taxpayer-supported businesses called “Correctional Industries.” The practice began long ago, while Washington was still a territory. Until the year 1877, the entire Washington Territory lacked a prison. Criminals were incarcerated in jails run by local sheriffs with questionable security at a rate of a dollar per day per prisoner. Experiencing population growth and a rise in crime, the legislature of the Washington Territory recognized that there were simply too many convicted felons to continue the practice of housing inmates in county jails, and a centralized prison was needed.

The federal government offered to turn over the McNeil Island federal facility for \$36,000, even though it cost over \$50,000 to build and was worth more than \$100,000. Following a successful attempt to discredit the federal facility as “unsafe for keeping prisoners,” two independent counter proposals were made by Thurston County Sheriff William Billings and former Pierce County Sheriff Jerry Smith. Both men offered to construct a prison and take custody of the inmates in return for a subsistence allowance and the right to the labor of the convicts. Other entrepreneurs recognized

the profitability of such an arrangement and “soon the legislature was beset by a horde of public-spirited citizens, all anxious to relieve the territory of its custodial problems.” Billings and Smith combined their proposals and used their political influence to gain legislative approval of the contract, which was signed by the territorial governor. A local newspaper complained that in giving the six-year “lease” to Billings and Smith, the territorial legislature had conferred “a special privilege to the fullest extent.”

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**... prisoners are legislatively mandated to work in state-owned businesses called “Correctional Industries.”**

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The prison was operated under a “contract system” that was common in the northern states after the Civil War. Under the contract system, prison officials and private contractors entered into legal agreements under which the prison would furnish a certain number of slave-laborers at a fixed price. Like the earlier form of slavery, the convict was sold to the highest bidder. Under their contract with the Washington Territory, Smith and Billings would receive 70 cents per day per inmate, \$500 for transportation costs, and all proceeds of the prisoners’ labor. In turn, Billings and Smith agreed to “house, feed and clothe the convicts, caring for any who grew sick, recapturing those who escaped and employing them in suitable work.”

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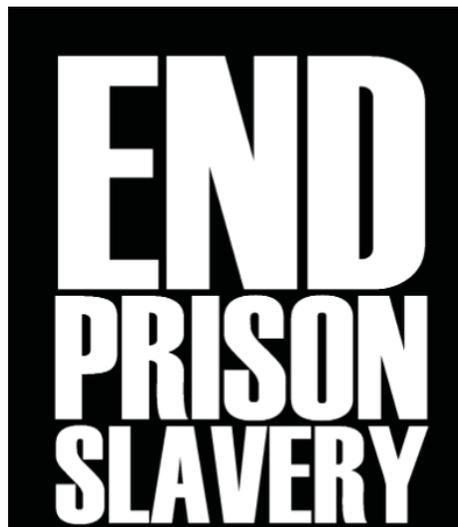
Smith and Billings joined a third partner, Oliver Shead, who provided land and \$4,000 for the construction of what would be called the "Seatco Prison," located in the current town of Bucoda, in South Thurston County. The 40 by 150-foot, two story prison was constructed of Douglas fir planks. Cells were located on the first floor and the only access to the lower level was a single, narrow, kerosene-soaked staircase on the second floor. A guard stood watch on the landing at all times. Each of the 36 unheated, eight-by-ten-foot cells featured 2-3 straw beds with scant linens, a bucket in the corner for a toilet, a tiny glassless window equipped with bars, and dungeon like darkness.

The right to keep the prisoners' wages was a great incentive to keep them working. The prisoners were required to work 9-12 hours a day cutting firewood, clearing roads and land, helping local farms, toiling in Shead's sawmill, a brickyard, mining coal, or in the prison shoe and tailor shops. Billings and his partners started a cooper factory for building barrels, and later formed the Seatco Manufacturing Company to make sashes, doors and blinds. According to reports, these enterprises were "wildly profitable." The Seatco Manufacturing Company—manned completely with prison-slave-labor—became "one of the largest sash and door factories on the coast at the time." By 1883 Washington taxpayers were paying Billings and his partners \$33,000 a year to house 73 prisoners, \$1,533 of which was for six non-existent prisoners. The biggest profit, however, was the free labor provided by their captives: "So grasping were the contractors that they would work men on the verge of the grave."

Seatco, a Native American word for "The Devil's Home," was called "Hell on Earth" by the men confined there. To cut costs and satisfy the guards "personal love of cruelties," prisoners were fitted with iron cuffs riveted to each ankle and fastened together by long chains. Each weighed 10 to 18 pounds, and the inmates wore them round the clock—resulting in sores and maiming their ankles. George France spent seven years at Seatco, and in his book "Struggles for Life and Home in the Northwest" describes how "[w]hen the prisoners came in from work, the sight and clatter of chains was deafening and damnable, nearly all being in double irons, riveted to their legs, wearing them day and night, sick and well, all the time."

The keepers at Seatco maintained discipline with corporal punishment and torture. Frequent punishment included a bread and water diet, exposure to cold, the whipping post, and frequently administered kicks and blows by the guards. Solitary confinement was rarely used, as it kept the inmate from working and reduced Billing's income. Instead, tactics such as the "water treatment"—a pitcher of cold water held high above the restrained inmate and poured directly into his open mouth—were used to punish misconduct such as speaking out of turn. The near-drowning experience would be repeated until several episodes of unconsciousness were achieved. One inmate had nine of his teeth pulled by a guard after reporting the conditions to a visiting group of territorial legislators. Billings and his partners boosted profits further by pocketing the subsistence allowance and materials provided by the territory for the inmates and denying privileges such as correspondence, visitation, and access to clergy – which was highly unusual for the time. Rail-killed stock and game (often in advanced stage of decomposition) were common fare for meals. Inmates were provided one set of clothing, which soon became little more than rags. Medical procedures were administered without pain relief. According to France, "[t]he conditions were comparable to those of the Dark Ages."

Seatco gained a widespread reputation for brutality, and it wasn't long before tales of torture and neglect found their way to area newspapers. An exposé by a Seattle paper charged that the treatment of the prisoners at Seatco "was of a sort better adapted for the care of animals than human beings." The paper criticized the contract system at Seatco as a "system wrong in principal, and doubly so in



practice. It opens the door for the entrance of personal greed of gain, cruelty, and neglect of men so kept." Public pressure caused Governor Newell to seek legislative approval to provide removable irons for the inmates. The territorial legislature approved his initial request, though it took another three and one-half years before removable irons were provided.

As newspapers published accounts of the scandals and abuses at what was dubbed the "Seatco Dungeon," calls were made for a more thorough legislative investigation to ensure that "the cupidity of contractors, and the natural thirst for cruelty, which is the usual result of absolute power, do not overlap the line of simple justice." In 1886, the legislature decided to take direct control over the prisoners and voted to abandon the contract system. The Seatco Prison closed in May of 1887, and the ninety-three remaining prisoners were transferred to the new state penitentiary in Walla Walla. In the absence of slave-labor, the Seatco Manufacturing Company was soon fraught with financial difficulties, sued by its creditors and contractors, and became insolvent by August 31, 1896. The prison burned in 1907, and its legacy caused the town of Seatco to change its name to Bucoda.

Historians contend that all that remains of the Seatco Prison are a few artifacts in Bucoda Town Hall, a commemorative stone at the site, and a mass unmarked grave in Tenino for the Seatco prisoners who didn't make it out alive. But that contention fails to recognize that Seatco's legacy of exploiting prison-slave-labor didn't end with its closing.

Indeed, as soon as prisoners arrived at the new state-run facility in Walla Walla, they were set to work quarrying stone and making bricks to build the walls of a facility that would enslave citizens for the next 130+ years.

In the present day, prisoners are legislatively mandated to work in state-owned businesses called "Correctional Industries." RCW 72.09.100 and 72.09.460(2). Like Seatco, prison-slave-laborers make furniture, clothing, containers, and are "let out" to local farms. Like Seatco, prisoners who refuse to work are subject to disciplinary action, loss of privileges, and extensions to their terms of confinement. The whipping post is gone, but prisoners are still being shot by guards, assaulted, suffering and dying from medical neglect, served "food" akin to roadkill—spoiled, rotten, and in-consumable.

The difference between the Seatco Manufacturing Company and present-day Correctional Industries is that Seatco was "wildly profitable" while Correctional Industries spends millions of taxpayer dollars each year. The Legislature contends that such a massive waste of taxpayer funds is necessary to achieve the "laudable goals of avoiding idleness, encouraging adoption of a work ethic, providing opportunities for inmate self-improvement, and providing a means for paying restitution." RCW 72.09.010(5). These justifications are identical to the Southern plantation owners view of the Negro slave, and are as untenable as they are outrageous.

How can anyone "benefit" from being a slave? Far from being a "self-improving" activity, slavery degrades, dehumanizes, and devalues human life. The Department of Corrections (DOC) created and perpetuates idleness by limiting the amount of time to prioritize Correctional Industries over everything else. A prisoner cannot pay thousands of dollars of restitution through a 'job' that pays 65¢ to \$1.60 per hour—especially when the DOC seizes a significant portion for "cost of incarceration" and to "develop and implement correctional industries. . ." RCW 72.09.110. Most prisoners possess a strong work ethic—a drive that is often misguided into antisocial or destructive behaviors. If the legislature truly wanted to provide opportunities for self-improvement, it would transform the DOC's slave labor factories into education and training facilities—a statistically proven way to improve the lives of prisoners, help them reintegrate into society, and reduce recidivism.

The simple truth is that the state of Washington has no interest in rehabilitating prisoners, improving their lives, or seeing that restitution is paid. Its only interest—as shown by 153 years of history—is to perpetuate the practice of slavery. George France emphasized a century-and-a-half ago that "imprisonment will never reform even those who need reforming, until the courts and prison officials and Governors are reformed—they being worse criminals than the worst they send and hold in prison. It amazing that facts so simple and vital should not be obvious to all."

Slavery is slavery, and no amount of legislative gloss or plantation-owner-like excuses can justify its use. As Longinus reminds us: "Slavery is a prison for the soul, a public dungeon." The United States sanctioned the enslavement of Africans for

more than two centuries. Like the current practice of prison-slave-labor, every court in the land held that it was perfectly constitutional to confine Africans and force them to work—leading to some of the darkest days our Nation has faced. More than two hundred years after the original form of slavery ended, our Nation is still plagued by the trauma and injustice it caused. The practice of exploiting and abusing social-slaves has now existed for almost as long as its race-based predecessor. It is time for this shameful and harmful practice to end, and for our state to find a better way of dealing with crime and the individuals who commit them. If we don't, the never-ending trend of devaluing human life, discrimination, and social injustice will not only continue, but will be magnified exponentially by the 2.2+ million people confined in our Nation's jails, prisons, and detention centers every year.

George Washington once lamented that "[t]here is not a man living who wishes more sincerely than I do to see a plan adopted for the abolition of slavery. But there is only one proper way and effectual mode by which it can be accomplished, and that is by legislative authority." The Washington State Legislature could abolish prison-based social-slavery with a stroke of its pen, and we call upon all citizens to demand that our elected officials do so, and do so promptly. To quote Thomas Jefferson: "This abomination must have an end, and there is a superior bench reserved in Heaven for those who hasten it." We will save a seat for you. ♥

## A Nation's Treaty Ignored

### 2.2 Million US Slaves

**"Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction."**

*Thirteenth Amendment to the U.S. Constitution*

**"No one shall be held in slavery or servitude; slavery ... shall be prohibited in all their forms."**

*Universal Declaration of Human Rights, Article 4, a treaty the US is a signatory to.*



*[The following virus updates are only a part of the news stories relating to the pandemic unfolding inside the nation's prisons and jails. Your outside people can read the full version of these stories, as well as more of this type of reporting, on our website at <https://prisoncovid.com>. Your outside people can also read current and back issues of this newsletter on the website.]*

## America is Letting the Coronavirus rage through prisons

Roughly two million people confined in the nation's prisons and jails face a grim challenge: how to stay alive inside a system being ravaged by the coronavirus pandemic. Like the nation overall, U.S. correctional facilities are experiencing record spikes in coronavirus infections this fall. During the week of Nov. 17, there were 13,657 new coronavirus infections reported across the state and federal prison systems.

<https://www.nytimes.com/2020/11/21/opinion/sunday/coronavirus-prisons-jails.html>

## Few inmates considered eligible for early release even as COVID-19 flares up in prison

Nevada prison officials say they've identified just two people in a population of nearly 14,000 who might be eligible for an early release on the basis of their susceptibility to COVID-19 and other factors, even as more than 80 percent of the inmate population in a Carson City prison has tested positive for coronavirus.

<https://thenevadaindependent.com/article/few-inmates-considered-eligible-for-early-compassionate-release-even-as-covid-19-flares-up-in-prison>

## Sick convict wrote 17 letters pleading to be freed. Covid silenced him.

Waylon Young Bird is among at least seven inmates who have died this month amid an outbreak at a federal prison medical center in Missouri. In a letter dated Oct.

28, he wrote that dozens of inmates in his unit had tested positive but he was, so far, one of the lucky ones. "I'm afraid I may be infected by the time you read this letter," he wrote. "Please as a compassionate judge, can you help me thru this situation." Young Bird tested positive for the virus the next day. He died exactly a week later, according to the Bureau of Prisons.

<https://www.nbcnews.com/news/us-news/sick-prisoner-wrote-17-letters-pleading-be-freed-covid-silenced-n1248424>

### **New COVID-19 cases in Michigan's prisons hit all-time high**

The number of active COVID-19 cases among Michigan's prisoners has reached what's believed to be an all-time high during the pandemic, with 4,010 current infections in facilities across the state. And last week, the Department of Corrections reported a record number of new cases in a single day, logging a staggering 1,137 additional prisoner and staff cases on Nov. 12.

<https://www.freep.com/story/news/local/michigan/2020/11/20/michigan-prison-covid-cases-record-high/6340387002/>

### **COVID-19 cases more than double in Michigan prisons in two weeks**

The number of inmates in Michigan prisons testing positive for COVID-19 has more than doubled in just two weeks. Currently, 2,790 inmates are considered active positive cases. The number was about 1,200 two weeks ago.

<https://www.michiganradio.org/post/covid-19-cases-more-double-michigan-prisons-two-weeks>

### **Inmate outbreak: 800 infected with COVID-19 in state prison facilities**

At least 800 inmates housed by the Utah Department of Corrections are infected with COVID-19, and two have died in the past week.

<https://kutv.com/news/coronavirus/inmate-outbreak-800-infected-with-covid-19-in-state-prison-facilities>

### **Handling of COVID-19 in Nevada prisons and jails 'grossly inadequate'**

In June, the Nevada Department of Corrections not only failed to mandate mask use by residents and staff, it issued a policy prohibiting incarcerated people from wearing face coverings, citing "the risk of escape." This cruel and misguided logic fails to protect those under the department's charge and actively sabotages

people's ability to protect themselves. Thus far, the state's treatment of COVID-19 in correctional facilities has been grossly inadequate.

<https://lasvegassun.com/news/2020/nov/21/covid-19-in-nevadas-prisons-and-jails/>

### **Airway Heights prison faces 64 new COVID-19 cases in inmates overnight**

Airway Heights Corrections Center reported 64 new COVID cases Tuesday, nearly 10 times the number of cases the facility has recorded since the start of the pandemic. Thirty staff have also tested positive for the virus.

<https://www.spokesman.com/stories/2020/dec/02/airway-heights-prison-faces-64-new-covid-19-cases/>

### **COVID-19 running wild in Minnesota prisons**

The number of positive COVID-19 cases being reported in Minnesota has been breaking records, with the Minnesota Department of Health reporting 8,689 new cases and 35 new deaths as of November 14. The state has a cumulative total of 220,960 positive confirmed cases and growing.

<https://spokesman-recorder.com/2020/11/18/covid-19-running-wild-in-minnesota-prisons/>

### **Dozens of National Guard soldiers step in to help SC prisons during COVID-19 pandemic**

Hundreds of National Guard soldiers are still responding to COVID-19 in South Carolina, and dozens of them are helping in our prisons. The South Carolina Department of Corrections has reported more than 2,400 cases of COVID-19 in inmates, more than 550 cases in staff members, and 33 deaths associated with the virus.

<https://www.wistv.com/2020/11/18/dozens-national-guard-soldiers-step-help-sc-prisons-during-covid-pandemic/>

### **COVID-19 outbreaks continue to grow in Alaska prisons**

Two weeks into an outbreak, the number of COVID-19 cases at Goose Creek Correctional Center in Point MacKenzie keeps climbing. The facility now has 204 cases, all of which are active, according to a spokesperson for the Department of Corrections. That is an increase of more than 90 since the last report eight days ago.

<https://www.ktoo.org/2020/11/18/covid-19-outbreaks-continue-to-grow-in-alaska-prisons/>

[19-outbreaks-continue-to-grow-in-alaska-prisons/](https://www.ktoo.org/2020/11/18/covid-19-outbreaks-continue-to-grow-in-alaska-prisons/)

### **Texas inmates paid \$2 an hour to move COVID-19 victims' bodies**

Amid a spike in COVID-19 cases, Texas' El Paso County is paying prison inmates \$2 an hour to move the bodies of deceased victims of the disease. While prison labor is a common practice across the U.S., the reliance on inmates to handle the task of moving the corpses of COVID-19 victims is raising questions about the ethics of such work.

<https://www.cbsnews.com/news/el-paso-covid-body-transport-county-inmates-2-dollars-per-hour/>

### **Wisconsin prison system sees highest single-day spike in COVID-19 cases with 808 new infections**

The state Department of Corrections reported 808 new COVID-19 cases among inmates--the highest single-day spike in cases in the state prison system since the start of the pandemic. The new infections bring the total number of COVID-19 cases among inmates up to 6,977 and the active case count to 2,063, according to DOC's data dashboard.

[https://madison.com/wsj/news/local/wisconsin-prison-system-sees-highest-single-day-spike-in-covid-19-cases-with-800-new/article\\_7b6326d1-8dce-5e74-8517-5a16cc896f12.html](https://madison.com/wsj/news/local/wisconsin-prison-system-sees-highest-single-day-spike-in-covid-19-cases-with-800-new/article_7b6326d1-8dce-5e74-8517-5a16cc896f12.html)

### **As COVID-19 races through Kentucky's prisons, one in five inmates has been infected**

One in every five of the 10,165 inmates housed in Kentucky's 14 state prisons has been infected with COVID-19 since March, with state data showing active outbreaks this week involving nearly 800 people at five different prisons. "The news from the corrections front is not good," said J. Michael Brown, secretary of Gov. Andy Beshear's cabinet, during the governor's Monday afternoon news conference. So far, 2,028 state inmates and 281 prison employees have been infected by COVID-19, state data shows.

<https://www.kentucky.com/news/coronavirus/article247223324.html>

### **Inmate in Washington State Penitentiary in Walla Walla dies from COVID-19 complications**

An incarcerated patient at the Washington State Penitentiary in Walla Walla has

died of issues related to COVID-19 according to the Washington State Department of Corrections. Michael Cornethan passed away on Saturday, Nov. 21, at a medical facility near the prison, according to the DOC. He was 62 years old.

<https://www.king5.com/article/news/local/inmate-in-washington-state-penitentiary-in-walla-walla-dies-from-covid-19/293-428c605a-bd5f-41ba-a9ce-363afe694d45>

### **An uphill battle against COVID-19 in prisons**

Advocates push for more widespread and frequent testing, and for the release of more prisoners. As of Nov. 20, New York has recorded 1,713 positive cases among the incarcerated population, 1,676 positive cases among staff and 122 positive cases among parolees since the start of the pandemic. Eighteen incarcerated individuals have died from the virus, as have five staff and four parolees. Health hazards in prisons have a disproportionate impact on people of color. According to state statistics, Black New Yorkers made up 48% of state prison sentences in 2018, despite representing just 15% of the total population that year.

<https://www.cityandstateny.com/articles/policy/criminal-justice/uphill-battle-against-covid-19-prisons.html>

### **COVID-19 death toll in Missouri prisons climbs to 27 inmates and four staff employees**

A surge of inmate deaths this month related to the coronavirus has led to renewed calls on the state to take additional steps to protect Missouri's prison population. In all, 27 inmates and four Department of Corrections staffers have died from complications of COVID-19, a spokeswoman reported. At least 17 inmate deaths and two staff deaths have been recorded this month.

[https://www.stltoday.com/news/local/crime-and-courts/covid-19-death-toll-in-missouri-prisons-climbs-to-27-inmates-and-four-staff-employees/article\\_b858aa47-12d7-5f96-bd1c-c8dafec45017.html](https://www.stltoday.com/news/local/crime-and-courts/covid-19-death-toll-in-missouri-prisons-climbs-to-27-inmates-and-four-staff-employees/article_b858aa47-12d7-5f96-bd1c-c8dafec45017.html)

### **Federal prisons among first in line for COVID-19 vaccines — with staff as priority**

The federal prison system will be among the first government agencies to receive the COVID-19 vaccine, though initial allotments will be given to staff and not to inmates, even though infected prisoners vastly outnumber sickened staff, according to documents obtained by the AP.

<https://www.latimes.com/world-nation/story/2020-11-24/federal-prisons-prioritize-staff-covid-19-vaccine>

### **'It can spread so quickly': 300 Nebraska inmates with COVID-19**

Nearly 300 Nebraska inmates have the coronavirus, according to state prison officials. Those cases include 112 prisoners at the Omaha Corrections Center, 71 at the Lincoln Corrections Center and 98 at the prison in Tecumseh. The surge in cases is a concern for Nebraska's Inspector General of Corrections Doug Koebernick. "Once it gets into a prison system it can spread so quickly," Koebernick said.

<https://www.ketv.com/article/it-can-spread-so-quickly-300-nebraska-inmates-with-covid-19/34778276>

### **'I was not sentenced to death': As virus surges through WI prisons, cons call for safer procedures**

Crisler is advocating for the release of Wisconsin's prisoners amid a pandemic still ravaging the state and its prison facilities, infecting thousands and taking the lives so far of 11 prisoners. "You don't want to get sick inside an institution," Crisler said. "The only way you get help, and if it's really truly a medical situation, you have to be dying."

<https://www.channel3000.com/i-was-not-sentenced-to-death-as-covid-19-surges-through-wisconsin-prisons-new-lisbon-inmates-call-for-safer-procedures/>

### **Allenwood Federal Penitentiary on virtual lockdown amid spike in COVID-19 cases**

Approximately one-fifth of the inmates at the Allenwood Federal Penitentiary have tested positive for the coronavirus. The Bureau of Prisons (BOP) website Tuesday stated 126 of the 584 inmates have tested positive, about three times the number of a week ago. Six cases also are reported among staff members. The BOP did not respond to requests for more information.

<https://www.pennlive.com/coronavirus/2020/11/allenwood-federal-penitentiary-on-virtual-lockdown-amid-spike-in-covid-19-cases.html>

### **N.C. closes prisons, moves inmates as COVID cases spike**

Three state prisons have been closed, with hundreds of inmates being transferred to other facilities across the state, as COVID-19 continues to spike within the prison system. State prison leaders outline

the moves in a briefing to staff. In the briefing, leaders said the move was due to both an increase in COVID-19 cases among inmates and the number of staff that have been out of work at some facilities.

<https://www.wbtv.com/2020/11/25/nc-closes-prisons-moves-inmates-covid-cases-spike/>

### **As COVID-19 roars through U.S. prisons, South Korea may provide template**

When three prison inmates were infected with the COVID-19 virus in South Korea early last spring, corrections officers responded swiftly. "Walk-thru" testing booths were installed in each of the country's 54 prison compounds, masks were distributed universally and prisoners had visitations curtailed. Nine months later the Asian nation has reported only one other COVID-19 cluster of 11 infections in a prison system that's home to some 55,000 detainees.

Contrast that with the U.S., where the virus spread to 2,200 people at California's San Quentin State Prison over summer, killing 28. On New York's Rikers Island, more than 1,400 corrections officers were infected during an outbreak last spring in which three inmates died. 90 of the 100 largest cluster outbreaks in the U.S. occurred in prisons.

<https://www.japantimes.co.jp/news/2020/11/26/asia-pacific/coronavirus-us-prisons-south-korea/>

### **Coronavirus spreads inside more Delaware prisons**

More than 170 people being held at Delaware's largest prison in Smyrna have tested positive for the coronavirus, according to the state Department of Correction. That's a big jump from a week ago, when the DOC reported just 18 cases at James Vaughn Correctional Center. Those cases were all confined to the same housing unit. The new patients are spread among four separate units.

<https://why.org/articles/coronavirus-spreads-inside-more-delaware-prisons/>

### **WGXA Investigates shocking conditions in some Georgia prisons during pandemic**

According to the Georgia Department of Corrections Website, 2,283 Georgia inmates are COVID positive, 2,079 have recovered from COVID-19, and 82 inmates have died from the virus but one nurse who

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*Virus News..... Continued on page 10*

# LETTERS

# LETTERS

*[Editor's Note: Because of the lead article on page 7, which is important breaking news, I've had to cut nearly a page of letters from readers. Maybe next time.]*

## Getting Better?

The COVID-19 is here, and we have felt it. No Deaths have been reported as of now, but all five units are locked down. As of November 9th, unit one is on modified lock down, which means day room and courtyard twice a day for 50 minutes. There are three wings per unit so each day you get one morning and afternoon courtyard, with your wing only. When I walked out for the first time today it was a ghost town. I will try to keep you updated the best I can. I do ask one favor from you all, please wear your mask. I understand the nuance of everything that relates to a mask. Just wear it!

*Gregory Tallard, Wisconsin*

## Open Communication Key?

Thanks for the newsletter, I like your opinions and feedback with some of the letters ... you are right, we can change things only if we want it to change from the inside. But what I see more and more is that we, as inmates, like to take the easy road! We complain constantly, however, we are too lazy to file a grievance. So we let others do the heavy lifting. A good example, when I got off isolation, I went to see the chief health administrator, and in a respectful manner voiced my opinion and provided her with some suggestions. Information and open communication is key to lower the stress within the inmate population. Will it be done? Who knows? Right now we only have 2 quads under quarantine status and believe it or not nobody in isolation. Preventive measures even in prisons work, but only when both parties, security and inmates alike cooperate. We go eat in the chowhall, go to the canteens, go to the rec field, and starting this week go to the chapel. However, lots of patience is required as we can only do this one quad at a time. This is not the time to be angry at each other or take it out on the guards or other staff, the virus is the enemy! The infections in the city of Miami-Dade are steadily rising. Complaining about it doesn't help, we have to do our part, as inmates, to keep the virus at bay. Believe me! I learned my lesson, where before I got the virus, I could

walk miles and miles on the rec field, now I can barely walk to the chowhall as I'm out of breath.

*Rudy Vandenborre, Florida*

## His Take on Things

Response to volume 1 #8 page 7 "Stepping Up". Mr. Zellmer is incorrect. I am also at WSP, was a witness to his incident, but to this date staff are either not wearing face masks or not wearing them properly. I still see staff bunched up in the 8x6 office 5 at a time wearing no masks. Yard staff not wearing them talking to prisoners in less than 6 feet. Wearing them on their chin while doing tier checks. When this first started in May there was a memo from HQ that all staff will be issued N95 masks. To this day I have never seen one. There was a KIOSK message 11/4/20 that stated any inmate not wearing a mask and not maintaining a 6 ft distance will receive a WAC 103 infraction. It said this is not a punishment but to express the seriousness of the virus. But what are they doing about the staff not following the rule? We know by Zellmers experience. Anyone who has done more than a year knows it's suicide to complain about staff not following the rules.

Volume 1 #6 page 6 "Need high-powered lawyers" Volume 1 #10 page 6 "Heavy Lifting." Attorneys are not going to save you. The "high powered lawyers" in WA who filed suit over the prison covid lost. Our power lies in our ability to withhold our slave labor! I saw on the news El Paso inmates handling covid bodies at the local morgue. Those fools are risking their lives for what? An extra dollar a day. With that said in WA we have contract attorney's RCW 72.09.190 who are specifically paid by the state to do just what you're asking.

I advise all states that have such services, make your requests, keep copies of your correspondence, then file grievances when they fail to respond. Those of you in states that don't have such services kite your law library for address, have your people look up the state or local bar association website, which provide list of attorneys that specialize in civil litigation. It's all a waste of time but go ahead and try. Down the road you'll have proof of the unavailability of that option.

Finally, in most issues of the *Prison Covid* people sound shocked at the prisons response or lack thereof. Prisons are reactive, not proactive. They are either ran by government employees with an attitude "I

showed up to work, what more do you expect from me" or worse, they are privatized and run for profit with ill trained staff. All you on the inside who can buy commissary, have your people buy food or property packages can afford to pay for this news rag. Holiday is coming up with family willing to buy you something. Have them purchase a year of this newsletter. Do your part, otherwise do not bitch about what you got!

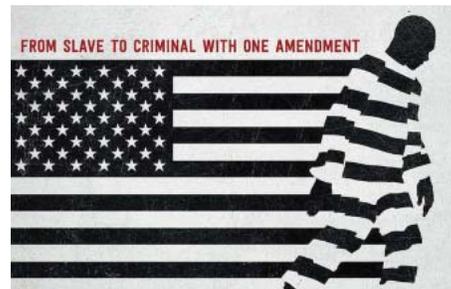
*Jeffery McKee, Washington*

*[Editor's Note: Back when the slavery of blacks was taking place in the old South, it was next to a crime for slaves from one plantation to communicate acts of resistance to another plantation. The same is true of today's slaves of the state. Across the country there have been mass protests by prisoners around virus related issues, and in support of Black Lives Matter. But I can't report these news stories because, like the slave masters of old, your captors do not want you to know that resistance is taking place.*

*The information you are allowed to receive is so tightly controlled that many issues of this publication have been banned for merely listing the name of the author of an article or printing a letter writer's name. When I do so the mail rejection notices claim this newsletter "Contains correspondence, information, or other items relating to another Washington State incarcerated individual ... or attempts or conveys correspondence between incarcerated individuals."*

*These rejections are on their way to court. My point is that, like the slave masters of old, they treat you like children. They are "protecting" you from a reality or point of view they don't agree with.*

*Interestingly enough, yesterday the U.S. imposed additional sanctions on China. Why? Because they "suppress freedom of expression."*



# DEMOCRATS INTRODUCE LEGISLATION TO STRIKE SLAVERY EXCEPTION IN 13TH AMENDMENT

By Tal Axelrod

Sen. Jeff Merkley (D-Ore.) and Rep. Wm. Lacy Clay (D-Mo.) proposed a joint resolution Wednesday to remove a punitive provision in the 13th Amendment of the Constitution, which outlaws slavery. The resolution calls for the House and Senate to craft an amendment saying that “neither slavery nor involuntary servitude may be imposed as a punishment for a crime.”

The lawmakers said the wording would close a loophole in the 13th Amendment that still provides an avenue for slavery to be legal. The amendment currently reads that “neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction.”

“America was founded on beautiful principles of equality and justice and horrific realities of slavery and white supremacy, and if we are ever going to fully deliver on the principles we have to directly confront the realities,” said Merkley. “The exception to the 13th Amendment’s ban on slavery corrupted criminal justice into a tool of racist control of Black Americans and other people of color, and we see that legacy every day in police encounters, courtrooms, and prisons throughout our country. Slavery is incompatible with justice. No slavery, no exceptions.”

“Our Abolition Amendment seeks to finish the job that President Lincoln started by ending the punishment clause in the 13th Amendment to eliminate the dehumanizing and discriminatory forced labor of prisoners for profit that has been used to drive the over-incarceration of African Americans since the end of the Civil War. No American should ever be subject to involuntary servitude, even if they are incarcerated,” added Clay.

Merkley and Clay were joined by 17 co-sponsors in introducing the legislation.

In a statement announcing the legislation, Merkley and Clay tied the loophole to “Black Codes” that were implemented in the late 1800s and used by Southern sheriffs to lease out imprisoned people to work landowners’ fields. Merkley and Clay said the language created “a financial incentive for mass incarceration” that they say still

exists today in unequal treatment of people of color in the criminal justice system.

The proposal comes after a summer of national protests over systemic racism and police brutality following the shootings of unarmed Black Americans by law enforcement. The legislation garnered the support of an array of activist groups.

“This change is long overdue. The punishment clause in the 13th amendment is a legacy of slavery that has allowed people incarcerated, disproportionately Black and brown, to be exploited for decades. It is long past time that Congress excise this language from the US Constitution which should begin to put an end the abusive practices derived from it,” said Laura Pitter, deputy director of the U.S. program at Human Rights Watch. ♥

Source: <https://thehill.com/homenews/house/528448-democrats-introduce-legislation-to-close-slavery-loophole-in-13th-amendment>

*[Editor's Note: Jalil Muntaqim (Anthony Bottom) has served close to fifty years in New York prisons for killing two NY police officers. Sometime back around 1976, Jalil filed a petition with the United Nations in an effort to abolish prison slavery. At the time I too was a prisoner and, in a small way, helped him by raising the slavery issue in the prisoner-oriented publication I was then publishing. Jalil provided me with a copy of the documents he had filed with the UN. It was back then that I first became aware of the issue of social slavery.*

*Now, just as I was about to print this issue, a comrade sent me a link to the above article about modifying the 13th Amendment in order to remove the provision that permits prison slavery. The article totally blew me away. I have been struggling to abolish the slavery amendment since 1976, and never in my wildest dreams did I think I would live long enough to see any substantial progress being made. My work was merely to lay the groundwork for the next generation of prisoner activists.*

*While this particular effort to modify the Thirteenth Amendment may or may not pass into law, the issue has nonetheless finally reached the ears of state power—it has gained some traction. And it has done so because prisoners across the nation have been writing and protesting their condition*

*of state-sanctioned slaves. There is nothing more powerful than an idea that has settled into the consciousness of the masses of oppressed peoples. The struggle against slavery is an idea whose time has come.*

*With the abolition of slavery the nature of imprisonment will be radically and forever altered. The right of prisoners to vote, for example, will only be the first step. Readers are urged to peacefully and responsibly take up this call for constructive change.]*

*Ed Mead*

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## A Tale of Two Prisons

Federal corrections officials in Louisiana did a poor job of protecting prisoners and staff during the early months of the pandemic, a new watchdog report confirms. At FCI Oakdale, officials failed to quarantine infected prisoners for days after diagnoses and then didn’t tell staff to wear protective gear. At another federal prison 53 miles away, however, prison officials took reasonable precautions and helped stymie the spread of COVID-19.

*USA Today*

## Gov. Polis says Colorado prisoners shouldn’t get COVID-19 vaccine before free people

Gov. Jared Polis said he believes incarcerated people, who’ve been subject to many of Colorado’s most severe coronavirus outbreaks, should not receive access to upcoming vaccines ahead of free people. It’s a position he’s stated twice in the last week, and that seems to go against the vaccine distribution plan Colorado’s Department of Public Health and Environment published weeks ago.

<https://www.denverpost.com/2020/12/01/polis-covid-vaccine-prison-jail-colorado/>

## 4 more Colorado inmates die of COVID-19 over the last week

There are 1,558 inmates and 207 staff members with COVID-19 in Colorado’s jails and prisons and four inmates have died from the disease within the last week, according to a release from the Colorado Department of Corrections (DOC). This brings the total number of COVID-19 deaths among Colorado’s inmate population to 11, the DOC said.

<https://www.9news.com/article/news/health/coronavirus/cdc-covid-19-colorado-corrections-cdoc/73-3fce64c2-e450-4138-9cce-825d99f9785d>

## ED'S COMMENTS

This newsletter started its young life by focusing only on the states of Washington and, to a lesser extent, Oregon. But over time we have grown into a national publication for prisoners. While we try to keep the focus on the COVID-19 virus, on occasion we come across something that should be shared with prisoners in general. The front-page article "A Call to End Prison Slavery" is a history lesson for prisoners here in Washington. I thought it was important enough to share with all our readers, although it is not virus-related.

When the time comes that the COVID-19 virus is making a retreat on the inside, and there is a vaccine available. Then we will need to talk about the future of this newsletter. At that point the primary reason for the existence of this newsletter will be largely gone.

When the day comes when it is time to stop publishing *Prison Covid* there will be two options: The first option is that we just stop putting out the newsletter, since the need for it will be pretty much gone. Or, secondly, we merely change the name of the publication to something else and start printing monthly national prisoner-oriented newsletter. That means we stop being only about the virus and instead focus on the peaceful struggle against state slavery and to work for democracy on the inside, including the right to vote. And yes, general prison happenings too.

The good news is that you get to vote on this future. The bad news is that with voting comes a certain degree of responsibility and sacrifice. The future of this newsletter will turn on the number of stamps we receive from our readers. If a newsletter like this is important enough to you to donate a portion of your meager wealth, then it will be important enough to us to continue producing it under some other name. Oh, hell, maybe we will just keep publishing under the same name—for tradition's sake.

Finally, I really wish you on the inside would stop using the word "inmate" to describe yourselves and your peers. You are prisoners and convicts, not residents or inmates. Language matters.

See yourselves as you are; not how the state defines you. Correctional institutions are prisons! Superintendents are wardens. Guards are not correctional officers. All of them are holding you against your will at gun point. If you can't see that then you are reading the wrong publication. ♥

## FORMER GUARD SAYS MISSOURI DID LITTLE TO STOP SPREAD OF COVID-19 INSIDE

Kerri Fowler grew up in a family of cops. Dad was a police chief in a St. Louis County municipality. Her younger brother was a police officer in the city of St. Louis. Law enforcement was in her blood.

She applied to be a corrections officer in the Moberly Correctional Center in mid-Missouri. "I was never instructed to wear any (personal protective equipment)," Fowler says. "The other officers weren't being protected. We weren't being ordered to wear masks. I was around everybody. This just didn't seem right to me."

At the time, and for most of the coronavirus pandemic, there was very little mask-wearing or social distancing in Missouri's prisons. Fowler was moved from the medical unit to another wing, but she was still around detainees and fellow employees.

So Fowler made a decision on her own. She was going to quarantine at home until the COVID-19 test from the detainee she had direct contact with came back negative. There was a time when a new employee like Fowler making a decision to protect her fellow employees would have had the backing of the Corrections Officers Association, the union for such employees. But because of Gov. Mike Parson's efforts to de-certify the union, Fowler didn't even know it existed. The DOC just stopped recognizing the union. "There was a concerted effort to get rid of the union," Cutt says.

She spoke out against poor COVID-19 procedures and became a target, Fowler said, making it impossible to do her job. She resigned in June, citing in her resignation letter that her employment took a downward turn after she was disciplined for trying to protect the health of her fellow employees. Since then, COVID-19 has raged through Missouri prisons like a wildfire, killing at least four corrections' staff members and 27 detainees. At one point in November, there were as many as 1,500 detainees and 500 staff members infected with the virus.

"People need to know what's going on in those facilities," Fowler says. "They didn't take COVID seriously at all." ♥

## SHOULD CONS & PRISON STAFF BE FIRST IN LINE FOR COVID VAX?

When the first COVID-19 vaccine is officially proven safe and effective and vials are distributed across the country, among the first people to receive them -- for the safety of the nation -- should be the millions of workers and incarcerated people within jails, prisons, and immigration detention centers.

That's the gist of a resolution said to have "overwhelming" support that is under consideration during the American Medical Association virtual meeting. If passed, the AMA would urge appropriate vaccine distributors -- the federal government as well as vaccine manufacturers -- to put the penal system in the front of the lines to get the vaccine.

Of the top 20 largest clusters of COVID-19 disease in the country, "19 are in prisons or in jails, with a growth rate that doubly outpaces the general population," according to one of the two resolutions considered in the AMA's Public Health reference committee.

"This is an extremely critical" issue, said Charles Lee, MD, president-elect of the American College of Correctional Physicians and its representative to the AMA. "We know inmates and correctional workers have an extremely high rates of coronavirus infection and can secondarily affect the public when they go home or when they leave these institutions."

Ian Motie, a regional medical student delegate from Tallahassee, noted that for incarcerated populations, physical distancing and other preventable measures "are simply infeasible."

And Tiffany Bell, MD, of the AMA Section Council on Psychiatry, said 20% of jail inmates -- 15% of those in state prisons -- have serious mental illness, adding another level of difficulty to contain the virus. "As a result the virus spreads easily. It's often introduced into prisons by staff members. Therefore...inmates, along with correctional staff, must be among the first to access vaccines." ♥

**The world is changed  
by your example;  
not by your opinion.**

# REPORT FROM NEW YORK STATE

Thank you for the updates re how other correctional facilities across the U.S. are faring. I've been receiving your newsletter for about 4 months now, and it wasn't until the November 2020 edition that I (finally) read something about the New York State prisons: "Covid-19 surge strikes two New York prisons." WHY WAS I NOT SURPRISED? The problem, however, was that the article originated from the *Wall Street Journal*, reported to them by a New York DOC spokesperson. Let me give you the perspective of our situation in here from an inmate's point of view.

I've been down 24 years, have been here at SSCF 10 years, and if there's one thing consistent about our system (especially SSCF), it's that there is NO consistency. So, it was only expected there was a spike in cases here in NYSDOCCS. The seriousness of the pandemic first hit SSCF back in March 2020. The inmate population here followed the (local New York City) news of it and spoke of it like it was only an "outside" public issue. We on the inside had a real false sense of security, believing they were safe because, "We are already quarantined by virtue of being in here, away from society."

## **inmates fabricated their own masks, only to be told ... that inmates could not wear masks.**

About a month passed, and then cases began to appear. Those reported being sick were basically put in a keeplock-like status to quarantine them, right there still in general population. The more serious cases went to the infirmary, if not to the outside hospital. By about April-May, the first inmate died from the corona virus. He was a mess hall feed-up worker who delivered trays under escort by a C.O. who worked outside the mess hall, who was later found to be positive with the virus.

Two more deaths were reported within a month later here at SSCF—one of whom was an officer. Respectively, though not excused, those passed did have preexisting conditions. By this time the televised news began advising the public to wear masks. The NYSDOCCS ordered the visit rooms and all programs (school, volunteer svcs, chapel, etc.) closed. The officers and civilians (here at SSCF) began wearing the blue PPE masks, but none were issued to the in-

mate population.

Many inmates took matters into their own hands and fabricated their own masks, only to be told by officers under orders by higher-up superiors that those inmates could not wear masks. Their rationale: it was against rules/regulations; that no DOCCS directive or FOP contained language allowing face covering except in cases involving hazardous jobs requiring masks, respirators, as such items are deemed Class-A tools. The reality began to settle in, that they (C.O.s and civilians) were allowed to protect themselves and we (inmates) weren't—and people are dying. Scores of grievances were filed by inmates. None were answered, let alone even processed, because the grievance officer was ordered to stay home, deemed non-essential staff.

Ultimately, pressure was met and the administration here conceded to issuing PPE masks ... but only to the food service workers in the mess hall. Because no memorandum from Albany existed just yet, the mess hall staff issued each inmate worker one mask, which they were expected to wear only when working each day, then had to surrender it back to the OIC, who would place each inmate's mask in their own individual white paper lunch bag with their ID number written upon it. All the bags were stacked atop one another and stored in a black plastic milk crate often stored down on floor under their desk. The mess hall workers wore the same blue PPE mask for a month before a replacement was issued to them. At no time were the mess hall workers allowed to take their mask back to their cell with them.

By late May, early June, the NYSDOCCS began to issue (white cloth) masks to all of the inmate population. Cell by cell, handed them out. Then we were issued another a month later. Then again. I now have 7, which bides me quite well, as I wear mine diligently. But the problem I see—and have been seeing since day one—is this: When the inmate population did not have masks, they complained, demanded them. Then after receiving them, they either wear them under their chin or not at all.

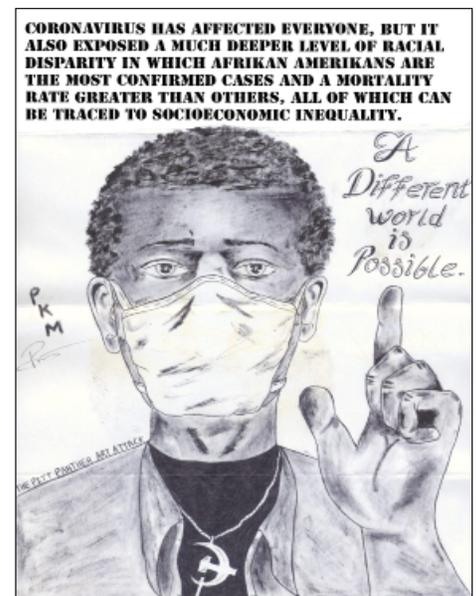
It has NOT been made mandatory (direct order) to wear one's mask except under the following circumstances: 1) When a mess hall worker on duty in the mess hall ; 2) When using the indoor/outdoor phones ; 3) When on a visit ; 4) When on a call-out (counselor, infirmary, etc.) ; 5) And (now)

for attending the law library or whatever school call-out are still in effect. But in every other aspect of facility operation, there is NO enforcement of wearing their mask.

What sense does it make that mess hall workers wear theirs, but the masses who enter the dining halls to eat walk in without wearing theirs. They stand about a foot or two apart in line, talking incessantly to one another or to people at tables, even yelling to others across the room. The only social distancing is where they must sit every other seat, one side of each table. Indoors and in the yards, masks must be worn to use the phones, but out in the yards inmates roam about and crowd together in groups without masks.

On the galleries some inmates (e.g., porters) are seen wearing their mask - by choice. Inmates out working, moving cells, traversing the halls, do not wear their masks. Inmates crowd 4-5 deep in sloop sinks without masks to use the kiosks. Inmates attending commissary on their buy day are escorted via "social distancing"—20 at a time—and yet when they arrive there they are met with so many leftover inmates from the previous run and sit huddled on benches with them—many not wearing their mask. Why do the officers and/or civilian workers not enforce the mask wearing and proper social distancing? Because they simply don't care what happens to the inmates. If they (the officers /civilians) have their mask on and so are safe from us (inmates), they couldn't care less whether we live or die. Don't give them the satisfaction! On Nov. 9,10,11, SSCF (finally) did covid-19 testing on its inmates due to pressure, lawsuits. Results? We'll see. ♥

*Mark, New York State*



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**COVID News..... Continued from page 5**

works at multiple Georgia prisons believes those numbers are being under-reported. It is running rampant in the prisons. The numbers that are posted on GDC are not accurate at all. Filthy conditions, severe staff shortages, no answers to desperate screams for help, being left in a locked cell alone for days on end while fighting COVID-19 - these are just a few of the accusations against the Georgia Department of Corrections.

<https://wgxa.tv/news/local/wgxa-investigates-shocking-conditions-in-some-georgia-prisons-during-pandemic>

**As coronavirus cases keep rising, Washington extends visitation ban in state prisons**

As coronavirus cases in Washington rise ever higher, the state's prisons are continuing to ban in-person visits for inmates. In-person visits at the state's 24 prisons and work-release centers have been suspended since mid-March, as the state Department of Corrections tries to forestall outbreaks in its facilities.

<https://www.seattletimes.com/seattle-news/as-coronavirus-cases-keep-rising->

washington-extends-visitation-ban-in-state-prisons/

**Union calling for new system-wide COVID-19 measures in state prisons**

The union representing state correctional officers is calling for a system-wide suspension of visitation, increased spacing of inmates and limited inmate transport to prevent the spread of COVID-19 in state prisons. In a plea directed to NY Gov. Andrew Cuomo and the state Department of Corrections and Community Supervision, Michael Powers, president of the New York State Correctional Officers & Police Benevolent Association, said "immediate steps" are necessary to curb spread among prison employees and the state's incarcerated population. "The state needs to act now, system-wide, before it's too late," Mr. Powers said.

[https://www.nny360.com/news/stlawrencecounty/union-calling-for-new-system-wide-covid-19-measures-in-state-prisons/article\\_c5e8e888-3c2f-54f1-8ec0-fc32cd4ea5e9.html](https://www.nny360.com/news/stlawrencecounty/union-calling-for-new-system-wide-covid-19-measures-in-state-prisons/article_c5e8e888-3c2f-54f1-8ec0-fc32cd4ea5e9.html)

**Report: Washington prisons officials botched response to COVID-19 outbreak at Coyote Ridge**

**Corrections Center**

As a coronavirus outbreak ravaged a central Washington prison this spring and summer, corrections officials were slow, confused and ineffective in their response, a state watchdog report shows. Key medical personnel were absent or sidelined by other Department of Corrections (DOC) administrators, according to the report by the Office of Corrections Ombuds.

Guards weren't forced to wear masks. Symptomatic prisoners were allowed to mingle with others.

<https://www.seattletimes.com/seattle-news/report-washington-prisons-officials-botched-response-to-covid-19-outbreak-at-coyote-ridge-corrections-center/>

**COVID-19 Infections Hit Record High In California Prisons**

Inside California's prisons, coronavirus cases have exploded, reaching 3,861 active cases last week — the highest so far. Yet the state has slowed its early releases of inmates, raising questions about overcrowding as the infections spread through the prisons.

<https://www.cpradio.org/articles/2020/12/01/covid-19-infections-hit-record-high-in-california-prisons/>

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