

PRISON COVID

★ COVID-19 Information for Prisoners and Staff ★

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WHY HAS COVID-19 NOT LED TO MORE HUMANITARIAN RELEASES?

By Dan Berger

Jalil Muntaqim, a Black Panther imprisoned since 1971, is one of thousands of elderly prisoners the United States has refused to free during the pandemic.

In 1971, two weeks shy of his twentieth birthday, Anthony Bottom, a young Black Panther, along with another Panther, Albert Nuh Washington, were arrested following a shootout with San Francisco police. The pair would be tried along with a third man, Herman Bell, for a separate attack: the May killing of two New York City police officers. They were convicted and sentenced to twenty-five years to life, the maximum penalty in New York at the time. The judge who sentenced them said the sentence was befitting a society at war.

Even the most liberal of U.S. governors would rather risk their prisons turning into mass graves than offer the faintest of admissions that mass incarceration is unnecessary for public safety.

Bottom had first joined the Panthers in the weeks immediately following the assassination of Martin Luther King, Jr. In prison, Bottom converted to Islam and adopted a new name, Jalil Muntaqim. After almost five decades of incarceration, Muntaqim has racked up a laudatory file of accomplishments. He earned two bachelor's degrees before Bill Clinton ended Pell eligibility for incarcerated people. He cofounded an organization, the Jericho Movement, dedicated to the release of U.S. political prisoners. He has received numerous accolades from human rights organizations for his dedication to social justice. He has taught poetry, history, and alternatives to violence classes for other incarcerated people. When I first began corresponding with him nearly two decades ago, he was organizing a fundraiser for AIDS orphans in Africa.

In 2002 Muntaqim became eligible for parole. Yet the Patrolmen's Benevolence Association—the revanchist police fraternity that has shielded abusive cops and pursued aggressive forms of social control—lobbied heavily against it, as it has every time he has come up for parole. The PBA even set up a website to monitor the schedule of parole hearings for anyone convicted of killing a police officer, allowing visitors to send an automatically generated letter to the parole board opposing consideration of release.

For decades, the PBA effectively controlled the parole board, and such pressure ensured Muntaqim would be denied parole every two years. Each time he has been denied parole, the board has stated that its decision is based not on his deeds in prison or his readiness for release, but on the nature

of his crime. Since that can never change, PBA pressure renders the parole board irrelevant. Every prison sentence becomes a de facto death penalty—as became evident when one of Muntaqim's codefendants, Albert Nuh Washington, was denied compassionate release for stage IV liver cancer. He died in a prison hospital in April 2000.

When COVID-19 struck, Muntaqim's advocates argued before the state that his life was in grave peril. Fourteen of the top twenty pandemic outbreak clusters have been prisons and jails, and incarceration creates and exacerbates a number of health problems. At sixty-eight years old, having lived for fifty years in prison—and having survived a stroke, hypertension, and heart disease—Muntaqim is at extreme risk of dying from COVID-19. He is one of more than 9,000 people over the age of 55 who is incarcerated in New York. An estimated 10 percent of the nation's prison population is in this high-risk age group. Yet governors have thus far refused to act on clemency for elderly people.

Recognizing the precarious situation, the New York State Supreme Court ordered Muntaqim's temporary release at the end of April. In granting it, Judge Stephan Schick said, "Mr. Muntaqim may have gotten a 25-to-life sentence, but it was not a death sentence." The state Black, Puerto Rican, Hispanic, and Asian Legislative Caucus agreed, offering a letter of support for his release. Yet the state—led by Attorney General Letitia James, the first black woman to occupy that role—appealed Sullivan's ruling. As the appeal wound its way through the courts, Muntaqim sickened. On May 25, he was transferred to the Albany Medical Hospital with COVID-19. Ten

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days later, with damage to one of his lungs, his kidneys, and liver, Muntaqim had recovered enough to be transferred back to the prison infirmary. That same day, June 4, the Appellate Division reversed Judge Schick's ruling. Muntaqim, the court said, must remain in prison.

New York's intransigence fits with a national pattern that the pandemic has revealed. For while a number of municipalities shrunk their jail admissions in the early months of the pandemic, no state has meaningfully reduced its prison population. Jails generally house people who are awaiting trial but who are too poor to make bail or who are serving short sentences, whereas prisons house people who have been found guilty and sentenced to a year or more. In the restrictive purview of elite empathy, then, jails have been an easier sell for massive reduction. According to an analysis by the Prison Policy Initiative, local municipalities have reduced their jail populations by an average of 31 percent. State governments and the federal Bureau of Prisons, meanwhile, have reduced their incarcerated population by an average of just 5 percent. Typically, this has meant a release of a few hundred people—some of whom have not been released but merely transferred to home confinement.

The carceral¹ state is anticipatory violence masquerading as responsive force.

A number of states have created an almost nonexistent category of those warranting release: people over fifty-five who are serving time for nonviolent drug offenses and who are within three months of release. Yet few of the many septuagenarians in our nation's prisons meet this restrictive categorization. As the group Release Aging People in Prison (RAPP) noted in its evaluation when New York governor Andrew Cuomo created this impossible category, 98 percent of the people over 55 incarcerated in New York are excluded from consideration for release under Cuomo's plan.

Meanwhile New York prisons remain the epicenter within the epicenter, the highest source of outbreak in the state with the largest number of cases. As of June 9, the state Department of Corrections and Community Supervision reports 1,282 prison staff and 512 incarcerated people have tested positive for the disease. Yet due to low levels of testing, the comorbidities² of

incarceration, and the generally abysmal levels of health care inside, four times as many incarcerated people as staff die from the pandemic. And the vast majority of those who have died have been black or Latinx—higher even than the already disparate rates at which New Yorkers of color outside of prison have succumbed to the pandemic. RAPP calculates that 81 percent of the deaths in prison since the pandemic began, both related to COVID-19 and not, have been people of color. Black people account for 14 percent of New York state, 50 percent of the state's prison population, but 60 percent of the deaths since the pandemic began.



And it's not just New York. Washington governor Jay Inslee was widely praised for his commitment to science-based responses to climate change and the pandemic. Yet even in a proclamation declaring that elderly people are at particular risk of contracting the pandemic and that prisons are too crowded for people to practice effective social distancing, Inslee only committed to releasing a few hundred people from a state prison system that confines 19,000. Inslee's order pertained only to those who fall into the elusive category that political scientists Marie Gottschalk has called the "non-non-nons": nonviolent, non-serious, non-sexual offenses. Inslee added a further narrowing claim that required people to be within three months of their release. In Pennsylvania, advocates have grown so weary of Governor Tom Wolf's refusal to engage in widespread releases that they launched a hunger strike on June 1.

Governors nationwide have pursued similarly limited initiatives. This is the reform conjured by focus groups and vetted by police unions, not the one backed by data. Five decades of mass incarceration presence of two chronic diseases or conditions in a patient. "the comorbidity of anxiety and depression in Parkinson's disease"

has so thoroughly limited the imagination of political elites that even a pandemic cannot dislodge their belief in the necessity of mass incarceration. Their refusal of a broad humanitarian release of incarcerated senior citizens serving lengthy sentences—really the lowest of bars—reveals, in its absurd perverseness, a deeper truth: even the most liberal of U.S. governors would rather risk their prisons turning into mass graves than offer the faintest of admissions that mass incarceration is a colossal failure and unnecessary for public safety.

If liberal politicians struggle to admit this fact, conservative politicians continue to run in the opposite direction, insisting that the carceral state alone stands between civilization and chaos, despite all evidence to the contrary. In a speech that branded Antifa—an umbrella term for antifascism activists—domestic terrorism, Attorney General William Barr menaced would-be demonstrators by saying, "It is a federal crime to cross state lines or to use interstate facilities to incite or participate in violent rioting." He promised to "enforce these laws." The law in question is part of the 1968 repressive Anti-Riot Act that was appended to the otherwise laudatory Fair Housing Act. Legislators rushed to pass this bill after King's assassination and the tinderbox it lit nationwide; they colloquially referred to their repressive *cri de coeur*³ as the "Stokely Carmichael bill" in honor of the charismatic SNCC leader whose incendiary talks white legislators blamed for antiracist uprisings.

Spontaneous uprisings are by nature unpredictable, yet a cogent demand is emerging from coast to coast: "Defund the police."

The carceral state is anticipatory violence masquerading as responsive force, and Barr has been preparing for this moment for a long time. Last August, Barr praised police as "fighting an unrelenting, never-ending" war and deserving of "ticker-tape parades." Barr has actually made it harder for incarcerated people to get out of federal prison during the pandemic and then placed the whole federal prison system in lockdown. Yet he was quick to criminalize the nationwide protests against police violence. He promised to utilize the Joint Terrorism Task Force (JTTF), a collaboration between federal and local police that began in 1980 to stop a rash of bank robberies (including those allegedly committed by the

1. Editor's Note: The "carceral state" means all the formal institutions of the criminal justice system. It's a polite way of saying "police state."

2. Editor's Note: Comorbidities is the simultaneous

3. "*cri de coeur*" a passionate outcry (as of appeal or protest)

Black Liberation Army). This amounts to a federal redefinition of any protest against police as terrorism. The nation's jails and prisons stand ready to detain the latest targets of America's long war.

Police departments heard the message clearly, as they have targeted largely non-violent demonstrations with a seemingly endless amount of tear gas, flash grenades, clubs, tanks, pepper spray, and mace. In the past two weeks, we have witnessed a national police riot, complete with numerous actions that would qualify as war crimes. New York police clubbed peaceful demonstrators, then charged at them with SUVs (this has been reported in Boston as well). In Philadelphia police cordoned demonstrators onto the highway and then gassed them all with no place to escape. Later, other officers posed for photographs with armed white vigilantes. Washington, D.C., police shot tear gas inside a private residence after the homeowner sheltered fleeing demonstrators. Louisville police had no body cameras on when they shot and killed a black restaurateur who frequently served police. Around the country, police have obscured their badge numbers before engaging in unceasing violence. All this in stark contrast to the muted response police gave armed reactionaries at state houses just weeks ago. The police, writes critic Alex Parene, have taken the side of white vigilantes.

Meanwhile Muntaqim and hundreds of thousands of other incarcerated people have been abandoned to the courts and COVID-19. In the face of federal threats to break the backs of protestors, though, the actions against state violence continue. By returning daily to the streets, violating curfews, seizing hotels shuttered by COVID-19, caring for each other amidst a pandemic and a rampaging police state, and pulling down racist statutes, thousands of Americans display heroic courage. They are willing to give their lives to the work of remaking the country by ending policing and incarceration as we know them. Spontaneous uprisings are by nature unpredictable, yet a cogent demand is emerging from coast to coast: "Defund the police." Every day in the streets of U.S. cities and towns, these rebellions seek to overturn the police state that consolidated in opposition to Muntaqim and other black radicals of the 1960s. For in moving to defund police, we must also act to dismantle the prison system where many victims of police violence reside. ♠

UC HEALTH EXPERTS: SAN QUENTIN CORONAVIRUS OUTBREAK COULD POSE THREAT TO ENTIRE BAY AREA

By Kellie Hwang and Mike Massa,
San Francisco Chronicle

A team of UC Berkeley and UCSF health experts warned prison medical officials in mid-June that they'd need to cut the population of San Quentin State Prison in half to avoid a potentially "catastrophic" outbreak there.

But prison officials didn't heed the warning and, since then, confirmed coronavirus infections among prisoners have rocketed from 48 to 456, far outpacing any other facility in the state and overwhelming a system that waited too long to react.

The memo by a team of health experts warned that conditions were already "dangerous" and the only way to control the situation would be to reduce the prison's population. The massive outbreak at San Quentin was sparked by California corrections officials' mishandling of the transfer of infected prisoners from another prison.

The memo, submitted to the statewide correctional health care system on June 13, warned that San Quentin has "profoundly inadequate resources" to deal with the surge of cases, and failure to quickly address the crisis could have "dire implications" for the Bay Area, straining community hospitals and risking the health of incarcerated people and prison employees alike.

No prisoners at San Quentin tested positive for the coronavirus in March, April or May. It was only after state corrections officials transferred 121 incarcerated men to the prison from a virus-swamped facility in Southern California that the outbreak occurred. The transferred men were not tested for up to a month before they were placed on buses, *The Chronicle* reported, and after they arrived at San Quentin, the virus began to spread quickly. At least 1 of every 8 residents at San Quentin are now infected, and more than 40 staff.

They sent the memo to California Correctional Health Care Services, the federally appointed provider of medical care in the state prison system. (The arrangement

is the result of a long-running federal lawsuit over conditions in the state prison complex).

While the memo is a public document, it has not been previously released. The memo was provided to *The Chronicle* by the Prison Law Office, which is suing the state over the quality of prison medical care.

The memo argues that it's difficult, if not impossible, to create "social distance" inside a prison, particularly one like San Quentin, an aging facility with "exceedingly poor ventilation, extraordinarily close quarters exacerbated by overcrowding, and inadequate sanitation," the scientists wrote.

"We therefore recommend that the prison population at San Quentin be reduced to 50% of current capacity (even further reduction would be more beneficial) via decarceration."

There are about 3,500 prisoners in San Quentin. A 50% cut in population would leave 1,750.

"An outbreak in North and West blocks could easily flood — and overwhelm — San Quentin as well as Bay Area hospitals," they wrote in the memo, adding that they were concerned about older residents dying if they get infected.

Another area of San Quentin, the gymnasium, has been turned into an open dormitory, with prisoners bunked closely together. The health experts wrote that they found this appalling and said it could lead to "a catastrophic super spreader event." Another dorm in San Quentin, known as H Unit, houses hundreds of men in bunks.

The Berkeley and UCSF scientists urged the state to develop an emergency response team to manage the growing outbreak, to speed up the testing process, and to assemble a field hospital for treating sick prisoners and separating them from the healthy. The experts raised an alarm about the lack of space inside the prison to isolate the infected from the uninfected.



Health Experts..... Continued on page 6



Black inmates make up a disproportionate share of Covid-19+cases in prison

Data from the Vermont Department of Corrections shows that while black inmates were almost 9 percent of the total prisoners tested for Covid-19 in the state, they made up nearly 18 percent of the prisoners who have tested positive for the coronavirus. Black inmates were also 2.2 times more likely to test positive than white inmates.

<https://vtdigger.org/2020/06/16/black-inmates-make-up-a-disproportionate-share-of-covid-19-cases-in-prison/>

In Brazil's overcrowded jails, COVID-19 breeds fear and calls for change

As COVID-19 deaths rise in Brazil's violent and overcrowded jails, activists have called for tens of thousands of prisoners to be released to stop the disease taking a heavy toll on inmates, most of whom are young black men.

<https://www.reuters.com/article/us-health-coronavirus-prison/in-brazils-overcrowded-jails-covid-19-breeds-fear-and-calls-for-change-idUSKBN23N0LF>

As COVID-19 spreads in prisons, lockdowns spark fear of more solitary confinement

Prisons across the country have placed prisoners on lockdown — they're kept in their cells mostly around-the-clock — as a way to stop the spread of the coronavirus. Now prison reformers are worried that the response has increased the use of a practice they've long fought: solitary confinement.

<https://www.npr.org/2020/06/15/877457603/as-covid-spreads-in-u-s-prisons-lockdowns-spark-fear-of-more-solitary-confinemen>

Coronavirus cases rise sharply in prisons even as they plateau nationwide

Prison officials have been reluctant to do widespread virus testing even as infection rates are escalating.

<https://www.nytimes.com/2020/06/16/us/coronavirus-inmates-prisons-jails.html>

More than 1 out of 3 tested federal inmates were positive for coronavirus

More than 35% of federal inmates who have tested for coronavirus were positive, according to The Bureau of Prisons.

<https://abcnews.com/Politics/tested-federal-inmates-positive-coronavirus/story?id=71275461>

With COVID-19, it's time to move towards prison abolition

The COVID-19 pandemic has exposed inequities throughout our economic, political, and social systems. Perhaps nowhere is this injustice more pronounced than in our jails, prisons, and detention centres. As the number of inmates and detained persons infected with COVID-19 across Canada continues to rise, it is vital that we reconsider our society's attitude towards incarceration as a tool for solving complex social problems.

<https://ricochet.media/en/3188/with-covid-19-its-time-to-move-towards-prison-abolition>

San Quentin: outcry after Covid-19 cases at California prison triple in two weeks

The number of coronavirus cases in California's San Quentin state prison has tripled within the last two weeks, prompting advocates, families and attorneys to demand urgent action to fast track the release of prisoners and curb the spread among correctional officers.

<https://www.theguardian.com/us-news/2020/jun/18/san-quentin-covid-19-cases-california-prison>

All inmates to be tested for COVID-19 at state prisons in North Carolina

Officials have announced that all inmates will be tested for COVID-19 at state prisons in North Carolina. The announcement of this testing comes after a court order that all inmates be tested.

<https://www.wbvt.com/2020/06/18/all-inmates-be-tested-covid-state-prisons-north-carolina/>

Coronavirus Update: Illinois released white inmates at higher rates in pandemic, report says

White inmates in Illinois are having their sentences shortened during the coronavirus pandemic at a higher rate than Black inmates. 3,400 people early from Illinois prisons between March 1 and June 4. Less

than half (46%) of inmates released early were Black, even though Black inmates make up 54% of the state prison population. Meanwhile, 43% of inmates who were released early were white, even though whites make up about 32% of the prison population.

<https://abc7chicago.com/illinois-released-white-inmates-at-higher-rates-in-pandemic-report/6257415/>

Overcrowded prison accounts for nearly quarter of all prison COVID-19 cases

One dangerously overcrowded prison in Alabama has nearly a quarter of all the state's confirmed COVID-19 cases among inmates and staff.

<https://www.alreporter.com/2020/06/19/overcrowded-prison-accounts-for-nearly-quarter-of-all-prison-covid-19-cases/>

COVID-19 cases jump at southern NM lockup

State health officials say 55 additional state inmates and nine more federal inmates have contracted COVID-19 at the Otero County Prison Facility, which has had four deaths related to the virus and nearly 650 cases. The New Mexico Corrections Department says 362 of its 497 inmates at Otero County prison have COVID-19 — or 73%.

<https://www.abqjournal.com/1468275/covid-19-cases-jump-at-southern-nm-prison.html>

Mississippi reports 83 COVID-19 cases in inmates and employees

The Mississippi DOC released the number of inmate and staff who tested positive for COVID-19. MDOC is reporting a total of 83 cases in inmates and employees. 51 inmates and 32 employees have tested positive for coronavirus, according to the numbers posted June 19.

<https://www.wjtv.com/news/mdoc-reports-83-covid-19-cases-in-inmates-and-employees/>

Covid-19 continues to spread in UAE prisons

The coronavirus pandemic is continuing to spread inside the prisons in the United Arab Emirates amid claims that the authorities are covering up the extent of the outbreak and have refused to provide the true number of inmates infected with the virus.

<https://www.middleeastmonitor.com/20200622-covid-19-continues-to-spread-in-uae-prisons/>

Covid-19 imperils packed Egypt prison

Fears are mounting over the safety of prisoners in Egypt's notorious Tora prison, as rights groups say parts of the complex have been cordoned off to quarantine those diagnosed with coronavirus. Families of prisoners said efforts to contain virus are purely cosmetic.

<https://www.theguardian.com/global-development/2020/jun/22/it-would-spread-quickly-in-those-cells-covid-19-imperils-packed-egypt-prison>

Gov. Wolf: Pennsylvania reduced prison population by record-setting 3,471 since March 1

Governor Tom Wolf announced today that since March 1, the population of those in state correctional facilities has been reduced by 3,471 individuals, the largest multiple-month decrease ever experienced by the Department of Corrections and one that helped the department reduce the number of COVID-19 cases in facilities.

<https://www.governor.pa.gov/newsroom/gov-wolf-pennsylvania-reduced-prison-population-by-record-setting-3471-since-march-1/>

Judge denies state request to withhold some information about COVID-19 prison precautions

A judge has denied a request from the N.C. Department of Public Safety that would modify an order to allow the agency to keep from reporting certain information about COVID-19 in prisons. Wake County Superior Court Judge Vince Rozier, Jr. signed an order that found DPS had likely violated prisoners' constitutional rights by failing to properly protect them from the virus.

<https://www.wbtv.com/2020/06/22/judge-denies-state-request-withhold-some-information-about-covid-prison-precautions/>

'A moral failure': California not tracking jail inmates and staff infected with coronavirus

More than three months into the coronavirus pandemic, California officials say they still have no plans to collect and publish basic data about COVID-19 testing and outbreaks in local jails.

<https://www.sacbee.com/news/coronavirus/article243724172.html>

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<https://www.middleeastmonitor.com/20200622-covid-19-continues-to-spread-in-uae-prisons/>

COVID-19 spreads in women's prison where sexual abuse prompted federal probe

In a women's prison where federal authorities said the state failed to protect prisoners from sexual abuse, two prisoners had died from COVID-19 at the Edna Mahan Correctional Facility for Women near Clinton, while 114 inmates and 77 staff had been confirmed with the virus, according to the latest data from the Department of Corrections.

<https://www.njspotlight.com/2020/06/covid-19-spreads-in-womens-prison-where-sexual-abuse-prompted-federal-probe-say-inmates-and-advocates/>

States engaged in 'gross negligence' in Covid-19 response in jails and prisons, new report finds

States have responded to the threat of Covid-19 in jails and prisons with "gross negligence," according to the ACLU and the Prison Policy Initiative. As of June 22, more than 570 incarcerated people in the US and more than 50 corrections officers have died due to Covid-19, the report said. Jails and prisons have become hotspots for new cases. Despite the warnings, the systems failed the incarcerated, the report concluded.

<https://www.cnn.com/2020/06/25/health/state-response-covid-jails-prisons-trnd/index.html>



Inside the U.S.'s largest maximum security prison, COVID-19 raged

Inmates at Angola prison in Louisiana told ProPublica of widespread illness, dysfunctional care and deadly neglect as the coronavirus outbreak hit. As prisoners died, officials called their response to the virus a "success."

<https://www.propublica.org/article/>

[inside-the-uss-largest-maximum-security-prison-covid-19-raged](https://www.propublica.org/article/inside-the-uss-largest-maximum-security-prison-covid-19-raged)

Courts try to fast track release of thousands of low-risk prisoners amid COVID-19 outbreak

California's Governor said that the state hopes to expedite the release of several thousand low-risk inmates at state prisons such as San Quentin that have seen outbreaks of the COVID-19 coronavirus in their populations.

<https://sanfrancisco.cbslocal.com/2020/06/24/coronavirus-courts-try-to-fast-track-release-of-1000s-of-low-risk-san-quentin-inmates-amid-covid-19-outbreak/>

In the middle of a pandemic, prisoners at San Quentin are punished for being sick

Ralph Diaz, secretary of the California Department of Corrections and "Rehabilitation", asked state prisoners to tell a doctor or nurse if they feel symptoms of COVID-19, and said that doing so would help stop the spread of the virus and keep everyone safe. At San Quentin, however, prisoners are reluctant to report when they're sick—everyone knows they'll be sent to The Hole, where prisoners are kept in the punishing conditions of solitary confinement.

<https://theappeal.org/san-quentin-state-prison-coronavirus-solitary-confinement/>

The coronavirus crisis inside prisons won't stay behind bars

Federal officials recognized the danger of the spread of coronavirus in prisons early, but have dragged their feet releasing at-risk inmates.

<https://www.nytimes.com/2020/06/25/opinion/coronavirus-prisons-compassionate-release.html>

Wisconsin receives an F+ grade for handling of COVID-19 in prisons

Wisconsin has received an F+ grade from the national American Civil Liberties Union and the Prison Policy Initiative for its handling of the COVID-19 coronavirus crisis in prisons, according to a report just released.

https://madison.com/wsj/news/local/crime-and-courts/wisconsin-receives-an-f-grade-for-handling-of-covid-19-in-prisons/article_d9f9597c-8f73-55ca-9f16-a031aa876674.html

"It is a frightening public health reality that in a matter of days there may be no cells to isolate a potentially infectious COVID-19 patient," they wrote.

This warning proved prophetic: In the last few days, San Quentin has run low on cells with solid doors for isolating patients and is now trying to turn other housing units into COVID-19 wards.

The health experts also wrote that corrections officers and nurses at San Quentin are not always wearing masks, even though they are required to, and officers commonly move between housing units during the course of their shifts, potentially carrying the virus from place to place.

"This is an enormous risk for the spread of COVID-19 between units," the memo concluded.

During a news conference about COVID-19, a Chronicle reporter asked Gov. Gavin Newsom if the state planned to release large numbers of incarcerated people at San Quentin and other California prisons dealing with big outbreaks.

"You're right," Newsom said. "San Quentin is a concern." He said that a plan to release about 3,500 nonviolent offenders throughout the state system is already in the works, set to begin on July 1, and people who qualify under that program at San Quentin may be released sooner. But he did not commit to the sort of sweeping release that the UC experts say is necessary.

"We don't want to just throw people out on the streets and sidewalks," Newsom said. "That wouldn't be humane, either." ♦

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CONGRESS WOMAN PUSHES TO FREE PRISONERS FROM "CORONAVIRUS DEATH SENTENCE"

US prisons and jails need to move swiftly to release pre-trial, older and medically-vulnerable inmates or face a humanitarian crisis of vast proportions as coronavirus ravages custodial institutions across the country, the Democratic congresswoman Rashida Tlaib warns.

Tlaib has introduced new House legislation that would use federal funding as leverage to push states to reduce their incarcerated populations during the coronavirus crisis. Those inmates eligible under the bill for immediate release for up to a year after the pandemic ends would include:

- inmates awaiting trial
- those serving misdemeanor sentences
- immigrants in Ice detention
- pregnant women and primary caregivers
- inmates over 55 or those medically-susceptible to coronavirus

The bill, known as the *Dismantle Mass Incarceration for Public Health Act*, is one of the boldest efforts yet to tackle mass incarceration amid the pandemic.

"This bill is just the start of a goal to end mass incarceration for all, something our local and national advocacy groups have been fighting for decades," Tlaib said.

As the coronavirus pandemic has swept the country, correctional facilities, alongside nursing homes and meat packing plants, have become major hubs of disease. According to the New York Times, all of the top five clusters of the virus across the US are now in prisons and jails.

Modelling by the American Civil Liberties Union (ACLU) has warned that US jails alone could act as such powerful incubators of the illness they could add another 100,000 deaths to the current toll of 121,000. So far that catastrophe has not been realized, with latest estimates suggesting that 627 inmates and staff have died and with 70,000 confirmed cases of infection.

But those numbers are likely to be gross under-counts given the extremely low rate of diagnostic testing in custodial institutions. The virus has also proven itself capable of ripping through custodial environments at terrifying speed.

"We have an incarceration epidemic that has devastated black communities for decades. So yes, the nationwide protests are happening because of police brutality but

bigger structural change also needs to happen," Tlaib added.

She pointed out that in her home state of Michigan the costs of incarceration distorted public spending. "We have high rates of poverty, housing crises, the water isn't clean yet in Flint – and the number one budget line-item in the state of Michigan is corrections. Not education, not public health, corrections," she said.

Tlaib recalled what one of her constituents told her recently: "Being poor and black in America always leads in some sort of way to being hit by police or the prison industry." ♦

<https://www.theguardian.com/us-news/2020/jun/26/rashida-tlaib-prisons-coronavirus-covid-19>

DOC Confirms Partial Food Strike At Walla Walla Pen.

On June 16 a Tri-Cities TV station reported the food strike was started to bring attention to what the inmates perceived as poor practices regarding COVID-19, according to two family members of inmates. The report said complaints revolved around the inmates not seeing proper use of personal protective equipment by food handlers and not receiving proper gear themselves. The Penitentiary has confirmed four cases of the virus since the pandemic began. Two staff members and two prisoners have had the virus, according to the DOC website.

This newsletter has received additional reports from WSP: "On June 26 we were told in the last two days three people at WSP BAR units and Adams unit fell out and are being tested for covid." Also, it seems guards are not following safety procedures. "On June 20, 2020 at 1:00 pm at WSP law library two CO's [guards] one of whom was checking-in inmates were not wearing face coverings. The inmate law clerk asked if face coverings were now optional. The CO appeared agitated by this question and ordered the law clerk to return to his unit. We spent the session without a law clerk and we also understood the message: keep your mouth shut. It should be noted no staff were taking temperatures."

Prisoners can send updates through letters or J-Pay to communicate with us. ♦

THE REYNOLDS SIX ARE ILLUMINATING CORONAVIRUS OUTBREAKS SOME OFFICIALS WOULD RATHER KEEP IN THE DARK

June 29, 2020

By Naomi Ishisaka

Seattle Times columnist

Mother Brown knew something was wrong. Her son, Isaiah P. Thomas, 24, had just a few more months left at the Reynolds Work Release facility in Seattle after serving time in Washington Corrections Center in Shelton. He was excited to be coming home, she said, but then she suddenly stopped hearing from him.

It was the “worst fear for a mother,” she said. “Where’s my child at?”

Brown, who prefers the name Mother Brown, called, wrote letters, and got nowhere until community members helped her locate her son. Thomas had been sent back to the prison in Shelton, along with four other men, whom community advocates have dubbed the “Reynolds Six.”

The saga of the Reynolds Six began on May 1, after coronavirus infections inside the facility led family members of the incarcerated men to protest outside to demand safer conditions for their loved ones.

In what family members say was retaliation for the protest, five of the men were sent to the Shelton prison, including the man whose family was leading the protest. One of the men, Abdizikar Mohammed, was infected with COVID-19 and sent to Monroe Correctional Complex. There he was placed in isolation for 22 days and denied books and treatment, said Columbia Legal Services attorney Nick Allen — actions Allen said seemed like punishment for testing positive for coronavirus. All but one of the men are Black, or Black and Indigenous, and two are Muslim.

The Department of Corrections said the five sent to Shelton were given disciplinary infractions — which were all either later removed or reduced — and then sent to Shelton for not going back to their rooms.

If the goal was to silence the protest at Reynolds by putting the men and their families in more vulnerable positions, it had the opposite effect. Unlike most of the millions of incarcerated people in the U.S. whose circumstances and struggles go largely ignored, the Reynolds Six have garnered advocates who are doing everything they can to ensure that their voices aren’t

lost in the system.

At a June 4 news conference, families of the men were joined by lawmakers, community organizers, attorneys and other leaders to raise public awareness of the dangers of COVID for incarcerated people and to call for the men to be returned to Reynolds or released to their families. Weeks after the press conference, four of the men were sent back to work release, and two sent home.

The Reynolds Six case is just one example of the coronavirus crisis sweeping jails and prisons across the U.S. As of Friday, nearly 49,000 cases of coronavirus were reported among incarcerated people nationwide, with nearly 550 deaths. These numbers are likely an undercount due to insufficient testing. And as of June 16, “America’s largest jailer,” the federal Bureau of Prisons, had tested only 13% of incarcerated people. Once widespread testing was done in one Ohio prison, for example, more than 70% of incarcerated people tested positive for the virus.



In Washington, 143 incarcerated people have been infected, with the vast majority from an outbreak at Coyote Ridge Corrections Center, where two people have now died. Of those who have been tested, Columbia Legal Services said that 19% tested positive, a rate three times the rate of the general population.

As we increasingly look to transform our criminal legal system from the ground up,

it’s critical we keep top of mind the 2.3 million people currently trapped in our “American gulag” of mass incarceration, the largest in the world. This can be hard to do, as the system itself even in the best of times is designed to make it hard to communicate with or keep track of incarcerated people or independently verify what happens within prison walls.

Coronavirus raging largely unchecked makes this even harder, as outside visits are no longer allowed in many places. This leaves a vulnerable population even more vulnerable. At the Yakima County Jail, for example, an outbreak doubled in size over the past few weeks while jail guards resisted wearing masks. Some incarcerated people who have tried to bring attention to their plight have faced solitary confinement as a consequence.

Aneelah Afzali, the executive director of MAPS-AMEN (American Muslim Empowerment Network), was one of the community leaders who stepped up to support the Reynolds Six. “The lives of these six men and their families have been devastated, all because some family members — specifically, Black Muslim women — had the audacity to call for safety inside DOC facilities in the middle of a global pandemic.”

Gov. Jay Inslee released 950 incarcerated people to reduce the incarcerated population and prevent the spread of the virus, but Columbia Legal Services is seeking a much wider release of 11,700 people. Their initial effort was rejected by the state Supreme Court in April but they filed a new motion last week to revisit the case, in light of the jump in cases and the outbreak at Coyote Ridge.

As these outbreaks increase, those on the outside must do everything possible to ensure prison sentences don’t become death sentences.

Mother Brown just wants to see her son home safe.

“The men [at Reynolds] are living in a mixed population,” she said, of people with coronavirus and people without. “It’s terrifying when we’re at home in our cozy houses ordered to stay in the house by our local officials, what’s happening to our loved ones.” ♦

JUSTICE FOR THE REYNOLDS SIX

The Reynolds 6 tried to bring attention to the dangers of COVID-19 outbreaks in DOC facilities. They were sent back to prison from work release for trying to address this growing public health crisis, one that disproportionately affects Black and BIPOC communities.

After the family of one of the men at Reynolds Work Release facility advocated for safer conditions during a COVID-19 outbreak, the Department of Corrections (DOC) threw six men back in prison. DOC did this retaliation without due process. This case is about:

- Public health during the COVID pandemic in DOC facilities.
- Families being unfairly punished for merely speaking out to protect their loved ones.
- Racism and abuse from DOC officials

Instead of heeding the call for safety from Black families, DOC aggressively retaliated by kicking out not only two Somali men but also three other Black men and one white man.

The “Reynolds 6” should all be home with their families right now. Instead, they thrown back into prison when awareness was raised about unsafe conditions. We are all still facing additional time, though public pressure eventually resulted in 3 of the men being returned to work release.

When reviewed, on their face DOC infractions for the men are flimsy. They were essentially thrown back in prison for needing to use the restroom... Their charge is having “went to the bathroom”. This punishment could have been a death sentence.

We remain troubled by the DOC’s denial of xenophobia and, specifically, anti-Muslim sentiment. These incidents began to unfold during Ramadan. The Muslim members of the group were fasting. The Muslim man in the group who tested positive for COVID-19 received egregious treatment at Monroe prison. Though the DOC denies being punitive, East African families have come forward to say that DOC staff began by badgering their loved ones about social media posts of women in hijab who raised concerns about the COVID-19 outbreak at Reynolds.

The Reynolds 6 case shows that DOC is handling the COVID outbreak poorly. They have acted in a way that was meant to silence families of color in particular. This behavior is racist and reckless. It

seems more likely to have been done to aid a cover up than to be accountable for medical neglect. In fact, after the men’s transfer back to prison, they were placed in solitary confinement, isolated from their families, and kept from showering and other needed hygiene. Part of resolving the harm done means understanding that Black and Brown people are furthest away from the medical care they need during the COVID pandemic in DOC facilities. With the Black death rate is at 3x the rest of the population, we demand that the DOC release these men and acknowledge the harm done.

This story impacts the issue of COVID-19 in prisons. As outbreaks grow, how are prisoners being treated when they are ill? Covid-19 has hit our prison system and is being used as a method of punishment instead of recognized as a reason to prioritize safety. The Reynolds 6 suffered poor living conditions as Covid-19 made its way through Reynolds Work Release. One man was sent to Monroe Prison while sick with COVID-19 and placed in isolation for 22 days despite having difficulty breathing.

This is a hidden injustices, an example of what happens when torture and mistreatment are not caught on camera. While some injustices and crimes against Black people and people of color are caught on camera, many more are hidden by the system. The Reynolds 6 is one of those hidden injustices found within the prison system which lacks transparency and accountability.

The will of a mothers. We know that Black people and people of color have a higher chance of being mistreated by our justice and prison systems. The fight to change this is often led by their mothers. Here are the stories of Seattle area mothers who are trying to bring their sons back home where they belong.

People are now having a growing collective conversation about abolitionism and are asking themselves why this movement is needed. The Reynolds 6 is an example of how the institution of prison is weaponized and harms communities instead of helping them. By throwing six men back into prison during a deadly pandemic, they torture not only the Reynolds 6, but also their families. Their mothers, sisters, and brothers. Their sons and daughters. Their friends. Their neighbors. Their community. This impacts everyone who loves, cares, and depends on them. ♦

SAN QUENTIN PRISONERS HUNGER STRIKE AMID MASSIVE VIRUS OUTBREAK

As the novel coronavirus spreads rapidly through California’s San Quentin State Prison, around 20 prisoners have launched a hunger strike to protest inhumane conditions inside. The hunger strike began on June 29th, according to the men, who are incarcerated in the prison’s Badger unit. As of July 1st, 1,135 prisoners—almost a third of San Quentin’s incarcerated population—have active COVID-19 infections. ♦

<https://theappeal.org/san-quentin-hunger-strike-coronavirus-outbreak-california-prison/>

PRISONERS AT LANE COUNTY ARE STRIKING DUE TO LACK OF COVID-19 PROTECTIONS

Four pre-trial detainees have not eaten since last Sunday due to a lack of Covid-19 protections in Lane County Jail. At least one of the four detainees who is striking is Bryan MacDonald, who earlier this month along with four other detainees filed a lawsuit that claims that health and safety measures enacted within the jail are not in fact making detainees any safer. The measures enacted are preventing social visits, religious gatherings, and ac-

I am no longer accepting the things I cannot change,



I am changing the things I cannot accept.

cess to speedy trials, while the jail has not even implemented social distancing measures and new detainees are only quarantined for seven days upon entry to the Jail.

By hunger striking, these pre-trial detainees hope their actions will bring attention to the faults of the jail and those the lawsuit was filed against: Governor Kate Brown, Lane County Circuit Court Judge Charles Zennache, Lane County Sheriff Cliff Harold.

Since filing the lawsuit, detainee Bryan MacDonald has experienced threatening and occasionally violent behavior from law enforcement officials within the Jail and has been placed in solitary-confinement for 21 hours a day. Jail officials are aware of Bryan's and the three other detainees hunger strike but are not checking their vitals.

Concerned community members can call the Jail at (541) 682-4263 to demand that they check striking detainees' vitals, as well as release at-risk inmates, reduce the population of the jail to ensure social distancing can be followed, and return behind-glass social visits as per the demands of the recently filed motion. ♦

NO NEW WOMEN'S PRISON

The Washington Department of Corrections is trying to expand the Maple Lane facility in Grand Mound, Washington into a new minimum security women's prison. Before its closure in 2011, the facility was a juvenile detention center. It is currently being used to "restore" people awaiting trial who the state deems "incompetent." This new women's prison is currently slated for 128 beds but could eventually hold 700 people. The Thurston County Board of County Commissioners temporarily halted the construction of the prison, but the Department of Corrections plans to keep pushing for the prison expansion. Our collective -- No New Women's Prison -- has formed out of community concern about the project. We believe that early release is the solution to overcrowding in WA state prisons -- not prison expansion. We're united around the values of anti-racism, disability justice, and feminism.

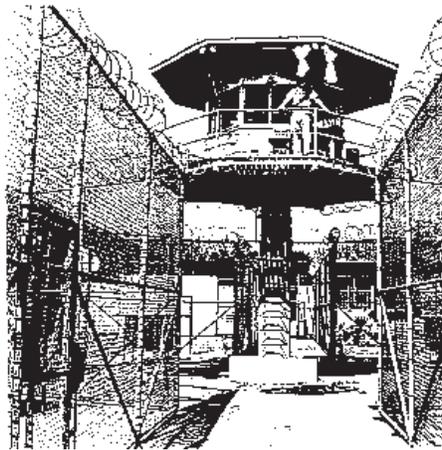
We'd love to hear from you! If you have any questions or would like to be a part of our organizing efforts, send a letter to the following: 824 S Cloverdale St. Seattle, WA 98108 or Or on JPay at ashleen.obrien@gmail.com

THE CORONAVIRUS CRISIS INSIDE PRISONS WON'T STAY BEHIND BARS

Federal officials recognized the danger of the spread of coronavirus in prisons early, but have dragged their feet releasing at-risk inmates

By The New York Times Editorial Board

The situation inside the nation's jails and prisons amid the Covid-19 pandemic has become the stuff of nightmares. Overcrowding, unsanitary conditions, shortages of personal protective equipment (not to mention soap) and restrictions on hygiene products such as hand sanitizer have turned detention facilities into a playground for the virus and a death trap for inmates — many of whom, because of age or pre-existing conditions, are at elevated risk for complications. And the threat extends far beyond the facilities themselves, endangering the families and communities that surround prison guards, nurses and other staff members.



Currently, the nation's top five Covid-19 hot spots are all correctional facilities, according to data collected by The Times. The number of infected inmates and workers has topped 70,000 — the count doubled between mid-May and mid-June — and there have been at least 627 virus-related deaths.

Even these infection numbers are assumed to be an undercount, since testing for the virus remains inadequate and uneven. New York State has tested only about 3 percent of its 40,000 inmates, and more than 40 percent of those tested were confirmed infected. In Mississippi, Alabama and Illinois, fewer than 2.5 percent of state prison inmates have been checked. Some states, like Texas, have moved to ramp up testing, and their reported cases are soaring. Further complicating the count, some

facilities do not make their testing numbers public.

Inmates are scared and desperate, and tensions occasionally boil over. In April, more than 100 inmates at a prison in Washington State protested after six inmates tested positive for the virus, and a smaller uprising occurred at a Kansas facility after more than two dozen inmates and staffers tested positive.

Lawmakers are correct that the system cries out for reform. But the current crisis was born of both policy shortcomings and a widespread failure of implementation, not to mention general dysfunction. As detailed in a June report by the Marshall Project, federal prison officials have failed to protect inmates and the staff in numerous ways. (State prison systems have their own share of horror stories.) The bureau has maintained that it's doing its best in an impossible situation. But closer scrutiny is clearly merited, and perhaps stricter oversight by Congress going forward.

America's inmates have been sentenced to pay their debt to society. That debt does not include falling victim to a lethal virus because of official incompetence. The bureau's response [to the virus] has been dysfunctional to the point of cruelty. ♦

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.

Alabama prison employee dies after coronavirus diagnosis

Alabama Department of Corrections announced late Thursday the staff member at Julia Tutwiler Prison for Women died after a recent COVID-19 diagnosis.

<https://www.montgomeryadvertiser.com/story/news/2020/06/26/tutwiler-prison-employee-dies-after-alabama-coronavirus-diagnosis/3263499001/>

California governor grants clemency to 21 prisoners as thousands infected with Covid-19

Advocates said the move was deeply inadequate given the scale of the Covid crisis, which has infected more than 4,000 people in state prisons, leading to 20 deaths. The state announced more than 1,000 new cases in the last two weeks, a surge that advocates and experts say was preventable and is a result of the state's negligence.

<https://www.theguardian.com/us-news/2020/jun/26/california-clemency-covid-19-governor-prisons>

69 Dauphin County jail inmates have COVID-19, and mass testing has just started

Sixty-nine inmates from three housing units have tested positive along with 15 staff members. Those who had symptoms included elevated temperature or loss of taste and smell.

<https://www.pennlive.com/news/2020/06/69-dauphin-county-jail-inmates-have-covid-19-and-testing-has-just-started.html>

Over 200 inmates, almost 70 staff members positive for COVID-19 in Middle Georgia prisons

The Georgia Department of Corrections publishes the number of offenders who test positive for COVID-19 daily, and the number of prisoners in Middle Georgia prisons who tested positive is currently at 202. The number of staff who have tested positive is at 69.

<https://wgxa.tv/news/local/over-200-inmates-almost-70-staff-members-positive-for-covid-19-in-middle-georgia-prisons>

DOC accused of retaliating against inmates at Seattle work-release

facility over coronavirus protests

Families who protested conditions at a Seattle work-release facility are accusing the state Department of Corrections of retaliating by sending six men at the facility back to prison. The six men had been housed at the Reynolds Work Release facility downtown, but had their work-release status revoked on what supporters describe as bogus infractions, after a peaceful demonstration last month by family members concerned about an outbreak of COVID-19.

<https://www.seattletimes.com/seattle-news/crime/department-of-corrections-accused-of-retaliating-against-inmates-at-seattle-work-release-facility-over-coronavirus-protests/>

San Quentin: Covid-19 cases surge past 1,000

More than 900 of the over 1,000 cases were diagnosed in last two weeks. Attorneys say the outbreak can be traced to the transfer of people between prisons.

<https://www.theguardian.com/us-news/2020/jun/29/san-quentin-coronavirus-cases-covid-19>

**Prison Covid
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FIRST CLASS MAIL

COMMUNICATION IS A HUMAN RIGHT