

People's Campaign



Parole Justice

PAROLE JUSTICE: COVID + PAROLE

OVERVIEW

- COVID-19 laid bare a problem that always existed: prisons are dangerous, often deadly places with inadequate access to health care.
- While Center for Disease Control guidance says social distancing is required to reduce the spread of COVID-19, it is virtually impossible to do this in correctional facilities. Coupled with limited and often inadequate personal protective equipment, tens of thousands of people in these facilities are unable to sufficiently protect themselves from this deadly virus.
- The pandemic presents an especially grim reality for older and immunocompromised people, who are most at risk of grave harm or death if they contract the virus.
- Public health officials have made clear that reducing the prison population is critical to combatting the virus, which has only worsened in the past several months. Unfortunately, the Governor has only authorized the release of a tiny fraction of vulnerable people. In addition, the Department of Corrections and Community Supervision (DOCCS) has only approved 6 medical parole applications (this doesn't mean the person was ultimately released just that their application was approved), meaning dozens if not hundreds of applications were denied during the pandemic.
- It is time for the Legislature to intervene and create more meaningful parole release opportunities to parole eligible people to stave off more deaths and cases and to meet a moment that the Executive branch has yet to adequately address.

COVID IN NY PRISONS

- The COVID-19 pandemic took a toll on New York prisons. New outbreaks happen almost weekly and there appears to be no end in sight.
- Upwards of 4,500 people have tested positive for the virus since the start of the pandemic; most of these cases happened in the last two months.
- Thirty (30) people died from COVID-19 in state prisons so far; 12 of these deaths happened in the last two months.

COVID PRISON DEATHS DISPROPORTIONATELY HARM INCARCERATED OLDER PEOPLE

- Since the outbreak of COVID-19 in the New York State prison system, older people and those serving long sentences have disproportionately died from COVID-19 behind bars.
- While people aged 75 and older represent 0.4% of the incarcerated people in New York State, 18.5% of people who died in custody since the first COVID death were aged 75 and older.
- While people aged 65 and older represent 2.8% of incarcerated people in New York State prisons, 44.4% of people who died in custody since the first COVID death were aged 65 and older.
- While people aged 55 and older represent 13.7% of incarcerated people in New York State prisons, 77.8% of people who died in custody since the first COVID death were aged 55 and older.
- Data from last summer show that people of color constituted 81% of those who died in prison during the first several months of the pandemic in New York. Black people made up 60% of the deaths, despite being around 50% of the incarcerated population and 14% of the general New York State population. It is likely that these rates have remained constant or even worsened as the crisis worsened and more incarcerated New Yorkers died.
- The rate at which people have died in New York State prisons is 3.24 times higher since March 30 than for the first three months of the year, indicating that the COVID curve is not flattening in prisons but only worsening.

WHY PAROLE REFORM COULD HELP ADDRESS COVID

- Parole reform would offer an immediate opportunity for many people to go home and be with their families rather than in a congregate setting, where the virus spreads most easily.
- Elder Parole (S15/A.3475) would allow many older incarcerated New Yorkers, who are more at risk of harm if they contract COVID-19, a meaningful opportunity for release that could ultimately save their lives.
- Fair & Timely Parole (S1415/A.4231) would require parole commissioners to evaluate a person's readiness for parole release based on more than just the crime they committed, meaning thousands more people who go before the Parole Board would have more meaningful opportunities for release than in years past and as the pandemic continues to worsen.
- To date, New York has not released a plan for vaccinating incarcerated New Yorkers. Failure to prioritize this group for vaccination will put more people at risk, and passing parole reform is one of the few options left to protect incarcerated New Yorkers and save lives.
- The state's \$15B budget deficit that is largely the result of the pandemic can be lessened by passage of parole reform. On average, it costs \$60,000 annually to incarcerate a person in a New York prison. This number can double or even quadruple for older and immunocompromised New Yorkers. The cost savings associated with parole reform could help resolve the budget deficit, save the state millions of dollars, and free up resources to begin addressing the root causes of crime.

TESTIMONIAL ON THE IMPACT OF COVID-19 IN NY STATE PRISONS, BY LEROY TAYLOR

I went down to the hospital to get tested on December 30 and received my negative result 7 days later. I was the only one that got tested on my gallery that day. They tested another guy seven days before they tested me, on December 23. He was tested on a Wednesday and was told he was COVID positive on Friday, two days later. During those two days this person was going around with the general population like normal, potentially infecting more people.

Once he was confirmed positive they did contact tracing, they took the names of everyone this COVID positive person was in contact with, in this case three men, and they quarantined them without testing them. In quarantine they were locked in a dorm with the COVID positive person, so essentially they are putting people who have not been tested yet in direct contact with people who have tested positive. After these men were already quarantined with a COVID positive person for days, their test result came back. Two of the men were negative and one was positive. At this point, the two men that were negative got transferred to another room and quarantined there for two weeks. This is an extremely irresponsible practice that puts countless people in harm's way.

The things I mentioned here are common practice at Green Haven and I've seen it happen to countless people. This system is putting every person in this facility at risk. I've already lost two friends to COVID here at Green Haven. I'm terrified that these unsafe practices will continue and more lives will be lost. I am devastated to have lost friends to COVID and I can't imagine the pain their families have suffered. It is urgent that lawmakers pass Elder Parole and Fair & Timely Parole to prevent more unnecessary deaths.

