

Coalition For Prisoners' Rights Newsletter

Vol. 47-D, No. 3

PO Box 1911, Santa Fe NM 87504

March 2022

Policy Changes from the COVID pandemic

[Thanks to the *Prison Policy Initiative*, P.O. Box 127, Northampton MA 01061]

It will come as no surprise for our readers to learn that lawmakers in general have failed to reduce prison and jail populations enough to slow down the spread of the coronavirus, thus causing incarcerated people to get sick and die at a rate unparalleled in the general public. However, some individual state and local policymakers have recognized the urgency of the situation, and have taken actions to release some number of people from prisons and jails. Some policy changes made during the pandemic should be immediately permanently extended.

The moderate drops in prison populations in 2020 were the result of fewer admissions, not more releases. Most parole boards granted fewer paroles during 2020 than in 2019. As of December 2020, 19 state prison systems were still at 90% capacity or higher:

New Jersey is the only state we know of in which the legislature passed a bill that allowed for people with less than a year left on their sentences to be released up to 8 months early. More than 2,000 people were released on November 4 2020 from New Jersey state prisons, and an estimated 1,000 more people were released in the following weeks and months.

In 2020, in these 17 states (not in any order), there were *governors'* executive orders and commutations that resulted in early releases for very limited numbers:

- * North Carolina announced in February plans to release 3,500 people, the result of a NAACP lawsuit challenging prison conditions there.
- * Oklahoma's governor commuted the sentences of over 450 people. About 100 were released on April 16.
- * Washington State commuted the sentences of 293 people in April.
- * Kentucky commuted the sentences of 186 people and planned to release over 700 more. The sentences of 646 additional people were commuted by August.
- * New Jersey approved for release 416 people in September although 329 had already been released.

- * Colorado released 290 people with an executive order granting authority to do so within 180 days of parole eligibility.
- * Arkansas made over 1,200 people "immediately" eligible for parole per the governor's directive. In May, 300 were reported have been released.
- * Oregon approved the release of 57 people considered medically vulnerable, not convicted of a crime against another person and having completed at least 50% of their sentence.
- * Michigan - with an executive order and no numbers given - in August encouraged the early release of people older, pregnant, near their release date, with behavioral health concerns; also those incarcerated for traffic violations.
- * California granted 21 commutations and 13 pardons.
- * Pennsylvania released 150 people out of an expected 1,800.
- * New York had by June released 898 people reviewed for early release.
- * Virginia had released 130 people by May, with "nonviolent offenses" with another 100 approved for early release.
- * Kansas announced the upcoming release of some nearing the end of their sentences. As of the beginning of May, only 6 had been released to home confinement.
- * Maryland allowed for the accelerated release of people within 4 months of sentence completion, with preferences to older people, and with home detention.
- * Ohio authorized the early release of 105 people nearing the end of their sentence. Later in April the sentences of 7 state prisoners were commuted.
- * Illinois eased the restrictions on early prison releases for "good behavior" stating it was an effort to reduce the prison population particularly vulnerable to COVID-19.

In addition, the Federal Bureau of Prisons released over 24000 people to do the remainder of their sentences in "home confinement." In December 2021, the Bureau of Prisons was given discretion to allow these people to complete their sentences at home. [Such outrageously small numbers. Lack of space keeps us from providing more numbers in this issue. Keep tuned.]

"LEY DE CIUDADANIA" DE ISRAEL

El Parlamento israelí aprobó el 10 de marzo una ley que niega los derechos de ciudadanía a las personas palestinas de los territorios ocupados de Cisjordania o Gaza que están casadas con personas israelés. Una medida similar ya estaba en vigor desde 2003, pero expiró en 2021. Quienes critican la medida la califican como una ley racista que discrimina a las personas árabes y obliga a miles de familias a mudarse o a vivir separadas.

THE LEAST READ PART OF THE NEWSLETTER

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Five pages (= 1 ounce), can be sent for one Forever stamp. Ten pages (= 2 ounces) can be sent for a twenty-cent stamp more.

Please continue to send us address changes, including both your old and new addresses. This helps us keep our mailing list current and accurate.

NONE OF US ARE LAWYERS OR LEGAL WORKERS. Letters sent to us marked "Legal Mail" are NOT going to a lawyer, and could possibly result in our losing our access to the prisons they come from. PLEASE don't do it! No matter how desperately you need legal advice/assistance, we DO NOT have any.

Many, many thanks to the Real Cost of Prisons project, which posts our Newsletter on-line, monthly, for free downloading and distribution. All issues since 2009 are on its great site: realcostofprisons.org

Whistleblowers Bullied

In late February, Federal Bureau of Prisons employees say high-ranking prison officials are bullying them for exposing wrongdoing and are threatening to close the Bay Area's federal women's prison located in Dublin CA. People striving to hold the BOP accountable report being attacked for exposing wrongdoing by speaking up. There are threats to close the women's lockup if workers there continue to report staff abuse. Members of Congress report being stonewalled in their attempts to provide greater oversight.

An AP investigation revealed years of sexual misconduct at the California federal women's prison...and "detailed a toxic culture that enabled it to continue.

After reporting other attempts to silence prisoners' complaints, workers and union leaders at other federal prisons report they are also being threatened for doing so.

Federal Prisons and How They've Grown

We have been around long enough so that we are aware of some numbers of changes – NOT improvements, mind you– in different parts of the U.S. prison systems. One of them is that we used to hear reports, occasionally, of how there were, for example, more programs available in federal prisoners that in state ones. That was before the invention of "mass incarceration" and the explosion in the size of the federal prison system, among others. There are now 122 Federal Bureau of Prison facilities across the United States.

And guess what folks? They ain't no garden of Eden. It hardly made a ripple in the news of the day but at very end of January:

"In an unprecedented move the Federal Bureau of Prisons (BOP) locked down all of its 122 facilities across the United States as a result of a fight at the high security prisons USP Beaumont (Texas) where multiple men were injured and two killed. BOP employees received a notice stating:

'Effective January 31, 2022, the Federal Bureau of Prisons was placed on a National Lock-down. The Lock-down was initiated out of abundance of caution due to current events which occurred at another facility. This order is to ensure the safety and security of all staff and inmates.'

It turns out that it is not unusual that there are fights or deaths at federal prisons where 'high security inmates are located.'

In 2021, there were at least such 3 deaths among federal prisoners. Yet we are told that national lockdowns are rarely done for security reasons.

It turns out that the feds have suffered like, everybody else, from COVID-19. And that, since March 2020, many prisoners have been confined to their cells, have had limited contact with family, restricted programs and restricted recreational activities. And, as is also common nation wide, there is widespread concern and complaints about staff shortages causing dangerous conditions (see also the scandalous situation at New York City's Rikers Island jail). We are told in this case "Had a staff member been killed, there would have been congressional enquiries and an overhaul of the BPO. Rather than do that, a national lockdown will have to suffice until a new BOP director is appointed." And then what? One may rightfully ask. We imagine it will be then: wait some more for a prison worker to be killed– as well as actual prisoners– because prison conditions are so completely outrageous, unacceptable and deadly...