

PRISON COVID

★ COVID-19 Information for Prisoners and Staff ★

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INSIDE COVID-19 RAGED. OUTSIDE, OFFICIALS CALLED IT A SUCCESS

by Anat Rubin, Tim Golden, Richard A. Webster, ProPublica

By the time he persuaded the guards to let him call his family, Michael Williams could feel his life slipping away. His body ached, and he was struggling to breathe. For three days, he had been locked behind the heavy metal door of a cramped prison cell, terrified and alone.

“They weren’t treating him,” his son, Kevin Cooks, recalled. “He kept telling me, ‘Son, I’m going to die in here.’” Williams, a 70-year-old diabetic, was serving a life sentence for a 1974 convenience store murder he had always maintained he did not commit. It was the first time his son had ever heard him cry.

Williams’ family and his lawyer called over and over to the Louisiana State Penitentiary in Angola, pleading with guards and nurses to have him moved to a hospital. When they finally reached one of the senior

guard officers, family members said, he told them Williams didn’t have the virus.

On May 7, a nurse assured one of Williams’ sisters that he was improving. The next day, he was rushed to a regional hospital in critical condition. The day after that, a doctor called to say Williams had gone into cardiac arrest. If they wanted to say goodbye, he said, they should hurry.

While the novel coronavirus burned through Angola, as the country’s largest maximum-security prison is known, officials insisted they were testing all inmates who showed symptoms, isolating those who got sick and transferring more serious cases to the hospital in Baton Rouge, about 60 miles to the south.

But from inside Angola’s walls, inmates painted a very different picture — one of widespread illness, dysfunctional care and sometimes inexplicable neglect. They said at least four of the 12 prisoners who have died in the pandemic, including Williams, had been denied needed medical help for days because their symptoms were not considered sufficiently serious.

Despite having test kits available, Angola also sharply limited its testing of prisoners during the first 10 weeks of the pandemic, screening at most a few hundred of the roughly 5,500 held there. The testing was so limited that a former medical director for the Louisiana Department of Public Safety and Corrections said he believed officials there had sought to avoid confirming the existence of an outbreak they feared they could not control.

“If you do that testing, how are you going to handle the results?” the former offi-

cial, Dr. Raman Singh, asked. “If you find it is widespread, how do you handle that with your guards? Never ask a question if you aren’t going to like the answer.”

A spokesman for the corrections department, Ken Pastorick, would not disclose the number of inmates who have been tested at Angola. Nor would he comment on allegations that the authorities had deliberately withheld tests from many prisoners who showed symptoms of the virus.

Yet, in the two months after Louisiana prisons recorded their first cases of the novel coronavirus in late March, the corrections department tested only about 3% of the roughly 14,150 men incarcerated in state prisons, official figures indicate. The authorities have since conducted about 400 more tests.

Prisons and jails now account for most of the biggest COVID-19 hot spots in the country, with thousands of cases documented at penitentiaries in Texas, Ohio, California and other states. But corrections officials have reported striking differences in the impact of the virus.

This article is based on telephone conversations, email messages and other communications with more than two dozen Angola inmates, as well as interviews with many lawyers and relatives who have been in touch with them and a review of more than 900 email reports sent by inmates to a prisoner support group during the pandemic. It also draws on interviews with current and former officials, and statements and documents produced in two federal lawsuits over medical treatment at Angola.

In many cases, prisoners said, inmates

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who were obviously sick with the coronavirus were denied even cursory medical examinations, mostly because they did not register sufficiently high fevers. Men passed out and were told they were dehydrated. Others, who complained of bad coughs, aches, fatigue and stomach pains were treated with Tylenol, Pepto-Bismol and Tums.

Inmate dormitories at Angola, like this one photographed in 2011, have been packed with rows of metal bunks set close together. (*The Times-Picayune*)

“The surest way not to have a coronavirus crisis is not to test for it,” said Haller Jackson, who was recently released from Angola after serving a five-year sentence. “We all joked when we saw the ambulance coming, ‘Oh, somebody else is dehydrated.’”

Lawyers for a dozen inmates who filed a class-action lawsuit in 2015 argued that Angola’s medical care was so egregiously poor, it violated the Eighth Amendment’s prohibition against cruel and unusual punishment. The federal judge hearing the case in Baton Rouge, Shelly D. Dick, said in February that she will find the state’s practices “unconstitutional in some respects,” but her final ruling is still pending.

Nearly all of the doctors who work full time at Angola ended up there after the state medical board suspended their licenses for violations ranging from drug dealing to sexual misconduct. The prison’s medical director, Dr. Randy Lavespere, served a federal prison sentence for buying \$8,000 worth of methamphetamine in a Home Depot parking lot. He is now overseeing health care for the entire DOC.

“Surgeries are delayed, diagnoses are delayed, until it’s too late to do anything,” Melvin Thornton, an inmate who led a petition drive seeking wider coronavirus testing, wrote in an email. “They can’t deal with that, and then you add a pandemic.”

The medical treatment of Angola’s prisoners has been challenged in the federal courts almost continuously since 1971. Deficient health care — along with rampant violence, overcrowding and racial segregation — led to a federal consent decree in 1983 and supervision by a federal judge of reforms across the state corrections system.

Angola was especially slow to comply; it remained under federal oversight for the next 16 years.

As the violence diminished, state officials drew attention to improvements like the prison law library, educational pro-

grams and an elaborate system of privileges and rewards for inmates who followed the rules. But the health care problems proved more intractable.

“Prisoners report horror story after horror story,” lawyers for the plaintiffs wrote in their 2015 complaint. “A man denied medical attention four times during a stroke, leaving him blind and paralyzed; a man denied access to a specialist for four years while his throat cancer advanced; a blind man denied even a cane for 16 years.”

A team of leading prison-health experts, hired by the lawyers to evaluate Angola’s health system, called it “one of the worst we have ever reviewed.” For years, Louisiana prisons have consistently recorded the country’s highest mortality rate. With proper care, the experts concluded, many of those inmates might have survived. “It is our opinion that these preventable excess deaths are a consequence of the systemic inadequacies in the health program,” they wrote.

Early outbreaks erupted at two women’s prisons in the state system. When the authorities tested about 500 inmates in those facilities, they found infection rates of 87% in one and over 60% in the other, Pastorick, the corrections spokesman, confirmed. Those relatively small prisons remain the only ones where mass testing has been done.

Darrill Henry, who was in his 16th year of a life sentence for double murder, noticed that “free folks” — as inmates call the guards and medical staff — suddenly began wearing face masks. One guard vomited in a hallway; others began missing work. “I’m wondering what’s going on,” he recalled. “Nobody is telling us anything. Then, we see on TV, they’re talking about coronavirus every day.”

Late on the morning of April 25, after President Donald Trump suggested in a White House news conference that sunlight might kill the novel coronavirus, Jackson watched in disbelief as guards ordered the occupants of his dormitory to haul their mattresses and pillows out to a prison yard to be purified. The men left their beds on a basketball court for about an hour, while a team of inmates scoured the dormitory with undiluted bleach.

By then, Jackson estimated, most of the 86 men in his dorm were already infected. Ten of them had been taken to a makeshift coronavirus isolation ward in a shuttered part of the prison. Jackson estimated that an additional 30 men had symptoms of the

virus — cough, aches, fatigue, shortness of breath — but they were never tested.

On April 8, the Health Department’s senior official for emergency preparedness, Dr. Jimmy Guidry, issued a short, seemingly straightforward set of recommendations for the state’s prisons and jails. A similar advisory had already been sent to Orleans Parish, where the jail was facing a serious outbreak.

Hands should be well-washed, the state-level advisory said. Coughs and sneezes should be covered. Sick inmates should be isolated in “sick rooms.”

Prison officials should try to keep all inmates 6 feet apart, it said. If that was impossible, health officials recommended, corrections officials should work with prosecutors, judges and others “to reduce the size of the jail population of the least non-violent inmates.”

Probation officers and parole boards were already recommending steps toward the release of some people jailed for less-serious offenses. Still, the suggestion so angered the corrections leadership, those officials said, that the Health Department was forced to immediately withdraw the advisory.

That same day, April 9, the corrections department issued a long, public litany of steps it had taken to mitigate the spread of the coronavirus. Separately, Edwards announced that the department was compiling a list of state prisoners eligible for medical furloughs. (As of June 1, when the furlough program was discontinued, the state had released only 66 of 594 inmates it considered, according to official figures.)

“My impression is that everybody’s attitude was: ‘We’re definitely not going to test because the results would be horrible, and we’d have to shut the entire place down and we don’t want to do that. Let it burn through here for 90 days and we’ll figure it out.’”

In one dormitory, inmates encircled a warden and demanded to be tested. “It’s not going to happen,” one prisoner said he told them.

In all there were 13 deaths at the prison in May, a figure more than three times higher than during the same month a year earlier. Nine were attributed to COVID-19.

The proportionally low number of coronavirus deaths at prisons around the country, especially when set against the scope of some of the outbreaks, is emerging as a new mystery of the pandemic. California, for instance, has tested about one-fourth

of the roughly 115,000 inmates in its state prisons, finding 3,730 COVID-19 cases. But it has recorded only 19 prisoner deaths.

If the true spread of the disease inside Angola has been as wide as many inmates suspect, the prison may have been fortunate to escape with 12 confirmed deaths so far — all but three of the total for Louisiana's state prisons.

Rogers prays by Williams' body as his son, Kevin Cooks, stands at her side at a funeral home in New Orleans on May 15, 2020. (Kathleen Flynn/ProPublica)

Williams' attorney, Allyson Billeaud, said she knew her client was particularly vulnerable. In addition to his diabetes, he had suffered a stroke in 2019 that left him walking with a cane. Starting in early April, she called Angola several times to ask that he be isolated from sick inmates if possible. Corrections officials, she recalled, said "they were taking all these precautions."

Billeaud was Williams' third defense attorney since he was sent to prison 45 years earlier, but the first to push his innocence claim. Among the facts she focused on were that another convicted armed robber had confessed to the murder, and that the state's chief witness had changed his account repeatedly. The lead detective in the original investigation also provided Billeaud with an affidavit saying he believes Williams was wrongly convicted.

In late April, Williams told one of his sisters, Terry Rogers, that several men in his dormitory were sick and someone in an adjacent dormitory had died. "This stuff is getting close," he said. He was likely infected already.

They spoke on the phone every Sunday night, and on May 3, Williams sounded strange. The next night, another inmate called her to say that Williams was sick with a fever and chills. She began making a flurry of calls to the prison the following morning.

"Every number that I called, a different person told me different things." Eventually, Rogers said, she spoke to a senior guard officer, Robert Wright, who told her he did not have the virus. "He said, 'I can assure you of that.'"

Williams told relatives he was isolated in a cell behind heavy metal doors. Later, after he was moved, a nurse said he was being given oxygen, fluids and antibiotics but was still having trouble breathing.

Over the next few days, although the family called the prison repeatedly, it got little information. One nurse said he was

getting better. But the next day, May 9, a doctor called from Our Lady of the Lake to say that "he wasn't going to make it." By the time they arrived, Williams was brain dead.

"He was locked up for 40 years," Rogers said. "He lived in total hell, and even at the end of his time, they treated him unfairly. Not everyone going to prison is a criminal. And even if they are, if anyone does wrong, it don't give you the right to mistreat them. They still need to be treated when they are sick." ♦

Claire Perlman contributed reporting.



ON SLAVERY AND DEMOCRACY

By Ed Mead

I'll make this brief and clear: The Supremacy Clause of the U.S. Constitution, Article VI, Clause 2, states in full:

"This Constitution, and the laws of the United States which shall be made in pursuance thereof; *and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land;* and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding." (Emphasis added)

Thirteenth Amendment to that same constitution says "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." (Emphasis added)

Universal Declaration of Human Rights, Article 4, a treaty the United States is a signatory to clearly says: "No one shall be held in slavery or servitude; slavery -- shall be prohibited in all their forms."

What the above tell us is that the Thirteenth Amendment continues slavery for a segment of the American population. Thus, we have at least 2.2 million slaves in U.S. prisons. Back in the 1860s Harriet Tubman, a former slave who organized an underground railroad for escaped slaves,

is attributed as saying "I freed a thousand slaves, and could have saved another thousand if only they'd known they were slaves." We have a similar problem with today's slaves inside the nation's prisons, they are too stupid to realize their status as slaves of the state, or else too cowardly to do anything about that status.

To put it simply, the Supremacy Clause says, "all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land..." The United States is a signatory to the treaty, which of course says "No one shall be held in slavery or servitude; slavery -- shall be prohibited in all their forms."

The first demand of the hunger striking Walla Walls prisoners (see story on page 8) was rightly asking for better COVID-19 protections. The virus is a life and death issue. Then they move on to things like more phones and access to explicit material, more programming and greater freedom of movement within the prison. The fact that they are slaves of the state, disenfranchised from the rights of citizenship like the right to vote, does not seem to enter their collective consciousness. When the world is coming down around them, they want better food and porn.

When I was young sodomy carried the death penalty in Georgia. Today the struggle of gays has won them the right to marry each other. Back then interracial marriages were a crime in many states, today that has changed. Possession of marijuana once carried draconian penalties. Pot heads fought for and won the legalization of marijuana.

Why can prisoners win something as simple as the right to vote? There are over two million prisoners, something like 14 million former prisoners, other millions under some form of supervision, and then there are the families and friends of these millions. The base of power is there, it need only be peacefully and responsibly organized.

The struggles against slavery and for democracy are bourgeois democratic demands, meaning they are not revolutionary demands. It is your right to struggle for reforms such as democracy. Who is going to stand against your demand to end slavery in America, or your struggle for democratic rights such as your right to vote? Who wants to take a stand against democracy? Who is in favor of slavery? Raise your hands! Right and justice are on your side. You need only peacefully and responsibly make the demand. ♦



California's San Quentin prison declined free coronavirus tests and urgent advice

The storied prison is dealing with the third-largest coronavirus outbreak in the United States. Researchers fear that other institutions are at risk. Researchers in the Bay Area say it didn't have to be this way. For the past four months, they have been offering prison officials free tests for the coronavirus, guidelines for protecting prisoners from the pandemic and increasingly frantic warnings that trouble was coming.

<https://www.nature.com/articles/d41586-020-02042-9>

COVID-19 has invaded San Quentin prison. To save lives, people must be released

The number of people testing positive for COVID-19 at San Quentin State Prison has skyrocketed to more than 1,400, including six deaths so far. As a staff physician who provides medical care to incarcerated patients, I am devastated by the news, but sadly, I'm not surprised. On a daily basis, our medical teams work diligently within the constraints of the prison system to limit transmission, and our patients do what they can to protect themselves in their environment, but the undeniable fact is that the state prisons are well over capacity — despite court-mandated reductions over the past several years. The only way to prevent catastrophic loss of life both inside and outside the prison system is to significantly reduce the prison population.

<https://www.latimes.com/opinion/story/2020-07-08/coronavirus-prisons-california-release>

Top medical officer for California prisons ousted amid worsening coronavirus outbreak

As COVID-19 infections spread rapidly through California's prisons, authorities on July 6 announced the replacement of the state correction system's top medical officer, and Gov. Gavin Newsom criticized an earlier decision to transfer hundreds of inmates from a Chino facility that had been battling an outbreak.

<https://www.latimes.com/california/story/2020-07-06/coronavirus-prisons-inmates-outbreak>

San Quentin COVID-19 outbreak continues to grow; more than 1,600 active cases among inmates, staff

The COVID-19 outbreak at San Quentin State Prison continued to escalate July 12 with more than 1,600 active cases among inmates and staff. According to the California Department of Corrections and Rehabilitation COVID-19 tracker, the number of active cases among inmates had increased to 1,485 the 12th. Another 27 inmates had been released from the facility while infected, 372 inmates once infected had recovered and seven inmates have died.

<https://sanfrancisco.cbslocal.com/2020/07/12/san-quentin-covid-19-outbreak-continues-to-grow-more-than-1600-active-cases-among-inmates-staff/>

2 more San Quentin inmates die amid virus outbreak

Two more San Quentin inmates have died of suspected complications from COVID-19, the California Department of Corrections and Rehabilitation said. As of July 13th, 1,925 prisoners at the prison had contracted the virus and 10 had died. Of those who tested positive, 410 patients have recovered, according to the state.

<https://www.marini.com/2020/07/13/coronavirus-two-san-quentin-inmates-die-in-hospital/>

California to release 8,000 inmates in effort to slow coronavirus outbreak

California officials will soon release another 2,100 inmates from state prisons in response to the coronavirus pandemic and in all now plans to release a total of more than 10,000 inmates, or nearly 10 percent of prisoners, as Gov. Gavin Newsom responds to intensifying pressure from advocates, lawmakers and federal judges.

<https://local12.com/news/coronavirus/california-to-release-8000-inmates-in-effort-to-slow-coronavirus-outbreak>

Release of only 8,000 California prisoners is not enough

California Gov. Gavin Newsom announced plans to release up to 8,000 people from state prisons by the end of August. Aviram calls Newsom's release plan too little, too late, and that concerns about public health take a backseat to wor-

ries about public backlash. The majority of the releases will be people with a year or less left to serve and who fit the "non-non-non" criteria—nonviolent, nonserious, nonsexual offenses—that guided prior efforts to reduce California's prison population. Aviram writes "There is no correlation between the crime of commitment and the risk to public safety." Aviram points out that 8,000 people is only a small fraction of the current population of the California Department of Corrections and Rehabilitation (CDCR)—112,500.

<https://theappeal.org/coronavirus-in-jails-and-prisons-30/>

How coronavirus left parolees in excruciating limbo after leaving prison

As with so many social brutalities, the pandemic has exacerbated this problem. Former prisoners reenter a world of soaring unemployment and shuttered social service offices. For those in Raoul's position, even the first step toward getting life on track — getting an ID — is thwarted.

<https://theintercept.com/2020/07/05/coronavirus-parole-prison/>

COVID-19 cases and deaths in federal and state prisons significantly higher than in general pop.

A new analysis led by researchers at Johns Hopkins Bloomberg School of Public Health found that the number of U.S. prison residents who tested positive for COVID-19 was 5.5 times higher than the general U.S. population, with a prisoner case rate of 3,251 per 100,000 residents as compared to 587 cases per 100,000 in the general population.

<https://www.sciencedaily.com/releases/2020/07/200708121423.htm>

45 inmates test positive for COVID-19 at North Carolina Correctional Institution for Women in Raleigh

Authorities announced on Monday that 45 inmates tested positive for COVID-19 this past weekend at the North Carolina Correctional Institution for Women in Raleigh. A total of 227 offenders within a housing unit were tested, and testing for the entire facility will soon be conducted, the North Carolina Department of Public Safety said.

https://www.journalnow.com/news/state/45-inmates-test-positive-for-covid-19-at-north-carolina-correctional-institution-for-women-in/article_20efb72d-3dbb-

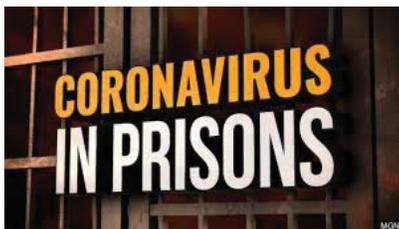
He was supposed to be in prison less than a year. Instead, he died after catching the coronavirus

At least 84 Texas state prisoners have died after contracting the coronavirus. As the death count rose, advocates unsuccessfully called on the governor and parole board for early release. James Allen Smith was only supposed to be at a Texas prison for a matter of months, sentenced to a drug and alcohol rehabilitation program after he pled guilty to a DWI offense in January.

<https://www.texastribune.org/2020/07/07/texas-prison-coronavirus-deaths/>

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<https://theintercept.com/2020/07/05/coronavirus-parole-prison/>

Studies: Covid-19 in jails and prisons can threaten nearby communities

Covid-19 has raged throughout U.S. jails and prisons, where people live together in close quarters and there is little opportunity for social distancing, a lack of basic sanitary supplies and high rates of chronic disease. While inmates mostly stay behind concrete walls and barbed wire, those barriers can't contain an infectious disease like Covid-19. Not only can the virus be brought into jails and prisons, but it also can leave those facilities and spread widely into surrounding communities and beyond.

https://www.register-herald.com/news/police_courts/studies-covid-19-in-jails-and-prisons-can-threaten-nearby-communities/article_9541ab96-bf04-11ea-95ea-9fb6839f9483.html

Despite early warnings from

governor's health advisers, COVID-19 testing lags in Illinois prisons

Experts Gov. J.B. Pritzker is relying on to help him manage the COVID-19 pandemic in the state sent the governor's staff emails in March that recommended coronavirus testing in prisons should be an area of focus, but a new survey released by a prison watchdog group found 89 percent of workers said they had not been tested prior to May.

https://www.thecentersquare.com/illinois/despite-early-warnings-from-governors-health-advisers-covid-19-testing-lags-in-illinois-prisons/article_4275700e-bd43-11ea-81d8-87b4128bd189.html

Thousands of inmates quarantined in Eastern Oregon prison in COVID-19 outbreak

More than 3,100 inmates at the Snake River Correctional Institution outside Ontario are under quarantine because of an outbreak of COVID-19 at the facility.

<https://www.opb.org/news/article/eastern-oregon-prison-inmates-quarantined-covid-19/>

New outbreaks push US inmate coronavirus cases past 50,000

At the end of June, the total number of coronavirus cases among prisoners had reached at least 52,649, an increase of 8% from the week before, according to data compiled by the Marshall Project, a non-profit news organization focusing on criminal justice, and The Associated Press. At the end of June, the total number of coronavirus cases among prisoners had reached at least 52,649, an increase of 8% from the week before.

<https://www.voanews.com/covid-19-pandemic/new-outbreaks-push-us-inmate-coronavirus-cases-past-50000>

Florida inmate COVID-19 cases surpass 2,000

The number of Florida prisoners who have tested positive for COVID-19 surpassed 2,000 on Tuesday, according to the state Department of Corrections.

<https://www.news4jax.com/news/florida/2020/06/30/florida-inmate-covid-19-cases-surpass-2000/>

How COVID-19 in jails and prisons threatens nearby communities

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tunity for social distancing, a lack of basic sanitary supplies and high rates of chronic disease. While inmates mostly stay behind concrete walls and barbed wire, those barriers can't contain an infectious disease like COVID-19. Not only can the virus be brought into jails and prisons, but it also can leave those facilities and spread widely into surrounding communities and beyond.

<https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2020/07/01/how-covid-19-in-jails-and-prisons-threatens-nearby-communities>

Tragedy of COVID-19 in prisons shows need for decarceration

Nine of the nation's 10 largest outbreak hotspots are jails and prisons. Because of deep-seated racial inequities in the justice system, failure to curb the virus' spread through corrections facilities will lead to countless and needless deaths, disproportionately of people of color — once again demonstrating the lack of value placed on their lives. The incarceration rate of Black individuals is over five times that of white individuals, and about three in five individuals in prison are Black or Latinx — nearly double their share of the country's population. We cannot allow over-incarceration to become a de facto death sentence for the millions — disproportionately people of color — behind bars.

<https://www.sfchronicle.com/opinion/openforum/article/Tragedy-of-COVID-19-in-prisons-shows-need-for-15378357.php>

US prison inmates among those hit hard with COVID-19

COVID-19 cases in US federal and state prisons were 5.5 times higher—and death rates three times higher—than in the general population according to research published yesterday in JAMA. A total of 42,107 of 1,295,285 prisoners had been infected with the novel coronavirus, for a case rate of 3.25%, versus 0.59% in the general US population. In the US population, there had been 1,920,904 coronavirus cases and 95,608 deaths.

<https://www.cidrap.umn.edu/news-perspective/2020/07/us-prison-inmates-among-those-hit-hard-covid-19>

3 more TDCJ inmates die after contracting COVID-19; county Jails, federal prisons continue to battle

Three more inmates have died after contracting COVID-19, according to the Texas Department of Criminal Justice. Mean-

while, county jails and federal prisons continue to battle outbreaks of the virus. To date, nine TDCJ employees have died after contracting the virus.

<https://www.nbcdfw.com/news/local/texas-news/3-more-tdcj-inmates-die-after-contracting-covid-19-county-jails-federal-prisons-continue-to-battle-outbreaks/2403636/>

Prisoners 550% more likely to get Covid-19, 300% more likely to die, new study shows

Prisoners are 5.5 times more likely to get

The only way to end slavery is to stop being a slave.

Chris Hedges

Covid-19 and three times more likely to die from it, according to a study from researchers at Johns Hopkins and UCLA published today in JAMA, putting numbers to disparate evidence of the virality of the disease in prison settings. With the findings, the researchers conclude systemic change is needed: "COVID-19 in US prisons is unlikely to be contained without implementation of more effective infection control."

<https://www.forbes.com/sites/alexandrasternlicht/2020/07/08/prisoners-550-more-likely-to-get-covid-19-300-more-likely-to-die-new-study-shows/#6967d9cc3a72>

North Texas federal prison has largest number of COVID-19 cases among inmates in the nation

A North Texas federal prison has emerged as the prison with the largest number of coronavirus cases in the nation. According to federal records updated daily, 37% of inmates at the Federal Correctional Institute in Seagoville have contracted the virus as of Friday afternoon. Families with loved ones at the penitentiary east of Dallas plan to protest near the prison on Saturday.

<https://www.nbcdfw.com/news/coronavirus/north-texas-federal-prison-has-largest-number-of-covid-19-cases-among-inmates-in-the-nation/2404541/>

Judge: NC prisons out of compliance with court orders

North Carolina prisons are out of compliance with a court order, a judge said Friday afternoon. A month ago, Wake County Superior Court Judge Winston Rozier Jr. ruled that conditions in state prisons were likely unconstitutional in light of the global

COVID-19 pandemic. In that June hearing, Rozier ordered the state to take several actions. The N.C. Department of Public Safety, which oversees prisons, needed to create a plan to test all people in state prison custody for COVID-19, limit transfers between prisons, account for disparities between prison responses to COVID-19 and to expand the criteria that would allow people to be released from prison sooner. In the order, Rozier wrote that the "state has failed to comply with the Court's directions in several meaningful ways," and that the court "is extremely concerned by the apparent indifference with which Defendants have treated the Court's Orders."

<https://www.northcarolinahealthnews.org/2020/07/11/judge-nc-prisons-out-of-compliance-with-court-orders/>

Protesters seek release of non-violent offenders because of COVID-19

Fox13Now.com said the protests were held simultaneously in St. George and Ogden outside county prosecutor offices Friday night. "There are ankle bracelets, things like that where they can be monitored. We don't think that a jail sentence equals a death sentence," said Malik Dayo of Black Lives Matter.

https://www.stgeorgeutah.com/news/archive/2020/07/11/fxn-protesters-seek-release-of-non-violent-offenders-from-jails-including-purgatory-because-of-covid-19/#.XwtZ_ShKguU

At Coyote Ridge, amid 229 COVID-19 cases, inmates say conditions are 'disgusting'

Beverly Richmond's son spent up to 36 hours at a time locked in a 6-by-9-foot cell with another prisoner and no toilet. She said he peed in water bottles and defecated in a coffee can. As of July 10, the prison had reported 229 confirmed cases of COVID-19 in prisoners and two prisoner deaths from the disease. At the same time, 54 staff members have tested positive with no deaths.

<https://www.spokesman.com/stories/2020/jul/12/at-coyote-ridge-amid-229-covid-19-cases-inmates-sa/>

Rights commission warns COVID-19 spreading in Iraqi prisons

The Iraqi High Commission for Human Rights on Friday afternoon warned of increasing numbers of coronavirus cases inside the country's prisons and called for immediate measures to curb the spread

of the highly-contagious disease in such facilities. "The commission's monitoring teams in Baghdad and other provinces have reported coronavirus infections among inmates and prison employees," the body said in a statement.

<https://www.kurdistan24.net/en/news/8025688d-f5c2-4a50-b702-e6e46cb-d9ea>

Prisoners 550% more likely to get Covid-19, 300% more likely to die, new study shows

Prisoners are 5.5 times more likely to get Covid-19 and three times more likely to die from it, according to a study from researchers at Johns Hopkins and UCLA published today in JAMA, putting numbers to disparate evidence of the virality of the disease in prison settings. With the findings, the researchers conclude systemic change is needed: "COVID-19 in US prisons is unlikely to be contained without implementation of more effective infection control."

<https://www.forbes.com/sites/alexandrasternlicht/2020/07/08/prisoners-550-more-likely-to-get-covid-19-300-more-likely-to-die-new-study-shows/#6967d9cc3a72>

Thousands of Texas prisoners have the virus. More than 25% of cons at four units are COVID positive

At one prison, more than 750 inmates were actively infected with the coronavirus on July 13. Two Texas prisons each have more than 670 inmates with active coronavirus infections, according to the Texas Department of Criminal Justice, the highest counts seen at any state lockup since the pandemic began.

<https://www.texastribune.org/2020/07/14/texas-prisons-coronavirus-infections/>

COVID-19 testing at Kentucky state prisons questioned

We wanted to know what percentage of inmates have had access to COVID-19 testing. Among Kentucky's state prisons, 2,632 COVID-19 tests have been given among roughly 11,200 inmates. If you assume one test was given to one inmate, it represents about 23% of the prison population tested for coronavirus. But since many inmates, like Erica, were re-tested to confirm if they could be removed from isolation, the percentage of inmates actually tested for COVID-19 is likely much lower.

COVID News..... Continued on page 10

THE RIGHT TO DUE PROCESS DISAPPEARS

by Bryan Mac Donald

Covid-19 is a pandemic that has hit the planet hard, and in doing so, inmates are taking a beating. With prisoners lawfully and constitutionally based rights being ignored and blatantly disregarded it becomes so easy to look at a system that has been broken for a long, long time and scream "See I told you so." For a long time those in support of this system have done a good job of keeping it held together with legal Band-Aids so to speak, so when Joe Q. public gives it a look over the system may appear to have a few flaws, but without deeply scrutinizing it, a quick look would bring no obvious huge pit falls into view and the public eye could just skim right over the damage blocked from view by the Band-Aids.

But Covid is changing all that if those of us who fight for much needed reform to the system take full advantage of it. The path of the destruction Covid is leaving behind can literally be seen from space, but we are the human race and we always rise out the ashes strong and better than before, and in light of what Covid is doing to the justice system I beg all who Fight the Fight for reform to the justice system to stand up and Fight Now. My current situation is a great example.

I am currently a pre-trial detainee of the Lane County Adult Corrections Facility, the jail in Eugene Oregon. Like other inmates across this state and the nation so many of my rights have been taken. This jail has suspended all church services and social visits, claiming things like the phone provider Telmate is giving us extra phone and tablet visit privileges to replace our social visits, and even making these claims publicly the news, putting on a mask of compassion. What they leave out is that over and over inmates file grievances based on the so called free services no working or being provided. The jail has cancelled all forms of programming, education, AA, have all stopped happening. Even the kind volunteer lady who organizes and distributes library books has been refused entry into the jail, all in the name of Covid-19. The jail claims stopping all these things like social visits, which are done with plexiglass window making it no threat to bringing Covid-19 into the building, yet that is why they claim they do it, and all along the staff refuse to use form of Per-

sonal Protective Equipment like masks. It's obvious by their actions this facility does not take steps to ensure the inmate population is safe, but instead just takes advantage of the pandemic to cut out things that cost them money, or cause them to do work. If it was actually about safety things like social visits done with a barrier causing zero risk would still be allowed, and things like officers roaming around quarantine with no masks on them leaving quarantine and potentially spreading this deadly virus would not be going on.

And the worst part is that none of this I have yet mentioned is the worst part being done to us. As I stated I am a pretrial detainee meaning above and beyond the rights afforded to all prisoners, myself and the other pretrial detainees of this jail have rights to speedy and fair trials, and rights to access the courts, meaning our attorneys, we still have all rights to due process.

In the State of Oregon a defendant has a right to have their trial held within 60 days of arrest should they choose, and if it does not occur to be released and await trial at home (O.R.S.136.290). I personally have not signed the waiver consenting to trial past 60 days but on day 151 have yet to be released. And I am not alone. No trials were held for months, and now that they have begun again because of the size of court rooms in Lane County in order to allow social distancing 3 courtrooms are needed for one trial, meaning only 2 jury trials can occur at once. Meaning a system with tons of trials to catch up on is still growing larger, not smaller, and our right to speedy trials is non-existent.

Furthermore our rights in regards to access to the courts through our attorneys are all but vanished. The 9th Circuit Courts rules that access to attorneys must include in person visits, something Lane County Facility took from the start. For months all attorney visits have happened behind the glass partitions that were once used for social visits and defendants have no way to go over or review potential evidence with their council.

So I did not write this letter to the editor with simply a desire to complain, although anyone dealing with a similar circumstance will know how therapeutic it can be to do so, instead I write this in hopes of encouraging more to Join the Fight and to see that there has never been a time with more po-

tential to enact much needed change, because of what I'm calling Justice Reforms one-two punch. #1...the Covid crisis gave judges, jails, prisons and officers alike to make sure people's rights are respected during this pandemic, or to do what most of them instead chose to do, and always did, use the situation to violate people's rights. And I truly believe like most of history they would have gotten away with it except for the very sad and disgusting event that accounts for punch two in Justice Reform... George Floyd's murder by an officer's knee in the back of his neck has drawn in so much public opinion on the matter that federal and state governments are having special sessions to enact laws and cause reform to happen, and it's for that reason I write.

I scream at the top of my lungs...Stand up and Fight Now with us. There are many ways injustice can be fought, but some ways can only be fought by certain people. One way to fight is through the courts with lawsuits, but only those being wronged can file a law suit, Joe Q. public cannot. If you are currently having your rights violated due to the Covid-19 virus, put in a request to your facility for a Section 1983 complaint form, seek out assistance in filing it out and file today. Do not worry about not having an attorney, that can be found later, and the courts are understanding of mistakes made by inmates. I myself have filed suit against the Governor of the State of Oregon, Sheriff of Lane County and director of the facility I'm in. We, being the ones the violations of rights are happening to are in a position no one else is in to enact change, and being the victims of these violations I say it's our duty to do this.

It's not a fun or easy process, it's lots of hard work and hours writing hand written documents, and comes with expected retaliation from the facility, but the positive side is that with the atrocity done to George Floyd the public has got your back. The public support I have received from people, organizations and news media since the start has filled up a small jail provided address book with new connections waiting to help.

If you want to change the system you are in, or know someone in it here is your chance, and I scream from the inside of this single-man isolation cell they provide me as payment for doing my part... ♦

FREED FROM PRISON, DEAD FROM COVID-19, NOT EVEN COUNTED

By Joseph Neff and Dan Kane

Two prison guards pushed a wheelchair carrying 79-year-old Alan Hurwitz into the airport here. Convicted of bank robberies a decade before, Hurwitz had been freed from a nearby federal prison by a judge who found him no threat to society—and at high risk of contracting COVID-19.

A week and a half later, Juan Ramon, 60, also boarded a plane at Raleigh-Durham International Airport, this time bound for Miami. He had been serving a two-year sentence for identity theft and had many health problems, which prompted his release by another federal judge.

Though officials at the Butner federal prison had opposed their release for weeks, the men were finally on their way home.

But they did not escape the virus. The prison did not test either man for COVID-19—and they carried it with them onto the planes. Within days, one was dead.

Their stories highlight systemic problems in the Bureau of Prison's botched response to the coronavirus pandemic. About 7,000 prisoners in the care of the U.S. government have contracted COVID-19; 94 have died. More than 700 infected correctional officers have carried the virus back and forth between their communities and their workplaces.

Nowhere in the federal system has the outbreak been as deadly as at the giant Butner complex about 15 miles northeast of Durham. Twenty-five prisoners there perished from COVID-19, the most of any federal lockup. Butner is also the only BOP prison to have a confirmed staff death.

Butner is emblematic in other ways. Prison officials were slow to test for the disease, enabling infected men to spread the virus to their neighbors in cramped dorms where social distancing is impossible. In sworn affidavits, prisoners reported they went untested for six weeks or more even as their dorm mates fell ill, were taken to hospital and died. Officials moved infected men among the complex's five units.

Correctional officers and prisoner workers shuttling between units became coronavirus vectors inside the prison—and outside its walls as well. Across the country, guards have been linked to outbreaks in their communities; releasing incarcerated people without testing them also exposed

people on the outside.

Despite an order from the U.S. Attorney General to send medically vulnerable prisoners home, Butner officials were slow to release them. Butner has a hospital and four prisons filled with thousands of chronically sick men. Yet over two months, officials released fewer than 50 out of 4,700 incarcerated people to home confinement. That's less than 1 percent, while the average for BOP prisons is 2.5 percent, according to court records and agency statistics. ♦

TENTATIVE DOC BUDGET CUTS

Due to COVID-19, Washington state is facing a budget deficit of \$9 billion over the next three years. Each department has been asked to submit proposed budget cuts for savings and agency budget reductions.

DOC has proposed the following cuts to programs that support incarcerated people:

- Graduated re-entry programs: \$540,000
- Housing vouchers program expansion: \$674,000
- Community chemical dependency program: \$1.5 Million
- Sentencing reforms (Good time credits, etc.): \$167 Million ♦

WALLA WALLA HUNGER STRIKE DEMANDS

In the last issue of *Prison Covid* we reported on the hunger strike by prisoners at the Washington State Penitentiary in Walla Walla. We did not have the space to print their demands in that issue. Here they are:

1. Real masks, replaced regularly and sufficiently cleaned
2. Safe food not prison processed/clarity where it is coming from and quarterly fresh food boxes from grocery stores not processed foods.
3. Increased pay for prisoners' labor
4. Expanded Visiting: Free regular video visits to connect with family & their children. More in person visiting when visiting at the facility opens back up.
5. More Phones

6. Education & Self Help Programming (especially for Echo and Delta Units that currently have none)

7. Eliminate level system that keeps prisoners in their cells for longer periods of time.

8. Eliminate restrictive movement schedules: more movement for the day room, shower and open yard for all.

9. Media: Allow 2 TV's in a cell, jpay players, don't censor explicit material.

10. Hygiene: Barbers

We do not know how the strike ended or at this time have any other information. The disadvantage of a hunger strike is of course that it cannot last long enough for outside support to become a factor in the outcome of the struggle. The tactic is generally initiated as a last ditch effort. ♦

TO MEMBERS OF THE JUDICIARY AND THE LEGAL COMMUNITY:

We are compelled by recent events to join other state supreme courts around the nation in addressing our legal community.

The devaluation and degradation of black lives is not a recent event. It is a persistent and systemic injustice that predates this nation's founding. But recent events have brought to the forefront of our collective consciousness a painful fact that is, for too many of our citizens, common knowledge: the injustices faced by black Americans are not relics of the past. We continue to see racialized policing and the overrepresentation of black American sin every stage of our criminal and juvenile justice systems. Our institutions remain affected by the vestiges of slavery: Jim Crow laws that were never dismantled and racist court decisions that were never disavowed.

The legal community must recognize that we all bear responsibility for this ongoing injustice, and that we are capable of taking steps to address it, if only we have the courage and the will. The injustice still plaguing our country has its roots in the individual and collective actions of many, and it cannot be addressed without the individual and collective actions of us all.

As judges, we must recognize the role we have played in devaluing black lives. This very court once held that a cemetery

could lawfully deny grieving black parents the right to bury their infant. We cannot undo this wrong—but we can recognize our ability to do better in the future. We can develop a greater awareness of our own conscious and unconscious biases in order to make just decisions in individual cases, and we can administer justice and support court rules in a way that brings greater racial justice to our system as a whole.

As lawyers and members of the bar, we must recognize the harms that are caused when meritorious claims go unaddressed due to systemic inequities or the lack of financial, personal, or systemic support. And we must also recognize that this is not how a justice system must operate. Too often in the legal profession, we feel bound by tradition and the way things have “always” been. We must remember that even the most venerable precedent must be struck down when it is incorrect and harmful. The systemic oppression of black Americans is not merely incorrect and harmful; it is shameful and deadly.

Finally, as individuals, we must recognize that systemic racial injustice against black Americans is not an omnipresent specter that will inevitably persist. It is the collective product of each of our individual actions—every action, every day. It is only by carefully reflecting on our actions, taking individual responsibility for them, and constantly striving for better that we can address the shameful legacy we inherit. We call on every member of our legal community to reflect on this moment and ask ourselves how we may work together to eradicate racism.

As we lean in to do this hard and necessary work, may we also remember to support our black colleagues by lifting their voices. Listening to and acknowledging their experiences will enrich and inform our shared cause of dismantling systemic racism.

We go by the title of “Justice” and we reaffirm our deepest level of commitment to achieving justice by ending racism. We urge you to join us in these efforts. This is our moral imperative.

Debra L. Stephens, Chief Justice
Susan Owens, Justice
Mary I. Yu, Justice
Charles W. Johnson, Justice
Steven C. González, Justice
Raquel Montoya-Lewis, Justice
Barbara A. Madsen, Justice
Sheryl Gordon McCloud, Justice
G. Helen Whitener, Justice ♦

LUMPEN, THE AUTOBIOGRAPHY OF ED MEAD

And now for a bit of shameless self-promotion....

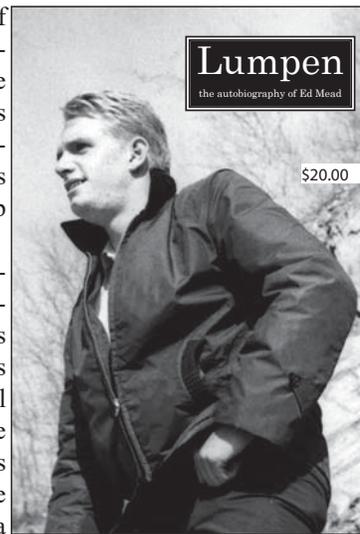
In 2015 I published an autobiography titled *Lumpen*. Yeah, a poor choice of name. The book has five out of five stars on Amazon’s book reviews, yet it has not sold well. Of the reviews of this book the one I am most proud of comes from the Texas Department of Corrections. When a prisoner there ordered a copy of *Lumpen* it was rejected by prison officials for the following reason: “It contains material that a reasonable person would construe as written solely for the purpose of communicating information designed to achieve the breakdown of prisons through offender disruption such as strikes, riots or security threat group activity.”

While reviews by outside people have consistently been positive, it was the response of prisoners that have made me feel best. I have received more than a few phone calls from convicts across the country telling me what a great book it was, and in two cases I was told they are using the book in prisoner study groups. That is good, because the book was specifically written for prisoners.

In July of 2016 MIM Prisons wrote a review of *Lumpen*, it concluded like this: “‘if the immediate demands address prisoners’ rights and living conditions, then the backwards elements will either be won over or neutralized by the growing consciousness of the rest of the population.’”(p. 305) This was one of the most inspiring parts of Mead’s story. In a situation where the prison system was dominated by one lumpen organization (LO) that was guided by self-

interest, Mead had the revolutionary fearlessness to organize those victimized by the LO to build a mass movement that the whole population came to identify with.”

“‘An organization that depends upon one person for direction is doomed to fail; each level of cadre should be able to take the place of a fallen or transferred comrade, even if that person occupies a leadership position.’”(p. 306) Mead learned this from experience, both in situations where [he] was that sole leader and others where [he] was surrounded by a dedicated cadre.



Inspiring stories include the first strike ever at McNeil Island, which had 100% participation. (p. 139) While many of the challenges of prison organizing are still the same decades later, you’ll find many other inspiring stories in this book as well. It demonstrates both the importance of the prison movement as part of the overall movement for liberation and against imperialism, while showing the limitations of a prison

movement that is not complemented by strong movements on the outside. As the current struggle focused on police murders continues to ferment, we work to build a prison movement, and they will feed each other as we move towards the next revolutionary period in history. “

“...shows the limitations of a prison movement that is not complemented by strong movements on the outside.”

You can order the book from Amazon or your favorite left-leaning bookstore. The price of the book is a whopping \$20. I did not know this until I wrote this book, but I as the author get only one dollar for each book sold. The rest goes to middlemen. Anyway, you can also order the book from me for 51 forever stamps or by check for \$19 (I’ll blow off my buck profit). Any and all money or stamps sent to me will go toward the publication of the *Prison Covid* newsletter and website. ♦

Order Lumpen

To order a copy of *Lumpen*,
The Autobiography of Ed Mead,
send \$19 or 51 Forever stamps to
the below address, along with your
contact information.

Send stamps or check to:
Prison Covid
Book Project
P.O. Box 48064
Burien, WA 98148

COVID News..... Continued from page 6

<https://www.whas11.com/article/news/investigations/focus/focus-coronavirus-covid19-prisons-kentucky/417-105f5-79a8-4dde-be83-d6cc0a1e7faa>

COVID-19 cases spike at Eastern Oregon prison

New numbers released from the Oregon Department of Corrections show a spike in cases of COVID-19 at the Snake River Correctional Institution in Ontario. The disease is currently infecting at least 120 people in custody and 21 staff. The prison houses more than 2,700 inmates, who are being quarantined to slow the spread. [Editor's Note: there are 36 staff and 141 prisoner virus positive at OSP, this is out of only 621 people tested.]

<https://www.opb.org/news/article/spike-covid-19-eastern-oregon-prison-snake-river-correctional/>

For 25 cents a minute, Lehigh County Jail inmates can now connect with family via video

The coronavirus locked the Lehigh County Jail from both directions, with inmates quarantined mostly inside their cells,

and outside visitors banned since early March from entering the Allentown facility. The long-awaited installation of a video visitation system at the jail late last month should help. For 25 cents a minute, prisoners can now use a tablet computer to chat with loved ones.

<https://www.mcall.com/news/breaking/mc-nws-lehigh-jail-video-visits-20200714-ffi7story.html>

South Florida federal corrections officers warn of potential coronavirus crisis brewing

Workers at a federal prison in South Florida are warning about a potential coronavirus outbreak that they say could spread beyond the prison's walls. "Our inmates are testing positive and we might have to flood the local hospitals. We have numerous inmates all over in Dade county hospitals," said Kareen Troitino, President of Union Local 3690, which represents the correctional officers at the federal prison in Southwest Miami-Dade. "Yesterday alone we discovered in one area that held 60 inmates over 22 tested positive and that's only after testing 28," he said. "We don't know where this is going to lead but it

looks catastrophic at the moment."

<https://www.nbcmiami.com/news/local/south-florida-federal-corrections-officers-warn-of-potential-coronavirus-crisis-brewing/2260242/>

Veteran Michigan corrections officer dies from COVID-19

Randy Rumler, a two-decade veteran of the Michigan Department of Corrections, has died after a battle with COVID-19. Inmates and loved ones connected to the Harrison facility have expressed concerns that the department introduced COVID-19 to the facility by using it as a "step-down" unit for people who had earlier tested positive for the virus but didn't currently have it, and weren't yet ready to return to their home facility.

<https://www.detroitnews.com/story/news/local/michigan/2020/07/06/veteran-michigan-corrections-officer-dies-after-contracting-covid-19/5382373002/>

**Hopeful for unity...
Eager for change.**

David Carr, Oregon SHU

**Prison Covid
PO Box 48064
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FIRST CLASS MAIL

COMMUNICATION IS A HUMAN RIGHT