



Academy of Criminal Justice Sciences Corrections Section

'Jails Are Petri Dishes': Inmates Freed as the Virus Spreads Behind Bars

Some jails are releasing people to stem outbreaks, but critics say it is not happening quickly enough to save lives and resources.

By Timothy Williams, Benjamin Weiser and William K. Rashbaum © 2020 The New York Times Company
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The coronavirus is spreading quickly in America's jails and prisons, where social distancing is impossible and sanitizer is widely banned, prompting authorities across the country to release thousands of inmates in recent weeks to try to slow the infection, save lives and preserve medical resources.

Hundreds of Covid-19 diagnoses have been confirmed at local, state and federal correctional facilities — almost certainly an undercount, given a lack of testing and the virus's rapid spread — leading to hunger strikes in immigrant detention centers and demands for more protection from prison employee unions.

A week ago, the Cook County jail in Chicago had two diagnoses; by Sunday, 101 inmates and a dozen employees had tested positive for the virus. A

nearby Illinois state prison reported a coronavirus-related death on Monday, and Michigan prisons had 78 positive tests. The Rikers Island jail complex in New York City had 167 confirmed cases among inmates by Monday. And at least 38 inmates and employees in the federal prison system have the virus, with one prisoner dead in Louisiana.

"It's very concerning as a parent," said William Brewer Jr., whose son is serving time for robbery in Virginia. "He's in there sleeping in an open bay with 60 other people. There's no way they can isolate and get six feet between each other." Defense lawyers, elected officials, health experts and even some prosecutors have warned that efforts to release inmates and to contain the spread of the disease are moving too

slowly in the face of a contagion that has so far infected at least 156,000 people in the United States, with more than 2,500 known deaths.

"By keeping more people in the jails, you are increasing the overall number of people who contract the virus," and the demand for hospital beds, ventilators and other lifesaving resources, said David E. Patton, head of the federal public defender's office in New York City, which represents nearly half of the 2,500 inmates in the city's two federal jails. "They are playing roulette with people's lives."

America has more people behind bars than any other nation. Its correctional facilities are frequently crowded and unsanitary, filled with an aging population

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of often impoverished people with a history of poor health care, many of whom suffer from respiratory problems and heart conditions. Practices urged elsewhere to slow the spread of the virus — avoiding crowds, frequent handwashing, disinfecting clothing — are nearly impossible to carry out inside.

“Even as a visitor,” said Mr. Brewer, “if you want to wash your hands, you’ve got to walk out and go into another building to do it.” The federal Bureau of Prisons, which holds more than 167,000 people nationwide, has been criticized by its own employees as slow to act. On Friday, dozens of public health experts sent a letter to President Trump urging him to take immediate steps to protect inmates and immigration detainees.

Attorney General William P. Barr said officials were trying to expand home confinement, as opposed to directly releasing federal prisoners, almost all of whom were convicted of felonies. He ordered an assessment of at-risk nonviolent inmates, particularly those who have served much of their sentence. But it was unclear how many would qualify under a complex list of criteria. And Mr. Barr cautioned that the review would not result in immediate transfers because of the need to ensure that prisoners would not spread the virus

once freed.

In Chicago, as the number of positive test results at the county jail has skyrocketed, the sheriff, Tom Dart, has established a quarantine area for those who have the virus, and another one for those showing symptoms who have not tested positive but need to be monitored. The most serious patients are being taken to a hospital.

“Our jails are petri dishes,” said Toni Preckwinkle, president of the Cook County Board of Commissioners, comparing them to nursing homes or cruise ships — both places where the virus has spread rapidly. She said officials were seeking to reduce the jail’s population to 4,000 people, from about 6,000 before the outbreak began. Currently, the population stands at about 5,000. Only inmates accused of nonviolent crimes are eligible for release, she said.

In Cleveland, the legal system was quick to act as the coronavirus took hold in the United States, cutting the county jail population in half, to about 1,000 people, since March 12.

“Otherwise, once this hits, we’d be crippled,” said Brendan J. Sheehan, the administrative and presiding judge of the Cuyahoga County Common Pleas Court.

“We would be releasing people immediately because we couldn’t have a quarantine.” Judge Sheehan led an effort to expedite cases for inmates in the jail awaiting trial. The usual protocols — hearings, plea deals, requests for trials — were kept in place, but proceedings that might have taken 60 or 90 days were resolved within two or three. “I don’t want people to think that we’re opening up the jail doors and letting people go,” the judge said, adding, “We have to protect the public, and we also have to protect the safety of the inmate.”

In New York City, where the jail system’s chief physician warned several days ago that “a storm is coming,” Mayor Bill de Blasio said the city had released at least 650 people by Sunday from Rikers Island, the city’s main jail complex. Most of those inmates were convicted of nonviolent crimes and serving sentences of less than a year. Hundreds more were under review for possible release.

In Los Angeles County, Sheriff Alex Villanueva has embarked on what appears to be the largest U.S. effort to release inmates, freeing 1,700 people this month, or about 10 percent of the population of one of the nation’s largest jail systems. “Our population within the jail is a vulnerable population just by virtue of who they are and where they’re located,” he said.

Sheriff Villanueva said the releases had been limited to inmates scheduled to be freed in 30 days or fewer. All had been convicted of nonviolent misdemeanors,

he said. So far, there are no confirmed coronavirus cases inside the county's jails.

Deputies in Los Angeles have also been instructed to make fewer arrests, and Sheriff Villanueva asked the district attorney and courts to delay some criminal proceedings. Arrests in areas patrolled by the Sheriff's Department have dropped from around 300 a day to about 60 a day.

Jackie Lacey, the Los Angeles County district attorney, said that as a way to remind her prosecutors about the seriousness of the threat to inmates, "I have asked my attorneys to consider the health risks in every decision they make." But officials acknowledged that there were concerns about reducing incarceration: About 30 percent of the county's jail inmates are homeless, and they might be living on the street as soon as they are released, making them at least as vulnerable to the virus as they might be behind bars.

In recent weeks, the city has started to open recreation centers, which were closed to stop the spread of the virus, to homeless people. "We're not going to keep them in jail because they don't have a home," Sheriff Villanueva said.

California has the second-

largest prison population in the country, after Texas, and at least 12 state prison employees there have tested positive for the coronavirus. Staff members and inmates have also tested positive at correctional facilities in Florida, Texas, Michigan, Pennsylvania, New York and Washington State, among others, and advocates said there were almost certainly many undetected cases across the country.

Most inmates in county jails are either serving sentences for minor crimes or are awaiting trial, but state prisons — which hold the majority of the nation's 2.3 million incarcerated people, most of whom were convicted of felonies — are less likely to make large-scale releases.

For families of incarcerated people, the concern can be agonizing. At other times, Mr. Brewer might worry about his son getting into a fight or running afoul of gangs in the Virginia prison system. But now, he just prays he will not get sick. Virginia's Department of Corrections said it had not had any positive tests, and it had halted visits to prisoners as a way of trying to keep the virus out. Many other states, as well as the federal prison system, have also limited or halted visitation.

In New York City, where the Bureau of Prisons said four inmates had tested positive

in the city's two federal jails by Sunday, a lawsuit filed late Friday asked the federal court in Brooklyn to order the immediate release of about 540 federal prisoners there identified as "particularly vulnerable" to the virus because of their age or underlying health conditions.

Katie Rosenfeld, a lawyer for the plaintiffs, said prisoners and their family members were "terrified" that the jail would "very soon be overwhelmed with hundreds of people sick and dying inside."

Even before the suit was filed, prosecutors in Brooklyn had been directed to review their cases and decide whether releasing inmates would be appropriate, considering their age, health status, the nature of the charges against them and their risk to the community.

Marilyn Mosby, Baltimore's chief prosecutor, is going through a similar exercise, but has also announced that she will decline to prosecute certain low-level cases, including trespassing, drug possession, prostitution and urinating in public, during the coronavirus outbreak.

"We believe that no longer prosecuting individuals for substance-use disorder or sex work — that's not going to increase crime," she said. "The thing that we're concerned with is public safety, and we don't want to prescribe someone with substance-use disorder to a death sentence."



Spring 2020 - Corrections Now

Message from the Chair—Dr. Natalie Goulette

What an interesting spring we had! While it was disappointing not to be able to see everyone at our annual breakfast and general meeting, the Executive Board has remained quite busy. We donated to Texas Inmate Families Association, an organization that works with the family members of individuals who are incarcerated.

The Executive Board received several nominations for all of our awards this year! It

was wonderful to hear about all of the amazing work being done by our members. I hope you will take the time to read about our winners and their work. I want to congratulate each of them for their accomplishments so far!

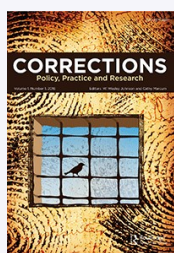
We also elected a new Secretary/Treasurer, Kathrine Johnson. I have worked with Kathy for several years, and I know she will bring a new perspective to the Section. I would like to thank Meghan Novisky

for her work on the Executive Board. Meghan is doing great things in the fight to keep inmates safe during the pandemic, and we wish her the best of luck in this fight.

Finally, we are looking forward to our next meeting in Orlando April 13-17, 2021. I hope to see you all there.

In the meantime, have a safe and relaxing summer break! ~Natalie

Corrections: Policy, Practice, and Research — Call for Papers!



CPPR is a peer-reviewed journal with a broad correctional focus encompassing a wide range of relevant topics and innovative approaches from new theoretical perspectives and research findings to their implications for improving policy and practice. Both national and international in scope, the journal will

address these issues and challenges as they relate to sentencing, prisons, jails, and community corrections.

Manuscripts should be submitted electronically. The online submission website is: <https://mc.manuscriptcentral.com/cppr>.

Manuscripts should be no more than 40 double-spaced pages, Times New Roman, 12 point font, 1" margins. **No color** pictures, graphs or tables should be included. Authors should follow all formatting guidelines of the APA Publication Manual, 6th Edition.

Corrections: Policy, Practice, and Research: Call for Association Editor Applications

Corrections: Policy, Practice, and Research is a peer-reviewed journal with a broad correctional focus encompassing a wide range of relevant topics and innovative approaches from new theoretical perspectives and research findings to their implications for improving policy and practice. Both national and international in scope, the journal addresses these issues and challenges as they relate to sentencing, prisons, jails, and community corrections. A wide range of topics are considered and include, but are not limited to: prisons, jails, probation and parole, inmate/client and staff experiences, reentry transition, sentencing policies and practices, the death penalty, comparative corrections, correctional treatment, decarceration, educational and vocational programming, and privatization. All research articles in this journal have undergone rigorous peer

review, based on initial editor screening and anonymous refereeing by two anonymous referees. CPPR is currently soliciting applications for the associate editor position. The chosen applicant will serve as associate editor for the journal for a three-year term from January 2021 through December 2023. The associate editor of the CPPR works directly with the editor to perform the following tasks: initial screening of manuscripts; selection of reviewers; promotion and improvement of the journal; collaboration with editorial board members; and assistance to guest editors with special issue preparation. By agreeing to serve as associate editor, it is expected the chosen applicant will then serve as

as editor of the journal for a three-year term from January 2024 through December 2026. The editor of the CPPR receives a yearly stipend from Routledge/Taylor & Francis.

Please submit electronic applications to the current Associate Editor, Dr. Tina Freiburger, at freiburg@uwm.edu by September 1st. Application materials should include the following:

1. Letter of interest
2. Curriculum vita
3. Letter of support from Dean or Department Chair

Questions about the role of the associate editor and/or transition to editor should be directed to current Editor, Dr. Cathy Marcum, marcumcm@appstate.edu, or current Associate Editor, Dr. Tina Freiburger, freiburg@uwm.edu.

2020 Section Awards and Scholarships

We would normally announce and honor the winners of the 2020 Section awards at our annual breakfast, we are highlighting them here. Congratulations to our deserving award winners!

John Howard Award



The nominee MUST have made significant contributions to practice, but also can have made significant contributions in scholarship, teaching, policy, or service.

This year's winner is **Jeffrey Ian Ross** of

the University of Baltimore.

Outstanding Section Member

Requires membership in and preferably contribution to the ACJS Corrections Section; and significant research and/or scholarship in the field of corrections. Self nominations are allowed and encouraged. This year's recipient is **Cathy Marcum** of Appalachian State University.

Dr. Kelly Cheeseman Student Paper Travel Scholarship

Students presenting papers at the ACJS annual conference are encouraged to submit their papers to the Awards committee for consideration for receipt of the travel scholarship. A letter of recommendation/support from a faculty advisor is advised. Congratulations to **Courtney G. Bagdon-Cox**, Ph.D. Candidate at Washington State University - Spokane

MARK YOUR CALENDARS!

The **ACJS 58th Annual Meeting April 13-17, 2021**, in Orlando, Florida at the Caribe Royale All-Suites Resort.

ACJS President Cassia Spohn is excited to bring you a content rich program focused on **“Reforming and Transforming Criminal Justice.”**



While the Corrections Section wasn't able to meet in San Antonio for the 2020 ACJS Annual Meeting, **you can still support the Corrections Section by purchasing a t-shirt!** To view a list of T-shirts, cost, colors, and sizes available, [click here](#).

If you make a purchase before May 31, shipping is free. After that, shipping will be \$3 per shirt. To make a purchase, please indicate the style (conference and color) and size of the shirt(s), as well as your shipping address. You can send your payment to Corrections Executive Board member, Stacy Haynes via Paypal (at stacyhaynes723@gmail.com) or Venmo (@Stacy-Haynes-8).

Thank you in advance for your support!



Corrections Section Purpose

The purpose of the Corrections Section is to bring together academy members who have a particular interest in corrections, to facilitate and encourage research and theory development related to corrections, to encourage appropriate and effective teaching techniques and practices for corrections courses, to serve as a resource network for and encourage interaction among academic, research, practitioner and policy-making sectors in order to further knowledge about corrections, and to encourage the organization of corrections-related conference activities.

Solicitations for op-eds or research items are welcome for the next edition of the newsletter!! Email us!

Catch Us on Social Media!!

LinkedIn: ACJS Corrections Section

Facebook Community:
ACJS Corrections Section

<https://www.facebook.com/ACJSCS/?fref=ts>

Twitter: @ACJS_CS

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