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Support for H.4652: An Act regarding decarceration and COVID-19

I'm writing on behalf of the Prison Policy Initiative in strong support of H.4652, An Act regarding decarceration and COVID-19, which proposes targeted release of people who are incarcerated pre-trial, or who are medically vulnerable and pose a minimal risk to public safety in response to the COVID-19 pandemic.

The Prison Policy Initiative was founded in 2001 to document and publicize how mass incarceration undermines our national welfare. We are best known for leading effective campaigns for justice reform, such as our projects to end prison gerrymandering and to protect families from the predatory prison and jail telephone industry. Since early March, we have redirected the majority of our resources to responding to the unprecedented threat of the COVID-19 pandemic on incarcerated people.

The passage of this act is urgently needed in order to spare the lives of incarcerated people in Massachusetts. As of July 2020, nine of the ten largest hotspots of COVID-19 in the country are in prisons and jails, and people in prison are dying from COVID-19 at a rate 3 times higher than the general population.

The justice-involved population is particularly vulnerable to mortality from this virus: incarcerated people have higher rates of lung disease, asthma, serious heart conditions, diabetes, renal or liver disease, and other immunocompromising conditions than the general population—and less access to health care.

Social distancing is nearly impossible inside of a cell, and incarcerated people rarely have access to the sanitary supplies necessary to comply with CDC guidelines.

While Massachusetts has been proactive about providing comprehensive testing for incarcerated people and for facility staff, we lag behind other states in reducing our jail and prison population. Right now, when transmission rates are low in Massachusetts, is the ideal time to proactively release vulnerable people in advance of a second wave of COVID-19.

The modest and common-sense reductions proposed in this legislation will not pose a risk to public safety. People who are incarcerated pre-trial have been granted bail precisely because they aren't deemed a threat to public safety, and are kept in jail simply because they can't afford to get out. The thousands of people held on bail in Massachusetts jails have not been found guilty, and can be safely released.

The legislation also proposes releasing individuals who are medically vulnerable and likely to fall seriously ill or die from COVID-19. In Massachusetts state prisons, over 15% of the population is over 55, and many have severe health issues. We know that age is a key indicator of likelihood to commit a crime: releasing these fragile elders to the care of their families is not a public safety risk.

People who can't afford bail or are medically vulnerable should not die in Massachusetts prisons and jails simply because our state did not act in time.

For these reasons, among others, our organization strongly supports H.4652, an urgently needed reform. Thank you for your leadership on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Wendy Sawyer". The signature is fluid and cursive, with a long horizontal stroke at the end.

Wendy Sawyer
Research Director