

Prisoners in Pandemics

prepared for the workshop

COVID-19: Law, Economics, and Governance

August 26, 2020

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Daily Updates on the Numbers

(as of August 12, 2020)

20,391,697	confirmed cases world-wide, and 743,724 deaths
53,334	new U.S. cases yesterday
5,151,369	total confirmed cases in the U.S.
1.450	deaths in the U.S. recorded yesterday
164,690	total U.S. deaths
63,252,257	tests conducted in the U.S.

Johns Hopkins University data summarized by the *Wall Street Journal*. Updates are provided daily at <https://coronavirus.jhu.edu/>

July 2, 2020 clusters, from the *New York Times*

The top 20 clusters came from:

80%: prisons/jails

15%: meatpacking plants

5%: an aircraft carrier

Available at https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html?action=click&pgtype=Article&state=default&module=styln-coronavirus&variant=show®ion=TOP_BANNER&context=storylines_menu

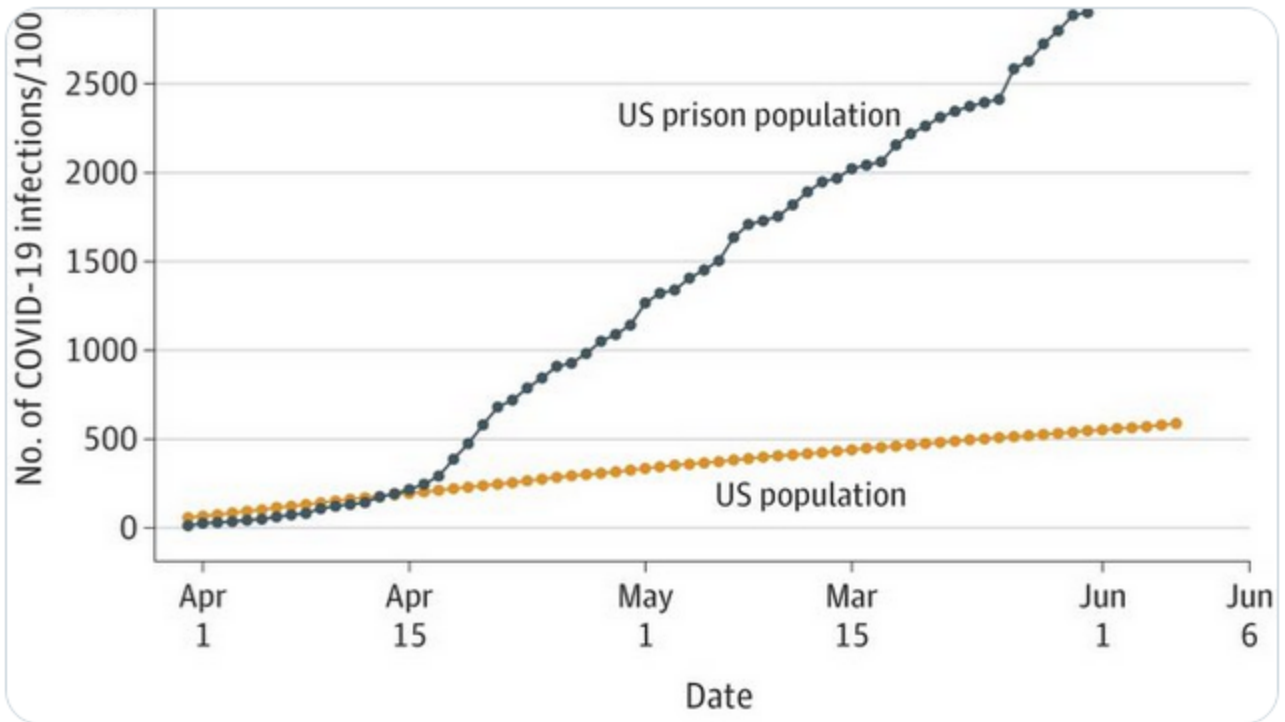
Marion Correctional Institution Marion, Ohio	2,439
Pickaway Correctional Institution Scioto Township, Ohio	1,791
Harris County jail - Houston, Texas	1,390
Trousdale Turner Correctional Center Hartsville, Tenn.	1,377
North County jail – Castaic, Calif.	1,364
San Quentin State Prison San Quentin, Calif.	1,110
Smithfield foods pork processing facility Sioux Falls, S.D.	1,098
Lompoc Prison Complex - Lompoc, Calif.	1,087
Cook County jail – Chicago, Ill.	1,074
Chuckawalla Valley State Prison Blythe, Calif.	1,063

Available at https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html?action=click&pgtype=Article&state=default&module=styln-coronavirus&variant=show®ion=TOP_BANNER&context=storylines_menu as of July 2, 2020

Cummins Unit prison – Grady, Ark.	1,060
Tyson Foods meatpacking plant Waterloo, Iowa	1,031
Avenal State Prison – Avenal, Calif.	1,005
California Institution for Men – Chino, Calif.	990
Butner Prison Complex – Butner, N.C.	981
U.S. S. Theodore Roosevelt – Guam	969
Lansing Correctional Facility – Lansing, Kan.	937
Tyson Foods meatpacking plant Logansport, Ind.	900
Elkton Prison Complex – Lisbon, Ohio	877
Northwest Correctional Complex Tiptonville, Tenn.	834

Available at https://www.nytimes.com/interactive/2020/us/coronavirus-us-cases.html?action=click&pgtype=Article&state=default&module=styln-coronavirus&variant=show®ion=TOP_BANNER&context=storylines_menu as of July 2, 2020

COVID-19 Cases and Deaths in Federal and State Prisons



Brendan Saloner, PhD, Kalind Parish, MA, Julie A. Ward, MN, RN, Grace DiLaura, JD, and Sharon Dolovich, JD, PhD, *COVID-19 Cases and Deaths in Federal and State Prisons*, Journal of the American Medical Association, July 8, 2020, <https://jamanetwork.com/>

UCLA COVID-19 Behind Bars Data Project description

“In March 2020, in the face of the increasing danger posed by Covid-19 to people held in jails and prisons, the UCLA Prison Law and Policy Program launched the UCLA Covid-19 Behind Bars Data Project. The Project, spearheaded by Professor Sharon Dolovich, tracks Covid-19 conditions in jails and prisons and the efforts — both in and out of court — to decrease jail and prison populations and improve conditions to ensure the safety of residents and staff.”

From the UCLA Behind Bars Data Project website at <https://law.ucla.edu/academics/centers/criminal-justice-program/ucla-covid-19-behind-bars-data-project> as of July 7, 2020

UCLA COVID-19 Court Orders Federal

Covid-19 Court Orders and Filings : Federal, Individual, Jails

Citation (if available)	Date	Source or case link	Case Details
Zollicoffer v. United States, No. 15-cv-03337 (C.D. Ill. Jan. 9, 2017)	1/9/2017	https://bit.ly/2XQIsfl	https://bit.ly/3auQRro
Guerrero v. Decker, No. 19-cv-11644 (S.D.N.Y. Mar. 16, 2020), Dkt. No. 14	3/16/2020	https://www.courtlisten.com/docket/16609846/14/guerrero-v-decker/	https://bit.ly/2VoJspj
In re Manrique, No. 19-mj-71055, 2020 WL 1307109 (N.D. Cal. Mar. 19, 2020), Dkt. No. 115.	3/19/2020	https://bit.ly/2JVdOsV	https://bit.ly/3aqHrx6
United States v. Perez, 19-cr-297, 2020 WL 1329225 at *1 (S.D.N.Y. Mar. 19, 2020), Dkt. No. 14			

Covid-19 Court Orders and Filings : Federal, Individual, Prisons

Citation (if available)	Date	Source or case link	Case Details
Swanson v. Barr, No. 15-cv-03262 (C.D. Ill. Sept. 28, 2016), Dkt. No. 25.	9/28/2016	https://bit.ly/2VgDBIQ	https://bit.ly/3by8JmQ
United States v. Bryant, No. 06-cr-00017, 2020 WL 1435066 (S.D.N.Y. Mar. 24, 2020), Dkt. No. 140.	3/16/2020	https://bit.ly/3c6PzEh	https://bit.ly/3ap3XGz
United States v. Matthaei, No. 1:19-CV-00243-BLW, 2020 WL 1443227, at *1 (D. Idaho Mar. 16, 2020)	3/16/2020	https://bit.ly/34oqW3j	https://bit.ly/2VQckpB
United States v. Barkman, No. 19-cr-0052, 2020 U.S. Dist. LEXIS 45628 (D. Nev. Mar. 17, 2020), Dkt. No. 21	3/17/2020	https://bit.ly/3c6NPuF	https://bit.ly/3hsANrn

<https://law.ucla.edu/academics/centers/criminal-justice-program/ucla-covid-19-behind-bars-data-project/ucla-covid-19>

UCLA COVID-19 Court Orders State

Covid-19 Court Orders and Filings : State, Group, Jails

Citation (if available)	Date	Source or case link	Case Details
In re Request to Commute or Suspend County Jail Sentences, Docket No. 084230 (N.J. Mar. 22, 2020)	3/22/2020	https://bit.ly/3c8HUVQ	https://bit.ly/2VtDjIG
Committee For Public Counsel Services et al v. Chief Justice of the Trial Court et al, SJC-12926 (Mass. Apr. 3, 2020)	4/3/2020	https://bit.ly/2UUVjLy	https://bit.ly/34RuJq8
In the Matter of: Petition Requesting the Indiana Supreme Court to Engage in Emergency Rulemaking to Address the Issue of Imprisoned Persons and the COVID-19 Crisis, No. 20-MS-			

State, Group, Jails

Covid-19 Court Orders and Filings : State, Group, Prisons

Citation (if available)	Date	Source or case link	Case Details
In the Matter of: Petition Requesting the Indiana Supreme Court to Engage in Emergency Rulemaking to Address the Issue of Imprisoned Persons and the COVID-19 Crisis, No. 20-MS-00234 (Ind. Mar 30 2020)	4/8/2020	https://bit.ly/2Vux2ei	https://bit.ly/34UTYHU

State, Group, Prisons

<https://law.ucla.edu/academics/centers/criminal-justice-program/ucla-covid-19-behind-bars-data-project/ucla-covid-19>

In addition to updating the list of judicial decisions, the UCLA COVID-19 website includes:

Jail/Prison Confirmed Cases & Deaths

Jail Releases

Prison Releases

Correctional Population Reduction Requests

Correctional Population Reduction Responses

Youth Correctional Facilities

Immigration Detention Facilities

Visitation Policy by State (Prisons)

Jail/Prison Condition Policies

Fundraisers & Mutual Aid Efforts

Grassroots and Other Organizing Efforts

<https://law.ucla.edu/academics/centers/criminal-justice-program/ucla-covid-19-behind-bars-data-project>,
as of July 7, 2020

“Amend”: A Project of UCSF

“Amend at [University of California, San Francisco] works to transform correctional culture inside prisons and jails and reduce the debilitating health effects of those environments.

“Amend offers a multi-year immersive program drawing on practices in Norway and elsewhere to inspire changes in correctional cultures. Our program provides direct training and technical support to promote an approach known as “dynamic security,” where all interactions between officers and residents of correctional facilities are aimed at supporting residents to change their lives for the better so that they can live healthier, more productive lives upon their return to their communities.”

From the Amend website, available at <https://amend.us/whatewedo>, as of July 7, 2020.

COVID-19 resources available through Amend

1. Training webinar for correctional officers: [COVID-19 in Jails and Prisons: Essential Information for Non-Medical Correctional Staff](#)
2. Policy recommendations describing the distinction between solitary confinement and medical isolation, and how to ensure that medical isolation is non-punitive: [The Ethical Use of Medical Isolation \(Not Solitary Confinement\) to Reduce COVID-19 Transmission in Correctional Settings](#)
3. Training webinar for correctional physicians: [Prognostication in Correctional Health Care During COVID-19](#) - provides a refresher training about prognostication and specific approaches for assessing and communicating medical findings regarding heightened risk for poor outcomes associated with COVID-19. We also include a sample checklist and letter writing guidance available for download as editable forms on our website
4. An article published in Health Affairs: [Correctional Facilities In The Shadow Of COVID-19: Unique Challenges And Proposed Solutions](#)
5. An article published in Health Affairs: [Protecting Decarcerated Populations In The Era of COVID-19: Priorities For Emergency Discharge Planning](#)
6. A summary on [Public Health-Focused Decarceration Guidelines](#)

Example of the Federal Prisons in Danbury:

Martinez-Brooks et al. v. Easter & Carvajal

3:20-cv-00569 (D. Conn. 2020)

TRO and preliminary injunction filed	April 27
Hearing on TRO Prisoner and expert declarations including by Dr. Jaimie Meyer and Professor Judith Resnik	May 6
Grant in part of TRO	May 12
Release decisions	May 28, 29
Preliminary agreement	August 2020
Fairness hearing	September 18, 2020