

Division of Convict Criminology (DCC)  
American Society of Criminology

**Statement on COVID-19 and the Carceral System of the United States  
From the Division of Convict Criminology**

Tuesday July 7, 2020

The Division of Convict Criminology (DCC) has closely followed pandemic-related criminal justice policy, reached out to, and advocated for and issued recommendations to state and local criminal justice agencies in our respective jurisdictions. Research clearly demonstrated that COVID-19, once introduced to correctional facilities, would “spread like wildfire” to the people housed and employed in such facilities, and to the broader community, because social distancing is impossible inside institutions and movement of correctional staff and incarcerated people in and out of facilities is continual. Lawmakers did not adequately respond to those warnings. At the moment of writing this statement, jails and prisons had at least 57,927 confirmed cases and 648 coronavirus-related deaths of incarcerated individuals. Additionally, jails and prisons had at least 11,180 confirmed cases and 43 coronavirus-related deaths of prison or jail staff that have been publicly reported.

Correctional facilities are congregate environments, forcing people into close proximity, and many are overcrowded. Therefore, it is nearly impossible for people confined in these facilities to follow the CDC-recommended guidelines for mitigating the spread of COVID-19. Moreover, individuals confined inside of correctional facilities disproportionately suffer from health conditions that make them more vulnerable to COVID-19 infections. It is difficult to know what the impact has been, or will be, on specific groups of incarcerated people because of the unacceptable inability of state and federal governments to competently track data related to coronavirus infections. Unfortunately, the impact of COVID-19 will likely be racially disproportionate because of the systemic institutional racism that already infects the entirety of the United States criminal punishment system.

Controlling the spread of COVID-19 in Jails and prisons would have been instrumental in controlling the spread of the virus both locally and national. Health experts and criminologists across the United States already called for quick action. While we recognize the measures that have already been enacted, the United States has utterly failed at controlling the spread of coronavirus both in and out of correctional facilities. As such, DCC calls on lawmakers, sheriffs, judges, and governors to use every power available to release the vast majority of individuals who are currently incarcerated in jails. New admissions to juvenile detention facilities must be halted and youth already in these facilities should be immediately released. This can be accomplished by identifying and prioritizing the immediate release of the elderly and medically vulnerable, as well as anyone incarcerated as a result of a technical probation or parole violation or minor offense. Additionally, any individual with a short amount of time left on their sentence or incarcerated because of an inability to pay bail should immediately be released.

In the event that the aforementioned actions are not taken, we call for the widespread implementation of mitigating measures. Correctional facilities must ensure proper hygiene and access to immediate medical care. COVID-19 testing protocols should be developed and implemented for all people who live, work, and visit correctional facilities. The extension of paid sick leave must be made available to all jail, prison, and public legal system employees. Employees should not have to come to work sick. For those individuals who remain incarcerated, correctional institutions should facilitate reliable communications home, and eliminate charges for all modes of communication. Jails and prisons should also provide regular daily public updates on the number of cases, any fatalities, and the names of those who are ill to family and friends of incarcerated people. We know that family members and friends are deeply concerned about protecting loved ones. The criminal justice system has a responsibility to protect and respect the human rights of incarcerated people and the local communities surrounding correctional facilities. All of society’s health and well-being depends on it.

Statement approved by the Executive Board of the Division of Convict Criminology of the American Society of Criminology. Black Lives Matter and we stand in solidarity,

DCC Executive Board

References and further reading:

The COVID Prison Project (2020). *National COVID-19 Statistics Overview*. Retrieved on July 7, 2020 from <https://covidprisonproject.com/>

Dolovich, S. (2020) *UCLA Law Covid-19 Behind Bars Data Project*. Retrieved on July 7, 2020 from <https://law.ucla.edu/academics/centers/criminal-justice-program/ucla-covid-19-behind-bars-data-project>

Kauffman, K. (March 13, 2020). *Why Jails are Key to 'Flattening the Curve' of Coronavirus*. Retrieved on July 7, 2020 from <https://theappeal.org/jails-coronavirus-covid-19-pandemic-flattening-curve/>

Littman, A. (2020). *Statutory Release Powers*. Retrieved on July 7, 2020 from [https://docs.google.com/spreadsheets/d/e/2PACX-1vTT2\\_PEWdtlNP39zoCNSllq0IEpuYHRpNu4TqXs75Q5LcjpU16Qh5Xi6pC3s7FslHvuGYYB\\_SAR41KD/pub?output=pdf](https://docs.google.com/spreadsheets/d/e/2PACX-1vTT2_PEWdtlNP39zoCNSllq0IEpuYHRpNu4TqXs75Q5LcjpU16Qh5Xi6pC3s7FslHvuGYYB_SAR41KD/pub?output=pdf)

The Marshall Project (last updated July 2, 2020). *A State-by-State Look at Coronavirus in Prisons*. Retrieved on July 7, 2020 from <https://www.themarshallproject.org/2020/05/01/a-state-by-state-look-at-coronavirus-in-prisons>

Pohl, J. (March 9, 2020). California jails, prisons on alert for coronavirus: Fear it will 'spread like wildfire'. *The Sacramento Bee*. Retrieved on July 7, 2020 from <https://www.sacbee.com/news/california/article240962761.html>

Wagner, P., & Widra, E. (March 27, 2020). *Five Ways the Criminal Justice System Could Slow the Pandemic*. Retrieved on July 7, 2020 from <https://www.prisonpolicy.org/blog/2020/03/27/slowpandemic/>