"Veritable volcanoes for the spread of the virus"

ACLU study predicts an additional 100,000 COVID-19 deaths in US prisons

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A study published by the American Civil Liberties Union last week projects nearly 100,000 additional COVID-19 deaths on top of the current estimates in the US if jail and prison populations are not dramatically reduced. Of this number, 23,000 will succumb behind bars and a further 76,000 in surrounding communities as the virus spreads from guards and released inmates.

The study warns that jails will act as "veritable volcanoes for the spread of the virus" and predicts a doubling of the current projection from the Trump administration of 100,000 deaths, and is likely an underestimate.

The US has the single largest prison population in the world, with 2.3 million people incarcerated. More than 420,000 Americans work in these facilities as guards or staff. Despite the US containing roughly 4 percent of the world's population, it accounts for 21 percent of the world's incarcerated population.

At any given time approximately 740,000 are held in overcrowded local jails with constantly revolving populations. Roughly 11 million people pass through the jail system each year—a rate of one person every three seconds. As of 2018, the US was operating at 103.9 percent of prison capacity nationally.

With US jails and prisons overflowing, the risk of infection to inmates, staff and community members is accelerating.

In Ohio, one in five confirmed COVID-19 positive cases are inmates. On April 19, there were 1,057 cases in the Marion Correctional Facility; by April 22, that number had grown to 2,011—accounting for 78 percent of the prison population. This rapid growth in cases demonstrates just how quickly the virus can spread in these crowded facilities.

The Ohio prison is the only case where all the prisoners were tested and illustrates what must be the true extent of the problem throughout the entire prison and jail systems. The testing also showed that a large percentage of those who tested positive were not showing any symptoms. This is a dire warning to the entire population that without mass testing there are many people who have COVID-19 without knowing it and are passing the infection on to many others.

Cook County jail in Chicago has reported 400 inmate infections with six deaths, plus 223 infections and one death among staff. In Michigan, which is one of the hardest hit states, with over 37,000 total confirmed cases, 572 of 889 tests of inmates resulted in positive cases, with more than 200 staff members also infected.

The high rate of infections among staff and the large percentage of tests yielding positive cases is a dramatic warning of how severe this situation may become.

There is already a significant number of inmates and staff infected, but nowhere near enough tests have been administered. California, the state with the largest prison population in the country, with 129,000 inmates, has tested just 694 people resulting in 129 positive cases. In Florida, just 378 tests have been administered for a prison population of 98,000.

New York state stands out in particular for its criminal neglect of prisoners. Despite being the epicenter of the pandemic, New York policy states that inmates are only to be tested if they exhibit symptoms. Because of this, only 1 percent of the state's incarcerated population has been tested. Confirmed cases are still low, with only 239 incarcerated and 35 parolee positive tests as of this writing. However, 842 staff members have been confirmed positive with the

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virus and only two have recovered.

There is absolutely no reason to believe that this many positive cases among staff is not directly related to mass infection among the incarcerated. Considering the population density of New York prisons, a single case should suffice to warrant the testing of all inmates and staff at a facility. By refusing to administer these tests in accordance with the guidelines for general public health, the government of Democratic Governor Andrew Cuomo is effectively sentencing prisoners to death.

Six people have already died in New York prisons, and that number will undoubtedly climb rapidly in the coming weeks.

The only way to prevent the spread of the virus in these facilities is to conduct mass testing and to reduce population density by releasing inmates into proper self-isolation. Without these efforts, prisons and jails will act as incubators for the virus, putting both inmates and community members at risk

This is especially odious considering that the majority of people in jail do not need to be incarcerated. Udi Ofer, director of the ACLU's Justice Division, states that an average of 66 percent of the jail population are those who cannot afford to pay their bail and in some places it may reach as high as 80 percent.

This means that working class people who have merely been charged with an offense and are still legally innocent are being put at risk because they cannot pay the state for their freedom before trial. There is no rational political, economic or social justification for this.

Some states have made efforts to reduce population densities, but even this does not go far enough to limit the threat. Ohio Governor Mike DeWine has allowed just 300 of the 49,000 inmates in the state's prison system to be released. In New York, Cuomo stated that he would allow for the release of elderly inmates and those nearing their release dates, but it may already be too late given the incubation period for the virus.

The situation in prisons and jails was completely predictable and preventable; there is still time to limit the toll. All vulnerable inmates must be released and protective measures put in place, including a regime of mass testing, quarantine and contact tracing. The growing crisis is a further demonstration of the horrific conditions that prisoners in the US face on a daily basis and the indifference of the ruling class for their safety.

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