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*****FOR IMMEDIATE RELEASE*****

Legal Aid Wins Release of 51 Incarcerated New Yorkers At High Risk of COVID-19 from Non-Criminal Technical Parole Violation Holds at Rikers Island

The Ruling Comes Just Days After the Deaths of Michael Tyson and Raymond Rivera, New Yorkers who Contracted COVID-19 While in DOCCS Custody

Defenders Double Down on Demand to #FreeThemAll and #FreeThemNow

(NEW YORK, NY) – **The Legal Aid Society** won the release of 51 individuals currently held at Rikers Island on non-criminal technical parole violations (i.e. missing a curfew, failing to report, or failing to notify their parole officer of an address change). These individuals, by virtue of their age and/or underlying medical condition, are particularly vulnerable to serious illness or death if infected by COVID-19, and jail conditions make it impossible to protect them. The ruling comes just days after the deaths of Michael Tyson and Raymond Rivera, two New Yorkers who contracted COVID-19 while in the custody of the New York State Department of Correction and Community Supervision (DOCCS).

The [lawsuit](#), the fourth complaint by Legal Aid, was filed in New York State Supreme Court, Bronx County and argued that continuing to hold these individuals on parole warrants constitutes deliberate indifference to the risk of serious medical harm in violation of the Fourteenth Amendment and the New York State constitutional right to due process.

“We applaud today’s ruling which will free more of our vulnerable clients held in custody on non-criminal technical parole violations from Rikers Island, the epicenter of COVID-19,” said **Corey**

Stoughton, Attorney-in-Charge of the Special Litigation Unit with the Criminal Defense Practice at The Legal Aid Society. “If not for Governor Cuomo’s lack of action and leadership, these New Yorkers should have been released weeks ago back to their families and communities. As long as Governor Cuomo and others in government continue to mishandle this unfolding humanitarian crisis at our jails and prisons, we will fervently utilize the court and litigate to secure our clients’ freedom.”

Demonstrating the rapid pace at which the virus spreads within carceral settings, in New York City, as of April 12, 2020, 318 incarcerated New Yorkers had tested positive for COVID-19. Already, 7.7 percent of people incarcerated in City jails have contracted COVID-19, a percentage almost 6 times higher than New York City, 8 times higher than New York State, and 45 times higher than the rest of the country.

Legal Aid so far has secured the release of over 210 people through mass writ filings and individual motions.

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The Legal Aid Society exists for one simple yet powerful reason: to ensure that New Yorkers are not denied their right to equal justice because of poverty. For over 140 years, we have protected, defended, and advocated for those who have struggled in silence for far too long. Every day, in every borough, The Legal Aid Society changes the lives of our clients and helps improve our communities. <https://www.legalaidnyc.org>