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

Legal Aid Demands The Immediate Release Of Ten Pregnant Women Currently Incarcerated At Bedford Hills Correctional Facility

Two Women Have Due Dates this Month

All Are Serving Sentences For Non-Violent Crimes And Have Release Dates Within A Year

(NEW YORK, NY) – The Legal Aid Society, in a recently issued [demand letter](#), called on Governor Andrew Cuomo and the New York State Department of Correction and Community Supervision (DOCCS) to immediately release ten pregnant women currently incarcerated at Bedford Hills Correctional Facility in Westchester County, New York to protect them and their unborn children from serious complications from COVID-19. All of these women are serving sentences for non-violent crimes, and some are held as a result of technical parole violations. Some are due to be released in just a few weeks, and all have release dates within a year.

These womens' due dates are fast approaching, with many due within the next two months and two women due to give birth in less than three weeks. The urgency is illustrated by the situation of a 19-year-old girl, who is due to give birth in a matter of days, who was already hospitalized last week with early labor pains, and whose mother is desperate for her and her soon-to-be born grandchild to come live with her in a small town in upstate New York.

Legal Aid issued this demand letter to Governor Cuomo's Administration one day before state correction's officials announced that DOCCS will begin reviewing and releasing incarcerated women who are pregnant or postpartum. However, these reviews may take too long, and

DOCCS has not said whether these Legal Aid clients at Bedford Hills - which already has 38 confirmed cases and one death from COVID-19, the first woman to die in New York State prisons from the virus - will be eligible for immediate release.

The state prison system in New York is fast becoming an epicenter of COVID-19. As of May 4, 2020, DOCCS reports that 1,117 staff members, 401 incarcerated people, and 52 parolees in DOCCS custody are infected. Per DOCCS, four staff members, 12 New Yorkers in custody, and four parolees have already succumbed to the virus.

Illinois, North Carolina and Ohio, among other jurisdictions, have already begun to release pregnant women from custody.

The letter states:

The devastating spread of COVID-19 cases throughout DOCCS facilities over the past weeks starkly proves the risk of continued incarceration: on March 24, 2020 there were only three confirmed cases of COVID-19 among people incarcerated in New York States prisons. Just one month later, even with limited testing, the number has jumped to 310. Over one thousand DOCCS staff members have now been confirmed as infected.

These expectant mothers and their unborn children face serious risks of health complications should they remain incarcerated. By their design and operation, New York state prisons make it impossible for individuals incarcerated within these facilities to engage in the hygiene, cleaning and social distancing measures necessary to mitigate the risk of COVID-19 transmission. All of these women will better protect themselves, their unborn children, the healthcare workers who will deliver their children and provide pre- and post-natal care, and the community from COVID-19 by isolating at home.

“Prisons across New York State are in the midst of a full-fledged humanitarian crises as COVID-19 continues to spread exponentially and claim more lives,” said **Tina Luongo, Attorney-in-Charge of the Criminal Defense Practice at The Legal Aid Society**. “Facing this reality, there is no justification that Governor Cuomo and DOCCS could offer to keep these expectant mothers - several with preexisting conditions - incarcerated under such dire conditions. We demand that Governor Cuomo and DOCCS take immediate action to protect the health of these ten pregnant women, as well as their unborn children, by releasing them from custody.”

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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. www.legalaidnyc.org