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

Legal Aid Mourns the Loss of Another Incarcerated New Yorker to COVID-19, Condemns DOCCS for Allowing Virus Outbreak at Elmira C.F.

(NEW YORK, NY) – The Legal Aid Society [mourns](#) the loss of another New Yorker who passed away from COVID-19 in the custody of the New York State Department of Corrections and Community Supervision (DOCCS) at Fishkill Correctional Facility, and [condemns](#) DOCCS for allowing yet another virus outbreak, this time at Elmira Correctional Facility. As of October 19, 2020, 78 people at Elmira have tested positive for COVID-19, up from only three on October 1, 2020. Since March, 18 New Yorkers have died in DOCCS’ custody from COVID-19 and over 970 have tested positive. For those who have been infected, the lingering effects and long-term complications of the virus remain unknown.

Just last week, The Legal Aid Society warned that the current COVID-19 surge at Greene Correctional Facility portends a second wave of infection within New York State prisons as 100 incarcerated New Yorkers have now tested positive for COVID-19 at the facility, an increase of 86 cases in just two weeks.

In June, The Legal Aid Society condemned DOCCS for refusing to follow Centers for Disease Control and Prevention (CDC) testing protocols specific to correctional settings. The CDC calls for universal and regularly recurring testing of everyone residing or working in correctional

settings. DOCCS' testing practices, which are constantly shifting and have never been fully revealed, fall far short of these recommendations. DOCCS still tests an insufficient number of incarcerated people and, by all appearances, refuses to test most people more than once.

"The Legal Aid Society mourns the passing of yet another New Yorker in DOCCS custody. These deaths could have been avoided had Governor Cuomo and DOCCS prioritized the release of people especially vulnerable to COVID-19," said **Stefen Short, Supervising Attorney with the Prisoners' Rights Project at The Legal Aid Society**. "Moreover, we are extremely troubled by the recent COVID-19 outbreak at Elmira C.F., just days after over 90 New Yorkers at Greene C.F. tested positive for the virus. We again call on Albany to release our clients and others who are vulnerable to COVID-19. If Albany persists in its failure to act, deaths will continue to mount."

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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