



December 7, 2020

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

***Legal Aid to de Blasio Administration and Local DAs:
Decarcerate City Jails now or Risk Innocent Lives to
COVID-19***

(NEW YORK, NY) – The Legal Aid Society, in recently issued [letter](#), called on Mayor Bill de Blasio and his administration and New York City’s five District Attorneys to immediately facilitate the release of New Yorkers, especially those vulnerable to COVID-19, from local jails, as new troubling data show the pandemic surging again at a rates similar to those seen in DOC facilities earlier this year. A recent analysis by Legal Aid of City COVID-19 reports found that:

- For months, there have been one or two seemingly isolated reported infections among DOC and CHS staff each week. Recently, however, a [New York Board of Correction report](#) reveals 31 new staff infections in a single week.
- On November 7, there were only seven housing areas with COVID-19 designations in which 96 people were housed in DOC facilities. By November 27, that number had skyrocketed to 33 COVID-designated units housing 759 people.
- In just one week, the number of people in exposed housing units more than tripled. The problem has reached nearly all facilities: where previously the only facilities with COVID-19 designated housing units were MDC, AMKC, and WF, there are now

exposures or active infections in MDC, AMKC, VCBC, GRVC, OBCC, RNDC, and WF.

- CHS information shows that reported active infections among people in custody increased exponentially in the last two weeks, from 2 active infections on November 17, to 18 on November 29.

Adding more fuel to the fire, the population in the jails has risen rapidly in recent months and is now comparable to pre-pandemic levels. As of November 27, the total population in DOC was 4,805 people — the same population as in late March, a population that the City acknowledged was too dangerous and necessitated decarceration. [And the New York City Department of Correction has created perilously high density levels](#) in the housing areas, in flagrant violation of public health standards: 66% of dorm units and 60% of cell units remain above 50% of capacity, and 34.5% of units exceed 75% of capacity. Of the ten facilities in operation as of November 27, seven of them have units at or above 90% capacity, with units at six facilities at 100% capacity. Operating facilities in this manner as an outbreak surges within the jails and the broader community is unacceptably dangerous.

“COVID-19 is surging at Rikers Island and other local jails at a rate that earned these facilities epicenter status earlier this year, infecting scores of incarcerated New Yorkers and correction staff alike,” said **Tina Luongo, Attorney-in-Charge of the Criminal Defense Practice at The Legal Aid Society**. “The de Blasio Administration and New York’s District Attorneys must act now to prevent a repeat of the unacceptable rate of COVID-19 infection New York’s jails saw this past spring. Lives will be lost if our city’s leaders fail to act immediately and decisively.”

The letter states:

We ask that the Mayor reinstate and expand his commitment to release people currently serving sentences in the city’s jails; that district attorneys work with defender organizations to consent to the release of vulnerable people currently held on bail; and correctional officials facilitate these processes by identifying people currently incarcerated who are medically vulnerable to serious health consequences should they contract COVID-19. As you know, these efforts – combined with defender organizations’ litigation efforts to push releases further and faster – resulted in the release of more than 1,500 people in a matter of weeks and were critical to reversing the trajectory of the virus in city jails. Similar results are required now, but faster to avoid the scale of the tragedy New York experienced in the spring and summer.

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