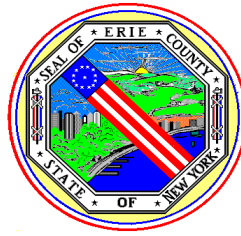


Erie County Corrections Specialist Advisory Board



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92 Franklin St., 4th Floor
Buffalo, NY 14202
Switchboard: 716/858-7500

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ERIE COUNTY CORRECTIONS SPECIALIST ADVISORY BOARD CALLS FOR COUNTY TO BEGIN RELEASING PEOPLE FROM JAIL AS PART OF PUBLIC HEALTH RESPONSE TO COVID-19

Emergency release will minimize the number of people in jail and staff needed on-site during public health crisis. Fewer people in the jails will prevent transmission. Release must prioritize people at higher risk from infection.

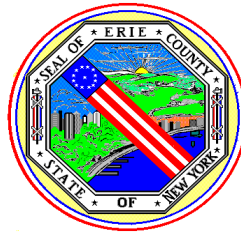
April 27, 2020- The Erie County Corrections Specialist Advisory Board, the independent oversight Board for the County's jail system, is calling on the Erie County Division of Jail Management to work with all its criminal justice partners to: (1) immediately remove from jail all people at higher risk from COVID-19 infection; and (2) rapidly decrease the jail population. While Erie County Sheriff's Deputies and other jail staff continue to perform heroic work to prevent the transmission of COVID-19 in the jails and maintain safe and humane operations, the County must drastically reduce the number of people in jail right now and limit new admissions to exceptional circumstances.

The official number of confirmed cases of COVID-19 in the Erie County Holding Center and the Alden Correctional Facility remain relatively low. However, several jail employees have tested positive for this highly contagious and deadly virus, and only 3 inmates have been tested. In Rikers Island jail, the number of cases grew exponentially from 1 case to 961 confirmed cases in less than a month. The County has an obligation to take steps to avoid such a catastrophe here, which presents a potentially deadly threat to both inmates and jail employees. The Division of Jail Management should also make available to the board and to the public any existing COVID-19 mitigation plans.

The County can follow the leads of Los Angeles County and Cuyahoga County (Ohio), and New York City, as well as the State of New Jersey (which has reduced its prison population by over 2,000 inmates), which have already begun to release people to minimize a potential outbreak. The County must begin this process in earnest now. So far, only 38 inmates have been released due to COVID-19 concerns. There are still approximately 513 inmates remaining in the Holding Center and Correctional Facility. The close proximity of inmates in the County's jails have particular challenges to preventing disease transmission in normal circumstances, and even more so during a public health crisis. Significantly fewer people in jail will limit the

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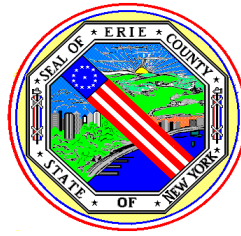
spread of COVID-19 infection among people in custody and those who work in the jails, minimize the number of people in custody who will need medical care, decrease the density of housing areas for people who remain in jail, and allow citizens of Erie County to maintain connections with and support from their loved ones.

The Division of Jail Management, along with County partners, must work with the Chief Judge of New York State, Governor Cuomo, Erie County Court Judges, Erie County District Attorney John Flynn, the Erie County Probation Department, the Legal Aid Bureau of Buffalo, the Assigned Counsel Program of Erie County, and the County Defense Bar to begin identifying and releasing people this week, prioritizing:

- Legally innocent people who are being held without conviction prior to trial.
- People who are over 50.
- People who have underlying health conditions, including lung disease, heart disease, diabetes, cancer, or a weakened immune system.
- People detained for administrative reasons (including failure to appear and technical parole/ probation violations).
- People serving sentences of one year or less.
- People serving sentences for petit larceny and low level drug offenses.
- People who are pregnant.

Deference should be given to the District Attorney's office with respect to those people who present a concern for public safety due to the nature of the conviction for which they are currently incarcerated (notwithstanding prior convictions for which the person has already served his/her sentence).

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Once these people are identified, they should be screened for symptoms prior to release, and those with symptoms should be referred to established testing sites upon release. Once these people are released from jail, the County must continue to work with District Attorneys, the Defense Bar, and the judiciary to identify all other detained citizens who can be released from jail.

The County Executive and the County Legislature must provide the Division of Jail Management with the resources necessary to provide COVID-19 screening, discharge planning, including connection to health and mental health services, drug rehabilitation services, and general rehabilitation services (especially housing services) for those requiring support upon release. The Board also requests that Erie County Division of Jail Management publish updated agency plans for preventing transmission of COVID-19 in the jails. Additionally, the Board requests that the Division of Jail Management increase and improve communication to people in custody, staff, and the public via all available channels and in multiple languages.

The Board is especially grateful for the efforts of jail staff during this public health crisis. These front-line County workers are providing a remarkable public service in challenging times. The Board also applauds the efforts of the Legislative Chair of the Public Safety Committee, who called for this process of release to begin over one month ago. The Board is also grateful to the Erie County community of family members, friends, and advocates who have remained committed to supporting their loved ones held in jail.

Media Contact:
Jonathan Miles Gresham
Jmgresham86@gmail.com