

## **\*\*PRESS STATEMENT\*\***

### **FOR IMMEDIATE RELEASE**

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### **FOLLOWING COVID DEATH AMID OUTBREAK AT FRANKLIN PRISON, ADVOCATES DEMAND NY STATE LAWMAKERS PASS PAROLE JUSTICE & #HALTsolitary REFORMS**

**NEW YORK** -- Today, the NY State Department of Corrections and Community Supervision (DOCCS) reported [another COVID death in a New York State prison](#), this time at Franklin prison in Malone, New York. This tragedy comes amid an outbreak at the facility, with 147 active COVID cases. This is the 31st reported COVID death of a person in New York State prisons. The total number of incarcerated people who tested positive for the virus surpassed 5,000 cases recently and shows no sign of slowing. In response, **Jose Saldana, Director of the Release Aging People in Prison Campaign**, said:

*“COVID is exploding in New York’s prisons, people are dying, and Governor Cuomo and DOCCS are doing nothing to stop it. Public health experts warned this would happen if the state did not vastly reduce prison populations. Now, state lawmakers in Albany must take swift action to stop the spread and harm of the virus by passing the Elder Parole, Fair and Timely Parole, and HALT Solitary Confinement bills.”*

**BACKGROUND:** The Department of Corrections and Community Supervision (DOCCS) reported on February 3, 2021 that another incarcerated New Yorker has passed away. The number of incarcerated people who have tested positive for the virus has officially surpassed 5,000. At least 3,315 incarcerated people have tested positive for COVID-19 since December 4, which means more people have contracted the virus in the past two months than in the first nine months of the pandemic. There are currently outbreaks of the virus at Franklin, Attica, Bedford Hills, Bare Hill, Clinton, Woodbourne, Wyoming, Wende, Groveland, and Walsh Correctional Facilities.

Through nearly ten months of the pandemic, Governor Andrew Cuomo has granted a total of [ten clemencies](#) to New Yorkers in prison--fewer clemencies than governors in [California](#), [Illinois](#), [Oklahoma](#), [Kentucky](#), and other states across the country. Cuomo has refused to take action despite calls from [advocates](#), [attorneys](#), [family members of people in prison](#), [public health experts](#), [Members of Congress](#), [district attorneys and philanthropists](#), [editorial boards](#), and [high profile celebrities](#) for him to grant wide-sweeping clemencies to people in prison in response to the pandemic. Instead of granting clemencies, Governor Cuomo has condemned thousands to solitary confinement, which [only exacerbates the harm](#) and spread of COVID-19. In addition, the Governor has yet to announce when he intends to offer vaccines to incarcerated

New Yorkers, falling behind [the federal government](#) and neighboring [Connecticut, New Jersey, and Republican-led Massachusetts](#).

The Cuomo Administration has, to date, excluded incarcerated people who are predominately Black and brown from eligibility for the COVID-19 vaccine while predominantly white prison staff are currently eligible.

There are many thousands of people in New York State prisons who are eligible for parole release, aged 50 and older, or imprisoned on a non-criminal technical parole violation, and/or within a year of their release date. As of October 2020, there were:

- 4,786 people who are already eligible for parole release
- 3,305 people held on technical parole violation
- 8,291 people aged 50 and older
- 7,955 within a year of max/conditional release (including 5 incarcerated mothers with infants housed in the Bedford Hills Corr. Facility nursery and one pregnant woman)

Advocates have called for lawmakers in Albany to pass three bills that will uniquely address this pandemic and prevent additional future tragedies:

- [Elder Parole](#) would allow the State Board of Parole to provide an evaluation for potential parole release to incarcerated people aged 55 and older who have already served 15 or more years, including some of the state's oldest and sickest incarcerated people.
- [Fair and Timely Parole](#) would provide more meaningful parole reviews for incarcerated people who are already parole eligible.
- The [Humane Alternatives to Long-Term \(HALT\) Solitary Confinement Act](#) would end the torture of prolonged solitary confinement and replace it with more humane and effective alternatives while still allowing for true medical isolation as needed.

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