

## MEMORANDUM

**From:** Eunice Cho, ACLU NPP (echo@aclu.org)

**Date:** March 9, 2020

**RE:** Summary of COVID-19 Reference Materials Related to Prisons, Jails, Immigration Detention Centers

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### At-Risk Populations

- **Jieliang Chen, *Pathogenicity and transmissibility of 2019-nCoV—A Quick Overview and Comparison with Other Emerging Viruses*, *Microbes and Infection*, Feb. 4, 2020, <https://doi.org/10.1016/j.micinf.2020.01.004>. (also available at: <https://www.sciencedirect.com/science/article/pii/S1286457920300265>)**  
“[M]ost of those who have died had underlying health conditions such as hypertension, diabetes or cardiovascular disease that compromised their immune systems.”
- **Centers for Disease Control and Prevention, *Coronavirus Disease 2019 (COVID-19), People at Higher Risk and Special Populations*, Mar. 7, 2020, <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/index.html>.**  
“Older people and people of all ages with severe underlying health conditions — like heart disease, lung disease and diabetes, for example — seem to be at higher risk of developing serious COVID-19 illness.”
- **Centers for Disease Control and Prevention, *Information on COVID-19 and Pregnant Women and Children*, Feb. 24, 2020, <https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/pregnant-women.html>.**  
“Pregnant women experience immunologic and physiologic changes which might make them more susceptible to viral respiratory infections, including COVID-19.”
- **World Health Organization, *Q&A on Coronaviruses (COVID-19)*, Mar. 9, 2020, <https://www.who.int/news-room/q-a-detail/q-a-coronaviruses>.**  
“Older persons and persons with pre-existing medical conditions (such as high blood pressure, heart disease, lung disease, cancer or diabetes) appear to develop serious illness more often than others.”

### General Risk

- **Chaolin Huang, et al., *Clinical Features of Patients Infected with 2019 Novel Coronavirus in Wuhan, China*, 395 *The Lancet* 497 (2020), [https://doi.org/10.1016/S0140-6736\(20\)30183-5](https://doi.org/10.1016/S0140-6736(20)30183-5) (also available at <https://www.sciencedirect.com/science/article/pii/S0140673620301835>).**  
“2019-nCoV caused clusters of fatal pneumonia with clinical presentation greatly resembling SARS-CoV. Patients infected with 2019-nCoV might develop acute

respiratory distress syndrome, have a high likelihood of admission to intensive care, and might die.”

### **COVID-19 Risks for Jails, Prisons, Immigration Detention Facilities; Recommendations to Release Vulnerable Populations**

- **Maria Morris, *Are Our Prisons and Jails Ready for COVID-19?*, ACLU.org, Mar. 6, 2020, <https://www.aclu.org/news/prisoners-rights/are-our-prisons-and-jails-ready-for-covid-19/>.** “Prison and jail populations are extremely vulnerable to a contagious illness like COVID-19. Moreover, prisoners have fewer options for protecting themselves and others. They don’t have the option to stay away from other people when they are sick. They can ask for medical attention, but prisons and jails have few infirmary beds and fewer rooms for medical isolation.”
- **Dr. Anne C. Spaulding, MD MPH, *Coronavirus COVID-19 and the Correctional Facility: for the Correctional Healthcare Worker 14, 17*, Mar. 9, 2020, [https://www.ncchc.org/filebin/news/COVID for CF. HCW 3.9.20.pdf](https://www.ncchc.org/filebin/news/COVID%20for%20CF.HCW%203.9.20.pdf).**

“Are people who live and work in correctional facilities at risk? Yes. Jurisdictions need to understand that incarceration of persons defying quarantine orders could lead to exponential increases in jail cases and cases in the community. **Measures other than detention should be considered, such as at-home electronic monitoring.**” (at 14)

“Prisons and jails are enclosed environments, where individuals dwell in close proximity. Incarcerated persons sleep in close quarters, eat together, recreate in small spaces. Staff are close by. Both those incarcerated and those who watch over them are at risk for airborne infections. A prison and jail is a self-contained environment.” (at 17)

- **Dr. Anne Spaulding, *Coronavirus and the Correctional Facility: for Correctional Staff Leadership*, Mar. 9, 2020, [https://www.ncchc.org/filebin/news/COVID for CF Administrators 3.9.2020.pdf](https://www.ncchc.org/filebin/news/COVID%20for%20CF%20Administrators%203.9.2020.pdf).** “**Consider alternatives to incarceration**, in order to keep stock population down (diversionary courts, community corrections). **Consider measures other than detention** (at-home electronic monitoring). **Ask who you can release on their own recognizance?**” (at 15)

“**A prison or jail is a self-contained environment, both those incarcerated and those who watch over them are at risk for airborne infections. Some make an analogy with a cruise ship. Cautionary tale #1: think of the spread of COVID-19 on the Diamond Princess Cruise Ship, January 2020. Cautionary tale #2: Hundreds of cases diagnosed in Chinese prisons.**” (at 16)

- **Dr. Homer Venters, *Four Ways to Protect Our Jails and Prisons from Coronavirus*, The Hill, Feb. 29, 2020, <https://thehill.com/opinion/criminal-justice/485236-4-ways-to-protect-our-jails-and-prisons-from-coronavirus?rnd=1582932792>.**

“We must integrate our nation’s 5,000 jails, prisons and immigration detention centers with our pandemic response efforts.”

“When COVID-19 arrives in a community, it will show up in jails and prisons. This has already happened in China, which has [a lower rate of incarceration than the U.S.](#)”

“Jails and prisons need to have a plan in place to identify and house together people with suspected and diagnosed COVID-19 and those who are at high risk of serious illness if they become infected. This includes people with chronic illness, those with compromised immune systems and pregnant women.”

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