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# The Global Impact of the Pandemic on Institutional and Community Corrections: Assessing Short-Term Crisis Management and Long-Term Change Strategies

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## ABSTRACT

This introduction discusses the global impact of Covid-19 on corrections.

## KEYWORDS

community corrections;  
COVID-19; prisons; jails;  
reform

## Introduction

By many standards, the United States has more individuals under some form of correctional supervision – but especially in jails and prisons – than any other high income countries. On any given day, there are 2.3 million people behind bars (Sawyer & Wagner, 2020) and another 4.5 million under community supervision (Jones, 2018). Each year in the US, over 600,000 incarcerated people are released from American prisons (Bronson & Carson, 2019). Nearly 11 million filter in and out of local jails (Zeng, 2020); that amount of individuals is roughly the size of the daily New York City population or the entire state of Ohio. There are over 400,000 people employed as correctional officers and jailers (U.S. Bureau of Labor Statistics, 2020); this does not include administrative, medical, and service staff and other vendors. The U.S. spends billions of dollars a year locking people up. In just 45 states in 2015, the state prison systems collectively spent 43 USD billion (Mai & Subramanian, 2017), a number that does not include local county jails, or federal prisons and detention centers. The U.S. comprises about 4% of the world population, but 25% of the world's incarcerated population, and 25% of the world's COVID-19 cases. These intertwining epidemics are not surprising given that the US has among the highest levels of inequality (OECD Center for Opportunity and Equality, n.d.) and lowest levels of life expectancy (Ho & Hendi, 2018) compared to other high-income countries, as well as high levels of racial inequality, which are also apparent in the prison (The Sentencing Project, 2018) and COVID-19 epidemics (Wortham et al., 2020).

Prisons and jails are meant to detain people who have been convicted and sentenced to an incarceration term and/or are awaiting further justice system processing. In some cases, these facilities provide rehabilitation and other types of services, including mental health and substance abuse treatment, as well as reentry planning. However, prisons and jails are designed for security not public health and health care delivery. In recent years, this tension has come to the forefront as correctional facilities have become the largest mental health

care providers in the U.S. (Al-Rousan et al., 2017; Torrey, 1995), and prisons have had to respond to an aging population by developing guidelines for assisted living and end of life care (McKillop & Boucher, 2018) – especially given the many long-term and mandatory sentences previously imposed.

Historically, global infectious disease outbreaks of influenza (Besney et al., 2017; Maruschak et al., 2009; Robinson et al., 2012; Young et al., 2005) tuberculosis (TB; Centers for Disease Control Prevention, 2006; Lambert et al., 2016) and H1N1 “swine flu” (Chao et al., 2017; Turner & Levy, 2010) in correctional settings have illustrated their vulnerability. Due in part to a lack of social distancing, close quarters, shared spaces, and inadequate ventilation systems, infection control in jails and prisons is nearly impossible (Bick, 2007; Dannenburg, 2007). In the U.S., it is estimated that up to a quarter of the prison population has been infected with TB (Hammett et al., 1997), with a rate of active TB infection that is 6–10 times higher than the general population (Centers for Disease Control Prevention, 2006). Thus, it is not surprising that San Quentin prison in California has been an epicenter of three epidemics: 1918 influenza and 2009 swine flu epidemics (Chaddock, 2018), and, currently, the COVID-19 pandemic (Egelko, 2020).

People incarcerated in prisons and jails are more susceptible to acquiring and experiencing complications from infectious diseases than the population in the community. This is because people who are incarcerated are more likely than people in the community to have chronic underlying health conditions, including diabetes, heart disease, chronic lung disease, chronic liver disease, and lower immune systems from HIV (Maruschak et al., 2015). Correctional settings also have dramatic effects on psychological and physical health, subjecting people to higher rates of infectious disease and medical neglect; exacerbating or causing mental health conditions; and hastening death (Brinkley-Rubinstein et al., 2019; Cloud, Bassett et al., 2020; Nowotny & Kuptsevych-Timmer, 2018; Patterson, 2013). In the era of COVID-19, this places inmates, staff members, and the outside community at a non-negligible risk of contracting and spreading the virus, which can lead to hospitalizations and death. Global agencies such as the United Nations and Human Rights Watch have warned that the conditions of confinement, such as overcrowding and lack of basic hygiene, could be catastrophic for COVID-19 (Colville, 2020; Human Rights Watch, 2020a, 2020b). For example, in Philippine jails COVID-19 cases jumped from 194 among inmates and staff to 870 over the span of three weeks (Patag, 2020), prompting the release of over 15,000 people (Aben, 2020).

#### A Closer Look at the U.S.

The Covid Prison Project (CPP) tracks COVID-19 testing, cases, and deaths in 53 U.S. prison systems, including 50 states, Puerto Rico, Federal Bureau of Prisons, and Immigration and Customs Enforcement (see [www.covidprisonproject.com](http://www.covidprisonproject.com)). In the first seven months of 2020, there have been 84,082 reported cases of COVID-19 among people incarcerated in prisons along with 780 COVID-related deaths. These numbers for staff working in prisons are 17,042 and 47, respectively. Using criteria developed by the Kaiser Family Foundation (2020), 21 out of 53 prison systems are currently COVID-19 “hotspots” (Hamblett, 2020), with the 10 largest single-site outbreaks occurring at correctional facilities (New York Times, 2020). CPP data indicate that COVID-19 testing strategies vary greatly by state, with some states engaging in one-time universal testing (e.g., MI, MN, TN, TX, VT, WI), and some states having prison testing rates lower than community testing rates (e.g., AL, LA, IN). Even still, a handful of states do not report any information on testing.

Therefore, it is important to keep in mind that the reported cases are likely underestimates of the true prevalence. Nevertheless, COVID-19 outcomes have been more severe in prisons. The standardized mortality ratio is 2.84 (95% confidence interval 2.64, 3.04), meaning that adjusting for age and sex the prison population has a COVID-19 mortality rate 285% higher than the general population.

#### Policy Recommendations

Prisons and jails are not completely isolated, as staff and vendors go to and from work daily and incarcerated people are frequently transferred between facilities. Preliminary analysis from Cook County Jail, IL shows that jail cycling was associated with 15.7% of documented cases in IL, exceeding other known predictors (e.g., population density and public transit utilization) (Reinhart & Chen, 2020). A simple stochastic susceptible exposed-infected-recovered model of COVID-19 disease spread in Immigration and Customs Enforcement detention centers shows that under optimistic conditions outbreaks among a minimum of 65 ICE facilities would overwhelm ICU beds within a 10-mile radius (Irvine et al., 2020). Additional epidemiologic modeling of ICE facilities indicates potential under-reporting of cases (Siulc, 2020). Indeed, a number of recent publications have provided warning and guidance concerning COVID-19 in correctional facilities, including mitigation strategies (Barnert et al., 2020; Williams et al., 2020; Wurcel et al., 2020) and the imperative to “flatten the curve” (Akiyama et al., 2020), expanding early and compassionate release (Nowotny et al., 2020) and increasing other decarceration efforts (especially among non-violent offenders and/or soon-to-be-released inmates) (B. Williams & Bertsch, 2020), emergency discharge planning (Howell et al., 2020), and the ethical use of medical isolation (Cloud, Ahalt et al., 2020). Unfortunately, gauging the risk of this spread has remained quite difficult, as many local and state facilities do not provide asymptomatic testing (much less engage in contact tracing). And if you do not test, then you do not know the nature of the problem. Even in the absence of testing, what is known about the spread of COVID-19 within incarceration facilities is that they rank second behind nursing homes with the number of positive cases (Sears et al., 2020) and that figure is likely an undercount.

Perhaps the most effective COVID-19 mitigation strategy proposed is reducing the carceral population. Italy (Cingolani et al., 2020), Iran (Payne, 2020), Philippines (Aben, 2020), and other countries have engaged in release efforts. In the United States, more than 100,000 people were released from state and federal prisons between March and June of 2020, an overall decrease of 8% ranging from 2% in VA to 22% in CT (Sharma et al., 2020). However, the prison population overall has dropped largely because prisons have stopped accepting new transfers from county jails, not because of release of COVID-vulnerable inmates. Thus, the trend toward decarceration is likely short-term. Among jails, data from 29 large cities found that all jails reduced their population, even slightly, due to COVID-19 (ACLU Analytics, 2020). For example, Los Angeles County Jail, the largest jail in the U.S., released 25% of its population (Hamilton et al., 2020). Recent analysis finds that the reduction in jail populations across the 29 cities was functionally unrelated to crime trends in the following months (ACLU Analytics, 2020). In fact, overall crime has been decreasing (Rosenfeld & Lopez, 2020), with the exception of short-term increases in intimate partner violence (Piquero et al., 2020), which is likely unrelated to decarceration.

Most recently, Sears et al. (2020) provided guidance for correctional facilities amid the COVID-19 crisis. Because we agree with them, we reproduce them here and encourage jail and prison facilities to these strategies: (1) screen staff at entry and provide universal tests in

hot spots; (2) assign staff and residents to cohorts for distancing; (3) improve sick leave policy; (4) provide and train in PPE; and (5) provide no-cost tests and evaluation for staff and inmates at regular intervals. To that, we would add other improvements to aging facilities including, for example, adequate ventilation systems, considering more time outdoors, and the provision of earlier release among nonviolent offenders/soon-to-be-released offenders to receive reentry planning and services in community-based halfway houses and/or facilities to ease correctional population. And it goes without saying that we would urge researchers to collect the necessary criminal justice data to examine both short- and long-term crime trends among those offenders released and the communities they are released too more generally.

#### Conclusion

The novel coronavirus has exacerbated the many social, racial/ethnic, and health inequalities and injustices found among those individuals who are under some form of correctional supervision as well as the many disadvantaged communities from which they come from and will return. A 2017 report on the state of health affairs and disparities in the United States from the National Academies of Sciences (2017) shows that, while there have been some gains in reducing health disparities by race/ethnicity, it remains the case that compared to whites, minorities exhibit worse outcomes on many physical and mental health outcomes. A 2020 report by the Center for American Progress continues to document sharp differences in physical and mental health problems (Carratala & Maxwell, 2020). For example, compared to whites, both African Americans and Hispanics are also less likely to have health insurance and to also experience chronic health conditions. There is also evidence to suggest that the morbidity burden of Black men in the United States is understated due to their systematic exclusion from national health surveys (Nowotny et al., 2017). Moreover, these disparities are not solely driven by individual-level factors, as research has continuously shown that neighborhood disadvantage is strongly related to adverse health outcomes such as asthma, infant mortality, low birthweight, etc. (Finch et al., 2008). These disadvantaged communities tend more often than not to be dense, segregated areas of major cities where access to health care, public transportation, high performing schools, gainful employment, and healthy food options are severely limited. These roadblocks, in turn, influence attitudes that favor aggression (Anderson, 1999), increase the risk of crime and victimization (Shaw & McKay, 1942), and lead to shortened life spans (Wolff et al., 2020). And, as many incarcerated people will return back to many of these marginalized communities, the chronicity of adverse health will continue to recycle over time and within families (Clear et al., 2001).

In this regard, Covid-19 has brought to the forefront the need for meaningful criminal justice reform, both within the United States and throughout the world (Nowotny et al., 2020; B.H. Williams & Piquero, 2020). There is no shortage of what these reforms could look like and the coronavirus crisis offers what may be an opportunity to re-imagine the correctional system, including community corrections. Some candidate reforms could include: increasing and resourcing community-based alternatives that offer wrap-around services to include substance abuse and mental health treatment, reducing the number of persons incarcerated – especially for longer periods of time, employing evidence-based risk assessment tools that are impartial across race/ethnicity, eliminating excessive fines and overhauling the bail system, and increasing the adoption of early-release strategies for less violent offenders to include an earlier reentry. Some of these reforms are easier to employ

than others, i.e., eliminating fines and fees and overhauling the bail system, while others are likely to take a longer period of time to put into place and then see their effects.

Beyond decarceration efforts and reforms of current systems of criminal justice, the COVID-19 pandemic has reinforced the imperative to invest in other societal institutions with the explicit goal of supporting human rights, wellbeing, and equity, such as education, healthcare, employment, social security, social safety nets, and housing. Investing in these sectors will help address the root causes of “crime”, namely resource deprivation and social and institutional marginalization, and improve population health, thereby decreasing the harms caused by and reducing the need for criminal justice systems. In other words, governments should think beyond prisons and policing to solve society’s problems (Critical Resistance, 2020; Washington, 2018).

In the end, it is important to not let perfection be the enemy of progress. The impact of the coronavirus within the correctional system has pinpointed an opportune moment to initiate and execute meaningful criminal justice reform and policymakers should seize this moment.

## Disclosure statement

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