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# An Examination of COVID-19 Outbreaks in Prisons and Jails Throughout Asia

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#### **ABSTRACT**

This article highlights regional variation in the extent of COVID-19 outbreaks in prisons throughout Asia. Stark differences in the utilization of front-end, in-prison, and back-end mitigation strategies designed to prevent and control COVID-19 outbreaks in these prison systems are identified. We conclude by offering our assessment of the nature and (true) extent of COVID-19 outbreaks within countries and across the region; and in the process, we offer a tentative explanation for the large variation we have found in the response to reported COVID-19 outbreaks in prisons and communities across Asia.

#### **KEYWORD**

COVID-19; Pandemic; Alternatives to incarceration; Early release mechanisms; Prison reform; international, prisons, corrections

## Introduction and overview

Asia contains more prison systems within the world's top 50 largest prison systems than any other continental region (see Table 1). Seventeen of the 50 largest prison systems in the world are located in Asia, including countries such as China, India, Thailand, Iran, Indonesia, the Philippines, Vietnam and more (World Prison Brief, 2020). We document the extent of COVID-19 outbreaks in these prison systems, and then describe the types of mitigation strategies implemented by governments throughout this region, focusing on the following countries: China, India, Pakistan, South Korea, and the Philippines (see Table 2). Our review of the available data on the extent of the COVID-19 outbreaks suggests that some governments in this region (e.g., China) have been reluctant to provide estimates of the extent of the problem, both in prison and in the community. Without these data, it is difficult – and impossible – to assess the impact of the mitigation strategies that they officially report.

#### COVID-19 outbreaks and mitigation strategies used in China's prison system

China has the largest prison population in Asia and has the second largest prison system worldwide, incarcerating more than 1.7 million individuals (World Prison Brief, 2020). According to the World Health Organization (WHO) and John Hopkin's Coronavirus Resource Center, as of August 24, 2020, China had confirmed approximately 90,000 positive COVID-19 cases and around 4,700 deaths nationwide since the virus's initial outbreak in late December of 2019 (Coronavirus Resource Center, 2020). In late March, China reported a cumulative total of almost 82,000 positive cases (Secon et al., 2020), thus translating to a mere 9% increase in cases over a five month period (between late March and late August).



**Table 1.** Asia's largest prison systems in the world's top 50.

Rank	Global Region	Country	Prison Population	Date of Most Recent Report
2	Eastern Asia	China	1,710,000	2018
5	Southern Asia	India	478,600	December 2019
6	South-Eastern Asia	Thailand	379,274	August 2020
8	Southern Asia	Iran	240,000	2018
9	South-Eastern Asia	Indonesia	232,736	August 2020
10	South-Eastern Asia	Philippines	215,000	November 2018
13	South-Eastern Asia	Vietnam	123,697	2019
19	South-Eastern Asia	Myanmar	92,000	2018
20	Southern Asia	Bangladesh	88,084	February 2020
23	Southern Asia	Pakistan	77,275	September 2019
25	South-Eastern Asia	Malaysia	68,603	August 2020
29	Western Asia	Saudi Arabia	61,000	June 2017
30	Eastern Asia	Taiwan	60,956	December 2019
37	Eastern Asia	South Korea	53,920	June 2020
41	Eastern Asia	Japan	48,802	October 2019
42	Western Asia	Iraq	45,000	2015
48	South-Eastern Asia	Cambodia	36,600	November 2019

<sup>\*</sup>Data were extracted from the World Prison Brief (2020).

According to Patranobis (2020), in late July, the northwest province of Xinjiang had been declared a hotspot for the virus, where at least 105 new cases were reported.

Official reports of the prevalence of COVID-19 cases within Chinese prisons have not been released since late February. Additionally, it is speculated that the Chinese Ministry of Justice was intentionally lacking transparency even prior to February when the first instances of COVID-19 were confirmed in China's prisons (Yang, 2020). Presumably, one of the first occurrences of COVID-19 amongst inmates outbroke on January 21, 2020 (Yang, 2020), despite being publicized over a month later. It is plausible that Chinese officials willingly chose to conceal information pertaining to these outbreaks in order to support public statements about the declining trend of new COVID-19 cases (Yang & Thompson, 2020). Given the size of China's prison population (1.7 million), it is certainly possible that the number of reported cases among inmates in China is substantially higher than actual counts, but we have no evidence available to further investigate this issue.<sup>3</sup>

In the following section, we examine the available, yet limited data on the extent of COVID-19 in Chinese prison systems and the mitigation strategies instituted to address it. As of February 21, 2020, over 500 positive cases were reported across three Chinese provinces, with more than half of these cases originating in the Hubei province and the remaining in the Shandong and Zhejiang provinces (Mahbubani, 2020; Yang, 2020). The number of infected inmates continued to rise, thus contributing to a cumulative total of 806 infections among inmates in Wuhan alone (the capital of China's province, Hubei) as of February 29, 2020 (Yang, 2020). China attributed these outbreaks, in part, to prison staff and officials' lack of willingness to be forthcoming about their own potential exposure(s) to COVID-19 (e.g., while traveling) in combination with lax management, which allowed for staff to enter facilities regardless of potential infection (Mahbubani, 2020; Xinhua News Agency, 2020a). These outbreaks led to a spike in the national count of COVID-19 cases, which triggered public fear and prompted several local officials to be fired (Mahbubani, 2020). However, Yang and Thompson (2020) recommend putting more of an emphasis on improving the prison healthcare system than on management accountability (e.g., firing). They advocate for intensified education for inmates and prison staff, increased funding



**Figure 1.** Asia's largest prison systems. The labeled countries in Figure 1 are among the top 50 largest prison systems globally and represent the 17 largest prison systems in Asia.\*Notes: The rankings for Asian countries within the top 50 largest prison systems are based almost entirely on current data (within the past 2–3 years); however, a few countries (e.g., Iraq) have not (yet) updated their prison populations in 5+ years (see Table 1). For the purposes of categorization, the Russian Federation is included as part of Europe; however, it should be noted that the Russian Federation is a transcontinental country belonging to both Asia and Europe.

invested in preventative and treatment-based approaches, and decongesting prisons in order to reduce the potential for outbreaks.  $^4$ 

# COVID-19 outbreaks and mitigation strategies used in India's prison system

India houses the second largest prison system in Asia with 478,600 inmates nationwide (World Prison Brief, 2020). Thus, it is unsurprising that India, as a country, is ranked third globally for the highest prevalence of COVID-19 cases, with 3,106,348 positive cases and 57,542 deaths so far (as of late August; World Health Organization [WHO], 2020). A number of prisons across India have emerged as COVID-19 hotspots (Trivedi, 2020). Again, this is predictable considering that India's prisons are overcrowded by up to 150%, thus making social distancing near-to-impossible and transmission more likely (Trivedi, 2020). For example, among the 8,819 inmates in Assam's prisons, around 1300 inmates had

tested positive for COVID-19 by August 5, 2020 (News Live, 2020). The situation is especially poor in Guwahati Central Jail, where as many as 435 inmates were infected (Trivedi, 2020). Another Indian state, Andhra Pradesh, reported an outbreak on August 7, 2020 in its largest prison, Rajamahendravaram Central, with 247 new cases amongst inmates and staff (Express News Service, 2020a). A total of 928 prison inmates and 167 staff within Andhra Pradesh jails tested positive for COVID-19 by August 21, 2020 (Jain, 2020). On August 9, 2020, while the state of Jharkhand had already reported 16,534 infected individuals and 189 deaths due to COVID-19 in the community, 248 of 350 inmates tested positive in a jail in Godda, while 60 more cases were verified in Ranchi and 40 in Pakur (Rani, 2020). By August 12, 2020, 17 prison staff members had tested positive in Odisha, while Bihar reported 200 COVID-19 cases among inmates, staff members, and security personnel (TNN, 2020a). In one of Kashmir state's main cities, Srinagar, by August 14, 2020, one in five (102 out of 480) inmates tested positive for the virus (Bukhari, 2020). Furthermore, the community of Kashmir Valley, had reported at least 20,000 cases at this point in time (Bukhari, 2020). Within a similar timeframe, as many as 449 jail officials and 77 prison officials had tested COVID-19 positive to date in Punjab (TNN, 2020b).

In another Indian state, Maharashtra, jails had reported a combined total of at least 1,478 positive cases (1,166 inmates and 312 jail staff) and 6 deaths as of August 21, 2020 (PTI, 2020). Cases still remain regardless of the 10,536 inmates that were already released as a preventative measure in slowing the spread of the virus, pulling back the total jail population of Maharashtra to 26,408 (PTI, 2020). In a jail in the state of Kerala -Thiruvananthapuram - by August 21, 2020, at least 476 inmates tested positive after rapid testing was conducted (Jain, 2020). Conversely, by August 21, 2020, no COVID-19 positive inmates resided in three of Delhi's jails: Tihar, Rohini and Mandoli, which Tihar officials claim was a consequence of the extensive mitigation measures taken (Express News Service, 2020b; Lama, 2020). Only 63 cases were confirmed among inmates in Delhi's jails (Express News Service, 2020b). Delhi's success can be juxtaposed to the state of Uttar Pradesh where, on August 22, 2020, the Mathura District Jail reported a total count of 1831 positive COVID-cases and 43 deaths, with 24 of the positive cases having emerged within 48 hours (Jaiswal, 2020). The Mathura district jail is operated at three times its intended capacity (Jaiswal, 2020). Also, in Uttar Pradesh, Basti jail reported at least 419 inmates having tested positive, 191 of which tested positive over the course of one week in mid-August (Lama, 2020).

Responses to COVID-19 in prison systems throughout India vary in both the quantity and quality of measures implemented. Due to the outbreak of cases, jail/prison authorities in Godda and Tihar have banned visitors (Lama, 2020; Rani, 2020). Godda's jails have also provided herbal juice, vitamin C, warm water with lemon juice and other herbs to inmates to improve their immune systems (Rani, 2020). Tihar's prison started in-house production of masks and sanitizers, and therefore preventing a shortage of essential items (Lama, 2020).

With a significant number of prison guards testing positive in Jharkhand and Uttar Pradesh - and thus leaving prisons at a deficit in terms of staffing - remaining prison staff have since been asked to remain on the premises with exceptions and are required to undergo screening before reentering (Rani, 2020; TNN, 2020a). Staff that feel unwell have been asked to stay home (TNN, 2020a). Furthermore, all court hearings and meetings with lawyers in Tihar have been virtual to reduce the risk of exposure among inmates (Lama, 2020).

In consideration of, and accommodation for, the number of inmates increasing (again) in custodial settings, likely due to "loosening up" of the lockdown, on August 10, 2020, a three-member panel suggested that Punjab's jail populations be reduced to 50% of their authorized capacity, which would require that the current population of 23,800 be reduced by 4000-5000 (Gopal, 2020). By August 12, 2020, the panel confirmed its decision to release 3,500 inmates (TNN, 2020b). Punjab's jail departments had previously responded by releasing 11,000 inmates between March and May (Gopal, 2020). The state of Odisha decongested its prisons as fast as possible by releasing 16,789 inmates from 85 prisons (TNN, 2020a), while Tihar released 4,000 inmates on interim bail and parole (Lama, 2020). Contrary to the rationale of early release and an emphasis on public health, some Indian states are taking a punitive approach of (ironically) threatening to impose prison sentences for not abiding by social distancing measures (Trivedi, 2020).

In addition to other response tactics, Punjab had implemented a three-tier testing system, which included (1) testing upon entrance to the jail, followed by a 2-week quarantine at a separate, off-site jail; (2) testing upon completion of the 2-week quarantine and if negative returning to the original jail to be held in a separate part of the jail for another 2 weeks, and if positive, inmates are to remain for another 2 weeks at the original quarantine site and repeat the process, and (3) if testing negative after quarantining on site at the jail, the inmates can return to the general jail population. In a much less complex fashion, the Mathura district jail's outbreak prompted a quarantine of at least 500 inmates (Jaiswal, 2020) while prisons including Kashmir's Srinagar and Delhi's Tihar are testing and then quarantining their newly admitted inmates for two weeks (Bukhari, 2020; Lama, 2020). The outbreak in Bihar prompted 18 jails to be allocated for the sole purpose of quarantining COVID-19 positive inmates (TNN, 2020a). However, Bihar did not act on the Supreme Court of India's directive to relieve overcrowded prisons (Trivedi, 2020).

# COVID-19 outbreaks and mitigation strategies used in Iran and Saudi Arabia's prison systems

A few countries in the Middle East, which include two in the world's top 50 largest prison systems - Iran and Saudi Arabia - have also released inmates to curb the spread of COVID-19 in their prisons (Das, 2020). According to the World Prison Brief (2020), Iran holds the 8th largest prison system in the world, incarcerating around 240,000 inmates. In mid-March, Iran's judiciary minister announced the release of 85,000 prisoners as a preventative measure to reduce the risk of transmission in prisons (Das, 2020).

John Hopkin's Coronavirus Resource Center reported Iran as the most COVID-19affected country in the Middle East with 361,159 confirmed cases and 20,776 deaths as of August 24, 2020. The large prevalence of cases in Iran, as a country, despite proactive measures such as releasing 85,000 inmates, may be attributable to the continued movement (coming and going) of inmates to courthouses and thus an increased risk of exposure, as well as to the Ministry of Health's lack of response to Iran's prison administrators' pleas for personal protective equipment, disinfectants and detergents, and other key medical equipment through the months of late February into early July (Amnesty International, 2020; Iran Human Rights Monitor, 2020a). Additionally, overcrowding still appears to be an issue in some Iranian prisons, as one previously incarcerated activist in the Evin prison (Tehran)



noted that 17 inmates were jammed into a 12-foot square room, and that there were only 5 toilets for 150 inmates in the prison (Iran Human Rights Monitor, 2020b).

Saudi Arabia - ranked 30th out of the world's top 50 prison systems - contains about 61,000 inmates (World Prison Brief, 2020) and a confirmed 308,654 positive COVID-19 cases nationwide as of August 24, 2020, in addition to 3,691 COVID-19-related deaths (WHO, 2020). Due to mounting pressure from human rights groups, in late-March, Saudi Arabia released hundreds of prisoners from Al-Shumaisi Prison, in addition to around 250 immigration offenders, to lower the risk of spreading the virus (Das, 2020). Also in early March, the Middle Eastern country of Bahrain released 1,486 prisoners, including 300 political inmates on "humanitarian grounds" (Das, 2020).

# COVID-19 outbreaks and mitigation strategies used in South, East, and Southeast Asia's prison systems

A handful of countries in Southern, Eastern, and Southeastern Asia reside in the world's top 50 largest prison systems, including Thailand (N = 379,274), Indonesia (N = 232,736), the Philippines (N = 215,000), Myanmar (N = 92,000), Bangladesh (N = 88,084), Pakistan (N = 77,275), Malaysia (N = 68,603), South Korea (N = 53,920), and Cambodia (N = 36,600; World Prison Brief, 2020). By August 24, 2020, Indonesia had reported 157,859 positive COVID-19 cases and 6,858 COVID-related deaths, the Philippines had confirmed 197,164 positive cases and 3,038 deaths countrywide, Bangladesh had confirmed experiencing 297,083 positive cases and 3983 deaths, and Pakistan reported 293,361 infections and 6,244 deaths (WHO, 2020). At the same point in time, South Korea reported significantly less infections with 17,665 reported cases and 309 deaths, and Thailand reported only 3,402 positive COVID-19 cases and 58 deaths, despite having the world's 6th largest prison system (WHO, 2020; World Prison Brief, 2020). Malaysia reported 9,274 cases and 175 deaths, Vietnam at 1,029 confirmed cases and 27 deaths, while Myanmar and Cambodia reported 474 and 273 positive cases and 6 and 0 deaths, respectively (WHO, 2020). Laos had only 22 confirmed COVID-19 cases and 0 deaths by late August (WHO, 2020).

One speculation as to why Asian countries like Thailand, Myanmar, Vietnam, Cambodia, and Laos have relatively low counts of COVID-19 cases and deaths, takes on a cultural angle (Beech & Dean, 2020). For example, the Thai culture already practices social distancing and greetings unfold in a prayer-like motion and at a distance, rather than via full-contact embraces. Others theorize that there may be genetic components influencing the immune systems of individuals in this region of the world (Beech & Dean, 2020). It has been reported that administrations in Thailand, Indonesia, the Philippines, Myanmar, and Cambodia have also all stopped prison visitations, while ramping up screening and hygiene protocol (Turton & Bopha, 2020). These mitigation strategies may be related to lower reported outbreaks within the prison systems of these countries.

While some Asian countries have reported low prevalence of COVID-19 cases countrywide during the first several months of the pandemic, their prison systems are still in much need of reform to prevent future outbreaks. Prisons throughout this region have been identified in recent reviews<sup>6</sup> as seriously overcrowded and lacking resources (particularly in the realm of health care); for this reason, they are potential breeding grounds for the future spread of COVID-19 in prisons. Due to these preexisting weaknesses, screening staff and new inmates cannot alone prevent an outbreak (Kinner et al., 2020). Kinner et al. (2020)



recommend that countries reduce prison population sizes as soon as possible, in anticipation of the next wave of outbreaks in this region.

In several countries in this region, governments have instituted prison population reduction strategies in order to reduce crowding.<sup>7</sup> Without significant decongestion of prison populations across many Asian countries in the region, social distancing is an unrealistic in-prison mitigation strategy, at least until the number of individuals in prison is dramatically reduced. South Korea is an example of a country that currently has a prison occupancy level of approximately 112% (World Prison Brief, 2020), yet has enacted downsizing of its prison population in a modest fashion (see Lee, this volume). Despite over capacity and modest downsizing efforts, South Korea has managed to report a very small number of infections, which may be attributed to South Korea's multi-faceted approach to combatting COVID-19 in its prisons (see Lee, this volume). In a more aggressive manner, Indonesia paroled 36,500 inmates, targeting inmates who had completed nearly 70% of the length of their sentences. It is important to note that no explicit protocols had been established for those freed, potentially creating further risk for spreading the virus in the community as they return home (Turton & Bopha, 2020). In Myanmar, the prison system has an official total capacity of 66,000 people amongst all prisons and detention centers, but these facilities are currently holding an estimated 92,000 inmates (Turton & Bopha, 2020). However, due to persistent pressure, that number is reportedly set to drop dramatically, utilizing early release mechanisms (i.e., by nearly 24,000 inmates; Lynn, 2020; Turton & Bopha, 2020).

According to Penal Reform International, in a 10 work-day window, 33,287 bail applications were heard, and 20,938 inmates were released from detention on bail in Bangladesh (Ali, 2020). As of mid-August, the Bangladesh government released an additional 329 inmates who served sentences of 20 years or more for murder convictions (United News of Bangladesh, 2020). Like other densely-packed South-East Asian countries' prison systems, Filipino jails and prisons were housing five times as many inmates as their operating capacity, making it the most overcrowded prison system in the world, according to the World Prison Brief (2020). To mitigate the effects of overcrowding (and more), 21,858 inmates were released as part of the Philippines's efforts to decongest the country's crowded jails, and thus, ultimately aiding in the reduction of COVID-19 transmission among inmates and staff (Ankara, 2020; Xinhua News Agency, 2020b).

Other governments in this region have been slower to respond to the COVID-19 outbreaks in prisons through prison population reduction. For example, Thai prisons are overcrowded, with a population of almost 380,000, in a prison system designed to house 255,000. Malaysia's prisons are also overcrowded, with a surplus of 16,000 inmates above the intended capacity (Bernama, 2020; Turton & Bopha, 2020). There are no plans for early release reported in either country.

### **Concluding comments**

There are conflicting reports on the extent of the COVID-19 outbreaks across this region, but several countries officially report low rates of infection, both in the general community and in the prison system. Cultural differences related to the acceptance of social distancing norms have been identified by some researchers as a possible explanation for the low official rates; while others have argued that the authoritarian governments in these regions are

Country (Rank)	Front-End	Within	Back-End
China (2nd) <sup>a</sup>	Supplemental funding from federal and local governments to financially support prison responses to COVID-19; Suspension of family visitation; Sentence deferment (in some cases)	Dispersal of PPE, Testing, Increased efforts in providing medical care (including mental health services); Establishment of a formal reporting system (for prison staff); Suspension of alternating shifts among prison staff and replaced with consecutive periods of up to 14 days of work, followed by 14 days off; Grid-management approach; Isolation of inmates in contact with suspected cases; Quarantine of inmates with symptoms; Daily disinfection of surfaces; Mandated mask-wearing among prison staff; Suspension of certain prison activities	None
India (5th) <sup>b</sup>	Formation of high-level committees to create processes and guidelines for early release/release on bail; Prison staff preventive screening	<u>=</u>	Appx. 14.3% (N = 68.264) inmates temporarily released either on parole for 4– 6 weeks or on interim bail for those being held on pre-trial with offenses worth a sanction of 7 years or less
Philippines (10th) <sup>c</sup>	Use of video conferencing for hearings	Improved sanitary conditions in facilities; Expanded access to medical care; Strengthened testing and contact tracing; Established isolation centers for infected inmates	Eased the rules on parole granting and executive clemency; Expanded compassionate release for most vulnerable inmates
Pakistan (23rd) <sup>b</sup>	Release of pre-trial detainees on bail/surety; Police discretion to not use arrest for less serious offenses' Pre-entrance screening for all visitors	Mass testing, Contact tracing, On-site containment, Quarantine suspected cases; Restricted mobility within jails; Distribution of PPE to staff (e.g., Hazmat Suits, surgical gowns, surgical gloves, respirators, eye protection goggles, caps, hand sanitizers, gloves, blankets and drip sets); Close monitoring and distribution of high-nutrition meals to infected parients	None
Republic of (South) Korea (37th) <sup>d</sup>	Reduction of new incarceration-based sanctions; Restrictions placed on visitation	Provision of the prison population protective eyewear, clothing, and hand sanitizer, Isolation and medical examinations of those newly entering facilities	Modest reductions in prison populations via early release, particularly in facilities that had outbreaks

<sup>\*</sup>The Asian prison systems included in this table are underscored here not only because they comprise some of Asia's largest prison systems, but also because they are the focus of a few of the country-level articles reported on in this volume; <sup>a</sup>see Li and Liu (this volume) for more detail regarding China's mitigation strategies to combat COVID-19 within federal and state prisons; <sup>b</sup>See Dmello and Ranjan (this volume) for more information on India and Pakistan's response to COVID-19 within their prison systems; <sup>S</sup>ee Cahapay (this volume) for more details regarding the Philippines' response to COVID-19 in its prison system; <sup>3</sup>See Lee (this volume) for more detail regarding South Korea's mitigation strategies in response to COVID-19.

better equipped to enforce mitigation strategies in community and in prison settings (Li and Liu, this volume). Another possible explanation for low reported infection rates is that governments in this region lack transparency. We find that the most common mitigation strategies being used by governments in this region involve both front-end alternatives to incarceration and pretrial detention (e.g., India), and back-end early release strategies (e.g., Iran). However, it should be noted that the largest country in this region, China, reports that early release strategies are not necessary because the in-prison mitigation strategies employed have been effective enough to combat the virus.

#### **Notes**

- 1. The Asian countries within the world's 50 largest prison systems include China (ranked 2nd), India (ranked 5th), Thailand (ranked 6th), Iran (ranked 8th), Indonesia (ranked 9th), Philippines (ranked 10th), Vietnam (ranked 13th), Myanmar (ranked 19th), Bangladesh (ranked 20th), Pakistan (ranked 23rd), Malaysia (ranked 25th), Saudi Arabia (ranked 29th), Taiwan (ranked 30st), South Korea (ranked 37th), Japan (ranked 41st), Iraq (ranked 42nd), and Cambodia (ranked 48th; World Prison Brief, 2020).
- 2. Detailed country-specific reviews are included in this volume.
- 3. Some have attributed the lower rates of infection reported in China's prisons to the ability of the central government's authoritarian regime to respond decisively to early outbreaks. See Li and Liu (this volume) for a more detailed discussion.
- 4. See Table 2 for more details on China's mitigation strategies toward COVID-19 in its prison system.
- 5. See Table 2 for more details on India's mitigation strategies in addressing COVID-19 in its prisons.
- 6. See Kinner et al. (2020).
- 7. Examples of countries that have not adopted this back-end mitigation strategy within this region include China and Pakistan.

#### Disclosure statement

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