

# Vera Institute of Justice

## Criminal Justice Issues and Prisoners' Rights

**<https://www.vera.org/blog/covid-19-1/policymakers-must-lift-the-veil-on-covid-19-in-jails-and-prisons>**

### Public Facing Advocacy Writing

COVID-19 is raging through U.S. jails and prisons places disproportionately populated by poor people and those from communities of color, especially Black and Latinx communities. In fact, the [15 largest COVID-19 clusters in the country are in jails and prisons](#).

We know the problem is bad, but we don't know the details, particularly surrounding how COVID-19 in correctional facilities is impacting people of color. Currently, no central government reporting and collection agency, such as the Centers for Disease Control and Prevention (CDC), tracks the data on COVID-19 in correctional facilities. Nonprofits and universities have taken it upon themselves to provide some form of data to the public, although this data is not necessarily accurate or comprehensive. The lack of transparency around coronavirus cases, testing, response, and outcomes in these facilities hobbles efforts to provide adequate protection and treatment to incarcerated people and contain the pandemic overall.

For these reasons, policymakers at all levels of government need to push for the collection and release of comprehensive data on COVID-19 in correctional facilities. The [COVID-19 in Corrections Data Transparency Act](#) represents a critical step toward this goal.

Our criminal legal system is largely unprepared to respond effectively and transparently to the rapid spread of the virus behind bars. As of August 31, the United States has recorded [nearly six million cases and more than 180,000 deaths due to COVID-19](#). While the virus looms large across the country, it poses a dire and acute threat to our most vulnerable populations, particularly older adults and those in close, unsanitary quarters such as America's jails, prisons, and detention facilities. These facilities do not exist in a vacuum: staff and people who are justice involved enter and exit jails and prisons every day. Approximately [200,000 people are booked into and 200,000 people are released from American jails each week](#). With this level of churn, it is impossible to prevent spread from communities into facilities and vice versa.

[Data aggregated by The Marshall Project](#) shows that as of August 28, a total of 108,045 incarcerated people in state and federal prisons have tested positive for COVID-19 and 928 have died. This collected data, however, fails to provide the depth of information needed to respond to the pandemic behind bars. At the state and local level, we rely on correctional agencies to self-report, and a large majority of prisons and jails are not collecting and reporting their COVID-19 data adequately.

Although we have some base information about the number of infections and deaths, we are desperately underinformed about [racial and ethnic disparities in COVID-19](#) infections, hospitalizations, and deaths in correctional facilities. And we know that people of color are significantly overrepresented in [jail](#) and [prison](#) populations. These same groups also suffer [disproportionately from a higher rate of health conditions](#) that predispose people to worse outcomes, including death, from COVID-19. We cannot determine the full extent of disparities around the virus until we have data from these facilities broken down by race and ethnicity.

To address this gaping need, [federal lawmakers introduced](#) the COVID in Corrections Data Transparency Act to collect and report out critical weekly information about COVID-19 in jails, prisons, juvenile detention centers, and other correctional facilities. The [bill achieves this by](#)

We cannot reform our justice system without a public health approach, and public health solutions must not abandon people in our criminal legal system. Effectively managing the pandemic overall, in addition to among correctional populations, necessitates a baseline of accurate, detailed data on the situation behind bars. We urge federal lawmakers to include the COVID in Corrections Data Transparency Act in the forthcoming COVID-19 response package. Without swift action, the situation behind bars will continue to deteriorate.

*Read the [statement](#) on the bill from Vera Institute of Justice President Nicholas Turner.*

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