

Equal Justice Initiative

Criminal Justice Issues and Prisoners' Rights

<https://eji.org/news/covid-19s-impact-on-people-in-prison/>

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People who are incarcerated are at great risk of sickness and death as a result of the Covid-19 pandemic and more must be done to release people who are imprisoned and are not a threat to public safety or are elderly or infirm. The inability to quarantine or practice social distancing, together with overcrowding, imperils the lives of many people incarcerated in jails and prisons.

Incarcerated people are infected by the coronavirus at a rate [more than five times](#) higher than the nation's overall rate, according to research reported in the Journal of the American Medical Association in July 2020. The [reported](#) death rate of inmates (39 deaths per 100,000) is also higher than the national rate (29 deaths per 100,000).

As of April 16, 2021, [more than 661,000](#) incarcerated people and staff have been infected with coronavirus and at least 2,990 have died, [according](#) to The New York Times. The number of infections and deaths is likely even higher than the reported number because jails and prisons are conducting limited testing on incarcerated people. Many facilities won't test incarcerated people who die after showing symptoms of Covid-19.

Prisons, jails, and detention centers in the U.S. have been among the nation's most dangerous places when it comes to infections from the coronavirus, The New York Times [reported](#) on April 10, 2021. Over the past year, more than 1,400 new inmate infections and seven deaths, on average, have been reported inside those facilities each day.

One in three people incarcerated in state prisons are known to have had Covid-19, the Times [reported](#). At least [39% of people](#) held in federal facilities are known to have been infected, according to the Times.

The pandemic has exposed serious problems with American incarceration that need to be addressed.

At [year-end 2018](#), the prison custody population in 25 states and the federal Bureau of Prisons had a total number of prisoners in custody that met or exceeded their minimum number of beds.

Because prisons have more people incarcerated than they were designed to hold, incarcerated people are crammed into dorms and warehoused in rooms with bunks sometimes three beds high and only inches apart.

Social distancing is not an option under these conditions. At many prisons, it's impossible to quarantine large numbers of infected prisoners. As a result, the risk of infection for imprisoned people and prison staff is extremely high.

After decades of [extreme sentencing](#), older adults today make up a [larger share](#) of the state prison population than people age 18 to 24. Older people are at a higher risk of serious complications from Covid-19. Older people in prison are more likely to be in poor health and have limited access to quality medical services, which increases the risk of death in a public health crisis.

Tough on crime policies including three-strikes laws and truth-in-sentencing schemes have dramatically increased sentences for people convicted of felonies and significantly reduced eligibility for parole. Accordingly, the percentage of people in state prisons who are 55 and older [more than tripled](#) between 2000 and 2016 to nearly 150,000 older people incarcerated in state correctional facilities in 2016.

Generally, people in prison where a lot of time is spent sitting around and food is typically poor quality tend to be in worse health than those outside prison, The Lancet [reports](#). Lack of access to quality medical care means that older people in prison suffer more often from chronic health conditions like hypertension, asthma, and diabetes that increase the risk of serious complications from the coronavirus.

The Covid-19 crisis has reduced the number of correctional staff, and in many places states are unable to provide adequate security, which leads to more violence and abuse within jails and prisons.

In Alabama, which has the [highest rate of prison homicide](#) in the nation, [two incarcerated men died violently](#) in two different prisons in less than one week in March 2020, and a [third was killed](#) in April 2020. In June 2020, 67-year-old Moses Knight became the [15th person murdered](#) in an Alabama prison since the U.S. Department of Justice [informed](#) Alabama officials that the state's prison system routinely

violates the constitutional rights of prisoners by failing to protect them from rampant violence and sexual abuse.

Jails are filled with people who have not been convicted of a crime,¹ Some 74% of people held in jails across the U.S. are not convicted of any crime. Prison Policy Initiative, [Mass Incarceration: The Whole Pie 2020](#) (Mar. 24, 2020). many of whom need medical care and social services that jails consistently fail to provide. Even without a public health crisis, too many people in jail are [denied adequate medical care](#).

Some of the nations largest coronavirus outbreaks have occurred in county jails, [according](#) to The New York Times. Canceled trials and hearings left many people who could not post bail waiting in jails for extended periods.

Cook County Jail in Chicago, one of the nations largest jails, [reported](#) a rate of coronavirus infection in April 2020 that was higher than almost anywhere else in the country. More than 2,600 incarcerated people and guards at the jail have been infected with Covid-19 and 14 have died, [according](#) to the Times.

Related Resource

Prison Policy Initiative is tracking what state and local governments are doing to protect incarcerated people.

Advocates, family members, and [prosecutors](#) called for jails and prisons to release the most vulnerable people, especially the elderly and infirm, who are at the greatest risk from Covid-19.

But as the pandemic spiked over the summer, 71% of the 668 jails [tracked](#) by the Prison Policy Initiative saw population *increases* from May 1 to July 22, and 84 jails had more people incarcerated on July 22 than they did in March.

Most state prison systems saw only moderate population drops in 2020, and these were the result of [fewer admissions](#), not increased releases. Most parole boards granted fewer paroles last year than the year before, the Prison Policy Initiative [reports](#).

Over the past year, [l]awmakers failed to reduce prison and jail populations enough to slow down the spread of the coronavirus, the Prison Policy Initiative [found](#), causing incarcerated people to get sick and die at a rate unparalleled in the general public.

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