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Information about COVID-19 in CDCR – September 20, 2022

Hello,

For more than two years COVID-19 has had a great impact everywhere, including in CDCR. It is now known – as we have believed from the very start – that when the coronavirus gets into a prison it can spread quickly. Every CDCR prison has had large numbers of people infected. The rate of infections in CDCR is far higher than in the general community. There have been approximately 86,000 COVID infections among incarcerated people in CDCR including some we have gotten it more than once. About 1,500 in CDCR have been hospitalized for COVID. Most sadly, 256 people in CDCR have died from COVID.

The COVID virus and its variants cause waves of infections that go up and down. The current variants do not appear to make people as sick as earlier waves (in part because many are vaccinated and boosted), though some patients have required hospitalization and one or two have died. **No one knows if future variants will cause more serious illness or deaths, or how many who previously had COVID will get it again.** There are also concerns about “long” COVID – medical problems that continue for weeks or months after infection.

Being fully vaccinated including getting the newest booster shot if eligible is the best way to protect yourself from getting very sick or dying from COVID. 81% of CDCR residents are fully vaccinated, but very few have so far gotten the newest booster, which is just now becoming available.

The newest booster shot is designed to protect you from the original COVID virus and the newest variants. We strongly advise you to get the new booster when offered to you.

Under CDCR’s “Roadmap to Re-Opening” a yard or housing unit will be “Open” (and thus eligible for normal programming) if there has been no COVID “Outbreak” (three or more related cases among incarcerated people) in the most recent 14 days. Even when a yard is “Open” COVID precautions must be followed, and you and others may be quarantined if exposed to people who have COVID. As of late September, CDCR started a “test-to-program” project for those in quarantine, which should allow those in quarantine to program if they test negative for COVID on rapid tests administered on certain days of quarantine.

Please see other side of page for more information.

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More information about COVID-19 in CDCR

Population Reduction: When the COVID pandemic began in March 2020, we asked the federal courts for an order requiring the release or removal of large numbers of incarcerated people. Unfortunately, the request was denied. We continued to demand the Governor and CDCR release people. In the months after that, about 12,000 people were released early, most through a program, now suspended, that permitted some people to parole 180 days early. CDCR's population is now about 20,000 less than it was when the COVID pandemic started. New credit rules implemented in May 2021 and January 2022 will result in some people earning additional time off their sentence. Please write to us if you want information on time credits.

Vaccine Requirement: Staff are the primary source of COVID outbreaks in the prisons. Approximately 73% of staff are fully vaccinated. In early 2021, we asked that vaccination be required for staff. In August 2021, the California Department of Public Health (CDPH) issued an order requiring approximately 20,000 of the 55,000 CDCR staff members to be vaccinated, unless they have a religious or medical exemption. This requirement applies to all staff who work at CHCF and CMF. At other prisons, it applies to custody, medical, mental health, dental and other staff who are "regularly assigned" to healthcare areas.

In September 2021, federal Judge Jon S. Tigar issued an order in the *Plata* case requiring COVID vaccination for all staff in all CDCR prisons, unless they have a religious or medical exemption. However, Governor Newsom, the CDCR Secretary, and the correctional officers' union appealed the order. In April 2022, the Ninth Circuit Court of Appeals vacated Judge Tigar's order. At the present time, the only staff vaccine requirement is the CDPH order, described above.

Other Monitoring and Advocacy, including regarding Ventilation and Medical Appointments:

Indoor group areas can be used to full capacity only if everyone wears a mask and portable air filters are used. We are monitoring the use of portable filters.

During COVID outbreaks and for those on isolation and quarantine, on-site and off-site healthcare appointments can be postponed or cancelled. We are working to make sure healthcare services get back to normal as soon as possible. If you have an emergency or urgent health care problem, tell any staff member at any time. For other health care issues, you should put in a 7362. People on quarantine who test negative as part of the "test-to-program" project should continue to have healthcare appointments, including mental health groups.

-- Prison Law Office, September 20, 2022