

PRESS RELEASE

Free Them All! April 16th Caravan to Santa Rita and Declaration of Support for Alameda County Public Defender Woods' Call for Releases from Santa Rita Jail

NLG-SF and Santa Rita Jail Solidarity are releasing this update in response to media coverage of our press conference on April 9th and in support of the leadership of Public Defender Woods rather than a reflection of all the signatories on the revised letter below.

Press Contacts:

- Tash Nguyen, Restore Oakland, a member of the Audit Ahern campaign: tash@restoreoakland.org; (408) 499-7912
- Sara Kershner, National Lawyers Guild - SFBA: sara@nlgsf.org; (510) 685-5347



by Jesus Barraza of Dignidad Rebelde [@dignidadrebeldeart](https://twitter.com/dignidadrebeldeart)

Last week, community organizations signed a public letter addressed to county officials to demand the decarceration of and financial divestment from Santa Rita Jail in the face of the COVID-19 crisis. In a Thursday, April 9 press conference, representatives from the Young Women’s Freedom Center, California Coalition for Women Prisoners, Immigrant Legal Resource Center, Transgender Gender-Variant Intersex Justice Project, Justice Teams, Human Impact Partners, National Lawyers Guild - SFBA and the law offices of Yolanda Huang and Siegel, Yee, Brunner & Mehta detailed the jail’s deplorable conditions as well as the Sheriff’s ongoing collaboration with Immigration and Customs Enforcement. This letter demanding decarceration from Santa Rita Jail and directed to Alameda County Officials, now has fifty signatory organizations that are urging public officials to take immediate action to release incarcerated people and prevent further spread of the virus.

On Thursday, April 16, youth leaders from **Communities United for Restorative Youth Justice (CURYJ)** will host a car rally to demand that people inside Santa Rita Jail be freed and that Alameda County use existing funds to provide food, shelter, and clothing for those released. Beginning at the Alameda County Administration building in Oakland, the caravan will proceed to Santa Rita Jail at 11:15am. Supported by the Anti-Police Terror Project, All of Us Or None, California Coalition for Women Prisoners, Critical Resistance, and Legal Services for Prisoners With Children, CURYJ is demanding that the jail end its collaboration with ICE, lower canteen costs, allow free phone calls, and end group punishment.

Full demands are available at bit.ly/FreeRita.

Santa Rita Jail Solidarity applauds Public Defender (PD) Brendon Woods for his recent public statements supporting accelerated releases, which demonstrate a commitment to the health and safety of all and is part of larger efforts to release people from the jail.

“We’ve been sounding the alarm for more than three weeks, and now we’re on the verge of the virus sweeping through the jail,” PD Woods said in a statement on April 9. “I don’t think prosecutors have gotten the message about how serious this is. They’re moving far too slowly and now people in custody are getting sick.”

PD Woods confronted District Attorney Nancy O’Malley; another target of public pressure. Brendon Woods directly asked, “what possible justification can the DA offer to keep [incarcerated people] locked up for three more weeks in the midst of this virus? A county jail sentence should not be a potential death sentence.”

Other county officials — such as Sheriff Gregory Ahern, Chief Probation Officer Wendy Still, and presiding judge Tara Desautels — possess a broad latitude to order mass releases and have chosen not to exercise that power. We see defense attorneys as allies in the fight to secure the safety and release of incarcerated people during this crisis.

On Tuesday, April 14, Attorney Yolanda Huang received a call from a man in Housing Unit 7E who has a fever and severe body pains. Too weak to stand up or to eat, he reported that medical staff have done nothing for him beyond locking him in his cell. Until a few days ago, he added, men in his unit with asthma were forced to share the same inhaler. “The nurses shrug and say there's no treatment and so folks are basically in solitary confinement,” says Huang.

Now that community transmission is a reality both inside and outside the jail, advocates argue that it is insufficient to test only people who display symptoms. One person reported today that he has observed COVID-19 testing only of people who display symptoms or are a cellmate of someone who has tested positive. This weekend, a man incarcerated in Cummins prison in Arkansas became the [first person to test positive for the virus](#). The state corrections department reported on Monday that a mass test of the housing unit revealed that 43 out of 46 people in the unit had contracted COVID-19. In Chicago, the current rate of coronavirus infection at Cook County Jail is [more than 30 times higher](#) than that across the city as a whole.

“COVID-19 is highly infectious and once people get sick, critical illness can develop very quickly,” says Juliana E. Morris, MD, a family physician in the Bay Area. “While we know certain groups are statistically more vulnerable to the virus, everyone is at risk. It’s essential that we prevent transmission and give people the opportunity to protect themselves by getting them out of Santa Rita now.”

We would also like to take this opportunity to address the claim by Alameda County Sheriff’s Office (ACSO) representatives that ordering further releases from the jail would endanger public safety.

- 1. Vulnerability and jail conditions, not a person’s sentence, should determine eligibility for release during a pandemic.**

For the majority of people in Santa Rita who are in pre-trial detention, the issue of violence has not yet been reviewed through a court process. There are also many mitigating factors that often contribute to offenses classified as violent, including issues of structural and societal violence such as poverty, abuse, lack of health care, employment and education. A February 2018 document obtained from ACSO indicated that over half of the jail population was Black, while Black people constitute a mere 10% of the Alameda County population.

Regardless of their offense, no one should be sentenced to death by COVID-19. **All people** should be provided with health care, humane treatment, and basic dignity.

The [Prison Policy Initiative](#) reported this month that “the current response to violence in the United States is largely reactive, and relies almost entirely on incarceration, which has inflicted enormous harms on individuals, families, and communities without yielding significant increases in public safety.” Further releases from Santa Rita represent an opportunity for public officials to invest in non-carceral improvements, such as guaranteeing the [right to shelter](#), that would

improve people's lives rather than trap them in a dangerous, unsanitary facility that [forces prisoners into involuntary servitude](#) and provides next to no "rehabilitative" programming.

On April 10, John Pfaff [wrote](#) for the Washington Post, "The attitude...that people convicted of violent crimes are in a special category that deserves less compassion and harsher treatment — ignores the math, misunderstands human behavior and, perhaps most important, reflects a poor moral choice. Our draconian approach toward violent crime rests on viewing certain people, and certain groups of people, as not fully human. **This has always been a pressing concern in criminal justice reform; during the pandemic, it is a matter of life and death.**"

2. **Many of the people Sheriff Ahern refers to have *not yet been sentenced*.** We as a community should first and foremost be asking, why is the County willing to condemn people to death under the *suspicion* that they have committed a crime? Looking at the trajectory of COVID-19 within similar mega-jails across the country, combined with the jail's well-documented medical abuses, incarceration in Santa Rita has the potential to become a death sentence for many. The Alameda County Sheriff's Office should not be permitted to act as judge, jury, and executioner for any of the remaining people inside the jail.
3. **"Inmate safety" and "public safety" are the same thing.** Every incarcerated person, their families, and loved ones constitute the "public" of Alameda County. The current pandemic has brought our interconnectedness into sharper focus than ever before. An explosion of cases of COVID-19 within the jail will severely burden already overcrowded and under-resourced hospitals. Santa Rita Jail has approximately 30 beds in its infirmary, no ICU, and no ventilators, meaning that more cases in the jail will ultimately bring more cases to Alameda County hospitals. Deputies, nurses, and jail staff enter and exit the jail every day. Numerous reports from prisoners allege that deputies are not properly utilizing personal protective equipment. All of these people are potential vectors between the prisoner population and the broader community.
4. **"Tele-health" and reduced staffing are not acceptable substitutes,** as they decrease quality of care inside the jail rather than actually mitigating the spread of the virus. And an increase in the jail's budget to hire armed, sworn deputies - as Sheriff Ahern has requested of the Board of Supervisors - similarly does not address the fact that the jail is simply ill-equipped to respond to a pandemic. Public statements by the Sheriff's Office are deliberately designed to obscure the line between militarization and public health. Health care should not be cited by the Sheriff as a reason for additional funding from the county's budget, neither for sworn deputies nor Wellpath's for-profit medical enterprise. An epidemiologist or a non-Wellpath Medical Doctor must review the jail's protocols. Using solitary confinement to "quarantine" prisoners is not acceptable and prisoners should be released rather than suffer a "dual punishment."
5. **We reject the use of ankle monitors and other methods of state control or surveillance as substitutions for, or continuations of incarceration upon release.** Decarceration must be accompanied by investment in community services that give people the support that they need

and deserve — healthcare, housing, and economic stability — rather than implementing methods of control and surveillance that will continue to criminalize them.

- 6. Contracts with the U.S. Marshals Services & other counties should be terminated.** Santa Rita Jail contracts with the UC Marshals Services and other local jurisdictions that house detainees at Santa Rita Jail. This population includes individuals charged with federal offenses, those who are detained while awaiting trial, as well as individuals who are sentenced and are awaiting designation and transport to a Bureau of Prisons facility. Alameda County should not be running a for-profit detention center and must prioritize the health and safety of all prisoners and jail staff by terminating these contracts.

On Monday, April 13th, a federal pretrial detainee in Housing Unit 34 reported that the Sheriff's Department is now splitting the time people spend outside of their pods, in order to promote social distancing. This new policy means that people remain in their cells for at least 21 hours per day. 21-24 hours a day in a cell is considered "solitary confinement."