



**Written statement of Celeste Trusty
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Pennsylvania Senate Democratic Policy Committee
Policy Hearing on COVID-19 in Pennsylvania's Prisons
January 7, 2021**

FAMM thanks Chairwoman Senator Muth, Democratic Whip Senator Williams, and Senator Street for calling this hearing, and members of the Pennsylvania Senate Democratic Policy Committee for their time and attention to the urgent matter of COVID-19 in our correctional facilities. As of January 4, 2021, the Pennsylvania Department of Corrections (DOC) has reported nearly 7,000 COVID-19 positive DOC residents, with more than 16,000 COVID-19 tests pending results, and more than 2,800 COVID-19 positive staff members.¹ Tragically, the lives of 67 incarcerated Pennsylvanians and two staff members have been lost to COVID-19 since the pandemic began - with 32 incarcerated lives lost since just December 1, 2020. As we begin a new legislative session, it is imperative that Pennsylvania's DOC staff, incarcerated population and their loved ones be included in the discussion about COVID-19 mitigation strategy in the commonwealth.

Since 1991, FAMM has advocated evidence-based reforms and strategies to safely reduce our prison population, and our efforts as an organization have only intensified since COVID-19 first entered our communities. Thousands of aging and sick incarcerated Pennsylvanians who the Centers for Disease Control and Prevention (CDC) would consider most vulnerable to COVID-19 cannot adhere to safe social distancing practices.² The National Academies of Science, Engineering, and Medicine recommends reduction of prison populations as an "appropriate and necessary" COVID-19 mitigation strategy, prioritizing the release of medically vulnerable people, individuals close to completing their sentence, and those who have a low likelihood of serious recidivism.³

FAMM has been calling on all decision-makers, from the DOC to the General Assembly, to the Board of Pardons and Governor Wolf, to do everything within their power to safely depopulate our prisons in response to COVID-19. FAMM commends DOC for working to reduce Pennsylvania's prison population by around 5,700 people since the pandemic first hit Pennsylvania, but their authority to grant the type of mass release needed to help protect our most vulnerable and least likely to reoffend residents is

¹ COVID-19 Dashboard. Pennsylvania Department of Corrections.

<https://app.powerbigov.us/view?r=eyJrIjojNWQ5YU9kZlRlY2NjMi00ZWVhLTgyNWQyZmYwMGIyIiwidCI6IjQxOGUyODQxLTAxMjgtNGRkNS05YjZjLTQ3ZmM1YTlhMWJkZSJ9>

² Centers for Disease Control and Prevention, Are you at Higher Risk for Severe Illness?,

<https://www.cdc.gov/coronavirus/2019-ncov/specific-groups/high-risk-complications/older-adults.html>

³ National Academies of Sciences, Engineering, and Medicine 2020. Decarcerating Correctional Facilities during COVID-19: Advancing Health, Equity, and Safety.

Washington, DC: The National Academies Press. <https://doi.org/10.17226/25945>.



limited. While we have also seen some action by the governor and Board of Pardons, there has been a baffling lack of action by both the state senate and state house, where much of the movement to make a substantial impact must begin. By failing to pass any legislative mechanisms to support the release of older and medically vulnerable people from our prisons last session, members of the General Assembly abandoned a valuable segment of their constituencies and our communities. The lack of a release mechanism for elderly and ill people also harms public safety -- it wastes limited public safety resources on incarcerating those who are the least likely to recidivate.

Pennsylvania's taxpayers spend billions of dollars every year on corrections, paying to unnecessarily keep thousands of people who are aging and sick in prison. These populations are the least likely to reoffend if released, and many have families who can care for them. Pennsylvania's DOC spends \$3.2 million each and every month on prescriptions for people over age 50, an annual medication cost that is 3.5 times higher than for people under age 50.⁴ Pennsylvania's prisons also currently house more than 6,100 residents over age 55, and more than 2,600 people that have already served more than 25 years of their sentence. These were absurd statistics prior to COVID-19's devastating impact on our commonwealth's budget, businesses, and families, but at this point, it is simply irresponsible for Pennsylvania's lawmakers to steward taxpayer resources in this way. Enacting legislative responses like broad medical and elderly release mechanisms would not only help mitigate the spread of COVID-19 in our commonwealth's prison facilities, but it would decrease the overwhelming financial burden of unnecessary, often counterproductive incarceration on the commonwealth's taxpayers as well.

As we begin this new legislative session, FAMM yet again renews our demand that elected leaders in the Pennsylvania General Assembly swiftly and urgently pass broad medical and elderly release legislation. The Pennsylvanians who live and work inside our prisons are valuable members of their families and our communities and deserve protection from this illness. We are in the midst of the deadliest period of the pandemic yet, and Pennsylvania's incarcerated people and their loved ones are rightly terrified. It is critical that our most vulnerable incarcerated Pennsylvanians be removed from prisons and jails immediately and allowed to quarantine safely in their homes, before we see more unnecessary suffering and lives lost from COVID-19. Continued inaction from the General Assembly is unacceptable.

Pennsylvania needs our leaders to take necessary, bold, and compassionate action in response to the COVID-19 pandemic. We urge the General Assembly to pass broad medical and geriatric release legislation as soon as possible. Thank you for considering our views.

⁴ Pennsylvania Department of Corrections.