



E1S3 COVID-19 Makes Deciding Who Gets in And Who Gets Out Urgent

James Howard III was arrested this spring and sent to Chicago's Cook County Jail a few weeks into the state's coronavirus lockdown. Crowded, unsanitary, and with little means of social distancing, the single-site jail experienced a rapid outbreak of COVID-19. Mark Betancourt reports on the unprecedented steps officials took to control the outbreak, and the urgent attempts of families to keep their loved ones safe.

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Lantigua
Williams
& Co.

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The Story

COVID-19 Rips Through Prisons and Jails

“We’re detainees. They treat us like we’re already proven to be guilty. It’s like we’re being punished because of the COVID-19.”

James Howard III, Detainee

COVID-19 swept through U.S. prisons and jails this summer, many of which lack basic hygienic measures or means of social distancing. Prisoners became five times more likely to contract the virus and three times more likely to die.

As courts suspended their activities due to safety concerns, detainees like James Howard III in Chicago’s Cook County awaited trials that had been indefinitely delayed. It wasn’t safe for judges and jurors to attend court, how safe could it be for Howard to sit inside of jail? Activists in Chicago coordinated efforts to push officials to reduce the jail’s population. As it turns out, there was no plan for what to do in a public health emergency like this. The ensuing chaos resulted in unnecessary deaths and severe illnesses. Advocates are still hard at work to prevent such tragedies as the uncontrolled virus takes more lives.



Cassandra Greer, stands in front of Cook County Jail with a poster of her husband, who died from COVID-19 while detained on April 12, 2020. Photo: Olivia Obineme

The Mission

Get detainees out of jail to keep them safe from COVID-19, prevent unnecessary detentions before they happen, and map a plan for the future.



State's Attorney Kim Foxx attends the Day of Action on Chicago's West Side. Photo: Paul Goyette

“Every single person who is released post-COVID, at least those people, at minimum, we should be asking ourselves, ‘Well, why didn't we do that in the first place?’”

-Chicago Defense Attorney Emmanuel Andre

Advocates at the Chicago Appleseed Fund for Justice and the Chicago Community Bond fund realized they would need more than money to get detainees like Howard out of harm's way. For one, the organization couldn't fundraise the amount needed to bond out thousands of detainees. And more substantial efforts to enact the type of bail reform that would reduce crowding in the jail were on hold due to the pandemic.

But even without a simple solution, the mission itself was clear: they had to find a way to get detainees outside of the correctional facility, and they had to do it as soon as possible.

The Strategy

Create political will to free detainees, identify officials in control, and hold them accountable.

“When people hear directly from the people in the middle of an issue, that does more to shift public opinion than any statistic.”

- Matthew McLoughlin, Chicago Community Bond Fund

Organizers quickly learned that making change and saving lives would require a multi-pronged strategy. They had to identify which officials to call on, hold them accountable, and create momentum around the issue in the community.

Identify who has the power:

The folks at the Chicago Community Bond Fund found out which figures had meaningful, even unilateral authority to get detainees out of the Cook County Jail and improve conditions inside. Once they identified those officials, such as the sheriff and head judge, they made individualized lists of demands that could reasonably be addressed.

Create political will:

Simultaneously, they began to collect stories of those impacted. They meant recordings and letters that could be easily shared with authorities and on social media. They also created a 24-hour phone line that detainees could call to report what was happening inside the jail. When a major incident occurred, they collected as many accounts as possible.



A protestor holds a sign that reads, “Free Them All” while standing across the street from the Cook County Jail. Photo: Olivia Obineme

The Strategy

“I don’t think any of these strategies work on their own. It’s a mix of litigation, community pressure, and building relationships.”

Matthew McLoughlin, Chicago Community Bond Fund

Hold officials accountable:

Ultimately, it became necessary to turn to litigation. The Chicago Community Bond Fund determined that their money was better spent on a lawsuit against the sheriff than on paying for individual bonds. Their case was strengthened by the amount of information and first-person narratives they collected from detainees, and the growing community concern generated by their campaign to amplify the voices of those at the center of the crisis. They also held vigils outside of the jail, created petitions and email campaigns, and put pressure on the public defender’s office to push bond reviews.

Even so, the number of detainees inside of the jail has inched back up. The work is far from done.

Sarah Staud giving a press conference with allies from The People’s Lobby and Lawndale Christian Legal Center (LCLC) to discuss the report, “Creating a Culture of Fairness and Accountability: Defense Attorneys Report of Kim Foxx’s Progress toward Transforming the Priorities of Her Office.” October 2019. Photo Courtesy of Sarah Staudt.



Resources

Read more about the Chicago Community Bond Fund's work during COVID-19 and beyond:

<https://chicagobond.org/>

The Vera Institute of Justice has created a searchable database showing the changes in prison population during the 2020 COVID-19 pandemic, broken down by county. You can use this information to hold local officials accountable and ask them why they're not doing more to reduce jail and prison populations:

<https://www.vera.org/blog/covid-19-1/use-this-data-to-hold-your-local-jail-accountable-during-the-pandemic>

Keep track of the Chicago Appleseed Fund for Justice's response to COVID-19:

<http://www.chicagoappleseed.org/our-blog/tag/covid-19/>

Help bond detainees out of jail by visiting the National Bail Fund Network:

<https://www.communityjusticeexchange.org/national-bail-fund-network>

Cassandra Greer, center, stands with fellow protestors and supporters in front of Cook County Jail with a poster of her husband, who died from COVID-19 while detained on April 12, 2020. Photo: Olivia Obineme



70 Million Team

Editors: Phyllis Fletcher, Laura Flynn

Episode Reporter: Mark Betancourt

Host: Mitzi Miller

Sound Designer: Cedric Wilson

Managing Producer: Virginia Lora

Photo Editor: Michelle Baker

Marketing Lead: Leslie Datsis

Staff Writer: Laura Tillman

Design Director: Kenia D. Serrette

Fact Checkers: Sarah McClure, Ryan Katz

Episode Photographer: Olivia Obineme

Assistant Producer: Emma Forbes

Creator/Executive Producer: Juleyka Lantigua-Williams

70MillionPod.com

@70MillionPod // Hello@70Millionpod.com



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