



CALIFORNIA

California to release 3,500 inmates early as coronavirus spreads inside prisons



California prisons are to release up to 3,500 inmates as the coronavirus spreads. (T.A. Frank)

By PAIGE ST. JOHN | STAFF WRITER

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California is granting early release to 3,500 inmates in an effort to reduce crowding as coronavirus infections begin spreading through the state prison system.

Lawyers for Gov. Gavin Newsom on Tuesday told a panel of federal judges the state is taking “extraordinary and unprecedented protective measures” to slow the spread of the virus and protect those who live and work within California’s 35 prisons. The accelerated prison discharges — affecting inmates due to be released over the next 60 days — come in the face of pressure to do much more.

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Lawyers representing inmates in long-standing civil rights litigation against the prison system have asked those judges for broader prison releases, as well as protective measures to reduce the threat to older or medically vulnerable inmates not likely to be considered for release. A court hearing on the emergency motion is set for Thursday.

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In court filings, state lawyers said California intends to accelerate release and parole dates for 3,500 inmates serving terms for nonviolent crimes and already due to be released within 60 days. The releases are to be conducted “within the next several weeks.”

Documents provided to The Times show state prisons have been locking down cell blocks where

inmates exhibit flu-like symptoms. That has heightened fears among family members, especially of those inmates who are older or at risk of severe illness from COVID-19, the disease caused by the novel coronavirus.

“He feels like he’s in a Nazi Germany death camp. They basically locked them all in the ‘sick’ dorm and are only taking guys out with a high fever,” said the daughter of one such inmate at the state prison in Chino, the California Institution for Men. To date, one inmate and 11 state workers at the prison have tested positive for COVID-19.

“An inmate in his dorm of 150 men just tested positive, so they put his entire dorm on lockdown. He can’t get bandages he needs for open sores from an autoimmune disease. He’s 72 and due out in August,” she said.

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There are now COVID-19 cases at 10 prisons, affecting 22 workers and four inmates. Inmate testing began March 7.

The California Department of Corrections and Rehabilitation has shut down inmate visitation and volunteer programs, and this week began using touch thermometers to screen its 67,000 employees as they enter the lockups. In the first three days of such screening, 170 workers had temperatures and were turned away. At the same time, 886 employees on Sunday called in sick for work, a number that CDCR spokeswoman Dana Simas said is not large given the size of the workforce.

The state has also blocked the transfer of county jail inmates to prison, a decision that state lawyers told a judge will keep 3,000 additional people out of the penal system. And the state intends to move 480 to 530 inmates out of dorms, where prisoners are bunked as close as two feet apart with shared sinks and showers. They will be moved to other prison facilities, the court filing said.

Newsom disclosed his intent to release prisoners early in a comedy news-show [appearance](#) Monday night. He told "The Daily Show" host Trevor Noah he planned "thoughtful and judicious" releases, "not being flippant about this, not just saying, 'Hey, you people,' randomly."

He said prisoners whose crimes were violent and those classified as sex offenders are not eligible for the early releases. Those with domestic abuse cases also are not eligible.

The governor did not mention that the order for the releases was already executed by the state prison chief, CDCR Secretary Ralph Diaz, on Monday without public note.

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Inmate advocates were skeptical about whether the early parole was enough.

"It's a step in the right direction," said attorney Michael Bien, one of the lead plaintiffs in the civil rights litigation. "Whether or not it will be sufficient to address the pandemic ... and achieve safety and social

distancing, we just don't know. My personal opinion is we'll need to do more."

In particular, Bien said he is concerned the state has taken no steps to move those most at risk of dying from COVID-19, including older inmates and those with medical conditions, out of harm's way.

"As long as my brother remains incarcerated, there is a real chance the two-year sentence will become a death sentence," said Anita Astorga, whose 67-year-old brother, a diabetic, is at the Chino prison where COVID-19 cases are mounting.

CALIFORNIA CORONAVIRUS PANDEMIC

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