



## PRISONERS' LEGAL SERVICES OF MASSACHUSETTS

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**RE: Expediting release of elderly and medically infirm incarcerated individuals**

Dear District Attorneys:

First, I would like to commend the work many of you are doing to stem the unnecessary flow of individuals into our prisons and jails during this public health crisis and your efforts to effectuate release of individuals who are at high risk for contracting COVID-19 and who present a low risk to public safety. We are writing to urge you to immediately support pending medical parole petitions pursuant to M.G.L. c. 127 c. 119A and to do all in your power and authority to expedite the release of other elderly and infirm prisoners including communicating to the DOC and respective Sheriff's offices that you support such releases.

As you may know, Massachusetts has a disproportionately high number of sick and elderly individuals in its prisons. Correctional health care is already taxed and inadequate to address the needs of the incarcerated population and is not at all equipped to deal with an outbreak of COVID-19 in our prisons and jails. Anyone needing ICU care would need to go to an outside hospital, and as you know, there is already great concern that we are currently ill-equipped to handle the speculated numbers of cases requiring intensive care, ventilators and respirators from the general public.

The release of prisoners from facilities in New York, Ohio, the Carolinas, Oregon, California, and in countries like Spain, Iran and now the UK, demonstrate a recognition, albeit delayed, that reducing the numbers of people contained in our jails and prisons will minimize the spread and

death of those most vulnerable, in addition to correctional and medical staff and their respective families. Those of us studying and paying close attention to this pandemic also understand that aggressive proactive measures are what save lives. As a number of public health officials and doctors have said, “hope is not our friend.” We simply cannot sit back and hope that the virus does not wreak havoc in our jails and prisons. Experts already know and have said that it is a matter of when, not if, COVID-19 will impact the incarcerated and, in turn, the public at large.

This is a race against time. Swift and unequivocal action now will undoubtedly save lives. We urge you to act quickly to remove the sick and elderly from our jails and prisons and immediately endorse all pending medical parole petitions. The prisoners filing for medical parole require a great deal of ongoing care, and while in prison this responsibility falls on DOC and medical staff. They depend on assistance from others to meet their daily needs, and frequently need medical attention. Some petitioners already live in one of the DOC’s two Critical Stabilization Units, permanently taking up a nursing bed that might soon be needed to house and care for a prisoner with COVID-19. We further urge you to support petitions from individuals who may not have strictly met the statutory requirements for medical parole previously, but who, because of their underlying condition, are now at a greater increased risk of death if they contract the virus.

We deeply appreciate your assistance in helping to prevent what could be a sweeping and catastrophic impact on these particularly vulnerable individuals. Thank you for doing all you can to ensure that they are removed from prisons and jails during this crisis. Please feel free to contact me with any questions or to further discuss how we can collaborate on this or any other endeavors to reduce the risk of COVID-19 spreading in our prisons and jails.

Respectfully,

A handwritten signature in black ink, appearing to read 'Elizabeth Matos', written in a cursive style.

Elizabeth Matos  
Executive Director