

Governor James C. Justice
State Capitol, 1900 Kanawha Blvd E.
Charleston, WV 25306
(sent via email)

May 26, 2020

Dear Governor Justice,

We would like to thank you for your ongoing leadership during this pandemic, there is no doubt that your swift and proactive responses have saved lives.

The results of testing thus far at Huttonsville Correctional Center (HCC), which indicate a positive infection rate of over 50 per cent, is extremely alarming and we are grateful that you've ensured that everyone there is tested regardless of whether they exhibit symptoms.

Based on the overwhelming evidence of asymptomatic spread of the virus especially in congregate settings, and emerging consensus that "viral load" impacts the severity of the illness, we the undersigned organizations believe that universal testing in every adult and juvenile facility needs to start immediately. Universal, periodic testing will allow timely targeted responses that will mitigate the spread of COVID-19 and save lives.

Another terrible and enduring reality in West Virginia, as in the rest of the country, is that black people are nearly twice as likely to be incarcerated than white people. And while we appreciate that you have worked towards reducing the disproportionate impact of COVID-19 on black families, we believe that our state will not be fully addressing this disproportionate impact if we do not take significant strides to reduce incarceration amidst this pandemic.

With courts re-opened and jail admissions increasing again, the threat of COVID-19 is greater than ever with the virus more likely to spread in multiple facilities, affecting communities and our state's health care capacity.

There is no doubt that prison and jail overcrowding in the midst of a global pandemic is a multifaceted problem requiring a multifaceted response. To save lives, we ask you to:

*Make testing available to every single adult and juvenile incarcerated as well as all facility staff, regardless of whether people are experiencing symptoms. The [public health consensus](#) is that people can exhibit no symptoms and still be spreading the virus.

*Recommend that judges and magistrates prioritize personal recognizance bonds per the bail reform legislation you signed which goes into effect June 5th.

*Expedite implementation of Senate Bill 611 to empower the commissioner of the Division of Corrections and Rehabilitation to approve home plans for people in state prisons who are nearing parole eligibility and pose no threat to public safety.

*Empower the commissioner of the Division of Corrections and Rehabilitation to identify incarcerated people in regional jails who have 3 months or less left in their sentence to be released immediately in the absence of evidence that they would pose an immediate threat to public safety.

*Instruct relevant agencies such as the National Guard, Division of Military and Public Safety, and the Jobs and Hope program to work together to identify and appropriately staff transitional housing so that people can be released.

The rate of infection at HCC in Randolph County and in correctional facilities around the country is a terrible cautionary tale. If we don't act swiftly and proactively to reduce incarceration during this pandemic, we are risking the health and lives of the men, women, and children who are in state custody as well as the essential frontline workers who staff these facilities.

Thank you for your consideration and we look forward to hearing from you.

Sincerely,

American Friends Service Committee
NAACP – Jefferson County chapter
Catholic Conference of WV
WV Center on Budget and Policy
American Civil Liberties Union-WV
Appalachian Prison Book Project