

BPDA Covid-19 Guidelines

As information continues to come out about COVID-19 (or the coronavirus), government and public health officials are telling people to telework, engage in social distancing, and to stay home if they feel sick. But for people in jails and prisons, that's not an option. For our incarcerated clients, they are sitting ducks. It is not a matter of if but when the coronavirus will enter prisons and jails. Detention centers are natural incubators for the disease and will threaten the lives and well-being of vulnerable BPDA clients. We must act!

There are a number of steps that public defenders can take to protect our vulnerable clients. We encourage you to consider doing the following:

§ seek the early release of individuals who will not pose a serious physical safety risk to the community or who have 6 months or less on their sentence;

§ request the release of all medically fragile adults, pregnant women, and adults over 55; Examples include:

- Cardiac Issues (heart attack history, high blood pressure, etc.)
- Respiratory Issues (asthma, lung disease, etc.)
- Cancer
- Diabetes
- A major medical condition affecting the immune system (HIV/AIDS, transplant recipient, etc.)

§ seek court continuances;

§ reduce in person court appearances;

§ postpone all probation, parole, and pre-trial proceeding for released clients;

§ push for compassionate release and community-based alternatives;

§ advocate for clemency; commutations for elderly and medically fragile individuals

§ request video conferencing and free phones to maintain community connections,

§ advocate for the suspension of arrest and booking;

§ advocate for the suspension of failure to appear warrants

§ argue that jails and prisons will inevitably run into staffing issues, thus further compromising the health and safety of clients

§ seek assurances that client laundry is being done with hot water, soap and disinfectant.

§ seek assurances that nearby hospitals are adequately equipped to handle an influx of patients from the jail or prison

§ Advocate for prosecutorial discretion to reduce number of people in jail and court system by declining charges, releasing people from custody who cannot pay bail, releasing people prior to completion of sentence.

§ Collect information on the current conditions of your client. Determine whether individuals are receiving the hygiene supplies and services necessary to prepare for COVID-19. Consider asking the following questions during visits to make a case for mass release:

- Do you have access to soap and running water to wash your hands in your cell/on your unit?
- How often does Detail clean your unit? Do you have access to cleaning supplies to clean your own cells/unit at other times?
- Have jail/prison staff given any new instructions/announcements in the last week on health precautions for illnesses, or coronavirus COVID-19 specifically?
- Has your unit had any lockdowns lately that you've been told or believe are related to illness or medical isolation?
- What unit are you on? (to determine whether access varies from one unit to another)

To assist you in your advocacy, we are supplying you with [several motions](#) from various jurisdictions. [The Justice Collaborative](#) has also created a Response & Resources page to share essential information, proposed policies, and other resources for defenders, activists, public officials, and journalists to help confront the pandemic. We encourage you to visit this page. You can also follow updates from around the country with the following hash tags:

#stopcovid19injails #humanitynotcages #BPDA_justice

BPDA understands that you all are balancing the difficult task of taking care of yourself and your family, while still taking care of and showing up for your clients. We recognize you have to take care of yourselves too, and hope that you are finding ways to do so.

Tips on Self-Care during COVID-19

During these times we are uncertain about everything. Many of us have routines that dictate our lives. For those of us with children, this is particularly true. Our worlds are turned upside down. It is important for us to take of not only your physical health, but your mental health as well. This is a good time to focus on projects, activities and people who bring joy into your life. There are many on-line resources that provides ideas from everything to household projects, to activities to do with your children who are out of school. Many organizations, churches, etc.; are streaming on-line as well. Take advantage of the helpful resources available to you.

Realizing the gravity of the situation, Doreen Marshall, Ph.D., in [Taking Care of Your Mental Health in the Face of Uncertainty — AFSP](#), shared some helpful hints for us.

1. *Separate what is in your control from what is not.* There are things you can do, and it's helpful to focus on those. Wash your hands. Remind others to wash theirs. Take your vitamins. Limit your consumption of news (Do you really need to know what is happening on a cruise ship you aren't on?).

2. *Do what helps you feel a sense of safety.* This will be different for everyone, and it's important not to compare yourself to others. It's ok if you've decided what makes you feel safe is to limit attendance of large social events, but make sure you separate when you are isolating based on potential for sickness versus isolating because it's part of depression.
3. *Get outside in nature—even if you are avoiding crowds.* Exercise also helps both your physical and mental health.
4. *Challenge yourself to stay in the present.* Perhaps your worry is compounding—you are not only thinking about what is currently happening, but also projecting into the future. When you find yourself worrying about something that hasn't happened, gently bring yourself back to the present moment. Notice the sights, sounds, tastes and other sensory experiences in your immediate moment and name them. Engaging in mindfulness activities is one way to help stay grounded when things feel beyond your control.
5. *Stay connected and reach out if you need more support.* Talk to trusted friends about what you are feeling. If you are feeling particularly anxious or if you are struggling with your mental health, it's ok to reach out to a mental health professional for support. You don't have to be alone with your worry and it can be comforting to share what you are experiencing with those trained to help.

Finally, use your community for support. Reach out to any BDPA member for support, resources, tools, etc.

Keep up the Fight & Take care of yourself!

BPDA