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STATE GOVERNMENT,
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AGRICULTURE & RURAL AFFAIRS
LOCAL GOVERNMENT

PENNSYLVANIA COMMISSION ON SENTENCING
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Senate of Pennsylvania

February 8, 2021

The Honorable Tom Wolf
Governor of Pennsylvania
508 Main Capital Building
Harrisburg, PA 17120

Dear Governor Wolf:

In response to the COVID-19 pandemic, your office announced a reprieve program in April to prevent the prison sentences served by those who are incarcerated from becoming unintended death sentences. We appreciate your leadership in acting swiftly to mitigate the spread of an unknown and acute disease within our correctional facilities. Unfortunately, your executive action – originally intended to release more than 1,200 people – has only resulted in 159 releases.

Since that time the virus has become more dangerous and a greater threat to our communities. A growing volume of reporting has made clear the worsening conditions within our correctional facilities. While your initial action to offer reprieve was prudent and lifesaving, the death count reported by the Department of Corrections now exceeds one per day. A person's fundamental right to be safe and free from disease does not stop at the prison wall.

At the end of 2020, a total of 84 inmates had died because of the virus. Of those who had died, more than 90% were 50+ years old, consistent with reports of the virus being most deadly for those who are elderly and those with comorbidities like cardiovascular disease, diabetes, chronic respiratory illness, hypertension, and cancer. In the first 20 days of 2021, at least 27 people incarcerated in Pennsylvania's state prisons and two staff members died of coronavirus. This exceeds the total number of fatalities in prisons between March and November of 2020. By the time you read this letter, more men and women will have died within our correctional facilities. Their deaths were preventable. We call on you to recommit to use your singular power of reprieve to save lives.

Greater structural changes, like medical parole, are needed to address the aging and medically vulnerable populations of the incarcerated, but legislation will languish and each day brings another preventable death from COVID-19. This health crisis demands immediate and expedient action to prevent further loss of life. Reprieve is the only measure that currently exists to immediately reduce the prison population to protect and preserve the lives of incarcerated people.

Even with Department of Corrections policy providing for social distancing and increased sanitation, state prisons are no place for our vulnerable population. Movement in and out of these facilities and possible infections being brought in by staff create epicenters of spread. On January 7th, 2021, Secretary of Corrections John Wetzel testified on the spread of COVID-19 at a Senate Democratic Policy Committee hearing that “we cannot stop its spread.” As we have witnessed in California, outbreaks in correctional facilities don’t only place the lives of those who are confined at great risk – the health emergency can easily spread beyond the prison walls and gravely affect the surrounding community.

While reprieve is imperfect, as time served outside will not count toward a sentence, it will prevent the further loss of life and mitigate the spread of the virus within our correctional facilities and communities. Every incarcerated person who is at risk of death should be given the option for reprieve and notified accordingly. The decision to accept reprieve or risk contracting the virus should be weighed by those who must face this risk. Furthermore, the Senate Democratic Policy Committee recommends bringing inmates who have been granted reprieve before the Board of Pardons to have their sentence commuted to mitigate the concern of uncounted time.

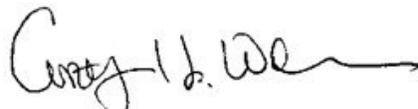
The Department of Corrections currently incarcerates approximately 47,000 people in state prisons and community corrections centers. Many of these people are elderly or have health conditions that put them at greater risk of hospitalization and death should they become infected with COVID-19. Without your immediate action, further loss of life is inevitable.

We realize the challenges stemming from the virus are unprecedented, and you have navigated this crisis well given the impossible circumstances. As members of the Senate Democratic Caucus and members of the House Democratic Caucus, and with support from the Legislative Black Caucus, we are committed to working with you on behalf of all constituents we serve. We call on you to once again utilize the power of reprieve granted by The Pennsylvania Constitution to continue to protect our communities.

Sincerely,



Senator Sharif Street
3rd Senate District



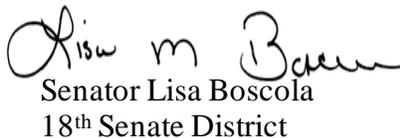
Sen. Anthony H. Williams
8th Senate District



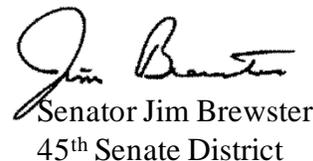
Senator Nikil Saval
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Senator John Blake
22nd Senate District



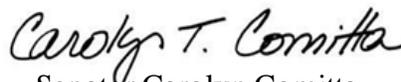
Senator Lisa Boscola
18th Senate District



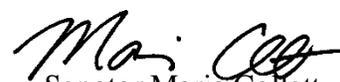
Senator Jim Brewster
45th Senate District



Sen. Amanda Cappelletti
17th Senate District



Senator Carolyn Comitta
19th Senate District



Senator Maria Collett
12th Senate District


Senator Vincent J. Hughes
7th Senate District


Senator Katie Muth
44th Senate District


Senator Lindsey Williams
38th Senate District


Donna Bullock
State Representative
195th Legislative District
PA Legislative Black Caucus
Chair

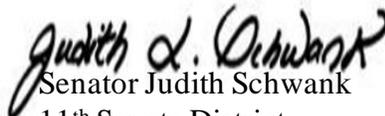

Rick Krajewski
State Representative
188th Legislative District

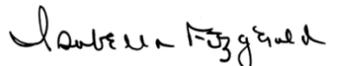

Danilo Burgos
State Representative
197th Legislative District


Ed Gainey
State Representative
24th Legislative District


Christopher Rabb
State Representative
200th Legislative District


Senator John Kane
9th Senate District


Senator Judith Schwank
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Isabella Fitzgerald
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203rd Legislative District


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Napoleon Nelson
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154th Legislative District


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201st Legislative District


Patty Kim
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