



Joint Senate Hearing on the Impact of COVID-19 in Prisons & Jails

Testimony by Marvin Mayfield and Cynthia Carter-Young on behalf of Center for Community Alternatives

Marvin Mayfield

Thank you, Senator Rivera and Senator Sepulveda for allowing us to testify today. My name is Marvin Mayfield and I am a Statewide Organizer at Center for Community Alternatives.

If anyone has had the misfortune to be incarcerated in a jail or prison in New York State, they are well aware of the dangers one faces every day. The ever-present violence, the neglect, and apathy are all contributors to the horrors of incarceration. If prisons and jails were dangerous and deadly before this pandemic, then they are only more so now.

Systemic malnutrition, unending stress, deprivation of quality medical care, racially-targeted officer brutality, the torture of solitary confinement and -- in state prisons -- the sickness, death, and despair behind bars inherent to extremely harsh sentences and endless parole denials all contribute to a moral and human rights crisis in New York. Then the coronavirus struck, spreading among elderly and immunocompromised people in prisons and jails and leaving terror and death in its wake. All of the above-mentioned horrors have sharply disproportionate impacts on Black people and other people of color; for example, [81% of people who died](#) during the pandemic were people of color.

As people who have been incarcerated, people who have loved ones inside now, and other advocates for the rights, dignity, and well-being of incarcerated people, we are deeply disturbed about the lack of urgent response. New York State has offered little to no transparency on conditions behind bars throughout the crisis, released only a small fraction of elder and immunocompromised people, and used widespread and extremely dangerous solitary confinement in lieu of medically-sound quarantine protocols, leaving incarcerated people extremely vulnerable as the virus spreads.

To continue to incarcerate people of this state at the current rate is effectively reinstating capital punishment and sentencing New Yorkers to suffer the death penalty. That is why we are urging the legislature to enact robust legislation to dramatically reduce the number of people in jails and prisons. We call on the legislature to:

- **Pass Elder Parole (S.2144/A.4319A) & Fair and Timely Parole (S.497A/A.4346A)** to end death-by-incarceration sentences.
- **Protect pretrial freedom and commit to extending, rather than rolling back, bail reform.** Since the enactment of bail reform rollbacks, we have seen an increase of [nearly 600](#) New Yorkers in jail each day, which translates to an even greater increase in jail admissions and therefore exposures.



- **Pass legislation to end the practice of incarcerating people for technical parole violations.**
- **Commit to sentencing reform that eliminates mandatory minimums, reduces maximum sentences and abolishes New York's equivalent of two- and three-strike laws.**

We also call on the legislature to address conditions inside jails and prisons. This must include:

- **Passing the HALT Solitary Confinement Act (S.1623/A.2500)** as solitary confinement is a public health crisis in normal times, with surging rates of suicide and self-harm as well as lasting adverse impacts to physical and mental health.
- **Ensuring that DOCCS supplies sufficient amounts of PPE**, including ample supplies of hand sanitizer, soap, face masks, and other essential personal hygiene and public health products. People must be given at least one new surgical face mask per week.
- **Administering Mass Testing:** As of September 11th, DOCCS has only administered 8,598 COVID-19 tests to people incarcerated in New York State prisons out of an incarcerated population of nearly 40,000, DOCCS must ensure that every single incarcerated person has meaningful access to COVID tests, including first tests, and subsequent tests following a positive test.

Now, we will hear from Cynthia Carter-Young, a member of Center for Community Alternatives whose brother passed away from COVID-19 just weeks away from his release date.

Cynthia Carter-Young

My name is Cynthia Carter-Young. On April 14, my 60-year-old brother, [Leonard Carter](#), died of COVID-19 while incarcerated at Queensboro Correctional Facility. He had already been granted parole and, after a quarter century behind bars, was just weeks from his release date.

While nothing can bring my brother back, New York can take action to ensure other families do not suffer the pain my family experienced. Governor Cuomo must commit to granting clemencies to elders and others who are medically at risk. New York's legislature must pass parole justice and sentencing reform legislation that recognizes the capacity of all people to grow and change.

Our family waited 25 years to welcome Leonard home, but we never got the chance. That's not right, and we expect all of you as New York State Senators to commit to change.