



# The New York City Council

City Hall  
New York, NY 10007

## Legislation Text

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**File #:** Res 1340-2020, **Version:** \*

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Res. No. 1340

Resolution calling on Congress to pass, and the President to sign, the Emergency Community Supervision Act (S 3579/ HR 6400), which would require the Bureau of Prisons to immediately release vulnerable individuals to home confinement or other community supervision outside of prison to stop the spread of COVID-19.

By Council Members Powers and Chin

Whereas, Federal prisons are incubators and amplifiers of COVID-19 because social distancing is impossible to practice inside these facilities; and

Whereas, As of June 5, 2020, there are nearly 2,000 individuals in federal custody and about 180 staff members who have been confirmed positive for COVID-19, according to the Federal Bureau of Prisons (BOP); and

Whereas, The BOP also reported 77 incarcerated people in BOP facilities and 1 BOP staff member have died due to COVID-19; and

Whereas, According to the Center of Disease Control and Prevention (CDC), people who are 65 and older and people with serious underlying medical conditions, such as chronic kidney disease, diabetes, and liver disease, are at higher risk for severe illness from COVID-19; and

Whereas, Federal prisons house large numbers of people with chronic health problems and medical needs who are vulnerable to COVID-19; and

Whereas, According to the *Slate*, a third of the incarcerated people at the Metropolitan Correctional Center (MCC) in Manhattan and Metropolitan Detention Center (MDC) in Brooklyn-roughly 800 people-are highly vulnerable to severe effects of COVID-19 due to age or medical condition; and

Whereas, In March 2020, Congress passed the CARES Act, which grants the Department of Justice

(DOJ) and BOP the power to expand home confinement eligibility to reduce the number of people held at BOP facilities during the COVID-19 crisis; and

Whereas, The DOJ and BOP have since then done little more than issue conflicting guidance about who is eligible for release to home confinement, according to the American Civil Liberties Union, which stymies effort to reduce the federal prison population; and

Whereas, As of April 2020, the BOP had released merely 1,300 people to home confinement in response to the COVID-19 crisis, which is a small fraction of the roughly 170,000 people in BOP custody; and

Whereas, The Emergency Community Supervision Act (S 3579/HR 6400) introduced by U.S. Representative Hakeem Jeffries and U.S. Senators Cory Booker and Kamala Harris in Congress, would require BOP to immediately place vulnerable individuals - those who are pregnant, those with underlying health conditions, and those who are age 50 or older - in community supervision outside prison unless they pose a violent threat to the community; and

Whereas, The passage of this Act could save the lives of thousands of incarcerated people at BOP facilities, including those who are vulnerable to COVID-19 and are housed in BOP facilities in New York City, by drastically reducing the prison population in the wake of COVID-19; and now, therefore, be it

Resolved, That the Council of the City of New York calls on Congress to pass, and the President to sign, the Emergency Community Supervision Act (S 3579/ HR 6400), which would require the Bureau of Prisons to immediately release vulnerable individuals to home confinement or other community supervision outside of prison to stop the spread of COVID-19.

LS14979  
6/8/2020  
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