



CORONAVIRUS SELF-ADVOCACY GUIDE FOR CALIFORNIA PRISONS

This manual (written on March 15, 2020) provides current information to the best of our knowledge. However, the coronavirus pandemic, government responses, and relevant laws and procedures are changing frequently. It is your responsibility to obtain current information and check relevant legal cases, codes, and regulations when using this manual.

How to Protect Yourself from Coronavirus While Incarcerated

Your top priority should be to protect yourself from coronavirus infection:

- **Wash your hands** with soap and water (for at least 20 seconds) or use hand sanitizer before eating or touching your face, eyes, or mouth and after touching surfaces frequently touched by others, like cell doors, counters, phones, and bathroom surfaces.
- **Stay six feet away** from anyone with flu-like symptoms if possible, especially if they are coughing or sneezing. If you come into contact with such a person, shower or wash your hands and face and change and launder your clothes.
- **Every day, sanitize the surfaces in your cell** with disinfectant. If possible, sanitize eating surfaces before eating.
- **Do not share** glasses, utensils, dishes, towels, bedding.

If you have flu-like symptoms:

- **Report** your symptoms to health services and **ask for a coronavirus test**.
- **Cough or sneeze into tissue or your elbow**.
- Stay away from groups. Jail officials should isolate you from others.
- Do not touch others.

If you have contact with anyone with flu-like symptoms:

- **Report** the contact to health services and **ask for a coronavirus test**, especially if you had prolonged contact, if the person coughed or sneezed, or if you had contact with the person's bodily fluids.
- Stay away from groups. Jail officials should quarantine you if you have been exposed to coronavirus.

If you are at high risk of complications from coronavirus because you are:

Pregnant

60 or Older

Medically Fragile (heart or lung disease, cancer, diabetes, HIV+, other immune diseases),

in addition to the foregoing precautions, you may want to request release as described later in this manual.

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How to Advocate for Proper Coronavirus Precautions in Your Facility:

CDCR has said it will follow its typical protocol for influenza (flu) outbreaks, which includes **isolation of people with symptoms and separate quarantines of others who are exposed to those with symptoms**. On March 13, 2020, LSPC wrote to CDCR Secretary Ralph Diaz and Governor Gavin Newsom asking them to take the following additional measures:

- **Provide adequate soap and disinfectant free** to all incarcerated persons. **Double the amount of soap distributed.**
- **Provide hand sanitizer** when hand washing facilities are not available.
- Aggressively sanitize **high-touch surfaces throughout the facility** including phones, counters, tables, eating surfaces, doorknobs, faucets, and all bathroom surfaces. **Bathrooms should be sanitized three times a day.**
- Ensure adequate **coronavirus testing** kits. Until kits are available, symptomatic people should be tested for influenza and if negative treated as presumptively coronavirus carriers.
- **Publicly report** anonymized testing results and confirmed cases by facility.
- **Screen staff and incoming contractors and volunteers** for symptoms and exposure to coronavirus and exclude those with symptoms or exposure. Temperatures should be taken.
- **Do not unnecessarily penalize incarcerated people by locking down facilities or cancelling programming or visits** as virus control measures. Visitors can all be screened for symptoms and directed to wash hands, and visiting areas can be thoroughly sanitized.
- If contact visits must be cancelled, **no-contact visits should be permitted and** all incarcerated persons should be given **free access to phone or video visits** as a temporary alternative to in-person visits.
- **Release those at high risk of complications** from a coronavirus infection.

You can help follow up on these demands by **filing 602 appeals** if you observe that these precautions are not being followed. If you do so please keep a copy for yourself and **send a copy to LSPC** so we can keep track of what is happening in your facility.

How to Seek Release if You are High Risk of Complications from Coronavirus:

Complete the attached Petition for Release Due to Coronavirus Pandemic and submit with a form 602 administrative appeal. NOTE: This is not an official CDCR form. LSPC has created the form to help you petition for release in the absence of any formal procedure. If CDCR establishes a form or mechanism to petition for release, you should resubmit your request on the official form.

To complete the part of the form that asks you to explain why your release would not pose an unreasonable risk to public safety, you might want to review manuals on parole hearings produced by LSPC, the Prison Law Office, or UnCommon Law. Write to us to request copies of such manuals.

If you submit a petition for release, send LSPC a copy of your petition if possible so we can keep track of what is happening inside CDCR facilities and more effectively advocate for the health and rights of incarcerated people.

Petition for Release Due to Coronavirus Pandemic

Legal Services for Prisoners with Children has created this form to help incarcerated people who are at high risk of complications from a coronavirus infection to petition for release in order to protect their lives and health. **This is not an official CDCR form.** If CDCR creates an official form or mechanism to request such relief, you should resubmit your request.

DATE: _____

NAME: _____ CDCR#: _____

FACILITY: _____ Housing: _____

I am at high risk of complications from a coronavirus infection because (check all that apply):

___ Pregnant: Due date _____; my pregnancy complications: _____

___ 60 or older: Age: _____ Cancer diagnosis: _____

___ Heart disease: _____ Lung disease/asthma: _____

___ Diabetes: Type ___ A1C _____ Immune Disease: _____

I am not adequately protected from a coronavirus infection at this facility because (describe the conditions that threaten you with infection, such as inadequate sanitation of facility or availability of soap, disinfectant, or hand washing facilities; inadequate isolation of symptomatic people; inadequate quarantine of exposed persons; inadequate exclusion of symptomatic or exposed staff, contractors or volunteers, inadequate testing and reporting, or inadequate health care for the infected):

If I am released from custody, I will be better protected from coronavirus infection or complications because:

I will live at: _____

I will be cared for by: _____

___ I have no housing or caretaker, but I should be relased to transitional housing or a health facility to protect by health or life.

My release will not pose an unreasonable risk to public safety because:

My sentence: _____

My release date: _____

My convictions: _____

County of conviction: _____

Evidence of my rehabilitation: _____

Have you petition for commutation with Newsom?

Have you been recommended for Penal Code section 1170(d)(1) resentencing?

Do you believe you qualify for another type of resentencing or early parole consideration? If so, describe:

ATTACH this form to a 602 appeal form and submit to prison officials.

SEND COPIES to the Public Defender's office (or your specific attorney) and District Attorney's office that handled your criminal case and request resentencing under Penal Code section 1170(d).

SEND A COPY of this form to Governor Gavin Newsom, 1303 10th St., Ste 1173, Sacramento, CA 95814.

SEND A COPY of this form to LSPC if possible: 4400 Market Street, Oakland, CA 94608.

You may also want to ask your loved ones to write to their state representatives to advocate for your release.

IF CONDITIONS CHANGE, submit an AMENDED PETITION with updated information.