



January 13, 2021

Dear Members of the Delaware General Assembly:

We the above-signed organizations recognize that people who are incarcerated in Delaware are uniquely vulnerable to COVID-19 and have been especially hard hit by the spread of the virus. Prisons are communal living facilities where people cannot properly socially distance, and people in prison are more likely than other members of the population to have underlying health conditions. 12 incarcerated people have died so far from the virus and the death toll will mount both inside facilities and out, unless the prison population is drastically reduced.

Recently House Bill No. 37 was introduced by the Chairwomen of the House and Senate Corrections Committees – Rep. Melissa Minor-Brown and Sen. Marie Pinkney – that would create a public health emergency credit. As with the credits towards release people in prison can earn for good behavior, program participation, or prison jobs – these credits will reduce the maximum sentence for incarcerated individuals and allow them to be released up to one year sooner than they would without the credit.

The immediate and orderly release of people whose sentences will be expiring soon provides the best opportunity to protect the lives of people who live and work inside prisons, their families, and indeed, all Delawareans without compromising public safety.

Furthermore, the conditions of confinement during public health emergencies create tremendous harm to the mental and physical health of incarcerated people.

We, therefore, call on the Legislature to approve the public health emergency credits. To be effective and meet the urgency of this crisis this bill must become law quickly. We urge you to support and pass House Bill No. 37 without delay.

Signed,

ACLU of Delaware
Building People Power
Campaign for Smart Justice
Campaign to End Debtor's Prison
Coalition to Dismantle The New Jim Crow
Delaware Center for Justice
Delaware NAACP
Delaware United
Network Delaware