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Thomas Bowler: Releasing inmates from virus-free jails poses risk to them, community
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By Thomas Bowler

PITTSFIELD — At the Berkshire County Jail and House of Correction, we don't just open our doors and let an inmate walk out after paying his debt to society. We spend months preparing him for re-entry, making sure — to the very best of our ability — that we have addressed the issues that brought him to jail in the first place.

These can include addiction, unemployment, lack of job skills and a whole range of behavioral health issues that create circumstances and incentives to break the law. While behind bars, we provide rehabilitation, education, medical care, psychological services, job training and much more. We also work with inmates to create better and more responsible relationships with their families and children.

However, none of this happened recently, when 27 inmates were freed from the Berkshire County Jail and House of Correction following a ruling by the Massachusetts Supreme Judicial Court. Acting on an emergency petition from several special interest groups, the court agreed that jails were a risky place for inmates during the COVID-19 pandemic and ordered the immediate release of those meeting certain criteria. Yet, within 24 hours of release from the Berkshire County Jail and House of Correction, two of our former inmates were in the emergency department following drug overdoses. Two more were re-arrested on new charges.

RECIPE FOR DISASTER

Every sheriff in Massachusetts saw this coming. We knew that a sudden mass release of inmates without adequate opportunity for the usual smooth handoff for re-entry services would almost immediately lead to re-offense, relapse and overdoses. Complicating this situation even more was that the mass release took place at a time when the normal social services network is quarantined, or already strained from dealing with the COVID pandemic. This was a recipe for disaster, not only for inmates who were hastily released without re-entry services, but also for the safety of the community. In addition, the ruling put former inmates on the streets just as the COVID-19 pandemic is surging in Massachusetts.

As of this writing, nine of the 14 sheriff offices in Massachusetts — including mine — have reported zero cases of the virus among their inmate populations. Not one case. Thus, inmates were set free from environments that were safe, they left behind programs and services that can help them turn around their lives, and entered communities where they can now be infected with a virus that is killing people of all ages. And, if they re-offend and are sent back to jail, they have the potential to bring the virus inside our walls.

None of this makes any sense. Sheriffs and their staff are experts in the care and custody of inmates. We work diligently to keep them safe during any circumstance.

At the Berkshire County Jail and House of Correction, I met with inmates in each housing unit on March 5, explained the danger of the COVID-19 virus, and told them we were closing the facility to all visitors. These meetings took place one week before Gov. Baker declared a state of emergency. To ensure that inmates maintained close ties with their families, I gave each inmate a \$50 phone card, and our phone service provider volunteered two free family phone calls each week. Everyone

— inmates and staff — began a rigorous protocol of daily cleaning to disinfect the entire facility. We have followed every procedure mandated by the CDC and Mass DPH.

Four staff members, including myself, became sick with the coronavirus and we stayed out of the facility until cleared by the Department of Public Health. God willing, the jail will continue to be virus-free. We have done everything in our power to keep staff and inmates safe. If we eventually have an infected inmate, we have the protocols and capability in place to effectively manage and care for that individual.

The rush to release inmates from county jails has been fueled by inaccurate information. One prominent group made headlines by claiming, "jail and prison populations have exploded over the past decade." That's false. The incarceration rate in Massachusetts has been on the decline for over a decade. At the Berkshire County Jail and House of Correction, we are operating at 28 percent of our capacity.

This same group also claimed that inmates lack "access to proper hygiene or medical care" and are "housed in close, unsanitary quarters on a daily basis." Again, that's not true. In my jail, every inmate has his own cell, toilet, sink, hot water, soap, and hygiene supplies. Our facility is clean and well run. Our inmates are treated with humanity and respect.

HISTORIC RELEASE

Above all, our inmates have access to excellent medical care delivered by an extraordinary team of clinicians and nurses. Every inmate receives a comprehensive medical screening, a physical examination within 14 days, and medical care, if needed, around the clock. In fact, our inmates receive better medical care than most other citizens of Berkshire County.

Despite all of this, inmates are being released in record numbers. On March 21, the inmate count at the Berkshire County Jail and House of Correction was at 192. By April 21, the count was down to 147. That's nearly a 25 percent reduction in our already low inmate count in less than a month — the largest release of inmates in the history of the Berkshire County Sheriff's Office.

I understand the magnitude of fear surrounding this pandemic. It is simply terrible, and I support every initiative to help people and families during this very difficult time. What I don't understand is the race to release inmates from safer environments than those they will enter. And what about justice for the victims of their crimes?

Thomas Bowler is Berkshire County sheriff.