



SENT VIA E-MAIL

January 18, 2021

The Honorable Melissa Minor Brown
Chair, House Corrections Committee
Legislative Hall
411 Legislative Avenue
Dover, DE 19901

Dear Representative Minor Brown and Members of the House Corrections Committee,

On behalf of Directors of the Delaware Center for Justice (DCJ), The Way Home (TWH), the Wilmington HOPE Commission (WHC), and Project New Start (PNS), we want to thank you for your leadership during this unprecedented crisis, and we write to voice our support for House Bill 37 and to urge its swift passage.

Since the pandemic began we have voiced our concerns for some of the most vulnerable Delawareans. Along with our partners in the Coalition for Smart Justice, we fear for the health and well-being of the inmates in Delaware's correctional facilities and the dedicated staff charged with their care, as the very nature of confinement increases the likelihood of their exposure to COVID-19. The rising number of cases and twelve deaths in these facilities has, unfortunately, confirmed this fear.

Although we appreciate all of the efforts the Department of Correction has taken to date to protect prisoners and staff, we believe that the safety of all concerned would be best served if systemic steps were taken to reduce the prison population to enable more social distancing for those who remain incarcerated and work in these congregate facilities. This is exactly what House Bill 37 would accomplish, by creating a "public health emergency credit" that gives inmates serving time in DOC facilities a six month credit towards release for each month served during a declared public emergency related to a contagious disease. The credits are capped at one year. This bill would decrease the prison population in an orderly and fair manner, by simply accelerating the release of people who would reach the end of their sentence and return to the community in the next year regardless.

Allowing inmates to earn time off their sentence is a mechanism that already exists in Delaware law, and many of the avenues for earning such credits through program

participation and prison work have been curtailed during the course of the pandemic. Such steps as those outlined in this bill have been successfully taken through executive, legislative or judicial action in many other states, and they are in line with recommendations from public health experts to reduce risk and exposure in the face of COVID-19.

Community partners such as the Delaware Center for Justice (DCJ), The Way Home (TWH), the Wilmington HOPE Commission (WHC), and Project New Start (PNS) stand willing to participate in efforts to smooth the transition of the cohort of individuals who may be released ahead of schedule pursuant to House Bill 37. Each of these community partners has worked with the Department of Corrections (DOC) for years to provide evidence-based case management support and other crucial services that foster successful reentry, including food and housing assistance, job search assistance, identification acquisition, mental health and substance abuse referrals, educational and vocational placement, life skills, and social support.

Deemed essential service providers, our community partners' case managers are currently operating statewide and are able to take on new cases to promote both successful re-entry and the health and safety of everyone at Delaware's DOC facilities. Throughout the pandemic, we have connected numerous clients on probation with food, stable housing, and employment, case management, behavioral health services. Collectively, as community partners we are able to shoulder even more during this crisis and thus, are willing and able to assist in transitioning these unprecedented releases that we are advocating for.

DCJ, TWH, WHC, and PNS are just a few of many well-established and proven re-entry programs trusted by the Department of Correction's probation staff. Please consider using these services to expedite the release of our most vulnerable and to reduce the risk to those inmates not appropriate for release at this time, as well as those responsible for their care.

Once again, we thank you for your leadership during this difficult time and always. Please support House Bill 37 and pass it as soon as possible.

Respectfully,

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