

Statement from the Southern Higher Education in Prison Collective in Response to the COVID-19 Economic and Humanitarian Crisis

The Southern Higher Education in Prison Collective (Southern HEP Collective) represents a diverse group of higher education in prison programs across the southern U.S.¹ Created in the spring of 2018, the Collective was formed to bring together HEP partners in the Southern Region to discuss and strategize around issues and opportunities specific to our political, cultural, and programmatic context.

Our goal is to provide access to postsecondary educational opportunities to students on the inside and support those students who return to their communities. However, we cannot isolate their educational experience from broader societal needs and urgent issues. Crises, particularly ones concerning public health, are compounded inside prisons. The impact is felt not just on our education programs but on the very lives of our students. The Collective is extremely concerned about the COVID-19 humanitarian crisis spreading through the jails, prisons, and detention centers in our states.

We believe the following common-sense steps must be taken immediately to reduce the unnecessary suffering that has and will occur in the coming weeks and months:

1. **Uphold the right to education** – We fundamentally believe in the power and importance of education for transforming lives and opening doors of opportunity. Our work is particularly urgent in the South, where the most recent data shows that only 39 percent of adults in the region have earned an associate degree or higher—three percentage points below the rest of the country². Incarcerated students are eight times less likely than the public to complete a college degree³. Our programs currently fill the gap of state and federal policy in providing access to higher education on the inside.
 - Allow all educational programs to return to provide in-person classes once the ban on volunteers is lifted. The in-person model is not only critical for the quality of instruction but essential to maintaining the sense of community and belonging that HEP programs bring to our students.
 - Protect the integrity and sustainability of HEP programs for students returning home. Through the economic and humanitarian impact of the COVID-19 pandemic, we have seen how the most vulnerable and underserved members of our society bear the brunt of the effects. This includes formerly incarcerated individuals who are more likely to be employed in the kind of low-wage jobs that put them at high risk of unemployment or infection as the COVID-19 crisis rages⁴.
 - Mitigate risks and minimize exposure to our students and vulnerable prison populations by allowing program providers to continue to provide access to educational materials within the bounds of appropriate safety precautions.

¹ Members of the Southern HEP Collective represent the following states: Georgia, Florida, Louisiana, Alabama, Tennessee, Mississippi, North Carolina, South Carolina, Virginia, and West Virginia.

² "Factbook on Higher Education: US Regions and 50 States in Perspective," Southern Regional Education Board, https://www.sreb.org/sites/main/files/file-attachments/2019factbook_web.pdf?1561062852.

³ Lucius Couloute, "Getting Back on Course: Educational exclusion and attainment among formerly incarcerated people," October 2018, <https://www.prisonpolicy.org/reports/education.html#table4>.

⁴ Ibid.

2. **Provide hygienic supplies and adequate health care free of cost** - We believe that every person, regardless of their circumstance, deserves access to adequate, timely, and proactive preventative resources and healthcare. We recognize that the system for healthcare in the South is deeply rooted in inequities, and may leave many incarcerated people in rural areas without access to local hospitals. Similarly, incarcerated women face compounded health care concerns in the Southern region of the country, which has the most repressive reproductive rights policies, and many states have used this crisis to enact additional limits on women's reproductive freedom.
 - States in the South must provide incarcerated people with free preventative resources, including access to cleaning supplies and toiletries, such as soap, hand sanitizer, disinfecting wipes/cleaning supplies, masks, toilet paper, and feminine hygiene products.
 - Additionally, expanded and responsive access to health care is necessary to reduce the spread of COVID-19 inside correctional facilities and for ensuring the best outcome for those who may be infected. This includes but is not limited to timely responses to requests for care and medical attention, medicine and medication, hygienic temperature checks, changes of clothes, and rapid-response protocols for necessary hospitalizations due to COVID-19.
 - Private companies should not profit from this crisis. In addition to the hygienic and health care needs listed above, incarcerated people should also have access to email, telephone calls, and video calls whenever possible.

3. **Ensure Timely and Transparent Communication** - We believe that sharing timely, accurate, and disaggregated data is critical to ensuring transparency and building trust with communities. Data is one of the most powerful tools to inform, engage, and create opportunities. Similarly, data is essential for providing insights and opportunities for improvement.
 - States and Departments of Correction should provide proactive, transparent, and timely communication to the public and to families around what protective measures they are taking on the number of tests provided, and what policy changes are being implemented, such as delivering these supplies free of cost to the incarcerated population.
 - State Departments of Correction should also share publicly data on testing done in facilities, numbers of total tests, and numbers on COVID positive results. Data should be shared by facility and in aggregate for state facilities.

4. **Decarcerate** – We believe that the appropriate response to the impact of the COVID pandemic is to release individuals before the end of their terms. Decarceration is not just humane, but also essential for flattening the curve and reducing the risk of unmanageable outbreaks within jails, prisons, and detention centers. Southern states have some of the highest incarceration rates in the country, as well as the greatest concentration of 287 (g) immigration enforcement agreements. As a region, the South spends billions on incarceration annually, even as its lawmakers refuse to maintain programs and institutions that actually enhance public health and safety. Our jails and prisons are overpopulated and crowded.
 - We urge each state to identify individuals who can be released, including those held in pre-trial detention, people over the age of 60, those with serious medical conditions, pregnant women, and those with an anticipated release date in the next two years.
 - Suspend all active 287(g) contracts and other immigration enforcement activities. Release as many detained people as possible on recognizance/parole

and/or into community based alternatives. Bar use of solitary confinement or lockdowns.

- With decarceration, expand reentry services and places for these people to live in our communities. Provide hygienic materials, including disinfectant wipes and hand sanitizer to minimize and reduce risk of infection.

5. **Include formerly incarcerated people in relief measures** - We believe that justice-impacted individuals are equal members of our society, and as such should not be excluded from any economic, humanitarian, or other public policy relief efforts - especially during times of crisis. State and federal relief efforts should fully include formerly incarcerated people. Any provisions to exclude justice-impacted individuals, particularly from relief efforts for small businesses, are contrary to law, research, and common sense. Gainful employment and the ability to make ends meet are foundational to reducing recidivism. Many students and alumni of our HEP programs receive formal training that leads to employment or their own business once they are released. We should support and include justice-impacted people in all relief efforts and not leave them exposed during the pandemic.

- Eliminate any and all such measures that exclude people impacted by the criminal legal system.
- The stimulus package excludes formerly incarcerated entrepreneurs from applying for Small Business Administration loans to maintain payroll during the crisis⁵. Many formerly incarcerated people, including current and former college in prison students, seek to start their own business to circumvent such restrictions.

6. **Include community leaders in Planning and Strategy** - We believe that Including HEP providers and criminal justice reform advocates on short- and long- term planning initiatives will ensure appropriate and timely supports as well as resources for individuals who may be released due to COVID-19 response efforts. Many of the efforts listed above require serious and strategic planning to ensure they meet the needs of these individuals. It is imperative to include the voices of leaders and directly impacted people to help shape responses and decisions.

Signed,

Higher Education in Prison programs, leaders, and concerned community members from the following states:

Georgia
Florida
Louisiana
Alabama

Tennessee
Mississippi
North Carolina
South Carolina

Virginia
West Virginia

⁵ The Appeal. FORMERLY INCARCERATED AMERICANS WERE EXCLUDED FROM FEDERAL COVID-19 RELIEF. <https://theappeal.org/coronavirus-formerly-incarcerated-americans-excluded-from-federal-relief/>