



From: the Vermont and New Hampshire Chapters of the National Lawyers Guild
NH Contact: Asma Elhuni; NH NLG Chair; newhampshire@nlg.org
VT Contact: Kira Kelley, Esq; VT NLG Chair; vermont@nlg.org

Governors Phil Scott and Chris Sununu,

On this International Workers' Day, we celebrate our collective history of struggle to defend workers' safety and human rights, and assert the urgency of poor and working peoples' movements during this global crisis. Those in our communities who have suffered, endured, and resisted systemic racism and exploitation for centuries find themselves today disproportionately impacted by the COVID-19 pandemic, while denied critically needed protections and resources.

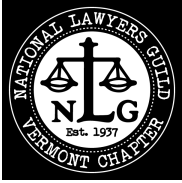
We write today in solidarity with our most marginalized friends and neighbors: those who have been swept up within Vermont and New Hampshire's unjust and racist carceral systems. According to the Prison Policy Initiative, in Vermont and New Hampshire, Black and Latinx people are policed and incarcerated at far higher rates than their white counterparts. Vermont has *the highest rate of incarceration of Black and Brown men in the United States*. In both states, Indigenous people are also disproportionately policed and incarcerated, an injustice that reflects these states' ongoing colonization of Abenaki, Mahican, and Pennacook peoples and their territories. Both states also incarcerate a disproportionately elderly population, who are desperately at risk for severe and fatal cases of COVID-19.¹

As institutions designed to warehouse and punish, jails, prisons, and detention centers cannot provide adequate health protections or care to prisoners. In Vermont and New Hampshire, incarcerated people do not have transparent, consistent and reliable healthcare through each respective state's vendor contract with the for-profit healthcare company Wellpath. This paired with the continued exploitation of their labor increases exposure to COVID-19, and threatens to accelerate the spread of the disease in and outside prison walls. Keeping people in prisons during this pandemic violates basic human rights, and places everyone's lives at risk.

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We call on your office to use our state's resources to support life, rather than promote the deaths of our most vulnerable. In this time of widespread financial crisis, we cannot continue to pour massive amounts of state resources into systems and facilities that only aggravate the

¹ <https://www.prisonpolicy.org/profiles/VT.html>; <https://www.prisonpolicy.org/profiles/NH.html>; Age of incarcerated populations: <https://static.prisonpolicy.org/scans/nhcpps/prisontrends062006.pdf>; <https://www.vera.org/downloads/pdfdownloads/state-incarceration-trends-vermont.pdf>.



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public health crisis. We must instead invest in community response and support systems that are more effective and less costly than holding people in cages.

We demand:

- **The immediate release of all detained and incarcerated people**, especially pre-trial detainees, the elderly, pregnant, and immunocompromised. We demand the release of all detained and incarcerated people who have less than 18 months on their sentences.
- **A transparent and accountable COVID outbreak plan for every prison and jail, including information on testing**, and making sure every facility has staffed medical professionals including overnight and on weekends.
- **Free and reliable access to hygiene products for all those incarcerated**, including soap, clean water, and hand sanitizer.
- **Access to needed healthcare services for all incarcerated people**, including mental health care. Ensure continuity of care for all incarcerated people during the crisis, including those who are taking life-saving medications.
- **No solitary confinement.** When quarantine is required, incarcerated people should not be crowded together, but neither can they be isolated and neglected. *Solitary confinement is a form of torture, not care.* Sick or quarantined patients should be treated in adequate medical facilities or transferred to hospitals.
- **End border and migrant policing, detentions, and deportations.** Allowing ICE and CBP to continue their criminalization of migrant communities during this public health crisis compounds fear and suffering, and makes our communities less safe overall. It is inhumane to expose our community members to detention in severely overcrowded detention centers, or to threaten deportation and family separation during a period of extreme uncertainty and economic depression. We demand that state and local authorities refuse to abet federal agencies who are placing migrant lives -- and broader public health -- at risk.
- **Comprehensive labor and safety protections for incarcerated people providing prison labor**, especially those who may be working in support of the COVID pandemic. Hazard-pay for incarcerated people must be paid to those working in particularly compromised or dangerous circumstances.



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- **Create regular meeting forums for family and friends of incarcerated people** to interact with the Department of Corrections and other prison officials to create a process for reliable communication and working through their needs and concerns.
- **All prisons, jails, and detention centers must make phone calls and video visits free of charge** during the COVID crisis, and ensure that video visits will not count towards in-person visit allowances. Reinstate in-person visits as soon as possible.
- **All people released must automatically have access to SNAP benefits, emergency housing, and enrollment in public healthcare** regardless of income, immigration status, or any other factor.
- **Immediately stop all reincarceration** for Violation of Probation/Parole and other minor offenses.

We urge your immediate action to address the human rights violations and looming public health catastrophe in our prisons. The protests organized in our local communities on this International Workers' Day are being echoed around the world. We have long known that "business as usual" in the prison industry destroys lives. In this historic moment, Vermont and New Hampshire have the opportunity and the moral obligation to begin building a more sustainable and humane future for us all. By taking action together, you can show a united front of leadership and a joint commitment to safety and justice for your constituents.

Sincerely,

/s/ Asma Elhuni

Asma Elhuni, o.b.o.

The New Hampshire National Lawyers Guild

/s/ Kira Kelley

Kira Kelley, o.b.o.

The Vermont National Lawyers Guild

cc: Department of Corrections of VT and NH; Parole Boards in Springfield and Claremont