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COVID-19 pandemic at San Quentin State Prison

The following article is reprinted by the permission of The Appeal, which produces original journalism on how policy, politics, and the legal system impact America's most vulnerable people.

By Juan Haines and Elizabeth Weill-Greenberg
Senior Editor and Contributing Writer

The conditions for the novel coronavirus to spread rapidly have long been in place at San Quentin State Prison. Like much of California's prison system, it has been dangerously overcrowded.

As of May 30, no prisoners at San Quentin had tested positive for COVID-19. That day, 121 people were transferred there from a facility with a deadly outbreak. On May 31, California's department of corrections reported the first confirmed case of a prisoner with COVID-19 at the prison—and within weeks, hundreds were infected.

As of July 20, there have been 2,089 confirmed cases of COVID-19 among prisoners at San Quentin, according to the California Department of Corrections and Rehabilitation (CDCR). About 1,100 people have recovered.

Thirteen people incarcerated at the prison have died from complications arising from COVID-19, according to the CDCR; six were serving a death sentence. Last year, Governor Gavin Newsom imposed a moratorium on executions and ordered the execution chamber closed. California has not carried out an execution since 2006.

So far this year, 11 death row prisoners have died, compared with nine for the entirety of 2019. Two died in February of natural causes, according to the CDCR.

The cause of death for the remaining nine is pending, according to CDCR's website. Of those nine, three people were found unresponsive in their single cells—on March 28, June 24, and July 1. The remaining six died between July 3 and July 20 of apparent complications from COVID-19, according to the CDCR; all six were hospitalized at the time of their death.

Some who test positive for COVID-19 or have been exposed to someone who tests positive are isolated in administrative segregation housing units, according to the CDCR. Administrative segregation is generally considered to be a euphemism for solitary confinement.

"Those being placed into segregated housing due to COVID-19 are not being moved for punitive reasons, they are moved in order to prevent further spread of the COVID-19 virus in the affected unit," reads the CDCR website. "Patients on isolation are screened twice a day by health care staff."

When asked for the number of people in administrative segregation because of COVID-19, CDCR spokesperson Jeffrey Callison, emailed The Appeal, "We don't share numbers in quarantine or isolation."

As early as March, public health experts warned of an impending crisis facing the state's overcrowded prisons. (The Justice Collaborative organized a letter by public health experts to urge the governor to release individuals who are over 60 or medically vulnerable, and identified as low-risk or have five years or less left on their sentences. The Appeal is an editorially independent project of The Justice Collaborative.)

"The crowded conditions make it difficult, if not impossible, for the prison system to spread people out," said Don Specter, executive director of the Prison Law Office. "They're living in a place which makes contagion very probable."

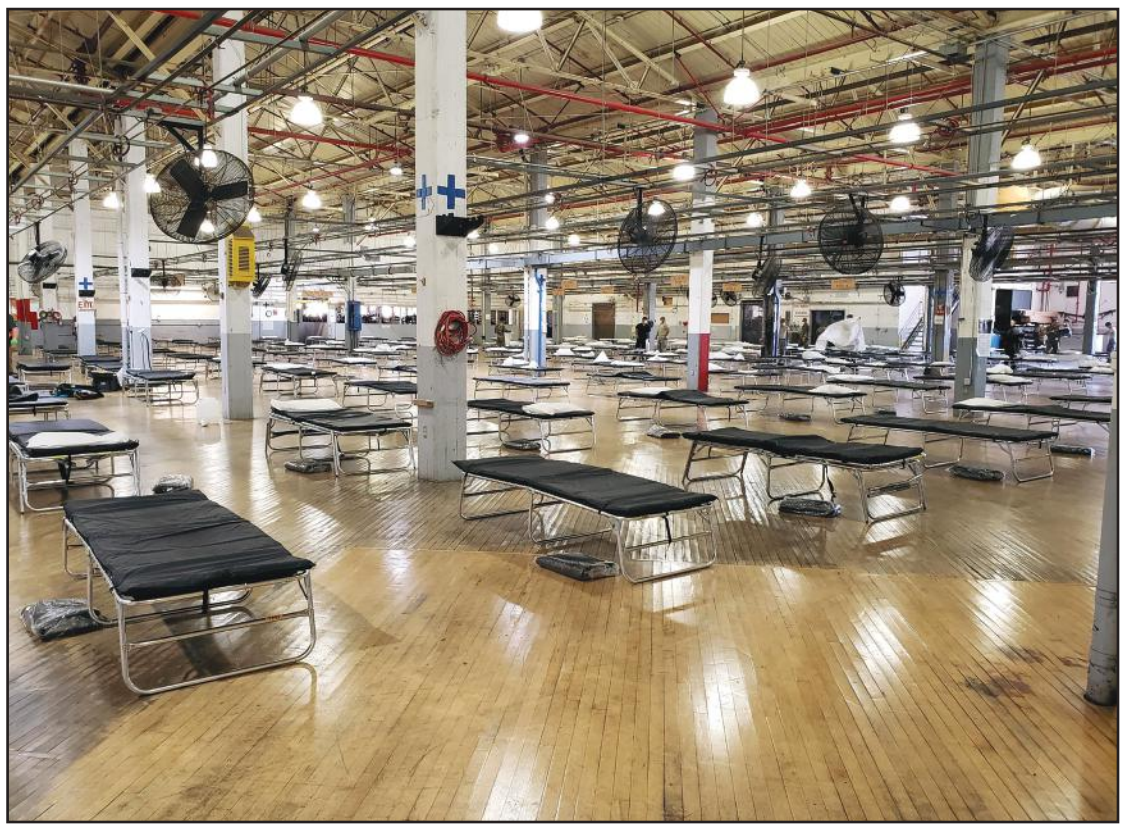

Photo by CDCR

San Quentin Prison Industry Authority now used as an alternative care site for patients of COVID-19

The Prison Law Office, along with other attorneys, filed an emergency motion in March, asking the federal district court to order the CDCR to release to parole or post-release community supervision prisoners within a year of their parole date who were either serving time for a nonviolent offense or identified as low risk by the CDCR's risk assessment tool. Even before the pandemic, some prisons had too few on-site medical beds to meet patients' needs, the attorneys wrote. A pandemic, they cautioned, would be catastrophic. The court denied their motion.

Throughout the pandemic, the prisons have remained overcrowded even though the department of corrections has reduced the state prison population by about 10,000 people since March. All but nine of California's 35 prisons house more people than they were designed to hold. For the prisons to operate at about 100 percent capacity, the population would have to be reduced by more than 16,000 people. Without mass releases, few options remain to keep prisoners safe.

To stem transmissions, San Quentin's population must be reduced by 50 percent, according to a report released in June by the University of California, Berkeley School of Public Health and Amend, a prison reform organization. As of July 15, the prison housed 3,362 people, at about 109 percent of its capacity. At

*See **COVID** from Page 4*

Family separated by quarantine

This was going to be the year that Dion DeMerrill would fully explain to his sons why he is in prison. The virus lockdown made that unlikely.

DeMerrill looks forward every year to this one chance to see his kids, when he and other incarcerated men and women link up with their kids, thanks to the Get On The Bus program.

Get on the Bus brings children and their caregivers from throughout the state of California to visit their mothers and fathers in prison.

But the COVID-19 pandemic forced all programs in state prisons to be suspended, including the Get on The Bus program that allowed him to visit with his kids.

He's a father of three — an 18-year-old daughter, D'oni, who is in college, and two boys, 13-year-old Dion Jr. and 9-year-old Dr'Lon.

With numerous parents serving time in California prisons, their children are in the homes of relatives or subject to foster care.

Accordingzto research by the family reunification organization, Get on the Bus (GOTB), the negative outcomes of children with incarcerated parents include decreased mental health, behavioral and educational challenges, as well as higher rates of being incarcerated themselves.

"Before, when they asked when I was coming home, I told them I was in Texas," DeMerrill said. "But my oldest son kept asking questions, so I told him what happened. A few weeks before Get on the Bus last year, my youngest son was told I am in prison. He still doesn't know why. This year, I wanted to tell him the whole story."

DeMerrill, 43, became an incarcerated parent when he was sentenced in 2013 to 16 years in state prison for involuntary manslaughter.

"The crime happened because of a lack of communications and respect," said DeMerrill, who had never been in trouble with the law before. "I just happened to be in the middle of something."

DeMerrill, the fourth child of five — and the only boy — added, "I was raised by my mother — a single parent. I grew up in West Oakland, California. My mother did her best with us. It was hard to raise a boy alone. She did not do just a good job, but a great job."

When he was 21, DeMerrill moved out on his own, but kept in close contact with his mother and sisters.

"When this accident happened, they all came together to help me," he said. "They are still supportive to me. If I need anything, they are right there for me. We were taught to always help each other when in need."

DeMerrill came to San Quentin State Prison in 2017.

Talking to his kids on the phone helps him get by, he said. He also likes to relax by playing board games, exercising, watching the news and writing letters.

Since arriving at San Quentin, he's been attending self-help groups. He's graduated from the violence prevention programs No More Tears and Non-Violent Communications, and is currently enrolled in the Guiding Rage Into Power (GRIP) program.

Two years ago, another prisoner told DeMerrill about GOTB.

"I filled out the application because my daughter just turned 18, so she was able to bring my two boys," DeMerrill said.

An annual event, Get on the Bus offers free transportation for the children and their caregivers to the prison, provides travel bags for the children, comfort bags for the caregivers, a photo of each child with his or her parent, and meals for the day (breakfast, snacks on the bus, a special lunch at the prison with their parent and dinner on the way home), all at no cost to the children's family. On the bus trip home, following a four-hour visit, each child receives a teddy bear with a letter from their parent and post-event counseling.

*See **Father** from Page 5*

Eddie Mixon's struggle to survive his risks

As Coronavirus deaths escalate in California's prisons, advocates say medical parole could help stem the pandemic

With a third of the population at San Quentin State Prison infected, the chronically ill and the elderly are scared that without intervention they could be next. [Note: This article was written in June. By mid-July, half the population of SQ was infected.]

Two more San Quentin State Prison inmates died of what appears to be complications related to COVID-19 over the weekend, according to the California Department of Corrections and Rehabilitation (CDCR), heightening fears that the prison's outbreak is spinning out of control. Scott Thomas Erskine, 57, and Manuel Machado Alvarez, 59, are the 23rd and 24th COVID-19-related deaths of incarcerated people in California's prison system. San Quentin alone currently has 1,379 people who have tested positive for COVID-19— over a third of the prison's population.

"I'm scared as hell because of coronavirus," said Willie Mixon, who is a 70-year-old African-American incarcerated at San Quentin. "Who do you think would be the first person knocked off? Not a moment goes by that I don't think about that."

Mixon uses a wheelchair and is currently on dialysis for his kidney failure. For treatment, he has a stent placed in his left arm. Three days a week he must go through two to three hours of blood transfusions to stay alive.

*See **Elderly** from Page 5*

Because of the COVID-19 situation at the prison, the San Quentin News newsroom has been shut down and staff members have been unable to meet to create new issues. The articles in this issue were written by incarcerated staff members before the shutdown. This version of the paper was published with the assistance of former San Quentin News incarcerated staff members, who have been released, and long-time volunteers, plus the support of San Quentin Public Information Officer Lt. Sam Robinson. When the emergency relents the paper will resume coverage.

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Prison University Project contributes to well-being of the incarcerated

5. 2. 20 [redacted]

The right words at the right time changes a persons mood and perspective. The right words at the right time also reenergizes inspiration and motivations. Most of all actions speak louder then words and the actions of the PUP organization speaks volumes: Authantic, Selfless, compassion and sincerity to name a few. The gift and the enclosed letter put a shine in my day that will help carry me on in these unstable and confusing times. I am very Grateful of the Gesture issued by PUP. I'm Proud to be part of a community that supports its family on so many levels.

Without visits from family and friends, without laughing and conversing with Tamalpais STAFF, days have been long and boring. Trying to find a new normal that's productive has been challenging. Hopefully we can get back to work soon.

This covid-19 pandemic has me concerned about the world as a whole. Of course I'm concerned about my family and friends but I don't feel like this is a time to think on a micro level. This enemy is demanding all people to be in one accord so that we can secure a promising future. I've been watching the name calling and mud slingin between leaders of nations and its all wasted air and time. It's obvious this threat doesn't care about the politics of culture or race. Plus, we have no Idea if this is just the beginnings of a new suffering, that if unchecked may cause a sorrow unfamiliar to us all. That's why we should address this pandemic as a collective.

Right now I feel even more so vulnerable because of my circumstances as a prisoner. Not being able to receive COVID testing, unable to exercise social distancing and just a week ago we were finally given masks, all these things weigh heavy on me because they are critical to maintaining physical and mental health. No Health Departments such as the EPA or CDC seems to notice us. This negligent or apathetic attitude towards prisoners has reintroduced me to a fresh wound of abandonment. When the Cell doors are locked the negative feelings of this vulnerability and abandonment is amplified. I don't know if I can fully explain it but it seems like all of [redacted] lifes ills are heightened

Through it all I hope we continue to find the courage, the will and tenacity to not accept defeat. I hope we find strength and celebrate small victories with the same zeal as large victories. So to the whole PUP organization, Mt. Tamalpais College students and faculty I thank you for being the victory of all sorts.

Antley Anderson

Steve Brooks [redacted]
SAN QUENTIN STATE PRISON
[redacted]

To all Teachers/Volunteers:

On behalf of myself, the students, and the first graduating class of Mt. Tamalpais College, thank you. Thank you for remembering those who lay helplessly trapped behind these prison walls during this history making coronavirus pandemic. You are our heroes and inspiration. America would not be so great without its schools and its teachers. You make an educational experience possible for us and we are truly grateful. I personally feel it's time you all get the recognition you deserve. If you want to "make America great again "you must invest in schools and teachers. Just know that while some of you are chanting "free them all" some of us are chanting "pay them all what they're worth ."

Steve Brooks
Mt. Tamalpais Class of 2020

"We Will Rise From Corona's Ashes"

No matter which high school, college, or university you may be graduating from this year, the class of 2020 will always be remembered because of this coronavirus pandemic. We will be remembered because of the unprecedented number of schools that were closed; for the schools that were turned into makeshift hospitals and morgues. We will be remembered because the vast majority of learners have been shut out of the global educational system. We will be remembered for the hundreds of teachers that were lost and all the countless essential workers, ,doctors, nurses, and first responders who put their lives at risk to keep us all safe. We will also be remembered because when this is all said and done, how we rose from Corona's ashes.

After this is over we will not be able to return to the status quo. Ideally we won't return to a "one size fits all" model of education. Schools across the country are in danger of closing-not only due to coronavirus-but lack of innovation. Our educators and students can take this opportunity to create a better public school system; one that decreases the digital divide between rich and poor children. We can create new, innovative ways to provide the same food, childcare services, social interaction, and emotional support schools and teachers traditionally provide. We have an opportunity to create new spaces and use online and remote learning, to get marginalized students caught up on the use of technology in an attempt to level the playing field.

This time of uncertainty is an opportunity to fuel the "prison to school pipeline", to allow incarcerated and formerly incarcerated people to thrive through education; where they can be empowered to be productive, taxpaying members of society. Now is a perfect time to make quality education open and affordable for all.

Photo courtesy of Prison University Project

PUP 2019 graduate Jerry Smith, former SQ resident Hong Syyen and PUP volunteer assembling care packages

Photo courtesy of Prison University Project

Incarcerated people unloading care packages for distribution

Prison University Project becomes Mt. Tamalpais College

By Joe Garcia
Journalism Guild
Chairperson

For the first time in history, an incarcerated community has an independent, accredited college program all its own. Newly named Mt. Tamalpais College (MTC) has established residency at San Quentin State Prison.

"From the very beginning, I wondered what our potential might be," said Jody Lewen, Executive Director of MTC—formerly known as the Prison University Project (PUP).

"Everything happening right now is an affirmation of the unique challenges and questions we've faced. Every prison should have a college."

PUP spent 2018 and 2019 preparing itself for evaluation by the Association of Community Colleges and Junior Colleges (ACCJC). Near the end of January, the ACCJC accepted PUP as a Candidate for Accreditation.

Mt. Tamalpais College can now operate as an independent academic institution and completely break free from PUP's longstanding affiliation with Patten University. For years, the partnership allowed PUP courses and degrees to be accredited.

"Patten actually did us a solid [favor]," said Lewen. "They're fully shut down now, but they stayed open until we received accreditation. They didn't want our students to be harmed."

Under ACCJC guidelines, MTC has a two-year window to get its program fully in compliance with accreditation standards. The required improvements will mainly focus on data tracking and assessing student outcomes.

Lewen started teaching at San Quentin in the Spring of 1999 and reflected back on the decades she's devoted to bringing higher education to her incarcerated students.

> ***"Coming into our own identity and seeing our students learning what they're truly capable of doing, we're building a roadmap for other institutions"***

"I've always asked the questions: What quality of education can we provide, based on our resources? How many people can we realistically serve? How much money can we raise? What kinds of careers will our students use their education for? How will we develop strategies to carry our voices out onto the public sphere?"

"To me, achieving our independence seems like an overwhelmingly positive response to all these questions."

For most PUP students, Amy Jamgochian became a familiar figure as their Academic Program Coordinator for the last five years. She's always remained accessible and ready to listen to each student's individual needs.

"I knew very little about the accreditation world," said Jamgochian, now MTC Chief Academic Officer. "We have to up our game in demonstrating the value of our program and the rigor of our education.

"We're the first of our kind—pioneers. That's exciting! It's gratifying to know that so many of our students support our independence."

Corey McNeil sees things from the students' perspective. As a PUP graduate and now an education clerk for MTC, he interacts with his peers daily and fields questions from them about upcoming changes.

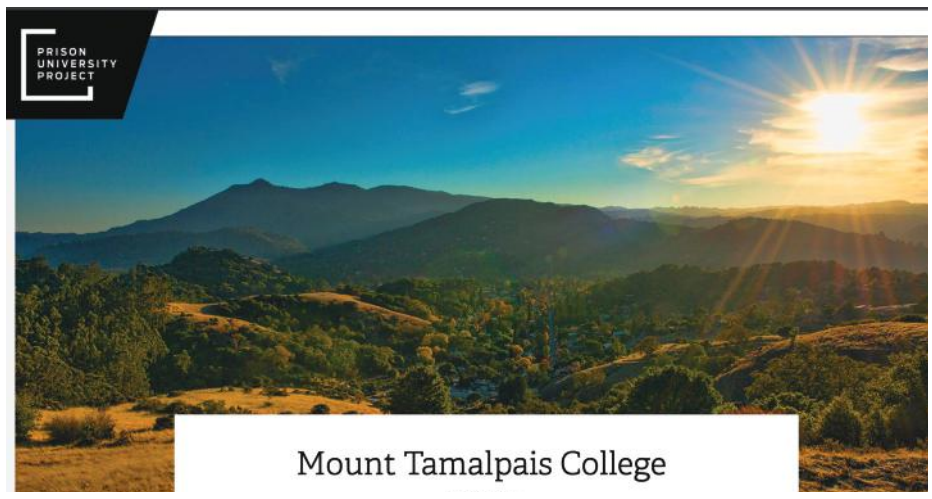
"Everyone's excited about a whole new gamut of classes becoming available," said McNeil. "So many students have suggestions and ideas. It'll be really interesting to see how that all plays out in the future."

By most accounts, it will be business as usual for now. Learning Specialist Allison Lopez said MTC will continue providing the same high quality education that PUP has for years.

"We're doing what we've always done," said Lopez. "The biggest thing right now is a symbolic change, with branding our new name and establishing ourselves as an independent program. It's a big statement, of course, but for our students everything mostly should feel the same—in a good way."

Lewen said one of the biggest challenges continues to be planning for financial sustainability.

"Our program has no wealthy alumni," she said.



"We've never charged our students any fees or tuition. And we receive zero funding from the state or federal government.

"What's our plan? We'll have to develop and broaden our donor base of individuals and foundations, but it's not just about money. It's about community support."

Kathy Richards currently serves as Secretary on the MTC Board of Directors. "Some people think it's insane for prisoners to get a free education," she said. "Some think I'm insane for coming in here."

"Fortunately, a lot of folks see the value—see how amazing it is. The more people that come in here and say, 'Wow, this is cool,' it changes that view."

Richards also teaches English and coaches the Ethics Bowl team, which stands undefeated through three years of league competition.

"Society as a whole is better off when they meet the individuals who are actually here," she said. "People have ideas on what a felon is, then they're surprised to see their ideas are wrong."

In September, David Durand joined the MTC faculty as Director of Student Affairs. He started out volunteering as a PUP instructor almost a year ago.

"Now that we don't have any limitations, it's like a blank slate of opportunities," said Durand. "That excites me. I love being involved in things from scratch.

"Coming into our own identity and seeing our students learning what they're truly capable of doing, we're building a roadmap for other institutions."

Durand recently helped launch mentorship program where students and nonstudents can all come together to, hopefully, forge organic and collaborative relationships.

Swati Rayasam first got involved in Jan. 2019 as a volunteer research assistant for English 204—the requisite course where students complete a notoriously daunting research paper as their class project.

Rayasam, who co-teaches this semester's 204 class, sees herself as a "research challenger" and "growth opportunist."

"Being recognized as independent and accredited—that just validates the PUP model of education as a form of empowerment," she said. "It's a real win. Education should be more than teachers lecturing at students.

"In a growth-minded environment, I learn as much from you as you learn from me. It's incredibly powerful. Now we'll be able to box this program up and give it to other facilities."

MTC Communications Associate Jared Rothenberg definitely has his work cut out for him. "My role will be to focus on communicating our new identity," he said. "We're literally a new entity now.

"PUP's history and reputation's going to continue, but we're going to be known as something else."

Rothenberg said he sees MTC's independence as a real opportunity to educate the public by amplifying the voice of the student body.

"Incarcerated people are just as intellectually capable as anyone else," said Rothenberg. "We can show how to lead the field—not only of higher education in prison, but of higher education in general."

San Quentin News

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• Please do not use offensive language in your submissions.
• Poems and artwork (cartoons and drawings) are welcomed.
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Behind the Scenes

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The incarcerated deaf have extra challenges

By Timothy Hicks
Staff Writer

A new community of deaf people has finally arrived at San Quentin Prison.

After battles in the courts and multiple fights contesting the ability of the deaf to function on non-handicapped prison yards, officials have conceded that deaf people may attend the programs that they desire, said one ex-prison official.

"I love the environment and everybody spoke to me," said new resident Dubose Scarborough through the translation of a San Quentin resident who is fluent in sign language. Scarborough is here from Corcoran State Prison with four years left in his prison term. He wants to do the vocational programs most of all.

During a tour of the facility, nine deaf people sat in the San Quentin News office in their green vests, looking at their surroundings and asking good questions. Although the incarcerated person who was giving the tour was a skilled veteran of sign language, it was a challenge for him to keep up with the barrage of questions and answers.

"I taught sign at Lancaster prison where I was able to relay messages of change from gang members and testimony from youngsters on peer pressure and choices," said translator Tommy Wickerd. "So doing this is a pleasure."

American Sign Language (ASL) has been around for decades, but not in San Quentin's level II facility.

At other prisons the deaf may be subjected to harsher treatment from other incarcerated people and/or prison staff.

"Deaf people may serve longer prison terms than their hearing counterparts because they are not able to equally access educational and rehabilitative programming," said Prison Legal Office attorney Rita Lomio in an earlier interview.

There are almost 100 programs at San Quentin and they are available to everyone who wants to apply. However, being deaf can be a challenge when trying to get into some of them, even though the U.S. Department of Justice Analysis set regulations requiring all jails, correctional facilities and detention centers to provide services that meet the needs of deaf people so they may participate in programs in any place.

When the deaf population arrived, they wanted to know if there was a designated place for them to hang out on the yard. With the help of the officials they were given a specific place.

Other challenges deaf people may face are the numerous alarms that sound off during the day at San Quentin. When the men hear them, they must get down on the ground. Fortunately, the residents at San Quentin are being considerate of the needs of the deaf population.

Scarborough wanted to know about the newspaper and that led to a conversation about its history. New deaf resident Scott Roberson sat quietly and observed, only nodding and suggesting with gestures of his hands.

Deaf San Quentin resident Joshua Lovett is able to speak in a regular fashion and he translates for other deaf resid ents. He relayed a statement from the only trans female in the deaf group who prefers the pronoun she, Charles "Cristina" Toste. It is her first time in prison, but she feels welcomed in San Quentin as she is. She asked, in humorous fashion, "Are you guys enjoying watching us? And how do y'all accept trans people here?" Men on the news staff addressed the question: There are many trans individuals at the prison now and they have adapted to the community.

She then asked if it was a challenge for the non-disabled, if they found it hard to communicate with those who are deaf, and how the deaf are accommodated.

The American Disabilities Act (ADA) mandates that the deaf be treated equally to those without disabilities. An example is phone calls: during the hours of phone use, TDD and telecommunication devices must be available to deaf persons.

It's no surprise to see that these unique individuals are happy to be inside this new prison environment. The smiles were evident.

There are currently almost 100 deaf inmates within CDCR. A majority are currently housed in the Substance Abuse Treatment Facility (SATF). According to prisoner rights advocates, housing these inmates at SATF makes it difficult to provide them with needed interpretation services.

Don Specter, Director of the Prison Law Office, wrote to Ralph M. Diaz, Secretary of CDCR, noting that housing deaf people at San Quentin will allow them to "have improved access to interpretation services; to more and varied programs, services, and activities; to community groups familiar with their needs."

After translating for the crew, Wickerd felt exhausted. However, he was excited and looked forward to going back to his cell and communicating with his new, deaf celly.

"The trippy part about having this particular deaf celly," said Wickerd, "is that his name is Chris and he looks just like my brother, too."

The circumstances of COVID-19 at San Quentin State Prison

COVID

***Continued** from Page 1*

the beginning of this month, David Sears, an infectious disease specialist and professor at the University of California-San Francisco, spoke to state legislators as a representative of Amend.

"California prisons are already over 100 percent capacity," he testified. "We must depopulate all of our prisons immediately if we are to have any hope of avoiding what has happened at San Quentin at California's other facilities."

After public outcry about the rising infection and death rates, the state's department of corrections announced on July 10 that up to an estimated 8,000 prisoners could be eligible for release by the end of August. As part of this effort, the CDCR will grant a positive programming credit to prisoners, which would reduce a sentence by 12 weeks. Those who committed a "serious rules violation" between March 1 and July 5 of this year are not eligible for the credit. Serious rules violations include murder, rape, and assault, as well as possession of a cellphone and "gang activity," according to the CDCR's announcement.

The department also plans to release prisoners based on a number of criteria, such as type of offense, medical vulnerabilities, and time left to serve.

For those incarcerated at prisons with "large populations of high-risk patients," people will be considered for release if they have a year or less to serve, are not serving time for a violent crime, have no current or prior sentence that requires them to register as a sex offender, and are not at a high risk of violence, according to the department.

Prisoners who are 30 and over and meet these criteria are "immediately eligible for release," according to the CDCR. Those who are 29 and younger, will be reviewed case by case. These groups will be screened on a rolling basis until the department "determines such releases are no longer necessary."

People who are identified as "high-risk medical," such as those who are over 65 and have chronic conditions, are eligible for release, as long as they are not serving a life without the possibility of parole or death sentence, and are not identified as "high-risk sex offenders," according to the CDCR.

The department is also "reviewing potential release protocols for incarcerated persons who are in hospice or pregnant," according to the department's announcement. "Everybody will be reviewed based on both their current health risk and risk to public safety." CDCR spokesperson Dana Simas confirmed to The Appeal that the review will include those sentenced to death or life without the possibility of parole.

> ***"It's like, who's next? Which one of our friends is next?"***

The department will be "expediting the release" of those who are still incarcerated despite being approved for parole by the Board of Parole Hearings and the governor. As of July 15, there were 436 people who were incarcerated after having received a grant of parole, according to the CDCR.

The department of corrections' announcement featured a number of statements from local advocacy groups, praising the release plan. "We applaud the Governor for working on two crucial fronts: getting the most vulnerable people out of harm's way and stemming the spread of COVID-19 inside prisons and neighboring communities," said Anne Irwin, director of Smart Justice California.

But other experts condemned it as dangerously inadequate.

The type of crime should not disqualify people for release, as there is no correlation between offense and risk to public safety, said Hadar Aviram, a professor at the University of California Hastings College of the Law. "It's too little, it's too late, it's too reactive, and it's too restrictive," she said of the CDCR's plan.

Those who are over 50 should be prioritized for release, as research shows people typically age out of committing crime, she said. More than 30,000 people age 50 and older were incarcerated as of December 31, 2017, the most recently available CDCR data. According to the same report, almost half of the state's prisoners—over 60,000—were identified as low-risk to reoffend.

"I'm seeing the pattern of trying to carve out of the prison population," Aviram said, "these slivers of people that they think are going to be non-controversial and hoping that if they have this sliver and this sliver and this sliver, overall the numbers are going to add up. The numbers are not going to add up. The number is 8,000. It's not enough."

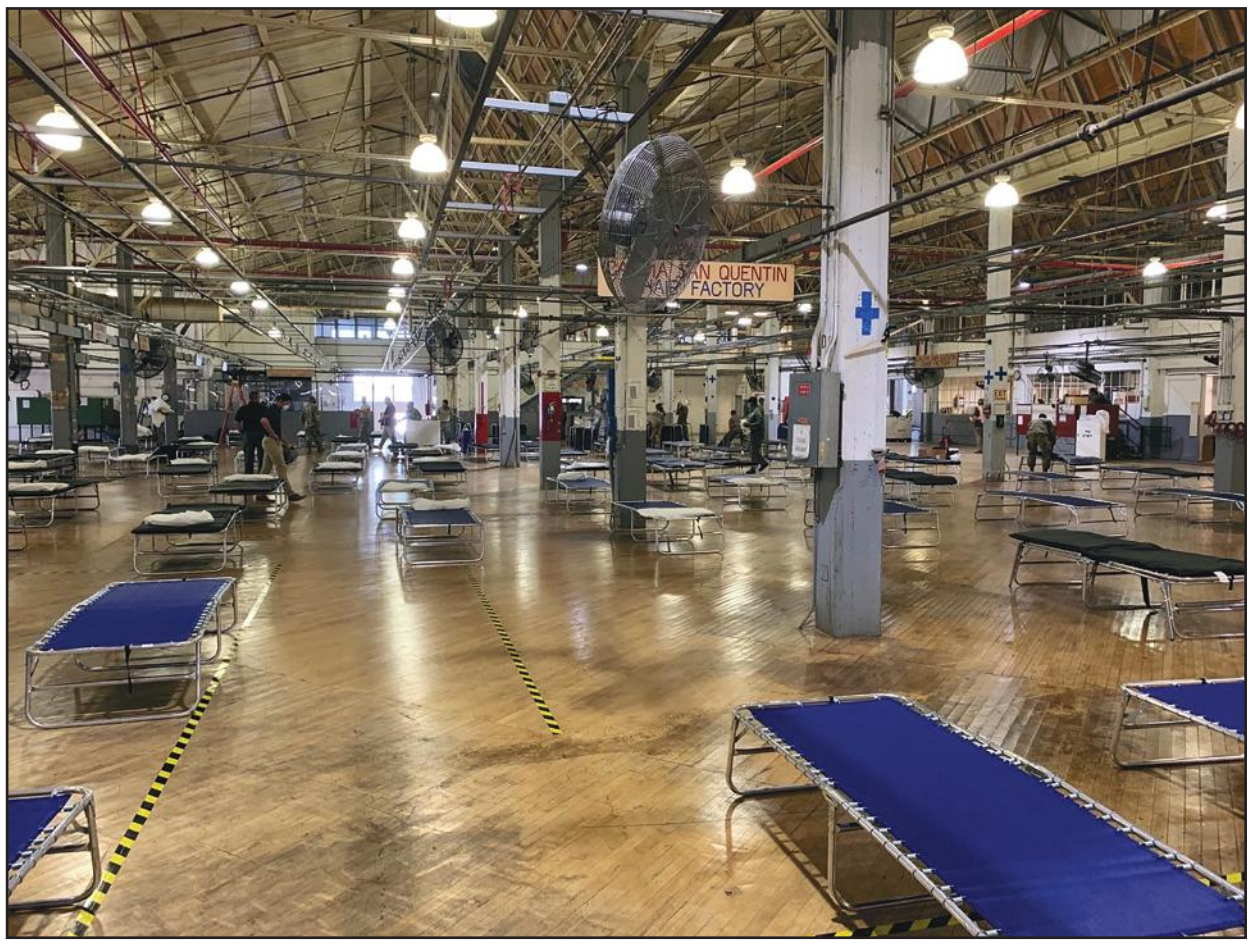


Photo by CDCR

San Quentin Prison Industry Authority chair factory transforms into an alternative care site

Adnan Khan, executive director of Re:Store Justice, agrees that the plan fails to protect the people incarcerated inside the state's prisons. The day before the plan was announced, he stood outside San Quentin at a press conference with the Stop San Quentin Outbreak coalition.

"This is not a COVID response. COVID responses are urgent and they're much more drastic," he said. "This is more of a political response to the pressure versus a COVID response for health."

In 2003, Khan, then 18 years old and homeless, committed a robbery with an accomplice. He had agreed to grab the victim's marijuana, believing that no weapons were going to be used. But during the crime the getaway driver stabbed the victim, killing him.

Under the felony murder rule, Khan was held responsible for the murder, and sentenced to 25 years to life. Last year, he went before Judge Laurel Brady who resentenced Khan, then 34, to three years, thanks to a change in California's felony murder statute.

"In a matter of three minutes I went from being a violent, crazy criminal offender, whatever those derogatory terms are," said Khan. "Three minutes later, I'm not even on parole or probation. I'm safe for society."

Khan was incarcerated at San Quentin for four years. At least two people he served time there died from COVID-19, he said.

"I'm doing this interview with a heavy heart and really frustrated," he said. "It's like, who's next? Which one of our friends is next?"

The crisis facing California prisoners has been years in the making. Between 1980 and 2006, the state's prison population increased by 514 percent, according to the Brennan Center for Justice, in part because of harsh sentencing laws. In 1994, California enacted the Three strikes law, which mandated at least a 25 to life sentence for any third felony.

As the prison population increased, conditions inside deteriorated.

In 1990, a class action lawsuit, Coleman v. Brown, alleged that prisoners with severe mental illness were denied adequate mental healthcare. The federal court agreed and appointed a special master to monitor reforms. In 2007, he reported that the declining quality of care was due to overcrowding.

Then in 2001, the Prison Law Office filed a class action suit, Plata v. Brown, alleging that prisoners with serious medical issues were also denied adequate care. About four years later, the court appointed a receiver to oversee changes to the medical system. In 2008, he reported that overcrowding was contributing to dangerously inadequate medical care and the spread of infectious diseases.

The cases were consolidated before a three-judge panel and, in 2009, the panel ordered the state to reduce its prison population to 137.5 percent of design capacity within two years. Individual prisons could go beyond that, as long as other prisons balanced them out.

"Until the problem of overcrowding is overcome it will be impossible to provide constitutionally compliant care to California's prison population," the judges wrote.

The state appealed and, in 2011, the U.S. Supreme Court agreed that overcrowding in California's prison system violated the Eighth Amendment's prohibition on cruel and unusual punishment. "Prisoners are crammed into spaces neither designed nor intended to house inmates," wrote Justice Anthony Kennedy for the majority. "As many as 200 prisoners may live in a gymnasium, monitored by as few as two or three correctional officers."

Prisoners at San Quentin have had to struggle with the ominous threat of infection in an increasingly distressing environment. They can only shower every three days, unless they've been identified as critical workers who are permitted to shower after their shift, according to a page on the CDCR website that details actions the department is taking to address the outbreak at San Quentin.

On July 14, the CDCR suspended phone calls in shared spaces, according to CDCR spokesperson Callison. When asked if there is any phone access that is not in communal spaces, Callison emailed The Appeal that there is not. "If it is a legal call, requested by the attorney or the court, it is facilitated in a counselor's office on a non-recorded phone," he wrote.

The CDCR has also attempted to stem transmission by increasing social distancing among prisoners. As the outbreak at San Quentin became one of the largest in the country, tents to house prisoners went up on the baseball field outside.

In the spring, the gym was turned into housing, according to the CDCR. In Amend's report, the authors warned that "there is little to no ventilation" inside the San Quentin gym. The conditions, they wrote, were creating a "high-risk for a catastrophic super spreader event."

On April 11, North Block had just finished serving breakfast to the more than 750 prisoners there. "I need seven volunteers to work in the gym," a correctional officer asked over the block's public address system.

The day before, a flatbed truck drove up to the gym. The truck's sideboards were topped with battleship-gray 3-inch twin-size mattresses that most California prisoners sleep on.

Six prisoners went to the gym to set up 112 cots, in two rows of four with 30 inches between beds on the sides, and 12 inches head to head. Six feet separated 14 pods of eight beds, each. Several men continued the work over the next two days. For their labor, the set-up crew earned extra lunches and cleaning supplies.

Before the pandemic, the gym's morning hours were filled with prisoners taking rehabilitative classes. At night, they watched TV, and played basketball, table tennis, card games, role-playing games, and chess. There were guitars and keyboards, haircuts being given, and guys sitting at stainless steel tables studying parole plans—what to do on the other side of the wall.

Those sleeping in the gym said they did not feel they could keep an adequate distance from one another. De'Jon Tamani Joy said when he and other prisoners got to the gym, they were promised there would be partitions between the beds.

"No partitions have been made available, nor seem to be coming," Joy said. "The environment I've been housed in has created stress and anxiety."

Curtis Thiessen agreed there should be partitions. "I don't feel safe here because of the living conditions," he said. "I believe we're too close together."

Fearing he would contract the virus, Ronald Shanko said he didn't want to move to the gym but feared a disciplinary report if he refused. "We're jammed in like sardines in a can," he said.

File Photo

Adnan Khan speaking at the press conference

CDCR struggles to stop the flow of contraband

By Kevin D. Sawyer
Associate Editor

The California Department of Corrections and Rehabilitation (CDCR) continues to struggle in its effort to stop the introduction of contraband inside its 35 prisons.

In a recently released Notice of Change to Regulations (NCR 20-01), the Department's Regulation and Policy Management Branch stated, "Current strategies have been effective overall," but CDCR still expects that it will expand its search methods.

"ION scanners and low-dose, full-body x-ray scanners as supplemental inmate search options will increase the Department's ability to discover illegal drugs and contraband that are being introduced into and throughout the institutions," the NCR's Initial Statement of Reasons stated.

The CDCR is proposing to amend the California Code of Regulations, Title 15, Section 3287, which governs inspection of property and inmate body searches. It will include ION scanners as search options, according to the NCR.

The NCR stated that the existence and use of contraband inside the state prison system causes death, damages rehabilitation efforts, and facilitates criminal activity within the institutions and the community.

"Without the use of the many layers of interdiction devices and strategies available, inmates will continue to die from drug overdoses," the NCR said, adding, "Staff and visitors will continue to be compromised by being pressured by inmates to smuggle illegal drugs and contraband into the institutions."

To underscore its point about contraband, deaths and prosecutions for these crimes, the CDCR released some of its most recent numbers on its findings below:

Type of Contraband Discovered	2017	2018
Cellular Telephones	13,195 phones	11,715 phones
Heroin	28.83 pounds	30. 8 pounds
Marijuana	91.77 pounds	131.9 pounds
Methamphetamines	43.55 pounds	44.22 pounds
Tobacco	635.8 pounds	527.9 pounds

Data obtained from CDCR's Office of Research.

Number of People Prosecuted for Attempting to Introduce Drugs, Alcohol, or Contraband

Fiscal Year	Staff	Visitors	Non-Visitors	Totals
2014-15	6	211	51	268
2015-16	7	224	51	282
2016-17	9	221	32	262
2017-18	4	269	57	330
Totals	**26**	**925**	**191**	**1142**

Data obtained from CDCR's Office of Research.

Year	Overdoses Resulting In Death
2016	28
2017	39
2018	61
Total	128

Data obtained from California Correctional Health Care Services, Medical Services Division.

The importing, trafficking and use of illegal drugs and contraband pose many problems in an institution setting, including an increase in inmate violence, power struggles within the inmate population, the establishment of an underground economy, staff corruption, and inmate death due to overdose.

Elderly

***Continued** from Page 1*

"When I first started the dialysis, it wasn't so bad. After it, I could get up and talk," Mixon said. "Now it feels like someone's pushing on my chest, like I'm taking off in a jet. I lose my voice and I'm tired. I can't explain the tiredness—it's draining. I get fuzzy."

A variety of factors make incarcerated people like Mixon high-risk during a deadly pandemic. Prisons are notoriously overcrowded (in some cases with beds placed just three feet apart) which can make maintaining the recommended six feet of distancing next to impossible. An estimated 40 percent of incarcerated Americans report having a chronic condition, many of which (including chronic kidney disease) make them high-risk for developing severe complications from COVID-19. The availability of face masks and other protective gear has been extremely limited, resulting in the American Civil Liberties Union of Southern California to file a statewide lawsuit in May.

In response, a mix of prosecutors, doctors, and prisoner rights advocates have called for immediate or expedited release of people like Mixon who have serious chronic health conditions. This move, they argue, could save lives by reducing overcrowding and getting the most vulnerable into safer conditions. It's a prospect that makes Mixon perk up.

"What can I do, except stay home, babysit my grandkids and get them to teach me how to use the computer?" Mixon said of the prospect of an early release. "My daughter would be able to take my social security and take care of me."

In California, CDCR announced in June that those convicted of nonviolent offenses who had less than 180 days on their sentence were eligible for supervised release and at the end of March, 3,500 people were let out on parole a few days or weeks early.

Mixon is serving a life sentence for drug possession under California's Three Strikes Law. Violent offenses, dating back to 1978, disqualify him from early release from previously passed Three Strikes reform measures.

"Seeing Mixon struggle is hard. But he always bounces back and never complains," said Ron Ehde, who works for the Inmate Disability Assistant Program (IDAP) and has been incarcerated 23 years. He's doing a 50-year-to-life sentence under California's Three Strike Law for second-degree robbery. "Since I've been assisting him, he's become like 'family.'"

In 2014, California expanded medical parole in an attempt to reduce prison crowding. This allows medical staff to assess medically incapacitated prisoners for how much help they require with things like mobility in bed, using the bathroom, and eating. If they're not deemed to pose an "unreasonable risk to public safety," this could potentially make them eligible for medical parole.

While prison medical officials should assess everyone who may be eligible, a prison's family or other advocate can request that they're evaluated for medical parole. If a parolee's condition improves or if they're deemed a threat to public safety, their parole can be revoked.

No prison official has discussed the possibility of medical parole with Mixon.

Despite what many advocates say is a common-sense response to a growing crisis, the use of medical parole during the pandemic has been limited.

"Expanded Medical Parole might not be as productive an avenue for releases as it should be," said Keith Wattley, the Founding Executive Director of Uncommon Law which provides health and legal counseling to incarcerated people. "It requires medical staff at a prison to issue a report finding a person to be totally medically incapacitated, after which a referral is made to the parole board, which might schedule a hearing months later to consider whether the incapacitated person could safely be transferred to a skilled nursing facility in the community. This process is slow and depends on prison medical staff, parole board staff, and community facilities."

Some local jails have been proactive, including Alabama's Mobile Metro Jail, which in April released almost a third of those incarcerated, some because they had underlying medical issues. About 100 people were released from Boulder County Jail in Colorado, including some of those who had pre-existing medical conditions.

In comparison to local jails, prisons like San Quentin "are releasing almost no one," according to the Prison Policy Initiative, a nonprofit that researches mass incarceration, for medical issues or otherwise.

In Louisiana, which has the highest incarceration rate in the country, a review panel was created to review up to 1,100 people for temporary release but that panel was suspended in June after less than 600 cases were reviewed. Just 63 people were released.

Like many incarcerated people, Mixon's medical issues have plagued him for years and have gotten worse during his time at San Quentin. People often age prematurely when in detention, experiencing health problems associated with much older individuals.

Mixon noticed serious swelling below his knees around 2018. He sought medical attention but didn't get any answers about what was wrong.56

"Then one day everything from my knees down blew up, like elephant feet. A couple weeks later, while using the toilet, I couldn't get up. I couldn't wipe or anything. I fell on the floor and couldn't get up."

Mixon said he was so weak that he couldn't yell loud enough to call for help. He tapped on the cell wall to get the attention of his neighbor, who called, "Man down!"

A correctional officer arrived and asked him to step out of the cell, but Mixon couldn't get to his feet. The CO radioed for assistance before coming inside the cell to turn on the light. Mixon told the COs that he didn't feel bad, but couldn't stand. Three COs tried to pick him up, but couldn't get a good grip—his body was too bloated. They pulled him out by his arms and legs.

"I couldn't even raise my head to see what was going on," Mixon said. "They put me in a wheelchair and took me to TTA [San Quentin triage]."

Mixon desperately wanted to see himself and kept asking for a mirror. When he got one, seeing his swollen body brought him to tears.

He was taken to Marin General Hospital (outside of San Quentin) and treated for kidney failure before he was returned to San Quentin's hospital for continued treatment.

"At first, I was still big and couldn't move on my own. The nurses had to come every few hours to turn me over," Mixon said.

The initial recovery took about two months during which he experienced mental and physical fatigue and weight loss as a result of the dialysis.

"When I got back to North Block, I was very small. The biggest thing on me was my head," Mixon said.

"It's crazy that this is what it has come to: We're keeping people in prison until they are so medically disabled that they can't even take care of themselves. And even then we're using a months-long, resource heavy process just to transfer their care to a facility in the community," said Wattley. "This is a miserable substitute for the Governor and prison leadership releasing the thousands necessary to keep people safe."

Mixon is scheduled to appear before the parole board next year but has struggled to do the preparation his parole commissioners have asked of him.

"Everything went downhill because of the high-potent psych meds. I haven't adjusted to them. They mess me up. Plus, I'm in and out of the hospital," said Mixon.

Mixon's memories of his family and the hope of spending time with them again is part of what keeps him going. He smiles when he recalls the day his daughter was born.

"When I complained to my mother that I wanted a boy, she told me 'Jesus blessed you with what you need.'"

—Juan Haines

Father

***Continued** from Page 1*

"At that time, I hadn't touched my kids since December 2013 and I hadn't seen them since December 2014. I was only able to call them once a week.

"Last year was full of tears," he recounted. "When my kids saw me, they stared at me because they hadn't seen me in so long. My youngest son was in Pampers when I came to prison and I missed his second birthday." During the visit, they played board games and he gave his sons "horsey back rides."

"I was too old for that," DeMerrill said. "I thanked the lady who was responsible for bringing my kids."

His daughter, D'oni, said last year was about "holding, touching, and hugging our dad — that's the main thing." Her brothers agreed.

DeMerril said he had wanted to use this year's GOTB visit to teach his sons about prison — "that this is a place where you never want to come" — but the pandemic has kept them apart.

For D'oni too, this hit hard. She said the program is important because it's the only time she and her brothers get to see their father.

She said she "hates COVID-19 because so many lives are being taken and everybody can't go outside like how it used to be. I cope with it by spending quality time with my family." But her dad is just too far.

"It's too expensive for a plane ticket," D'oni said. "So we rely on the Get on the Bus to see him. My favorite memory was being able to hug him, so being able to see him in 2019 was one of the best days of the whole year. I miss our trips together. They used to be so fun."

DeMerrill's 13-year-old, Dion Jr., said that COVID-19 is "kind of scary, because it's deadly and we can't go to school." Like his sister, he said it's hard to miss out on the only opportunity to see his dad. Getting the chance to spend time and play games with him were his best memories from last year.

Dr'lon said he's coping with COVID-19 by playing video games with his older brother. He also said his favorite memories from 2019 were being with his dad on their Father's Day visit.

"He always makes me laugh," Dr'lon said. "I miss him playing with me."

—Juan Haines

Interview with OG Watani Stiner and Creative Writing's Zoe Mullery

OG Perspective

Watani Stiner was interviewed by his former creative writing teacher, Zoe Mullery, on July 22, 2020, regarding the outbreak of Coronavirus at San Quentin. Watani paroled from San Quentin in January 2015 after serving 26 years (5 from 1969-1974, when he escaped; 21 more from 1994-2015 after he voluntarily returned from being a fugitive in South America, in order to assist his children to be able to come to the U.S.)

ZOE: Watani, you were telling me that you were having a reaction to some things you have heard well-meaning family members and other people say about the situation in San Quentin. Can you tell me what you were feeling about the questions they were asking you?

WATANI: What's going on inside San Quentin and the situation with COVID-19 that's devastating that place—for someone who was inside for 21 straight years, that brings up a whole lot of feelings inside of me. Even though I'm out of San Quentin now, the relationships with people I grew to love and who I worked with for 21 years are very much alive. When people talk about what's going on inside San Quentin now it's always framed like: "Aren't you grateful you're not in prison anymore?" It's not that simple. I have deep relationships that were formed over many years of incarceration. And now I'm out. And it's as if I'm supposed to feel like I won the lottery and now I'm good, and those who are left behind are the losers, the unfortunate ones. It's not meant to be insensitive, but there's just a whole bunch of reactions inside of me when I hear that. Because I know the thoughts, the struggles, of those still inside, and it's impossible for me to disconnect myself from that. It's hard for me to say ME, it's still WE.

There are a lot of young men still inside who should have been out a long time ago. Some even made it almost all the way to the finish line when COVID-19 struck and they're still in there, still trapped. And then someone says, "Well, at least you're out!" If I were still inside and someone before me got out, and that statement was said to them, I would hope that they wouldn't forget me. I'd be happy they're out, but I wouldn't want to be forgotten.

I had family members who were there for me, who agonized over my plight and followed every twist and turn of my circumstances, and those still inside also have family members, brothers, sisters, mothers and daughters and they also want their loved ones out of that deadly situation. I can't talk about it without thinking "By the grace of God, there I go." That sits kind of hard for me.

ZOE: I've heard many people say when they get out of prison how bittersweet it is to leave people behind. It seems like prison creates this impossible situation because there's this wall between relationships. When you're in prison you've got a wall to the outside, and when you're out you've got a wall to the inside. Either way you're locked out of access to people you care about.

WATANI: I remember the first time I had this feeling; it was really strong. It was the first time I went back inside San Quentin after being out for less than a year. I met many of the people I knew, we hugged each other, we laughed and made jokes and they were glad I was out. But when I left, having to leave them there, knowing that not long before I was in the same prison uniform...I would have turned to the left to go back to my cell and the outside guests would turn to the right toward the door outside. And now I was turning right. That was a heavy, heavy feeling.

Photo courtesy of Watani Stiner

Watani Stiner

Photo by Peter Merts

Zoe Mullery

I have this nagging anxiety of wanting to know what I can do. Can I do more? Anger arises and I want to just do something radical because I know it's wrong how much they're suffering. I know their stories—individually and collectively. It's one thing to know the newspaper clippings about cookie cutter crimes and form a general opinion, a conclusion. But it's another thing when you really get to know a person and you learn about them through letters to their mothers, their wives, their sisters and brothers. And they tell you things about their lives, what they've been through and how they are coming out on the other end. Such a strong bond is formed.

It's hard to turn away from that and just be glad you survived and got out. Even at the beginning, after being released, I had this turmoil inside of me when I would hear some social justice advocates dissect the prison system. They champion or cheerlead for one segment or another and support a particular group of prisoners. But the relationships and stories of people I know and have grown close to don't fit in such neat boxes.

I'm haunted by the ricocheting sounds of "Man Down!" "Man Down!" Those shouts of compassion that take place when someone in their cell needs urgent medical attention. No regard for race, color or creed. I hear that now "Man Down!" is being shouted multiple times a day, all over the prison. How can I just be satisfied that it's not me in there? I get calls from worried wives and mothers asking me if I know what can be done to help their loved ones who may now be facing a death sentence. I have no satisfying answers for them. This is where I am with this terrible situation.

It's one thing to have a sense of helplessness out here, but they have a hundred times more helplessness while confined in there.

ZOE: Helplessness plus rage.

WATANI: Yeah, that's exactly what it is—or maybe rage first then helplessness. I also think about the impact of this epidemic not just from the prisoners' perspective, but there are also prison guards who have to work within the confines of the prison structure, the caring ones who have not surrendered their humanity. They also have families. Lt. Sam Robinson comes to mind. He had shared stories about his wife and children. His family must be as concerned for him as any prisoner's family is for them. If we cannot see the humanity in either prisoner or guard, perhaps we are able to see our reflection in the mirror of family.

So, when I hear people say they are glad I'm not in prison during this pandemic, I know it's because their love and concern for me are genuine. I know how much they would have worried about me. They would have wanted others to care, to do something. And now I am on the outside. How I can convey help and hope?

ZOE: Your words matter, and I hope that some of them get to read these words and know that they are not forgotten.

WATANI: I'm considered an OG and there's a number of young men I've actually raised in prison. I care about them like family, and I know their struggles and their victories. They're so much more than the crime written in their files. When I see someone being released from prison, I'm overjoyed that one more person has an opportunity to change the world. And now this pandemic is ravaging through San Quentin, through a place that is full of people I care about. You just told me about Gary finally being released. He should have been out a long time ago. And so many others. Juan and Bonaru, Kevin and Malik... so many who should have been home years ago. It's a tragedy. I know I can't do much to affect this punitive web called criminal justice, yet I feel I have to do something.

I want you all to know you have not been forgotten.

Newsbriefs

1. Alabama — Since September 2019, the state's parole board denied 92% of people who sought release from prison, according to a report by ACLU, Smart Justice. In 2018, the report found 4,239 people were released on parole — 2,291 were released in 2019.

2. Virginia — Two bills designed to prevent corrections officials from strip-searching anyone under 18 and stop the practice of banning visitors who refuse a strip search passed the state Senate unanimously last January, The *Virginian-Pilot* reports. The legislation comes after a series of stories revealed that corrections officials had strip-searched an 8-year-old girl, several women during their periods and an 83-year-old man, among others.

3. Colorado — A vote last January has cleared the way for the state to repeal its death penalty, *The Intelligencer Feed* reports. Colorado is one of four states where the death penalty is currently under an official moratorium issued by a governor.

4. New York — The Manhattan District Attorney's Conviction Integrity Program agreed to toss out Rafael Ruiz's 1987 conviction for sexually assaulting a woman in East Harlem, *ABC7NY* reports. On April 29, 2009, he walked out of Orleans Correctional Facility. Newly tested DNA evidence did not place him at the crime scene or as the assailant. Ruiz had been eligible for parole since August 28, 1992, but every time he appeared, he refused to admit his guilt to a crime he did not commit.

5. New Mexico — Private health care provider, Corizon Health is refusing to comply with a court order to release settlements it made with prisoners who sued the company alleging poor care, reports the *Santa Fe New Mexican*.

6. Baltimore — Corrections officials plan to convert the Brockbridge Correctional Facility into a "comprehensive prerelease, reentry, and workforce development facility" for both men and women, *The Washington Post* reports. Corrections leaders say it will offer programs to get people on the right track as they leave prison, with a focus on job training, education and family mediation.

7. Arizona —The Ninth Circuit refused to reverse a contempt order against the Arizona Department of Corrections for failing to improve its prison healthcare. Corizon Health failed to improve the system's inadequate staffing, substandard care and indifference to prisoners with severe mental health problems at 10 state-run prisons system, *Courthouse News Service* reports.

8. Ohio — Gov. Mike DeWine announced last January that the state would delay four executions originally set for this year as the state searches for a solution to problems with its lethal injection execution methods, *Scene & Heard* reports.

9. Idaho — State corrections officials announced a $28 million per year contract with CoreCivic to house 1,000-plus prisoners in Colorado due to a shortage of Idaho prison beds, reports the *Post Register*.

10. Connecticut — Department of Corrections use of prolonged solitary confinement could inflict psychological torture on inmates, a United Nations human rights expert said in February. "These practices trigger and exacerbate psychological suffering, in particular in inmates who may have experienced previous trauma or have mental health conditions or psychosocial disabilities," the expert said. "The severe and often irreparable psychological and physical consequences of solitary confinement and social exclusion are well documented and can range from progressively severe forms of anxiety, stress and depression to cognitive impairment and suicidal tendencies."

11. Florida — The State Senate on Feb. 26 endorsed a measure granting more discretion to judges when handing down sentences in drug-related convictions, the *Washington Examiner* reports

Wrongful conviction settlement

By Vincent E. O'Bannon
Journalism Guild Writer

Kansas Attorney General Derek Schmidt cleared the path for settlement negotiations in a wrongful conviction lawsuit brought by Lamont McIntyre—a man who served 23 years for a crime he did not commit.

"Because we knew there was evidence that was never placed in front of a court—before we just signed off on a claim—-we had an obligation to the new court to collect and review all of the evidence. We've now done that," Schmidt said.

In an Associated Press interview, Schmidt said, "My office made the decision after reviewing 900 pages of documents from Lamont McIntyer's attorney that had not been provided previously."

McIntyre was convicted for killing two men in broad daylight when he was 17 years old. He was sentenced to two life terms in prison, in a trial that provided no motive nor any physical evidence.

"Today's decision by the Kansas Attorney General goes one step further, by recognizing that Lamonte qualifies for compensation under the Kansas statute," Cheryl Pilate, McIntyre's attorney said. She added, "Lamonte is still dealing with the effects of 23 years of wrongful imprisonment, but the funding and other support by the statute will now make his load a little easier to bear."

Former Kansas Gov. Jeff Colyer, who signed the Wrongful-Conviction Compensation Law, apologized to Kansas's exonerated men and added, "We will make it right."

Based on the 2018 law, McIntyre may receive $65,000 for each year of imprisonment, attorney fees, health insurance benefits, financial assistance for higher education, fees for counseling and various other social services, the AP article noted.

McIntyre's settlement claim, which is essentially a lawsuit involving the state, will still have to have its language reviewed by Democratic Gov. Laura Kelly and the top eight leaders of the Republican-controlled Legislature before compensation can be allocated.

The flu and COVID-19 season

By Wayne Boatwright
Contributing Writer

The flu, a different coronavirus, will be back this winter, as usual, starting in November and getting worse December and January. As the early symptoms of COVID-19 (also a coronavirus) and the flu are very similar, the medical establishment recommends that everyone gets a flu shot.

"This winter, hospitals could well be in great demand so it makes sense that if we can minimize influenza as much as we can we'll have more reserved healthcare capacity to look after patients who might be suffering from COVID-19," said Dr. John Campbell.

Further, the flu shot, designed to give you immunity against the flu, may give you increased immunity—although not total—against the worst cases of COVID-19.

According to the U.S. National Library of Medicine National Institutes of Health (NIH paper), "It might be possible also that individuals who received prior flu vaccination might show mild severity of COVID-19 because of flu-induced bystander effect of the generated immune responses, which itself might cross-react against SARS-CoV-2 [COVID-19]."

According to The Dual Epidemics of COVID-19 and Influenza (the JAMA report), in the 2018-2019 flu session, the U.S. had 35.5 million influenza cases, 490,600 hospitalizations, and 34,200 deaths related to influenza.

As for the good news, the flu vaccination for 2018-19 prevented 4.4 million cases of influenza, 58,000 hospitalizations, and 3,500 deaths in the U.S. This is with only about 50% of residents getting the flu shot, according to the JAMA paper.

Of course, COVID-19 is a different respiratory viral infection. Still, as to the flu, the relative risk in this study was 4.4. In other words, the people in the vaccination group were 4.4 times likely to avoid the flu compared with people who did not take the flu shot.

So it is still very important that everyone get a flu shot. Make sure that all your family members do so. That way even if you later get COVID-19, the hospital won't be as full of influenza patients.

Snippets

Confirmed deaths of COVID in California is 9,885 people.

Older adults and people who have severe underlying medical conditions like heart or lung disease or diabetes seem to be at higher risk for developing more serious complications from COVID-19 illness.

Virus spread is more likely when people are in close contact with one another (within about 6 feet). It may be possible that a person can get COVID-19 by touching a surface or object that has the virus on it and then touching their own mouth, nose, or possibly their eyes.

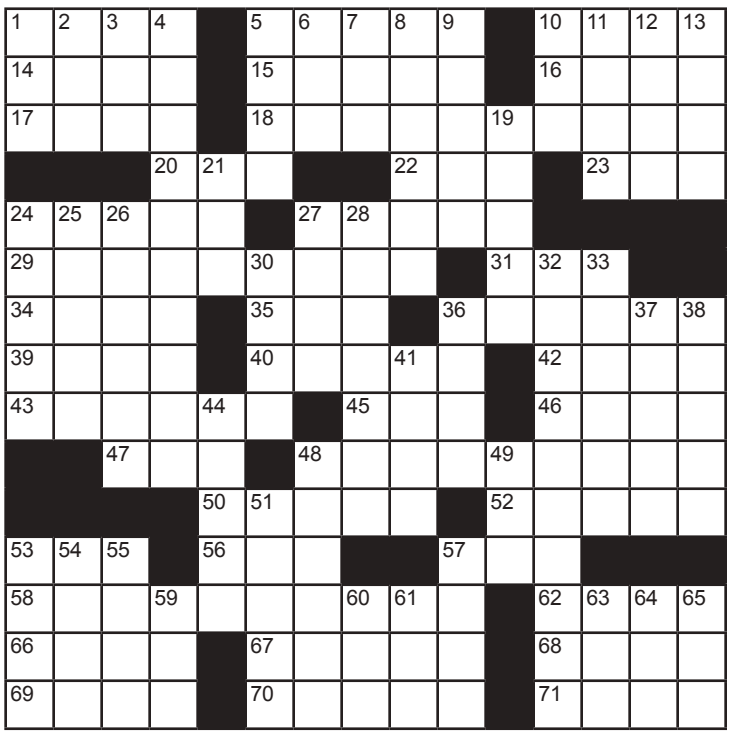
Incubation period. Typically, a person develops symptoms 5 days after being infected, but symptoms can appear as early as 2 days after infection or as late as 14 days after infection, and the time range can vary.

Does drinking alcohol kill the coronavirus? NO!

Crossword *Edited by Jan Perry*

Across
1. SE Asian thatch
5. NFL Hall of Famer Don who coached the Colts
10. Rep. Schiff
14. Composer Johann Sebastian
15. Closet stuffer
16. Sorvino of *Psych*
17. Credit card company
18. CW show starring Taye Diggs
20. Chimney
22. Chicken ___ KIng
23. Squeeze (out)
24. US civil rights org. est. in 1909
27. (Of an arrow) having feathers
29. *Citizen Kane* director
31. Bodily dysfuction
34. Horan of One Direction
35. _____-A-Day (vitamin)
36. Principles
39. Macedonia monetary unit
40. Perhaps
42. Jazz state
43. _____The First Adventure" by Tamora Pierce.
45. Extinct
46. *Iron Chef* Cat
47. Govt. payout
48. 2004 movie starring Tom Cruise and Jamie Foxx
50. Grumbles
52. Type of knife
53. Actress Cash
56. Before
57. _____-Jin (foreigner)
58. Popular skating arena in the '90s
62. Christopher of *Back to the Future*
66. Sound that a horse hoof makes
67. Old school drug
68. Silicon Valley design firm
69. Red___(spicy candy)
70. Actors Reynolds and Gosling
71. Faxed

Down
1. Preschool lesson
2. ___-Chi
3. Precedes the part or of grace
4. '80s singer with the song "In the Air Tonight"
5. Strike
6. Peak
7. ___ corda
8. Luxurious racing event
9. Dying rites
10. Who, me?
11. Casino equipment
12. Alcoholic liquor from coconut palm or rice
13. Lion hair
19. Car accessory
21. Former TV network
24. Tropical Australian tree
25. Disney princess
26. Yoga poses
27. _____ cava
28. Basketball term for a high pass
30. Australian desert python
32. Actor who starred in *Die Hard*
33. Sudden enlightenment in Buddhism
36. Bigger than you and me
37. Actresses Flynn Boyle and Pulver
38. Malaysian online store
41. Chicago basketball team
44. More pleasant
48. Eerie
49. Airport agency (Abbr.)
51. Passion
53. Curve
54. CA county or a excited phrase
55. Dole out
57. School buildings
59. Music choices
60. Narrow wedged-shaped inlet
61. Patty's pairing
63. Poem
64. Japanese currency
65. Precedes com or org



By Jonathan Chiu

Last issue's answer

C	L	E	F	T	■	A	L	B	A	■	P	A	T	E
A	I	S	L	E	■	N	E	E	L	■	I	M	A	M
R	E	C	A	LL	■	D	O	G	C	O	LL	A	R	S
■	■	■	R	O	S	Y	■	O	O	D	■	■	■	■
H	E	L	E	N	A	■	I	N	T	E	R	E	S	T
A	P	E	S	■	F	I	LL	E	T	■	A	A	R	P
L	A	G	■	J	E	D	I	■	■	A	R	R	I	S
■	■	A	LL	I	S	O	N	M	I	LL	E	R	■	■
S	A	T	A	N	■	■	O	I	L	Y	■	I	K	E
A	T	O	M	■	S	H	I	N	E	■	M	N	O	P
M	A	R	A	T	H	A	S	■	A	D	A	G	I	O
■	■	■	■	H	A	I	■	E	C	H	O	■	■	■
D	I	A	N	A	K	R	A	LL	■	A	T	T	A	R
A	C	T	H	■	E	D	I	E	■	K	A	A	B	E
S	E	E	L	■	K	O	A	N	■	A	I	D	E	D

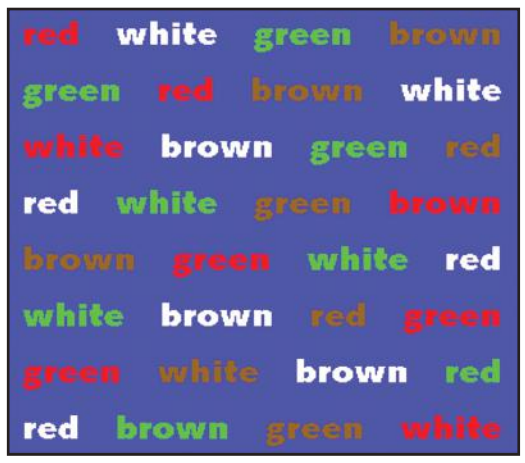
Sudoku Corner

	4	8			3			
		5	6	4	1		7	
1		2			7	4		
		4	3				1	
8		9				3		2
	3				9	7		
		1	4			5		7
	5		2	7	6	8		
			1			9	2	

	6	1						4
2				9		8		
3				4	8	6		
		2					7	
			7	6	3			
	4					9		
		6	8	7				3
		3		5				1
7						5	6	

The Stroop Test: Great brain teaser to challenge your mental vitality and flexibility

Ready to test your mental vitality and flexibility?



Go from left to right, from top to down. Ready. Set. Go!

Not easy, right? This task is called the Stroop Test, and is used in neuropsychological evaluations to measure mental vitality and flexibility, since performing well requires strong attention, inhibition and self-regulation capability

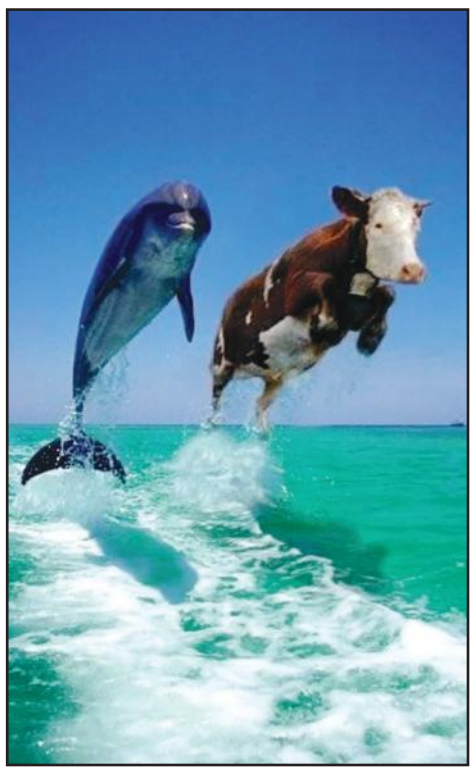
Test your stress level

Here's a quick test to determine your stress level. Read the following description completely before looking at the picture linked below.

The picture was used in a case study on stress levels at St. Mary's Hospital. Look at both dolphins jumping out of the water. The dolphins are essentially identical. A closely monitored, scientific study revealed that, in spite of the fact that the dolphins are so similar, a person under stress would find many differences between the two dolphins. The more differences a person finds between the dolphins, the more stress that person is experiencing.

Look at the image and, if you find more than one or two differences, you may want to enjoy a really relaxing weekend…

How did you do? Do you need a vacation?! Apparently I do!



In Memoriam for those taken by COVID-19 on SQ Death Row

Mr. Manuel Alvarez

Mr. Pedro Arias

Mr. Troy Ashmus

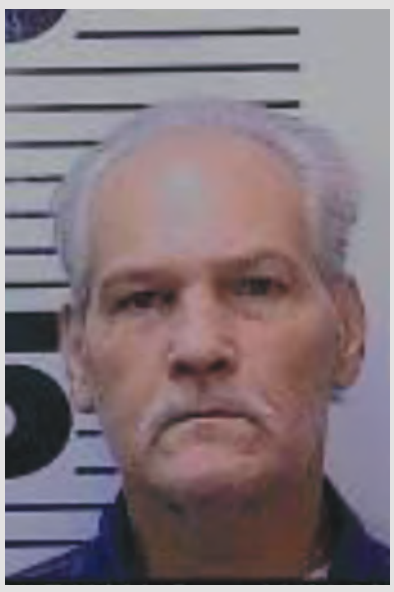
For all those who lost their lives to COVID-19, may you rest in peace and may your families find healing and peace. We honor your lives and may the world remember you by the positive choices you had made and be recognized as a son, brother, friend and family to all those around you and the incarcerated community.

Mr. Johnny Avila

Mr. John Beames

Mr. Dwayne Carey

Mr. Scott Erskine



Mr. Jeffrey Hawkins

Mr. David Reed

Mr. Orlando Romero

Mr. Richard Stitely

The early warnings of a prison pandemic

Timothy Hicks wrote the following article well before the COVID-19 pandemic hit San Quentin. It foretells the disaster that would unfold at prisons generally and at San Quentin in particular

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By Timothy Hicks
Staff Writer

The Corona Virus has hit the U.S., prompting a fear is that it may hit prisons, with many questioning its possible impact.

"Given the volume of incarcerated people in America, the conditions under which they are detained, and the current spread of the COVID-19 coronavirus, there is every reason to question whether American detention facilities, as a whole, are up to the challenge," said Nina J. Ginsberg, the president of the National Association of Criminal Defense Lawyers.

According to Business Insider, the US prison and jail systems have more than two million people incarcerated.

"They're unique because these people are in tight confines, often tightly packed," said Dr. Burton Bentley II, emergency medical physician and founder of the consulting firm Elite Medical Experts.

The respiratory virus has sickened almost 100,000 people worldwide, reported the *Marshall Project*. Almost 5000 people have died so far with many of the initial deaths in Wuhan, China where the virus originated.

At San Quentin, prison officials are taking preventive measures to stop the virus from spreading into the prison from the outside. They have shut down the visiting room at the prison, as well as all the volunteer-led programs.

"I'm going to miss my wife," said Arthur D. Jackson. "But, she understands why they would do that, because if it got in here in this close environment it would spread like wildfire. Although, I am conflicted and I miss my wife I do understand and I know it is for the best," said Jackson.

Earlier, college classes within the prison closed down because of the coronavirus.

"It's disheartening," said Jackson, who works as the main clerk for Mt. Tamalpais College (formally known as Patten College.) "It's going to stagnate a lot of guys' programs and put their education on hold. Some people are working on their A.A. degrees and earning credits that can reduce their time they spend in prison."

"The suspension is a hiccup but I really commend the college staff for making that move to suspend its program voluntarily. It shows how much they really care for us in this community in prison," Jackson added.

According to local news agencies, schools and other social gathering places were recently shut down and those elderly and most vulnerable to the virus were advised to stay home. Now, everyone in the six Bay Area counties has been told to "shelter in place." Only those in the most essential services will continue to go to their workplaces.

"There is no way to stop it in prison," said Don Specter, executive director of the Prison Law Office. Specter has been briefed by correctional officials on plans how to handle the COVID – 19 behind bars. This theory is based on protocols on how the prison system handled the flu virus.

In China, the prisons have become a hotbed for the new coronavirus, reported the Business Insider. Iran has already had outbreaks in their prisons of the Covid-19 virus.

According to a Prison Policy Initiative report, some of the considerations to combat the coronavirus:

Release medically fragile and older adults from prisons and jails. Those with complex medical needs are more than likely to be affected. That will reduce the need of care for those who have chronic illnesses. It will also help prevent them from being infected by viral infections like COVID-19. Iran has already given temporary leaves to a quarter of its prison population, said the report.

Other solutions the report lists: Lowering jail admissions to reduce "jail churns." To reduce the churns some state leaders are re-classifying misdemeanor offenses, reducing parole or probation meetings and even eliminating parole and probation revocations for technical violations altogether.

A joint statement by 31 elected prosecutors from jurisdictions throughout the US supports such changes and also advocates for immediately releasing those who are within six months of finishing their sentences, the *San Francisco Chronicle* reported.

Meanwhile, Yale School of Public Health epidemiologist Gregg Gonsalves blames the prisons for having many issues that are hazardous. "Prisons throw people into the paths of epidemics, whether it is TB or HIV or corona virus, said Gonsalves." He continued, "People without proper ventilation is a perfect breeding ground for quick transmission of any respiratory virus."

People who are incarcerated do have health care, but he doubts that it is adequate. "Prison healthcare isn't what it should be," said Gonslaves. "The question is whether the U.S., state and local correctional facilities are up to the task of preventing infections and whether they have necessary resources to care for the sick, and I'm not sure they are up to the task."