

Good afternoon. My name is Julia Kerbs and I am a Corrections Specialist at New York County Defender Services. I come before you today to raise questions about upcoming efforts to vaccinate incarcerated people in DOC custody. While NYCDS strongly supports vaccine administration for willing, informed clients, we wish to raise questions about informed consent and medical continuity for those people who will ultimately receive the vaccine while in custody.

As the COVID-19 pandemic continues to ravage New York City jails, access to vaccinations for people in DOC custody is essential to protecting their health, as well as stopping the spread in our jails and communities. However, electing to receive the vaccine is a serious personal and medical decision that should not be taken lightly. Many of our clients have limited access to healthcare systems and advice from medical professionals both prior to and during incarceration, and it is essential for them to be able to ask necessary questions about risk factors, potential complications, and any logistical or health-related concerns about receiving the vaccine. As vaccine rollout begins in the jails, we would like to reinforce that incarcerated people should be given notice prior to receiving the vaccine so that they have time to seek answers to any questions they may have about vaccination.

Similarly, continuation of care is a major concern surrounding vaccination programs within the jails. Our clients frequently experience lapses in treatment programs and prescription medication schedules when entering or exiting custody, and these kinds of medical inconsistencies are particularly troubling in the context of the two COVID-19 vaccinations approved in the US as of January 12, 2021, both of which require two doses. In 2019, 29% of people incarcerated on Rikers Island remained there for less than four

days, and many more are incarcerated for less than three or four weeks, the time frames for receiving the second doses of Pfizer and Moderna's COVID-19 vaccines, respectively.¹ Last week, NYCDS sent a letter to DOC, CHS, BOC and MOCJ for details about the City's plan to vaccinate incarcerated people. A copy of our letter is on the BOC website.

But of particular concern is this question: What is Correctional Health Services's plan for ensuring all eligible people receive both doses of the vaccine? Will vaccinations be administered exclusively to sentenced people, or people whose cases indicate longer periods of incarceration that would allow them to receive both doses? Any person who enters DOC custody is at far higher risk than the general public of contracting COVID-19, and, with proper preparation and community coordination, any follow-up care and second doses should be able to be obtained post-release for those people who leave custody between doses. Vaccine discrimination should not occur based on length of stay in custody, and we need to know Correctional Health Services's plan to safely and efficiently vaccinate people in DOC custody and after their release.

Though we recognize that availability of vaccines is largely dependent upon State and City-based allocation, it is essential that DOC and CHS establish a reliable and lasting framework to protect those in the system. We are pleased to see the arrival of the first vaccines in our city and its jails, and we implore everyone to keep in mind that incarcerated people need protection. Their lives, and the City's public health infrastructure, depend on it. Thank you.

¹ https://www1.nyc.gov/assets/doc/downloads/press-release/DOC_At%20a%20Glance-Frist%203%20Months%20FY%202019_092418.pdf