COVID-19 cases in Missouri are multiplying rapidly. As our state government suspends its legislative session and our businesses send employees home, we should consider another set of institutions at risk during a pandemic: Missouri’s prisons and jails. On March 20, the Missouri Department of Corrections reported its first case of COVID-19.

Prisons and jails are at increased risk for communal transmission of a virus like COVID-19. They are often overcrowded, with poor ventilation and too little soap or running water. Many incarcerated people are at risk for severe complications if they are infected because incarcerated people disproportionately suffer from chronic medical conditions such as heart disease and HIV/AIDS, and the percentage of elderly people among the U.S. prison population has been rising for decades.

Jails incarcerate people for short periods, e.g., during pretrial detention, and cycle them back into the community. Jail time may increase an individual’s risk of contracting COVID-19, which in turn may increase the risk of community spread. Prisons, meanwhile, may risk overburdening the health care system. As of 2019, 6,050 people in Missouri prisons were 50 or older and 1,836 were sick enough to require daily or 24-hour nursing.

Last week, the Missouri Department of Health and Senior Services declined to tell The Kansas City Star how many ventilators the state has, but a Kansas official has announced that their state had only 186 free for new patients. Prisons send medical cases too severe for them to treat to hospitals. If Missouri’s prisons suffer from outbreaks of COVID-19, and if even a fraction of the at-risk people currently incarcerated develop severe cases, the state may run out of ventilators quickly and overwhelm our community hospitals.

The Corrections Department has already taken some steps to protect inmates and staff. It has suspended family visits for 30 days, and the communications company with which it contracts for phone services is offering inmates two free 10-minute phone conversations per week. All people newly incarcerated in Missouri prisons and all correctional staff are being screened for COVID-19.

We suggest that all jails in Missouri that have not already adopted such policies do so. Some jails have taken more aggressive steps: St. Louis City and County jails have released people accused of low-level crimes or at high medical risk to prevent an outbreak debilitating to the jail, the court system and the wider community.

The Vera Institute of Justice has produced a strong list of recommendations for jails, prisons and probation to curb the spread of COVID-19. We would like to share some of these suggestions, with emendations specific to Missouri:

For jails
- Send home people who are in jail pretrial after being accused of nondangerous crimes so that they can practice self-isolation rather than being incarcerated in crowded conditions.
- Release on probation any people currently serving jail sentences less than a year for nondangerous offenses.

For prison
- Release on furlough people at risk for severe COVID-19 cases, specifically people over 60 years old.
- Release anyone whose release date is less than six months from now.
- Encourage Gov. Mike Parson to consider clemency petitions in the immediate future.
- Disseminate a plan for four weeks of paid sick leave and temporary staff replacement in the event that correctional officers or other prison staff contract COVID-19.

For probation and parole
- Immediately transition all in-person check-ins to phone check-ins.
- Do not re-incarcerate parolees for technical violations of their parole or probation, such as missed check-ins.
- Suspend revocation hearings for parolees accused of new criminal offenses, if the new criminal offense is nondangerous.

Missouri should enact these preventive measures as quickly as possible. By decreasing the population of nondangerous people — especially the elderly — held in prisons and jails, we can both slow the spread of COVID-19 in a vulnerable population, prevent some community transmission and save the Corrections Department money. The saved money could be redirected to paid sick leave for Missouri’s correctional officers, who as some of the lowest-paid correctional officers in the United States may not be able to afford foregoing wages. If we wait to enact preventive measures, the criminal justice system could exacerbate the COVID-19 pandemic past the capacity of our medical system and endanger the health of those incarcerated and the communities to which they are connected.

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