

# WHAT YOU SHOULD KNOW ABOUT THE ACLU OF VIRGINIA'S SETTLEMENT RE: COVID-19 RESPONSE IN VIRGINIA PRISONS.

The [settlement agreement](#), which will be enforced by the federal court, commits the Virginia Department of Corrections (VDOC) to take certain steps to protect the health and safety of those who are incarcerated in prisons.

VDOC has agreed to:

- 1. Review people for early release promptly**, specifically those who are eligible for [early release](#) under the governor's budget amendment.
- 2. Prioritize and promptly review conditional pardons** for people with medical issues or COVID-19 related concerns.
- 3. Prioritize COVID-19 grievances**, including those related to medical treatment, sanitation protocols, or access to masks and other personal protective equipment (PPE).
- 4. Ensure correctional staff are trained** on proper use of required PPE and COVID-19 procedures.
- 5. Share educational information** with people who are incarcerated and provide translation services or accommodations, as needed, to ensure that everyone in VDOC custody is informed about COVID-19.
- 6. Restrict the movement of staff and people who are detained** between buildings or facilities, except for security reasons and/or a pending court appearance.

**The ACLU of Virginia entered into a settlement agreement** with Gov. Ralph Northam, Secretary of Public Safety Brian Moran, the Virginia Department of Corrections, and other state officials in [Whorley v. Northam](#), a lawsuit initially brought on April 8, 2020 by co-counsel Elliott Harding on behalf of 27 people who are incarcerated in Virginia prisons. The lawsuit alleged that Virginia is failing to keep medically vulnerable residents of state prisons safe from exposure to the novel coronavirus.

## VDOC is required to provide everyone in custody with the following:

- confidential legal calls at no cost
- waived medical co-pays for all sick calls
- enhanced access to showers and handwashing
- two free bars of soap per week
- enough cleaning supplies for each housing area
- face masks washed every day
- bed linens washed twice per week
- clean clothing daily
- high frequency cleaning of all phones, doors, and other equipment in common areas.

*Do you have information that VDOC is violating any of these agreements or abusing people's rights? Contact the ACLU of Virginia's COVID-19 hotline, available via email at [COVID19@acluva.org](mailto:COVID19@acluva.org) or by phone at (804) 803-3566.*