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Some elderly, sick N.J. prison inmates to be released due to coronavirus crisis, Murphy says

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Gov. Phil Murphy announced Friday he will sign an executive order to expedite the release of some elderly or sick state prison inmates in New Jersey because of the coronavirus pandemic.

No one convicted of murder, sexual assault or other serious crimes would be eligible, Murphy said at his daily coronavirus press briefing in Trenton.

Eligible inmates who are released will be confined at home, he said, and the review process would begin within days.

“The needs of public safety and public health have to be balanced,” Murphy said.

State Corrections Commissioner Marcus Hicks said people older than 60, those with high-risk medical conditions, anyone finishing their sentences within three months and anyone recently considered for parole would be eligible.

Although inmates, their families, corrections officers, unions and lawyers have raised the alarm for weeks about a lack of information, protection and testing behind bars, state leaders on Friday said they have been forthcoming.

“We’ve been very transparent,” Hicks said. “I don’t believe that, really, anyone can make the point that they don’t have access to health care if they have symptoms.”

It was not immediately clear how many people Murphy’s order could affect. About 1,000 of the state’s 18,000 inmates are 60 or older.

One inmate and one officer — Nelson Perdomo, 44 — have died because of the coronavirus, according to state data, but that may be an undercount because few inmates have been tested. At least 129 officers and 20 inmates have tested positive, Hicks said, a higher number than listed online.

An additional 400 inmates and more than 1,000 staff are quarantined, Hicks added.

He said the department was cleaning facilities, screening people for symptoms, automatically separating new inmates from others for two weeks and had suspended transfers from county jails, among other changes.

When asked later if he'd consider largely keeping all inmates in their cells, as some union officials have called for, Hicks said restricting communal dining, adjusting recreational time and other movement restrictions were enough for now.

“We feel that we've put enough protective measures in that we don't have to go into a full lockdown,” he said.

Earlier this week, New Jersey's public defender said some elderly and sick inmates should be released. The state's top court told public defenders to negotiate a possible release with corrections officials and other parties Monday, but it's unclear if that meeting will still happen because of Murphy's order.

Public Defender Joseph Krakora said Friday the governor's executive order was “definitely a good first step” but his office was not dropping its effort negotiate with corrections and parole officials over who, exactly, would be released.

So far, neither agency has indicated whether or not they'll come to the table.

Amol Sinha, the executive director of the American Civil Liberties Union of New Jersey, was cautiously optimistic about the governor's announcement.

“Governor Murphy has recognized that we're facing incalculable tragedy if we don't act,” he said. “We sincerely hope the details and implementation of this executive order match its potential for good.”

The state previously released hundreds of low-level offenders from county jails.

New Jersey now has at least 54,588 cases of COVID-19, with at least 1,932 deaths, officials said Friday. Only New York has more of either among U.S. states.

NJ Advance Media staff writer Brent Johnson contributed to this report.