



January 5, 2021

Commissioner Marcus Hicks  
State of NJ, Department of Corrections  
Whittlesey Road  
P.O. Box 863  
Trenton, NJ 08625

Dear Commissioner Hicks,

We are encouraged by the recent reports coming from the New Jersey Department of Health, indicating the forthcoming availability of the COVID-19 vaccine for administration within New Jersey prisons and jails. We do not need to inform you of the urgent need for those living and working inside of these facilities to have access to any and all life-saving measures, especially during a pandemic that disproportionately impacted those in NJ-DOC custody throughout this year.

We applaud the attempts made so far this year—through executive order, universal testing, medical furlough, and the Public Health Emergency Credits legislation—to reduce the number of those housed in state and county correctional facilities, and to ensure the safety for all who remain; and we urge you to continue your commitment to institutional and public safety by further reducing the prison population, providing for personal protective equipment and hygiene supplies, and ongoing testing.

However, there has been very little information provided to families, advocates, and the public about your plans to administer COVID-19 vaccines to those who are incarcerated, and so we feel compelled to offer four recommendations, based on scientific data and best practices, that we trust will guide your administration protocol:

**Recommendation #1: Distribute educational material to all people in DOC custody.**

Attached to this letter is an information sheet we developed using information provided from the CDC and the manufacturers of the vaccines. In sum, we believe those considering this vaccine ought to be educated on:

- Efficacy for studied groups (~ 94-95%);
- Composition (what is and is not included in the ingredient list);
- Method of vaccine delivery to humans and how it works;
- Potential side effects and unknown reactions to presence of other medications
- Risks to certain populations with prior medical or immunocompromised conditions.

These information sheets must be distributed in multiple languages and formats, accompanied with the explicit offering of medical counseling to each person.

**Recommendation #2: Make the vaccine available to all who request it, as soon as possible.**

The New Jersey Department of Health has confirmed that these vaccinations will not be administered without patient consent. Given the Emergency Use Authorization by the FDA, as well as the high level of effectiveness in ongoing clinical trials, our coalition trusts that the vaccines are safe and effective for many—maybe most—populations. Everyone living or working in New Jersey prisons and jails, due to the inherent risk of infection and transmission, must be given priority status among all at-risk residents and essential workers. Relief in the form of immunity could not come soon enough for these vulnerable populations.

Given the presence of any degree of risk—especially for certain unknown side effects or reactions—we condemn any non-consensual or uninformed application of this vaccination or any drug on those in DOC custody. Again, while we believe this vaccination does provide a net-positive for our communities and society at-large, we are also fully aware of the histories of non-consensual drug administration and medical experimentation on vulnerable communities—especially African-Americans and non-citizens. Non-consent must not be met with punitive or retaliatory consequences. The educational efforts in “Recommendation #1” are paramount to achieving the largest number of consensual vaccinations possible.

**Recommendation #3: Provide administration protocols to the public—before, during, and after vaccinations.**

Transparency is vital to establishing and maintaining public trust in the administration of these vaccinations—generally and especially in correctional settings. There is widespread and well-documented skepticism among many of our communities surrounding the composition, approval, and application of these vaccinations, and the information sheets that the DOC provides its populations will help further the spread of accurate information (and conversely curb the spread of misinformation).

Furthermore, both the public and the other state departments must be informed of the department’s procedures in order to ensure the effective application of the vaccine. This includes, but is not limited to: protocol for education and consent, specific vaccination administered (twice), numbers of total consensual vaccinations, plans for monitoring its efficacy, and data on outcomes (positive, negative, or undetermined).

**Recommendation #4: Continue protective procedures post-vaccination.**

As discussed above, and in greater detail in the attached document, those who receive the vaccine must continue to exercise all of the personal precautions and hygiene practices to prevent transmissions and infections. Especially as all of us are preparing for what scientists predict will be the worst months of viral outbreak to date, in early 2021, we must continue and expand the current preventative practices of early releases, physical distancing, and access to PPE.

We eagerly anticipate your response to this letter. We thank you in advance for your consideration, extending our support and council as always.

Sincerely,

New Jersey Prison Justice Watch (formerly NJ-CAIC)