

Releasing prisoners is not enough to prevent the spread of COVID-19 in Indonesia's overcrowded cells

April 7 2020, by Leopold Sudaryono



Credit: AI-generated image ([disclaimer](#))

Similar to the Iranian government, which released [73,000 inmates](#), the Indonesian government plans to release at least [30,000](#) detainees to prevent the spread of coronavirus in the country's overcrowded jails.

As of April 5, the number of infections had reached [2,491 cases across the country](#). This is an increase of almost 40% within three days from [1,790 cases on Friday](#). So far, at least 209 people have died from the disease, while 192 have recovered.

Even before the COVID-19 pandemic, respiratory infections, including tuberculosis, were common among inmates. It is already registered as one of [the most prevalent](#) diseases in detention facilities.

I argue that releasing inmates amid the pandemic would be only a temporary solution.

It will not be enough to prevent the spread of respiratory infections in detention facilities when the main factor that puts inmates at high risk of infection is overcrowding. Its main cause is the government's policy of detaining all offenders and imprisoning all criminals, even those who commit only petty crimes.

Overcrowding problems

The World Health Organisation (WHO) has stated that prisons all over the world can expect "[huge mortality rates](#)" from COVID-19 as many of them are overcrowded.

This includes Indonesia where [270,445 inmates are locked in prisons with a capacity for only 131,000 people](#).

Releasing inmates amid the pandemic may reduce the risks of inmates getting infected and allow the government to improve [health services](#) in the prisons.

However, this step is inadequate.

As long as the Indonesian government doesn't change its approach to detaining and imprisoning offenders, detention facilities will remain overcrowded, creating the risk of mass COVID-19 infections.

Prison overcrowding has been a critical problem in [Indonesia since 2004](#) when the government decided to adopt a heavy penal policy for any [criminal offence](#).

This policy encourages law enforcers to send criminals to jail even for minor crimes. Between 1998 and 2014, Indonesia has encoded [716 new offences](#). These offences will, for example, imprison a [government official](#) who only breaks administrative procedures.

This will result in prison overcrowding as the number of Indonesia's [detention facilities](#), which includes those in police stations, is limited.

As the government also has a limited budget and resources for [health treatments](#), overcrowded prisons face a lot of health problems.

Allow alternatives to detention

Aside from releasing detainees, the government should change its policy to allow alternatives to detention for criminal punishment to avoid overcrowding.

The government should provide a legal framework for law enforcers to avoid sending people who have committed minor offenses to [prison](#). Instead, they should be placed under [house arrest](#) or town arrest in light of the COVID-19 pandemic.

The policy should also provide incentives for offenders if they are cooperative. For example, the government could reduce the length of sentences for convicts who comply with the conditions of release.

The [government](#) should also allow authorities to grant release for pre-trial detainees in the case of a virus outbreak in a facility.

With these steps, we can protect more of the remaining 240,000 inmates from COVID-19 infections.

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