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Elected Prosecutors Call for Dramatic Reduction in Incarcerated and Detained Populations in Response to Coronavirus

Today over 30 elected prosecutors representing more than 17 million people across the country issued a [joint statement](#) recommending immediate actions to mitigate community spread of COVID-19 amongst the [2.3 million adults and children](#) held in prisons, local jails, youth correctional facilities, immigration detention centers, and other forms of confinement. Key recommendations include:

- Adopting **cite and release policies** for any offense that poses no physical threat to the community.
- Releasing individuals who are being held because they cannot afford **cash bail**, unless they pose a risk to public safety.
- **Identifying and releasing** the elderly, those with medical conditions that make them more vulnerable to infection, and people within six months of completing their sentence or incarcerated on technical violations of probation and parole – unless doing so would pose a serious public safety risk.
- Ensuring humane **conditions of confinement** – including good medical care and maintaining access to and connections with counsel as well as family and loved ones.
- Dramatically **reducing immigration detention** and not conducting immigration enforcement operations in and around hospitals or medical clinics.

“Elected prosecutors have an obligation to protect *all* members of the community including those behind prison walls and living in densely populated detention facilities,” said **Miriam Krinsky, executive director of Fair and Just Prosecution**, which organized the statement. “Make no mistake, an outbreak of the coronavirus in incarceration and detention settings will spread quickly and impact not simply those behind bars, but our entire community. We must act now to reduce the existing detained populations and incarcerate fewer people moving forward. In doing so, we can not only help to reduce the spread of infection but also bring home people who no longer present a safety risk to their communities.”

The statement was issued by over thirty elected prosecutors who came together in response to our current public health emergency. The signators from around the nation underscored that people in custody are particularly vulnerable to the deadly COVID-19 virus due to their overcrowded living conditions and poor access to quality healthcare, and the increasing elderly population behind bars. And they noted the deeply concerning coronavirus threat to those in custody, as well as the community at large: “[Jails and prisons cycle large numbers of people](#) in and out of close, unsanitary quarters on a daily basis. Many people are arrested and booked into jail on the same day, while others are released within a short time back to their community. People leave immigration detention and return to communities in the US or to vulnerable refugee shelters and [encampments](#) along the border. All of these facilities rely on services and support

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from vendors and medical professionals, employ staff who come and go, and appropriately provide access for legal counsel and family members to visit.”

The resulting recommendations are aimed at reducing incarcerated populations and preventing an outbreak of the coronavirus that could be catastrophic. And the statement stresses the key role prosecutors can – and should – play in addressing these concerns: “Elected prosecutors have an obligation to protect the safety and wellbeing of everyone in their community, regardless of their race, ethnicity, or country of origin. Those obligations [extend](#) behind prison walls...[And] elected prosecutors must be leaders and collaborate with and ... convene public health experts and the officials responsible for these facilities to ensure that all members of their community are protected and *no one* is forgotten.”

While noting the importance of immediately addressing the current public health risk, signatories also highlighted the broader need for ongoing criminal justice reforms: “[W]e put far too many people behind bars for far too long, and fail to provide adequate care to those we incarcerate. That’s a humanitarian crisis with or without coronavirus...[And while] [w]e are facing a serious threat as a country...it also presents a unique opportunity to come together and swiftly address these longstanding systemic problems.”

Read the statement [here](#) and for a full list of signatories see below.

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Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit <http://www.fairandjustprosecution.org/> or follow us on Facebook [@FairAndJustProsecution](#).

List of Signatories

Aramis Ayala, State Attorney, Ninth Judicial Circuit, Florida

Diana Becton, District Attorney, Contra Costa County, California

Buta Biberaj, Commonwealth’s Attorney, Loudoun County, Virginia

Chesa Boudin, District Attorney, City and County of San Francisco, California

John Choi, County Attorney, Ramsey County, Minnesota

David Clegg, District Attorney, Ulster County, New York

Shameca Collins, District Attorney, Sixth Judicial District, Mississippi

Scott Colom, District Attorney, Sixteenth Judicial District, Mississippi

John Creuzot, District Attorney, Dallas County, Texas

Satana Deberry, District Attorney, Durham County, North Carolina

Parisa Dehghani-Tafti, Commonwealth’s Attorney, Arlington County and the City of Falls Church, Virginia

Michael Dougherty, District Attorney, Twentieth Judicial District, Colorado

Mark Dupree, District Attorney, Wyandotte County, Kansas

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Kim Gardner, Circuit Attorney, City of St. Louis, Missouri

Sarah F. George, State's Attorney, Chittenden County, Vermont

Joe Gonzales, District Attorney, Bexar County, Texas

Eric Gonzalez, District Attorney, Kings County, New York

Mark Gonzalez, District Attorney, Nueces County, Texas

Andrea Harrington, District Attorney, Berkshire County, Massachusetts

Jim Hingeley, Commonwealth's Attorney, Albemarle County, Virginia

Natasha Irving, District Attorney, Prosecutorial District Six, Maine

Justin F. Kollar, Prosecuting Attorney, County of Kaua'i, Hawai'i

Lawrence S. Krasner, District Attorney, Philadelphia, Pennsylvania

Stephanie Morales, Commonwealth's Attorney, Portsmouth, Virginia

Marilyn Mosby, State's Attorney, Baltimore City, Maryland

Karl Racine, Attorney General, District of Columbia

Rachael Rollins, District Attorney, Suffolk County, Massachusetts

Marian Ryan, District Attorney, Middlesex County, Massachusetts

Dan Satterberg, Prosecuting Attorney, King County, Washington

Daniella Shorter, District Attorney, Twenty-Second Judicial District, Mississippi

Carol Siemon, Prosecuting Attorney, Ingham County, Michigan

David Soares, District Attorney, Albany County, New York

David Sullivan, District Attorney, Northwestern District, Massachusetts

Cyrus R. Vance, District Attorney, New York County, New York

Lynneice Washington, District Attorney, Jefferson County, Bessemer Division, Alabama