

Sheriff Mark Pettway,

We are writing you to emphasize your role in slowing the spread of COVID-19 in our community and to urge you to respond swiftly, intentionally, and justly to this unprecedented health crisis. The COVID-19 global pandemic is expanding rapidly in our county, state, and nation. It is no longer a matter of *if*, but *when* this novel coronavirus shows up in the Jefferson County Jails. The quickest way to protect the health of inmates and staff and prevent the devastating spread of COVID-19 in your facilities is to immediately release all people from the Jefferson County Jails, starting with those who are at heightened risk of severe illness or death from COVID-19. These extraordinary times also call for your office to exercise heightened levels of transparency and maintain the confidence and trust of the community. Therefore, it is crucial that you publicly release your office's plan for preventing the spread of COVID-19 within Jefferson County facilities.

Incarcerated people are highly vulnerable to outbreaks of contagious illnesses. ¹To date, we have seen the high levels of contagion in jails² and many communities have released³ inmates and detainees as a measure to prevent the spread of COVID-19. Jail staff, contractors, and necessary visitors also threaten the health of the general public and those currently detained, as they return to their homes each day and can easily transmit the virus. You yourself pose a serious risk to people inside and outside your facilities as someone who regularly interacts with different populations between facilities. When you were elected, you took an oath to "protect and serve" the community. Now more than ever, we implore you to uphold this promise and stop the spread of COVID-19 within your facilities and prevent the loss of hundreds of lives.

As members of the communities you serve, we demand the following:

1. Release everyone detained in Jefferson County Jails in order to reduce the possibility of a massive, uncontrollable, and devastating outbreak among the approximately 800 people in custody⁴. There is no way that jails can comply with the CDC's recommendations for social distancing⁵ and personal hygiene practices. Releasing those in your custody is the only guaranteed measure to prevent a crisis within your jails. Additionally, here are some immediate steps you can take to reduce the jail population and protect the health of our community:

- **Immediately release everyone over the age of 50 and anyone with a pre-existing medical condition** that puts them at greater risk for severe illness or death from COVID-19.⁶

¹ Williams, T., Weiser, B., & Rashbaum, W. K.. "Jails Are Petri Dishes': Inmates Freed as the Virus Spreads Behind Bars," New York Times (Mar. 30, 2020), available at <https://www.nytimes.com/2020/03/30/us/coronavirus-prisons-jails.html>.

² "Clare Hymes, "Crisis at Oakdale: Coronavirus cripples federal prison in Louisiana" CBS News (Apr. 8, 2020) available at <https://www.cbsnews.com/news/coronavirus-fci-oakdale-federal-prison-louisiana-covid-19/>

³ Noah Feit, "Inmate who tested positive for coronavirus released from SC jail, cops say," (Apr. 6, 2020) available at. <https://www.thestate.com/news/coronavirus/article241794066.html>

⁴ Mara Gay, "Prisons Breed the Coronavirus. We Can Safely Free Thousands of Inmates," New York Times (Apr. 3., 2020) available at <https://www.nytimes.com/2020/04/03/opinion/coronavirus-jails-prisons.html>

⁵ Center for Disease Control, "Social Distancing, Quarantine, and Isolation," available at:

<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/social-distancing.html>

⁶ Centers for Disease Control, "Coronavirus Disease 2019 (COVID-19): People Who are at Higher Risk for Severe Illness," available at https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html?CDC_AA_refVal=https%3A%2F%2Fwww.cdc.gov%2Fcoronavirus%2F2019-ncov%2Fspecific-groups%2Fhigh-risk-complications.html (last accessed Apr. 8, 2020).

- **End all collaboration with Immigration and Customs Enforcement (ICE)** that is not mandated by federal or state law. This includes ceasing to hand over personal details about individuals in your custody to ICE, prohibiting ICE from interviewing individuals in your custody without advising them of their rights, refusing to honor ICE detainer requests, and releasing everyone who pays their bond or is ordered released by court order regardless of actual or perceived immigration status.
- **Stop new arrests and detentions.** Halt or significantly reduce new arrests and transfers into the Jefferson County Jails. Reducing the number of people in jail is the safest way to prevent an outbreak within your facility. When absolutely necessary, issue a citation instead of taking an individual into custody, and refuse to accept transfers from other facilities that have not implemented comprehensive COVID-19 prevention measures. **Immediately transfer anyone who tests positive or presents symptoms consistent with COVID-19** to a qualified medical facility and release them from custody.

2. The Jefferson County Sheriffs' Office should exercise and maintain a high level of transparency during the COVID-19 pandemic. It is imperative that the Sheriff's Office release a detailed plan of how it will prevent or manage a COVID-19 outbreak in its facilities and how the Department plans to adapt their policing practices during this health crisis. That plan should include the following provisions:

- **The use of solitary confinement should be strictly prohibited** as a means to quarantine or isolate anyone within the Jefferson County Jails. Anyone who is exposed to, screened for, or tests positive for COVID-19 should be given immediate treatment at a medical facility. Jails are not hospitals and are not equipped to properly treat illness.
- Ensure that containment measures do not result in the denial of **due process, visitation and/or communication rights** including mail, video, and phone calls. No efforts should be made to restrict a person's ability to speak with family, friends, or legal counsel regardless of health status.
- **Regularly update the public** on new or suspected COVID-19 cases within the Jefferson County Jails, including confirmed positive test results, hospital transfers, fatalities, and immediately contact the families of those who have been exposed to or have tested positive for COVID-19.
- **Ensure access to adequate hygiene** for all people in custody including hand soap, clean running water, time to practice handwashing and personal hygiene, toiletries, face coverings, and gloves.

Sheriff Pettway, we hope you recognize the urgency with which these demands must be met. We call on you to immediately take the proper steps to protect the health of one of our most vulnerable populations. Considering the time-sensitive nature of these demands, we expect a response from the Jefferson County Sheriff's Department by morning on April 14th, 2020. We look forward to a quick and thoughtful response from you in the coming days.

Respectfully,
The Undersigned

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