



**\*\*FOR IMMEDIATE RELEASE\*\***

**ADVOCATES CALL FOR IMMEDIATE RELEASE OF  
VULNERABLE MICHIGANDERS TO PROTECT PUBLIC  
HEALTH, AMONG OTHER STEPS**

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(DETROIT, MICHIGAN) -- Tens of thousands of people are held in Michigan jails and prisons that leave them particularly vulnerable to public health crises. The ongoing Coronavirus Disease 2019 (COVID-19) pandemic puts these individuals at heightened risk and jeopardizes the health of the entire state. We urge several basic measures to protect the health of all Michiganders, including the immediate release of individuals at the highest risk of health complications from the virus, the release of some of those held in pretrial detention, the administrative adjournment of cases in which a person is not incarcerated, and the provision of essential resources to combat the spread of illness for those who continue to be detained.

What happens inside our jails and prisons impacts the rest of the state and beyond. To protect everyone's health and fulfill the state's duty to incarcerated individuals, we call on Governor Whitmer under the powers granted under the current State of Emergency to expedite the commutation process so she can immediately release those who are at highest risk of complications from the Coronavirus, including the immunocompromised, pregnant people, older adults, and those with underlying conditions that the virus is known to compound. Failing to do so risks their lives--lives the state has a legal and moral responsibility to protect-- risks the lives of the staff in jails, and risks exacerbating a rapidly worsening public health crisis.

We call on the legislature to amend the County Jail Overcrowding State of Emergency Act to apply to a pandemic-related State of Emergency so that sheriffs and judges may review and release some people, including those over 60 years of age, with respiratory conditions or immunodeficiency. We also ask for immediate Coronavirus-required sentencing reform to permit

the release of those with six months or fewer remaining on their sentence, in order to reduce the prison population and protect public health.

We ask prosecutors to allow some of those currently held in pretrial and administrative detention to be released in order to protect public safety. Continuing to hold these individuals only creates unnecessary risk. The Michigan Joint Task Force on Jail and Pretrial Incarceration recommended a reduction in pretrial detention this January, and that recommendation should be implemented immediately in this time of crisis. Traffic violations account for nearly half of all Michigan court appearances and there is simply no reason to make such cases a priority, particularly at this critical juncture.

We seek a moratorium on low-level warrants and warrants for failure to appear in court in order to reduce the jail population and protect public health.

Those who remain incarcerated should be given expanded healthcare resources to fight the virus. Many Michigan jails are in deplorable condition: the ACLU consistently finds facilities to be kept in “[unconstitutional](#)” disrepair. Moreover, a [report](#) last year found that Michigan prison death rates spiked to a 25-year high, amid scrutiny of the system's food and medical care. These are exactly the sort of conditions in which a virus can spread like wildfire. Jails must ensure all incarcerated people have soap and running water and hand sanitizer to curtail infection. They should have expanded high-quality medical care should they fall ill, to prevent the potential rapid spread of the virus.

Moreover, the vast majority of cases in which the person is not incarcerated should be administratively adjourned to a later date.

MDOC's decision to halt prison visits, while a good first step, is not as effective as Executive and Legislative action to release people who should not be incarcerated. The state's priority should be reducing the jail and prison population, not restricting the already limited freedoms of those detained. People already approved for parole must be released.

It is a time to do everything we can to ensure that we minimize the effects of this pandemic by pouring our resources into ensuring everyone has access to adequate care. State and county officials must immediately make all calls and video visits free. In facilities that do not allow video visitation for families, that should be implemented immediately.

The United Nations recently [called for](#) the release of tens of thousands of prisoners as the coronavirus wreaks havoc worldwide. There are lessons to be drawn from crises in the United States, too. During Hurricane Katrina, people in prison died as a result of unnecessary detention and callous planning. Michigan has a responsibility to not subject incarcerated people and the population at large to the risk incarceration poses during a pandemic.

To protect everyone's health and fulfill the state's duty to incarcerated individuals, we call on our Governor, Legislature and local law enforcement agencies and prosecutors to take the following steps immediately:

- Amend the County Jail Overcrowding State of Emergency Act to apply to a pandemic-related State of Emergency to facilitate release of persons particularly susceptible to Coronavirus.
- Provide immediate new legislation for Coronavirus-required sentencing relief to permit the release of those with six months or fewer remaining on their sentence.
- Release those currently held in pretrial and administrative detention on non-priority charges.
- Implement a moratorium on low-level warrants and warrants for failure to appear in court in order to reduce the jail population and protect public health
- Administratively adjourn the vast majority of cases in which a person is not incarcerated.
- Provide expanded healthcare resources to those who remain incarcerated to combat the spread of Coronavirus.
- The following should be made available free of charge for those who remain incarcerated: telephone calls, video visits, email communication, materials for correspondence, and postage so that people can communicate with their loved ones during the State of Emergency.