

April 7, 2020

We urge Governor Hogan to depopulate every aspect of the correctional system as practically, expediently, and safely as possible, to stem the spread of COVID-19. It is impossible for correctional units to comply with CDC guidelines without reducing populations. Preventing and managing the spread of the virus inside facilities is an essential element of any statewide public safety plan. Our State's COVID-19 response plan is only as strong as its weakest links. Specifically, Governor Hogan can and should:

- I. **Halt new admissions to every correctional unit within the state's purview, including prisons, the Department of Juvenile Services, and state-run jails, and direct local jurisdictions to reduce correctional populations.** To this end, Governor Hogan should direct state law enforcement and prosecutors to limit arrests, charges and pre-trial detention except where there is an imminent risk to public safety and to seek case resolutions avoiding incarceration.

- II. **Release every incarcerated person who can be safely released to their communities, prioritizing the most medically vulnerable.** This includes:
 1. Persons detained pre-trial or for technical supervision violations;
 2. Persons classified by DOC as minimum or low-security and those within a year of release;
 3. Persons who the Maryland Parole Commission has found suitable for release; and
 4. Persons over 60, currently or recently pregnant, and those with medical conditions rendering them most at risk for severe complications from COVID-19 according to the CDC (e.g., heart disease, lung disease, diabetes, etc).

- III. **Get our Children out of incarceration and back in their communities**
 1. Halt all new admissions to juvenile jails and youth prisons;
 2. Children already incarcerated in adult correctional facilities should be released, or at a minimum, transferred to DJS facilities;
 3. Immediately coordinate with the Courts for the release of the hundreds of Children who are currently being held in Maryland juvenile jails and youth prisons; and
 4. As in the adult facilities, DJS must establish and share publicly its COVID-19 prevention and management plan.

- IV. **Support kids and adults who are released**
 1. Relax housing bans for people with convictions who are being released from custody, including any restrictions on living with family members in public housing;
 2. Work directly with Continuums of Care to expedite rehousing people upon reentry into rapid rehousing, permanent housing, permanent supportive housing, and other programs;
 3. Provide funding opportunities for existing housing providers to expand rapidly, including offering temporary rental assistance and the use of hotels and motels and other buildings, and grant emergency funding for hiring staff;

4. Provide resources for re-entry service providers who provide mental health, substance use disorder, food security, and housing services so that they can safely remain open in order to provide essential services; and
5. Sign into law HB206/SB207 which gives unaccompanied homeless minors the legal capacity to consent to housing and supportive services once they are released.
6. Prioritize resources through CARES, under designated Byrne JAG funding, towards reentry and treatment for persons released during COVID-19.

V. Temporarily Increase capacity of community supervision and make conditions of supervision more compatible with CDC recommendations

1. Review existing supervision cases that can be closed; and
2. Modify conditions of supervision to permit compliance without requiring in-person meetings or other requirements inconsistent with CDC guidelines.

VI. For those who remain incarcerated, improve safety conditions. Take the recommendations of the Johns Hopkins Bloomberg School of Public Health, School of Nursing and School of Medicine faculty, specifically:

1. Make your plan for prevention and management of COVID-19 in state correctional facilities publicly available by facility;
2. Have health professionals conduct health screenings based on the CDC guidelines, instead of asking untrained correctional officers to take the temperatures of inmates and staff and ensure speedy access to medical staff;
3. Suspend the prohibition on hand sanitizer and provide more and better hygiene supplies than two small bars of soap. Unlimited cleaning supplies should be freely available to all inmates and staff;
4. Develop and implement a nonpunitive plan for quarantining those suspected of infection or exposure and access to care for those requiring critical care;
5. Expand access to video calling and increase free phone calls;
6. Ensure availability of personal protective equipment; and
7. Use common-sense precautions to limit transmission within facilities without relying on lockdowns and solitary confinement. This should include preventing individuals who are not otherwise exposed to the virus from being assigned to COVID-19 compromised locations, through work release or other relocation measures. Moreover, individuals should not be penalized for refusing work or relocation to COVID-19 compromised areas.

Advocates for Children and Youth
 ACLU of Maryland
 Baltimore Action Legal Team
 Campaign for Youth Justice
 Justice and Recovery Advocates
 Justice Policy Institute
 Life After Release
 Maryland Office of the Public Defender
 Maryland Justice Project

Maryland Prisoners' Rights Coalition
 Open Society Institute-Baltimore
 Out for Justice
 Power Inside
 Pretrial Justice Institute
 The Sentencing Project
 Sex Worker Outreach Project-Baltimore Chapter
 Trans Maryland
 Youth Advocate Programs

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Baltimore Police Department
Baltimore, MD

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Montgomery County Police Department, MD

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Maryland Department of Public Safety and Correctional Services
Retired Major, Baltimore Police Department

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Silver Spring, MD

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Baltimore Police Department
Baltimore, MD

Capt. Joseph Perez (Ret.)
Prince George's County Police Department, MD

Judge Gordon McAllister (Ret.)
District Court of Tulsa, OK
Queenstown, MD

Former Deputy Prosecutor
William Cooke
County of Baltimore
Baltimore, MD

ADVOCATES
FOR CHILDREN AND YOUTH



THE SENTENCING PROJECT
RESEARCH AND ADVOCACY FOR REFORM



TRANS
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JUSTICE
POLICY
INSTITUTE

Maryland
Prisoners'
Rights
Coalition



LIFER FAMILY SUPPORT NETWORK

CAMPAIGN FOR
YOUTH JUSTICE
BECAUSE THE CONSEQUENCES AREN'T MINOR



OUT FOR JUSTICE



Maryland
Justice
Project