

FOR IMMEDIATE RELEASE

March 27, 2020

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Over 400 Former US Attorneys, DOJ Leaders and Attorneys, and Judges Urge President Trump to Release Vulnerable Individuals from Federal Custody to Avoid Deadly Outbreak of COVID-19

Today 405 former DOJ leaders, attorneys, and federal judges – including 35 former United States Attorneys who served under both Republican and Democratic Administrations – issued an [open letter to President Donald Trump](#) asking him to take immediate action to reduce the population in federal detention and correctional centers to prevent the catastrophic outbreak of COVID-19 in these facilities. In the letter, they urge the President to support efforts to mitigate the spread of COVID-19 among those held in federal custody – as well as the many individuals who work in these facilities and return to their community at the end of each shift – by:

- Using his executive power to **sensibly commute sentences** for the elderly, those who are medically vulnerable and individuals who have already served most of their sentence, provided that they do not pose a serious risk to public safety;
- Encouraging and establishing policies to **promote the limitation of new custody** to only individuals who present a serious and demonstrable risk to public safety;
- Creating a **bipartisan emergency advisory group** to quickly guide this process and **ensure the most vulnerable are protected**;
- Urging the Bureau of Prisons to take measures to **ensure correctional staff receive regular testing** as well as health care support, including full pay if they become sick with the virus; and
- Supporting **emergency funding** for prevention, treatment, reentry support, and incentivizing state and local governments to address the public health concerns in their own jails and prisons.

“As former public servants who were charged with seeking justice, we understand the obligation to protect the safety and wellbeing of *everyone* in our community – and that obligation does not end at prison gates,” said **Miriam Aroni Krinsky**, one of the signators and a former federal prosecutor, as well as the **Executive Director of Fair and Just Prosecution**, an organization working with elected prosecutors addressing these issues and the criminal justice system’s response to COVID-19 nationwide. “The clock is ticking and it is only a matter of time before this outbreak hits our many crowded federal facilities; when that happens the consequences for those in custody, as well as our entire community, will be catastrophic.”

The signatories to the letter, like other criminal justice leaders in recent weeks, came together in response to the current public health emergency. These former prosecutors, attorneys, judges and law enforcement leaders stressed the immense vulnerability of incarcerated and detained populations to the deadly COVID-19 virus due to dense living conditions, poor access to quality healthcare, and the increasing elderly population behind bars. They also pointed to the threat coronavirus presents to the community at

large should an outbreak happen within these facilities, noting: “Prisons can cause COVID-19 to spread like wildfire and introducing just one carrier of the virus (often individuals who are asymptomatic) could impact not just everyone inside a facility but anyone leaving the facility – whether a person who is released, staff returning back to their homes, or a vendor – who then interacts with the outside community.”

Like [recommendations by elected prosecutors](#) to reduce the population in state and local custody, the recommendations in the letter are aimed at reducing incarcerated federal populations as quickly as possible and preventing deadly outbreaks of the coronavirus. The letter stresses the executive power to use commutations to quickly release those in custody who are most at risk and who can safely return to the community, thereby limiting dangerous overcrowding, and better enabling social distancing behind bars. And it also notes the need to advance policies that limit future *new* custody to only those who pose a serious risk to public safety.

While noting the importance of immediately addressing the current public health risk, signatories to the letter also highlighted the broader opportunity for the President to influence the action of local and state officials: “This is an opportunity for you to substantially reduce the consequences of COVID-19, while setting an example for all local and state officials so they are encouraged to take similar actions in their jails and prisons. The actions you take today will mitigate harm and devastation for millions of people across this country, ensure that America is acting in the best interest of all of us, and will ultimately save lives.”

Read the letter and see the full list of signatories [here](#).

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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](#).