



VIA ELECTRONIC MAIL TO: KWILLIAMS@CITYOFBAKERLA.COM

April 3, 2020

RE: Baker Municipal Holds on Detainees in East Baton Rouge Parish Prison.

Dear Judge Williams:

During this very challenging time, thank you for the steps you have already taken to slow the spread of COVID-19 throughout the East Baton Rouge Parish area. We write today to request your assistance and collaboration in further serving at-risk, high-need populations.

The Justice & Accountability Center of Louisiana provides civil and criminal legal services to currently and formerly incarcerated people in order to reduce their barriers to reentry and reduce recidivism. We are members of the East Baton Rouge Reentry Legal Committee and are creating and managing a virtual warrant clinic with the 19th JDC for April.

In East Baton Rouge Parish Prison (EBRPP), [two people have tested positive for COVID-19](#), and the jail is preparing for further COVID-19 outbreaks. Options for isolation of COVID-19 cases are limited. Some in EBRPP are medically isolated and cannot be brought to court to be present for appearances due to the physical structure of the jail and the manner in which the jail is quarantining those with COVID-19. For others in the EBRPP, the Office of the Public Defender has worked with the District Attorney's Office to clear all other holds and detainers – including more serious felony holds – *with only municipal holds barring them from release.*

The [CDC has issued guidance](#) on the management of COVID-19 in correctional and detention facilities, including:

- Implement intensified cleaning and disinfecting procedures;
- Increase the number of staff and/or incarcerated/detained persons trained and responsible for cleaning common areas to ensure continual cleaning of these areas throughout the day;
- Provide alcohol-based hand sanitizer with at least 60% alcohol where permissible based on security restrictions; and
- Perform pre-intake screening and temperature checks for all new entrants.

Locally, [Doctor's and Professors from Tulane and Louisiana State University](#), [Clinicians and Medical Students](#), and [Public Health Experts](#) have reiterated much of the same. We do not have confirmation

that even these small measures are being taken to reduce the spread of COVID-19 in the EBRPP. This is not an indictment of the Sheriff or management of the jail. We are in an unprecedented time and we must take extraordinary measures to ensure that a brief sentence in jail is not a sentence to death.

At this time, we sincerely request that you [follow the guidance](#) of Supreme Court Chief Justice Johnson to **categorically release all the municipal holds** of criminal justice involved individuals within your power:

6. For those being held due to an outstanding warrant “hold” from another judicial district or jurisdiction, please request prosecutors and a designated sheriff’s deputy promptly communicate with that jurisdiction to determine whether the underlying reason for the hold is sufficiently minor (e.g., a minor traffic offense, failure to pay money obligations, failure to return a rental movie) such that release can be effected or whether the detainee can be immediately transferred[.]

Because the Public Defender and District Attorney have worked to lift holds even in felony cases, we hope that you will consider also lifting all holds in Baker City Court.

We also advocate that, to further save lives, you consider the following guidance:

- Where appropriate, refrain from issuing bench warrants and attachments for those charged with misdemeanor crimes, other than domestic abuse battery;
- For those charged with misdemeanor crimes, other than domestic abuse battery, favor a nominal bail amount, or a release on recognizance order – with, of course, a notice to appear on a future date; and
- For those convicted of a misdemeanor crime, consider modification to a release and supervised probation or simply time served.

Throughout this challenging time, many people will follow your lead as you work to minimize the outbreaks of COVID-19 in jails. If you enact this guidance from the Supreme Court, Louisiana will have a chance at flattening the curve and keeping everyone in our community safe.

Respectfully,



Vanessa Spinazola
Executive Director



Cherie Teamer
Reentry Docket Attorney

