



Michigan Joint Task Force on Jail and Pretrial Incarceration

CONTACT: John Nevin
Communications Director
Michigan Supreme Court
NevinJ@courts.mi.gov
(517) 373-0129

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Jail Population Reduction to Curb the Spread of COVID-19

Jails Task Force recommendations are a roadmap for the short and long term

LANSING, Michigan — The Michigan Joint Task Force on Jail and Pretrial Incarceration applauds the local, county, and state responses to curb the spread of COVID-19 by safely reducing jail populations. In these unprecedented times, the Task Force urges justice system decision makers to continue taking all necessary actions to keep our communities safe through arrest alternatives, de-incarceration as appropriate, and social distancing.

As high traffic institutions characterized by relatively confined spaces, the threat of COVID-19 is particularly acute in our county jails. Individuals in jail, including law enforcement and correctional officers, are at an elevated risk of being exposed to the virus and spreading it to others through inadequate social distancing.

“Every day we ask judges to make difficult decisions about pretrial release and detention,” said **State Court Administrator Tom Boyd**. “The presumption of release pending trial doesn’t just affect a defendant’s liberty – it affects their health. This is truer today than ever before. Keeping people at home, when it’s safe to do so, can help protect inmates and corrections officers from an outbreak in our jails and save lives.”

The Task Force started working in July 2019 on measures the state of Michigan could take to safely reduce jail populations and expand alternatives to incarceration. Their recommendations are designed for codification into state law for long-term criminal justice reform; however, the Task Force encourages local and state officials to use the report’s data and recommendations as a roadmap to quickly, yet safely, reduce jail populations during this crisis.

“In my decades of law enforcement and corrections service, I’ve never seen a more urgent time to reduce our jail populations,” said **retired police chief Bill Gutzwiller**. “Nor have I seen a better roadmap than the one crafted by this statewide body.”

“When every family in Michigan is feeling the destructive effects of COVID-19, it’s up to state leaders to work quickly and conscientiously to have their backs,” said **Lt. Governor Garlin Gilchrist, II, who co-chaired the Task Force**. “The Jails Task Force report is a tool for those on the front lines making crucial decisions about who should be in jail and who can safely be released any time, including during this pandemic. It transcends partisan politics, relies on the best evidence in the field, and carefully balances the interests of people on all sides of the justice system.”

The [Task Force’s bipartisan recommendations](#) are data driven, informed by research, and include detailed guidance for:

- Handling most traffic offenses as civil rather than criminal matters;
- Expanding officer discretion to use appearance tickets instead of custodial arrests;
- Diverting those with behavioral health needs away from the justice system;
- Detaining only those who pose a significant risk of absconding or harming a person in the community pending trial;
- Using probation, fines, and community service as sentences for low-level crimes;
- Limiting jail time for those who violate the rules of supervision; and,
- Strengthening services and supports for crime victims and survivors.

“Many of the Jails Task Force recommendations are now already being followed to safely shrink our jail populations,” said **Lt. Jim Miller, of the Allegan County Sheriff’s Office**. “These changes aren’t just smart during emergencies, they’re proven policies that should continue long after the coronavirus has gone.”

“The scale and impact of this outbreak is simply unprecedented,” said state **Senator Jim Runestad**. “As our sheriffs and judges take on the tough work of helping us all stay safe and healthy, we hope they can use the Task Force report as a resource.”

In addition to reducing the risk of COVID-19 spreading in Michigan jails, these policy changes will enable law enforcement and courts to focus additional resources on immediate threats to public safety, address low-level infractions with proportional penalties, promote due process and the presumption of innocence, and connect those with behavioral health needs to appropriate services.

The Task Force remains committed to assisting any individual, official, agency, or organization as we collectively work through these trying times.

“We recognize that no policy fix is perfect, and that criminal justice policy can be particularly difficult to navigate,” said **Craig DeRoche, of Prison Fellowship, and former speaker, Michigan House of Representatives**. “But the Jails Task Force has done its homework. Our recommendations started with data, involved extensive input from stakeholder groups, and were negotiated to the point of broad consensus.”

“This terrible crisis has touched all of our lives and we are working hard to prevent it from getting worse,” said state **Representative Tenisha Yancey**. “Jail reform was a bipartisan priority for the Legislature even before the COVID-19 outbreak. However, because neither the staff nor the inmates can choose to leave, policymakers have to take action now to limit nonviolent offenders from going to jail and to enable others who don’t pose a threat to the community to come home. We all want to be with our loved ones more than ever!”

For more information on the Michigan Joint Task Force on Jail and Pretrial Incarceration, please visit www.courts.mi.gov/micjreform.

The co-chairs of the Michigan Joint Task Force on Jail and Pretrial Incarceration are:
Chief Justice Bridget M. McCormack, Michigan Supreme Court
Lt. Governor Garlin Gilchrist, II, Office of Michigan Governor Gretchen Whitmer

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