



**LAW ENFORCEMENT
ACTION PARTNERSHIP**

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

121 Mystic Avenue, Suite 9
Medford, Massachusetts 02155
T: (781) 393.6985

April 9, 2020

Governor Gretchen Whitmer
Olds Plaza
P.O. Box 30013
Lansing, MI 48909

Dear Governor Whitmer:

Thank you for leading the country with Michigan's strong COVID-19 response. You have been a brave, early advocate for taking effective precautions that are greatly benefiting Michiganders, including advising local jurisdictions to reduce arrests and jail populations.

Having served Michigan as police and as a judge, we wish to commend you, and we wish to request your attention to a vulnerability in our state's COVID-19 strategy. Public health officials are warning that COVID-19 transmission in **prisons** poses a potentially catastrophic risk. Transmission between incarcerated people, officers, and staff can quickly spread outside the facilities to the families of officers and released prisoners, accelerating the pandemic in our communities. We have watched governors act on this issue in [Colorado](#), [California](#), and [New Jersey](#). We are writing to urge you to **issue an executive order to reduce our state's prison population**. A sample Executive Order is attached.

There is strong public support for dramatically reducing prison populations to slow the spread of the coronavirus. Sixty-six percent of likely voters, including 59% of those who identify as "very conservative," said that elected officials should be considering measures to reduce populations in prisons and jails as a response to coronavirus.¹ Criminal justice leaders are already taking action to safely reduce correctional populations.²

We write to you as the sole actor with the authority to achieve system-level results with clarity, consistency, and vision. We suggest sensible, safe steps you could take right now to prevent the spread of COVID-19 in correctional facilities and beyond:

1. **Release medically high-risk people in state custodial facilities.** We urge you to use your clemency powers to begin a process of immediate review and presumptive release for all people identified by the CDC as particularly at-risk – older people and people with underlying health

¹Fighting the Coronavirus with Decarceration: Policies and Polling, Data for Progress (March 2020) Accessed at <https://www.dataforprogress.org/memos/fighting-coronavirus-with-decarceration>. (March 16, 2020 to March 17, 2020, survey of 2509 likely voters.)

²"Jails Release Prisoners, Fearing Coronavirus Outbreak - WSJ." 22 Mar. 2020, <https://www.wsj.com/articles/jails-release-prisoners-fearing-coronavirus-outbreak-11584885600>. Accessed 23 Mar. 2020.



**LAW ENFORCEMENT
ACTION PARTNERSHIP**

ADVANCING JUSTICE AND PUBLIC SAFETY SOLUTIONS

121 Mystic Avenue, Suite 9
Medford, Massachusetts 02155
T: (781) 393.6985

conditions or who are otherwise immune-compromised – whose sentences would end in the next two years and who do not pose a significant public safety risk.

2. **Reduce overall populations in state custodial facilities.** Using your clemency powers, begin a process of immediate review and presumptive release for:
 - a. anyone incarcerated for technical violations of probation or parole, and/or
 - b. anyone whose sentence would end in the next 180 days.

The time for action is now. This pandemic is here, and – if it hasn't already – it will make its way into our state's carceral facilities. Attached to this letter is a sample Executive Order you could sign immediately to address this crisis head-on.

Sincerely,

Jason Jakubowski
Former Police Officer
Big Rapids Police Department, MI

Chief Isaiah McKinnon (Ret.)
Detroit Police Department, MI

Judge Cylenthia LaToye Miller
Third Judicial Circuit of Michigan

Sergeant Steve Miller (Ret.)
Canton Police Department, MI

Detective Sergeant Ted Nelson (Ret.)
Michigan State Police
Howard City, MI

Enc. Executive Order: Controlling COVID-19 Transmission and Mortality by Reducing Certain Populations in State and Local Custodial Facilities