

March 27, 2020

The Honorable Governor Roy Cooper
North Carolina Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

Dear Governor Cooper:

We, as public health experts and concerned citizens, write to urge you to take immediate action to safeguard the lives of those involved in our statewide court system and the North Carolina Department of Corrections, including those who work or are detained in these facilities, their families, and their communities. These facilities contain high concentrations of people in close proximity and are breeding grounds for the uncontrolled transmission of SARS-CoV-2, the virus that causes COVID-19.

The COVID-19 pandemic requires a strategic response based on the conditions we know to exist and the interventions we know to effectively limit transmission. You are well aware that the COVID-19 virus [transmits rapidly in densely populated spaces](#), as evidenced by your recent [Executive Orders](#) closing down schools, restaurants, and bars and bans mass gatherings over 50 people.

The CDC [recommends](#) that people keep at least six feet away from each other and avoid gatherings of more than ten people. Responding to the virus also requires an ability to keep sick people from well people and to treat those who have been exposed without endangering others. This “social distancing” has been difficult to accomplish in our society generally, but is impossible to achieve in our state correctional facilities, jails and youth detention centers as things currently stand. Almost [55,000 people](#) are incarcerated in these facilities. Prisons and jails contain high concentrations of people in close proximity, with people [housed](#) in tightly-packed and poorly-ventilated dormitories; they share toilets, showers, and sinks; they wash their bedsheets and clothes infrequently; and often lack access to basic personal hygiene items. These facilities lack the ability to [separate sick people from well people](#) and to quarantine those who have been exposed.

Concern over the people detained in our jails and prisons should be sufficient to spur you to action, but they are not nearly the only people who stand to suffer if conditions are not changed: it is inconceivable that an outbreak in a prison stays confined to that facility. Through “jail churn” staff, correctional officers, judges, doctors, and visitors will all be exposed to COVID-19 in these facilities and will carry and spread it in the community at large. Facilities combine the worst aspects of cruise ships and nursing homes when dealing with COVID-19, as they contain high concentrations of people in close proximity and are breeding grounds for the uncontrolled transmission of SARS-CoV-2, the virus that causes COVID-19.

Unless you immediately address this threat, you are leaving North Carolinians vulnerable to a massive outbreak of COVID-19. But it is within your power **to immediately release people from jails and prisons** and thus work to mitigate the spread of this disease. To that end, we ask that you take the following urgent steps:

First, we ask that you commute sentences for **all elderly people**. While the SARS-CoV-2 virus infects people of all ages, the World Health Organization (WHO) is clear that [older people](#) are at a higher risk of getting severe COVID-19 disease and dying. In fact, the risk of severe disease gradually increases with age starting from around 40 years. Also, older people who are released from prison [pose little risk to public safety](#).

Second, we are also asking that you commute sentences for the **medically vulnerable population** including persons suffering from [cardiovascular disease, diabetes, chronic respiratory disease, or cancer](#). In addition to older people, WHO has identified persons with these underlying medical conditions to be at greater risk for contracting severe COVID-19. While there is little known yet about the effects of COVID-19 on pregnant women, the CDC [explains](#) that with viruses from the same family as COVID-19, and other viral respiratory infections such as influenza, pregnant women have had a higher risk of developing severe illness.

Third, we are asking that you commute sentences for **all persons who have one year or less remaining on their sentence**. This measure will limit overcrowding that can lead to [further spread](#) of COVID-19 and free up beds that will be needed to care for the sick who should be housed separate from others.

Fourth, we call on you to urge local officials to **drastically reduce jail populations**. Many who are admitted to jail only stay for a short period of time, and more people churn through jails in a day than are admitted or released from state and federal prisons in 2 weeks. To prevent a severe outbreak, local officials should take the following steps immediately:

1. Release of anyone who is held pretrial and who does not pose an unreasonable safety risk to a specific person or persons;
2. Release of all people serving a misdemeanor sentence who are within six months of their release date;
3. Release of all people held locally on probation and parole technical violation detainers or sentences;
4. Increased use of citations in place of arrests and limit custodial arrest only to those few accused of crimes that pose a serious safety risk to a specific person or persons; and
5. Reclassification of misdemeanor offenses that do not threaten public safety into non-jailable offenses.

Only if such steps are taken will North Carolina have a chance to flatten the curve of COVID-19 in our communities.

Respectfully,

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