RESOLUTION SUPPORTING THE ONGOING APPLICATION OF COMPREHENSIVE MEASURES TO REDUCE UNNECESSARY INCARCERATIONS AND REDUCE COVID-19 IN THE FRANKLIN COUNTY JAILS

Adopted without dissent, 15 July 2020

WHEREAS Coronavirus Disease 2019 (COVID-19) is a respiratory disease that can result in serious illness or death, which is caused by the SARS-CoV-2 virus that is a new strain of coronavirus that had not been previously identified in humans; and

WHEREAS correctional and detention facilities can include custody, housing, education, recreation, healthcare, food service, and workplace components in a single physical setting, and the integration of these components presents unique challenges for control of COVID-19 transmission among incarcerated/detained persons, staff, and visitors; and

WHEREAS incarcerated/detained persons live, work, eat, study, and recreate within congregate environments, heightening the potential for COVID-19 to spread once introduced; and

WHEREAS there are many opportunities for COVID-19 to be introduced into a correctional or detention facility, including daily staff ingress and egress; transfer of incarcerated/detained persons between facilities and systems, to court appearances, and to outside medical visits; and visits from family, legal representatives, and other community members. Some settings, particularly jails and detention centers, have high turnover, admitting new entrants daily who may have been exposed to COVID-19 in the surrounding community or other regions; and

WHEREAS options for medical isolation of COVID-19 cases can be limited and vary depending on the type and size of facility, as well as the current level of available capacity, which is partly based on medical isolation needs for other conditions; and

WHEREAS the most recommended method of controlling COVID-19 in the jail facilities is to reduce the jail population as quickly as possible to allow for social distancing, because the virus could be a serious health risk to jail staff and incarcerated people, and because this will reduce the strain on the health care delivery system in the jail;

NOW THEREFORE BE IT RESOLVED by the Franklin County Criminal Justice Planning Board (CJPB) that

1. The CJPB strongly supports the diversion to housing, behavioral and physical health care, and other supportive and restorative services as the most appropriate alternative to incarceration, and as the best practice across the justice continuum; and

2. The CJPB strongly supports the policy of the Franklin County Sheriff to decrease bookings into the facility by resolutely and continuously asking all local law enforcement agencies to minimize jail intakes by not bringing non-violent misdemeanants and others who could be cited and summonsed without danger to

Chair
The Honorable Marilyn Brown
Commissioner

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the community, and ardently encourages extension of this policy through the end of calendar year 2021; and

3. The CJPB strongly supports the policies of the Columbus City Attorney and the Franklin County Prosecutor to issue summons in lieu of arrest for misdemeanors excluding offenses of violence, sex offenses, multiple OVI offenders, or weapons offenses, and interview and release in lieu of arrests for F4/F5 non-violent, non-sex offense, non-weapons felonies, and ardently encourages the extension of these policies through the end of calendar year 2021; and

4. The CJPB strongly supports the use of new technology in both the Municipal Court and Court of Common Pleas General Division, to protect the due process rights of defendants, promote principles of fundamental fairness, and ensure the health and safety of all persons appearing within the criminal justice system; and

5. The CJPB strongly supports the increased use of recognizance bonds in lieu of cash or surety bonds at time of arraignment for all cases where public safety is not jeopardized and where judicial discretion comports, and ardently encourages the increased use of recognizance bonds from this time forward; and

6. The CJPB strongly encourages the Municipal Court and the Clerk of the Courts to convene and consider a total revision to the bond schedule as indicated by the actions above, and to review the bond schedule annually and each time a legislative change to the Ohio Revised Code or local municipal ordinances redefines or reclassifies violations of those codes; and

7. The CJPB strongly supports the work of the Franklin County Sheriff and the Probation Departments of both the Municipal and Common Pleas Courts in closely reviewing technical probation violations and use of increased sanctions rather than jail time when appropriate, and ardently encourages the extension of these policies through the end of calendar year 2021; and

8. The CJPB strongly supports the work of the Franklin County Sheriff and the Adult Parole Authority of the Ohio Department of Rehabilitation and Corrections in closely reviewing technical parole violations and use of increased sanctions rather than jail time when appropriate, and ardently encourages the extension of these policies through the end of calendar year 2021; and

9. The CJPB strongly supports the work of the Franklin County Sheriff to identify arrestees age 60 or over, and those with medical conditions which make them more susceptible to catching COVID-19 and more likely to have severe complications including death if they become infected, and to work with the Franklin County Public Defender and the Municipal and Common Pleas Courts to find alternatives to incarceration for these fragile individuals, and ardently encourages the extension of these policies through the end of calendar year 2021.

Respectfully submitted,

Michael Daniels, Director, Office of Justice Policy & Programs