

March 20, 2020

Dear Chief of Police,

As you work diligently to keep your community safe during the COVID-19 pandemic, we write to urge immediate action by your department to stem the spread of the virus. It is vital to Louisianans' health and safety that law enforcement reduce the number of people arrested and booked into jail and eliminate non-essential contact between first responders and the public.

Please consider taking the following actions, beginning immediately and extending through the duration of the public health emergency:

1. Cease arrests for any misdemeanor or felony that does not involve an imminent risk of violence.
2. For serious, but non-violent drug or property crimes, issue summonses in lieu of arrest and booking. This would strike the appropriate balance between justifications for arrest and the overwhelming public health threat facing your community.

Public health experts have identified jails, prisons, and interactions with first responders as significant vectors for the transmission and spread of COVID-19, urging "aggressive measures" to stop the spread of the virus.¹ This is because arrests and jail stays, even for very short times, place people in extremely close physical proximity. In addition, it is often impossible for jail staff and people held in custody to maintain proper hygiene and take appropriate protective measures.

In this time of extreme crisis, every arrest risks bringing someone who may have the virus into a station and infecting personnel, first responders, and the public.

Law enforcement officials in Louisiana and across the country have recognized that one of the best ways to stop the spread of COVID-19 in our jails is to decrease the number of people entering them in the first place. East Baton Rouge Parish Sheriff Sid Gautreaux and Ascension Parish Sheriff Bobby Webre both announced this week that they have ceased booking people into jail for almost all misdemeanors, instead issuing summonses.² Throughout the country, law enforcement, prosecutors, and judges are working together to rapidly decrease jail populations, including by minimizing admissions.

¹ See, e.g., "An Open Letter to Mayor de Blasio and City Officials," (March 12, 2020), available at: <https://medium.com/@bradlander/doctors-in-nyc-hospitals-jails-and-shelters-call-on-the-city-to-take-more-aggressive-action-to-fb75f0b131c2>; Washington Association of Sheriffs & Police Chiefs, "Washington State Jails Coronavirus Management Suggestions in 3 'Buckets,'" March 5, 2020.

² Jacqueline DeRobertis and Lea Skene, "East Baton Rouge Sheriff: It's only a matter of time before coronavirus arrives in jail." *The Advocate* (March 17, 2020); Chris Nakamoto, "Ascension Parish jail releasing some inmates, limiting arrests due to coronavirus concerns." *WBRZ 2 News* (March 17, 2020).



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Chris Kaiser
Advocacy Director

Louisiana's chiefs of police and sheriffs are uniquely positioned to lead in this effort. We ask that you immediately develop policies and guidance for your patrol officers and deputies to reduce arrests in this time of emergency. The ACLU of Louisiana is ready to assist you in this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Kaiser", is placed on a light-colored rectangular background.

Chris Kaiser
Advocacy Director