At this crisis point, decarcerating jails is a legal, moral, and humanitarian imperative. We recommend that all sheriffs immediately take the following action and see this list of other actions that sheriffs have taken.

**Working with the courts as necessary, end jail admissions to the maximum extent possible.**
- Use cite-and-release for all individuals who are eligible for cite-and-release.
- Stop all new arrests and detentions, except where law enforcement can justify in writing that the government interest in arrest and detention outweighs the extreme mortality and infection risk of spreading COVID-19 within correctional facilities. Designate many offenses, including any offenses related to nonpayment, as categorically ineligible for arrest and detention.
- End the enforcement of warrants that are for unpaid fines or fees; failures to appear; and driving on a suspended license where the underlying reason for suspension was nonpayment.

**Working with the courts as necessary, decarcerate the local jail(s).**
- Using existing authority to reduce the jail population during crises, institute a release protocol for all people who are detained pretrial and post-conviction. Ensure that such protocol includes (1) immediate, categorical release for as many people as possible and (2) a swift, public health-conscious process that facilitates the release of individuals who are not within these broad categories.
- When developing the broad categories for immediate release, ensure that these categories include at minimum the following:
  - The elderly and medically vulnerable, including individuals who are pregnant or who have asthma, chronic illness, diabetes, lung disease, heart disease, or any condition that suppresses the immune system;
  - All individuals being held pretrial;
  - All people serving misdemeanors and a set list of felony offenses, which list includes the vast majority of felonies;
  - All individuals within six months of their release date;
  - All primary caregivers;
  - All people held on a probation or parole-related detainer; and
  - All individuals being held for other agencies, including ICE.
- If custodial detention is nonetheless maintained, provide a written explanation regarding why the government interest in custodial detention outweighs the extreme mortality and infection risk of spreading COVID-19 within correctional facilities.

**EXAMPLES** (see this list for additional models):
- **Cincinnati, Ohio:** The Hamilton County Jail population is down 40% after a court order authorized Sheriff Jim Neil to release, at his discretion, all “low-risk, nonviolent” individuals.
- **Santa Clara, California:** In Santa Clara County, California, the offices of the public defender, district attorney, and sheriff are working together to release at least 600 people (or 20% of the jail’s current population). Silicon Valley De-Bug is simultaneously working to expand community supports.