



Cook County Board Written Testimony Submission Re: Proposed Resolution to Discuss the Status of Protective Measures in the Cook County Criminal Justice System During COVID-19 (Item 20-2389)

April 23, 2020

To the Cook County Board of Commissioners:

First, thank you for introducing today's resolution seeking information about the conditions inside Cook County Jail and the safety of the more than 4,000 people currently incarcerated there. As you all know, the situation is dire and urgent, with more than 400 incarcerated people who have tested positive for COVID-19 and six people who have died so far. The spread of this illness and these deaths were all preventable.

Attached to this you will find an open letter to County officials outlining steps that should be taken to reduce the number of people in jail and ensure adequate protections for anyone remaining inside. Specifically, the letter calls for the release of people incarcerated on unaffordable money bonds, people over the age of 50, and people with compromised immune systems in Cook County Jail to protect public health. It also calls for expanded movement for people on electronic monitoring and an improvement in conditions for people who remain incarcerated in the jail during the pandemic. **This letter was originally [published](#) on March 13, 2020 and has now been endorsed by over 100 community-based, legal, and faith-based groups and unions.**

This incredible outpouring of concern about and advocacy on behalf of incarcerated community members has also been demonstrated through the participation of hundreds of people in a prayer vigil, call-in campaigns, and a car rally outside Cook County Jail. In addition, family members of currently incarcerated people have organized multiple protests.

The demands outlined in the letter were made nearly a month before Cook County Jail was identified as [the number one coronavirus hot spot](#) in the United States by the *New York Times* earlier this month. While progress has been made in reducing the number of people currently in the jail, many more people can and must be released. As the Sheriff's Office has now admitted in court filings, it is not possible for the over 4,000 people in Cook County Jail to practice social distancing. As a result, rapid spread of infection will continue inside the jail, ensuring many people become seriously ill and some die. This also ensures that our shared health care resources will be burdened, impacting all Cook County residents. **This human suffering is unnecessary and unacceptable. We urge the board to find ways to release more people from Cook County Jail on the fastest timeline possible.**

Open Letter to Cook County Regarding COVID-19 and Cook County Jail: Protect Public Health through Decarceration

Released March 13, 2020 and available [here](#).

Across the world, the impact of the coronavirus and COVID-19 pandemic has increased with each passing day. The highly contagious respiratory illness has been deadly for many, especially the elderly and people with compromised immune systems. Across the United States, elected officials are taking unprecedented steps to protect the most vulnerable people in their communities and contain the spread of the virus.

People incarcerated in jail are one of the most vulnerable populations. Their protection warrants special emergency action. Contagious diseases [spread especially](#) quickly in jails and prisons. Incarcerated people have an inherently limited ability to fight the [spread of infectious disease](#) since they are confined in close quarters and unable to avoid contact with people who may have been exposed. Responses to outbreaks such as [lock downs](#), [placing people in solitary confinement](#) and [limiting access to visits from loved ones](#) are punitive and ineffective. Importantly, we know that [isolation further endangers people](#) and [limiting visitation also has adverse effects](#).

The only acceptable response to the threat of COVID-19 is decarceration. Today there are more than 5,500 people incarcerated in Cook County Jail (CCJ). Almost all of them are still awaiting trial and thus presumed innocent under the law. Their ongoing incarceration is an unacceptable risk to every incarcerated individual as well as to public health.

Jails have extremely high turnover rates. Many people are released and admitted every day, and thousands of employees travel in and out of Cook County Jail each week. It is not a matter of *if* coronavirus and COVID-19 infect CCJ but *when*. As few people as possible should be exposed to this dangerous inevitability.

The following steps should be taken to protect the health of all Cook County residents, including those incarcerated in Cook County Jail and in their homes on electronic monitoring:

- Cook County should immediately release anyone incarcerated in Cook County Jail on an unaffordable money bond (and not onto electronic monitoring unless already ordered by a judge). If a judge has given someone a money bond, it means that they've determined the person is cleared for release pretrial. Their ongoing incarceration due solely to access to money is deeply unfair and unethical, especially during this pandemic.
- No new people should be admitted to Cook County Jail on money bonds. Admission of as many people as possible should be avoided.
- The courts should provide emergency bond reviews for all incarcerated people who request them with an increased mandate to use all options other than incarceration.
- Cook County should immediately release individuals over the age of 50 or with compromised immune systems from Cook County Jail. [Research](#) has shown that these individuals are at the highest risk for contracting and experiencing the most serious effects of COVID-19.

- The Cook County Sheriff's Office and Pretrial Services Division should immediately change their protocols around electronic monitoring (EM) and home confinement to permit liberal movement (the ability to leave one's home). Currently, people on Sheriff's EM are required to provide documentation of a scheduled doctor's visit to be granted the ability to leave their home. They are routinely denied permission to go to the grocery store or leave their homes to perform other essential tasks of life. The Sheriff's office typically requires 72 hours advance notice to review and approve these requests. Gaining this documentation for a medical visit can often be extremely difficult due to privacy protections placed on medical providers and the difficulty of obtaining a letter over the phone. We are calling on the Cook County Sheriff's Office to allow for automatically approved movement to allow people on EM to obtain groceries and other supplies, seek medical treatment, purchase or pick up medication, collect school meals, and provide elder and child care in other households. The 12 hours of movement per day, now guaranteed to all people on mandatory supervised release ("parole") under the Illinois Department of Corrections, should be the minimum movement during the pandemic.
- The ability to pay money bonds and secure pretrial release for people currently incarcerated in the jail or on EM should not be delayed or inhibited in any way.
- People eligible for electronic monitoring must continue to be released into the community. If a person ordered to EM does not have access to approved housing, they should be immediately returned to court for a rehearing on their conditions of release.
- If courts remain open, authorities should waive appearance at non-essential criminal court dates to avoid unnecessary travel and social contact. All in-person pretrial check-ins or other mandated appearances (such as drug testing) should also be waived.
- Cancellation of court dates should not delay anyone's release from Cook County Jail. Given that 70% of people released from Cook County Jail return directly to the community, any failure to resolve court cases at the same pace will increase the number of people in jail and thus the threat to their individual health and public health.
- A moratorium should be placed on "turnarounds," the process by which someone sentenced to time served travels from CCJ to an Illinois Department of Corrections facility to dress in and dress out on the same day. People sentenced to time served should be released directly from Cook County Jail.
- Health care access for anyone remaining in Cook County Jail must be liberally provided and unfettered.
- Access to phone calls and video "visitation" should be expanded for all incarcerated people right now and moving forward. This access should be provided free of charge.
- The right to vote must be protected for anyone who remains incarcerated pretrial.
- Personal hygiene, cleaning, and sanitation supplies should be made available free of charge to anyone that remains incarcerated. Hand sanitizer and other essential preventative products must be permitted and should not be considered "contraband."

Signed,

1. Chicago Community Bond Fund
2. ACLU of Illinois

3. Action Now
4. AIDS Foundation of Chicago
5. A Just Harvest
6. American Friends Service Committee Chicago
7. AirGo
8. Arab American Action Network
9. Assata's Daughters
10. Believers Bail Out
11. Black Lives Matter: Chicago
12. Black and Pink Chicago
13. Black And Pink PDX
14. Blue Tin Productions
15. Brave Space Alliance
16. BYP100
17. Chicago Alliance Against Racist and Political Repression
18. Capoeira Angola Foundation- Chicago
19. Chicago Afro-Socialists and Socialists of Color
20. Chicago Appleseed
21. Chicago Feminist Action Group
22. Chicago Freedom School
23. Chicago-Kent College of Law Chapter of the National Lawyers Guild
24. Chicago Lawyers' Committee for Civil Rights
25. Chicago Teachers Union
26. Chicago Torture Justice Center
27. Chicago Votes Action Fund
28. The Children and Family Justice Center
29. Coalition to End Money Bond
30. Circles and Ciphers
31. Columbus Freedom Fund
32. Committee for a Just Peace in Israel and Palestine
33. Community Cave
34. Community Renewal Society
35. Criminal Justice Policy Program
36. Dissenters
37. DSA Libertarian Socialist Caucus
38. Exoneration Project
39. First Defense Legal Aid
40. For the People Artists Collective
41. Free Write Arts & Literacy
42. Gay Liberation Network
43. Giving Others Dreams God
44. Grassroots Collaborative
45. Greater Chicago IWW

46. Human Impact Partners
47. Illinois Environmental Council
48. Illinois Religious Action Center of Reform Judaism (RAC-IL)
49. IMAN
50. Indivisible Chicago Alliance
51. Interfaith Action Group for a Just Peace in Palestine and Israel
52. Jewish Council on Urban Affairs
53. Jewish Voices for Peace
54. John Howard Association
55. Justice for Our Neighbors Northern Illinois
56. Kuumba Lynx
57. LADHOC Accounting
58. La Casa Norte
59. Lawndale Christian Legal Center
60. The #LetUsBreathe Collective
61. Liberation Library
62. Lifted Voices
63. Little Village Environmental Justice Organization
64. Live Free Chicago
65. Local 3315 Cook County Public Defender's Union
66. Loevy & Loevy
67. Love and Protect
68. Logan Square Neighborhood Association
69. Loyola University Chicago School of Law Public Interest Law Society
70. Lucy Parson's Labs
71. Moms United Against Violence and Incarceration
72. National Lawyers Guild of Chicago
73. National Lawyers Guild of Loyola University
74. Nehemiah Trinity Rising
75. Network 49
76. Northside Action for Justice
77. ONE Northside
78. Organized Communities Against Deportations
79. People's Law Office
80. The People's Lobby
81. Pilsen Alliance
82. Precious Blood Ministry Of Reconciliation
83. Religious Action Center - Illinois
84. Restore Justice
85. Rising Tide Chicago
86. The Roderick & Solange MacArthur Justice Center
87. Rogers Park Solidarity Network
88. Shiller Preyar Gerard & Samuels

89. Shriver Center on Poverty Law
90. Slutwalk Chicago
91. Smart Decarceration Project
92. Southsiders Organized for Unity and Liberation (SOUL)
93. Students for Sensible Drug Policy
94. Transgender Law Center
95. Transformative Justice Law Project
96. Trinity United Church of Christ
97. UIC John Marshall Law School Black Law Students Association
98. UIC John Marshall Law School Chapter of the National Lawyers Guild
99. UIC John Marshall Law School Public Interest Law Council
100. UIC John Marshall Law School South Asian Law Association
101. UIC John Marshall Law School United Immigration Defense Organization of Students
102. Unitarian Universalist Prison Ministry of Illinois
103. Uptown People's Law Center
104. Westside Justice Center
105. Women's Justice Institute
106. Working Family Solidarity
107. Youth Empowerment Performance Project (YEPP)