



State of Indiana

April 3, 2020

The coronavirus pandemic ("COVID-19") has affected our entire state and nation in ways that were unimaginable just a few short months ago. This dangerous virus is spreading rapidly in the State of Indiana, and it is having wide-ranging impacts on individuals, families, communities, workers and businesses, as well as every sector of public and private life. Despite extraordinary and unprecedented steps that have been taken, COVID-19 remains a threat to the health, safety and welfare of all residents of Indiana.

In recent weeks, there have been many judges, sheriffs, and local justice partners across our State who have worked closely with each other and their public health stakeholders on the issue of whether or not to release low-risk, non-violent juveniles and inmates to supervision within their communities. With inmates, juveniles, staff, and service providers living and working in confined spaces, there is enhanced potential for COVID-19 to enter a facility and spread. This potential, however, can be mitigated and reduced through implementation of aggressive proactive measures such as those taken at state correctional facilities. But at the local and county level, while Indiana's sheriffs have a duty to provide medical care to those in their custody, the resources and ability to treat and quarantine infected individuals are often limited and more difficult.

In light of the above, the undersigned representatives of all three branches of Indiana government recognize that these types of decisions will continue to and must be made by local judges, sheriffs, and county leaders across our State as we continue to move through this public health emergency in the days and weeks ahead. Given the unique threat posed by COVID-19, we encourage every community that is or will be undertaking a process to evaluate whether to release juveniles and inmates, to do so in a responsible and humane manner. They should review the current facility population to properly identify which low-risk, non-violent juveniles and inmates, if any, may be re-evaluated and released safely into their communities under pretrial, probation, or community corrections supervision. This is not a question of being soft on crime or criminals, but rather it's a matter of need in a time of a widespread public health emergency affecting our entire State, at the local level.

Determining who fits into which category is a question of individual offenders, local resources and capacity, local community support, and local health conditions. No Indiana-size solution would fit all. But, for the sake of those low-risk, non-violent juveniles and inmates who could be released safely, the staff and law enforcement officers who enter our jails and juvenile detention facilities daily, and our healthcare workers battling COVID-19 everywhere they encounter it, we encourage the local judges, sheriffs and county leaders to work collaboratively when making these important decisions and we applaud their responsible efforts in this regard.

Gov. Eric Holcomb
Governor of Indiana

Hon. Loretta Rush
Chief Justice of Indiana

Rodric Bray, *Senate President Pro Tem*
Indiana Senate
121st General Assembly

Todd Huston, *House Speaker*
Indiana House of Representatives
121st General Assembly