



Stopping the Spread:

A Summary of Philadelphia's Public Defenders' Efforts to Safely
Reduce the Prison Population
during the Coronavirus Pandemic

WRITTEN PETITIONS

On March 20, three days after the courts closed, the Defender was instructed by the First Judicial District (FJD) to file written petitions for bail reductions, detainer lifts, and early parole. Since then, the Defender has filed over 650 written petitions. Many clients required more than one petition to resolve multiple issues, and some petitions had to be re-filed after the FJD changed its filing rules for emergency petitions on March 23. **As of April 9, 473 of the 560 petitions that have been decided (84%) have been granted.**

EXPEDITED RELEASE HEARINGS

The FJD agreed to hold expedited release hearings between April 7-9, wherein the Defender and DAO could make oral arguments for bail reductions, detainer lifts, and early parole. The hearings were held in four virtual courtrooms each day, with one Public Defender handling the cases in each room. The cases listed were taken from “presumptive release” case categories created by the DAO in conjunction with the Defender.

Over the course of the 3 days of hearings, the Defender presented **755 motions** on behalf of **410 clients**. Of these 755 motions, **434 (57.48%) were granted, impacting 241 clients**. It is worth noting that the Defender holds hearings on behalf of its own clients as well as clients with outside/private counsel appointed on the case. The expedited nature of the hearings, which circumvented the need to file written petitions, allowed the Defender to present over 200 more motions over three days than had been filed over the previous 17 days.

TRACKING OF PEOPLE RELEASED PER DAY

Not all individuals who are ordered released (as a result of a written petition or hearing) are released from jail on the day of the order. The Defender has been tracking how many people who have won their motions *actually leave* jail every day since April 2. As a result of both written petitions and the expedited release hearings, 235 people have been released from jail between April 7 and April 9. Since March 25 (when the Defender began receiving responses to its written petitions), the Defender has secured the release of 371 people, and continues to work toward making sure every individual ordered released leaves jail in a timely manner. **(Figure 1)**

It's important to note that the number of releases may not exactly reflect the reduction in the jail population, as individuals may be admitted to jail as well.

Fig. 1: Number of People Released from Prison Daily from April 2, 2020

| Date | Number of PD clients released | Number of OCS/court-appointed clients released | Cumulative PD Clients Released | Clients awaiting Sheriff to transport Per Day | Total Out Per Day | Total Out Cumulative |
|------------------|-------------------------------|--|--------------------------------|---|-------------------|----------------------|
| 3/25/20 - 4/2/20 | 70 | Unknown | 70 | 3 | 73 | 73 |
| 4/3/2020 | 11 | 5 | 81 | 1 | 17 | 90 |
| 4/4/2020 | 25 | 7 | 106 | 3 | 35 | 125 |
| 4/5/2020 | 1 | 0 | 107 | 0 | 1 | 126 |
| 4/6/2020 | 4 | 3 | 111 | 3 | 10 | 136 |
| 4/7/2020 | 55 | 12 | 166 | 5 | 72 | 208 |
| 4/8/2020 | 67 | 24 | 233 | 1 | 92 | 300 |
| 4/9/2020 | 49 | 18 | 282 | 4 | 71 | 371 |

JAIL POPULATION REDUCTION

In the three days since the expedited hearings began (April 7-10), the jail population has declined an additional 3.11% from the time courts closed, about the same reduction as seen between March 31 and April 7 (seven days). Since the courts closed, the jail population has declined by 11.6%. (**Figure 2**)

