



Stopping the Spread:

A Summary of the Defender Association's Efforts to Safely Reduce the Prison Population

During the Coronavirus Pandemic

As of April 17, 2020

Written Petitions

On March 20, three days after the courts closed due the coronavirus pandemic, the Defender Association of Philadelphia was directed by the First Judicial District (FJD) that all emergency requests for bail reductions, detainer lifts, and early parole must be filed as written petitions with the court.

Since then, the Defender has filed over 1,000 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 17, 560 of 947 petitions that have been decided (59.13%) have been granted.

Expedited Release Hearings

The FJD agreed to hold expedited release hearings beginning April 7, wherein the Defender and DAO could make oral arguments for bail reductions, detainer lifts, and early parole. 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.

- **In the second week of hearings** (April 13-17), the Defender presented 1,812 motions, on behalf of 767 clients. Of these 1,812 motions, 854 (46.74%) were granted, impacting 382 clients.
- **Cumulatively, the Defender presented 2,567 motions** on behalf of 1,131 clients in expedited hearings. Of these 2,567 motions, 1,288 (50.18%) were granted, impacting 611 clients from April 7 to April 17.

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 since April 2 (this includes releases to the community or to other jurisdictions if a client has detainers in other counties).

As a result of both written petitions and the expedited release hearings, the Defender has secured the release of 749 people from the Philadelphia Prisons, and continues to work toward making sure every individual ordered released leaves jail in a timely manner (Figure 1). It is worth noting that the number of releases may not exactly parallel the reduction in the jail population, as individuals may be admitted to jail as well.

FIG. 1: DAILY RELEASE FIGURES FROM MARCH 25-APRIL 17

Date	Hearings by Defender		Written Petitions		Daily Releases - Defender hearings/petitions	Cumulative Releases - Defender hearings/petitions	Daily Releases (All)	Cumulative Releases (All)
	Defender Clients	Other Clients	Defender Clients	Other Clients				
3/25 - 4/2/2020			73	Unknown	73	73	73	73
4/3/2020			12	5	12	85	17	90
4/4/2020			28	7	28	113	35	125
4/5/2020			1	0	1	114	1	126
4/6/2020			7	3	7	121	10	136
4/7/2020	34	2	30	10	66	187	76	212
4/8/2020	49	17	18	11	84	271	95	307
4/9/2020	57	23	5	1	85	356	86	393
4/10 - 4/12/2020	4	0	0	5	4	360	9	402
4/13/2020	29	12	6	4	47	407	51	453
4/14/2020	56	33	6	2	95	502	97	550
4/15/2020	57	15	5	9	77	579	86	636
4/16/2020	56	18	6	1	80	659	81	717
4/17/2020	52	28	10	7	90	749	97	814
Total	394	148	207	65				814

*To more quickly reduce the prison population, the Defender is representing its own clients AND people with outside/private counsel appointed to their case at the expedited hearings.

Jail Population Reduction

By April 17, the jail population has declined an additional 9.4% compared to the census on the day the courts closed, for a total reduction of 17.89% since the expedited hearings began on April 7. (Figure 2).

