



## Stopping the Spread:

A Summary of the Defender Association's Efforts to Safely Reduce the Prison Population During the Coronavirus Pandemic - Week Ending April 24, 2020

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### Written Petitions

On March 20, three days after the courts closed, the Defender was directed by the 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 24, 622 of 1,017 petitions that have been decided (61.16%) have been granted.

### 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. In the first week of hearings (limited to April 7-9), 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:

- **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.
- **In the third week of hearings** (April 20-24), the Defender presented 375 motions and 7 plea deals on behalf of 184 clients. Of these 382 hearings/plea deals, 195 (51.05%) were granted, impacting 94 clients.
- **Cumulatively, the Defender has presented 2,949 motions/plea deals** on behalf of 1,289 clients in release hearings. Of these 2,949 motions/plea deals, 1,484 (50.32%) were granted, impacting 699 clients.

## 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 891 people from the Philadelphia Prisons**, and continues to work toward making sure every individual ordered released leaves jail in a timely manner. 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.

**FIGURE 1: DAILY RELEASE DATA, SINCE MARCH 25, 2020**

Date	Hearings by Defender		Written Petitions		Daily Releases Defender Hearings/Petitions	All Daily Releases
	Defender Clients*	Other Clients*	Defender Clients	Other Clients		
<b>3/25 - 4/2/2020</b>			73	Unknown	73	73
<b>4/3/2020</b>			12	5	12	17
<b>4/4/2020</b>			28	7	28	35
<b>4/5/2020</b>			1	0	1	1
<b>4/6/2020</b>			7	3	7	10
<b>4/7/2020</b>	34	2	30	10	66	76
<b>4/8/2020</b>	48	17	18	11	83	94
<b>4/9/2020</b>	54	21	5	1	80	81
<b>4/10 - 4/12/2020</b>	4	0	5	4	9	13
<b>4/13/2020</b>	28	11	6	4	45	49
<b>4/14/2020</b>	52	33	6	2	91	93
<b>4/15/2020</b>	56	14	5	9	75	84
<b>4/16/2020</b>	53	18	5	1	76	77
<b>4/17/2020</b>	50	28	9	7	87	94
<b>4/18 - 4/19/2020</b>	17	7	1	2	25	27
<b>4/20/2020</b>	17	7	3	4	27	31
<b>4/21/2020</b>	8	6	3	5	17	22
<b>4/22/2020</b>	8	3	8	9	19	28
<b>4/23/2020</b>	20	4	4	6	28	34
<b>4/24/2020</b>	31	6	5	5	42	47
<b>CUMULATIVE TOTAL</b>	<b>480</b>	<b>177</b>	<b>234</b>	<b>95</b>	<b>891</b>	<b>986</b>

\*The Defender holds hearings on behalf of its own clients as well as clients with outside/private counsel appointed on the case.

## Jail Population Reduction

Since the expedited hearings began on April 7, the jail population has declined an additional 11.54% compared to the census on the day the courts closed, for a total reduction of 20.03%.

