



Stopping the Spread:

A Summary of the Defender Association's Efforts to Safely Reduce the Prison Population During the Coronavirus Pandemic – Week ending May 1, 2020

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 May 1, 716 of 1,215 petitions that have been decided (58.93%) 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.¹ 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.

As of May 1, the Defender has presented 3,277 motions/cases on behalf of 1,460 clients in hearings. Of these 3,277 motions/cases, 1,669 (50.9%) were granted, impacting 821 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 1,001 people from the Philadelphia Prisons (Fig. 1)**, and continues to work toward making sure every individual ordered released leaves jail in a timely manner².

¹ *The Defender holds hearings on behalf of its own clients as well as clients with outside/private counsel appointed to the case*

² *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 Summary

Date	Hearings by Defender*		Written Petitions		Daily Releases Defender Hearings/Petitions	All Daily Releases
	Defender Clients	Other Clients	Defender Clients	Other Clients		
3/25 - 4/2/2020			73	Unknown	73	73
4/3/2020			12	5	12	17
4/4/2020			28	7	28	35
4/5/2020			1	0	1	1
4/6/2020			7	3	7	10
4/7/2020	34	2	30	10	66	76
4/8/2020	48	17	18	11	83	94
4/9/2020	53	20	5	1	78	79
4/10 - 4/12/2020	4	0	5	4	9	13
4/13/2020	28	11	6	4	45	49
4/14/2020	52	29	6	2	87	89
4/15/2020	56	14	5	9	75	84
4/16/2020	47	18	5	1	70	71
4/17/2020	48	28	8	7	84	91
4/18 - 4/19/2020	17	7	1	2	25	27
4/20/2020	17	7	3	4	27	31
4/21/2020	9	6	3	5	18	23
4/22/2020	8	4	9	10	21	31
4/23/2020	20	4	4	11	28	39
4/24/2020	35	8	7	7	50	57
4/26/2020			1	3	1	4
4/27/2020	2		2	4	4	8
4/28/2020	11	9	1	2	21	23
4/29/2020	13	10	4	3	27	30
4/30/2020	5	5	5	3	15	18
5/1/2020	36	6	4	6	46	52
TOTAL	542	203	252	124	1001	1125

*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 12.87% compared to the census on the day the courts closed, for a total reduction of 21.36% (Fig. 2).

