



ANNE BRADEN INSTITUTE FOR
SOCIAL JUSTICE RESEARCH

Governor Andy Beshear
700 Capitol Ave.
Frankfort, KY 40202

April 17, 2020

Dear Gov. Beshear,

We at the University of Louisville's Anne Braden Institute for Social Justice Research join the national #freethemall movement in expressing our deep concern for incarcerated people who remain crowded together during the COVID-19 pandemic in jails, prisons, and detention centers across our Commonwealth—and for those who work in these crowded facilities. You have been strongly identifying “healthy at home” as Kentuckians’ watchword during this time, and we urge you to use your office to take immediate action to free more people from jails, prisons, and detention centers statewide and allow them to maintain their health at home too. The lives of incarcerated people are already at risk, and in the context of the current pandemic that risk is exacerbated by the race, ethnic, and economic disparities in those most subject to the virus. Physical distancing guidelines and protective equipment are not in place in these close conditions, and depriving both inmates and workers of such basic safety precautions is both unjust and dangerous in this pandemic.

An outbreak of coronavirus in prisons, jails, and detention centers would be swift and difficult to contain, as we’ve already seen with contained populations at senior living complexes such as Louisville’s Treyton Oaks Towers. Such an outbreak would have ripple effects throughout our communities. The coronavirus’s disproportionate impact on poor and non-white communities combined with the disproportionate impact of incarceration and immigration detention on those same communities could lead to catastrophic loss for affected families and loved ones. We are now facing a life and death situation for those who are confined in or even work in these facilities.

Significantly, many of those held in jails and detention centers are not guilty of any crime, only the inability to post cash bail or produce proper documentation: 75% of those incarcerated statewide have not been convicted of any crime, according to 2019 reporting in the *Herald-Leader*. On April 14, 2020, the Supreme Court of Kentucky issued an emergency release order for pre-trial defendants to protect the health and safety of our employees in the state’s criminal justice system as well as to protect the health and safety of all pretrial defendants and any defendants housed in county jails.

Individuals who are held in and work in these institutions matter. Their families matter and their communities matter. We ask that you act on the positive first steps you have taken in this direction. Prioritize those who have not been convicted of any crime, and do more to quickly release our friends, families, and neighbors who are still confined together in close proximity amid the threat of coronavirus. Additionally, we ask that you a) make more information public about the conditions in these facilities and 2) fully equip inmates and employees with masks and protective equipment. We urge you to act, and we look forward to your continued leadership in this regard.

Sincerely,

Catherine Fosl, PhD
Faculty-Director