

March 19, 2020

Hon. Amy Ashworth, Commonwealth's Attorney  
Hon. Glendell Hill, Sheriff  
Hon. Tracy Hudson, Chief Circuit Court Judge  
Hon. Wallace Covington III, Chief General District Court Judge  
Hon. Helen Jan Roltsch-Anoll, Chief Juvenile and Domestic Relations Judge  
Joseph McGuire, Jr., Chief Magistrate  
Col. Peter Meletis, Superintendent, Prince William/Manassas Regional ADC  
Barry Barnard, Prince William County Chief of Police  
Douglas Keen, Manassas City Chief of Police  
John Evans, Manassas Park Chief of Police  
Peggy Anthony, Chief, District 35 Probation and Parole  
Steve Austin, Director, Office of Criminal Justice Services

**RE: CRIMINAL JUSTICE RESPONSE TO THE COVID-19 VIRUS**

The undersigned are attorneys who practice criminal law in the Prince William County Courts and other interested parties.

We, the undersigned, are requesting that the relevant actors in the legal system in Prince William County work to immediately release from incarceration as many people as possible, especially people being held on non-violent offenses, people who are at high risk from the COVID-19 virus, and people nearing the end of their sentences. We request that this and other actions be taken to ensure inmates and detainees are safe, as well as to protect the legal community and the community as a whole.

Today, as the number of COVID-19 cases rise in Northern Virginia, we are calling upon leaders of the PWC criminal legal system to take immediate action to limit the spread of the virus and the potential catastrophic effects on our community and clients both in jail and out. In a briefing today, Secretary of Public Safety Brian Moran said that the state is likewise asking judges and prosecutors to consider modifying sentences for crimes to consider alternatives like home monitoring, rather than incarceration, to reduce populations in jails and prisons.

Even today, with the growing recognition of the danger the virus presents to our community, prosecutors in Prince William County are objecting to release, even for probation violations and non-violent charges.

Conditions in the jail are incompatible with the current state and federal guidelines aimed at reducing the spread of the COVID-19 virus.

To address this crisis, we suggest the following:

- That the Commonwealth Attorney instruct her assistants to release anyone charged with a nonviolent offense, recognizing the inherent dangers of pretrial detention during the COVID-19 pandemic.
- That the police departments issue summonses, in lieu of arrest, for all nonviolent offenses.
- That the Magistrate's office release everyone charged with non-violent offenses.
- That the Adult Detention Center release or convert all work release participants to home incarceration.
- That the probation departments request show causes instead of warrants for alleged violations. Additionally, we ask that all probation, parole, and pretrial meetings, court-ordered classes, in-person drug testing, and collection of court debt, be suspended and modified so that all reporting conditions are conducted by phone.
- That the courts release on their recognizance all persons held for technical violations of probation.
- That the courts refrain from issuing *capias* warrants based on violations of probation for at least two months and convert all outstanding bench warrants for non-violent offenses to show cause rules.
- That the courts release persons who are within two months of their scheduled release.
- That the courts modify procedures to the extent possible to allow electronic filings and remote arguments in all matters.

We, the defense bar, are working to identify high risk clients and those close to their release dates or who may be otherwise a candidate for release and to file appropriate motions to gain their release.

Our priority is the health and safety of our clients, but we are also gravely concerned for the safety of everyone who works in or around the courts and ADC and for the community as a whole. Many of the people in the ADC are awaiting trial or serving short sentences, which means the vast majority will return to the community before long. How we deal with this crisis in the confined quarters of the ADC will dictate how healthy we are in the community. This is a matter both of medical necessity and basic human dignity.

We are all in this together.

Signed,

James Abrenio  
Jeremiah Adair  
Robert Bennett  
Danielle Brown  
Jeanne Brown  
Catherine Carré  
David Daugherty  
Anna Dvorchik  
Chris Finch  
Erin Ford  
Jessica Foster  
Matthew Greene  
John Irving  
David Johnson (Executive Director, VIDC)  
John Katz  
Kevin Leahy  
Bret Lee  
Tracey Lenox  
Hasina Lewis  
Mikhail Lopez  
Corinne Magee  
Meghan Matulka  
Katherine McCollam  
Matthew Morrison  
Nicole Naum  
Jane Reynolds  
Seema Rushandani  
David Silek  
Andrew Simpson  
Kelly Sprissler  
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