Dear, County Judge Sarah Eckhardt; County Commissioners; Mayor Steve Adler; City Council Members; Chief District Judge Brenda Kennedy; Presiding Municipal Judge Sherry Statman; District Attorney Margaret Moore; County Attorney David Escamilla; and Sheriff Sally Hernandez:

As the City of Austin and Travis County begin addressing the spread of COVID-19, I am writing to ask you to implement critical changes to how criminal justice is administered in Travis County. Now, more than ever, these changes are crucial to the public safety of our community. Postponing trials is an important step to protect health and safety, but we must do more.

As you know, locked down facilities like jails have incredibly high rates of infection. People are in close proximity to one another, they have restricted access to regular medical care, and do not have hygiene products readily available. Time and again, jails and prisons have been hotbeds for the spread of disease. And it is not just the close proximity that creates potentially disastrous and life-threatening circumstances -- jails are places of high churn, where people come in and out on a daily basis, bringing disease into the facility and potentially bringing it out.

The Coronavirus is a threat to Travis County and this country, and it will be especially difficult to contain and treat in our jail. It threatens the over 2,000 people who are locked up in the jail, those who work in the jail, those who provide care to those who are incarcerated, and the community at large.

In order to address this looming threat and protect the most vulnerable among us, the City and County should:

- End arrests and filings for all misdemeanor cases and state jail felonies unless there is a clear and on-going identified risk to public safety. Where necessary, officers can issue a summons for appearance in court at least 90 days from the date of the offense.
- Immediate release of all those held at the county jail who do not pose a significant risk to public safety. At minimum, anyone charged with a misdemeanor or state jail felony who is being held in jail because they cannot afford to get out should be released on personal bond. This also includes people held on probation detainers who are awaiting a hearing but do not pose a threat to public safety.
- Ensure that incarcerated individuals can communicate with their attorneys -- including a guarantee of confidentiality and the ability to meaningfully access and review any relevant materials.
- End any fees for phone calls made outside of the Travis County Jail.
- Provide free hygiene products, including anti-bacterial soap, tissues, paper towels and CDC-approved hand sanitizer, inside of the jail.
- Publicly release information about the process for testing, treating, and preventing the spread of any COVID-19 positive people who either live or work in the jail.
Commit that anyone in the jail who tests positive for COVID-19 will receive medical care consistent with best practices, and whenever possible in a hospital to prevent further spreading in the jail.

I want to be clear: most of the policies I am asking the County and City to implement are things we should do irrespective of the threat from COVID-19. We should not keep people locked in our jail simply because they cannot afford to get out. It is grossly unjust and it makes our community less safe. Every day, that practice destabilizes communities and now it threatens our community’s response to a rapidly spreading infectious disease. The threat of COVID-19 heightens the urgency to implement these changes, and it puts the problems with our legal system into sharp relief.

As COVID-19 spreads, already we see a crisis that threatens to weigh most heavily on the poor and vulnerable. Already reports have emerged that people of means have quick access to testing and care while the most vulnerable do not. Here, in the most progressive county in the state, we have an opportunity and a responsibility to reverse that trend.

Thank you for your prompt attention to this matter,

José Garza