



113 West Mountain
Street Fayetteville, AR
72701
(479) 575-8323

Resolution: 87-20

File Number: 2020-0253

WASHINGTON COUNTY DETENTION CENTER COVID-19:

A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE RELEASE OF PRE-TRIAL NON-VIOLENT DETAINEES FROM THE WASHINGTON COUNTY DETENTION CENTER TO REDUCE THE RISK OR IMPACT OF A COVID-19 OUTBREAK IN THE JAIL AND TO PROTECT THE PUBLIC HEALTH DURING A STATE OF EMERGENCY

WHEREAS the United States of America, the State of Arkansas and the City of Fayetteville have all declared states of emergency in their respective jurisdictions resulting from the worldwide pandemic of COVID-19; and

WHEREAS leaders at all levels of government have urged, and sometimes ordered, people not to gather in large numbers but rather practice "social distancing" in order to lower the risk to the public and "flatten the curve" of COVID-19 infection; and

WHEREAS public health officials have widely recognized that concentrated human environments such as jails are particularly susceptible to outbreaks of communicable diseases in general and COVID-19 infection in particular; and

WHEREAS the consequences of COVID-19 transmission in the Washington County Detention Center (the "jail"), would be potentially catastrophic to jail detainees, sentenced prisoners, staff and their families, and in turn, to the citizens of the City of Fayetteville with whom they interact; and

WHEREAS significant reduction in the population of the jail, through the release of pre-trial detainees who are not charged with violent offenses and whose previous histories do not reflect a history or pattern of violent behavior, would reduce the likelihood or severity of an outbreak in the jail, mitigate the public health risk to all our citizens, and even potentially save lives.

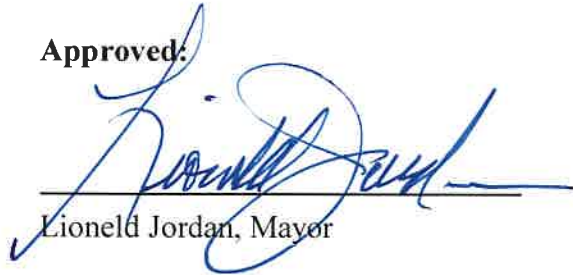
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FAYETTEVILLE, ARKANSAS:

Section 1: That the City Council of the City of Fayetteville, Arkansas urgently requests that all branches of the Washington County government take necessary and responsible measures to reduce the population of the Washington County Detention Center via the pretrial release of detainees charged with, but not convicted of, nonviolent offenses.


Section 2: That the City Council of the City of Fayetteville, Arkansas urges that no one be detained in the jail solely because of financial inability to post bail or bond, that bonds be set only in reasonable proportion to the seriousness of the crime charged and the defendant's previous history, and that all law enforcement and criminal justice agencies take appropriate measures to assure to the extent possible that limited jail space be reserved, primarily, for defendants who are demonstrably dangerous.

PASSED and APPROVED on 3/16/2020

Approved:


Lioneld Jordan, Mayor

Attest:


Kara Paxton, City Clerk Treasurer





City of Fayetteville, Arkansas

113 West Mountain Street
Fayetteville, AR 72701
(479) 575-8323

Text File

File Number: 2020-0253

Agenda Date: 3/16/2020

Version: 1

Status: Passed

In Control: City Council Meeting

File Type: Resolution

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Legistar ID No.: 2020-0253

SPECIAL MEETING AGENDA REQUEST FORM

FOR: Special City Council Meeting of March 16, 2020

FROM: Council Member Kyle Smith

ORDINANCE OR RESOLUTION TITLE AND SUBJECT:


A RESOLUTION TO EXPRESS THE CITY COUNCIL'S SUPPORT FOR THE RELEASE OF PRE-TRIAL NON-VIOLENT DETAINEES FROM THE WASHINGTON COUNTY DETENTION CENTER TO REDUCE THE RISK OR IMPACT OF A COVID-19 OUTBREAK IN THE JAIL AND TO PROTECT THE PUBLIC HEALTH DURING A STATE OF EMERGENCY.

APPROVED FOR AGENDA:



Council Member Kyle Smith

3/16/2020
Date



Assistant City Attorney Blake Pennington
Approved as to form

3/16/2020
Date

Pennington, Blake

From: Kyle Smith <citycouncil@kyle4fay.org>
Sent: Monday, March 16, 2020 11:42 AM
To: Williams, Kit; Pennington, Blake; Norton, Susan
Cc: stadel46@gmail.com
Subject: Resolution to Support Release of Nonviolent Pretrial Detainees During Public Health Emergency

Yesterday I was contacted by Stan Adelman, the ombudsman for the Washington County Jail. He is urgently seeking support for his effort to release non-violent pre-trial detainees and to thin out the human population confined in tight quarters at the jail before it becomes a COVID-19 hot spot. These are mostly detainees who simply can't afford the bond that was set so they are sitting in the jail waiting weeks or months for their trial date.

I spoke with Susan briefly about it this morning and it sounded like she thought it was worthy of further consideration. I have accelerated the timetable since tomorrow's meeting is now this afternoon and will work with Stan throughout the day for more information. In the meantime, I wanted to make sure to get this in your hands so it can be prepped to walk on for today's meeting if the Mayor approves.

I am also VERY open to policy advice on this. Rewording, additions, changes, etc... Stan helped with the language, and I've had about an hour to hammer on it myself this morning. I know we do not have jurisdiction, so this is merely and advisory request from the City government, I think, however, that it is a logical and necessary leadership position to take in a public health crisis.

https://docs.google.com/document/d/1_3bpkdtJFIP17ee2GFcSuplkUWcicCZ-c5snvnE4Rxc/edit#



RES NON-VIOLENT PRE-TRIAL DETAINEE RELEASE - HE...

Also, please review for typos. I've been fighting off 3 energetic kittens who think the keyboard is their playground.

Kyle Smith
Council Member
Ward 4 Position 2
City of Fayetteville, Arkansas
citycouncil@kyle4fay.org
479.274.8881
[Facebook](#) | [Twitter](#) | [Website](#)

RESOLUTION NO. _____

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PASSED and APPROVED this 16th day of March, 2020.

APPROVED:

By:


LIONELD JORDAN, Mayor

ATTEST:

By:


KARA PAXTON, City Clerk-Treasurer

