

Robert Gehrke: The Salt Lake County jail is refusing to give the public access to coronavirus info we're entitled to

Salt Lake Tribune]

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4/22/20

<https://www.sltrib.com/news/2020/04/22/robert-gehrke-salt-lake/>

With a cloud of COVID hanging over it, the Salt Lake County jail is on lockdown — at least when it comes to any public information about the extent of the outbreak and the threat posed by the virus.

My colleague Jessica Miller questioned jail officials for days trying to find out how many inmates had tested positive for COVID-19, getting shot down each time before [finally getting a partial response from the Salt Lake County Health Department](#).

The justification for withholding the coronavirus count was that the [American Civil Liberties Union has sued the county](#) to try to get inmates that are a low risk to the community but at a very high risk in jail out of a potentially dangerous setting.

After an inmate was [released from the jail and ended up in the hospital with COVID-19 less than 24 hours later](#), Sheriff Rosie Rivera angrily disputed whether the inmate, who had been incarcerated since December, was infected in the jail.

Whether there is a lawsuit or not, that isn't how it should be. County taxpayers built the jail. We pay the salaries of the people who work there, including the sheriff's. They work for us in our building.

What's more, when people are incarcerated there, it is done in our name. We don't just have a right to know the conditions in which we are depriving people of their freedom, we have a duty to hold people accountable for actions taken in our name.

But with no transparency, there can be no accountability.

Let's give credit where it's due. [The county jail population is down sharply](#) — there were about 1,425 inmates behind bars as of Tuesday. The normal capacity is nearly 2,100.

Salt Lake County District Attorney Sim Gill told me Tuesday there have been 15 inmates who have tested positive, nearly all of them tied to the Oxbow, a minimum security unit where the disease first showed up. That rate of one infection per 100 people is good for a jail, but more than seven times the rate of the rest of the county.

Here is what else Gill told me. Any inmate who is potentially exposed or shows symptoms is quarantined and tested. Gill said his office reviews who is in the jail weekly to identify nonviolent offenders who might be eligible for release without posing a danger to the public. They are also trying to avoid re-arresting people for minor probation violations.

"My position is trying to balance public safety and aggressive scrubbing to release as many as we can who don't pose a risk or a danger, and we are doing everything in that context that we can to respond to these very unique circumstances," Gill said.

But the Salt Lake Legal Defenders Association wants Gill to do more. They have tried to identify inmates who are a low risk to a community but whose health — given age or medical conditions — leaves them at a high risk for infection and pushed for the release of scores of additional inmates.

Frustrated with the progress — or lack thereof — attorneys in the office have begun to file motions asking the courts to let more inmates out.

Richard Mauro, who leads the defenders office, said many of those they are targeting are people awaiting trial but can't get out because they can't afford bail.

His attorneys interviewed inmates who said that proper safety precautions aren't being taken — food is being served without protective equipment, inmates only get to change clothes three times a week, phones aren't being wiped down after use, inmates are allowed to congregate, and they don't have enough access to soap.

Social distancing is impossible in some instances. With 1,044 cells and more than 1,400 people, some inmates share six-foot-by-six-foot cells.

In a response filed Tuesday, Gill's office disputed those accounts, saying adequate precautions are being taken and the COVID crisis doesn't warrant the release of those who could pose a danger to the community.

There is another problem with releasing inmates early: A quarter of them are homeless and the men's shelter [has been coping with its own outbreak](#), as [have rehab centers](#).

Mauro said social workers on his staff have been very resourceful about finding places for people to go and believes there are options available.

Group-living settings are obviously a nightmare from a disease prevention standpoint. Ilene Risk, bureau manager of epidemiology for Salt Lake County, told me last week that once you find one case in a group setting like a jail, you know there are others, and it's not unheard of for as many as 60% of residents to get the disease.

In Rikers Island in New York, [365 inmates tested positive for the virus](#), despite efforts to release some 1,500 people early. One Ohio prison began testing every inmate and [found 70% were infected, even though many were asymptomatic](#).

It does, as Gill suggests, demand a balance. Nobody would suggest that the doors should swing wide, nor would anyone suggest people who committed petty crimes should risk paying for that with their lives.

It also demands the public trust the actions that are being taken in our jails. And that trust will be hard to come by as long as the jail keeps so much information on lockdown.