

John M. Mejia (USB No. 13965)  
Jason M. Groth (USB No. 16683)  
Sara R. Wolovick (USB No. 17352)  
Leah Farrell (USB No. 13696)  
ACLU OF UTAH FOUNDATION, INC.  
355 North 300 West  
Salt Lake City, Utah 84103  
Telephone: (801) 521-9863  
Facsimile: (801) 532-2850  
Email: [aclu@acluutah.org](mailto:aclu@acluutah.org)

Aaron M. Kinikini (USB No. 10225)  
Nicolas H.K. Jackson (USB No. 15079)  
Disability Law Center  
205 North 400 West  
Salt Lake City, Utah 84103  
Telephone: (801) 363-1347  
Facsimile: (801) 363-1437  
Email: [akinikini@disabilitylawcenter.org](mailto:akinikini@disabilitylawcenter.org)  
[njackson@disabilitylawcenter.org](mailto:njackson@disabilitylawcenter.org)

Steven Burton (USB No. 12047)  
Utah Association of Criminal Defense Attorneys  
P.O. Box 3254  
Salt Lake City, Utah 84110  
Telephone: (801) 363-2976  
Email: [director@uacdl](mailto:director@uacdl)

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IN THE UTAH SUPREME COURT

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ACLU OF UTAH, DISABILITY LAW  
CENTER, UTAH ASSOCIATION OF  
CRIMINAL DEFENSE ATTORNEYS, ON  
BEHALF OF INDIVIDUALS IN CRIMINAL  
CUSTODY IN THE STATE OF UTAH AT  
RISK OF CONTRACTING COVID-19,

Plaintiffs-Petitioners,

v.

STATE OF UTAH; GARY R. HERBERT,  
Governor, State of Utah; MIKE HADDON,  
Executive Director, Utah Department of  
Corrections; CARRIE L. COCHRAN, Board  
Chair, Utah Board of Pardons and Parole, ALL  
COUNTIES in the State of Utah, ALL  
COUNTY SHERIFFS of the State of Utah, in  
capacity as County Jail Administrators.

Defendants-Respondents

PETITION FOR EXTRAORDINARY  
RELIEF PURSUANT TO RULE 65B OF THE  
UTAH RULES OF CIVIL PROCEDURE

Case No. \_\_\_\_\_

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COMES NOW, the Petitioners, the ACLU OF UTAH, DISABILITY LAW CENTER, and UTAH ASSOCIATION OF CRIMINAL DEFENSE ATTORNEYS on behalf of INDIVIDUALS IN CRIMINAL CUSTODY IN THE STATE OF UTAH AT RISK OF CONTRACTING COVID-19 (“Petitioners”), by and through counsel, and hereby petitions this Honorable Court for an Order granting Extraordinary Relief directing Respondents THE STATE OF UTAH, GARY R. HERBERT, Governor, State of Utah; MIKE HADDON, Executive Director, Utah Department of Corrections; CARRIE L. COCHRAN, Board Chair, Utah Board of Pardons and Parole; ALL COUNTIES; and ALL COUNTY SHERIFFS of the State of Utah, in capacity as County Jail Administrators (“Respondents”) to take immediate steps to significantly reduce the population of their Correctional Facilities and Correctional Centers by releasing—with appropriate considerations for public safety—pretrial detainees, post-conviction detainees with 180 days or fewer to serve on a sentence, and all individuals that are at high-risk for serious complications from contracting COVID-19. This Order would prevent the loss of life and harm that the spread of the COVID-19 pandemic would cause in correctional facilities.

Extraordinary relief is an appropriate remedy in this situation where the dangerous spread of COVID-19 throughout Utah Correctional Facilities is nearly inevitable without immediate action from Respondents, and no other legal remedy would provide a plain, speedy, or adequate response needed to avert a medical crisis in Utah’s correctional facilities. It is appropriate for this Court to bypass Rule 65B’s requirement that this Petition originate in a district court and take original jurisdiction of this Petition because filing multiple petitions to individual district courts across the state would fail to effectively address time-sensitive health and medical issues in this pandemic where crucial developments unfold not on a weekly or daily basis, but on an hourly basis. Moreover, district courts are currently operating in limited capacity increasing the chances

of delay and confusion in attempting to obtain the relief needed here. For the aforementioned reasons, this Petition is appropriately submitted to this Court.

Respectfully Submitted,

/s/ John Mejia

John Mejia

Leah Farrell

Jason Groth

Sara Wolovick

ACLU of Utah Foundation, Inc.

Steven Burton

Utah Association of Criminal Defense  
Attorneys

Aaron M. Kinikini

Nicholas H.K. Jackson

Disability Law Center

Attorneys for Plaintiffs-Petitioners