



MISSOURI ASSOCIATION OF PROSECUTING ATTORNEYS

PRESIDENT
Timothy Lohmar

www.moprosecutors.gov

200 Madison St., Ste. 1060
P.O. Box 899
Jefferson City, MO 65102
T: 573-751-0619
F: 573-751-1171

EXECUTIVE DIRECTOR
Darrell Moore

PRESS RELEASE

March 26, 2020

THE NEED FOR LOCAL CONTROL AND RESPONSE TO COVID-19 ISSUES RELATING TO INCARCERATED PERSONS

FOR IMMEDIATE RELEASE

Contact: Tim, Lohmar, President

c/o Leslie Knight: lknight@sccmo.org

(314) 420-9085

The Missouri State Public Defender has submitted a letter to the Missouri Supreme Court requesting it to issue a sweeping order instructing lower courts to categorically release certain inmates without considering individual factors that are essential to any fair and just decision regarding releasing a particular inmate. Even in these extraordinary times, such an order is unwarranted and would undermine the cause of individual justice, disallowing judges from considering the relevant facts of each individual situation. Local authorities such as sheriffs and judges after input from prosecutors and defense attorneys are in the best position to review and make decisions about the release of any individual inmate. They are able to consider not only public health issues but also the nature of the offense, the criminal history of the defendant, the defendant's record of appearing in court when ordered to do so, whether the defendant is in custody for reoffending after an initial offense, the defendant's probability of reoffending, and the safety of the victim.

Further, we note that the letter of Dr. Fred Rottnek, a purported expert in the field, which was concurrently submitted by the Public Defender with its own letter, does not recommend the sweeping, "one-size-fits-all" measures proposed by the Public Defender's own letter.

For these reasons, we urge the Supreme Court to trust local courts and sheriffs to make particularized decisions considering each individual case during this public health emergency.

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