

# Groups seeking release of Utah inmates amid pandemic drop case against county jails

*The ACLU said its petition with the Utah Supreme Court led to disclosures of jail protocols*

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SALT LAKE CITY — Groups suing for the release of more Utah inmates amid the COVID-19 pandemic are now focusing their legal battle on the state's prison system.

The ACLU of Utah, the Disability Law Center and the Utah Association of Criminal Defense Lawyers asked the Utah Supreme Court to dismiss their case against individual county jails in a Wednesday court filing. The groups said they are requesting the move because the counties ultimately shed light on their virus protocols in court documents that indicate jails are taking added safety measures and allowing releases the groups had sought.

Before the three organizations filed an emergency petition with the Utah Supreme Court in March, such information was not being shared despite the ACLU's "sustained efforts" to track it down, the ACLU said in a news release Thursday.

Salt Lake County Sheriff Rosie Rivera and her counterparts throughout the state maintained they were prepared to handle the virus and took significant precautions.

Salt Lake County District Attorney Sim Gill, who defended the county's jail in the lawsuit, said the case was "without merit, substance or evidence."

"Asking a court to dismiss a case that had no chance of prevailing, at the 11th hour, speaks to the faith they had in their own petition," he said.

The ACLU noted that two inmates at the jail had tested positive as of Wednesday and said it would also continue to pay close attention to other lockups around the state.

The Utah Department of Corrections and the Board of Pardons and Parole have pushed back on the petition, which sought the release of older inmates, those with existing health problems and others whose sentences were set to expire within six months.

In court filings, lawyers with the Utah Attorney General's Office said the prison system has taken steps to prevent the virus from entering the prison or spreading, like temperature checks for each employee, suspensions of visitation and volunteer work and immediate isolation of any inmate who shows symptoms. The prison also allowed more than 80 inmates to go home because they were within three months of their release date.

As of Thursday, 51 inmates at the prison had been tested. None have been confirmed to have the virus, although 10 tests were pending, according to the prison's website.