

**EMERGENCY COMMUTATION
IN RESPONSE TO COVID-19**

To All to Whom These Presents Shall Come, Greetings:

WHEREAS, on February 29, 2020, I issued Proclamation 20-05, proclaiming a State of Emergency for all counties throughout Washington State as a result of the coronavirus disease 2019 (COVID-19) outbreak in the United States and confirmed person-to-person spread of COVID-19 in Washington State; and

WHEREAS, as a result of the continued worldwide spread of COVID-19, its significant progression in Washington State, and the high risk it poses to our most vulnerable populations, I have subsequently issued amendatory Proclamations 20-06 through 20-50, exercising my emergency powers under RCW 43.06.220 by prohibiting certain activities and waiving and suspending specified laws and regulations; and

WHEREAS, the COVID-19 disease, caused by a virus that spreads easily from person-to-person which may result in serious illness or death and has been classified by the World Health Organization as a worldwide pandemic, has broadly spread throughout Washington State, significantly increasing the threat of serious associated health risks statewide; and

WHEREAS, the COVID-19 pandemic has resulted in the requirement to practice safe distancing as described by the Centers for Disease Control and the Washington State Department of Health to avoid contracting the virus; and

WHEREAS, the Centers for Disease Control and Prevention reports that groups at higher risk of severe illness or death from COVID-19 include those over 65 years of age, and people of any age who have certain chronic underlying health conditions; and

WHEREAS, although the Department of Corrections has taken significant action to address the threat of COVID-19 to the incarcerated population, it is difficult to accomplish the required distancing for individuals incarcerated in jails and correctional institutions, making it desirable to release certain individuals who are at particularly high-risk of serious health risks due to COVID-19; and

WHEREAS, the worldwide COVID-19 pandemic and its progression in Washington State continue to threaten the life and health of our people as well as the economy of Washington State, and remain a public disaster affecting life, health, property or the public peace; and

WHEREAS, on April 15, 2020, based on the above situation and under the provisions of RCW 43.06.220(2)(g), I found that strict compliance with certain statutes will prevent, hinder or delay necessary action in addressing the unprecedented demands of the COVID-19 pandemic by limiting my ability to release certain populations, including individuals who are vulnerable to complications, from state prisons, and accordingly, I waived and suspended those statutes until 11:59 PM on May 15, 2020.

WHEREAS, I have reviewed all pertinent facts and circumstances surrounding this matter, the circumstances of the involved crimes, and, in light of the foregoing, I have determined that the best interests of justice will be served by this action.

NOW, THEREFORE, I, Jay Inslee, by virtue of the power vested in me as Governor of the state of Washington, hereby COMMUTE the remaining confinement portion of sentences of incarcerated individuals who meet the following criteria and authorize their release from confinement within seven days of this order, or as soon as can reasonably be achieved thereafter:

- Those in DOC confinement: (1) who, during their current period of DOC jurisdiction, do not have a conviction for a violent offense, serious violent offense, or sex offense, as those terms are defined under RCW 9.94A.030; and (2) who have an earned release date before or on June 29, 2020.

PROVIDED, though my recent emergency proclamation waived certain statutory notification requirement provisions, for individual whose release otherwise would have required DOC to provide community or victim/witness notifications, DOC must still make reasonable efforts to provide notification to the relevant parties at least 48 hours in advance of the individual's release from custody under this EMERGENCY COMMUTATION.

FURTHERMORE, the Department of Corrections must keep a record of all individuals whose sentences are commuted under this EMERGENCY COMMUTATION and provide me a final report with that information.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the seal of the state of Washington to be affixed at Olympia on this 15th day of April, A.D., two thousand and twenty.

/s/
Governor of Washington

BY THE GOVERNOR

/s/
Secretary of State