



The Commonwealth of Massachusetts

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Press Release

DA Morrissey Responds to COVID-19 Threat

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Norfolk District Attorney Michael W. Morrissey has been actively working to decrease the number of people being taken into custody and releasing medically fragile defendants in response to the threat of COVID-19 transmission in penal institutions.

"The first thing I did was reach out to my 27 police chiefs to ask that, wherever possible, they avoid arresting on new charges and instead summons defendants to court at a future date when the threat of transmission has abated," District Attorney Morrissey said. "The result has been a marked decrease in the matters being brought in for arraignment, and I am very thankful to the chiefs for their cooperation.

District Attorney Morrissey has also been asking defense attorneys with clients who are being held on bail for non-violent crimes to bring those cases forward for review – particularly if the defendant has an underlying medical issue or age-related risk factor. "We have been able to agree to more than 70% of the cases brought forward," Morrissey said. "We have seen stalking matters and cases where there would be an unacceptable threat to a victim, and those we have asked the court to consider more closely."

The District Attorney has been disappointed in the slow pace of cases being brought forward. "We have the judges and assistant district attorneys in place in our courthouses to be handling at least two or three times as many petitions as we are seeing per day," Morrissey said. "To that end, we have established a hotline number and email address and sent it out to all of the relevant bar associations asking them to bring these matters forward."

The high degree of communicability of COVID-19 plus the necessarily close quarters of jails and houses of correction, creates the potential for mass spread. "The Norfolk County Sheriff, Jerry McDermott, to his credit, has invested in sophisticated sanitizing equipment, developed both sanitary and medical protocols, and is screening employees every day for fitness. But we still see it as important that we take steps to safely decrease the number of non-violent offenders in custody," Morrissey said.

Before the current move to decrease the population at the Norfolk County Correctional Complex in Dedham, the facility was at roughly 77% of design capacity, and every Department of Corrections facility in the state is below its design capacity, according to state officials. "We are not starting from the kind of overcrowded levels that are making other institutions even less safe during this time, but we are still working to do more," Morrissey said.