

STATE	CITE AND RELEASE AT ARREST (BY OFFICER)	CITE AND RELEASE AT BOOKING (BY JAILER)	OUTBREAK-RELATED RELEASE POWER (NON-INFECTED)	OUTBREAK-RELATED RELEASE POWER (INFECTED)	EMERGENCY RELEASE POWER	OTHER RELEASE POWER	OTHER RELEVANT EMERGENCY POWER
Alabama - AL	Ala. Code § 11-45-9.1 (Class C misdemeanors)		Ala. Code § 14-3-43 (inmates may be removed to secure location other than prison "whenever the prevalence of any epidemic, infectious or contagious disease ... may render such removal proper")		Ala. Code § 14-6-9 ("When the life or health of any prisoner, who is not confined under process from any court of the United States, may be seriously endangered by longer confinement in jail and that fact is made to appear clearly to any circuit court judge, such judge must, by an order in writing, direct the sheriff or jailer to remove him to some suitable place or hospital, as near as may be to the jail, and there safely keep him until his health is sufficiently restored to authorize his rec commitment to jail")	Ala. Code § 14-8-38 (county inmates eligible for good time credits same as state); Ala. Code § 14-9-41(f)(2) (commissioner has power to restore good time credits upon recommendation by warden); Alabama DOC Administrative Regulation 425 (Sheriff has power to recommend restoration of good time credit); http://www.doc.state.al.us/docs/AdminRegs/AR425.pdf ; Ala. Code § 14-14-5(a) (terminally ill and/or permanently incapacitated inmates may apply for medical furlough for duration of sentence); Ala. Code §§ 14-8-33, 14-8-38, 14-8-39 (work release programs including alternative confinement for county and state inmates; good-time credits and passes for participants)	
Alaska - AK	Alaska Stat. § 12.25.180 (Class C felonies, misdemeanors, infractions, ordinance violations)				Alaska Admin. Code tit. 22, §05.050 (a)-(b) ("If, as the result of an emergency, the commissioner orders the evacuation of a facility, ... the following may be released on their own in order to report to a designated location at a designated time: (1) prisoners solely charged with or convicted of a misdemeanor; (2) prisoners classified minimum or community custody; and (3) prisoners held under contempt of court or any form of civil process, excluding mental commitments and persons incapacitated by alcohol")	Alaska Stat. § 33.30.101 (furlough for medical treatment or any other rehabilitative purpose); Alaska Stat. § 33.16.085 (special medical parole for prisoners who will likely be sick or die for duration of sentence); Alaska Stat. § 33.30.065 (commissioner can designate sentence to be served through electronic monitoring)	
Arizona - AZ	Ariz. Rev. Stat. § 13-3903 (misdemeanors, petty offenses)		Ariz. Rev. Stat. Ann. § 31-106 ("When a pestilence or contagious disease breaks out in or near a jail, and the physician thereof certifies that it is liable to endanger the health of the prisoners, the county judge may, by a written appointment, designate a safe and convenient place ... in the county ... as the place of their confinement. The appointment must be filed in the office of the clerk of the court, and authorize the sheriff to remove the prisoners to the place ... designated, and there confine them until they can safely returned to the jail[.]")			Ariz. Rev. Stat. § 11-459 (authorizes sheriffs to create and run work release and home detention programs); Ariz. Rev. Stat. § 31-233(B) (furlough for compassionate leave, including medical care, "or for disaster aid, including local mutual aid and state emergencies")	
Arkansas - AR	Ark. R. Crim. Proc. 5.2(a) (misdemeanors)	Ark. R. Crim. Proc. 5.2(b) ("When a person is arrested for any misdemeanor, the ranking officer on duty at the place of detention to which the arrested person is taken may issue a citation in lieu of continued custody.")	Ark. Code Ann. § 16-90-408 ("A person committed to prison for any criminal offense who is in the custody of an officer shall not be removed from the prison or delivered to the custody of any other officer ... except ... [i]n case of fire, infectious disease, or other great necessity.")			Ark. Code § 12-41-503 ("(a) County sheriffs and other keepers or administrators of jails within the State of Arkansas are responsible for managing the populations and operations of their respective facilities in compliance with the laws and the Arkansas Constitution and within the requirements of the United States Constitution. (b) Neither a county sheriff nor another keeper or administrator of a jail shall refuse to accept any prisoner lawfully arrested or committed within the jurisdiction of the supporting agency of the jail except as necessary to limit prisoner population in compliance with subsection (a) of this section."); Ark. Op. Att'y Gen. Nos. 2007-240, 2007 WL 3352510, at *2-3 ("The sheriff may release prisoners of a county jail if such a release is necessary to comply with constitutional safeguards or provisions pursuant to A.C.A. § 12-41-503 (b) . . . without necessarily a promise to appear at appropriate times."); 2011-164, 2012 WL 424323, at *1 n.2 (recognizing that this provision "authoriz[es] a sheriff to refuse to accept prisoners where necessary in order to manage the jail in compliance with constitutional requirements"); Ark. Code § 12-41-503(c) (sheriff has discretion to assign to home confinement); Ark. Code § 12-41-104 (sheriff or chief of police may authorize emergency furlough for serious illness or death of family member or "other proper emergency"); Ark. Code § 12-41-101 (b)(1) ("Mentioned good time shall be awarded under the rules and regulations promulgated by the county sheriff or chief of police and approved by the county quorum court of the various counties or the city legislative body of the various cities."); Ark. Code Ann. § 12-28-601 to 12-28-606 (prison and jail overcrowding release mechanism)	

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California - CA	Cal. Penal Code § 853.6 (misdemeanors), 853.5 (infractions)	Cal. Penal Code §§ 853.6 ("In any case in which a person is arrested for an offense declared to be a misdemeanor, including a violation of any city or county ordinance, and does not demand to be taken before a magistrate . . . [and] the person is not released prior to being booked and the officer in charge of the booking or his or her superior determines that the person should be released, the officer or his or her superior shall prepare a written notice to appear in court."), 853.5 (infractions)	Cal. Penal Code § 4012 ("When a pestilence or contagious disease breaks out in or near a jail, and the physician thereof certifies that it is liable to endanger the health of the prisoners, the county judge may, by a written appointment, designate a safe and convenient place . . . in the county . . . as the place of their confinement. The appointment must be filed in the office of the clerk of the court, and authorize the sheriff to remove the prisoners to the place . . . designated, and there confine them until they can safely returned to the jail[.]")		Cal. Gov't Code § 8658 ("In any case in which an emergency endangering the lives of inmates of a state, county, or city penal or correctional institution has occurred or is imminent, the person in charge of the institution may remove the inmates from the institution. He shall, if possible, remove them to a safe and convenient place and there confine them as long as may be necessary to avoid the danger, or, if that is not possible, may release them. Such person shall not be held liable, civilly or criminally, for acts performed pursuant to this section."); Cal Gov't Code § 26602 ("The sheriff may execute all orders of the local health officer issued for the purpose of preventing the spread of any contagious or communicable disease.")	Cal. Penal Code § 4024.1 (overcrowding release); Cal. Penal Code § 1170.06 (alternative custody program operated by sheriff); Cal. Penal Code § 1170(e) (medical parole for terminally ill); Cal. Penal Code § 3550 (medical parole for mentally incapacitated); Cal. Penal Code § 1203.016 (voluntary home confinement); Cal. Penal Code § 1203.017 (involuntary home confinement due to jail overcrowding)	
Colorado - CO	Colo. Rev. Stat. § 16-3-105 (misdemeanors, petty offenses)		Colo. Rev. Stat. Ann. § 13-45-111 ("Any person committed to any prison or in the custody of any officer, sheriff, jailer, keeper, or other person, . . . for any criminal or supposed criminal matter shall not be removed from the prison or custody into any other prison or custody . . . unless . . . in case of sudden fire, infection, or other necessity.")			Colo. Rev. Stat. § 17-26-109 (sheriff has significant discretion over award of good-time credit)	
Connecticut - CT	Conn. Gen. Stat. § 54-1h (misdemeanors)	Conn. Gen. Stat. § 18-100f ("Release of certain arrested persons being held pretrial. Unless otherwise ordered by the court, whenever an arrested person charged with the commission of no crime other than a class D or E felony or a misdemeanor, except a violation of section 53a-60a, 53a-60b, 53a-60c, 53a-60d, 53a-72a, 53a-73a or 53a-181c, is committed by the court to the custody of the Commissioner of Correction pursuant to section 54-64a, the commissioner may release such person to a residence approved by the Department of Correction subject to such conditions as the commissioner may impose including, but not limited to, participation in a substance abuse treatment program and being subject to electronic monitoring or any other monitoring technology or services. Any person released pursuant to this section shall remain in the custody of the commissioner and shall be supervised by employees of the department during the period of such release. Upon the violation by such person of any condition of such release, the commissioner may revoke such release and return such person to confinement in a correctional facility.")					
Delaware - DE	Del. Code tit. 11, § 1907 (misdemeanors)						Del. Code tit. 10, §§ 2004, 2009 (after declaring an emergency, which may be "based upon emergency circumstances, including but not limited to . . . disease . . . resulting in the destruction of or severe damage to courthouses, the ability to access courthouses, or the ability to staff courts," the Chief Justice "shall have the authority to take such other actions as the Chief Justice reasonably believes are necessary to provide for the continued operation of the courts during a judicial emergency"), 2010 ("The provisions of this chapter shall preempt and supersede but not repeal any conflicting provisions of this Code or any other provision of law.")
Florida - FL	Fla. R. Crim. Proc. 3.125 (first- and second-degree misdemeanors, ordinance violations); Fla. Stat. § 162.23 (code and ordinance violations)	Fla. R. Crim. Proc. 3.125(c) ("If the arresting officer does not issue notice to appear [for a misdemeanor] . . . the booking officer may issue notice to appear if the officer determines that there is a likelihood that the accused will appear as directed[.]")				Fla. Stat. Ann. § 947.146 (prison overcrowding release mechanism)	
Georgia - GA	Ga. Code § 17-4-23 (certain misdemeanors)					Ga. Code § 42-4-7(b) (sheriff grants good-time credits); Ga. Code § 42-9-60 (prison overcrowding release on parole)	Ga. Code § 38-3-51(d) ("In addition to any other emergency powers conferred upon the Governor by law [when he has declared an emergency], he may: [1] Suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster.")
Hawaii - HI	Haw. Rev. Stat. § 803-6 (misdemeanors, petty misdemeanors, ordinance violations)					Haw. Rev. Stat. § 353-36 (overcrowding release)	
Idaho - ID	Idaho Code § 19-3901 (misdemeanors and infractions triable by magistrates)						

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Illinois - IL Indiana - IN	725 Ill. Comp. Stat. 5/107-12(a) (all offenses without arrest warrant) Ind. Code § 35-33-4-1(f) (misdemeanors)	725 Ill. Comp. Stat. 5/107-12(d) ("In any case in which a person is arrested for a Class C misdemeanor or a petty offense and remanded to the sheriff other than pursuant to a court order, the sheriff may issue such person a notice to appear.")			730 Ill. Comp. Stat. 125/14 ("At any time, in the opinion of the Warden, the lives or health of the prisoners are endangered or the security of the penal institution is threatened, to such a degree as to render their removal necessary, the Warden may cause an individual prisoner or a group of prisoners to be removed to some suitable place within the county, or to the jail of some convenient county, where they may be confined until they can be safely returned to the place whence they were removed.")	730 Ill. Comp. Stat. 5/5 (electronic detention), 5/3-6-3 (earned discretionary sentence credit)	20 Ill. Comp. Stat. Ann. 3305/7 (empowering the Governor, after declaring an emergency, to "suspend the provisions of any regulatory statute prescribing procedures for conduct of State business, or the orders, rules and regulations of any State agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder or delay necessary action, including emergency purchases, by the Illinois Emergency Management Agency, in coping with the disaster.")
Iowa - IA	Iowa Code § 805.1 (all offenses other than stalking and those not eligible for bond)	Iowa Code § 805.1 ("If a warrantless arrest has been made [for a bailable offense other than stalking], a citation may be issued in lieu of continued custody.")					
Kansas - KS	Kan. Stat. § 22-2408 (misdemeanors)		Kan. Stat. 75-5224 ("In the case of any contagious disease ... the secretary may cause the removal of such inmates as may be necessary to a place of security consistent with their safekeeping until such time as said inmates may safely be returned to such institution.") Ky. Rev. Stat. Ann. § 197.130 and Ky. Const. § 253 (governing work release but contemplating that "during pestilence ... prisoners cannot be confined within the prison walls or enclosures")			Kan. Stat. 21-6821 (good time credit rules adopted by secretary of corrections); Kan. Stat. 22-3726 (supervised furlough for crimes committed prior to July 1993)	
Kentucky - KY	Ky. Rev. Stat. § 431.015 (certain misdemeanors)						
Louisiana - LA	La. Code Crim. Proc. art. 211 (felony theft or illegal possession of stolen things valued at less than one thousand dollars, misdemeanors)					La. Stat. § 15:764 (overcrowding release from jail); La. Stat. § 15:571.3 ("The sheriff of the parish in which the conviction was had shall have the sole authority to determine when good time has been earned in accordance with the sheriff's regulations and the provisions of this Section"); La. Stat. § 15:571.4C (restoration of good-time credits in prison); DPS Policy HC-06, § 8 at §§ 5-A and 6 (compassionate release from DOC)	La. Stat. Ann. § 29:724(D) ("In addition to any other powers conferred upon the governor by law, he may do any or all of the following: (1) Suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency.")
Maine - ME	Me. Stat. tit. 17-A, § 15-A (all offenses)			Me. Rev. Stat. tit. 30-A, § 1560 ("If a prisoner in a jail is afflicted with a disease that the Commissioner of Health and Human Services or the commissioner's designee, by medical advice, considers dangerous to the safety and health of other prisoners or of the inhabitants of the municipality, the commissioner or designee shall, by written order, direct the person's removal to some place of safety, to be securely kept and provided for until the commissioner's or designee's further order.")		Me. Rev. Stat. 30-A, §§ 1556, 1559-A (a sheriff can assign to a community confinement program any sentenced prisoner who resides in the state, was not convicted of a sex offense, is classified as medium security and moderate risk or below, and has served at least a third of the unsuspended portion of this sentence).	Md. Code Pub. Safety § 14-3A-03(d)(1) (Governor's power to order evacuation/closing of any facility during health emergency), Md. Code Pub. Safety § 14-106(c) (requirement that Governor consider measures that could prevent/reduce harmful consequences of emergencies), Md. Code Pub. Safety 14-107(d)(1)(i) (power of Governor to suspend statutes and regs during state of emergency)
Maryland - MD	Md. Code Crim. Proc. § 4-101(c)(1)(i) (certain misdemeanors)		Mass. Gen. Laws ch. 126, § 26 ("If disease breaks out in a jail or other county prison, which, in the opinion of the inspectors of the prison, may endanger the lives or health of the prisoners to such a degree as to render their removal necessary, the inspectors may designate in writing a suitable place within the same county, or any prison in a contiguous county, as a place of confinement for such prisoners. Such designation, having been filed with the clerk of the superior court, shall be a sufficient authority for the sheriff, jailer, superintendent or keeper to remove all prisoners in his custody to the place designated, and there to confine them until they can safely be returned to the place whence they were removed. Any place to which the prisoners are so removed shall during their imprisonment therein be deemed a prison of the county where they were originally confined, but they shall be under the care, government and direction of the officers of the county where they are confined.")	Mass. Gen. Laws ch. 111, § 108 ("If a prisoner in a jail or house of correction has a disease which, in the opinion of the physician of the board of health or of such other physician as it may consult, is dangerous to the safety and health of other prisoners or of the inhabitants of the town, the board shall, in writing, direct his removal to a hospital or other place of safety, there to be provided for and securely kept until its further order.")		Md. Code Crim. Proc. § 5-101 (liberal pretrial release eligibility)	
Massachusetts - MA						Mass. Gen. Laws ch. 639 (Governor's clemency powers and emergency powers), ch. 127 § 90A (furlough), ch. 127 § 129D (earned sentence reduction)	
Michigan - MI	Mich. Com. Laws § 764.9c (certain misdemeanors and ordinance violations)					Mich. Comp. Laws §§ 801.51 – 801.64 (overcrowding release), Mich. Comp. Laws § 51.282 (sheriff has discretion to award, revoke, and restore good-time credit)	
Minnesota - MN	Minn. R. Crim. Proc. 6.01(1) (misdemeanors)	Minn. R. Crim. Proc. 6.01 ("When an officer brings a person arrested without a warrant for a felony or gross misdemeanor to a police station or county jail, the officer in charge of the police station, sheriff in charge of the jail, or officer designated by the sheriff may issue a citation and release the defendant unless it reasonably appears to the officer that . . . (1) the person must be detained to prevent bodily injury to that person or another; (2) further criminal conduct will occur; or (3) a substantial likelihood exists that the person will not respond to a citation.")	Minn. Stat. Ann. § 243.57 ("In case of an epidemic of any infectious or contagious disease in any state correctional facility under control of the commissioner of corrections, by which the health or lives of the inmates may be endangered, the chief executive officer ... hereof, with the approval of the commissioner of corrections may cause the inmates so affected to be removed to some other secure and suitable place or places for care and treatment[.]")			MN DOC (The Commissioner has authority to grant conditional medical release and to grant work release status to those who qualify. He is actively considering how he can exercise that authority in a way that protects communities but that also helps to minimize risk for those who are incarcerated.), https://mn.gov/doc/about/covid-19-updates/updates-for-inmate-families/	

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Mississippi - MS	Miss. Code § 99-3-18(1) (misdemeanors)	Miss. Code § 99-3-18 ("If the person is not released prior to being booked and the officer in charge of the booking or his superior determines that the person should be released, such officer or superior shall prepare such written notice to appear in court.")	Miss. Code Ann. § 47-3-7 ("If any infectious or contagious disease shall appear in the vicinity of any jail, or if the appearance of such disease be apprehended, the board of supervisors of the county, or, if it should not meet in time, the sheriff of the county, ... with the concurrence of two (2) members of such board, or of a circuit judge or chancellor, expressed in writing, may cause the prisoners confined in such jail to be removed to some suitable place of security, for safekeeping, until the threatened danger shall be over, when ... they shall be returned to the jail.")				
Missouri - MO		Mo. Ann. Stat. § 544.560 ("When any sheriff or other officer shall arrest a party by virtue of a warrant upon an indictment, or shall have a person in custody under a warrant of commitment on account of failing to find conditions for release as provided in section 544.455, and the conditions for release required are specified on the warrant, or if the case is a misdemeanor, such officer may set the conditions for release, and discharge the person so held from actual custody.")					
Montana - MT	Mont. Code § 46-6-310 (all offenses)			Mont. Code § 50-2-121 ("On written order of a local health officer, a diseased prisoner who is held in a jail and who is considered dangerous to the health of other prisoners may be removed to a hospital or other place of safety.")			
Nebraska - NE	Neb. Rev. Stat. § 29-422 (misdemeanors, infractions, ordinance violations)	Neb. Rev. Stat. § 29-422 ("Except in cases involving protection or restraining orders,) any peace officer shall be authorized to issue a citation in lieu of arrest or continued custody for any offense which is a traffic infraction, any other infraction, or a misdemeanor and for any violation of a city or village ordinance."); Alan G. Gless, <i>Arrest and Citation: Definition and Analysis</i> , 59 Neb. L. Rev. 279, 319 (1980) ("It is apparent from [this] statute[] that citations can be used not only as a substitute for an arrest, but also after an actual arrest as a substitute for the bail procedure.")				Neb. Rev. Stat. § 83-962 (prison overcrowding release mechanism) Neb. Rev. Stat. § 211.240 (overcrowding release)	
Nevada - NV	Nev. Rev. Stat. § 171.1771 (misdemeanors, ordinance violations)						
New Hampshire - NH	N.H. Rev. Stat. 594:14 (misdemeanors, ordinance violations)						
New Jersey - NJ	N.J. R. Crim. Proc. 3:4-1(a) (certain felonies, misdemeanors);					N.J. Rev. Stat. § 2A:164-24 (sheriff grants good-time credits) N.M. Stat. § 31-21-25.1 (medical parole for terminally ill or permanently incapacitated); N.M. Stat. § 33-3-9(A) ("The sheriff or jail administrator of any county, with the approval of the committing judge or presiding judge, may grant any person imprisoned in the county jail a deduction of time from the term of his sentence for good behavior and industry and shall establish rules for the accrual of 'good time.'"); N.M. Stat. § 33-3-15 ("Whenever the public welfare or the safe custody of a prisoner shall require, any district judge in the state of New Mexico in his discretion may order any person charged with the commission of a crime, or any person in the custody of the sheriff of any county in the district of the said judge, to be removed to ... any other place of safety, when, in the opinion of the said district judge, it is advisable that such person or persons shall be removed for any purpose whatsoever.")	Worthington v. Fauver, 88 N.J. 183, 440 A.2d 1128 (1982) (recognizing the Governor's authority, pursuant to the Disaster Control Act, to remove prisoners from overcrowded state prisons and transfer them to county jails, in language broad enough to arguably support the power to release them to home confinement if appropriately tailored to the magnitude of the current crisis)
New Mexico - NM	N.M. Stat. § 31-1-6 (petty misdemeanors)		N.M. Stat. § 33-2-29 ("In case of any pestilence or contagious sickness breaking out among the convicts, the corrections division [corrections department] may cause the convicts confined therein or any of them to be removed to some suitable place of security where such of them as may be sick shall receive necessary medical attention and such convicts must be returned as soon as may be to the penitentiary to be confined according to their respective sentences, if the same be unexpired.")				
New York - NY	N.Y. Crim. Proc. Law §§ 140.20(2), 150.20, 150.75 (some Class E felonies, misdemeanors)		N.Y. Correct. Law § 141 ("In case any pestilence or contagious disease shall break out among the inmates in any of the correctional facilities, or in the vicinity of such facilities, the commissioner of correction may cause the inmates ... confined in such facility, or any of them, to be removed to some suitable place of security, where such of them as may be sick shall receive all necessary care and medical assistance[.];"); N.Y. Correct. Law § 504 ("[I]f a pestilential disease breaks out in the jail or in the vicinity of the jail and the physician to the jail certifies that it is likely to endanger the health of any or all of the inmates in the jail, the ... state commission of correction, upon application, must, by an instrument in writing, filed with the clerk of the county, designate another suitable place within the county, or the jail of any other county, for the confinement of some or all of the inmates, as the case requires.")			N.Y. Correct. Law 6-A, § 150 (authorizing the placement of New York City inmates in a work release "program in which the limits of place of confinement are extended for the purpose of ... obtaining medical treatment not otherwise available, caring for the prisoner's household and family or for some other compelling reason consistent with the public interest")	
North Carolina - NC	N.C. Gen. Stat. § 15A-302 (misdemeanors, infractions)		N.C. Gen. Stat. § 153A-224(a) ("No person may be confined in a local confinement facility unless custodial personnel are present and available to provide continuous supervision in order that custody will be secure and that, in event of emergency, such as fire, illness, assaults by other prisoners, or otherwise, the prisoners can be protected. These personnel shall supervise prisoners closely enough to maintain safe custody and control and to be at all times informed of the prisoners' general health and emergency medical needs.")				

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North Dakota - ND	N.D. R. Crim. Proc. 5(e) (all offenses committed in presence of officer);				N.D. Cent. Code § 12-44.1-19 ("If a correctional facility or any adjoining building shall be on fire or another emergency occurs, and the inmates may be exposed to danger, the correctional facility staff shall remove the inmates to a place of safety, and there confine them as long as necessary to avoid the danger.")		
Ohio - OH	Ohio R. Crim. Proc. 4(F) (misdemeanors); Ohio Rev. Code § 2935.26 (minor misdemeanors)	Ohio R. Crim. Proc. 4(F) ("[I]n misdemeanor cases where a person has been arrested with or without a warrant, the arresting officer, the officer in charge of the detention facility to which the person is brought or the superior of either officer, without unnecessary delay, may release the arrested person by issuing a summons unless it appears that issuance of a summons will not reasonably assure the person's appearance.")				Ohio Rev. Code § 2947.151 (sheriff has discretion to award good-time credit with agreement of judge); Ohio Rev. Code § 2967.05 (governor may order release of prisoner in imminent danger of death as if on parole)	Ohio Sup. R. 14.01 ("During a judicial emergency declared pursuant to Sup.R. 14, the Chief Justice of the Supreme Court may do any of the following: (A) Suspend or modify the operation of any local rule of the affected court or division; (B) Adopt temporary local rules for the affected court or division; (C) Suspend or modify the operation of any rule or requirement of the Supreme Court for the affected court or division; (D) Adopt temporary rules of the Supreme Court for the affected court or division; ... (G) Do and direct to be done all things necessary to ensure the orderly and efficient administration of justice for the duration of the judicial emergency.")
Oklahoma - OK	Okla. Stat. tit. 22, § 209 (misdemeanors, ordinance violations)					Okla. Stat. tit. 57 § 20 (good-time credit for prisoners), Okla. Stat. tit. 57, § 510.9 (director of DOC authorized to assign certain prisoners to electronic monitoring)	
Oregon - OR	Or. Rev. Stat. §§ 133.055 (Class C and certain other felonies, misdemeanors), 133.070 (ordinance violations)					Or. Rev. Stat. §§ 169.042 – 169.046 (overcrowding release); Or. Rev. Stat. § 169.110 (jail good-time credit award within discretion of sheriff); Or. Rev. Stat. §§ 144.122 - 144.126 (State Board of Parole can advance release date if "continued incarceration is cruel and inhumane" & prisoner has "severe medical condition")	
Pennsylvania - PA	Pa. R. Crim. Proc. 519(B) (certain misdemeanors)						
Rhode Island - RI	R.I. Gen. Laws § 12-7-11 (misdemeanors)	R.I. Gen. Laws § 12-7-12 ("The officer in charge of any police station may release any person in his or her station who has been arrested without a warrant ... [I]f the arrest is for a misdemeanor, upon that person signing an agreement to appear in court at a designated time.")					42 R.I. Gen. Laws § 42-26-13.3 (prison overcrowding release mechanisms)
South Carolina - SC	S.C. Code §§ 56-7-10 (certain misdemeanors); 56-7-15 (offenses committed within presence of officer and within jurisdiction of magistrates court and municipal court); 56-7-80 (ordinance violations)		S.C. Code Ann. § 17-13-120 ("A person committed to prison for any criminal offense who is in the custody of an officer shall not be removed from the prison or delivered to the custody of any other officer ... except ... [I]n case of fire, infectious disease, or other great necessity.")				
South Dakota - SD	S.D. Codified Laws § 23-1A (petty offenses)						
Tennessee - TN	Tenn. Code § 40-7-118 (certain misdemeanors)	Tenn. Code § 40-7-120(b) ("A sheriff or sheriff's designee may, at a county jail, issue a release citation to any person who has been arrested for a violation of law which is punishable as a misdemeanor and who has been booked and processed for that violation.")				Tenn. Code § 41-2-143 (giving the sheriff "sole discretion" to authorize a person "committed to the county jail" to leave it on furlough "under such rules and regulations as may be prescribed and promulgated by the sheriff," requiring that furloughs be made "on an individual basis under reasonable conditions" to inmates on work release or within a certain number of days of release (to be "prescribed" by the sheriff), and allowing furloughs of unlimited duration if "specially authorized by the sheriff ... to those with a record of behavior and conduct as to be worthy of the privileges," upon notification of the "committing judge" and law enforcement in the prisoner's home county); Tenn. Code § 41-21-227 (furloughs from prison may be extended indefinitely by commissioner "when an emergency exists")	
Texas - TX	Tex. Crim. Proc. Code § 14.06 (certain misdemeanors)	Tex. R. Crim. Proc. 14.06 (imposing a duty on "the person having custody of the person arrested" to bring him before a magistrate or, if charging him or her with certain misdemeanors, "instead of taking the person before a magistrate, issue a citation to the person")		Tex. Code Crim. Proc. art. 11.25 ("When a judge or court authorized to grant writs of habeas corpus shall be satisfied, upon investigation, that a person in legal custody is afflicted with a disease which will render a removal necessary for the preservation of life, an order may be made for the removal of the prisoner to some other place where his health will not be likely to suffer, or he may be admitted to bail when it appears that any species of confinement will endanger his life.")		Tenn. Code § 41-2-143 (giving the sheriff "sole discretion" to authorize a person "committed to the county jail" to leave it on furlough "under such rules and regulations as may be prescribed and promulgated by the sheriff," requiring that furloughs be made "on an individual basis under reasonable conditions" to inmates on work release or within a certain number of days of release (to be "prescribed" by the sheriff), and allowing furloughs of unlimited duration if "specially authorized by the sheriff ... to those with a record of behavior and conduct as to be worthy of the privileges," upon notification of the "committing judge" and law enforcement in the prisoner's home county); Tenn. Code § 41-21-227 (furloughs from prison may be extended indefinitely by commissioner "when an emergency exists")	Tex. Gov't Code Ann. § 22.0035(b) ("Notwithstanding any other statute, the supreme court may modify or suspend procedures for the conduct of any court proceeding affected by a disaster during the pendency of a disaster declared by the governor."); First Emergency Order Regarding the COVID-19 State of Disaster, No. 20-007, 2020 WL 1239711, at *1 (Tex. Mar. 13, 2020) [*2. Subject only to constitutional limitations, all courts in Texas may in any case, civil or criminal—and must to avoid risk to court staff, parties, attorneys, jurors, and the public—without a participant's consent: ... f. Take any other reasonable action to avoid exposing court proceedings to the threat of COVID-19.]; Tex. Code Crim. Proc. art. 42.032 (authorizing the "sheriff in charge of each county jail [to] grant commutation of time for good conduct, industry, and obedience")

STATE	CITE AND RELEASE AT ARREST (BY OFFICER)	CITE AND RELEASE AT BOOKING (BY JAILER)	OUTBREAK-RELATED RELEASE POWER (NON-INFECTED)	OUTBREAK-RELATED RELEASE POWER (INFECTED)	EMERGENCY RELEASE POWER	OTHER RELEASE POWER	OTHER RELEVANT EMERGENCY POWER
Utah - UT	Utah Code § 77-7-18 (misdemeanors or infractions)	Utah Code § 77-7-18 (authorizing either "a peace officer, in lieu of or in addition to taking [a] person into custody" or "any public official of any county or municipality charged with enforcement of the law" to "issue[] and deliver[]" a citation to "[a]ny person subject to arrest or prosecution on a misdemeanor or infraction charge") Vt. R. Crim. Proc. 3(f) ("Continuation of Custody for Misdemeanor Offenses. A person who has been arrested without a warrant for a misdemeanor offense shall be released on citation if [none of the enumerated exceptions continue to apply].")				Utah Code §§ 17-22-5.5 (overcrowding release)	
Vermont - VT	Vt. R. Crim. Proc. 3(f) (misdemeanors);						
Virginia - VA	Va. Code § 19.2-74 (certain misdemeanors and ordinance violations)			Va. Code § 53.1-34 ("The Director may, upon the application of the person in charge of any state correctional facility who has been requested in writing so to do by the physician at such facility, have removed from such facility any prisoner therein who has contracted any contagious or infectious disease dangerous to the public health to some place to be designated by the Director."); § 53.1-133 (same for jails)			Va. Code § 44-146.17 (giving the Governor the broad power, upon declaring a disaster, "to proclaim and publish such rules and regulations and to issue such orders as may, in his judgment, be necessary to accomplish the purposes of this chapter"); Va. Code § 32.1-42 ("The Board of Health may promulgate regulations and orders to meet any emergency or to prevent a potential emergency caused by a disease dangerous to public health.")
Washington - WA	Wash. Rev. Code § 10.31.100 (misdemeanors or gross misdemeanors committed in presence of officer)					Wash. Rev. Code §§ 9-92-151 (good-time credits); 72.66 (forfeign); 9.94A-733-734 (graduated reentry); 9.94A728 (extraordinary medical placement); 9.94A.660 (community parenting alternative)	
West Virginia - WV	W. Va. Code § 62-1-5a (certain misdemeanors committed in presence of officer)					W. Va. Code Ann. § 7-8-11 (good-time credit in discretion of sheriff)	
Wisconsin - WI	Wis. Stat. § 968.085 (misdemeanors)				Wis. Stat. § 302.35 (in an emergency and for the safety of prisoners in any jail, Sheriff or other keeper may remove them to a place of safety)	Wis. Stat. § 302.425(2) ("[A] county sheriff or a superintendent of a house of correction may place in the home detention program any person confined in jail."; <i>State v. Galecke</i> , 702 N.W.2d 392, 395 (Wis. Ct. App. 2005) ("The statute plainly does not give any authority to the circuit court to determine which defendant is permitted to participate in the home detention program[.]"); <i>State v. Schell</i> , 661 N.W.2d 503, 508-09 (Wis. Ct. App. 2003) ("By precluding the sheriff from releasing Schell on home monitoring, the trial court substantially interfered with the sheriff's power. . . . The decision to place a person on home monitoring is no doubt informed by the particular [] budgetary and space constraints of each sheriff's office and county jail. The sheriff, perhaps more than any other person, is in the best position to undertake these analyses."); Wis. Stat. Ann. § 302.43 (good-time credit revocation within discretion of sheriff)	
Wyoming - WY	Wyo. Stat. § 7-2-103 (misdemeanors)	Wyo. Stat. § 7-2-103 ("(c) [A person charged with a misdemeanor] may be released from custody upon the directive of: (i) The arresting officer; (ii) The district attorney or, for cases being prosecuted in municipal court, the city attorney; (iii) Another peace officer designated by the sheriff or, for cases being prosecuted in municipal court, the chief of police. (d) The citation for a person in custody may be issued by the arresting officer or by another peace officer designated by: (i) The district attorney or the city attorney for cases being prosecuted in municipal court; or (ii) The sheriff or the chief of police for cases being prosecuted in municipal court.")					
District of Columbia - DC	D.C. Code § 23-584(a) (certain misdemeanors)					D.C. Code § 24-221.01c (creating an exception to cap on good-time credits when a public health emergency has been declared to effectuate the immediate release of people sentenced for misdemeanors)	
Puerto Rico - PR							
Virgin Islands - VI							