

CRIMINAL DISTRICT COURT FOR THE PARISH OF ORLEANS
STATE OF LOUISIANA

EN BANC STATEMENT OF MARCH 27, 2020

The Judges of the Orleans Parish Criminal District Court issue the following statement:

Since the declared State of Emergency regarding the outbreak of Coronavirus Disease 2019 (COVID-19), The Orleans Parish Criminal District Court has continued limited operations, in accord with Governor John Bel Edwards's declaration of a public health emergency in Proclamation Number 25 JBE 2020 and "Stay-Home" order announced March 22, 2020, President Donald Trump's declaration of a national emergency on March 13, 2020 and the Supreme Court of Louisiana Order signed by Chief Justice Bernette J. Johnson, dated March 16, 2020 and Amended Order dated March 20, 2020. The Court is continuously working with the Orleans Parish Sheriff's Office on the rapidly changing and increasingly complicated issues surrounding inmate availability for appearances. It should be noted that the Louisiana Department of Public Safety and Corrections and the Louisiana Department of Health have issued orders that they are not accepting or transporting inmates due to the COVID-19 pandemic.

Specific areas of concern are outlined below:

1. ALL criminal jury trials and ALL JURY SERVICE is cancelled for the month of April 2020.
2. New arrestees are continuing to appear via audio or ZOOM video conferencing technology before a Magistrate Judge or Commissioner for determinations of probable cause to detain and for the initial setting of bail. Present at each appearance are the detained person and defense counsel (privately retained or public defender), assistant

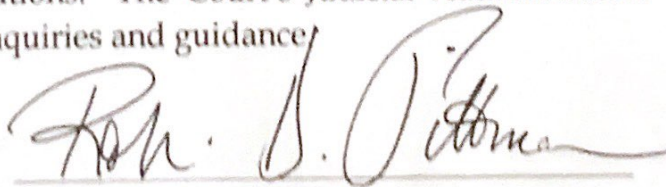
district attorney, sheriff's personnel and essential court staff. A verbatim record is being made of all such proceedings.

3. Weekend Warrior has been suspended for the month of April 2020. The Court, in its Continuity of Operations Plan (COOP) *En Banc* Order, has previously ordered the immediate release of all persons detained in the Sheriff's custody for violations of the following:
 - a. Arrests for Failure to Appear on Probation Status,
 - b. Misdemeanor Pre-Trials,
 - c. Contempt of Court, and
 - d. Defendants remanded for positive drug tests with a bond in effect,with the exclusion of violations related to domestic violence and weapons charges.
4. As per the Court's directive, Sheriff's Office personnel are providing information to the Court regarding all persons arrested on an outstanding court *capias* or warrant, probation violation warrant, or any other type of arrest warrant, and such cases are being reviewed by each Section of Court.
5. Sections of Court are promptly holding tele-conferences and Callbridge conferences with all counsel for State and Defense to consider various Motions, including Motions to Modify Bail, all of which should be emailed to the Section Judge and noticed to opposing counsel. Section court reporters and other court staff, prosecutors, defense counsel (both public defenders and private defense counsel), and any other necessary parties are present on the calls, which are recorded for record purposes.
6. To ensure continuity of operations, Criminal District Court has obtained from the Clerk's Office all daily dockets for scheduled cases from March 16, 2020 through April 13, 2020. Each Section will reset those cases as soon as feasible and will publish to the public dates

when defendants should appear in court to receive service. As per the Court's order dated March 15, 2020, "[a]ll attorneys, defendants and witnesses with scheduled criminal proceedings and notices to appear from March 16, 2020 through April 10, 2020 shall appear between April 13, 2020 and April 17, 2020 for a subpoena for their new court date."

7. Court Intervention Services, including Drug Court, Mental Health Court and Pretrial Services or other specialty court case managers and counselors are maintaining contact with participants to ensure continued sobriety and provide necessary counseling. Participants should communicate directly with their case manager regarding ongoing program requirements. All public sessions of drug court and specialty court proceedings are suspended through April 30, 2020.
8. Balancing public safety concerns of all citizens and also the concerns expressed by some community members of detention of low-level, non-violent offenders, the Judges advise that daily reviews are being conducted and there are no such known persons being detained *solely* on those accounts. As per existing judicial policy, there are no persons being held for failure to satisfy any financial obligations. If somehow such a person qualifying for immediate relief has been overlooked, the Section Judge, Magistrate, or Commissioner or the Court's Judicial Administrator's Office can be contacted for immediate investigation of the matter and referral to the appropriate judicial officer.

Please see the Court's website at www.criminalcourt.org for information regarding court operations. The Court's Judicial Administrators remain available for further inquiries and guidance.

A handwritten signature in dark ink, appearing to read "Robin D. Pittman", written over a horizontal line.

ROBIN D. PITTMAN
DEPUTY CHIEF JUDGE
STATEMENT ON BEHALF OF COURT EN BANC