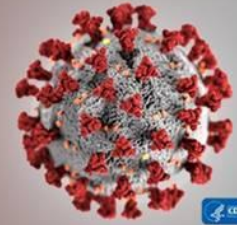


Updates on COVID-19 and Court Operations

What justices, judges and circuit court clerks need to know



CDC: [Coronavirus Disease 2019 \(COVID-19\)](#) ▪ Kentucky Public Health: [COVID-19](#) ▪ KCOJ: [COVID-19 and the Courts](#)

Update for March 20, 2020

Justices, Judges and Circuit Court Clerks:

Time to focus on looming COVID-19 crisis in Kentucky's overcrowded jails

As we take aggressive steps to ensure social distancing in our judicial facilities, Kentucky's overcrowded jails desperately need our attention. State and national media outlets are sounding the alarm about what a COVID-19 outbreak would do to inmates and jail staff and the law enforcement officers who come into contact with them. Much like nursing homes, jails are susceptible to worse-case scenarios due to the close proximity of people and the number of pre-existing conditions.

For a perspective on what's happening in Kentucky, see John Cheves' story, [Kentucky's overcrowded jails could be 'Petri dishes' for coronavirus, officials fear](#), in the March 18 Lexington Herald-Leader. Also, see several other news stories below.

We know what a potential disaster this could be and it's our responsibility to work with jailers and other county officials to safely release as many defendants as we can as quickly as we can.

What You Can Do

I encourage all of you to consider what you can do now to help avert this crisis:

Stop in-person court proceedings. The Supreme Court [order](#) restricting court proceedings during the pandemic requires the use of "available telephonic and video technology for all necessary hearings, including but not limited to, arraignments and mental-health hearings." I appreciate your efforts to implement this policy on short notice. I understand there are still a handful of counties requiring inmates to be transferred for in-person hearings. Please refer to Charles Byers's email of March 17, 2020, and contact Charles at charlesbyers@kycourts.net or 502-573-2350 x50111 if you need technical assistance.

I've heard from Renee McDaniel, executive director of the Kentucky Jailers Association, who reports that all jails now have the capability for defendants to participate in court proceedings remotely:

- All jails have been instructed to either have videoconferencing technology available or to use Skype, GoToMeeting and Zoom.
- All jails are working toward the ability for attorneys to have confidential conversations with their clients either via a secured line or a disposable mobile phone. This will facilitate remote, in-custody preliminary hearings and other necessary hearings with in-custody defendants.

Reduce in-person staff. As you work through the logistics of conducting remote hearings, please consider allowing your pretrial officers to participate remotely rather than appearing in-person. We're doing everything we can to comply with the governor's request to reduce in-office staff by 50%.

News Coverage on Jails and COVID-19

Kentucky's overcrowded jails could be 'Petri dishes' for coronavirus, officials fear

By John Cheves, Lexington Herald-Leader, March 18, 2020

New coronavirus cases in US jails heighten concerns about an unprepared system

By David Shortell and Kara Scannell, CNN, March 18, 2020

'Recipe for disaster:' The spread of coronavirus among detained populations

MSNBC, video, March 18, 2020

US jails begin releasing prisoners to stem Covid-19 infections

BBC News, March 19, 2020

I'll continue to update you as we hear more from the jails and the Department of Corrections. I appreciate your efforts to work with local officials to make this process as seamless as possible.

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