

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

IN RE:
COURT OPERATIONS UNDER THE EXIGENT
CIRCUMSTANCES CREATED BY COVID-19

GENERAL ORDER

APRIL 7, 2020

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**GENERAL ORDER RE VIDEO HEARINGS FOR ARRESTED OR DETAINED
CRIMINAL DEFENDANTS AT FEDERAL COURTHOUSES**

WHEREAS, the President of the United States has declared a national emergency, and the Governor of the State of Connecticut has declared a public health emergency throughout the State;

WHEREAS, the U.S. Centers for Disease Control and Prevention has advised people to take precautions in light of the COVID-19 virus (coronavirus) outbreak, and has noted that the best way to prevent illness is to avoid being exposed to the virus, through, among other means, social distancing;

WHEREAS, the Court continues to review its operations to identify measures that will help slow the spread of the virus by minimizing contact between persons, while at the same time preserving its core mission of serving the public through the fair and impartial administration of justice; and

WHEREAS, pursuant to the authorization of the Coronavirus Aid, Relief, and Economic Security Act (CARES Act), the Court intends to conduct video hearings in criminal cases, including video hearings that will take place involving arrested or detained criminal defendants who have been brought to one of the federal courthouses in Connecticut for purposes of a video hearing:

IT IS HEREBY ORDERED THAT:

1. the U.S. Marshals Service and any participating law enforcement agency shall produce upon request of the Court such arrested or detained defendants to a video-equipped location in a courthouse's secured auxiliary lock-up area;
2. the arrestee or detainee shall be entitled to consult in confidence by video with counsel without overhearing by the U.S. Marshal's Service or any law enforcement agency;

3. subject to the exception in Paragraph 5 below, the arrestee or detainee shall be seated in an area of the lock-up location (whether inside one of the open cells or outside a cell) that allows the arrestee or detainee to clearly view the video screen without obstruction by the lattice bars of a lock-up cell;
4. any arrestee or detainee for purposes of video consultation with counsel and subsequent video court hearing may be subject to hand and leg restraints within the discretion of the U.S. Marshals Service or the participating law enforcement agency; and
5. if the U.S. Marshals Service or participating law enforcement agency determines that a particular arrestee or detainee may pose a risk to security if not confined in a locked holding cell, then the arrestee or detainee may be secured in a locked holding cell for purposes of video consultation with counsel and subsequent video court hearing.

SO ORDERED:

Dated: April 7, 2020

s/Stefan R. Underhill
Stefan R. Underhill
Chief United States District Judge