



State of Connecticut JUDICIAL BRANCH

OFFICE OF THE CHIEF COURT ADMINISTRATOR
COURT SUPPORT SERVICES DIVISION
455 Winding Brook Drive, Glastonbury, CT 06033

TO: Attorney Monte Frank, Chair – CBA COVID-19 Task Force
RE: Criminal Initiatives of Judicial Branch during COVID-19 Crisis
FROM: J. P. Carroll, J. J. Alexander, G. Roberge, Executive Director CSSD
DATE: June 4, 2020

I am communicating with you today to provide an update with respect to current operations in the Judicial Branch.

Information contained in the Branch's press release last week stated that starting Monday June 1, 2020 the Branch resumed adult criminal business **for Judicial Branch staff only** in Torrington, Middletown and Rockville. We will also resume Juvenile Court business **for Judicial Branch staff only** in the New Britain, Torrington and Middletown.

On June 8, 2020 each of the courts noted above will resume Judicial Branch priority one business and will be open to the public. Please refer to the Branch's website for hours of operation.

Current Business Operations

Six Judicial Districts (Hartford, New Haven, Bridgeport, New London, Waterbury and New Britain) are open for criminal matters. These courts have been conducting arraignments for those persons who are detained following an arrest and for all domestic violence arrests. In any case where a protective order has issued, the court has continued to make available requests to modify the protective order at the protected person or the respondent's request and also pursuant to **State v. Fernando A.**, 294 Conn. 1(2009). In addition, the courts have been docketing motions to review bond and sentence modification applications. These motions are heard by the court on the papers or, if counsel wishes to appear, with argument by counsel. The courts have resumed the placement of incarcerated persons into residential treatment programs and effectuates the release of these individuals directly from the Department of Corrections to the program. The courts have continued to conduct competency hearings pursuant to General Statutes § 54-56d by way of videoconferencing and have also referred new individuals to be examined by the Office of Forensic Evaluations. The open court locations have also been dismissing successful pretrial diversion programs for each court statewide, even if the case was pending in a currently closed court. The majority of the business is being conducted by videoconference and certain court orders by way of motion taken on the papers. The additional 3 locations resuming business to the public on June 8th will be doing the same.

The two current juvenile court locations (Hartford and Bridgeport) are conducting detention hearing reviews and domestic violence hearings also by videoconference. All detention hearings will continue to take place in Hartford and Bridgeport however domestic violence hearings will take place in each of the five juvenile courts that will be operational on June 8th.

In addition to the criminal matters, the open court locations have received and acted upon

temporary restraining orders, ex parte orders, and civil orders of protection. Please see the last page of this communication for further information concerning business conducted during this timeframe.

I must acknowledge the judges, judicial branch staff, prosecutors, public defenders, private counsel, victim advocates and all other court staff that reported to work each and every business day during the darkest times of this pandemic. While most of the state, and many of you, were at home either teleworking or not working at all, these individuals reported into the courthouses, police departments during the night and weekend shifts and Department of Correction facilities to carry out the very important business of the Branch. Their commitment and dedication to getting the work done cannot be understated.

Expanding beyond Priority One Business through advanced technology.

My number one priority from the beginning of the Coronavirus pandemic has been the safety and well-being of Judicial Branch staff and all others who report to and access our Courts. With people's health and safety at the forefront, the Branch has committed to leveraging technology to the fullest to conduct as much of our work remotely as possible. There are several technological solutions that we will be implementing that will allow private counsel to participate in court negotiations and proceedings without having to be within the Courthouse.

All of the courts conducting business on June 8, 2020 and thereafter will have at least one courtroom outfitted with **Cisco DX80 videoconferencing** equipment that will allow for priority one business to be conducted without all parties being in an actual courtroom. However, to memorialize the proceedings on the record certain participants (Judge, Clerk, and Court Monitor) will have to be in the courtroom. Prosecutors, public defenders and private counsel may be in the building in a separate and private setting participating in the hearing or, if equipped can participate remotely external to the Courthouse.

In addition, the Branch is also in the process of securing and deploying **Microsoft For the Record (FTR)** technology for additional courtroom capacity in each Court location. This platform will allow for virtual courtroom hearings whereby all parties can participate in the court process remotely and external to the Courthouse if they possess the necessary equipment. Most importantly though, this platform will seamlessly integrate with the court's digital audio recording system thereby allowing a permanent record of "virtual" hearings and proceedings to be maintained. This technology will be a gateway to conducting evidentiary hearings by remote means.

I understand that not all participants will have the technological capacity to participate remotely in court hearings. Therefore, we have been identifying "out rooms" in the courthouse that will be accessible to private counsel / client. This out room will be equipped the necessary equipment for you and/or your client to enter a private and secure room in the Courthouse to participate in the court proceeding on the record.

The Branch is also deploying **Microsoft Teams** as the platform to schedule and conduct pretrial hearings and other business that can be conducted remotely between Judges, defense attorneys, public defenders, and prosecutors that does not require being on the record. We have installed the necessary technology and have finished training Judicial Branch staff that will be responsible for scheduling the Teams meetings. Each courthouse has a designated person(s) to assistance the court and the parties to set up the calendar for these meetings. The list is available through each clerk's

office. The scheduling of these meetings has begun and is available for all court locations. The meetings are scheduled to commence on June 8, 2020.

We have also developed email mailboxes in each office with the courts whereby staff within a court location can exchange documents through a dedicated email account to minimize, or even eliminate, the need for staff within the courthouses to access any other office than their own. The Branch will supply a list of email accounts for each court, and office therein, for your information and use.

The Branch has also been working very closely with the Department of Correction (DOC) to leverage our current videoconferencing capabilities and to expand capacity in the facilities that detain defendants pretrial. DOC is deploying additional equipment to these facilities, identifying an additional site to conduct hearings within the facility. Most importantly, DOC is dedicating a specified timeframe in each pretrial facility, above and beyond the current video conferencing capacity, that will allow for additional hearings and dispositions to be scheduled and heard.

Lastly, with respect to technology, the Branch has also been working with our sister agencies and community based programs that provide important and necessary services to your clients. There has been a lot of time and effort put forth in establishing and implementing both individualized and group teleservices for programs such as our Family Violence Education providers, Alternative in the Community Programs, Adult Behavioral Health services, the Department of Mental Health and Addiction Services alcohol and drug education providers just to name a few.

Expanding beyond Priority One Business

Once the Microsoft FTR and Teams technology is installed in each of the court locations we will have 2 Courtrooms to conduct remote business in the 9 adult criminal courts and 1 courtroom to conduct remote business in the 5 juvenile court locations.

The first remote courtroom in the adult courts will continue to process priority one business. The second remote courtroom will prioritize and target cases that were ready for disposition when the pandemic hit and court proceedings were suspended. Initially, the criminal courts will focus on those individuals who have entered a plea and are awaiting sentencing, those individuals who are on the pretrial docket and are in custody, and any other matter the court finds appropriate to schedule. If there is case that you, the public defenders and prosecutors bring to our attention that are ready for disposition, the court will schedule the matter for the Teams meeting to discuss.

We anticipate that by using Microsoft teams to conduct pretrial negotiations and Microsoft FTR for dispositions, all of the Courtroom 2 business can be conducted remotely. Again, for those who do not possess the necessary equipment to participate remotely there will be an out room in each court whereby you and your clients can participate in a private and secure setting.

Juvenile Court locations will have one courtroom equipped with the Cisco DX80 boxes and will continue to also target specific cases such as pre-dispositional studies that have been completed and are awaiting adjudication, cases in which private counsel / public defenders and prosecutors have agreement with respect to a disposition and other cases identified for pre-dispositional processing.

Docket scheduling will be key to conducting the business noted above. As previously noted Superior

Court Operations has identified and trained staff to coordinate the Teams pretrial negotiation scheduling and the Microsoft FTR proceedings. The priority to all of this effort is to establish processes and protocols that allow us to conduct as much remote court business as possible.

Personal Protective Equipment (PPE)

As I stated at the beginning of this communication, the health and safety of everybody entering our courthouses is my number 1 priority. To that end, the Branch has been identifying, ordering and securing the necessary PPE that is required to operate our facilities. This effort goes well beyond our Courthouses as we operate in many leased locations and also operate 24/7 juvenile detention facilities.

Judicial Branch Administrative Services staff has coordinated site visits to each of our locations with Superior Court Operations and the Court Support Services Division to determine what is needed to ensure that we operate safe and healthy work environments in accordance with guidance from the Department of Public Health (DPH) and the Center for Disease Control (CDC). PPE such as plexi glass at the metal detectors and other locations throughout the courthouses have been identified, face masks, shields, gloves, disinfectant, hand sanitizer, I could go on but you understand the importance and enormity of such an undertaking. I want to ensure that when my staff, you, your clients and the general public enter our courthouses they feel safe and secure in doing so. That has to be my number one priority.

I know that I have provided you with a tremendous amount of information in this communication but I thought it important that you get a detailed description of what we have been working on and where we are heading. Please note that Christine Rapillo and the Chief Public Defenders office and Richard Colangelo and the Chief States Attorney's office have been participating, advising and contributing to our progress. I cannot thank them enough for their cooperation and commitment to this process.

I hope this information is useful. As the work of the COVID Taskforce continues and you put together the "Working Groups" we discussed in our last conference call, I encourage you to share this information with the Criminal Working Group and urge that Group to share their concerns and issues with you as Chair of the COVID Taskforce. From my vantage point, having the Task Force serve as the primary single source of contact and information exchange between the organized bar and the Branch has significantly helped to the Judicial Branch as we try to meet the unprecedented challenges of running a court system during a pandemic!

Thanks again for your dedication and for your support of the Judicial Branch during this crisis.

Judicial Branch- Adult Criminal Court Operations – March 16, 2020 –June 1, 2020

Judicial Branch – Court Support Services Division Night and Weekend Bail Services

Night and Weekend Bail Interviews	1,697
Night and Weekend Bail Releases	633

Judicial Branch – Court Based Priority One Data

Arraignments (dockets)	6,502
Lock-ups (Individuals)	1,709
Released from Lock-up non-financial bond	707
Domestic Violence (includes detained and non-custodial)	3,889
Motions Technical Restraining Orders	583
Ex-parte Hearings	93
Cases disposed at arraignment (dockets)	108
Pretrial Diversion dismissals (dockets) (Non DV)	1009
Bond Modification Releases at Court	36
DOC detainees sentenced and released from Court	50
Released at DOC Court Order Pretrial or Sentenced	267
DOC - Sentenced to a period of Incarceration	36
Jail Re-interview bond screens	513
Community Residential Placements	15 (resumed placements May 11)
Posted Bond DOC	672

Judicial Branch- Juvenile Delinquency Court Operations – March 16, 2020 –June 1, 2020

Detention Hearings Bridgeport / Hartford (Approximately 95 % detention reviews 5% DV summons)	243
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