

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE**

**PROTOCOL MANDATING DETENTION
FACILITIES TO SCREEN DETAINEES
BEFORE TRANSPORTING TO THE
RUDMAN COURTHOUSE**

**ADM-1
ORDER 20-8**

ORDER

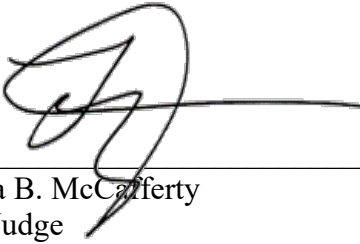
The World Health Organization and the Centers for Disease Control and Prevention (CDC) have officially declared COVID-19 to be a pandemic. In response to the spread of COVID-19, President Trump declared a national emergency, and Governor Sununu declared a state of emergency. The CDC and other health authorities have advised people to take precautions to reduce the possibility of exposure to the COVID-19 virus and to slow the spread of the disease.

Therefore, in order to protect public health, the United States District Court for the District of New Hampshire issues the following order regarding the screening and transport of incarcerated criminal defendants, effective immediately:

1. Upon arrest, the arresting agent(s) will notify the United States Marshals Service (“USMS”), who will identify the facility to which the arrestee should be transported. No arrested individuals will be brought directly to the Rudman Courthouse following their arrest.
2. Prior to transporting an incarcerated defendant (“detainee”) to the Rudman Courthouse for an in-court hearing, the detention facility shall (a) screen the detainee for fever and other outward signs of COVID-19 (fever, cough, difficulty breathing, shortness of breath), and (b) confirm the detainee has not been in contact with any person who has been exposed to COVID-19 or anyone with COVID-19 symptoms. The method of screening for a fever shall be made by the least invasive means possible. If the detainee exhibits any of the above-listed risk factors, or has been in contact with anyone exposed to COVID-19 or to a person with COVID-19 symptoms, the detainee shall not be transported. In that instance, the detention facility shall notify the USMS that the transport could not take place and the hearing will be rescheduled.
3. The court will not schedule an in-person court hearing for a detainee who is quarantined and/or suspected of coming into contact with an individual who is presumed positive until after the detainee has been symptom free for fourteen (14) days and has been medically cleared to return to the general population of the facility. Alternatively, if permitted by law, defense counsel may request the hearing be rescheduled by videoconference as soon as the court’s calendar allows.

SO ORDERED.

Date: March 20, 2020



Landya B. McCafferty
Chief Judge