

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

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

**ADM-1
ORDER 21-3**


ORDER

Due to the continuing public health and safety issues resulting from Coronavirus Disease 2019 and SARS-CoV-2 (the virus that causes the disease)—which we refer to simply as “COVID-19”—and consistent with guidance from the Centers for Disease Control and Prevention (CDC) and other public health authorities, the United States District Court for the District of New Hampshire issues the following order regarding the screening and transport of incarcerated criminal defendants.

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 or trial, the detention facility shall (a) screen the detainee for fever and other COVID-19 symptoms as identified by the CDC, and (b) assure the detainee satisfies the court’s public access restrictions set forth in ADM-1, 20-33 (and any successor public access order). The method of screening for a fever shall be made by the least invasive means possible. If the detainee has a fever, has any COVID-19 symptoms, or cannot otherwise satisfy the court’s public access restrictions, 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 or trial for a detainee who cannot satisfy the court’s public access restriction requirements. Alternatively, defense counsel may request that an in-court hearing be rescheduled by video or telephone conference as soon as the court’s calendar allows.
4. This order supersedes the court’s order Mandating Detention Facilities to Screen Detainees Before Transporting to the Rudman Courthouse, ADM-1, 20-8, dated March 20, 2020, and takes effect immediately.

SO ORDERED.

Date: January 25, 2021



Landya B. McCafferty
Chief Judge