

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:
CORONAVIRUS/COVID-19 PANDEMIC

**ADMINISTRATIVE ORDER
NO. 2020-14**

STATUS OF DETENTION FACILITIES
HOUSING DEFENDANTS IN CASES FILED IN
THE EASTERN DISTRICT OF NEW YORK

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ROSLYNN R. MAUSKOPF, Chief Judge

In response to the coronavirus/COVID-19 pandemic, counsel for defendants detained at three facilities have filed and continue to file applications for release in individual cases pending in this District. A primary basis cited in each of these applications is the general risk of contracting COVID-19 as a result of the defendant's continued confinement, together with additional information specific to the particular defendant and case. Defendants in cases pending in this District are primarily detained at the Metropolitan Detention Center Brooklyn (MDC Brooklyn) and the Metropolitan Correctional Center New York (MCC New York), both operated by the Federal Bureau of Prisons (BOP), and the Queens Detention Facility (QDF), a private facility operated by the GEO Group, Inc. under contract with the United States Marshals Service (USMS) to house primarily pre-trial detainees.

In order to provide the Judges of this Court and the parties in these cases with current, consistent, and accurate information to assess the common issue underlying these applications, it is hereby

ORDERED, that the Wardens of MDC Brooklyn, MCC New York, and QDF provide to this Court in writing, twice weekly on the schedule below, a status report concerning the incidence of infection of COVID-19 at each facility and the measures undertaken to mitigate the spread of COVID-19 within each facility, to include, but not limited to, the following information:

- 1) Protocols for screening and testing inmates, staff, and other entering or leaving each facility;
- 2) The number of inmates tested and the number of positive tests;
- 3) The number of staff and/or others testing positive;
- 4) All efforts undertaken to mitigate the spread of COVID-19 both generally, and in response to any symptomatic inmate(s) and/or positive test(s); and it is

FURTHER ORDERED, that the first such status report shall be submitted electronically to the undersigned on behalf of the Court by 12:00 noon on Friday, April 3, 2020; and it is

FURTHER ORDERED, that in light of the nature of the COVID-19 virus and the potential for changed circumstances within each facility, that regular updated status reports shall be so submitted twice weekly, by 4:00 pm on Tuesday and Thursday of each week, commencing Tuesday, April 7, 2020, and, if necessary, in response to any further Order of this Court; and it is

FURTHER ORDERED, that each status report shall also be provided by the BOP to the Executive Director of Federal Defenders of New York for dissemination as appropriate to counsel for defendants detained in these facilities, and to the United States Attorneys for the Eastern and Southern Districts of New York and the United States Marshals for the Eastern and Southern Districts of New York; and it is

FURTHER ORDERED, that given the public interest in all criminal proceedings filed in this District, and in the issue of the potential spread of COVID-19 in the community, each status report will be posted at a link on the public website of this Court.

Nothing in this Order shall prevent any individual Judge or party from seeking additional information relevant to any application filed in this Court.

This Administrative Order shall remain in effect until further Order of the undersigned.

SO ORDERED.

/S

Dated: Brooklyn, New York
April 2, 2020

ROSLYNN R. MAUSKOPF
Chief Judge