

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPREME JUDICIAL COURT
No. SJC-12926

COMMITTEE FOR PUBLIC COUNSEL SERVICES and
MASSACHUSETTS ASSOCIATION OF CRIMINAL DEFENSE LAWYERS

v.

CHIEF JUSTICE OF THE TRIAL COURT and others.

ORDER

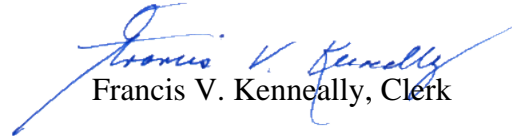
The court previously established release procedures and reporting requirements and requested that the “Department of Correction (DOC) and each sheriff provide daily reports to the special master” identifying inmate releases, individuals who tested positive for COVID-19, and vaccination rates, inter alia, “while the COVID-19 state of emergency remain[ed] in effect.” Committee for Public Counsel Services v. Chief Justice of the Trial Court, 484 Mass. 431, 456 (2020); Committee for Public Counsel Services v. Chief Justice of the Trial Court, 484 Mass. 1029, 1033 (2020); see also Committee for Public Counsel Services v. Chief Justice of the Trial Court, SJ-2021-M004 (Gaziano, J., single justice). Effective June 15, 2021, the Governor of the Commonwealth terminated the state of emergency, which, as a consequence, concluded the period of time set by the court for the filing of daily reports.

The court acknowledges that, after hearing before the single justice, Gaziano, J., the DOC has agreed to file reports with the special master on July 15, 2021 and August 15, 2021, containing information concerning (1) the custody population on that specific date, and (2) the number of inmates in DOC custody who are “actively COVID-19 positive” on that specific date. The data will be broken down by each DOC facility as of July 14, 2021. In addition, each sheriff

has agreed to file reports on July 15, 2021 and August 15, 2021, consistent with the information provided to the special master during the state of emergency and limited to two specific dates.

It is ORDERED that the release procedures shall continue until further order of the court.

BY THE COURT,


Francis V. Kenneally, Clerk

Entered: June 21, 2021