

Contact: Steve Thomas

512-393-7700

March 24, 2020

To: Citizens of Hays County

From: 22<sup>nd</sup> District Court Judge Bruce Boyer

207<sup>th</sup> District Court Judge Jack Robison

274<sup>th</sup> District Court Judge Gary Steel

428<sup>th</sup> District Court Judge Bill Henry

453<sup>rd</sup> District Court Judge David Junkin

Ref: COVID-19

**COORDINATED EFFORT BETWEEN HAYS COUNTY DISTRICT COURTS AND ADULT COMMUNITY SUPERVISION REGARDING LOCAL ARRESTEES IN RESPONSE TO COVID-19 NATIONAL, STATE AND LOCAL DISASTER DECLARATIONS**

FOR IMMEDIATE RELEASE—MARCH 24, 2020

Tuesday, March 18<sup>th</sup>, the District Courts of Hays County issued formal orders regarding cancellation of District Court proceedings. These orders are consistent with orders and recommendations of the Texas Supreme Court, the Texas Court of Criminal Appeals, the Presiding Judge of the 3<sup>rd</sup> Administrative Region of Texas, and the Texas Office of Court Administration. As a result, the time required to resolve

pending cases will be increased. Provisions are in place for all essential legal matters, civil and criminal, to be promptly heard, including criminal cases that are able to be resolved by pleas and sentencings.

Along with the announcement of Hays Judge Ruben Beccera's signing of Hays County's disaster declaration, the increase of tests sent to labs from local medical providers was noted as well as confirmation of seven positive COVID-19 results. Pursuant to that declaration, emergency measures are being enacted through a coordinated effort of Hays County District Judges (Boyer, Robison, Steel, Henry, and Junkin), and members of Adult Community Supervision regarding local arrestees within the Hays County Jail whose cases remain pending. These emergency measures are designed to protect the public health, safety and welfare of the broadest segment of our Hays County population and the entire community.

Local law enforcement stands ready to vigorously serve and protect our community as always along with measures designed to address COVID-19 issues. The Hays County Sheriff's Office has implemented standardized measures regarding limitations for the entry of new arrestees who may be ill or exposed to the COVID-19 virus. This protects both prior arrestees in the jail and Hays County law enforcement employees as well as everyone's family and friends who may come into contact with all members of either group. However, these measures alone are not 100% error proof due to the unique ability for many individuals to be carriers of the COVID-19 virus without having symptoms of the illness.

With few exceptions, all arrestees are constitutionally entitled to be bonded and released on reasonable bail. Within 24-48 hours of most arrests, bonds are set and can be posted at any time. Accordingly, the sooner anyone can be properly released from the closely-confined quarters of any jail, the less likely it is that he or she might be exposed to the COVID-19 virus and subsequently expose others, in or out of the jail, to the virus. The goal of these orders is, thus, to practically and reasonably reduce the jail population as much as possible during the pendency of the disaster declaration.

To achieve this goal properly, members of the Hays County Adult Community Supervision Department are screening the jail roster to identify those arrestees who may pose relatively lesser degrees of risk to our population and the community for the District Judges to review and consider for potential release — if that individual's case cannot be resolved reasonably quickly. No specific deadline is set because of the individual history appurtenant to each arrestee and because the courts are unaware of and remain neutral on details of all present allegations. To achieve the goal of this order, the District Judges will do the due diligence required based solely upon historical risk factors and legal requirements, and the judges will do so as expeditiously as is prudent on each case.

With knowledge of the facts of pending allegations, the Hays County Criminal District Attorney's Office and his staff will, as always, evaluate cases, confer with defense counsel, and seek to resolve many cases by plea agreements. As plea agreements are formalized in writing, the cases will be set as promptly as possible pursuant to the District Courts' March 18<sup>th</sup> Order. Independent thereof, as is constitutionally required, the District Judges will decide whether certain arrestees, whose cases have not been promptly resolved, should otherwise be released on alternate and appropriate bond conditions or, otherwise, due to legal considerations. Before any individual arrestee shall be released from custody, each will be

thoroughly screened, and possibly tested, by jail medical and/or health personnel for flu-like or COVID-19 symptoms. Any arrestee or other person confined in the jail that exhibits such symptoms will be otherwise addressed with medically- and legally-approved protocols and will not be released from confinement until such time as medically-cleared. If released from custody as a result of this disaster declaration, all arrestees remain subject to both conditions of release and presentation of any charge or all charges by the District Attorney's Office.

Once again, the goal is to reduce the potential of COVID-19 exposure to lower-risk arrestees currently within the Hays County Jail who are likely otherwise to be released back in to our community. The less time spent inside the closely-confined jail by anyone, arrestees or law enforcement employees, the less likely is the chance that any such person might contract and spread COVID-19 outside the jail. Such a measure serves to protect the public health, safety and welfare of the broadest segment of our Hays County population and the entire community.

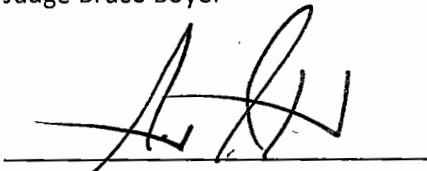
Pending future public health developments, the District Courts may revise this measure and emergency order as the need may arise.

Should you have any questions, please contact Court Administrator Steve Thomas via email at: [steve.thomas@co.hays.tx.us](mailto:steve.thomas@co.hays.tx.us), and your concern will be addressed.

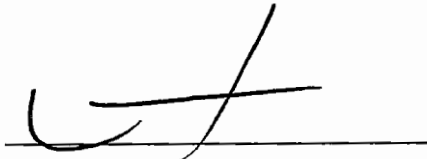
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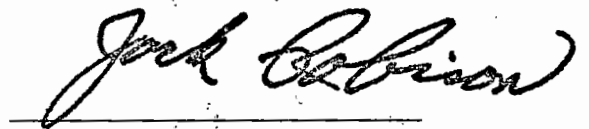
Judge Bruce Boyer



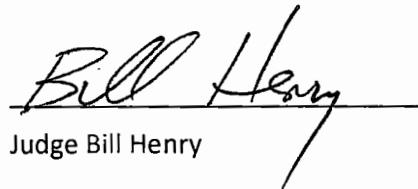
Judge Gary Steel



Judge David Junkin



Judge Jack Robison



Judge Bill Henry