

UNITED STATES DISTRICT COURT  
DISTRICT OF RHODE ISLAND  
One Exchange Terrace  
Providence, Rhode Island 02903

December 30, 2020

*2020 State of the U.S. District Court for the District of Rhode Island*

Goodbye 2020 and Hello 2021! Sweeter words have never been heard!

2020 tested our Court's ability to adapt and continue providing justice during this devastating pandemic. And our grade is in: a resounding A+. Since the physical Courthouse doors were shut in March, the U.S. District Court for the District of Rhode Island has been fully operational, and justice has continued to be dispensed effectively and efficiently.

***Courthouse***

On March 13, 2020, we closed our Courthouse doors to the public and began conducting all our hearings remotely. Given the national emergency declared by the President, the Judicial Conference authorized the Chief Judges of federal courts to use video and telephone conferencing for certain criminal matters, for which the CARES Act included funding. This Court initially ordered that all criminal matters were to be conducted telephonically and shortly thereafter the Court began to use Zoom for video hearings. Since March, we have conducted 637 Zoom hearings (including bench trials) and 48 telephonic hearings.

To best facilitate our transition to remote operations, the Court has also engaged the bar. Since closing the Courthouse, we have held several continuity of operations town hall meetings over Zoom. Over the summer, we also held three Zoom training sessions with the bar, each of which were attended by around 100 attorneys.

Of course, we can hardly wait to get back in our Courthouse once it is safe to do so! To this end, we have established a Taskforce on Reopening the Court and engaged the services of Dr. Erin Bromage, a nationally known public health expert and immunologist, to determine a safe way to reconvene court operations at the appropriate time.

***Civil Jury Trials***

In October (during a lull in the pandemic), the Court held three in-person civil jury trials under strict public health and safety standards. Since then, we have held our

first Zoom bench trial, and we will begin conducting civil jury trials over Zoom this January. Our goal is to offer civil litigants their 7<sup>th</sup> Amendment right to a civil jury trial – albeit through a unique medium. We believe the Court can deliver all the benefits of a jury trial through Zoom, and the Clerk’s Office has been working hard to establish efficient and effective protocols for us to do so.

### ***Criminal Jury Trials***

In July, the Grand Juries resumed their work in the Courthouse under strict public health protocols, and since July have sat 23 times. However, we have been unable to conduct criminal jury trials throughout the pandemic—the most frustrating aspect of our continued operations. Criminal jury trials are not appropriate for Zoom and require the Court to gather 28 potential jurors to seat a 12-member jury after the exercise of peremptory challenges. Gathering this number, while following necessary public health protocols, has been very difficult in our Courthouse space. We are now planning for in-person criminal jury trials as soon as public health experts say we can do so safely.

### ***Public Accessibility***

One major observation from this year is that our transition to remote hearings has made the Court much more accessible to the media, the public, the press, and other interested parties. On the criminal side, video hearings have allowed defendants’ friends and family to easily attend proceedings. On the civil side, we have had several cases involving issues of public concern—from lawsuits involving mail-in voting policies and Brown University varsity athletics, to hearings involving ICE detainees at the Wyatt Detention Center. Thanks to our remote operations, far more interested individuals have been able to observe the proceedings than would have been possible otherwise.

### ***Caseload Data***

- Civil case filings are down about 20%, from 662 filings in 2019 to 518 filings in 2020. There are currently 727 civil cases pending, the same as the number at the end of 2019.
- Criminal case filings have decreased about 10%, from 138 filings in 2019 to 122 filings in 2020. However, there are far more criminal cases pending—currently 224, compared to 176 at the end of 2019.
- 162 motions for release, including both motions for compassionate release from defendants in custody at BOP and motions for pretrial release, have been filed since March 2020. 148 have been decided: 98 denied; 41 granted; and 9 withdrawn/found moot.
- This year, the Court held three outdoor Naturalizations and swore-in all qualified new citizens, clearing up the pandemic backlog before the election in November.

## ***Probation***

Our Probation Office continued operations in 2020—just in a different way! Our officers helped folks reenter society, achieve success, and protect the community. Since March, they have done so mostly through virtual interview and supervision activities, while connecting participants with telemedicine treatment services, 2<sup>nd</sup> Chance Funds for emergency housing and other basic needs, and risk based in-person community contacts when needed. Talk about adaptability!

Specifically, in 2020, our Probation Officers worked with 500 pretrial and post-conviction folks (110 pretrial and 390 post-sentence). They conducted over 6,000 virtual contacts with those they supervise. They also helped facilitate the 4,000 telemedicine sessions conducted this year for folks under supervision. The convenience of remote supervision has allowed for increased quality contact, and it appears to be working well: the 2020 revocation rate was 16.3% (compared to 26.6% nationally), down from 28% last year.

In June 2020, staff from the Probation and Pretrial Services Office at the Administrative Office of the United States Courts, using subject-matter experts from around the country, conducted a national 5-year cyclical review of our Probation Office. This review ensures compliance with national policy/procedure and that the district is meeting its mandates to serve the Court, assist individuals on supervision, and protect the community. In all eight major points of the review, which includes areas of pretrial investigation, pretrial and post-conviction supervision, location monitoring, and treatment services, the Probation Office exceeded national averages! Well done team.

*In sum, the District Court would like to thank you for your role in our work ensuring access to justice for all in Rhode Island. In the face of countless tragedies and difficulties throughout this year, we are proud of our innovations and successes in serving the state and country through 2020. We look forward to building upon this work as we enter 2021.*

*Jack McConnell*

***John J. McConnell, Jr.***

*Chief Judge*

*United States District Court, District of Rhode Island*

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***Be safe. Wear a mask. Wash your hands. Stay 6' apart. Outdoors is better than indoors.***