

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

IN RE: COURT OPERATIONS UNDER General Order No. 20-13
THE EXIGENT CIRCUMSTANCES
CREATED BY COVID-19 AND
RELATED CORONAVIRUS—GRAND
JURY “SEQUESTRATION”

The outbreak of Coronavirus Disease 2019 (COVID-19) in the United States, and specifically within the Eastern District of Wisconsin, is on-going. The court continues to consider guidance on how to reduce the spread of the COVID-19 and to minimize the risk it opposes; it considers guidance from the Centers for Disease Control and federal, state and local public health authorities. Based on this guidance, the court has taken and continues to take measures to limit the potential spread of the virus while ensuring that the court is able to continue with essential judicial proceedings. The court continues to monitor the spread of COVID-19 in real time and is responding as conditions evolve. Based on indicators from federal, state and local health officials and sources, COVID-19 continues to spread significantly nationally, in the state of Wisconsin and in the Eastern District of Wisconsin. Presently there is no safe, effective vaccine. The virus is not contained.

Despite these facts, the public interest requires that the court convene sessions of the regular grand jury in June 2020. While the court suspended all grand jury sessions between March 16, 2020 and June 15, 2020, the court cannot continue indefinite suspension of the grand jury session until there is a vaccine, or until the virus is contained.

A working group composed of court personnel, personnel from the United States Attorneys' Office and personnel from the U.S. Marshals Service has created a plan that puts in place several measures to maximize the safety of the grand jurors, prosecutors, witnesses, U.S. Marshal and court security staff and court staff. These measures include holding grand jury sessions in a larger room that will permit social distancing of 6' or more between all people, intensified cleaning, staggered entry times into the building so grand jurors will not appear all at once, instructions for maintaining social distancing while moving to the grand jury room and while in it, requiring grand jurors and others in the grand jury room to wear face coverings, limiting opportunities to touch commonly-touched surfaces and to avoid passing papers and exhibits, providing hand sanitizer and more. These and other measures are meant to minimize the risk to all participants as much as reasonably possible.

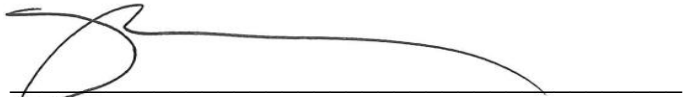
The court is concerned, however, that these efforts could be undermined if grand jurors must separate and leave the courthouse for lunch or individually order lunches delivered to the courthouse. Having the court provide lunch to the grand jurors will enable court staff to complete a "touchless" lunch delivery and to ensure that the other safety protocols are observed during the lunch break.

Under 28 U.S.C. § 1871(e), the court **ORDERS** that the grand jurors be kept together during their time in the federal building at 517 East Wisconsin Avenue, and that they not separate. The court **ORDERS** the Clerk of Court to provide a lunch meal for each grand juror serving on a regular grand jury that

meets during the month of June 2020. The court **ORDERS** that the clerk provide lunch to the grand jurors in a clean eating space in the courthouse that allows the grand jurors to maintain social distancing requirements during the lunch break.

Dated in Milwaukee, Wisconsin this 8th day of June, 2020.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', is written over a horizontal line.

HON. PAMELA PEPPER
Chief United States District Judge