

IN THE COURT OF COMMON PLEAS OF CAMBRIA COUNTY, PENNSYLVANIA

IN RE: JUDICIAL EMERGENCY,
CAMBRIA COUNTY PRISON ACCESS

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* Civ. Misc. No. 2020-1438
* Crim. No. CP-11-MD-0063-2020
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* Sup. Ct Dkt. No. 36 WM 2020
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**SEVENTH SUPPLEMENTAL ADMINISTRATIVE
ORDER**

AND NOW, this 28th day of September 2020, due to an increase in the number of COVID-19 cases at the Cambria County Prison (CCP), **IT IS HEREBY ORDERED, DIRECTED, AND DECREED** as follows:

- 1) The Cambria County Prison and Central Booking **are closed to all outside access**. No inmates shall be taken or transferred out of the facility except that the CCP is authorized to transfer inmates to other county jails or state correctional institutions as deemed appropriate. To limit the movement of inmates and staff in the facility the advanced communication facilities, Polycom and Zoom, at the CCP are closed and will not be utilized until this Order is lifted.
- 2) If the CCP determines that an inmate requires hospitalization, the CCP shall determine if the inmate will be placed on electronic monitoring while outside the CCP.
- 3) Court proceedings before any magisterial district judge (MDJ) or common pleas judge involving an incarcerated defendant are continued until this Order is lifted. There will be no proceedings held for any inmate of the CCP either in person or by means of advanced communication technology (ACT) during the effective period of this Order.
- 4) Any postponement caused by this Order shall be considered a court postponement and shall constitute excludable time for purposes of the application of Rule 600 as

attributable to the judiciary subject to any applicable constitutional restrictions. Pa. R. Crim P. 600 cmt. (“Delay in the time for trial that is attributable to the judiciary may be excluded from the computation of time.”). See also, Commonwealth v. Mills, 640 Pa. 118, 122, 162 A.3d 323, 325 (2017) (citing Commonwealth v. Bradford, 616 Pa. 122, 141, 46 A.3d 693, 705 (2012)) (under Rule 600 judicial delay may serve as a basis for extending the period of time within which the Commonwealth may commence trial if the court, because of scheduling difficulties or the like, is unavailable); Commonwealth v. Crowley, 502 Pa. 393, 466 A.2d 1009 (1983); Commonwealth v. Bethea, 185 A.3d 364 (Pa. Super. 2018).

- 5) Both in-person and ACT proceedings for defendants that are not incarcerated at the CCP are not impacted by this Order and shall proceed as previously scheduled.
- 6) MDJs shall continue to conduct proceedings, including preliminary hearings and arraignments, for non-incarcerated defendants. Following their preliminary hearing defendants **shall not** be sent to Central Booking for fingerprinting. Defendants shall be informed they will be notified at a future date when to report for fingerprinting.
- 7) MDJs shall arraign defendants consistent with the Pennsylvania Rules of Criminal Procedure. As part of their bail options for defendants in cases involving serious offenses MDJs should consider ordering pre-trial services and/or the use of electronic monitoring.
- 8) This Order may be amended at any time as required by circumstances.
- 9) This Order shall remain in effect until further Order of Court.

BY THE COURT:



Norman A. Krumenacker, III, P.J.