

STATE OF NORTH CAROLINA

IN THE GENERAL COURT OF JUSTICE
SUPERIOR COURT DIVISION

CHATHAM AND ORANGE COUNTIES

In Re:

Temporary Suspension of Weekend
& Noncontinuous Active Sentences
Being Served in Chatham and Orange
County Jails/Detention Centers as a
Condition of Probation or Other Court
Order

ADMINISTRATIVE
ORDER

THIS ADMINISTRATIVE ORDER has been entered to ensure the fair and proper administration of justice and to mitigate the public health threat posed by COVID-19 within the adult detention facilities in Chatham and Orange Counties by temporarily suspending all non-continuous periods of confinement. The undersigned Superior Court Judge enters this Administrative Order pursuant to the inherent authority of the court and pursuant to its administrative supervision and authority over the operation of the Superior Court under N.C.G.S. 7A-41.1 and N.C.G.S. 7A146 as Senior Resident Superior Court Judge for the Fifteen-B Judicial District of North Carolina.

Whereas, COVID-19 is a respiratory disease that can result in serious illness or death by the SARS-CoV-2 virus which is a new strain of coronavirus that can be spread from person to person; and

Whereas, Governor Roy Cooper declared a State of Emergency in North Carolina in response to the emerging public health threat posed by COVID-19 by entry of Executive Order No. 116, Declaration of a State of Emergency to Coordinate Response and Protective Actions to Prevent the Spread of COVID-19 on 10 March 2020; and

Whereas, the World Health Organization declared COVID-19 a global pandemic on 11 March 2020; and

Whereas, the Center for Disease Control and Prevention ("CDC") has warned of the high public threat posed by COVID-19 globally and in the United States and has encouraged the practice of social distancing to deter the spread of the virus; and

Whereas, Governor Roy Cooper issued Executive Order No. 117, Prohibiting Mass Gatherings and Directing the Statewide Closure of K-12 Public Schools to limit the spread of COVID-19, on 14 March 2020, as a means to protect the health and safety of the residents of

North Carolina, slow the spread of the COVID-19 outbreak, reduce the number of people infected, and avoid strain on our health care system; and

Whereas, the Chief Justice of the Supreme Court of North Carolina on 13 March 2020, declared that catastrophic conditions exist in all North Carolina counties pursuant to N.C.G.S 7A-39(b)(2) and issued directives to suspend all but essential court hearings for a period of no less than 30 days to assist in reducing the spread of infection; and

Whereas, it is in keeping with the Governor's Executive Order and the Order of the Chief Justice for the court to take appropriate measures to reduce the inmate population within the Chatham and Orange County Jail/Detention Center to protect the health and safety of the inmate population and reduce the potential exposure to the virus by temporarily suspending all periods of non-continuous confinement and rescheduling them for a period beyond 30 days.

WHEREFORE, IT IS HEREBY ORDERED ADJUDGED AND DECREED THAT effective immediately all non-continuous periods of confinement ordered by the court as a special condition of probation pursuant to N.C.G.S. 15A-1351, including those resulting from convictions of Driving While Impaired, periods of confinement in response to a probation violation pursuant to N.C.G.S. 15A-1343(a1)(3), and periods of confinement imposed by a probation officer via delegated authority pursuant to N.C.G.S 15A-1343.2(e) and N.C.G.S. 15A1343.2(f), that are scheduled to be served in the Chatham or Orange County Jail/Detention Center between the date of entry of this Order and 17 April 2020, shall be suspended and rescheduled to be served at a time after 17 April 2020, by the supervising probation officer consistent with the intent of the original sentence.

Entered and effective this the 18th day of March 2020.

HONORABLE CARL R. FOX
SENIOR RESIDENT SUPERIOR COURT JUDGE