

<p><b>EIGHTEENTH JUDICIAL DISTRICT: ARAPAHOE, DOUGLAS, ELBERT and LINCOLN COUNTIES, COLORADO</b></p> <p>Arapahoe County Justice Center 7325 South Potomac Street Centennial, Colorado 80112</p> <p>Arapahoe County Courthouse 1790 West Littleton Boulevard Littleton, Colorado 80120</p> <p>Douglas County Justice Center 4000 Justice Way #2009 Castle Rock, Colorado 80109</p> <p>Elbert County Courthouse PO Box 232, 751 Ute Street Kiowa, Colorado 80117</p> <p>Lincoln County Courthouse PO Box 128, 103 Third Avenue Hugo, Colorado 80821</p>	<p align="center"><b>• COURT USE ONLY •</b></p> <p align="center"><b>Chief Judge Order 22-04 February 27, 2022 Effective March 7, 2022</b></p> <hr/> <p align="center"><b>Division 201</b></p>
<p align="center"><b>CHIEF JUDGE ORDER 22-04 RESCINDING CHIEF JUDGE ORDER 21-04 REGARDING FACIAL COVERINGS IN THE EIGHTEENTH JUDICIAL DISTRICT</b></p>	

Since the Novel Coronavirus (“COVID-19”) was first detected in Colorado in March 2020, the undersigned has issued numerous orders designed to continue providing the necessary services the public expects and deserves from the Eighteenth Judicial District Trial Courts and Probation during the unprecedented COVID-19 global health pandemic. These orders have consistently strived to balance ensuring public health and safety with our duty and collective commitment to serve our citizens and have been issued in accordance with

national, state, and local public health orders and/or guidance, as well as orders issued by the Chief Justice of the Colorado Supreme Court.

The undersigned has monitored COVID-19 data related to all four counties in the Eighteenth Judicial District on a weekly basis. On August 2, 2021, the undersigned issued Chief Judge Order 21-04 Regarding Facial Coverings in the Eighteenth Judicial District requiring all persons to wear facial coverings in both the public and non-public areas of the courthouses and probation offices until further notice. Chief Judge Order 21-04 was initially issued as a result of the concern related to the potential spread and impact of the COVID-19 B.1.671.2 (“Delta”) variant. It remained in effect when another COVID-19 variant, B.1.1.529 (“Omicron”) was later detected. The Omicron variant proved to be highly transmissible and caused significantly high positivity and incidence rates across the State of Colorado, including within the four counties of the Eighteenth Judicial District.

On February 25, 2022, the Centers for Disease Control and Prevention (“CDC”) issued revised guidance on preventative measures, including wearing facial coverings in indoor public spaces, based on a community’s “COVID-19 Community Level.” The CDC looks at the combination of three metrics to determine the COVID-19 Community Level: (1) new COVID-19 admissions per 100,000 population in the past seven days; (2) the percent of staffed inpatient beds occupied by COVID-19 patients and (3) the total new COVID-19 cases per 100,000 in the past seven days. New COVID-19 admissions and the percent of staffed inpatient beds occupied represent the current potential for strain on the health system. Data on new cases acts as an early warning indicator of potential increases in health system strain in the event of a COVID-19 surge. Using this data, the COVID-19 Community Level is classified as low, medium or high. The following

chart outlines the CDC’s guidance for prevention strategies based on community level:

Low	Medium	High
<ul style="list-style-type: none"> <li>Stay <a href="#">up to date</a> with COVID-19 vaccines</li> <li><a href="#">Get tested</a> if you have symptoms</li> </ul>	<ul style="list-style-type: none"> <li>If you are <a href="#">at high risk for severe illness</a>, talk to your healthcare provider about whether you need to wear a mask and take other precautions</li> <li>Stay <a href="#">up to date</a> with COVID-19 vaccines</li> <li><a href="#">Get tested</a> if you have symptoms</li> </ul>	<ul style="list-style-type: none"> <li>Wear a <a href="#">mask</a> indoors in public</li> <li>Stay <a href="#">up to date</a> with COVID-19 vaccines</li> <li><a href="#">Get tested</a> if you have symptoms</li> <li>Additional precautions may be needed for people <a href="#">at high risk for severe illness</a></li> </ul>
<p>People may choose to mask at any time. People with symptoms, a positive test, or exposure to someone with COVID-19 should wear a mask.</p>		

The CDC’s guidance reflects that only communities whose data places them in the “High Community Level” should utilize wearing face coverings in indoor public spaces regardless of vaccination status as a preventative measure.

As of February 27, 2022, the Colorado Department of Public Health and Environment (“CDPHE”) website reflects the one-week cumulative incidence rate is 61.7 for Arapahoe County, 57.8 for Douglas County, 57.3 for Elbert County, and 70.7 for Lincoln County.<sup>1</sup> The website further reflects the one-week average positivity rate is 4.4% for Arapahoe County, 4.7% for Douglas County, 6.8% for Elbert County, and 1.6% for Lincoln County.<sup>2</sup> According to the Tri-County Health Department’s website, COVID-19 hospitalizations in both Arapahoe and Douglas counties are steadily declining, which allows for increased hospital bed capacity. As of February

<sup>1</sup> The one-week cumulative incidence rate is the number of reported positive COVID-19 cases per 100,000 people over a seven-day period.

<sup>2</sup> The one-week average positivity rate is the percentage of people who test positive for COVID-19 of those overall who have been tested over a seven-day period. A lower positivity rate indicates lower community transmission.

25, 2022, both Elbert County Public Health and Lincoln County Public Health had no new hospitalizations to report. This data represents a significant decline in COVID-19 metrics since the surge of the Delta and Omicron variants in all four counties. According to the CDC's website, the data for Arapahoe, Douglas and Lincoln Counties places each county at "Low Community Level" and the data for Elbert County places the county at "Medium Community Level." Although the CDC website places Elbert County at "Medium Community Level," Elbert County Public Health reports their data reflects the county has experienced a prevailing low level of COVID-19 transmission.<sup>3</sup>

Based on the significant decrease in positivity and cumulative incidence rate in all four counties, decreased hospitalizations, the updated guidance from the CDC and consultation with local public health officials, the undersigned now finds it is no longer necessary to mandate facial coverings be worn in the areas of the courthouses and probation offices which are under the Chief Judge's authority across the Eighteenth Judicial District. **EFFECTIVE MARCH 7, 2022, FACIAL COVERINGS WILL BE OPTIONAL.** Personal preference and individual need will be respected and anyone may still wear a face covering in the courthouses or probation offices.

This Chief Judge Order 22-04 hereby rescinds Chief Judge Order 21-04 and controls face coverings in the Eighteenth Judicial District and supersedes Sections (1) and (4) of Chief Judge Order 21-02 Regarding Court Operations in the Eighteenth Judicial District Under the Novel Coronavirus ("COVID-19") Advisory.<sup>4</sup>

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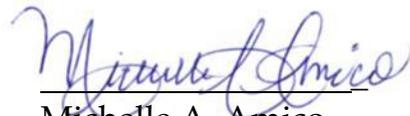
<sup>3</sup> This data from the CDC was last updated on February 24, 2022.

<sup>4</sup> In rescinding Chief Judge Order 21-04, there is no intent to interfere with any state or local orders the Sheriffs must follow regarding face coverings in detention facilities or any internal organizational protocols regarding face coverings they elect to institute, including where persons in-custody are present in the courthouses.

COVID-19 remains a constant presence in our communities and thus, the undersigned will continue to monitor available information, guidelines and recommendations from the CDC, the CDPHE and local public officials, and the facial covering requirement may be reinstated at any time as deemed necessary to ensure public health and safety while maintaining trial court and probation operations.

Dated: February 27, 2022 to be effective March 7, 2022.

**BY THE COURT:**



Michelle A. Amico

Chief Judge

Eighteenth Judicial District