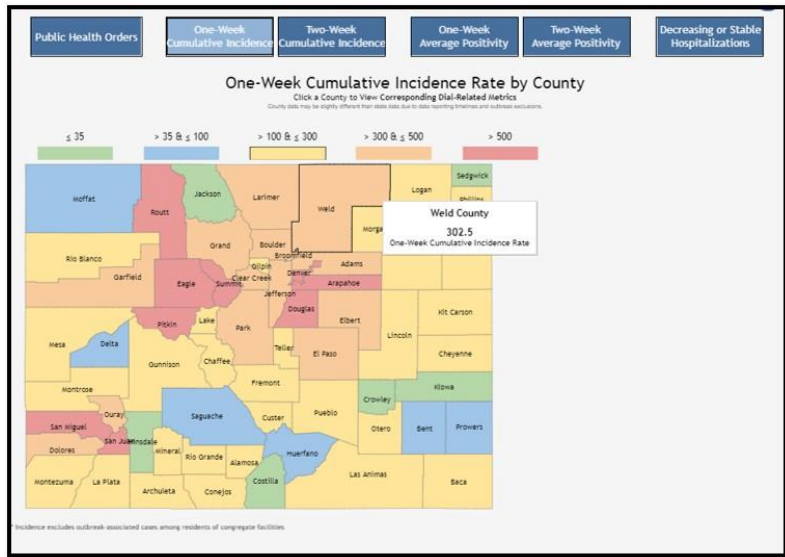


District Court, Weld County, State of Colorado Court Address: 901 9 <sup>th</sup> Avenue, Greeley, CO 80631 Mailing Address: P.O. Box 2038, Greeley, CO 80632-2038	<p style="text-align: center;"><b>▲ COURT USE ONLY ▲</b></p> Case Number: <b>2021 CV 01</b> Division 1
<b>ADMINISTRATIVE ORDER NO. 2021-13</b>	
<b>ORDER SUSPENDING JURY CALLS IN THE 19<sup>TH</sup> JUDICIAL DISTRICT THROUGH JANUARY 28, 2022</b>	

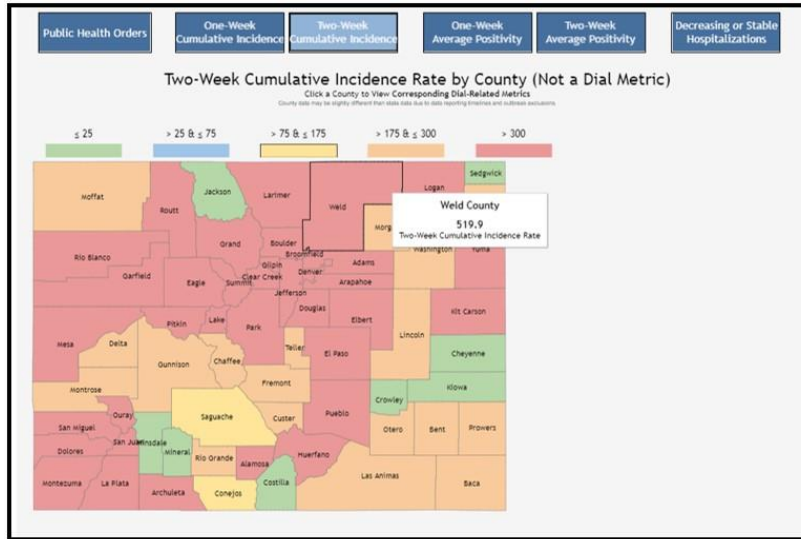
Since the COVID-19 virus first clenched its unrelenting grip on the people of Colorado in March 2020, I have issued numerous orders designed to continue providing the necessary services the public expects and deserves from the 19<sup>th</sup> Judicial District courts and probation, during the ever-changing public health circumstances related to this pandemic. Based on the rising coronavirus numbers in Weld County, and particularly the rapid increase in positivity rates for the Omicron variant, I find that we are not able to safely assemble jurors in the 19<sup>th</sup> Judicial District. I hereby order that all jury calls in the 19<sup>th</sup> Judicial District shall be suspended through January 28, 2022.

The Colorado Department of Public Health and Environment (“CDPHE”) continues to maintain current COVID-19 data, which I review at least one time per week. I obtained the data below from the CDPHE website on December 29, 2021:

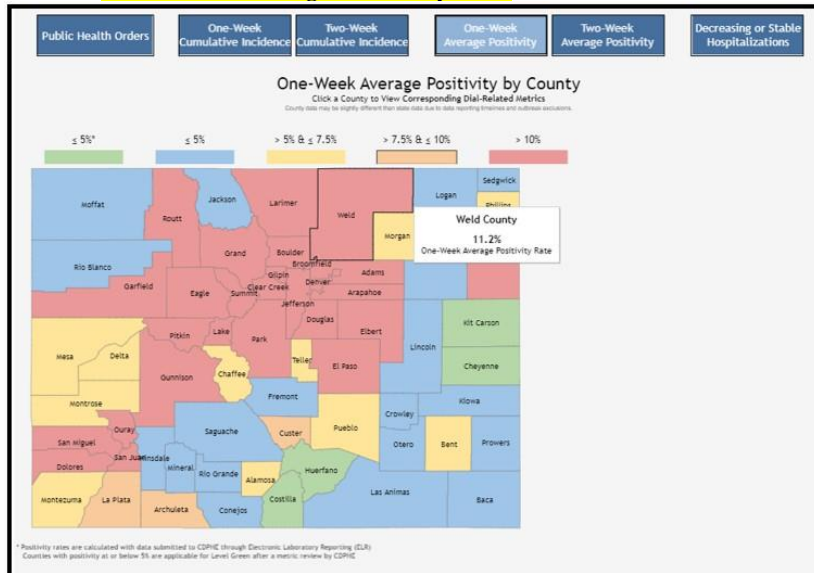
**One Week Cumulative Incidence Rate**



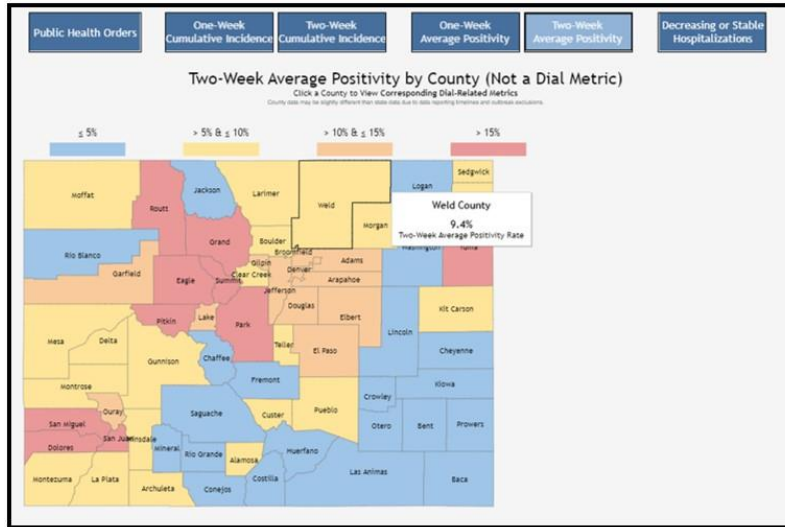
## Two-Week Cumulative Incidence Rate



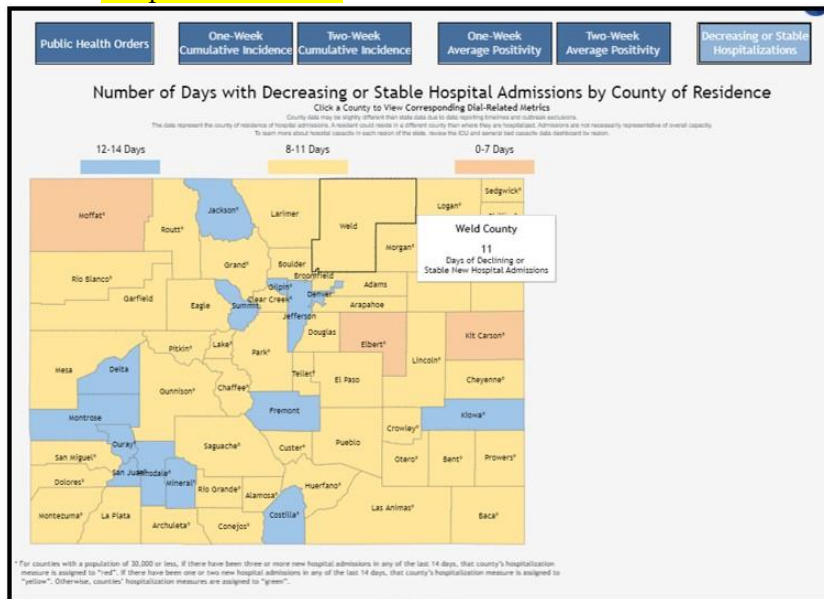
## One-Week Average Positivity Rate



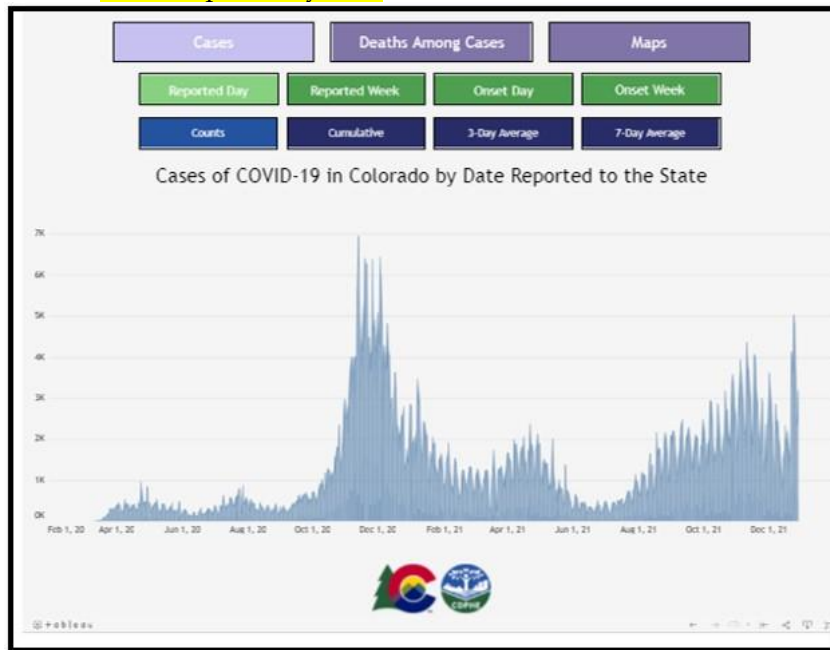
## Two-Week Average Positivity Rate



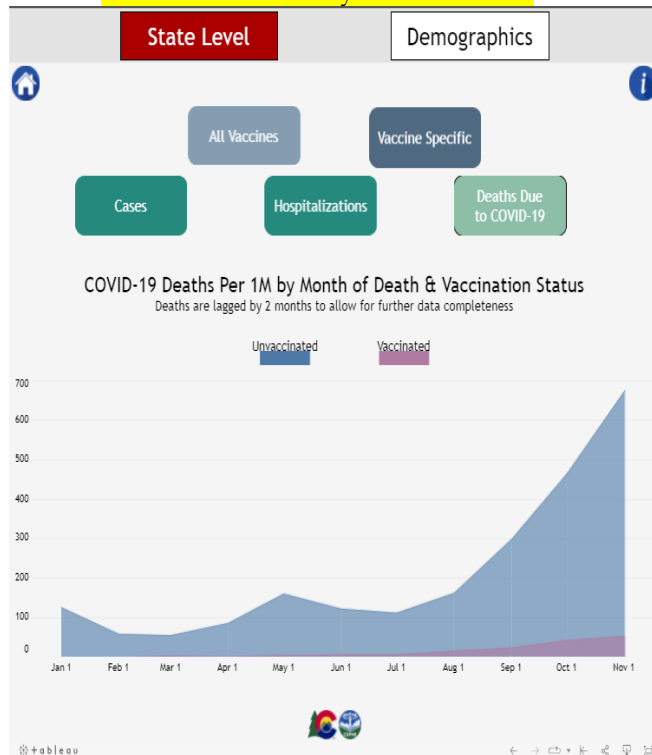
## Hospitalization Rate



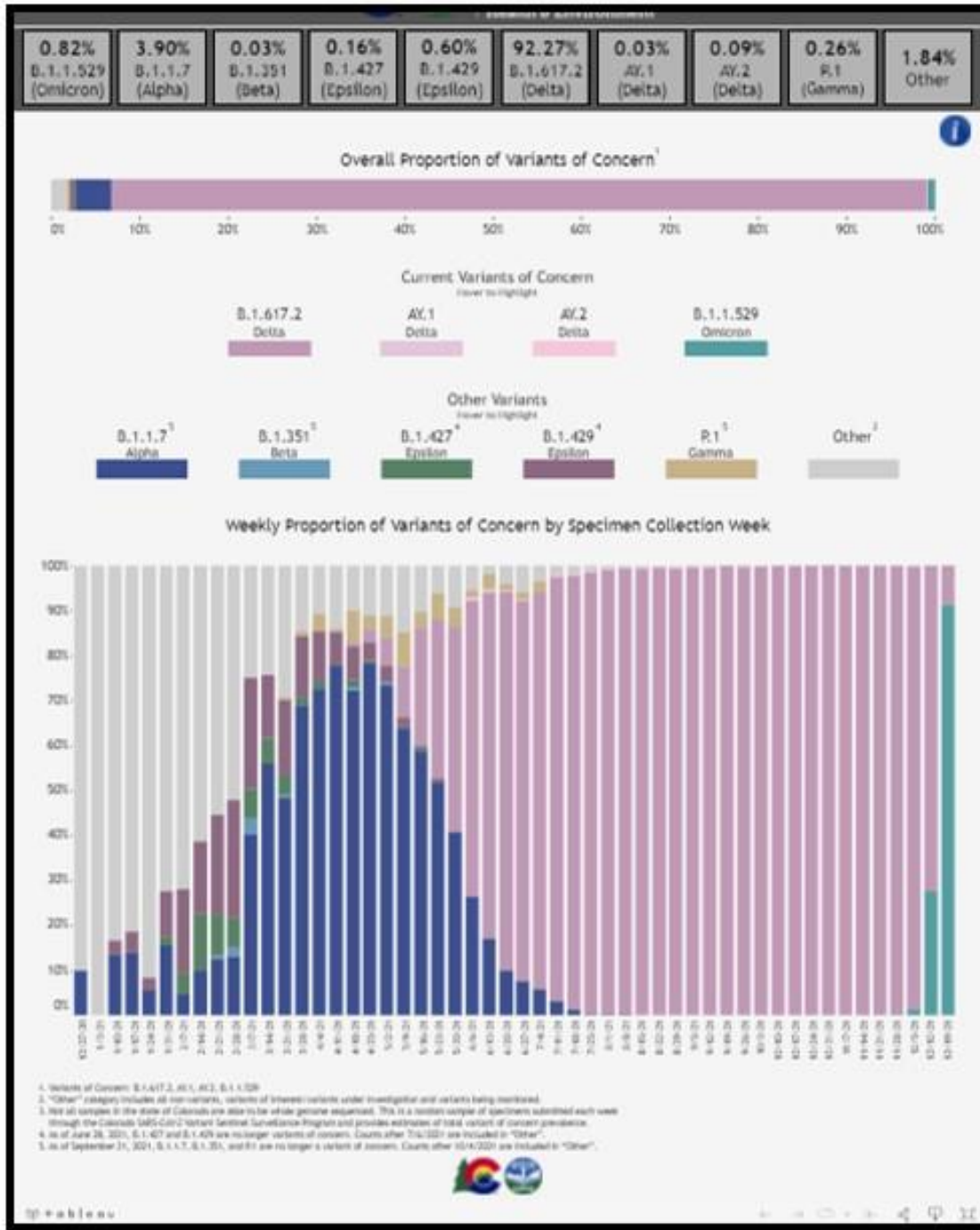
## Cases Reported by Date



## Number of Deaths by Month Per 1M



Overall Proportion of Variants of Concern



As shown by the chart above, the Omicron variant accounted for a very small percentage of the positive COVID tests in Colorado just three weeks ago, but now accounts for over 90% of the positive COVID tests. The Centers for Disease Control and Prevention (“CDC”) website contains the following information on the Omicron variant, which was updated on December 20, 2021:

Since its identification in November 2021 <sup>1</sup>, the Omicron variant has been reported in South Africa, Botswana and numerous countries where it is driving rapid epidemic growth. In the U.S., the variant has been found in the majority of U.S. states (2). The Omicron variant is increasing in the percent of circulating SARS-Cov-2 viruses in the United States <sup>3</sup>. S-gene Target Failure (SGTF) is a marker for identifying Omicron cases. Preliminary analysis of SGTF data from testing completed through a national chain of pharmacies also observes regional increases in this proxy measure of the Omicron variant. Modeling of both genomic surveillance and SGTF data predict that Omicron will become the most common variant nationally by December 25, 2021, with some regions exceeding this threshold earlier. Furthermore, multiple large clusters of Omicron variant cases have demonstrated the rapid spread of the virus. Upcoming holiday gatherings may further accelerate these trends.

The rapid growth rate in Omicron infections is believed to result from a combination of increased transmissibility and the ability to evade immunity conferred by past infection or vaccination (i.e., immune evasion) <sup>4; 5</sup>. Data from laboratory experiments and epidemiologic investigations suggest a greater role for immune evasion than increased transmissibility; immunity conferred by prior infection or vaccination is likely to be reduced compared with Delta but not completely overcome <sup>6; 7; 8</sup>. Data also show that vaccinated people who either receive a booster dose or who were also previously infected are likely to have stronger protection against Omicron <sup>9; 10; 11</sup>.

The clinical severity profile of Omicron infection will strongly influence its impact on future U.S. hospitalizations and deaths. At present, early data suggest Omicron infection might be less severe than infection with prior variants; however, reliable data on clinical severity remain limited <sup>12</sup>. Even if the proportion of infections associated with severe outcomes is lower than with previous variants, given the likely increase in number of infections, the absolute numbers of people with severe outcomes could be substantial. In addition, demand for ambulatory care, supportive care for treatment of mild cases, and infection control requirements, quarantining/isolation of exposed/infected workforce could also stress the healthcare system. These stresses likely will be in addition to the ongoing Delta variant infections and a rising burden of illness caused by other respiratory pathogens, such as influenza, which have begun circulating at greater frequencies<sup>13; 14</sup>

The following data was obtained from the Weld County Department of Public Health and Environment (“Weld Health Dept.”) on December 29, 2021:

## Weld County Department of Health and Environment, COVID-19 Data



Number of New COVID-19 Cases Reported Today\*\*

**338**

Number of COVID-19 Cases Reported Since Pandemic Began

**57,229**

One-Week Cumulative Incidence Rate per 100,000 Residents\*\*

**365.5**

Two-Week Cumulative Incidence Rate per 100,000 Residents\*\*

**606.2**

One-Week Average Positive Test Rate

**11.14%**

Total RT-PCR COVID-19 Tests in Weld County

**641,481**

Total Number of Deaths Due to COVID-19 (Underlying Cause of Death Only)

**535**

Number of Deaths Due to COVID-19 Last Month (Underlying Cause of Death Only)

**66**

Current Number of COVID-19 Hospitalizations in Weld County Regional Hospitals\*\*

**189**

7-Day Rolling Average Percent Beds Occupied by COVID-19 Patients Today\*\*

**14.8%**

14-Day Rolling Average of COVID-19 Hospitalization Rate per 100,000 Residents\*

**1.2**

\*\*Case data updated 12/29/2021

\*\*Hospital data updated 12/29/2021

\*\*Death data updated 12/28/2021

\*\*Testing data updated 12/28/2021

\*\*Breakthrough data updated 12/22/2021

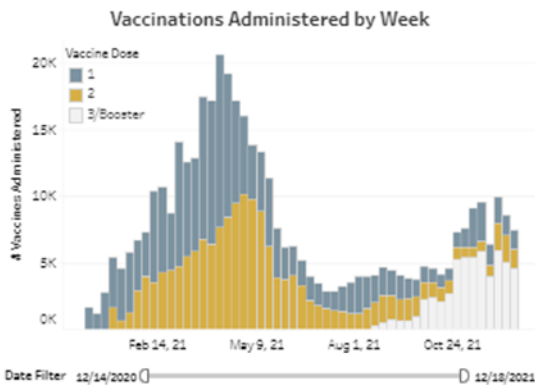
Some data may be suppressed due to small counts. Suppressed data are represented with a single asterisk (\*)

# Weld County COVID-19 Vaccination Dashboard

Welcome to the Weld County COVID-19 Vaccination Dashboard. The vaccination administration data below include Weld County residents only, regardless of where they received a vaccine. Vaccine administration data may be subject to reporting delays, data corrections, and reassignment of cases across jurisdictions. Vaccine data are updated on Fridays by 4:00 p.m. excluding holidays.

For best results when using a mobile device, turn your phone horizontal to view the dashboard.

For COVID-19 vaccination data by zip code, visit the [Weld County COVID-19 Vaccination Zip Code Map](#).



Countywide Vaccination Rates		
	% Vaccinated with At Least One Dose	% Fully Vaccinated
5+ years	63.6%	57.6%
12+ years	69.6%	63.8%
18+ years	71.3%	65.6%
65+ years	90.5%	86.3%

Vaccines Administered	
1st Dose Pfizer & Moderna Vaccines:	182,082
2nd Dose Pfizer & Moderna Vaccines:	164,488
Single Dose Janssen (J&J) Vaccines:	11,444
Unspecified COVID-19 Vaccines:	478
3rd Dose or Booster Vaccines:	55,554
<b>Total Vaccines Administered:</b>	<b>414,045</b>

Resident Vaccinations by Age Group and Race/Ethnicity			
	% Vaccinated with At Least One Dose	% Fully Vaccinated	Population Estimate
5-11 years	17.3%	10.1%	34,743
12-17 years	54.8%	48.1%	28,130
18-29 years	57.1%	50.3%	56,759
30-49 years	69.4%	62.7%	88,043
50-64 years	74.8%	70.7%	56,896
65-69 years	81.1%	77.6%	15,720
70(+ years	96.5%	91.9%	24,375
<b>Total</b>	<b>62.6%</b>	<b>57.6%</b>	<b>304,706</b>
<hr/>			
Hispanic, All Races, 5(+)	38.8%	34.1%	88,659
Other Race, Non-Hispanic, 5(+)	50.4%	45.0%	22,512
White, Non-Hispanic, 5(+)	68.8%	64.2%	193,535
<b>Total</b>	<b>63.0%</b>	<b>58.0%</b>	<b>304,706</b>

People Vaccinated	
Vaccination Series In Progress:	17,594
Full Vaccination Series Received:	176,625
<b>Total People Vaccinated:</b>	<b>194,219</b>

Date updated 12/22/2021

tableau

On December 22, 2021, the one-week positivity rate in Weld County was 7.4% and the two-week positivity rate was 7.7%. The one-week and two-week positivity rates are now 11.2% and 9.4%, respectively. There have been 66 deaths in Weld County due to COVID during the month of December 2021, which represents 12% of the total number of people (535) who lost their lives since the pandemic began in March 2020. There were 338 people who tested positive for COVID in Weld County on December 29, 2021.

While some might argue that the data collected by the CDPHE and CDC is empirical and may not impact jury trials, particularly with the requirement that facial coverings are worn in court and probation buildings, the reality is that we have



experienced numerous instances of COVID-related events over the past week that convincingly tip the scale the other direction. There have been several incarcerated defendants who have either tested positive for COVID or they are required to quarantine because someone on their pod tested positive. This resulted in a continuance of a jury trial scheduled to begin on January 3, 2021, and a continuance of a sentencing hearing in two cases before me. There have been several attorneys who have tested positive and requested continuances of cases. On December 29, 2021, almost 10% of the staff of the 19<sup>th</sup> Judicial District court and probation were required to quarantine for a COVID-related event (positive test, exposure to someone who tested positive, or experiencing symptoms and were awaiting testing).

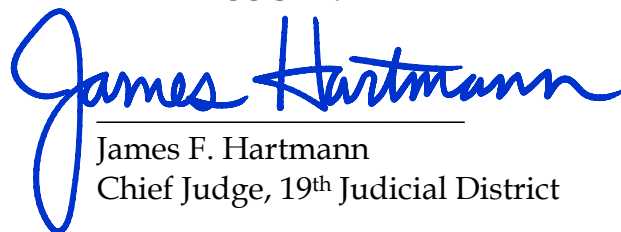
The information from the CDC is also concerning. Although preliminary studies suggest that Omicron infection may be less severe than other variants, the data is limited. More importantly, for purposes of assembling large numbers of people for jury service in a county where 65.6% of the population between ages 18 and 65 are considered fully vaccinated, is that the CDC reports the Omicron variant exhibits a “combination of increased transmissibility and the ability to evade immunity conferred by past infection or vaccination (i.e., immune evasion).” Thus, “even if the proportion of infections associated with severe outcomes is lower than with previous variants, given the likely increase in number of infections, the absolute numbers of people with severe outcomes could be substantial.”

<https://www.cdc.gov/coronavirus/2019-ncov/science/forecasting/mathematical-modeling-outbreak.html>

Pursuant to the authority provided to Chief Judges by the Chief Justice of the Colorado Supreme Court through Chief Justice Directive 95-01, *Authority and Responsibility of Chief Judges*, I hereby order that all jury calls in the Nineteenth Judicial District be suspended through January 28, 2022. I will continue to closely monitor the COVID data for Weld County and I reserve the right to modify, revise, or extend Administrative Order 2021-13 at any time, based on then-existing data, health-related considerations, input from the members of the bench, and all other circumstances impacting court operations.

Dated: December 30, 2021.

BY THE COURT:

  
James F. Hartmann  
Chief Judge, 19<sup>th</sup> Judicial District