

# Massachusetts courthouses reopening for limited business on July 13

Michael P. Norton  
State House News Service

Courthouses in Massachusetts will reopen to the public on July 13 for limited purposes, with the courts continuing to conduct most business virtually.

Under an updated order issued Wednesday by the Supreme Judicial Court, entry will be limited to people attending in-person proceedings, conducting business with a clerk's, register's or recorder's office, people meeting with probation, and people conducting business at other open offices in the courthouses. The SJC said that people seeking to enter courthouses "will be screened to prevent the spread of COVID-19."

The SJC plans additional reopening phases, with the number of in-person proceedings expanding during a second phase beginning on Aug. 10. In advance of each phase, Trial Court departments will identify new matters they will be addressing in person on the court system's COVID-19 webpage, according to the SJC.

"Jury trials in both criminal and civil cases in state courts continue to be postponed to a date no earlier than September 8, 2020," the SJC said. "Starting July 13, judges may begin to schedule civil and criminal bench trials. No new grand jury can be empaneled prior to September 8, unless the Supreme Judicial Court so orders. Existing grand juries are extended until the date of that new empanelment or the date of the October 2020 empanelment in the relevant judicial district, whichever occurs first."

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# **Independent investigation examining the tragedy at Holyoke Soldiers' Home released**

Today, the Baker-Polito Administration released the independent report ordered by Governor Baker to investigate the COVID-19 outbreak at Holyoke Soldiers' Home.

On April 1st, Governor Charlie Baker retained Attorney Mark Pearlstein, a former federal prosecutor, to investigate the causes of the tragic events that occurred at the Holyoke Soldiers' Home. The investigation and report was completed independently from the Baker-Polito Administration.

"I called for an independent and thorough investigation into the tragic events that occurred at the Holyoke Soldiers' Home to get to the bottom of what happened and take immediate action," said Governor Baker. "This report lays out in heartbreaking detail the terrible failures that unfolded at the facility, and the tragic outcomes that followed. Our emergency response to the COVID-19 outbreak stabilized conditions for residents and staff, and we now have an accurate picture of what went wrong and will take immediate action to deliver the level of care that our veterans deserve."

Governor Baker will hold a media availability at noon in the Gardner Auditorium at the State House to discuss the report and the Administration's response.

Click [here](#) to read the report.

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## New Bedford reports no new coronavirus cases on Tuesday

For the first time since the pandemic reached New Bedford, health officials reported no new COVID-19 cases on Tuesday. The total COVID-19 count in New Bedford remains at 2,123. One new COVID-19 related death was reported on Tuesday bringing the death count to 105 in the city.

According to New Bedford health officials, Hispanics/Latinos are 20% of New Bedford's population but account for 45.5% of the COVID-19 cases in the city. New Bedford's white population was 67.2% of the city and accounted for 28.1% of the COVID-19 cases. Full details [here](#).



Eight additional cases of COVID-19 have been identified in Fall River, according to the Mayor's Office. This makes the total in Fall River stand at 1,566. Full details [here](#).

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## Massachusetts voting bills diverge on mailings, poll

# location change

Chris Van Buskirk

State House News Service

Two issues could become a focus of negotiations between six lawmakers tasked with finding a compromise on vote-by-mail legislation: application mailing methods and limitations on changing polling locations.

As a new House-Senate conference committee works out its meeting plans, advocates are pointing to the two variations between the House and Senate bills as essential components to a statewide voting-by-mail system.

The bills (H 4778/S 2764) largely do the same things: instruct Secretary of State William Galvin to mail every voter an application for the primaries on Sept. 1 and the general election on Nov. 3. Residents would have three voting options under either bill – showing up to the polls in-person, taking advantage of early voting periods, or voting-by-mail – which both officials and advocates alike say helps address public health concerns regarding physical distancing.

The House bill proposes sending registered voters two separate applications by mail, one on July 15 for the primaries, and another in October for the general election. The Senate bill sends out one mailing on July 15 that includes paperwork for both elections, and also calls for a general election application to be included in the October voter guide.

“We think both options could work and would provide opportunities for voters to participate,” Common Cause Massachusetts Executive Director Pam Wilmot said in an interview. “On the Senate side, I think it was an attempt to save some postage and kind of combining things and making it more efficient. And on the House side – the bill came out of committee with the two-in-one and then Ways and Means changed

it to two separate.”

It is unclear how much the state would save by combining applications for the general and primary elections.

Senate Chair of Election Laws Barry Finegold said that House and Senate negotiators do not have a meeting planned yet but that he is “sure it’s going to be soon.” The meetings, typically open to the public for only a short period, are used to hash out differences between the two branches on a particular bill.

“Honestly, I think I think the important thing is the framework has stayed the same of what we’re doing,” he told the News Service Monday. “We’re mailing everyone an application, we’re giving people the chance to vote early, and we’re giving people the chance to vote on election day.”

Conference committee members are Sens. Finegold, Cynthia Creem, and Ryan Fattman, House Elections Chair John Lawn, Rep. Michael Moran, and Rep. Brad Hill.

Lawn (D-Watertown) could not be reached for comment on Tuesday.

Alex Psilakis, MassVOTE policy and communications manager, said he is focusing on language in the two bills that authorize select boards, town councils, or city councils to alter a polling location prior to the primaries or general elections.

The House bill says local officials must evaluate and report on whether a change in location would have a disparate impact on access based on race, national origin, disability, income, or age, no later than three days prior to the decision. Officials have until 15 days prior to the primary or general election to do so under the House bill.

The Senate codified the language by only allowing such a move

to occur if officials made a substantial effort to recruit poll workers and if doing so would not have a “disparate adverse impact on access to the polls on the basis of race, national origin, disability, income, or age.” The Senate gives towns and cities until 20 days prior to either election to do so.

“We don’t want to see polling places close in parts of Boston and the state, you know, that are already struggling to deal with COVID-19 and face an even greater challenge in actually voting,” Psilakis said. “We really want folks to believe that the in-person voting process will be safe, and we believe this element of Senate legislation helps achieve that.”

Both the House and Senate bills also direct the secretary of state to create an online portal system where voters can request an early or absentee ballot. Senate language dictates that the system must be operational on Oct. 1 in time for the November general election and, if possible, for the September primary.

“The online portal requirement is very critical to all of this working because it will reduce the workload for clerks as well as making it more convenient for voters,” Wilmot said. “And the Senate language is a little stronger on that.”

The House passed the bill 155-1 in early June with the Senate unanimously approving its version on June 16 after dispensing with 41 amendments.

“I’m really hoping and I do believe that they’ll sign something before the Fourth of July,” Psilakis said. “I think that’s kind of their own deadline because they’ve got other things they have to worry about now too.”

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# Indoor dining set to resume in Massachusetts on Monday

Matt Murphy

State House News Service

Restaurants that have been serving patrons on patios and sidewalks for the past two weeks will be able to welcome diners indoors beginning Monday as Gov. Charlie Baker announced Friday that he was triggering the next stage of his economic reopening plan.

In the midst of a heat wave, no less.

Baker, at a State House press conference, also said offices would be able to bring back to work more employees and increase their capacity from one quarter to 50 percent of their workforce. And close-contact personal services offered at nail salons, massage and tattoo parlors and personal training can resume on June 22.

The progress through the phases of the Baker's administration's reopening strategy comes as Massachusetts has continued to see downward trends in hospitalizations, which are now under 1,000, and positive test rates, which have fallen to 2.3 percent.

"Reopening Massachusetts is working," Baker said. "Business is coming back, people are regaining that sense of purpose that was lost. I know it can't happen fast enough, but people in Massachusetts are proving that we can reopen and continue to bring the fight to the virus when we all do our part."

Baker, however, urged people to continue to socially distance, wear masks and practice proper hygiene, and said if people can still work from home they should "for a little longer" to limit crowding on public transit. He said he was leaving the

current work-from-home structure for executive branch government employees in place.

“We should keep in mind that COVID doesn’t take the summer off. We cannot nor should we become complacent,” Baker said, noting spikes in cases and hospitalizations in other parts of the country.

Baker entered Massachusetts into the second phase of his reopening plan on June 8, but divided it into two parts. While some businesses have had to wait two weeks longer to reopen than they expected, restaurants were allowed to start with outdoor dining, and are now transitioning to full service.

The rules for indoor dining do not include capacity limitations, but do require tables to be six feet apart from each other and for parties to be limited to six or fewer guests. Seating is also prohibited at the bar.

Lt. Gov. Karyn Polito said the move into the second part of Phase 2 also means clothing retailers can open fitting rooms by appointment.

To assist with reopening, Polito also announced a new \$225,000 grant program for non-profits and community organizations to apply for up to \$25,000 to help restaurants and other businesses set up outdoor seating and sidewalk retail.

The application process for grants through the new “Resurgent Places” program, as well as the previously announced \$5 million “Shared Streets and Spaces” program for municipalities, will open on Monday, Polito said.

Massachusetts Fiscal Alliance spokesman Paul Craney said Friday’s move was welcomed, but leaves Massachusetts behind other states.

“Despite today’s positive announcement from the Governor, Massachusetts is becoming well known for being far behind the



curve compared to the rest of New England. If you are a small business owner in Massachusetts, you have to wait the longest to re-open. That's the message business owners, their workers, and customers constantly hear from the Governor and today's announcement reaffirmed this," Craney said.

Craney said businesses like gyms, indoor recreation and theaters need more information about what to expect in Phase 3, which Baker said he was delaying until at least early July.

"The introduction of additional surprise sub-phases and shifting businesses to phase 4 should not continue going forward," Craney said, referring to how bars were quietly moved from Phase 3 to Phase 4.

When Baker initially rolled out his four-phase reopening plan, he said each phase would last a minimum of three weeks. He stuck to that schedule when he entered Phase 2 on June 8, but the wait for Phase 3 will be longer.

Baker said he wants at least two weeks of data from indoor dining before deciding on the next step, which would push the reopening of gyms, movie theaters and other larger indoor spaces beyond June 29.

National Federation of Independent Businesses of Massachusetts Director Christopher Carlozzi said small businesses had been "extremely disappointed" when Baker carved the second phase into two parts.

"Outdoor dining proved overly restrictive with many eateries lacking adequate outdoor space and becoming dependent on favorable weather conditions. Hopefully consumers will once again choose to dine in some of the fine eating establishments around the Commonwealth and help one of the industries hardest hit by the pandemic," Carlozzi said in a statement.

Though Baker acknowledged the frustration and financial pain being felt by many small business owners, he said the

sacrifices being made now are in an attempt to avoid or reduce the impact of a second wave, or “echo,” in the fall.

That’s why, the governor said, he continues to invest in testing and contact tracing to make sure the positive progress made in containing the virus so far doesn’t reverse itself.

Health and Human Services Secretary Marylou Sudders said that the administration was rolling out a digital awareness campaign to promote testing, and will begin taking applications from providers who can either run new testing sites, or provide mobile testing options in places where testing has been more scarce.

The state also added a page to its website, [www.mass.gov/gettested](http://www.mass.gov/gettested), that will provide information on testing with a link to the state’s locator to find the most convenient site.

Friday was also the final day for free testing at the more than 50 pop-up sites set up by the administration to make tests available to people who had recently been in large gatherings, including any of the more than 300 protests of police brutality around the state that attracted 100 people or more.

Sudders said that since Wednesday nearly 16,000 people had been tested at these sites, and she expected results in the next couple of days.

Meanwhile, Sudders said later Friday the state would release new data on the reach of COVID-19 into communities of color, with more comprehensive race and ethnic data on infections and recommendations on how to mitigate the impact.

The state’s crisis standards of care, which were developed in anticipation of the surge earlier this spring, have also been rescinded. Those guidelines were intended to standardize decisions about who gets access to life-saving treatment like

a ventilator if a hospital were to become overwhelmed with COVID-19 cases and run short on supplies and staff.

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# **Rep. Pressley calls for wide range of prisoners to be released for at least one year**

Chris Lisinsk

State House News Service

Warning that prisons and jails are “major incubators” of the highly infectious coronavirus, U.S. Rep. Ayanna Pressley proposed legislation Thursday that would require large numbers of people to be released from incarceration or custody for at least one year.

The bill, which Pressley introduced alongside Rep. Rashida Tlaib of Michigan and Rep. Barbara Lee of California, would require states that receive federal funds through the Edward Byrne Memorial Justice Assistance Grant program to release a range of individuals, including those who have not been convicted and are awaiting trial, those detained on federal Immigration and Customs Enforcement waivers, inmates who are pregnant, terminally ill or medically vulnerable, and inmates 55 and older.

Debate about how to limit COVID transmission in correctional facilities has been tense, with advocates demanding for months that state and federal officials take more significant steps to reduce inmate populations and opponents warning about the

implications on public safety. According to data cited by Pressley's office, more than 68,000 incarcerated Americans have tested positive for COVID-19 and deaths are on the rise.

"We continue to be in the midst of an unprecedented pandemic that is claiming the lives of our most vulnerable. Public health is public safety, and in this moment, we must prioritize decarceration to save lives and protect communities before it is too late," Pressley said in a press release. "Involvement in the legal system should not be a death sentence due to COVID-19, and this bill can save lives."

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## **Bristol County inmates test positive for COVID-19 bringing total to 5 this week**

Four of those inmates are currently being housed in medical isolation. One was released as the individual's sentence was concluded. Before being released, the BCSO notified the person picking them up from the correctional facility as well as the state Department of Public Health, which in turn notified the local health department of the community the individual is returning to.

The five positive cases reported since June 12 brings the total number of county inmates to test positive to 47. Of those 47, 30 have recovered and returned to general population while five have been released as their sentences were concluded. Twelve, including the five new cases mentioned above, remain in medical isolation and are being closely monitored by the medical team.

No Bristol County staff members tested positive for COVID since June 12. Four staff members remain away from the facility recovering from COVID-19 while 37 have returned to duty. One staff member, a health care professional from Correctional Psychiatric Services, left the BCSO after recovering to take a different position at a health care facility in Dartmouth.

All inmates currently in medical isolation, and all staff members currently away from the facility recovering, are expected to make full recoveries over the coming weeks.

Over the past few months, the Bristol County Sheriff's Office has instituted many protocols to protect inmates, detainees and staff from the Coronavirus outbreak. Some of those measures include:

- All employees, detainees and inmates were issued masks that must be worn inside the secure perimeter of the facilities.
- All areas of the facilities are being cleaned/disinfected every day on every shift.
- All staff members are being screened before entering the buildings; new arriving inmates are being screened before being accepted into custody.
- In-person visitation has been suspended to limit the number of people coming in and out. It will resume, hopefully soon, based on guidance from the Governor's Office, DPH and CDC.

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**Indoor dining in**

# Massachusetts set to reopen on Monday

Today, the Baker-Polito Administration announced that Step Two of Phase II of the Commonwealth's four-phase reopening plan, Reopening Massachusetts, will begin on Monday, June 22 to allow additional industries to resume operations under sector-specific guidelines.

Businesses and sectors set to begin operating in Step Two of Phase II are subject to compliance with all mandatory safety standards.

On May 18, the Administration released a four-phased plan to reopen the economy based on public health data, spending at least three weeks in each phase. Key public health data, such as new cases and hospitalizations, has been closely monitored and seen a significant decline allowing for Step Two of Phase II to begin on June 22.

The following will be eligible to reopen in Step Two of Phase II on Monday, June 22:

- Indoor table service at restaurants;
- Close-contact personal services, with restrictions;
- Retail dressing rooms, by appointment only;
- Offices, at 50 percent capacity

Full list and safety protocols available at [www.mass.gov/reopening](http://www.mass.gov/reopening).

In order to give Step 2 businesses time to prepare, the Administration had previously released sector-specific guidance in advance of Phase II for industries including restaurants, close-contact personal services and sectors not otherwise addressed:

Before these sectors can resume operations under the guidelines, businesses must meet all safety standards, create a COVID-19 control plan, and complete a self-certification.

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## New Bedford passes 100 total COVID-19 related deaths

New Bedford health officials reported three more COVID-19 related deaths bringing the total to 102 in the city. New Bedford has seen 17 COVID-19 related deaths since last Thursday.

Mayor Jon Mitchell's office reported nine additional confirmed COVID-19 cases in New Bedford on Thursday, bringing the total positive cases in the city to 2,086, up from 2,077 on Wednesday.

According to New Bedford health officials, Hispanics/Latinos are 20% of New Bedford's population but account for 45.5% of the COVID-19 cases in the city. New Bedford's white population was 67.2% of the city and accounted for 28.1% of the COVID-19 cases. Full details [here](#).

6 additional cases of COVID-19 have been identified in Fall River, according to the Mayor's Office. This makes the total in Fall River at 1,549. Full details [here](#).

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# Baker didn't join other governors at the White House today

Matt Murphy

State House News Service

President Donald Trump had a discussion with governors at the White House Thursday about reopening small businesses, but Gov. Charlie Baker wasn't among them.

The president's schedule released Wednesday night included the 3 p.m. roundtable with governors in the State Dining Room. A senior aide to Baker said on Wednesday the Republican from Massachusetts will not be traveling to Washington, D.C. On Thursday. Baker has not released a public schedule of his own for Thursday, but has been taking criticism from some business groups and conservative lawmakers about the pace of his reopening strategy.

"I would just say to people that the folks who went fast on reopening in many parts of the country are now dealing with a second set of significant issues with respect to growth rates and their positive tests," Baker said Thursday. "Some of them are now testing at a positive level that's above anything that they were dealing with previously."

It's not clear if all of the nation's governors were invited to Thursday's meeting. The slow-and-steady reopening message from Beacon Hill contrasts with messaging from the White House, where Vice President Mike Pence is calling fears of a second wave of COVID-19 infection overblown and chalking up the surge in cases in southern states like Florida, Texas and Arizona to increases in testing.