

Keeping the Courts Safe During COVID-19

At the beginning of the COVID-19 pandemic, many felt that the early lockdowns would be sufficient to flatten the curve of new infections and return society to pre-pandemic normalcy. As the pandemic continued month after month, however, industries and individuals began to realize that in order to continue to operate, they would need to make significant adjustments to do their vital work while still maintaining safety for themselves and others.

One such group faced with the problem of operating during the pandemic was the justice system. Although courts and other judicial operations did shut down during the first COVID-19 lockdowns, it quickly became apparent that a complete halt of the courts was not sustainable. Juries needed to be able to convene, hear witnesses, and deliberate together despite the dangers of gathering together during the pandemic. As an added complication, juries and judges rely a great deal on being able to see the full facial reactions of those called on as witnesses or standing as accused parties. Masking and social distancing helped maintain some virus protection for those in the courtroom, but a solution was desperately needed that would provide a maximum amount of public health safety while still allowing courts to proceed with their work in an equitable way.

To solve this problem, the Utah court system turned to the University of Utah Health for solutions. These included physical distancing plans of court participants and education on how the virus could be spread. Utah Health at the time was working with DFPM professor and division chief of the Division of Occupational and Environmental Health (OEH) at the University of Utah, Jeremy J. Biggs, MD, MSPH. Dr. Biggs had already distinguished himself during the Utah pandemic response through the creation of a specialized box for convenient and large-scale COVID-19 testing. The boxes, affectionately called “Biggs Booths” by the University of Utah COVID-19 response team, use a negative pressure system and air filter in order to minimize the spread of any virus particles between users. Those being tested insert their heads all the way into the box, effectively sealing themselves off from the outside air and giving them a safe space for self-testing. Because the boxes are self-contained, testers can be processed relatively close to each other, allowing for greater testing numbers and a more convenient testing process.

In addressing the challenge of allowing witness and those prosecuted the opportunity to speak to juries unmasked, the Utah judicial system worked with the University of Utah Health team to modify these “Biggs Booths” testing units into a form that could be used as personal protective equipment (PPE) in the courtroom. Dr. Biggs worked with experts from across the state on an innovative adaptation of the testing unit design, ultimately transforming witness stands into negative air pressure units which allowing witnesses to be clearly seen and heard by juries while still maintaining safety from possible COVID-19 infections. Using the new units, courts were able to resume their work with far fewer complications connected to the necessities of masking and social distancing.

Dr. Biggs’s work was part of a University of Utah Health team’s service to the Utah court system, service that was recently recognized by the presentation of a special “Service to the Court” award to Drs. Jeanmarie Mayer and Thomas Miller, leaders of the team. Dr. Biggs’s work on PPE was specifically cited by Dr. Mayer as an essential part of the success of the team’s service to the court system.

Although eventually the COVID-19 pandemic will no longer threaten us on a daily basis, Dr. Biggs believes that these sorts of health interventions will continue to be helpful to the justice system. “I think many people are realizing that employee health and safety is not just fall protection,” he says. “It is also an attempt to try to make the workplace environment safe in terms of infectious diseases. This should be important for the foreseeable future. PPE is important, but so are environmental controls to help with employee health and safety.” Thanks to the work of the University of Utah Health team that included Dr.

Biggs and others, those in the justice system—from juries, lawyers, judges, employees, and others—can be confident that their health and safety is in good hands.