

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS, HOUSTON DIVISION**

RUSSELL, et al.	)	
	)	
Plaintiffs,	)	
	)	
v.	)	Case No. 4:19-cv-00226
	)	(Class Action)
HARRIS COUNTY, TEXAS, et al.	)	The Honorable Lee H. Rosenthal
	)	U.S. District Judge
Defendants.	)	
	)	

**AGREED MINUTE ORDER**

On March 27, 2020, Plaintiffs filed a motion and supporting memorandum for a temporary restraining order and other relief. After the Court set a hearing for April 3, 2020, Plaintiffs requested a telephonic conference with the Court, and one was held at 4:00 p.m. on March 27. Present on the call for the parties were Neal Manne, Joseph Grinstein, Michael Gervais, Alec Karakatsanis, and Elizabeth Rossi for Plaintiffs, Murray Fogler and Victoria Jimenez for Sheriff Gonzales, and Melissa Spinks for Harris County. Also participating on the call was Adam Biggs from the Office of the Attorney General of the State of Texas, a non-party.

After discussion with the parties and Mr. Biggs, the Court instructed the parties as follows:

1. For all future telephonic hearings in this matter, notice and an opportunity to dial in and listen are to be provided to Ms. Gabrielle Banks of the *Houston Chronicle*.
2. Plaintiffs are to submit a proposed order, agreed to by the defendants, if possible, seeking relief in light of Plaintiffs' claims and the imminent public health threat posed by the COVID-19 pandemic on behalf of people detained pretrial in the Harris County jail charged with felony offenses (1) for whom bond has been set in an amount of \$10,000 or less, and for whom there is no "hold" or other basis for continued detention other than the

failure to pay money for release, and (2) for whom secured bond has been set and for whom there is no “hold” or other basis for continued detention other than the failure to pay money for release and who, due to age or medical condition, face particular vulnerability to contracting or facing serious complications from COVID-19. Plaintiffs represented to the Court that there are approximately 1,000 such detainees currently at the jail.

3. The parties are to provide the Court, as promptly as possible, information about other pretrial felony detainees at the jail for whom bail has been set in an amount greater than \$10,000 and for whom there is no “hold” or other basis for continued detention other than the failure to pay money for release. Plaintiffs represented to the Court that there are approximately 3,400 such detainees currently at the jail. The information provided regarding these detainees should be grouped in bands by \$10,000 increments in bail amounts, and shall include: current felony charge(s), age, risk assessment score if easily available, and any underlying medical condition relevant to the risk from COVID-19.
4. The Court emphasized its availability sooner by teleconference if needed by the parties, but otherwise instructed the parties and the Office of the Attorney General to reconvene by teleconference at 4:00 p.m. on Monday March 30, 2020.

SIGNED on March 29, 2020, at Houston, Texas.



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Lee H. Rosenthal  
Chief United States District Judge