

IN THE TRIAL COURT FOR THE STATE OF ALASKA
FOURTH JUDICIAL DISTRICT AT FAIRBANKS

IN THE MATTER OF:

Suspension of Fairbanks Jury Trials and
Grand Jury Through 10/3/2021

Presiding Judge's Administrative Order
21- 18A

**PRESIDING JUDGE'S ORDER SUSPENDING TRIAL AND GRAND JURY
AT FAIRBANKS**

As of the date of this order, the Alaska DHSS case rates for the Fairbanks Region are as follows: The average daily case rate for the last 14 days per 100,000 residents is 85.3. The total number of cases over the last 7 days per 100,000 is 646.4.

The most recent hospital survey conducted by DHSS indicates 460 inpatient beds available across the state with 37 ICU beds available. The interior region currently has 4 ICU beds available. Hospitals across Alaska are experiencing staffing shortages that compound any facilities shortages. The 7-day test positivity rate for Fairbanks is at 14.8% with 4,283 tests given in the last week, or about 4.4% of the Borough population tested.¹ Vaccination rates in the Greater Fairbanks area are around 51.4% with at least one dose.² Jury trials and grand jury are currently scheduled to commence on September 20, 2021.

ORDER EXTENDING JURY TRIAL AND GRAND JURY SUSPENSION

The circumstances requiring the suspension of grand jury and jury trials as outlined and explained in Presiding Judge's Order 21-18 continue to require the suspension of jury trials and grand jury as there is no alternative set of restrictions that will allow trials to be held in the Fairbanks Courthouse with an acceptable level of risk.

¹ By comparison, Bethel has dropped to 7.4% positivity rate with approximately 10% of the population tested. Anchorage has a 9.6% positivity rate with approximately 7.6% of the population tested. In other words, Fairbanks likely has actual infection rates much higher than indicated given the comparative sample rate for tests. The much lower vaccination rate increases risk significantly, meaning that the risk in Bethel even with higher measured case rates is leading to much less hospitalization and much less overall risk.

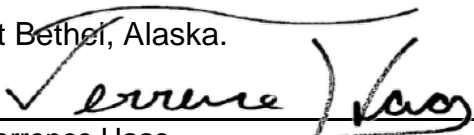
² By comparison, according to Alaska DHSS data, Bethel has a current vaccination rate for at least one dose of 74.9%. The much lower vaccination rate increases risk significantly, meaning that the risk in Bethel even with higher measured case rates is leading to much less hospitalization and much less overall risk.

Jury trials are hereby suspended at Fairbanks through October 3, 2021. Rule 45 is hereby tolled for the period of this suspension.

Grand Jury is hereby suspended at Fairbanks through October 3, 2021. The calculation of the deadline for convening preliminary examination per Criminal Rule 5(e)(4) shall be tolled through November 8, 2021.

It is So ORDERED.

Dated this 13th Day of September, 2021 at Bethel, Alaska.



Terrence Haas
Presiding Judge

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