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NEWS RELEASE

Subject: Police Recordings Trial Postponed Due To COVID-19
Date: Friday, November 20, 2020
From: Council President, Karen L. White
Contact: Bob Palmer, Council Attorney: bpalmer@southbendin.gov

Police Recordings Trial Postponed Due To COVID-19

The Police Recordings trial scheduled to begin on December 10, 2020 has been postponed due to COVID-19.

The St. Joseph Superior Court granted the intervening police officers' motion to continue the trial on November 16, 2020. The case, which will be tried with an advisory jury, is now scheduled to begin on May 6, 2021 and to conclude no later than May 14, 2021.

The Common Council's attorney, Bob Palmer, expressed his disappointment with the postponement, but noted that: "the court has scheduled this case to be heard by a jury at the Common Council's request. The attention this case has received in the media will probably require that more than a hundred people will be called as potential jurors. There is just no practical way to keep everyone safe from COVID-19 during jury selection and the trial that would follow. This is an important case for the people of this community, but because the delay will be short, it does not make sense to possibly expose people to COVID-19 just before the holidays."

The St. Joseph County Courts Action Plan Concerning COVID-19, updated on November 13, 2020, noted that "despite trial courts following all recommended protocols, recent jury trials around Indiana have shown that jurors cannot necessarily be kept safe..." The update also stated that a number of scheduled jury trials in the St. Joseph County courts "have not been able to proceed due to the amount of jurors who were unable to appear due to COVID-19 related issues."

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