

Courts Urged to Do More to Protect Workers as Virus Ravages LA County

NATHAN SOLIS January 25, 2021

In the last month, Covid-19 has claimed the lives of three Los Angeles County Superior Court workers. But how many have died since the pandemic began is unclear.



Los Angeles County court interpreters attend a vigil for two colleagues who died from Covid-19. Colleagues say the court's Covid-19 policies are not enough to ensure their safety during the pandemic. (Courthouse News photo / Nathan Solis)

(CN) — In the last weeks of 2020, the Covid-19 case count in Los Angeles County skyrocketed with an average of 13,000 new cases each day. As the new year dawned, daily deaths topped 200 and the county has become the U.S. epicenter for the virus with nearly 1 million cases since the pandemic began a year ago.

Yet despite the raging pandemic outside, county courthouses continue to hold indoor court hearings. The Los Angeles County Superior Court — the largest superior court system in the nation with a network of 600 courtrooms and over 5,000 employees — limits people in its buildings to essential personnel and those appearing in their cases and requires face coverings. The court encourages remote appearances and has made major changes to try and maintain regular services.

But Kate Marr, executive director of the pro bono Community Legal Aid SoCal, says the rules are not always enforced.

“We had a staff member who went to the Torrance Superior Courthouse for a hearing and there was a bailiff operating the front door and he was not wearing a mask,” Marr said in a phone interview. “You’re smacked in the face as you walk into the courthouse building: This is not something the court is taking seriously.”

Marr said her law clinic filed a complaint with the LA County Health Department afterward, and has also pulled staff from the self-help desk it operates at the Compton courthouse for their safety. Several legal service groups are considering filing some type of legal action against the court for the lax health policies inside county courthouses.

“Court employees were blatantly violating the regulations, with staff walking down hallways without masks,” Marr said. “Other things are bad too. There’s a huge crush at the elevator banks of people trying to get to the higher floors and no one is enforcing occupancy limits.”

An LA County Superior Court spokesperson said by law the court cannot comment on personnel complaints. If a court employee or judicial officers violates the court’s mandates, like not wearing a mask, the matter is handled by court leadership.

Meanwhile, traffic court room are at capacity according to Public Counsel attorney Lauren Zack.

“There was a bailiff who was making a joke at one hearing I was at and he said, ‘Oh, make sure you leave after your matter, because someone in here is probably sick,’” Zack said. “I did not find that funny.”

Zack said the fact matters like traffic infractions are still being heard feels a bit removed from the reality of the pandemic. Over 6,600 people in LA County are hospitalized with Covid-19, although that figure is 1,000 fewer than last week according to the public health department. Since the start of the pandemic, Covid has claimed the lives of over 15,000 Angelenos.

“Every traffic infraction matter can wait,” Zack said. “They’re sometimes litigated years later. I have represented cases going back to 2017. I get that closing the courts again would add to the backlog, but the reality is that traffic courts can handle that. There’s just no urgency to these matters.”

In late summer 2020, super courts reopened after being closed for months. The court administration rolled out mandates and cleaning crews roamed the halls to wipe down surfaces. Hand sanitizer dispensers went in nearly every courtroom, but even with all those precautions there is no escaping the virus.

To date, 445 court employees have tested positive for Covid-19 according to a court spokesperson. How many court employees have died from the virus remains unclear.

“Covid-19 affects each individual differently, and no person or agency can control individual outcomes following infection,” Ann Donlan, communications director for the court, said. “Nevertheless, the court continues to track positive cases overall which is more central to the issue of identifying potentially infected individuals and our efforts to prevent further infections.”

In the last month alone, three court employees have died from Covid-19 including two Spanish-language interpreters and a court clerk.

Sergio Cafaro, 56, and Daniel Felix, 66, worked in separate courthouses but their colleagues say they were exposed to Covid-19 while on the job.

After their deaths, a group of interpreters met across the street from the Clara Shortridge Foltz Criminal Justice Center and held a sidewalk vigil to honor their friends.

Spanish translator Ariel Torrone, his voice muffled behind a mask, called Cafaro a genuinely kind person. He said Cafaro once offered to drive him home after he made him a custom wooden table. The journey took two hours due to traffic.

“I thought, ‘Why do we have to be stuck in traffic on a Friday evening?’ But looking back, I’d give half my life to be back in that car ride,” said Torrone.

Colleagues also remember how before the pandemic began, Cafaro often shared recipes from his native Argentina during breaks.

“I knew Sergio for four years. He had this powerful presence. Six-feet tall, just enormous presence among the other interpreters,” Spanish interpreter Begonya De Salvo said in a phone interview. “We all come from another country and we all became each other’s family. I went into the lounge for the first time yesterday and I felt his absence. I can’t believe I’m not going to see him again.”

Translators sit next to witnesses in courtrooms across the county, often bouncing between courtrooms throughout the day and spending hours in windowless rooms with bailiffs, judges and jail inmates. Roughly 56% of LA County [speaks a language other than English at home](#), according to court statistics.

De Salvo sent a letter to LA County Presiding Judge Eric Taylor about the conditions court interpreters have experienced while working during the pandemic. The letter included what De Salvo claims is a timeline involving another interpreter's exposure to two court employees who tested positive for Covid-19 in December.

That month, LA County Public Health Director Dr. Barbara Ferrer said her department works "really closely with the courthouses and try to make sort of collaborative decisions based on the information around an outbreak about whether or not it makes sense to close. I don't think we've had any instance where any of our recommendations have not been embraced by the courts."

LA County Public Health did not respond to multiple requests for comment about the court's compliance with the health orders and the recent deaths. But Donlan, the court communications director, said employees who test positive for Covid-19 or are in close contact with someone who tests positive are required to quarantine.

The court "assesses each workplace report of Covid-19 or symptoms of Covid-19 to identify close contacts, assess exposure and to provide impacted individuals instructions to isolate or quarantine in compliance" with federal and county health guidelines, Donlan said.

But some say the court needs to do more. In a [letter](#) to Presiding Judge Taylor, California Federation of Interpreters Local 39000 president Michael Ferreira said "we can expect many more infections and untimely deaths going forward" if the court sticks to its current practices.

Courtwatch Los Angeles first reported Cafaro's death and called the court's Covid-19 policies "incoherent." According to the watchdog group, none of the court buildings are safe for staff or the public.

The court would not comment on whether it received De Salvo's letter and declined an interview request. De Salvo said she has not received any response from the court regarding her letter, but said grief counseling is now being offered by the court.

"Just think about it, schools are not in session. But the courts continue to hold lots of hearings," said De Salvo. "Why can't they admit their mistakes? It's a disaster."

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