

LATEST UPDATES FROM FRANCE – June 8 -

The note of June 02 precise the orientations to be implemented until June 22 in this second phase of the deconfinement.

For information :

- France map is divided into two colors : green (most of the country) and orange (in Paris and its suburbs).
- The first phase of the deconfinement was from May 11 to June 2.

The activity of the penitentiary integration and probation services (SPIP) during the second phase of the deconfinement :

Since May 11, the penitentiary integration and probation services gradually resume their face-to-face activity and continue, in particular, to mobilize themselves on the implementation of the devices resulting from the order of March 25, 2020 adapting the rules of procedure on the basis of Law No. 2020-290 of 23 March 2020 emergency to deal with the Covid-19 epidemic.

Health precaution are maintained within the strict framework set by the instruction of May 6. When the physical distance conditions are not met, the director of SPIP can authorize telework.

A. Activity in an open environment :

- *Interviews*

If the gradual return of staff should allow the number of people followed in the face to be increased and no longer at a distance, it must be organized in strict compliance with health rules. In particular, during the second phase of deconfinement, the resumption of face-to-face interviews can only be envisaged in suitable premises and on the condition that those placed under the care of justice are wearing a protective mask: therefore that these conditions cannot be met, monitoring and interviews are carried out by telephone and the collection of supporting documents relating to the obligations, by electronic means. The SPIPs must continue to prioritize the monitoring of measures related to the resumption of activity in the courts (summons from hearings); the modalities of the joint work of the SPIPs with the judicial authority are specified by the joint circular DAP / DACG of May 20, 2020 of implementation of the provisions relating to the penalties of the law n ° 2019-222 of March 23, 2019 of reform for the justice.

On this basis, the SPIP have already been able to identify the load in terms of welcoming the public to ensure the possibility of conducting face-to-face interviews in compliance with health rules (including for waiting rooms, including SPIP must in particular ensure the ventilation conditions and the possibilities of regular cleaning), and if not remotely. Prioritization of files remains necessary to ensure the adequacy of the workforce that can be mobilized, in particular to resume monitoring of sensitive or most urgent files. To the extent of these means, the SPIP must summon as a priority:

- those leaving detention, including, first of all, persons subject to security measures (judicial surveillance, socio-judicial monitoring) as well as persons placed in court which a similar follow-up was underway, The resumption of face-to-face summons of outgoing detainees (art. 741-1 CPP) must also be encouraged,
- persons who could not be reached by telephone during the period of confinement,
- persons followed for domestic violence.

- *Placement structures*

Depending on the availability of external placement structures, it is possible to resume the arrangements in this form, on the condition however that the structures appear at the SPIP with all the necessary guarantees on the respect of health security conditions; the judicial authority must then be informed of the possibilities of new offers in the area. The resumption of collective actions is, likewise, conditional on compliance with health security rules, in particular the possibility of simultaneous reception of the public in compliance with barrier measures (physical distance, ventilation, etc.).

- *Community service*

The telework measures implemented for the territorial referents as well as the instructions to conduct the interviews with the partners in video or audio conference are renewed during the second phase of deconfinement; they may be extended further depending on the evolution of the health situation.

- *Semi-liberty*

Semi-liberty centers located in the orange zone, each semi-liberty must be housed alone in a cell; temporary accommodation must be brought to the attention of the judicial authority. Detainees are informed that they are given a mask for their first outing and that it is up to them to obtain it for their next outings; establishments nevertheless keep a stock of protective masks, if necessary. A semi-free return protocol to the establishment must be established in each center and provide in particular for removal of the mask and cleaning of the hands (provision of soap, in sufficient quantity, near a water point or default, a hydroalcoholic gel dispenser). In the green zone, the individual encellulation of semi-free must likewise be sought; otherwise, detainees will be made aware of compliance with the barrier measures. In any event, cell mutations should be reduced as much as possible. In addition to the above prescriptions, establishments must be vigilant with the conditions of semi-liberty access; a distinction should be made in particular between the flows of prisoners on day parole arriving at the establishment from the others; in addition, prisoners on day parole must keep their masks, after security checks at the entrance, until their arrival at the semi-liberty center. In order to regulate the entry and exit flows of the establishment, the head of the establishment may also offer propose to the judge staggered exit and return times in order to allow compliance with sanitary conditions.

B. Activity in a closed environment :

Priorities in a closed environment remain fixed by the instruction of May 6, 2020, however it is recalled that the pronouncement of new end of sentence house arrest is no longer permitted. The action of the SPIP must continue for the implementation of the exceptional measures which remain in force until August 10, 2020 (period of one month from the date of cessation of the state of health emergency, in l extended until July 10, 2020): - additional reduction of sentence for exceptional circumstances, - simplification of the granting of sentence reductions, escorted temporary absences and temporary absences (infra), - simplification of the granting of compulsory releases in the form of conditional release, - simplification of the granting of suspended sentences for medical reasons, - conversion of prison sentences. Temporary absences may present a risk to the health security of detentions; also, the opinions which the SPIP will have to formulate on requests for temporary absences must take into account in particular the situation, in the green or orange zone, of the place of the permission to go out; Priority will be given in particular to requests linked to major events, particularly family events. As a reminder, the permit holders are given a protective mask by the establishment upon their exit.