Gary Richard Herbert

Governor

EXECUTIVE ORDER
2020-43

Updating the Declaration of a State of Emergency
Due to Civil Unrest of July 9, 2020

WHEREAS, on July 9, 2020, the Salt Lake County District Attorney's Office announced its decision that the police-involved shooting of Bernardo Palacios-Carbajal on May 23, 2020, was justified under Utah law;

WHEREAS, in response to the Salt Lake County District Attorney Office's decision, protests took place in Salt Lake City;

WHEREAS, some protesters became violent and the civil unrest resulted in bodily injury and destruction of public property;

WHEREAS, much of the violence occurred at or near the Salt Lake County District Attorney's Office building;

WHEREAS, local law enforcement agencies have responded to assist in controlling the violence;

WHEREAS, there exists a threat of future bodily injury and destruction of private and public property due to civil unrest;

WHEREAS, these conditions create a "State of Emergency" within the intent of Utah Code Title 53, Chapter 2a, Disaster Response and Recovery Act;

WHEREAS, Utah Code § 53-2a-204(1)(a) authorizes the governor to utilize all available resources of state government as reasonably necessary to cope with a state of emergency; and

WHEREAS, Utah Code § 53-2a-204(1)(b) authorizes the governor to employ measures and give direction to state and local officers and agencies that are reasonable and necessary for the purpose of securing compliance with orders made pursuant to the Disaster Response and Recovery Act;

WHEREAS, Utah Code § 53-2a-204(1)(f) authorizes the governor to control ingress and egress to and from a disaster area, the movement of persons within the area, and recommend the occupancy or evacuation of premises in a disaster area;

NOW, THEREFORE, I, Gary R. Herbert, Governor of the State of Utah, declare a "State of Emergency" due to the aforesaid circumstances requiring aid, assistance, and relief available from State resources and hereby order the following:

1. As used in this Order, "emergency responder" means an individual identified in Utah Code § 53-2a-302(1)(b).
2. The Utah State Capitol building and grounds shall be closed to any individual other than an emergency responder or an officer or employee of the Utah Executive Branch, the Utah Legislature, or the Utah Judiciary.
3. The Salt Lake County District Attorney's Office building and grounds, located at 35 East 500 South, Salt Lake City, Utah 84111, shall be closed to any individual other than an emergency responder or an officer or employee of the Salt Lake County District Attorney's Office, or an individual who schedules an appointment or otherwise receives permission from the Salt Lake County District Attorney's Office.
4. The Utah Department of Public Safety shall coordinate assistance from state government to political subdivisions.
5. This Order rescinds and replaces Executive Order 2020-42.

This Order is declared effective immediately and shall remain in effect until 11:59 p.m. on July 13, 2020, unless otherwise lawfully modified, amended, rescinded, or superseded.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Utah. Done in Salt Lake City, Utah, on this, the 10th day of July, 2020.

Gary R. Herbert
Governor

ATTEST:

Spencer J. Cox
Lieutenant Governor

2020/043/EO