



Commonwealth of Virginia  
Office of the Governor

## Executive Order

### **SECOND AMENDED NUMBER SIXTY-FOUR (2020)**

#### **DECLARATION OF A STATE OF EMERGENCY DUE TO CIVIL UNREST AND INSITUATION OF A CURFEW IN THE CITY OF RICHMOND, THE CITY OF VIRGINIA BEACH AND THE CITY OF HAMPTON**

##### **Importance of the Issue**

On this day, May 31, 2020, I declare that a state of emergency exists in the Commonwealth of Virginia due to past and potential future civil unrest that poses a danger to public safety. The Commonwealth of Virginia has experienced significant events in the past 48 hours that have required intervention to restore order, ensure the safety of protestors and the public, protect property, and provide additional resources to support our local and state partners. In the past 24 hours alone, there have been numerous instances of unlawful activity resulting in injuries to peaceful protestors and first responders, significant property damage, and continued escalation of violent events. Specific incidents include unlawful assemblies declared in the City of Richmond, Prince William County, and Roanoke, extensive property damage in the City of Richmond, the City of Virginia Beach, **and the City of Hampton** including the burning of two buildings, vehicle fires, debris and dumpster fires, vandalism, looting, and the damage to law enforcement vehicles.

The Commonwealth has a compelling interest to maintain peace and order in the face of escalating tension. The effects of this civil unrest constitute an emergency wherein human lives and public and private property are imperiled, as described in § 44-146.16 of the *Code of Virginia (Code)*. Action is necessary to preserve life and property and to alleviate the conditions caused by this situation.

Therefore, by virtue of the authority vested in me by Article V of the Constitution of Virginia, by §§ 44-146.17 and 44-75.1 of the *Code*, and as Governor and Director of Emergency Management and Commander-in-Chief of the Commonwealth's armed forces, I proclaim that a state of emergency exists in the Commonwealth of Virginia. Accordingly, I direct state and local governments to render appropriate assistance to prepare for and respond to this situation, to alleviate any conditions resulting from the situation, and to implement recovery and mitigation

operations and activities so as to return impacted areas to pre-event conditions as much as possible. Emergency services shall be conducted in accordance with § 44-146.13 *et seq.* of the *Code*.

In order to marshal all public resources and appropriate preparedness, response, and recovery measures, I order the following actions:

- A. Implementation by state agencies of the Commonwealth of Virginia Emergency Operations Plan, as amended, along with other appropriate state plans.
- B. Activation of the Virginia Emergency Operations Center and the Virginia Emergency Support Team, as directed by the State Coordinator of Emergency Management, to coordinate the provision of assistance to state, local, and tribal governments and to facilitate emergency services assignments to other agencies.
- C. Authorization for the heads of executive branch agencies, on behalf of their regulatory boards as appropriate, and with the concurrence of their Cabinet Secretary, to waive any state requirement or regulation, and enter into contracts without regard to normal procedures or formalities, and without regard to application or permit fees or royalties. All waivers issued by agencies shall be posted on their websites.
- D. Activation of the Virginia National Guard to State Active Duty.
- E. Authorization of a maximum of \$350,000 in state sum sufficient funds for state and local government mission assignments and state response and recovery operations authorized and coordinated through the Virginia Department of Emergency Management allowable by The Stafford Act, 42 U.S.C. § 5121 *et seq.* Included in this authorization is \$250,000 for the Department of Military Affairs.

Further, I declare that the City of Richmond, the City of Virginia Beach, **and the City of Hampton** shall be under a curfew between the hours of 8 p.m. and 6 a.m. With respect to the City of Richmond, the curfew shall begin on May 31, 2020, and end June 3, 2020. Unless extended by further executive order, that curfew shall end at 6 a.m., June 3, 2020. With respect to the City of Virginia Beach, the curfew shall begin on June 1, 2020 at 8:00 p.m. and end on June 4, 2020, at 6:00 a.m. unless extended by further executive order. **With respect to the City of Hampton, the curfew shall begin on June 3, 2020 at 8:00 p.m. and end on June 6, 2020, at 6:00 a.m. unless extended by further executive order.** While the curfew is in place no person shall be present on any street, road, alley, avenue, park, or other public place in the City of Richmond, the City of Virginia Beach, **and the City of Hampton** with the following exceptions:

- Persons traveling to and from home, work, or places of worship;
- Hospital personnel;
- Members of the press;

- State, City of Richmond, City of Virginia Beach, **and the City of Hampton** employees and volunteers;
- Military personnel including but not limited to national guard troops;
- Private emergency medical transport workers;
- Travel to and from public meetings City of Virginia Beach City Council and School Board;
- Persons seeking emergency services; and
- Other emergency workers

Nothing in this Order shall be construed to prohibit or restrict travel to a hospital in the event of a medical emergency, nor shall such travel be considered in violation of this Order.

Violation of this Order shall be a Class 1 misdemeanor pursuant to § 44-146.17 of the *Code of Virginia*.

**Effective Date of this Executive Order**

This Order shall be effective immediately and with the exception to the provisions instituting a curfew, shall remain in full force and effect until June 29, 2020, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this **3<sup>rd</sup> day of June, 2020**.



A handwritten signature in black ink, reading "Ralph S. Northam".

Ralph S. Northam, Governor

Attest:

A handwritten signature in black ink, reading "Kelly Thomasson".

Kelly Thomasson, Secretary of the Commonwealth