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## Still no plans for a statewide stay-at-home order

By Isabella Alves Wyoming Tribune Eagle  
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Motorists stop at a red light at the intersection of East Lincolnway and Capitol Avenue on Wednesday in downtown Cheyenne. Michael Cummo/Wyoming Tribune Eagle

CHEYENNE – While there is no stay-at-home order currently implemented statewide in Wyoming, surrounding states have started to implement those measures to combat the COVID-19 pandemic.

Idaho, Colorado and Montana have already implemented the statewide stay-at-home orders. In Wyoming, Teton County has issued a local stay-at-home order for its residents.

The Cheyenne-Laramie County Health Department indicated it would follow the state's lead for a stay-at-home order, and at this time isn't planning on issuing a local order, Executive Director Kathy Emmons said Wednesday.

Gov. Mark Gordon has previously stated that if he were to issue a stay-at-home order, it would be a true stay-at-home order without multiple exemptions. Michael Pearlman, Gordon's communication's director, said that if Gordon were to issue a stay-at-home order, it would be because State Health Officer Dr. Alexia Harrist believes it's necessary to protect public health.

The Wyoming Medical Society sent a letter earlier this week encouraging Gordon to issue a statewide stay-at-home order.

"His concern is that a stay-at-home order, like we've seen in neighboring states that have pages of exemptions, does little to change people's behavior," Pearlman said. "The emphasis from our side is changing behavior right now."

If there comes a point where additional orders or policies are necessary to protect public health, the governor isn't hesitant to do that, Pearlman said.

In Teton County, the countywide order was issued Monday, March 30, and runs through April 17. The order mandates that people stay at home, and says they can only go out for health care purposes, to obtain groceries, for travel to and from work, to deliver supplies and a few other exceptions. Violating the order is subject to criminal prosecution.

In Colorado, Gov. Jared Polis implemented a statewide stay-at-home order March 26 that is effective through April 11. His order followed Denver Mayor Michael Hancock's stay-at-home order for the Denver metro area, according to the Colorado Sun.

The order focuses on reducing the workforce by 50%, including closing bars and restaurants, and limiting activities except for critical businesses, according to the Colorado Sun. The businesses considered critical are news media, utilities, health care providers and related businesses, grocery stores, banks and more.

In Idaho, Gov. Brad Little issued a statewide stay-at-home order for 21 days that started March 25, according to the Post Register. The order directed people to stay at home and follow social distancing guidelines and told nonessential businesses to close their locations.

The order contained exemptions, including news media, health care providers, construction, financial services, child care and more, according to the Post Register.

At this time, Gordon hasn't indicated what he would consider an essential. Pearlman said there are federal guidelines from the U.S. Department of Homeland Security Cybersecurity & Infrastructure Security Agency.

The department issued a memo March 28 with a list of recommendations for what professions should be considered "essential critical infrastructure workers." The sectors that are on this list include health care industry workers, news media and communications, the food and agriculture industry, first responders and emergency services, transportation systems and more.

The Wyoming Press Association and the Wyoming chapter of the Society of Professional Journalists have already sent letters to Gordon asking to be designated as essential.

In the SPJ letter, executive board members said, “Journalists are essential to reporting on our communities, many of which are rural and rely largely on information disseminated by their local papers and stations. ... The requested designation will reduce spread and keep the larger community safer.”

Pearlman said he understands the media’s concerns, and Gordon has been contacted by other organizations also asking for exemptions.

For instance, the Wyoming Mineral Association and the Petroleum Association of Wyoming have also asked Gordon for an essential designation. The associations said the designation is necessary because without it, vendors won’t ship supplies to producers and allow production in this industry to continue in a stay-at-home order.

“We have also been contacted by many organizations and groups that are seeking this sort of essential designation,” Pearlman said. “We’re not making those designations at this time because we’re not at a point where we would need to do that.”

Public access attorney Bruce Moats said the public relies on the media to go out and get information for them, which becomes incredibly crucial during a stay-at-home order because people would then be unable to do this themselves.

Not deeming the media as essential could also raise constitutional issues, Moats said. While the U.S. Supreme Court hasn’t specifically indicated that the news gathering process is constitutionally protected, it has come extremely close.

However, the Wyoming Supreme Court has ruled that news gathering is constitutionally protected, and Wyoming residents have a constitutional right of access to government information.

“Otherwise, if you think about it, we then would be dependent upon government sources to do it, and that’s something from before the creation of this country that was seen as not being a healthy thing,” Moats said.

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### At a glance

At this time, Gov. Mark Gordon hasn't given any indications that he plans to issue a statewide stay-at-home order. He previously said the order would be a true stay-at-home order without multiple exemptions.

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