



AMENDED EXECUTIVE ORDER NO. 1

Date: June 24, 2020

To: Pueblo of Laguna Residents, Membership, and All Persons

From: Governor Wilfred Herrera, Jr. 

Re: **Pueblo of Laguna COVID-Safe Practices ORDER**

Under the authority of the Pueblo of Laguna Emergency Operations Plan and to promote the health & safety of the Pueblo of Laguna Community, I, Governor Wilfred Herrera, Jr., as a supplement to the **Emergency Declaration** dated March 20, 2020, hereby issue this **Amended Executive Order No. 1** to amend certain restrictions on community members and business operations that have been in effect and to clarify expectations for the community during the COVID-19 pandemic.

This Amended Executive Order No. 1 modifies and supersedes the Executive Order of April 8, 2020, as stated specifically herein. This Order shall be **effective June 24, 2020**, and will **remain in effect until further notice**. This Order applies to any person within the Pueblo of Laguna Reservation, but nothing in this Order modifies or has any effect upon the COVID-19 related orders or any other law of another state or tribal jurisdiction.

1. Rules for COVID-Safe Practices

All persons within the Pueblo of Laguna shall adhere to the following Rules for COVID-Safe Practices:

- 1.1. Unless a healthcare provider instructs otherwise, **individuals must wear a face mask or multi-layer cloth covering over his/her mouth and nose in public settings**, *except* when eating, drinking, or exercising.
- 1.2. **Maintain a 6-foot distance from others while in a public setting**, *except* as allowed by other provisions of this Order.
- 1.3. **No gatherings of more than five (5) individuals** within any enclosed space or connected space, *except* where there are more than five (5) individuals that live in a single residence or as allowed by other provisions of this Order. This limitation does not apply to Pueblo officials or employees in the course and scope of their employment.
- 1.4. **Curfew: No travel between or among Pueblo villages and residential areas between 9:00 p.m. and 5:00 a.m. on Fridays, Saturdays, and Sundays**, *except* for "Essential Activities" defined in Section 2.1.2. (below).
- 1.5. Any Pueblo of Laguna resident that is **COVID-19 positive, has any COVID-19 symptom**, or is awaiting test results if **believed to be infected with COVID-19 must Stay Home** (or be isolated from the community) **at all times** until cleared by the Emergency Operations Center. (See **Appendix A** for details of the procedures that are in effect for quarantine or isolation).

Non-compliance with these 5 rules shall constitute a violation of one or more Pueblo laws, including Sec. 15-14-4 Public Nuisance and Title XII, Chapter 6 Trespass, and may be prosecuted.

2. Modified Closure of Pueblo and Business Operation Restrictions

The Closure of the Pueblo, including Tribal Entities and Businesses, under the Executive Order of April 8, 2020, shall be modified to allow specified openings and conditions as follows:

2.1. The Pueblo shall be **open** to outside visitors and Non-residents, provided such persons adhere to Section 1 – COVID-Safe Practice Rules, and shall be subject to the following conditions:

2.1.1. The presence of a **Non-resident** (Pueblo member or non-member) in any Pueblo village or residential subdivision is **prohibited during Curfew hours** (Section 1.4.), *except* for “Essential Activities” (Section 2.1.2.).

2.1.2. The following shall be regarded as **Essential Activities** as an *exception* to Section 1.4 (Curfew) and Section 2.1.1.:

2.1.2.1 The conduct or performance of Pueblo Government operations or services.

2.1.2.2 Resident travel or activities related to:

- a. employment, farming, or ranching;
- b. the provision or obtaining of medical or mental health services;
- c. the provision of child, family, or elder care or assistance, including overnight visitation by a Non-resident child or grandchild under the age of 18; or
- d. emergency vehicle or home repair.

2.1.3. Pueblo member non-residents desiring to establish residency within the Pueblo must obtain permission of the respective village officials and follow any testing or isolation protocol required by the Emergency Operations Center prior to return.

2.2. **Tribal buildings** may be open to the public by appointment only, provided that COVID-Safe Practices are adhered to by guests, including wearing a mask, maintaining social distancing, and keeping children under control.

2.3. **Businesses** not covered by a specific provision hereunder may be open for business during non-Curfew hours (Section 1.4), provided maximum occupancy (as determined by POL Fire Program) and the operation are consistent with COVID-19 health and safety best practices and guidelines.

2.4. **Arts & crafts or food vendors** will be permitted to sell goods in the customary manner, provided each adheres to COVID-Safe Practices (Section 1).

2.5. **Laguna Rainbow Center Nursing Home** may accept new patients in accordance with its standard admission policies and using COVID-Safe protocols to protect current patients; however, LRC shall remain **closed to general visitation** with patients, *except*

that LRC may **permit patient visitations** to those receiving **end-of-life care**; provided that:

- a. such visitor must have his/her temperature taken at the facility entrance,
- b. a visitor's temperature must not exceed 100 degrees Fahrenheit,
- c. a visitor must have no sign of respiratory infection (including cough or shortness of breath),
- d. every visitor must thoroughly wash hands upon entry with soap and water or use alcohol-based sanitizer containing 60% alcohol to sanitize hands,
- e. every visitor must wear a face mask or multi-layered cloth covering over his/her nose and mouth while in the facility,
- f. every visitor must be escorted to and from patient's room by facility staff and must agree not to leave the patient's room unescorted,
- g. every visitor must abide by any other condition of entry that LRC deems necessary to protect patient health and safety.

- 2.6. **Laguna Rainbow Senior Center** shall remain closed to indoor activities, but may continue meal delivery service consistent with COVID-19 health and safety best practices and guidelines.
- 2.7. **Dancing Eagle Casino, Bingo, Café 108 & Event Center** shall remain closed, *except* that the **Great American Diner** may provide take-out service and dine-in service during non-Curfew hours; provided, for dine-in service, maximum occupancy (as determined by POL Fire Program) is not exceeded and seating and operation at tables, bar and counter are consistent with COVID-19 health and safety best practices and guidelines.
- 2.8. **Route 66 Casino** and associated venues may re-open to the general public and are not subject to Curfew hours (Section 1.4.); *provided*, maximum occupancy (as determined by POL Fire Program) and the operation are consistent with COVID-19 health and safety best practices and guidelines; however, concert/event venues shall remain closed, and public/private gatherings, organized events, ceremonies, or other groupings that exceed COVID-19 health and safety best practices and guidelines for occupancy for a single room, connected space, confined outdoor space, or open outdoor space are prohibited.
- 2.9. **DEC Travel Center** operations are not subject to Curfew hours (Section 1.4.); provided maximum occupancy (as determined by POL Fire Program) and the operation are consistent with COVID-19 health and safety best practices and guidelines.
- 2.10. **DEC RV Park** shall remain closed to public use, but shall continue providing RV space and service to essential workers and for Emergency Operations Center use as congregant lodging.

3. **Village Officials**

Duties of Village Officials under this Order are to observe, monitor, and report suspected non-compliance activity to the Emergency Operations Center or Laguna Law Enforcement for investigation or action. Under this Order, Pueblo Residents and Non-resident Pueblo members are allowed to freely travel between, and to visit, any village or subdivision, *except* during Curfew (Section 1.4.).

4. **Passing of Membership**

- 4.1. Wakes and Burials will be limited to the immediate family (grandparents, parents, step-parents, brothers, sisters, children) and shall adhere to COVID-Safe Practices (Section 1).
- 4.2. Arrangements with respective Village Officials & Cultural Leadership will be permitted and is encouraged to be in compliance with COVID Safe Practices.

5. **Traditional and Religious Activities and Notification**

- 5.1. The Pueblo will rely on notification from traditional religious leaders and war captains, to inform Pueblo and Village leadership, in regards to conducting any religious ceremonies and activities within the six villages. It is encouraged that all precautions are considered, understood and implemented under this order to ensure the safety, protection, and wellbeing of ALL THE PEOPLE.
- 5.2. A **House of Worship** shall NOT hold services or other functions until after further consultation with Cane Bearing Staff Officers and the Emergency Operations Center.

6. **General COVID-Safe Practices to Adhere to and Obey**

Living in a COVID-positive world requires discipline from all of us. It is up to you to keep you, your family, and community safe. In order to keep the rate of spread of COVID-19 to a manageable level, it is important that Lagunas do the following:

- In general, stay at home: avoid unnecessary travel and always stay at home when you are sick (*except* for medical emergencies).
- If you believe you have been exposed to someone with the virus, obtain a COVID-19 test to assure your status.
- Wear a face covering when visiting with each other.
- Wash your hands thoroughly and frequently.
- Avoid touching your eyes, nose, and mouth with unwashed hands.
- Provide for all meetings or visits to take place remotely whenever possible.
- Cover your cough or sneeze with a tissue, then throw the tissue in the trash.
- Clean and disinfect frequently touched objects and surfaces.
- Watch for these signs of COVID-19 infection and get tested:
Fever Cough Shortness of breath Sore throat Headache
Muscle Pain Loss of taste or smell Chills Repeated shaking with chills
- **If you must leave the Pueblo**, wear a face mask while in public, keep 6 feet distance from other people, avoid crowds, and sanitize hands after touching any surface or other individuals.

For more information visit the POL website COVID-19 link at www.lagunapueblo-nsn.gov or call the Laguna COVID-19 Information Line at (505) 328-5682 or email to covidinfo@pol-nsn.gov .

**APPENDIX A to Amended Executive Order No. 1
Emergency Public Health Measures
To Detain, Quarantine, and Isolate**

Authority

By the Public Health Emergency Declaration issued March 20, 2020, the Governor and Council authorized the Emergency Operations Center (EOC) to detain, isolate, and control freedom of movement as necessary to protect the community from the threat of an infectious, deadly disease.

The EOC has authority to detain and isolate people within the Pueblo's jurisdiction believed to have been exposed to the virus that causes COVID-19 until they are shown to have tested negative for the virus or have remained in quarantine beyond the incubation period and no longer represent a public health threat in accordance with the following procedures.

Procedure

1. Contact tracers authorized by the EOC will ask people who they believe have been exposed to the COVID-19 to obtain a free medical test and remain in self-quarantine, isolated from other people, until the results of the test are received. Pueblo staff will provide information and support until they are no longer a potential threat to public health.
2. If someone refuses to obtain a medical test when requested by authorized contact tracers, a written referral shall be made to the Public Safety Department (PSD) and the EOC providing the basis for believing that the person may have been exposed to the COVID-19 virus and a description of efforts that were made to obtain voluntary testing.
3. After receiving a referral, the EOC will consider any additional information from PSD and the Community Health and Wellness Department (CHWD), and, if the EOC determines it necessary in order to protect the community against a public health threat, order PSD to detain the person in their home or other suitable facility where they will not be a potential public health threat until they obtain a negative COVID-19 test result or are no longer infectious.
4. If the EOC receives information that a person is positive for the COVID-19 virus and refuses to isolate themselves voluntarily, it may order PSD to detain the person in their home or other suitable facility where they will not pose a public health threat until they are shown to be no longer infectious; *provided* the EOC provides necessary financial, medical, subsistence, and communication support during isolation.
5. All orders of detention or isolation issued by the EOC shall be provided in writing to the individual being detained or isolated and shall include:
 - a. a reasonably specific explanation of the reason for the order;
 - b. a request for additional information that may disprove the need for detention or isolation;
 - and
 - c. instruction on how to challenge the EOC order in Pueblo Court.

Only the EOC can order isolation pending a requested coronavirus test. No one has authority to force testing over the objections of an individual. Officials should report any suspected exposures to the COVID-19 virus to the PSD for investigation and referral to the EOC.