**OFFICE OF THE TRIBAL CHIEF CYRUS BEN**
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# EXECUTIVE ORDER NO. 2020-02

**WHEREAS,** on March 15, 2020, pursuant to an Executive Order and State of Emergency Proclamation authorized by Ordinance 50-A, I issued a Proclamation declaring that a State of Emergency exists on the Tribal lands of the Mississippi Band of Choctaw Indians; and

**WHEREAS,** on January 31, 2020, the United States Department of Health and Human Services Secretary Alex Azar declared a public health emergency for COVID-19 beginning on January 27, 2020; on March 11, 2020, the World Health Organization characterized COVID-19 as a pandemic; on March 13, 2020, the President of the United States declared a nationwide State of Emergency due to the COVID-19 pandemic; and on March 14, 2020, Mississippi Governor Tate Reeves declared a State of Emergency in Mississippi; and

**WHEREAS**, on March 11, 2020, the Mississippi State Department of Health confirmed the first presumptive case of novel coronavirus ("COVID-19") in Mississippi and as of March 20, 2020, eighty (80) positive cases have been identified in Mississippi; and

**WHEREAS**, COVID-19 is a threat to the members of the Tribe and the Choctaw culture, particularly Tribal elders and those with compromised immune systems, as well as a threat to thousands of Tribal employees and visitors, and actions must be taken to alleviate the impact of COVID-19 on tribal lands; and

**WHEREAS,** Section VI(4) of Ordinance 50-A authorizes the Tribal Chief to impose a curfew during a State of Emergency to prohibit the appearance in public of anyone not a member of an exempted class in response to an actual or threatened emergency which may endanger the lives, safety, health or welfare of the people on Tribal trust lands, or any part thereof; and

**WHEREAS,** Section VIII of Ordinance 50-A makes it a criminal offense to violate orders or plans issued pursuant to the authority of Ordinance 50-A, and said criminal offenses are Class C offenses punishable by imprisonment of up to thirty (30) days and a fine of up to $50.00 and additional civil penalties as outlined in the Ordinance; and

**WHEREAS**, I find that it is in the best interest of the health and welfare of members of the Mississippi Band of Choctaw Indians, its employees and visitors that a curfew should be instituted until further notice to curtail the spread of COVID-19;

**NOW, THEREFORE,** I, Cyrus Ben, Chief of the Mississippi Band of Choctaw Indians, pursuant to the authority of Ordinance 50-A, do hereby order and direct as follows:

1. That until further notice, a **CURFEW** shall be instituted on lands of the Mississippi Band of Choctaw Indians which shall take effect each day at 10:00 p.m. and shall expire at 5:00 a.m. the following day, and all persons shall comply with said curfew unless they are a member of an exempted class;

2. Exempted classes include:

   (a) Persons who are working with the permission of their supervisor or who are traveling to or from work;
   (b) Persons who are traveling to or from medical care;
   (c) Persons who are traveling to or from a wake function;
   (d) Persons who are employed as a first responder who are engaged in the course of their duties; or
   (e) Persons who are actively engaged in hunting or fishing activities that are approved under the MBCI Wildlife Proclamation.

This Executive Order shall take effect upon execution.

SO ORDERED, THIS THE 20th DAY OF MARCH, 2020.

CYRUS BEN, TRIBAL CHIEF

TRIBAL SEAL