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Governor Doug Burgum

# EXECUTIVE ORDER 2020-34

**WHEREAS,** the Cities of Fargo and West Fargo, and Cass County, are experiencing unlawful activity and the risk of violence to persons and property due to civil disturbances; the City of Fargo declared a state of emergency on May 30, 2020, and has requested additional law enforcement and other support from the State of North Dakota; and,

**WHEREAS**, the emergency facing the Cities of Fargo and West Fargo, and Cass County, requires additional law enforcement support and other additional resources; and,

**WHEREAS,** the impact of continuing unlawful activity could threaten the health, safety and well-being of the general public, protesters and first responders who are committed to protecting life and property; and

**WHEREAS,** a significant public safety concern exists due to the unlawful activities which cannot be mitigated with the available resources; and,

**WHEREAS,** the rule of law must be enforced to protect the general public, protesters, and first responders from those who engage in illegal activity; and

**WHEREAS,** all citizens have the right to peacefully and lawfully assemble and protest; the State of North Dakota is committed to protecting those rights; and

**WHEREAS,** additional state resources are necessary to help relieve conditions of distress due to unlawful activity, that threatens the safety, health and welfare of the citizens of North Dakota.

**NOW THEREFORE**, Doug Burgum, Governor of North Dakota, by virtue of the authority under Article V, Section 1 of the North Dakota Constitution and North Dakota Century Code 37-17.1, hereby declares a state of emergency in the City of Fargo, the City of West Fargo and in Cass County, due to the unlawful activity that will threaten the health safety and well-being of North Dakota citizens without additional state resources.

Activation and total utilization of the North Dakota State Emergency Operations Plan (SEOP) is hereby ordered to prevent injuries and save lives, alleviate hardships, implement appropriate response and recovery actions and future mitigation measures, and facilitate restoration of services and infrastructure.

All state agencies, to include the North Dakota National Guard, are ordered to provide response resources and capabilities pursuant to their respective responsibilities detailed in the SEOP. The Adjutant General is authorized to activate and make available North Dakota National Guard resources to support state agencies and local and tribal governments based upon normal cost share agreements.

This order is issued on the foregoing bases and under the following conditions:

1. The Governor is vested with the executive authority pursuant to Article V, Section 1 of the North Dakota Constitution; and,

2. The Governor is vested with statutory authority to issue executive orders to minimize or avert the effects of a disaster or emergency pursuant to Chapter 37-17.1 of the North Dakota Century Code; and,

3. A coordinated and effective effort of appropriate government departments is required to minimize the impact of disasters and emergencies in this state; and,

4. Continuing unlawful activity which could threaten the health and safety of our citizens, to which State support is needed to mitigate risk to individuals.

Executed at Bismarck, North Dakota, this 30th day of May, 2020.

Doug Burgum
Governor

Attest:

Secretary of State