GOVERNOR GREG ABBOTT

May 22, 2020

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3PM O'CLOCK
MAY 22 2020
Secretary of State

The Honorable Ruth R. Hughs
Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Secretary Hughs:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

> Executive Order No. GA-25 relating to the closing of county and municipal jails to in-person visitation in response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
May 22, 2020

EXECUTIVE ORDER
GA 25

Relating to in-person visitation at county and municipal jails during the COVID-19 disaster.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, I issued proclamations renewing the disaster declaration for all counties in Texas on April 12 and May 12, 2020; and

WHEREAS, the Commissioner of the Texas Department of State Health Services, Dr. John Hellerstedt, has determined on March 19, April 17, and May 15, 2020, that COVID-19 represents a public health disaster within the meaning of Chapter 81 of the Texas Health and Safety Code; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, the jail population in Texas presents unique challenges in mitigating against and responding to the spread of COVID-19; and

WHEREAS, my office has worked with the Texas Commission on Jail Standards and with state and local officials to address these challenges while protecting the health of all Texans, including inmates in county and municipal jails; and

WHEREAS, I have temporarily suspended a rule of the Texas Commission on Jail Standards, at that agency's request, so that county and municipal jails are not required to allow in-person visitation during the COVID-19 disaster; and

WHEREAS, some county and municipal jails are now reportedly considering resumption of in-person visitation, which would risk further spread of COVID-19, both inside and outside the jails, and consume personal protective equipment; and

WHEREAS, allowing in-person visitation would subject inmates and staff to an unacceptable risk of importing COVID-19 into county and municipal jails, where it could spread rapidly and threaten the health and safety of inmates and staff; and

WHEREAS, the "governor is responsible for meeting … the dangers to the state and people presented by disasters" under Section 418.011 of the Texas Government Code,

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and the legislature has given the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the "governor may issue executive orders … hav[ing] the force and effect of law;" and

WHEREAS, under Section 418.017(a), the "governor may use all available resources of state government and of political subdivisions that are reasonably necessary to cope with a disaster;" and

WHEREAS, under Section 418.018(c), the "governor may control ingress and egress to and from a disaster area and the movement of persons and the occupancy of premises in the area;" and

WHEREAS, failure to comply with any executive order issued during the COVID-19 disaster is an offense punishable under Section 418.173 by a fine not to exceed $1,000, and may be subject to regulatory enforcement;

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately:

All county and municipal jails are closed to in-person visitation, and every person in Texas shall avoid in-person visitation at closed jails; provided, however, that this restriction does not apply to visitation by (i) an attorney meeting with a client; or (ii) a religious leader or member of the clergy. Any visitation allowed under this executive order should be conducted in accordance with guidance issued by the Texas Commission on Jail Standards.

This executive order shall remain in effect and in full force until modified, amended, rescinded, or superseded by the governor.

Given under my hand this the 22nd day of May, 2020.

GREG ABBOTT
Governor

ATTESTED BY:

RUTH R. HUGHS
Secretary of State

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