

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF ARKANSAS
FAYETTEVILLE DIVISION**

BONNIE HEATHER MILLER, ROBERT
WILLIAM ALLEN, ADELLA DOZIER
GRAY, and ARKANSAS VOTERS FIRST,

Plaintiffs,

v.

JOHN THURSTON, in his official capacity
as Secretary of State of Arkansas,

Defendant.

Case No. 5:20-cv-05070-pkh

Hon. Paul K. Holmes, III

**BRIEF IN SUPPORT OF PLAINTIFFS' MOTION FOR PRELIMINARY
INJUNCTION**

EXHIBIT 8

Little Rock Declaration issued on April 6, 2020

Declaration of Local Disaster Emergency 20-02

April 6, 2020

CITY OF LITTLE ROCK, ARKANSAS

Office of the Mayor

EXECUTIVE ORDER TO AMEND THE LITTLE ROCK EXECUTIVE ORDERS OF MARCH 12, AND MARCH 26, 2020 TO DECLARE CERTAIN ACTIVITIES A HAZARDOUS OR PHYSICALLY OFFENSIVE CONDITION, AND TO PROHIBIT THE CARAVANNING OF VEHICLES WITHIN THE CITY OF LITTLE ROCK, ARKANSAS.

I, Frank Scott, Jr., duly elected and serving Mayor of the City of Little Rock, Arkansas, and the chief executive officer of the City, having already declared a local disaster emergency as a result of COVID-19 previously declared a pandemic by the World Health Organization, a national state of emergency by President Donald J. Trump, and a disaster emergency within the State of Arkansas by Governor Asa Hutchinson in Executive Order 20-03, as amended or enhanced in Executive Orders 20-04, 20-05, 20-06, 20-07, 20-08, 20-09, 20-10, 20-11, 20-12, and 20-13, and state:

WHEREAS, just prior to the issuance of the Declaration of Local Disaster Emergency 20-01 on March 26, 2020, there were 308 results confirmed as positive for the presence COVID-19 within the State of Arkansas; and,

WHEREAS, on April 6, 2020, there are now 854 reported cases of COVID-19 in the State of Arkansas of which 162 cases are located in Pulaski County, Arkansas, and at least 90 have impacted residents of the City of Little Rock, and there have also been 16 deaths from COVID-19; and,

WHEREAS, on Friday, April 3, 2020, the President recommended that all Americans wear cloth face masks when outside the home, and on Sunday, April 5, 2020, Governor Hutchinson recommended that citizens of the State of Arkansas wear cloth face masks when outside the home; and,

WHEREAS, these additional factors plus the fact that the next two or three weeks are extremely critical because of the number of increased infections that can occur; and,

WHEREAS, since March 26, 2020, the City has experienced situations in which people have congregated together without taking precautionary steps to eliminate the spread of COVID-19;

I, Mayor Frank Scott, Jr., declare the following for the City of Little Rock, Arkansas:

Section 1. Nothing in this Declaration of Local Disaster Emergency shall be utilized to interfere with commerce.

Section 2. To be outside within the corporate limits of the City of Little Rock, Arkansas, in close contact with others in groups larger than 10 persons, shall be avoided during this time of the COVID-19 pandemic as declared in the Executive Orders of Governor Hutchinson, and the Declarations of Local Disaster Emergency of my office. To gather together in violation of this Declaration of Local Disaster Emergency creates a hazardous or physically offensive condition and may lead to citations for violation of Ark. Code Ann. § 5-71-207 (a) (7). disorderly conduct. All certified law enforcement officers lawfully acting within the corporate limits of the City of Little Rock, Arkansas, are authorized to interpret the disorderly conduct statute in accordance with this Declaration of Local Disaster Emergency 20-02, to issue an appropriate citation to any offender, and to pursue all appropriate criminal penalties against such person or persons.

Section 3. From this date forward until further notice, any group of five (5) or more vehicles traveling together, also referred to as a caravan or caravanning, shall not travel to a location within the corporate limits of the City of Little Rock, Arkansas, with the intention of exiting these vehicles for recreational purposes, or purposes other than employment, medical visits, or grocery shopping; provided this prohibition does not apply to any funeral procession that is orderly, separated, and under the direction or control of a law enforcement officer.

Section 4. These provisions supplement, and do not replace, any provisions contained in a prior Declaration of Local Disaster Emergency issued by my office in response to the COVID-19 pandemic.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the seal of the City of Little Rock, Arkansas to be affixed this 6th day of April, in the year of our Lord 2020.


Frank Scott, Jr. Mayor

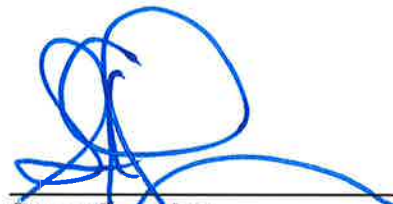
A T T E S T A T I O N

STATE OF ARKANSAS)

) ss

COUNTY OF PULASKI)

I, Susan Langley, City Clerk for the City of Little Rock, Arkansas, do hereby attest and certify that Mayor Frank Scott, Jr., a person known to me, appeared before me this 6th day of April 2020 and signed the foregoing Declaration of Local Disaster Emergency in my presence, and directed that I file this document in the public records of the City of Little Rock, Arkansas.


Susan Langley
City Clerk

Seal of the City of Little Rock:

