

James City County

Newport News

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COMMONWEALTH of VIRGINIA

*Department of Public Health
Peninsula Health District*

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Newport News, Virginia 23601
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Williamsburg, Virginia 23188
Phone (757) 253-4813

September 24, 2020

Mr. Richard Martinez, General Manager
Atlantic Aviation
1200 Bland Blvd.
Newport News, VA, 23602

Re: Executive Order 67 and 63 Compliance
for Make America Great Again Event in Newport News, Virginia

Dear Mr. Martinez:

The Peninsula Health District (PHD) has become aware of your facility's intention to sponsor, participate in, or support a Social Gathering that will exceed the maximum number of attendees of 250 persons, as mandated by Executive Order 67, issued by Governor Northam on June 30, 2020. The reported complaints indicate the event you are sponsoring will host thousands of people for a rally in an airplane hangar on September 25, 2020.

The information below provides context and background as to the basis for the requirements contained in Executive Order 67.

1. Following the Commissioner of Health M. Norman Oliver declaring COVID-19 a disease of public health emergency on February 7, 2020, Virginia Governor Ralph S. Northam declared a state emergency due to the unmitigated spread of COVID-19 on March 12, 2020, by Executive Order No. 51.
2. In an effort to contain, control, and prevent further spread of COVID-19, on March 17, 2020, Governor Northam announced additional measures to reduce unnecessary risks to citizens of the Commonwealth. Such measures included social distancing and reducing seating capacity of restaurants, fitness centers, and theatres.
3. On March 17, 2020, State Health Commissioner Oliver and Governor Northam issued a Declaration of Public Health Emergency (Order) as a result of the spread of COVID-19. The Order, in part, provided for suspensions of food establishment permits for imminent public health hazards associated with congregations of more than 10 total people.

4. On May 15, 2020, Governor Northam issued Executive Order 61, authorizing the Virginia Department of Health to enforce the restrictions on businesses provided for in that order. Specifically Executive Order 61 states, “Any willful violation or refusal, failure, or neglect to comply with this Order, issued pursuant to § 32.1-13 of the Code of Virginia is punishable as a Class 1 misdemeanor pursuant to § 32.1-27 of the Code of Virginia. The State Health Commissioner may also seek injunctive relief in circuit court for violation of this Order, pursuant to § 32.1-27 of the Code of Virginia. In addition, any agency with regulatory authority over a business listed in section A may enforce this Order as to that business to the extent permitted by law.”

5. On May 26, 2020, Governor Northam issued Executive Order 63, requiring patrons to wear face coverings while inside public buildings. Specifically, Executive Order 63 authorized the Virginia Department of Health to enforce the order, stating: “Any willful violation or refusal, failure, or neglect to comply with this Order, issued pursuant to § 32.1-13 of the Code of Virginia, is punishable as a Class 1 misdemeanor pursuant to § 32.1-27 of the Code of Virginia. The State Health Commissioner may also seek injunctive relief in circuit court for violation of this Order, pursuant to § 32.1-27 of the Code of Virginia. No minor shall be subject to criminal penalty for failure to wear a face covering. Adults accompanying minors should use the adult’s best judgment with respect to placing face coverings on a minor between the ages of two through nine while inside the public areas noted above. Adults accompanying minors age 10 through 18 shall use reasonable efforts to prompt the minor to wear face coverings while inside the public areas noted above.”

6. On June 30, 2020, Governor Northam issued Executive Order 67, moving the Commonwealth into Phase 3 and easing the temporary restrictions due to COVID 19. Included in the order, in section B, all public and private in-person gatherings of more than 250 individuals is prohibited. The Order also provided, “Violations of Section B of this Order shall be a Class 1 misdemeanor pursuant to § 44-146.17 of the Code of Virginia.

Complaints Received and Observations

1. Donald J. Trump for President, Inc. is offering tickets for a rally located at your facility at 1200 Bland Blvd., Newport News, VA, 23602.
2. PHD understands the Make America Great Again Event will draw thousands (estimates of up to 4,000) of people into the City of Newport News. An event of this size during the COVID-19 pandemic is a severe public health threat. At this time, the City of Newport News has experienced 2,613 cases of COVID-19 along with 96 hospitalizations and 37 confirmed deaths.

3. PHD has received public complaints regarding the event and its potential to spread the virus that causes COVID-19.
4. Considerable evidence from similar events held by this organization show face covering requirements are not being enforced at these events. Social distancing, strongly recommended as essential to stop the spread of the virus that causes COVID-19, is also not enforced at these events.

With an estimated attendance of up to 4,000 people, the rally poses a concerning public health risk. We ask that you reconsider moving forward with the event and cancel or re-schedule the Make America Great Again Event currently scheduled for September 25, 2020; or scale the event down to meet the requirements of Executive Order 67, including a maximum capacity of 250 people per day of the event with required 6' of distancing between all attendees and speakers not of the same household.

Please contact Dr. Natasha Dwamena, District Health Director at (757) 594-7305 or email at natasha.dwamena@vdh.virginia.gov should you have questions or wish to discuss this letter, including recommended actions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Natasha Dwamena', with a stylized flourish at the end.

Natasha Dwamena, MD, MPH, FACOG, Hampton & Peninsula Health District Director

Cc: Cassidy Rasnick, Deputy Secretary for Commerce and Trade
Alan K. Archer, Assistant City Manager, City of Newport News
Julie Henderson, Director, Office of Environmental Health
Michael Giardino, Executive Director, Newport News/Williamsburg International Airport