



November 20, 2020

The Honorable Greg Abbott
Governor of Texas
P.O. Box 12428 Austin,
Texas 78711

Re: El Paso COVID-19 Numbers and Request for Assistance

Dear Governor Abbott,

Today in El Paso, we reported the deaths of an additional 22 El Pasoans. Our seven day average positivity rate is nearly 18% and approximately 45% of all hospital patients are COVID-19 related. Our community is currently facing an unimaginable crisis.

One of our most urgent needs is continued support with fatality management. I have been meeting regularly with a fatality management team on a plan to help alleviate an overwhelming fatality management crisis. Those participants include the Office of Emergency Management, Texas Department of Emergency Management, Medical Examiner's Office, BorderRAC, and funeral home directors. We continue to strategize on managing both existing fatalities as well as to further prepare for the high number of deaths we expect to see in the next few months. As of today, our Medical Examiner's Office is reporting that 234 fatalities are being held at our main morgue and at our nine mobile morgues. My sense of urgency is to continue to do everything possible to maintain the integrity and dignity of our fellow El Pasoans who have been lost to this virus.

We have received a notice that we will be getting assistance from the National Guard to help with fatality management. I thank the National Guard and the State in advance for this much needed support. With the upcoming Holiday season I am concerned that without some additional measures, we will continue in a downward spiral, therefore, I am once again seeking your assistance in this emergency situation.

As you know, the 8th Court of Appeals concluded that any order issued pursuant to my authority under the Texas Disaster Act must be consistent with any order issued by you. Unfortunately, I believe the Court mistakenly interpreted the imposition of a curfew as prohibited and inconsistent with your existing orders. I am aware of other jurisdictions imposing a curfew and I don't believe that a curfew is in conflict with your orders. I am seeking clarification from you that a curfew is consistent with your existing orders.

The curfew I intend to impose will be limited in nature and is designed to stem recreational and international traffic after 10:00 p.m. I have reached out to the business community and have been requested to seek this clarification and, if permissible, issue an order temporarily imposing a 10:00 p.m. to 5:00 a.m. curfew. The proposed curfew will not interfere with persons seeking to access essential or nonessential services.

The curfew is supported by physicians and community leaders from the County, City and Fort Bliss who support such a strategy to reduce the impact of COVID-19 for your constituents in El Paso. We are working hard in El Paso to enforce the existing orders, help the business community comply with existing health orders, and stem the rising tide of the virus. I am confident that the imposition of a curfew will assist in this fight. Thank you in advance for your prompt reply. I am very open to having a discussion with you at your earliest convenience.

Sincerely,

A handwritten signature in blue ink that reads "Ricardo A. Samaniego". The signature is written in a cursive style and is positioned above the typed name.

Ricardo A. Samaniego
El Paso County Judge