



BERRIEN COUNTY HEALTH DEPARTMENT

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For Immediate Release**

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Statement from the Berrien County Health Department about Governor Whitmer's revoked emergency powers and potential future local action

County health officials address uncertainty caused by recent Michigan Supreme Court Ruling

(Berrien County, Michigan) - The Berrien County Health Department understands that there has been uncertainty stemming from the October 2nd, 2020 Michigan Supreme Court ruling determining that Governor Whitmer did not have the authority to issue executive orders under emergency declarations past April 30th, 2020. While the department is continuing to interpret the rulings and establish the best course of action to protect the health of the public, this ruling does not change the importance of continuing the preventative actions residents have been taking to limit the spread of COVID-19.

At this time, the Berrien County Health Department is in consultation with the Berrien County legal counsel, the Board of Health, Board of Commissioners, the Michigan Association of Public Health, and the Michigan Department of Health and Human Services to determine next steps for Berrien County. Under MCL 333.2453 of the Public Health Code (Public Act 368 of 1978), the epidemic emergency order for local health departments under the Michigan Public Health Code, the local health officer has broad and flexible powers to issue emergency orders needed to protect the public's health during an epidemic. However, private businesses and the public sector have the authority, right, and responsibility to require masks and other policies to assure the safety and health of their staff, customers, and clients. It is encouraged and recommended that they continue the same practices and policies established under the previous Executive Orders.

Berrien County Health Department Health Officer, Nicki Britten, stated, "in the interest of the public's health, we encourage the continuation of mitigation measures have been in place throughout the COVID-19 pandemic; we know that it is because of the vigilant actions our residents have taken that we are in a favorable position with a controlled spread of COVID-19 in Berrien County." Until there is a vaccine and effective treatment to prevent further spread, the Berrien County Health Department will continue to promote prevention strategies that will lessen the impact of COVID-19 on our community. The department's focus will remain on public health efforts of encouraging testing, case investigation and contact tracing, and promoting compliance with safety precautions.

Berrien County has seen relatively stable COVID activity for the past two months; this is evidence that the preventative actions and safety protocols applied so far have been effective. "We are working hard to keep our students in school, keep our businesses and government open, and make progress in our economic recovery," Britten added. "The last thing we want to see is our success unravel, schools close for in-person learning, and see cases and deaths increase."

Residents are urged to continue prevent spreading the virus by:

- Wearing a mask when indoors and outdoors when you are unable to keep a 6ft distance from others
- Practicing social distancing by keeping 6 feet or more between you and others
- Washing or sanitizing your hands frequently
- Staying home if you are ill or have COVID-19, or other respiratory illness symptoms
- People who are at highest risk of the virus should avoid large gatherings

The department will share additional information as it becomes available or as circumstances change. General questions can be directed to the Berrien County Health Department COVID-19 hotline at 1-800-815-5485 or email publichealth@bchdmi.org. More information can be found at the Berrien County Health Department website www.bchdmi.org.

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