

# Ducey extends stay-at-home order through May 15 but eases some restrictions on businesses

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Certain Arizona businesses could reopen on a limited basis as early as Monday under a gradual phasing-out of Arizona's stay-at-home order, but the broader directive will remain in effect through May 15, Gov. Doug Ducey announced Wednesday.

The Republican leader said social distancing guidelines and closures appeared to have successfully slowed the spread of COVID-19, helping the state avoid a spike in cases, overwhelmed hospitals and preventable deaths.

But he said available data did not support a full reopening of the state's economy Friday, which would've happened had he not taken action before the stay-at-home order's Thursday expiration.

"These have been hard-fought gains," Ducey said during a press conference Wednesday afternoon. "We've earned where we are today, and we are not going to undo this."

Ducey issued the statewide stay-at-home order, arguably the most aggressive step his administration has taken to fight the new coronavirus pandemic, on March 30. It generally permits residents to leave their homes only for food, medicine, exercise and other "essential activities." He issued a separate order listing "essential" businesses that could continue operating.

On Monday, Ducey will ease some restrictions to allow certain stores previously deemed non-essential to begin offering delivery, window, walk-up, drive- thru, curbside or appointment-based service.

Next Friday, retailers can begin offering in-store sales if they have the proper safety protocols in place, such as reducing occupancy, enforcing physical distancing requirements and expanding sanitation measures.

"Areas where people may be inclined to congregate in an enclosed or confined area such as indoor shopping malls shall continue to limit operations," the governor's revised executive order says.

"Retailers located within such buildings or areas whose only entrance is through the shopping mall or other enclosed area may operate through delivery or curbside service or appointment only."

Restaurants, bars, gyms and theaters are not eligible to participate in the first phases of the reopening, according to the governor. Ducey said his staff is working with industry leaders to determine the "best case scenario" for when those entities might be able to serve customers again.

Restaurants, which currently are limited to delivery and carry-out, could begin offering dine-in service as early as May 12, he said. But he described that date as "aspirational," and said bars would not be included.

"I don't think that anybody ever believed that on May 1, we would have a return to normalcy in Arizona," Ducey said. "What we want to do is eventually and gradually get there."

## Mounting pressure

The governor had faced intense pressure from all sides in the days leading up to Wednesday's announcement, as business owners, politicians, medical experts, faith leaders and residents have grown increasingly vocal about the course of action they want him to take.

Polling indicated a strong, bipartisan majority of Americans supported restrictions to protect public health during the pandemic and worried more about closures being lifted too soon rather than too late.

A Tucson-based public health expert told The Arizona Republic that if Arizona went "right back up the slope" to normal activity, "we risk letting this get out of control."

Other Arizonans, however, flooded social media and the state Capitol with protests, arguing extending the order would wreak further havoc on local economies (/story/news/local/phoenix-breaking/2020/04/20/rally-reopen-economy-planned-near-arizona-capitol/5165957002/).

They said the rights of employees and the public were "being trampled," and the Bill of Rights had no "exceptions for pandemics."

In his Wednesday remarks, Ducey repeatedly acknowledged the business owners and employees who'd argued he would risk their livelihoods if he moved too slowly to loosen restrictions.

"I want to say: I've been listening," he said, but "we're going to make decisions in a responsible way."

**SEE ALSO:** President Trump coming to Arizona during coronavirus pandemic (/story/news/politics/arizona/2020/04/29/trump-leave-white-house-amid-coronavirus-visit-arizona/3052520001/)

Asked about enforcement, he took a firmer tack, warning business owners not to ignore his orders. He reminded those thinking of reopening Friday that doing so would be against the law and punishable by a \$2,500 fine and up to six months in jail.

"For those that own an establishment and are publicly going to flout the order, you are playing with your liquor license," he said.



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## Mixed reactions

A handful of Republican lawmakers sharply criticized Ducey's decision Wednesday.

State Rep. Kelly Townsend, for instance, said the governor's approach was unwarranted and unconstitutional.

The Mesa Republican said she planned to propose a concurrent resolution that, if approved by the Legislature, would end the current state of emergency.

"It's time to let people take the chance if they want to take that risk to open," she said. "That's their God-given right. It's not our right to say they cannot."

Rep. Warren Petersen, R-Gilbert, also asked his "colleagues in the Legislature to join me in overturning the arbitrary extension of the stay at home order."

"In case you didn't know, anyone can stay at home," he wrote in a Facebook post.

Rep. Frank Carroll, R-Sun City West, also called the extension "unfortunate and weak" on Twitter.

"We cannot allow our economy and hard-working people of Arizona to suffer any longer," he wrote.

Initial responses from business, medical and religious groups were largely favorable, however.

Sandra Watson, president of the Arizona Commerce Authority, thanked the governor for his "continued leadership and thoughtful, data-driven approach that prioritizes public safety above all else."

"Certainty is needed to give our businesses, employees and customers confidence and re-energize Arizona's economy," she said on Twitter.

## **Susan Marie**

[@TheSusanMarie](#)

This situation is incredibly challenging and today's briefing showed that Gov [@dougducey](#) continues to focus on data, prioritize the health & safety of Arizonans, and lead using a thoughtful, deliberate approach. [#TheArizonaWay](#)

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Glenn Hamer, Arizona Chamber of Commerce and Industry president, said the revised order would "breathe needed oxygen into our retail sector." "Stores that sell essential goods have proven already that they can operate safely, and we look forward to more retailers doing the same," Hamer said.

Chris Camacho, president of the Greater Phoenix Economic Council, said he felt Ducey had continued to "prioritize the health and safety of Arizona residents with our economic viability contingent on the health and wellness of the workforce at large."

The Arizona Hospital Association also expressed support for Ducey's strategy, describing it as "measured and thoughtful." The Arizona Nurses Association said the governor had "consistently been led by the data and open to feedback from health care and public health experts across the state."

"Everyone would like to return to normal life as quickly as possible," the association said. "By going slow, we can mitigate the spread of COVID-19 while protecting the public and health care workers treating this dangerous illness."

The Arizona Interfaith Network was cautiously optimistic in a statement issued Wednesday evening.

"May 15 could very well be a premature reopening of the state, but we appreciate that the state will proceed cautiously and in accord with (U.S. Centers for Disease Control and Prevention) guidelines," the group said. "We could face a disastrous rebound of the COVID-19 crisis if we are not careful and vigilant."

Phoenix Mayor Kate Gallego, Tucson Mayor Regina Romero and Flagstaff Mayor Coral Evans similarly said they would've preferred Ducey extend the order without modifying it but applauded his approach overall.

"The decision the governor made was certainly not an easy one, but it was the right one," they said in a statement.

They encouraged Ducey to commit to seeing a 14-day decline in positive COVID-19 cases before easing more restrictions.

"The Centers for Disease Control's guidelines are responsible, and we believe Arizona should follow them," they said.

([https://www.scribd.com/document/459076764/Ducey-order#from\\_embed](https://www.scribd.com/document/459076764/Ducey-order#from_embed)) ([https://www.scribd.com/user/459290362/Joshua-Ling#from\\_embed](https://www.scribd.com/user/459290362/Joshua-Ling#from_embed))

## Data improving but incomplete

The governor has said data will continue to inform when and how he relaxes additional restrictions going forward. Key metrics include confirmed cases, hospitalizations and deaths, he said.

While Arizona's hospital capacity appears to be in good shape, and both influenza-like and COVID-19-like illnesses appear to be falling, the state has only tested about 1% of the population.

That means Wednesday's COVID-19 numbers — more than 7,200 cases and 304 known deaths (</story/news/local/arizona-health/2020/04/29/coronavirus-arizona-cases-exceed-7-200-304-deaths/3043292001/>) — don't show the full scope of the disease's spread.

Ducey and other officials on Monday announced a "testing blitz" (</story/news/local/arizona-health/2020/04/27/arizona-testing-blitz-expand-covid-19-testing-statewide-coronavirus/3036082001/>) designed to reach 30,000 to 60,000 people over the next three weekends. They've also loosened criteria to make testing available to anyone who thinks they've been exposed.

But experts have estimated Arizona would need to conduct about 22,000 diagnostic tests a week to safely reopen. "I have a sense of urgency to reopen, and I want to do that," Ducey said. "I just want to do it at the right time, and I want it to be successful."

"It would be irresponsible for me to make decisions to reopen with a chance that I would have to come back because we didn't have the proper guidance or data and ask people to do this again."