



**SENATE
STATE OF COLORADO
DENVER**

Friday, March 27, 2020

Governor Jared Polis
200 East Colfax Avenue
Denver, CO 80203

Governor Polis –

It is our sincere hope in writing to you today that we can continue moving forward in unity when dealing with the COVID-19 outbreak. Since the beginning of this most unfortunate circumstance, Senate Republicans have acknowledged and respected the office you hold and the powers it bears in such an emergency as this. **It remains our sincere desire to work with you in ensuring united, results-oriented, and data-driven solutions both in the short run and for the long term during this time of crisis.**

Our intentions are the same. We want to ensure that Colorado beats the Coronavirus pandemic with efficiency and success and allow the most vulnerable of our population to receive the medical attention necessary to lower the mortality rate – also referred to as “flattening the curve.”

Despite many of our constituents’ expressed concerns over the last two weeks, we have resisted publicly critiquing you, your office, and your efforts, but we must formally express to you our disappointment in your “Stay-at-Home” order issued on Wednesday afternoon.

On March 16th, you declared on Facebook that when a crisis such as this requires “command action” that it be of “the minimum severity and duration necessary to achieve success.”¹

On March 19th, you declared to lawmakers that a stay-at-home order “is not viable” in Colorado and warned that residents would most likely not be compliant with such an order. Furthermore, you stated that “We don’t live in a central-command structure, authoritarian country like China where people can be locked down.”² You continued to reinforce the idea that targeted measures would be your approach “rather than a mallet.”³ We agreed with the Governor Polis of March 19th.

¹ <https://www.facebook.com/PolisForColorado/posts/10158269224023921>

² Birkeland, Bente, and John Daley. “A Look Inside Gov. Jared Polis’ Office As Colorado’s Coronavirus Response Ramps Up.” *Colorado Public Radio*, Colorado Public Radio, 25 Mar. 2020, www.cpr.org/2020/03/25/inside-the-governors-office-as-the-coronavirus-response-ramps-up/.

³ Burness, Alex. “Why Colorado Gov. Jared Polis Has Resisted a Statewide Stay-at-Home Order.” *The Denver Post*, The Denver Post, 24 Mar. 2020, <http://www.denverpost.com/2020/03/24/colorado-jared-polis-stay-home-shelter-in-place-coronavirus/>.

In addition, it was made clear to our leadership in private conversations with you that if such an order was to be given, it would be done so in consultation with leadership of both parties in both chambers. We had faith that this would be the case, but this did not occur in any collaborative way. In fact, when our leadership reached out on Wednesday to obtain a written copy of your order, they were told by your staff that it would be provided at the earliest possible time. Unfortunately, it wasn't until a story was published by Colorado Politics that we were able to see the order's text in its entirety.⁴

How does one reconcile those previous statements with Wednesday's actions, Governor?

Why were commitments of communication neglected in moving forward with this order?

The absence of engagement with the General Assembly has been most unfortunate. Omission of the critical necessity of the legislative branch within the text of the order itself is a tragic signpost. In our caucus, four of our State Senators represent 78% of Colorado's land mass – and none of those four were consulted on how an order such as this would affect their rural communities, where your administration's data shows that the virus is not spreading the way it has in the metro area. Any effort to lead Colorado forward in unity must engage discussion with rural as well as urban representatives and account for this diversity of geography and experience within our state. That is a most unfortunate lapse in leadership.

Wednesday evening, our emails and phones were lit up with an unrelenting torrent of questions regarding whether or not our constituents could go to work, visit their loved ones, feed their cattle, go to the park, or quickly rush to the grocery store. Sadly, we were unable to quickly ease their minds or quell their fears as the facts, context, and details of your executive order were not presented to our caucus.

When Coloradans from across this state visit your office's dedicated COVID-19 website - covid19.colorado.gov - they are met with data indicating that 44 out of 64 Colorado counties currently have fewer than five cases of the virus. Understandably, the data you have been presented within private briefings with the Colorado Department of Public Health and Environment is most likely more comprehensive, but that data has not been shared with the public or with our caucus. With the Denver metro area already under a "stay at home order," what is accomplished by closing down the business activity and daily routines of Coloradans living in a county that has fewer than five cases of COVID-19 after weeks of dealing with this crisis?

Your commitment to allowing the science and data to lead the way has been promising, but certainly begs an important question: how can your administration expect Coloradans to have faith in your actions or understand the purpose behind your order, if those facts are not presented to the public, Governor?

⁴ Goodland, Marianne. "Gov. Jared Polis Issues Statewide Stay-at-Home Order, Asks for Disaster Declaration for Colorado." *Colorado Politics*, 26 Mar. 2020, www.coloradopolitics.com/coronavirus/gov-jared-polis-issues-statewide-stay-at-home-order-asks/article_65118daa-6ee2-11ea-9d15-2350f21f02ec.html.

In Mesa County – represented by Senator Ray Scott – we have seen just six confirmed cases of COVID-19. Hospitals report that they have adequate capacity, proper supplies, and county leaders feel that they have a firm grasp of the situation at hand. If it is indeed your position that the leaders of Mesa County have improperly managed this situation, might your administration outline that data for the sake of residents there? This is just one example of one of Colorado’s more rural communities and the disconnect they are sensing.

It is our sincere belief, Governor Polis, that your actions on Wednesday have potentially sown discord and fear in Coloradans that are seeking clarity from their elected officials at this time of despair. Elements of the order, especially those directing individuals to report on their neighbors, may have the unintended effect of breaking the bonds of community unity. We hope that you will renew your commitment to work with us – to utilize us as resources – to ensure clarity and give residents of this state hope that their elected officials are making informed decisions and shaping a strategy to address the pressing immediate health crisis and the looming economic and jobs crisis based upon the best data and science available.

Yesterday morning, America woke to the news that a record-high 3.3 million Americans had filed for unemployment insurance in a single week, potentially driving the national unemployment rate as high as 20-30% by the end of this crisis. Those numbers have not been seen since the Great Depression, and that strikes fear into the hearts of Coloradans. If the government is to take drastic action that may lead to increases in those numbers, the very least that we can do is provide the data to back it up.

While we were surprised by Wednesday’s actions, we remain committed to assisting you and your administration in ensuring the health and safety of all Coloradans. We ask that you fulfill your commitment to transparency and communication with our caucus and help us understand your actions as being the right path forward for Colorado. Further, we once again extend our hand of support, which is steadied by the depth of experience and breadth of geography inherent in representatives elected from the four corners of Colorado.

We remain committed to working with you to ensure united, results-oriented, and data-driven solutions during this health crisis, along with the coming economic consequences and job losses, and we hope to hear from you soon as to how we can renew this commitment between our caucus and your administration.

Signed,



Paul Lundeen
State Senator, District 9
Minority Whip



Chris Holbert
State Senator, District 30
Minority Leader



John Cooke
State Senator, District 13
Minority Assistant Leader



Bob Rankin
State Senator, District 8
Member, Joint Budget Committee



Larry Crowder
State Senator, District 35



Owen Hill
State Senator, District 10



Ray Scott
State Senator, District 7



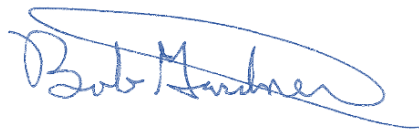
Jim Smallwood
State Senator, District 4



Vicki Marble
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Don Coram
State Senator, District 6



Bob Gardner
State Senator, District 12



Dennis Hisey
State Senator, District 2



Jerry Sonnenberg
State Senator, District 1



Rob Woodward
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