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AUG 16 2021

ALISON H. SONNTAG

**KITSAP COUNTY SUPERIOR COURT
KITSAP COUNTY DISTRICT COURT
STATE OF WASHINGTON**

IN RE THE KITSAP COUNTY COURTHOUSE AND THE
PANDEMIC OUTBREAK OF THE CORONAVIRUS
DISEASE 2019 (COVID-19)

**No. 2021-10
EMERGENCY ADMINISTRATIVE ORDER**

THIS ADMINISTRATIVE ORDER is being issued in response to the current pandemic outbreak of the Coronavirus Disease 2019 (COVID-19).¹

The Washington State Supreme Court, Kitsap County Superior Court and Kitsap County District Court have issued multiple Emergency Orders in response to the coronavirus pandemic.² Through emergency orders, the Washington State Supreme Court has specifically delegated to local courts the authority to adopt measures necessary to protect the health and safety of their communities, and has directed courts to follow the most protective public health guidance applicable in their jurisdiction.

Consistent with the Kitsap Health District Directive³ (dated August 12, 2021) it is hereby Ordered that effective August 16th, 2021, and until further Order of the Kitsap County Superior and District Courts:

1. Masks are required in all public areas of the courthouse (including courtrooms, hallways and bathrooms) regardless of vaccination status.
2. Six-foot social distancing requirements remain in effect in all public areas of the courthouse, including the courtrooms, hallways and bathrooms.
3. All previous Emergency Administrative Orders not inconsistent with this Order remain in full effect.⁴

The Kitsap County Courthouse remains open.

¹ Hereafter, COVID-19.

² See Washington State Supreme Court Emergency Orders 25700-B-602 through 25700-B-661, Kitsap County Superior Court Emergency Orders 2020-1 through 2021-3, and Kitsap County District Court Emergency Orders 2020-1 through 2021-09, all incorporated by reference herein.

³ Attached and incorporated by reference herein.

⁴ Including but not limited to all previously issued orders regarding court appearances via Zoom Video Conferencing.

DATED, this 16th day of August, 2021.

/s/ Signed Electronically

Judge Kevin D. Hull
Presiding Judge, Kitsap County Superior Court

/s/ Signed Electronically

Judge Claire A. Bradley
Presiding Judge, Kitsap County District Court

August 12, 2021

**LOCAL HEALTH OFFICER DIRECTIVE FOR WEARING OF MASKS
IN PUBLIC INDOOR SPACES**

WHEREAS, the novel coronavirus 2019 (SARS-CoV-2) which causes COVID-19 has led to over 10,000 reported cases, 400 hospitalizations, and 126 deaths in Kitsap County since January 2020; and

WHEREAS, Kitsap County remains under an emergency declared by Kitsap County, the Governor, and the Secretary of the United States Department of Health and Human Services; and

WHEREAS, a fifth wave of increasing COVID-19 transmission has been underway since approximately July 10, 2021, leading to a 591% increase in 7-day case rate to 152 per 100,000 residents; and

WHEREAS, this case rate is above the threshold for “high transmission” as defined by the federal Centers for Disease Control and Prevention (CDC); and

WHEREAS, vaccination against COVID-19 in Kitsap County has been underway since December 2020 and just over 52% of the population is now fully vaccinated; and

WHEREAS, approximately 100,000 Kitsap County residents of age ≥ 12 years remain unvaccinated despite widespread availability of vaccine for several months; and

WHEREAS, approximately 38,000 Kitsap County children < 12 years of age remain unvaccinated due to their ineligibility for vaccination currently; and

WHEREAS, severely immunosuppressed individuals in the community have a reduced response to vaccine and remain vulnerable to severe disease; and

WHEREAS, SARS-CoV-2 spreads from person to person primarily through inhalation of air carrying very small droplets and aerosol particles that contain infectious virus; and

WHEREAS, the more transmissible delta strain of SARS-CoV-2 now accounts for virtually all transmission occurring in Kitsap County; and

WHEREAS, the occurrence of severe disease, hospitalization, and death due to COVID-19 are higher among un-vaccinated than among vaccinated persons in Kitsap County during the month of July 2021; and

WHEREAS, fully vaccinated individuals can become infected and account for increasing numbers of Kitsap County cases in July 2021; and

WHEREAS, use of well fitting, multi-layer cloth face coverings or medical procedure masks has been demonstrated to reduce generation of virus-transmitting aerosols from contagious individuals; and

WHEREAS, use of well fitting, multi-layer cloth face coverings or medical procedure masks also has been demonstrated to reduce inhalation of virus-transmitting aerosols by the wearer; and

WHEREAS, the CDC recommends all persons in high transmission communities like Kitsap County wear masks when present in public indoor spaces—regardless of vaccination status; and

WHEREAS, the University of Washington’s Institute for Health Metrics and Evaluation’s most recent COVID-19 Results Briefing for Washington State on August 5, 2021, projected that rapid adoption of universal masking coverage could prevent 1,500 cumulative excess deaths due to COVID-19 between now and December 1, 2021, in Washington state; and

WHEREAS, on July 26, 2021, the Local Health Officer joined other regional counties’ health officers in recommending masking in public indoor spaces; and

WHEREAS, reported cases and hospitalizations continue to increase; and

WHEREAS, Kitsap County’s COVID-19 inpatient census has increased from zero to 26 over the past month and the hospital intensive care unit is operating at $\geq 90\%$ maximum capacity with little additional reserve to absorb a greater surge of COVID-19 hospitalizations; and

WHEREAS, Washington state law, RCW 70.05.070(2), (3), requires and empowers the Local Health Officer to take such action as is necessary to maintain health and to control and prevent the spread of any contagious or infectious diseases within the jurisdiction, and

WHEREAS, state regulation, WAC 246-100-036, requires the Local Health Officer, when necessary, to institute disease control measures as he, she, or they deem necessary based on his, her, or their professional judgment, current standards of practice, and the best available medical and scientific information.

BASED UPON ALL THE ABOVE, THE LOCAL HEALTH OFFICER HEREBY FINDS THAT:

Use of face masks for everyone ≥ 5 years of age within indoor public spaces is reasonable and necessary in Kitsap County to reduce the risk for COVID-19 transmission until the Kitsap Public Health District confirms that the COVID-19 risk to Kitsap County residents is substantially reduced based on considerations that include but may not be limited to: COVID-19 disease rates declining to low levels of community transmission as defined by the Centers for Disease Control

and Prevention (CDC); COVID-19 hospitalizations and death rates stabilizing at low levels; a safe and effective COVID-19 vaccine being authorized by the US Food & Drug Administration (FDA) for use in children 5 years through 11 years.

EFFECTIVE SATURDAY, AUGUST 14, 2021, AT 6:00AM

As the Local Health Officer I hereby direct as follows:

- Everyone ≥5 years of age in Kitsap County must wear a face covering within indoor public spaces.
- Children age two, three, or four years old, while exempt from this official directive, are recommended to wear a face covering with the assistance and close supervision of an adult in accordance with the current Order of the Secretary of Health.
- Everyone in correctional facilities, homeless shelters, schools, childcare, public transportation, and health care settings--including doctor's offices, long-term care, and hospitals--must also wear a well-fitted mask in accord with state requirements already in place.

THIS DIRECTIVE APPLIES TO INDOOR SPACES THAT ARE OPEN TO THE PUBLIC, including retail, grocery stores, government buildings, and other businesses and places where members of the public can enter freely;

IT DOES NOT APPLY TO INDOOR NON-PUBLIC SPACES, including businesses, offices, and other places of employment with limited access. Employers should continue to follow current guidance and requirements from the Washington State Department of Labor and Industries on worker safety.

THIS DIRECTIVE ALSO DOES NOT APPLY TO OUTDOOR PLACES. Please follow current Washington State Department of Health guidance and directives on the use of masks outdoors.

Yours in health,



Gib Morrow, MD, MPH
Health Officer