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WCPO to Dismiss all Cases Issued Under Governor's Executive Order During COVID Crisis

 WCPO to Dismiss all Cases Issued Under Governor's Executive Order During COVID Crisis

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In April 2020 the Michigan Supreme Court, unanimously held in In Re Certified Question that the Emergency Management Act (EMA) did not authorize Governor Gretchen Whitmer to issue or renew any COVID-19 state of emergency orders after April 30, 2020. Prior to the ruling the Wayne County Prosecutor's Office (WCPO) and law enforcement agencies issued ordinance violations and misdemeanors to those who allegedly violated the EMA.

As a result of the Michigan Supreme Court ruling WCPO conducted a review of the cases and it was determined that there is not a legal basis to proceed with them. WCPO will be dismissing all adjudicated cases and all pending cases. (See box attached.)

It is important to note that the dismissal of these cases is not a reflection upon the conduct of any law enforcement agency, since the applicable law was followed at the time of the alleged offenses.

"Governor Whitmer's leadership has prevented many of our citizens from contracting COVID-19," said Prosecutor Worthy. "However, considering the Supreme Court's decision, WCPO will no longer use criminal prosecution to enforce the Governor's Executive Order. It is my earnest hope that people will continue to wear face masks, social distance, and quarantine when warranted."

#####

 Kym L. Worthy

Kym L. Worthy
Wayne County Prosecutor

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Prosecutor

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