

----- Forwarded message -----

From: **Janela Carrera** <janela.carrera@guam.gov>

Date: Fri, Apr 17, 2020 at 3:47 PM

Subject: Re: SUNSHINE LAW DEMAND

To: Robert Klitzkie <klitzkie@hotmail.com>

Hafa Adai Mr. Klitzkie,

Please see attached in response to your request for information.

Sincerely,

Janela Carrera



Janela Carrera

Director of Communications
Office of the Governor of Guam
Ricardo J. Bordallo Governor's Complex
Hagatña, Guam 96910
Office: 671.472.8931

Mobile: 671.488.1408

On Sun, Apr 12, 2020 at 5:20 PM Robert Klitzkie <klitzkie@hotmail.com> wrote:

From: Robert Klitzkie <klitzkie@hotmail.com>

Sent: Sunday, April 12, 2020 5:14 PM

Subject: Road closures stall traffic | Guam News | postguam.com

Janela,

NLT COB April 17 forward to me by email all logs, tally sheets, notes or any other paper, tape, electronic record or any other record of whatever kind or description that shows or records the average time of transit through the East Agaña roadblock.

Respectfully submitted,

Robert Klitzkie

<https://www.postguam.com/content/tncms/live/>

Road closures stall traffic

The Guam National Guardsman wore a heavy cloth mask and blue latex gloves as he read from a prepared statement on the sheet between his hands. **It had taken about one hour and 15 minutes to get to this point in East Hagåtña.** The interaction lasted about a minute.

"As of today, nearly 85,000 people including four here on Guam have died from COVID-19," the man said. "Pursuant to the governor's Executive Order 2020-10 and in response to the public health emergency, this road is closed except for certain purposes. You may use this road if you are going to or returning from work, a medical facility, grocery store or other essential activity."

The Guam Daily Post was told that those who weren't on the road for essential purposes would be told to turn around, in line with Gov. Lou Leon Guerrero's directive to stay home, unless it's for essential activity.

The governor implemented road closures as part of efforts to keep people at home and from needlessly being out and about, activity which could potentially spread the virus that causes the respiratory illness COVID-19.

Daily closures

In East Hagåtña, the traffic stretched out in either direction though the wait was longer than the line itself - some drivers turned around before reaching the lone National Guardsman reading the scripted message.

Some residents who live near a few of the road blocks were complaining on social media that the number of speeding vehicles through the village increased on Saturday.

Closures will last from 10 a.m.-10 p.m. daily, and will be set up at:

- Route 1, by Lucky Supplies in Dededo
- Route 1, by the former Shen's Furniture in East Hagåtña
- Route 1, by Calvary Chapel near Fish Eye Marine Park in Asan
- Route 8, by Shell gas station.

Day one

Saturday was the first day of implementation. With traffic limited to one lane on either side, the road block at East Hagåtña caused serious traffic congestion as motorists were stopped and told information on the disease, as well as asked about their destination.

Some vehicles, including what appeared to be a food delivery van, were allowed to proceed through the middle lane and skip the line of vehicles building up around that section of Route 1. Some passenger vehicles were able to use the middle lane as well, and some appeared to have signs indicating they were on essential business.

"The middle lane is closed to the public but open for emergency operation," said Carlo Branch, the governor's policy director. Otherwise, motorists would be screened through the closure.

Signage is not required for anyone on essential business, per guidance from the Joint Information Center, but Branch said it's possible that some identification was needed for individuals involved in emergency services, so personnel manning road closures would know "you're a cop going to precinct for duty or a fireman going to a fire house."

The road closures are implemented through existing authority and are not checkpoints, according to the governor.

The distinction in the verbiage is because the governor has said she lacks the authority to penalize people violating executive orders. The Legislature resumes session on Monday and measures that would give that additional authority are up for discussion. However, the measures have lost favor with at least one sponsor - Sen. Joe San Agustin - following the announcement on road closures.

If a motorist is not on essential business and proceeds through a road closure, they will be educated, but that's all, according to Branch.

"That is the distinction between it being one thing or the other. If it's a road closure, the penalty for not being on essential business is neither criminal nor civil. We're just taking the time to educate you based on the authority that she has," Branch said.

Compared to East Hagåtña, the wait time for the road closure in Asan going southbound was practically non-existent, as there were few motorists at that point. As in East Hagåtña, the Post was told the road was for essential business.

AG will support government response to threat

As National Guardsmen and Guam Police Department set up at the road closures, The Guam Daily Post received questions about the legality of the road block. The Post sent those questions to Carlina Charfauros, the Office of the Attorney General spokeswoman.

"As cited in the Governor's executive orders, Guam law authorizes the government to use various tools to respond to public health emergencies. Under this authority, our government has taken unprecedented measures, such as quarantine, the closure of non-essential businesses and - most recently - the closure of some of Guam's roads," she stated. "One function of the AG's office is to represent the government in legal matters. The OAG will continue to assist the government's response to the unprecedented threat COVID-19 presents."

Sent from my iPad

UFISINAN I MAGA'HÅGA
OFFICE OF THE GOVERNOR

LOURDES A. LEON GUERRERO
MAGA'HÅGA • GOVERNOR



JOSHUA F. TENORIO
SIGUNDO MAGA'LÅHI • LIEUTENANT GOVERNOR

April 17, 2020

VIA ELECTRONIC MAIL: klitzkie@hotmail.com

Robert Klitzkie

Dear Mr. Klitzkie:

I am writing in response to your request for information dated April 12, 2020 addressed to me, in which you seek:

"...all logs, tally sheets, notes or any other paper, tape, electronic record or any other record of whatever kind or description that shows or records the average time of transit through the East Agaña roadblock."

There are no records matching your request.

Sincerely,

A handwritten signature in black ink, appearing to read "Janela Carrera", written in a cursive style.

Janela Carrera
Director of Communications