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**IN THE SUPERIOR COURT OF GUAM
HAGÁTÑA, GUAM**

In Re:)	SPECIAL PROCEEDINGS CASE NO.
)	_____
)	
)	DECLARATION OF LINDA DENORCEY
)	IN SUPPORT OF PETITION FOR
Travelers arriving in Guam from Manila,)	ORDER AUTHORIZING CONTINUED
Philippines on or about March 19, 2020,)	DETENTION FOR ISOLATION OR
)	QUARANTINE
)	
Respondent(s).)	
)	
)	

I, **LINDA DENORCEY**, declares:

1. I am the Director of the Department of Public Health and Social Services, Guam.
2. I am authorized by Title 10 GCA Chapter 3, Article 3 and Chapter 19, Article 6 to take action necessary to protect the public health safety and welfare.

3. I am authorized to request this court to issue an order for involuntary detention of individuals who should be isolated or quarantined to protect the public health, safety and welfare.
4. I am asking this court to issue an order involuntarily detaining the Respondents in this matter because they pose a threat to the public health, safety and welfare for the following reasons:
5. On March 13, 2020, President Donald Trump declared a national emergency over the COVID-19 outbreak in the continental United States.
6. Although at the time no cases of COVID-19 had been confirmed on Guam, *I Maga'hagan Guahan*, declared a public health emergency to prepare for a possible COVID-19 outbreak in Guam.
7. The following day, I received information of confirmed cases of COVID-19 in Guam.
8. On March 16, 2020, the Governor took necessary measures to quickly investigate the sources of the confirmed cases. *I Maga'hagan Guahan* issued Executive Order 2020-04, exercising, among others, the power to restrict entry into Guam. This order was necessary to reduce the number of potential sources of COVID-19 on Guam and also allow DPHSS sufficient time to investigate and determine the sources leading to the confirmed COVID-19 cases.
9. Through the investigation, DPHSS learned that a significant number of cases of COVID-19 were linked to travel from the Philippines.

10. The Philippines has quickly become one of the most volatile areas of COVID-19 outbreaks. Upon information and belief, the number of cases of COVID-19 in the Philippines has risen to more than 500 within the span of weeks with over 35 of those cases being fatal.
11. On or about March 18, 2020, I learned that President Rodrigo Duterte intended on closing airports in the Philippines. I was advised by the Guam International Airport Authority and the Guam Customs and Quarantine Agency to expect an unprecedented number of travelers to Guam departing from Manila Ninoy Aquino International Airport. I understood that a majority of these travelers would be returning residents to Guam and were potential carriers of COVID-19.
12. The Center for Disease Control and Prevention (CDC) guidelines indicate that persons infected with COVID-19 may become symptomatic within fourteen days of infection. Because there is only a limited number of test kits provided to each state and territory, the CDC recommends that individuals be quarantined for an observation period in order to make a reasonable determination that they are not infected with COVID-19.
13. The threat of an aggressive community spread of COVID-19 throughout the island and the limited amount of resources required me to enact a mandatory quarantine at a government facility for all persons arriving on Guam who had traveled to the Philippines.
14. Based on the number of passengers arriving from the Philippines, the limited number of test kits and the government's ability to ensure compliance with

- quarantine, the quarantine measures that we took were and continue to be the least restrictive means necessary to prevent the spread of COVID-19. There has not been an incident where a quarantined individual in a government facility has shown symptoms to suggest that that person is COVID-19 positive.
15. We provided a copy of the Directive for Temporary Isolation and Quarantine to all Respondents and posted a copy in a conspicuous place in the quarantine premises.
 16. Licensed professional medical personnel assess the health status of each quarantined person to determine if the person continues to require quarantine or may need isolation multiple times on a daily basis.
 17. All medical needs can be adequately addressed and transportation to a medical facility is provided if specialized treatment is required.
 18. Any quarantined person who is reasonably believed to have become infected with COVID-19 or any other contagious or possibly contagious disease, is immediately removed to isolation at a separate premises.
 19. All government quarantine facilities are buildings licensed to serve as hotels on Guam. Meals prepared consistent with proper nutrition and specific dietary needs of individual medical conditions, religious requirements, and management plans are served three times a day to quarantined persons. Professional laundry services are offered on a weekly basis. All persons have access to television and internet, as well as several means of communication. The needs of the persons quarantined are addressed in a systematic and competent fashion.

20. We asked all passengers if they would agree to continue quarantine and the vast majority of passengers agreed. Respondents were the only passengers to refuse to agree to continued quarantine.
21. The Governor's Physicians' Advisory Group recently stated that, if Guam maintains its current spread rate of 33%, Guam's healthcare system for critically ill COVID-19 patients will be overwhelmed by next week.
22. Based on the incubation period of COVID-19, we need at least 14 days to reasonably determine whether any of the Respondents are infected. Our concern is that if Respondents are released from quarantine now, there is no way to ensure that they will comply with quarantine order. The possible consequences if that were to happen could be disastrous.
23. We will only quarantine Respondents for as long as necessary to reasonably determine whether they are infected. Once the determination has been made that Respondents do not pose a danger of spreading COVID-19, we will immediately release them.

I declare under penalty of perjury under the laws of Guam that the foregoing is true and correct and to the best of my knowledge.

Dated this 27th day of March, 2020.

/S/

LINDA DENORCEY
Director, Department of Public
Health and Social Services