

Dept. of Justice: AG Kaul statement on Wisconsin Supreme Court decision regarding Safer At Home order

Posted on Wednesday, May 13, 2020

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MADISON, Wis. – Wisconsin Attorney General Josh Kaul released the following statement in response to the Wisconsin Supreme Court decision regarding the Safer At Home Emergency Order 28.

“Wisconsinites’ actions have saved many lives, and we’ve made meaningful progress in the fight against the coronavirus. At the legislature’s urging, however, the plan that’s been working has largely been struck down.

“For decades, Wisconsin law has given the State’s chief health official the authority to ‘close schools and forbid public gatherings in schools, churches, and other places to control outbreaks and epidemics’; to ‘issue orders ... for the control and suppression of communicable diseases’; and to ‘authorize and implement all emergency measures necessary to control communicable diseases.’ Wis. Stat. § 252.02(3), (4), (6). These broad grants of authority show that prior generations of lawmakers recognized that addressing a public health crisis like the one we face now can require urgent and extraordinary actions. But today’s decision means that this authority is subject to a legislative committee’s veto and that there will be a delay of more than 10 days before decisions made pursuant to this authority can go into effect.

“Over a week ago, I called on the legislature to act immediately. Unfortunately, it failed to do so, and Republicans in the legislature still have offered no plan to address the coronavirus. They can’t keep waiting to do so. In the middle of the fight

against this virus, we need reasonable rules in place that protect Wisconsinites' health. In the meantime, I ask all Wisconsinites to continue helping to fight the coronavirus by socially distancing and following other recommendations from public health experts.”