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EMAIL TO: All Sheriffs
FROM: Eddie Caldwell
Executive Vice President and General Counsel
North Carolina Sheriffs' Association
SENT: May 12, 2020
SUBJECT: Drive-Through Graduation Ceremonies and Public Safety
Processions DO NOT Violate Executive Order No. 138

Sheriffs, community leaders and citizens throughout the State have asked whether or not drive-through graduation ceremonies and public safety processions honoring health care workers violate Governor Roy Cooper's Executive Order No. 138 that was issued on May 5, 2020. The concern that has been expressed regarding these activities is that they may constitute a "parade," which is prohibited by section 6.A. of this Executive Order.

The answer is NO, drive-through graduation ceremonies and public safety processions DO NOT constitute a parade under Executive Order No. 138.

There are two scenarios that sheriffs, community leaders and citizens seek clarification on based upon anticipated graduations in May and June, in addition to public safety processions that will occur in the coming weeks to show support for health care workers during the COVID-19 pandemic. These scenarios are described below.

Drive-Through Graduation Ceremonies

It is anticipated that schools throughout the State may decide to conduct drive-through graduation ceremonies for graduating seniors. These ceremonies would include students driving through the school parking lot in a processional fashion. Each graduating student would then exit their vehicle when it is their turn and would receive their diploma from school staff. In addition to school staff, there would be guest speakers in attendance that could speak to the students and family members while they remain in their vehicles. Each student's vehicle would contain no more than 10 people but the total number of people attending the graduation in vehicles would exceed the mass gathering limitations of 10 people currently in place.



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Public Safety Processions

In counties throughout the State, law enforcement officers and other public safety agencies are conducting processions involving numerous personnel and vehicles driving around and through hospitals and other healthcare facilities as a show of support for front line healthcare workers. These public safety processions contain fewer than 10 people per vehicle but the total number of personnel taking part in the procession in vehicles exceeds the mass gathering limitations of 10 people currently in place.

What is a Parade?

Executive Order No. 138 prohibits “parades” in Section 6.A, which limits mass gatherings to no more than 10 people. However, the Executive Order does not define what constitutes a parade. Because of this, the North Carolina Sheriffs’ Association contacted Governor Cooper’s senior staff to obtain clarification as to whether or not drive-through graduation ceremonies and public safety processions would constitute a “parade,” as that term is used in Executive Order No. 138 and in previous Executive Orders.

Governor Cooper’s senior staff have responded and stated that drive-through graduation ceremonies and public safety processions are not included in “parades” as that term is used in Executive Order No. 138, or in any previous Executive Order. Therefore, it is lawful for these activities to occur throughout the State as described above. These activities would not violate the Governor’s mass gathering limitations so long as each vehicle contains no more than 10 people.

If you have any questions or need any additional information, please contact Matthew Boyatt, NCSA Deputy General Counsel, at 919-459-6467 or mboyatt@ncsheriffs.net.

Thanks...Eddie C.



Edmond W. (Eddie) Caldwell, Jr.

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North Carolina Sheriffs' Association

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