

Bd 6/2/20, Item 53

Various emails received

Lopez, Maria [COB]

From: Alisha Saska <asaska@clsocal.org>
Sent: Monday, June 01, 2020 4:13 PM
To: COB_Response
Cc: Amy Goldman
Subject: Public Comment for Board of Supervisors Meeting on June 2, 2020
Attachments: Letter to OC Board of Supervisors.pdf

To Whom it May Concern,

Please find attached a letter for public comment for tomorrow's Board of Supervisors Meeting.

Sincerely,

Alisha Saska

Alisha Saska | Supervising Attorney, Housing Unit
Community Legal Aid SoCal
2101 N. Tustin Ave, Santa Ana, CA 92705
714-571-5250 Direct | 714-571-5270 Fax
asaska@clsocal.org | www.communitylegalsocal.org





Community Legal Aid SoCal

Advocates for Justice in Orange and Los Angeles Counties

June 1, 2020

Orange County Board of Supervisors
333 W. Santa Ana Blvd.
Santa Ana, CA 92701

Submitted via email at response@ocgov.com

RE: Public Comment Regarding the Reinstatement of Sheriff's Eviction Lockouts

To the Members of the Board of Supervisors of Orange County:

On May 27, 2020, the Orange County Sheriff's Department issued a press release announcing the resumption of sheriff lockouts of tenants. This was scheduled to begin on June 1, 2020. In the current pandemic climate, the resumption of sheriff's lockouts will put lives at risk and threaten the health and safety of the public as a whole. For this reason, our organizations write to request the Board of Supervisors postpone the resumption of tenant lockouts until the statewide State of Emergency ends.

If the Sheriff proceeds with this plan, Robert Ritchie, a resident of Tustin, California, will become homeless. Mr. Ritchie is a 69- year- old disabled man. Mr. Ritchie was scheduled to be locked out of his home on March 19, 2020. Because of the COVID-19 crisis, his lockout was delayed. Although the lockout was delayed, Mr. Ritchie has been unable to find new housing. His disabilities put him at a high risk for contracting COVID-19 so he was unable to search for new housing on his own. Mr. Ritchie contacted several agencies asking for assistance, however, those organizations are functioning in a limited capacity and have not responded to his requests for help. If the sheriff were to lock Mr. Ritchie out in the next few days, Mr. Ritchie would be homeless, putting Mr. Ritchie's life at risk as well as the lives of the rest of the community.

THE BOARD OF SUPERVISORS HAS THE LEGAL AUTHORITY TO INSTRUCT THE SHERIFF TO TEMPORARILY SUSPEND LOCKOUTS.

The Board of Supervisors is responsible for supervising "the official conduct of all county officers, and officers of all districts and other subdivisions of the County..."¹ In *Brewster v. Shasta County*, the Court established an affirmative duty of the Board of Supervisors to supervise the conduct of all county official including the sheriff so long as the supervision does not interfere with the investigation of a crime.²

Here, the Orange County Sheriff conducts lockouts under their civil division and no crime investigation would be interfered with if the County continued the stay on lockouts. It is

¹ CA GOVT § 25303

² *Brewster v. Shasta Cty.*, 275 F.3d 803, 809-10 (9th Cir. 2001)



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within the Board of Supervisors duty to supervise the Orange County Sheriff, such that the Board must instruct its Sheriff's Department to refrain from resuming tenant lockouts.

THE STAY AT HOME ORDER IS STILL IN PLACE.

On March 29, 2020, Governor Newsom issued an Executive Order instructing the residents of California to stay at home.³ Although some of the restrictions surrounding this order have loosened in the past few weeks, the directive to stay at home has not changed. By resuming lockouts of residential tenants, the Orange County Sheriff is making it impossible for some to obey this order and creating an undue risk to the health and safety not only to individuals, but also the population at large. If Mr. Ritchie were to be locked out of his home, he would be unable to obey the stay at home order because he would be homeless. He would be at risk for contracting COVID-19 and spreading it to the community at large.

According to the Center for Disease Control, being homeless places people at higher risk for COVID-19.⁴ Without a home, it is impossible to isolate. Additionally, if a person experiencing homelessness is not able to self-isolate, they are not only at higher risk for contracting COVID-19, they are also at higher risk of spreading COVID-19. This creates a health and safety concern for the public at large.

Enforcing evictions right now is not only bad for families. It threatens the health of your deputies by increasing their community contacts. They will be required to enter homes, interact with tenants, and handle possessions, significantly increasing their chances of exposure to COVID-19. During the State of Emergency, law enforcement resources can be put to more productive uses than subjecting deputies and tenants to the heightened risk of COVID-19 exposure that will necessarily accompany eviction enforcement practices.

Simply suspending the execution of evictions during this pandemic does not prevent evictions from being enforced eventually; it simply recognizes that this is the wrong time to force people out of their homes.

THE COUNTY AUTHORITY TO EXERCISE ITS POLICE POWER TO IMPOSE LIMITATIONS ON EVICTIONS WAS EXTENDED 60 DAYS.

Governor Newsom issued an additional Executive Order on March 16, 2020. This order allowed local governments to exercise their police power to impose limitations on commercial and residential evictions.⁵ The order was set to expire on May 31, 2020. This past Friday, however, the Governor recognized the crisis is still on-going and extended his Executive Order by 60 days.⁶ We request the County also recognize the crisis is still on-

³ Executive Order N-33-20, Executive Department, State of California

⁴ <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/homelessness.html>

⁵ Executive Order N-28-20, Executive Department, State of California

⁶ Executive Order N-66-20, Executive Department, State of California



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going and continue to exercise their police power to stop evictions until it is safe to resume them.

THE ECONOMIC IMPACT OF COVID19 DISPROPORTIONATELY EFFECTED LOW-INCOME INDIVIDUALS.

In May 2020, the unemployment rate in Orange County rose to 13.8%.⁷ The largest employer in Orange County, Disney Parks and Resorts, furloughed over 20,000 workers at the end of April. The job markets that have seen the greatest losses, are those markets where low income individuals tend to work such as the service industry.

To obtain a new rental unit, landlords typically require tenants prove they have income that is in excess of two to three times the rent. If a tenant is unemployed, it is very unlikely they will be able to meet this burden. Additionally, with the stay at home order in place, it would be difficult for a tenant to even look for new housing.

Due to all these factors, if a lockout order was issued before COVID-19 became a pandemic, it is very unlikely a tenant would have been able to find new housing once the pandemic began. The prevalence of unemployment and requirements for entering into the lease make it nearly impossible for many to secure new housing during this time. Although Mr. Ritchie has searched for housing during the pandemic, he has been unable to locate a new home because of the additional challenges the crisis placed upon him.

RESUMING LOCKOUTS PLACES VULNERABLE POPULATIONS AT RISK.

Evictions disproportionately effect those with disabilities. From 2011 to 2016, the California Shriver Project Pilot projects collected data regarding the demographics of those facing eviction. Of the almost 20,000 tenants served by these projects, 25% of those facing eviction identified as having a disability.⁸ In California, only 10% of the total population identifies as disabled.⁹

COVID-19 poses additional risks to those with disabilities.¹⁰ Those with disabilities are not only more susceptible to contracting COVID-19, they are also more likely to be hospitalized from COVID-19 and to spread COVID-19. According to the Center for Disease control, 89% of those who have been hospitalized due to COVID-19 suffered from some other underlying condition that existed before they contacted the disease.¹¹ Additionally, those with disabilities are more likely to spread COVID-19 because they are more likely to need to come in contact with others such as caretakers.

⁷ <https://edd.ca.gov/newsroom/unemployment-may-2020.htm>

⁸ <https://www.courts.ca.gov/documents/Shriver-fact-sheet-Housing-Projects.pdf>

⁹ https://www.disabilitystatistics.org/StatusReports/2015-PDF/2015-StatusReport_CA.pdf

¹⁰ <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/index.html>

¹¹ <https://www.cdc.gov/mmwr/volumes/69/wr/mm6915e3.htm>



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By resuming lockouts in Orange County, the County is unnecessarily putting the most susceptible population, those with disabilities, at risk for contracting COVID-19. Because those with underlying health issues are also more likely to need hospitalization due to COVID-19, it is possible that resuming lockouts could put a strain on our hospital system as well. Mr. Ritchie's disabilities increase his likelihood of not only contracting COVID-19 but also needing hospitalization because of the illness. If Mr. Ritchie is allowed to remain in his home, he can continue to shelter in place and reduce his risk of contracting this deadly virus.

CONCLUSION

Orange County is in the midst of a health and safety crisis. By allowing the Sheriff to resume tenant lockouts, this crisis will only be exacerbated. In order to protect the most vulnerable members of the Orange County community as well as the community at large, we request you instruct the Orange County Sheriff to once again halt eviction lockouts until they may be done so safely.

Sincerely,

Kate Marr
Executive Director
Community Legal Aid SoCal

Dianne Prado
Executive Director
HEART L.A.

Ugochi Anaebere-Nicholson

Ugochi Anaebere-Nicholson
Directing Attorney, Housing and Homelessness Prevention Unit
Public Law Center

Lopez, Maria [COB]

From: Cheri Drake <drakecheri@yahoo.com>
Sent: Tuesday, June 02, 2020 7:35 AM
Subject: Fw: EMAIL ASAP TONIGHT. EMAIL ADDRESSES PROVIDED. There are NO grounds for a local health emergency in OC (copy and paste as you desire)

(1) There are NO grounds for a local health emergency in OC.

A "local health emergency" can only be called if there is an "imminent and proximate threat of an INTRODUCTION of a n infectious disease..."

Uh, the "introduction" of the disease was 3 months ago!

(2) Health officers (corrupt) Clayton Chau and Nichole Quick are breaking another law: not providing relevant information to the governing body for that they are basing their recommendations on.

If you want to read the details, here they are: please COPY AND PASTE what you need and send to these emails right away":

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.

The local health emergency and ALL orders emanating from it should be nullified, and not ratified by the Board of Supervisors, based on this irrefutable evidence:

Health officers Chau and Quick are violating two California laws:

1) Calling for a local health emergency when there are no legal grounds, as defined in California law (ESA 8558 b) and CHSC Section 101080) and

2) Not providing "relevant information" to governmental entities, as required by HSC Div 105, Part 1, Chapter 3, Section 120175.5, which directs the health officers to provide evidence and information to the governing body regarding communicable diseases.

If the BOS ratifies these illegal orders, they are complicit in violating these California laws:

(ESA 8558 b)

CHSC Section 101080) and

HSC Div 105, Part 1, Chapter 3, Section 120175.5.

DETAILS:

Health officers Chau and Quick are violating California Health and Safety Code section 101080, as follows:

NO GROUNDS FOR A LOCAL EMERGENCY:

There are no grounds for a local health emergency. According to the California Emergency Services Act (ESA), a local health emergency may only be proclaimed by a local health officer when:

- 1) There is a release or spill of material that is subsequently determined to be hazardous or medical waste, or
- 2) There is an "imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin or radioactive agent"

Based on the definition of the above, there are NO GROUNDS for a local emergency in Orange County.

There is no imminent [definition: "about to happen"] or proximate [definition: "immediate"] threat.

Therefore the covid situation does not meet the definition for a local health emergency.

The "introduction" of this disease was declared on February 25. The new orders were dated May 28. That is not an "introduction" of the disease.

Therefore the covid situation does not meet the definition for a local health emergency.

It is the exact opposite. There has been a slowing of deaths. The numbers of "positive cases" are faulty because of the highly unreliability of the tests.

Further, Current covid-related deaths are 147; of these, 61 were in nursing homes, leaving 86 (unconfirmed) deaths.

In a comparable flu season (Oct-May), 597 deaths are the norm in Orange County.

Therefore the covid situation does not meet the definition for a local health emergency.

Chau and Quick state as a reason for their local health emergency point (5) that "there is currently no vaccine to prevent COVID-19.

How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

The health orders state: under point (10):

The orders and the strong recommendations contained herein are based on the fact that there is currently no vaccine to protect against COVID-19, and no proven therapeutic treatment for it; No grounds for local emergency

NO GROUNDS FOR A LOCAL HEALTH EMERGENCY!

Chau and Quick are violating California Health and Safety Code section 101080, as a local health emergency can only be called when there is an "imminent and proximate threat of the INTRODUCTION of any contagious, infectious or communicable disease..."

There is no imminent and proximate threat, and there is no "introduction" of any disease. The introduction happened 3 months ago, so it no longer an EMERGENCY by definition.

FURTHER, NO EVIDENCE FOR WEARING FACE MASKS:

HSC Div 105, Part 1, Chapter 3, Section 120175.5 states that regarding the administration of communicable disease prevention and control,

"A local health officer must make any relevant information available to governmental entities."

This has not happened.

"Where is the science?"

Health officers Chau and Quick have "passed the buck" and are breaking California law by not providing reputable evidence in favor of healthy or asymptomatic residents to wear face masks.

Chau and Quick refer to CDC guidance, which has zero evidence regarding wearing face masks. None of the links provided by the CDC even mention wearing masks, let alone if they are effective.

"Where is the science?"

Further, Chau and Quick reference guidance from the CDP as the evidence for the mask mandate.

Yet, here is what the CDPH states regarding face masks:

The CDPH states: (link is here)

"Our best community and individual defense against COVID 19 is washing our hands frequently, avoiding touching our eyes, nose and mouth with unwashed hands, avoiding being around sick people and physical distancing, especially by staying at home

"Face coverings may increase risk if users reduce their use of strong defenses,"

"You may CHOOSE to wear a cloth face covering when you must be in public"

"There is limited evidence to suggest that use of cloth face coverings by the public during a pandemic could help reduce disease transmission. "

And those "who feel comfortable wearing a mask should do so."

"Where is the science?"

Thus, Chau and Quick are violating this law by not provide the relevant information to governmental entities

HSC Div 105, Part 1, Chapter 3, Section 120175.5 states that regarding the administration of communicable disease prevention and control,

"A local health officer must make any relevant information available to governmental entities."

THUS,

WE, THE ELECTORATE, WHO OVERSEE THE BOARD OF SUPERVISORS, CALL ON THE BOARD TO NOT RATIFY THE UNLAWFUL AND INVALID LOCAL HEALTH EMERGENCY

There are no grounds for a local health emergency based on California Law (ESA section 8558);

1) Calling for a local health emergency when there are no legal grounds , as defined in California law (ESA 8558 b) and

2) Not providing "relevant information" to governmental entities, as required by HSC Div 105, Part 1, Chapter 3, Section 120175.5, which directs the health officers to provide evidence and information to the governing body regarding communicable diseases.

Sincerely, David & Cheri Drake

Lopez, Maria [COB]

From: Robert Schuller <robertschullerministries@gmail.com>
Sent: Tuesday, June 02, 2020 7:39 AM
To: ETeam@ochca.com; Quick, Nichole; Chau, Clayton; COB_Response; Wagner, Donald; Steel, Michelle; tspitzer@da.ocgov.com; Bartlett, Lisa; leon.page@ocgov.com; Fourth District; Do, Andrew
Subject: Vote Against Ratification of Emergency Health Orders

To: The Orange County Board of Supervisors
From: Rev. Dr. Robert A. Schuller

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.
The local health emergency and ALL orders emanating from it should be nullified, and not ratified by the Board of Supervisors, based on this irrefutable evidence:

Health officers Chau and Quick are violating two California laws:

1) Calling for a local health emergency when there are no legal grounds, as defined in California law (ESA 8558 b) and CHSC Section 101080) and

2) Not providing "relevant information" to governmental entities, as required by HSC Div 105, Part 1, Chapter 3, Section 120175.5, which directs the health officers to provide evidence and information to the governing body regarding communicable diseases.

If the BOS ratifies these illegal orders, they are complicit in violating these California laws: (ESA 8558 b)

CHSC Section 101080) and

HSC Div 105, Part 1, Chapter 3, Section 120175.5.

DETAILS:

Health officers Chau and Quick are violating California Health and Safety Code section 101080, as follows:

NO GROUNDS FOR A LOCAL EMERGENCY:

There are no grounds for a local health emergency. According to the California Emergency Services Act (ESA), a *local health emergency* may only be proclaimed by a local health officer when:

- 1) There is a release or spill of material that is subsequently determined to be hazardous or medical waste, or
- 2) There is an "imminent and proximate threat of the **introduction of any contagious, infectious, or communicable disease**, chemical agent, noncommunicable biologic agent, toxin or radioactive agent"

Based on the definition of the above, there are NO GROUNDS for a local emergency in Orange County. There is no imminent [definition: "about to happen"] or proximate [definition: "immediate"] threat. **Therefore the covid situation does not meet the definition for a local health emergency.**

The "introduction" of this disease was declared on February 25. The new orders were dated May 28. That is not an "introduction" of the disease.

Therefore the covid situation does not meet the definition for a local health emergency.

It is the exact opposite. There has been a slowing of deaths. The numbers of "positive cases" are faulty because of the highly unreliability of the tests.

Further, Current covid-related deaths are 147; of these, 61 were in nursing homes, leaving 86 (unconfirmed) deaths.

In a comparable flu season (Oct-May), 597 deaths are the norm in Orange County.

Therefore the covid situation does not meet the definition for a local health emergency.

Chau and Quick state as a reason for their local health emergency point (5) that "there is currently no vaccine to prevent COVID-19.

How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

The health orders state: under point (10):

The orders and the strong recommendations contained herein are based on the fact that there is currently no vaccine to protect against COVID-19, and no proven therapeutic treatment for it; [REDACTED]

NO GROUNDS FOR A LOCAL HEALTH EMERGENCY!

Chau and Quick are violating California Health and Safety Code section 101080, as a local health emergency can only be called when there is an "imminent and proximate threat of the INTRODUCTION of any contagious, infectious or communicable disease..."

There is no imminent and proximate threat, and there is no "introduction" of any disease. The introduction happened 3 months ago, so it no longer an EMERGENCY by definition.

FURTHER, NO EVIDENCE FOR WEARING FACE MASKS:

HSC Div 105, Part 1, Chapter 3, Section 120175.5 states that regarding the administration of communicable disease prevention and control,

"A local health officer must make any relevant information available to governmental entities." This has not happened.

"Where is the science?"

Health officers Chau and Quick have "passed the buck" and **are breaking California law by not providing reputable evidence** in favor of healthy or asymptomatic residents to wear face masks.

Chau and Quick refer to CDC guidance, which has zero evidence regarding wearing face masks. None of the links provided by the CDC even mention wearing masks, let alone if they are effective.

"Where is the science?"

Further, Chau and Quick reference guidance from the CDP as the evidence for the mask mandate. Yet, here is what the CDPH states regarding face masks:

1. The CDPH states: (link is here)

"Our best community and individual defense against COVID 19 is washing our hands frequently, avoiding touching our eyes, nose and mouth with unwashed hands, avoiding being around sick people and physical distancing, especially by staying at home.

2. **"Face coverings may increase risk if users reduce their use of strong defenses,"**

"You may CHOOSE to wear a cloth face covering when you must be in public"

"There is limited evidence to suggest that use of cloth face coverings by the public during a pandemic could help reduce disease transmission. "

And the **"who feel comfortable**wearing a mask should do so."

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God is Blessing You.

Sincerely,

Rev. Dr. Robert A. Schuller
Donna Schuller

www.DrSchuller.org

my iPhone

Lopez, Maria [COB]

From: lisa martinez <lmtz26@hotmail.com>
Sent: Tuesday, June 02, 2020 7:59 AM
To: COB_Response
Subject: Please end the mask mandate

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.
The local health emergency and ALL orders emanating from it should be nullified, and not ratified by the Board of Supervisors, based on this irrefutable evidence:

Health officers Chau and Quick are violating two California laws:

1) Calling for a local health emergency when there are no legal grounds, as defined in California law (ESA 8558 b) and CHSC Section 101080) and

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Chau and Quick state as a reason for their local health emergency point (5) that "there is currently no vaccine to prevent COVID-19.

How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

The health orders state: under point (10):

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NO GROUNDS FOR A LOCAL HEALTH EMERGENCY!

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Sincerely,

Lisa Barlund

Lopez, Maria [COB]

From: Angie Rice <angierice66@yahoo.com>
Sent: Tuesday, June 02, 2020 8:12 AM
To: COB_Response
Subject: Vote NO

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.

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Chau and Quick state as a reason for their local health emergency point (5) that "there is currently no vaccine to prevent COVID-19.

How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

The health orders state: under point (10):

The orders and the strong recommendations contained herein are based on the fact that there is currently no vaccine to protect against COVID-19, and no proven therapeutic treatment for it; **No grounds for local emergency**

NO GROUNDS FOR A LOCAL HEALTH EMERGENCY!

Chau and Quick are violating California Health and Safety Code section 101080, as a local health emergency can only be called when there is an "imminent and proximate threat of the INTRODUCTION of any contagious, infectious or communicable disease..."

There is no imminent and proximate threat, and there is no "introduction" of any disease. The introduction happened 3 months ago, so it no longer an EMERGENCY by definition.

FURTHER, NO EVIDENCE FOR WEARING FACE MASKS:

HSC Div 105, Part 1, Chapter 3, Section 120175.5 states that regarding the administration of communicable disease prevention and control,

"A local health officer must make any relevant information available to governmental entities."

This has not happened.

"Where is the science?"

Health officers Chau and Quick have "passed the buck" and **are breaking California law by not providing reputable evidence** in favor of healthy or asymptomatic residents to wear face masks.

Chau and Quick refer to CDC guidance, which has zero evidence regarding wearing face masks. None of the links provided by the CDC even mention wearing masks, let alone if they are effective.

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Further, Chau and Quick reference guidance from the CDP as the evidence for the mask mandate.

Yet, here is what the CDPH states regarding face masks:

1. The CDPH states: (link is here)

"Our best community and individual defense against COVID 19 is washing our hands frequently, avoiding touching our eyes, nose and mouth with unwashed hands, avoiding being around sick people and physical distancing, especially by staying at home.

2. **"Face coverings mayincrease risk** if users reduce their use of strong defenses,"

"You may CHOOSE to wear a cloth face coveringwhen you must be in public"

"There is limited evidence to suggest that use of cloth face coverings by the public during a pandemic could help reduce disease transmission. "

And the **"who feel comfortable** wearing a mask should do so."

"Where is the science?"

Thus, Chau and Quick are violating this law by not provide the relevant information to governmental entities

HSC Div 105, Part 1, Chapter 3, Section 120175.5 states that regarding the administration of communicable disease prevention and control,

"A local health officer must make any relevant information available to governmental entities."

THUS,

WE, THE ELECTORATE, WHO OVERSEE THE BOARD OF SUPERVISORS, CALL ON THE BOARD TO NOT RATIFY THE UNLAWFUL AND INVALID LOCAL HEALTH EMERGENCY

There are no grounds for a local health emergency based on California Law (ESA section 8558);

1) Calling for a local health emergency when there are no legal grounds , as defined in California law (ESA 8558 b) and

2) Not providing "relevant information" to governmental entities, as required by HSC Div 105, Part 1, Chapter 3, Section 120175.5, which directs the health officers to provide evidence and information to the governing body regarding communicable diseases.

Sincerely,
Angie Rice
Garden Grove

Sent from my iPhone
Sent from my iPhone

From: Holly Conway <conway_holly@yahoo.com>
Sent: Tuesday, June 02, 2020 8:52 AM
To: COB_Response
Subject: Fwd: No MASKS

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.
The local health emergency and ALL orders emanating from it should be nullified, and not ratified by the Board of Supervisors, based on this irrefutable evidence:

Health officers Chau and Quick are violating two California laws:

1) Calling for a local health emergency when there are no legal grounds, as defined in California law (ESA 8558 b) and CHSC Section 101080) and

2) Not providing "relevant information" to governmental entities, as required by HSC Div 105, Part 1, Chapter 3, Section 120175.5, which directs the health officers to provide evidence and information to the governing body regarding communicable diseases.

If the BOS ratifies these illegal orders, they are complicit in violating these California laws:
(ESA 8558 b)

CHSC Section 101080) and

HSC Div 105, Part 1, Chapter 3, Section 120175.5.

DETAILS:

Health officers Chau and Quick are violating California Health and Safety Code section 101080, as follows:

NO GROUNDS FOR A LOCAL EMERGENCY:

There are no grounds for a local health emergency. According to the California Emergency Services Act (ESA), a *local health emergency* may only be proclaimed by a local health officer when:

1) There is a release or spill of material that is subsequently determined to be hazardous or medical waste, or

2) There is an "imminent and proximate threat of the **introduction of any contagious, infectious, or communicable disease**, chemical agent, noncommunicable biologic agent, toxin or radioactive agent"

Based on the definition of the above, there are NO GROUNDS for a local emergency in Orange County. There is no imminent [definition: "about to happen"] or proximate [definition: "immediate"] threat.

Therefore the covid situation does not meet the definition for a local health emergency.

The "introduction" of this disease was declared on February 25. The new orders were dated May 28. That is not an "introduction" of the disease.

Therefore the covid situation does not meet the definition for a local health emergency.

It is the exact opposite. There has been a slowing of deaths. The numbers of "positive cases" are faulty

because of the highly unreliability of the tests.

Further, Current covid-related deaths are 147; of these, 61 were in nursing homes, leaving 86 (unconfirmed) deaths.

In a comparable flu season (Oct-May), 597 deaths are the norm in Orange County.

Therefore the covid situation does not meet the definition for a local health emergency.

Chau and Quick state as a reason for their local health emergency point (5) that "there is currently no vaccine to prevent COVID-19.

How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

The health orders state: under point (10):

The orders and the strong recommendations contained herein are based on the fact that there is currently no vaccine to protect against COVID-19, and no proven therapeutic treatment for it; [REDACTED]

NO GROUNDS FOR A LOCAL HEALTH EMERGENCY!

Chau and Quick are violating California Health and Safety Code section 101080, as a local health emergency can only be called when there is an "imminent and proximate threat of the INTRODUCTION of any contagious, infectious or communicable disease..."

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Sincerely,
Holly Conway

Huntington Beach

Sent from my iPhone

Lopez, Maria [COB]

From: Jennifer Jones <dansgirl1024@yahoo.com>
Sent: Tuesday, June 02, 2020 8:53 AM
To: COB_Response
Subject: Voting today

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.

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(ESA 8558 b)

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How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

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Sincerely,

Jen Jones

Costa Mesa

Sent from my iPhone

Lopez, Maria [COB]

From: Alejandro Villalpando <alejandrovill7@hotmail.com>
Sent: Tuesday, June 02, 2020 9:01 AM
To: ETeam@ochca.com; Quick, Nichole; Chau, Clayton; COB_Response; Wagner, Donald; Steel, Michelle; tspitzer@da.ocgov.com; Bartlett, Lisa; leon.page@ocgov.com; Fourth District; Do, Andrew
Subject: Local Health Emergency Ratification

Dear Orange County Board of Supervisors and Officers,

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.

The local health emergency and ALL orders emanating from it should be nullified, and not ratified by the Board of Supervisors, based on this irrefutable evidence:

Health officers Chau and Quick are violating two California laws:

1) Calling for a local health emergency when there are no legal grounds, as defined in California law (ESA 8558 b) and CHSC Section 101080) and

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If the BOS ratifies these illegal orders, they are complicit in violating these California laws:
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Therefore the covid situation does not meet the definition for a local health emergency.

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Chau and Quick state as a reason for their local health emergency point (5) that "there is currently no vaccine to prevent COVID-19.

How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

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NO GROUNDS FOR A LOCAL HEALTH EMERGENCY!

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This has not happened.

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Chau and Quick refer to CDC guidance, which has zero evidence regarding wearing face masks. None of the links provided by the CDC even mention wearing masks, let alone if they are effective.

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Yet, here is what the CDPH states regarding face masks:

1. The CDPH states: [\(link is here\)](#)

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"There is limited evidence to suggest that use of cloth face coverings by the public during a pandemic could help reduce disease transmission. "

And the **"who feel comfortable"** wearing a mask should do so."

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Sincerely,

Alex Villalpando

Costa Mesa

Lopez, Maria [COB]

From: Melinda Mahan <melmahn@hotmail.com>
Sent: Tuesday, June 02, 2020 9:02 AM
To: COB_Response
Subject: REMOVE MASK RESTRICTIONS

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.

The local health emergency and ALL orders emanating from it should be nullified, and not ratified by the Board of Supervisors, based on this irrefutable evidence:

Health officers Chau and Quick are violating two California laws:

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Chau and Quick state as a reason for their local health emergency point (5) that "there is currently no vaccine to prevent COVID-19.

How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

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"You may CHOOSE to wear a cloth face covering when you must be in public"

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Sincerely,

Melinda Sprueill

Huntington Beach, CA

Lopez, Maria [COB]

From: Michael Rochester <rochester.michael@gmail.com>
Sent: Tuesday, June 02, 2020 9:05 AM
To: COB_Response
Subject: Vote AGAINST ratification of the May 28, 2020 health orders and local emergency

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.
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"You may CHOOSE to wear a cloth face covering when you must be in public"

"There is limited evidence to suggest that use of cloth face coverings by the public during a pandemic could help reduce disease transmission. "

And the **"who feel comfortable** wearing a mask should do so."

"Where is the science?"

Thus, Chau and Quick are violating this law by not provide the relevant information to governmental entities

HSC Div 105, Part 1, Chapter 3, Section 120175.5 states that regarding the administration of communicable disease prevention and control,

"A local health officer must make any relevant information available to governmental entities."

THUS,

WE, THE ELECTORATE, WHO OVERSEE THE BOARD OF SUPERVISORS, CALL ON THE BOARD TO NOT RATIFY THE UNLAWFUL AND INVALID LOCAL HEALTH EMERGENCY

There are no grounds for a local health emergency based on California Law (ESA section 8558);

1) Calling for a local health emergency when there are no legal grounds , as defined in California law (ESA 8558 b) and

2) Not providing "relevant information" to governmental entities, as required by HSC Div 105, Part 1, Chapter 3, Section 120175.5, which directs the health officers to provide evidence and information to the governing body regarding communicable diseases.

Lopez, Maria [COB]

From: Joseph Dean <joedean6@gmail.com>
Sent: Tuesday, June 02, 2020 9:11 AM
To: COB_Response
Subject: No masks

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency.

The local health emergency and ALL orders emanating from it should be nullified, and not ratified by the Board of Supervisors, based on this irrefutable evidence:

Health officers Chau and Quick are violating two California laws:

1) Calling for a local health emergency when there are no legal grounds, as defined in California law (ESA 8558 b) and CHSC Section 101080) and

2) Not providing "relevant information" to governmental entities, as required by HSC Div 105, Part 1, Chapter 3, Section 120175.5, which directs the health officers to provide evidence and information to the governing body regarding communicable diseases.

If the BOS ratifies these illegal orders, they are complicit in violating these California laws:
(ESA 8558 b)

CHSC Section 101080) and

HSC Div 105, Part 1, Chapter 3, Section 120175.5.

DETAILS:

Health officers Chau and Quick are violating California Health and Safety Code section 101080, as follows:

NO GROUNDS FOR A LOCAL EMERGENCY:

There are no grounds for a local health emergency. According to the California Emergency Services Act (ESA), a local health emergency may only be proclaimed by a local health officer when:

1) There is a release or spill of material that is subsequently determined to be hazardous or medical waste, or

2) There is an "imminent and proximate threat of the introduction of any contagious, infectious, or communicable disease, chemical agent, noncommunicable biologic agent, toxin or radioactive agent"

Based on the definition of the above, there are NO GROUNDS for a local emergency in Orange County.

There is no imminent [definition: "about to happen"] or proximate [definition: "immediate"] threat.

Therefore the covid situation does not meet the definition for a local health emergency.

The "introduction" of this disease was declared on February 25. The new orders were dated May 28. That is not an "introduction" of the disease.

Therefore the covid situation does not meet the definition for a local health emergency.

It is the exact opposite. There has been a slowing of deaths. The numbers of "positive cases" are faulty because of the highly unreliability of the tests.

Further, Current covid-related deaths are 147; of these, 61 were in nursing homes, leaving 86 (unconfirmed) deaths. In a comparable flu season (Oct-May), 597 deaths are the norm in Orange County. Therefore the covid situation does not meet the definition for a local health emergency. Chau and Quick state as a reason for their local health emergency point (5) that "there is currently no vaccine to prevent COVID-19.

How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

The health orders state: under point (10):

The orders and the strong recommendations contained herein are based on the fact that there is currently no vaccine to protect against COVID-19, and no proven therapeutic treatment for it; No grounds for local emergency

NO GROUNDS FOR A LOCAL HEALTH EMERGENCY!

Chau and Quick are violating California Health and Safety Code section 101080, as a local health emergency can only be called when there is an "imminent and proximate threat of the INTRODUCTION of any contagious, infectious or communicable disease..."

There is no imminent and proximate threat, and there is no "introduction" of any disease. The introduction happened 3 months ago, so it no longer an EMERGENCY by definition.

FURTHER, NO EVIDENCE FOR WEARING FACE MASKS:

HSC Div 105, Part 1, Chapter 3, Section 120175.5 states that regarding the administration of communicable disease prevention and control,

"A local health officer must make any relevant information available to governmental entities."

This has not happened.

"Where is the science?"

Health officers Chau and Quick have "passed the buck" and are breaking California law by not providing reputable evidence in favor of healthy or asymptomatic residents to wear face masks.

Chau and Quick refer to CDC guidance, which has zero evidence regarding wearing face masks. None of the links provided by the CDC even mention wearing masks, let alone if they are effective.

"Where is the science?"

Further, Chau and Quick reference guidance from the CDPH as the evidence for the mask mandate.

Yet, here is what the CDPH states regarding face masks:

The CDPH states: (link is here)

"Our best community and individual defense against COVID 19 is washing our hands frequently, avoiding touching our eyes, nose and mouth with unwashed hands, avoiding being around sick people and physical distancing, especially by staying at home.

"Face coverings may increase risk if users reduce their use of strong defenses,"

"You may CHOOSE to wear a cloth face covering when you must be in public"

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And the "who feel comfortable wearing a mask should do so."

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Sincerely,

Joseph Dean

Huntington Beach

Lopez, Maria [COB]

From: Tatum Harris <tatum.harris@me.com>
Sent: Tuesday, June 02, 2020 9:31 AM
To: ETeam@ochca.com; Quick, Nichole; Chau, Clayton; COB_Response; Wagner, Donald; Steel, Michelle; tspitzer@da.ocgov.com; Bartlett, Lisa; leon.page@ocgov.com; Fourth District; Do, Andrew
Subject: URGENT -- ACTION Today to stop the Mask Mandate in OC

I am writing in the strongest terms possible with compelling information for the Board to vote against ratification of the May 28, 2020 health orders and local emergency. The local health emergency and ALL orders emanating from it should be nullified, and not ratified by the Board of Supervisors, based on this irrefutable evidence:

Health officers Chau and Quick are violating two California laws:

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2) Not providing "relevant information" to governmental entities, as required by HSC Div 105, Part 1, Chapter 3, Section 120175.5, which directs the health officers to provide evidence and information to the governing body regarding communicable diseases.

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CHSC Section 101080) and

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DETAILS:

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Chau and Quick state as a reason for their local health emergency point (5) that "there is currently no vaccine to prevent COVID-19.

How is that a local emergency? There is no effective vaccine for the flu, and there is no local emergency declared for flu season, where close to 600 OC residents die each year, compared to fewer than 150 for covid.

The health orders state: under point (10):

The orders and the strong recommendations contained herein are based on the fact that there is currently no vaccine to protect against COVID-19, and no proven therapeutic treatment for it; [REDACTED]

NO GROUNDS FOR A LOCAL HEALTH EMERGENCY!

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HSC Div 105, Part 1, Chapter 3, Section 120175.5 states that regarding the administration of communicable disease prevention and control,

"A local health officer must make any relevant information available to governmental entities." This has not happened.

"Where is the science?"

Health officers Chau and Quick have "passed the buck" and **are breaking California law by not providing reputable evidence** in favor of healthy or asymptomatic residents to wear face masks. Chau and Quick refer to CDC guidance, which has zero evidence regarding wearing face masks. None of the links provided by the CDC even mention wearing masks, let alone if they are effective.

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Further, Chau and Quick reference guidance from the CDP as the evidence for the mask mandate. Yet, here is what the CDPH states regarding face masks:

1. The CDPH states: [\(link is here\)](#)

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THUS,

WE, THE ELECTORATE, WHO OVERSEE THE BOARD OF SUPERVISORS, CALL ON THE BOARD TO NOT RATIFY THE UNLAWFUL AND INVALID LOCAL HEALTH EMERGENCY

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2) Not providing "relevant information" to governmental entities, as required by HSC Div 105, Part 1, Chapter 3, Section 120175.5, which directs the health officers to provide evidence and information to the governing body regarding communicable diseases.

Sincerely,
Tatum Harris

Costa Mesa

Lopez, Maria [COB]

From: Creations Unlimited <Signs@signsbycreations.com>
Sent: Tuesday, June 02, 2020 9:40 AM
To: Bartlett, Lisa; ETeam@ochca.com; Quick, Nichole; Chau, Clayton; COB_Response; Wagner, Donald; Steel, Michelle; tspitzer@da.ocgov.com; leon.page@ocgov.com; Fourth District; Do, Andrew; Media; leon.page@ocgov.com; Fourth District; Do, Andrew
Subject: Agenda #53- June 2, 2020

Hello,

This letter is in regards to Agenda #53, to nullify the local health emergency orders.

This "virus crisis" has no grounds to continue a needless emergency policy in Orange County as the politics behind the virus continue to destroy the livelihoods of OC residents. Health officers Clayton Chau and Nicole Quick are breaking the law by not providing important and relevant information to the board, which is what the board is using to base county recommendations on. Chau and Quick state a reason for their local health emergency is that "there is currently no vaccine to prevent Covid-19". HOW DOES THIS CONSTITUTE AN EMERGENCY?! The curve has flatten on its own.

Please take a common sense approach to this manufactured crisis we are facing. If the Covid crisis is anything other than overly fabricated, I have one simple request- PROVE IT. Until the Covid crisis can be proven to be anything other than a manufactured illusion- I ask the grounds for a local health emergency be removed!

In regards to the facial mask debacle, government has no right to make these mandatory- it is a complete invasion of personal choice and freedom. What we place on our bodies in regards to our own safety needs to remain to be our own choice. Please considered the absurdity of a government mandated rule to make condoms mandatory in your own personal relations- this is a complete governmental over reach in both scenarios. FACE MASKS SHOULD NOT BE MADE MANDATORY BY ANY GOVERNMENTS.

Please retrack these STATIST mandates. We, the electorate, who oversee the board of supervisors, call on the board to dismiss the unlawful and invalid health emergency- there is no grounds for a local health emergency based on CA LAW (ESA Section 8558).

Sincerely,

Andi Goud

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HOURS OF OPERATION: Freerange

(949) 492-7337

SignsbyCreations.com

Lopez, Maria [COB]

From: Scaletta, Andrea <a-scaletta@neiu.edu>
Sent: Tuesday, June 02, 2020 9:43 AM
To: COB_Response
Subject: Comment for Upcoming Board Meeting

Hello,

I am writing as a plea to please re-open the pools in Orange County. I have several good reasons why I believe the pools should be open which I have outlined below in this email.

- 1) We are now experience summer weather and kids are beginning to go stir crazy. They do not fully understand what is happening in the world, but they are getting irritated by the fact that people can go to stores / bars, but they are not allowed to do any activities that would allow them to exert energy. With schools and everything else being cancelled, we need to provide them with something to do.
- 2) A lot of people, including myself, use pools as a form of physical therapy. I, personally, use the pool for water aerobics for my dislocated knees. Not having the pool the last couple months has been extremely difficult for me and my healing process. I am truly worried that much longer without the pool can cause serious, irreversible damage to my knees. Swimming is a great form of cardiovascular excercise, which people need in order to maintain a healthy lifestyle.
- 3) The CDC has announced that the disease is non-transferable in water. Furthermore, the CDC confirmed the disease is killed in chlorinated pool water. I personally think bars / restaurants carry more potential COVID-19 exposure than the pools ever will.
- 4) Los Angeles County, which has significantly more cases than Orange County, has allowed pools to re-open.
- 5) A lot of Orange County residents, including myself, are paying extremely high rents to live in apartment complex' that have pools. The reason why our rent is so high is because of the amenities "available" to us. People are furious that rent isn't being discounted even though we are not allowed to use the amenities we are paying for. If the pools do need to remain close, I think Orange County needs to enact a rule that leasing companies need to discount rent.

I am desperate to get the pools open, and I strongly believe the evidence provided from the CDC and Orange County Health Records is enough to support the case that the pools should be open at this time. I hope this email can persuade Orange County to re-open the pools and make a lot of residents happy and grateful.

I appreciate your time and consideration.

Andrea Scaletta
773-255-7103