



LAKE COUNTY SHERIFF'S OFFICE

1220 Martin Street • P.O. Box 489 • Lakeport, California 95453

Administration
(707) 262-4200

Central Dispatch
(707) 263-2690

Coroner
(707) 262-4215

Corrections
(707) 262-4240

Patrol/Investigation
(707) 262-4200

Substation
(707) 994-6433

Brian L. Martin
Sheriff / Coroner

PRESS RELEASE **FOR IMMEDIATE RELEASE**

Statement Regarding Enforcement of Public Health Orders

Brian L. Martin, Sheriff/Coroner

Lake County, CA (May 1, 2020) – The Lake County Sheriff's Office's role is to ensure people's constitutional rights while providing for public safety. Almost always, this is a precarious balancing act, weighing various statutes, court decisions, authorities, and the overall benefit to society. As we've seen during this COVID-19 pandemic, restrictions to our fundamental freedoms that have previously before been unheard of on the scale that we now see, have become commonplace.

There will likely be years of debate, research, and arguments over the effectiveness of these measures. Some will say that these measure saved countless lives. Some will say that the modeling used to justify these measures was inaccurate and based more on anecdotal than scientific evidence. Some will say that nothing will stop the inevitable spread of this virus, and that it's not nearly as lethal as we've been told. Many people wonder if they've already had it. We've been told that we need to stop this at all costs from getting into our community. We've been told that we need to let it permeate our community in a controlled manner. We've been told it has a high mortality rate. We've been told that the mortality rate isn't known because of inadequate testing.

This is the first time in over 100 years that this country has dealt with a pandemic with such potential. We will become the authorities and experts as the situation progresses. I certainly don't have the answers to these questions, and I don't know that I ever will. However, one thing that can't be argued is that these restrictions on our movements, our employment, and our ability to conduct our daily lives have resulted in financial devastation to many, and will have long lasting adverse impacts on this community which will add to the previous years' disasters. This situation can't continue and the people I represent won't allow it to continue indefinitely.

Following today's (May 1st) protest in Lakeport, I spoke with one of the attendees. The subject of the Sheriff's Office's enforcement of the Shelter in Place and various other Public Health Officer Orders came up. From the start of this event, the Sheriff's Office has taken an approach to enforcing these orders with an emphasis on education and voluntary compliance. We have always reserved actual enforcement by citation or arrest as a last resort, and only for those engaged in other criminal activity. We have never arrested or issued a citation to any person simply for violating either the State or Local Public Health Officer's order. The few amount of enforcement actions, above simple education and warning, that we have taken were for people engaged in criminal activity beyond simply violating the Public Health Orders. Violations of these orders are punishable by up to a \$1,000 fine and/or 6 months in jail.

Among the things being protested today was the continued closure of Clear Lake. The lake was closed to dissuade people from coming into Lake County from other areas that were experiencing

reportedly higher incidents of COVID19. When this decision was made, we wanted to be sure we either kept COVID out of Lake County. We were successful for longer than the vast majority of the state. As seemed to be inevitable, we detected some positive cases. There was no hospital surge. There were no mass fatalities. As of now, only 7 seven confirmed cases have been identified, and 6 of them are reported to be recovered. Sewer testing seemed to indicate more community spread as positive results were found in 4 of 4 systems that were tested at one point. Those same systems have subsequently been found to be free of COVID. I question whether or not the emergency used to justify these actions on our populace still exists.

Since March 18th when this order went into effect, the Sheriff's Office has arrested 15 people and issued 6 citations for violations of the Public Health Officer's orders. That averages out to about one person every other day who has had an actual enforcement action taken against them. This is out of over 700 contacts that we've had responding to reports of such violations. These citations issued to, and arrests of people for these violations were not for the sole act of violating a Public Health Officer order. As stated earlier, they were for people engaged in other criminal activity while violating the order. I am proud of the restraint, discretion, and judgment my staff has displayed while carrying out their duties.

We at the Lake County Sheriff's Office will continue to take this posture as it is not my desire to punish people with measures that may result in these fines or imprisonment for engaging in otherwise lawful activity. I won't use this opportunity to make criminals out of people who aren't. People in Lake County, and in many parts of our country, are already suffering due to loss of loved ones, loss of income, and loss of many of their freedoms.

For those who would say that I'm countermanding the Public Health Officer's orders, I'm not. His orders remain in effect and lawful unless proven otherwise by some higher authority. In fact, I encourage people to abide by them as many of them do serve to keep you, and those around you safe and healthy. The law surrounding enforcement of these laws grants Sheriffs discretion. I have used that discretion, and will continue to use that discretion, in a manner that does not impose additional damage to those already damaged.

The Lake remains closed to motorized vessels in accordance with the Public Health Officer's orders. I encourage people to respect that order. The quagga mussel sticker program remains in effect and we will strictly enforce that as has been our practice.

I encourage people to socially distance. I encourage them to wear masks when entering businesses. I encourage people to cover their cough. I encourage people to wash their hands. I encourage people to limit their travel to slow the spread of this disease. I won't make them criminals for choosing not to.

This shut down of society can't continue indefinitely. It's time to evaluate our measures and make adjustments. Are we going to continue with the closure of the lake to keep people from out of Lake County away and while doing so keep our own residents from enjoying the wonderful opportunities it has to offer? If so, many people will stop listening and simply violate the order. Others will choose to visit waterways which are nearby and open such as the Sacramento Delta, the Sacramento River, Lake Shasta, and any other waterway that is open. Many have already done so.

There were good reasons for doing this, but it's time to ask ourselves if it's necessary to continue. We may already be beyond the point of irreparable harm to our community. If we're not already, every day we continue brings us closer.