



San Diego County Sheriff

Training Bulletin

William D. Gore, Sheriff

June 11, 2020



Enforcement of the General Public Health Orders

Individuals in San Diego County are currently required to follow Governor Newsom's Executive Orders, the Orders of the State Public Health Officer, and the County of San Diego Order of the Health Officer and Emergency Regulations. Individuals in San Diego County may also be subject to additional orders issued by incorporated cities within San Diego County if they are located within that city's jurisdiction.

California State Orders

All individuals living in the State of California are currently ordered to stay home or at their place of residence, except for permitted work or other activity authorized by the state guidance. On May 7, 2020, the State Public Health Officer issued an order¹ allowing local jurisdictions to begin opening newly authorized industries. Beginning on June 12, 2020, authorized counties may adopt the state guidance and move into Stage 3 of the Resilience Roadmap. "Californians may leave their homes to work at, patronize, or otherwise engage with those businesses, establishments, or activities and must, when they do so, continue at all times to practice physical distancing, minimize their time outside of the home, and wash their hands frequently."

San Diego County Local Health Order

The San Diego County Public Health Order², effective 12:00 a.m. on June 9, 2020, and continuing until further notice, specifies and orders as follows:

Stay at Home: All persons are to remain in their homes or at their place of residence, except for employees or customers travelling to and from a reopened business or an essential business, or essential activity, or to participate in individual or family outdoor activity as allowed by the Order.

Gatherings: All public or private events or convenings that bring together more than one person in a single room or single indoor or outdoor space at the same time, are prohibited. The order does not prohibit a gathering consisting only of members of a single family or household.

Businesses: All businesses not meeting the definition of essential business or reopened business are "non-essential businesses" and shall be, and remain, closed for the duration of the Order. All essential businesses and reopened businesses must comply with the requirements of the Order.

1. **Essential Business:** A business or activity designated by the State Public Health Officer in the "Essential Critical Infrastructure Workers" list and referenced in Executive Order N-33-20.
2. **Reopened Business:** A business that is not an essential business and has reopened in conformance with the State of California's Resilience Roadmap. A reopened business may open when the State has released applicable industry guidance, the Public Health Officer has posted an acknowledgment

¹ <https://www.cdph.ca.gov/Programs/CID/DCDC/CDPH%20Document%20Library/COVID-19/SHO%20Order%205-7-2020.pdf>

² <https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/HealthOfficerOrderCOVID19.pdf>

of the reopened status on the County's Coronavirus website, and the business has complied with the requirements of the Order.

Schools: Effective June 12, 2020, all public, charter or private schools, colleges, and universities may hold classes or other school activities where students gather on the school campus, provided the school complies with the state guidance³ and prepares and posts a "Safe Reopening Plan".

Childcare: Effective June 12, 2020, child daycare and childcare providers shall operate in compliance with the state guidance⁴, and shall prepare and post a "Safe Reopening Plan".

Hospital Entry: Employees, contractors, or members of the public who do not perform treatment, maintenance, support, or administrative tasks deemed essential to the healthcare mission of a long-term care facility or hospital are prohibited from entry into any hospital or long-term care facility. All essential personnel who are COVID-19 positive or show any potential signs or symptoms of COVID-19 are strictly prohibited from entry into hospitals or long-term care facilities. However, individuals requiring medical care for COVID-19 or related conditions may be admitted to hospitals or other medical facilities if the hospital or medical facility is appropriate for treating COVID-19 and has adequate precautions in place to protect its patients, medical personnel and staff.

Mandatory Face Covering: All persons two years old or older shall have possession of a face covering when they leave their home or place of residence and shall wear the face covering whenever there are customers, clients or guests in a business or within six feet of another person who is not a member of their family or household. *Persons with a medical or mental health condition, or developmental disability that prevents wearing a face covering shall be exempt from this requirement.*

Essential Business Social Distancing and Sanitation Protocol: All essential businesses that allow members of the public to enter a facility must prepare and post a "Social Distancing and Sanitation Protocol"⁵ form, or a form required by another governmental entity requiring substantially similar information, for each of their facilities open to the public in the county. The Protocol must be posted at or near the entrance of the relevant facility, and shall be easily viewable by the public and employees. A copy of the Protocol must also be provided to each employee working at the facility. All essential businesses shall implement the Protocol and provide evidence of its implementation to any authority enforcing the Order upon demand. Any business that fails to successfully implement social distancing and sanitation may be required to close.

Reopened Business Safe Reopening Plan and COVID-19 Restaurant Operating Protocol: All reopened businesses, with the exception of restaurants, bars, and wineries providing dine-in services, must prepare and post a "Safe Reopening Plan"⁶ form for each facility. Restaurants providing dine-in services must prepare and post a "COVID-19 Restaurant Operating Protocol"⁷ form for each restaurant. The Plan or Protocol must be posted at or near the entrance of the facility, and shall be easily viewable by the public and employees. A copy of the Plan or Protocol must also be provided to each employee working at the facility. All reopened businesses shall implement the Plan or Protocol and provide evidence of its implementation to any authority enforcing the Order upon demand. The Plan or Protocol must ensure all required measures are implemented. Any business that fails to comply with its Plan or Protocol shall immediately close.

³ <https://covid19.ca.gov/pdf/guidance-schools.pdf>

⁴ <https://covid19.ca.gov/pdf/guidance-childcare.pdf>

⁵ https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/covid19/SOCIAL_DISTANCING_AND_SANITATION_PROTOCOL_04022020_V1.pdf

⁶ https://www.sandiegocounty.gov/content/dam/sdc/hhsa/programs/phs/Epidemiology/covid19/Community_Sector_Support/BusinessesandEmployers/SafeReopeningPlanTemplate.pdf

⁷ https://www.sandiegocounty.gov/content/sdc/hhsa/programs/phs/community_epidemiology/dc/2019-nCoV/CommunitySectors/Restaurants_Food_and_Beverage_Providers.html

- a. When the State issues industry guidance⁸ with mandatory or suggested measures to be implemented by a particular type of business or industry, a reopened business must include all mandatory measures as part of its "Safe Reopening Plan". The reopened business shall include all suggested measures necessary to maintain proper sanitation, employee screening, social distancing and facial coverings. Any mandatory measures required by the Order must also be included in the Plan.

Restaurants, Bars, Wineries, and Breweries: All restaurants, bars, wineries and breweries are required to ensure their customers comply with all of the following measures and shall immediately close if they are not able to do so:

- a. Customers shall not stand in the facility except in the reception area while waiting for a table or to pick up take-out food. If customers cannot be socially distanced in the reception area they shall wait in their cars or outside of the restaurant in a line with six feet between each customer.
- b. Discontinue open seating. All members of the party must be present before seating and the host must bring the entire party to the table at one time. The customers allowed at a table are limited to members of a single household or customers who have asked to be seated together at the time a table is requested.
- c. No food or beverages shall be served to or consumed by a customer who is not seated at a table designated by the restaurant for dining.
- d. Discontinue seating customers and/or groups at bar counters, sushi preparation bars, etc. where they cannot maintain at least six feet of distance from employee work areas/stations. Install physical barriers or partitions in areas where maintaining a physical distance of six feet is difficult.
- e. Customers shall wear face coverings at all times other than while at a table.
- f. Tables designated for dining shall be six feet apart, or separated by barriers or partitions that extend above the heads of customers while seated. Customers are not allowed to bring additional chairs to the table that interfere with the six-foot separation.
- g. Dance floors shall be closed and performances such as musical or dance acts that encourage large gatherings shall be discontinued.

Places of Worship: Religious services and cultural ceremonial activities may be conducted in conformance with the state guidance.⁹ Modifications include limiting attendance to 25% of building capacity or a maximum of 100 attendees, whichever is lower.

Business Mandatory Face Covering and Screening: Each essential business and reopened business shall require all employees to have possession of face coverings in compliance with the Mandatory Face Covering section when in the business facility. Employees shall wear their face coverings when they are dealing with members of the public and when circumstances make it difficult to practice social distancing with other employees. Additionally, the businesses shall conduct symptom screening of all employees and prohibit employees with a temperature of 100 degrees or more or employees exhibiting COVID-19 symptoms from entering the workplace.

Parks and Recreation Areas and Facilities: Each public park and recreation area or facility, shall operate in compliance with the state guidance.¹⁰ The operator of the park shall prepare a "Safe Reopening Plan". Any park or recreation area/facility at which the Plan requirements cannot be effectively implemented may be required to close.

- a. This guidance applies to campgrounds, RV parks, and outdoor recreation, including for-hire fishing and small charter operations.

Outdoor recreation instruction and day camps: Outdoor recreation instruction and day camps that comply with the state guidance¹¹ may be conducted in park and recreation areas and facilities.

⁸ <https://covid19.ca.gov/industry-guidance/#top>

⁹ <https://covid19.ca.gov/pdf/guidance-places-of-worship.pdf>

¹⁰ <https://covid19.ca.gov/pdf/guidance-campgrounds.pdf>

¹¹ <https://covid19.ca.gov/pdf/guidance-daycamps.pdf>

Pools: Effective June 12, 2020, swimming pools owned or operated by a Homeowners' Association, Condominium or Apartment complex may be open provided the owner or operator completes and posts a "Safe Reopening Plan" and operates in conformance with the swimming pool/aquatic venues requirements of the state guidance.¹²

Hotels and Lodging Establishments: Effective June 12, 2020, hotels and lodging establishments may be open for all guests, including tourists and leisure guests, provided that they comply with the state guidance¹³ and complete and post a "Safe Reopening Plan".

Isolation or Quarantine: Persons who have been diagnosed with COVID-19, or who are likely to have COVID-19, are required to comply with the Order of the Health Officer titled: "Isolation of All Persons with or Likely to have COVID-19." Persons who have a close contact with a person who either has COVID-19, or is likely to have COVID-19, is required to comply with the Order of the Health Officer titled: "Quarantine of Persons Exposed to COVID-19." Both orders are available on the County website. If a more specific isolation or quarantine order is issued to a person, that order shall be followed.

The County Public Health Order does not prohibit:

1. A gathering consisting only of members of a single family or household.
2. Operations at airports, public transportation or other spaces where persons in transit are able to practice social distancing.
3. Operations at essential businesses or reopened businesses and where the other requirements set forth in the Order are followed.

"Social distancing" is maintaining a six-foot separation from all persons except for household members, first responders, and medical providers or employees conducting temperature screenings.

Enforcement of Governor's Executive Order and County Public Health Order

All individuals must follow the Governor's Executive order to stay home, except as needed to obtain or perform the authorized activities. The local health order includes additional prohibitions that must be followed on top of the state requirement. The local order may be enforced when someone is engaging in an activity that is authorized by the state order, but they are not acting in compliance with the local order.

Violations of *either order* are enforceable under Government Code Section 8665. Government Code Section 8665 provides that any person who violates any of the provisions of the California Emergency Services Act or who refuses or willfully neglects to obey any lawful order or regulation promulgated or issued as provided in the Act, shall be guilty of a misdemeanor and, upon conviction thereof, shall be punishable by a fine of not to exceed one thousand dollars (\$1,000) or by imprisonment for not to exceed six months or by both such fine and imprisonment.

Additionally, when encountering a group that is in violation of an order, deputies are encouraged to use their discretion related to officer safety and their ability to manage the situation. If the group is involved in an unauthorized organized meeting and the group begins to flee or disperse, deputies should attempt to detain and cite the organizer(s) to prevent future violations. The goal is to conduct enforcement which will deter future violations or dampen the public interest in holding gatherings in violation of the orders.

¹² <https://covid19.ca.gov/pdf/guidance-fitness.pdf>

¹³ <https://covid19.ca.gov/pdf/guidance-hotels-lodging-rentals.pdf>