

End The Unlawful And Invalid Health Emergency In Mono County

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Dear Mono County Board of Supervisors, please add this to the public record as a supporting document for Mammoth Group Correspondence for agenda item 7.d, for the Oct. 13th 2020 board meeting.

According to the California Emergency Services Act (ESA) Section 8558-

b: a state of emergency can only be called if the threat overwhelms the current resources of the state.

Furthermore, the state of emergency has to be terminated at the earliest possible date. Section 8558 (b) "State of emergency" means the duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, drought, sudden and severe energy shortage, plant or animal infestation or disease, the Governor's warning of an California Emergency Services Act 4 California Governor's Office of Emergency Services earthquake or volcanic prediction, or an earthquake, or other conditions, other than conditions resulting from a labor controversy or conditions causing a "state of war emergency," which, by reason of their magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, city and county, or city and require the combined forces of a mutual aid region or regions to combat.

THUS: A state of emergency related to public health can only be declared if the threat overwhelms the response capabilities of California's health care practitioners

Thousands of healthcare workers are being furloughed in California, so there is zero evidence of grounds for this state of emergency based on public health.

There is no "threat that overwhelms the current resources of the state" or Mono County, since the covid-related deaths (with inflated numbers) are fewer than the average seasonal flu.

Therefore, Covid-19 cannot lawfully be classified as an "epidemic". An epidemic is when there are disproportionately large numbers experiencing an outbreak of a disease. There is no evidence of this in California or in Mono County.

Therefore, the basis for the State of Emergency is invalid and unlawful (see section 8558 b). As we have clearly seen here in California and our County, with the virus fatalities, they are approximately 1/3 of the typical fatalities for a regular seasonal flu.

Therefore, our state and county resources are not overwhelmed.

Therefore the state of emergency should have been terminated according to California law, which states, at the earliest possible date that conditions warrant.

Therefore there are no legal grounds for an additional extension or a new state of emergency to be declared.

Thus, according to California law, the grounds for the state of emergency do not exist.

Therefore, the current state of emergency in California and in Mono County is invalid and unlawful.

Regarding the length of the state of emergency, the law is murky. For the declaration of local emergencies, a governing body is required to renew the state of emergency after 30 days. For a state-wide declaration of state of emergency, whereby the state is controlling the food and pharmaceuticals, the orders ex

pire after 60 days. § 8627.5.

The temporary suspension of any statute, ordinance, regulation, or rule shall remain in effect until the order or regulation is rescinded by the Governor or a local legislative body. The local legislative body or Governor proclaims the termination of the state of emergency, or for a period of 30-60 days respectively, or whichever occurs first.

(Section 8567(b): Whenever the state of war emergency or state of emergency has been terminated, the orders and regulations shall be of no further force or effect.

This means that all of the orders that were created under the State of Emergency are also expired, including but not limited to: stay at home order, social distancing, wearing of masks, closing of businesses and schools, etc.

Mammoth Group would like to know what the Mono County Board of Supervisors are doing to address this invalid and unlawful state of emergency declaration. Please disclose all documentation regarding the 30 and or 60 day reassessments for continuing the health emergency in Mono County. Including all evidences, statistics, science, and data that convinced the Mono County Board of Supervisors to continue the health emergency in our county.

Thanks, Mammoth Group.