



SACRAMENTO COUNTY SHERIFF'S OFFICE

SCOTT R. JONES

Sheriff

June 9, 2022

Hon. Michael Bowman
Presiding Judge
Sacramento County Superior Court
720 9th Street
Sacramento, CA 95814

Re: Sacramento County Grand Jury Report: Public Health Office Abandoned by County Board of Supervisors in COVID-19 Crisis

Dear Judge Bowman:

Pursuant to Penal Code Sections 933 and 933.05, the following specific response is respectfully submitted to you regarding the 2021-2022 Grand Jury's Findings and Recommendations on the report titled: Public Health Office Abandoned by County Board of Supervisors in COVID-19 Crisis. Sheriff's Office personnel compiled the information contained in this document. Should you have any questions related to its content, please contact me and I will provide you with the most appropriate staff to answer your question.

INTRODUCTION

The 2021-2022 Sacramento County Grand Jury conducted an extensive examination into the role and reaction of the County Board of Supervisors during the Sacramento County response to the COVID-19 pandemic. The investigation alleged failures of enforcement by both the Board of Supervisors and local law enforcement of prescribed public health orders issued by the Sacramento County Office of Public Health related to the COVID-19 pandemic.

The Grand Jury made one finding and one recommendation which specifically referenced actions by the Sacramento Sheriff's Office.

RESPONSE

Finding 6. Implementation of COVID-19 related Public Health Orders was hamstrung by a lack of enforcement support from the Sacramento County Board of Supervisors, the County Chief Executive, the County Sheriff and local law enforcement agencies.

Response to Finding 6. Disagree with finding

As essential workers during the pandemic, a tremendous amount of personnel resources were devoted to developing and implementing COVID-19 protocols and procedures throughout our agency. The Sheriff's Office implemented numerous COVID-19 mitigation strategies within its facilities and continues to adhere to related State Public Health Orders and the Centers for Disease Control and Prevention's guidance to minimize the spread of COVID-19. All staff

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are/were required to adhere to various County and State orders, including patrol officers, and other many essential positions within the Sheriff's Office that were required to work throughout the pandemic.

As for public enforcement, from the inception of the pandemic the Sheriff adopted a role of education rather than enforcement, confident that criminal enforcement from peace officers would neither be necessary nor appropriate in most instances. Additionally, the Sheriff spearheaded a uniform response by ALL law enforcement within the county, to prepare consistent enforcement mechanisms should they be required.

The Sheriff had weekly meetings or conversations with ALL chiefs of police in the county to ensure a unified, consistent response to COVID-19, both in messaging and enforcement. In furtherance and in preparation, a warning letter was developed for each agency with identical language, outlining legal responsibilities and consequences for failure to abide by the various orders, including criminal enforcement. That notice, which is attached, was issued by some agencies (under their own seal), and not others as the situation warranted. It was never necessary for the Sheriff's Office to issue any such warnings. Finally, the Sheriff never saw the need to activate any criminal enforcement within the unincorporated County for the various changing mandates that were promulgated by the Governor, appointed health officials, various bureaucrats and others.

Recommendation 6. The Board of Supervisors and OPH should immediately begin discussions with the County Sheriff and other County law enforcement entities. These discussions should result in a County ordinance directing local law enforcement to enforce public health emergency orders. The Board of Supervisors should enact this ordinance by December 2022.

Response to Recommendation 6.

The Sheriff and the Sheriff's Office remain open to any such discussions, remaining mindful of the Sheriff's discretion as a Constitutionally elected officer.

Very truly yours,

SCOTT R. JONES, SHERIFF



Copy: Sacramento County Clerk-Recorder's Office
Sacramento County Grand Jury