



EDC COB <edc.cob@edcgov.us>

REOPEN OUR COUNTY NOW!

Katherine Paterson <kmp0163@yahoo.com>

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To: bostwo@edcgov.us, bostthree@edcgov.us, bosfive@edcgov.us, bosfour@edcgov.us
Cc: edc.cob@edcgov.us

Dear El Dorado County Supervisor,

My name is Katherine Paterson, I am a registered Republican residing in El Dorado Hills and a member of the EDH Republican Women which has quickly grown to over 700 women with new members joining daily. I wrote to you on September 10, 2020 and I am writing again to to request that El Dorado County be reopened immediately!

I am writing in the strongest terms possible with compelling information for the Board of Supervisors to vote to terminate this "local health 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 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 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 our 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, several months ago.

That does not meet the definition of 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.

Health officers 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 fewer county residents die each year, compared to covid-related deaths.

Further, health officers 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 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.

Health officers 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.

Further, Health officers rely on 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 those **"who feel comfortable** wearing a mask should do so."

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 THIS 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.

REFERENCES:

- (2) California Department of Public Health states. "There is **limited evidence** to suggest that the use of cloth face coverings by the public during a pandemic could help reduce disease transmission." "**Face coverings may INCREASE RISK.**" <https://www.cdph.ca.gov/Programs/CID/DCDC/Pages/Face-Coverings-Guidance.aspx>
- (2) CAL/OSHA statement that "**cloth face covers do not protect against COVID-19.**" <https://dir.ca.gov/dosh/coronavirus/COVID-19-Infection-Prevention-in-Logistics.pdf>
- (3) CAL/OSHA "Oxygen deficient atmosphere means an atmosphere with an oxygen content below 19.5% by volume." <https://www.dir.ca.gov/title8/5144.html>
- (4) **CDC has no evidence supporting the wearing of cloth face coverings** <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/diy-cloth-face-coverings.html>
- (5) Video showing **no evidence from CDC** references regarding masks: <https://tinyurl.com/ycoeckfv>
- (6) New England Journal of Medicine: "We know that **wearing a mask outside health care facilities offers little, if any, protection** from infection." <https://www.nejm.org/doi/full/10.1056/NEJMp2006372>
- (7) **Psychological harms of mask-wearing:** Columbia University: "Many young children burst into tears or recoil when someone wearing a mask approaches. By putting on masks, we take away information that makes it especially difficult for children to recognize others and read emotional signals, which is unsettling and disconcerting." <https://bit.ly/2XDaASx>
- (8) **Physical harms of mask-wearing:** "Face Masks Pose Serious Risk to the Healthy" <https://www.technocracy.news/blaylock-face-masks-pose-serious-risks-to-the-healthy/>
- (9) "**Face coverings present a possible choking or strangulation hazard to your child**" <https://bit.ly/3cEX4SC>
- (10) California Health and Safety Code Section 120290 -- **Exposre to an Infectious Disease in California.** The defendant must (a) know they are afflicted with an infectious disease and (b) the defendant acts with SPECIFIC INTENT to transmit that disease to another person http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=HSC§ionNum=120290.

Please consider reopening El Dorado County immediately!

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