



PRESS RELEASE

For Release: 1:30pm June 3, 2020

Stanislaus County Declares State of Emergency in Response to Protest Throughout the Stanislaus County

Modesto CA – Today Stanislaus County Officials proclaimed a local “State of Emergency” in response to protests throughout our county. The proclamation allows the county to apply for state and federal funding for law enforcement efforts to ensure public safety, including keeping safe those peacefully speaking out against racism and demonstrating for justice.

“While we expect to see additional peaceful demonstrations as we have seen throughout this week, we do not expect demonstration to turn to violence unless instigated by outside influencers,” said Sheriff Jeff Dirkse. “This proclamation is primarily an administrative tool for the county to access state resources as well as activate the State Emergency Services Act, which helps to facilitate coordinated response throughout the County if needed.”

“While we find it necessary to take this administrative step in support of local governments throughout the County, we also recognize that we are very fortunate to have outstanding community leaders who have worked together to facilitate community events that respect and honor the cause of social justice,” said Stanislaus County CEO Jody Hayes.

There is no curfew at this time. Stanislaus County Law Enforcement agencies are in regular contact and have no desire to issue a curfew order unless it becomes necessary for public safety.

County officials will review the continued need for a local emergency weekly.

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www.scsdonline.com

Jeff Dirkse, Sheriff – Coroner

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STANISLAUS COUNTY

**DIRECTOR OF EMERGENCY SERVICES
PROCLAMATION OF THE EXISTENCE OF A LOCAL EMERGENCY**

WHEREAS, California Government Code section 8630 and Stanislaus County code section 2.52.110 authorizes the Director of Emergency Services, when the County Board of Supervisors is not in session, to proclaim a Local Emergency when Stanislaus County is threatened or likely to be threatened by conditions of extreme peril to the safety of persons and property that are or are likely to be beyond the control of the services, personnel, equipment, facilities of this County; and

WHEREAS, California Government Code section 8558(c) states that a “local emergency” means the duly proclaimed existence of conditions of extreme peril to the safety of persons and property within the territorial limits of the county; and

WHEREAS, George Floyd, a 46-year-old African-American man, died in Minneapolis on Monday, May 25, 2020 after being handcuffed and pinned to the ground by a white police officer. Bystanders captured video of an officer using his knee to pin Mr. Floyd by his neck. Mr. Floyd is heard repeatedly saying, “I can’t breathe,” in the video.

WHEREAS, since Mr. Floyd’s death, protest across the country have occurred, with some protesters starting fires and engaging in vandalism and violence resulting in at least 40 cities imposing curfews and the activation of the National Guard in at least 23 states and Washington, DC.

WHEREAS, there remains a state of emergency due to the continued impacts of the spread of COVID-19 as reflected in the March 4, 2020 Proclamation of a State of Emergency issued by Governor Gavin Newsom, the Declarations of Local Health Emergency issued by the Health Officer on March 11, 2020, The Proclamation of a Local Emergency on March 11, 2020, and the March 17, 2020, Resolution of the Board of Supervisors of the County of Stanislaus, Ratifying the Declarations of Local Health Emergency and Local Emergency Proclamation, Governor Newsom's March 12, 2020, Executive Order N-25-20, Governor Newsom's March 19, 2020 Executive Order N-33-20, and the designation by the State Public Health Officer of Essential Critical Infrastructure Workers issued March 22, 2020.

WHEREAS, Pursuant to the Governor’s March 4, 2020 Proclamation, the citizens of the state of California remain under an order by the State Public Health Officer to not engage in travel. Specifically, it is ordered that, “All individuals living in the State of California are currently ordered to stay home or at their place of residence, except for permitted work, local shopping or other permitted errands, or as otherwise authorized (including in the Questions & Answers below).”
<https://covid19.ca.gov/stay-home-except-for-essential-needs/#top>

WHEREAS, the Director of Emergency Services finds:

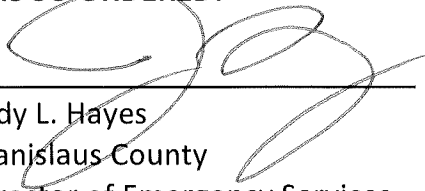
1. That at the time of this proclamation the County Board of Supervisors is not in session;
2. That the County of Stanislaus, along with other counties and cities throughout California and the Nation, have experienced large demonstrations protesting the death of George Floyd by Minnesota Police officers;
3. On Saturday, May 30, 2020 a peaceful protest occurred in downtown Modesto attracting approximately 50 people.
4. On Sunday, May 31, 2020 a protest occurred in the City of Modesto attracting approximately 1,000 people. The protest started off peacefully but ended with numerous arrests by the Stanislaus County Sheriff Department and Modesto Police Department. Individuals within the crowd threw bottles, set off fireworks and threw rocks at uniformed personnel. Modesto PD had several of their officers surrounded by the crowd. Those officers called for emergency assistance to help evacuate the officers. The protest then turned into a riot situation. During the riot several trash cans were set on fire, a patrol vehicle was vandalized, and a building was spray painted with negative remarks towards police officers. Several businesses closed due to threats of looting including Walmart, Target and Crescent. The situation lasted several hours and generated a large number of calls for service and required the assistance of numerous local police agencies.
5. On Sunday May 31, 2020 a protest occurred in Patterson. Organizers posted information to Facebook that warned protesters were headed to Patterson shortly after the Modesto protest. Information was received that the Walmart in Patterson was a potential target for looters. In response Walmart closed early. Due to the information received regarding planned looting and rioting Stanislaus County deployed resources to Patterson. Approximately 50 people appeared in the city of Patterson to protest. The protest ended without any arrests or issues.
6. On June 1, 2020 the Vintage Faire Mall closed early due to social media posts indicating threats of looting the businesses located in the mall. Modesto PD responded and observed several cars circling the area, there was no organization between protesters.
7. A protest is scheduled to occur on June 3, 2020 at 10 a.m., in Oakdale at the Bianchi Center. Oakdale PD has requested the Stanislaus County Sheriff's riot team, mounted unit, standby and be prepared to provide aid in case the planned protest turns violent as has been seen to occur across the nation and throughout California.
8. That such conditions of extreme peril to the safety of persons and property may arise again within the County of Stanislaus; and
9. That the aforesaid conditions of extreme peril may arise, warrant and necessitate the proclamation of a Local Emergency and immediate action is necessary to mitigate potential public calamity.

NOW, THEREFORE, the Stanislaus County Director of the Office of Emergency Services hereby proclaims a local emergency.

IT IS FURTHER PROCLAIMED AND ORDERED as follows:

1. That during the existence of said Local Emergency, the powers, functions and duties of the Director of Emergency Services shall be those prescribed by state law and the ordinances, resolutions, and approved plan of the County to mitigate the effects of said Local Emergency.
2. That a copy of this proclamation be forwarded to the Governor of California with the request that he proclaim the existence of a State of Emergency throughout the impacted areas of Stanislaus County and provide or request all eligible State and Federal financial assistance to the County and impacted local jurisdictions.
3. That a copy of this proclamation be submitted to the Director of the California Governor's Office of Emergency Services (CalOES) requesting a Director's Concurrence pursuant to Section 2970 of Title 19 of the California Code of Regulations and to request financial assistance for all eligible public entities within the County under the California Disaster Assistance Act for their associated response costs.
4. All County officers and employees take all steps necessary to qualify the County for reimbursement from the State (CalOES) or Federal Emergency Management Agency (FEMA) and for other state and federal relief as may be available to reimburse the County for the expenses it incurs in addressing this emergency.
5. Pursuant to Public Contract Code Sections 20134, 22050, and 20395, the Purchasing Agent, or designee, is hereby authorized to engage independent contractors to complete all necessary work to mitigate the effects of said local emergency. Contracts for this work may be executed without prior Board approval of the plans, specifications, and working details, without giving notice for bids to let contracts.
6. That said Local Emergency shall be deemed to continue to exist for the next seven (7) days, and hereafter by ratification of the County Board of Supervisors, until its termination is proclaimed by the County Board of Supervisors of the County of Stanislaus.

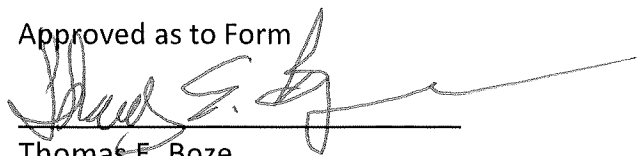
IT IS SO ORDERED:



Jody L. Hayes
Stanislaus County
Director of Emergency Services

Dated: 6/3/20

Approved as to Form

A handwritten signature in black ink, appearing to read "Thomas E. Boze", written over a horizontal line. The signature is stylized and extends to the right of the line.

Thomas E. Boze,
County Counsel
County of Stanislaus