



MONTEREY POLICE DEPARTMENT

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Shelter in Place Violations

On March 18, 2020, the Monterey County Health Officer issued a Shelter in Place (SIP) order that required all non-essential businesses to close while the order was in effect. The order was updated on April 3, 2020 and can be found at <https://co.monterey.ca.us>.

On April 13, 2020 at approximately 6:24 p.m., Monterey Police Officers were dispatched to the 100 block of Tide for several individuals drinking in a vehicle. Officers contacted the individuals and arrested Samuel West, 20, of Salinas, for possession of alcohol, contributing to the delinquency of a minor, and violating the SIP order. Two juveniles were with West and they were issued citations for possession of alcohol, public intoxication, and violation of the SIP order.

Since the order has been in effect, the Monterey Police Department (MPD) has received numerous complaints of non-essential businesses operating in violation of the SIP order.

During the week of April 13th – April 17th, MPD detectives posed as customers and conducted business checks of businesses operating during the SIP order.

Detectives evaluated each business to determine if they qualified as an essential business and if the business was following the social distancing guidelines outlined in the SIP order.

Detectives visited over 30 businesses and found that all but one business was operating within the guidelines of the SIP order. Twisted Roots, located at 482 Alvarado, was previously warned that they were not an essential business and had to close to the public. Despite this warning, the business continued to operate in violation of the SIP order.

On April 15, 2020, the owner of Twisted Roots was issued a citation for violating the County Health Officer's order – Health and Safety Code 120295.

The April 3, 2020 SIP order, Section 15, specifically relates, “*Pursuant to Government Code sections 26602 and 41601 and Health and Safety Code section 101029, **the Health Officer requests that the Sheriff and all Chiefs of Police in the County ensure compliance with and enforce the Order.** The violation of any provision of this order constitutes an imminent threat and menace to the public health, constitutes a public nuisance, and is punishable by fine, imprisonment, or both.*”

The MPD continues to provide extra patrols in all locations of the City while “non-essential” businesses are closed. The MPD encourages all business owners to ensure alarm systems are activated (if present), that lights are left on inside, that windows are not blocked so police can observe any activity inside and that persons report any suspicious activity.

The MPD has and will continue to deploy overt (marked police vehicles and uniformed officers) and covert (un-marked police vehicles) police tactics to ensure criminal activity is thwarted. The MPD will use the same tactics to enforce the Shelter in Place Order, to ensure the *imminent threat and menace to the public health* is minimized by those who chose to ignore the SIP, thereby endangering the community.

The MPD implores people to comply with the Shelter-In-Place order. The SIP is in place to limit the spread of COVID-19 and protect those who may become infected. Medical professionals have related that COVID-19 may not be symptomatic in 25% of the population, which may lead to more spread by those who do not realize they are carriers. Anytime that people have contact with one another, including first responders it endangers those exposed as well as those they later contact. Medical professionals, essential business workers and first responders implore all in our communities to comply with the SIP.

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