

OFFICE OF THE CHIEF OF POLICE

NOTICE

1.1

March 20, 2020

TO: All Department Personnel

FROM: Chief of Police

SUBJECT: GUIDANCE REGARDING MAYOR'S SAFER AT HOME PUBLIC ORDER
DATED MARCH 19, 2020

On March 19, 2020, Mayor Eric Garcetti issued a Public Order pursuant to emergency authorities vested in him during a period of declared Local Emergency titled, Safer at Home. This Order requires individuals to stay in their residences EXCEPT for *Essential Activities*, and requires businesses to close, EXCEPT for *Essential Businesses* and *Essential Infrastructure* providers.

The purpose of this Notice is to inform Department employees of the Public Order, including the allowed essential activities and essential businesses. **Importantly, violations of the Order are not to be used as the sole basis for a detention.**

Officers should continue to follow the procedure for responding to complaints of a violation, as detailed in the Office of Chief of Police Notice entitled, *Response to Calls for Service Concerning the Mayor's Public Order Regarding COVID -19 Temporary Restrictions*, dated March 19, 2020.

NOTE: The Safer at Home Public Order exempts emergency personnel, first responders, gang and crisis intervention workers, emergency dispatchers, law enforcement personnel and those working for emergency service providers from the Stay at Home Order.

Essential Activities, Businesses, and Infrastructure providers shall maintain reasonable social distancing practices. This includes maintaining a distance of at least six feet away from others, frequently washing hands with soap and water for at least twenty seconds or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

ESSENTIAL ACTIVITIES, BUSINESSES, AND INFRASTRUCTURE EXEMPTIONS:

- I. Essential Activities which do not require an individual to stay in his or her residence, and include:**
 - Visiting a health or veterinary care professional. This does not include gyms or similar facilities;
 - Visiting a pharmacy or obtaining medical supplies or medications;
 - Obtaining grocery shopping or other household products or sanitation essentials, or delivering those goods to others;

- Providing care for minors, the elderly, dependents, persons with disabilities, or other vulnerable persons;
- Returning to one's place of residence from outside the City;
- Returning to one's place of residence outside the City;
- Complying with an order of law enforcement or court;
- Engaging in other legally mandated government purposes;
- Engaging in outdoor activities and recreation including at parks, beaches, and walkways. This does not include indoor or outdoor playgrounds except those located within a childcare center;
- Work in support of essential activities;
- Caring for a family member or pet in another household; or,
- Working as an emergency personnel, first responder, public health worker, emergency dispatcher, or another working for emergency service providers.

The full text of the Mayor's Public Order is attached. **Department Personnel should interpret these definitions broadly and should not use them as the sole basis for detention or take enforcement action when educating individuals about the Order will suffice.**

II. Essential Businesses which may remain open are those that provide services that are recognized to be critical to the health and well-being of the City, and include:

- Health care operations, hospitals, clinics, pharmacies, dentists, research laboratories, mental health providers, physical therapist, cannabis dispensaries, and related healthcare operations, not including gyms;
- Grocery stores or other food or pet supply stores or markets;
- Food cultivation, including farming, livestock, and fishing;
- Organizations and businesses that provide services for economically disadvantaged or otherwise needy individuals (including gang prevention and intervention, domestic violence, and homeless services agencies);
- Media;
- Gas stations, auto supply, mobile auto repair operations, auto repair shops (including auto repair shops adjacent to or otherwise in connection with an used or retail auto dealership), bicycle repair and related facilities;
- Banks, financial institutions and insurance companies;
- Hardware and building supply stores, and nurseries;
- Plumbers, electricians, exterminators, custodial/janitorial workers, handyman services;
- Funeral home workers and morticians;
- Moving services, HVAC installers, carpenters;
- Landscapers, gardeners, property managers;
- Private security personnel and others who provide services to maintain safety or sanitation;
- Mailing and shipping services, including post office boxes;
- Educational institutions – including public and private K-12 schools, colleges, and universities – for purposes of facilitating distance learning or performing essential functions provided that social distancing of six-feet per person is maintained to the greatest extent possible;

- Laundromats, dry cleaners, and laundry service providers;
- Restaurants and retail food facilities that prepare and offer food to customers, but only via delivery service, to be picked up, or drive-thru, with queues for pick-up maintaining social distancing;
- Schools or other entities that typically provide free food services to students or members of the public, with the condition that food is provided on a pick-up and carry out basis only
- Cafeterias, commissaries and restaurants located within hospitals, nursing homes or similar facilities;
- Businesses that supply products needed for people to work from home;
- Businesses that supply other essential businesses with the support, services, or supplies necessary to operate;
- Businesses that ship or deliver groceries, food, beverages or goods directly to residences or businesses;
- Airlines, taxis, ride sharing services, and other private transportation services providing transportation services necessary for essential activities and other purposes expressly authorized in this Order;
- Home-based care for seniors, adults, or children;
- Residential facilities and shelters for seniors, adults, and children;
- Professional services, such as legal, payroll or accounting services, when necessary to assist in compliance with legally mandated activities;
- Hotels, motels, shared rental units and similar facilities;
- Military/Defense Contractors/FFRDC (Federally Funded Research and Development Centers) or any entity that provides work deemed essential for national security; and,
- Childcare facilities providing services that enable employees exempted in this Order to work as permitted.

The full text of the Mayor's Public Order is attached. **Departmental Personnel should interpret these definitions broadly and should not use them as the sole basis for detention or take enforcement action when educating individuals about the Order will suffice.**

III. Essential Infrastructure – individuals may leave their residences to provide any services or goods necessary to the operations, maintenance and manufacturing of essential infrastructure, including:

- Construction of commercial and institutional buildings, residential buildings and housing;
- Airport operations;
- Food supply;
- Concessions and construction;
- Port operations and construction;
- Water, sewer, gas, electrical, oil extraction and refining;
- Roads and highways, public transportation;
- Solid waste collection and removal;
- Flood control, watershed protection;
- Internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services); and,

- Manufacturing and distribution companies deemed essential to supply chains of the industries referenced above, provided that they carry out those services and that work in compliance with social distancing practices as prescribed by the Centers for Disease Control and Prevention and the Los Angeles County Department of Public Health, to the extent possible.

PROCEDURE:

Consistent with the Office of Chief of Police Notice entitled, *Response to Calls for Service Concerning the Mayor's Public Order Regarding COVID -19 Temporary Restrictions*, dated March 19, 2020, officers may respond to a call for service concerning a complaint that an individual or business is violating this Safer at Home Public Order. Again, the primary mission of officers is to educate and obtain voluntary compliance from individuals or business owners or managers acting in violation of the Order. As such, responding officers shall use the following procedures toward the resolution of the incident:

1. Inform and educate the individual or, in the case of a business, the manager or business owner, about the required temporary closures;
2. If, based on officers' observations, a violation of the Public Order is occurring, attempt to gain voluntary compliance from the individual or, in the case of a business, the manager or business owner to become compliant with the Public Order;
3. If the individual or, in the case of a business, the manager or business owner refuses to comply with the Public Order, warn the violator that continued action may result in a complaint application being submitted to the Office of the City Attorney for prosecution consideration for violation of Los Angeles Administrative Code, Section 8.77.

Note: Los Angeles Administrative Code, Section 8.77, makes it a misdemeanor for any person during a Local Emergency to do any act forbidden by any lawful rule, regulation, order or directive issued pursuant to this chapter if such act is of a nature as to imperil the lives of other inhabitants of this City.

4. If the responding officer cannot obtain compliance, he or she may complete a Complaint Application, Form 05.15.00, describing the individual(s) and/or establishment that violated the Public Order, the time of initial response, the facts and circumstances supporting the existence of the violation, the time of the warning, and the time of the supervisor response. Statements and actions of refusal should be included, when applicable.

Consistent with Department Manual Section 3/579.15, *Objectives of Body Worn Video*, these interactions shall be captured on Body Worn Video.

Should the terms of this Public Order change, the Department Operations Center, Communications Division, will distribute new guidance.

All Department Personnel

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If you have any questions regarding this Notice, please contact the Evaluation and Administration Section, Office of Operations, at (213) 486-6050.



MICHEL R. MOORE
Chief of Police

Attachment

Distribution "D"



**ERIC GARCETTI
MAYOR**

Public Order Under City of Los Angeles Emergency Authority

Issue Date: March 19, 2020

Subject: SAFER AT HOME

The novel coronavirus pandemic is a global emergency that is unprecedented in modern history. Profoundly impacting our daily lives, it has inspired Angelenos to respond with courage, compassion, wisdom and resolve to overcome this crisis and help each other.

In a short period of time and at an unprecedented scale, residents in every community have embraced urgent social distancing best practices and aggressive hygienic precaution, not just to protect themselves, but to protect others. Angelenos understand with exceptional clarity that there is only one way to get through this difficult moment: together.

The City's recent emergency orders — curtailing large public gatherings; temporarily closing many government facilities; closing theaters, bars and entertainment venues; prohibiting restaurants from serving to dine-in customers while permitting take-out, delivery and drive-thru; and a moratorium on evictions of residential and commercial tenants — have been followed with a willing and generous spirit.

While we have previously taken strong action, now the City must adopt additional emergency measures to further limit the spread of COVID-19.

With this virus, we are safer at home.

Wherever feasible, City residents must isolate themselves in their residences, subject to certain exceptions provided below.

Under the provisions of Section 231(i) of the Los Angeles City Charter and Chapter 3, Section 8.27 of the Los Angeles Administrative Code, I hereby declare the following

orders to be necessary for the protection of life and property in the City of Los Angeles, effective on Thursday, March 19, 2020 at 11:59 PM:

1. Subject only to the exceptions outlined in this Paragraph and Paragraph 5 below, all persons living within the City of Los Angeles are hereby ordered to remain in their homes. Residents of the City of Los Angeles who are experiencing homelessness are exempt from this requirement. The City is working, along with partner government agencies and non-governmental organizations, to make more emergency shelters available for the unhoused residents of our City. City of Los Angeles officials and contracted partners responsible for homelessness outreach shall make every reasonable effort to persuade such residents to accept, if offered, temporary housing or shelter, as the Health Officer of the County of Los Angeles recommends that sheltering individuals will assist in reducing the spread of the virus and will protect the individual from potential exposure by allowing the individual access to sanitation tools. People at high risk of severe illness from COVID-19 and people who are sick are urged to stay in their residence to the extent possible except as necessary to seek medical care.

2. Subject only to the exceptions outlined in this Paragraph and Paragraph 5 below, all businesses within the City of Los Angeles are ordered to cease operations that require in-person attendance by workers at a workplace (including, without limitation, indoor malls and indoor shopping centers, including all stores except for those stores considered essential activities or infrastructure under this Order which are directly accessible to the public from the exterior of the mall or shopping center - the interior of the indoor mall or indoor shopping center shall remain closed to the public). To the extent that business operations may be maintained by telecommuting or other remote means, while allowing all individuals to maintain shelter in their residences, this order shall not apply to limit such business activities.

3. All public and private gatherings of any number of people occurring outside a residence are prohibited, except as to those exempted activities described in this Paragraph and Paragraph 5. This provision does not apply to gatherings within a single household or living unit.

4. All travel, including, without limitation, travel on foot, bicycle, scooter, motorcycle, automobile, or public transit is prohibited, subject to the exceptions in Paragraph 5.

5. Exceptions. People may lawfully leave their residence while this Order is in effect only to engage in the following activities:

(i) First 24 hour allowance. This Order shall not apply, for a 24-hour period following the effective date above, to allow employees and business owners to access to their workplaces to gather belongings or address other administrative needs, so long as social distancing requirements are followed. Such workplaces shall remain closed to the public in accordance with this Order.

(ii) **Essential Activities**. To engage in certain essential activities, including, without limitation, visiting a health or veterinary care professional, obtaining medical supplies or medication, obtaining grocery items (including, without limitation, canned food, dry goods, fresh fruits and vegetables, pet supplies, fresh or frozen meats, fish, and poultry, any other household consumer products and products necessary to maintain the safety and sanitation of residences and other buildings) for their household or to deliver to others; or for legally mandated government purposes. In addition, any travel related to (a) providing care for minors, the elderly, dependents, persons with disabilities, or other vulnerable persons; (b) returning to one's place of residence from outside the City; (c) travelling to one's place of residence located outside the City; (d) compliance with an order of law enforcement or court shall be exempt from this Order; or (e) legally mandated government purposes. Persons engaging in these essential activities shall maintain reasonable social distancing practices. This includes maintaining a distance of at least six-feet away from others, frequently washing hands with soap and water for at least twenty seconds or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.

(iii) **Outdoor Activities**. To engage in outdoor activity and recreation, provided that the individuals comply with social distancing requirements, including, without limitation, walking, hiking, running, cycling; use of scooters, roller skates, skateboards, or other personal mobility devices; or travel in a vehicle with household members to a location where it is possible to walk, hike, run or ride a bike, or operate personal mobility devices, while maintaining social distancing practices. Indoor and outdoor playgrounds for children, except those located within childcare centers, shall be closed for all purposes.

(iv) **Work in Support of Essential Activities**. To perform work providing essential products and services or to otherwise carry out activities specifically permitted in this Order.

(v) To care for or support a friend, family member, or pet in another household.

(vi) **Emergency Personnel**. All first responders, gang and crisis intervention workers, public health workers, emergency management personnel, emergency dispatchers, law enforcement personnel, and others working for emergency services providers are categorically exempt from this Order.

(vii) **Essential Activities Exempt**. Certain business operations and activities are exempt from the provisions of this Order, on the grounds that they provide services that are recognized to be critical to the health and well-being of the City. These include:

(a) All healthcare operations, including hospitals, clinics, dentists, pharmacies, pharmaceutical and biotechnology companies, medical and scientific research, laboratories, healthcare suppliers, home healthcare services providers, veterinary care providers, mental health providers, physical therapists and

chiropractors, cannabis dispensaries, or any related and/or ancillary healthcare services, manufacturers and suppliers. Healthcare operations does not include fitness and exercise gyms and similar facilities.

(b) Grocery stores, water retailers, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, warehouse stores, food banks, convenience stores, and other establishments engaged in the retail sale of canned food, dry goods, fresh fruits and vegetables, pet supply, fresh or frozen meats, fish, and poultry, any other household consumer products (such as construction supplies, cleaning and personal care products). This includes stores that sell groceries and sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences.

(c) Food cultivation, including farming, livestock, and fishing.

(d) Organizations and businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals (including gang prevention and intervention, domestic violence, and homeless services agencies).

(e) Newspapers, television, radio, magazine, podcast and other media services.

(f) Gas service stations, auto supply, mobile auto repair operations, auto repair shops (including, without limitation, auto repair shops that operate adjacent to or otherwise in connection with an used or retail auto dealership), bicycle repair shops and related facilities.

(g) Banks, credit unions, financial institutions and insurance companies.

(h) Hardware and building supply stores, and nurseries.

(i) Plumbers, electricians, exterminators, custodial/janitorial workers, handyman services, funeral home workers and morticians, moving services, HVAC installers, carpenters, landscapers, gardeners, property managers, private security personnel and other service providers who provide services to maintain the safety, sanitation, and essential operation to properties and other essential activities discussed in this subsection.

(j) Businesses providing mailing and shipping services, including post office boxes.

(k) Educational institutions -- including public and private K-12 schools, colleges, and universities -- for purposes of facilitating distance learning or performing essential functions provided that social distancing of six-feet per person is maintained to the greatest extent possible.

(l) Laundromats, dry cleaners, and laundry service providers.

(m) Restaurants and retail food facilities that prepare and offer food to customers, but only via delivery service, to be picked up, or drive-thru. For those establishments offering food pick-up options, proprietors are directed to establish social distancing practices for those patrons in the queue for pick-up. This includes maintaining a distance of at least six-feet away from others. Schools and other entities that typically provide free food services to students or members of the public may continue to do so under this Order on the condition that the food is provided to students

or members of the public on a pick-up and carry out basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or any other gathering site. Cafeterias, commissaries, and restaurants located within hospitals, nursing homes, or similar facilities are also exempt from this Order. Social distancing shall be maintained at a distance of at least six-feet away from others

(n) Businesses that supply products needed for people to work from home.

(o) Businesses that supply other essential businesses with the support, services, or supplies necessary to operate, provided that strict social distancing is maintained. This section includes, without limitation, utility companies.

(p) Businesses that ship or deliver groceries, food, beverages or goods directly to residences or businesses.

(q) Airlines, taxis, ride sharing services, and other private transportation services providing transportation services necessary for essential activities and other purposes expressly authorized in this Order.

(r) Home-based care for disabled persons, seniors, adults, or children.

(s) Residential facilities and shelters for disabled persons, seniors, adults, and children.

(t) Professional services, such as legal, payroll or accounting services, when necessary to assist in compliance with legally mandated activities.

(u) Childcare facilities providing services that enable employees exempted in this Order to work as permitted. To the extent possible, childcare facilities must operate under the following mandatory conditions:

(1) Childcare must be carried out in stable groups of 12 or fewer ("stable" means that the same 12 or fewer children are in the same group each day).

(2) Children shall not change from one group to another.

(3) If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other.

(4) Childcare providers shall remain solely with one group of children.

(v) Hotels, motels, shared rental units and similar facilities.

(w) Military/Defense Contractors/FFRDC (Federally Funded Research and Development Centers). For purposes of this Order, essential personnel may leave their residence to provide any service or perform any work deemed essential for national security including, without limitation, defense, intelligence, and aerospace development and manufacturing for the Department of Defense, the Intelligence Community, and NASA and other federal government, and or United States Government departments and agencies. Essential personnel include prime, sub-prime, and supplier contractor employees, at both the prime contract level and any supplier level at any tier, working on federal United States Government contracts, such as contracts for national intelligence and national security requirements.

(viii) **Government Employees.** This Order does not apply to employees of government agencies working within the course and scope of their public service employment. Employees of the City of Los Angeles shall follow any current or future directives issued by the Mayor.

(ix) **Essential Infrastructure.** Individuals may leave their residences to provide any services or goods or perform any work necessary to the operations, maintenance and manufacturing of essential infrastructure, including without limitation construction of commercial and institutional buildings, residential buildings and housing, airport operations, food supply, concessions, and construction, port operations and construction, water, sewer, gas, electrical, oil extraction and refining, roads and highways, public transportation, solid waste collection and removal, flood control, watershed protection, internet and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services), and manufacturing and distribution companies deemed essential to the supply chains of the industries referenced in this Paragraph, provided that they carry out those services and that work in compliance with social distancing practices as prescribed by the Centers for Disease Control and Prevention and the Los Angeles County Department of Public Health, to the extent possible.

6. To the extent that this Order is in conflict with earlier Orders, this Order shall supersede the others.

7. Failure to comply with this Order shall constitute a misdemeanor subject to fines and imprisonment. I hereby urge the Los Angeles Police Department and the City Attorney to vigorously enforce this Order via Sections 8.77 and 8.78 of the Los Angeles Administrative Code.

8. If any subsection, sentence, clause, phrase, or word of this Order or any application of it to any person, structure, or circumstance is held to be invalid or unconstitutional by a decision of a court of competent jurisdiction, then such decision shall not affect the validity of the remaining portions or applications of this Order.

This order shall be in place until April 19, 2020, and it may be extended prior to that time.