

ORDER SETTING CURFEW DURING LOCAL EMERGENCY

WHEREAS, on June 1, 2020, I, Gregory J. Ahern, Sheriff for the County of Alameda, proclaimed a Local Emergency pursuant to California Government Code Section 8630 and Administrative Code Section 2.118 et seq. of the County of Alameda; and

WHEREAS, conditions of extreme peril to the safety of persons and property have arisen within the County, both within the unincorporated and incorporated areas, as a result of civil unrest, violence, looting, arson, and the destruction of personal and real property in Alameda, Albany, Berkeley, Emeryville, Fremont, Hayward, Newark, Oakland, San Leandro, Union City, and other cities in the Bay Area and around the country in the wake of the tragic death of George Floyd; and

WHEREAS, there exists imminent danger to life and property during the hours of darkness, and it is especially difficult to preserve public safety during such hours; and

WHEREAS, a curfew is necessary to preserve the public order and safety in the County.

NOW, THEREFORE,

Pursuant to the authorities cited above and Government Code Section 8634, I hereby declare the following Order necessary for the protection of life and property:

A curfew is imposed Countywide, within the unincorporated and incorporated areas of the County, in order to preserve the public order and safety.

The hours of curfew are between 8:00 p.m. and 5:00 a.m. of the following day.

No person, except as set forth below, shall be on any public street, avenue, boulevard, place, walkway, alley, park or any public area, or unimproved private property within the boundaries of the County of Alameda between 8:00 p.m. and 5:00 a.m. of the following day, beginning at 8:00 p.m. on June 1, 2020, until the termination of this Order.


This Order shall not apply to: (1) peace officers, firefighters, emergency operations personnel, other government employees engaged in authorized emergency operations, members of the National Guard, or any other responding military personnel deployed to the County; (2) individuals who can establish to the satisfaction of a peace officer that they are in such place for the sole purpose of traveling to their home or workplace or to obtain medical assistance; (3) authorized representatives of any news service, newspaper, radio or television station or network, or other media organization; or (4) people experiencing homelessness.

Violation of this curfew is a misdemeanor under California Government Code Section 8665 or any applicable state or municipal law, and violators may be subject to immediate arrest.


In the event that the terms of the County's curfew Order are more stringent (e.g. that the start time is earlier or the end time is later) than any city's local curfew Order within the County, the County's curfew Order would apply within and supersede the city's local Order to that extent.

This Order shall remain in effect until June 5, 2020 at 5:00 a.m. or unless rescinded earlier due to restoration of public order and safety.

DATED: June 1, 2020

By: 
GREGORY J. AHERN
Sheriff for the County of Alameda

APPROVED AS TO FORM AND LEGALITY:
Donna R. Ziegler, County Counsel

By: 
Clay J. Christianson
Deputy County Counsel