



MEETING NOTES: June 10, 2020

Call to Order: Jim Olson called the meeting to order.

Visitors were prospective member Jerry Magidoff, Norm Jacobs, Lamorinda President Tom Guyette, and our speaker, Matt Coles.

ANNOUNCEMENTS

Board Meeting: Scheduled for Wednesday, June 17th at 10:30 A.M.

The Presidential Awards are coming next Wednesday.

PROGRAM

Hastings Law School legal professor Matt Coles spoke on the legality issues surrounding shelter in place orders. Prior to his current position, Matt was legal director for the ACLU and was responsible for the organization's work on race, voting, disability rights, and immigration.

What is the process of government decisions? The supreme court and the first amendment say not to take away freedom of movement and peaceful congregation. Some think that shelter in place (SIP) is closer to incarceration and is not minimal. The courts asked for a good reason for SIP.

The public health universe states that COVID-19 is a serious threat and is a good reason to shelter in place. Wisconsin did not agree. Matt thinks we are going to see more challenges to SIP. Public health authorities are still saying SIP is warranted because of the serious health threat.

The history of religious shutdown relative to shelter in place is unusual. A few churches have challenged its legality. However, the court has approved of the shutdown citing the need to comply just like any other large group would have to considering the COVID challenge. The key point relative to religious freedom was if religion itself is

not singled out then they must comply like any other large group and the courts have so-ruled.

Curfews, as part of SIP, and its effect on demonstrations has received much attention. They are usually unacceptable when they interfere with other people's first amendment right to access their critical needs, such as blocking the Bay Bridge during commute times. It is historically correct to allow peaceful assembly for demonstrations and the courts have not interfered with peaceful demonstrations, even during the SIP.

The final question is whether the government should move against those committing violence. Police are not supposed to use poison gas and other injurious techniques unless there is true danger. Otherwise local authorities have the authority to contain violence in as limited a way as possible.

The president is commander of the armed forces but not commander of the US. Thus, he is not allowed to call in the government forces to stop local violence in other areas of the country. Matt also clarified that the president did indeed act outside the law in having peaceful protesters removed from the area around St. John's Church for his photo op.

Finally, he commented on the movement to reduce or eliminate the police force. Matt clarified that "defund the police" does not mean total defunding, rather to revamp the role of police officers and contain their duties to those they are trained or qualified to do. Matt asserted the need for a police force because of crime. For example, he believes it would be good to remove social services as one of their duties. Perhaps some law enforcement resources need to be redirected to other support roles such as social workers, etc.

CALENDAR

Today	Jim Olson – Club Awards Day
June 24	John King – Presidential Demotion/Promotion