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**PRESIDENT DONALD J. TRUMP**

**THE WHITE HOUSE**

USPS CertRcpt # 7018 1130 0000 2762 7469

**U.S. ATTORNEY GENERAL WILLIAM BARR**

**U.S. Department of Justice**

**950 Pennsylvania Avenue, NW**

**Washington, DC 20530-0001**

USPS CertRcpt # 7018 1130 0000 2762 7452

Ricardo Beas



July 25, 2020

U.S. Department of Justice  
San Diego County Office  
Federal Office Building  
880 Front Street, Room 6293  
San Diego, CA 92101

**ATTN: ROBERT S. BREWER, JR.**

United States Attorney, Southern District of California

**RE: YOUR RESPONSE TO MY COMPLAINT REGARDING THE  
USE OF FACE COVERINGS UNDER SAN DIEGO COUNTY COVID-19 ORDER**

Dear Mr Brewer,

Thank you for your prompt response to my formal complaint against San Diego County Health Officer Wilma Wooten regarding her order related to COVID-19.<sup>1</sup> This is my third communication with your office related to this matter.<sup>2</sup>

I start here where you finished your response, as to my vigilance regarding the protection of our constitutional rights and where you state that you appreciate me demanding accountability from public officials. That is what this reply is about: **I AM DEMANDING ACCOUNTABILITY FROM YOU AND YOUR OFFICE, THAT YOU COMPLY WITH YOUR OATH OF OFFICE TO PRETECT MY CONSTITUTIONAL RIGHTS.**

You quoted *Jacobson v. Commonwealth of Massachusetts*, 197 U.S. 11 (1905), but not accurately and in a contrived way. You stated that “temporary emergency measures may restrict our constitutional rights as long as they have some ‘real substantial relation’ with the emergency.” Actually, the *Jacobson* quote in full states as follows:

*"if a statute purporting to have been enacted to protect the public health, the public morals, or the public safety has no real or substantial relation to those objects, or is, beyond all question, a plain, palpable invasion of rights secured by the fundamental law, it is the duty of the courts to so adjudge, and thereby give effect to the Constitution."*<sup>3</sup>

<sup>1</sup> See my formal COVID-19 complaint to U.S. Attorney Brewer and his response below, Exhibit 1.

<sup>2</sup> See prior recent correspondence/fax with Brewer’s office, at <https://tinyurl.com/SanDiegoCovid19Complaint> and <https://tinyurl.com/RBReply-To-Sheriff-Gore-Covid>.

<sup>3</sup> See *Jacobson* decision, at <https://tinyurl.com/Jacobson-Supreme-Court-Case>.

The other important quote you did not mention from *Jacobson* which is applicable to my complaint and proves my rights are above the California State, San Diego County and City of Chula Vista health orders or guidelines, is the following:

***“There is, of course, a sphere within which the individual may assert the supremacy of his own will and rightfully dispute the authority of any human government, especially of any free government existing under a written constitution, to interfere with the exercise of that will.”***

Your response implies that what the San Diego County Health Office is doing is based on sound evidence showing that San Diego County must remain under lockdown and that all residents and visitors must wear masks at all times, when in fact all three letters I have sent to you and your office prove clearly that such is not the case, that current evidence does not support any further lockdown or violation of our God-given and constitutionally-reflected rights to move freely and without any facial coverings, not to mention all the other restrictions in the so-called emergency order from Governor Newsom, which the County and my city of Chula Vista are supposedly following.

In fact, the CDC itself did a study/report in May 2020 titled “*Nonpharmaceutical Measures for Pandemic Influenza in Nonhealthcare Settings—Personal Protective and Environmental Measures*”, in which it concluded that neither surgical masks, and much less other commercial or home-made face coverings or face shields, or even hand hygiene, help in any way in stopping the spread of COVID-19, just like such measures do not stop any influenza from running through a community. Like a chain-link fence: How can it stop a mosquito? Yet publicly the CDC continues insisting we wear masks. Their study states:

***“Although mechanistic studies support the potential effect of HAND HYGIENE OR FACE MASKS, evidence from 14 randomized controlled trials of these measures DID NOT SUPPORT A SUBSTANTIAL EFFECT ON TRANSMISSION OF LABORATORY-CONFIRMED INFLUENZA ... We did not find evidence of a major effect of hand hygiene on laboratory-confirmed influenza virus transmission ... We DID NOT FINDEVIDENCE that surgical-type face masks are effective in reducing laboratory-confirmed influenza transmission, either when worn by infected persons (source control) or by persons in the general community to reduce their susceptibility.”<sup>4</sup>***

As noted in all my prior correspondence, and always acknowledged by our health authorities when they claim vaccines are needed: ***We Need to Get to Herd Immunity***, which will only occur once people are allowed to go back into the community so that the virus becomes less dangerous to the public in general, children and adults alike. Yet, Fauci et al are trying to keep us locked down. Is this a real pandemic, or is this just a **live pandemic exercise**, as noted by Secretary of State Mike Pompeo recently in a press conference,<sup>5</sup> like the ones planned by the **Global Preparedness Monitoring Board**, of which Fauci is on the Board, as is a representative of the Gates Foundation.”<sup>6</sup>

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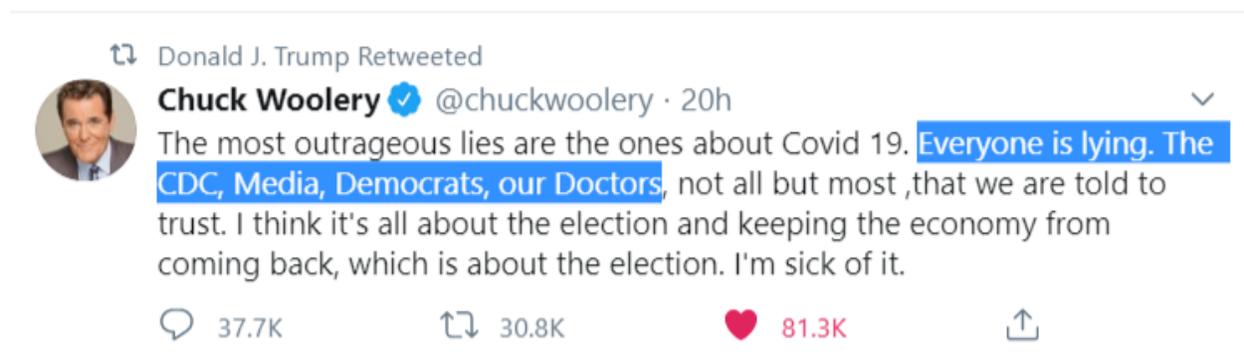
<sup>4</sup> See CDC recent study on facemasks and hand hygiene, noting that they do not work in any way to stop the spread of COVID-19, at <https://tinyurl.com/CDC-Study-Masks-Disinfecting>.

<sup>5</sup> See Secretary of State Mike Pompeo calling the COVID-19 pandemic “a live exercise”, President Trump saying, “**you should have let us know**,” at <https://tinyurl.com/Pompeo-COIV-19-Live-Exercise>.

<sup>6</sup> See presentation exposing the WHO and other international organizations and countries participating in purposefully-created pandemic exercises and drills, one of which could be the current so-called COVID-19 pandemic, at <https://tinyurl.com/COVID19-WHO-Docs-Live-Exercise>.

My “frustration” is not because I am locked down, with my children out of school and my wife now only working one day a week, it is because of the blatant and purposeful violation of our right to live, and what bigger thing is there than breathing fresh air and introducing oxygen into our body and not carbon dioxide, or the right to be happy and visit friends and family, or the right to work and earn a living, as well as to go to church -- in other words, the right to survive, the right to life, freedom and happiness. My “frustration” now includes your refusal to take appropriate action as requested in my complaint, which is your legal duty to do.

While you quote A.G. Barr’s directive regarding state government officials using COVID-19 to violate our rights, **YOU ARE NOT FOLLOWING HIS ORDER TO OBJECTIVELY CONSIDER MY CLAIMS.** It is almost as if you are not aware of all the declarations that Barr has made, or that his and your boss, President Trump, has made. We are dealing with corruption at the highest levels, perfectly coined the Deep State, with multiple agendas too long to discuss here. We can simply summarize this attack on President Trump, our nation and me and my family with this retweet by our President as regards the present COVID-19 public health situation and mandatory measures, and those trying to control them :



Everything that I have provided to you and your office conclusively proves that there is a concerted effort to exaggerate the dangers of COVID-19, the situation in our hospitals, how dangerous the virus is against children and teenagers, how contagious it is, how long it lasts on surfaces, and that there are no cures against COVID-19 except the unicorn vaccine that has not been created yet, the future vaccine that the manufactures and the CDC claim will have success in controlling or killing the virus – WITHOUT TELLING US THAT SUCH VACCINES HAVE NOT BEEN TESTED AGAINST TRUE INERT SALINE PLACEBO SOULTIONS, NOR TELLING US WHAT SIDE EFFECTS ALL THOSE PERSONS PARTICIPATING IN SUCH STUDIES HAVE SUFFERED, OR IF THERE HAVE BEEN ANY DEATHS, which appears to be the case.<sup>7</sup> The focus is to get a vaccine out, and not allow us to have a normal life until that happens, if at all -- AND TO STEAL THE ELECTION FROM PRESIDENT TRUMP IN THE PROCESS.

This involves persons and entities, which include Dr. Anthony Fauci, director of the National Institute of Allergy and Infectious Diseases, and Health Officer Wilma Wooten, San Diego County Health Officer, both of which I personally believe should be investigated and charged under R.I.C.O. statutes, are using trickery to inflate the numbers, from the number of COVID-19 cases,<sup>8</sup> to the number of persons hospitalized and

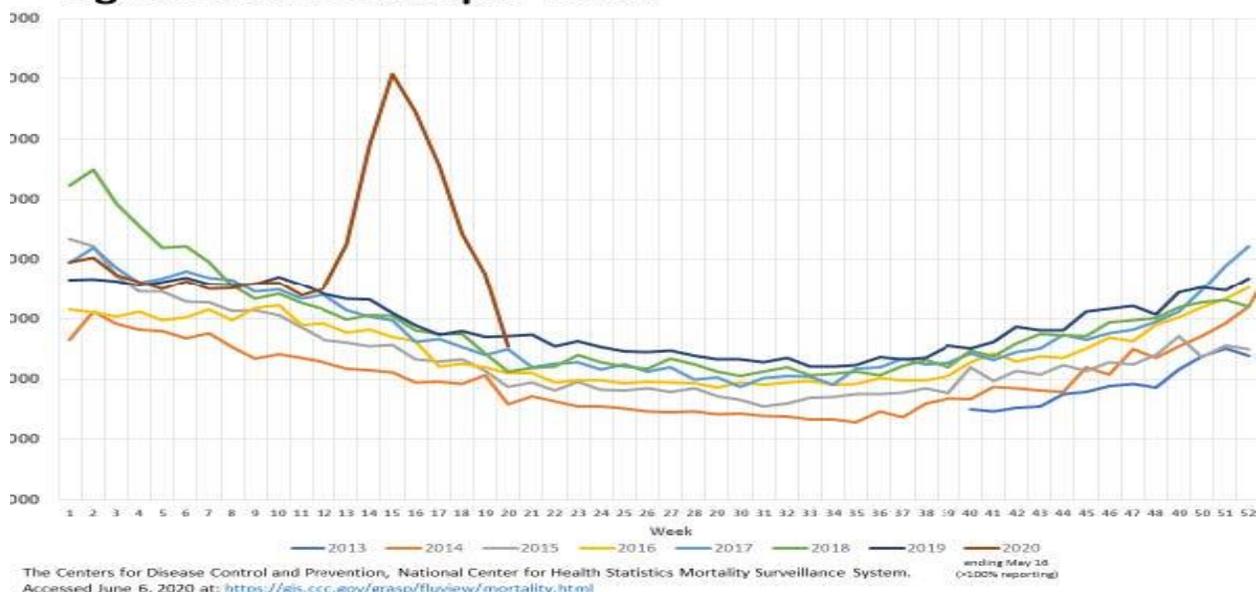
<sup>7</sup> See the New England Journal of Medicine article on the Moderna vaccine, where it notes systemic adverse events, noting that **“three participants (21% - TWENTY ONE PERCENT, ALMOST ONE QUARTER) in the 250-μg dose group reported one or more SEVERE ADVERSE EVENTS.”** and yet they claim that *“no trial-limiting safety concerns were identified,”* at <https://tinyurl.com/NEJM-Moderna-Vaccine-Report>.

<sup>8</sup> See Collin County, Texas, board meeting exposing and being concerned by the way the CDC and federal health authorities are asking them to report COVID-19 cases, potentially turning one reportable case into 17 cases, at

the number of actual deaths directly related to COVID-19, as opposed to a pre-existing deadly disease or an accident, under “assumed” or “probable” justification to code them in hospital documents and death certificates as having died BECAUSE OF COVID-19.<sup>9</sup>

By following the CDC guidelines/orders above, states are now reporting a spike in COVID-19 cases, on a virus like the typical annual influenza that by this time of the year should have diminished considerably. Even health authorities told us initially that the second wave would come towards the end of the year in colder weather, as is typical. We need only ask ourselves, how have our health authorities handled the COVID-19 crisis? See the chart below. Using only this evidence we can only conclude that apparently or almost in certainty, Fauci, the CDC, Governor Cuomo, Governor Newsom, Governor Whitmer, et al created the COVID-19 crisis, knowingly or unknowingly, killed thousands in the process and have maintained Americans in a state of panic for almost fourth months, with sales of antidepressants and suicides skyrocketing every day and is even resulting in food and consumer product shortages nationwide. Is this the life you have dreamed for your children and descendants?

**Figure 1: US Deaths per week**



In the above 2020 CDC report of weekly deaths, from 2013 to the middle of May 2020, it shows an unusual pattern of deaths. Coincidentally, the spike starts when the President declared the COVID-19 emergency

<https://tinyurl.com/Collin-County-COVID19-Cases>. See the PowerPoint used in the Collin County presentation at <https://tinyurl.com/Collin-County-COVID19-Cases-PP>.

<sup>9</sup> See the press conference from Dr. Ngozi O. Ezike, Director of the Illinois Department of Public Health, speaking of what is their definition of “people dying of COVID” and therefore how they are reported, where she notes that “***if you were IN HOSPICE and had already been given a few weeks to live, and then you also were found to have COVID, THAT WOULD BE COUNTED AS A COVID DEATH,***” at <https://tinyurl.com/IllinoisIDPH-COVID-Death-Count>. See also CDC Guidance for certifying deaths due to Coronavirus Disease 2019 (COVID-19), at <https://tinyurl.com/COVID-19-CDC-Death-Reporting>, as well as the comments by Dr. Deborah Birx, Coronavirus Response Coordinator for the White House Coronavirus Task Force, noting how while other countries are being realistic in documenting deaths based on the “actual cause of death,” in the United States we are doing the opposite: We are coding them all as a COVID-19 death, simply because that person either tested positive for COVID-19 or was “assumed to have COVID-19”. See Dr. Birx stating this, minute 2:44, at <https://tinyurl.com/Collin-County-COVID-Cases-Full>. We can add to the mix how some tests kits have been proven to be 50% accurate and in at least one case, even infected with COVID-19, at <https://tinyurl.com/COVID-19-Test-Kit-Contaminated>.

and when state health authorities started locking down the population, reflecting all the wrong steps taken by states and their governors, such as Governor Cuomo of New York, who forced senior care facilities with health-compromised individuals to accept any person that had COVID-19. It has been a complete mismanagement of the so-called COVID-19 pandemic, so much so that looking at the evidence it implies that all this has been done on purpose and in a well-coordinated manner. As a saying that is flying in the internet notes, ***“How Many Coincidences Before Mathematically Impossible?”***

As you stated in your response, these lockdown measures are having an impact on our community and in our way of life, but you are wrong, as proven herein, as to the health risks of COVID-19. And no, I and millions don't accept the restrictions on our normal life, because it is not for *“the sake of public health,”* instead, it is a political stunt, that includes stealing the reelection of President Trump, destroying the economy and then blaming him for the false threat of COVID-19 and all the suffering our nation is having to endure under false pretenses, with the most likely ultimate goal of ushering in the era of liability-free global mandatory vaccines for young and old, regardless of personal and religious rights or even preexisting medical condition and susceptibility to any particular vaccine, resulting in absolute global population control, in all its worse forms.<sup>10</sup>

You said, *“let us hope that the risk indicators everywhere show improvement.”* There are significant improvements, but they are concealed by the deceitful way in which COVID-19 cases, hospitalizations and deaths are counted and estimated, as proven herein.

All the COVID-19 projections, the models and the announcements from health officials, governors and mayors, mostly democrats, have been wrong, and when true evidence surfaces proving them wrong, they change the rules to make the situation look worse. Like the supposed increase in COVID-19 cases as we enter the summer, when viruses have lost all their strength. Based on Collin County health authorities, **the new way of counting cases turns 1 confirmed case into 17**, once the “probable” cases are added.

These counting methods are so corrupt, that even a person that died in a motorcycle accident was counted as a COVID-19 death.<sup>11</sup> See how on July 11, 2020, Florida health authorities reported 3,528 new cases, but in an analysis of all the individual labs doing the testing, more than 30, all had 100% positive test results.<sup>12</sup>

These are not small insignificant errors, but purposeful deceitful reporting by the health authorities we are supposed to believe and follow blindly, with the media relentlessly telling us that we must obey them. Thank God for courageous local reporters that sometimes bring these types of facts to light. According to one report by Kayla Rivas,

*“Fox 35 News said it investigated the numbers by contacting every local location listed in the report. Orlando Health confirmed to Fox News **that the 98 percent figure is incorrect and the positivity rate is actually 9.4 percent** ... A VA spokesperson told Fox 35 News that the Orlando Veterans Affairs Medical Center's positivity rate is **actually 6 percent, not 76 percent as seen on the report.**”*<sup>13</sup>

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<sup>10</sup> See Bill Gates interview where he confirms the injuries caused by the Moderna COVID-19 vaccine in clinical trials and he also mentions that multiple doses of the COVID-19 vaccine will most likely be required, especially among the elderly due to the vaccines' limited immunity, if at all, at <https://tinyurl.com/Gates-Moderna-Vaccine-Results>.

<sup>11</sup> See the report on the motorcycle crash death that was considered a COVID-19 death, at <https://tinyurl.com/COVID-19-Motorcycle-Death>.

<sup>12</sup> See news report showing that negative COVID-19 test results are not being reported by the Florida Department of Health, at <https://tinyurl.com/Florida-COVID19-Case-Reporting>.

<sup>13</sup> See report on how wrong the COVID-19 positive case reporting is in Florida, at <https://tinyurl.com/Florida-COVID19-Case-Mistakes>.

	A	B	C
1	Florida Labs Reporting 100% Positive Test Results		
2	Source: FL State Report for July 11, 2020		
3	Lab	Positive	Percent
4		3,528	100%
5			
6	LAB24 INC	444	100%
7	LEE MEMORIAL HOSPITAL LAB	397	100%
8	PANCARE OF FLORIDA, INC	323	100%
9	NCH HEALTHCARE SYSTEM MICROBIOLOGY LAB	318	100%
10	GENESIS REFERENCE LABORATORIES	210	100%
11	MILLENNIUM PATHOLOGY	188	100%
12	MILLENNIUM PATHOLOGY/MICROBIOLOGY LABORATORY	120	100%
13	VAMC WEST PALM LAB	104	100%
14	HOLY CROSS HOSPITAL LABORATORY	99	100%
15	STEWART REFERENCE LABORATORY	98	100%
16	JAMES A. HALEY VETERANS MICRO LAB	89	100%
17	VETERANS AFFAIRS MEDICAL CENTER LAB	81	100%
18	MILLENNIUM LAB SERVICES	66	100%
19	CENTRA CARE	65	100%
20	FLORIDA COMMUNITY HEALTH CENTERS INC	61	100%
21	GESSLER CLINIC	60	100%
22	GENE BY GENE	55	100%
23	P4 CLINICAL, LLC	55	100%
24	CURATIVE LABS INC	50	100%
25	MILLENNIUM PHYSICIANS GROUP	45	100%
26	NONA SCIENTIFIC	43	100%
27	UNITED CLINICAL LABORATORY LLC	42	100%
28	INTERCOASTAL MEDICAL GROUP	39	100%
29	NAVY HOSPITAL	38	100%
30	MORTON PLANT HOSPITAL	31	100%
31	MAVERICK LABS	30	100%
32	DESOTO MEMORIAL HOSPITAL LAB	28	100%
33	LAB CORP TAMPA	28	100%
34	DYNAMIC MEDICAL USA	25	100%
35	TAMPA GENERAL HOSPITAL CLINICAL LAB	25	100%
36	HEALTH FIRST-HOLMES REGIONAL	25	100%
37	SUNCOAST LABS	25	100%
38	ADVANCE MEDICAL OF NAPLES	221	100%

How does the death of one COVID-19 patient in California as of March 4, 2020 demonstrate that state resources and capabilities and the capability to respond had been exceeded or overwhelmed? There was no State of Emergency or a state of “epidemic” existing yet in California, as of March 4, which makes Governor Newsom’s COVID-19 emergency order unlawful, null and void, making all California County and city COVID-19 orders baseless and illegal as well.

According to the CDC, we presently have a total of about 3.6 million reported positive cases of COVID-19. Also, according to the CDC as regards the 2018-2019 flu season, we had 35.5 million persons with symptomatic illness, 16.5 million medical visits and 490,561 hospitalizations. In the 2017-2018 flue season it was worse: 45 million symptomatic illnesses, 21 million medical visits and 810,000 hospitalizations.<sup>14</sup> In other words, the 2018-2019 flu season had 10 times more people diagnosed with the flu than we now have exposed to COVID-19, and these numbers come from patients that actually went to a hospital due to the sickness, whereas in regards to COVID-19 positive cases and testing, this includes results from persons that did not need hospitalization, who simply went to a COVID-19 testing site out of curiosity to see if they had the disease, which means that even the 3.6 million COVID-19 cases would be much less if we removed non-medical visit cases, therefore less hospitalizations that is claimed could potentially overwhelm our medical system.

The recent spike in COVID-19 cases in San Diego County<sup>15</sup> is a direct result of how cases are being reported, not because of confirmed cases, but by the addition of “possible” cases, which can include: (1) at least one of the following symptoms: cough, shortness of breath, or difficulty breathing; (2) close contact with a confirmed or probable case of COVID-19 disease; (3) close contact with a person with clinically compatible illness AND linkage to a confirmed case of COVID-19 disease; and (4) **a person simply traveling to or residence in an area with sustained, ongoing community transmission of SARS-CoV-2.**<sup>16</sup>

<sup>14</sup> See CDC report on influenza cases from 2011 to 2019, at <https://tinyurl.com/US-Influenza-Season-2011-2019>.

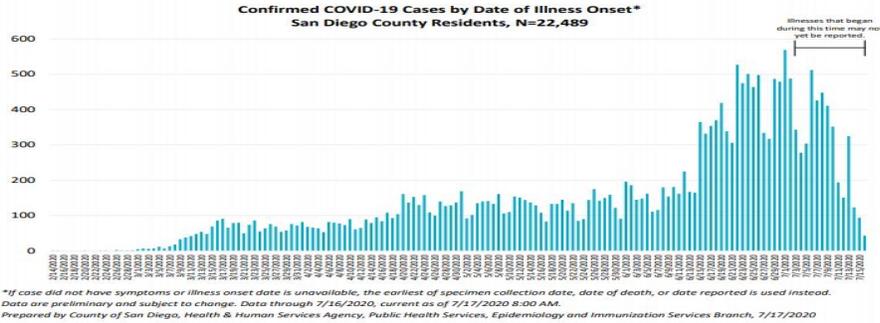
<sup>15</sup> See San Diego County report of daily COVID-19 cases, at <https://tinyurl.com/SDCounty-COVID-Cases-7-15-2020>.

<sup>16</sup> See Collin County PowerPoint noting what constitutes a “probable” case of COVID-19 that should be reported as an “actual” confirmed case, at <https://tinyurl.com/Collin-County-COVID19-Cases-PP>.

## COVID-19 Cases in San Diego County by Illness Onset Date



LIVE WELL  
SAN DIEGO



Mr. Brewer, I am sure you are an honorable man. You served in the U.S. Army as an Airborne Ranger, received the Silver Star and two Bronze Stars for your service in the Vietnam War. You have been a county and federal district attorney from 1975 to 1982, including successfully prosecuting a variety of cases including espionage, bank robbery, murder for hire, and aircraft hijacking. You know that the evidence I have provided in my correspondence to you and your department, including this one, contains overwhelming evidence that the San Diego County COVID-19 lockdown is unjustified and illegal.

While you owe allegiance to our country and not to President Trump, who nominated you in 2018 to become the U.S. Attorney in the Southern District of California, sworn into office on January 16, 2019, it has to be clear to you that there is a campaign by many known and unknown entities to remove President Trump from office, steal his reelection and to continue to keep the American People locked down as much as possible and unjustifiably wearing a mask whenever out of their homes, their symbol of full submission.

Every day new documents come out proving that Comey and many other government officials conspired to sabotage our president. COVID-19 has become a tool for that aim and for the push for mandatory vaccination for all Americans, young and old. As noted by Saint Paul in Ephesians, chapter 6, verse 12,

***“For we wrestle not against flesh and blood, but against principalities, against powers, against the rulers of the darkness of this world, against spiritual wickedness in high places.”***

It should not come as a surprise to you if I say that we have such Deep State operatives also in our health departments, at a federal, state and county level, among the top ones being Dr. Fauci, who has been exposed as being a corrupt puppet of vaccine manufactures, as noted in Judy Mikovits’ book, *Plague of Corruption: Restoring Faith in the Promise of Science*,<sup>17</sup> and who is now a player in Bill Gates’ plan to vaccinate the whole world with a future COVID-19 vaccine, saying everyone should be tracked to ensure compliance using digital certificates in order to travel or work.<sup>18</sup> The San Diego County Health Officer claims she had to take this action because the World Health Organization (hereinafter the WHO), which is primarily financed and controlled by Gates, said we had to, even though the WHO has been proven wrong and corrupt over and over again, as noted in my correspondence.

I adopt herein all my prior correspondence, all footnotes, exhibits, noted internet articles and videos by reference and incorporation.

<sup>17</sup> See Judy Mikovits interview regarding her book, at <https://tinyurl.com/Judy-Mikovitz-Fauci>.

<sup>18</sup> See report on Gates and his COVID-19 digital certificates, at <https://tinyurl.com/Gates-Vaxx-Digital-Certificate>.

## **REQUEST FOR RECONSIDERATION/APPEAL**

Therefore, and based on the above, I request that you reconsider your refusal to act upon my complaint against the San Diego County Health Officer, Wilma Wooten, regarding the COVID-19 health order. In the alternative, I request that you provide me all information regarding my rights to appeal your decision.

I note here that refusal to take action against such a serious threat to public health, but not from the COVID-19 virus, from the lockdown orders themselves, affecting over 3 million San Diego County residents, our country and the world, would be a violation of the duties of your office, Attorney Barr's directive, a violation of your oath of office, and from a military standpoint, dereliction of duty. There is too much in the balance for you to do nothing. Please work in conjunction with other California US attorneys, Attorney General Barr and President Trump, to stop all COVID-19 state and county health orders that violate our rights and are destroying our health, our social life, our economy and our way of life, as described herein. Let's Bring Our America Back Again.

Respectfully Submitted,

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Ricardo Beas

### **DISTRIBUTION:**

Robert S. Brewer: USPS CertRcpt# 7018 1130 0000 2762 7476, Fax (619) 546-0720.

**Local Media:** [news@kusi.com](mailto:news@kusi.com), [news@fox5sandiego.com](mailto:news@fox5sandiego.com), [kgtv\\_assignmentdesk@10news.com](mailto:kgtv_assignmentdesk@10news.com).

EXHIBIT 1

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## FAX COVER SHEET

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**DATE:** July 3, 2020  
**NAME:** U.S. District Attorney Robert S. Brewer  
**COMPANY:** U.S. Department of Justice  
**FAX #** (619) 546-0720  
**PAGES:** 10 (including cover)  
**SUBJECT:** **COMPLAINT AGAINST SAN DIEGO COUNTY COVID-19  
LOCKDOWN ORDERS – USAGE OF MASKS**

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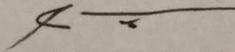
Dr. Mr. Brewer,

This is a formal complaint against the San Diego County COVID-19 health order and resulting lockdown and forced us of facial coverings. Attached is my letter to Health Officer Wilma Wooten and other government officials which explains the basis of my complaint. You can find an electronic copy of my letter at <https://tinyurl.com/RBeas-Letter-COVID-19-Masks>.

I request that you follow the April 27, 2020 order by U.S. Attorney General, William Barr,<sup>1</sup> and that you investigate my claims as outlined herein to ensure that all state and county officials comply with the U.S. Constitution, protecting and securing our civil rights, which are being violated by the state and county's COVID-19-related orders and guidance documents.

I further request is that you and/or your staff contact me to confirm receipt of this fax and to advise what actions you will be taking to stop this unconstitutional action by California officials. Thank you very much for your assistance with this urgent matter.

Respectfully submitted,



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Ricardo Beas  
1361 Mountain View Lane  
Chula Vista, CA 91911  
(619)621-5899  
[RicardoBeasV@hotmail.com](mailto:RicardoBeasV@hotmail.com)

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<sup>1</sup> See U.S. Attorney General Barr's letter to all U.S. District Attorneys as to prosecuting violations of civil rights related to the COVID-19 lockdown, <https://tinyurl.com/Barr-COVID-19-To-US-Attorneys>.



U.S. Department of Justice

ROBERT S. BREWER, JR.  
United States Attorney  
Southern District of California

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Imperial County Office  
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Suite C  
Imperial County, California 92251-5782

July 9, 2020

Ricardo Beas  
[REDACTED]

Dear Mr. Beas:

Thank you for your letter regarding the State stay-at-home orders to address the COVID-19 pandemic. I share your frustration with the impact these measures are having on our communities and way of life. I am also mindful of the countervailing concerns about health risks. I appreciate that you have contacted my office about this critically important matter.

Even as we accept restrictions on our normal lives for the sake of public health, it is also important that we do not abandon all of our freedoms in times of emergency. That is why on April 27, 2020, Attorney General William Barr directed the Assistant Attorney General for Civil Rights, Eric Dreiband, and Matthew Schneider, the United States Attorney for the Eastern District of Michigan, to oversee and coordinate the Justice Department's efforts to monitor state and local policies and, if necessary, act to correct them. I am working closely with both Mr. Dreiband and Mr. Schneider on these challenging issues.

Since the pandemic began, my office has received numerous calls and letters from concerned citizens like you. These citizens are gravely concerned about the scope, reach, and duration of the orders issued in response to the COVID-19 pandemic.

While many of us are unhappy with the restrictions imposed upon us, we should recognize that states have broad authority to take action to protect their residents during a public health crisis. That authority, however, is not limitless, and must be exercised reasonably. Temporary emergency measures may restrict our constitutional rights as long as they have some "real or substantial relation" to the emergency and are not "beyond all question, a plain, palpable invasion of rights secured by the fundamental law." *Jacobson v. Commonwealth of Massachusetts*, 197 U.S. 11, 31 (1905). Generally, in evaluating these actions, the federal government and the federal courts may not "second-guess" local leaders who make restrictions based upon the advice of public health experts.

The Department of Justice is actively monitoring state and local policies for potential violations of the United States Constitution and federal law. At the same time, the Department does not intend to interfere with the reasonable efforts of state and local governments to protect public health. Of course, private citizens may challenge specific restrictions in court by filing lawsuits, and the Department will consider whether to become involved in such suits as appropriate.

July 9, 2020  
Page 2

We will continue to monitor the situation in our state as directed by the Attorney General. Let us hope that risk indicators everywhere show improvement and that restrictions will end soon. In the meantime, I appreciate your vigilance in raising these issues and demanding accountability from elected leaders and other public officials.

Sincerely,

ROBERT S. BREWER, JR.  
United States Attorney