

HAMILL LAW & CONSULTING

March 8, 2022

California State Senate
Governmental Organization Committee

Re: Alliance of Los Angeles County Parents Support of SCR 5

Dear Chairman Dodd and Honorable Members of the California State Senate Governmental Organization Committee:

I write on behalf of the Alliance of Los Angeles County Parents (“Alliance”), a community group organized for the purpose of representing the interests of Los Angeles County children subjected to harmful and restrictive COVID-19 mandates by local education agencies, the County of Los Angeles, and the State of California.

The Alliance advocates for fair, humane, and equal treatment of all children within Los Angeles County, for removal of all unnecessary, harmful, and unjustified restrictions against children, and for providing children with a full return to normalcy.

If human nature and history teach anything, it is that civil liberties face grave risks when governments proclaim indefinite states of emergency. *Does v. Maine*, 595 U. S. ____ (2021), J. Gorsuch, dissenting, pp. 6-7.

On May 17, 2020, the nonpartisan California Legislative Analyst’s Office released a report stating that they are “very troubled” by the authority the Governor seeks to take away from the Legislature in the May Revision, and stated that “we urge the Legislature to jealously guard its constitutional role and authority.”

An open-ended state of emergency, with boundless powers vested in a chief executive, is incompatible with democratic government. It is critical that a proper balance be restored between the legislative and executive branches.

The Emergency Services Act states: “The Governor ***shall*** proclaim the termination of a state of emergency at the earliest possible moment that conditions warrant.” Cal. Govt. Code § 8629. The Governor has failed to do so.

Thankfully, the Emergency Services Act allows the State Legislature to terminate a state of emergency “by concurrent resolution of the Legislature declaring it at an end.” The Legislature must exercise its discretion to terminate the state of emergency in order to restore the proper balance between the legislative and executive branches.

The Alliance strongly supports terminating the COVID-19 state of emergency and urges you to approve SCR-5.

Sincerely,

Julie A. Hamill
Alliance of Los Angeles County Parents