

MINUTES OF THE SPECIAL MEETING OF THE  
CADDO PARISH COMMISSION  
HELD ON JULY 8, 2020

The Caddo Parish Commission met in legal and special session on the above date at 12:30 p.m. in the Government Chambers, with President Chavez, presiding, and the following members in attendance, constituting a quorum: Commissioners Atkins, Burrell, Cawthorne, Chavez, Epperson, Gage-Watts, Hopkins, Jackson, Johnson, Lazarus, Taliaferro, and Young (12). ABSENT: None (0).

The invocation was given by Mr. Taliaferro, and Mr. Epperson led the Commission in the Pledge of Allegiance.

**CITIZENS COMMENTS**

Christine Draper gave the following comment:

This is Christine Draper. Okay. I want to go through my unalienable rights that came from my creator and I do believe that. Life, Liberty and the Pursuit of Happiness. I can't have life wearing a mask. It is not for me. I cannot wear one. I won't even go into that. Liberty is my freedom. Freedom is not to wear a mask. I do believe if your sick wear one, wear one. If you're not sick, don't wear one. Take these names down because you need to be a little bit more study before you vote that we have to wear a mask. Dr. Shiva Ayyaduria and Dr. Rashid Buttar, they were the top in America before covid. They've got things to say. Why don't you check them out. Check [americanlibertyreports.com](http://americanlibertyreports.com) out... Then I want you to, um... OSHA says that the masks may help. I don't know about y'all's language, but it means may help and may not help. Hypercapnia and Hypoxia will find out that the masks do more harm because on the, um. CDC.gov says you've got to take care to support your vital organs. It's on there and it doesn't say a mask will help.... Hypoxia and hypercapnia by wearing a mask. Wearing a mask is causing shortness of breath, dizziness and headaches for wearing a mask too long and rebreathing your own carbon dioxide. It basically shuts your brain and your kidneys and your vital organs down. Hypoxia is depriving the body of adequate oxygen supply. It can damage your lungs. People are actually playing and buying of this craziness. So when... I want people to die because I won't wear a mask. I think the people that don't do a lot of study up in our little politics, government. They might be wanting to kill them. You need to check out also too... You just said today that is asymptomatic. It is proven that asymptomatic cannot... contagious. I know y'all believe it too. So, uh, they're not contagious. I can't get... I won't go into that, but, uh, anyways if you have a fever and sick wear a mask. And if you don't have a fever and you're not sick you should not be commanded to wear a mask. So a doctor... and he also said that his computer model said that it might help if you wearing a mask. So, I'm just saying right now that I need all of this... you're going to take my rights away and make me wear a mask. When I'm not sick, I can't get it. Now there's a reason I can't wear a mask, which I ain't going into. I hope y'all would do a little bit of study on this. Look up some of these things. Uh, doctors who were not... they were, they were doctor's before covid. Y'all need to look up some of this stuff and who says I can't be... I'm being told that I... and you're also separating the people. I'm wanting to kill people because I can't wear a mask.

Mark Metticus gave the following comment:

This is Mark Medicus at 10455 Linwood. As a card carrying democrat, I have a few questions concerning face masks. And, uh, one of them is if the masks work so well why are we social distancing? And if social distancing works, then why are we wearing masks? What really gets me if masks and social distancing work, then why are many businesses still closed. I don't understand that. Better than that people are scared of being fined for congregating in crowds. As if, catching a deadly disease and dying a horrible death wasn't enough? And who in the w- heck decided, whoever decided a liquor store is more essential than a church is obviously an alcoholic. Oh, let me get this straight also. There's no cure for a virus that can be killed by sanitizers and hand soap. And I am trying to really understand this. I don't want to confuse, uh, covid cases and really and truly our covid deaths are decreasing overall. I'm looking at the stats on the screen right now. When our restaurants were closed, we went over to Texas. My wife and I went over to Texas with some of our friends and went ahead and ate over there because their restaurants work. They had some things in gear to keep it safe. We spent money over there. And, will force us to Bossier to use their services and freedoms if you turn on something mandatory. I implore each of you to consider the consequences of the government demanding a requirement rather than strongly recommending an action. Sit back and don't let emotions take control. Our Sherriff's department is the finest anywhere and their services are much better served for much more serious issues than this. I really want you to reconsider this. You should think through this and don't make masks mandatory. Strongly recommend them, but don't make them mandatory. We still are the United States of America. All right. I appreciate you and thank you so much.

Jabbtaylor emailed the following statement:

I do not agree with the mask mandate. I want to keep my liberties which include the right to or NOT to wear a mask. It has been proven that the masks do not really work. If someone wants to wear mask, let them. But do not mandate that I wear one. It is an overreach of government to tell me what to do with my own body. Today it is a mask, what will it be tomorrow? Vaccines? Chips? No way!! A stand has to be made now! Vote NO MASK MANDATE!

Ms. Patsy Lavery emailed the following statement:

I feel I know how you feel on this issue. I hope you vote in support of masks and go with the City of Shreveport on this. This is the only way to get this in control for everybody working together. We wear ours when we go out. I do not feel my rights are infringed on as many state. Too many I know have got it, had it or died with it.

Ms. Donesa Walker emailed the following statement:

Absolutely one hundred percent against violating the rights of Americans by mandating the wearing of masks! Donesa Walker, M. Ed. LearningRx of Shreveport

Ms. Shirley Fisher emailed the following statement:

I support both of these measure and think that they could save lives.

### **VISITORS**

- Declaration of Independence Recital

The Clerk of the Commission played a pre-recorded video of Mr. Ken Krefft reciting the Declaration of Independence.

### **CERTIFICATE OF TELECONFERENCE**

WHEREAS, the Governor of the State of Louisiana has issued Proclamation Number 33 JBE 2020, stating that, due to the current Public Health emergency declared in the Governor's Proclamation Number 25 JBE 2020, and citing the provisions of La. R.S. 29:721, et seq., granting him the authority to control the "ingress and egress to and from a disaster, the movement of persons within the area, and the occupancy of premises therein; and,

WHEREAS, the Governor, in Proclamation Number 33 JBE 2020, has limited all gatherings of 10 or more people, for public safety purposes; and,

WHEREAS, Governor has issued a general stay at home order "unless performing an essential activity," 33 JBE 2020, Section 3; and,

WHEREAS, attendance at a Caddo Parish Commission Regular Session meeting is not stated in the list of essential activities, listed in 33 JBE 2020, Section 3; and,

WHEREAS, the usual conduct of the meeting would require travel and the presence of a number of persons in excess of ten (10); and,

WHEREAS, the Governor of the State, in Proclamation Number 30 JBE 2020, Section 4, issued on March 16, 2020, has invoked the aforementioned statutes authorizing him to allow attendance at essential governmental meetings via teleconference or video conference during the pendency of this emergency; and,

THEREFORE, the Caddo Parish Commission hereby certifies that it will not be able to obtain a quorum and convene a meeting in a public forum on July 8, 2020 due to the Governor's proclamations, and will be required to meet by video conference, and, if necessary teleconference, on that date as allowed by law and the Proclamations of the Governor listed above.

Date: July 7th, 2020

/s/Mario Chavez Caddo  
Parish Commission President

### **NEW BUSINESS**

It was **moved by Mr. Jackson**, seconded by Mrs. Gage-Watts, *that Ordinance No. 5962 of 2020, an emergency ordinance mandating masks or facial coverings in certain establishments and public places; to provide penalties for the violation of same, and to otherwise provide with respect thereto be moved to Thursday's Regular Session for adoption.*

**Amendment by Mr. Jackson**, seconded by Mr. Young, *that the Parish Administrator may use CARES Act Funding to hire private security to help ensure enforcement, if needed.*

Mr. Jackson explained that he saw on the news that Sheriff said that he did not have the manpower and would enforce it "if they got around to it". Mr. Jackson also mentioned that New Orleans has utilized private security companies to be able to join forces with their zoning, code enforcement, and NOPD to help ensure compliance of the face covering mandate.

Mr. Chavez asked Attorney Frazier to speak on the legalities of private security enforcing public law. Attorney Frazier explained that she would have to look into it and see what New Orleans has

put in place. She does not see any issue if its “feet on the ground” to report to the proper authorities, but she would need to research the matter further.

Mr. Burrell said that from the conversation he heard, he does not feel that Sheriff Prator is in support of this mandate.

It was **moved by Mr. Chavez**, seconded by Mr. Lazarus, *to suspend the rules and allow Sheriff Prator to speak at this time. Motion carried unanimously.*

Sheriff Prator clarified that he did not say whether or not he was in favor of the masks. He pointed out that the Sheriff’s Office has to “juggle a lot of balls”. They will report and respond to complaints, provided they are not dealing with a more pressing matter.

Sheriff Prator continued and said “our jobs as leaders is to clarify and not confuse”. He understands that the City of Shreveport has a mask mandate, and the Parish is considering one. He wanted to know if this would include all of the municipalities in the Parish, or just the unincorporated areas. Sheriff Prator also said that the Sheriff’s Office to an oath to uphold the laws and the Constitution of Louisiana, as well as, the laws and the Constitution of the United States. He said that they will not ignore a law that the Commission passes, but they will use discretion in the way they enforce it and respond to it.

He also cautioned the Commission on hiring private security to start enforcing laws. Mr. Jackson clarified that the private company would not be the enforcement, but would be there to report the violations to the Sheriff’s Office. He said that the private company would be “boots on the ground, eyes and ears, to help ensure compliance”.

Mr. Chavez had some questions regarding the private security company. He wanted to know how the private company could force a private entity to furnish their ID if they have no post-certification or public power. Mr. Jackson clarified that the ordinance puts the onus on the business. This ordinance is to ensure that businesses are making sure that the patrons are complying. Mr. Chavez is not sure that he wants to put responsibility on the business.

Attorney Frazier clarified that it is her understanding that the amendment is to use private security, if needed. It is also her understanding that any private persons would not be doing citations, but would be reporting violations to the Sheriff to enforce them at his discretion, when his deputies have time. Mr. Jackson clarified that he is taking out the discretion point. He said that if a complaint has been reported, then they would get a citation.

**Point of Clarification by Mr. Burrell.** He said that he did not say that the Sheriff didn’t support masks, he just wanted to know if he was in support of what the Commission is wanting to do.

Mr. Young pointed out that the Commissioners recently received an ordinance in their emails with several changes suggested to him by the business and legal community. Some of the changes include no longer requiring the businesses to distribute masks to people if they don’t have them; remove the restrictions on non-business gatherings that are not taking place in business establishments, i.e. protests downtown, field parties, etc.; and no penalties for individuals, but instead can be removed from the premises if the individual refuses to wear a mask. Mr. Young pointed out that several businesses he spoke to want to protect their employees, and could do so easier with a local ordinance put in place.

Mr. Young also talked about the violations. He said that after a warning, the business could get a violation, or it can also have its license suspended or revoked instead of a violation.

Answering a question from Mr. Young regarding where this can be enforced, Attorney Bernstein said that this would only apply to the unincorporated areas of the Parish.

Mr. Young also wanted to know if this was in the Commission’s legal authority. He asked that Attorney Frazier would speak briefly on that matter. Attorney Frazier explained that under the 10<sup>th</sup> Amendment, the states absolutely have the right via their state government and local governments to provide for the health, public safety and welfare of their citizens. She said that the Supreme Court recognizes the legal rights of the local and state governments to govern in this area. She feels that it is well within the Commission’s rights as government to require these.

He also wanted to know if it would be any benefit to the Parish on getting an Attorney General’s opinion on this ordinance. Attorney Frazier stated that it would take approximately 6-8 weeks to receive an Attorney General’s opinion back. She also mentioned that an Attorney General’s opinion is only an opinion from another attorney, and is not something that can absolve a party from any legal liabilities.

Mr. Young also pointed out that places of worship are not mentioned in this ordinance, only businesses and business establishments.

It was **moved by Mr. Johnson**, seconded by Mr. Jackson, *that the amended version of Ordinance No. 5962 of 2020, amending the second offense fine to say “up to \$500”, and to include that the Parish Administrator may use CARES Act Funding to hire private security to help ensure enforcement, if needed* be moved to Thursday’s Regular Session for adoption.

**Point of Clarification from Mr. Chavez.** He wanted to know who was billing the fine, and who would the check be written out to. Mr. Johnson stated that it would be payable to the Caddo Parish Commission.

Mr. Atkins stated that he is disappointed in today's discussion. He said that the businesses in this community are already struggling, and this would be more regulation. The businesses would have to ensure that their customers have masks, and if they don't, they will need to provide them with one. He believes that this is an inappropriate action that is being considered.

He believes that more compliance will be had if the Commission "requests people to do things, not demand people to do things". He thinks that this is a bad idea and will not support any of this.

Mr. Atkins also pointed out that this would apply for the incorporated portions of the Parish which has the least population density, the least amount of interaction between citizens. He believes that those citizens would be even more outraged by this ordinance and "they're likely to revolt against the action".

Mr. Atkins said that he would be in support of a resolution to encourage the use of masks, but would be opposed to anything that mandates the use of masks.

Mrs. Gage-Watts said that this legislation to mandate masks in Caddo parish is in response to the public health crisis, the global COVID-19 pandemic coronavirus. She said that 240 people have died in Caddo Parish due to the virus in four months, and the numbers are steadily rising with no cure in sight. She said that the Commission is obligated to protect the at-risk population, the elderly, the disabled citizens of Caddo Parish. She also pointed out that frontline workers are risking their lives daily to provide patient care and essential services. Mrs. Gage-Watts said that there have been several businesses that have asked for the Commission's help to enforce masks while customers are inside their businesses. She said that this pandemic is a constantly evolving situation. "We must stand on what we do know that works, which is masks or facial coverings," she said. Mrs. Gage-Watts asked that the Commissioners vote in favor of this ordinance.

Mr. Taliaferro said that there are too many questions and changes to consider this ordinance at this time. He does not believe it is the Commission's responsibility to legislate medical issues. He also believes that business owners should not be told how to run their businesses. They should have that opportunity to make the decisions about their business for themselves. He reiterated that his position has always been that making medical or healthcare decisions is not under the scope of the Caddo Parish Commission.

Mr. Taliaferro said that COVID-19 is a serious issue, but there are treatments now that they did not have before. He also pointed out that ventilator use is down.

He also said that he is a product of law enforcement and is a rule follower, "but not at the expense of relinquishing my freedom".

Mr. Hopkins stated that he supported the funding for COVID-19 tests and masks for the underserved, along with encouraging people to wear a mask, but he cannot support a mandate. He pointed out that this mandate is for the rural area in the Parish. "We're penalizing the wrong people," he said. Mr. Hopkins said that he would be in favor of asking and encouraging someone to wear a mask, but not mandate it.

Mr. Lazarus agreed with Mr. Hopkins and Mr. Atkins. He said that this is "a step too far". Mr. Lazarus said that this mandate would mainly affect Districts 1 and 11. He also pointed out that the Commissioners just now received these amendments and believes that there should be more time to peruse them. He will not be in support of this mandate.

Mr. Chavez does not agree with this either. He said that the small businesses are hurting right now and several had to close because of COVID. He also pointed out that a business has the right to restrict service to somebody and can mandate that a mask be worn within their establishment. He said that they can choose to run their business and the safety of their employees, any way that they need. Mr. Chavez asked for additional time to review this ordinance. He also said that he disagrees wholeheartedly with private enforcement. He does not want to see a private business going into our businesses and tell them how to run their business.

Mr. Jackson mentioned that this will not only affect citizens in the unincorporated areas of the Parish. He said that he and several others go to businesses in north Caddo that are not in Shreveport and not in Blanchard. He asked that the Commissioners support this ordinance as amended.

Mr. Johnson pointed out that we are in the middle of a pandemic right now. He also said that the Commission has been urging and requesting people to do different things, but the coronaviruses are increasing, not decreasing. He asked that everyone wear a mask until the numbers decrease.

Mr. Johnson also mentioned that there have been several amendments to this ordinance to help lax the requirements for the businesses. He gave an example of changing the language from "shall" to "may". He asked that the Commission support this ordinance and its amendments.

Mr. Burrell believes that the Commission has gotten to a point where an issue of safety has been politicized. He said that wearing a mask gives him a sense of comfort when he goes into a store or out in the public. Mr. Burrell said, "we are at war with an invisible enemy that can attack any of us at any time". He believes the Commission as government body does have a responsibility to the people to keep them safe.

Mr. Burrell also mentioned that there are some questions with the amendments in this ordinance. He said that the ordinance is a "piece of legislation in progress".

**Call for the Question by Mr. Cawthorne**, seconded by Mr. Epperson. Motion carried, as shown by the following roll call votes: AYES: Commissioners Atkins, Burrell, Cawthorne, Chavez, Epperson, Gage-Watts, Hopkins, Johnson, Lazarus, Taliaferro, and Young (11). NAYS: Commissioner Jackson (1). ABSENT: None (0). ABSTAIN: None (0).

**Point of Clarification by Mr. Johnson.** Mr. Johnson explained that this is an emergency ordinance. He wanted to know why this was not being adopted today. Attorney Frazier stated that it is on today's agenda for "authorize introduction" of the ordinance and resolution. This would need to be voted on to move to tomorrow's agenda where it can be adopted.

At this time, Mr. Johnson's motion carried, as shown by the following roll call votes: AYES: Commissioners Burrell, Cawthorne, Epperson, Gage-Watts, Jackson, Johnson, and Young (7). NAYS: Commissioners Atkins, Chavez, Hopkins, Lazarus, and Taliaferro (5). ABSENT: None (0). ABSTAIN: None (0).

It was **moved by Mr. Johnson**, seconded by Mr. Epperson, *that Resolution No. 56 of 2020, a resolution enacting a COVID-19 threat level system within Caddo Parish and otherwise providing with respect thereto* be moved to Thursday's Regular Session for adoption.

Mr. Hopkins wanted to know who determines the threat levels. Mr. Johnson explained that the Commission, in conjunction with Dr. Whyte and the hospitals, will talk about the number of cases and determine which phase the Parish is in. Mr. Hopkins asked if it would go through the emergency preparedness. Mr. Johnson said that it could go through that.

Mr. Jackson pointed out that the Commission does have an Office of Homeland Security and a Homeland Security director required of the Parish to have in place by the Homeland Security and Emergency Preparedness Act for Louisiana. He mentioned that he wanted to correlate with the office. He requested Dr. Wilson to verify the homeland management group and to correlate with them.

Dr. Wilson confirmed that the homeland Security office functions well and we must utilize it.

Mr. Jackson further stated that the office can coordinate with doctors, police, fire and other groups. He also believed that the Commission President the chair of that group. Dr. Wilson acknowledged that he and other Parish Directors have sat in the group and that the Parish does represent in the group and the Commission President can sit in on meetings. He also confirmed that there are no issues with the Homeland Security Office's operations.

Mr. Jackson stated that Mr. Johnson is providing a threat level and there is a group to assess it. He continued to state in regards to racial injustice, the COVID19 statistics disproportionately affect the African-American community and people want to return to normal operations. He commented that there people are being impacted by the virus, not at their own fault, and stated that Pastor Blake was healthy and before he contracted the virus. He concluded that in the fight against the virus the Commission remembers all people affected by COVID19.

Mr. Atkins stated that everybody is affected by COVID19 regardless of demographic and everyone is affected in some way. He stated that he does not trust the threat level assessment and views it as an expansion of government control to mandate masks. He concluded that he will not be in support of the mandate.

Dr. Whyte commented that she there were many points that she both can agree and disagree with. She explained to the Commission that hospitalizations are higher now than when the pandemic started and that here are fewer people on ventilators due to a change in treatments and deaths. She stated that they are still experiencing a pandemic and, regardless of age and healthiness, people's risk and symptoms vary. She personally mentioned that her family was affected by the virus, her husband flat-lined several times and his small business is suffering as well. She continued that they have asked and pushed and hollered and raised voices to wear masks, but the Parish must take action for itself. She also stated that the mask mandate is not asking citizens to wear masks 24/7 but to wear a mask for the brief period of time that they will be in a public area that social distancing is not possible. She implores everyone to consider the public health, such as retail store employees who go to work around the public every day.

Mr. Johnson commented that they typically vote based on expert opinions and hopes the Committee will vote following Dr. Whyte advice on the mask mandate. He added that the statistics for the

number of deaths due to COVID19 in Louisiana have dropped from about 70% Black and 30% White to 52% Black and 46% White and that the virus affects everybody regardless of income or other boundaries. He expressed concerns that the Commission can't agree any better on public health issue. The Commission has often stepped up for public safety and he implored the Commission to do what is best for all their districts regardless of rural or urban location.

Mr. Chavez informed the Commission that Dr. Whyte had to leave the meeting at this time.

Mr. Burrell expressed that during the World Trade Center terrorist attack the President at that time instituted a threat level which gave the country a sense of relief and addressed to Commissioner Atkins that the threat levels are not government overreach.

Mr. Epperson asked Dr. Wilson whether Robert Jump is over the Homeland Security Office. Dr. Wilson responded that the Director of Homeland Security is Sherriff Prator and Robert Jump is a coordinator in the office under the Sherriff.

Mr. Epperson also wanted to know whether masks were mandatory at the casinos. Dr. Wilson was unsure whether there is a requirement to wear a mask to enter the casinos.

Mr. Taliaferro requested to know if the Parish has consulted with the Homeland Office before adopting the threat level idea and whether they are duplicating the effort since the CDC has a threat level. Mr. Johnson stated that they can adopt legislation from the state, but the goal is to target what is best for Caddo Parish and make a policy as overseers of a local government.

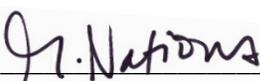
Mr. Taliaferro stated that the threat level would be beneficial and he would like to consult the Homeland Security Office before voting on the resolution. Mr. Chavez responded that the movement is to authorize an introduction.

Mr. Jackson suggested that they do not wait until the next meeting to seek out expertise, instead to take advantage of phone and email to gather information.

Mr. Chavez requested the Commission Clerk to forward a copy of the ordinance to Sherriff Prator over the Homeland Security Office.

At this time, Mr. Johnson's motion carried, as shown by the following roll call votes: AYES: Commissioners Burrell, Cawthorne, Chavez, Epperson, Gage-Watts, Jackson, Johnson, Taliaferro, and Young (9). NAYS: Commissioners Atkins, Hopkins, and Lazarus (3). ABSENT: None (0). ABSTAIN: None (0).

There being no further business to come before the body, the meeting was adjourned at 2:34 p.m.

  
Michelle Nations  
Deputy Commission Clerk

  
Mario Chavez  
President