



## What's Up With...

Five things San Juan should know this week

### 1 SJC Restaurants Feel Effects of Dining Restrictions

**THE LATEST:** When a regional stay-at-home order was issued in Southern California due to rising coronavirus cases—and prohibiting dine-in service at restaurants in the process—some people in San Juan Capistrano and South Orange County pushed for Heritage Barbecue to stay open.

First, though, co-owner Daniel Castillo wanted to talk to his employees.

"It's not just up to me," Castillo said. "I sat down with my team. Some people had family members with health issues. We had to take that into account."

The popular barbecue spot in San Juan decided to close in-person dining service and stay open for pre-order takeout, as permitted under state guidelines. Castillo said they will not be fully open in defiance of regulations since they want to make the right decision, given the "big spotlight" they attract in the local restaurant scene.

Whereas hungry patrons had formed long lines going down the street before current restrictions, now people walking or driving by may see only a handful of customers waiting on the sidewalk for their takeout order.

"It seems, this time around, people are staying home more than the first time," Castillo said.

Pivoting to takeout service has been an adjustment for Heritage Barbecue, which

previously sold on-the-spot walk-up orders. During the current stay-at-home order, Heritage Barbecue has generally been cooking about half of what they had before the latest restrictions.

A bad week could cause them to completely close their doors, Castillo said. He has already had to furlough five employees.

"It doesn't matter how many accolades you get," Castillo said. "Nobody's safe. Our restaurant thrives on selling in volume."

Castillo noted that some restaurants in Los Angeles have had to close, and said a few weeks of reduced business could impact their own operations. Paying their employees a living wage and using high-end produce factor into Heritage Barbecue's operating costs.

"It costs more money, puts us in the hole, to stay open," Castillo said.

Heritage Barbecue first opened in San Juan Capistrano in the midst of the COVID-19 pandemic, on Aug. 8.

Around the corner, Trevor's at the Tracks is completely closed. Chairs and tables have been removed from the outside patio, which is usually a hub of cheerful conversation and live music. Owner Trevor Baird said transitioning to takeout orders is not a viable option for them.

"We want to be part of the solution, and given our volume, for which we are very grateful, and other circumstances, we felt it best to close for now," Baird said. "The hardest part in any of this has been to let the staff go, for the second time, and this time, right before the holidays! Yet we are optimistic."

Baird said he trusts the current situation will be short-lived, enabling them to reopen when the time is right, strong as ever.

"We will continue to monitor the fluid situation and come back when ready in 2021!" Baird said.

The San Juan Capistrano Chamber of Commerce has joined the Save Small Business Coalition, a coalition of more

### San Juan Capistrano COVID-19 UPDATES

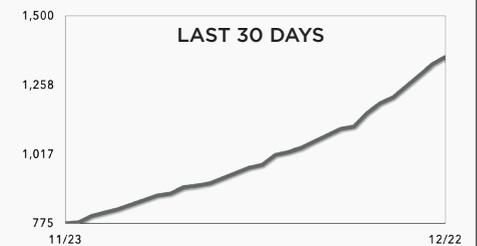
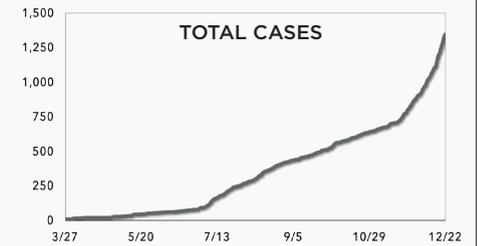
as of **12/22/20** cases deaths

TOTAL **1,357** **17**

LAST 30 DAYS **619** **1**

est. population • **36,318**

Follow us on Facebook & Instagram for daily local & county statistics. Source: Orange County Health Care Agency



than 80 California Chambers and business organizations pushing back on state-mandated business restrictions, according to a statement from the SJC Chamber. The Save Small Business Coalition sent a letter to state officials on Dec. 8, denouncing adverse effects on small businesses.

State Sen. Patricia Bates and 10 other state senators have called on Newsom to reclassify restaurants as essential services, citing devastating impacts to restaurants brought about by the latest COVID-19 guidelines.—*Collin Breaux*

### 2 South County Cities Back Barnes' Appeal of Order to Release Inmates

**THE LATEST:** The cities of Dana Point, San Clemente and San Juan Capistrano have joined a chorus of other Orange County cities standing by Sheriff Don Barnes and his challenge to a recent court order requiring that he release up to 50% of the county's jail population in order to implement social-distancing measures and protect medically vulnerable inmates.

In special meetings on Monday, Dec. 21, Dana Point and San Clemente city councils voted unanimously to file amicus briefs in support of Barnes' appeal to the order, which, he believes, could result in the release of hundreds of "dangerous offenders."

After legal consultation, San Juan Capistrano City Manager Ben Siegel said he approved the city joining the amicus brief.

"I authorized the City to join the amicus based on its consistency with the City's legislative platform, which is adopted annually and intended to allow staff to address legislative and regulatory issues that arise in a timely manner," Siegel said in an email.

Siegel said the policy is in place to allow staff to take the initiative when there may not be an opportunity for the city council to take formal action. One of the key poli-

cy statements of the platform is to protect and promote public safety, Siegel said.

San Juan Capistrano City Hall is currently closed for the remainder of the year due to unpaid employee furloughs resulting from the pandemic.

"If this ruling is allowed to stand, it will potentially result in the release of individuals who have been charged with serious and violent crimes," Barnes wrote in a Dec. 16 letter to the county's cities, encouraging them to file amicus briefs.

"Among our jail population are 490 inmates who have been charged with murder or attempted murder. Our jail population includes 237 people charged with child molestation," he wrote. "In my view, the release of even one of these inmates is too many."

Superior Court Judge Peter Wilson handed down the order earlier this month after finding "that conditions in the Jail do not permit proper social distancing, there is no mandatory testing of staff or asymptomatic detainees after intake, and no strictly enforced policy or requiring masks for all staff interactions with inmates."

The American Civil Liberties Union Foundation of Southern California, along with a few other organizations, filed the class-action lawsuit against Barnes this past April, alleging that the situation in the county's jails violated the U.S. Constitution and disability rights laws designed to protect inmates from cruel and unusual punishment.

"Before COVID, we would receive complaints regarding confinement, excessive use of force, assault from fellow inmates or deputies," said Daisy Ramirez, the jails conditions and policy coordinator for ACLU SoCal. "We've received complaints about incarcerated folks being denied medical care long before this pandemic, but COVID has amplified that issue."

The court order comes as the county jails are experiencing a COVID-19 outbreak that has continued to worsen. According to the Orange County Sheriff's Department's (Cont. on page 4)



People no longer are lining up at Heritage Barbecue during the stay-at-home order issued for Southern California. Photo: Collin Breaux