

NOTICE OF LIABILITY

CEASE AND DESIST

TO:

- 1) Elizabeth A. Char, acting as Director of the Department of Health, State of Hawai'i
- 2) Keith Hiyashi, acting as Interim Superintendent of the Hawai'i State Department of Education
- 3) Catherine Payne, acting as Chairperson of the Board of Education
- 4) _____, Complex Area Superintendent
- 5) _____, Principal of _____

FROM:

_____, mother/father of minor child(ren) _____, and on behalf of all minors similarly situated.

DATED: _____

This document and attachments are presented with intent to provide you with due process for your benefit and a good faith opportunity to correct your behavior before civil and criminal complaints are filed for the following violations:

Background:

On March 4, 2020, David Y. Ige, acting as Governor of the State of Hawai'i did declare a state of emergency for the state of Hawai'i based on extrinsic evidence provided by the Centers for Disease Control and Prevention (CDC) which had prompted a national declaration of a state of emergency on March 11, 2020, based on extrinsic evidence provided by the World Health Organization in regards to a "public health emergency of international concern".

It has now been over two years since the initial declaration of a state of emergency. This emergency has now ended as witnessed by the expiration of Governor Ige's 25th Emergency Proclamation that was issued on January 26, 2022. With the expiration of this emergency proclamation came the end of the indoor mask mandate for the entire state. The Centers For Disease Control has also stated that indoor masking, including in schools, is no longer necessary for areas where case counts are low, such as in Hawaii.

On July 1, 2020 the Hawai'i State Department of Education released guidance for reopening public schools which included a number of proposed dehumanizing rituals to foster an atmosphere of fear, anti-social behavior and other demands that have subjected my child(ren) to psychological and physical abuse. This guidance was updated once again for the school year 2021-22 where it was decided that the Department of Education would defer to the Department of Health in all regulations related to Covid-19 mitigation. As of March 22, 2022 the latest updates continue to demand forced masking of all public school students, with no end date and no scientific rationale.

Every attempt to share the extensive scientific data with school and government officials showing that Covid-19 is not a public health emergency, that children are not susceptible, nor do they act as vectors, and that universal masking of healthy people has not proven to reduce the spread of any influenza like illness nor does it have any effect on the mortality rate of Covid-19, has been completely ignored.

It is a scientifically proven fact that oxygen deprivation leads to brain damage, that excess carbon dioxide intake has a detrimental effect on the human body, and that prolonged use of cloth face masks creates a breeding ground for bacteria which can be introduced into the lungs leading to serious infection and illness.

It has become clear that our children have been permanently damaged both psychologically and physically from unwarranted, unlawful and dehumanizing mask requirements. The continued mask requirement in our schools with NO EXECUTIVE ORDER, nor any recommendation to do so by the Centers For Disease Control equates to child abuse and is not backed by any legal nor scientific grounds for such actions.

I demand that you cease and desist immediately and remove any and all regulations within the public school system that require the use of any type of facial covering to be worn as a condition of attendance. This school, the Department of Education, the Board of Education and the Department of Health have no legal authority to impose such a regulation upon my child(ren) without due process and proof that a strict scrutiny standard has been applied. If such statutory authority exists please provide to me in writing at the address listed below the statute and all relevant parts therein which have afforded you the legal and lawful authority to abuse my child(ren) and infringe upon their first amendment rights.

Your refusal to acknowledge the extensive scientific data regarding the true consequence of Covid-19 for children and the dangers of masking, and then act accordingly to remove all unnecessary, irrational and arbitrary restrictions constitutes willful negligence and child abuse.

Violations:

If all Covid-19 related regulations and rituals are not rescinded in all public schools by May 1, 2022 both civil and criminal complaints will be filed against the recipients of this letter for the following violations to state and federal laws:

1. The Federal Child Abuse Prevention and Treatment Act (CAPTA), (42 U.S.C.A. §5106g), as amended by P.L. 111-320, the CAPTA Reauthorization Act of 2010 defines child abuse and neglect as, at minimum:

“Any recent act or failure to act on the part of a parent or caretaker, which results in death, serious physical or emotional harm, sexual abuse or exploitation, or an act or failure to act which presents an imminent risk of serious harm.”

2. Hawai'i Revised Statutes on Child protection: **§ 350-1**

'Child abuse or neglect' means acts or omissions that have resulted in the physical health or welfare of the child who is under age 18 to be harmed or to be subject to a reasonably foreseeable, substantial risk of being harmed.

3. 18 U.S. Code § 241 - Conspiracy against rights

If two or more persons conspire to injure, oppress, threaten, or intimidate any person in any State, Territory, Commonwealth, Possession, or District in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same; or

If two or more persons go in disguise on the highway, or on the premises of another, with intent to prevent or hinder his free exercise or enjoyment of any right or privilege so secured—

They shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse or an attempt to commit aggravated sexual abuse, or an attempt to kill, they shall be fined under this title or imprisoned for any term of years or for life, or both, or may be sentenced to death.

4. U.S. Code Title 18, § 242 - Deprivation of rights under the color of law:

Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

5. U.S. Code Title 18, § 245 - Federally protected activities:

(b)Whoever, whether or not acting under color of law, by force or threat of force willfully injures, intimidates or interferes with, or attempts to injure, intimidate or interfere with—

(1) any person because he is or has been, or in order to intimidate such person or any other person or any class of persons from—

(E) participating in or enjoying the benefits of any program or activity receiving Federal financial assistance;

6. U.S. Code, Title 18, § 1038 - False information and hoaxes:

(a) Criminal Violation.—

(1)In general.—Whoever engages in any conduct with intent to convey false or misleading information under circumstances where such information may reasonably be believed and where such information indicates that an activity has taken, is taking, or will take

place that would constitute a violation of chapter 2, 10, 11B, 39, 40, 44, 111, or 113B of this title

7. U.S. Code Title 18, § 1040 - Fraud in connection with major disaster or emergency benefits:

(a)Whoever, in a circumstance described in subsection (b) of this section, knowingly—

(1)falsifies, conceals, or covers up by any trick, scheme, or device any material fact; or

(2)makes any materially false, fictitious, or fraudulent statement or representation, or makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or representation, in any matter involving any benefit authorized, transported, transmitted, transferred, disbursed, or paid in connection with a major disaster declaration under section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) or an emergency declaration under section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191), or in connection with any procurement of property or services related to any emergency or major disaster declaration as a prime contractor with the United States or as a subcontractor or supplier on a contract in which there is a prime contract with the United States, shall be fined under this title, imprisoned not more than 30 years, or both.

Signed,

(Print Name)

(Mailing Address)