

# List of Violations

- *“All men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness.”* - The Declaration of Independence. **Violation?** Life, liberty and the pursuit of happiness have been totally subordinated.
- HRS 127 - 14(d) Judge ruling - *“There is nothing limiting the number of emergency proclamations, each additional emergency proclamation triggers a new 60 day period...”* **Violation?** Abhorrent to Section 3:15 of the Hawaiian Constitution.
- *1) Face Coverings. All persons are encouraged to wear a cloth face covering as described and recommended by the CDC...* - Governor Ige’s 9th Emergency Proclamation. **Violation?** Businesses forcing customers and employees to wear masks when it is a recommendation, not a legal obligation.
- *“All Employees of businesses or operations who have any contact with customers or goods to be purchased SHALL wear the cloth face covering recommended by the CDC while at their place of employment.”* - Governor Ige’s Emergency proclamations Section III.C.5). **Violation?** The term “shall” when appearing in statutes denotes NO REQUIREMENT - it is a suggestion and recommendation. (Gutierrez de Martinez v. Lamagno 515 U.S. 417, 1995)
- Governor Ige’s proclamations have *“the force and effect of law”* (127A-11.2). **Violation?** These mandates are not NOT LAW... they only have the force and effect of law. These orders DO NOT uproot already existing rights and laws.
- *“The constitution cannot accept the concept of a “new normal” where the basic liberties of the people can be subordinated to open ended emergency measures.”* - Supreme Court Ruling (County of Butler v. Wolf, W.D. Pa.). **Violation?** The basic liberties of the people have been subordinated in Hawaii.
- *“Masks should not be worn by: Children younger than 2 years old and anyone who has trouble breathing”* (<https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover-guidance.html>). **Violation?** Numerous businesses have forced patrons and employees to wear masks, under threats of no service or loss of employment, regardless of anyone’s claims of breathing issues or medical exemptions.
- U.S. Federal Civil Rights Law, Title II requires free and equal access to all services and facilities WITHOUT DISCRIMINATION. **Violation?** Offering a face shield or “curbside pickup” for customers is not allowing FREE AND EQUAL ACCESS. Denying someone entrance into a store for not wearing as mask is no different than refusing service because of a a religious belief or a disability.
- *“Unfair discriminatory practices that deny, or attempt to deny, a person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation on the basis of race; sex, including gender identity or expression; sexual orientation; color; religion; ancestry; or disability, including the use of a service animal, are prohibited.”* - HRS - §489-3. **Violation?** Nearly all businesses have forgone this fundamental Right to patrons and employees.

- “No law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or the right of the people peaceably to assemble and to petition the government for a redress of grievances.” - FREEDOM OF RELIGION, SPEECH, PRESS, ASSEMBLY AND PETITION, Hawaiian Constitution, Section 4. **Violation?** Nearly all businesses have forgone this fundamental Right to patrons and employees.
- “Informed consent to medical treatment is fundamental in both ethics and law. Patients have the right to receive information and ask questions about recommended treatments so that they can make well-considered decisions about care.” - American Medical Association: Code of Medical Ethics Opinion 2.1.1. **Violation?** No informed consent given on the wearing of masks.
- Nuremberg Code explicitly says in Article 76, Section 3 that “In no case should a collective agreement or the consent of a community leader or any other authority, substitute for an individual's informed consent.” **Violation?** No informed consent given for the wearing of masks.
- OSHA Personal Protection Equipment section on Respiration, CFR 1910.134: “A respirator shall be provided to each employee when such equipment is necessary to protect the health of such employee 1910.134(a) (2), Medical evaluations of employees required to use respirators 1910.134(c)(1)(ii), Training of employees in the proper use of respirators, including putting on and removing them, any limitations on their use, and their maintenance; 1910.134(c)(1)(viii) and Procedures for regularly evaluating the effectiveness of the program 1910.134(c)(1)(ix).” **Violation?** None of these laws have been honored or followed by any business since the start of the alleged pandemic.
- “This guidance is not a standard or regulation, and it creates no new legal obligations. It contains recommendations as well as descriptions of mandatory safety and health standards. The recommendations are advisory in nature, informational in content, and are intended to assist employers in providing a safe and healthful workplace.” <https://www.osha.gov/SLTC/covid-19/covid-19-faq.html> **Violation?** Governor mandates (not laws) have usurped workplace laws and many businesses are treating these mandates as requirements, regardless of having NO NEW LEGAL REQUIREMENTS.
- Amendments 9 and 10 in the Bill of Rights in the United States Constitution fully declare that “The enumeration in the Constitution of certain rights shall not be construed to deny or disparage others retained by the people as well as the powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.” **Violation?** The people’s rights to maintain their own health and well-being has been denied by not only the state but nearly every local business as well.
- Amendment 4 of the Bill of Rights in the United States Constitution states that “The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.” **Violation?** The mandatory 2-week quarantine for travelers is in direct conflict with the 8th amendment as this is clearly an unreasonable seizure not done for any specific criminal activity that one is found guilty of.
- Amendment 8 of the Bill of Rights in the United States Constitution states that “Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishments inflicted..” **Violation?** A \$5,000 fine and one year in jail for simply exercising your God-given rights is a clear violation of this amendment.