Acknowledgement of Violations

This document serves notice that you are aware that you are in violation of Article 2, Section 2[[1]](#footnote-1) and Article 2, Section 24[[2]](#footnote-2) of the Constitution of the state of Arkansas as well as Federal Law Title [21 U.S.C. § 360bbb-3(e)(1)(A)(ii)(I-III)](file:///D%3A%5CDocuments%5CCabin%20Plans%5C%2821%20USCS%20%C2%A7%20360bbb-3%29) of the Federal Food, Drug, and Cosmetic Act (FD&C Act).[[3]](#footnote-3)

Article 2, Section 2 of the Constitution of the state of Arkansas states: “All political power is inherent in the people and government is instituted for their protection, security and benefit; and they have the right to alter, reform or abolish the same, in such manner as they may think proper.”[[4]](#footnote-4) Removing political power from the people by enforcing unconstitutional mask mandates is a violation of Article 2, Section 2 of the Constitution.

Article 2, Section 24 of the Constitution of the state of Arkansas states in part that “No human authority can, in any case or manner whatsoever, control or interfere with the right of conscience;” Forcing students, faculty, and staff to wear a mask which controls or interferes with the right of conscience is a violation of Article 2, Section 24 of the Constitution.

All [COVID-19 masks](https://www.fda.gov/medical-devices/personal-protective-equipment-infection-control/n95-respirators-surgical-masks-and-face-masks), whether surgical, N95 or other respirators, are authorized, not approved or licensed, by the federal government; they are [Emergency Use Authorization](https://www.fda.gov/emergency-preparedness-and-response/mcm-legal-regulatory-and-policy-framework/emergency-use-authorization#covidinvitrodev) (EUA) only. They merely “may be effective.” Federal Law Title [21 U.S.C. § 360bbb-3(e)(1)(A)(ii)(I-III)](file:///D%3A%5CDocuments%5CCabin%20Plans%5C%2821%20USCS%20%C2%A7%20360bbb-3%29) of the Federal Food, Drug, and Cosmetic Act (FD&C Act) states:

individuals to whom the product is administered are informed—

(I) that the Secretary has authorized the emergency use of the product;
(II) of the significant known and potential benefits and risks of such use, and of the extent to which such benefits and risks are unknown; and
(III) of the **option to accept or refuse administration of the product**, of the consequences, if any, of refusing administration of the product, and of the alternatives to the product that are available and of their benefits and risks.

EUA products are by definition experimental and thus require the right to refuse. Under the Nuremberg Code, the foundation of ethical medicine, no one may be coerced to participate in a medical experiment. Consent of the individual is “absolutely essential.” A federal court held that even the U.S. military could not mandate EUA vaccines to soldiers. Doe #1 v. Rumsfeld, 297 F.Supp.2d 119 (2003).[[5]](#footnote-5)

In a [letter](https://www.fda.gov/media/137121/download)[[6]](#footnote-6) dated April 24, 2020, the Food and Drug Administration stated that authorized face masks must be labelled accurately and may not be labeled in a way that misrepresents the product’s intended use as “source control to help prevent the spread of SARS-CoV-2.” The letter specifies that the labeling “may not state or imply that the product is intended for antimicrobial or antiviral protection or related uses or is for use such as infection prevention or reduction.” Any EUA mandate requiring individuals to wear face masks conflicts with Section 360bbb-3(e)(1)(A)(ii)(I-III), which provides that the person must be informed of the option to refuse to wear the device.

Liability for forced participation in a medical experiment, including possible injury, may be incalculable. Children’s Health Defense urges U.S. employers, universities and other institutions to respect and uphold the rights of individuals to refuse to wear EUA masks.

**You hereby acknowledge that you are aware that mandating or forcing anyone to wear a mask against their will is a violation of the state constitution and federal law. If you choose to ignore the constitution and federal law you acknowledge that you may be liable for civil or criminal litigation.**

Printed Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed Name\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

1. [https://ballotpedia.org/Article\_2,\_Arkansas\_Constitution](https://ballotpedia.org/Article_2%2C_Arkansas_Constitution) [↑](#footnote-ref-1)
2. [https://ballotpedia.org/Article\_2,\_Arkansas\_Constitution](https://ballotpedia.org/Article_2%2C_Arkansas_Constitution) [↑](#footnote-ref-2)
3. <https://www.law.cornell.edu/uscode/text/21/360bbb-3> [↑](#footnote-ref-3)
4. [↑](#footnote-ref-4)
5. <https://casetext.com/case/doe-v-rumsfeld-6> [↑](#footnote-ref-5)
6. <https://www.fda.gov/media/137121/download> [↑](#footnote-ref-6)