

LEGAL NOTICE

To the Person Currently in Charge of this Establishment

There is no statutory law that requires you, your employees, or your customers to wear a mask, get their temperature taken or stay six feet apart.

There is no law that requires you to serve your customers outside or reduce the number of people in your business establishment.

In fact, if you require your customers to wear a mask or restrict their movement or entry if they are not wearing a mask, **you are at risk for violating several federal and state laws.**

Any violation of the following laws WILL BE REPORTED to the appropriate authorities. As the person responsible for this establishment, **YOU PERSONALLY** will be at risk for fines and imprisonment upon conviction of these crimes:

U.S. FEDERAL LAWS

1. U.S. Constitution, 1st Amendment, Right to Assemble, Right to Freedom of Speech, Right to Religious Expression

Requiring someone to wear a mask as a condition to assemble in your place of public accommodation is an infringement of the right protected under the U.S. Constitution, the highest law of the land. No law is valid or lawful that violates the Constitution. No health order, emergency order, state of emergency, municipal ordinance, or store policy may suspend or violate the Constitution, period.

2. U.S. Constitution, 4th Amendment, Right to Privacy

Forcing a person to wear a mask without their consent is a violation of the 4th Amendment. Further, gathering vital statistics such as taking one's temperature is a violation of a person's right to privacy. Violation of this protection will result in your actions being reported to the U.S. Department of Justice, which is required by law to investigate Civil Rights Violations. No law is valid or lawful that violates the Constitution. No health order, emergency order, state of emergency, municipal ordinance, or store policy may suspend or violate the Constitution, period.

3. U.S. Title 52, Civil Rights Act of 1964: Unlawful to Discriminate in place of Public Accommodations

Your business establishment is legally defined as a place of "public accommodation" and as such you may not prohibit entry by discriminating against someone for their medical condition, disability, or religious views. If someone is unable or unwilling to wear a mask for one of those reasons you may not prohibit their entry, nor may you file a charge of trespassing because of their legally protected status. **Just as you would not be able to deny entry to someone based on their skin color, you may not deny entry to someone based on their bare face.** Having someone else shop for them, or requiring curbside delivery is NOT a reasonable accommodation, as it denies the "full enjoyment and equal access to facilities, services and accommodations," as REQUIRED BY LAW.

4. U.S. Title 42, Section 12101: Unlawful to Deny Entry to Persons with Disability or perceived medical condition (ADA)

Your business establishment is legally defined as a place of "public accommodation" and as such you may not prohibit entry by discriminating against someone for their medical condition or disability. If someone is unable or unwilling to wear a mask for one of those reasons you may not prohibit their entry, nor may you file a charge of trespassing because of their legally protected status. **Just as you would not be able to deny entry to someone in a wheelchair, you may not deny entry to someone not wearing a mask.** Having someone else shop for them, or requiring curbside delivery is NOT a reasonable accommodation, as it denies the "full enjoyment and equal access to facilities, services and accommodations," as REQUIRED BY LAW.

5. U.S. Americans with Disabilities Act: Unlawful to Deny Entry to Persons with Disability or perceived medical condition

Your business establishment is legally defined as a place of “public accommodation” and as such you may not prohibit entry by discriminating against someone for their medical condition or disability. If someone is unable or unwilling to wear a mask for one of those reasons you may not prohibit their entry, nor may you file a charge of trespassing because of their legally protected status. **Just as you would not be able to deny entry to someone in a wheelchair, you may not deny entry to someone not wearing a mask.** Having someone else shop for them, or requiring curbside delivery is NOT a reasonable accommodation, as it denies the “full enjoyment and equal access to facilities, services and accommodations,” as REQUIRED BY LAW.

CONNECTICUT STATE LAWS

1. Connecticut Constitution, Article 1, Section 1

All people are by nature free and independent and have inalienable rights. Among these are enjoying and defending life and liberty, acquiring, possessing and protecting property, and pursuing and obtaining safety, happiness and privacy. Therefore, attempting to deny a customer from acquiring property by shopping at your business or to deny their access to services that they have the right to enjoy is unlawful and a violation of Constitutional liberties.

2. Connecticut Constitution, Article 1, Section 4

Every person may freely speak. A law may not restrain or abridge livery of speech. (Muzzling one’s face with a muzzle does not allow for one to freely speak, and it abridges freedom of speech.) Therefore, denying entry due to a person not wearing a mask is a violation of the Connecticut Constitution,

3. Connecticut Constitution, Article 1, Section 3

Free exercise and enjoyment of religious expression without discrimination. If covering one's face intrudes on the religious expression of an individual, that right to religious expression may not be denied.

4. Connecticut General Statutes 20-9: Practicing medicine without a license

Requiring someone to wear a mask is a medical intervention. Unless you are a licensed medical professional, you have no authority to recommend such a practice. Further, a surgical mask is designated by the FDA as a "medical device". You have no legal authority responsibility or liability to require that of either your customers or your employees. This offense is punishable by up to \$300 for each offense for each day the violation occurs.

No "emergency order" supersedes established law. Any "health order" related to mask-wearing is unlawful and unenforceable by law.

5. Connecticut General Statutes 53a-130: Criminal impersonation

You are not a law enforcement officer or a and have no authority to enforce any law or order. Impersonating a law enforcement officer is a crime in this state under **Connecticut General Statutes 53a-130**. This violation carries the penalty of up to six months in jail and a fine of up to \$1,000. You will be reported to authorities for this violation.

6. Connecticut Revised Statutes 46a-64-a1: Free and Equal Access to Public Accommodations

Your business establishment is legally defined as a place of "public accommodation" and as such you may not prohibit entry by discriminating against someone for their medical condition, disability, or religious views. If someone is unable or unwilling to wear a mask for one of those reasons you may not prohibit their entry, nor may you file a charge of trespassing because of their legally protected status.

Just as you would not be able to deny entry to someone wearing a turban, you may not deny entry to someone not wearing a mask. Having someone else shop for them, or requiring curbside delivery is NOT a reasonable accommodation, as it denies the “full enjoyment and equal access to facilities, services and accommodations,” as REQUIRED BY LAW.

A claim may be pursued through Department of Fair and Employment and Housing (DFEH) or a private lawsuit. If a business engages in a pattern or practice of discrimination, you can refer the matter to the Attorney General or to your local district or city attorney may bring an action to enjoin any violation of Connecticut Revised Statutes 46a-64-a1.

7. Connecticut General Statutes 46a-58: Individuals with disabilities have the same rights as others

Individuals with disabilities or medical conditions have the same right as the general public to the full and free use of the streets, highways, sidewalks, walkways, public buildings, medical facilities, including hospitals, clinics, and physicians’ offices, public facilities, and other public places. Just as you would not be able to deny entry to someone in a wheelchair, you may not deny entry to someone not wearing a mask. Having someone else shop for them, or requiring curbside delivery is NOT a reasonable accommodation, as it denies the “full enjoyment and equal access to facilities, services and accommodations,” as REQUIRED BY LAW.

A claim may be pursued through DFEH, or a private lawsuit. To file a complaint with the ADA call (800) 514-0301.

8. Connecticut General Statutes 46a-64-a2: Disabled have full and equal access

Individuals with disabilities or medical conditions have the same right as the general public in attaining full and equal access to all public accommodations and their advantages, facilities and privileges to places of public accommodation, amusement or resort; and to other places to which he general public is invited, including public modes of transportation private schools, hotels, **hospitals** and public buildings, such as courthouses, government buildings. Violating the protection of these rights is a Class D misdemeanor and punishable by up to 30 days in jail and a fine of up to \$250.

A claim may be pursued through DFEH, or a private lawsuit. The Attorney General, the Department of Rehabilitation, or the district city attorney may bring an action to enjoin any violation of General Statutes section 46a-64-a2

9. Connecticut Penal Code 53a-61aa: Threatening in the first degree

A person is guilty of threatening in the first degree when such person (1) (A) threatens to commit any crime involving the use of a hazardous substance with the intent to terrorize another person, to cause evacuation of a building, place of assembly or facility of public transportation or otherwise to cause serious public inconvenience, or (B) threatens to commit such crime in reckless disregard of the risk of causing such terror, evacuation or inconvenience; (2) (A) threatens to commit any crime of violence with the intent to cause evacuation of a building, place of assembly or facility of public transportation or otherwise to cause serious public inconvenience, or (B) threatens to commit such crime in reckless disregard of the risk of causing such evacuation or inconvenience.

This crime is a class D felony, punishable by up to five years in prison and a fine of up to \$5,000.

10. Connecticut Penal Code 53a-178: Inciting to riot

A person is guilty of inciting to riot when he advocates, urges, or organizes six or more persons to engage in tumultuous and violent conduct of a kind likely to cause public alarm. Anytime a business establishment encourages or simply allows employees to gang up and threaten, berate, and draw attention to unmasked patrons by more than six people is creating the crime of inciting to riot. This crime is a Class A misdemeanor and carries the penalty of up to one year in jail and a fine of up to \$2,000.

11. Connecticut Penal Code 53a-178: Coercion

A person is guilty of coercion when he compels or induces another person to engage in conduct which such other person has a legal right to abstain from engaging in, or to abstain from engaging in conduct

in which such other person has a legal right to engage, by means of instilling in such other person a fear that, if the demand is not complied with, the actor or another will: (1) Commit any criminal offense; or (2) accuse any person of a criminal offense; or (3) expose any secret tending to subject any person to hatred, contempt or ridicule, or to impair any person's credit or business repute; or (4) take or withhold action as an official, or cause an official to take or withhold action.

Coercion is a Class A misdemeanor and carries a penalty of up to one year in jail and a fine of up to \$2,000.

12. Connecticut Penal Code 53a-96: Unlawful restraint

Attempting to prevent someone's entry to this establishment or to restrict, detain or confine their movement without their consent constitutes UNLAWFUL RESTRAINT, which can be a felony, with the penalty of up to one year in jail and a fine of up to \$2,000. If you deny someone's entry to your place of public accommodation based on their medical condition or religious beliefs, you are at risk for charged with false imprisonment.

13. Connecticut Penal Code 53a-182: Disorderly conduct

A person is guilty of disorderly conduct when, with intent to cause inconvenience, annoyance or alarm, or recklessly creating a risk thereof, such person: (1) Engages in fighting or in violent, tumultuous or threatening behavior; or (2) by offensive or disorderly conduct, annoys or interferes with another person; or (3) makes unreasonable noise; or (4) without lawful authority, disturbs any lawful assembly or meeting of persons; or (5) obstructs vehicular or pedestrian traffic; or (6) congregates with other persons in a public place and refuses to comply with a reasonable official request or order to disperse; or (7) commits simple trespass, as provided in section 53a-110a, and observes, in other than a casual or cursory manner, another person (A) without the knowledge or consent of such other person, (B) while such other person is inside a dwelling, as defined in section 53a-100, and not in plain view, and (C) under circumstances where such other person has a reasonable expectation of privacy.

Disorderly conduct is a class C misdemeanor punishable by up to three months in jail and a fine of up to \$500.

14. Connecticut Penal Code 53a-181k: Intimidation based on bigotry or bias in the second degree

A person is guilty of intimidation based on bigotry or bias in the second degree when such person maliciously, and with specific intent to intimidate or harass another person or group of persons because of the actual or perceived race, religion, ethnicity, disability, sex, sexual orientation or gender identity or expression of such other person or group of persons, does any of the following: (1) Causes physical contact with such other person or group of persons, (2) damages, destroys or defaces any real or personal property of such other person or group of persons, or (3) threatens, by word or act, to do an act described in subdivision (1) or (2) of this subsection, if there is reasonable cause to believe that an act described in subdivision (1) or (2) of this subsection will occur.

(b) Intimidation based on bigotry or bias in the second degree is a class D felony, for which one thousand dollars of the fine imposed may not be remitted or reduced by the court unless the court states on the record its reasons for remitting or reducing such fine.

15. Connecticut Penal Code 53-37a: Deprivation of a person's civil rights by person wearing mask or hood

Any person who, with the intent to subject, or cause to be subjected, any other person to the deprivation of any rights, privileges or immunities, secured or protected by the Constitution or laws of this state or of the United States, on account of religion, national origin, alienage, color, race, sex, gender identity or expression, sexual orientation, blindness or physical disability, violates the provisions of section 46a-58 while wearing a mask, hood or other device designed to conceal the identity of such person shall be guilty of a class D felony. This crime carries the penalty of up to five years in jail and a fine of up to \$5,000.

NOTE: NO STORE POLICY MAY VIOLATE ESTABLISHED LAW

Just as your place of business may not institute "Fist-fight Fridays" or encourage customers to engage in pickpocketing or require someone to snort a line of cocaine as a condition of entry, your "store policy" may not violate the established laws set forth in this notice.

No claim of an “emergency” or “executive orders” or “health orders” or “city ordinances” excuses you from violating the laws set forth in this notice.

Further, as a place of public accommodation (even as a private business) you have extended an irrevocable license (privilege) to the public to enter your establishment and you may not deny entry based on race, religion, disability or other protected characteristics.

THUS: By denying entry to a customer who is not wearing a mask for either medical or religious reasons, YOU ARE IN VIOLATION of at least five federal laws and 15 Connecticut state laws, including:

US Constitution, 1st Amendment, 4th Amendment

US Title 42, US Title 52

Connecticut Constitution Article 1, sections 1, 3,4

Connecticut General Statutes 20-9

Connecticut General Statutes 53a-130

Connecticut Revised Statutes 46a-64-a1

Connecticut General Statutes 46a-58

Connecticut General Statutes 46a-64-a2

Connecticut Penal Code 53a-61aa

Connecticut Penal Code 53a-178

Connecticut Penal Code 53a-178

Connecticut Penal Code 53a-96

Connecticut Penal Code 53a-182

Connecticut Penal Code 53a-181k

Connecticut Penal Code 53-37a

YOU ARE HEREBY NOTIFIED of a potential CITIZEN'S ARREST for violations of the above laws, under Connecticut General Statutes 54-170, which authorizes a private person to make a citizen's arrest in Connecticut.

Under the authority of Connecticut General Statutes 54-170, a private person may arrest another person for any crime committed in the presence of the private person if the private person has probable cause to believe the arrested person committed the crime. A private person making such an arrest shall, without unnecessary delay, take the arrested person before a magistrate or deliver the arrested person to a peace officer.

THEREFORE, you and your employees have hereby been PUT ON NOTICE of potential civil and criminal violations of unlawfully preventing the lawful entry of any member of the public.

YOU ARE AT RISK FOR A CITIZEN'S ARREST, AS AUTHORIZED UNDER CT STATUTES 54-170, WITH LAW ENFORCEMENT BEING SUMMONED FOR YOUR VIOLATIONS OF THE ABOVE LAWS. INITIAL _____.

HOW TO MAKE A CITIZEN'S ARREST IN CONNECTICUT:

1. First, CALL 911 to report a crime in progress.
2. Inform the perpetrator of the intended arrest, using the following language:
 - a) "You are hereby informed of my intention to place you under citizen's arrest."
 - b) "You have willfully and knowingly violated these laws: (read off the list of violations as applicable)"
 - c) "My authority to arrest you is granted by Connecticut General Statutes 54-170"
 - d) "I have called law enforcement to the scene"
 - e) "I am requesting your cooperation until law enforcement arrives".
 - f) "If you refuse to cooperate or attempt to flee the scene, I have the right to use reasonable force to detain you."
 - g) "The law allows for you to be kept out of harm's way in a secluded location until law enforcement arrives."

Prepared by www.THEHEALTHYAMERICAN.ORG in association with www.privacyfight.com

Copyright © THE HEALTHY AMERICAN. All Rights Reserved. For PRIVATE USE ONLY. DO NOT EMBED