

RE: RELIGIOUS PERSECUTION IN OUR COMMUNITY

I am writing with urgent concern over the blatant and aggressive religious persecution that is accelerating in our county due to the unlawful behavior of clerks at retail stores and medical staff at hospitals and medical settings denying my lawful entry and participation in the most integrated setting possible, with full and equal access to all services, facilities, privileges and accommodations, as required by state and federal law.

I (and many other Christians like me) have been persecuted for my religious beliefs and have been unlawfully discriminated against and prevented from appearing in public places and partaking in normal public life, such as shopping, dining, getting required medical services and partaking in recreational activities because I do not veil my face. Veiling my face is a violation of my religious liberty, which is a Constitutionally-protected right.

The following are statements of fact.

If you disagree with any of the following statements, you must provide your rebuttal, citing the authority of law that supports it.

Otherwise, your action is required immediately to correct this harm being perpetrated upon me.

A right is something that cannot be taken from you, without due process of law.

My right to religious expression is guaranteed by both the California Constitution and the United States Constitution.

The responsibility for this egregious, unlawful religious persecution rests squarely on the shoulders of you the Supervisors. You have failed to communicate to the cities, retailers, medical offices and other public accommodations the requirement to provide exemptions for those who do not veil their face with a face covering or shield, due to religious beliefs.

You have communicated and publicized the exact opposite: that stores and businesses should prevent patrons with bare faces from entering these premises.

This practice of denying entry and services to the public based on their religious belief is unlawful and discriminatory and results in untold cases of religious persecution.

Could an establishment require a muslim to remove her head covering as a condition of entry?

Could an establishment require a member of the Jewish faith to remove the yarmulke as a condition of entry?

Could an establishment require patrons to put on a turban as a condition of entry?

Of course not. Aside from common sense and common courtesy, there are several laws that prohibit private businesses that are serving the public from discriminating against the public.

Stating that mask requirements "apply to everyone equally" and therefore are not discriminatory is akin to stating that "everyone has to eat a ham sandwich" as a condition of entry and therefore it is not discriminatory against muslims.

Requiring "everyone" to make the sign of the cross and genuflect as a condition of entry to a private business that serves the public is another example of blatant and obvious religious discrimination.

There are several exemptions in the California and Orange County health orders for those who do not wear face coverings.

The glaring omission of an exemption to face coverings based on religious beliefs is egregious and unlawful.

I demand an immediate amendment to the county health orders to include a religious exemption for those who do not veil their face with a mask or shield due to sincerely held religious convictions.

You have taken a sworn oath to uphold the Constitution of California and the Constitution of the United States.

No emergency orders or pandemic suspend the law.

California GOV Code 37100 expressly states that any law, measure, policy, order, ordinance or rule is null and void if it conflicts with the California Constitution or the U.S. Constitution.

Thus, the health orders from the state, this county, and any cities in this jurisdiction are unlawful if they violate established law.

The following laws prohibit discrimination for religious reasons.

California Constitution, Article 1, Section 1

This law describes and guarantees my inalienable right to acquire property. (Inalienable means it cannot be taken away.) This includes my right to buy a pair of shoes or a ham sandwich, without discrimination or unlawful interference.

This article also guarantees my inalienable right to pursuing safety and happiness, which includes my choice of activities, participation in the public square, and personal choice of recreational activities. These rights may not be abridged.

Article 1, Section 4

Free exercise and enjoyment of religion without discrimination or preference are guaranteed.

Regarding the definition of religion, California GOV code 12926 (q) states:

(q) "Religious creed," "religion," "religious observance," "religious belief," and "creed" include all aspects of religious belief, observance, and practice, including religious dress and grooming practices. "Religious dress practice" shall be construed broadly to include the wearing or carrying of religious clothing, **head or face coverings**, jewelry, artifacts, and any other item that is part of an individual observing a religious creed. "Religious grooming practice" shall be construed broadly to include all forms of head, facial, and body hair that are part of an individual observing a religious creed.

California law clearly includes "face coverings" as an expression of religious observance, and my religious observance prohibits me from wearing a face covering or shield.

The discriminatory health orders of the OC Health agency that require covering one's face with a mask or shield is offensive to many believers, especially Christians. Unlike those of the muslim faith, where women in particular veil their face as a sign of submission to Allah, Christians are called to stand before God with unveiled faces. (2 Cor 3:18) I was made in the image of God, and I am an image-bearer of God. The only people in the Bible who cover their faces are prostitutes and those who hide their faces from God in shame. I do neither.

There is no such law that allows businesses to "refuse service" based on religious preferences. The old wives tale of "no shoes, no shirt, no service" is just a phrase. There is no code of law or authority that allows for this.

It's the exact opposite. Several laws exist that PROHIBIT businesses from discriminatory practice. The penalty for discrimination in CA is \$12,000 per occurrence when in violation of the Unruh Civil Rights Act and \$35,000 in violation of the hate crimes act.

Do I have the right to rely upon the law? Or are these empty sentences void of meaning?

CA Civil Code 51 prohibits discrimination against religion in places of public accommodation.

Title III Reg 28 CFR §36.104 defines a "**public accommodation**" as a private business that is engaged in commerce and serving the public. Public accommodations are prohibited from denying entry to patrons based on several protected classes including religion. Private businesses must abide by all state, local and federal laws. No private business may institute a policy that violates the law. Can Costco institute "Fist-Fight Fridays"? Can Walmart institute "Pick-Pocket Tuesdays? Can Sprouts require you to "punch granny in the face" just because it's their store policy? No. Accordingly, no

store can deny entry to someone based on their religious beliefs, regardless of any other policy.

Federal law 28 CFR §36.202 prohibits "denial of participation" from any business establishment. §36.202(c) states that unless I have been individually assessed as a "*direct threat*" you may not exclude me from the SAME and EQUAL services as others.

The "excuse" that I, with my bare face, am a threat to the health and safety of others cannot be made on an assumption. There is a strict standard that must be met and it cannot be made on a stereotype or generalization such as, "all non-mask wearers can infect other people."

There is zero evidence that this virus is spread by me.

Title III of the U.S. Civil Rights Act, § 36.208,

"In determining whether an individual poses a direct threat to the health and safety of others, a public accommodation must make an individualized assessment, based on reasonable judgement that relies on current medical knowledge or the best available objective evidence."

Unless there is a court-ordered quarantine against me, I am free to enter any public place, including stores, restaurants and medical offices, WITHOUT RELIGIOUS PERSECUTION.

No one is bound to obey an unlawful order or unconstitutional law, and no courts can enforce it.

You have sworn an oath to uphold the laws of the California Constitution and the United States Constitution.

Your oath does not have an exception clause that says, "except in an emergency."

Are you going to uphold your oath -- or violate it? Those are the only two, very clear, choices in this case. Very clear.

To remedy these egregious wrongs of rampant religious persecution in Orange County, action must be taken.

The following four actions are demanded as a remedy to the wrongs that have happened under your watch as part of the governing body of Orange County.

(1) **An IMMEDIATE addition of religious beliefs to the list of health order exemptions**, written and widely publicized to the public and to the public accommodations.

(2) **Written documents, flyers, emails and letters sent to all businesses in Orange County requiring them to allow for religious exemptions** for those who

do not veil their face. Businesses shall not require customers to be served outside or have any other "accommodations" -- but they must be served EQUALLY and have the SAME ACCESS to all facilities, services, privileges and accommodations -- AS REQUIRED BY LAW.

(3) **The OCBOS shall communicate to the OC Sheriff** that no citizen's arrests or personal arrests for trespassing be responded to when the only evidence for trespass is that the customer is not wearing a mask. There is no law in CA that prohibits someone from shopping without a mask. There is no penal code and there is no crime, thus no apprehension or arrest is valid in such a case.

(4) **A public resolution from the OCBOS proclaiming the Board's commitment to the free expression of religious beliefs**, as guaranteed by the California Constitution and the United States Constitution. This resolution shall also include an apology from the Board of Supervisors, the County Health Department Officers and the County Sheriff for allowing such egregious religious persecution to be carried out under their watch.

YOU ARE REQUIRED TO REMEDY THIS WRONG IMMEDIATELY.

Any delay that results in my further religious persecution will be your responsibility.

You will be held responsible for violating 18 U.S. Code §241, Conspiracy of deprivation of rights. This is a felony.

I am requesting your written response in 10 days,. I look forward to hearing the resolution you will put forth, adding "religious exemptions" to the list of face covering guidance in Orange County, and widely publicizing this information.

Peggy Hall