

SHARE

JUSTICE NEWS

Department of Justice
Office of Public Affairs

FOR IMMEDIATE RELEASE

Friday, April 2, 2021

Statement by the Principal Deputy Assistant Attorney General for Civil Rights Leading a Coordinated Civil Rights Response to Coronavirus (COVID-19)

Principal Deputy Assistant Attorney General for Civil Rights Pamela S. Karlan issued the following statement and attached resource guide to assist Federal agencies, state and local governments, and recipients of Federal financial assistance in addressing ongoing civil rights challenges related to the COVID-19 pandemic:

The COVID-19 pandemic has stressed our Nation's commitment to an open, equal, and inclusive society. We have seen hateful and xenophobic rhetoric and violence aimed at Asian American and Pacific Islander (AAPI) communities and businesses. We have also seen Black, Indigenous, Latino, and Pacific Islander communities, as well as people with disabilities, suffer disproportionately high rates of death and greater risk of infection and hospitalization. COVID-19 has magnified social, economic, and environmental inequalities that we cannot ignore.

As a Nation, we cannot adequately respond to, and recover from, COVID-19 if we do not protect all of our neighbors. That requires us to pursue justice on behalf of those targeted because of their race, color, religion, national origin, sex (including sexual orientation and gender identity), disability, or citizenship.

The Department of Justice will vigorously enforce Federal civil rights as we continue the process of national reckoning, recovery, and healing. Civil rights protections and responsibilities still apply, even during emergencies. They cannot be waived. Federal agencies, state and local governments, and recipients of Federal financial assistance are an integral part of our shared effort to uphold civil rights.

21 US Code, 360bbb-3

No EMERGENCY AUTHORIZED MEDICAL PRODUCT CAN BE MANDATED.

e 1 A ii III “the option to accept or refuse administration of the product.”

Masks, The PCR Test, The Covid Vaccine are all Emergency Authorized.

THE AMERICANS WITH DISABILITIES ACT

The ADA prohibits discrimination on the basis of disability.

Title III: Public Accommodations “Public accommodations must comply with basic nondiscrimination requirements that prohibit exclusion, segregation, and unequal treatment.”

The CDC states that a person who has trouble breathing, is unconscious, incapacitated, or otherwise unable to remove the face mask without assistance should not wear a face mask or cloth face covering.^[6] [6] Centers for Disease Control and Prevention (CDC). (2020, May 22). About Cloth Face Coverings. Retrieved June 2, 2020, from <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/about-face-coverings.html>



U.S. CIVIL RIGHTS PROTECTION



MY LEGAL RIGHT TO ENTER, SHOP AND BE SERVED AT THIS ESTABLISHMENT -- without covering my face or showing proof of vaccination -- IS PROTECTED BY STATE AND FEDERAL LAW

- 1. This private business has a LEGAL CLASSIFICATION as a "public accommodation"** according to Title III Reg 28 CFR §36.104. Your private business serves the public and therefore must abide by all state and federal laws. No business policy supersedes the law. No governor's order, health order, emergency or pandemic supersedes Constitutionally-protected rights. This business is open to the public, and I am the public. **Your denial of my service violates several federal laws.**
- 2. Federal law 28 CFR §36.202 prohibits "denial of participation" from this 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.
3. Denying my service or requiring me to be served outside or be limited to home delivery is a VIOLATION of Title II, III and VII of the U.S. Civil Rights Act of 1964.
- 4. Title III, Sections §36.202(a)(b)(c) and §36.203(a)(b)(c)** states that I shall not be denied the same PARTICIPATION and EQUAL ACCESS as everyone else. **The law prohibits you from serving me separately or differently.**
- 5. As such, this business is PROHIBITED from unlawful discrimination** by denying the entry of any member of the public who is not disturbing the peace. To do so is a crime of unlawful restraint and interfering with commerce and you will be held personally liable for this crime.
6. These premises are open to the public and thus any charge of "trespass" is a false accusation as **I am complying with all lawful conditions allowing me to remain on these premises and be served by this business without discrimination. I do not need to disclose my condition to you.**

Learn about your rights and how to defend them at www.TheHealthyAmerican.org

DIRECT THREAT: Legal Definition

There is no evidence that I am a direct threat to the health and safety of your business.

According to *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."

Absent a court-order of quarantine or isolation, there is no medical evidence that I am a threat to the healthy and safety of your business. **Innocent until proven guilty in the USA.** **Therefore, my right to equal access to the goods, services, privileges and facilities of this establishment is guaranteed by Titles II, III and VII of the Civil Rights Act of 1964.**

ARREST WARNING:

You are hereby notified that state and federal laws make it a crime to deny the Rights of an individual. **You can be arrested for this crime** and held personally liable for criminal and civil damages, including fines and jail time. That means you can be personally charged and arrested for this crime, regardless of what your manager, governor or health officer says. No law or store policy supersedes the Federal law.

Learn about your rights at www.TheHealthyAmerican.org