

Concerned Residents of California Counties
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June 16, 2016
Emailed to contact@counties.org

California State Association of Counties
1100 K St., Ste. 101
Sacramento, CA 95814

Attention: - Richard Foster, President
- Dave Roberts, First Vice President
- Ken Yeager, Policy Committee Chair, H&H Services

RE: **FORMAL NOTICE TO ALL COUNTY CSAC MEMBERS**
NOTICE OF POSSIBLE CIVIL AND CRIMINAL ACTION
MEDICAL EXEMPTION PILOT PROJECT
SANTA BARBARA COUNTY PUBLIC HEALTH DEPT.
Letter of June 6, 2016 issued to School
Superintendents, Principals and Child Care
Center Directors

Be advised that I have reviewed the letter of June 6, 2016, issued by the Santa Barbara County Public Health Department (SBCPHD) to School Superintendents, Principals and Child Care Center Directors and I want to make it clear to you and your association and its members that what the SBCPHD proposes to do, to review doctor's medical exemption letters to see if they comply with SB 277 is uncalled for, is outside of the authority of any California County Health authority to do and not supported by the text of SB 277. This is written notice to you requesting and demanding that you advise your member County representatives that such actions are against the law, an infringement of natural human being's personal, medical and religious beliefs and rights, as well as a crime against humanity.

The text of SB 277 clearly states the following:

Section 5, subsection 120370.

*“(a) If the parent or guardian files with the governing authority a **written statement by a licensed physician** to the effect that the physical condition of the child is such, or medical circumstances relating to the child are such, that immunization is not considered safe, indicating the specific nature and probable duration of the medical condition or circumstances, **including, but not limited to, family medical history, for which the physician does not recommend immunization, that child shall be exempt from the requirements of Chapter 1 (commencing with Section 120325, but excluding Section 120380) and Sections 120400, 120405, 120410, and 120415 to the extent indicated by the physician’s statement.**”*

Nowhere in the remaining text of SB 277 does it state that any governing department and/or agency, local, county, state or federal, is required, authorized or even allowed to review (comprehensive or even minimal) and comment on a doctors’ decision to issue a vaccine exemption, regardless of their reasons for doing so. The Santa Barbara letter is a coercive letter intended to intimidate physicians into not issuing exemptions at all, not because they may not be called for, but because of fear of placing their medical practice in jeopardy and subject to harassment by any of the involved individuals in the SBCPHD letter and any others.

Indeed, even Senators Pan and Allen, the main sponsors of the bill, specifically stated in the SB 277 legislative sessions that it was not their intent, nor would the language of the bill in any way interfere with a physician’s professional opinion as to whether a vaccine exemption should be issued, FOR ANY REASON THEY DEEMED APPROPRIATE. The language above clearly states that the specific nature of the exemption **IS NOT LIMITED TO** the examples given in the text of SB 277, section 5. THEREFORE, **who is SBCPHD to make any judgments as to what constitutes proper "CRITERIA" to meet the mandates of SB 277?** See the following video on the SB 277 legislative discussions where Pan and Allen make this clear:

<https://www.youtube.com/watch?v=pemEvM3uO6c>.

The County of Santa Barbara Public Health Department is acting outside of the authority of SB 277, and thus outside of its jurisdictional boundaries. Therefore where they note in their letter that their “purpose is to collect and analyze data, identify any Medical Exemption **not meeting SB 277 criteria,**” it is not only outside of their authority, but it is not called for nor authorized in SB 277, nor do they have the personal medical expertise to make such determinations.

The SBCPHD, like ALL OTHER COUNTY EDUCATIONAL OR HEALTH AGENCIES AND DEPARTMENTS, having no direct knowledge, being uninformed and ignorant of any individual child or person's physical, biological and mental state, autoimmune system status, medical history, etc., CANNOT PLACE ITS JUDGMENT ABOVE THAT OF THE EXEMPTION ISSUING PHYSICIAN, who has (1) full knowledge of his/her patient's physical, mental and immunological state, knows firsthand the patient's personal and family history, and who (2) has seen firsthand what certain vaccines can do to susceptible individuals, from children to adults.

Further, the SBCPHD's claim that this is done to "provide helpful information to physicians issuing such exemptions," results in nothing less than coercion and duress for the affected physician, to force them to not issue vaccine exemptions, even when their professional opinion tells them they should. This is against natural, common law, federal and state law and will not be tolerated.

NOTICE OF POTENTIAL LEGAL ACTION, CIVIL AND CRIMINAL

If any representatives from any county health department associated with CSAC plans to take any similar actions as the SBCPHD's plan for a medical exemption pilot program, this will effectively result in such agency/organization and involved individuals forcing parents, AGAINST THEIR WILL, to vaccinate their children against their will in order to attend school (through the school districts and schools, as well as physicians who might not issue valid vaccines exemptions out of fear), all in violation of well-established federal and state protected constitutional rights, including privacy laws.

Further, it is a violation of any county official's oath of office, and this places such persons in a position to be sued as a "Private Person" for violation of the above, as well as a violation of Civil Rights, a violation of a person's right to education, privacy rights, and it is further an international crime under the Nuremberg Code to force people to be vaccinated against their will, which your actions might make you an accomplice to. To wit,

The US Constitution's First Amendment states:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The US Constitution Fourteenth Amendment states:

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

The California Constitution, Article 1, section 4 states:

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

The California Constitution, Article 1, section 1 states:

“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.”

The California Constitution, Article 9, section 1 states:

“A general diffusion of knowledge and intelligence being essential to the preservation of the rights and liberties of the people, the Legislature shall encourage by all suitable means the promotion of intellectual, scientific, moral, and agricultural improvement.”

The California Constitution, Article 9, section 5 states:

“The Legislature shall provide for a system of common schools by which a free school shall be kept up and supported in each district at least six months in every year, after the first year in which a school has been established.”

California Constitution, Article 1, section 7 states:

“A person may not be deprived of life, liberty, or property without due process of law or denied equal protection of the laws.”

California Constitution, Article 20, section 3 states:

“Members of the Legislature, and all public officers and employees, executive, legislative, and judicial, except such inferior officers and employees as may be by law exempted, shall, before they enter upon the duties of their respective offices, take and subscribe the following oath or affirmation:

“I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.”

PRIVACY LAWS VIOLATION

If any county health agency requests and obtains personal medical information from any school pertaining to any and all records related to vaccination, without the written consent of the parent, this will be a violation of federal and state privacy laws, including, but not limited to the following:

Federal Family Educational Rights and Privacy Act (FERPA)

See 20 U.S.C. §1232g (b)(1) et seq; 34 C.F.R. § 99.31(a)(1)(i)(A) and (a)(10); 34 C.F.R. § 99.36; 34 C.F.R. § 99.7(a)(3)(iii); see also “Substantive Requirements”, U.S. Dept. of Educ. Family Compliance Policy Office, Letter to Alabama Department of Education re: Disclosure of Immunization Records, February 25, 2004, available at <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/library/alhippaa.html>.

California Medical Confidentiality Laws

See CA Civil Code §56.11; §56.36, §§ 1798-1798.78, §56.17; Cal. Health & Safety Code 120440.

NUREMBERG CODE: CRIMES AGAINST HUMANITY

Finally, the Nuremberg Code and Universal Declaration on Bioethics and Human Rights UNESCO prohibit forced medication, including vaccination. Article 6, section 1 states:

“Any preventive, diagnostic and therapeutic medical intervention is only to be carried out with the prior, free and informed consent of the person concerned, based on adequate information. The consent should, where appropriate, be express and may be withdrawn by the person concerned at any time and for any reason without disadvantage or prejudice.”

There is ample evidence that conclusively proves that vaccines are unsafe and regardless of anything that the CA Congress legislates and Governor Brown signs and puts on a signing statement, all students and natural born human beings have a Natural and Common Law right to (1) exercise their personal beliefs in determining if the risk of being vaccinated is worth risking all the potential side effects, including death, that the vaccines package inserts from the manufacturers themselves note are possible; and students and all persons also have a right to (2) exercise their religious belief in determining if being vaccinated violates their covenant with God.

BROWN'S RELIGIOUS EXEMPTION STILL AVAILABLE (ALTHOUGH NOT REQUIRED BY THE NATURAL BORN HUMAN BEING)

Keep in mind as well that Governor Brown, in his signing statement of September 30, 2012, related to AB 2109, noted and instructed the Dept. of Public Health, under which your are under, to allow parents to use their "religious beliefs" exemption **at any time** to avoid forced vaccination. In his signing statement of June 30, 2015, related to SB 277, he **did not remove a parent's right to use the religious belief exemption**, and therefore your department/agency should still allow it. See

[http://www.cafepeyote.com/files/Emergency_Religious_Belief_Exemption -
_Anonymous_Notice.pdf.](http://www.cafepeyote.com/files/Emergency_Religious_Belief_Exemption_-_Anonymous_Notice.pdf)

You, the CSAC and your county members, who you are required to inform on matters affecting their counties, are hereby warned that your member counties are not authorized by law or their oath of office to proceed with any projects or actions similar to those of the SBCPHD as described above, and that proceeding is such a way will make each one of your members individually, and others they involve in their plans, liable for lawsuits and criminal action as noted above as "PRIVATE PERSONS", which I and all people against forced mandatory vaccines will not hesitate to bring against any involved persons or agencies/departments they represent.

PLEASE REPLY BY EMAIL TO CONFIRM RECEIPT OF THIS NOTICE AND TO ADVISE IF YOU PLAN ON ADVISING AND PROVIDING A COPY OF THIS EMAIL TO YOUR COUNTY MEMBERS, ESPECIALLY FROM THE HEALTH DEPARTMENT.

Respectfully,

Ricardo Beas

cc: Attorney