

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

I. 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.

WASHINGTON STATE LAWS

1. Washington Constitution, Article 1, Section 3

No person shall be deprived of life, liberty, or property, without due process of law. 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. Washington Constitution, Article 1, Section 5

Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that right. A law may not restrain or abridge liberty 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 Washington Constitution,

3. Washington Constitution, Article 1, Section 11

Absolute freedom of conscience in all matters of religious sentiment, belief and worship, shall be guaranteed to every individual, and no one shall be molested or disturbed in person or property on account of religion; but the liberty of conscience hereby secured shall not be so construed as to excuse acts of licentiousness or justify practices inconsistent with the peace and safety of the state. If covering one's face intrudes on the religious expression of an individual, that right to religious expression may not be denied.

4. Washington State Legislature Revised Code 18.71.021: Practicing medicine without a license

No person may practice or represent himself or herself as practicing medicine without first having a valid license to do so. 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. No "emergency order" supersedes established law. Any "health order" related to mask-wearing is unlawful and unenforceable by law.

5. Washington State Legislature Revised Code 9A.60.040: Impersonating a peace officer

You are not a law enforcement officer and have no authority to enforce any law or order. Impersonating a law enforcement officer is a crime in this state under **RCW 9A.690.040**. This violation is classified as a class C felony and is punishable by up to 5 years in prison and \$10,000 in fines.

6. Washington State Legislature Revised Code 49.60.030: 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 the 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 RCW 49.60.030

7. Washington Constitution, Article 1, Section 1 protects personal rights

If any person interferes with threat, intimidation or coercion with the exercise of enjoyment of an individual's rights secured by the Constitution of the United States or the Constitution of Washington, the Attorney General or any district attorney or city attorney may bring a civil action or injunction in order to protect the peaceable exercise or enjoyment of the rights secured. Further, an individual may also institute and prosecute a civil case for damages.

8. The Washington Law Against Discrimination (WLAD) prohibits discrimination based on disability: 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. The ADA also handles these complaints, and info may be gotten by calling (800) 514-0301

9. Washington State Legislature Revised Code 49.60.030(1b): 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 the general public is invited, including public modes of transportation private schools, hotels, **hospitals** and public buildings, such as courthouses, government buildings.

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 Civil Code section 54.1

10. Washington State Legislature Revised Code 9A.40.040, False Imprisonment

Attempting to prevent someone's entry to this establishment or to restrict, detain or confine their movement without their consent constitutes FALSE IMPRISONMENT, which is classified as a class C felony, with the penalty of up to 5 years in jail and a \$10,000 fine. 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 being charged with false imprisonment.

11. Washington State Legislature Revised Code 9A.84.030: Disorderly Conduct

Any of the following persons shall be punished by imprisonment in the county jail for a period of not more than 90 days, a fine of up to \$1,000, or both such imprisonment and fine:

- (1) A person is guilty of disorderly conduct if the person:
 - (a) Uses abusive language and thereby intentionally creates a risk of assault;
 - (b) Intentionally disrupts any lawful assembly or meeting of persons without lawful authority;
 - (c) Intentionally obstructs vehicular or pedestrian traffic without lawful authority;

12. Washington State Legislature Revised Code 9A.46.020: Harassment

Harassment is a class C felony with the penalty of up to 5 years in jail and a \$10,000 fine

- (1) A person is guilty of harassment if:
 - (a) Without lawful authority, the person knowingly threatens:
 - (i) To cause bodily injury immediately or in the future to the person threatened or to any other person; or
 - (ii) To cause physical damage to the property of a person other than the actor; or
 - (iii) To subject the person threatened or any other person to physical confinement or restraint; or
 - (iv) Maliciously to do any other act which is intended to substantially harm the person threatened or another with respect to his or her physical or mental health or safety; and

(b) The person by words or conduct places the person threatened in reasonable fear that the threat will be carried out. "Words or conduct" includes, in addition to any other form of communication or conduct, the sending of an electronic communication.

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 12 Washington state laws, including:

US Constitution, 1st Amendment, 4th Amendment

US Title 42, US Title 52

Washington Constitution Article 1, sections 1, 3, 5, 11

RCW 18.71.021

RCW 9A.60.040

RCW 49.60.030

The Washington Law Against Discrimination