

How to legally avoid vaccination

Ingri Cassel^a and Dewey Duffel

^aVaccination Liberation

P.O. Box 457

Spirit Lake, Idaho 83869

Phone: +1 208 255 2307 or +1 888 249 1421

E-mail: vaclib@coldreams.com

Websites: www.VaccineTruth.com or www.VacLib.org

Abstract

This article presents eight rules concerning vaccination laws in America and the 50 united states. The original author is unknown although the information, likely written in 1996, has been posted to many educational forums and websites. Our country and its laws have changed dramatically since September 11, 2001. The assumption throughout the article is that we live in a free country with our federal and state Constitutions in place as the supreme law(s) of the land. While this may not technically be true any longer, it is important to conduct yourself and your affairs regarding your fundamental right to own your body and make medical decisions affecting the healthcare of your children as though these rights are indeed protected by your state's statutes. The advice in the article is sound and has worked for countless families. However, many states have passed some version of the Model State Emergency Health Powers Act that allows states to forcibly vaccinate and/or medicate its citizens during a national emergency without accepting any sort of liability should death or injury occur as a result. During such a declared emergency, vaccine exemptions will be a moot point legally.

Copyright 2008 Medical Veritas International Inc. All rights reserved.

Keywords: legal rights, vaccination, vaccination exemptions

Introduction

As you read this article, and put its principles into practice, there are two basic axioms you never want to forget, because they are the rock upon which all your actions are based.

1. No one, nowhere, no time, and under no circumstances has the right or power in this country to vaccinate you or your children against your will and conviction. If they attempt to do so, you can legally charge them with “assault with a deadly weapon” and should have the full resources of our laws behind you.

2. At all times in attempting to avoid unwanted vaccinations, you have the Constitution and Bill of Rights behind you. Those who would try to vaccinate you against your will are on very shaky ground. Into every compulsory immunization law in America are written legal exceptions and waivers which are there specifically to protect you from the attempted tyranny of officialdom. It is not only your right, but your obligation to use existing vaccine exemption laws, if this is what your conscience dictates.

Article I

In all your contacts with any member of the school, public health, or legal establishment, always remain calm, courteous, and humbly reverent toward their position. You are only asking of them that which their duty binds them to give you. There is no reason, or advantage to be gained, by antagonizing them. Most of these officials believe they are discharging their trust as outlined by law. If they are overstepping the law, then you must very diplomatically bring the true facts to their attention, but without attempting to belittle them. The more you can preserve their ego, the more easily and quickly you are likely to get what you desire—“a waiver of immunization”.

Rule No. 1: Do not harass, belittle, or antagonize officials unnecessarily.

Article 2

All compulsory laws concerning vaccination (including the military) contain exceptions and waivers. It is these protections placed in the laws that you may legally use to exclude yourself and your children. Surprisingly, these exceptions were placed there, not for your sake (although you may take advantage of them), but for the protection of the establishment. How is this? Let us assume that these exceptions were not there and everyone was actually forced to be vaccinated. Should a child die or become mentally or physically disabled, the parent would have the perfect case to sue the doctor, the school, the health department, and even the state legislature for enormous damages. Since they allowed no exceptions, they must accept full responsibility for all the adverse consequences of the law. However, if exemptions are placed in the law, the responsibility is then transferred back to the parent. If a child should be injured by vaccination, the officials can say, “Well, the parent should have exempted him if they thought there was any danger.”

All 50 states have compulsory vaccination laws for daycare and school registration. As of this writing, 20 states have a philosophical exemption, 48 states have a religious exemption, and all 50 states have a medical exemption to compulsory vaccination laws. The problem is that parents are not told of their respective state's vaccine exemption laws.

With regards to required vaccines in the workplace, OSHA provides a written exemption form for the Hepatitis B vaccine. However, more and more employees are joining forces and legally challenging required TB tine tests and annual flu vaccines.

Rule No. 2: While all 50 states have compulsory vaccination laws and many employers are requiring vaccines and invasive tests for their employees, you are ultimately responsible for any adverse events resulting from vaccines given to you or your children.

Article 3

While all immunization laws have exceptions you can use, the wording in each state differs, and you must know the exact wording for your state to make the proper request for a waiver. This information can be obtained in one of two ways.

1. Go to the reference section of your local library. Look in your state's Statute or Revised Code Law Book under Public Health Law or Communicable Disease sections. Your state's vaccination requirements may also be listed under daycare licensing or public school requirements. The statute listing vaccine requirements is usually followed another statute listing allowable exemptions—medical, religious and, in some states, philosophical grounds.

2. Most states have their statutes posted online. You can ask your librarian if a computer is available for viewing and printing the vaccination requirements for your children.

Rule No. 3: Know your own state law so that you can conform to its exact requirements for exemption.

Article 4

There are two basic reasons for a vaccine exemption - medical or religious/philosophical. Which one you choose will often depend upon the wording of the law in your state and your personal convictions. We shall discuss medical exemption first. While laws do vary, nearly all states require that a note or certificate of waiver be submitted by a medical doctor licensed in the state of residence. In some areas where states are small and people continually travel from one to another for business, a statement from a medical doctor in a contiguous state will be accepted.

In this letter it is usually necessary to state the reason for the requested waiver and the length of time it should extend. Many laws limit all such letters to a school year and they must be renewed each fall. The two most valid reasons for medical waiver are “the fear of allergic reaction in a sensitive child” and “to prevent possible damage to a weakened immune system.” Both of these can occur in a child who has been vaccinated, and since no one but the physician and the parent will be held responsible for their consequences, it is up to them to protect the child.

Rule No. 4: Medical waivers are valid but must be written to fit each state law and often need to be renewed annually. Your child must have a history of an adverse reaction to previous vaccines and a willing M.D. to write a letter exempting your child.

Article 5

Most people will be best served by a religious or philosophical exemption unless the state law is so restrictive as to make this nearly impossible to obtain. The only established church in all 50 states that is legally opposed to vaccination is the Christian Science Church. They took the matter to the 48 of the 50 state's courts and obtained a legal ruling of exemption. It is because of this that state laws recognize the religious exemption.

Another church, The Church of Illumination is also by its tenets opposed to immunization for its adherents, and they are encouraged to go to jail if necessary before submitting to this procedure. Since it is a “Church at Large,” they are able to enroll members throughout the entire United States and would be pleased to consider any applicant who is without present church affiliation and who desires the legitimate support of others in his convictions.

Some states require an official letter from a church authority before exemption is accepted; in others, it is only necessary to submit a notarized letter that you ADHERE to religious tenets which hold vaccination against God's laws.

Under Federal Laws, “religious practices” are defined by law to include moral or ethical beliefs about what is right and wrong that are sincerely held with the strength of traditional views. State officials can be challenged if they require membership in an official church or other religious affiliation as an exemption eligibility test.

Our country was founded upon religious freedom, and this fundamental right is protected by the First Amendment to the Constitution. However, bureaucratic adherents to the vaccine religion may prove to be difficult, refusing to grant a vaccine exemption for your child, in which case you may have to contact the school superintendent or state's attorney general.

The general desire of most health officials is to exert as much control as possible, while assuming as little responsibility as possible. If you place them in a position in which they must either give you a waiver or assume additional responsibility, you will usually get your waiver.

Rule No. 5: Religious exemptions can usually be obtained by a letter from a church official certifying that you are a member of a church that recommends against vaccinations for its adherents. Many states will also allow exemption on religious grounds if you send them a notarized letter stating that you adhere to sincerely held religious beliefs while citing specific passages from a recognized holy book such as the Bible.

Article 6

In states that have a philosophical or personal conviction exemption, simply comply with the wording of the statute in exercising your right to a legal waiver. Many states with philosophical exemptions for school do not necessarily apply to daycare. And in some states, such as Texas, the health department requires the applicant to get an official form, not a copy, from the state's department of health. This same form must be resubmitted annually.

Rule No. 6: Philosophical exemptions are usually the easiest to obtain. However, it is always best to state your personal convictions regarding vaccination in writing and have this letter notarized and on file with the school district.

Article 7

The foregoing may work for school exemptions, but are there any such waivers in the Armed Forces? Yes, all branches of the Service provide “immunization waivers.” Again, if they did not, you could sue them for millions of dollars if a reaction occurred from their “immunizations”. Because of these waiver provisions, you become responsible if you have an adverse reaction.

When you first sign up or enlist, you must state your objection to the vaccinations and tell whether it is “religious conscience” or medical reasons, such as allergies or a low tolerance to medication of any kind. **If you do not show objection at this time, you have given the military the right to do what they will with you.** If there is any difficulty, the same rules apply here as in the school program. Never forget, even though you may be in the Service, no one has the right to vaccinate you against your will. Read all enlistment documents carefully before you sign them. Insist on having an exact copy of all documents you signed. You do not have to give up your constitutional rights when you join the Armed Forces. Unfortunately, as evidenced by the current illegal wars your commander

may consider that your circumstances of deployment “require” the “protection” of vaccinations and your rights will be ignored.

Rule No. 7: The laws that govern school vaccination exemption also apply to the military. Never let anyone tell you otherwise. However, all bets are off when America is illegally engaged in wars overseas and the Geneva Convention's Rules for Engagement are also ignored.

Article 8

What about international travel?

The World Health Organization (WHO) in Geneva grants American visitors the right to REFUSE shots when traveling internationally. However, if an area you wish to enter is infected, or you are traveling from a yellow fever infected area, you may be detained until the public health servant gives you the “go” (at his discretion). Thousands travel world-wide each year without shots and you may too if that is your choice. Many of our co-workers have traveled over much of the world and have never taken any vaccinations, nor were they ever detained.

It would be wise to request a copy of Foreign Rules and Regulations, Part 71, Title 42, on immunization when you receive your passport. Never forget the basic rule: No one will vaccinate you against your will because by doing so they assume full responsibility for the consequences both legal and medical.

Rule No. 8: You may travel wherever you wish in the world without vaccination unless you plan to travel from one yellow fever country to another yellow fever country. And even then, medical exemptions may be honored. The worst that can happen is that you may be detained temporarily if the country you are attempting to leave is experiencing an outbreak of a “vaccine-preventable” disease. Both the CDC and WHO maintain websites giving current exemption information for travelers.

Some Important Details

The preceding eight articles constitute all the basic rules. However, there are many important little “tricks of the trade” to having your legal requests honored.

While waivers and exemptions are written into all compulsory vaccination laws, most public health officials, doctors, and especially school officials are loathe to discussing their existence when questioned, and rarely volunteer such information. Announcements on the radio and in newspapers by school officials typically broadcast, “NO SHOTS, NO SCHOOL” just prior to enrollment for the next school year. This statement completely ignores the fact that vaccine exemptions are available. Such unwarranted dogmatism is common in the people you will encounter. Once the end of their legitimate authority has been reached, they will use their next most powerful weapon - INTIMIDATION. They will threaten to keep your child out of school, take him from you, or send you to jail. These are all idle threats because they can do none of these things, if you follow our simple instructions. The basic rules have been given to you, but there are a few important details to be considered if the officials start on this course of unlawful intimidation.

1. You must send a letter to the school to inform the education officials of your stand. A phone call is not legal. It can be a note from your doctor, minister, or a notarized letter from you stating your sincere objections to vaccinations. If you do not do this and fail to have your child “immunized”, it could be construed as neg-

ligence on your part and in some states there is a possibility of legal action against you.

2. If the school should refuse to honor your letter, request that they give you a statement in writing outlining their reasons for refusal. If they won't, their refusal is legally invalid, and your letter stands; they must enroll your child. If they don't (they rarely will), they take the risk of incriminating themselves, especially if they are acting contrary (as is common) to what is specified in the law concerning your rights for exemption. Remember they are on tenuous ground, not you. They are your servants, not you theirs.

If worst comes to worst and you have an attorney or church official write your notarized exemption letter stating accurately your lawful reasons for refusal, the bureaucrat or health official may counter your letter by telling you what the accepted exemptions are and how your letter fails their requirements. At this point you can go about meeting the requirements by one of the routes suggested in this article.

3. Child neglect is the one legal point you want to avoid at all costs. No legal parent or guardian can be charged with neglect unless he shows complete lack of concern or action to be more informed. Stripped of legal jargon, this simply means that if you can show that you have investigated the situation, have come to a specific decision concerning vaccinations, and have informed the authorities of the same, no neglect charge can be brought. Neglect can be brought only when it can be shown that you have failed to have your children “immunized”, not out of respect for your child's medical or spiritual integrity, but only because you were too concerned with other matters.

4. At times there may be a question of whether you have given or withdrawn legal consent. Legal consent is dependent upon being properly informed on both the advantages and the risks in any choice or decision you make. In other words, if a physician were to tell you that vaccination is perfectly safe and effective to obtain your consent, such consent would not be legal because he lied and you have not been properly informed. Conversely, it could be argued that nonconsent is not legal if you are not fully informed about the known risks and theoretical benefits of each vaccination.

5. What do I do if my vaccine exemption letter is refused?

This would be an extremely rare circumstance, but should it happen, you are not left without resources. Here is where we pull out one of our big guns. Send notarized letters by certified mail to the vaccine laboratory which makes the shot (ask your doctor for the address), the doctor who is to administer the shot, your school principal, the school board, and your local health department. In these letters make it clear that, since they have refused to give you a duly requested waiver, you can no longer be held responsible for what may happen to your child, if they force these shots upon him. You then state that you will only allow vaccination if each will present you with a written signed guarantee of safety and effectiveness of the vaccine and that they will consent to assume full legal and financial responsibility for any and all adverse reactions that your child may develop from the required shots. Of course no one will give you such a guarantee. They cannot do so because all vaccines are considered potentially highly toxic. We have yet to hear of an instance of further harassment of parents after such letters have been sent.

That's about all that is needed to obtain the necessary exemptions for your children. All that has been said in this last section (1 to 5) is also applicable to the military and international travel, if required.

Potpourri of Ammunition

There were several good tips in Grace Girdwain's booklet, *Your Personal Guide to Immunization Exemptions*, that were not included in the body of this thesis, but are too good to omit, and so we have placed them here for your perusal.

“As long as each individual who opposes vaccines has sincere objections, states them in writing, and signs his name, it is considered legal and proper action and must therefore be honored.”

“Since many medical controversies exist surrounding immunizations, drugs, and various other medications, it mandates that each individual have the right to control his own decisions and freedom of choice; anything less would be contrary to the constitutional laws that protect the citizens' rights.”

“When you deal with school officials and lawyers, you are playing with legal terminology—move the wrong words around and you get hung.” The terminology used in this booklet has worked before and should again.

“It is important to state your objections in such a way that it complies with your state's exemption provisions. They must then accept your request; if they do not, they are breaking their own law.” That is why it is absolutely essential that you know your own state law word for word before submitting your objection.

“According to the CDC (Centers for Disease Control and Prevention in Atlanta, Georgia), physicians are required to first inform their patients of the risks involved before they consent to the vaccines in the recommended Advisory Committee on Immunization Practice's schedule.” If they do not do so, it is *prima facie* evidence of deceit or negligence on the part of the physician. However, there is no penalty in place for physicians' not informing their patients; therefore, this regulation is not enforceable. Nevertheless, this regulation by the federal government would also seem to assume that the patient has the right to refuse if he feels that the risks are too great. If this is so, is not the federal government on record as supporting voluntary immunization and, by obvious implication, against state-enforced compulsory immunization?

Should you ever have to go to court, or what is more likely, to appear before a “kangaroo” court of school and health department officials, here is some “class A” evidence you might find useful to mention.

No vaccine carries any guarantee of protection from the laboratory that produced it or the doctor who administered it. There is NO FEDERAL LAW on requiring vaccinations. They don't dare. Their lawyers know the consequences. Your rights would be infringed upon by officials attempting to use force against your will.

Most state officials like a nice unstressful job. When you send in your objections and refuse to fit their ordered world by not having your children vaccinated, you make waves. This rocks their quiet existence, and there are only two ways their life can become orderly again—either by forcing their will upon you or by acquiescing to your will. What you must do to obtain an early waiver is to make the latter the easiest path for them.

At first, however, an attempt will usually be made to bend you to their will by some form of intimidation. Many uninformed parents give into this tactic, and so it is tried again and again. If you are adequately informed, as a reader of *Medical Veritas* should be, you will let the officials know in no uncertain terms that you understand your rights under the law and, for the record, are documenting all phone calls, conversations and correspondence. Invariably, once they discover you are adamant and acquainted with the state law, your waiver will be rapidly forthcoming.

A Final Word

While the situation we are discussing here can be a matter of life and death, you never want to lose your sense of humor. Let the opposition huff and puff; you hold all the trump cards. If you observe the few simple suggestions made here, the law is on your side. You are the good guys; they the villains. You wear the white hats; they, the black. Even in today's America the just will triumph under the law. They have only trickery, lies, and intimidation; justice, truth, and honor lie entirely with you. So have fun and bless God every day for placing you under the Free American System guaranteed by our Constitution.

Short time from DPT to death doesn't prove link.

(*American Medical News*, August 14, 1995, pages 32-34.)

Parents of an infant who died within hours of receiving a DPT vaccination failed to prove her death was caused by a reaction to an endotoxin in the vaccine, a federal appellate court ruled. The parents of a healthy baby born Dec. 2, 1982, brought her in for her first diphtheria-pertussis-tetanus shot on Feb. 23, 1983. Shortly after returning home, the infant had two screaming and crying episodes. The mother put her in her crib to cry herself to sleep; when she checked 30 to 45 minutes later, the baby was limp, pale, unresponsive, and not breathing. She was taken to the hospital by ambulance, but could not be revived. An autopsy listed sudden infant death syndrome as the cause of death.

The parents petitioned for compensation under the National Childhood Vaccine Injury Act; the trial court denied their petition. On appeal, the parents argued the fact the child had been found unresponsive and in cardiac and pulmonary arrest was clear evidence of hypotonic-hyporesponsive collapse from an endotoxin in the vaccine. HHC is compensable under the act.

The court said the parents must present a medical theory causally connecting the vaccination with the child's cardiac and pulmonary arrest. Evidence in the record failed to support the parent's theory that death was caused by a reaction to endotoxin in the vaccine. The court concluded that a causal link between the vaccination and death could not be based merely on the short time between the events.

Hodges v. Secretary of Dept. of HHS, 9F.3d 958 (C.A. Fed. Cir., Nov. 15, 1993)

SIDS doesn't prove DPT vaccine-injury claim

The parents of a child who allegedly died as a result of a vaccination were not entitled to compensation, ruled a federal appellate court. The child was born by routine C-Section in December 1983. Starting in her second month of life, she was given Phenobarbital for colic. In her fourth month, she received a DPT vaccination and, the same day, a few hours later, a dose of Phenobarbital. She awoke two hours later, at 9:30 p.m., and took some but not all of her bottle and cereal. The next morning between 6 and 6:30 she was found dead in her crib. An autopsy later classified her death as sudden infant death syndrome.

The parents sought compensation under the National Vaccine Injury Compensation Act. In their action filed in the federal claims court, they asserted the child died from either anaphylactic shock or hypotonic-hyporesponsive collapse, both compensable under the program. In the alternative, the parents claimed the child had died from some other injury caused by the DTP vaccination.

The special master assigned to the case determined that neither cause was responsible for the death. He concluded the parents had failed to establish by a preponderance of evidence the vaccination was the cause of death. Reversing this decision, the claims court

held that the undisputed evidence of respiratory or cardiovascular failure required a determination that HHC was present. As the precise cause of death was unknown, it was necessary to accept as a matter of law that symptoms of HHC, including respiratory and cardiac arrest, constituted the presence of HHC.

On appeal, the court reversed. The claims court had made two errors, it explained. The first was in ignoring the plain language of the Vaccine Injury Compensation Act, which required establishment of cause of death by a preponderance of the evidence. The second was in failing to recognize that nothing in the act supported the conclusion that when cause of death was unknown, the presence of symptoms such as cardiovascular or respiratory arrest superseded the requirement of a preponderance of evidence.

Hellebrand v. Secretary of Dept. of HHS, 999 E2d 1565 (C.A., Fed. Cir., July 23, 1993)

These articles are an amazing demonstration that the federal government does not believe the DPT vaccine can kill your baby even if death occurs within hours of receiving a shot!

Acknowledgment

The first third of this article was taken primarily from the work of Grace Girdwain of Burbank, Illinois. Although the material has been rearranged and edited, we wish the full credit for its existence to go to this courageous woman who has for twelve years worked arduously, without compensation, to help her fellow Americans obtain their legal rights.

Since 1997, Vaccination Liberation has assisted Americans in obtaining legal waivers to required vaccines and invasive testing such as the TB tine test for daycare, school, colleges, healthcare workers, employment, traveling abroad and immigration. Our internet exemption pages at **VaccineTruth.net** are provided as a service for those interested in obtaining legal exemptions to current compulsory vaccination laws and policies.

Exemptions are available to compulsory vaccination laws/policies due to the fact that all federal and state laws must technically be in harmony with federal and state constitutions. This is why a religious exemption is the easiest to obtain since the Bill of Rights in the 1st Amendment to the Constitution clearly states that “Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; ...”

Attorney Nancy Lord, M.D., in her closing arguments in a 1994 court case, had some pertinent points that fit here:

“The idea of government control of medicine occurred to two people—Benjamin Rush, George Washington’s personal doctor and a signer of the Declaration of Independence, and Thomas Jefferson. Benjamin Rush warned: ‘Unless we put medical freedom into the Constitution, the time will come when medicine will organize into an undercover dictatorship.... To restrict the art of healing to one class of men and deny equal privileges to others will constitute the Bastille of medical science. All such laws are un-American and despotic and have no place in a republic... The Constitution of this republic should make special privilege for medical freedom as well as religious freedom.’ The Founders guaranteed that we would remain free of government interference in our choice of religion. When the founders wrote the Constitution and the Bill of Rights, they knew that government would try to dictate religion because it always had.”

However, since many of you are aware of the fact that we have been in a perpetual state of “declared national emergency” since March 9, 1933, the full force and effect of the Constitution has been suspended. We have witnessed the “unconstitutional” erosion of our rights since that time—it has simply become more overt since Sept. 11, 2001 with the passage of Patriot Acts I and II, Project BioShield, the Homeland Security Act, etc.

Therefore, there is NO guarantee that any of the information provided on the above exemption pages will help you obtain a legal exemption to vaccines or other invasive medical procedures or tests. None of the people volunteering their efforts for the Vaccination Liberation cause are doctors or bar licensed attorneys. However, we do strongly believe that it is imperative that we ALL act as though we are empowered and responsible human beings living in a Republic, the unique form of government our Founding Fathers created for us to utilize for our protection from the possibility of an out-of-control government. We also believe that the MOST fundamental of human rights is the right to own one’s body, deciding what will or will NOT be injected and ingested.

By taking the time to educate yourself and your loved ones on this vital issue affecting your family’s health, you will want to figure out how to legally abstain from toxic, health-robbing medical procedures. This is why Vaccination Liberation’s co-director Donna Carrillo has spent thousands of hours creating these “exemption” pages. The laws provided are current as of 2007. Laws and administrative procedures change regularly. It is always best to check with your state’s website to make sure the law/statute you are utilizing for obtaining a legal exemption is current. It is also important to understand that the forms and letters provided are strictly examples, provided to give you an idea of letters and forms that others have created and utilized successfully in obtaining their exemption. We strongly suggest that you read the information on our Religion page www.vaclib.org/links/religion.htm so you can get real clear regarding how your particular views and beliefs are also religious in nature. If there is a chapter or resource listed for your state at this link, <http://www.vaclib.org/legal/stateresource.htm> we strongly suggest that you work with them in protecting your health freedoms in your state. If there is no one listed, consider becoming a resource for your state by going to this webpage www.vaclib.org/basic/startchapter.htm

We are willing to assist you from our many years of experience in obtaining legal exemptions. However, we also need for you to become a member and/or donate generously for this service so that we can continue to empower others to protect their most fundamental of human rights. It is also important for you to understand that our Founding Fathers believed that the law and legal matters should be accessed equally by all citizens of this Republic. While we are no substitute for an attorney, in our experience, a clearly written letter IN YOUR OWN WORDS citing the law and stating your grounds for such an exemption, should be all that is necessary. Having your letter notarized and cc:ed to a supervisor, superintendent, legislator, etc. can add weight to your case in some instances.

There are now two reference books on this topic available; one by an attorney and the other by a medical doctor:

The Authoritative Guide to Vaccine Legal Exemptions by Alan G. Phillips, J.D. www.VaccineRights.com

Saying No to Vaccines - A Resource Guide for All Ages by Dr. Sherri J. Tenpenny www.DrTenpenny.com

By legally abstaining from coerced medical experimentation today, you are literally helping secure the rights of future generations that follow us.