



HealthFreedomLA.org

3301 17th St. #7443
Metairie, LA 70010
Info@healthfreedomla.org

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Dear Governor Edwards,

On July 13, 2020, prior to the vote to establish Strong Start guidelines, we requested evidence of the safety for long term mask use in children from the Board of Elementary and Secondary Education (BESE). The general counsel for the Louisiana Department of Education (LDOE), Joan Hunt, was unable to provide any such information, refused to answer the question and instead directed us to the CDC. So on August 12, 2020 we submitted a public records request to the CDC requesting any safety studies on the long term mask use of children and pregnant women. They were unable to provide any such data. Then on August 13, 2020 we submitted a public records request of the Louisiana Department of Health (LDH) requesting the evidenced based data on the safety of long term mask use in children which Dr. Joe Kanter, on July 14, 2020, testified before BESE as having. LDH was unable to provide any such data.

On April 24, 2020, the FDA issued an Emergency Use Authorization (EUA) for non-surgical face masks¹, which children in Louisiana's schools are wearing today. Federal law **21 US CODE 360bbb-3(e)(1)(A)(ii)(iii)**² governing EUAs requires that:

- (ii) Appropriate conditions designed to ensure that individuals to whom the product is administered **are informed-**
 - (I) **that the Secretary has authorized the emergency use of the product;**
 - (II) **of the significant known and potential benefits and risks of such use**, and of the extent to which such benefits and risks are unknown; and
 - (III) **of the option to accept or refuse administration of the product**, of the consequences, if any, of refusing administration of the product, and of the alternatives to the product that are available and of their benefits and risks.

- (iii) **Appropriate conditions for the monitoring and reporting of adverse events associated with the emergency use of the product.**

¹ www.fda.gov/media/137121/download

² [uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title21-section360bbb-3&num=0&saved=%7CZ3JhbnVsZWlkOIVTQy1wcmVsaW0tdGl0bGUyMS1zZWNoaW9uMzYwYmJiLTNh%7C%7C%7C0%7Cfalse%7Cprelim](https://www.uscode.house.gov/view.xhtml?hl=false&edition=prelim&req=granuleid%3AUSC-prelim-title21-section360bbb-3&num=0&saved=%7CZ3JhbnVsZWlkOIVTQy1wcmVsaW0tdGl0bGUyMS1zZWNoaW9uMzYwYmJiLTNh%7C%7C%7C0%7Cfalse%7Cprelim)

Any product issued under EUA is considered investigational or experimental for the purpose intended.^{3,4} This federal law is in place so that the patient is made aware of the potential risks and benefits of the medical intervention, the right to refuse, and the appropriate place to report adverse reactions.

BESE has never followed any aspect of this law in requiring children to wear masks in LA schools. Our organization has received dozens of reports of children experiencing physical and mental harm from wearing masks in school including collapsing during recess, severe migraines, vomiting, anxiety, and depression.

There are no safety studies on long term mask use in children. There has been no informed consent on the right to refuse this EAU medical intervention as outlined in federal law. There is no place to report adverse events following the use of this medical intervention given Emergency Use Authorization.

How many human rights violations can one government agency commit?

There are international treaties enacted to prevent this. The Nuremberg Code⁵ states:

“The voluntary consent of the human subject is absolutely essential.”

Article 3 of UNESCO’s Universal Declaration of Bioethics and Human Rights⁶ states:

“Human dignity, human rights and fundamental freedoms are to be fully respected.

The interests and welfare of the individual should have priority **over the sole interest of science or society.**”

In addition, you and BESE have violated our own ethic set forth in the Louisiana Children's Code Article 101⁷, which states:

“...parents should make the decisions regarding where and with whom the child shall reside, the educational...**the medical, psychiatric, surgical, and preventive health care of the child...**”

And now there are scientists who are warning of the risks of inhaled nanoparticles from masks:

Need for assessing the inhalation of micro(nano)plastic debris shed from masks, respirators, and home-made face coverings during the COVID-19 pandemic

“There seems to be, however, an important piece missing in the suite of standards and volumes of research on inhalable environmental contaminants. None of these standards, including the ASTM standards and NIOSH regulation, which are adopted by the FDA in regulating medical face masks and surgical respirators in the U.S. (FDA, 2020a), regulate respirable debris such as micro(nano)plastics that may be present in these products. In fact, such neglect is not unique to US standards: a review of current ISO standards, EU standards and Chinese standards on masks and respirators found no information pertinent to this particular type of hazard. With these becoming a necessity for many in their daily life and work, **questions must be raised over this apparent regulatory gap concerning their long-term use safety. This is especially important given that**

³ [fda.gov/drugs/types-applications/investigational-new-drug-ind-application#Introduction](https://www.fda.gov/drugs/types-applications/investigational-new-drug-ind-application#Introduction)

⁴ [fda.gov/patients/learn-about-expanded-access-and-other-treatment-options/understanding-investigational-drugs](https://www.fda.gov/patients/learn-about-expanded-access-and-other-treatment-options/understanding-investigational-drugs)

⁵ <https://history.nih.gov/display/history/Nuremberg+Code>

⁶ portal.unesco.org/en/ev.php-URL_ID=31058&URL_DO=DO_TOPIC&URL_SECTION=201.html

⁷ <http://www.legis.la.gov/legis/Law.aspx?d=72534>

there is already a growing body of evidence on the inhalation of micro(nano)plastics and their adverse effects in humans and animals (Prata, 2018)."

"Whether these plastic debris could cause stress and inflammation in the human respiratory tract and exacerbate vulnerability to viral infection is a further question that warrants investigation."

"A special note must be given on home-made cloth face coverings. For fabrics repurposed as face masks, as per the current guidelines by the CDC (Centers for Disease Control and Prevention CDC, 2020), debris is likely to be generated from cutting and tearing...Detergent residues and lint generated from machine laundering and tumble drying may also be present as inhalable contaminants in washed garments." ncbi.nlm.nih.gov/pmc/articles/PMC7537728/

As countries around the globe and states across the country have **not** required masks and have not experienced any detriment to their children, it is illogical to assume that masks in LA schools are the only impediment to the spread of SARS-Cov-2.

A study from Sweden earlier this year showed negligible viral impact despite no mask use:

Open Schools, Covid-19, and Child and Teacher Morbidity in Sweden

Despite Sweden's having kept schools and preschools open, we found a low incidence of severe Covid-19 among schoolchildren and children of preschool age during the SARS-CoV-2 pandemic. Among the 1.95 million children who were 1 to 16 years of age, 15 children had Covid-19, MIS-C, or both conditions and were admitted to an ICU, which is equal to 1 child in 130,000 ... Social distancing was encouraged in Sweden, but wearing face masks was not. nejm.org/doi/full/10.1056/NEJMc2026670

The Swedish study confirmed the Ireland study released in May 2020 which showed, despite children still participating in choir and band with wind instruments, that there were no cases of onward transmission:

No Evidence of Secondary Transmission of Covid-19 from Children Attending School in Ireland, 2020

In summary, examination of all Irish paediatric cases of Covid-19 attending school during the pre-symptomatic and symptomatic periods of infection (n = 3) identified no cases of onward transmission to other children or adults within the school and a variety of other settings. These included music lessons (woodwind instruments) and choir practice, both of which are high-risk activities for transmission. Furthermore, no onward transmission from the three identified adult cases to children was identified. ncbi.nlm.nih.gov/pmc/articles/PMC7268273/

"Willful negligence" barely scratches the surface of the actions of the BESE Board, in not following through on my request for evidence of safety, but even more so the Louisiana Department of Health who have shamed and coerced not only the adults in this state but our innocent children too, into wearing an untested and unapproved medical device without following federal law and providing informed consent including, most importantly, the right to refuse for ourselves and our children.

We have witnessed BESE Board President Sandy Holloway, unmasked, sit through a several hours long meeting at the Capitol; many legislators attend their committee meetings unmasked. They have the option to remove the mask from their face without retribution but not our children, who in some instances must go to a back wall in their classroom to remove their mask for a "breathing break."

RS 29:736⁸ of THE LOUISIANA HOMELAND SECURITY AND EMERGENCY ASSISTANCE AND DISASTER ACT⁹ assures us that even in times of crisis “nothing in this Chapter shall be interpreted to diminish the rights guaranteed to all persons under the Declaration of Rights of the Louisiana Constitution or the Bill of Rights of the United States Constitution.”

Article I, Section 20 of our state’s Constitution recognizes and affirms our right to **not be tortured**.

“§20. Right to Humane Treatment

Section 20. No law shall subject any person to euthanasia, **to torture**, or to cruel, excessive, or unusual punishment. Full rights of citizenship shall be restored upon termination of state and federal supervision following conviction for any offense.”

Masks, whether surgical or cloth, worn by children seven to eight hours a day for daily activity have never been evaluated for safety. No one can say with certainty that we are not torturing children - there are literally no safety studies.

According to federal law, parents must be made aware of the following: (1) non-surgical masks have only been approved for EUA, (2) the known and unknown benefits and risks including the concerns raised by scientists regarding the long term risk of inhalation of nanoparticles, and (3) that they have the **right to refuse**. Further, to be in compliance with federal law, there must be a provision for submitting and recording adverse reactions to long term mask use.

Every day that goes by and this information is not made public is another day you and BESE are committing a human rights violation. These are human rights violations and should be treated as such.

Sincerely,

Jill Hines, et al.
Co-Directors
Health Freedom Louisiana

Cc: Chief of Staff, Mark Cooper
Executive Counsel, Matthew Block
Policy Director, Adam Eitmann
Senior Policy Advisor, Richard Hartley
Attorney General Jeff Landry
Communications Director, Millard Mule
Secretary of the Louisiana Department of Health, Courtney Phillips
Superintendent Cade Brumley
President, BESE Sandy Holloway

⁸ legis.la.gov/Legis/Law.aspx?d=85685

⁹ legis.la.gov/Legis/Law.aspx?p=y&d=85667