

NOTICE TO North Carolina Police Departments

ATTN: Police Chief, Sheriff

RE: Mask and Distancing in this jurisdiction

- You are under no lawful authority to fine or arrest a person for failure to wear a mask.
- There is no statutory law that requires you or your employees to wear a mask.
- These are GUIDELINES of the NC Health Department and CDC. Any other ORDER is unlawful and must be challenged. The governor is not permitted to write laws—even during an emergency.
- **Prevention of entry into ANY public accommodation of someone for not wearing a mask violates these laws:**
 - **NC Constitution (Article 1, section 1, 5, 6, 19)**
 - **US Constitution (1st and 4th Amendments)**
 - **Federal Civil Rights Law (Title 11, Section 2000)**
- If an establishment (which is open to the public and is a public accommodation by law) refuses entry to a person for not wearing a mask, they are restricting the free movement of an individual and engaging in [false imprisonment](https://falseimprisonment.uslegal.com/civil-actions-for-false-imprisonment/). <https://falseimprisonment.uslegal.com/civil-actions-for-false-imprisonment/>
- The establishment is in violation of several laws if they prohibit the entry of someone because they are not wearing a mask.
- Furthermore, it is unlawful to enforce 6 feet separation, as it restricts the movement of individuals and may be construed as false imprisonment.
- Businesses declaring this as “store policy” does not absolve them from a violation of the law. They may not set policy that violates discrimination laws.
- There is no regulation “on the books” that requires businesses to operate outside, with plexiglass dividers, or with restricting the number of patrons.
- REGULATIONS are the laws that are created through an administrative law-making procedure by departments and agencies to fulfill and carry out STATUTORY law. When a regulation is passed, it is given a code number and written into the NC Administrative Code (NCAC).
- NO REGULATIONS are “on the books” that require masks, distancing, and other protocols.

This NOTICE TO POLICE DEPARTMENTS is prepared by www.thehealthyamerican.org

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