

CC: Sheriff Bill Gore, Supervisor Greg Cox, Mayor Mary Salas, Mayor Serge Dedina, Gov. Gavin Newsom, U.S. District Attorney Robert Brewer, KUSI News, Fox 5 San Diego News, KGTV 10 News, Cal-OSHA Reporter.

Ricardo Beas

CAL/OSHA CHIEF DOUGLAS PARKER

July 1, 2020

TO: WILMA J. WOOTEN
County of San Diego Public Health Officer

RE: USE OF FACE COVERINGS UNDER COUNTY ORDER
CAL/OSHA HAZARDOUS ATMOSPHERE VIOLATION

Dear Ms. Wooten,

As noted in my prior correspondence of May 3 and May 21, 2020 with you and all those named above,¹ the original COVID-19 order from Gov. Gavin Newsom and all county orders that followed (hereinafter the "lockdown") are not only unconstitutional, but are also detrimental to the health of all residents in California, and while I have requested that you rescind in its entirety the applicable county order, I am addressing you specifically today to request that you immediately revise your June 18, 2020 order requiring that all persons in the county wear facial coverings (hereinafter masks) when outdoors or in any public and commercial establishment or while working, so that such actions will be voluntary for such persons. I request this for the following reasons.

Under your revised order, which is following the "Guidelines" of the California Department of Public Health (hereinafter CDPH), all persons in California are required to wear a mask, whether they are working, in a public setting, walking, jogging, running and/or using a bicycle. Such guidelines even strongly recommend that private persons wear a mask when driving by themselves. While the intent may be well-intended, wearing such masks in any of these circumstances is detrimental to the health of such persons due to reduced oxygen intake, while inhaling higher amounts of carbon dioxide,² contrary to guidelines set by the Occupational Health and Safety Administration (OSHA) and its California counterpart, Cal/OSHA.

According to OSHA, Title 29 Code of Federal Regulations, section 1910.146,³ and Cal/OSHA, Title 8 Code of California Regulations, section 5157,⁴ persons should not work in oxygen atmospheres at below 19.5%, as they are considered hazardous atmospheres for human health. In 29 CFR 1910.146 it defines a "hazardous atmosphere" as follows:

"Hazardous atmosphere" means an atmosphere that may expose employees to the risk of death, incapacitation ... injury, or acute illness from one or more of the following causes:

(3) Atmospheric oxygen concentration below 19.5 percent or above 23.5 percent."

¹ See my previous correspondence, at <https://tinyurl.com/SanDiegoCovid19Complaint>, and <https://tinyurl.com/RB-Reply-To-Sheriff-Gore-Covid>.

² See CO₂ tests using masks, minute 1:50:30, at <https://tinyurl.com/Zelenko-C19-hydroxychloroquine>.

³ See 29 CFR 1910.146, at <https://tinyurl.com/Fed-OSHA-Confined-Space>.

⁴ See 8 CCR 5157, at <https://tinyurl.com/Cal-OSHA-Confined-Space>.

Under these regulations, before an employee can be allowed to enter a confined space, air monitoring is required using a special monitoring device to test for oxygen deficiency and other toxic chemicals, such device known as an air monitor.⁵ These monitors will give out an alarm whenever the oxygen level is deficient and below 19.5%. In the following video example, you will see a gentleman doing us the favor of showing what happens when a person uses a simple surgical mask as is required by the county order. As can be seen in this video, when using the surgical mask, the oxygen level goes down to 17.4, a dangerously low level that will result in oxygen deficiency to the wearer, especially for prolonged periods and worse, when doing strenuous physical activity, with the negative health consequences as mentioned above.⁶



See the full video at <https://tinyurl.com/COVID-Mask-Oxygen-Deficiency>. This test can be easily duplicated in most Cal/OSHA offices, who possess these types of air monitors as part of their inspection equipment.

While OSHA requires employers to have their employees wear filtering respirators, N95 masks and dust masks when doing certain activities, this is only in circumstances where there are toxic substances in the air that need to be filtered out in order to be able to perform a work activity for limited periods of time, they are never intended to ensure that oxygen levels are within the allowable range. When a deficiency of oxygen exists in a space, OSHA requires that any employee going into such space use a special machine that pumps oxygen directly to the user.

In certain hospital settings OSHA requires employees to use N95 masks, such as in the case of working with COVID-19 patients, but the reality is that all the studies available show that even N95 masks, not to mention face coverings allowed by county orders, cannot guarantee either being exposed to COVID-19 or exposing others. The most recent analysis of such mask studies was done by Professor of Physics Denis G. Rancourt, PhD, in his scientific article titled ***“Masks Don’t Work: A review of science relevant to COVID-19 social policy”***. In his summary/abstract, he writes the following:

*“Masks and respirators do not work. There have been extensive randomized controlled trial (RCT) studies, and meta-analysis reviews of RCT studies, which **all show that masks and respirators do not work to prevent respiratory influenza-like illnesses, or respiratory illnesses believed to be transmitted by droplets and aerosol particles.***

*Furthermore, the relevant known physics and biology, which I review, are such that masks and respirators should not work. It would be a paradox if masks and respirators worked, given what we know about viral respiratory diseases: **The main transmission path is long-residence-time aerosol particles (< 2.5 μm), which are too fine to be blocked, and the minimum-infective-dose is smaller than one aerosol particle.***

⁵ See an example of an air monitor, at <https://tinyurl.com/Air-Monitor>.

⁶ See video of test showing how surgical masks reduce oxygen levels, at <https://tinyurl.com/COVID-Mask-Oxygen-Deficiency>.

*The present paper about masks illustrates the degree to which governments, the mainstream media, and institutional propagandists can decide to operate in a science vacuum or select only incomplete science that serves their interests. **Such recklessness is also certainly the case with the current global lockdown of over 1 billion people, an unprecedented experiment in medical and political history.***⁷

Once we consider that masks cannot prevent COVID-19 transmission, we go back to the evidence I provided to you in my prior correspondence on the dangers of using a mask, including world-renowned molecular genetics and immunology expert Prof. Dr. Dolores Cahill's warning on the use of masks:

*"As for the scientific support for the use of face mask, a recent careful examination of the literature, in which **17 of the best studies were analyzed, concluded that, none of the studies established a conclusive relationship between mask/respirator use and protection against influenza infection** ... Several studies have indeed **found significant problems with wearing such a mask**. This can vary from headaches, to increased airway resistance, carbon dioxide accumulation, to hypoxia, all the way to serious life-threatening complications ... **The longer the duration of wearing the mask, the greater the fall in blood oxygen levels.**"*

In a May 23, 2020 article by the *Physics of Fluids*, "On respiratory droplets and face masks," they reported results with and without **a surgical and an N95 mask**. They showed that a normal cough induces a turbulent flow that spreads about 70 cm from the subject. The N95 mask prevented air leakage more effectively than the surgical mask during coughing, **but there was still significant sideways leakage.**⁸

While Governor Newsom may have made a "declaration" that all persons in California should wear a mask, the June 18, 2020 publication by the CDPH titled "*Guidance for the Use of Face Coverings*", was nothing more than "Guidance" for all California health departments to consider adopting. Black's Law Dictionary defines a "guidance document" as "Guidelines written to give broad advise on procedure instead of precise requirements and standards."

It is obvious that the CDPH guidance document did not take in consideration the effects of the usage of masks for routine indoor or outdoor activities, focusing only on the possibility of the spread of COVID-19 among the population. Inadvertently or purposely, the CDPH is not taking into the account the negative health outcomes of forcing people to wear masks while doing their daily activities.

As the county's health officer, with your medical background and obligations to comply with your Hippocratic Oath and to protect the public from any and all harm, as well as your obligation to comply with your Oath of Office to protect my/our constitutional rights, it is your duty to not simply and blindly follow the guidance of Dr. Anthony Fauci, the CDC, the governor or the CDPH in deciding to apply the CDPH guidance document referred in your order; instead, you must consider all the evidence provided herein to come to your own conclusions.

The health of the American people, from sickness to death, is not being threatened by COVID-19, but by all the measures that have been put into place since President Trump issued his March 13, 2020 "*Proclamation on Declaring a National Emergency Concerning the Novel Coronavirus Disease (COVID-19) Outbreak*," under the advisement and publicly-exhibited pressure from Dr. Anthony Fauci, Deborah Bix and other federal health authorities.

⁷ See Rancourt's scientific article on the use of masks, at <https://tinyurl.com/Rancourt-Masks-Dont-Work>.

⁸ See *Physics of Fluids* report on mask leakage, at <https://tinyurl.com/Masks-Respiratory-Droplets>.

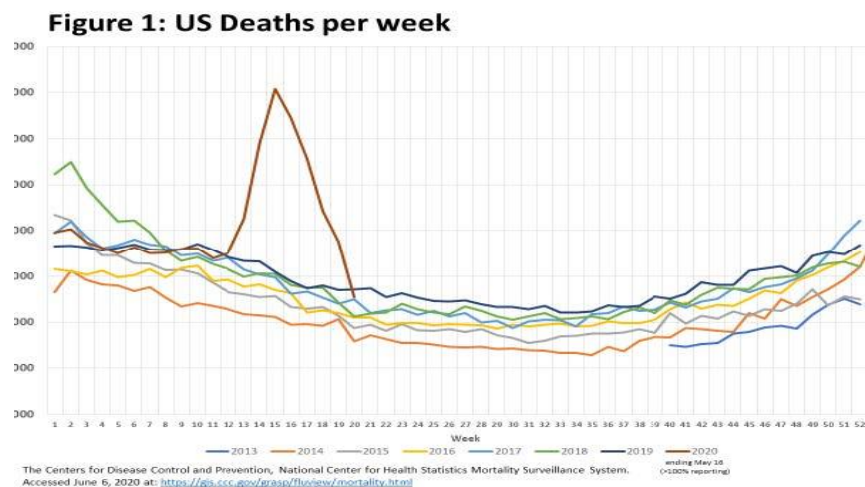
According to the June 19, 2020 San Diego County Health Department order, the lockdown order was “issued as a result of the World Health Organization’s (WHO) declaration of a worldwide pandemic of COVID-19 disease, also known as “novel coronavirus.”.⁹ Aside from noting the fact that the WHO is not an American institution with authority to dictate American health policy, the WHO has shown time and again that their recommendations are not only untrustworthy, but have been detrimental to the world as a whole, beginning with their original claims that COVID-19 was not infectious to human beings.¹⁰

The WHO also recommended the COVID-19 standard of care using ventilators that have now been proven to have contributed to unnecessary deaths among those identified as having the virus.¹¹ Once it was clear that human-to-human transmission did exist, the WHO correctly noted that face covering should not be used by healthy persons, noting in their guidance document that **healthy people don't need to wear face masks and that doing so won't provide added protection from the coronavirus.**¹²

Your decision to issue a health order primarily based on the WHO is unwarranted. This organization is corrupted by special interests, from the Chinese Government and the WHO’s number one financial contributor, Bill Gates, to the pharmaceutical industry, Big Pharma, most recently exposed in the WHO’s involvement in the synthetic opioid epidemic that killed thousands of Americans. According to an article by *The Guardian*,

“The WHO appears to be lending the opioid industry its voice and credibility, and as a result, a trusted public health organization is trafficking dangerous misinformation that could lead to a global opioid epidemic.”¹³

A review of the CDC’s statistics on mortality of 2020 shows that year after year, the mortality rate in the U.S. follows a typical trend, with an increase in the winter period due to multiple viruses, including known coronavirus varieties and common colds that affect immunocompromised individuals of all ages. A close analysis of the death chart below shows a completely uncommon and unnatural spike in fatalities between 2020’s weeks 11 and 20 (March 9-15 to May 11-17).



⁹ See the San Diego June 19, 2020, order, item #23, page8, at <https://tinyurl.com/San-Diego-Health-Order-June-19>.

¹⁰ See article on the WHO’s initial declaration that COVID-19 was not contagious to humans, at <https://tinyurl.com/WHO-No-Covid-Transmission>.

¹¹ See article on ventilators and their negative outcomes, at <https://tinyurl.com/Ventilators-Bad-For-Covid>.

¹² See the WHO’s initial position on the use of masks, at <https://tinyurl.com/WHO-No-Masks-Healthy-People>.

¹³ See *The Guardian* article on the WHO and its contribution to the opioid crisis, at <https://tinyurl.com/WHO-Opioid-Epidemic>

It is precisely in week 11, on March 13, 2020, when Trump's COVID-19 emergency declaration was made, and the CDC, governors and county health departments implemented lockdown orders of shelter in place (illegal home confinement), usage of masks, closing of businesses, social distancing and other detrimental directives.

Another reason behind the lockdown was the expected 2.2 million persons that would die in the COVID-19 influenza season, yet that was proven to be false by the author of the study that our health authorities relied on to impose the lockdown.¹⁴ As it turns out, the federal and state governments' actions and response were in fact the culprits of such an unwarranted spike in deaths. Such actions include the following:

1. Use of ventilators instead of oxygen treatments.
2. Restricted and/or refusal to use hydroxychloroquine as a treatment for COVID-19, not only in life or death situations, as Governor Andrew Cuomo and other governors limited or prohibited, but as a treatment to be used as soon as the virus' symptoms appear. As noted by New York Dr. Vladimir Zelenko, who has treated over 2,200 COVID-19 patients, 800 of those being seriously ill. These last group received a hydroxychloroquine/azithromycin/zinc treatment successfully, with only two deaths. Zelenko states that anyone involved in denying this treatment "*committed crimes against humanity and are guilty of mass murder*".¹⁵ French Dr. Didier Raoult also used hydroxychloroquine in over 1,000 patients with the same success. Dr. Raoult stated, "*actually, from all respiratory infections, it's probably the easiest to treat ... There is really no reason to get excited and rush to produce a vaccine.*"¹⁶
3. Instructing the population that if they were suffering from symptoms of COVID-19 not to go to a hospital; instead, to simply stay home and weather it off, without any specific therapeutic treatment, and to go to the hospital only once the symptoms were advanced and life-threatening.
4. Closing all hospitals to any visits or procedures not COVID-19-related, which resulted in the deaths of thousands due to other pre-existing serious health conditions who did not go to the hospital following the order and for fear of COVID-19, as well as deaths resulting from depression and suicide.¹⁷
5. State and county officials claiming that hospitals were overwhelmed with COVID-19 patients, when in fact it was only the Intensive Care Units that may have been impacted, making the hospital capacity more than adequate to treat such patients. This further proves that the county's order claiming that the lockdown "*will help preserve (supposed) critical and limited healthcare capacity in the county and will save lives*" was wrong because the capacity had always been there, as noted in my previous correspondence with you.¹⁸
6. Ordering and forcing that nursing homes admit any person as a resident, regardless of them having COVID-19, even prohibiting COVID-19 testing for these individuals, which immediately placed immunocompromised patients at risk of death, which is reflected in the overall number of

¹⁴ See the Imperial College model's showing their predictions were completely unfounded, at <https://tinyurl.com/Imperial-College-Covid19-Stats>.

¹⁵ See Dr. Zelenko's interview, minute 1:21:00, at <https://tinyurl.com/Zelenko-C19-hydroxychloroquine>.

¹⁶ See Dr. Raoult's comments on COVID-19, at <https://tinyurl.com/Raoult-C19-Hydroxychloroquine>.

¹⁷ See article on deaths related to suicide resulting from the lockdown, at <https://tinyurl.com/Covid-Suicides>.

¹⁸ See supra, item #25, page 8.

COVID-19 deaths being attributed to such nursing homes and assisted living facilities, a whopping 42% by May 26, 2020. The number could be higher because, among other things, New York excluded from their nursing home death tallies those who die in a hospital, even if they were originally infected in a long-term care facility.¹⁹

7. Forced use of facial coverings when being outdoors or in public places, that reduced oxygen levels and increased carbon dioxide intake that may have impacted the health of persons with serious respiratory or other conditions, as noted herein.

8. The destruction of the United States' economy, the permanent closing of small businesses and the devastation to the owners' livelihood, the loss of wages of millions of Americans, the uncertainty of survival of all those negatively impacted by the lockdown, the depression suffered by children denied schooling and forced to social distance from all their friends, ad infinitum. The lockdown order and the 24-hour fear-mongering by the media is causing irreversible and detrimental Post-Traumatic Stress Disorder on the whole population.

9. As a result of the forced lockdown and stay at home order, we are now talking about a second wave of COVID-19 in July. As noted in the death chart above, never in the history of these viruses do they affect the population outside of the normal annual infectious pattern. It is precisely because of the lockdown and not allowing the virus to take its course and provide natural herd immunity to our nation, that we are still dealing with COVID-19, noting that claimed COVID-19 deaths continue to decline. As noted in the *The Dailywire* on July 1, 2020, "Herd Immunity to COVID-19 may be closer than we think new studies say."²⁰

While our government executive and health authorities took the above actions in March that devastated our economy, our health and resulted in death, COVID-19 had already spread throughout the United States as early as November of 2019.²¹ In a Penn State study of June 22, 2020, titled "*Initial COVID-19 infection rate may be 80 times greater than originally reported,*" it concludes that the rate of infection in the U.S. population is in fact 80 times higher than the official report. The study states:

*"Remarkably, the size of the observed surge of excess ILI corresponds to more than 8.7 million new cases during the last three weeks of March, compared to the roughly 100,000 cases that were officially reported during the same time period."*²²

You and our health authorities want people with no apparent COVID-19 symptoms to wear masks under the erroneous assumption that asymptomatic individuals can infect others, and yet the WHO itself has admitted that actual studies following those infected proved that asymptomatic carriers rarely infected others in their surroundings, **NO ACTUAL TRANSMISSION OUTWARDS**, as was explained by the WHO's Dr. Maria Van Kerkhove,²³ and while Dr. Kerkhove came out with a statement the next day, noting in a nutshell that her statement on transmissibility was not complete, adding that study models had shown transmissibility as high as 40%, SHE NEVER DENIED HER INITIAL STATEMENT and these new statements

¹⁹ See the article on the percentage of COVID-19 deaths in nursing homes, at <https://tinyurl.com/COVID-19-Deaths-Nursing-Homes>.

²⁰ See article on natural COVID-19 herd immunity, at <https://tinyurl.com/COVID-19-Natural-Herd-Immunity>.

²¹ See the report regarding COVID-19 being in the United States as early as November, at <https://tinyurl.com/First-COVID-19-Death-November>.

²² See study on actual COVID-19 infection rate, at <https://tinyurl.com/COVID-Infection-Rate-80xHigher>.

²³ See Dr. Kerkhove's statement regarding COVID-19 transmissibility, minute 34:38, at <https://tinyurl.com/WHO-COVID-Transmission-Rare>.

regarding MODELS was not based on reality, but on assumptions by those entering data into such electronic algorithmic models, and we have discussed here how models have been proven wrong time and time again, at least as to COVID-19, to be inaccurate and always leaning on an extreme negative side.²⁴

CONCLUSION

If there is anything positive that we have learned from this forced and unconstitutional lockdown, is that we need to reinforce our immune system, to eat and live healthy and to take advantages of proven vitamin supplements; that any virus, such as the seasonal flu and COVID-19, can infect any person easily. This has brought light to what we hear every year from our health authorities: if we have any symptoms of flu-like diseases, if we go out to cover our mouth and nose with a tissue when we cough or sneeze, and to cough or sneeze into our elbow, not our hands; to not go out when we have such symptoms and to practice social distancing from our family and friends to minimize exposing them to such viruses, and to take proven homeopathic or pharmaceutical products, like hydroxychloroquine in the case of COVID-19, to cure us from such diseases, which from then on we will be immune to and most likely the immunity will be for life.

We don't need to have some store or restaurant attendant take our temperature, we all know immediately when we have flu-like symptoms, like the beginning of a fever, and we can easily tell when our children are under the weather. Now we better understand the need to stay home in such circumstances. We have also learned how precious oxygen is and how restrictive and dangerous masks are, and how locking down the economy will bankrupt, sicken and kill more people than any flu or COVID-19-like viruses. The sane thing to do is to allow COVID-19 to run its course, to create the herd immunity. Fauci and those promoting vaccines always tell us is necessary to win the battle against these contagious viruses and to use any proven remedies, anecdotal or not, that have given positive results in curing such diseases.

The County's health order ignores the fact that now that summer time is upon us, many people will be outside their homes for extended periods of time, for work, school, pleasure, exercise, etc., and that the order as written would require them to wear a mask for prolonged periods of time, for week or months, affecting everyone's health. Imagine when Disneyland opens again, are visitors expected to use a mask for 8 to 12 hours other than when eating? Surely, the negative health effect would be devastating.

The orders and/or directives issued by governors and county officials regarding COVID-19 and the need for the lockdown are misguided and, in some instances, illogical and definitely discriminatory and unconstitutional. An example of this is the Oregon state lockdown order of June 16, 2020, which discriminates against white people, as if they were the only ones able to transmit this virus. The order reads:

***“The following individuals do not need to comply with this Directive:
People of color who have heightened concerns about racial profiling and harassment
due to wearing face coverings in public.”***²⁵

It would not be surprising to see California officials taking such a politically-motivated stance as Oregon on this supposed health emergency, which proves that this horrendous lockdown is nothing more than an exaggerated hoax perpetrated against the American people and the world, against God's Children.

²⁴ See follow-up comments by Dr. Kerkhove on COVID-19 transmissibility, minute 12:31, at <https://tinyurl.com/WHO-COVID-Transmission-Rare-2>.

²⁵ See Oregon health order, at <https://tinyurl.com/Oregon-CovidExemption-NonWhite>.

REQUEST FOR ACTION FROM ALL HEREIN NAMED PARTIES

While the ultimate purpose of this letter is to provide sufficient evidence to prove that for the health benefit of all California residents you should end the lockdown, the primary purpose of this letter is to request that you **IMMEDIATELY** issue a revised interim health order that allows all California and/or county residents to voluntarily decide if they want to use a mask for themselves and for all those they care and are responsible for, similar to the order issued by Orange County on June 19, 2020.²⁶

Thus, I request the following:

1. Make the use of masks for the general public in any setting, outdoors, inside businesses and the like, to be optional to such member of the public and recommend that they only wear masks when they have symptoms of flu-like diseases.
2. Reopen schools without requiring children and students or any staff member, teachers or kitchen workers, to wear masks when they have no symptoms of a flu-like illness.
3. Remove requirements for all business employees to wear masks when doing their daily activities if they have no symptoms of a flu-like illness, such as they would do in any flu season.
4. Warn the general public about the detrimental effects of using masks for prolonged periods of time, especially when they have no symptoms of flu-like illness and when doing any strenuous activity.
5. Rescind in its entirety the existing county orders regarding the lockdown.
6. **TO THE LOCAL U.S. DISTRICT ATTORNEY:** I request that you follow the April 27, 2020 order by U.S. Attorney General, William Barr,²⁷ and that you investigate my claims as outlined herein to ensure that all state and county officials comply with the U.S. Constitution, protecting and securing our civil rights, which are being violated by the state and county's COVID-19-related orders and guidance documents.
7. **TO CAL/OSHA CHIEF:** Work with state and local authorities so that they understand the dangers of requiring all persons to wear masks in most all occasions or at all times, including while working, which reduces oxygen intake and increases carbon dioxide levels that will result in temporary and long-term harm to their health, as proven in National Institute for Occupational Safety and Health (NIOSH) and OSHA studies. This is within your jurisdiction and duty to address for the benefit of all California workers.

Please act according to your conscience, as well as according to your legal obligations under your employment position and your moral obligations to your family and our community.

Respectfully Submitted,

Pastor Ricardo Beas
Natural Law Church of Health and Healing

²⁶ See Orange County, CA, health order of June 19, 2020, at <https://tinyurl.com/Orange-County-Covid-No-Masks>.

²⁷ See U.S. Attorney General Barr's letter to local U.S. District Attorneys as to prosecuting violations of civil rights related to the COVID-19 lockdown, <https://tinyurl.com/Barr-COVID-19-To-US-Attorneys>.

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