

Sixty-seventh Legislative Assembly of North Dakota

Re: Testimony in favor of HB 1323

Attn: Committee Members,

I, Todd Kjelland am writing in strong favor of passing House Bill 1323.

Below is my original testimony, however I wish to share my personal story of how the practice of using masks created a toxic work environment, encouraged illegal corporate culture and can destroy a person's livelihood and reputation.

My employment was terminated October 24, 2020 and is currently under EEOC investigation as a direct result from a forced masking policy initiated during the 2019 mandatory flu vaccination period. If HB1323 would have been law in 2019, Today I believe I would still be gainfully employed and would not have been subjected to a year-and-a-half of harassment and a future of litigation.

I hope the following personal account will set the record straight and be an inspiration to all healthcare workers who have been subjected to inhumane treatment regarding masking policies, mandatory flu vaccines, mandatory Covid 19 testing and undoubtedly, the proposed future mandatory Covid 19 vaccine.

As I hold fast to my personal religious and ethical beliefs, I also stand with my co-workers who are treated as chattel in the eyes of corporate leadership. In the current situation employees are simply mistreated as profit centers instead of being respected with each having personal investment in their health, careers and personal lives.

In 2019, I filed a religious exemption against a mandatory flu vaccine policy and it was accepted. My options at that point was to either wear a mask within 6ft of a resident or furlough. Both of which in my opinion are coercive and with evidence supporting long term mask use is harmful to my health.

I am against the mandatory mask wearing and tried to file a religious exemption against the mask itself with several professional scientific and ethical documents (even more are now since Covid) proving their ineffectiveness. By EEOC law a company is supposed to "prove" undue hardship or accommodate, and they couldn't or failed to try. They didn't even recognize my request as separate from the flu shot exemption, and kept insisting that "No, we granted you the exemption and the accommodation is masking or furlough." They never recognized my religious exemption against the mask itself. However, this eventually ran into a dead end. They also intentionally misled me by saying there was no exemption for the mask. I asked all the way up the ladder and they dismissed me each time. They kept directing me to "problem resolution" which did nothing. I later found out they had an exemption form made in July 2019 for that purpose. So they basically gave me the run around and failed to accommodate.

It got so bad to the point where I sent a demand letter (partial below) with charges:

This letter serves as a notice to GSS/SH (my Employer) for commencing legal remedy for the following legal and ethical violations;

In regard to violations of United States Federal Code, Title 45; Subtitle B; Chapter VI; Part 689 GSS/SH failed to disclose the company's intent to collect a financial bonus of two percent (2%) of Medicare/Medicaid payments if the company could boost employee flu vaccine participation above a

ninety percent (90%) threshold as predetermined by Federal Healthy People 2020 goals. Intentional non-disclosure of the financial gain violates Informed Consent Law and violates the medical industry code of ethics and thus committed one count of a criminal act of Battery for each employee who received the mandatory flu vaccine. If the patient has been lied to about the treatment or there is other fraud in the informed consent, then the entire consent is invalid.

GSS/SH also willfully denied obtaining grant money from vaccine manufacturers Merck and Sanofi Pasteur for their VAX Champ program which violates ethical conduct. Sanofi Pasteur supplied the 2019-2020 flu vaccine.

Federal law defines human subjects research in the United States as a systematic investigation about an interaction or intervention with a living individual that's designed to create generalizable knowledge.

GSS/SH conducts unethical and deceitful human experimentation through their mandatory flu vaccine policy. They collect and record data regarding participation for inclusion in the state registry along with collecting information of personal health history, and status of pregnancy. This defines the mandatory flu vaccine policy as a clinical trial or human experiment thus further advocating the Federal requirements of "informed consent."

Valid informed consent must include three major elements: (1) disclosure of all information, (2) competency of the patient (or surrogate) to make a decision, and (3) voluntary nature of the decision.

GSS/SH violates part 1 by withholding financial information, part 3, voluntary nature of the decision because the company's only "unreasonable accommodations" are furlough without pay or shaming by masking which are both coercive by nature, both being punishments intentionally prolonged by two months over the flu season dates of prior years. In 2018-19, GSS declared the flu season to be November 1 through March 31. GSS/SH in 2019-20 extended the flu season without reasonable cause from November 1 to May 31 for added coercive 'intent to harm' measures.

GSS/SH mandated flu vaccine policy is an intentional act of coercion which violates Federal Laws of Labor Trafficking. GSS/SH gained financial benefit, coerced employees to comply through unreasonable accommodations, thus exploiting employees as defined by 18 U.S. Code Chapter 77, Title 18.

GSS/SH failed to disclose the company's intent to collect a financial bonus of two percent (2%) of Medicare/Medicaid payments if the company could boost employee flu vaccine participation above a ninety percent (90%) threshold as determined by Federal Healthy People 2020 goals. Coercion of compliance through threat of job loss and/or public shaming via masking forced employees to choose between complete compliance, spiritual ethics and/or personal financial sovereignty.

My letter was dismissed without any internal investigation. Quoting the standard "your case has no merit"

My company had an obligation to answer my informed consent questions regarding these issues and failed to give me that opportunity with a medical doctor.

I could go on regarding the retaliation treatment I received before, during and after my experience, however it becomes very detailed and long. But without a doubt my experience would have been prevented if mandatory masking was not an option for corporations to boost vaccination numbers to receive a payout from CMS.

Below is my original testimony on HB 1323. Please feel free to reach out if you have any questions.

...As Dr Fauci himself said... (<https://www.nih.gov/news-events/news-releases/bacterial-pneumonia-caused-most-deaths-1918-influenza-pandemic>)

- a. "...The work presents complementary lines of evidence from the fields of pathology and history of medicine to support this conclusion. "The weight of evidence we examined from both historical and modern analyses of the 1918 influenza pandemic favors a scenario in which viral damage followed by bacterial pneumonia led to the vast majority of deaths," says co-author NIAID Director Anthony S. Fauci, M.D. "In essence, the virus landed the first blow while bacteria delivered the knockout punch."

While the scientific evidence regarding effectiveness and safety of masking for viral protection is in question, the perception of mask wearers has a long negative history, most which is also contrary to religious beliefs.

The symbol of the mask itself represents demonic tendencies of deception.

Shame masks were a type of embarrassing punishment device used in Europe during the Middle Ages until 18th century. A "shame mask," intended to silence their wagging tongues and offensive behavior. In a perfect world, it would be used on the cast members of the Bad Girls Club; but unfortunately it was used on women who spoke their minds to their husbands instead of being subservient like the Bible demanded, or on women accused of being witches or gossips; or in the Americas on disobedient slaves or on Quaker women who preached in public. (<https://cvltnation.com/know-your-place-medieval-shame-masks/>)

Leper masks carry a stigma of leprosy which persists not only because of the term's metaphorical connotations, but also because of the disease's complicated history, in which non-leprosy populations who confronted the disease ignored medical knowledge and favored a reconstructed medieval view of the disease, judging it to be highly contagious and a result of sin. The modern stigma of one wearing a surgical style mask outside of the normal hospital emergency or surgical room carries a stigma of the wearer being infectious.

Modern day masks have sparked controversy creating anti-mask or anti-masking laws which are legislative or penal initiatives that seek to stop individuals from concealing their faces while protesting, who do so often to not be identified or out of religious practice. This has created a public fear perception of anyone wearing a mask.

Modern NEWS channels often show video footage of masked ISIS fighters and terrorists wearing masks. This reinforces fear of people who conceal their faces.

Masks are often used in Pagan and Wicca rituals and can shift one's perspective from the outer, to the inner. "The creation of internal reality by the mind is confirmed by the consideration of altered states of consciousness. However, in some religions, masks are seen as evil and are condemned, such as with the rise of Christianity where the Church Councils damned the practice of using masks.

Masks of all sorts can create fear. In a nursing facility with many residents facing memory loss, a friendly face is oftentimes a redirecting strategy. If they can't see a face, their fear may elevate into panic or worse. The same goes for vulnerable people in a public setting.

Mask wearing has become a scarlet letter to the healthy. Healthy people now must prove they are not sick instead of the sick proving they are well. This is akin to proving one's innocents instead of proving one's guilt in a court of law.

While making the argument that wearing surgical masks **over long durations** has not been fully studied or documented, **the potential safety risks are sufficient enough to warrant suspension of all mandated policy** until additional private-peer reviewed studies prove sufficient scientific and psychological safety. Intentional LACK of long-term study would prove to be negligent after the fact of implementing a mandatory masking policy.

But let me be honest...Unfortunately, the mandates really have nothing to do with customer concern or public safety. The act of masking is an ongoing social experiment as compliance records are kept, especially in health care settings, and the data is collected, analyzed and manipulated for government benefit. I think we all have seen undeniable manipulation of numbers regarding this latest pandemic.

The conclusions of the Nuremberg Tribunal unequivocally states that **"voluntary consent of the human subject is absolutely essential" and individuals should "be able to exercise free power of choice, without the intervention of any element of force, fraud, deceit, duress or other ulterior forms of constraint or coercion."** Moreover, people must be provided with **"sufficient knowledge and comprehension of the elements of the subject matter involved as to enable them to make an understanding and enlightened decision."**(Nuremberg Tribunal 1949, pp 181)

Thank you for your time. It's a DO PASS for HB 1323 for me.

Todd Kjelland

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