



# For Our Rights a non-profit organization

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**NOTICE: VIOLATION OF RIGHTS TO DUE PROCESS, FREEDOM OF MOVEMENT AND EQUAL PROTECTION**

**COLOR OF LAW:** *“The appearance or semblance, without the substance, of legal right.”* Black’s Law Dictionary 4th edition

This document shall serve as legal notice that \_\_\_\_\_  
will be reserving all God-given rights to due process, freedom of movement and the right to equal protection secured by the Constitution of Hawai’i and the Constitution of the United States of America.

These God-given unalienable rights have been enumerated in the Constitutions under the Bill of Rights. The Bill of Rights defines the fundamental liberty interests of all citizens, including the right to freedom of movement, the right to due process, and the right to equal protection under the laws.

Pursuant to the Constitution of the United States of America as ratified in 1791 with the Articles of the Amendments, Article VI paragraph 2, “This Constitution and the Laws of the United States which shall be made in Pursuance thereof; and all Treaties made, under the authority of the United States, shall be the

supreme Law of the Land; and the Judges in every State shall be bound thereby, any Thing in the Constitution or Laws of any State to the Contrary Notwithstanding”.

Pursuant to Hawai'i Revised Statutes §325-8 no citizen in the state of Hawai'i may be deemed a threat to public health and therefore mandated to quarantine unless a medical evaluation finds evidence that the individual is in fact carrying a communicable disease. If this determination is made, the Director of the Department of Health must obtain an ex parte court order that would then compel said individual to agree to confinement.

H.R.S. §325-8(e) allows for individuals who have been ordered to quarantine to contest such orders in accordance with their right to due process, as guaranteed under the fourth and fourteenth amendments of the federal constitution and article 1 section 5 of the state constitution.

Pursuant to HRS §325-8(g) a hearing must be granted within 14 days, whereby the Department issuing said quarantine orders will be notified and must provide proof to the court that the quarantine is in fact warranted.

Pursuant to HRS §325-8(k) judicial decisions shall be based upon clear and convincing evidence, and a written record of the disposition of the case shall be made and retained.

Not only has there been no medical evaluation, no court order issued, nor any notice given of the right to contest, if the aforementioned individual has provided

proof of a negative test result for the disease in question there is zero probable cause to warrant confinement of the individual.

All those acting to deprive an individual of their fundamental protected rights under the color of law can be held liable for civil damages and may even face criminal prosecution.

The quarantine of healthy people is a violation of rights to due process, freedom of movement and equal protection. Any demands to quarantine absent any proof and without a court order is illegal under Hawai'i state law and our attorneys are standing by, prepared to file claims for such actions.