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4/28/22

Alexa Doig, Director

New Mexico State University School of Nursing

doig@nmsu.edu

RE: Prospective Student Svannah Blevins

Dear Ms. Doig:

I represent Savannah Blevins who has applied to attend nursing school at NMSU. I sent you an email previously to determine if there is an attorney I should be directing this to but got no response. If you wish, please refer this to your attorney.

It is my understanding that you not only have a vaccine mandate for nursing students, but also do not provide religious exemptions for these mandates. I am writing to urge you to accept a religious exemption request from Ms. Blevins for vaccines. In my opinion, which is based on substantial legal and medical research, to not afford her the right to seek a religious exemption is violative of Ms. Blevins rights under the New Mexico Religious Freedom Restoration Act, the New Mexico Human Rights Act, Title VII of the United States Code and both New Mexico's and the federal constitutions. Before I go into an explanation of this I would like to give you some history on Ms. Blevins.

Ms. Blevins' religious beliefs do not permit her to be vaccinated. Throughout her childhood her mother has applied for and obtained religious exemptions for vaccination of all kinds. A copy of those exemption requests has been submitted as an attachment to this letter. Now as an adult,

Ms. Blevins has her owen religious beliefs that insist she not be vaccinated. She has obtained

an exemption from New Mexico State University, (but you apparently do not honor that exemption) where she is close to completing her Allied Health Degree. She has invested significant time, efforts and hardearned money in preparation for entering the nursing school.

Your policy of not allowing religious exemptions has a very substantial impact on Ms. Blevins. Ms. Blevins currently works at a hospital in Alamagordo, the Gerald Champion Regional Medical Ctr. where they allow her to work unvaccinated. While I believe your policy is misguided given the law and information provided below, it would seem that in Ms. Blevins' circumstances, an exception could and should be made.

Regarding Ms. Blevins' religious rights, it is well-established in the law that an employer or a school may not discriminate against persons as a result of their religious beliefs and must

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accommodate the religious beliefs and practices of students or staff unless doing so would be an undue hardship.

There is no hardship in allowing religious exemptions for unvaccinated students of the nursing program. Almost all employers and universities across the United States do so including New

Mexico State University and the University of New Mexico.

Having studied the science behind Covid-19 and the vaccines, I want to make a few points. In the first place, the vaccines are NOT truly safe in any real sense. The CDC's VAERS program collects data on vaccine injuries and that date is shocking. As of March 18, 2022 in the United States there were 1,195,396 reports of adverse events from all age groups following COVID vaccines, including **26,059 deaths**, **45,615 permanent disabilities** and **211,584 serious injuries**. And this is just what has been reported. It is well recognized by both the CDC and a

study done with Harvard participating that the data of the CDC represents only those injuries

that *are reported* which are only a fraction of the actual injuries. The Harvard affiliated study

believed that they only represented 1 to10 percent of the actual injuries.

Also, due to the harsh treatment, censoring and even firing of medical professionals who suggest the vaccines are not safe and effective, many are afraid to report injuries or deaths were caused by the vaccines.

What also needs to be considered when determining if there is any "hardship" to you by allowing for religious exemptions is the fact that vaccinated individuals *also spread the virus.* The unique

MRNA "technology" of the Covid-19 injections are not traditional vaccines. They were designed to reduce the symptoms of Covid-19 not prevent infection altogether. This has been admitted by

WHO chief scientist and pediatrician Soumya Swaminathan, MD who said: “We continue to wait for more results from the vaccine trials to really understand whether the vaccines, apart from preventing symptomatic disease and severe disease and deaths, whether they’re also going to reduce infection or prevent people from getting infected with the virus, then from passing it on or transmitting it to other people. I don’t believe we have the evidence on any of the vaccines to be confident that it’s going to prevent people from actually getting the infection and therefore being able to pass it on.”

Dr. Fauci admitted the same in an interview with the New York Times stating: “We do not know if the vaccines that prevent clinical disease also prevent infection."

Another factor to consider is that while it has been widely feared and believed that persons without any symptoms can spread the virus, this turns out to be false. Dr. Maria Von Kerkhov, head of the WHO’s Emerging Diseases and Zoonosis Unit, told a press conference on June 7, 2020 that from the known research, asymptomatic spread was “very rare.” She said “From the data we have, it still seems to be rare that an asymptomatic person actually transmits onward to a secondary individual.” She added for emphasis: “it’s very rare.”

Researchers from Southern Medical University in Guangzhou, China, published a study in Au-

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August 2020 concluding that asymptomatic transmission of COVID-19 is almost non-existent. “Asymptomatic cases were least likely to infect their close contacts,” the researchers found. A more recent study involving nearly 10 million residents of Wuhan, China found that there were no - zero - positive COVID-19 tests amongst 1,174 close contacts of asymptomatic cases, indicating the complete absence of asymptomatic transmission. What this means is that so long as people with symptoms are not staying home, there is no reason to emand that students be vaccinated.

The conclusion that must be reached from the above is that there is no serious hardship in granting religious exemptions to your vaccine mandate.

Where a governmental entity, which your school is, mandates a medical treatment such as vaccination, this violates an individual's constitutional rights to make their own decisions about medical treatment. It also violates the right to "bodily integrity", that is to decide for themselves what gets put in or done to their body. These rights have been consistently supported

by United States Supreme Court decisions such as *Cruzan] v. Dir., Mo. Dep't of Health*, 497 U.S. 261, 278–79 (1990); M*app v. Ohio*, 367 U.S. 643 (1961) *Griswold v. State of Connecticut*, 381 U.S. 479 (1965); *Planned Parenthood v. Casey*, 505 U.S. 833(1992) among many others.

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In the *Cruzan* case Court wrote:This notion of bodily integrity has been embodied in the requirement that informed consent is generally required for medical treatment. Justice Cardozo, while on the Court of Appeals of New York, aptly described this doctrine: '***Every human being of adult years and sound mind has a right to determine what shall be done with his own body ……………. The logical corollary of the doctrine of informed consent is that the patient generally possesses the right not to consent, that is, to refuse treatment***.'”

There is a potential for liability not only for the University itself but for staff who make decisions to mandate vaccination, disallow Ms. Blevins a religious exemption or if Ms. Blevins were to capitulate and got the jab and was injured or died. I would certainly be willing to prosecute such a case and may do so if you do refuse.

I would appreciate a response to this letter. Thank you.

Sincerely,

/S/Jonathan Diener

Jonathan Diener, Esq.