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December 13, 2022

Via United States Postal Service

The Honorable Josh Kaul
Attorney General
Office of the Attorney General of Wisconsin
P.O. Box 7857
Madison, WI 53707-7857

Re: Request for State criminal investigation of Centers for Disease Control (CDC) officials for Recklessly Endangering Safety

Honorable Mr. Kaul:

Please consider this a Wisconsin citizen's request for you to investigate the public health concern relating to the high incidence of myocarditis after administration of Covid-19 vaccines. I urge you to open a criminal investigation of federal officials from the Centers for Disease Control (CDC) for endangering public safety, i.e., health.

It has come to light that the CDC withheld important information from the public about myocarditis in the aftermath of receiving COVID-19 vaccinations. Quoting from an October 2022 study:

The CDC delayed reporting the incidence of myocarditis to the general public for three months after the first statistically significant signal appeared in the VAERS database. The delay kept about 120,000,000 [120 million] Americans in the dark until after they had already unknowingly exposed themselves to one or more doses of the COVID-19 injections that were, according to the analysis presented here, in all

probability, the proximate cause of the increased incidence of myocarditis, especially in young male Americans from 8 to 21 years of age.¹ (emphasis added).

Other research and clinical anecdotal evidence supports the contention that COVID-19 vaccines may cause myocarditis and death. For the sake of brevity, I reference two additional sources:

- A Japanese study posted October 18, 2022 concluded that SARS-CoV2 vaccine increased myocarditis mortality in all age groups and it estimated that the risk of myocarditis death may be 4 times higher than without the vaccine.²
- Wisconsin Sen. Ron Johnson hosted a panel of experts at a roundtable this month, titled as “*Covid-19 Vaccines: What They Are, How They Work, and Possible Causes of Injuries.*”³ At the event, pediatric cardiologist, Kirk Milhoan, M.D., PhD stated there is now data from multiple sources showing the spike protein in Covid-19 injections is “cardio-toxic,” and causes heart inflammation, (ibid. at time marker 2.14:59).

Wisconsin citizens are certainly among the 120 million Americans who took COVID vaccinations without knowing the risks, when the CDC did know the risks. This CDC inaction could be responsible for post-COVID vaccine myocarditis and deaths in Wisconsin. The CDC’s withholding crucial information from the public about the vaccines and risks likely warrants investigation under Wis. Stat. 941.30, Recklessly Endangering Safety (or other similar crimes). In succinct form, the evidentiary elements of Wis. Stat. 941.30 are: 1- endangerment of a human, 2- through criminally reckless conduct, 3- under circumstances of utter disregard for human life. Wisconsin Criminal Jury Instruction (WCJI) 1345 First Degree Recklessly Endangering Safety.

As you are aware, federal officials do not have absolute Supremacy Clause immunity from state law prosecution, see e.g., *Wyoming v. Livingston*, 443 F.3d 1211 (10th Cir. 2006). When a federal official’s actions (and impliedly negligent inaction) are necessary and reasonable to carry

¹ Karl Jablonowski & Brian Hooker, [Delayed Vigilance: A Comment on Myocarditis in Association with COVID-19 Injections](#), *International Journal of Vaccine Theory, Practice and Research* 2(2), October 17, 2022 (quotation from abstract).

² Sintaroo Watanabe & Rokuro Hama, *SARS-CoV-2 Vaccine and Increased Myocarditis Risk: A Population Based Comparative Study in Japan*. Medrxiv. [preprint] October 18, 2022 [accessed December 11, 2022] Available from <https://www.medrxiv.org/content/10.1101/2022.10.13.22281036v1>

³ <https://rumble.com/v1ze4d0-covid-19-vaccines-what-they-are-how-they-work-and-possible-causes-of-injuri.html>

out their federal duties, Supremacy Clause immunity applies. It is virtually impossible to imagine how CDC officials' inaction in failing to advise the public about myocarditis could be characterized as "necessary and reasonable" to their federal duties.

In consideration of all of the aforesaid, I believe there is sufficient evidence for you to open a criminal investigation into this matter with CDC officials as the target(s) of the probe.

Respectfully,



Retired attorney
CDR, JAGC, USNR (ret.)