



Doctor Sues University Over Vaccine Mandates, Claiming Violation of 14th Amendment

Dr. Aaron Kheriaty, a physician and professor of Psychiatry and Human Behavior at the University of California-Irvine's School of Medicine (UCI), was first placed on "investigatory leave" after refusing to get vaccinated. He is now suffering under "unpaid suspension."

On October 18 [he filed suit](#) in District Court, claiming that UCI has violated his rights under the 14th Amendment:

No state shall make or enforce any law which shall ... deprive any person of life, liberty, or property, without due process of law ... nor deny to any person ... the equal protection of the laws.



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Kheriaty complains in his suit that UCI not only deprived him of due process but also denied him equal protection by its issuing of its vaccine mandate.

He and his family caught the virus and recovered. He now has natural immunity. He makes the case that his natural immunity is as good as, or is likely even better than, the immunity gained from taking the vaccine. Accordingly, he should be allowed to continue his work on campus. Nevertheless, writes Kheriaty, "UCI has told [me] that [I] cannot return to [my] teaching position unless [I] receive a COVID-19 vaccine."

Thus, he is being discriminated against:

UCI is treating [me] differently by refusing to readmit [me] to campus when other individuals who are considered immune to the virus are being admitted back simply because their immunity was created by a vaccine....

This policy is illogical.

It's also unconstitutional.

Kheriaty says that UCI's refusal to readmit him to campus unless he receives a vaccine is an equal protection violation:

The right of individuals to their bodily integrity, which includes the right to refuse medical treatment, has long been recognized as one of the fundamental liberty rights afforded under due process.



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By forcing [me] to receive a vaccine [I do] not want or need, and that may cause harm, in order to be treated equally as other individuals who are also immune, UCI's Mandate implicates [my] substantive due process rights.

It's also irrational:

[I am] already naturally immune to the virus. [I am] therefore less likely to infect other individuals than are people who have been vaccinated.

As a result, requiring [me] to be vaccinated in order to return to campus is irrational.

Accordingly, he is asking the court to declare UCI's mandate unconstitutional as to the naturally immune, and preventing UCI from enforcing its mandate, along with "other and further relief" as the court deems "just and proper."

Kheriaty made his case in [an op-ed that appeared in the Wall Street Journal](#) back in June. He declared that all mandates being announced "are unprecedented — and unethical. Never before have colleges insisted that students or employees receive an *experimental* vaccine as a condition of attendance or employment."

Especially galling to the doctor was that, for those under the age of 30, "the risks of serious morbidity and mortality are close to zero.... No sensible understanding of herd immunity can justify forcing vaccinations on healthy young adults who are at minimal risk of hospitalization or death from Covid, especially those who already had Covid."

In light of such logic, science had to be replaced with propaganda, said Kheriaty in an interview with the *Catholic World Report* (CWR). When he first started investigating the use of vaccines it seemed reasonable to recommend them to those at the highest risk, such as the elderly with comorbidities. He told CWR, "Let's offer it to people who are at risk ... to people who want it ... [who are] willing to take the risk of unknown long-term issues."

But decisions were made to force everyone to take the vaccine. Since the science didn't support them, propaganda was used instead:

We've seen the ramping up of propaganda. There's a difference between public health messaging that takes complex science and simplifies it for mass consumption — how do we give people accurate information in a way that they can understand, which is what we should be doing.

[But if] you start with a behavior outcome that you want — a needle in every arm — the messaging is geared toward getting that outcome at all costs.

Very quickly you find yourself engaged in propaganda because it's not about conveying accurate information, it's about only conveying information that will give you a particular behavioral outcome.

In his interview with CWR, Kheriaty said "religious exemptions have to be accepted. That's a constitutional right. It's a basic human right. Someone with pro-life convictions [like me] could come to the determination that under the circumstances they can't in good conscience take this vaccine because



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of its connection to aborted fetal tissue.”

In addition, said Kheriaty, “The initial trials were very short, especially for a vaccine. They were only three months long [and] then they were halted.”

When asked what he thought it would take to put an end to the vaccine mandates, Kheriaty responded:

Ultimately, I think the thing that’s going to stop these vaccine mandates are just people on the ground refusing to comply. We’re starting to see that. That’s going to have more immediate and perhaps more profound effect than what happens in the courts.





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