

LawDoc 2, "THE LAW" FOR POLICE ENCOUNTERS, NOTICE OF ALL PUBLIC SERVANTS PERSONAL LIABILITY...

-----[Keep On Person-Legal Document-See Note @ End *. Obviously, underlines, bold & all caps in quotes are added for emphasis]-----

1st, WHEN STOPPED BY COPS: [Note: If you ARE exercising a 'privilege' which requires a 'license', you may need to show it (See #9-'Free Travel'), otherwise...]

... **SAY TO OFFICER:** "First, I need to get out my camera to record ALL Police Encounters for evidence in court and this "LawDoc" to read the actual law on camera..." ... [If the 'Public Servant' objects recite these: "...officers are public officials carrying out public functions, and the First Amendment requires them to bear bystanders recording their actions." Fields v. City of Philadelphia, 3d Cir. 2017); "no 'reasonable expectation of privacy' in Public": US v. Jones, 2011; FLORIDA v. JARDINES, 2012; United States v. Knotts, 460 U.S. 276 (1983); MISSOURI v. MCNEELY, 2012] ... **THEN SAY:** "After this moment you 'reasonably should know' that in the U.S. all Public Servants are PERSONALLY liable, ESPECIALLY if they refuse to let me explain 'the Law' to THEM, if they 'make or enforce' or even 'neglect to prevent' 'any Thing... to the Contrary' of THESE 'clearly established' 'fundamental principles', or 'The Common Laws' of Human-Kind, and 'the supreme Law of the Land' in these United States of America! AND, since you VOLUNTARILY swore an oath 'to support' and defend 'the supreme Law of the Land', WHICH IT REQUIRES IN ORDER TO PREVENT EXACTLY THIS sort of 'color of law abuse', YOU ARE 'NOT entitled to immunity' for 'just following orders'! ... SO...WHAT 'PROBABLE' 'EVIDENCE' DO YOU HAVE TO ACCUSE ME OF VIOLATING ANY 'INDIVIDUAL RIGHTS'? IF NONE, HERE IS WHY THIS IS A 'COLOR OF LAW ABUSE'..."

1) PROBABLE CAUSE, RIGHT TO PRIVACY, SEARCHES & SEIZURES: FOR ALL 'searches and seizures', 'the supreme Law of the Land' REQUIRES 'probable' evidence I have caused some type of 'harm' to another human or their 'equal' 'individual rights', or it is a 'color of law abuse' and/or 'deprivation of rights under color of law', rights to privacy and security from 'unreasonable searches and seizures', because in the U.S. we need ONLY 'state...true full name' when stopped by police and ONLY when there IS 'probable' evidence enough to make a 'reasonable and prudent' person suspect the accused of a 'crime'! "Police power exercised without probable cause is arbitrary. To say that the police ... may detain them upon reasonable suspicion is to say, in reality, that the police may both accost and detain citizens at their whim.", "To give the police greater power than a magistrate is to take a long step down the totalitarian path.". "One has an undoubted right to resist an unlawful arrest, and courts will uphold the right of resistance in proper cases.". "There is no war between the Constitution and common sense."

ARS 13-2412. Refusing to provide truthful name when lawfully detained: "A. It is unlawful for a person, after being advised that the person's refusal to answer is unlawful, to fail or refuse to state the person's true full name on request of a peace officer who has lawfully detained the person based on reasonable suspicion that the person has committed, is committing or is about to commit a crime... but shall not be compelled to answer any other inquiry of a peace officer. ...a class 2 misdemeanor." [From: azleg.state.az.us/ars/13/02412.htm]

2) PROOF THERE MUST BE 'INJURY OR HARM' FOR 'REASONABLE CAUSE' TO ACCUSE YOU OF A 'CRIME'...

A) "The "case or controversy" requirement of Art. III of the Constitution defines with respect to the Judicial Branch the idea of separation of powers on which the Federal Government is founded, and the Art. III doctrine of "standing" has a core constitutional component that a plaintiff must allege personal injury fairly traceable to the defendant's allegedly unlawful conduct and likely to be redressed by the requested relief."

Allen v. Wright, 468 U.S. 737 (1984), U.S. Supreme Court. [supreme.justia.com/cases/federal/us/468/737/case.html] ; **B)** 'Body of Evidence' of a

'Crime'... "Corpus delicti consists of a showing of 1) the occurrence of the specific kind of injury and 2) someone's criminal act as the cause of the injury." Johnson v. State, 653 N.E.2d 478, 479 (1995), Supreme Court of Indiana., [leagle.com/decision/19951131653NE2d478_11117.xml/JOHNSON%20v.%20STATE] ; **C)** "the State must produce corroborating evidence of "corpus delicti," showing that injury or harm constituting crime

occurred and that injury or harm was caused by someone's criminal activity." Jorgensen v. State, 567 N.E.2d 113, 121 (1991), Court of Appeals of Indiana, 4th District. [leagle.com/decision/1991680567NE2d113_1672.xml/JORGENSEN%20v.%20STATE] ; **D)** "To establish the corpus delicti,

independent evidence must be presented showing the occurrence of a specific kind of injury and that a criminal act was the cause of the injury." Porter v. State, 391 N.E.2d 801, 808-809 (1979), Supreme Court of Indiana., [leagle.com/decision/19791192391NE2d801_11166.xml/PORTER%20v.%20STATE] ; **E)** "the duty of this Court, as of every judicial tribunal, is limited to determining rights of persons or of property, which are

actually controverted in the particular case before it." Tyler v. Judges of Court of Registration, 179 U.S. 405 (1900), and California v. San Pablo &

Tulare R. Co., 149 U.S. 308 (1893), U.S. Supreme Court. [supreme.justia.com/cases/federal/us/179/405/case.html ;

supreme.justia.com/cases/federal/us/149/308/case.html]

3) 'COLORABLE LAW'= The Constitution for the United States of America is 'the supreme Law of the Land' and 'No State shall make or enforce' 'any Thing...to the Contrary'! All Laws must be construed in Harmony! 'An unconstitutional act is not a law... It is in legal contemplation as inoperative as though it had never been passed.' 'any Thing...to the Contrary' of these 'fundamental principles' is therefore 'notwithstanding' in a 'court of law', and is 'color of law abuse' to 'make or enforce'! ('Color of' Means looks like but isn't, btw) "Law" is not determined by the opinions or will of those who make law, but by what actually fulfills its purpose: "to...establish Justice" and "protect...individual rights"! Therefore, to 'make or enforce' 'any Thing...to the Contrary' of these 'clearly established' laws IS a 'crime', called 'color of law abuse' (see Federal Criminal Codes USC 18-241&242), including 'failure to keep from harm' or 'neglect to prevent' 'deprivation of rights under color of law'! (Civil offense: USC 42-1983&1986. see: fbi.gov/investigate/civil-rights, "Color of law", definition, and how to file Complaints!).

4) THE PURPOSE OF GOVERNMENT= "We the People of the United States... ordain and establish" "the supreme Law of the Land", "in order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity" (Preamble, U.S. Const.), and in Arizona's Constitution, ONLY: "to protect and maintain individual rights", and "A frequent recurrence to fundamental principles is essential to the security of individual rights and the perpetuity of free government."! (Az. Const., Art.2, Sec.1&2) 'any Thing' more or less than 'protect... individual rights' violates the 1st Duty to the Constitution!

5) 'JUSTICE'= The most 'fundamental principle' in 'The Laws of Man', "The Common Law", means: Fairness, Equality, balance, and that's the reason WHY it IS a 'color of law abuse' to 'make or enforce' 'any Thing' which would 'infringe' the 'Liberty', property or even privacy rights, of any Human being, without evidence they most likely caused actual harm or 'probable' endangerment to another Humans equal 'individual rights'!(Pg1/2) ...in other words... to punish humans for any harmless activity, PERIOD, is inevitably, inexorably, 'Contrary' to 'The Interests of Justice', thus the very purpose of 'the supreme Law of the Land'! (Such Court Cases must be 'dismissed' 'In the Interest of Justice' or public servants violate their duty to 'protect and maintain individual rights.' ONLY!). Anything more or less than 'protect...individual rights' [] is a 'color of law abuse' []!.

6) **'DUE PROCESS'**= The **FIRST** 'essential elements of **DUE process of law** are **notice and opportunity to defend** ones self (US.Supr.Ct.). **That's why causing 'injury or harm' by 'intent or inexcusable neglect' can only be 'crime' when there is ALSO a violation of 'clearly established [criminal] law'!** (Title 18 in US and 13 in Az. Laws). **AND that's why public servants violate YOUR right to 'due process' by refusing to read this 'LawDoc'!**

7) **VOID FOR VAGUENESS DOCTRINE:** Any order or legislation which people of average intelligence differ on the meaning of, or cannot understand (what it requires or prohibits), is 'not a law' (it's 'void for vagueness'), **BECAUSE it is 'to the Contrary' of 'The essential elements of due process', by failing to give adequate notice (U.S.Supr.Ct), and to 'The Interests of Justice', and thus to the very Purpose of 'the supreme Law' too!**
"The crime, and the elements constituting it, must be so clearly expressed that the ordinary person can intelligently choose, in advance, what course it is lawful for him to pursue." "It is a basic principle of due process that an enactment... is void for vagueness if its prohibitions are not clearly defined." *Connally vs. General Construction Co.*, 269 U.S. 385 (1926) ; *Sewell v. Georgia*, 435 U.S. 982 (1978) ; *Winters v. People of State of New York*, 333 U.S. 507;68 S.Ct. 665 (1948); and cases cited herein [famguardian.org/TaxFreedom/CitesByTopic/voidforvagueness.htm ; caselaw.findlaw.com/us-supreme-court/269/385.html]

8) **IMMUNITY v. LIABILITY & DUTY: IMMUNITY v. LIABILITY & DUTY: PUBLIC SERVANTS ARE PERSONALLY LIABLE and 'not entitled to immunity', if they 'make or enforce' 'any Thing' they 'reasonably should know' is 'to the Contrary' of 'clearly established law' like these 'fundamental principles', aka 'the supreme Law of the Land', and EVEN FOR 'NEGLECT TO PREVENT' 'deprivation of rights under color of law'!** They ARE 'immune' to personal liability ONLY when acting 'in good faith' and performing 'due diligence' to **the FIRST duty in the Oath:** 'support the Constitution' for the United States of America (then of the State), **above all else!** '**Just Following orders' is not a defense** for enforcing 'any Thing...to the Contrary' of these 'fundamental principles', aka 'the supreme Law of the Land'! **That's called 'The Nuremberg Defense' because THAT'S WHAT ALL THE NAZIS SAID TO DEFEND THEIR 'WAR CRIMES'!** They were executed! **It's not a valid defense!** (FYI: 'failure to deny' allegations within a reasonable time and manner results in 'tacit consent' by 'acquiescence', loss of right to dispute in court: Rule 8 in U.S.&Az. Civil Court Procedures!) **THAT'S BECAUSE PUBLIC SERVANTS MUST SWEAR AN OATH 'to support the Constitution' (Art.6, US.Const), and sign a contract:**

9) **THE OATH:** "I ...name... do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona, that I will bear true faith and allegiance to the same **and defend them against all enemies, foreign and domestic**, and that I will faithfully and impartially discharge the duties of the office of (name of office) **according to the best of my ability**, so help me God (or so I do affirm)."- (ARS 38-231) ; **There is no 'immunity' when a 'Public Servant' 'reasonably should know' they were violating 'clearly established law', like the Constitution!** *New Times/Lacey v Maricopa/Arpaio* (US Dist.Ct.2011); *Hartman v Moore*, *Saucier v Katz*, *Burns v Reed*, etc. (US Supreme Court).

10) **'DEPRIVATION OF RIGHTS UNDER COLOR OF LAW', 'COLOR OF LAW ABUSE':** Includes... under **US codes like 42-1983&1986 for Civil Liability and 18-241&242 for 'criminal' 'conspiracy to commit', to 'make or enforce' 'any Thing...to the Contrary' of these 'clearly established laws' IS a 'crime', called 'color of law abuse'** (see USC 18-241&242), and **Public Servants are PERSONALLY Liable for 'failure to keep from harm' or 'neglect to prevent' 'deprivation of rights under color of law'!** (Civil offense: USC 42-1983&1986. see fbi.gov definition page!)

11) **THE RIGHT TO FREE TRAVEL:** 'Held... **The right to travel is a part of the "liberty" of which a citizen cannot be deprived without due process of law under the Fifth Amendment.** ...as early as the Magna Carta.' (*Kent v. Dulles*, 357 U.S. 116, 1958, U.S. Supreme Court!); Such "A law... is unconstitutional, and a person faced with such a law may ignore it and exercise his First Amendment rights." (*Shuttlesworth v. City of Birmingham*, 394 U.S. 147, 1969); **'The right of a citizen to travel upon the public highways... is a common right...to use the ordinary and usual conveyances of the day...to operate an automobile thereon... It is not a mere privilege, like... moving a house... or transporting persons or property for hire along the street, which a city may permit or prohibit at will.'** (*THOMPSON v. SMITH*, Supreme Court of Virginia, Sep 11, 1930); ". . . [T]he right finds no explicit mention in the Constitution.... **freedom to travel throughout the United States has long been recognized as a basic right under the Constitution.**" (*Shapiro v. Thompson*, 394 U.S. 618, 1969).

12) **THE 'STATE'= You and me! When the cops try to say the "State" does not mean 'Public' property, you and me...**

State (noun) means: "A body politic, or society of men united together for the purpose of promoting their mutual safety and advantage, by the joint efforts of their combined strength. *Cooley, Const. Lim. 1. One of the component commonwealths or states of the United States of America. The people of a state, in their collective capacity*, considered as the party wronged by a criminal deed; **the public**; as in the title of a cause. "The State vs. A. B." The section of territory occupied by one of the United States." [Blacks Law Dictionary, 2nd Edition, thelawdictionary.org/state-n/]

13) **WE ARE 'SOVEREIGN', NOT SUBJECT TO LAW/STATUTES/ETC. WITHOUT CONSENT OR INJURED PARTY...**

A) "at the Revolution, the sovereignty devolved on the people, and they are truly the sovereigns of the country, but they are sovereigns without subjects... and have none to govern but themselves; the citizens of America are equal as fellow citizens, and as joint tenants in the sovereignty." *Chisholm v. Georgia*, 2 U.S. 419 (1793), U.S. Supreme Court. [supreme.justia.com/cases/federal/us/2/419/case.html]

B) "**No one, we believe, has ever doubted the proposition, that, according to the institutions of this country, the sovereignty in every State resides in the people of the State, and that they may alter and change their form of government at their own pleasure.**"

Luther v. Borden 48 U.S. 1 (1849), U.S. Supreme Court. [supreme.justia.com/cases/federal/us/48/1/case.html] ; C) "**Sovereignty itself is, of course, not subject to law, for it is the author and source of law;** but, in our system, **while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts.** And **the law is the definition and limitation of power.**" *Yick Wo v. Hopkins*, 118 U.S. 356 (1886), U.S. Supreme Court. [supreme.justia.com/cases/federal/us/118/356/case.html] ; D) **What 'sovereign' means...** "**The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative.** Through the medium of their Legislature **they may exercise all the powers which previous to the Revolution could have been exercised either by the King alone, or by him in conjunction with his Parliament;** subject only to those restrictions which have been imposed by the Constitution of this State or of the U.S." *Lansing v. Smith*, 21 D. 89., 4 Wendel 9, 1829, New York Court of Appeals.

[facebook.com/groups/FreedomFilesGroup/921073277915255/ ; 1215.org/lawnotes/lawnotes/sovrein.htm]

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[*=KEEP ON PERSON-LEGAL DOCUMENT: To take this away during arrest/jailing/etc. deprives the holder of 'due process', then 'court is deprived of jurisdiction'[*Merritt v. Hunter*], then to not dismiss 'would be Treason'[*Cohens v. Virginia*]. See other 'LawDocs' for more. Get a FREE Copy of these 'LawDocs' with Clickable Links @: www.GovernPublicServants.com & [@Top, 'Pinned Post'\]\]](http://www.Facebook.com/GovernPublicServants)