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HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA

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Senate Bill 771

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House Judiciary Subcommittee
on Crime and Corrections

Main Capitol Building
Room 418, Minority Caucus Room
Harrisburg, Pennsylvania

Wednesday, December 17, 1997 - 9:30 a.m.

--oOo--

BEFORE:

Honorable Jerry Birmelin, Majority Chairperson
Honorable Al Masland
Honorable Andrew Carn
Honorable Kathy Manderino

IN ATTENDANCE:

Honorable Thomas Caltagirone

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1997-139

1 **ALSO PRESENT:**

2

3 **Judy Sedesse**
4 **Majority Administrative Assistant**

5 **James Mann**
6 **Majority Research Analyst**

7 **John Ryan**
8 **Minority Counsel**

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(Written Testimony submitted by Mark
Pitcavage on behalf of Militia Watchdog
Group.)

1 CHAIRMAN BIRMELIN: Good morning. I'd
2 like to call this meeting to order. This is a
3 Pennsylvania House of Representatives Judiciary
4 Committee Subcommittee on Crime and Corrections
5 hearing on Senate Bill 771.

6 I am Representative Birmelin. I
7 Represent Wayne and Pike Counties and am the
8 Chairman of this Subcommittee. And we have
9 before us some legislation and we have some
10 people that are going to be testifying on it in a
11 minute or two.

12 I'd like to first introduce the people
13 who are seated here with me and then just explain
14 a little bit about the public hearing itself. To
15 my immediate left is one of our legislative
16 analysts, Jim Mann, of the House Republican
17 Committee.

18 To my immediate right is the Democratic
19 leader of the Judiciary Committee that
20 is -- or Democratic chairman, I'm sorry,
21 Representative Caltagirone from Berks County.
22 And to his right -- and I'm going to apologize.
23 I can't remember your name.

24 MR. RYAN: John Ryan.

25 CHAIRMAN BIRMELIN: Counsel John Ryan.

1 I knew he had a familiar name. I just couldn't
2 remember it. It wasn't familiar enough, I guess.
3 We have scheduled this morning several people,
4 each with approximately 45-minute time slots.
5 That's a variable we use as a guide.

6 We had a public hearing yesterday, and
7 most of the people didn't take the time that was
8 allotted to them; so we will try to be flexible
9 in that area. We want to give everybody an
10 opportunity to say what they have to say, but we
11 also want to try to operate within that 45-minute
12 time schedule.

13 And normally we have people who will
14 testify. They give written testimony. They can
15 either read it to us or just submit it to us and
16 make remarks without reading the thing, if they
17 wish. And then we ask if they would be willing
18 to do so, to stay there a moment or two to answer
19 some questions that the panel might have.

20 As other members of the Committee will
21 be coming in, hopefully, as the morning
22 progresses, I will introduce them. And also we
23 will provide copies of your testimony, those of
24 you who are testifying, to all the members who
25 are not present here today so that they may read

1 it when they get the opportunity to do so.

2 With all that having been said, our
3 first testifier for this morning is Barry
4 Morrison. He's the Regional Director of the
5 Anti-Defamation League of Pennsylvania.

6 Mr. Morrison, if you would take the
7 center seat and prepare -- or give your prepared
8 testimony, we'd appreciate that. Thank you very
9 much.

10 MR. MORRISON: Good morning. I am Barry
11 Morrison, and --

12 CHAIRPERSON BIRMELIN: Excuse me,
13 Mr. Morrison. I don't think -- that microphone
14 is either not on or you're not close enough to
15 it.

16 MR. MORRISON: Is this better?

17 (At which time, there was a pause in the
18 proceedings.)

19 MR. MORRISON: I am Barry Morrison, and
20 thank you for having us here before you today.
21 Jerrie Greene, the Associate Director of the
22 Anti-Defamation League regional office is sitting
23 to my left.

24 I am pleased to testify in support of
25 Senate Bill 771, a bill that would provide

1 comprehensive penalties for the use of the
2 pseudo-legal system known as common law courts
3 and for threats to public officials carrying out
4 their lawful duties.

5 This bill passes unanimously, as you know,
6 in the Pennsylvania Senate and is based on model
7 legislation drafted by the Anti-Defamation
8 League.

9 The Anti-Defamation League draws on more
10 than 80 years of experience with extremist
11 groups. Ours is a three-pronged program
12 consisting of the vigilance by which we monitor,
13 expose, and counter hateful and antidemocratic
14 forces; development of legal and legislative
15 responses to criminal and extremist acts; and
16 education, representing our fervent belief that
17 the ravages of hatred and bigotry can be
18 mitigated if not prevented by an informed
19 citizenry.

20 Under this third prong, the
21 Anti-Defamation League has published numerous
22 reports about the dangers posed by extremists
23 groups which have been widely distributed to
24 lawmakers, to thousands of law enforcement
25 personnel, journalists, and to the public. And

1 some of you have probably seen our reports as
2 well.

3 Because the growing danger of the common
4 law courts and the nationwide scope of this
5 problem, the ADL has drafted its model statute to
6 counteract the destructive and insidious
7 activities of the common law courts.

8 First, what are these common law courts?
9 Common law courts advocates are linked with a
10 variety of antigovernment groups such as
11 militias, patriot groups, and Christian Identity
12 Movement.

13 These advocates use paper terrorism,
14 they obstruct justice, and they promote anarchy
15 with the goal of eventually overthrowing our
16 nation's legal system and replacing it with one
17 of vigilante justice.

18 The Common Law Movement maintains that
19 its members are sovereign citizens and are not
20 subject to state and federal laws. At the same
21 time, it claims that the state and federal courts
22 are illegal and therefore cannot enforce the
23 laws.

24 Perhaps the most well known
25 antigovernment militant now on trial in another

1 part of this country who spouted the common law
2 ideology is the Oklahoma City defendant, Terry
3 Nichols, who described himself as a common law
4 citizen in 1993 to justify his use of phoney
5 checks to pay off a credit card bill.

6 These courts and their leaders with no
7 legal standing whatsoever claim the right to call
8 juries and try cases. They have declared
9 themselves exempt from taxes, threaten judges,
10 and intimidate public and law enforcement
11 officials, often with charges of treason and
12 other crimes and death warrants.

13 They also use phoney multi-million
14 dollar liens as a major weapon of intimidation,
15 often filing them against judges, government
16 officials, lawyers, and private citizens who have
17 angered them.

18 These courts issue orders of various
19 sorts, often to government officials and
20 employees. Typically, these orders direct the
21 receivers to carry out the law as interpreted by
22 the common law court to serve bogus documents on
23 named parties and to refrain from carrying out
24 actual, legitimate government duties.

25 The orders are sometimes accompanied

1 with veiled threats or warnings of severe
2 sanctions or declarations that failure to comply
3 is treason punishable by death.

4 Common law court adherents use
5 outlandish versions of American history and
6 bizarre conspiracy theories to justify their
7 activities.

8 They claim, for example, that the
9 federal government suspended the Constitution in
10 1933 and that all laws passed since then are
11 invalid. They declare themselves as, quote,
12 sovereign citizens, unquote, answerable only to
13 God and immune from state or federal
14 jurisdiction.

15 Some offer a racist twist to this
16 formulation arguing that there are two classes of
17 citizens. On the one hand, sovereign, white
18 citizens whose rights are God-given and, on the
19 other hand, 14th amendment citizens, nonwhites,
20 whose citizenship is granted only by the 14th
21 amendment.

22 Other groups promote a variety of
23 anti-Semitic views, including the notorious fraud
24 that jewish banking families own and control the
25 Federal Reserve.

1 This is pseudo-jurists base their
2 beliefs on novel interpretations of common law
3 and authorities such as the Articles of
4 Confederation, the MayFlower Compact, and the
5 Magna Carta, and the Bible.

6 Many refuse to pay taxes, to register
7 their cars, to use valid license plates, or to
8 participate in legitimate court proceedings
9 because they interpret these actions as voluntary
10 contracts which individuals enter into with
11 government and lose their sovereignty as a result
12 of doing so.

13 For example, an antigovernment group
14 based in Elverson in Lancaster County represented
15 by William Reil, Edwin Peeples, and Andrew
16 Lehr has been waging a so-called right to travel
17 battle with PennDOT.

18 The group claimed that Pennsylvania had
19 a no right to place restrictions on noncommercial
20 travel and thus no authority to require
21 registration, inspections, and driver's licenses.

22 William Reil himself was stopped at one
23 point for driving with a license plate
24 for -- more than one time, I believe -- with a
25 license plate that read, Sovereign American

1 Citizen, WTR, his initials, 1776, Republic of
2 Pennsylvania State.

3 In another instance, a police officer in
4 Caernarvon Township in Berks County stopped a
5 driver with a homemade license plate reading,
6 Sovereign American Citizen, Republic of Montana,
7 1995. The driver was arrested for carrying a
8 loaded shotgun as well as not having a driver's
9 license.

10 As government officials become more
11 adept at spotting tell-tale signs of common law
12 court behavior, these extremists are responding
13 by becoming more violent.

14 County clerks across the country have
15 been verbally abused, threatened, and even
16 physically harmed by extremist for refusing to
17 process phoney paperwork. Some county recorders
18 in other states have reportedly required
19 around-the-clock police protection after
20 confrontations with these advocates.

21 A District Attorney in one of the
22 eastern Pennsylvania counties told us that his
23 prothonotary is, to use his words, Scared to
24 death of these people.

25 A federal prosecutor in Pennsylvania

1 also told us that some of the public
2 prothonotaries are afraid of these common law
3 court groups and for this reason won't reject
4 their liens.

5 Karen Matthews, who had spoken before a
6 national ADL Audience, a county clerk in
7 Stanislaus County in California refused to file
8 bogus liens against several state
9 representatives, a member of Congress, and IRS
10 officials issued by a group called the Juris
11 Christian Assembly.

12 She, because of this, received
13 threatening phone calls, her elderly parents were
14 harassed, and she was repeatedly beaten and
15 slashed with a knife by one of the group's
16 members who yelled, Do your job. Record our
17 documents.

18 It is estimated that there are over 130
19 common law courts in about 35 states, including
20 Pennsylvania. At least 11 states in the last two
21 years have passed legislation to address the
22 problem generated by these courts.

23 At least six other states are
24 considering such legislation presently. The
25 three states contiguous to

1 Pennsylvania -- Delaware, New Jersey, and
2 Ohio -- have all confronted this phenomena and
3 have responded by responding with legislative
4 action.

5 Ohio police officials have said that
6 they have found common law court activity in
7 about 60 of that state's 88 counties. On the
8 east coast, there is common law activity
9 also in Connecticut, Maine, Massachusetts, and New
10 York.

11 There is legislative activity pending in
12 the U.S. Congress also as recognition of the
13 scope of this problem that would extend federal
14 law against threatening federal judges to cover
15 state and local officials as well.

16 The Conference of Chief Justices is
17 formally studying how to fight the common law
18 courts, and the National Association of Attorneys
19 General held a conference in 1997, October of
20 this year, to discuss the issue.

21 In June of this year at the
22 International Association of Clerks, Recorders,
23 Election officials, and treasurers which met in
24 Philadelphia, there was a seminar on the topic of
25 common law courts.

1 And at the seminar, about 40 county
2 officials said that they were facing lawsuits by
3 groups whose requests for liens had been
4 rejected. Some say they had even been
5 threatened physically.

6 There's been common law activity in at
7 least twelve Pennsylvania counties, and there
8 have been at least six common law courts groups
9 that operate around the state.

10 For example, the Sovereign American
11 Citizens Group has held meetings in Denver,
12 Pennsylvania, and in Lancaster County. A court
13 in Lancaster County calling itself Our One
14 Supreme Court has held bi-monthly sessions.

15 The court has taught people how to file
16 common law claims and has produced court orders
17 which have been used in attempts to eliminate
18 debts and to decide zoning and custody battles.

19 A group called Free The People Committee
20 has met in York County, which is also the site of
21 another group called One Nation Under God.

22 A Philadelphia man failed bogus property
23 liens against five Bucks County judges, some for
24 as much as \$800 million, as retaliation for an
25 assault and harassment conviction.

1 Even with the assistance of the
2 Administrative Office of Pennsylvania Courts, it
3 took about two to three years to remove these
4 liens. And liens hurt a real estate transaction
5 for one of the judges and created problems for
6 all of them.

7 The Lancaster County District Attorney
8 told us that one of these common law court groups
9 filed a bogus lien on the residence of Federal
10 District Judge Ronald Buckwalter, a respected
11 former Lancaster DA and judge.

12 A judge in Berks County, who has asked
13 that he or she remain anonymous, found one of
14 these common law court advocates guilty of a
15 motor vehicle infraction and later heard from a
16 police officer that as a result of this, the
17 judge had been found guilty of treason.

18 This same common law advocate also came
19 to the courthouse to aggressively express his
20 view that the judge had no jurisdiction over him.
21 A prothonotary in eastern Pennsylvania told us
22 that members of her staff were threatened by a
23 Freeman who had associated with the common law
24 courts who had to be physically restrained and
25 was locked up.

1 That county is now putting a security
2 system in the courthouse to protect the
3 prothonotary's office. The Pennsylvania group
4 also attempted to file a \$100 million lien
5 against an assistant U.S. attorney.

6 While public officials are often the
7 main targets of these bogus liens, these courts
8 also issue liens against private citizens such as
9 people who work at banks, brokerage houses, car
10 dealerships, and neighbors who are more
11 vulnerable, of course, than would be public
12 officials.

13 Often these individuals aren't even
14 aware of these liens until they go to buy a house
15 or get a business loan. It can take months, even
16 years and thousands of dollars of attorney's fees
17 to clear their title. And the loan or the
18 mortgage will inevitably fall through while the
19 individual tries to get the thing removed.

20 A prosecutor in Harrisburg told us about
21 three other tactics that the common law advocates
22 use: First, that they file phoney liens against
23 their own property. This lien has priority over
24 liens filed by legitimate creditors who then
25 don't get paid.

1 Secondly, they issue phoney money orders
2 and defraud legitimate creditors with them. They
3 use these phoney money orders in Pennsylvania to
4 pay mortgages, car loans, and the like. This
5 causes time, aggravation, and substantial legal
6 fees for legitimate creditors.

7 The third tactic is that they hold
8 themselves out as attorneys. Quote, They sue
9 everyone in site, end quote, the prosecutor told
10 us, Including judges, prosecutors, U.S.
11 attorneys, clerks, quote, Anyone who touches
12 anything in relation to them gets sued, end
13 quote.

14 In 1995, Sydney Moyer of York County was
15 sentenced to up to seven years in jail for the
16 unauthorized practice of law and four counts of
17 wiretapping. Calling himself a sovereign Freeman
18 ambassador, he maintains that the court had no
19 jurisdiction to try him and dragged out his trial
20 for 22 days. I believe that set a record.

21 Moyer had dispensed harmful legal advise
22 for compensation on zoning matters. He was also
23 convicted of criminal trespass and forcing a
24 homeowner out of his own home and then moving it.

25 By the way, he also served in solitary

1 confinement for more than one year for simply
2 refusing to be processed -- to be fingerprinted
3 and to be photographed.

4 This same prosecutor also told us that
5 desperate people are being victimized: Farmers,
6 for example, and others worried about foreclosure
7 or people deeply in debt. Common law advocates
8 sell them kits for hundreds of dollars which
9 teaches these people how to file phoney
10 documents.

11 While these desperate people are filing
12 these bogus documents to save their property,
13 they aren't doing what they should be doing,
14 which is taking normal steps, appropriate steps
15 such as filing for bankruptcy, that would save
16 their property.

17 There are cases in Pennsylvania where
18 people relied on these bogus filings until it was
19 too late and then they lost their farms. We The
20 People, a group organized by Freeman in Lancaster
21 County with ties in Colorado had sold phoney
22 money orders -- packets of phoney money orders
23 for \$600. They had also sold false letters to be
24 sent to banks to defraud them.

25 In Chester County, William Reil again, a

1 self-described, free-born, sovereign Christian
2 citizen led a group called Victims of the Corrupt
3 Legal System. In 1994, police picked up Reil on
4 an arrest warrant for outstanding traffic
5 violations.

6 Following his release, Reil warned the
7 clerk of the judge, Judge Stanley Scott of
8 Exton, that, quote, Scott would wish he was never
9 born, end quote. Reil has also filed phoney
10 lawsuits against numerous public officials.

11 In April of 1996, Reil was sentenced
12 to 30 days in prison in connection with
13 disorderly conduct, traffic violations, and
14 fleeing from the police.

15 The police had stopped Mr. Reil to give
16 him a warning on an expired inspection sticker.
17 He led them on a 10-mile chase and then refused
18 to get out of his car and had to be physically
19 removed.

20 When he refused to come to court on the
21 charges stemming from the incident, he had to be
22 shackled and handcuffed to be brought in. As a
23 Free-born, Sovereign Christian Citizen, he
24 challenged the court's authority, said that the
25 judge had no jurisdiction over him and that it

1 was not a legal American court because the
2 American flag had a gold trim around it on its
3 border.

4 One of the troopers who arrested Reil in
5 this incident told us that it was his
6 understanding that he, this police officer, had
7 been found guilty in absentia by Reil's common
8 law court and he was sentenced.

9 A prosecutor told us that they don't
10 know when this paper terrorism will cross the
11 line from just filing papers. And a police
12 officer in Berks County told us a lot of these
13 people, to use his words, are real extremists;
14 they are always giving police and judges a hard
15 time.

16 The police officer feels that sooner or
17 later some police officer somewhere in
18 Pennsylvania is going to run into someone more
19 violent than the rest of the movement and there's
20 going to be an armed confrontation. Someone is
21 going to be killed.

22 And it has happened. In Ohio, for
23 example, the chief justice in Our One Supreme
24 Court was killed by a police officer after the
25 officer pulled him over for driving with a phoney

1 license. A grand jury found no evidence to
2 indict the officer, who said that the man had
3 pointed a gun at him.

4 And now, back to Senate Bill 771. We
5 have talked to police officer, judges,
6 prosecutors, and prothonotary's around eastern
7 Pennsylvania. Many of them ask that we not
8 identify them out of concern over reprisals by
9 these groups.

10 But the majority of the group of the
11 people that we spoke with in law enforcement said
12 that Senate Bill 771 is necessary to deal with
13 these common law court groups and should be
14 passed.

15 One prosecutor told us that the paper
16 terrorism tactics had a chilling effect on law
17 enforcement. Public officials and employees know
18 that when they're dealing with these common law
19 court groups they could end up with bogus liens
20 on their property and worse yet.

21 There is significant common law activity
22 around the country and certainly here too as you
23 by now have been told, and the 17 states that
24 have responded with legislation provide ample
25 evidence of this fact.

1 This activity is entrenched in
2 Pennsylvania. It makes sense to have a
3 comprehensive law on the books now to deal
4 swiftly with this problem, swiftly and
5 comprehensively, especially since this problem
6 might escalate.

7 As we said, Senate Bill 771 is based on
8 model ADL legislation. The bill contains all the
9 elements that such legislation needs to be
10 effective as well as Constitutional, and I stress
11 as well as Constitutional.

12 The bill does not violate any
13 Constitutional safeguards and specifically
14 guarantees First Amendment rights of free speech
15 and association. The bill is carefully drafted
16 so that it clearly does not prohibit valid
17 activities such as the lawful use of legitimate
18 courts and the legal process.

19 On the contrary, Senate Bill 771 deals
20 directly with the full spectrum of
21 activities in which the common law courts engage
22 and sets forth penalties for such activities.

23 Namely: First, deliberately
24 impersonating or falsely acting as a public
25 officer or public employee; secondly, simulating

1 the legal process; thirdly, falsely under color
2 of law attempting to influence, intimidate, or
3 hinder a public official or law enforcement
4 officer.

5 This bill also provides penalties for
6 operating a vehicle without an authorized license
7 plate. There's no existing statute in this state
8 that combines all the elements of this bill.

9 While it is true that existing law may
10 already address these actions in different
11 chapters of Title 18 of the Pennsylvania
12 Statutes, and with regard to motor vehicles,
13 Title 75, these other provisions were not written
14 in such a way as to be directed towards the
15 particular phenomenon of common law courts.

16 By compiling all the provisions in one
17 chapter, the Commonwealth would be sending a
18 message to antigovernment extremists that their
19 courts are not welcome in Pennsylvania and that
20 their types of activities will not be tolerated.

21 This legislation will get the attention
22 of extremists, certainly. It seems to -- no
23 comment beyond that. Because it is comprehensive
24 rather than piecemeal and it is direct and it is
25 complete, as a result, it could serve as a

1 warning and a deterrent.

2 It will certainly put common law court
3 adherents on notice as well as draw their
4 attention. A comprehensive statute directed at
5 the tactics and the activities of the common law
6 courts will make it easier for law enforcement as
7 well.

8 District attorneys are busy people, as
9 we know; and putting these provisions in one
10 chapter will make it easier for them to prosecute
11 the full array of unlawful activities.

12 Furthermore, the legislation could be
13 helpful to prothonotary's and recorders in
14 rejecting bogus documents. Finally,
15 comprehensive legislation will hopefully have a
16 greater impact on public awareness of the
17 problem.

18 In conclusion, for all the reasons
19 outlined in our testimony, we urge you to vote in
20 favor of Senate Bill 771. And I would be pleased
21 to answer any questions that you might have.
22 Thank you.

23 CHAIRMAN BIRMELIN: Thank you. We've
24 been joined by a couple other representatives.
25 To the far right of this panel is Representative

1 Kathy Manderino from Philadelphia, and two seats
2 to might left is Representative Al Masland from
3 Cumberland County. And I'll begin with
4 Mr. Masland. Do you have any questions?

5 REPRESENTATIVE MASLAND: Actually,
6 Mr. Chairman, I don't have any questions at this
7 time. I must confess that when I first saw we
8 were having a public hearing on Senate Bill 771 I
9 just skimmed it very briefly and did not look at
10 all the details.

11 Thought, well, maybe we're dealing with
12 unauthorized practice of law or impersonating a
13 police officer and just set it aside. So the
14 testimony that -- the first testifier here this
15 morning has certainly caused me to take a step
16 back and look a little bit more closely at this
17 bill and what all it entails. So I have no
18 questions at this time.

19 CHAIRMAN BIRMELIN: Representative
20 Caltagirone.

21 REPRESENTATIVE CALTAGIRONE: (No audible
22 response.)

23 CHAIRMAN BIRMELIN: Representative
24 Manderino.

25 REPRESENTATIVE MANDERINO: (No audible

1 response.)

2 CHAIRMAN BIRMELIN: You're off the hook.
3 Nobody's asking you any questions, I guess.
4 Thank you for your testimony.

5 MR. MORRISON: Thank you.

6 CHAIRMAN BIRMELIN: Our next witness is
7 Homer C. Floyd. He's Executive Director of the
8 Pennsylvania Human Relations Commission. If
9 Mr. Floyd would come forward. And I would ask
10 you as I did Mr. Morrison to try to stay as close
11 to the microphone as you can. Apparently, it
12 doesn't work as well as they do up here. Either
13 that or we have bigger mouths.

14 But I would encourage you to speak
15 directly into that microphone so that everybody
16 can hear you. Mr. Floyd, I want to thank you for
17 coming here this morning; and you may give your
18 testimony.

19 MR. FLOYD: Thank you, Mr. Chair and
20 members of the Judiciary Committee. My name is
21 Homer Floyd, and I'm the Executive Director of
22 the Pennsylvania Human Relations Commission.
23 Thank you for the opportunity to testify here
24 today on behalf of the Commission in support of
25 House Bill 771.

1 House Bill 771 amends Title 8 of the
2 Crime and Offenses of the Pennsylvania
3 Consolidated Statute, called the Crimes Code, to
4 prohibit simulated legal process defined as
5 fraudulently initiating legal proceedings or
6 documents, impersonating public officer or legal
7 tribunal, or hindering a public officer. Each of
8 these offenses is specifically defined.

9 The Pennsylvania Human Relations
10 Commission is our state civil rights enforcement
11 agency. Our major role is investigating
12 complaints of unlawful discrimination in
13 employment, housing, public accommodations, and
14 education.

15 In addition, we are charged with
16 addressing racial, religious, and ethnic tension
17 and promoting positive inter-group relations.
18 The PHRC has no direct authority regarding groups
19 which use simulated legal process. We look at
20 these groups only as they impact on our areas of
21 concern.

22 Let me start with some background
23 information. For a number of years, PHRC has
24 tracked problems in three areas: Racial,
25 religious, and ethnic tension incidents; ethnic

1 intimidation or hate crimes; and the activities
2 of hate groups. We see a lot of overlap in these
3 three areas.

4 Last fiscal year, the PHRC monitored 289
5 tension situations. About a third of these
6 incidents involved activities of organized hate
7 groups. In the past two years, we have addressed
8 activities of 39 organized white supremacist
9 groups in 66 Pennsylvania communities.

10 In monitoring hate groups, we have also
11 seen a great deal of interaction between those
12 groups -- the militia movement and the so-called
13 common law court movement. It is the activities
14 of these common law court movement that Senate
15 Bill 771 is designed to address.

16 PHRC is not an expert on militia or
17 common law courts. A lot of our information
18 comes from the state police, local police, the
19 Anti-Defamation League, the Southern Poverty Law
20 Center, as well as newspaper reports and reports
21 from individual citizens who may have been
22 affected.

23 I assume that other testimony today will
24 provide more specific information. What I want
25 to do is focus on some characteristics of these

1 organizations and how they connect with hate
2 groups, the interaction of militia paramilitary
3 activity, and simulated legal process activity
4 with the lives of ordinary people and some
5 thoughts about why Pennsylvania is a target
6 location.

7 Basically, these groups have at least
8 some of the following characteristics: In their
9 philosophy, they are antigovernment. Some claim
10 that no government above the county level is
11 legitimate.

12 They are convinced that they are the
13 true Americans and everyone else is either an
14 enemy, a sympathizer of the enemy, or a dupe of
15 the enemy. They support the Second Amendment
16 right to bear arms and tend to be well armed
17 themselves.

18 Some groups either expect or are
19 actively planning armed confrontations with their
20 enemies. These philosophies parallel hate group
21 focused on "us versus them;" on true Americans
22 versus the government; and in the case of
23 militias, on extremists and increasingly
24 sophisticated weaponry.

25 Some of these groups claim to have

1 no white supremacy agenda. They may still wrap
2 themselves in so-called Christian rhetoric with
3 their own interpretation of Scripture and declare
4 anyone who does not agree with them as enemy or
5 as satanic.

6 With the explanation of being often to
7 all true Americans -- with the explanation of
8 being open to all true Americans, they accept
9 members who have a record of hate group activity.
10 Like the hate groups, they prey on fear: Fear of
11 change, fear of anyone different, fear of
12 powerlessness.

13 They also share much of the same
14 literature. The prime example is the Turner
15 Diaries, which was the text of Timothy McVeigh in
16 the plan to blow up the federal building in
17 Oklahoma City and which also is full of racist
18 and anti-Semitic rhetoric.

19 Terry Nichols was involved in both the
20 militia movement and the Common Law Courts
21 movement. There is a lot of information exchange
22 among those groups through telephone hot lines,
23 fax networks, and internet.

24 They tend to read the same literature
25 and subscribe to magazines with a military and

1 weaponry approach focus and they attend the same
2 gun and sports shows. They also buy each other's
3 paraphernalia and literature and exchange
4 information on simulated legal process.

5 Most of the people in Pennsylvania first
6 heard about simulated legal process in the summer
7 of 1995 with the events surrounding the Freeman
8 in Montana.

9 The Freeman, an armed militia group,
10 also shared some of the supremacy views of the
11 so-called Christian Identity Movement. In line
12 with their antigovernment approach, they had
13 declared their own law.

14 Not only did they refuse to pay taxes,
15 they had established their own court, filed
16 fraudulent liens against their neighbor's
17 property, and issued and cashed phoney checks and
18 money orders, issued arrest warrants and held
19 trials of government officials and threatened
20 those who challenged them, including
21 federal and state officials, with armed violence.

22 The movement of groups to set up their
23 own laws seemed to stem from three motivations,
24 which are not mutually exclusive. One is the
25 general antigovernment philosophy, which

1 questions the legitimacy of any government
2 function supposedly on constitutional grounds.

3 The second is based upon financial gain.
4 The refusal to pay taxes or license fees or the
5 seizure of property and the falsification of
6 checks promoted as a way to make or save large
7 amounts of money.

8 The third motivation is vengeance. Often
9 using liens on property or even criminal
10 convictions in so-called common law courts are
11 used to harass, threaten those perceived as
12 enemies. For this reason, it is also called
13 paper terrorism.

14 These ideas spread nationwide, and a
15 group in Colorado sells do-it-yourself kits.
16 By early 1996, there were reports in Berks,
17 Lancaster, and Chester Counties of people issuing
18 their own inspection stickers and license plates.

19 Freemen came to public attention in
20 Pennsylvania claiming that courts have no power
21 over the Free-born Sovereign Christian Citizens.

22 In Bucks County, a man convicted of
23 assault prior to going to jail filed mortgage
24 claims against the properties of ten court and
25 district judges.

1 In Lancaster County, the so-called Our
2 One Supreme Court meets regularly and issues
3 liens and official-looking documents on a variety
4 of legal issues such as debts and custody.

5 In Chester County, they have issued fake
6 money orders. They have threatened violence
7 against judges and law enforcement officials.
8 Dozens of false titles and other fake legal
9 documents have been filed in Erie County.

10 Claiming not to be subject to the laws
11 of the United States, Freemen and others
12 throughout the state have challenged traffic
13 tickets, repossessions, and evictions in many
14 places in Pennsylvania.

15 Often people do not know bogus liens
16 have been filed against them until they try to
17 sell the property or apply for a loan.

18 This summer in Harrisburg, two district
19 justices were threatened by groups calling
20 themselves Sovereign Christian Citizens when they
21 were holding hearings on traffic violations and
22 disorderly conduct charges against people who
23 were using fake license plates.

24 There is some indication that the people
25 involved also associate with militia groups and

1 hold white supremacy views.

2 House Bill 771 (sic) would specifically
3 make fraudulent simulated legal process a
4 criminal offense. It is designed to target only
5 fraudulent actions without affecting either the
6 legitimate legal actions or freedom of assembly
7 or speech or affiliation.

8 Similar statutes have been enacted in
9 Florida and Idaho; and laws which have a similar
10 intent but are not as detailed have been enacted
11 in Arizona, Illinois, Oregon, Texas, and Alaska.

12 The Pennsylvania Human Relations
13 Commission believes that Senate Bill 771 is an
14 important step toward addressing the serious
15 problem of paper terrorism.

16 We urge your adoption of this bill.
17 Thank you for the opportunity to testify, and I
18 would be willing to entertain any questions that
19 you might have.

20 CHAIRMAN BIRMELIN: Thank you,
21 Mr. Floyd. We've been joined by Representative
22 Andrew Carn from Philadelphia County. I'm not
23 sure when you got in here, so I don't know if
24 you're prepared to ask any questions; but I'll
25 call on you last. Representative Caltagirone?

1 REPRESENTATIVE CALTAGIRONE: (No audible
2 response.)

3 CHAIRMAN BIRMELIN: Representative
4 Masland.

5 REPRESENTATIVE MASLAND: Thank you,
6 Mr. Chairman. Certainly you're not saying that
7 anybody who believes in the second amendment or
8 is a Christian or happens to read the Bible
9 constitutes an extremist?

10 MR. FLOYD: Of course not. Of course
11 not.

12 REPRESENTATIVE MASLAND: I ask that -- I
13 realize that that's a fairly basic statement.
14 And I didn't mean it to bring chuckles, but I
15 think that there may be some people who are
16 watching this as opposed to maybe being here
17 today down the road who might question whether or
18 not this is some vendetta against anyone who
19 reads the Bible.

20 You're basically concerned with people
21 who, as you characterize them, are considered
22 extremists?

23 MR. FLOYD: And who advocate violence
24 against others, some of whom they're the KKK,
25 they're the -- some of the skinheads. And all

1 skinhead groups are not white supremacist groups.

2 But we're talking about the supremacist
3 groups that advocate white supremacy,
4 anti-Semitic, anti-African American, antiminority
5 and further advocate violence against such
6 individuals.

7 REPRESENTATIVE MASLAND: And I think
8 most people would agree that those organizations
9 are wrong and I think -- well, let me just say
10 this, that just as you're not saying that anyone
11 who is a Christian is an extremist, you're also
12 not saying that any of these particular people or
13 individuals that consider themselves to be
14 so-called Sovereign Christians are necessarily
15 also white supremacists?

16 MR. FLOYD: You have to look at each
17 specific group in order to find out precisely
18 what it is. For example, there are many military
19 groups in Pennsylvania as well around who in and
20 of themselves do not advocate any of this
21 anti-White supremacy kind of thing.

22 They simply organize the club. They
23 weekends or whatever go out shooting and so forth
24 and have no kind of illegal activity or behavior
25 about them at all.

1 REPRESENTATIVE MAZLAND: I appreciate
2 that. And I think, again, to just to clarify,
3 just because someone is a member of a so-called
4 militia does not necessarily make that person
5 antifederal government or anti-United States or
6 anti-Commonwealth or even county government.

7 MR. FLOYD: Right.

8 REPRESENTATIVE MASLAND: Thank you.

9 CHAIRMAN BIRMELIN: Representative Carn.

10 REPRESENTATIVE CARN: (No audible
11 response.)

12 CHAIRMAN BIRMELIN: No further questions
13 for you then; and we appreciate you coming,
14 Mr. Floyd, and thank you for your testimony. We
15 are running ahead of schedule, so what I'm going
16 to do is our next testifier isn't scheduled until
17 11:00 and I'm informed that James Grove, Pastor,
18 is here. Are you?

19 MR. GROVE: Yes, sir.

20 CHAIRMAN BIRMELIN: Would you be
21 prepared to testify at this time?

22 MR. GROVE: I think so.

23 CHAIRMAN BIRMELIN: Would you then,
24 please? Oh, I'm sorry. I'm sorry. Pastor
25 Grove, I made a mistake. Our next testifier is

1 here, but you'll still be 45 minutes earlier
2 probably.

3 But I apologize, Mr. Morgan. I didn't
4 realize you were in the audience James Morgan,
5 Junior, Esquire, Solicitor, for the Pennsylvania
6 Association of Prothonotaries and Clerk of Courts
7 and Special Court Judges Association. That's
8 quite a title. I understand you have no written
9 testimony?

10 MR. MORGAN: I have no written
11 testimony. I came because I was asked whether or
12 not I had in my capacity representing district
13 justices throughout the state, the Prothonotarys
14 of Clerks statewide association any interaction
15 with the type of information that this bill
16 apparently tries to deal with.

17 I would just say, Representative
18 Birmelin, that the real issue in my view from the
19 standpoint of those who are the keepers of the
20 records for the judicial system -- and in that
21 case the district justices since they are the
22 only person in the office, they're the keeper of
23 all those records -- that the non sequitur type of
24 documents that we're talking about create a
25 problem for the courts because they do not follow

1 either the statutory basis nor the rules in the
2 judicial courts and that they come across in
3 areas of motions which can best be described and
4 has already been described by Mr. Morrison of
5 documents which do not relate to the subject
6 matter which is in hand.

7 For instance, notices of fault, notices
8 of default, affidavits of allocution, the
9 question of the emergency power, the
10 interrelationship between the Federal
11 Constitution and the case law under the Federal
12 Constitution and out of our state constitution,
13 which is clearly different and replete with its
14 own variations of definitions.

15 The question of jurisdiction having to
16 do with the flag as a motion in a traffic
17 violation before a district justice taking up a
18 13-page petition filed ex parte that is, in fact,
19 in district justice practice both by Title 42 and
20 by the rules of court, that is a nonmotion court
21 for all of the summary violations and yet
22 documents that I've seen and have been increasing
23 over the last few years of 15 to 18 pages
24 challenging the jurisdiction on the basis of the
25 flag having the gold fringe around it and the

1 issue of whether or not the court would accept a
2 withdrawal of that flag from the court in order
3 for it to be a proper court and therefore have
4 the jurisdiction of the case.

5 The difficulty is not the zealousness of
6 the motions. There's nothing wrong in reading
7 through the motions and understanding the purpose
8 of the motions.

9 And I don't want it to be said from the
10 standpoint of what I've seen and what I look at
11 for both the prothonotarys and clerks and also
12 for district justices that I have an objection to
13 a person raising zealously their own defense.

14 The issue, however, is that, in fact,
15 these documents which appear to be of a
16 legitimate kind are not part of the system that
17 we've designed, especially in the district
18 justice system, for a simplified means of
19 handling small claims on the civil side and which
20 our rules specifically under Rule 325 do not
21 allow deposition and motion practice.

22 And on the criminal side, we're, in fact,
23 looking for a fine only. In following up on the
24 vehicle code violation issue, we have had for the
25 last five to eight years a series of issues

1 relative to coinage and relative to the gold
2 standard and whether or not money printed is
3 proper and therefore the use of documents
4 purporting to be checks, money orders, and/or
5 obligations to pay on the issues of fines and
6 costs.

7 The Vehicle Code, most of those
8 violations do not require or do not allow a jail
9 sentence unless the person fails to pay. And the
10 predicament becomes in most of the issues, some
11 of the which were already mentioned by the type
12 of case they were, that the court's faced with
13 the position of having to deal with a person who
14 does not want to deal with real money in our
15 sense of the word and therefore have to issue
16 warrants for failure to pay money on traffic
17 violations.

18 This frustrates the courts because that
19 wasn't the intention in those cases. It also
20 frustrates on the appeals which are taken in
21 forma pauperis even though they involve Vehicle
22 Code violations.

23 And for most of us, we believe, in fact,
24 that you can't very well say that if you can
25 afford to have a car, pay insurance, and pay for

1 gasoline these days that you're in forma pauperis
2 from the standpoint of violating the rules of the
3 road under Title 75.

4 As to the clerks of courts, the types of
5 motions that are filed requesting that, in fact,
6 if the court does not answer that they're
7 entitled to a default on a judgment and the
8 filing of those documents then in the
9 prothonotary's office as a judgment are the types
10 of things that we're talking about.

11 My frustration is that, in fact, the
12 documents appear to be legitimate. They're filed
13 time and time and time again in cases in which if
14 the courts could simply rule that they were not
15 proper documents, we would be fine.

16 But both the prothonotary and the clerks
17 by statute in Title 42, as to the clerk under
18 Section 2756, and as to the prothonotary under
19 Title 42 Section 2737, are required to file the
20 documents that are filed to a case.

21 And, therefore, these come in with a
22 sense of legitimacy in that they, in fact, do
23 refer to the case. The documents themselves do
24 not refer as a motion practice within Section 903
25 of Title 42 as related to the case, but they are

1 documents which the keepers of the record are
2 required by statute to file.

3 These complicate the cases because then
4 the courts, if they do not react to it, are filed
5 with a notice of -- first of fault and then of
6 default and then, based upon the default, the
7 taking of other action to file a lien.

8 I was -- I came here just to say that
9 we've had that experience, that we've had
10 district justices threatened, that we've had
11 prothonotaries and clerks threatened within the
12 State of Pennsylvania because, in fact, of failure
13 to take a document which is asked to be filed
14 which does not relate to the case.

15 And my difficulty for those constituents
16 is that they are not in a position, most of them
17 not being attorneys, to decide in the first
18 instance whether to accept the document.

19 And that's the type of thing that the
20 Bill is attempting to address. Because, in fact,
21 if they fail to do that they're violating the
22 statutory language of their requirements.

23 And so I'm here simply to indicate that,
24 in fact, it is a problem for the courts, it is a
25 problem for the clerks and for the prothonotary's

1 and especially for the district justices
2 in -- both in motion practice, which is not
3 allowed in their courts, and in determining how
4 to handle someone who determines even after
5 finding of guilt that they are going to present
6 other than money for payment of the fines and
7 costs.

8 CHAIRMAN BIRMELIN: Representative
9 Caltagirone, do you have any questions?

10 REPRESENTATIVE CALTAGIRONE: (No audible
11 response.)

12 CHAIRMAN BIRMELIN: Counsel Ryan.

13 MR. RYAN: Do you have an example of an
14 actual situation where a lien has been filed and
15 the circumstances of a lien being filed against
16 individuals?

17 I mean, I'm having a little bit of a
18 problem seeing how it gets by the rule
19 requirements. I mean, a lien in a default
20 situation, the default still has to be entered
21 through the courts --

22 MR. MORGAN: The notices are given. I
23 would be glad to give you --

24 MR. RYAN: Aren't there -- isn't
25 that -- doesn't that involve other offenses, a

1 potential forgery --

2 MR. MORGAN: Sure.

3 MR. RYAN: I mean felony offenses in the
4 filing of a false lien?

5 MR. MORGAN: That's correct. The
6 difficulty as I see it from the standpoint of the
7 people that I represent is whether or not this
8 legislation particularly gives them a leg up
9 because somebody else has to decide to prosecute.
10 None of those parties are in a position to do any
11 prosecution.

12 So unless somebody else in the penalty
13 determines -- the District Attorney -- that
14 whether or not you pass this or not is not going
15 to make a lot of difference to my constituency as
16 far as getting them out of a box.

17 MR. RYAN: But I was just wondering in
18 those situations where they believe or look at it
19 and believe that there's a forgery on a document
20 or have reason to believe there's a forgery --

21 MR. MORGAN: That's the problem. The
22 statute says that to file a document that comes
23 in in form properly. And the problem is those
24 documents look proper.

25 There's nothing to indicate, in fact,

1 there's a forgery to it. There's a notarization.
2 There is, in fact, all of the things that you
3 would look for in a proper document to be filed.
4 And the issue for them is how do we refuse it
5 when our job is to accept it?

6 Somebody else's job to decide whether or
7 not it's fraudulent or not. That's the
8 difficulty, and that's the exactly the kind of
9 documents we're talking about. They look real.
10 They look authentic.

11 MR. RYAN: Do they do that in references
12 to mortgages or anything along those lines?

13 MR. MORGAN: I don't represent the --

14 MR. RYAN: Recorder of deeds.

15 MR. MORGAN: -- recorder of deeds. I
16 haven't seen those. I've seen them in the
17 prothonotary's where notes are entered or
18 confessions.

19 MR. RYAN: Confessions of judgment?

20 MR. MORGAN: That's correct.

21 MR. RYAN: On documents not signed by
22 the individual that the confession is to be taken
23 against?

24 MR. MORGAN: Oh, no. They'll have some
25 with those too. And then there will be

1 notice -- there is, in fact, notices then under
2 our default language --

3 MR. RYAN: That's a clear felony forgery
4 because, I mean, under a Confession of Judgment,
5 if you don't have the original documents signed
6 by the individual in which the confession is
7 taken against, it's not a proper filing.

8 MR. MORGAN: There is no question about
9 it. My difficulty is, is that what -- what the
10 difficulty is it gets filed because, in fact, the
11 prothonotary and clerk are bound to take the
12 filings as long as they, in fact, on their face
13 look legitimate.

14 MR. RYAN: And you're saying there is no
15 particular follow-up by district attorneys or
16 other people to prosecute these particular felony
17 forgeries?

18 MR. MORGAN: That's correct. It's more
19 of a nuisance area at this particular time, at
20 least as I see it from my viewpoint.

21 MR. RYAN: Okay. Thank you.

22 CHAIRMAN BIRMELIN: Representative
23 Masland.

24 REPRESENTATIVE MASLAND: Just to really
25 pick up on where Mr. Ryan was -- my similar

1 questions, I mean, how do these things really get
2 filed in the first place? And I think you're
3 right.

4 I don't think Senate Bill 771 does
5 anything for the recorders, prothonotaries, or
6 district justices. I just don't see that because
7 you're still going to be required to file the
8 documents.

9 All Senate Bill 771 is establish, you
10 know, criminal offense; that they're not going to
11 be qualified to say, well, this constitutes
12 simulated legal process by my own legal authority
13 and so I won't file it. So I don't see that that
14 really can resolve anything.

15 MR. MORGAN: For them.

16 REPRESENTATIVE MASLAND: For them.

17 Thank you.

18 CHAIRMAN BIRMELIN: Representative Carn.

19 REPRESENTATIVE CARN: Thank you,
20 Mr. Chairman. I'm trying to follow the process
21 and procedure. These documents are filed. Is
22 there any way to investigate or any procedures
23 that would allow for the investigation if, in fact,
24 any of these documents are fraudulent?

25 MR. MORGAN: I think there is, and I

1 think there's statutory language on that would
2 do that. And from my standpoint, the people I
3 represent aren't in a position to do that. In
4 fact --

5 REPRESENTATIVE CARN: You're just
6 accepting the documents --

7 MR. MORGAN: That's correct.

8 REPRESENTATIVE CARN: -- and recording
9 the documents?

10 MR. MORGAN: That's correct. And the
11 difficulty is once they're recorded, they're a
12 document that sits on the record.

13 REPRESENTATIVE CARN: Exactly. And it's
14 very difficult sometimes to get documents off the
15 record and it can be very costly.

16 MR. MORGAN: What I'd like to see -- and
17 the documents are fascinating. The documents are
18 well done. I mean, somebody has spent a lot of
19 time -- the Internet opportunities to pick these
20 documents off and to utilize them for yourself is
21 there and that's pretty well -- pretty well known.

22 The difficulty then is somebody has to
23 take the action of -- as a lawyer, my problem is
24 is that many times the ones that are off the wall
25 are the toughest ones to deal with because, in

1 fact, they don't fit within what we're looking
2 for in case law, in statutes and other things.

3 And this is what really is the
4 difficulty of somebody deciding that it's
5 worthwhile to spend their energy trying to
6 combat.

7 REPRESENTATIVE CARN: Does this
8 legislation address that? I don't see it either.
9 I'm trying to -- I'm trying to see where is the
10 motivation and where is the procedure and
11 process that would --

12 MR. MORGAN: I think Mr. Morrison tried
13 to indicate that it was a model piece of
14 legislation attempting to deal with this as a
15 national problem. I don't have the answer to
16 that.

17 REPRESENTATIVE CARN: I ran into a
18 situation, and maybe you can just give me a
19 response to this. Prothonotary's office in
20 Philadelphia has a lien against someone.

21 And when inquiring -- when I inquired
22 about it, they gave me the name of the lawyer
23 that's representing the lien holder; but they
24 cannot find the lawyer or the lien holder.

25 Then I asked them, well, what is the

1 procedure now that we can't even locate the
2 lawyer, we can't even locate the one who holds
3 the lien, the persons who holds this lien. Now,
4 what procedures are available to us?

5 MR. MORGAN: If we're talking about
6 notice and attempt to bring an action that you'd
7 have to do an initial notice. If you couldn't do
8 it that way, you would have to do Notice by
9 Publication and ask for allowance of the court
10 for Notice of Publication in order to get a
11 hearing to look at the underlying lien.

12 In other words, it's a service issue
13 now. You can't find the lawyer, you can't find
14 the person who's the lien holder, you would have
15 to then go to request the court for Notice of
16 Publication to allow that, in fact, you've done the
17 best you can to find the person that's unfindable
18 other ways.

19 REPRESENTATIVE CARN: There's no
20 requirements for the prothonotary to investigate
21 themselves?

22 MR. MORGAN: No. In fact, they are
23 simply the keeper of the records.

24 REPRESENTATIVE CARN: Thank you very
25 much. Thank you, Mr. Chairman.

1 CHAIRMAN BIRMELIN: Thank you very much,
2 Mr. Morgan. We appreciate you coming here this
3 morning. Pastor James Grove. Do you have
4 written testimony prepared for the Committee?

5 MR. GROVE: I don't, sir. I have some
6 paperwork that I handed out which I will be
7 making reference to, which I think you'll have.

8 CHAIRMAN BIRMELIN: And I would ask you
9 as well to try to remember that the microphone is
10 not picking your voice up very well unless you're
11 very close to it. So if you could try to
12 remember that for the benefit of the audience,
13 I'd appreciate it.

14 MR. GROVE: Okay. Perhaps I'd like to
15 make a comment about the previous testimony just
16 previous to what I will have to say. And could
17 it be that possibly that the paperwork that has
18 been filed in the prothonotary's office is
19 legitimate and that it just cannot be answered
20 instead of allowing them a process to declare it
21 not legitimate? Do you understand where I'm
22 coming from here?

23 Perhaps the paperwork is legitimate and
24 it cannot be answered properly and it is okay,
25 and so what are we trying to do? We're trying to

1 back up and declare it illegitimate before it
2 gets entered and it's not actually false? Do you
3 understand what I'm saying?

4 CHAIRPERSON BIRMELIN: Are you asking us
5 to answer your question?

6 MR. GROVE: I'm just wanting to put that
7 out as a suggestion on the other side of what he
8 was saying.

9 CHAIRMAN BIRMELIN: Okay.

10 MR. GROVE: I am Pastor Jim Grove. I'm
11 pastor of the Souls Haven Baptist Temple just
12 south of York near Loganville. I'm also founder
13 and director of the Free the People Committee,
14 which had been mentioned by Mr. Morrison.

15 And obviously, gentlemen, we have what
16 has been called here as a nationwide problem.
17 This is not a localized problem with
18 Pennsylvania. It is one that's spread across
19 this nation for whatever reason. Obviously, it
20 is a growing problem that is growing rapidly.

21 I possibly would like to give you some
22 information or possibly maybe challenge your
23 thinking as to why we are here today. Why have
24 we come to this place and why are we having such
25 a hearing relative to this information?

1 I think -- my analysis of this -- and
2 I've been following all of this information for
3 several years. I've been involved in some of it,
4 have looked at some of it with some scepticism,
5 have participated in some of it I certainly
6 thought was legitimate. But why are we here?

7 I think we have a growing mass of people
8 in the United States who are finding that they
9 have no remedy at law in certain cases. No
10 remedy at law. And so they're seeking to find
11 the remedy.

12 And so what I'm saying is that the law
13 that is now in place in America is something
14 that's creating the problem, not solving the
15 problem; and so you are reacting to a reaction of
16 the public. The public's reacting, and now you
17 are reacting to their reaction in trying to
18 create some sort of law.

19 I have a statement I'd like to read. It
20 says, This law of nature dedicated by God himself
21 is superior to any other. It is binding over all
22 the globe, in all countries, and at all times. No
23 human laws are of any validity if contrary to
24 this. And such of them as are valid derive all
25 their force and all their authority immediately

1 or immediately from this original upon these two
2 foundations: The law of nature and the law of
3 revelation depend all human laws. Human laws are
4 only declaratory of an act in subordination to
5 divine law.

6 That's quite a profound statement.
7 Anyone know where it's found? It's written
8 somewhere. Anyone know where that is found and
9 where that's taken from? It is written on the
10 walls of the Pennsylvania Supreme Court in this
11 building.

12 What that's saying is, fellows, that
13 this law -- or law, to be legitimate, must be in
14 line with this law. It must be in subjection to
15 this. In other words, it must be law that
16 enforces this law, not one that creates a law
17 itself.

18 And so I believe we are having a
19 reaction here. You see what I believe, we have
20 come up with these common law courts all across
21 the country. Why? Because we no longer have
22 common law. We have a statutory law.

23 If you'll take my chart -- and this is
24 what I teach in my Free the People Committee
25 meetings. It take takes me two hours to present

1 this material to inform the public as to where we
2 are in the monetary system -- by the way, it was
3 mentioned about lawful money.

4 Constitutionally, this is not lawful
5 money. You may think it is, but it's not. This
6 is an evidence of debt. Okay. And you need to
7 study that. There I have three -- the
8 definitions of money here. Where does it come
9 from? It's created out of thin air.

10 I also mention here the Federal Reserve
11 Act, the United States Federal Bankruptcy, March
12 the 6th, 1933, in which Mr. Morrison's also
13 mentioned which, yes, suspended the Constitution,
14 in essence. It is a war and emergency powers act
15 which we are still living under today.

16 And then that also has judicial results
17 on the back of this. And this is what we're
18 dealing with today -- the judicial results. We
19 have ended up with a statutory jurisdiction.
20 We've ended up with administrative courts. We
21 have ended up with what is known as nisi prius
22 courts. They are fact-finding courts only.

23 If any of you had jury duty -- this is
24 where I got involved in all -- this is what
25 brought me here today. I had jury duty some

1 five, six years ago. It seemed to me something
2 was wrong. I didn't know what. But it seemed to
3 me something was wrong in the selection of a jury
4 and the charging of the jury to where the judge
5 told the jurors that you decide facts only, only
6 the facts.

7 I have a statement here -- and if you
8 read, by the way, the York County Handbook for
9 Jurors, that is exactly what it says. The jury
10 decides the case under the law as it's stated by
11 the judge according to the facts only.

12 Now, here's a statement by John Jay
13 (phonetic), the first chief justice of the U.S.
14 Supreme Court: The jury has the right to judge
15 both the law as well as the fact in controversy.

16 We do have the right to judge the law is
17 what this gentleman says. Several other -- many
18 quotes like that about judging the law and the
19 facts because, you see, legitimately, sometimes
20 there are laws that are passed that are not good
21 laws and we the people are left as a fourth
22 branch of government to decide that particular
23 law, whether it's good or not.

24 A good example of what I'm talking
25 about, there's a fellow by the name of William

1 Penn. You may have heard of him. He's the
2 founder of this great state.

3 William Penn was in jail for violating a
4 law, but the jury refused to convict him because
5 the law was not legitimate. There is such a
6 thing as a law that is not legitimate.

7 And what I'm saying is I think there are
8 people across this nation -- it's not a localized
9 problem -- who are beginning to be prosecuted in
10 one sense or another and they don't have a guilty
11 conscience. They're not guilty. It's a zoning
12 violation or it's some sort of a -- see, there
13 are two kinds of law.

14 There is a law that is intrinsically
15 evil -- there's a law that prosecutes things that
16 are intrinsically evil. Everyone knows it's
17 wrong to murder, steal, lie, you know, commit
18 immorality. That is a law -- it's like the ten
19 commandments -- that's intrinsically evil.
20 Everyone knows that.

21 But there's also a different kind of law
22 which says that you can declare anything illegal
23 no matter what. One says that you can do
24 anything unless it's prohibited. Thou shall not.
25 Thou shalt not.

1 The other one says, you can't do
2 anything unless it's permitted. We are now
3 living under this second kind of law in this
4 country. We cannot do anything unless it's
5 permitted.

6 And when you begin to declare things
7 unjust that really aren't unjust
8 necessarily -- let me give you an example, a very
9 mild illustration maybe. For lack of a better
10 illustration, for example, the seat belt law, if
11 get in my car and I drive down the road -- and I
12 understand you're trying to pass a seat belt law
13 to where individuals can be stopped and ticketed
14 and fined if they don't have their seat belt
15 on -- if I get in my car and drive down to the
16 grocery store without a seat belt, the policeman
17 stops me and gives me a ticket for not having a
18 seat belt on, well, that's against this statutory
19 law, administrative law; but is it against common
20 law?

21 You see, in common law, there has to be
22 a victim. Where's the victim? I haven't hit
23 anyone. I haven't hurt anyone. I haven't
24 damaged any property. You can't bring a victim
25 into the court; yet I'm guilty. But yet, you see,

1 my conscience doesn't necessarily tell me I'm
2 guilty. Okay.

3 And so what I'm saying is the law that
4 is now in place, this nisi prius court type law,
5 administrative jurisdiction, has just like this
6 glass on this table, this country was founded on
7 what's called common law. It was common to those
8 in authority as it was to the people. Everybody
9 was under the same law.

10 And we'll say that's like the table,
11 common law. But there has been another law
12 that's been superimposed upon that law like this
13 glass sleet. And now we have this other law in
14 front of us and we cannot get to the common law.

15 And all I'm saying is these people in
16 these courts are trying to get back to a common
17 law to where they would like to go into the court
18 and say, Listen, I am not guilty. My conscience
19 has not been violated. I would like to be -- if
20 you want to prosecute me, prosecute me under the
21 common law.

22 Indeed, if the courts were to do that,
23 they would have to throw the case out. And so we
24 have a large segment of our society trying to get
25 back to legitimate law, not like this glass

1 sheet, the color of law -- the color of law.

2 In essence, what happens when you take a
3 statutory law, when you take the law of statutory
4 and it's supposed to be under the common law and
5 you begin to pass laws that are outside the
6 common law and not in jurisdiction to the law, as
7 Sir William Blackstone said in the statement on
8 our Supreme Court laws, you begin to pass laws
9 that are not in line and not legitimate with the
10 revelation of the Word of God.

11 Then that law begins to get a supremacy;
12 and eventually, it takes total supremacy even
13 over the law of God as we know in many countries
14 such as China, such as other countries where they
15 cannot hold church, they cannot exercise their
16 religious freedom because the law says they
17 cannot.

18 Well, what law says they cannot? It's a
19 statutory law. It's the King's law, if you
20 please. King George's third law, if you please.
21 And so this is where we have come to. We don't
22 have a king in this country, but now we have a
23 law system that has become king, you see.

24 And all I'm saying is we have people
25 throughout this nation who are trying to reach

1 the common law which has been covered up, and
2 this is creating the problem. They're victimless
3 crimes.

4 For example, a fellow building a shed on
5 the back of his property. What is inherently
6 evil about building a shed on the back of your
7 property -- nothing. But if he enters the court
8 system, he has to pay attorneys and he has to do
9 all sorts of legal maneuvers to unhook himself or
10 to pay the fine, so to speak, then there he is, a
11 guiltless crime, a victimless crime.

12 And I telling you it's beginning to show
13 up. We're beginning to see problems as a result
14 of what we've put in place. And also, by the
15 way, I have a couple of other -- the gold fringe
16 flag was mentioned here.

17 And here is a letter which I have
18 written, treatise really, on government, on two
19 philosophical approaches to government. Before
20 you gentlemen vote to approve this law, I think
21 you should read this. Two philosophical
22 approaches to government, and it deals with the
23 gold-fringed flag.

24 Also in this packet we have a little
25 document which shows you about the gold-fringe

1 flag, what each represents. Just recently in
2 Lancaster County, many of the Christian people
3 went to a gathering with Senator Arlen Specter
4 and to talk about Christian persecution around
5 the world.

6 We're beginning to see some Christian
7 persecution in this country. And so during the
8 questioning, Senator Specter answered a question
9 and he used the term -- if you have that chart,
10 turn to it -- and he used the term in his answer
11 that we have a "legislative democracy."

12 That's the term he used. Probably no
13 one understood that but maybe a couple of fellows
14 sitting at a table. If you look at the first
15 line there, it says, The type of government under
16 these two United States -- one is a
17 Constitutional republic is what we are supposed
18 to have. The other, the federal jurisdiction, is
19 a legislative democracy. All right.

20 And there's where we are today. We're
21 under a different kind of law than our founding
22 fathers intended us to be under. We're
23 under -- we are under the color of law, not law.

24 Also, I have written a letter as a
25 result of some court cases in York County; and

1 it's relative to the fully informed jury, which I
2 mentioned previously. It's called Freedom from
3 Tyrants, Injustice for All. I beg you to read
4 that relative to the fully informed jury.

5 You may say that some of this material
6 is a bit inflammatory. I would hope that if
7 Patrick Henry read this material he'd give me an
8 A plus and some of our founders read it they
9 would give me an A plus.

10 There's a little book called The Law
11 that I think you gentlemen should read. It was
12 written by Frederic Bastiat in 1849 prior to the
13 French Revolution. It discusses what law is and
14 what law is not. It's not a quick read. It's a
15 small book, but it's not a quick read. It takes
16 some thought. And he discusses what law is and
17 what law is not.

18 You have, as we said, the two kinds of
19 law. The -- see, what happens, gentlemen, when
20 law gets out from underneath -- when so-called
21 law gets out from underneath The Law, you begin
22 to have things such as -- such as used-to-be-evil
23 are now declared to be okay.

24 And when you declare things legal that
25 used to be unlawful, you also have to declare

1 some things that used to be lawful unlawful, or
2 illegal.

3 For example, I was just before the
4 hearings last year relative to the hate crimes;
5 and some of the bottom line of the hate
6 crime testimony is coming down to legitimizing
7 sodomy. That's where that's headed. I gave
8 testimony to that fact.

9 Now, if we can take a law and we can
10 take something that used to be a crime and used
11 to be a vice and we can make it okay -- let me
12 give you another illustration of that. What
13 about the lottery? Gambling used to be illegal.
14 Now it is legal, run by the state.

15 What about murder? Used to be illegal
16 to have an abortion. Now we make it legal. In
17 fact, there was a bill passed recently signed by
18 Governor Ridge which was to -- a bill to protect
19 the unborn. Maybe some of you voted for that.

20 And it was to protect the unborn; but
21 the bottom line of that -- when I read that, I
22 said this sounds pretty good. This sounds great.
23 I think we're going to make some progress. But
24 the bottom line of that, it exempted abortionists
25 for committing murder.

1 It exempted premeditated -- conspiracy
2 to commit premeditated murder, it exempted that.
3 And so what I'm saying is when we have the law
4 get out from underneath The Law, The Law of God,
5 then eventually that law becomes that which
6 suppresses the Law of God. And that, my friends,
7 is where we're headed in this nation.

8 We're already on the train. It's not a
9 matter of are we headed in this direction? We
10 are headed in this direction. And what these
11 people are saying out here, some of them -- and,
12 again, I don't endorse everything that all of the
13 common law movements do. I don't endorse the
14 violence.

15 But all they're saying is somebody ought
16 to pull the emergency switch and take a look
17 where we are headed. And now, what we're saying
18 here, you are now going to create another law
19 which will, in fact, increase the thickness of
20 this glass to allow people again to try to get
21 back to what is known as common law.

22 So hopefully this will give you a little
23 bit of light. I -- in this book, The Law, let me
24 read you a statement by Frederic Bastiat.
25 French philosophers said it this way:

1 The law perverted and the police powers
2 of the state perverted along with it, the law, I
3 say, not only turned from its proper purpose but
4 made to follow an entirely contrary purpose.
5 Instead of checking crime, the law itself guilty
6 of evils it is supposed to punish.

7 What is the purpose of law, gentlemen?
8 There is a legitimate purpose of law. It is to
9 prosecute the evil and to promote good. Now, you
10 have to ask yourself a question. If it is to
11 prosecute evil and to promote good, then who
12 decides what is good and evil and where do you
13 find what is good and evil?

14 Sir William Blackstone told us. It's
15 written on the walls of the Supreme Court.
16 Indeed, they have the Ten Commandments behind the
17 bench. This is where you find good and evil.

18 And when we get outside this and we
19 begin prosecuting people under statutory to where
20 they do not have a guilty conscience, that's
21 called injustice. And when injustice reigns in
22 the land, you create something you don't want.

23 You create what we have here today and
24 the reason we are here today. We are looking at
25 a reaction, a reaction to what has been created

1 in this country. And all I say in my Free the
2 People Committee meeting is, We need to get back
3 to this. This was a Christian nation. It is
4 changing.

5 I'd be glad to entertain any questions.

6 CHAIRMAN BIRMELIN: Representative Carn?

7 REPRESENTATIVE CARN: No questions.

8 CHAIRMAN BIRMELIN: Representative
9 Masland.

10 REPRESENTATIVE MASLAND: Thank you,
11 Mr. Chairman. I skimmed over your materials real
12 quickly and, quite frankly, was looking for one
13 of the details on gold fringe and I don't see
14 anything specifically in your papers.

15 You call it "the dirty old rag" and you
16 have a bunch of different things comparing the
17 old, the new, the good, and the bad. But what is
18 the basis for objecting to the yellow fringe on
19 the flag like we have here behind us?

20 MR. GROVE: Well, simply because it
21 creates a different jurisdiction. It creates --

22 REPRESENTATIVE MASLAND: How?

23 MR. GROVE: Well, again, you've got to
24 go back -- again, I ask you to not skim this, to
25 read this.

1 REPRESENTATIVE MASLAND: Well, I'll read
2 this. I really want to know, I mean, because that
3 boggles my mind. I'll be perfectly frank with
4 you that some of the things you say make sense.

5 MR. GROVE: Right.

6 REPRESENTATIVE MASLAND: But if you're
7 going to tell me that just because somebody
8 sticks gold fringe around the American flag that
9 that somehow invalidates everything we do, think,
10 or say in a courtroom or in this building right
11 now, then that really --

12 MR. GROVE: I'm saying that's part of
13 it.

14 REPRESENTATIVE MASLAND: Well,
15 disconnect here. So can you tell me, Is there a
16 law somewhere that says you can't put yellow
17 fringe on the flag?

18 MR. GROVE: It is against the law to
19 deface the flag.

20 REPRESENTATIVE MASLAND: And how does
21 that constitute defacing the flag?

22 MR. GROVE: If I were to take that flag,
23 an American flag, and put a blue fringe around
24 it, I could be prosecuted. How has that end up
25 with a yellow fringe? And there are laws --

1 there are laws about the rule of the flag.

2 REPRESENTATIVE MASLAND: Set me straight
3 then. Where is there a law that says you can't
4 put a gold fringe around the flag?

5 VOICE: I'll address that.

6 MR. GROVE: I will supply you the
7 information --

8 CHAIRPERSON BIRMELIN: No, sir. When
9 you get an opportunity, you may --

10 MR. GROVE: I will supply you the
11 documentation and the information about that flag
12 and the use of it and what that represents as a
13 yellow fringe. All basically I'm giving you here
14 is a summary of what this is, okay.

15 REPRESENTATIVE MASLAND: I guess I have
16 a hard time seeing how that yellow fringe, which
17 most of us do not see as some insidious communist
18 threat, is somehow just that, that that somehow
19 makes us the United Socialist States of America,
20 as you have in your materials, how that gold
21 fringe in and of itself does that and represents
22 that.

23 MR. GROVE: Well that gold fringe in and
24 of itself doesn't do. It's what's behind that
25 and what that represents is what is actually --

1 what we're talking about here.

2 REPRESENTATIVE MAZLAND: Well, I would
3 love to see some statutory reference that clearly
4 states -- clearly, not interpretation -- that you
5 put gold fringe around the flag, that's in
6 violation of some federal statute.

7 MR. GROVE: Okay. I will supply you the
8 information relative to the flag.

9 REPRESENTATIVE MASLAND: As just a
10 couple other comments. As bad as you say things
11 are -- and I'll agree we have problems and I
12 would agree that the federal government has gone
13 too far in a number of areas that clearly are
14 beyond the intent of the founders in the
15 federalist papers, et cetera.

16 But as bad as you say things are, is it
17 not at least comforting that you are here today
18 before us with your first amendment rights intact
19 and able to say what you think about these
20 various problems?

21 MR. GROVE: Yes, it is very comforting;
22 but I wonder how long that will last.

23 REPRESENTATIVE MASLAND: Well, I guess I
24 try to be a little bit more optimistic about
25 things than maybe you are and -- I think I'll

1 just leave it at that. Thank you.

2 MR. GROVE: Sure.

3 CHAIRMAN BIRMELIN: Representative
4 Caltagirone.

5 REPRESENTATIVE CALTAGIRONE: Sir, I
6 would defend to the last your right to say
7 whatever you feel, whether we disagree or agree.
8 And I think that's one of the tenants of our
9 democracy.

10 You had also mentioned in being a
11 student of history, especially American history,
12 one thing that has always stuck with me and
13 especially up here in this particular position as
14 helping to write the laws of the state, you
15 referred to a lot of the previous English
16 history.

17 And I don't know if you ever came across
18 the Magna Carta and what that was all about; but
19 the founding fathers in this country established
20 one very, very important thing that you failed to
21 mention. We are not a government of men but of
22 the law. Okay.

23 MR. GROVE: Right.

24 REPRESENTATIVE CALTAGIRONE: They
25 established that principle when they broke from

1 the mother country.

2 MR. GROVE: Right.

3 REPRESENTATIVE CALTAGIRONE: And they
4 helped to craft a document under which we have
5 tried to live all these years called the
6 Constitution, both of the state and of the
7 federal government.

8 And those founding fathers knew that
9 rather than having the whim of man under which
10 previous history of the world had revolved, they
11 wrote it down. They called it the Constitution.
12 They called it the Bill of Rights. So we knew.
13 Nothing has been perfect. None of us are
14 preordained that we're going to be perfect.

15 Law isn't perfect, and that's why it's
16 meant to change. And we have changes in
17 leadership in this state, in this country; and
18 it's an ebb and flow, constantly an ebb and flow.

19 But this country has afforded everybody
20 the rights. Whether we agree or disagree with
21 the most outlandish statements and the things
22 that they may want to do or say, those rights
23 are, in fact, protected. And I agree with you;
24 we need to guard those rights.

25 We may not always agree, but we need to

1 protect the rights of those that we disagree
2 with. And I just, you know, want to lay at your
3 doorstep, we do have a constitution that we live
4 by in this state and in this country and a bill
5 of rights; and we wrote it down to protect those
6 rights of all of us.

7 MR. GROVE: Can I make a response just
8 quickly to a couple of things that you mentioned?
9 You mentioned the word democracy, that we have a
10 democracy. Our founding fathers despised a
11 democracy. They did not give us a democracy.
12 They gave us a republic, which is ruled by law.

13 And you mention that we have law in this
14 nation. But my question is and my concern is,
15 gentlemen, What law? What law are we operating
16 upon? And all I'm saying is that these groups
17 have seen that; and from their perspective and as
18 I've checked into this, to a great extent the law
19 itself has been subverted.

20 Just where does a person get to a common
21 law court in this country? That's a good
22 question. When have you ever seen someone tried
23 on common law in our Common Pleas Courts? It
24 doesn't happen. It did recently. And how they
25 got it in, I don't know; but it was with the

1 Dr. Kevorkian they mentioned common law.

2 But how does someone get to the common
3 law? And that's all these people are asking. We
4 want the common law back.

5 CHAIRMAN BIRMELIN: Thank you, Pastor
6 Grove. Pastor Gary L. Hahn here yet? You are.
7 Would you -- welcome, Mr. Hahn. You're free to
8 give your testimony at any time and, if you
9 would, sit for questions afterwards. Thank you.

10 MR. HAHN: First of all, I'd like to
11 thank the Chairman and this Committee for
12 opportunity to give testimony. I will be very
13 brief in that my brother, Jim Grove, Pastor of
14 Souls Haven Temple, I thought was very, very well
15 versed and handled a lot of the issues that I
16 myself would have handled; so I will be very
17 brief.

18 In addition to thanking the Chairman and
19 this Committee, I'd like to thank Almighty Father
20 God Yaweh (phonetic) and my Lord and Saviour
21 Yashooa (phonetic) Jesus the Christ for giving me
22 safe passage here today and for giving you safe
23 passage; and I would hope and pray that he would
24 give us both safe passage back to our place of
25 residence.

1 I come here today not as a voice of
2 challenge but a voice of peace, hope, and of
3 reason. Now history, as we've been shown today,
4 records that as governments have become
5 bureaucratic corporations and our courts, they
6 have become more distant, unresponsive, and
7 burdensome to the people.

8 I found it interesting to note that the
9 gentleman who represented the clerks told us that
10 the problem's not in the paperwork, it's in the
11 unqualified people receiving it not knowing how
12 to handle it. That's being unresponsive to the
13 people.

14 Our reliance upon God, godly common law,
15 and biblically based ideas of morals and justice
16 are being and have been replaced by man's feeble
17 efforts to regulate actions based on evolving
18 ideals of right and wrong.

19 The key word is "evolving." If something
20 is right today or wrong today, why does it become
21 just the opposite down the road? Things change;
22 truth does not. Consequently because of this, a
23 great gulf has developed between the government
24 and the people.

25 The Biblical warnings about the love of

1 money have been borne out by these changes in
2 regulations that seek mainly to enhance revenue
3 and, of course, to secure power where there is no
4 true authority.

5 If that authority is not based on the
6 word of God, it's only a grab of power. These
7 present day hearings being held under that
8 federal fringe flag and Senate Bill 771 serve as
9 an awakening call of further proof of that fact.
10 And I would be glad to give information on the
11 federal fringe flag in writing to anyone who
12 wishes it.

13 It is a fact that Pennsylvania as a
14 Tenth Amendment state continues to follow the
15 example of the Federal DC government and the New
16 World Order, which now even the government admits
17 exists, in centralizing power out of the hands of
18 the people. And this, gentlemen, like it or not,
19 the people will not tolerate indefinitely.

20 The Holy Scripture teaches us that man
21 is to obey God rather than man, but it does teach
22 us that we are to obey government so long as that
23 government is based upon the truth of Scripture
24 and God's Word. We find that both in the Old and
25 the New Testament.

1 It is not hard as a pastor to go before
2 the people and tell them to obey laws that are in
3 line with our God's Word. It is very difficult
4 to go before them and ask them to disobey God so
5 as to be good citizens.

6 Scripture clarifies that by telling us
7 that we are to resist the devil; we are to cast
8 off all works of darkness; And when we are forced
9 to make a choice between God and man, we must
10 obey God even at our own peril.

11 I believe that the nation Republic of
12 America and this Commonwealth are to follow the
13 teachings of God's Word. We find them, as it was
14 noted, even on the walls of this building in
15 which you work.

16 Senate Bill 771 I believe would weaken
17 or destroy the founding principles of common law
18 redress, the right to travel unhindered, and the
19 right to make our decisions based on Biblical
20 truth and our conscience.

21 I believe that if you reject this
22 warning and you continue taking us down the road
23 that we are currently on it will be as a decision
24 that will bring upon us something that no one
25 truly desires -- a decision that had to be faced

1 by our forefathers many years ago.

2 I would ask you to prayerfully reread
3 your own oaths, consider the historic examples
4 that I have given you today and others, and then
5 I would ask that you would pray and humble
6 yourselves, truly humble yourselves as men
7 before Almighty God -- not before me, not before
8 the others who testified -- but before Almighty
9 God, turn from the wicked way of making and
10 passing regulatory law that is opposed to God's
11 law and seek his restoration not only for
12 yourself but for our nation's state of
13 Pennsylvania.

14 Let us choose to build in peace a
15 Commonwealth based on true law, on God's law.
16 But the warning that I must leave in closing is
17 that if we fail to do that, the consequence that
18 our forefathers had to bring forth in their day
19 will most certainly take place again in ours.

20 I don't seek this; you don't seek this;
21 but it cannot be avoided if we reject truth.
22 That's all I have.

23 CHAIRMAN BIRMELIN: Representative
24 Masland.

25 REPRESENTATIVE MASLAND: I almost

1 hesitate to say this because I know it opens up a
2 whole other debate that we don't have time to get
3 into, but I'll just throw this out there for your
4 consideration and for everyone's consideration
5 and be happy to get your feedback later on. As I
6 said, I've got to leave in five minutes. I don't
7 expect you to be able to answer this. I.

8 Believe that you cannot take things out
9 of context, whether it's the Constitution or the
10 Bible. And one of the sections of the Bible that
11 has given us the most trouble as we try to deal
12 with our leadership is probably the letter of
13 Paul to the Romans:

14 Romans 13 verses 1 to 7, which basically
15 says to us that we are to obey our leaders. I
16 mean, it says more than that. The leaders have
17 the sword; we do not have the sword. And
18 the -- I guess I mention that in that that letter
19 was written in context during the reign of Nero.

20 Nero was not a very nice person. He
21 was, I think most of us would say, evil, pretty
22 clearly. Now, I don't -- as much as we have
23 problems in the United States today, I don't
24 think that we are at the level of Nero.

25 If you want to respond in the next

1 couple minutes or so, that's fine; but, you know,
2 I almost apologize for throwing that out there
3 because I think that's probably a couple sermons
4 and not a five-minute answer.

5 MR. HAHN: I would like to respond.
6 Romans 13, as you said, does tell us to obey
7 government. Isaiah 9:6, 7, and 8 tells us what
8 government is. It's based upon the laws of God
9 or, as it says, the shoulders of his Son, Yashooa (phon
10 Jesus the Christ.

11 If you'll go further in Romans 13,
12 you'll see where he tells us that there is a time
13 to cast off the works of darkness. If you'll
14 turn to Isaiah Chapter 10 verse 1 you'll find
15 what that is. Not all government is ordained of
16 God. If.

17 I were to stand up right at this moment
18 and display an automatic weapon, temporarily for
19 a few moments I would be the government of this
20 room. Certainly, that would not be ordained of
21 God.

22 And there are governments that come into
23 power by elected -- people electing them that are
24 not ordained of God; i.e., Adolph Hitler was
25 certainly not ordained of God. God's government

1 is based upon God's laws. You do not represent
2 the people unless you represent the law that
3 God's government is based on.

4 REPRESENTATIVE MASLAND: Would you not
5 at least agree with me that based on Romans that
6 the power of the sword belongs to government and
7 not to those opposing government and that it is
8 not for the people, whether they are opposing
9 Nero or anybody, to necessarily take up the sword
10 in that aspect?

11 MR. HAHN: I think God's people have
12 always taken a defensive mode. Now, if the power
13 of the sword means as to be the aggressor, I
14 don't see the Christian people or the common law
15 believers as aggressive people seeking to
16 overthrow through violent means.

17 As to whether or not they would allow
18 you to walk into their home or your
19 representatives and overthrow them in their own
20 place of quarters, no, I don't believe that at all.
21 I believe the sword at that point would pass to
22 the rightful representative of God.

23 And the Old Testament is replete with
24 those truths where God's people -- and the New
25 Testament -- we're told that we have a right and

1 a duty to defend. Aggressive? No. Defensive?
2 Most certainly.

3 I would have to say that if you were to
4 come into York, Pennsylvania, through your
5 representatives and attempt to create or recreate
6 another Waco, I believe people would stand up in
7 defense.

8 Would we come here looking for you
9 trying to overthrow you? No. We're not
10 aggressive; but we are willing, able, and sworn
11 within our own hearts individually to defend that
12 which God has placed in our stewardship.

13 REPRESENTATIVE MASLAND: No further
14 questions, Mr. Chairman. Thank you.

15 CHAIRMAN BIRMELIN: Representative
16 Caltagirone?

17 REPRESENTATIVE CALTAGIRONE: No.

18 CHAIRMAN BIRMELIN: Well, I will say,
19 knowing a lot of pastors that I do, you did a
20 great job answering as briefly as you did with
21 that last question. We want to thank you for
22 coming here, Pastor. Thank you for your
23 testimony.

24 Our last testifier for the day is
25 William Taylor Reil. Mr. Reil, do you have a

1 prepared text for us this morning?

2 MR. REIL: I have some material that I'd
3 like to --

4 CHAIRMAN BIRMELIN: Feel free to
5 distribute anything you have with you.

6 As Mr. Reil is preparing himself, let me
7 just make a couple of statements for the benefit
8 of those of you who are here. First of all, this
9 is a public hearing. We are not voting on this
10 bill either today or maybe not necessarily ever.

11 But I was asked to chair the Committee
12 meeting by the Chairman of the House Judiciary
13 Committee because the bill has passed the Senate,
14 is in the House Judiciary Committee, and there is
15 that potential for it being voted on in the full
16 Judiciary.

17 This is not the full Judiciary. So just
18 as a point of information, this subbody, this
19 Subcommittee would not be voting on this
20 legislation; although, all of those members who
21 were here today are members of the larger House
22 Judiciary Committee.

23 And if that bill should come before us
24 as an item on our agenda to vote, we would be
25 asked to do that. Hence, when we ask for written

1 testimony, we see that every member of the House
2 Judiciary Committee gets copies of that. And I
3 think the number of the Committee now is 26-- is
4 that right, Representative Caltagirone, is 26
5 members?

6 REPRESENTATIVE CALTAGIRONE: (No audible
7 response.)

8 CHAIRMAN BIRMELIN: So we do provide the
9 testimony of those who are here. So I would
10 suggest to Mr. Reil and Pastor Hahn and Pastor
11 Grove, if you wish to submit something written
12 subsequent to your being here today, that we will
13 see that all Committee members get that. So just
14 so you are aware of that. Yes, you have a
15 question?

16 MR. GROVE: The material that I gave you
17 I gave enough copies for everyone.

18 CHAIRMAN BIRMELIN: Okay. As long as
19 you've done that. But I'm saying if you have
20 additional material that you have not
21 submitted -- and that's Judy our secretary over
22 there -- if you have something that you would
23 like to submit at a later time, then that's
24 perfectly acceptable and you can just make sure
25 that the Committee Chairman has it and he will

1 distribute it to all of the Committee members.

2 Okay.

3 The other thing I wanted to mention to
4 you was that we did change our time schedule and
5 we're running -- we're almost caught up to where
6 we should have been, I guess. But we want to
7 thank you for your patience and those that have
8 given your testimony and your willingness to
9 answer the questions and the civility with which
10 we've done that. I appreciate that. Mr. Reil,
11 are you ready yet?

12 MR. REIL: (No audible response.)

13 CHAIRMAN BIRMELIN: You may begin.

14 MR. REIL: Thank you very much,
15 Mr. Chairman. I do appreciate the opportunity to
16 speak. And it's amazing some of the statements
17 that have been made -- and those gentlemen have
18 left; but I guess in due course I'll respond to
19 those in a lawful way.

20 However, there have been a number of
21 allegations made in the paperwork that's been
22 submitted and a few comments made that frankly
23 have no foundation in law. And so my intent is
24 to bring some law to this issue, and I am
25 constantly amazed by the lack of understanding of

1 the law.

2 I've spent a number of years studying
3 the law and studying history; and I ask everyone
4 when I talk, if did I'm wrong, please help me
5 understand where I'm wrong. Prove to me. Just
6 don't say I feel this or I believe this, but show
7 me in the law and history that can be validated
8 where I'm wrong and I will correct my position.

9 I think it's important that a government
10 body have that as a guide before you do anything.
11 And clearly, the State Constitution where it
12 hasn't been subverted and perverted over the
13 years -- and the evidence is before you in the
14 papers.

15 We publish -- the Pennsylvania Committee
16 of Correspondence publishes the Pennsylvania
17 Press, Patriot Press. And you have the four
18 copies before you, and I'll be referring to some
19 of those papers as we go through this morning.

20 But you certainly have the evidence in
21 your hands; and that's been submitted, frankly, to
22 the Pennsylvania House. And I know that
23 Representative Caltagirone remembers a filing
24 that I did in 1993 in reference to the
25 constitutional amendment that was allegedly done

1 then.

2 It was absolutely unconstitutional and
3 always has been and continues to fester this
4 problem. And I think Pastor Grove summarized law
5 very well.

6 And I would again remind all those who
7 are listening to this or particularly the members
8 here that that is, in fact, the problem. And
9 when you give alleged authority to people who
10 have a gun, they become lawless, armed bandits
11 and they attack us often.

12 And it is, in fact, legislative
13 absolutism that reigns in this state and every
14 state. Justice Harlon said in the case Down
15 versus Bidwell in 1901 in his dissenting opinion
16 when the Supreme Court was saying that Congress
17 had authority outside the Constitution, he says,
18 Wait a minute. Congress only exists -- and I
19 would say this body only exists -- by virtue of
20 the Constitution and it only has powers given to
21 you by the Constitution. And that's the state
22 constitution first and then the federal
23 constitution, not the other way around.

24 And he said, If we ever accept this
25 premise, we'll have two forms of government:

1 One limited, controlled, and chained down by the
2 constitution and another of legislative
3 absolutism. And that would be worse than a
4 monarchy. Clearly can never be.

5 I would suggest that studying the law,
6 the true history would be advisable to all those
7 who want to make the law. And I am amazed as I
8 go amongst representatives and senators and ask
9 the question, Have you read the Pennsylvania
10 Constitution? Do you understand it? And the
11 answer is generally no to both questions.

12 This is astounding to me. I conclude
13 from that either they don't care, which I find
14 that rather surprising; or it doesn't matter
15 anymore. The latter is the case certainly in the
16 courts because I've been told that, and I do go
17 to court quite frequently -- not by choice most
18 of the time.

19 And I do defend myself. And I'm often
20 told, The Constitution doesn't apply here.
21 Gentlemen, if it doesn't, they don't have a job.
22 They have absolutely no authority.

23 I have a nonfringe gold flag of
24 Pennsylvania before me. And if you'll go search
25 the statutes, in 1799, that was the flag

1 established in Pennsylvania, not the 1907 with
2 the fringe on it, which is a military flag. And
3 if you'd like in our testimony on what the flag
4 is, I'll be glad to give that to you.

5 I don't think that's what I want to do
6 today. The jurisdiction of this body is set by
7 what is around us. The flag is, in fact, a
8 symbol of that jurisdiction. And that
9 gold-fringed flag is a military flag -- it always
10 has been -- and imposes admiralty jurisdiction,
11 it's my understanding.

12 That is not the jurisdiction under which
13 I find myself or ever will unless -- unless I was
14 in the military, which I did do for eight years
15 and served my country very well.

16 I do understand these issues, I do you
17 understand the law, and I am appalled when
18 testimony comes forward unfounded in any fact or
19 law such as the Anti-Defamation League which has
20 now twice liabled themselves and slandered my
21 name and violated Article 1 Section 1 of the
22 Pennsylvania Constitution.

23 That shall not be tolerated and should
24 not be tolerated by anyone, particularly
25 attorneys. Oh, sorry, all attorneys are officers

1 of the Judicial Branch; and I find that a serious
2 conflict in their interest in trying to serve the
3 people since they're sworn by oath -- it's Title
4 42/25/22 to the court first.

5 It took me twice to go through the
6 courts to prove that all attorneys are officers
7 of the Judicial Branch, and I have done that.

8 Relative to the issue at hand, if you
9 even consider 771 you violate your constitutional
10 oath. To chill Article 1 Section 7 is what
11 you're attempting to do or the Anti-Defamation
12 League would have you do.

13 What's their agenda you ought to be
14 asking, not what is the issue as Pastor Grove has
15 brought up, what the people are trying to do to
16 recover our freedoms and liberty. Men have
17 constantly died to preserve freedom and liberty.

18 And I, like Pastor Grove, do not endorse
19 all people. I'm an individual. I'm a learned
20 individual. I speak for myself. I defend
21 myself. And I shall do that as a God-given
22 responsibility and duty.

23 But to have someone -- some group or
24 some legislator arbitrarily and capriciously say
25 that we're not going to entertain a filing

1 violates the very essence of liberty and freedom.
2 In fact, it violates the Constitution.

3 It violates the laws agreed upon in
4 England by William Penn in 1682. You cannot do
5 it lawfully. And by definition, if it's
6 unlawful, it's color of law. Has the form of
7 law, but is not law.

8 And so if you pass this statute, I
9 suggest probably the ones that are going to be
10 prosecuted the most are those people involved
11 either in passing it or implementing it, not the
12 citizen.

13 And the jurisdiction is an interesting
14 question. It is, in fact, the first question
15 that must be asked in any body, isn't it? Do you
16 have authority to do anything? Does a court have
17 authority to do anything?

18 And that jurisdiction has to be proven
19 to effect the individual, in persona, and the
20 subject matter, in rem, and you must also prove
21 venue. Pastor Grove referred to this fictitious
22 color of law that you've created. And you all
23 have been a party of it, and you continue to be.

24 And I'm saying to you as a sovereign,
25 and in this country that issue was settled in

1 1776. King George the Third and Parliament was
2 trying to impose laws that were unjust and
3 unlawful, and so to bring up Romans 13 is
4 ludicrous.

5 If it was not for those people, those
6 patriots, who cared about freedom and liberty,
7 you wouldn't be sitting there. So let's not get
8 off on that road. It's always right -- in fact,
9 I debated this in superior court and the court
10 was hushed when I finished.

11 It's also this separation of church and
12 state argument -- absolutely void. And the
13 evidence is in your hands in those papers. So
14 the law clearly says from before this was a
15 state in 1682, which was implemented into law by
16 the first act of the General Assembly in 1776 to
17 carry those laws forward.

18 And what has happened to this country
19 particularly in the 20th century and this state
20 is appalling. And the evidence again is before
21 you in the papers, and I'll be glad to provide
22 anything you want.

23 That's what I am trying to do is truly
24 educate people on the law and history and let
25 them, by a matter of conscience, which their

1 right -- their God-given right to do and protect
2 it and secure it by the state constitution and
3 the federal constitution.

4 The government gives me nothing. If you
5 want a Supreme Court case, read Hale versus
6 Hinkle, 201 U.S. 43 at 74. It will clearly tell
7 you what rights or authorities you have relative
8 to individuals.

9 I owe the state nothing. The State owes
10 me protection of my freedom and liberty, and
11 that's it. This is not a socialist state where
12 the government is the benevolent father. Oh, but
13 wait a minute. The Attorney General has declared
14 that. *Parens Patriae* is the position that he
15 takes.

16 I'm sorry, gentlemen; that is not the
17 case. And when you, in fact, realize that, as I
18 did a number of years ago -- I said, How in the
19 world did this happen?

20 By education, I'm an electrical
21 engineer. I approach this as an engineer and use
22 a scientific method to try to find out what's
23 really going on. And God has been so gracious
24 along with a lot of help to reveal that to me,
25 and I'm still learning; and would I hope you

1 would too.

2 But I buried myself over at the State
3 library. I buried myself at other
4 libraries -- law libraries. I do understand
5 what's going on here.

6 And if you don't listen, I'm afraid that
7 what Pastor Hahn has told you is an inevitable
8 end. If you study history, you know that's going
9 to happen.

10 Let's go to the issue of why relative to
11 travel, which is a tack-on amendment to that 771.
12 If I'm reading this correctly, Senator Greenleaf
13 added that on September 30th A.D., 1997. That's
14 correct. That was amended.

15 Well, the Philadelphia Enquirer did an
16 article on September 19th, which I will offer
17 into evidence, stating this: The subject was,
18 Police say phoney plates are no license to break
19 law.

20 Now, I don't hold a lot with the
21 Enquirer, I'll tell you that. They and I are at
22 great odds along with many other main media. One
23 of the reasons we have to publish our own paper,
24 to get the truth out.

25 But here in the back on the second page

1 as I've got it copied here it says, In April,
2 Senator Stewart Greenleaf, Republican
3 democratic -- excuse me -- Montgomery County,
4 introduced a bill drafted by the Anti-Defamation
5 League aimed at criminalizing such sovereignty
6 movement activities as impersonating illegal
7 tribunal, filing false papers.

8 Several western states have enacted such
9 laws. The bill doesn't address bogus plates,
10 says Greenleaf; but says, Maybe it should. So
11 the result of that change is a direct result of
12 Edwin A. Peeples, the Third, stopping and being a
13 good samaritan when I was stopped by a West
14 Pikeland Township police and assaulted unlawfully
15 on September 4th.

16 Now, that's not the first time I've been
17 assaulted unlawfully because I in 1993 learned
18 that Title 75 does not apply to me or to anyone
19 else -- anyone else operating on the public roads
20 in the ordinary course of life and business.

21 Perhaps that's something you don't
22 understand. Title 75, it's not unconstitutional;
23 and if you argue it that way, it's wrong. But
24 the application of Title 75 to citizens in their
25 private automobiles is unconstitutional,

1 unlawful, and you folks continue to violate the
2 Constitution.

3 In support of that, I will offer the
4 following: First of all, I think it's important
5 to know what the definitions of words mean. They
6 are so abused. In fact, there's so much
7 testimony and evidence to the fact that the
8 English language has been so abused and phrases
9 taken out of context, such as Romans 13 taken out
10 of context.

11 But when legislators are hoodwinked by
12 attorneys to believe something that's not lawful
13 and then go along with it, you're violating your
14 oath. You're violating the law. And if you want
15 to start investigating laws that are in the
16 books, there's more than enough -- more than
17 enough to imprison everyone. Everybody's in
18 bondage.

19 I think that's basically where we are.
20 In Title 75 -- the perfect example -- misapplied
21 and taken up and then broadly interpreted by the
22 courts to persecute and to collect revenue, which
23 was always the intent. It is unlawful.

24 First of all, what's the definition of
25 a license? It was mentioned to me and I think

1 it's well taken, isn't it amazing? Look around
2 at who's left when the real meat of this is
3 happening. The accusers, unfounded and unlawful,
4 have fled.

5 The gentleman who is an attorney
6 representing all of these people who, by the way,
7 are unconstitutional. It's under Statute.
8 Title -- Act 142 Pamalov (phonetic) 586 created
9 district justices, Section 1511. The
10 Constitution says they're all justices of the
11 peace.

12 A common law office been in Pennsylvania
13 since before there was a state. That Act is
14 unconstitutional. And it's subsequent act, the
15 Massive Repealer Act, Act 1978, dash, 53 Pamalov
16 202 is also unconstitutional; and the General
17 Assembly's been hoodwinked and carried along in
18 this for years.

19 In fact, it goes back many, many years.
20 And much of that evidence is in the documents
21 before you and the paper. However, before I
22 start on the definition of a license, I think it
23 would be well to refresh our memories on the law;
24 that is to say, all men are born equally
25 free -- this is Article 1, Section 1.

1 And I don't hold that this Constitution
2 is valid, but this has been in the Constitution
3 since 1776. All men are born equally free and
4 independent and have certain inherent and
5 indefeasible rights among which, not all, among
6 which are those of enjoying and defending life
7 and liberty of acquiring, possessing, and
8 protecting property and reputation and of
9 pursuing their own happiness.

10 That's God's destiny is what's meant by
11 happiness. Section 2 says, All powers inherent
12 in the people -- not attorneys, not the courts,
13 not the government -- the people and all free
14 governments are founded on their authority and
15 instituted for their peace, safety, and
16 happiness -- not control. Not control. Not
17 collecting revenue -- for the advancement of
18 these ends, they have at all times an inalienable
19 and indefeasible right to alter, reform, or abolish
20 their government in such manner as they may think
21 proper.

22 The Constitution applies to the people
23 individually and collectively, unlike what you
24 may have been told by attorneys. And just to
25 secure this, in the early Constitution this was

1 also included: Article 1 Section 25 says,
2 Reservation of Powers to the People.

3 To guard against transgressions of the
4 high powers which we have delegated, we declare
5 that everything in this article's excepted out of
6 the general powers of government and shall
7 forever remain inviolate.

8 You need to read this document when
9 somebody comes to you to try to get you to do
10 something such as the ADL or anybody else. Read
11 section -- Article 1 and say, Wait a minute, that
12 violates the peoples' rights. I can't do it
13 because I took an Article 6 Section 3 oath to
14 support -- defend -- support, obey, and defend
15 this Constitution, not the federal Constitution
16 first.

17 Somebody said about -- was raised about
18 having guns. You ought to read Article 1 Section
19 21. This infringe thing that's in the Federal
20 Constitution was a compromise. In Pennsylvania,
21 the right of the citizen to bear arms in defense
22 of themselves and the state shall not be
23 questioned.

24 Is there anything unsure or unclear
25 about those words? The constitution is to be

1 written in the language of the day so that the
2 people understand it. Don't let an attorney say
3 it doesn't mean what it says. It means what it
4 says.

5 And if you you'll study it, you'll find
6 they knew exactly what they were saying because
7 they knew that government is inherently
8 tyrannical. And, unfortunately, that's where we
9 find ourselves today.

10 The definition of a license -- and this
11 is out of the current Noel Webster's
12 Dictionary -- is the permission granted by
13 competent authority to engage in business or
14 occupation or in any activity otherwise unlawful.

15 Blacks Law Dictionary, 6th edition,
16 defines this as, The permission by competent
17 authority to do an act which without such
18 permission would be illegal, a trespass, a tort,
19 or otherwise not allowable.

20 I'm not making anything up. I don't
21 make anything up when I go to court.
22 Unfortunately, the courts don't want to listen to
23 the facts and the law. That being the case,
24 let's turn to some more law. That was the wrong
25 document I picked up there. If I could just have

1 a minute.

2 I'm sure everyone here is familiar with
3 American Juris Prudence, a collection of
4 decisions by the courts. 5 am jur -- American Juris
5 Prudence, Section 10 on automobiles states the
6 following under "C" status. I'll give a copy of
7 this to -- it's in the book, by the way -- I
8 mean, in the papers. All this is in there.

9 Section 10 says, Generally, right to use
10 highways. Obviously, the right of highways by
11 automobiles is lawful. Now, when I read that, I
12 said, Wait a minute. I just read the definition
13 of a license, and it says it has to be unlawful.

14 So how can be it be lawful, which
15 spurred my engineering intellect; and I said, I'm
16 going to find out what all this is. Under
17 constitutional law, which we're all bound
18 by -- actually, government's bound by. People
19 are not bound by the Constitution, are they?

20 It's a compact between the people and
21 government for the direction and control and
22 limitations of government, not acting on the
23 people. Under Constitutional law in 11
24 Am jur --, Section 329, it says the following -- I
25 won't read the whole thing:

1 It is a fundamental guarantee of
2 American constitutional government that no person
3 shall be deprived of his liberty without due
4 process of law. What you're trying to do is
5 deprive people of their liberty and freedoms and
6 rights by this statute. The liberty thus
7 guaranteed by the federal and state constitutions
8 is a very broad and extensive concept.

9 I'll skip over later to this section and
10 it goes to the point of this alleged -- alleged
11 statute and anything dealing with Title 75
12 relative to the right of travel.

13 Personal liberty largely consists of the
14 right of locomotion to go where and when one
15 pleases -- I'll wait -- to go where and when one
16 pleases Only so far restrained as the rights of
17 others may make it necessary for the welfare of
18 all other citizens.

19 The right of a citizen to travel upon
20 the public highways and to transport his property
21 thereon by horse-drawn carriage, wagon, or
22 automobile is not a mere privilege which may be
23 permitted or prohibited at will but a common
24 right which he has under his right to life,
25 liberty, and the pursuit of happiness.

1 Aren't we told that driving is a
2 privilege? Gentlemen, it is a privilege. I'm
3 not debating that. But using my automobile on
4 the public roads is a right. Let me continue.

5 Under this constitutional guarantee, one
6 may, therefore, under normal conditions travel at
7 his inclination along the public highways or in
8 the public places and while conducting themselves
9 in an orderly and decent manner, neither
10 interfering with nor disturbing another's rights,
11 he will be protected, not only his person, but in
12 his safe conduct.

13 We do not need to read any farther to
14 make a conclusion that what's going on with Title
15 75 is unconstitutional when it applies to us
16 using our automobiles. It's our property. You
17 cannot tax the use of a right to have property
18 and to use that property.

19 Acquire, possess and protect.
20 Possessing property means the right to use it.
21 This body has for years bought the line that
22 Title 75 belongs to me -- applies to me. You
23 cannot license automobiles constitutionally here.
24 You cannot license people to use them. You
25 cannot, but you do.

1 And every time you do pass something
2 that affects the people and their use of their
3 private property, you are violating your oath of
4 office. You are violating the Constitution, you
5 are violating the rights secured and guaranteed
6 to the people by both constitutions.

7 Under admiralty, however, that is not
8 the case. You're guilty until proven innocent,
9 and that's exactly the case in the courts today.
10 They have no jurisdiction. My analogy to that is
11 used often. The admiralty sits on the ship in
12 the harbor.

13 The flag is the flag of -- the law of
14 the flags clearly states that in the contract
15 delegated to do that, captain or admiral of the
16 ship or any of his emissaries, will be the law of
17 the flag of that ship.

18 I'm on the land, gentlemen. I am a
19 sovereign. I am a sovereign. I do not have a
20 social security number. I do not have a driver's
21 license. I do not have a birth certificate. I
22 have none of those limited -- contracts that are
23 so easily -- that people are so easily persuaded
24 to take. I have, in fact, eliminated them.

25 So when you are talking to me, you are

1 talking to the individual -- an individual who
2 was declared in 1776 as a Freeman. Who was
3 declared, in fact, in your reference to the Magna
4 Carta as a Freeman. In the early statutes of
5 this state, they were Freemen. The 1776
6 Constitution is replete with the term "Freemen."

7 So if, in fact, you do a broad brush to
8 condemn the Freemen, then you condemn yourself
9 because if you're not Freemen, you have no place
10 in government. And if you don't follow the law,
11 you have no authority, like the courts that we
12 have today.

13 The Common Pleas Courts -- this is
14 amazing. The Common Pleas Courts existed in
15 England before they existed here. Doesn't that
16 ring a bell? It's the common law courts, and
17 they exist today in each county.

18 What we have, unfortunately, is a bunch of
19 folks masquerading as law enforcement officers
20 and judges and district justices enforcing
21 statutory law that is not law. It's color of
22 law. I say this with great enthusiasm because it
23 needs to be said this way over and over again.
24 You need to understand your job.

25 I'm an electrical engineer by training.

1 If I were to design electrical systems the way
2 legislation is designed, we'd blow up everything
3 in this country and nothing would work. You've
4 got to know your job.

5 I base my designs -- and I got into
6 sales because I was better at that. But I based
7 my designs on math, experience, the law. You
8 plug in the wall, it better not blow up in your
9 hands. You go across a bridge, it better not
10 fall down and on and on and on.

11 You don't base that on somebody's blast
12 bridge like they built in San Francisco and try
13 to build it in, let's say, Minneapolis because
14 guess what? The weather's going to destroy that
15 baby in a heart beat.

16 If you build it on sand, it's going to
17 fall down. You do the data first and then you
18 write a law. Don't take what the ADL tells you
19 as being truth because I can tell you, he's
20 probably going to be prosecuted by me real hard
21 because this is the second time he's done this to
22 me personally. And that's not a threat. That's
23 absolutely not a threat. That's a fact.

24 Now, when I file papers, they're
25 absolutely lawful. William Penn said in the laws

1 agreed upon in England that they had to be in
2 plain English, short -- I'm not necessarily
3 short -- but short, in plain English so they
4 could be easily understood and justice
5 administered.

6 Start looking at the law and understand
7 that I have the right to represent
8 myself -- excuse me -- to be myself, to defend
9 myself. I don't represent myself; I am myself.
10 That's always interesting. That's a little trick
11 they pull. All right.

12 Or to have somebody else I trust in do
13 it for me -- not an attorney. Anybody. My
14 friend. And the way the courts would rule on
15 that issue is ludicrous. I always have a right
16 to trial by jury.

17 That's another ludicrous thing. And if
18 you understand what's happening in the
19 courts -- which, again, I could spend an hour
20 talking about. I won't -- they have been
21 converted to courts of England in 1722, May 22nd,
22 1722.

23 And this body and the Senate passed that
24 Act, 142, in 1976. And from that, based on the
25 68th amendment allegedly, which is

1 unconstitutional, always has been. And that was
2 brought before you, that case, and the courts
3 threw it out, irrespective of all the evidence.
4 It's coming back.

5 The courts have, in fact, usurped
6 authority. And government usurped authority.
7 And we're not under a Republican form of
8 government. The Governor by executive order has
9 been in charge here since March the 8th, 1933.
10 That evidence is, in fact, in the record.

11 Now, ask yourself what kind of authority
12 you have if that isn't the case. When the
13 courts, in fact -- you abrogate everything to the
14 courts. We don't make decisions on
15 constitutionality. It's the courts.

16 Hooey. Everybody who takes an oath
17 makes a constitutional decision. And that's
18 coming from a sovereign who tells you what your
19 job is folks. Your job is to look at the
20 Constitution and if it violates Article 1, stop
21 right there. Don't go any father.

22 A police officer if he violates the
23 Constitution or violates an individual right, he
24 is outside the law, he has no protection, his
25 acts are -- he, in fact, is guilty of multiple

1 crimes both state and federal.

2 Those are not made up. Those are not
3 anything that cannot be supported. And when
4 somebody comes and says, Oh, don't let anybody
5 file a paper because the courts won't recognize
6 them under their rules, didn't they say, Under
7 the rules and statutes? What happened to the
8 Constitution in those discussions?

9 They don't care about the Constitution.
10 It doesn't apply. In the courts of England in
11 1722, it didn't exist; and it doesn't exist
12 there. And if you go along with this kind of
13 stuff, you become co-conspirators in the treason.
14 And I'll call it very clearly what it is. War
15 upon the people is treason in anybody's
16 definition. Don't do it. Stop.

17 What's the definitions that you use that
18 you're told so often that apply in Title 75.
19 Let's dispel this. In fact, if you really want
20 to solve this problem, simply do a joint
21 resolution and define some terms according to law
22 and you'll do away with the problem. You don't
23 have to pass another bill.

24 Title 75 applies to commercial
25 extraordinary use of the roads, and we want it to

1 be that way. 18-wheelers going down the road
2 unsafe, overloaded, long hours for profit is not
3 what we want. That's hazardous, and that's what
4 Title 7 applies to. You want that code? It's
5 Title 18, U.S.C, Section 31.

6 Now, it's a federal code because the
7 Pennsylvania Code is unclear. But if I can get
8 in my automobile and go to the grocery store and
9 at the same time continue on to California,
10 certainly the definition of motor vehicle in the
11 federal code should apply here.

12 We can't discriminate between. And
13 you're always rushing to the Federal Code or the
14 Second Amendment or anything else, so maybe that
15 makes sense. I'm going to wind this up in just a
16 minute.

17 CHAIRMAN BIRMELIN: Can I ask you to
18 repeat that section of the Code?

19 MR. REIL: Title 18, Section 31 of the
20 U.S.C. Code. Under definitions, it says that --

21 THE REPORTER: Can you slow down a bit?

22 MR. REIL: Sure. I'm getting
23 enthusiastic in my passion for right and my
24 abhorrence of wrong comes out.

25 Title 18, U.S.C., Section 31, Chapter 2

1 this is under, aircraft and motor vehicles. Is
2 that applicable -- aircraft and motor vehicles?
3 It says, Motor vehicle, quote/unquote, means every
4 description of carriage or other conveyance
5 propelled or drawn by mechanical power and used
6 for commercial purposes on the highways in
7 transportation of passengers or passengers and/or
8 property.

9 Anything you don't understand about
10 that? Well, they just said, well, maybe you don't
11 understand what commercial purposes mean. So in
12 the second -- right below it, it says this:

13 Used for commercial purposes,
14 quote/unquote, means the carriage of persons or
15 property for any fare, fee, rate, charge, or
16 other consideration or directly or indirectly in
17 connection with any business or other undertaking
18 intended for profit, quote/unquote. That is very
19 clear.

20 Now, if you want to take all the
21 evidence that I've put before you -- and I can
22 put much, much more -- and come to any other
23 conclusion that Title 75 applies to truck drivers
24 and bus drivers and those folks, not to me and my
25 property or anybody else sitting in this room

1 when they're using their property and you too, by
2 the way, you're wrong. You're wrong.

3 Now, that's not a debate. It's not an
4 opinion. Everybody's got an opinion -- useless.
5 I'm saying to you the law compellingly proves
6 that what you've been doing up here under the
7 guise of some attorney's advice who is an officer
8 of the Judicial Branch wanting to collect revenue
9 is, in fact -- maybe you've joined that same
10 force. I don't know, but I would hope
11 not -- Title 75 does not apply.

12 And if you're going to pass Act 771
13 based on a knee jerk from Senator Greenleaf
14 because some reporter asked him on the 19th of
15 September whether bogus plates applied, you
16 better recognize what you're jumping into.

17 That's co-conspiracy and violation of
18 oath, that's perjury of oath. Those are federal
19 felonies and state felonies. Don't do it.
20 That's a clear, concise direction from the
21 sovereign, the people. Don't do it.

22 Don't chill my right or anybody else's
23 right to due process and equal protection and
24 not the under the 14th amendment, because that's
25 unconstitutional and always has been. And that's

1 in the paper as well. Oh, excuse me, I haven't
2 done that article yet. I will. But it's
3 absolutely proven.

4 It's before -- in fact, was before you
5 in 1993 that Title, that the 14th Amendment's
6 unconstitutional. It's been before the Senate
7 and the House repeatedly that it is, and it will
8 be again.

9 The point being is if you don't
10 understand the law -- don't smirk here, folks.
11 I'm telling you the law. I apparently don't have
12 the attention of the people I'm talking with.
13 I'm offended.

14 MR. RYAN: Mr. Reil, your definition
15 that you gave of a motor vehicle definition under
16 the federal law, if you go back and you will
17 study that statute a little more closely, it was
18 meant to apply to the definitions used in that
19 statute and for the benefit of that statute.

20 It wasn't meant to apply universally to
21 any definition, anywhere, any time in any law
22 enacted somewhere by another state or another
23 location. It was specifically meant to apply
24 that words as they are used in that statute and
25 the application of that statute.

1 And that's a basic statutory
2 construction premise that when you look at a
3 definition and an act says, In this Act, this
4 word means --

5 MR. REIL: All right.

6 MR. RYAN: - it applies to that
7 act -- excuse me -- it doesn't mean that it means
8 that same definition everywhere you ever find it
9 ever again in any law, whether it's in the
10 constitution or state laws or anywhere else.

11 And you have taken and misconstrued
12 and used the definition to invalidate the rest of
13 the universe when that definition only applies to
14 one federal statute and wouldn't even be the same
15 in another federal statute.

16 MR. REIL: Thank you very much. And
17 this is the words of an attorney. Thank you very
18 much for confirming the misuse and manipulation
19 and control of words to advance an agenda.

20 Now, this kind of attitude we have got
21 to stop because if the words don't mean what they
22 mean in ordinary common usage, which is the
23 law -- constitutional law, you get this kind of
24 garbage.

25 And I'll say it to his face. I don't

1 want him to run away without him knowing that I
2 think it's ludicrous for him to make that
3 position and ignore everything else I put
4 forward.

5 VOICE: He's an officer of the court.

6 MR. REIL: There you go. Sworn by oath.

7 MR. RYAN: Understand the basic --

8 MR. REIL: You keep advising, sir -- you
9 keep advising this way and you'll be in court
10 too. And that's not a threat either.

11 CHAIRMAN BIRMELIN: All right. Let's --

12 MR. REIL: Let's get back to the
13 testimony.

14 CHAIRMAN BIRMELIN: -- turn back to your
15 testimony, if we would. Are you finished?

16 MR. REIL: No, I'm not.

17 CHAIRMAN BIRMELIN: Okay. You may
18 proceed.

19 MR. REIL: This is a great example of
20 the misadvice you've gotten. And if you take it
21 without doing your own research, are you going to
22 say that I don't have the right to liberty? Are
23 you going to say that the definitions of liberty
24 and freedom have changed since 1776?

25 Are you going to say that the

1 Constitution doesn't mean what it says? Are you
2 going to adopt something other than original
3 intent? If you do, you violate your oath. You
4 violate so many decisions of the court that are
5 valid you won't ever get out from under that, but
6 you do it every day.

7 You listen to people who don't know what
8 they're talking about. I do know what I'm
9 talking about. I'm the -- I'm so willing to test
10 what I do is I go out and I travel as a matter of
11 right and get beaten up, thrown in prison, and
12 get taken to court constantly.

13 The allegations that Barry Morrison made
14 about this thing in Harrisburg, there are a
15 number of people in here who will stand up here
16 and tell you he doesn't know what he's talking
17 about.

18 And there are more witnesses to
19 that -- God bless their strong hearts -- to tell
20 you that what's going on in the courts today is
21 appalling, it's unconstitutional, it's unlawful,
22 it's a crime; and you have the responsibility to
23 declare it so.

24 You have the constitutional authority
25 and responsibility to do so. And if you abrogate

1 that to the courts, you violate your oath. You
2 shall not do that.

3 Now, I'm saying this impassionedly
4 because I feel it. I know it. I don't have to
5 read something to tell you what I know. Because
6 what I know, I know. I've asked you from the
7 outset and anybody else that if I'm wrong, step
8 forward with proof.

9 What was just put forward by this
10 attorney is garbage. Garbage. And if that's
11 what happens, if that's what they tell you to put
12 in statutes, as they do always, the words will mean
13 the following unless the contents indicate
14 otherwise, that's unconstitutional gentlemen.

15 You can't pass a law that's vague. If
16 you do, it's void for vagueness on its face.
17 Don't do it. Don't do it.

18 I'll close with the authority. Pastor
19 Grove read from this book, and I'd encourage you
20 to get a copy of The Law book here. It says, All
21 laws which are repugnant to the Constitution are
22 null and void, Marbury versus Madison, 1803.

23 Where rights secured by the Constitution
24 are involved, there shall be no rule making or
25 legislation which would abrogate them. Everybody

1 heard about this case: Miranda versus Arizona.
2 Even they pulled that off in 1967.

3 Further, an unconstitutional act is not
4 law. It confers no rights, it imposes no duties,
5 it affords no protection, it creates no office.
6 It is in legal contemplation as inoperative as
7 though it had never been passed, Norton versus
8 Shelby County 118 U.S. 425 at 442.

9 The general rule for an am jur -- is
10 instructive. The general rule is that an
11 unconstitutional statute which you are to
12 determine, not the courts, you and every police
13 officer and me and every other person, every one
14 person.

15 And by the way, the definition of person
16 is body and soul and only applies to human
17 beings. Noel Webster's 1828 definition. That's
18 when the Constitution was written. The words
19 when the definitions -- when the document was
20 written is what they mean.

21 All right. Now, back to this. The
22 general rules that an unconstitutional statute,
23 though having the form and name of law is in
24 reality no law but is wholly void and ineffective
25 for any purpose since unconstitutionality dates

1 from the time of its enactment not merely from
2 the date of its decision so banning it, quote, No
3 one is bound to obey an unconstitutional law and
4 no courts are bound to enforce it at 16 am jur --
5 2d, Section 177.

6 The law is very clear. The problem is
7 you've been told, I suspect most the people in
8 this body, the General Assembly, have been told
9 and counseled by attorneys so long you don't
10 trust your own self. If you are an attorney,
11 revisit what you took an oath to.

12 Title 42 of the current provisions which
13 was enacted in, I believe, 1978, that makes them
14 attorneys hold the office of attorney at law only
15 so long as they follow the rules. And they take
16 a special oath, Title 42 25 22, to the court first
17 and then to clients, which are wards of the
18 courts under their definitions.

19 Don't listen to them. If you do, you
20 violate the law, you violate your oath, you
21 violate me. And if you violate me or anyone, you
22 have, in fact, violated the sense of law in
23 America but particularly in Pennsylvania.

24 The violation of individual right -- an
25 individual right, one individual, violates us

1 all. It is against the law. I am more than
2 willing, gentlemen, to stand for judgment on
3 those things that I do. I am absolutely
4 responsible.

5 I am responsible to a high law; one that
6 this body will never reach. But you ought to
7 strive to it. You must follow the law, not what
8 some group who has an agenda or any group, but
9 what is the law.

10 You've made it very clear,
11 Representative Caltagirone, this is a state where
12 law rules, not man. You're being ruled by man,
13 gentlemen, by attorneys, buy and large, telling
14 you what to do.

15 I'm telling you as a sovereign and, in
16 fact, the authority sitting in this room, the
17 people, you're violating us. Don't do it. Don't
18 do it.

19 CHAIRMAN BIRMELIN: Representative
20 Caltagirone, do you have any questions?.

21 REPRESENTATIVE CALTAGIRONE: (No audible
22 response.)

23 CHAIRMAN BIRMELIN: I didn't have any
24 either. I want to thank you for coming. Thank
25 you for your testimony. Thank you for the

1 information. I will make the same offer to you
2 that I did to the other gentleman, that if you
3 have any additional information that you wish to
4 share with the Committee, feel free to do so.

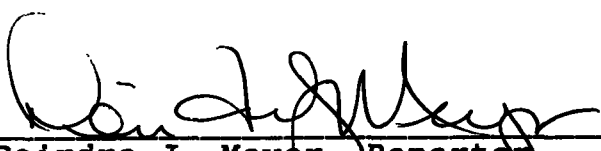
5 This Committee meeting is now adjourned.

6 (At or about 12:45 p.m., the hearing was
7 adjourned.)

8 C E R T I F I C A T E
9

10 I, Deirdre J. Meyer, Reporter, Notary
11 Public, duly commissioned and qualified in and
12 for the county of Lancaster, Commonwealth of
13 Pennsylvania, hereby certify that the foregoing
14 is a true and accurate transcript of my stenotype
15 notes taken by me and subsequently reduced to
16 computer printout under my supervision, and that
17 this copy is a correct record of the same.

18 This certification does not apply to any
19 reproduction of the same by any means unless under
20 my direct control and/or supervision.
21
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23
24 
25 Deirdre J. Meyer, Reporter,
Notary Public. My commission
expires August 10, 1998.