

EMERGENCY DECLARATION IS A FRAUD

MASK “ORDER” ARE NOT AN “ORDER” AT ALL

by Francis Steffan

Governor Kate Brown issued an executive order declaring a State wide emergency in May 2020 and then extended it to July 6, 2020.

In her executive order she cites ORS 401.168 and 401.204 as her authority.

The first point to make is that ORS 401.168 states, “the Governor has complete authority over all executive agencies of state government and the right to exercise, within the area designated in the proclamation, police powers vested in the state by the Oregon Constitution”

One problem is, according to Oregon Supreme Court Justice Linde, there is no wording of “police power” within the Oregon Constitution, and that leaves only a “doctrine” of “police power.”

Black's Law dictionary defines “doctrine” as, “a rule, principle, theory, or tenet of the law;”

Merriam-Webster defines “tenet” as : “a principle, belief, or doctrine...”

A State can not lawfully infringe on the Peoples specifically declared individual protections within that States Constitution, the US Constitution or even legislative acts relying on mere “doctrine.”

If it ain't on the page it ain't on the stage.

Of course the courts, politicians and law enforcement violate this much of the time, so for argument sake, let's “theorize” that the Oregon Constitution's preamble is where the State actors have “derived” their “belief” that they have a Constitutionally based authority to violate the Peoples specifically enumerated protected Rights in an “emergency” or otherwise.

The US Supreme Court ruled in *Mugler v. Kansas* that police power of the state was "no more than the power to promote public health, morals, and safety." They did NOT rule that it means the power to demand through threat of punishment, it ruled it means to “PROMOTE.”

Promote: to encourage people to like, buy, use, do, or support something.- Cambridge Dictionary

Encourage: to make someone more likely to do something, or to make something more likely to happen.- Cambridge Dictionary

The Oregon Constitution's preamble states, “We the people of the State of Oregon to the end that Justice be established, order maintained, and liberty perpetuated, do ordain this Constitution.—“

This preamble seems kinda close to what the US Supreme Court ruled that constitutes a States “police powers” even though it doesn't mention public health, morals, OR safety.

So, let's, again only for argument sake, stipulate that “order maintained” grants a “police power.”

In a vacuum this seems to bestow nearly unlimited power of the State to maintain order, however, that

“grant” is not given in a vacuum.

If you will notice, “maintain order” is enclosed on one side with “Justice be established” and on the other side with “liberty perpetuated.” The word “and” is used to designate that ALL three listed intentions are included and of equal force.

This means that while the State is “maintaining order” it must also (and), at the same time, establish justice AND PERPETRATE LIBERTY.

Black's Law dictionary defines “liberty” as, “Freedom; exemption from extraneous control. The power of the will, in its moral freedom, to follow the dictates of its unrestricted choice, and to direct the external acts of the individual without restraint, coercion, or control from other persons. See Booth v. Illinois, 184 U. S. 425, 22 Sup. Ct. 425, 46 L. Ed. 623 ; Munn v. Illinois, 94 U. S. 142. 24 L. Ed. 77; People v. Warden of City Prison. 157 N. Y. 116, 51 N. E. 1006. 43 L. R. A. 264, 68 Am. St. Rep. 7i” Merriam Webster defines “liberty as,” the quality or state of being free: **a:** the power to do as one pleases **b:** freedom from physical restraint **c:** freedom from arbitrary or despotic control **d:** the positive enjoyment of various social, political, or economic rights and privileges **e:** the power of choice.

Boviers Law dictionary from 1856 defines “Liberty” as, “Freedom from restraint. The power of acting as one thinks fit, without any restraint or control, except from the laws of nature.”

Perpetrate: 1: to bring about or carry out 2: to produce, perform, or execute.

Establish: This word occurs frequently in the Constitution of the United States, and it is used there in different meanings: (1) to settle firmly, to fix unalterably; as in to establish justice, which is the avowed object of the Constitution;

Both “perpetrate” and “establish” cause something to happen (justice and liberty) where to “maintain” is to keep things from happening that disrupt order, to keep things the same.

The tyrant, in an interview with KTVZ News states when referring to attempting to trick people into believing she has lawful authority to tell you what to wear admits, “and this is going to be a culture change for businesses across the state...”

You may think the tyrant maybe had a slip of the tongue, maybe, cept here she says it again, “It’s absolutely a culture change.” Do we really need to go read the communist manifesto to figure out what this communist tyrant is attempting to do, I’m sorry TYRANT, you have no authority to force “cultural change” on the People of Oregon.

A big part of “Justice” is Due Process and that the laws not be vague or ambiguous, what exactly is the “appeal process,” the redress to a tyrant writing Emergency declarations when no Emergency actually

exists, certainly not Statewide? I'll answer this at the end.

In Jackson County, Oregon, where I live, as of yesterday (July 01, 2020), we had 110 “probable” cases and ZERO deaths in a county of approximately 335,000, that is a .03% rate of COVID cases.

In what universe exactly is a ZERO percent death rate and a .03% “probable case” rate an emergency?

ORS 401.025: "Emergency" means a human created or natural event or circumstance that causes or threatens widespread: (a) Loss of life; (b) Injury to person or property; (c) Human suffering; or (d) Financial loss.

What does “widespread” mean? It is subjective, undefined and therefore vague and ambiguous.

What about “Human suffering?” Again, subjective, what makes you suffer I could enjoy, undefined, vague and ambiguous.

How much financial loss? I lost my cellphone yesterday does that count? What if a dollar bill falls out my pocket and I don't notice? Subjective, undefined, vague and ambiguous.

So here we have the Oregon tyrant declaring an “emergency” including Jackson County that has a ZERO death rate and a .03% “probably” case rate. Is .03 widespread? The only thing I'd say is “widespread” is the ZERO DEATHS.

How long until this tyrant decides to ban cars under an emergency edict? Ridiculous you say, why? Traffic accidents in Jackson County for 2017 (newest data I could find) were 24 traffic deaths in Jackson County, THAT IS TWENTY FOUR TIMES THE DEATH RATE OF COVID, for which we are in a “state of emergency.” Give them an inch and they take a mile, that would be the mile you thought was yours.

The Oregon tyrant is deceptive in nearly every word she speaks, for instance, “We know that businesses out there have already been able to do it, Costco being a great example.”

I for one do not believe the tyrant is stupid... criminal, an accessory to murder, a liar, a communist and a tyrant among other unpleasant characteristics yeah, but not stupid, so to use Costco as an example of a business forcing its customers to wear masks is disingenuous as Costco is a club and not open to the “general public” Costco can therefore require their “MEMBERS” to hop around on one foot to shop if they want.

To “maintain order” is and has been the big stick of tyrants because the government schools have taught us that “to maintain order” is to simply obey orders.

Maintain: to keep in an existing state: preserve from failure or decline 2: to sustain against opposition or danger: uphold and defend: to continue or persevere in: CARRY ON, KEEP UP.

Clearly to maintain is basically to protect the status quo, like our existing culture, however, the tyrant likes to use “sustain against opposition” as the only definition and ignores the fact that even if that was the intent of the authors there is STILL the Justice and Liberty clause preventing that from being used as a club to beat the People into submission with.

Opposition to the destruction of the rule of law was the intent, by the way, but who does the tyrant clown support, defend and protect?

NO, not the constitution, not the People, not the law, but ANTIFA, BLACK LIES MATTER, executive edicts and the homosexual crowd, who by the way did not have to wear special underwear or have their private parts tracked and traced as they spread their plague, caused by their own deviant behavior. WHY? Because it would have been an infringement of their Rights is what we were all told, remember?

The US Supreme Court's ruling in *Mugler v. Kansas* seems to agree with Oregon's Constitution that requires the establishment of justice AND liberty perpetuated as the specific means designed to prevent a tyrant from using the “police powers” in a vague, capricious and violent manner against the People.

Are you wondering what violence? “Look, I don’t want to shut down our bars, our restaurants, our bookstores, our breweries. We have to have compliance here...” that was more clown show from the before mentioned interview the tyrant did with KTVL News.

So, you don't think it is violence to destroy someones livelihood because they don't dress the way you want, over an issue (the “emergency”) that does not exist in reality? I think it is, and she has threatened all of you with that violence, and you know she will carry out her threat, because she already has once. It makes good sense that the US Supreme Court agrees with the Oregon Constitution, Article I, Section 1, “We declare that all men, when they form a social compact are equal in right: that all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper.—“

Maybe Article I, Section 1 is where the “police power” authority is?

If it is, the authors again enclosed “safety” with “peace” on one side and “happiness” on the other.

Forcing People to do things they don't want to do is NOT peace and it usually makes People Unhappy when they are forced to do things against their will through the threat of violence and incarceration or

financial ruin.

I do have enumerated Rights to go about my daily business in the manner I see best. Even under a legitimate “emergency” the State does not have the lawful authority to infringe on constitutionally protected Rights as the tyrants edict relies merely on statute while the Peoples Rights are protected by the Constitution, overriding superior law all the time.

By LAW, Oregon is a REPUBLIC NOT A DEMOCRACY there is no greater Right for a group of men than there is for one man. This is why the two wolves and a sheep voting for whats for dinner don't get to eat the sheep, the sheep have the Right to life, liberty and the pursuit of happiness.

In Governor tyrant's Oregon, LAMBS FOR DINNER.

For those of you wondering what LAW that is, “The United States shall guarantee to every State in this Union a Republican Form of Government...”- US Constitution Article IV, Section 4. NOT A DEMOCRACY, remember that.

This tyrants whole political career was handed to her. She was appointed to the Oregon House of Representatives in 1991, then she became Governor without being elected to that position, reeks of a QUID PRO QUO political insider influence scheme to me.

The tyrant says she will have OSHA enforce this, really how? The OSHA website states their Jurisdiction is only over “employers” not employees, not customers. So now do you see the tyrant clown's threat is real? She will shut down a business if YOU don't comply.

On top of all this the tyrant has colluded with the criminal demoncrat legislators to dispose of Due Process, things like a speedy trial GONE...cause of COVID doncha know. Look up HB 4212.

The tyrant needs to remember something, all power is inherent in the people, and all free governments are founded on their authority, and instituted for their peace, safety, and happiness; and they have at all times a right to alter, reform, or abolish the government in such manner as they may think proper.

You get that tyrant? “Abolish the government in such manner as they may think proper.”

Oh, and there is no definition of “the People” so it could be two People. Best get ALOT more with the peace and happiness thing, or run the risk of being abolished.