

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

ARTICLE I  
BILL OF RIGHTS

Sec.

1. Natural rights inherent in people
2. Freedom of worship
3. Freedom of religious opinion
- ...
8. Freedom of speech and press
9. Unreasonable searches or seizures
10. Administration of justice
- ...
20. Equality of privileges and immunities of citizens
- ...
34. Slavery or involuntary servitude

Section 1. Natural rights inherent in people. 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.—

Section 2. Freedom of worship. All men shall be secure in the Natural right, to worship Almighty God according to the dictates of their own consciences.—

Section 3. Freedom of religious opinion. No law shall in any case whatever control the free exercise, and enjoyment of religious [sic] opinions, or interfere with the rights of conscience.—

Section 8. Freedom of speech and press. No law shall be passed restraining the free expression of opinion, or restricting the right to speak, write, or print freely on any subject whatever; but every person shall be responsible for the abuse of this right.—

Section 9. Unreasonable searches or seizures. No law shall violate the right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search, or seizure; and no warrant shall issue but upon probable cause, supported by oath, or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.—

Section 10. Administration of justice. No court shall be secret, but justice shall be administered, openly and without purchase, completely and without delay, and every man shall have remedy by due course of law for injury done him in his person, property, or reputation.—

Section 20. Equality of privileges and immunities of citizens. No law shall be passed granting to any citizen or class of citizens privileges, or immunities, which, upon the same terms, shall not equally belong to all citizens.—

Section 34. Slavery or involuntary servitude. There shall be neither slavery, nor involuntary servitude in the State, otherwise than as a punishment for crime, whereof the party shall have been duly convicted.— [Added to Bill of Rights as unnumbered section by vote of the people at time of adoption of the Oregon Constitution in accordance with section 4 of Article XVIII thereof](ORS 163.263<sup>1</sup>

Subjecting another person to involuntary servitude in the second degree)

No competent(OAR requirement) man can say that religious rights are NOT being violated by the mask mandate(and any public accommodation/business vaccine mandates), and the mandate itself AND any signage(ORS 659A.409) is in fact COERCION and EXTORTION by ORS definition.

The only reason anyone is getting away with this, is because WCSO and all other oregon "Law Enforcement"(You have to actually ENFORCE THEM) are FAILING at your jobs, and worse, you believe you must consult your lawyer before making a LAWFUL action, that is grounds enough in my eyes, to find the sheriff's office incompetent of handling ORS related issues, which are at the COMPETENCY AND DISCRETION of the OFFICER and POLICIES by which he is BOUND BY ORS.

YOU CANNOT MANDATE ANYTHING MEDICAL OVER RELIGIOUS BELIEFS, NOR CAN YOU LAWFULLY ALLOW THE MANDATE TO BE PUBLISHED. You are, by ORS(your binding book - NOT YOUR DEPT LAWYER) guilty of ORS 162.405<sup>1</sup>

Official misconduct in the second degree BY WAY OF ORS 163.275<sup>1</sup> - Coercion, UNTIL action is taken(ORS 163.285<sup>1</sup>

Defense to coercion). You cannot LAWFULLY ignore crimes being committed and reported, per your own policies, federal US code, the constitution(s), and your SWORN OATH(perjury is a felony as well).

<https://www.oregonlaws.org/ors/162.385>

ORS 163.275<sup>1</sup>

Coercion

Text

News

Annotations

Related Statutes

**(1)A person commits the crime of coercion when the person **compels or induces another person to engage in conduct from which the other person has a legal right to abstain**, or to abstain from engaging in conduct in which the other person has a legal right to engage, by means of instilling in the other person a fear that, if the other person refrains from the conduct compelled or induced or engages in conduct contrary to the compulsion or inducement, the actor or another will:**

(a)Unlawfully cause physical injury to some person;

(b)Unlawfully cause physical injury to some animal;

(c)Unlawfully cause damage to property;

**(d)Engage in conduct constituting a crime;**

**(e)Falsely accuse some person of a crime or cause criminal charges to be instituted against the person;**

(f)Cause or continue a strike, boycott or other collective action injurious to some person's business, except that such a threat is not deemed coercive when the act or omission compelled is for the benefit of the group in whose interest the actor purports to act;

(g)Testify falsely or provide false information or withhold testimony or information with respect to another's legal claim or defense; or

(h)Unlawfully use or abuse the person's position as a public servant by performing some act within or related to official duties, or by failing or refusing to perform an official duty, in such manner as to affect some person adversely.

(2)Coercion is a Class C felony. [1971 c.743 §102; 1983 c.546 §4; 1985 c.338 §1; 2007 c.71 §45; 2015 c.751 §1]

ORS 659A.409<sup>1</sup>

Notice that discrimination will be made in place of public accommodation prohibited

• age exceptions

Text

News

Annotations

## Related Statutes

Except as provided by laws governing the consumption of alcoholic beverages by minors, the use of marijuana items, as defined in ORS 475B.015 (Definitions for ORS 475B.010 to 475B.545), by persons under 21 years of age, the frequenting by minors of places of public accommodation where alcoholic beverages are served and the frequenting by persons under 21 years of age of places of public accommodation where marijuana items are sold, and except for special rates or services offered to persons 50 years of age or older, **it is an unlawful practice for any person acting on behalf of any place of public accommodation as defined in ORS 659A.400 (Place of public accommodation defined) to publish, circulate, issue or display, or cause to be published, circulated, issued or displayed, any communication, notice, advertisement or sign of any kind to the effect that any of the accommodations, advantages, facilities, services or privileges of the place of public accommodation will be refused, withheld from or denied to, or that any discrimination will be made against, any person on account of race, color, religion, sex, sexual orientation, national origin, marital status or age if the individual is of age, as described in this section, or older. [Formerly 659.037; 2003 c.521 §3; 2005 c.131 §2; 2007 c.100 §7; 2015 c.614 §28]**

(Might just want to read all of <https://www.oregonlaws.org/ors/chapter/659A> and related definitions)

## WASHINGTON COUNTY SHERIFF'S OFFICE

Chief Deputy Jonathan Shaver

Effective: June 21, 2019

JURISDICTION AND MUTUAL AID

Policy 101-R06 (05/31/19)

This policy applies to all certified law enforcement deputies and reserves.

**1. Oregon Revised Statutes Govern Peace Officer Authority in Oregon. Commissioned deputy sheriffs have full power and arrest authority as peace officers within the boundaries of the State of Oregon pursuant to Oregon Revised Statutes. (Not the dept. Lawyer - THEY CAN BE CORRUPT TOO)**

2. Primary Jurisdiction Includes Unincorporated Washington County.

The Washington County Sheriff's Office has law enforcement jurisdiction throughout Washington County, but its primary law enforcement focus is in the unincorporated areas. Washington County is bounded by the counties of Clackamas, Clatsop, Columbia, Multnomah, Tillamook, and Yamhill. Incorporated municipalities wholly or partly within Washington County are: Banks, Beaverton, Cornelius, Durham, Forest Grove, Gaston, Hillsboro, King City, Lake Oswego, North Plains, Portland, Rivergrove, Sherwood, Tigard, Tualatin, and Wilsonville. An official map detailing the County's boundaries is kept in the Washington County Consolidated Communications Agency and in various locations throughout the Sheriff's Office.

3. The Sheriff and Municipalities Within the County have Concurrent Jurisdiction.

The Washington County Sheriff's Office has concurrent law enforcement jurisdiction with all incorporated municipal police agencies within the County under ORS Chapter 133. However, the Sheriff's Office is primarily responsible for law enforcement in the unincorporated areas of

the County and in certain cities when under contract.

A deputy sheriff may initiate law enforcement action within a municipality when the deputy reasonably believes that action is necessary. If a deputy initiates action that has the potential for local jurisdiction response or an immediate threat to public safety, the deputy is encouraged to advise the municipal agency with jurisdiction via dispatch or by contacting them directly.

#### 4. Inter-Governmental Agreements (IGA) Govern Mutual Aid to Neighboring Jurisdictions in Emergency Situations.

Cooperative enforcement projects or activities simply involving staff from the WCSO and other agencies are not considered mutual aid and do not require the execution of a separate IGA or memoranda of understanding (MOU). Examples of cooperative enforcement efforts are Driving Under the Influence of Intoxicants (DUI) and traffic saturation, curfew sweeps, special events, etc.

#### 5. Interagency Teams and Task Forces Conform to Agreements Among Participating Agencies.

Examples of special teams and task forces include:

Crisis Negotiations Unit

Interagency Firearms and Skills Training (IFAST)

Mobile Field Force (MFF)

Tactical Negotiations Team (TNT)

Westside Interagency Narcotics Team (WIN)

Supersedes: 101-R05 (09/03/13)

Position responsible for updates: Chief Deputy of Enforcement

CALEA: 2.1.1, 2.1.2

#### **259-008-0300** Grounds for Denial, Revocation or Emergency Suspension of Public Safety Professional Certifications

##### (3) Discretionary Denial or Revocation of a Public Safety Professional's Certifications.

(a) The Department may deny or revoke a public safety professional's certifications based upon a finding that the public safety professional engaged in conduct that includes any or all of the following elements:

(A) Dishonesty. Dishonesty is intentional conduct that includes untruthfulness, dishonesty by admission or omission, deception, misrepresentation, falsification or reckless disregard for the truth;

(B) Misuse of Authority. Misuse of Authority is intentional conduct that includes the use or attempted use of one's position or authority as a public safety professional to obtain a benefit, avoid a detriment or harm another; or

(C) Misconduct.

(i) Misconduct includes conduct that violates criminal laws, conduct that threatens or harms persons, property or the efficient operations of any agency, or discriminatory conduct;

(ii) For the purposes of this rule, discriminatory conduct includes a pattern of conduct or a single egregious act that evidences knowing and intentional discrimination based on the perception of a person's race, color, religion, sex, sexual orientation, gender identity, national origin, disability, age or any protected class as defined by state or federal law, and would lead an objectively reasonable person to conclude that the public safety professional cannot perform the duties of office in a fair and impartial manner.

(b) For the purposes of this rule, conduct subject to discretionary review includes, but is not limited to:

(A) A criminal disposition when the criminal disposition is not a conviction constituting mandatory grounds as defined in section (2) of this rule;

(B) Conduct related to an arrest, a criminal citation to appear or its equivalent, or a criminal disposition;

(C) Conduct related to circumstances concurrent to a separation of employment from a certifiable position such as, but not limited to, investigation, settlement agreement or allegations of misconduct;

(D) Conduct that violates the standards of student conduct defined in OAR 259-012-0010;

(E) Falsification of any information on any documents submitted to the Board or the Department;  
or

(F) Conduct identified through receipt or discovery of information that would lead an objectively reasonable person to conclude that the public safety professional violated Board established employment, training, or certification standards for public safety professionals.

(c) Review of discretionary criminal dispositions applies to criminal dispositions that occurred on or after January 1, 2001. The Department will not open a case to review criminal dispositions that occurred prior to January 1, 2001.

(4) The Department will not open a case on a criminal disposition or conduct that was previously reviewed by the Department, a Policy Committee or the Board and determined not to violate standards for public safety professional certification or resulted in no action to deny or revoke certification using the administrative rules in effect at the time of the review.

(a) Nothing in this rule precludes the Department from opening a case upon discovery of additional mandatory or discretionary grounds for denial or revocation.

(b) Nothing in this rule precludes the Department, a Policy Committee or the Board from considering previous criminal dispositions or conduct as an aggravating circumstance in a separate discretionary case review.

(5) The moral fitness standards defined in administrative rule in effect on the date the Department or the Board determined that the applicant or public safety professional was unfit for certification will continue to apply until the Final Order has been issued and all appeal rights have been exhausted regardless of whether the moral fitness standards have been subsequently amended or repealed.

(6) Emergency Suspension. The Department must issue an Emergency Suspension Order immediately suspending a public safety professional's certifications when a Policy Committee, the Board or the Board's Executive Committee finds that there is a serious danger to public health and safety.

(7) Any Board or Department action to deny, revoke or emergency suspend a public safety professional's certifications will be administered in accordance with OAR 259-008-0300 through OAR 259-008-0340 and the applicable provisions of the Attorney General's Model Rules of Procedure adopted under OAR 259-005-0015.

Statutory/Other Authority: ORS 181A.410, ORS 183.341 & ORS 181A.640

#### WASHINGTON COUNTY SHERIFF'S OFFICE

Pat Garrett, Sheriff

Effective: January 23, 2020

#### DISTRIBUTING AND ACKNOWLEDGING RECEIPT OF POLICIES

Policy #106-R04 (01/22/20)

#### DISTRIBUTING

Applies to all staff.

1. The Sheriff's Accreditation and Policy Manager Will Ensure Staff Have Access to All Agency Policies in Electronic Form.

Responsibilities include:

Maintaining all WCSO and Jail written directives in PowerDMS

Maintaining an electronic backup copy of current directives in a shared network folder

Electronically distributing new or updated policies to "All Staff" or "Jail All" in PowerDMS

Enabling reports for supervisor use to confirm staff signatures on updates

2. A PowerDMS Distribution is Official Notice That a New Policy or Procedure is in Effect (or an Existing One is Rescinded) and That Staff Must Read the Update.

**3. Staff Should Read and Electronically Sign New Policies and Procedures or Updates Within 10 Days of Electronic Distribution.**

**Staff acknowledge receiving and reading documents by electronically signing them in PowerDMS. Staff are expected to read distributed written directives to the extent required to**

**identify impacts to their job and work group interactions; any questions about written directives**

**will be immediately addressed to a supervisor or manager.**

4. The Sheriff's Assistant Will Maintain a Master File of All Current, Superseded, and Rescinded WCSO and Jail Policies.

These files will include records of reviews and other pertinent policy records. The files may be in electronic or hard copy form.

See OAR 166-103-0010 for file retention requirements.

5. As Part of the WCSO Continuity of Operations Plan, a Hard Copy of Current Policy Manuals Will be Maintained in Executive Administration and in the 24-hour Criminal Records Office.

Staff assigned in those work groups to maintain hard copy manuals will process updates upon receipt.

Supersedes: 106-R03 (04/11/13)

Position responsible for updates: Chief Deputy

CALEA: 12.2.1, 12.2.2

## WASHINGTON COUNTY SHERIFF'S OFFICE

Pat Garrett, Sheriff

Effective: July 9, 2018

### UNBIASED POLICING AND COLLECTING STOP DATA

Policy #201-R06 (02/01/18)

This policy applies to all staff.

Definitions.

**Biased-Based Policing.** An inappropriate reliance on characteristics such as race, ethnicity, national origin, religion, sexual orientation, gender or gender identity, economic status, age, cultural group, or disability as the basis for providing differing law enforcement service or enforcement.

**Officer-Initiated Pedestrian Stop.** A detention of a pedestrian by a law enforcement officer, not associated with a call for service.\*

**Officer-Initiated Traffic Stop.** A detention of a driver of a motor vehicle by a law enforcement officer, not associated with a call for service, for the purpose of investigating a suspected violation of the Oregon Vehicle Code.\*

\*Oregon HB 2355 (2017) with change order, and CALEA standards for law enforcement

### PRIMARY PRINCIPLES

The Washington County Sheriff's Office (WCSO) does not condone biased policing during any enforcement effort or in the form of disparate treatment in the delivery of any service. Our values for professionalism and doing the right thing are rooted in strong policies, procedures and the law. We provide ongoing training for staff and monitor data and complaints regularly for compliance.

1. Biased-Based Policing, as Described in this Policy, is Prohibited.

2. Deputies Will Take Equivalent Enforcement Actions and Provide Equal Services to All Persons in the Same or Similar Circumstances.

Deputies shall not consider individual demographics when performing law enforcement duties or



delivering police services except when such characteristics are relevant to the investigation.

3. Deputies Will Only Apply Police Authority or Take Police Action Based on Lawful Authority, in Accordance With the Fourth Amendment of the United States Constitution and the Oregon Constitution.

People in the community shall only be subjected to stops, seizures or detentions under a lawful authority for police action, such as probable cause for an arrest or non-criminal violation and reasonable suspicion for a criminal stop. Evidence seizures or confiscation of assets as proceeds or instruments of a crime must have a criminal nexus and be based upon probable cause.

Supersedes: 201-R05 (12/29/16)

Position responsible for updates: Professional Standards Supervisor

CALEA: 1.2.9

## BIAS-BASED

201-R06

July 9, 2018

provided below (Go to Form).

In the event a complaint is made telephonically, the person taking the complaint shall fill out as much information on the bias-based policing complaint form as is available.

## ANNUAL REPORTING

11. By January 31 Annually, the Sheriff's Law Enforcement Technology Unit Will Enable Annual Reporting of Stop Data to the Oregon Criminal Justice Commission Per HB 2355.

12. By January 31 Annually, the Professional Standards Unit Supervisor Will Submit Bias-Based Policing Complaints for the Prior Calendar Year to the Law Enforcement Contacts Policy and Data Review Committee.

The Department of State Police supplies a standard report form that meets ORS 131.925 that must be sent with the complaint copies. A report is required, even if no complaints are received. Information submitted may not include personal identifying information except for the approved data described in ORS 131.925(4)(c).

13. By January 31 Annually, the Professional Standards Unit Supervisor Will Perform an Annual Administrative Review for the Sheriff of Agency Practices that May Imply Bias-Based Policing, Including Complaints or Concerns Expressed by the Public.

By January 31 of each year, the Professional Standards supervisor will provide the Sheriff a summary of all bias-based policing or bias-based policing complaints and practices for the preceding calendar year.

## WASHINGTON COUNTY SHERIFF'S OFFICE

Pat Garrett, Sheriff

Effective: January 31, 2019

## OATHS OF OFFICE AND COMMISSIONS

Policy #202-R05 (12/12/18)

Applies to all staff.

### **1. Sheriff's Office Employees, Including Volunteers with Law Enforcement**

**Responsibilities, are Required to Swear to an Oath of Office and be Commissioned Commensurate with Assigned Duties. Employees must affirm that they will uphold the Constitutions of the United States of America and the State of Oregon and enforce state law, Washington County ordinances, and agency rules and regulations.**

Any restrictions or limitations on law enforcement authority are outlined in a statement of authority attached to the employee's oath of office.

2. A Peace Officer Commission is Granted to Certified Deputies of Any Rank Employed by the Sheriff's Office.

This includes retirees who return to work or other temporary employees working in certified deputy positions.

3. A Special Deputy Commission with Limitation is Granted to all Non-Certified Employees of the Sheriff's Office.

Limitations and authority are described in the Oath of Office.

4. A Reserve Deputy Sheriff Commission with Restrictions is Granted to Volunteers with Peace Officer Authority.

5. A Retiree Commission with No Expiration is Granted to Peace Officers Who Have Honorably Retired or Separated from the WCSO.

This commission authorizes the bearer to carry a concealed firearm consistent with the rules, regulations and laws governing carrying and display. Retirees will not be scheduled for regular duty but may be called upon to volunteer in case of emergency. To qualify as honorably separated, the person must be qualified under LEOSA, including having at least 10 years of law enforcement service.

See also:

HR 218 Law Enforcement Officer Safety Act ("LEOSA"), as Amended by the National Defense Authorization Act of 2013

ORS 166.250, Unlawful possession of firearms

ORS 166.260, Persons not affected by ORS 166.250

6. A Limited Commission is Granted to WCSO Volunteers or Outside Agency Personnel Who Enforce Specific Codes and Statutes.

Limitations and authority are described in the statement of authority attached to the person's oath of office.

Supersedes: 202-R04 (05/17/17)

Position responsible for updates: Sheriff

CALEA: 1.1.1, 1.2.1, 1.2.2

WASHINGTON COUNTY SHERIFF'S OFFICE

Pat Garrett, Sheriff

Effective: October 9, 2020

GENERAL CONDUCT

Policy #207-R09 (09/30/20)

Applies to all staff.

Public. Any person who is not Sheriff's Office staff.

Staff. Employees, reserve deputies, volunteers, interns, and contract employees of the Sheriff's Office.

The public entrusts Washington County Sheriff's Office staff to provide quality public service based on the highest ethical and professional standards. The community expects staff to take pride in their commitment to serve, and to uphold high standards of personal conduct, both on and off duty.

### 1. Professional Conduct

Staff will conduct themselves in the discharge of their duties and their relations with the public and each other in a tactful and professional manner.

Staff must not publicly criticize the Sheriff's Office, its policies, programs, actions, or staff.

Nor must they perform any acts or make any written or oral statements that would impair or diminish the orderly and effective operation, supervision, or discipline of the Sheriff's Office.

Staff may comment on matters related to the Sheriff's Office that are of general public concern to the community after taking reasonable steps to check the truth of the facts. If a staff member is not speaking as an official representative of the Sheriff's Office, the staff member must clearly state that he or she speaks only as a private citizen.

Staff must conduct themselves, on duty and off duty, in a manner that, in the mind of a reasonable person, does not damage the positive public image, integrity, or reputation of the Sheriff's Office.

### **2. Truthfulness**

**Absent legitimate safety or investigative purposes, staff must not lie, give misleading information, withhold information with the intent to deceive, or falsify written, verbal, or electronic**

**communications in official reports or in their actions with another person or organization. Staff**

**will impart the whole truth when giving testimony or rendering an official report or statement.**

**Examples of situations where giving false information may be acceptable would include hostage**

**situations or when protecting the identity of informants or when performing undercover duties.**

### 3. Courtesy and Respect

Staff must be respectful, courteous, diplomatic, and civil with the public and each other.

Staff will refrain from using coarse, loud, indecent, profane, condescending, insolent, or unnecessarily harsh language.

Staff will maintain command bearing and strive to maintain a professional relationship with the public.

Supersedes: 207-R08 (07/24/20)

Person responsible for updates: Chief Deputy

CALEA: 1.1.2, 26.1.1, 61.1.8

OJS: A-106, A-401, E-111

207-R09

October 9, 2020

A supervisor will make any criticism of a subordinate's performance or behavior directly to the subordinate and, when practicable, in private.

Staff must address inmates by last names, such as Mr. Jones or Inmate Jones.

#### 4. Respect for Diversity

Staff must show respect for the diversity of our community and coworkers. Derogatory remarks, gestures, or other negative actions against anyone based on his or her nationality, race, religion, sex, sexual orientation, gender, gender identity, disability, veteran's status, or age are prohibited.

#### 5. Cooperation

Staff members are expected to seek affirmative ways to cooperate and work with each other, public officials, and staff of other agencies to deliver lawful, effective, efficient, and safe services.

Staff must make every attempt to understand the duties and responsibilities of other Sheriff's Office staff. They must consult with those staff when actions may reasonably affect their duties and responsibilities.

In the performance of their duties, staff must help their coworkers when a request or need is made known.

#### 6. Rumors

Staff must not spread rumors (circulate a story or report of uncertain or doubtful truth) about Sheriff's Office policies, activities, staff, public events, or crimes. Reporting possible staff misconduct or concerning behaviors to a supervisor is required and will not be considered spreading rumors.

#### **7. Knowledge and Enforcement of Laws**

**All staff will know the law and act, within their authority, to enforce all state and local laws and**

**ordinances. If any staff is granted authority to enforce federal law or directed by a federal judge**

**to take action, staff will act within their statutory authority and WCSO policy.**

#### **8. Knowledge and Enforcement of Policies and Orders**

**All staff will be knowledgeable of County and Sheriff's Office policies, procedures, and orders**

**that apply to their duties. Any staff member who questions the clarity or intent of a policy,**

**procedure, or order will seek immediate clarification through the chain of command. Staff members will, within their authority, enforce County and Sheriff's Office policies, procedures, and orders.**

#### 9. Record Confidentiality

Staff must maintain the confidentiality of all records, official reports, or statements within the restrictions of federal or state law. Staff must not grant confidentiality if federal or state law mandates openness on a specific record or meeting.

#### 10. Protection of Records

Staff must not remove, make copies, divulge, alter or enter false data or make personal use of

any records, reports, letters, documents, recording tapes, pictures, criminal justice files, or other official files, except in the course of official business, as authorized by law, or as the Sheriff directs. Prohibited personal use includes viewing reports or other sensitive documents absent a job-related need or purpose.

WASHINGTON COUNTY SHERIFF'S OFFICE  
Sheriff Pat Garrett  
Effective: March 24, 2020  
CIVIL SUITSCON  
NOTIFYING THE SHERIFF OF LEGAL ACTION  
Policy #208-R03 (02/14/20)  
Applies to all staff.

**1. Staff Must Give Written Notice to the Sheriff of Impending Legal Actions or Allegations That Could Affect or Disrupt the WCSO Workplace.**

**Examples include the filing of a civil suit, criminal allegations, the service of a protective order**

**(restraining or stalking order), any legal action among coworkers, or other legal process that**

**could affect or disrupt the WCSO workplace.**

**This policy does not apply to routine subpoenas to be a witness in a criminal case as part of**

**WCSO employment.**

2. Written Notice to the Sheriff Must be Given Within 5 Days and Must Include Specific Information.

Written notice must include:

The name of all plaintiffs and defendants

Date, time, location and a brief description of the allegations

Notice must be delivered within five business days of learning of the action or allegations

3. Employees Who Are Served with Any Type of Restraining Order or Who Are the Subject of Criminal Investigations Must Immediately Notify an On-Duty Supervisor.

4. Any WCSO Staff Who Become Aware of Legal Actions Impacting Co-workers and Requiring Notice to the Sheriff by this Policy are Required to Immediately Notify an On-Duty Supervisor.

This applies to all staff, with or without supervisory authority.

Supersedes: 208-R02 (03-13-18)

Person responsible for updates: Undersheriff

ORS 659A.400<sup>1</sup>

Place of public accommodation defined

Text

News

Annotations

Related Statutes

(1)A place of public accommodation, subject to the exclusions in subsection (2) of this section, means:

(a)Any place or service offering to the public accommodations, advantages, facilities or privileges whether in the nature of goods, services, lodgings, amusements, transportation or otherwise.

(b)Any place that is open to the public and owned or maintained by a public body, as defined in ORS 174.109 (“Public body” defined), regardless of whether the place is commercial in nature.

(c)Any service to the public that is provided by a public body, as defined in ORS 174.109 (“Public body” defined), regardless of whether the service is commercial in nature.

(2)A place of public accommodation does not include:

(a)A Department of Corrections institution as defined in ORS 421.005 (Definitions).

(b)A state hospital as defined in ORS 162.135 (Definitions for ORS 162.135 to 162.205).

(c)A youth correction facility as defined in ORS 420.005 (Definitions).

(d)A local correction facility or lockup as defined in ORS 169.005 (Definitions for ORS 169.005 to 169.685 and 169.730 to 169.800).

(e)An institution, bona fide club or place of accommodation that is in its nature distinctly private. [Formerly 30.675; 2013 c.429 §1; 2013 c.530 §4]

ORS 659A.403<sup>1</sup>

Discrimination in place of public accommodation prohibited

Text

News

Annotations

Related Statutes

(1)Except as provided in subsection (2) of this section, all persons within the jurisdiction of this state are entitled to the full and equal accommodations, advantages, facilities and privileges of any place of public accommodation, without any distinction, discrimination or restriction on account of race, color, religion, sex, sexual orientation, national origin, marital status or age if the individual is of age, as described in this section, or older.

(2)Subsection (1) of this section does not prohibit:

(a)The enforcement of laws governing the consumption of alcoholic beverages by minors and the frequenting by minors of places of public accommodation where alcoholic beverages are served;

(b)The enforcement of laws governing the use of marijuana items, as defined in ORS 475B.015 (Definitions for ORS 475B.010 to 475B.545), by persons under 21 years of age and the frequenting by persons under 21 years of age of places of public accommodation where marijuana items are sold; or

(c)The offering of special rates or services to persons 50 years of age or older.

(3)It is an unlawful practice for any person to deny full and equal accommodations, advantages, facilities and privileges of any place of public accommodation in violation of this section. [Formerly 30.670; 2003 c.521 §1; 2005 c.131 §1; 2007 c.100 §5; 2015 c.614 §27]

ORS 431.120<sup>1</sup>

Other duties of Oregon Health Authority (1)

<https://www.oregonlaws.org/ors/431.120>

ORS 431.150<sup>1</sup>

Enforcement of public health laws generally

<https://www.oregonlaws.org/ors/431.150>

ORS 431.170<sup>1</sup>

State enforcement of public health laws and rules when local public health administrator is delinquent

<https://www.oregonlaws.org/ors/431.170>

ORS 431.175<sup>1</sup>

Warrant procedure

<https://www.oregonlaws.org/ors/431.175>

### **ORS 431.180<sup>1</sup>**

#### **Interference with individual's selection of health care provider, treatment or religious practice prohibited**

**(1)Nothing in ORS 431.001 (Findings) to 431.550 (Power of Oregon Health Authority to collect information from local public health administrators) and 431.990 (Penalties) or any other public health law of this state shall be construed as authorizing the Oregon Health Authority or its representatives, or any local public health authority or its representatives, to interfere in any manner with an individual's right to select the physician, physician assistant, naturopathic physician or nurse practitioner of the individual's choice or the individual's choice of mode of treatment, *nor as interfering with the practice of a person whose religion* treats or administers sick or suffering people by purely spiritual means.**

(2)This section does not apply to the laws of this state imposing sanitary requirements or rules adopted under the laws of this state imposing sanitary requirements. [Amended by 1977 c.582 §15; 2007 c.70 §238; 2009 c.595 §541; 2014 c.45 §49; 2015 c.736 §36; 2017 c.356 §59]

<https://www.oregonlaws.org/ors/431.180>

ORS 431.990<sup>1</sup>

Penalties

<https://www.oregonlaws.org/ors/431.990>

**ORS 163.275<sup>1</sup>**

**Coercion**

<https://www.oregonlaws.org/ors/162.385>

**ORS 164.075<sup>1</sup>**

**Extortion**

<https://www.oregonlaws.org/ors/162.385>

**ORS 166.155<sup>1</sup>**

**Bias crime in the second degree**

<https://www.oregonlaws.org/ors/166.155>

**ORS 166.165<sup>1</sup>**

**Bias crime in the first degree**

<https://www.oregonlaws.org/ors/166.165>

**ORS 166.720<sup>1</sup>**

**Racketeering activity unlawful**

<https://www.oregonlaws.org/ors/166.720>

**ORS 162.225<sup>1</sup>**

**Definitions for ORS 162.225 to 162.375**

<https://www.oregonlaws.org/ors/162.225>

**ORS 162.345<sup>1</sup>**

**Defenses for hindering or compounding limited**

<https://www.oregonlaws.org/ors/162.345>

**ORS 162.235<sup>1</sup>**

**Obstructing governmental or judicial administration**

<https://www.oregonlaws.org/ors/162.235>

**ORS 162.247<sup>1</sup>**

**Interfering with a peace officer or parole and probation officer**

<https://www.oregonlaws.org/ors/162.247>



**ORS 162.295<sup>1</sup>**

**Tampering with physical evidence**

<https://www.oregonlaws.org/ors/162.295>

**ORS 162.325<sup>1</sup>**

**Hindering prosecution**

<https://www.oregonlaws.org/ors/162.325>

**ORS 162.385<sup>1</sup>**

**Giving false information to a peace officer in connection with a citation or warrant**

<https://www.oregonlaws.org/ors/162.385>

**ORS 133.005<sup>1</sup>**

Definitions for ORS 133.005 to 133.400 and 133.410 to 133.450

<https://www.oregonlaws.org/ors/133.005>

**ORS 133.220<sup>1</sup>**

**Who may make arrest**

<https://www.oregonlaws.org/ors/133.220>

**ORS 133.225<sup>1</sup>**

**Arrest by private person**

<https://www.oregonlaws.org/ors/133.225>

**ORS 133.310<sup>1</sup>**

**Authority of peace officer to arrest without warrant**

<https://www.oregonlaws.org/ors/133.310>

**ORS 161.255<sup>1</sup>**

**Use of physical force by private person making citizen's arrest**

<https://www.oregonlaws.org/ors/161.255>

OAR 259-008-0290

<https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=277661>

OAR 259-008-0300

<https://secure.sos.state.or.us/oard/viewSingleRule.action?ruleVrsnRsn=277669>

**The list honestly goes on and on. I haven't even listed federal crimes. But if you'd like you can start with 18 USC 241 and 242**

<https://www.law.cornell.edu/uscode/text/42/1985>

<https://www.law.cornell.edu/uscode/text/42/1986>

<https://www.law.cornell.edu/uscode/text/42/1987>

<https://www.law.cornell.edu/uscode/text/42/2000a>

<https://www.law.cornell.edu/uscode/text/42/2000a-1>

<https://www.law.cornell.edu/uscode/text/42/2000a-2>

<https://www.law.cornell.edu/uscode/text/42/2000a-6>

<https://www.law.cornell.edu/uscode/text/18/241>

<https://www.law.cornell.edu/uscode/text/18/242>

<https://www.law.cornell.edu/uscode/text/18/249> - RELIGIOUS HATE CRIME.

42 U.S. Code § 1983. Civil action for deprivation of rights

**WE THE PEOPLE DEMAND PROSECUTION AND IMMEDIATE RETRACTION OF ANY MASK OR VACCINE MANDATES. THEY HAVE NO AUTHORITY PER ORS 431.180, and in fact make all mandate related actions, CRIMINAL.**

**WE THE PEOPLE'S AUTHORITY TO ARREST ANYONE, FOR ANY CRIME, AT ANY TIME DURING THE COMMISSION OF SAID CRIME, JUSTIFIED.**

**ORS 133.005**

**ORS 133.220**

**ORS 133.225**

**ORS 161.195**

**ORS 161.200**

**ORS 161.255**

**(Might just want to read all of ORS 161.)**

Bennett v. Boggs, 1 Baldw 60, “Statutes that violate the plain and obvious principles of common right and common reason are null and void”. Would we not say that these judicial decisions are straight to the point –that there is no lawful method for government to put restrictions or limitations on rights belonging to the people? Other cases are even more straight forward: “The assertion of federal rights, when plainly and reasonably made, is not to be defeated under the name of practice.”

Davis v. Wechsler , 263 US 22, 24. “Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them.”

Miranda v. Arizona, 384 US 436, 491. “The claim and exercise of a constitutional right cannot be converted into a crime.”

Miller v. US, 230 F 486, 489. “There can be no sanction or penalty imposed upon one because of this exercise of constitutional rights.”

Sherer v. Cullen , 481 F 946. We could go on, quoting court decision after court decision, however, the Constitution itself answers our question ♦ Can a government legally put restrictions on the rights of the American people at anytime, for any reason? The answer is found in Article Six of the U.S. Constitution: Miranda v. Arizona, 384 U.S. 426, 491; 86 S. Ct. 1603 “Where rights secured by the Constitution are involved, there can be no ‘rule making’ or legislation which would abrogate them.”

Norton v. Shelby County , 118 U.S. 425 p. 442

“An unconstitutional act is not law; it confers no rights; it imposes no duties; affords no protection; it creates no office; it is in legal contemplation, as inoperative as though it had never been passed.”

Sherar v. Cullen , 481 F. 2d 946 (1973)

“There can be no sanction or penalty imposed upon one because of his exercise of constitutional rights.”

Simmons v. United States , 390 U.S. 377 (1968)

“The claim and exercise of a Constitution right cannot be converted into a crime”... “a denial of them would be a denial of due process of law”.

Cooper v. Aaron, 358 U.S. 1, 78 S. Ct. 1401 (1958)

Note: Any judge who does not comply with his oath to the Constitution of the United States wars against that Constitution and engages in acts in violation of the supreme law of the land. The judge is engaged in acts of treason. The U.S. Supreme Court has stated that “no state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it”. See also In Re Sawyer, 124 U.S. 200 (188); U.S. v. Will, 449 U.S. 200, 216, 101 S. Ct. 471, 66 L. Ed. 2d 392, 406 (1980); Cohens v. Virginia, 19 U.S. (6 Wheat) 264, 404, 5 L. Ed 257 (1821).

Hoffsomer v. Hayes, 92 Okla 32, 227 F. 417 “The courts are not bound by an officer’s interpretation of the law under which he presumes to act.”

Marbury v. Madison, 5 U.S. (2 Cranch) 137, 180 (1803) “... the particular phraseology of the constitution of the United States confirms and strengthens the principle, supposed to be essential to all written constitutions, that a law repugnant to the constitution is void, and that courts,as well as other departments, are bound by that instrument.” “In declaring what shall be the supreme law of the land, the Constitution itself is first mentioned; and not the laws of the United States generally, but those only which shall be made in pursuance of the Constitution, have that rank”. “All law (rules and practices) which are repugnant to the Constitution are VOID”. Since the 14th Amendment to the Constitution states “NO State (Jurisdiction) shall make or enforce any law which shall abridge the rights, privileges, or immunities of citizens of the United States nor deprive any citizens of life, liberty, or property, without due process of law, ... or equal protection under the law”, this renders judicial immunity unconstitutional.

Scheuer v. Rhodes, 416 U.S. 232, 94 S. Ct. 1683, 1687 (1974) Note: By law, a judge is a state officer. The judge then acts not as a judge, but as a private individual (in his person). When a judge acts as a trespasser of the law, when a judge does not follow the law, the Judge loses subject-matter jurisdiction and the judges’ orders are not voidable, but VOID, and of no legal force or effect. The U.S. Supreme Court stated that “when a state officer acts under a state law in a manner violative of the Federal Constitution, he comes into conflict with the superior

authority of that Constitution, and he is in that case stripped of his official or representative character and is subjected in his person to the consequences of his individual conduct. The State has no power to impart to him any immunity from responsibility to the supreme authority of the United States.”

Miller v. U.S., 230 F. 2d. 486, 490; 42

“There can be no sanction or penalty imposed upon one, because of his exercise of constitutional rights.”

Murdock v. Pennsylvania, 319 U.S. 105

“No state shall convert a liberty into a license, and charge a fee therefore.”

Shuttlesworth v. City of Birmingham, Alabama, 373 U.S. 262

“If the State converts a right (liberty) into a privilege, the citizen can ignore the license and fee and engage in the right (liberty) with impunity.”

Brinegar v. U.S., 388 US 160 (1949) Probable Cause to Arrest – Provides details on how to determine if a crime has been or is being committed.

Carroll v. U.S., 267 US 132 (1925) Probable Cause to Search – Provides details on the belief that seizable property exists in a particular place or on a particular person.

Draper v. U.S. (1959) Probable cause is where known facts and circumstances, of a reasonably trustworthy nature, are sufficient to justify a man of reasonable caution in the belief that a crime has been or is being committed. Reasonable man definition; common textbook definition; comes from this case.

Davis v. Wechler, 263 U.S. 22, 24; Stromberb v. California, 283 U.S. 359; NAACP v. Alabama, 375 U.S. 449 “The assertion of federal rights, when plainly and reasonably made, are not to be defeated under the name of local practice.”

Elmore v. McCammon (1986) 640 F. Supp. 905 “... the right to file a lawsuit pro se is one of the most important rights under the constitution and laws.”

Haines v. Kerner, 404 U.S. 519 (1972) “Allegations such as those asserted by petitioner, however in artfully pleaded, are sufficient”... “which we hold to less stringent standards than formal pleadings drafted by lawyers.”

Jenkins v. McKeithen, 395 U.S. 411, 421 (1959); Picking v. Pennsylvania R. Co., 151 Fed 2nd 240 ; Pucket v. Cox, 456 2nd 233 Pro se pleadings are to be considered without regard to technicality; pro se litigants’ pleadings are not to be held to the same high standards of perfection as lawyers.

Picking v. Pennsylvania Railway, 151 F.2d. 240, Third Circuit Court of Appeals The plaintiff's civil rights pleading was 150 pages and described by a federal judge as "inept". Nevertheless, it was held "Where a plaintiff pleads pro se in a suit for protection of civil rights, the Court should endeavor to construe Plaintiff's Pleadings without regard to technicalities."

Puckett v. Cox, 456 F. 2d 233 (1972) (6th Cir. USCA) It was held that a pro se complaint requires a less stringent reading than one drafted by a lawyer per Justice Black in Conley v. Gibson (see case listed above, Pro Se Rights Section).

Sims v. Aherns, 271 SW 720 (1925) "The practice of law is an occupation of common right." "Because of what appears to be a lawful command on the surface, many Citizens, because of their respect for what appears to be law, are cunningly coerced into waiving their rights due to ignorance."

US v Minker, 350 US 179 at 187(1956) Supreme Court of the United States 1795 "Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them."

S.C.R. 1795, Penhallow v. Doane's Administraters (3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54), "The prosecutor is not a witness; and he should not be permitted to add to the record either by subtle or gross improprieties. Those who have experienced the full thrust of the power of government when leveled against them know that the only protection the citizen has is in the requirement for a fair trial."

Donnelly v. Dechristoforo, 1974.SCT.41709 ¶ 56; 416 U.S. 637 (1974) McNally v. U.S., 483 U.S. 350, 371-372, Quoting U.S. v Holzer, 816 F.2d. 304, 307 Fraud in its elementary common law sense of deceit... includes the deliberate concealment of material information in a setting of fiduciary obligation. A public official is a fiduciary toward the public,... and if he deliberately conceals material information from them he is guilty of fraud. "The law requires proof of jurisdiction to appear on the record of the administrative agency and all administrative proceedings."

Hagans v Lavine 415 U. S. 533. "A judgment rendered by a court without personal jurisdiction over the defendant is void. It is a nullity."

Sramek v. Sramek, 17 Kan. App 2d 573, 576-7, 840 P. 2d 553 (1992) rev. denied 252 Kan. 1093(1993) "The law provides that once State and Federal jurisdiction has been challenged, it must be proven."

Main v Thiboutot, 100 S Ct. 2502(1980) “Jurisdiction can be challenged at any time,” and “Jurisdiction, once challenged, cannot be assumed and must be decided.”

Basso v. Utah Power & Light Co. 395 F 2d 906, 910 “Once challenged, jurisdiction cannot be assumed, it must be proved to exist.”

Stock v. Medical Examiners 94 Ca 2d 751. 211 P2d 289 In Interest of M.V., 288 Ill.App.3d 300, 681 N.E.2d 532 (1st Dist. 1997) “Where a court’s power to act is controlled by statute, the court is governed by the rules of limited jurisdiction, and courts exercising jurisdiction over such matters must proceed within the structures of the statute.” “The state citizen is immune from any and all government attacks and procedure, absent contract.” see, Dred Scott vs. Sanford, 60 U.S. (19 How.) 393 or as the Supreme Court has stated clearly, “...every man is independent of all laws, except those prescribed by nature. He is not bound by any institutions formed by his fellowmen without his consent.”

CRUDEN vs. NEALE, 2 N.C. 338 2 S.E. 70 “Corpus delecti consists of a showing of “1) the occurrence of the specific kind of injury and 2) someone’s criminal act as the cause of the injury.”

Johnson v. State, 653 N.E.2d 478, 479 (Ind. 1995). “State must produce corroborating evidence of “corpus delecti,” showing that injury or harm constituting crime occurred and that injury or harm was caused by someone’s criminal activity.”

Jorgensen v. State, 567 N.E.2d 113, 121. “To establish the corpus delecti, independent evidence must be presented showing the occurrence of a specific kind of injury and that a criminal act was the cause of the injury.”

Porter v. State , 391 N.E.2d 801, 808-809. “When governments enter the world of commerce, they are subject to the same burdens as any private firm or corporation” — U.S. v. Burr, 309 U.S. 242 See: 22 U.S.C.A.286e, Bank of U.S. vs. Planters Bank of Georgia, 6L, Ed. (9 Wheat) 244; 22 U.S.C.A. 286 et seq., C.R.S. 11-60-103

#### TREZEVANT CASE DAMAGE AWARD STANDARD

“Evidence that motorist cited for traffic violation was incarcerated for 23 minutes during booking process, even though he had never been arrested and at all times had sufficient cash on hand to post bond pending court disposition of citation, was sufficient to support finding that municipality employing officer who cited motorist and county board of criminal justice, which operated facility in which motorist was incarcerated, had unconstitutionally deprived motorist of his right to liberty. 42 U.S.C.A. Sec. 1983.” Trezevant v. City of Tampa (1984) 741 F.2d 336, hn. 1 “Jury verdict of \$25,000 in favor of motorist who was unconstitutionally deprived of his liberty when incarcerated during booking process following citation for traffic violation was not excessive in view of evidence of motorist’s back pain during period of incarceration and jailor’s refusal to provide medical treatment, as well as fact that motorist was clearly entitled to

compensation for incarceration itself and for mental anguish that he had suffered from entire episode. 42 U.S.C.A. Sec. 1983.” Trezevant v. City of Tampa (1984) 741 F.2d 336, hn. 5

Mattox v. U.S., 156 US 237,243. (1895) “We are bound to interpret the Constitution in the light of the law as it existed at the time it was adopted.”

SHAPIRO vs. THOMSON, 394 U. S. 618 April 21, 1969. Further, the Right to TRAVEL by private conveyance for private purposes upon the Common way can NOT BE INFRINGED. No license or permission is required for TRAVEL when such TRAVEL IS NOT for the purpose of [COMMERCIAL] PROFIT OR GAIN on the open highways operating under license IN COMMERCE. “The rights of the individuals are restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government.”

City of Dallas v Mitchell, 245 S.W. 944 “To take away all remedy for the enforcement of a right is to take away the right itself. But that is not within the power of the State.”

Poindexter v. Greenhow, 114 U.S. 270, 303 (1885). Brady v. U.S., 397 U.S. 742, 748, (1970) “Waivers of Constitutional Rights, not only must they be voluntary, they must be knowingly intelligent acts done with sufficient awareness.”

Carnley v. Cochran, 369 U.S. 506, 516 (1962), “Presuming waiver from a silent record is impermissible. The record must show, or there must be an allegation and evidence which show, that an accused was offered counsel but intelligently and understandingly rejected the offer. Anything less is not waiver.”

Cooper v. Aaron, 358 U.S. 1, 78 S.Ct. 1401 (1958). “No state legislator or executive or judicial officer can war against the Constitution without violating his undertaking to support it.” The constitutional theory is that we the people are the sovereigns, the state and federal officials only our agents.” “The individual, unlike the corporation, cannot be taxed for the mere privilege of existing. The corporation is an artificial entity which owes its existence and charter powers to the state; but, the individual’s rights to live and own property are natural rights for the enjoyment of which an excise cannot be imposed.”

Redfield v Fisher, 292 P 813, at 819 [1930] “...an officer may be held liable in damages to any person injured in consequence of a breach of any of the duties connected with his office...The liability for nonfeasance, misfeasance, and for malfeasance in office is in his ‘individual’ , not his official capacity...”

70 Am. Jur. 2nd Sec. 50, VII Civil Liability

“Fraud destroys the validity of everything into which it enters,”

Nudd v. Burrows, 91 U.S 426. “Fraud vitiates everything”



Boyce v. Grundy, 3 Pet. 210 “Fraud vitiates the most solemn contracts, documents and even judgments.”

U.S. v. Throckmorton, 98 US 61 WHEREAS, officials and even judges have no immunity (See, Owen vs. City of Independence, 100 S Ct. 1398; Maine vs. Thiboutot, 100 S. Ct. 2502; and Hafer vs. Melo, 502 U.S. 21; officials and judges are deemed to know the law and sworn to uphold the law; officials and judges cannot claim to act in good faith in willful deprivation of law, they certainly cannot plead ignorance of the law, even the Citizen cannot plead ignorance of the law, the courts have ruled there is no such thing as ignorance of the law, it is ludicrous for learned officials and judges to plead ignorance of the law therefore there is no immunity, judicial or otherwise, in matters of rights secured by the Constitution for the United States of America. See: Title 42 U.S.C. Sec. 1983. “When lawsuits are brought against federal officials, they must be brought against them in their “individual” capacity not their official capacity. When federal officials perpetrate constitutional torts, they do so ultra vires (beyond the powers) and lose the shield of immunity.”

Williamson v. U.S. Department of Agriculture, 815 F.2d. 369, ACLU Foundation v. Barr, 952 F.2d. 457, 293 U.S. App. DC 101, (CA DC 1991). “It is the duty of all officials whether legislative, judicial, executive, administrative, or ministerial to so perform every official act as not to violate constitutional provisions.”

Montgomery v state 55 Fla. 97-45S0.879 a. “Inasmuch as every government is an artificial person, an abstraction, and a creature of the mind only, a government can interface only with other artificial persons. The imaginary, having neither actuality nor substance, is foreclosed from creating and attaining parity with the tangible. The legal manifestation of this is that no government, as well as any law, agency, aspect, court, etc. can concern itself with anything other than corporate, artificial persons and the contracts between them.”

S.C.R. 1795, Penhallow v. Doane’s Administrators 3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54; and, b. “the contracts between them” involve U.S. citizens, which are deemed as Corporate Entities: c. “Therefore, the U.S. citizens residing in one of the states of the union, are classified as property and franchises of the federal government as an “individual entity””, Wheeling Steel Corp. v. Fox, 298 U.S. 193, 80 L.Ed. 1143, 56 S.Ct. 773

Alexander v. Bothsworth, 1915. “Party cannot be bound by contract that he has not made or authorized. Free consent is an indispensable element in making valid contracts.”

HALE v. HENKEL 201 U.S. 43 at 89 (1906) Hale v. Henkel was decided by the united States Supreme Court in 1906. The opinion of the court states: “The “individual” may stand upon “his Constitutional Rights” as a CITIZEN. He is entitled to carry on his “private” business in his own way. “His power to contract is unlimited.” He owes no duty to the State or to his neighbors to divulge his business, or to open his doors to an investigation, so far as it may tend to incriminate him. He owes no duty to the State, since he receives nothing there from, beyond the protection of his life and property. “His rights” are such as “existed” by the Law of the Land (Common Law)



“long antecedent” to the organization of the State”, and can only be taken from him by “due process of law”, and “in accordance with the Constitution.” “He owes nothing” to the public so long as he does not trespass upon their rights.”

HALE V. HENKEL 201 U.S. 43 at 89 (1906) Hale v. Henkel is binding on all the courts of the United States of America until another Supreme Court case says it isn't. No other Supreme Court case has ever overturned Hale v. Henkel None of the various issues of Hale v. Henkel has ever been overruled since 1906, Hale v. Henkel has been cited by the Federal and State Appellate Court systems over 1,600 times! In nearly every instance when a case is cited, it has an impact

on precedent authority of the cited case. Compared with other previously decided Supreme Court cases, no other case has surpassed Hale v. Henkel in the number of times it has been cited by the courts. “The rights of the individuals are restricted only to the extent that they have been voluntarily surrendered by the citizenship to the agencies of government.”

City of Dallas v Mitchell, 245 S.W. 944 “An illegal arrest is an assault and battery. The person so attempted to be restrained of his liberty has the same right to use force in defending himself as he would in repelling any other assault

and battery.” (State v. Robinson, 145 ME. 77, 72 ATL. 260). TITLE 18

> PART I > CHAPTER 2 > § 31Definitions (6) Motor vehicle. The term “motor vehicle” means every description of carriage or other contrivance propelled or drawn by mechanical power and used for commercial purposes on the highways in the transportation of passengers, passengers and property, or property or cargo. “Highways are for the use of the traveling public, and all have the right to use them in a reasonable and proper manner; the use thereof is an inalienable right of every citizen.” Escobedo v. State 35 C2d 870 in 8 Cal Jur 3d p.27 The use of the automobile as a necessary adjunct to the earning of a livelihood in modern life requires us in the interest of realism to conclude that the RIGHT to use an automobile on the public highways partakes of the of a liberty within the meaning of the Constitutional guarantees. ...” Berberian v. Lussier (1958) 139 A2d 869, 872 “The RIGHT of the citizen to DRIVE on the public street with freedom from police interference, unless he is engaged in suspicious conduct associated in some manner with criminality is a FUNDAMENTAL CONSTITUTIONAL RIGHT which must be protected by the courts.”

People v. Horton 14 Cal. App. 3rd 667 (1971) “A “US Citizen” upon leaving the District of Columbia becomes involved in “interstate commerce”, as a “resident” does not have the common-law right to travel, of a Citizen of one of the several states.”

Hendrick v. Maryland S.C. Reporter's Rd. 610-625. (1914) “One who DRIVES an automobile is an operator within meaning of the Motor Vehicle Act.”

Pontius v. McClean 113 CA 452 “The word ‘operator’ shall not include any person who solely transports his own property and who transports no persons or property for hire or compensation.” Statutes at Large California Chapter 412 p.833 “The right of a citizen to travel upon the public highways and to transport his property thereon, by horse-drawn carriage,

wagon, or automobile is not a mere privilege which may be permitted or prohibited at will, but a common right which he has under his right to life, liberty, and the pursuit of happiness.”

Slusher v. Safety Coach Transit Co., 229 Ky 731, 17 SW2d 1012, and affirmed by the Supreme Court in Thompson v. Smith 154 S.E. 579.

Also See:

- EDWARDS VS. CALIFORNIA, 314 U.S. 160
- TWINING VS NEW JERSEY, 211 U.S. 78
- WILLIAMS VS. FEARS, 179 U.S. 270, AT 274
- CRANDALL VS. NEVADA, 6 WALL. 35, AT 43-44
- THE PASSENGER CASES, 7 HOWARD 287, AT 492
- U.S. VS. GUEST, 383 U.S. 745, AT 757-758 (1966)
- GRIFFIN VS. BRECKENRIDGE, 403 U.S. 88, AT 105-106 (1971)
- CALIFANO VS. TORRES, 435 U.S. 1, AT 4, note 6
- SHAPIRO VS. THOMPSON, 394 U.S. 618 (1969)
- CALIFANO VS. AZNAVORIAN, 439 U.S. 170, AT 176 (1978)

Here are some more documents showing that PROTECTED CLASSES CANNOT BE DISCRIMINATED AGAINST.

ORS 413.032<sup>1</sup>

Establishment of Oregon Health Authority

**(1)The Oregon Health Authority is established. The authority shall:**

**(a)Carry out policies adopted by the Oregon Health Policy Board**

<https://www.oregonlaws.org/ors/413.032>

ORS 413.042<sup>1</sup>

Rules

In accordance with applicable provisions of ORS chapter 183, the Director of the Oregon Health Authority may adopt rules necessary for the administration of the laws that the Oregon Health Authority is charged with administering. [2009 c.595 §14]

ORS 413.014<sup>1</sup>

Rules

In accordance with applicable provisions of ORS chapter 183, the Oregon Health Policy Board may adopt rules necessary for the administration of the laws that the board is charged with administering. [2009 c.595 §6]

Oregon Health Authority

Chapter 943

Division 5

**INDIVIDUAL RIGHTS**

943-005-0010

## Non-Discrimination Policy

**(1) The Authority shall not, either directly or through another entity, discriminate against any individual, or harass, exclude from participation, or deny the benefit of programs, services or activities because the individual belongs to a protected class.**

(2) The Authority shall not discriminate against an individual in the granting of licenses and certificates because the individual is part of a protected class.

(3) The Authority shall not apply criteria, standards, or practices that screen out or tend to screen out individuals in a protected class from fully and equally enjoying any goods, programs, services, or activities unless:

(a) The criteria can be shown to be necessary for providing those goods, programs, services or activities; or

(b) The Authority determines the screening or exclusion identifies a direct threat to the health or safety of others.

(4) The Authority shall provide programs, services, and activities in the most integrated setting possible to meet the needs of individuals within the context of the program, service, or activity.

(5) The Authority shall not require an individual to participate in programs, services, or activities that are separate or different, despite the existence of permissibly separate or different programs or activities.

(6) The Authority shall ensure each program, service, or activity, including public meetings, hearings and events, are usable by all individuals. This includes respecting the individual's dignity by providing individuals with disabilities the ability to safely approach, enter, operate, and participate in the program, service, or activity with or without reasonable modifications.

(7) The Authority shall ensure each program, service, or activity provides individuals with the opportunity to access translation, oral and sign language interpreters, auxiliary aids or services and other alternative methods of communications, including help for non-English speaking individuals and limited English proficiency (LEP) persons.

(8) The Authority shall take appropriate steps to ensure that communications with applicants, participants, and members of the public with disabilities are as effective as communications with others.

(9) The Authority shall not deny individuals the opportunity to participate on planning or advisory boards based on the individual's protected class.

(10) The Authority shall not discriminate against individuals due to their relationship or association with one or more individuals in a protected class.

(11) The Authority shall not retaliate against any individual filing a report of discrimination or harassment.

**(12) The Authority shall comply with the following statutes and regulations:**

**(a) Title VI of the Civil Rights Act of 1964 prohibiting discrimination in the delivery of services based on race, color or national origin (42 USC §2000d), and the United States Department of Justice (DOJ) implementing regulations at 28 C.F.R. Part 42, Subpart C.**

**(b) The Omnibus Crime Control and Safe Streets Act of 1968, prohibiting discrimination in the delivery of services based on race, color, national origin, religion, or sex (42 U.S.C. § 3789d(c) (1)), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart D.**

**(c) Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons at 67 Fed. Reg. 41455 (June 18, 2002), addressing the obligation of recipients to take reasonable steps to provide meaningful access to funded programs and activities to those persons who may be limited English proficient (LEP), pursuant to Title VI and the Safe Streets Act.**

**(d) Section 504 of the Rehabilitation Act of 1973, prohibiting discrimination in the delivery of services based on disability (29 U.S.C. § 794), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart G.**

**(e) Title II of the Americans with Disabilities Act of 1990 (as amended), prohibiting discrimination in the delivery of services based on disability (42 U.S.C. § 12132), and the DOJ implementing regulations at 28 C.F.R. Part 35.**

**(f) Title III of the Americans with Disabilities Act of 1990 (as amended), prohibiting discrimination in places of public accommodation based on disability (42 U.S.C. § 12182), and the DOJ implementing regulations at 28 C.F.R. Part 36.**

**(g) Title IX of the Education Amendments of 1972, prohibiting discrimination in educational services based on sex (20 U.S.C. § 1681), and the DOJ implementing regulations at 28 C.F.R. Part 54.**

**(h) The Age Discrimination Act of 1975, prohibiting discrimination in the delivery of services based on age (42 U.S.C. § 6102), and the DOJ implementing regulations at 28 C.F.R. Part 42, Subpart I.**

**(i) Executive Order 13279 and the DOJ regulations on the Equal Treatment for Faith-Based Organizations, prohibiting discrimination in the delivery of services based on religion and prohibiting the use of federal funding for inherently religious activities (28 C.F.R. Part 38(i)).**

**(j) Section 1557 of the Patient Protection and Affordable Care Act of 2010, prohibiting discrimination in the delivery of services in health care programs or activities based on race, color, national origin, sex, sex stereotypes, gender identity, age or disability.**

**(k) Oregon Revised Statute 659A.403, prohibiting discrimination in places of public accommodation based on race, color, religion, sex, sexual orientation, national origin, marital status or age if the individual is 18 years of age or older.**

**(l) Oregon Revised Statute 659A.103, prohibiting discrimination on the basis of disability.**

**(m) All other applicable state or federal laws. (1A 4A US CONSTITUTION)**

Statutory/Other Authority: ORS 413.042

Division 3  
PUBLIC HEALTH PREPAREDNESS  
333-003-0010  
Impending Public Health Emergency: Definitions

For purposes of OAR 333-003-0020 through 333-003-0080, the following definitions apply:

- (1) "Authority" means the Oregon Health Authority.
- (2) "Bioterrorism" has the meaning given that term in ORS 433.442.
- (3) "Communicable disease" has the meaning given that term in ORS 431.260.
- (4) "Condition of public health importance" has the meaning given that term in ORS 431.260.
- (5) "Health care provider" has the meaning given that term in ORS 433.443.
- (6) "HIPAA" means the Health Insurance Portability and Accountability Act of 1996 and regulations adopted there under by the United States Department of Health and Human Services.
- (7) "Individually identifiable health information" has the meaning given that term in ORS 433.443.

(8) "Local public health administrator" has the meaning given that term in ORS 431.003.

**(9) "Local public health authority" has the meaning given that term in ORS 431.003.**

**(10) "Public health emergency" has the meaning given that term in ORS 433.442.**

**(11) "Public health law" has the meaning given that term in ORS 431A.005**

(12) "Reportable disease" has the meaning given that term in ORS 431A.005.

(13) "State Public Health Director" is the person appointed by the Director of the Oregon Health Authority under ORS 431.035(3) or his or her designee.

Statutory/Other Authority: ORS 413.042 & 431A.020

ORS 431.180<sup>1</sup>

Interference with individual's selection of health care provider, treatment or religious practice prohibited

(1) Nothing in ORS 431.001 (Findings) to 431.550 (Power of Oregon Health Authority to collect information from local public health administrators) and 431.990 (Penalties) or any other public health law of this state shall be construed as authorizing the Oregon Health Authority or its representatives, or any local public health authority or its representatives, to interfere in any manner with an individual's right to select the physician, physician assistant, naturopathic physician or nurse practitioner of the individual's choice or the individual's choice of mode of treatment, nor as interfering with the practice of a person whose religion treats or administers sick or suffering people by purely spiritual means.

**(2) This section does not apply to the laws of this state imposing sanitary requirements or rules adopted under the laws of this state imposing sanitary requirements. [Amended by 1977 c.582 §15; 2007 c.70 §238; 2009 c.595 §541; 2014 c.45 §49; 2015 c.736 §36; 2017 c.356 §59] (See below)**

**Chapter 450 Sanitary Districts and Authorities; Water Authorities**

<https://www.oregonlaws.org/ors/chapter/450>

Oh and none of the statutes or authorities claimed by Kate Brown or the OHA grant any authority to override the Rules and Policies of the Agency, and the EO attached

claims **"HEALTH DIRECTIVES" (ORS 431.180 "OR ANY OTHER PUBLIC HEALTH LAW").**

[https://www.oregon.gov/gov/Documents/executive\\_orders/eo\\_20-27.pdf](https://www.oregon.gov/gov/Documents/executive_orders/eo_20-27.pdf)