

GRAND JURY PROJECT

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[NOTE: I'VE BEEN BEFORE A GRAND JURY UTILIZING MY "RIGHT OF PETITION."]

Why this project?

Ref. Grand Jury Investigation - *The Hidden 4th Branch* - the Power of the People

USE OF "PEOPLE'S" GRAND JURIES

To expose election fraud! And possibly expediently. The end result can be arrests, then trial... eventually jail. Another possibility is removing electronic election systems. A citizen can submit a "Petition"¹² to a grand jury, and based upon this, the grand jury can investigate on their own and issue their own subpoenas (*Hale v. Henkel* & other case law). The grand jury wields enormous power to investigate crimes (if the grand jury members know their full power).

Examples

This power has been used for holding accountable law enforcement (Rodney King's abusers). Others held to account include:

- State judges [Angus Kelly McGinty (TX), Gerald P. Garson (Chief Judge of NY)]
- Federal judges (Samuel B. Kent (Tx)³ Robert F. Collins (LA)⁴ W.L. Nixon (MS)⁵)
- U.S. Congressmen (Michael Grimm (NY), House Majority Leader Tom Delay (TX)), and...
- Even a president [Nixon – see the "Famous Watergate Seven" indictment of March 1st, 1974). **This great power can obviously be utilized in exposing election fraud, and bringing those committing the crimes to justice.**

Description and Background

The grand jury is composed of everyday people. If you were on the grand jury, would you investigate election fraud? You need not listen to the courts, as the grand jury is not a part of the court:

"They [grand juries] are not appointed for the prosecutor or for the court; they are appointed for the government and for the people..."

1906 landmark case, *Hale v. Henkel*, 201 U.S. 43 (1906),

See also *United States v. Williams*, 504 U.S. 36 at 48 (1992)

The grand jury is not "owned" or controlled by the prosecutor. In fact, the U.S. Attorney Manual (Department of Justice) states to the "prosecutor," that when in front of the grand jury:

"The prosecutor must recognize that the grand jury is an independent body."

USAM Chapter 9-11.010 – Introduction.

What is the purpose of the grand jury? To investigate and find "Probable Cause" that a crime has been committed. When crime is exposed, the grand jury provides "oversight of government" by "everyday people."

¹ The 1st Amendment "Right of Petition" is also to a grand jury, as the "right of petition" originated to a grand jury (C61 of the M.C.) See *Borough of Duryea vs. Guarnieri* (No. 09-1476), (2011) (footnotes by Justice Scalia).

² *Adderly vs. Florida* 385 U.S. (1966) (See comments by Justice William O' Douglas.) See also 18 USC §3332.

³ Federal Judge in Texas Indicted: <http://abcnews.go.com/TheLaw/FedCrimes/story?id=5681319&page=1>

⁴ Federal Judge in Louisiana Indicted: http://www.tulanelink.com/tulanelink/collinsimpeach_08a.htm

⁵ Federal Judge in Mississippi Indicted: http://www.tulanelink.com/tulanelink/nixon_box.htm

*"But, in this country, it... is for the grand jury to investigate any alleged crime, no matter how or by whom suggested to them, and, after determining that the evidence is sufficient to justify putting the party suspected on trial, to direct the preparation of the formal charge [presentment] or indictment." **Hale v. Henkel**, 201 U.S. – referencing *Frisbie v. United States*, 157 U. S. 160, (1895) (the word "investigate" underlined for emphasis.)*

The grand jury can issue a subpoena based upon "hearsay" (i.e., exit polls) for assurance of an honest election. Do they have this power of satisfying their "assurance" of an honest election?

*"[The grand jury] can investigate merely on suspicion that the law is being violated, or even just because it **wants assurance that it is not.**" U.S. vs. *Morton Salt Co.*, 338 U.S. 632, 642-643 (1950) (emphasis added)*

If we were living in the 1800s, politicians afraid of the grand jury would not even try election fraud, for fear of the people, as the people knew full well of this power and would "petition" a grand jury to hold corruption accountable. In modern times, this knowledge has faded away as powerful corporate interests and corrupt politicians wish not for "the people" to hold them accountable through the grand jury. In fear of the grand jury, the "PTB" have "perpetrated ignorance" upon the American people. Is this the first you have heard of this? To counter the "perpetrated ignorance" retired attorney Leo Denofrio (NJ) provided much research and coined the phrase of the grand jury as the "4th Branch of government."

In light of "perpetrated ignorance," the good news is that on occasion, some corrupt still get investigated, and indicted, like former Goldman Sacs corporate board member Rajat Gupta:

- DOJ Press Release:
<https://www.justice.gov/archive/usao/nys/pressreleases/October11/guptarajatindictmentpr.pdf>
- Actual Indictment:
[http://corporateaccountability2013.com/CourseMaterials/Indictment%20\(US%20v%20Gupta\).pdf](http://corporateaccountability2013.com/CourseMaterials/Indictment%20(US%20v%20Gupta).pdf)

This is the power of the people... to "Petition" a grand jury, and the grand jury investigates, and issues "Indictments," "presentments,"⁶ and in some states "informations/reports/accusations," watching over the government. It is the Hidden 4th Branch of government. The grand jury is alive and well, and the U.S. Supreme Court has only affirmed its power... birthed before the founding of the United States.

Special State Implementations

California: It should be noted that California has Civil Grand Juries, as required by the state Constitution. These are already investigating election fraud that occurred in the California primary. For more on the power of the grand jury, visit this site: <http://www.watchthevoteusa.com/civil-grand-jury-info/>.

Kansas, Florida, and Missouri: Have special provisions that are well worth considering.

Theoretically, if the grand jury knows their full power, they could show up at 1:00 pm on election day, grab ballots, and do a "recount." Statistically, a 10% count would yield a 90% confidence level for a prediction of the results, for a comparison to the preliminary results by electronic systems.

**Let's get election fraud evidence (from your county)
to your county (or state) grand jury!**

⁶ "Presentment," as found in the 5th Amendment to the U.S. Constitution. A "Presentment" is the written findings after a grand jury investigates on their own initiative without the assistance of a prosecutor. A "Presentment" is also a form of "probable cause." An "indictment" is also a form of probable cause, which both modes of "probable cause" lead to arrest and trial. The difference between "Presentment," and "Indictment" is found in Volume 4, Chapter 23 of Blackstone's Commentary of the Laws of England (1765 – 1769). Ask an attorney if they know the difference. Most attorneys won't know the difference from not being taught this in law school.

How do I take action?

- Study your state statutes to assist you in understanding the grand jury power within your state.
 - Note: Most attorneys will poo-hoo this, as they didn't learn much about this in law school. It is doubted if they know the history of the grand jury or the case laws presented above. Attorney Richard Fry was asked his experience with other attorney's and their knowledge of the grand jury. Counsel Fry said, "Other attorneys are clueless."
- Get with an action group, and communicate this approach:
 - Ballots for Bernie
 - Exit poll efforts
 - Vote counting efforts
 - Statisticians
 - etc....
- Be ready for problems & document them.
- Ask a local law researcher (or paralegal) to:
 - Study the state statutes on the grand jury, & write a summary for "everyday people."
 - Prepare a "Grand Jury Power" document, custom to your state. (This will later be very important.)
 - Study the "Right of Petition" in the 1st Amendment, and your state's Constitution. See the above court cases on "petition."
- Prepare a "Petition" / or a "Complaint":
 - A several page letter to summarize:
 - Request to appear physically to explain more
 - Provide names & numbers of witnesses (Or people from the action group.)
 - Evidence from within your county (i.e., exit polls.)
 - Contact Election Justice for "Declarations" from your state's primary.
 - Find DHS documents regarding an acknowledgment of the problem.
 - Find Secretary of State's documents acknowledging this problem.
 - Find relevant statements of computer programmers of this concern.
 - Include grand jury power from case-law, and state statutes. (If the grand jury does not know their power, all your efforts are a waste of time, as the DA will "mis-advise" the grand jury. (Reference this power in the first page of your letter.)
- While preparing the "Petition," organize 15-20 people to go to the courthouse together (many more if possible). This is necessary to get the attention of the DA.
- While preparing the "Petition," contact the local paper & tell them what you are intending. (Meet with them, as they will be the first to break the story.)
- Finalize the "Petition." (Make many copies. These may also be beneficial for attorneys in their lawsuits.)
- Submit the Petition to the District Attorney's Office (in California, submit directly to the Civil Grand Jury):
 - Group meets on the courthouse steps - all those you have contacted, and the press.
 - In the courthouse, go to the DA's "front door," and have the 15-20 people and the press stand behind you in support. (Of course, the DA's office might not be in the courthouse.)
 - "Ring the bell," or knock on a locked door. (Door is typically locked.)
 - When the DA appears, tell him/her that this is a group effort, and you want to appear before the grand jury - personally, under your "Right of Petition."

- Introduce to the DA (or deputy DA) the press, and hopefully they will shake hands. Tell the DA, “Yeah, this is Suzy from the local paper, she is covering if you will comply with the 1st Amendment “Right of Petition,” and get me before a grand jury.
- Summarize the evidence obtained.
- Verbally request to appear personally before the grand jury.
- Of course, be respectful & polite.
- Wait a few days for the DA’s office to respond:
 - Follow-up call.
 - Follow-up meeting, where one provides an “Amicus Curia”⁷ discussing the “Right of Petition” is also to a grand jury.
 - Wait a few more days.
 - If the DA’s office won’t submit the “Petition,” go to the press – immediately. (This puts pressure on the court if this comes out in a front page news article.)
- If the DA’s office won’t do anything, file a “Writ of Mandamus” with the court to cause the DA’s office to get the “Petition” to a grand jury. Utilize an “Amicus Curia” to educate the court.

ADDITIONAL DISCUSSION

I would suggest this effort be done in several of the larger counties of the state. If you find a good prosecutor who is honest, and trustworthy, you may find yourself in front of a grand jury very quickly. There, present the “Grand Jury Power” to the grand jury. This is necessary in the event that a good DA has a “change of heart” from political pressure, and tries to dissuade the grand jury from investigating. When you are before the grand jury, bring a friend (or two, or five) and have them wait out in the hallway. You can tell the grand jury that you have other witnesses or researchers in the hallway ready to testify. Also, tell clearly the grand jury what you want. You can write it down for them. One can even “design the investigation” for them.

The point of bringing a group of people to the DA’s office is to put pressure on them to submit this to the grand jury. The DA may be busy with murder and rape cases, and will probably express they don’t have time for something so “trivial.” The DA might respond to the group and the press, “Well, we just don’t get people before the grand jury like you might like.” Respond, “Respectfully, Mr. DA, can you provide a statute prohibiting this request... prohibiting my ‘Right of Petition’ to a grand jury?” Or, can you find any case law prohibiting this request?” Of course, the DA will respond, “I’ll get back to you.” He won’t be able to find any case law prohibiting your 1st Amendment “Right of Petition” in which you request to appear before the grand jury-physically.

In addition, the DA’s office will, by habit, think they run the grand jury. They do not, unless state statute dictates this (doubtful.) Another “motivating factor” is that, should a good DA work with a grand jury, and they expose a substantial problem, this will greatly increase the chances of the DA getting re-elected, or elected to another position. An open, honest, hard working DA can rise to the level of “glory,” like John Dewey of N.Y. in the 30’s. He did right, and was elected governor of New York – twice. Or very possibly, by bringing justice that is unique in the field of prosecution, a prosecutor could very well find himself/herself boosted to other political positions.

This might sound like a lot of work, however, for an honest election I hope the reader realizes it is worth it. For the sake of terminating the current electronic election system, we must. Typically, filing a “petition” to a grand jury through the DA’s office is free.

For assistance, contact Kelly Mordecai @ 530.598.9671
(Particularly if you do get a call or subpoena to appear before the grand jury.)

⁷ A draft amicus regarding the “Right of Petition” is prepared, and cites United States District Court, S.D. New York. April 25, 1985 IN RE GRAND JURY APPLICATION NO. 85 CIV. 2235 (VLB), Borough of Duryea vs. Guarneri & Adderly vs. Florida See also the last sentence in 18 USC §1504, where one can request to appear before a federal grand jury. I find no “prohibition” of a witness requesting to appearing before a grand jury. I find no justification for denying a witness to appear before a grand jury. Probably none exists with a new “matter,” not under consideration by the grand jury.