

## A ONE HOUR/WEEK PROJECT TO PRESERVE LIBERTY

**Jury Nullification is a major protector of our liberty.  
Unfortunately few people are familiar with this doctrine.**

**The following flier, news release, letter to editor, talking points and information on how to deal with resistance gives everything you need to make a significant impact for freedom. Moreover, it only takes one hour/week of your time, very little energy or money to be successful.**

**This is one of the fliers we distributed. Another flier was:  
*True or False, from [www.fija.org](http://www.fija.org).***

### **JURY NULLIFICATION OUR LAST PEACEFUL SAFEGUARD AGAINST TYRANNY**

**Jury Nullification is defined as the right of the jury to judge not only the guilt or innocence of an individual, but also to determine whether or not the law under which they are charged is a just law. It is one of our fundamental rights, and a protector of our liberty, but jurors are not told that they have this right. A juror should vote a defendant innocent of any law a juror feels is unjust, oppressive or unconstitutional even if a defendant is guilty of breaking the unconstitutional law of which they are charged.**

**The Founding Fathers all intended the jury to serve as a final safeguard of our liberties. In 1804, Samuel Chase, Supreme Court Justice and signer of the Declaration of Independence said: *"The jury has the Right to judge both the law and the facts". This power which Americans possess is to nullify oppressive acts of the legislature.***

**Thomas Jefferson said, *"I consider trial by jury as the only anchor, ever yet imagined by man, by which a Government can be held to the principles of it's constitution."***

**John Jay stated that *"juries have the right to take upon themselves to judge both the law as well the facts."***

**John Adams said, *"it is not only his (juror's) right, but his duty – to find the verdict according to his own best understanding, judgment and conscience, though in direct opposition to the direction of the court."***

In our Constitutional Republic the people have granted certain limited powers to government, preserving and retaining their God-given inalienable rights. Citizens should know what their rights are. They need not be told by the courts. The Constitution makes us the masters of the public servants. Should a servant have to tell a master what his rights are? Of course not, it's our responsibility to know our rights!

**The idea that juries are to judge only the "facts" is absurd and contrary to historical fact and law.** Are juries mere pawns to rubber stamp tyrannical acts of the government? We The People wrote the supreme law of the land, the Constitution, to "secure the blessings of liberty to ourselves and our posterity." Who better to decide the fairness of the laws, or whether the laws conform to the Constitution?

For more information: [www.fija.org](http://www.fija.org)

## **NARRATIVE OF EVENTS RELATING TO THE DISTRIBUTION OF FLIERS AT THE MARION COUNTY COURTHOUSE**

FYI On Monday Feb 1, 2010 six members of Sovereignty Action, a local citizen's group, went to the Marion County Courthouse to distribute information on Jury Nullification. We offered the information to all entering the courthouse. We observed that those chosen for jury duty seemed grateful to receive the information, but those working in the courthouse seemed uninterested.

Later we were told by prospective jurors, that those in the courthouse confiscated the information we distributed. Prospective jurors were told that they could not carry in any newspapers due to an order issued by State's Attorney Brad King. Although the one page flier we distributed is not a 'newspaper' it was confiscated nevertheless. The adage, 'That if you want to do something, any reason is a good one' certainly proved true in this situation.

We then decided to register an objection to Brad King. King's office sent out Ms. Brenda Mitchell to speak with us. She exhibited an unbridled arrogance and a crass attitude, treating us as if we were second class citizens unworthy of her time. After explaining to her the reason for our visit, she left and returned with Mr. Jerry Powers who said that their office did not issue the order, and refused to give us a statement to that effect. It seems strange that if someone misrepresented Mr. King, that they would not want to clarify the issue!

We then left.

However, we intend to continue distributing information on Jury Nullification at the Marion County Courthouse every Monday from 7:30 - 8:30 AM during the month of February.

COMMENT: Many freedom loving people are greatly concerned with what has been described as incompetent, overbearing, intrusive government at all levels in many areas of our lives.

It is therefore especially troubling that a judicial system, whose supposed goal is to administer justice and uphold the Constitution and the rule of law, seems to be doing everything possible to circumvent the rule of just law and keep citizen's ignorant of their rights as free men.

Addendum

I later spoke with Ms. Ruby Moore who was the individual who was actually confiscating the fliers from prospective jurors. Ms. Moore said she had received directions for doing so from Anthony ?? Esq. in Brad Kings' office. Apparently those who spoke with us in Mr. King's office were either ignorant or duplicitous.

**February 14, 2010 Addendum**

**I sent the following email to David Ellspermann & Administrative Judge, David Eddy on 2/13/10**

February 13, 2010

To: Judge David Eddy, David Ellspermann

Subject: Censorship & Confiscation of information informing citizens of one of their basic rights

Sovereignty Action has distributed information on the doctrine of Jury Nullification at the Marion County Courthouse for the last two weeks.

Ms. Ruby Moore has been confiscating this information.

We would like to know under whose authority this is being done, and if the information is to continue to be confiscated in the future?

Respectfully, Dr. Robert Dreyfus

**On February 13, we received an email with a PDF file from Judge Eddy's office addressed to the State's Attorney, Public Defender et al Marion County Judges and David Ellspermann's office dated February 8<sup>th</sup> 2010 !!! that said in part:**

**"Based on principles of free speech, I believe that whoever is distributing the handouts in question has a right to do so.**

**Accordingly, I see no reason why the handouts must be excluded from the jury assembly room. I believe we may trust jurors to follow the law as instructed by the judge."**

### LETTER TO EDITOR

#### JURY NULLIFICATION - A MAJOR PROTECTOR OF OUR LIBERTY

There is great concern by many law abiding Americans that as government grows ever larger and more intrusive, it increasingly infringes on the Constitutional Rights of citizens.

One of our major protections of our liberty is *Jury Nullification* which is defined as *the right of a juror to judge not only the guilt or innocence of an individual, but also whether or not the law is a just (good) law.* There are thousands of capricious, arbitrary and unconstitutional laws that do not harm any individual. Laws are so numerous that most of us unintentionally break one or more on a regular basis. Consequently, if those in power wish to harass you, they can usually find an excuse to do so by using arbitrary, unjust and unconstitutional laws.

Unfortunately, very few people know anything about *Jury Nullification*, and courts will not inform jurors of their right to judge the law as well as the guilt or innocence of their fellow citizens. Those who wrote the Constitution warned, a citizenry ignorant of their rights will lose them.

If you doubt that government power sometimes runs roughshod, read the book, [Mad Dog Prosecutors](#); or read about the vendetta against the boys on the Duke Lacrosse Team who were charged with kidnapping and rape by an out of control district attorney in spite of the fact that he knew they were innocent. E.R. Murrow said, "A nation of sheep will beget a government of wolves."

For more information: [www.fija.org](http://www.fija.org)

Word Count 241

# NEWS RELEASE

## FOR IMMEDIATE RELEASE

Every Monday from 7:30 – 8:30AM, members of Sovereignty Action, a local citizen's group, is going to distribute information on Jury Nullification at the 3<sup>rd</sup> Floor entrance to the Marion County Courthouse .

**Jury Nullification is defined as the right of the jury to judge not only the guilt or innocence of an individual, but also to determine whether or not the law under which they are charged is a just law. It is one of our fundamental rights, and a protector of our liberty, but the judiciary will not inform juror's of their rights!**

**The Founding Fathers all intended the jury to serve as a final safeguard of our liberties.** In 1804, Samuel Chase, Supreme Court Justice and signer of the Declaration of Independence said: *"The jury has the Right to judge both the law and the facts". This power which Americans possess is to nullify oppressive acts of the legislature.* Thomas Jefferson said, *"I consider trial by jury as the only anchor, ever yet imagined by man, by which a Government can be held to the principles of it's constitution."* John Jay stated that *"juries have the right to take upon themselves to judge both the law as well the facts."* John Adams said, *"it is not only his (juror's) right, but his duty – to find the verdict according to his own best understanding, judgment and conscience, though in direct opposition to the direction of the court."*

**The Constitutions of numerous States currently have provisions guaranteeing the right of jurors to "judge" or "determine" the law, and two recent court cases have upheld this right.** U.S. v. Dougherty, 473 F.2d 1139 (1972) and United States v. Moylan, 417 F.2d 1002, 1006 (4th Cir. 1969) However, the Supreme Court has ruled that although juries have the right to ignore a judge's instructions on the law, they don't have to be made aware of their right to do so.

**In our Constitutional Republic the people have granted certain limited powers to government, preserving and retaining their God-given inalienable rights.** So, if *it is the juror's right to decide the law, then the citizens should know what their rights are. They need not be told by the courts. After all, the Constitution makes us the masters of the public servants. Should a servant have to tell a master what his rights are? Of course not, it's our responsibility to know what our rights are!*

**The idea that juries are to judge only the "facts" is absurd and contrary to historical fact and law.** Are juries only mere pawns to rubber stamp tyrannical

acts of the government? We The People wrote the supreme law of the land, the Constitution, to "secure the blessings of liberty to ourselves and our posterity." Who better to decide the fairness of the laws, or whether the laws conform to the Constitution?

###

For more information:

Mr: Donald Barber

(352)525-0574

[www.fija.org](http://www.fija.org)

## **TALKING POINTS FOR CALL IN TALK SHOWS ON JURY NULLIFICATION**

When you call in don't bother with saying, How are you etc. Get to the point by saying something like this:

"It concerns me that we are losing many of our liberties and many people are ignorant of our basic rights. This is particularly true when it comes to Jury Nullification which is a major protector of our liberty.

Jury Nullification is the right of a juror to determine not only the guilt or the innocence of a person, but also the duty, the right and the responsibility of a juror to determine whether or not the law which they are accused of breaking is a just and a Constitutional law.

Let me explain: An example is; If a defendant is charged with breaking a law, let's say he's charged with carrying a weapon which is his right under the 2<sup>nd</sup> Amendment of the Constitution. He might be guilty of breaking the law, but since the law itself is unconstitutional a juror should vote him innocent since the law is a bad law and is unconstitutional."

**IF THE TALK SHOW HOST DISAGREES, STATE:**

**WELL THEN YOU DISAGREE WITH:** Supreme Court Justice John Jay who has stated that "*Juries have the right to take upon themselves to judge both the law as well the facts.*" Or Thomas Jefferson who said, "*I consider trial by jury as the only anchor by which Government can be held to the principles of the Constitution.*"

*and you disagree with the rest of the Founding Fathers. I respectfully suggest that you learn more about this issue.*

Jury selection takes place on Monday morning.

*For more information: [www.fija.org](http://www.fija.org)*

**TALK STATIONS IN OCALA:**

*Bob Rose 6:06 – 9:00 AM - WSKY 97.3FM – 1-877-975-9825*

*Chip Morris & PC 3:00 – 6:00 PM SAME #*

*Larry Whittler 1370AM 7 – NOON WOCA 622 9622*

## **CONCLUSION**

**If you elect to continue sitting on your butt and do nothing but complain, you have no excuse.**

**Now go out and do the right thing!**