

## HOW DO WE STOP THE PROFILING EPIDEMIC?

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What is profiling? In its simplest terms it is where someone looks at you and makes an assumption about you, basically "judging a book by its cover". When law enforcement "profiles" someone by assuming "they look guilty", "they are up to something", "they look like trouble", etc., without the "suspect" having done anything wrong, and reach the conclusion of "guilty" even when no crime has been committed, it ultimately results in a false arrest and imprisonment.

Who does this affect? EVERYONE. Literally anyone law enforcement sets their sights on becomes a victim in the "profiling epidemic". Worse yet, profiling is just the "tip of the iceberg" that is easily seen and often complained about. However, in the case of the "unsinkable" Titanic, it was not the tip of the iceberg, but rather, the unfathomable hulk of ice that was lurking hidden beneath the surface, that sealed the Titanic's fate by breaching the hull with a 300 foot gash below the waterline.

Here too, the fact that it is illegal for the District Attorney (DA) to prosecute felonies by complaint has been kept hidden and has had a massive impact, sinking our due process rights along with the expectation of justice, for everyone affected. (Unfortunately, for many the time has already run out). However, unlike the Titanic, the situation can be rectified (for those still alive) before the blow becomes fatal. But, we (all of the victims) need help in exposing this unlawful practice, the corruption that is allowing this atrocity to continue, and to hold accountable those responsible for these violations in order to establish justice and ensure legal prosecutions.

For decades, people have been arrested, prosecuted, convicted and imprisoned for massive amounts of time, not because they committed a crime, but because they were profiled by some law enforcement agent, or District Attorney, who grossly exaggerated what actually happened, or worse yet, entirely from an overactive imagination, dreamed up a scenario and "pinned" it on the suspect.

In either instance the "suspect" is in jail while the law enforcement officer submits the report to the DA, who gladly takes over dreaming up all of the charges they can get away with "pinning" on the "suspect". This creates the illusion that law enforcement is doing a good job and getting criminals off of the streets, and therefore, they meet their quotas, keep their jobs and are rewarded (with a promotion, bigger salary, etc.). The flip side to all of this is that they are destroying people's lives and their families in the process, and even if you get cleared of the charges -which most do not- your reputation is ruined and you have a "record" for the rest of your life, and to top it off, it is on the internet so even if you move to a new area, or even a new country to start over, and the neighbor (or law enforcement) decides to look you up, suddenly you are portrayed as a criminal all over again. THIS IS AMERICA! HOW CAN THIS BE? HOW DO WE STOP IT?



First we must realize that profiling is just a small part of the bigger problem ... illegal prosecutions. We've all heard "the victim doesn't want to press charges, there is nothing we can do". That is because only the "victim" can press felony charges with a "felony complaint", and if they are unwilling to do so, the only option for you to be charged is if the DA, presents their case against you to the Grand Jury, and convinces the Grand Jury to unanimously agree to issue an indictment.

Evidently, law enforcement got tired of missing their quotas because they could not get a "victim" to press their frivolous charges, and the DA going to the Grand Jury would require them to prove their claims, so they said "we don't need a victim," and decided to operate outside of the authority given to them by the United States Constitution and the California Constitution and press charges themselves, by "Felony Complaint", (a process in California that is only authorized for a private person to use).

There is no authority that allows the DA, any officer or government agent to press charges by felony complaint. When they do so, the court does not and cannot (by getting or filing other documents, or by any other means) acquire jurisdiction (legal authority) to hear the case. In 2005, then Attorney General, Bill Lockyer in People v. Viray, (2005) 134 Cal.App.4th 1186, 1201 stated "The government may not even be involved in the preparation, investigation and filing of a felony complaint" and in 2019 Attorney General Xavier Becerra stated "Under California law, a felony complaint does not confer trial jurisdiction" (Citing Serna v. Superior Court, (1985) 40 Cal.3d 239, 257). In Re Bush, (full cite and more available at [withoutoneplea.com](http://withoutoneplea.com)).

We have one Attorney General confirming that the government may not press charges by felony complaint and the current Attorney General confirming that a felony complaint does not confer jurisdiction, and the United States Supreme Court in Ruhrgas v. Marathon Oil, 526 U.S. 574 (1999) solidifying the issue stated "Jurisdiction is fundamental, without it courts cannot proceed at all in any case". And because the DA brought charges by a felony complaint, which could not notify the Defendant of the charges in the mode required by law, everything from the time it was filed with the court forward (plea, trial, sentence, etc.) is VOID and the case must be dismissed.

If you are in California, and in your case the DA used a complaint charging a felony (and 99% of cases have) and the court accepted that complaint, they proceeded without jurisdiction. You have been illegally prosecuted, convicted and imprisoned, and are entitled to release and financial compensation. How many other states are doing the same thing? Colorado is one, corruption is rampant in government.

#### THE OPPRESSION MUST STOP!

"The LORD executes righteousness and Justice for all who are oppressed"  
Psalm 103:6 HOLY BIBLE (NKJV).

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