# NEVER Let Them Search Your Car

*[Below is an excerpt From Dave Gonigam, editor of the* 5 Minute Forecast *and contributor to* Laissez Faire Letter.]

Imagine the moment you pull into the parking lot at a gun show, your license plate goes in to a federal database.

This week, THE ACLU released a trove of do comments from the Drug Enforcement Administration (DEA) obtained under the Freedom of Information Act. The documents are incomplete and heavily redacted... but they reveal the feds have been building a database tracking the real-time movement of vehicles nationwide.

The documents reveal the DEA launched the tracking program in 2008, using automated license plate readers. The following year, the DEA.'s Phoenix office began planning a project with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to track the comings and goings from public gun shows using the tracking technology.

T he DEA says it never followed through on the plan. Although right now, we have only their word. And the documents raise more questions than they answer. "We just happened to get that tidbit about the gun shows," the ACLU's Jay Stanley tells *The Guardian.* "Whether they targeted other groups we jus t don't know. That's the problem. We're like archaeologists trying to read a scrap of bone and build a picture of the whole organism." While many details remain murky, we know hundreds of millions of records have been uploaded to the database. "It's deeply concerning and creepy," says Clark Neily from the Institute for Justice. "We're Americans. We drive a lot."

The tracking program is not about drugs or guns; it is about revenue. Specifically, the revenue from civil asset forfeiture. It is right there in one of the DEA documents. "The primary goal of the license plate tracking program," summarizes *The Wall Street Journal,* "is to seize cars, cash and other assets . . ."

The problem with asset forfeiture, as we have chronicled now and then, is **you do not need to be convicted or even accused of drug trafficking for the government to seize your property.** It is your property that is judged guilty and confiscated, and your property gets no due process of law.

The place where you might be most vulnerable to forfeiture is in your car - where modern-day highwaymen in uniform can prey upon you. William Davis and John Newmerzhycky know this all too well. In April 2013, they were driving through Iowa on their way home to California from a World Series of Poker tournament. They were pulled over for failure to signal a lane change. By the time the "routine traffic stop" was over, the e cops seized the men's winnings - $100,000 in cash.

Because large sums of cash are always guilty. Or, something like that.

Bonus points: The dash cam video from the police cruiser reveals the driver did signal his lane change. That came out during the subsequent lawsuit. The men got $90,000 back. .. However, legal fees ate up a third of it.

Nor do you have to be hauling briefcases of cash to be vulnerable. The Institute for Justice - which litigates big-ticket forfeiture cases - says the typical seizure is for less than $500. Small enough to fit in your wallet... and not enough for most people to justify a court fight.

Law enforcement agencies that seize property via forfeiture can spend the loot on "just about anything under a law enforcement agency's roof," according to Roy Hain - a former sheriff's deputy from Kane County, Illinois, writing under the pseudonym of Charles Haines.

Understand, Mr. Hain is not alerting you to the risk of forfeiture - he is advising the modern-day highwaymen on how to seize more loot.

**Hain** is marketing director for a private firm called Desert Snow. As *The Washington Post* explained in a lengthy expose last fall, Desert Snow trains legions of officers in seizure techniques. The firm brags its graduates seized $427 million during traffic stops in a single five-year stretch.

With that kind of money at stake for them, you become a moving target.

However, no matter what, do not yield to the temptation to throw up your hands and feel helpless.

True, there is only so much that is within your control when it comes to the highwaymen in uniform. But with that in mind, we offer a few common-sense guidelines.. .

First, know when you are on the road that the e cops consider nearly every Interstate highway a "regional drug transportation corridor."

Keep your car "clean." Make sure all your taillights, brake lights, license plate lights, etc., are in working order. You might still get pulled over like the guys in Iowa, but you don't want to give the police an excuse

Maybe it's unavoidable, but try not to carry more than $500 cash

Moreover, once the trooper gives you your warning or ticket and sends you on your way, do not fall for the Colombo trick. That is what happened to Davis and Newmerzhycky: They were about to resume their journey when the trooper asked, "Do you have time for a couple of questions?" Everything went downhill from there.

Desert Snow trains officers in this very technique. See, once you're free to go, the law considers any further interaction with law enforcement to be "consensual" - even if it doesn't feel that way to you, seeing as the cop is the one with the badge and the gun.

Finally... You might be asked the ambiguous question, "You don't mind if I have a look in your car?" The unambiguous answer to give, according to the invaluable Flex Your Rights website, is: "I do not consent to any searches.''

REMEMBER the Fifth Amendment! It says;

"No person shall be made to be a witness against himself".

It does not say that you do not have to answer any questions. It tells you that they cannot ask you questions without perjuring their Oath of Office.

There is no law that requires anyone to identify them self.

See the following case law (Court decisions).

**Citizen Immunity:**

Fear not the governments, for you, as an American, are sovereign, and have the rights of a King.

**A Citizen of a state of the union stands absolved from the jurisdiction of the judicial powers of the United States.** STATE OF RHODE ISLAND v. STATE OF MASSACHUSETTS, 37 US ? 12 Peters at 674 (1838).

**"The people are sovereign are not bound by general words in statutes, restrictive of prerogative right, title or interest, unless expressly named. Acts of limitation do not bind the King or the people. The people have been ceded all the rights of the King, the former sovereign,.....It is a maxim of the common law, that when an act is made for the common good and to prevent injury, the King shall be bound, though not named, but when a statute is general and prerogative right would be divested or taken from the King (or the people) he shall not be bound."**

PEOPLE v HERKIMER, 4 Cowen (NY) 345, 348 (1825)

**"All codes, rules and regulations are applicable to the government authorities only, not human/Creators in accordance with God's laws. All codes, rules and regulations are unconstitutional and lacking in due process** ..." RODRIQUES v. RAY DONAVAN [U.S. DEPARTMENT OF LABOR], 769 F. 2d 1344, 1348 [1985]

**No action can be taken against the sovereign in non-constitutional courts of either the United States or the state courts & any such action is considered the crime of barratry. (Barratry is an offense at common law)**. State v Batson 17 S.E. 2d 511, 512, 513. "The United States is located in the District of Columbia." - California Commercial Code 9307 h)

**PUBLIC NOTICE
Yick Wo v. Hopkins: Sovereignty itself is, of course, not subject to law, for it is the author and source of law; but in our system, while sovereign powers are delegated to the agencies of government, sovereignty itself remains with the people, by whom and for whom all government exists and acts.** By Justice Mathews.

Long v Rasmussen, 281 F. 236, AT 238, (1922): Also Economy Heating and Plumbing Co. v U.S., 470 F. 2d 585 (U.S. Ct. of Claims 1972), 124, 194:

**"The revenue laws are a code or system in regulation of tax assessment and collection. They relate to taxpayers, and not to nontaxpayers. The latter are without their scope. No procedure is proscribed for nontaxpayers and no attempt is made to annul any of their rights and remedies in due course of law. With them Congress does not assume to deal, and they are neither of the subject nor of the object of the revenue laws."**

**"The people of the state are entitled to all rights which formerly belong to the King, by his Prerogatives."** Lansing v. Smith, 4 Wendell 9,20 (N.Y.) (1829).

**The Supreme Court of the United States of America has determined, “All codes, rules, and regulations are for government authorities only, not human/Creators in accordance with God’s laws. All codes, rules, and regulations are unconstitutional and lacking due process…”** Rodriques v. Ray Donavan (U.S. Department of Labor) 769 F. 2d 1344, 1348 (1985).

**"The United States is located in the District of Columbia."** California Commercial Code 9307 h). Penhallow v. Doane’s Administraters (3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54),

**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, (3 U.S. 54; 1 L.Ed. 57; 3 Dall. 54),

**Keeping in mind the well-settled rule that the Citizen is exempt from taxation unless the same is imposed by clear and unequivocal language, and that where the construction of a tax law is doubtful, the doubt is to be resolved in favor of those upon whom the tax is sought to be laid.** SPRECKELS SUGAR REFINING CO. v. McCLAIN, 192 U.S. 397, 24 S.Ct. 376, 418, U.S. 1904 A.D.

**EXECUTIVE ORDER 12612**

October 26, 1987, pres. Ronald Reagan.

Section 2(d), "**The People of the States are free, subject only the those restrictions in the constitution itself or in constitutionally authorized Acts of Congress, to define the moral, political, and legal character of their lives."**

Title 18 USC § 71. Permanent Seat of government.

 **All that part of the territory of the United States included within the present limits of the District of Columbia shall be the permanent seat of government**.

Title 18 USC § 72. Public Offices. At seat of government.

 **All offices attached to the seat of government shall be exercised in the District of Columbia, and not elsewhere, except as otherwise expressly provided by law.**

**Title 18 USC § 4001**

(a) No citizen shall be imprisoned or otherwise detained by the United States except pursuant to an Act of Congress.

NOTE: There is no Act of Congress authorizing the imprisonment of Citizens!

**"The people are sovereign and are not bound by general words in statutes, restrictive of prerogative right, title or interest, unless expressly named. Acts of limitation do not bind the King or the people. The people have been ceded all the rights of the King, the former sovereign,...It is a maxim of the common law, that when an act is made for the common good and to prevent injury, the King shall be bound, though not named, but when a statute is general and prerogative right would be divested or taken from the King (or the people) he shall not be bound."** PEOPLE v HERKIMER, 4 Cowen (NY) 345, 348 (1825)

**"There, 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 v. NEALE, 2 N.C. 338 (1796) 2 S.E. 70.

**"The revenue laws are a code or system in regulation of tax assessment and collection. They relate to taxpayers, and not to nontaxpayers. The latter are without their scope. No procedure is prescribed for nontaxpayers and no attempt is made to annul any of their rights and remedies in due course of law. With them Congress does not assume to deal, and they are neither of the subject nor of the object of the revenue laws."** Long v. Rasmussen, 281 F. 236, AT 238, (1922): Also Economy Heating and Plumbing Co. v. U.S., 470 F. 2d 585 (U.S. Ct. of Claims 1972), 124, 194:

Taxpayers are those employees of the US government. Those who work at the District of Columbia, Puerto Rico, and other islands under the government.

Non-taxpayers are those men or women who are not under the statutory jurisdiction of the US government. Disconnection is necessary in order to be a Nontaxpayer. It is a journey. See "Declaration and revocation of election,

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**Diplomatic immunity**

Diplomatic immunity is a status granted to diplomatic personnel that exempts them from the laws of a foreign jurisdiction.

The Vienna Convention of Diplomatic Relations (1961), which most states have ratified, offers diplomats acting as officials of state almost total protection from subjection to criminal, administrative, and civil laws belonging to the country in which the diplomatic mission is located. Diplomats assigned to missions located in foreign countries remain subject to the laws of their home countries. The diplomat's country of origin has prerogative over whether or not a host country may prosecute a diplomat under its (i.e. 'foreign') laws.

The Diplomatic Relations Act of 1978, [22 U.S.C. § 254a et seq.](http://www4.law.cornell.edu/uscode/html/uscode22/usc_sec_22_00000254---a000-notes.html) governs diplomatic immunity in the United States. Title 22 specifies the degree of protection awarded to diplomatic personnel; protection increases in parallel with the official's status within a diplomatic mission. For more information about specific immunities granted to foreign diplomats residing in the U.S., see the U.S. State Department's [chart](http://www.state.gov/m/ds/immunities/c9127.htm) of immunities and privileges.

Title 22 USC §254d

Any action or proceeding brought against an individual who is entitled to immunity with respect to such action or proceeding under the Vienna Convention on Diplomatic Relations, under section [254b](http://www.law.cornell.edu/uscode/text/22/254b) or [254c](http://www.law.cornell.edu/uscode/text/22/254c) of this title, or under any other laws extending diplomatic privileges and immunities, shall be dismissed. Such immunity may be established upon motion or suggestion by or on behalf of the individual, or as otherwise permitted by law or applicable rules of procedure.

The only thing that should come out of your mouth is, "Sir! I have immunity." when stopped by any law enforcement officer, or addressed by any officer of a court. You are outside of their jurisdiction when you do this.

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