

From: GARY NORTHINGTON

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To: Rudy Davis

Attachments: □

Dear Bro. Rudy,

SEPARATING CRIMINAL ALIENS FROM CHILDREN

There has been much rhetoric blaming President Donald Trump for immigrant children being separated from parents and human traffickers who violate federal criminal statutes by illegally coming into the United States. The alien parents and traffickers are jailed for prosecution and the children are put into nice housing units which are much better than general living conditions where they came from and better than most U.S. prisons. The U.S. Supreme Court said these "conditions of governmental custody are decent and humane" and "surely does not violate the Constitution". *RENO v FLORES*, 507 US 292, 318-319 (1993).

Demonrats (my spelling) of U.S. Congress label the Trump administration as abusive because of these child-parent separations. This separation began with legislation introduced by Demonrat Diane Feinstein and signed into law by President Bill Clinton. Clinton had Attorney General Janet Reno enforce this child-parent separation in the case of *Reno v Flores*, 507 US 292 (1993). This was continued with President George W. Bush, and got worse under President Barack Hussein Obama (aka Barry Soetros). Obama began putting the children of illegal immigrants into jail-like holding pens for months prior to year 2014. Pictures of immigrant children crying in jail cages for which mainstream media (ABC, CBS, CNN, NBC, etc.) blames President Donald Trump are pictures of the Obama era in 2014, not in 2018.

This tactic of creating bad situations and blaming someone else is a standard Communist-Olinsky tactic. Communists of the media and Demonrats were and are concertedly attempting to overthrow the legitimate government of We the People (See Preamble to the Constitution). It's similar to the Bolshevik Revolution. This is a decades-in-the-making coup d'etat intended to overthrow conservative-elected Presidents and legitimate U.S. government.

Bill Clinton enforced the 1991 statute requiring children to be separated from imprisoned immigrant parents. Parent-child separation happens to U.S. Citizens when imprisoned. Attorney General Janet Reno argued in the U.S. Supreme Court for President Clinton that children should be separated from imprisoned parents and kept in federal INS housing. Bill Clinton said on TV that this should be done (I saw the news clip). Now, Demonrats say this statute they enacted should not be followed under a conservatively-elected administration. Why should criminal foreigners be treated better than U.S. Citizens?

The U.S. Supreme Court ruled in the Bill Clinton case: "In sum, this case does not concern the scope of the DUE PROCESS CLAUSE. We are not concerned whether the constitutional concept of 'liberty' extends to some hitherto unprotected aspect of personal well-being, but rather whether a governmental decision (of Bill Clinton) implicating a squarely protected liberty interest comports with SUBSTANTIVE (following law) DUE PROCESS. *RENO v FLORES*, 507 US 292, 318-319 (1993). This is based on the federal law that aliens and children

illegally entering the United States may be separated while the adult parent or human trafficker is tried for criminally entering the United States without government consent.

However, non-citizens do not have Federal rights under the 14th Amendment. In *John Bad Elk v Wilkins*, 112 US 94 (1900), the U.S. Supreme Court ruled John Bad Elk "had never been naturalized and had not become a citizen through statute or treaty [and, therefore,] was not a citizen of the United States under the 14th Amendment" (Native American reservations are separate nations from the U.S.A.).

The 14th Amendment text is important here. It says in relevant part: "All persons born or naturalized in the United States and subject to the jurisdiction thereof, are CITIZENS of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of CITIZENS of the United States; nor shall the State deprive any PERSON of life, liberty, or property without DUE PROCESS of law".

Regarding this part of the 14th Amendment:

- (1) Non-citizens do not have "the privileges or immunities of citizens of the United States" described in Clause 1 of the 14th Amendment.
- (2) "PERSONS" in the DUE PROCESS CLAUSE covers both citizens and non-citizens regarding State and Federal rights acted on by a State only within that State. This Clause refers only to State actions but not federal actions against a "PERSON."
- (3) DUE PROCESS does not apply to PERSONS NOT within a State such as at Guantanamo, Cuba.

The United States Supreme Court ruling in *RENO v FLORES* saying that illegal immigrants have Federal DUE PROCESS rights was judges enacting law. No judge has authority to write law but is limited to only the "judicial Power of the United States" under Article III of the United States Constitution. Article I of the U.S. Constitution says "ALL legislative Powers herein granted shall be vested in a Congress of the United States which shall consist of a Senate and House of Representatives". Any law or judicial ruling contrary to United States Constitution is null and void upon inception. *MARBURY v MADISON*, 5 US 137, 180 (1803).

Therefore, the ruling of *RENO v FLORES* alleging Federal DUE PROCESS rights for criminal aliens who illegally enter the U.S. is null and void upon inception. Demonrats are inciting violence with such lies; the Bolsheviks of an attempted coup d'etat like Revelation 19:19-20. May God Bless the Republic. Revelation 10:19.