

MOORISH NATIONAL REPUBLIC OF PEACE

Board of Directors Assembled Republic Rules and Criminal Procedure



TO ESTABLISH REPUBLIC RULES AND CRIMINAL PROCEDURE

Pursuant to the Moorish National Republic of Peace Constitution Amendment 18, Section 2, Clause 2, wherein it states; “The Moorish National Republic of Peace shall make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the Moorish National Republic of Peace, or any Department or Officer thereof”, there shall hereby be designated “Criminal Procedure” provisions to serve this purpose. This Public law shall go into immediate force.

PUBLIC LAW VOTED ON: September 20th, 2020

PRESIDENT OF M.N.R.P.: Eric-Ingram: Bey



REPUBLIC RULES OF CRIMINAL PROCEDURES

- 1. The Disciplinary Committee shall have the power to issue warrants for the search and seizure of property and premises of any person under the jurisdiction of the court.**
- 2. No warrant for search and seizure shall be valid unless it contains the name or description of the person or property to be searched and describes the articles or property to be seized and bears the signature of a duly qualified Member of the Disciplinary Committee.**
- 3. No warrant of search and seizure shall be issued except upon probable cause that a search will discover: stolen, embezzled, contraband, or otherwise criminally possessed property which constitutes evidence of the commission of a criminal offense. Such probable cause shall be supported by a written and sworn statement based upon reliable information**
- 4. Warrants of search and seizure shall be executed by authorized Alp Security enforcement personnel. The warrant shall be returned within the time limit shown on the face of the warrant, which in no case shall be longer than three days from the date of issuance. Warrants not returned within such time shall be void.**
- 5. No Alp Security Official conduct any search without a valid warrant unless; Incident is making a lawful arrest; With the knowing, voluntary consent of the person being searched; When he has probable cause to believe that the person searched may be armed and dangerous, and then only to the extent necessary to detect the presence of a weapon; When the search is of a National Conveyance capable of being driven away before a warrant can be obtained, and the officer has probable cause to believe that it contains contraband, stolen or embezzled property.**
- 6. Anyone interfering with the execution of a search warrant may be found in contempt of court.**
- 7. No Alp Security Official shall arrest any person for any offense set out in the National Public Laws except when:(a) The officer shall have a warrant signed by a Member of the Discipline Committee commanding the arrest of such person; or (b) The criminal offense shall occur in the presence of the arresting officer; or (c) The officer shall have probable cause to believe that**



the person to be arrested has committed a criminal offense and said arrest will stop any further offenses against the Nation-State or a natural person.

8. Every Discipline Committee shall have the authority to issue warrants to arrest and such warrants shall be issued, the at the discretion of the court, only after a written complaint shall have been filed.

9. The arrest warrant shall contain the following information:

(a) Name or description and address, if known, of the person to be arrested.

(b) Date of issuance of the warrant.

(c) Description of the offense charged.

(d) Signature of the issuing Member of the Discipline Committee.

10. Alp Security officials shall be empowered to seek the cooperation of other agencies outside the reservation to secure the arrest of individuals under National arrest warrant.

11. Arraignment shall be held in open court without unnecessary delay after the accused is taken into custody and in no instance shall arraignment be later than the next regularly scheduled session of court.

12. Before an accused is required to plead to any criminal charge, the Discipline Committee shall:

(a) Read to the accused and determine that he understands the complaint and the National Public Law which he is charged with violating, including the maximum authorized penalty; and

(b) Advise the accused that he has the right to remain silent, to be tried by a jury; and to be represented by counsel at his own expense and that arraignment will be postponed should he desire to consult with counsel.

13. If the accused pleads "not guilty" to the charge, a trial date shall then be set and the Discipline Committee shall then set the conditions for bail prior to trial.

14. If the accused pleads "guilty" to the charge, the Discipline Committee shall determine that the plea is made voluntarily and that the accused understands the consequences of the plea. The Discipline Committee may then impose sentence or defer sentencing for a reasonable time in order to obtain



any information he or she deems necessary for the imposition of a just sentence. The accused shall be afforded the opportunity to present any information he deems useful in determining the setting of bail. The court shall then upon consideration of such information and all other facts set bail at an appropriate amount.

15. If the accused refuses to plead, the Discipline Committee shall enter a plea of not guilty on his or her behalf.

16. For purposes of alleged violations by corporate entities, any officer of the corporation may appear on behalf of said corporation. Any arrest warrants on behalf of the corporations are executable against any officer or executive official of said corporation.

17. A schedule of bail monies shall be established by the National Court and made available to an individual charged with a criminal offense. The Clerk of Court or an enforcement official is authorized to accept bail in such specified amounts and to post this bail. Such bail shall only be accepted from individuals who also produce a signed agreement to appear bearing either his or her signature or mark.

18. The aforementioned bail schedule shall be utilized by the Clerk of Court and/or law enforcement officials. The National Court itself may set bail in whatever amount it deems appropriate.

19. Should the National Court feel any of the following will reasonably assure the appearance of the individual at any time lawfully required, the court may impose one or more of the following conditions for release from custody pending trial:

(a) Release on personal recognizance upon execution by the accused of a written promise to appear at trial and all other lawfully required times.

(b) Release to the custody of a designated person or organization agreeing to assure the accused's appearance.

(c) Release with reasonable restrictions on travel, association, or place of residence of the accused during the period of release.

(d) Release after deposition by the accused or a bondsman of bond in either cash or other sufficient collateral in an amount specified by the Discipline Committee or a bail schedule.



20. Upon arrest, the suspect shall be advised of the following rights:

(a) The right to remain silent.

(b) That any statements made by the suspect may be used against him or her in court.

(c) The right obtain counsel at his or her own expense

21. Any person who is concerned in the commission of a violation of a National Public Law is a principal and may be adjudged to have committed the violation although such person did not directly commit it and although the person who did directly do so has not been subject to an act or in National Court. A person is concerned in the commission of a violation if such person:

(a) Directly violates; or

(b) Aids and abets the violation; or

(c) Is party to a conspiracy with one or more others to violate or advises, hires, counsels, or otherwise procures another to commit the violation.

22. The class juveniles shall include all individuals who have not achieved their respective eighteenth (18) birthday.

23. The court may take judicial notice of any foreign law properly authenticated.

24. The court may at any time in a proceeding take judicial notice of an adjudicative fact that is not subject to reasonable dispute in that it is either generally known within the territorial jurisdiction of the court or is capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questions.

25. This does not control the taking of judicial notice of legislative facts

Voted to Pass

Voted Against

Eric Ingram Bey PRESIDENT

Jameel Clark El VICE PRESIDENT

Keela Walker El TREASURER

Elwood Evans El CHIEF DIRECTOR OF SECURITY

Don Marcus Mitchell Bey DIRECTOR OF INFRASTRUCTURE

Charles Gadson El DIRECTOR OF TRANSPORTATION

Shirley Anderson Bey SPIRITUAL ADVISOR

Rickey Williams Bey DIRECTOR OF REGISTRAR



William Davis Bey Province of Alabama Chief Alp Security
Terry Smith Jr Bey National and Citizen

