



Happy New Year !!?



Great news for the moment! A court order regarding the issuance of a temporary Injunction against the State of Ohio and SB 193. So, we are clear for 2014; not sure beyond that at this time but let's go get them this year.

Don Shrader, Chairman

View PDF of Court Order Online:
<http://www.cpofohio.org/OpinionAndOrderPI-1-07-14.pdf>



The 7th Amendment
by Don Shrader
 Chairman, CPO

There may be no more important Amendment than the 7th, particularly when coupled with the 5th and 6th. While various legal entities, as evidently upheld by the courts, claim that the 7th refers only to federal courts, I have no doubt the founders intended a broader application. Many of those same legal entities claim the same thing for the 6th but it seems to

me to be difficult to get around the fact that the 6th specifically places a requirement upon the individual states. (Please note that I am NOT an attorney and these considerations should be taken as a political perspective, not a legal one.) Certainly the sequence of the due process clause of the 5th Amendment, the individual protection of a speedy fair public trial "by an impartial jury in the State and district wherein the crime shall have been committed," and the "right to a trial by jury shall be preserved" as declared by the 7th Amendment is, to me, the ultimate final protection of the individual from an overbearing and obtrusive Government. This is in no way intended to take anything away from the 2nd Amendment by which all other rights enumerated in the Constitution are ultimately protected including the 1st Amendment which ensures the right to freely speak a gospel message (aka Phil Robertson of Duck Dynasty fame).

While it is usually proclaimed that the American Revolution was fought because of "taxation without representation" (which certainly was a mitigating factor), a careful reading of the Declaration of Independence will reveal that the largest body of evidence against the King was the

suspension of laws and due process. A primary element sparking the American Revolution was the suspension of trials by juries by King George III. In spite of mishaps and false convictions and the like within the present system of jurisprudence, the founders, I am sure, saw the 5th through 7th Amendments as critical to the preservation of the constitutionally protected unalienable rights of each and every U.S. citizen.

Those of us in the Constitution Party, by and large, are well aware that all aspects of the Constitution and the protected rights therein are under a constant barrage of attacks by the duopoly of Democrats and Republicans. While no doubt President Obama has openly declared war on the Constitution and is working feverishly to destroy almost every individual right and protection, it was the complicit Republicans that brought us the Patriot Act, the Department of Homeland Security, the TSA, the NSA, and the National Defense Authorization Act (NDAA) with their continued and ever increasing usurpation of all individual rights and freedoms in the name of National Security for all citizens.

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As declared by the liberal ACLU on their website, "In December 2011, President Obama signed the 2012 NDAA, codifying indefinite military detention* (of U.S. Citizens) without charge or trial into law for the first time in American history. The NDAA's dangerous detention provisions would authorize the president — and all future presidents — to order the military to pick up and indefinitely imprison (U.S. Citizens) captured anywhere in the world, far from any battlefield. Under the Bush administration, similar claims of worldwide detention authority were used to hold even a U.S. citizen detained on U.S. soil in military custody, and many in Congress now assert that the NDAA should be used in the same way again. The ACLU believes that any military detention of American citizens or others within the United States is unconstitutional and illegal, including under the NDAA.

I urge anyone reading this to join the Constitution Party of your state and help elect responsible Constitution Party legislators at all levels that will uphold and defend the Constitution. Let's reverse these unconscionable attacks on our constitutionally protected liberties and rights.

*<https://www.aclu.org/blog/national-security/senators-demand-military-lock-american-citizens-battlefield-they-define-being>



The Bill of Rights

Amendment 7

Trial by Jury in Civil Cases - Ratified 12/15/1971

In Suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.

The Constitution Party of Ohio Citizen's Courier



NDAAs 2014 Continues Suspension of "Habeas Corpus"

by Susan Sanders
CPO Media Director

In our American judicial system we enjoy the right to "Habeas Corpus." "Habeas Corpus" is a judicial mandate requiring that a prisoner be brought before a court to determine if the government has sufficient cause and therefore the right to continue detaining him. According to Article One of the Constitution, the right to a writ of habeas corpus can only be suspended when "in cases of rebellion or invasion the public safety may require it."

The 2014 NDAA was just signed into law on December 26, 2013. This annual law provides for the budget for the Department of Defense. Section 1071 of the 2014 bill directs the Secretary of Defense to establish a "Conflict Records Research Center." This center

would house a database of records captured from countries, organizations and individuals who are considered hostile to the United States.

The NSA is sweeping all of our phone records, e-mail communications, internet browsing and social media posts. Under Section 1071 of the NDAA of 2014, these data would qualify as a "captured record." The President, Attorney General, or anyone with access could peruse the unconstitutionally obtained records and flag you or me as a "hostile." We could be arrested and detained indefinitely without being charged with a crime and our right to file for a writ of habeas corpus will be denied. *(Editor's note: Will free speech soon be considered "Hostile?")*



**Please Support Our
Constitution Party of Ohio
Candidate for
U.S. Congress
Ohio District 7**

M. Russell Erwin

Visit His Website

www.maxerwinforohio.com/

He will be speaking at the
"Guns Across America"
rally in Columbus, Ohio
January 19, 2014
at 12:00 noon.

[https://www.facebook.com/
events/182262651979155/](https://www.facebook.com/events/182262651979155/)

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AMENDMENT VII

By Judy Copp

Vinton County
Chairman, CPO

In Constitutional law, where the value in a controversy is over \$20, the right to jury shall be preserved. One has to think back to the time this was created and think of what that would be in today's market value. Looking at our judicial system as a whole, I am very disappointed to see Judges legislating from the bench. That is NOT their realm and we are seeing this especially in the Supreme Court Judges.

As I browsed further on the subject, I found something that I had never heard before. The State of Louisiana out of the rest of the 49 is the only state whose law is based on civil law with some common law influences. The first Louisiana Civil Code was written in French in 1808. Rather than being based on English Common Law as the other 49, Louisiana is based on French and Spanish Codes and ultimately on Roman law. Louisiana Law follows the system of most non-Anglophone countries of the world. Legal careers there are molded by these differences. Legal education and the bar exam are significantly different from the other 49. The Louisiana Bar Exam is the longest of any other state and 21.5

hours. The multi-state bar exam is not administered in the State of Louisiana.

As we begin our journey into 2014, I find it hard to be optimistic for the survival of the United States as she was originally founded. Our population is asleep at the switch and won't realize they have come under Marxist rule with Dictator Obama in place until they are being marched to the gas furnaces as in Germany and Russia – too busy with their toys, TV shows and their drugs and booze.

There has been a concerted effort for several generations to implement what is now, happening. Like the frog in the pot of water, it starts cold and he doesn't realize, until too late, he is boiling to death.

Teachers teaching to the test, trying to get their school to come out with high marks to appropriate funding and goodies for THEIR school. My question for them is, "If you know what you're teaching is wrong why do you teach it anyway to get points and etc.?" And how they wait with baited breath for their RETIREMENT, so they never have to deal with kids again!

For shame, folks! You will have a judgment day just like the rest of us! How can you sleep at night? You have stolen the souls of our children and contributed to the high crime rate by making laws against parents disciplining their children, thus bringing down a great nation!



The Constitution Party of Ohio Citizen's Courier



The 7th Amendment by Gale Joy Secretary, CPO

As we welcome in 2014, we need to be resolute in our efforts to restore our lost liberties. We are inundated, almost daily, with the abuses of power that permeate our great nation. Even within Ohio we have seen the establishment and career politicians push a socialistic ideology on the public and at the same time they push the agenda to keep only the established career politicians in power.

It is important that we realize that WE ARE the answer. If we are to wrest back control of government it will be up to us as constitutional conservatives to make it happen. The other political parties within Ohio are pushing an

agenda that includes socialized medicine, increased control over our lives or a liberal social agenda among many other things.

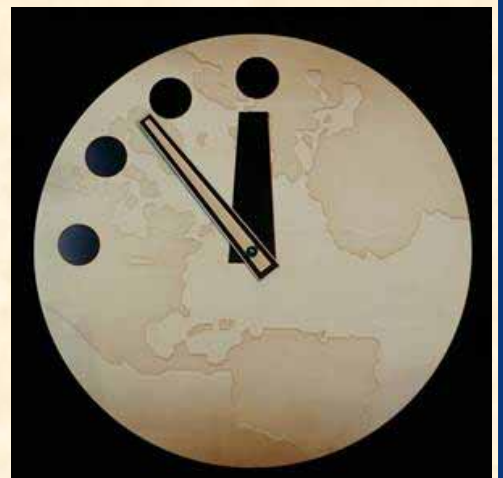
Over the last year we have seen more of our God given and Constitutionally protected rights reduced and in some cases decimated. This month we have decided to shape the Citizens Courier around The 7th Amendment of the Bill of Rights. It states in part that the right to a trial by jury shall be preserved.

When the Constitution was being ratified in Virginia; the Lion of Liberty, Patrick Henry stated, "Why do we love this trial by jury? Because it prevents the hand of oppression from cutting you off ... This gives me comfort—that, as long as I have existence, my neighbors will protect me."

We can find and quote dozens of quotes since the birth of our nation on the importance of the trial by jury. Our founders realized the importance of things to protect us from the overreaching power of government on our lives. These protections are being assaulted daily by our elected representatives

and accepted by our fellow citizens. It is for this reason that we need to be vigilant and educate our fellow Americans. It is also the reason that we need people like ourselves to step up and be the leaders.

I implore all of us to make a resolution in 2014 to be that leader. Become the catalyst that propels the Constitution Party to the lead. Be the leader that helps us to restore our lost liberties by running for office under the CP of Ohio banner or help us to build the party within your local community or within the state. There is much to do and the time is now.



The Constitution Party of Ohio Citizen's Courier



State Cannot Alter Ballot Rules For Parties

by Jim Provance

Ohio cannot change the rules on minor parties for the 2014 ballot in midgame, a federal judge ruled Tuesday.

Republican-appointed U.S. District Court Judge Michael H. Watson in Columbus issued a preliminary injunction barring enforcement of a new law and ordering Secretary of State Jon Husted to follow through with his original directive granting several small parties spots on the primary election ballot.

The ruling, however, applies only to 2014.

Attorney General Mike DeWine's office said it had not decided whether to appeal the ruling.

The Libertarian and Green parties had objected to the retroactive application to the current election

cycle of a law they've dubbed the "John Kasich Re-election Protection Act." Senate Bill 193, passed by Republicans and signed into law by Mr. Kasich in November, would have voided the Husted directive putting the Libertarian, Green, Constitution, and Socialist parties on the 2014 ballot.

"The upshot of that provision, along with other provisions in the bill, is that minor parties must start from scratch to qualify for ballot access," wrote Judge Watson, a 2004 George W. Bush appointee. "... If S.B. 193 goes into effect, the nominating petitions already filed by minor party candidates to appear on the 2014 primary election ballot in reliance on [Mr. Husted's directive] would be nullified, and the time and resources expended on those petitions will have been wasted."

The same judge in November put on hold another law passed last year by majority Republicans that raised the bar for proposed constitutional amendments, referenda, and other initiatives to qualify for the 2014 ballot.

"Once again, the courts stand with us and with the First Amendment rights of all Ohioans to political freedom and suffrage in Ohio," said Kevin Knedler, chairman of the Libertarian executive committee. "The foundation of a democratic society is

the right to vote and to have real choices on the ballot."

Under Senate Bill 193, a minor party faced a deadline of 125 days before the November general election to file signatures qualifying its label for the ballot alongside the two major parties.

Minor parties would have had to submit signatures of registered voters to equal at least 0.5 percent of the vote from the last presidential or gubernatorial election, about 28,000 based on the 2012 election. Of those, 500 would have to come from each of eight of Ohio's 16 congressional districts.

After qualifying for the ballot, the party could stay there for four years as long as its candidate for governor in 2014 or president in 2016 gets at least 2 percent of the Ohio vote. That's double what the 2012 Libertarian presidential candidate got.

Contact Jim Provance at: jprovance@theblade.com or 614-221-0496.

Source: <http://www.toledoblade.com/State/2014/01/08/Judge-State-cannot-alter-ballot-rules-for-parties.html#PhlYFZRdoDve3Szu.99>