

Subject: [DanMeador] WINTERROWD ON TRAFFIC STOPS

At the onset, I want to thank the several people who responded to the appeal to assist Ralph Winterrowd of Alaska with expenses. Although he didn't say he had an immediate crisis, I visit with him enough that I can pretty well sense where he is financially stressed. I think the boat is floating now but it would be nice if a few people made regular contributions directly to Ralph for the next six months or so. In the alternative, Gail and I are parking contributions for Ralph in our Christ & Country Ministry account then forwarding money to him in the form of money orders.

Ralph's primary focus right now is "assistance of counsel." However, three or four years ago when he was battling another issue that made him unpopular with local authorities he stumbled into traffic issues. Since then he has done as much with traffic as anyone I know.

While I personally avoid auto and driver's licensing issues because I consider them too confrontational and simply don't have time to mess with them, Ralph pretty well cracked the nut. In the following short article, he provided an outline of what to do in the event of traffic stops. His research is anchored in Alaska law so anyone who wishes to utilize his strategy in other states should research the law of that state.

As time permits, Ralph and a gal who helps him are putting important source material on his web page. It wouldn't hurt to check it once in a while to see what he has added. A month or two ago I know he put sections from the 1946 edition of the Alaska Territorial Code up that treat "preliminary hearings" (examinations). The importance of this particular find is that it helps clarify proper indictment process.

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So far as I know, there probably hasn't been a proper federal indictment for the last twenty years, maybe longer.

Federal criminal charging process begins in the Fourth Amendment: There must be a complaint under oath made in open court before a committing magistrate and the magistrate must find probable cause to issue a warrant. The arrest is made, the bond is posted and there is a plea. There is then a preliminary hearing. At the preliminary hearing the defendant is entitled to cross-examine adverse witnesses (the complaining party and whatever witnesses are identified) and present evidence. The presiding judge must then find probable cause again. Only then can the case go to a grand jury.

Grand juries are supposed to be something akin to the charging arm of the court. The way they are used today, the Department of Justice and U.S. Attorneys have complete control. They completely eliminate the Fourth Amendment mandate for the complaint and probable cause hearing. This is the reason U. S. Attorneys have reportedly claimed they've had grand juries that would "indict a ham sandwich."

The Federal Rules of Criminal Procedure preserve proper process, but the Department

of Justice routinely ignores Rules 3 through 5.1; they go directly to Rule 6, and don't do that right (rarely is an indictment returned in open court), so the whole process is fatally flawed. The defendant or the defendant's "counsel" is supposed to participate in grand jury selection process the same way as the petit trial jury selection process.

Ralph's contribution in all these areas is invaluable.

Dan Meador

The lack of insurance in Anchorage does not entail you going to jail or having your "motor vehicle" towed. I have posted a ticket obtained by using the constitutional safeguards and the demand for assistance of counsel by another person. What is also interesting is that after the party did this to the cop, the cop stated "I am so tired of hearing this crap." So possibly some of this information may be getting out to sheeple public.

When pulled over, the following is mandatory from you to invoke your constitutionally secured rights:

1. Am I under arrest? Yes or No by trooper or cop (Arrest is for a crime and crime is a misdemeanor (must personally witness and then he is a private prosecutor) or a felony)
2. Am I free to go? Yes or No by trooper or cop.
3. Are you conducting a custodial interrogation. Yes or No by cop. Custodial investigation will also work, as they are trying to BS us if they use investigation or tell you it is different from interrogation. Make them answer the question or confess for them.

At this point any further questions by the cop is unconstitutional. All tickets should be won from this point if handled correctly upon violating Miranda and then you still have Assistance of Counsel in the court setting - not appointed, but you would pay for, if you can find one of the non existence Counsellors-at-law.

4. They are supposed to Mirandize you at this point. You can Mirandize them if so inclined and you are recording your encounter.

5. Technically, you do not have to provide ID [which I have done], but a passport, or AK ID or I have even used a Costco card. You can provide a DL if desired. Depends on the situation and if you have witnesses for your protection. If you have no insurance, just give them the DL if so inclined.

6. They will issue you a ticket (violation 3D trooper or infraction 3D MUNI cops) for whatever they stopped you for and a "mandatory Infraction" for the no insurance, for which there is no such thing. You will get a ticket for 09.28.030 (B2). You are mandated to attend court within 5 days. I will attend with the person of which I have attached the

tickets as a PDF. I will follow up on this post with how the court date or however this is done - haven't done one of these yet. I have also attached the 09.28.030. If you read the infraction under B2, you will see you didn't show the insurance. Then the only recourse for the MUNI is for the court to do "C", which is another fine. Technically, when you appear in court, with no cop or prosecutor, you should demand a dismissal. Also at this point, you have the right to have assistance of counsel, but you would have to pay for it. Demand it. You also have the right to inculpatory and exculpatory evidence.

The cop told the party that he could leave, but not in the motor vehicle. This is all bluff. Just sit in the car until the cop leaves and then you leave. If you leave with him watching, you may encounter more BS from the cops, with the unlawful disobeying an order [military] from the police. There were 4 of them on this encounter.

i have also included the definition of infraction from the Alaska Statutes and it is \$300 fine and can't go to jail and non-criminal..

Tell you friends and cut off the unlawful revenue stream to the MUNI and unlawful towing of cars. We have a constitution and lets use it in a lawful and peaceful means--OR submit, but please no whining.

I still have 25 tickets on hold in Palmer yet. I just haven't had the time to get to them. Some are over a year old. I have about 10 or so that will be dealt with using Miranda.

I do not support drunks on the highway, but this same process also works. When I get time, I will post the statutes and the cases on DWI.

Enjoy!

Ralph