

Grand Jury power to charge corrupt/criminal public officials is the solution to bringing honest government back to America

Allow me to share with you why *any* Grand Jury has the power and jurisdiction to investigate and charge criminal and corrupt public officials even though some of them are prosecutors, judges and court commissioners. California State

First, the Grand Jury does have the power to bring charges before the accused in the form of a “presentment.” Please see the accompanying copy from the 4th edition of Black’s Law Dictionary where, on page 912 it states: “A **presentment** differs from an indictment in that it **is an accusation made by a grand jury of their own motion, either upon their own observation, or upon evidence before them;...**”

In the 6th edition of the Black’s law dictionary on page 1184, it states: ” **Presentment.** The written notice taken by a grand jury of any offense, **from their own knowledge or observation**, without any bill of indictment laid before them at the suit of the government. A presentment is an accusation, **initiated by the grand jury itself** [not by the district attorney], and in effect an instruction that an indictment be drawn.

In the expanded legal dictionary/digest called “Words and Phrases”, on page 363. It defines the grand jury as: “The ‘grand jury’ is inquisitorial body of county, drawn and summoned from among its best citizens, and **must investigate all violations of law** under presiding judge’s direction **and make presentments in accordance with such investigations.**”

In the second column of this page it continues: ” ‘Grand Jury’ is not judicial but accusing body, **permitted to act upon knowledge obtained by members from any source.**”, and “‘Grand jury’ is informing and judicial tribunal, exercising functions which are original, complete, and susceptible of being **exercised on its own motion** [without D.A.’s initiation] and on **such knowledge as it may derive from any proper source.**”

A California District Court of Appeal, in the case of [Samish v. Superior Court](#), 28 C.A.2d 685 (1938), on the bottom of page 688 and continuing into page 689 quoting from the U.S. Supreme Court and the California Penal Code, fully explains the powers, jurisdiction and duties of the grand jury. I shall quote of a few excerpts:

“But **when grand jurors** possess personal knowledge or **are furnished with reliable information** indicating that a crime has been committed by someone within borders of the county, **it is the duty of the grand jury to fearlessly and fairly**

investigate the charges and indict the culpable party if the evidence warrants that finding.[from **U.S. Supreme court cases** of [Blair v. United States](#) and *United States v. Philadelphia*].”

and

“In the Blair case, *supra*, discussing the rights of a **grand jury** to investigate crime, Mr. Justice Pitney said: ‘ It is a grand inquest, a body with powers of investigation and inquisition, the scope of whose **inquiries is not to be limited narrowly by questions of propriety, or forecasts of possible result of the investigation,...**’”

, and

“In the case of *United States v. Philadelphia, etc., supra*, the court said; ‘ The power of the **grand jury** extends to the broadest kind of an inquisitorial proceeding, and it **may, before a bill of indictment is framed, investigate at the instance of the court or the district attorney,**

Or at its own instance, a suspected or an alleged crime, and determine whether it has been committed, and if so, who committed it. The **grand jury has jurisdiction to proceed** under its inquisitorial powers **without any specific charge** against a particular person or corporation being **before It.**”

and

“The grand jury has authority and it becomes it’s duty to inquire into **all** public offenses “

committed or triable in the county’ in which the jury is impaneled. (Sects. 915, 923, Pen. Code.) Section 915 [now Section 917] provides:

“The **grand jury may inquire into all public offenses** committed or triable within the county, and present them to the court by indictment.”

and

“Section 923 [now Section 919] provides in part:

“The **grand jury must inquire... into the willful or corrupt misconduct in office of public officers of every description within the county** [even judges].”

and

"Section 903 [now Section 911] of the Penal Code prescribes the form of **oath** to be administered to the grand jury which **clearly contemplates an investigation of all public offenses** ‘committed or triable in the county’.”

Judges and court commissioners are public officers. They **are not above the law**; no one is above the law. Please be mindful of the fact that the judges or the district attorney **may** mis-inform you and tell you that you “have no jurisdiction into investigating judges or courts”, but such a statement would simply be not true.

When the criminal activities of the below named parties started, **I wrote a letter to you on March 25, 1996**, and in **your April 4, 1996 response**, you indicated (I assume based on false legal advice of a deputy district attorney) that the Grand Jury has no jurisdiction before the courts, and that this matter will no doubt be resolved.

I had not asked you to get into matters before the courts; instead **I had reported crimes committed by the court personnel**; and you have total jurisdiction to investigate crimes committed by anyone, even judges, even from the bench. If a judge were to *steal and destroy court records in court* would you say that you had no jurisdiction to charge him with murder just because he was a judge and committed the crime while performing a judicial function?

Clearly you would have jurisdiction to charge such a judge with murder, and as outlined above, it would be your legal **duty** to do so. The criminal acts charged in this complaint are not murder charges, but nonetheless are **CRIMES** as provided by law and **you do have the legal jurisdiction and duty to indict the culpable parties even if they happen to be judges and even if they committed the crimes from the bench!**

Please take a look at the copy of the court case of [People v. Martin](#), **135 Cal. App.3d 710 (1982)** which I have provided you, where an L.A. **Judge** named **Brown** and an attorney friend of him were **indicted by the Grand Jury** for Conspiracy to obstruct and pervert justice (same charge as the accused in this complaint are accused of), **convicted** (which was upheld in the appeal) and **sentenced to State Prison** the same as an ordinary citizen.

Please take a close look also at the case of [Lorenson v. Superior Court](#), **35 C.2d 49 (1950)**, where the California Supreme Court ruled on page 59 and 60 of the case that “A conspiracy with or among public officials **not to perform their official duty** to enforce criminal laws **is an obstruction of justice** an indictable offense at common law.” This is another main charge which the officials (including Municipal Court Judges) in this complaint are accused of.

At the end of [People v. Coleman](#), **83 Cal. App.2d 812 (1948)**, the court resolutely concluded:

“One of the statutory **duties of the district attorney** is to draw all indictments ... ‘attend before and give **advice** to the **grand jury whenever cases** are presented to it for their consideration.’ **There is no requirement, however, that it is the duty of**

the grand jury to request or accept that advice. The obvious itendment is that the district attorney must draw all indictments only when requested by the grand jury for its advice and assistance... An indictment is the independent act of the grand jury. To require the signature of the district attorney thereto would destroy the independency of action of that body and defeat the primary purpose of its existence.”

The court clearly concluded that the grand jury is free and independent in indicting the accuseds without approval or concurrence of the District Attorney. Recently a California Court of Appeal in the Case of [Bradley v. Lacey](#), **53 Cal.App4th 883 (March 25, 1997)**, concluded this about Grand Jury’s powers: “It is apparent from the foregoing description of the **grand jury’s** powers with respect to public offenses that it **is not the mere handmaid of the district attorney**.... The decision whether or not to indict., to initiate a criminal prosecution, resides **entirely** with the grand jury.”

Furthermore, in the opinion of [United States v. Williams \(1992\)](#), Justice Scalia strengthened this provision...

“The grand jury's functional independence from the judicial branch is evident both in the scope of its power to investigate criminal wrongdoing, and in the manner in which that power is exercised. "Unlike [a] [c]ourt, whose jurisdiction is predicated upon a specific case or controversy, the grand jury `can investigate merely on suspicion that the law is being violated, or even because it wants assurance that it is not.”

“The grand jury requires no authorization from its constituting court to initiate an investigation...”

“And in its day to day functioning, the grand jury generally operates without the interference of a presiding judge.”

“Even in this setting, however, we have insisted that the **grand jury remain "free to pursue its investigations unhindered by external influence or supervision...”**

For more information, go to JuryPower.org or reach us at Freedom Law School (813) 444-4800