

Good evening. Many wonder why we're here today. I am here because I will NOT stand by idly while our Governor, Attorney General and several local prosecutors and law enforcement officers continually break the law.

I am NOT advocating for civil disobedience. That is where you think the law is one that shouldn't be enforced. I am advocating for civil obedience, because the law is very clear - none of the Governor's Executive Orders have any legal authority after April 30th. Thus, I advocate for Michigan residents to exercise all of their rights (to open their businesses, go in public without a mask if they choose, participate in social functions without a "social distancing" requirement - like birthday parties, funerals, AA meetings, etc.). I am also advocating for people to have discussions with their local law enforcement, prosecuting attorneys and public officials - to encourage them to follow the law as written, allowing people to exercise all of their constitutional and statutory rights without interference.

All of the Governor's 2020 executive orders are based upon her emergency powers. However, the state of emergency and state of disaster ended, as a matter of state law, on April 30th. While there are other legal provisions involved, the main point is that BOTH the 1945 Emergency Powers of Governor Act AND the 1976 Emergency Management Act MUST be read together, as required by the statutes themselves, as well as the Michigan Supreme Court. As required by MCL 30.403, Legislative approval is needed in order to extend the governor's emergency powers, but they did NOT extend those powers beyond April 30th. Therefore, ALL of her executive orders lost their legal authority on April 30th. By attempting to continue exercising these emergency powers after April 30th, Governor Whitmer is breaking the law (MCL 30.403) and violating constitutional provisions restraining her exercise of authority. Specifically, Art III, Sec 2 of the MI Constitution prohibits the Governor from exercising authority properly belonging to the legislature. (In other words, she is not allowed to enact laws on her own, which is what she's doing through these executive orders.)

The governor and AG Nessel have told us that the governor is allowed to just terminate one state of emergency and keep reissuing a state of emergency as long as she wants to...but that is not allowed under either the 1945 Act nor the 1976 Act. And as we all know, the governor, or any government official, cannot act without a legal authority to do so.

Moreover, many of these executive order provisions clearly violate rights guaranteed to us in both the Michigan and US Constitutions. MCL 30.421 requires executive orders and other emergency actions by the government to be done "consistent with the provisions of the state constitution of 1963 AND the federal constitution." Additionally, MCL 30.421 prohibits prosecutors from prosecuting any violations of the EOs in any "manner that violates any constitutional provision." Prosecutors are further prohibited, in the prosecution of violations of EOs, from prosecuting "conduct presumptively protected by the first amendment to the constitution of the United States." This isn't a carveout for certain **individual** behaviors; this is a stern reminder to prosecutors of the *restraints placed upon the government* in regulating the people, *even in the most heightened state of alert* our state could ever experience.

AG Nessel blames "legislator commentary" for "creat[ing] confusion among law enforcement officials tasked with enforcing the orders," and claims the orders' legality is based on their reasonableness. But it is not reasonable to issue executive orders like they're going out of style (92 of them in just over 2 month's time), treating statutory emergencies like a mere term of art instead of the actual urgent situations these emergency powers were meant to address. It is not reasonable for a governor to exercise powers properly belonging to the legislature, especially for longer than the statute specifically

allows. It is not reasonable to interpret MCL 30.403 to allow a governor to circumvent the 28-day time limit by simply issuing new orders that address the same emergency conditions of the original order. It is not reasonable to think this particular governor gets to unilaterally extend the state of emergency/disaster when none of the 87 prior such declarations were extended without the legislature. It is not reasonable for EOs to be issued based on selective compliance with statutory provisions. It is not reasonable to assume that the legislature enacted the EMA with the sole purpose of deferring to the EPGA. It is not reasonable to issue emergency declarations and terminations like a light switch being turned on and off. It is not reasonable to issue or enforce EOs that infringe upon constitutional rights, especially when those rights are explicitly preserved in the language of the EMA itself. Nor is it reasonable to enforce EOs explicitly focused on "keeping people away from each other," when those same people are *guaranteed* the right to assemble, collectively worship, express their speech, and petition the government.

ALL executive orders issued by Governor Whitmer in 2020 are based on emergency powers. With the emergency lawfully ending on April 30th, all of those emergency powers came to an immediate end. Without such emergency powers, ALL executive orders became UNENFORCEABLE as a matter of law. This includes the stay-at-home order, the order restricting "non-essential" medical and dental services, the order releasing prisoners early, the order cancelling the rest of the school year, the order extending FOIA deadlines, the order restricting access to loved ones at care facilities, the order cutting off kids in juvenile detention centers from their families and support services, the order closing movie theaters and gyms, the order limiting restaurants to take-out service, the order amending the OMA, the order allowing restricted access to governmental services, the order restricting access to places of public accommodation, and *every* other order that has been issued. All individuals are, therefore, now lawfully allowed to travel, assemble, worship, conduct business, go to places of public accommodation, and exercise all of their other rights *without* any attempt by law enforcement, prosecuting attorneys, or places of public accommodation to infringe upon those rights.

ALL attorneys, law enforcement officers, and public officials took an oath to uphold the US Constitution and Michigan Constitution, and faithfully support the laws in Michigan. Therefore, any such person who attempts to enforce these executive orders now is directly violating their oath of office, acting outside the scope of their governmental authority, and engaging in malicious prosecution and abuse of process. As I've shared this with prosecuting attorneys across the state, a few have actually said things like "this is only an opinion," these statements are threats against the prosecutors, and "only a judge's opinion matters" about things like this. But the very words of our statutes, and of our US and Michigan constitutions are NOT opinions. And this is only a threat to those attempting to violate our laws and constitution.

Now, let's be clear about this point. Governor Whitmer, the media, and even Hillary Clinton, have been quick to mischaracterize our words and our actions. But, we are not here to advocate for violence. Prosecuting attorneys, law enforcement, and government officials who break the law and violate the Constitution by enforcing these defunct executive orders *should* feel threatened. But they should feel the threat of losing a job, receiving disciplinary action, being removed from public office, being *personally* sued for acting outside of the scope of the governmental authority, and being *criminally* prosecuted for their actions. But, they should **not** be physically threatened, they should not have their *homes* threatened, and they should not have their families threatened. After all, we have the law on our side and we do not need to resort to illegal tactics to win this fight.

To those who understand this action by our Governor is wrong, but feel biblical edicts require you to comply with her EOs anyway, I ask you to consider this. Romans 13 requires you to submit yourself "to the governing **authorities**." So, what is this "governing authority"? Governing authorities look different in all the countries across the globe, but here, our government derives its powers from the consent of the governed, as emphasized in our Declaration of Independence. And here, authority is the right to act *legally* on another's behalf. (Black's Law Dictionary). Governments have *authority* for conduct that is *authorized* by the constitution or a statute. Our governor derives her *authority* from the enumerated powers in Art V of our state constitution. Our constitution expressly *prohibits* her from creating laws (Art III Sec 2), let alone in EOs that cover more than one subject (Art IV Sec 24), or that modify parts of laws without including the *entire* text of the law as amended (Art IV Sec 25). Our state constitution requires the governor to wait **90 days** before enforcing new laws, or legally enforceable EOs (Art IV Sec 27). Art IV Sec 39 of our state constitution *requires* our state and local governmental operations to continue in "periods of emergency." And Art XI Sec 1 requires ALL public officers (legislators, judges, law enforcement, school board members, the Governor, etc.) to support the US Constitution and the MI Constitution. So, the Governor, police officers, and anyone else trying to enforce these EOs are, in *many ways*, acting *outside* of their governmental authority. Romans 13:7 tells us to "give everyone what you owe him." We don't owe it to her to follow *her* instead of our constitution and our laws. And since "we, the people" established our state *and federal* constitutions, we owe it to each other to follow them - the constitutions.

And let us not forget that Isaiah 1:17 tells us to "seek justice, rebuke the oppressor," when dealing with a rebellious government. And Ezekiel 11:1-4 tell us that when the "leaders of the people" are "giving wicked advice" to those they govern, God calls us to speak out "against them" - to speak the *right* words at the *right* time in the *right* way.

We all know that the governor has several lawsuits already filed against her for these illegal executive orders. You can wait "for a court to sort it all out" if you want, but I won't. I did NOT get my rights from a court. I got them from the Almighty God. Our US Constitution was written to "secure [those] Blessings of Liberty" (US Const Preamble). And here, "we, the people of the State of Michigan, grateful to Almighty God for the blessings of freedom and earnestly desiring to secure these blessings undiminished to ourselves and our posterity," established our state Constitution of 1963. (Const 1963 Preamble.) These liberties are to be exercised by all people *unabridged* and *undiminished*, by the very text of the Constitutions themselves, during times of emergency or not. So, I am going to follow the law, the MI Constitution, and the US Constitution and exercise my rights now without waiting for "permission" to do so. I *urge you* to do the same.