



Liberty Tree

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Why the Attack on Police — From the Left, and Right?

By John Baptist Kotmair, Jr.

Part I

In the year 1963, I was a member of the Police Department of Baltimore City, Maryland, and the world as I knew it was crumbling around me. It was a turbulent time. I mainly patrolled black neighborhoods, and the atmosphere between that community and the police was quickly changing for the worse.

I grew up being taught to respect other people, especially their property rights. You do not steal, you do not maliciously destroy other people's property; you stay off their property; and if your baseball goes through their window; you go to them, own up to it, and offer to replace the window. I was taught that Freedom did not exist without Property Rights, which made perfect sense to me.

I can remember in the middle-to-late 1940s, hearing my father, a Baltimore City fireman, complaining about the starting of the issuance of building permits and inspections making it tough on his doing odd jobs, which at that time, firemen were not allowed to do. And I can recall thinking, why should the people who hired him have to get permission to improve their own property? It belonged to them, not the government.

Then, in 1963, I faced a similar question as a police officer. For example, if a neighborhood bar would call us to remove someone from the bar, we either told the person to leave, or arrested him or



her on the owner's complaint. According to the values regarding private property that I was taught by my family, as well as the Catholic school I attended, this made perfect sense to me.

Then out of the blue, an organization called the Congress of Racial Equality (CORE) picked out a restaurant in the Southern Police District (the district in which I worked), and started having its members enter it, and refuse to leave upon the owner's request. We were told at roll call to remove them at the owner's request, and if they refused, to arrest them. This order did not conflict with what I had personally experienced all of my life, my family being made up of policemen, firemen, politicians, and bar owners.

This went on for awhile, but then the orders were changed. From then on, we were only to take down the trespasser's name and address, give it to the owner, and advise him or her to get a warrant. You can imagine the state of unrest and resentment this caused in the relationship between the police and the business owners, who were being denied their property rights by those they believed were being paid with their tax money to protect those very rights.

In my mind, this turned the American Revolution upside down, but that was not the end of it. Not long after that, our orders were changed yet again; we were told at that time that those business establishments were *places of public accommodations*, and so now, unless the patron was acting in a disorderly manner, we were not to take any action. WOW!!! We all looked at one another in astonishment, for nobody remembered being taught about any "law of public accommodations" in the

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police academy, nor had ever even heard of such a thing before then.

Before that roll call, I saw my Captain — Elmer Z. Bowen — talking to a Baltimore Sun newspaper reporter named White (who later became a State judge), and in the course of their conversation, Bowen suddenly shouted at White, “Damn it all, we should just turn everything over to the Sun papers and the communist party, and be done with it!!” Well, you could hear a pin drop in that room.

The foregoing sequence of events started me on my quest to find out WHAT THE HELL WAS GOING ON IN MY LAND OF THE “FREE”? That was in 1964, and my search for the TRUTH has so far spanned 50 years, with many discoveries along the way. For the Word of God says: “Ask, and it shall be given you; seek, and ye shall find; knock, and it shall be opened unto you.” Matthew 7:7.

The Origins of the Peace Officer:

The laws of the United States have their origins in the Magna Carta (The Great Charter), year 1215, in the meadow which is called Runnymede, between Windsor and Staines, England. It was executed by King John and all the clerics, barons and noblemen present. The preamble states: "John, by the grace of God, king of England, lord of Ireland, duke of Normandy and Aquitaine, and count of Anjou, to the archbishops, bishops, abbots, earls, barons, justiciaries, foresters, sheriffs, stewards, servants, and to all his bailiffs and liege subjects, greetings." Notice, the peace officer, the law enforcer, was the "sheriff." Of course in those days of in the feudal system, sheriffs were appointed. But in settling the American colonies, the colony of Virginia started electing sheriffs in the year 1652. With the Revolutionary War, and then the signing of the Declaration of Independence, the appointments ended, and the democratic system of elections began. Thus, from 1776 on, all sheriffs were elected, and their jurisdiction remained in the counties of the newly formed States associated with the union. The only exceptions to the sheriff being in a county, are the cities of Baltimore, Maryland and Saint Louis, Missouri, which have their own State Charters, and their own sheriffs, which still have to be elected.

With the ratification of the Constitution in 1789, the federal government that was formed had but a

few enumerated powers within the States; specifically, the arrest and prosecution for the counterfeiting of U.S. coins; the establishment and maintaining of the postal service; the collection of excise taxes; the collection of duties at ports of entry; and to prevent obstructions to the exchange of commerce between the States. To enforce these powers, the U.S. Customs Service was established in 1789, hiring agents for the ports of entry, and the U.S. Marshals Service, to enforce federal law in the federal territories. Due to the fact that there was no federal internal taxation until 1862, introduced by the Lincoln Administration, there was no federal agency created for the purpose until that year, and it became known as the *Office of the Commissioner of Internal Revenue*.

Due to the fact that the federal and State governments were established for the sole purpose of securing our Unalienable Rights bestowed by our Creator, the State governors had no authority to establish any law enforcement agency. Instead, such authority was vested in the county sheriff, as authorized by the provisions of the Constitutions of the several States, and according to the dictate of Article 4, section 4 of the United States Constitution, which states:

The United States shall guarantee to every State in this Union a Republican Form of Government, and shall protect each of them against Invasion; and on Application of the Legislature, or of the Executive (when the Legislature cannot be convened) against domestic Violence.

The phrase *Republican Form of Government* simple means that all who hold a public office, must be elected by the citizens to that office. Bureaucrats, not elected, are simply government employees whose only function is to service the citizen, not in any way dictate to the citizen. **Noah Webster's 1828 American Dictionary of the English Language**, which represents the definition of English language words used at the time of the writing of the United States Constitution, defines *Republic* as:

REPUBLIC, noun [*Latin respublica; res and publica; public affairs.*]

A commonwealth; a state in which the exercise of the sovereign power is lodged in representatives elected by the people. In

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modern usage, it differs from a democracy or democratic state, in which the people exercise the powers of sovereignty in person. Yet the democracies of Greece are often called republics.

The Origins of the Law Enforcement Officer:

So, in my quest for truth, it was around 1973 that I finally realized that the position I held as a member of the Baltimore City Police Department was actually outside the bounds of the authority granted by the United States Constitution and the Constitution of the State of Maryland. That is, the head of the Department was, at that time, appointed by the Governor of the State of Maryland, and not elected by the citizens of Baltimore, and it was therefore illegal. The Maryland State Police started out as a quasi-legal department under the Commissioner of Motor Vehicles, exercising criminal law jurisdiction only as a function of being deputized by the county sheriffs. But, as revealed by its history, it evolved over time into an illegal force, acting outside of — and thus usurping — the sheriffs' jurisdictions.

The following is the official account of both the Baltimore City Police Department, and the Maryland State Police, from the *Maryland Manual On-Line, Department of State Police, Origin:*



Baltimore City Police Force. *The first State agency to exercise police powers was the Baltimore City Police Force. Established in 1867 under a Board of Police Commissioners, the Force was elected by the General Assembly (Chapter 367, Acts of 1867). Baltimore had been developing a police force since the formation in 1784 of a night watch "very necessary to prevent fires, burglaries, and other outrages and disorders" (Chapter 69, Acts of 1784). Its police force, from 1867, was governed by a State board although jurisdiction was limited to the City. From 1900 to 1920, the Board of Police Commissioners was appointed by the Governor. After 1920, a single Police Commissioner of Baltimore City was*

chosen and also served on the Governor's Advisory Council. The Baltimore City Police Department remained under State governance until 1978, when the Mayor began to appoint the Police Commissioner, subject to confirmation by the City Council (Chapter 920, Acts of 1976).

State Detective Force. *In 1909, the Board of Police Commissioners of Baltimore City urged the creation of a State detective force since the Governor, the Fire Marshal, and State's Attorneys in the counties frequently sought help from Baltimore City's expert investigators. The first tentative step towards a statewide police force, however, was taken in 1914 as a corps of motorcycle officers under the Commissioner of Motor Vehicles began to enforce motor vehicle laws throughout Maryland (Chapter 564, Acts of 1914).*



State Police Force. *When a crime wave struck Maryland after World War I, the need for statewide enforcement of criminal law became critical. The Governor, the Police Commissioner of Baltimore City, and the Commissioner of Motor Vehicles came up with a plan for a State Police Force under the Commissioner of Motor Vehicles. Former servicemen were recruited and the first training camp was conducted early in 1921. By 1922, the force of motorcycle deputies had statewide jurisdiction over criminal cases through deputization by the county sheriffs. The force was supported by a plainclothes investigative department and was known as the State Police Force. (Emphasis added.)*

Maryland State Police. *In 1935, the Maryland State Police was established as a separate unit of State government (Chapter 303, Acts of 1935). The new agency was funded out of revenues from the Department of Commissioner of Motor Vehicles. It was granted additional statewide police powers to enforce fish, oyster, game and other conservation laws and maintain a training*

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school. **The Maryland State Police** was made part of the Department of Public Safety and Correctional Services in 1970.

Department of State Police. In 1994, the Department of Maryland State Police was formed as a principal executive department (Chapter 165, Acts of 1994). It was renamed the Department of State Police in 1995 (Chapter 3, Acts of 1995). (Emphasis added.)

Did these serious governmental transgressions come about by happenstance?

Be sure to read Part II:

Why the Attack on Police — From the Right and Left?

in the November 2014 Liberty Tree newsletter for the answer!!!



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Richard Rothschild is known nationally for defeating the UN's “Agenda 21” scheme in Carroll County, the first U.S. county to do so. This set the stage for other counties to follow suit, and some now have. He also gained national prominence for leading Carroll County's nullification of Maryland's “progressive” Governor Martin O'Malley's unconstitutional “gun law.” And on July 16th, 2014, he was featured on the O'Reilly Factor, rebuffing the Obama - O'Malley plan to resettle “illegal” alien “children” in Carroll County, Maryland. His actions prompted O'Malley to advise Obama not to send the “illegals” — he didn't!!

Robin Frazier gained national attention for ignoring the federal injunction from the Baltimore Federal District Court, forbidding her to pray in Jesus’ name to open the Carroll County Commissioner's meetings.

Both are Christian Warriors for God, and for the Cause of Liberty!!! We encourage you to tune in and find out for yourself what's really going on in Carroll County, around Maryland, and throughout the Republic!!!

Clear your schedule! Robin and Richard's hour-long radio show is live on Liberty Works Radio Network every Tuesday and Thursday from 5 to 6 PM Eastern. They take your calls and encourage you to let your voice be heard. The **Call-In Line is 410-848-9191.**

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