



FOR IMMEDIATE RELEASE: October 7, 2020

Our government is a government of, by and for the people. It operates by rule of law and the supreme law of United States and the State of West Virginia as stated in their respective Constitutions. Being the supreme law, any laws which violate the constitution are null and void “ab initio” or “from the beginning.”

Article I, Section 3, of the West Virginia Constitution clearly shows a constitutional crises currently exists in West Virginia.

Article I, Section 3, states “The provisions of the Constitution of the United States, and of this State, are operative alike in a period of war as in time of peace, and any departure therefrom, or violation thereof, under the plea of necessity, or any other plea, is subversive of good government, and tends to anarchy and despotism.”

Due to a plea of necessity brought about by an alleged pandemic, the provisions of both United States and West Virginia constitutions have been violated. **Article I, Sections 3** warns that such departure or violation tends to anarchy and despotism.

Webster’s 1986 Dictionary defines despotism n **1 a** : rule of a despot : Tyranny **b** : despotic exercise of power **2** : a state of a system of government in which the ruler has unlimited power

Governor Justice has violated numerous constitutional provisions. Among them are:

- **Article III, Section 1, Bill of Rights**, “All men are, by nature, equally free and independent and have certain inherent rights of which, when they enter into a state of society, they cannot, by any compact, deprive or divest their posterity, namely: The enjoyment of life and liberty, with the means of acquiring and possessing property, and of pursuing and obtaining happiness and safety.”
- **Article III, Section 10, Safeguards for Life, Liberty and Property**, “No person shall be deprived of life, liberty, or property, without due process of law, and the judgment of his peers.”
- **Article III, Section 16, Right of Public Assembly Held Inviolable**, “The right of the people to assemble in a peaceable manner, ...”

The following immediate corrective actions must be taken by Governor Justice:

1. Termination of state of emergency, replaced with a careful monitoring of data.
2. Termination of all restrictions placed on businesses and schools.
3. Request that those who become infected with COVID-19 take reasonable precautions not to spread the virus.
4. Make the wearing of masks and all other precautions the choice of each individual.

Will we have rule of law and good government? Or, will we have anarchy and despotism? Benjamin Franklin wisely stated, “Any society that would give up a little liberty to gain a little security will deserve neither and lose both.”

Article I, Section 2, states, “The government of the United States is a government of enumerated powers, and all powers not delegated to it, nor inhibited to the States, are reserved to the States or to the **people** thereof... it is the high and solemn duty of the several departments of governments, created by this Constitution, **to guard and protect the people of this State from all encroachments upon the rights to reserved.**” [emphasis added]

Ultimately, it is the peoples’ responsibility, right, and duty, to demand rule of law.

Our duty is bound to Divine Providence in the **Preamble of the West Virginia Constitution**: “Since through Divine Providence we enjoy the blessings of civil, political and religious liberty, we, the people of West Virginia, in and through the provisions of this Constitution, reaffirm our faith in and constant reliance upon God and seek diligently to promote, preserve, and perpetuate good government in the State of West Virginia for the common welfare, freedom and security of ourselves and our posterity.”

Petition the Governor for redress of grievances. Demand action. It is our high and solemn duty.

Constitution Party of West Virginia

Jeffrey Jarrell, Chairman (304-771-0088)