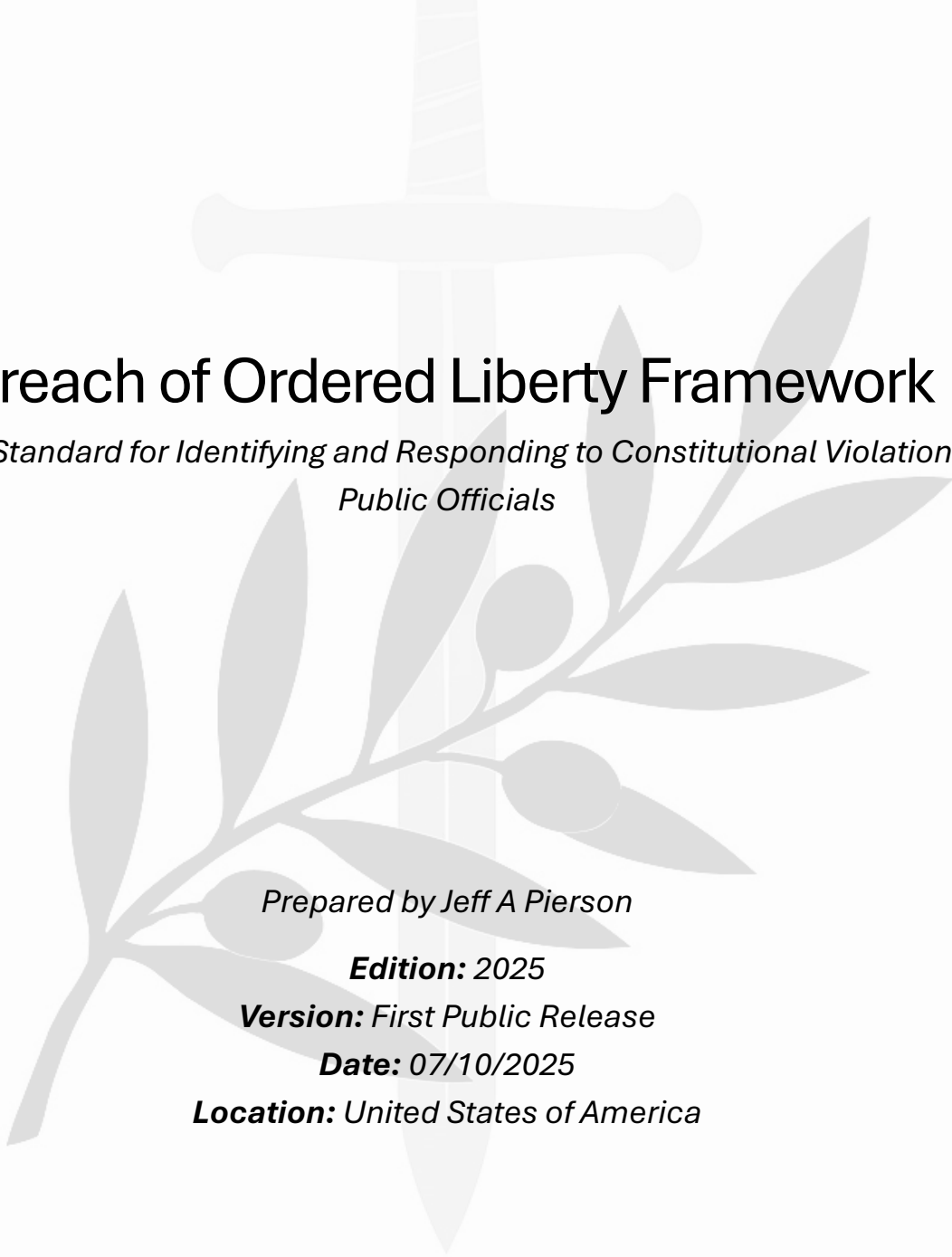




Breach of Ordered Liberty Framework

*A Civic Standard for Identifying and Responding to Constitutional Violations by
Public Officials*

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Edition: 2025

Version: First Public Release

Date: 07/10/2025

Location: United States of America

ORDERED
LIBERTY

Author's Statement

This document was written not by a lawyer, politician, or academic—but by a citizen. I am an adult, a taxpayer, and a citizen of the Republic that believes that liberty must be defended not only by experts, but by the people themselves.

I claim no authority other than conscience, duty, and the right secured to me by the Constitution to speak, to reason, and to warn. This framework is a civic tool, grounded in law but born of moral obligation. Its aim is not to incite, but to illuminate. Not to punish, but to preserve.

In an age where institutions forget their foundations, it falls to ordinary citizens to remind them.

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Abstract

The *Breach of Ordered Liberty Framework* defines and applies a principled, constitutionally grounded standard for evaluating whether elected officials have violated their oath of office by materially aiding, shielding, or refusing to act against unlawful behavior. It establishes objective thresholds, statutory references, and evidentiary requirements that distinguish legitimate political discretion from civic betrayal. This document serves as a civic safeguard against ideological obstruction, selective law enforcement, and institutional protection of criminal activity.

Drawing from constitutional clauses, federal law, natural law doctrine, and historical precedent, the framework proposes a nonpartisan model for documenting and responding to breaches of public trust. It emphasizes the preservation of equal justice, legal restraint, and the foundational American ideal of ordered liberty.

Disclaimer and Authorial Scope

This framework is not a substitute for legal advice, litigation, or statutory prosecution. It is a civic and constitutional accountability standard created to guide oversight bodies, legislators, media, and citizens in identifying material breaches of public duty. While rooted in law, it is not a judicial instrument and carries no inherent legal enforcement power.

The document is not conceptually unique, however it does include contemporary examples of elected officials with behavior that is considered questionable by the author.

Statements within this document reflect the collective findings, analysis, and moral reasoning of its author. The identification of a breach under this framework does not imply guilt in a court of law, but it may form the basis for inquiry, censure, policy reform, or public redress.

With the legal scope and civic intent established, the following preface introduces the purpose and necessity of the Breach of Ordered Liberty Framework in today's constitutional environment.

Constitutio a Virtute Populi Sustinetur

*“The Constitution is sustained by the
virtue of the people.”*

*This phrase conveys the principle that our Constitutional
Republic cannot survive on legal structure alone. Its endurance
and legitimacy depend on the moral character, civic
responsibility, and ethical courage of the governed.*

*Laws may be written and institutions established, but only a
virtuous people can uphold, defend, and obey them justly.*

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Preface: Purpose of the Breach of Ordered Liberty Framework

The *Breach of Ordered Liberty* (BOL) Framework exists to restore public understanding, constitutional accountability, and lawful restraint in an age when elected officials increasingly misuse their authority to shield unlawful conduct. While the federal government retains full constitutional and statutory authority to enforce immigration law—including under the Supremacy Clause and the Immigration and Nationality Act—this framework addresses a deeper failure that federal enforcement alone cannot remedy: the moral, civic, and institutional betrayal of public trust by those who defy the very laws they swore to uphold.

This is not a legal instrument for prosecution, nor is it a partisan indictment. It is a civic framework—developed by a citizen, not a lawyer or politician—to expose, evaluate, and respond to public breaches of constitutional duty. It empowers citizens, state legislators, journalists, and policy advocates to:

- Identify when official conduct crosses the line from discretion to defiance
- Understand and apply constitutional standards of public duty
- Demand consequences for breaches of oath, trust, and legal obligation

This document is firmly grounded in the Constitution, natural rights doctrine, and the American principle of ordered liberty—a concept rooted not in personal license or political power, but in the harmony between freedom and moral responsibility. It does not promote vigilante action, extrajudicial enforcement, or political retaliation. It explicitly condemns violence and urges lawful, civic, and peaceful means of redress.

It is also important to clarify what this document is not.

It is not affiliated with any activist organization, non-profit watchdog, or partisan think tank. Unlike groups such as the Campaign for Accountability or the Government Accountability Project, this framework does not rely on litigation, regulatory action, or whistleblower strategy.

It does not reflect the globalist orientation of the CIVICUS Accountability Framework, nor the progressive communitarian lens found in works like *Ordered Liberty* by Fleming and McClain. While those efforts may offer procedural or ideological critiques, this framework offers a moral and constitutional test—anchored in American legal heritage and civic duty—for identifying breaches of public trust.

This document rejects the notion that neutrality in the face of betrayal is virtue. It takes the position that liberty is not self-sustaining, and that oaths of office must be enforced by the people when institutions refuse. It is written for those who still believe that the Constitution binds, that the law matters, and that public office is a trust—not a platform for ideological subversion.

The BOL Framework is a public policy guide intended not only for civic actors but also for elected officials themselves. It serves as a mirror, a warning, and a roadmap—to return to the rule of law, honor the oath of office, and preserve a system in which liberty is ordered, not optional.

The public has a right to know when their leaders fail them—not just morally, but constitutionally. This framework makes those failures visible, understandable, and answerable. To apply it consistently, we must first define its evaluative standards and distinguish clearly between lawful political discretion and acts of civic betrayal that violate the oath and subvert justice.

Introduction: What Is The Breach of Ordered Liberty Framework?

Definition and Historical Roots

Ordered liberty in this refers to a system in which freedom is exercised within a framework of just law, undergirded by moral responsibility and public accountability. It is not the absence of restraint, but the presence of rightful authority that enables liberty to flourish. Ordered liberty is grounded in the belief that human beings are endowed with inalienable rights, but those rights exist within a moral order that demands responsibility, civic duty, and equal justice.

Rooted in natural law theory, the American constitutional order, and the Anglo-American legal tradition, ordered liberty stands in contrast to both authoritarian excess and anarchic license. It acknowledges that liberty cannot survive without order, and order cannot be justified unless it serves liberty. This dual dependence requires a structure of government that restrains power, promotes virtue, and enforces laws impartially. The Founders viewed ordered liberty as the only legitimate alternative to both tyranny and chaos, and enshrined it in the Constitution through separation of powers, enumerated rights, and the supremacy of law.

Crucially, ordered liberty depends on elected officials who uphold their sworn oaths, follow constitutional principles, and submit their decisions to the rule of law rather than personal ideology or political expedience. The system relies not only on the structure of governance but on the character of those entrusted with its maintenance. Without consistent adherence to agreed-upon standards of conduct and fidelity to constitutional duty, even the best-designed system will falter. Ordered liberty is sustained only when lawful authority is exercised with restraint, accountability, and an unshakable commitment to equal justice under the law.

The Problem: Institutional Protection of Criminal Activity

The Breach of Ordered Liberty Framework arises in response to a clear and escalating pattern: elected officials at various levels of government are using their authority to protect, shield, or reward unlawful behavior particularly in cases involving individuals in the country illegally. These actions represent more than bad policy or poor judgment; they constitute a breakdown of legal integrity and a betrayal of public trust.

When sanctuary policies prohibit local cooperation with federal immigration enforcement, or when officials divert public resources to shelter known violators of federal law, the constitutional order is subverted. The law is not merely neglected it is selectively nullified. The result is unequal protection under law, increased harm to lawful residents, and erosion of the rule of law itself.

This framework identifies such actions as breaches not just of statutory duty, but of the core structure of ordered liberty. In protecting criminal actors or obstructing their prosecution, public officials create a second tier of justice where ideology, identity, or politics replace equal enforcement.

The consequences are measurable: repeat offenses by released criminals, distortion of the immigration system, and public disillusionment with law and government. When the trust between citizens and lawgivers is broken, liberty cannot endure. Ordered liberty demands not perfection from its stewards but allegiance to equal justice and constitutional responsibility.

Purpose of the Framework

The purpose of the Breach of Ordered Liberty Framework is twofold. First, it seeks to identify, define, and respond to acts by elected officials that directly undermine ordered liberty by enabling or protecting criminal behavior, particularly involving individuals who are in the country illegally. These actions threaten the equal enforcement of law and jeopardize the constitutional structure designed to preserve justice and public safety.

Second, the framework aims to create a legally grounded, morally consistent, and enforceable set of standards that distinguish legitimate political discretion from material breaches of constitutional duty. By clarifying these boundaries, the framework protects the integrity of governance and ensures that public office is exercised in accordance with the rule of law not in defiance of it.

Scope and Distinctions

This framework avoids ideological language and instead rests on objective constitutional duties, statutory interpretation, and natural rights doctrine. It recognizes that political viewpoints vary, but insists that all elected officials are bound to the same legal and moral standards regardless of affiliation or agenda.

The framework does not rely on novel theories of sedition, speculative intent, or expansive administrative rulemaking. It confines itself strictly to evaluating the conduct of elected officials in relation to criminal activity and constitutional obligations. This restraint ensures clarity, neutrality, and enforceability, focusing only on measurable breaches of duty that corrupt the rule of law and subvert the principles of ordered liberty.

II. The Problem: Institutional Protection of Criminal Activity

Patterns of Misconduct

Elected officials at various levels of government have developed and implemented policies that obstruct the enforcement of federal law, particularly in the context of immigration and public safety. These patterns of misconduct reflect an intentional departure from constitutional duty in favor of political posturing or ideological alignment.

One recurring pattern is the enactment and defense of sanctuary policies. These policies prevent local law enforcement from cooperating with federal immigration authorities, including refusals to honor detainer requests or share information about individuals who have committed crimes and are in the country unlawfully. In some cases, local officials have gone further, actively obstructing the actions of Immigration and Customs Enforcement (ICE) or refusing to notify federal agents when a criminal alien is released from custody.

Another significant breach occurs through the misuse of public funds and institutions. This includes allocating taxpayer money to programs that directly benefit individuals who have violated immigration laws, such as legal defense funds, housing assistance, or municipal identification programs designed to shield unlawful presence. Some jurisdictions have even diverted resources from law enforcement or judicial systems to support infrastructure intended to protect those engaged in ongoing violations of federal law.

These acts are not simply administrative choices or policy disagreements. They represent a material corruption of public duty. When public resources and institutional authority are used to protect individuals engaged in criminal conduct, it undermines the very premise of equal protection under the law. It transforms government into an active agent of partiality, elevating select unlawful behavior above the interests and safety of the public at large.

The Breach of Ordered Liberty Framework treats these patterns as early warning signs of institutional decay. When elected officials forsake enforcement in favor of favoritism, they replace justice with ideology and in doing so, they erode the constitutional structure they are sworn to uphold.

Undermining the Social Contract

When elected officials defend, shield, or reward unlawful behavior, they do more than violate statutes they sever the foundational trust that binds citizens to their government. The legitimacy of constitutional governance rests on the assumption that authority will be exercised in defense of law and justice, not in opposition to them.

The social contract is built on mutual obligation: citizens are expected to obey the law and respect public authority, while those who hold office are sworn to uphold the law equally and without bias. When public officials use their position to protect criminal activity especially in defiance of federal law they betray this obligation and violate their sworn duty.

A government that fails to distinguish between lawful and unlawful presence abandons its role as protector of the peace. It forfeits the moral ground upon which ordered liberty is built. By obscuring the boundary between legality and lawlessness, such governance rewards defiance, erodes justice, and encourages public disillusionment.

This framework identifies the erosion of the social contract as a primary indicator of a breach of ordered liberty. The failure to uphold equal enforcement does not merely reflect poor leadership it signals systemic decay. Without the confidence that law will be applied fairly and officials will fulfill their obligations, liberty cannot endure.

Consequences of Inaction

When government officials act in defiance of law and are not held accountable, the public bears the cost. Among the most immediate and tragic consequences is the increased victimization of lawful residents. Crimes committed by individuals who were previously detained or identified but then released or shielded by public policy directly endanger the public and erode confidence in the state's ability to protect its citizens.

In addition to the human toll, the failure to enforce federal law particularly immigration law undermines the constitutional principle of federal supremacy. States and municipalities that obstruct federal enforcement create a fragmented system where law is no longer uniform. This erodes the credibility of national authority and invites further defiance, not only in immigration but in other areas of constitutional governance.

Most dangerously, inaction leads to the delegitimization of law itself. When enforcement is selective, and when ideology dictates compliance, the public no longer views the law as a neutral arbiter of justice. Law becomes politicized, predictability gives way to manipulation, and citizens lose faith in the very system that secures their freedom. In such a climate, ordered liberty cannot survive.

III. Legal Foundations: Constitutional and Statutory Duties

Oaths of Office and Article VI

All elected officials are bound by oath to support and defend the Constitution of the United States. This oath encompasses not only allegiance to the text but fidelity to its structural principles, including the supremacy of federal law, the guarantees of due process, and the separation of powers defined in Articles I and II. To disregard or nullify these duties for political or ideological reasons is not a policy preference it is a violation of trust and function.

The Supremacy Clause (Article VI, Clause 2) establishes that the Constitution and laws of the United States are the supreme law of the land, binding on all states and officials. Willful refusal to uphold federal law, especially when done to shield unlawful activity, constitutes a direct breach of this oath and undermines the constitutional order.

Federal Code References

The following statutory provisions provide a clear legal basis for evaluating breaches of duty:

- 8 U.S. Code § 1324 – Criminal penalties for knowingly harboring, shielding, or transporting illegal aliens.
- 18 U.S. Code § 1621 – Perjury statute applicable to false swearing or violations of sworn duties.
- 18 U.S. Code § 1519 – Prohibits destruction or concealment of records with intent to obstruct federal investigations.
- Additional applicable provisions include laws against obstruction of justice, abuse of office, and misappropriation of public funds.

These laws are not discretionary or symbolic they are enforceable standards designed to protect lawful governance and institutional integrity. When public officials act in defiance of them, they do not merely act unlawfully; they disrupt the rule of law itself.

Limitations of Existing Remedies

Despite these clear legal duties and standards, existing mechanisms for accountability often prove insufficient. Impeachment, though constitutionally available, is rarely used and often politicized to the point of ineffectiveness. Criminal prosecution of elected officials,

especially for ideological or policy-related misconduct, is politically sensitive and legally complex.

Ethical review boards and administrative oversight bodies frequently lack jurisdiction over elected officials, particularly in matters that involve interpretation of federal law or the misuse of discretionary powers.

The Breach of Ordered Liberty Framework addresses this gap by establishing a consistent, principled approach for identifying misconduct that may not meet the threshold for criminal prosecution but nonetheless constitutes a material breach of constitutional duty.

IV. Moral and Ethical Mandate

Natural Law and Duty

Elected office is not merely a position of representation; it is a fiduciary trust. Public officials are stewards of the common good, bound by duty not only to uphold the written law but to conform to the higher principles of justice, truth, and moral responsibility. Their legitimacy derives from fidelity to this trust not from popularity or power.

When elected officials subordinate law to personal ideology, or refuse to apply it out of political convenience, they violate not only legal norms but the moral foundation of governance. Officeholders have a categorical obligation to act within the boundaries of lawful authority and to serve with integrity that reflects the natural law principles embedded in the Constitution.

Distinction Between Mercy and Lawlessness

Compassion is not lawlessness. While mercy may rightly shape the administration of justice, it cannot be used to justify the refusal to enforce law altogether. Public policy grounded in empathy must still operate within the bounds of legal and constitutional obligation.

True justice is not subjective. It requires fair and consistent application of standards and consequences. When officials create exceptions to law based on ideology or identity, they transform compassion into favoritism, and mercy into injustice.

Public Safety as a Primary Duty

The foremost moral responsibility of public officials is to protect the innocent from harm. When elected leaders fail to prevent known criminal actors from reoffending despite possessing the legal tools to intervene, they commit a breach not just of duty but of conscience.

Negligence in the name of tolerance is not virtue. Public safety cannot be sacrificed on the altar of ideological compliance. A government unwilling to restrain crime abandons its moral legitimacy, and any system that tolerates repeat victimization by preventable means becomes complicit in its own decay.

V. Enforcement and Accountability: Creating Objective Thresholds

Definition: Breach of Ordered Liberty (BOL)

A Breach of Ordered Liberty occurs when an elected official uses their position to shield, protect, enable, or fail to act against individuals engaged in unlawful activity in a manner that subverts statutory or constitutional obligations. It is a departure not only from legal compliance but from the foundational trust of office. Such acts may be clothed in discretion or ideology, but they are breaches of duty nonetheless.

Criteria for Breach (Must Meet All)

- Willful refusal to enforce, assist, or comply with applicable criminal laws.
- Use of public resources or authority to materially benefit known violators of the law.
- Documented intent or ideology prioritizing noncompliance over lawful duty.

These criteria ensure that accusations of breach are not speculative, political, or subjective. They establish a high threshold that demands evidence of both unlawful conduct and intentional departure from duty.

Evidence Requirements

The identification of a Breach of Ordered Liberty must rely on objective, verifiable documentation. Examples include:

- Public statements explicitly refusing cooperation with federal law.
- (State and Local) Voting records, funding allocations, or official orders that facilitate unlawful behavior.
- Written communications or policy declarations that demonstrate an intent to obstruct lawful enforcement.

This evidentiary standard is designed to remove ambiguity and ensure that enforcement of the framework is apolitical, principled, and just.

See: Appendix: Constitutional Validity of Evidence Standards

1. Natural Law and Duty

Elected office is not merely a position of representation; it is a fiduciary trust. Public officials are stewards of the common good, bound by duty not only to uphold the written law but to conform to the higher principles of justice, truth, and moral responsibility. Their legitimacy derives from fidelity to this trust not from popularity or power.

When elected officials subordinate law to personal ideology, or refuse to apply it out of political convenience, they violate not only legal norms but the moral foundation of governance. Officeholders have a categorical obligation to act within the boundaries of lawful authority and to serve with integrity that reflects the natural law principles embedded in the Constitution.

2. Distinction Between Mercy and Lawlessness

Compassion is not lawlessness. While mercy may rightly shape the administration of justice, it cannot be used to justify the refusal to enforce law altogether. Public policy grounded in empathy must still operate within the bounds of legal and constitutional obligation.

True justice is not subjective. It requires the fair and consistent application of standards and consequences. When officials create exceptions to law based on ideology or identity, they transform compassion into favoritism, and mercy into injustice.

3. Public Safety as a Primary Duty

The foremost moral responsibility of public officials is to protect the innocent from harm. When elected leaders fail to prevent known criminal actors from reoffending despite possessing the legal tools to intervene they commit a breach not just of duty but of conscience.

Negligence in the name of tolerance is not virtue. Public safety cannot be sacrificed on the altar of ideological compliance. A government unwilling to restrain crime abandons its moral legitimacy, and any system that tolerates repeat victimization by preventable means becomes complicit in its own decay.

Appendix: Preamble to the Breach of Ordered Liberty Framework (*at the end*)

Whereas the American system of government is predicated upon the rule of law, the separation of powers, and the accountable stewardship of public trust;

Whereas the Constitution of the United States requires all elected officials to take an oath to support and defend its provisions, and to faithfully discharge the duties of their office;

Whereas ordered liberty demands that freedom be sustained by the enforcement of just laws and not undermined by selective application, ideological evasion, or the protection of criminal activity;

Whereas the federal government has exclusive authority over immigration and naturalization under Article I, Section 8 of the Constitution, and that authority cannot be lawfully subverted by state or local officials acting in defiance of federal law;

Whereas it has become increasingly evident that some elected officials, through policy declarations, public funding, and administrative obstruction, are actively shielding, enabling, or otherwise protecting individuals engaged in unlawful activity, including those in the country in violation of federal immigration law;

Whereas such actions constitute a betrayal of constitutional duty, a breach of the public trust, and a threat to the safety and liberty of lawful residents;

Therefore, let it be resolved that this Framework is established to define the boundaries of lawful and unlawful conduct by elected officials in their interactions with, or protections extended to, individuals who have violated criminal statutes.

This Framework shall define a Breach of Ordered Liberty as a specific, provable act wherein an elected official, in the course of public service, materially aids, shields, or refuses to act against known criminal behavior in contravention of constitutional or statutory obligations.

The Framework shall set forth objective criteria by which such breaches may be identified, documented, and sanctioned, ensuring that violations of public duty are met with swift, apolitical accountability.

Let this be not a political instrument but a civic safeguard, created in defense of the rule of law and the enduring freedom of the governed. Ordered liberty requires more than the absence of tyranny; it requires the presence of justice, truth, and fidelity to law.

Appendix: Legal Foundations - Constitutional and Statutory Duties

I. Constitutional References – Extended Briefs

1. Article I, Section 8, Clause 4 – Uniform Rule of Naturalization

Text: “To establish a uniform Rule of Naturalization...”

Brief:

This clause grants Congress the sole authority to create and regulate immigration and naturalization laws. It establishes that the power to determine who may enter or remain in the country legally is not subject to state discretion or reinterpretation. By centralizing this authority, the Constitution ensures uniformity in immigration policy across all jurisdictions. When states or localities enact sanctuary policies or obstruct federal immigration enforcement, they infringe on this exclusive federal prerogative, creating a fragmented and unconstitutional patchwork of immigration standards.

2. Article VI, Clause 2 – The Supremacy Clause

Text: “This Constitution, and the Laws of the United States... shall be the supreme Law of the Land...”

Brief:

The Supremacy Clause affirms that federal law takes precedence over state and local laws. It ensures that states may not obstruct, nullify, or contradict federal statutes or constitutional mandates. Sanctuary laws that limit cooperation with federal immigration authorities or policies that shield illegal activity directly contravene this provision. Public officials who enact or enforce such measures violate the constitutional hierarchy and compromise the integrity of national law.

3. Article VI, Clause 3 – The Oaths Clause

Text: “...the Members of the several State Legislatures, and all executive and judicial Officers... shall be bound by Oath or Affirmation, to support this Constitution...”

Brief:

This clause imposes a legal and moral obligation on all public officials—federal, state, and local—to uphold the Constitution. It is not a ceremonial formality but a binding commitment to defend constitutional principles, including the rule of law and federal

supremacy. Officials who knowingly defy federal statutes or shelter criminal behavior breach this oath, delegitimizing their authority and undermining the public trust.

4. Article II, Section 3 – The Take Care Clause

Text: “...he shall take Care that the Laws be faithfully executed...”

Brief:

While directed at the President, this clause reflects a broader principle that all executive officers have a duty to enforce the law faithfully and without bias. Governors, mayors, and agency heads who refuse to enforce valid federal laws—especially through non-cooperation with immigration enforcement—violate this principle. Faithful execution means upholding laws even when politically inconvenient; failure to do so represents dereliction of constitutional responsibility.

5. 14th Amendment, Section 1 – Equal Protection and Due Process

Text: “...nor shall any State... deny to any person within its jurisdiction the equal protection of the laws.”

Brief:

The Equal Protection Clause ensures all individuals receive fair and equal treatment under the law. When governments use public resources to selectively shield certain individuals—such as unlawful immigrants—while enforcing the law against others, they create two tiers of justice. This discriminatory application violates the 14th Amendment. Similarly, when victims of crime or affected communities are denied legal redress due to ideological non-enforcement, due process is undermined.

II. Applicable Federal Statutes – Extended Briefs

1. 8 U.S. Code § 1324 – Bringing in and Harboring Certain Aliens

Brief:

This statute criminalizes actions that knowingly assist or conceal individuals who are unlawfully present in the United States. While commonly applied to private actors, it also applies to public officials who direct funding, policy, or protection toward illegal harboring. Any use of official capacity to shield illegal aliens—whether by refusing detainer requests or publicly funding sanctuary programs—may constitute a prosecutable offense under this statute.

2. 8 U.S. Code § 1373 – Communication Between Government Agencies and ICE

Brief:

This law prohibits any government entity from restricting its employees from sharing immigration status information with federal authorities. Policies that forbid local law enforcement or city departments from cooperating with ICE violate this statute. Sanctuary jurisdictions are especially vulnerable to litigation or federal sanction under § 1373 when they create internal rules that block lawful cooperation.

3. 18 U.S. Code § 371 – Conspiracy to Commit Offense or Defraud the United States

Brief:

This law criminalizes conspiracies to obstruct or impede federal law enforcement. Public officials who coordinate actions with others—either within or across jurisdictions—to nullify federal immigration enforcement or obstruct lawful proceedings may be liable under this statute. The threshold is met when there is an agreement, an overt act, and intent to defy or frustrate federal enforcement mechanisms.

4. 18 U.S. Code § 1519 – Destruction, Alteration, or Falsification of Records

Brief:

This provision prohibits tampering with official records to obstruct investigations. In the context of immigration enforcement, officials who alter or conceal records of release, immigration status, or law enforcement actions may be subject to criminal penalties. Administrative deletion of files intended to frustrate ICE investigations or legal review constitutes a direct violation of § 1519.

5. 18 U.S. Code § 1621 – Perjury (Oath of Office Violations)

Brief:

This statute penalizes knowingly false statements made under oath. Though often applied to courtroom testimony, it also extends to violations of official oaths when a public officer acts contrary to the Constitution they swore to uphold. Intentional defiance of federal law or the rule of law after swearing to support the Constitution may be considered a breach actionable under this statute.

6. 18 U.S. Code § 1001 – False Statements to the Government

Brief:

This law criminalizes false or misleading statements made in official matters. Public officials who misrepresent the purpose, outcome, or legality of policies that shield criminal activity—or who falsify compliance with federal programs—may be liable. The statute applies broadly to any attempt to conceal noncompliance, especially if submitted in federal reporting or grant documentation.

7. 18 U.S. Code § 2 – Aiding and Abetting

Brief:

This statute holds accountable those who assist, enable, or facilitate the commission of a federal crime. Public officials are not immune if they materially support acts that violate immigration law, obstruct justice, or undermine statutory enforcement. Directing public funds, encouraging resistance, or coordinating policy with known violators may constitute aiding and abetting.

8. 42 U.S. Code § 1983 – Civil Action for Deprivation of Rights

Brief:

Provides individuals with the right to sue public officials who, under the color of law, deprive them of federally protected rights. When sanctuary policies result in harm—such as crimes committed by shielded individuals—victims or families may have standing under § 1983 if it can be shown that officials failed in their duty to protect, enforce, or comply with federal law.

9. 5 U.S. Code § 3331 – Oath of Office (Federal Officials)

Brief:

This statute sets the formal oath required of all federal employees. While not criminally enforced, it establishes a baseline for evaluating breach of duty or disqualification from office. Violations of this oath, especially when tied to documented obstruction or ideological nullification of law, strengthen the case for administrative or civil consequences.

10. 18 U.S. Code § 242 – Deprivation of Rights Under Color of Law

Brief:

Criminalizes the willful denial of constitutional rights by public officials acting under the color of law. When officials knowingly withhold legal protection or enforcement from certain individuals based on ideology, race, or immigration status, they may be guilty under this statute. It is particularly relevant where official inaction leads to preventable harm.

Appendix: Historical Applications of Constitutional and Statutory Duties in the Context of a Breach of Ordered Liberty

The *Breach of Ordered Liberty Framework* rests on the principle that no elected official is above the Constitution they swear to uphold. Throughout modern American history, certain officials have defied this obligation—through policy, rhetoric, or active obstruction of law—triggering both legal consequences and broader civic erosion. The statutes and constitutional clauses cited in this framework are not abstract ideals; they have been invoked in courtrooms, hearings, and public debate to precisely confront these violations.

Article I, Section 8, Clause 4 has been repeatedly cited in litigation over state immigration laws. In *Arizona v. United States* (2012), the Supreme Court invalidated provisions of Arizona’s SB 1070, reaffirming that immigration policy is under the exclusive authority of Congress. While that case addressed overreach rather than underreach, the same principle applies in reverse: when sanctuary cities defy federal enforcement, they usurp federal control and fragment the national rule of law.

The Supremacy Clause (Article VI) was foundational in *Cooper v. Aaron* (1958), where the Court unanimously declared that state officials could not defy federal desegregation orders. More recently, sanctuary jurisdictions have tested this principle by instructing agencies not to cooperate with federal immigration detainers. Though often framed as moral resistance, such actions openly contradict federal supremacy, creating dual systems of law based on ideology.

Oath violations under Article VI, Clause 3, and **statutory perjury (18 U.S.C. § 1621)** rarely result in prosecution but are relevant in impeachment, censure, and disqualification proceedings. For example, numerous state and local officials have pledged fidelity to federal law only to later advocate active resistance to federal immigration policy—actions that constitute a breach of sworn duty, particularly when coupled with resource allocation.

The Take Care Clause (Article II, Section 3) has been central in debates over executive inaction. The Obama administration’s use of Deferred Action for Childhood Arrivals (DACA) and other selective enforcement initiatives sparked lawsuits arguing that the executive was failing to “take care that the laws be faithfully executed.” Though the courts often defer to prosecutorial discretion, the moral implications of such defiance mirror BOL concerns: legal neglect packaged as ideological virtue.

Statutes like **8 U.S.C. § 1324** have been used to prosecute church workers and nonprofit leaders who knowingly harbored illegal immigrants. These cases, such as *United States v. Merkt* (1985), established that “harboring” includes efforts to conceal and protect from detection. By extension, mayors and city councils that pass laws blocking law enforcement from cooperating with ICE—especially when tied to funding or public housing—may fall under this statute’s ambit.

42 U.S.C. § 1983 has empowered victims to sue government entities for violations of constitutional rights. In sanctuary jurisdictions, where known violent offenders have been released and gone on to commit additional crimes, victims' families have brought § 1983 claims against local governments for failing to honor federal detainers. Though success varies, the existence of these lawsuits underscores the civic damage of BOL conduct.

Finally, **18 U.S.C. § 242** has been used historically to prosecute officials who abuse authority to deny civil rights—famously against Southern sheriffs and police during the civil rights era. Today, its relevance extends to officials who, under the color of moral or ideological justification, deny equal protection or fail to protect citizens from harm due to selective enforcement.

Each of these legal mechanisms reflects the same constitutional imperative: public power must be exercised in defense of the law, not in defiance of it. The *Breach of Ordered Liberty Framework* calls attention to the growing trend of elected officials using office not to uphold justice, but to advance ideologically motivated resistance. History confirms that such breaches are not theoretical; they are actionable, measurable, and dangerous to the survival of the republic.

Appendix: Constitutional Validity of Evidence Standards

The evidence requirements established in the Breach of Ordered Liberty Framework are designed to ensure that enforcement remains constitutionally sound, non-discriminatory, and legally defensible. They are rooted in the principle that public conduct is accountable under the law and that public office carries obligations that are visible, recordable, and measurable.

Constitutional Consistency

Application of State and Local Evidence

Relevant Constitutional and Statutory Citations:

- **U.S. Constitution, Article VI, Clause 2 (Supremacy Clause):** Establishes federal law as the supreme law of the land, binding on state and local officials.
- **U.S. Constitution, Article VI, Clause 3 (Oaths Clause):** Requires all state and federal officials to swear to uphold the Constitution, making willful defiance of federal law a breach of duty.
- **8 U.S. Code § 1324:** Criminalizes harboring, shielding, or assisting unlawful aliens providing statutory grounding for identifying actions that materially aid such conduct.
- **18 U.S. Code § 1621 (Perjury):** Addresses violations of sworn oaths, including by public officials.
- **18 U.S. Code § 1519:** Prohibits destruction, alteration, or falsification of records related to federal investigations, relevant to policy shielding or record manipulation.
- **Printz v. United States, 521 U.S. 898 (1997):** Recognizes limitations on federal commandeering of state officials but affirms that states cannot obstruct federal law enforcement.
- **Cooper v. Aaron, 358 U.S. 1 (1958):** Reinforces the binding nature of federal law and constitutional interpretation on state officials.
- **Garner v. Board of Public Works, 341 U.S. 716 (1951):** Acknowledges that oaths of office are enforceable and not merely symbolic.
- **Branti v. Finkel, 445 U.S. 507 (1980):** Clarifies that government employees can be disciplined or removed for actions inconsistent with their official duties, even if ideologically motivated.

The use of state and local voting records, funding allocations, or official orders that facilitate unlawful behavior is constitutionally sound because it evaluates public actions taken in an official capacity. These records are not personal expressions protected under the First Amendment but are instruments of government authority. Holding public officials accountable for such decisions does not infringe on their rights, it enforces the public's right to lawful governance.

- **Public Capacity, Not Private Belief:** Voting records and appropriations are legislative acts that affect legal compliance and policy execution. When such actions are used to protect known violators of federal law or to obstruct enforcement, they fall within the scope of federal review and accountability.
- **First Amendment Integrity Preserved:** The framework does not evaluate or punish political opinions but examines the legal impact of official acts. Officials are free to express disagreement with federal law, but they may not use government power to nullify it.
- **Supremacy Clause Support:** Federal law remains the highest law of the land. State and local actions that obstruct it are not protected they conflict with Article VI of the Constitution.

This standard ensures that the framework targets misuse of authority, not protected speech or political identity. It respects constitutional boundaries while preserving the principle that no public official is above the law.

The standards outlined such as public statements, voting records, funding allocations, and policy directives do not intrude on protected personal rights. Instead, they pertain solely to actions taken by public officials in their official capacity. The Constitution affords no protection for the misuse of public office or for actions that actively subvert federal law.

- **First Amendment Compatibility:** The use of public statements as evidence does not punish speech; it evaluates official intent and function. While speech is protected, official conduct, especially when it declares an intent to defy lawful enforcement is subject to scrutiny. The standard does not target belief, expression, or ideology, but the application of public authority in contradiction to statutory duties.
- **Due Process Protections (5th and 14th Amendments):** The criteria and evidence requirements are objective, specific, and evenly applied. No individual is subject to arbitrary accusation or subjective enforcement. Any determination of breach under

this framework requires verifiable documentation, and due process must be afforded in any formal enforcement action.

- **Supremacy Clause (Article VI):** The framework reinforces not undermines the supremacy of federal law. It ensures that no state or local official can nullify or obstruct federal statutes under the pretense of political discretion or moral disagreement.

Application to Public Office, Not Private Citizens

The framework explicitly applies only to those who hold elected office or exercise public authority. The standards do not extend to private individuals or protected personal behaviors. The Constitution does not shield public officials from accountability when they violate their oath or undermine federal law through institutional action.

Prevention of Arbitrary or Ideological Enforcement

By demanding documentary evidence such as official records, public funding directives, or legislative votes the framework avoids subjective accusations or politically motivated enforcement. The evidentiary threshold ensures fairness and objectivity, providing a consistent structure that discourages misuse of the framework for partisan ends.

Conclusion

The Breach of Ordered Liberty Framework's evidence standards do not violate constitutional protections. Instead, they preserve the integrity of the Constitution by reinforcing the duties of office, upholding the supremacy of law, and ensuring that official misconduct is addressed with clarity, fairness, and due regard for lawful authority. Accountability is not a threat to liberty it is its guarantee.

Appendix: Breach of Ordered Liberty Criteria

Checklist

Use this to assess whether an official has violated ordered liberty and breached their moral and constitutional duty.

I. ACTION: Did the official materially obstruct justice or lawful order?

- ☐ Encouraged or funded efforts to help illegal aliens evade deportation
 - ☐ Used public office to block or nullify lawful enforcement
 - ☐ Promoted sanctuary policies in defiance of federal law
 - ☐ Directed subordinates or agencies to violate federal detainer orders
 - ☐ Publicly called for resistance to lawful constitutional processes
-

II. INTENT: Did they act knowingly and willfully?

- ☐ Knew the law and defied it anyway
 - ☐ Expressed intent to obstruct, resist, or nullify enforcement
 - ☐ Repeated the action after legal or judicial warnings
 - ☐ Coordinated efforts ideologically to undermine national law
 - ☐ Motivated by ideology, not justice or compassion
-

III. HARM: Did the act cause measurable civic damage?

- ☐ Undermined public trust in lawful authority
- ☐ Created unequal application of the law
- ☐ Endangered citizens or protected criminal activity
- ☐ Encouraged lawlessness through precedent or policy
- ☐ Eroded the foundation of the Constitution through moral or legal relativism

If all three sections have one or more checked, the Ordered Liberty Violation Standard has been breached.

Ordered Liberty Integrity Checklist

Use this to evaluate whether a law, leader, or policy respects CAA's definition of ordered liberty.

Is it grounded in natural law and moral order?

- ☐ Upholds truth, justice, and public good
- ☐ Respects life, property, conscience, and sovereignty

Does it preserve liberty without promoting lawlessness?

- ☐ Protects individual rights through just restraint
- ☐ Applies equally to all under law

Does it demand obedience without coercion?

- ☐ Obedience is voluntary in conscience, not compelled by fear
- ☐ Enforcement respects due process and civic dignity

Does it reject authoritarianism and progressive relativism?

- ☐ Resists centralization, ideological control, and moral dilution
- ☐ Strengthens citizen agency and decentralizes coercive power

If **all are affirmed**, the law or action is consistent with **Ordered Liberty** and the motto:
Constitutio a Virtute Populi Sustinetur

Appendix: Constitutional Validity of Evidence Standards

The evidence requirements established in the Breach of Ordered Liberty Framework are designed to ensure that enforcement remains constitutionally sound, non-discriminatory, and legally defensible. They are rooted in the principle that public conduct is accountable under the law and that public office carries obligations that are visible, recordable, and measurable.

1. Constitutional Consistency

The standards outlined such as public statements, voting records, funding allocations, and policy directives do not intrude on protected personal rights. Instead, they pertain solely to actions taken by public officials in their official capacity. The Constitution affords no protection for the misuse of public office or for actions that actively subvert federal law.

- **First Amendment Compatibility:** The use of public statements as evidence does not punish speech; it evaluates official intent and function. While speech is protected, official conduct, especially when it declares an intent to defy lawful enforcement is subject to scrutiny. The standard does not target belief, expression, or ideology, but the application of public authority in contradiction to statutory duties.
- **Due Process Protections (5th and 14th Amendments):** The criteria and evidence requirements are objective, specific, and evenly applied. No individual is subject to arbitrary accusation or subjective enforcement. Any determination of breach under this framework requires verifiable documentation, and due process must be afforded in any formal enforcement action.
- **Supremacy Clause (Article VI):** The framework reinforces not undermines the supremacy of federal law. It ensures that no state or local official can nullify or obstruct federal statutes under the pretense of political discretion or moral disagreement.

2. Application to Public Office, Not Private Citizens

The framework explicitly applies only to those who hold elected office or exercise public authority. The standards do not extend to private individuals or protected personal behaviors. The Constitution does not shield public officials from accountability when they violate their oath or undermine federal law through institutional action.

3. Prevention of Arbitrary or Ideological Enforcement

By demanding documentary evidence such as official records, public funding directives, or legislative votes the framework avoids subjective accusations or politically motivated enforcement. The evidentiary threshold ensures fairness and objectivity, providing a consistent structure that discourages misuse of the framework for partisan ends.

4. Conclusion

The Breach of Ordered Liberty Framework's evidence standards do not violate constitutional protections. Instead, they preserve the integrity of the Constitution by reinforcing the duties of office, upholding the supremacy of law, and ensuring that official misconduct is addressed with clarity, fairness, and due regard for lawful authority. Accountability is not a threat to liberty it is its guarantee.

1. Violation of the Supremacy Clause (Article VI, Clause 2)

When state or local officials enact policies or allocate resources that obstruct federal law, especially in areas like immigration where federal authority is exclusive, they may violate the Supremacy Clause. For example:

- Sanctuary policies that instruct law enforcement not to comply with ICE detainers can directly contradict federal statutes.
- Funding used to support programs that enable the evasion of immigration enforcement may constitute interference with federal objectives.

Constitutional Violation: Subversion of the federal legal order through conflicting or obstructive local action.

2. Breach of the Oath of Office (Article VI, Clause 3)

All elected officials are required to take an oath to support the Constitution. Willfully using public office to enable criminal activity or defy federal law undermines that oath.

Constitutional Violation: A material breach of oath where actions contradict federal law and constitutional duties.

3. Equal Protection Clause Violations (14th Amendment, Section 1)

If public resources are used selectively to protect certain categories of lawbreakers based on ideology or identity while others face full enforcement this can raise **equal protection concerns**, especially if lawful residents are harmed or deprived of services as a result.

Constitutional Violation: Unequal application of law and unequal distribution of public protections or burdens.

4. Delegation and Separation of Powers Violations (Articles I & II)

In cases where local policies or ordinances create **de facto new legal regimes** that conflict with federal law or interfere with enforcement mechanisms, they may breach the intended balance of powers. Local governments cannot create immigration policy that authority resides with Congress and the federal executive.

Constitutional Violation: Encroachment on federal authority granted exclusively under the Constitution.

Appendix: Documented Breaches of the Ordered Liberty Framework (Past 7 Months)

The following appendix applies the framework in practice, identifying officials whose conduct meets the threshold for a Breach of Ordered Liberty as defined herein.

Confirmed Breaches (Meet All BOL Criteria)

Local and State Government

- Brandon Johnson (Mayor, Chicago, IL): Declared ICE to be "terrorism" and directed all city agencies to refuse cooperation with immigration enforcement.
- Karen Bass (Mayor, Los Angeles, CA): Publicly condemned ICE raids and used executive authority to obstruct federal operations.
- J.B. Pritzker (Governor, IL): Enacted statewide laws prohibiting cooperation with ICE, including the TRUST Act and Welcoming City Act.
- Gavin Newsom and CA Legislature: Approved \$50 million for legal and institutional resistance to federal immigration enforcement.
- San José City Council (CA): Approved \$1 million for immigrant defense and ICE resistance operations.
- Alameda County Supervisors (CA): Allocated \$3.5 million for legal defense, outreach, and "Know Your Rights" campaigns aimed at resisting federal immigration action.

Law Enforcement

- Ed Gonzalez (Sheriff, Harris County, TX): Withdrew from 287(g), banned deputy cooperation with ICE, and explicitly opposed federal enforcement.
- Gregory Tony (Former Sheriff, Broward County, FL): Refused ICE participation and deprioritized immigration enforcement, triggering formal state-level warning.
- Sheriffs in Portland, Beaverton, and Corvallis, OR: Followed Oregon law barring enforcement of federal immigration actions against individuals not suspected of additional crimes.

Likely Breaches (Partial Data or Indirect Support)

- Colorado Law (2019): Forbids ICE detainer compliance without court orders.

- Connecticut TRUST Act (Amended 2023): Limits state cooperation with ICE except under narrow circumstances.
- Seattle, NYC Council, Lee County, FL: Funded legal defense infrastructure that may shield individuals in violation of federal immigration law.
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Contextual or Borderline Cases

- Tony Evers (Governor, WI): Advised state employees to consult legal counsel before interacting with ICE and discouraged data sharing. Actions suggest passive noncooperation but fall short of BOL.
- New Orleans PD (2016 policy): Policy declared noncooperation with ICE. Current enforcement and legislative status unclear.

All confirmed breaches meet the framework's three-part standard: (1) willful refusal to comply with federal criminal law, (2) material use of public resources to benefit known violators, and (3) explicit or documented ideological justification for obstruction.

This appendix remains subject to ongoing updates and verification to ensure accountability remains evidence-based and impartial.

Appendix: Counterpoint and Response

Appendix: Federal Officials and Public Declarations

Opposing Enforcement

This appendix identifies federal elected officials who have made public declarations opposing immigration enforcement or calling for structural resistance to federal agencies. While such statements do not automatically constitute a Breach of Ordered Liberty, they are included here for transparency and constitutional analysis.

Alexandria Ocasio-Cortez (Rep. NY-14)

- **Conduct:** Publicly advocated for the abolition of ICE; participated in webinars advising immigrants on how to avoid cooperation with enforcement; supported legislative defunding of ICE.
- **Assessment:** These actions fall under political speech and protected legislative activity. No use of official power or public funding has been documented to materially obstruct or shield unlawful behavior. Thus, her actions do not meet the BOL threshold but reflect a high-profile ideological opposition.

Ayanna Pressley (Rep. MA-07)

- **Conduct:** Called for ICE to be “dismantled,” supported legislation to decriminalize border crossing, and has vocally opposed federal immigration enforcement.
- **Assessment:** Similar to Rep. Ocasio-Cortez, Rep. Pressley’s actions remain within the realm of protected political advocacy. No documented evidence shows official obstruction or use of federal office to aid unlawful presence.

Ilhan Omar (Rep. MN-05)

- **Conduct:** Publicly labeled ICE as an institution of racial injustice and called for state and local law enforcement to refuse cooperation.
- **Assessment:** Her rhetoric is forceful, but it does not demonstrate the use of federal office or resources to materially shield unlawful behavior. No breach confirmed.

Summary

None of the individuals listed above have directed official congressional resources, funding, or legislative authority toward the obstruction or shielding of criminal activity. Therefore, they do not meet the evidence or intent standards set forth by the framework but are noted due to their influence on public perception and law enforcement legitimacy.

Appendix: Civic Principle on Resistance and ICE Enforcement

To prevent misuse of this framework, particularly in areas of controversy such as immigration enforcement, the following appendix clarifies why certain actions—while politically charged—do not justify violent resistance or civic defiance under the Ordered Liberty model.”

Appendix: Civic Code of Conduct

Guidelines for Lawful Engagement, Moral Clarity, and Responsible Action

The Breach of Ordered Liberty Framework is a civic accountability tool grounded in the Constitution, natural law, and the duty of conscience. It is not a call to rebellion, nor a justification for partisan conflict. To preserve its moral integrity and protect against misuse, this Civic Code of Conduct outlines the ethical and legal responsibilities of anyone who invokes this framework in public life.

I. Obedience to Lawful Authority

- Citizens must honor the lawful functions of government, including the courts, law enforcement, and legislatures, even when demanding redress or reform.
- This framework is intended to hold specific officials accountable for clear violations of their constitutional oath, not to undermine legitimate law enforcement or constitutional governance.
- Those who act on this framework must do so within the boundaries of law, speech, assembly, and petition, as recognized under the First Amendment.

II. Absolute Rejection of Violence

- This framework categorically rejects violence, threats, sabotage, or harassment in any form.
- No act of physical aggression, property damage, or personal intimidation is compatible with the principles of ordered liberty.
- All efforts to restore accountability must be carried out peacefully, lawfully, and with moral discipline.

III. Presumption of Process

- This document does not declare individuals “guilty” in a legal sense; it provides a framework for civic scrutiny and moral evaluation.
- Accused individuals retain their constitutional rights. This framework demands public accountability, not judicial bypass or vigilante justice.

IV. Civic Integrity and Restraint

- Those who use this framework must demonstrate personal integrity: speak truthfully, check claims carefully, avoid slander, and cite sources honestly.
- Emotional outrage, while understandable, must not override the principled tone of civic engagement. Accountability is not revenge.

V. Application Without Partisanship

- The framework must be applied consistently -- across parties, ideologies, and offices. Selective outrage is itself a breach of civic duty.
- Partisan misuse of the framework (e.g., weaponizing it to protect allies or punish enemies) violates its moral foundation and undermines its authority.

VI. Defense of Ordered Liberty

- Citizens who use this framework must affirm that liberty exists in right relationship to law, virtue, and truth -- not personal impulse or ideological purity.
- True accountability is not achieved through chaos or collapse, but through just resistance, lawful pressure, and principled clarity.

Statement of Ethical Use

“I affirm that the Breach of Ordered Liberty Framework must be applied with truthfulness, restraint, and an unwavering commitment to lawful civic action. I will not use it to inflame, incite, or mislead. I will use it to expose betrayal, awaken conscience, and restore the rule of law -- peacefully and with honor.”

This code is not enforceable by law. It is enforceable by conscience. It is the measure of whether this framework becomes a tool for restoration or a mirror of the chaos it was written to confront.

Appendix: Principle of Resistance (CPoR)

The Concord Principle of Resistance (CPoR) is a structured ethical and constitutional framework used to assess when resistance to governmental authority is morally and legally justified. It is rooted in natural law, the American founding tradition, and the principle that liberty is not submission to power, but fidelity to justice.

I. Purpose of CPoR

CPoR exists to draw a principled line between *justified defensive* resistance to tyranny and unlawful defiance of rightful authority. It is meant to restrain both authoritarian power and mob coercion by clarifying the legitimate conditions under which resistance may be pursued.

II. Purpose of CPoR (revised)

CPoR exists to draw a principled line between justified resistance to tyranny and unlawful defiance of rightful authority. It restrains both authoritarian power and mob coercion by clarifying the legitimate conditions under which resistance may be pursued.

III. Five Core Standards of Justified Resistance

The Concord Principle of Resistance (CPoR) evaluates resistance through five foundational standards. All five must be met for resistance to be considered morally and constitutionally justified.

1. **Innocence** – The resister must not be the aggressor. Resistance must be in response to an unjust act, not the initiation of force or lawlessness.
2. **Imminence** – The threat must be immediate and real. Hypothetical, speculative, or future threats do not meet the threshold.
3. **Proportionality** – The response must match the threat. Minor violations cannot justify extreme or violent resistance.
4. **Avoidance** – All peaceful and legal means of redress must have been attempted and either failed or been denied.
5. **Reasonableness** – The act must make sense to an informed, morally grounded observer. It must not be reckless, chaotic, or based on isolated grievances.

Applying these standards confirms that violent resistance to ICE enforcement fails the CPoR test. Immigration enforcement is legally authorized, non-lethal, and subject to judicial oversight. Legal remedies are available, and the perceived injustice does not meet

the imminence or proportionality thresholds. CPoR is not a tool for impulsive defiance or political protest. It is a safeguard for the conscience of the people and the legitimacy of governance. Under this principle, violent or coercive resistance to lawful immigration enforcement is categorically unjustified.

I. Lawful Authority and Constitutional Mandate

ICE operates under powers lawfully delegated by Congress through the Immigration and Nationality Act. The agency enforces federal law enacted through constitutional processes. Agents are not rogue actors; they function under executive and statutory oversight. As such, they represent lawful authority—not tyranny.

II. Absence of Systemic Injustice Against Citizens

CPoR allows for resistance only when injustice is sustained, systemic, and directed at the people's fundamental rights. Immigration enforcement, even when flawed, does not target lawful residents or citizens. Its focus is on legal status violations, not political or religious dissent. There is no pattern of widespread abuse that nullifies the legitimacy of enforcement.

III. Legal Alternatives Exist

The Concord Principle affirms that resistance is not justified where legitimate legal redress exists. Federal courts, legislative processes, asylum claims, and prosecutorial discretion are all avenues available to contest unjust enforcement without resort to violence or obstruction. Moral courage demands lawful challenge, not mob retaliation.

IV. Duty to Peace, Order, and Justice

Ordered liberty depends on adherence to the rule of law, even when individuals or communities disagree with specific applications. Officials and citizens alike are bound to resist injustice with truth and process, not force. Violence in opposition to deportation undermines lawful order and replaces justice with emotional coercion.

V. Assessment Under the Five Core Standards

The Five Core Standards of CPoR are:

1. **Innocence** – The resister must not be the aggressor.
2. **Imminence** – The threat must be immediate and real.
3. **Proportionality** – Force used must match the threat level.
4. **Avoidance** – All peaceful/legal options must have been tried or denied.
5. **Reasonableness** – The act must make sense to a just, informed observer.

Violent resistance to ICE deportation fails each of these standards. The enforcement is lawful, the threat is not imminent or directed at lawful residents, legal remedies are available, and force is neither proportional nor reasonable.

Conclusion

The Concord Principle of Resistance is a tool for principled discernment, not ideological protest. In the case of ICE deportation operations, there is no justification—legal, moral, or civic—for violent resistance. Legitimate opposition must occur through law, due process, and public conscience, not coercion or obstruction. The Concord Principle of Resistance provides a sober, lawful framework for discerning when resistance is required. In the case of ICE deportation operations, there is no basis—legal, moral, or civic—for violent resistance. Accountability must come through legislative reform, legal advocacy, and moral clarity, not unlawful obstruction or force.

Appendix: Ordered Liberty Conceptual Foundations

Ordered Liberty

Ordered liberty is a foundational concept in American constitutional law that refers to the balance between individual freedom and the rule of law within a just and moral political order. It affirms that liberty is not the absence of restraint, but the ability to live freely within a structure of lawful authority that protects the rights and safety of all.

At its core, ordered liberty recognizes that freedom requires order, and that order must serve freedom not suppress it. The term gained prominence through Supreme Court jurisprudence, particularly in *Palko v. Connecticut* (1937), where the Court held that certain rights are so essential to liberty that they must be preserved against state infringement. These are liberties “so rooted in the traditions and conscience of our people as to be ranked as fundamental.”

Ordered liberty is rooted in natural law theory, which teaches that there are objective moral principles that inform just governance. In the American context, it means that individual rights are not absolute or autonomous but are exercised in relation to the duties and boundaries established by constitutional government. Rights must be reconciled with responsibilities. Liberty is preserved not by the denial of law, but by law that is legitimate, restrained, and evenly applied.

Under ordered liberty, the government has a duty to restrain crime, enforce justice, and maintain public order so that lawful citizens can exercise their freedoms without fear or interference. It rejects both authoritarianism, which suppresses liberty in the name of control, and anarchism or relativism, which abandons law in the name of subjective freedom.

In practical terms, ordered liberty means:

- Laws must be just knowable, and consistently enforced.
- Officials are bound by oath to uphold these laws without favoritism.
- Liberty is degraded when unlawful behavior is protected or excused by those in power.
- The public has a moral right to accountability and redress when their liberty is threatened by unlawful conduct or the failure of officials to uphold their sworn duties.

Appendix: Conditional Constitution – Warning and Response

The **Conditionality Constitution**, as used in the *Ordered Liberty Framework*, refers to a growing, dangerous trend in which elected officials, judges, and bureaucracies apply the Constitution not as a fixed legal framework binding on all equally, but as a *conditional document* enforced or ignored based on political preference, ideological alignment, or social utility.

While it may

Core Meaning

In this view, the Constitution is treated not as the supreme, objective law of the land, but as a flexible, malleable instrument subject to **contingencies**:

- **Conditional on popular sentiment** (“rights evolve with culture”),
- **Conditional on identity** (“some groups deserve more protection or enforcement than others”),
- **Conditional on crisis** (“emergency powers override constitutional norms”), or
- **Conditional on ideology** (“the Constitution must bend to social justice or global standards”).

This undermines the rule of law by turning constitutional authority into a matter of interpretation by those in power rather than a restraint *on* those in power.

Ordered Liberty Framework Usage

In Ordered Liberty Framework, the concept of the Conditional Constitution is presented as a warning and diagnosis. It names the phenomenon where institutions *selectively apply or enforce constitutional protections*, often under the guise of administrative necessity or equity. Examples include:

- Prosecutors are refusing to enforce certain federal laws based on political ideology.
- Courts creating new rights or nullifying established ones based on evolving doctrine rather than text or history.
- Executive agencies imposing rules that violate clear constitutional limits (e.g., speech, due process, delegation of powers).

This selectively enforced Constitution becomes conditional in practice, even if it remains absolute in theory.

Moral and Legal Implications

The Conditional Constitution erodes:

- Ordered liberty: because laws are no longer equal, neutral, or reliably enforced.
- Public trust: because the government no longer binds itself to the same legal standards it demands of citizens.
- National unity: because different groups receive different treatment based on political alignment, not legal standing.

Ordered Liberty Framework Response

CAA rejects the Conditional Constitution as an illegitimate distortion of American law and calls instead for:

- Restoration of constitutional absolutism: where the same law applies equally to all.
- Reassertion of limits on power: including moral resistance to lawless authority.
- Accountability for public officials: who act as if constitutional obedience is optional.

The Conditional Constitution is thus not a theory to be embraced, but a warning sign of creeping authoritarianism disguised as progress or justice. In CAA, identifying and resisting this trend is essential to preserving ordered liberty, legitimate governance, and the moral foundation of the republic.

Appendix: Counterpoints and Responses

The following addresses common objections or defenses raised against the Ordered Liberty Framework’s accountability standard.

1. **Counterpoint:** Sanctuary laws are legal expressions of state sovereignty.
Response: States may not obstruct federal immigration enforcement under the Supremacy Clause (Article VI). Sovereignty does not include nullification.
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2. **Counterpoint:** Cities are protecting vulnerable communities.
Response: Shielding individuals who violate criminal statutes—regardless of intent—undermines the rule of law and violates sworn duties.
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-

3. **Counterpoint:** These are political statements, not legal actions.
Response: The Framework only applies when public office is used materially—through funding, orders, or refusals—to block enforcement. Mere opinion is excluded.
-
-

4. **Counterpoint:** ICE enforcement is unjust or discriminatory.
Response: Moral objections to federal policy do not grant license to defy law. Officials must work within the system to seek reform.
-
-

5. **Counterpoint:** Local policies increase community trust.
Response: Trust built on selective enforcement erodes equal protection and incentivizes noncompliance with the law.
-
-

6. **Counterpoint:** Federal detainees are voluntary.

Response: While legally non-binding in some jurisdictions, deliberate refusal to cooperate—especially when combined with shielding policies—meets BOL criteria.

7. **Counterpoint:** Elected officials have a mandate to follow the will of the people.

Response: The Constitution limits all officeholders, regardless of voter support. Oaths bind officials to enforce law, not override it by popularity.

8. **Counterpoint:** No criminal charges have been filed.

Response: BOL is a civic and ethical standard that does not require prosecution. It identifies breaches of public duty before legal remedy becomes necessary.

9. **Counterpoint:** Federal enforcement is heavy-handed.

Response: Criticism of federal policy does not excuse defiance. Lawful opposition must not translate into obstruction.

10. **Counterpoint:** We are just exercising discretion.

Response: Discretion ends when officials materially enable lawbreaking or obstruct federal authority.

11. **Counterpoint:** These programs offer legal aid, not protection.

Response: When public funds are used to shield or actively resist lawful enforcement, the distinction dissolves.

12. **Counterpoint:** State and federal governments routinely disagree.

Response: Disagreement is lawful. Refusing to comply with constitutional obligations is not.

13. **Counterpoint:** Due process is being followed locally.

Response: Local process cannot override national law or substitute ideological policy for constitutional enforcement.

14. **Counterpoint:** Officials are prioritizing resources.

Response: Budget choices are valid until they systematically shield lawbreaking. That crosses from discretion into breach.

15. **Counterpoint:** ICE. shouldn't deputize law enforcement

Response: Officials may choose not to partner with ICE but cannot actively obstruct or prohibit cooperation with federal enforcement.

16. **Counterpoint:** This framework punishes compassion.

Response: Compassion must operate within law. The Framework distinguishes between mercy and systemic lawlessness.

17. **Counterpoint:** These are legacy policies from earlier administrations.

Response: If they remain in effect and are enforced today, they are subject to current constitutional standards.

18. **Counterpoint:** Enforcement would disproportionately affect minority communities.

Response: Equal application of law must prevail. Unequal enforcement based on group identity undermines justice.

19. **Counterpoint:** No one has been harmed.

Response: Breaches undermine public trust and civic order even before measurable harm occurs. The goal is prevention.

20. **Counterpoint:** This is just political targeting.

Response: The Framework is nonpartisan and evidence based. It applies uniformly to any official who uses their office to materially obstruct the law.

Appendix: Cover Letter: Addressing the Breach of Ordered Liberty in Public Office

To Whom It May Concern,

The attached document presents the *Breach of Ordered Liberty (BOL) Framework*, a civic and constitutional standard developed in response to the growing practice of elected officials using their authority to obstruct federal law, protect known lawbreakers, and erode the rule of law through policy, funding, and rhetoric. These acts do not simply reflect bad policy—they constitute legal and moral breaches of public duty.

The United States Constitution, particularly Article VI’s Supremacy Clause and Oath Clause, places a binding legal obligation on all state and local officials to uphold federal law. Yet across the nation, we see public office increasingly used to nullify these duties in favor of ideology or political expedience.

Consider the following documented examples:

- **Mayor Brandon Johnson, Chicago (2023):** Ordered city departments to ignore ICE detainer requests and instructed municipal agencies to block cooperation with federal immigration authorities. This is a willful defiance of 8 U.S.C. § 1324 and a direct violation of Article VI of the Constitution.
- **California State Legislature and Governor Gavin Newsom:** Approved and expanded a \$50 million legal aid fund specifically designed to prevent the deportation of individuals in the country illegally, regardless of criminal background. This funding constitutes the material use of public resources to subvert federal enforcement.
- **Alameda County, CA:** Voted to reallocate \$1 million in public safety funds to “rapid response” networks that assist undocumented individuals in evading lawful arrest and deportation. The stated goal was to oppose ICE operations—an action that uses local government infrastructure to obstruct federal law.
- **Various Sanctuary Jurisdictions:** Have passed ordinances prohibiting local law enforcement from sharing immigration status information with federal agencies, in violation of 8 U.S.C. § 1373 and the constitutional principle of federal supremacy.

These are not isolated misjudgments, they reflect an institutional pattern of undermining lawful authority and shielding criminal activity. When public officials redefine, enforcement

based on ideology, they replace equal justice with selective nullification. This corrodes public trust, endangers lawful residents, and erodes the moral legitimacy of governance itself.

The Breach of Ordered Liberty Framework offers a constitutional remedy grounded in objective standards and natural law. It establishes criteria for identifying when an official has materially breached their oath, used public power to aid unlawful behavior, or placed ideology above their legal duties.

We respectfully call upon your office to review the Framework, consider its evidentiary standards, and evaluate how it might be used to restore accountability, deter further misconduct, and safeguard the rule of law. This is not a partisan effort. It is a civic necessity.

The time to restore constitutional fidelity is now. Where lawful authority is deliberately undermined, ordered liberty cannot survive. We ask you to stand with the Constitution—not in theory, but in practice.

Appendix: Letter of Referral and Demand for Accountability

To: *Oversight Committees, State Ethics Panels, Civil Review Boards, and the American Public*

From: *Supporters and Authors of the Ordered Liberty Framework*

Subject: Referral for Accountability Under the Breach of Ordered Liberty Framework (BOL)

Date: [Insert Date]

Pursuant to the findings detailed in the above appendices, the Ordered Liberty Framework issues this formal referral for review and potential sanction of public officials whose conduct constitutes a documented Breach of Ordered Liberty (BOL). These actions reflect material obstruction of federal law, misuse of public office, and violation of sworn constitutional duties.

Basis for Action

The BOL standard requires:

1. Willful refusal to enforce or comply with federal criminal law.
2. Use of public resources to benefit known lawbreakers.
3. Documented intent or ideological justification for noncompliance.

All confirmed individuals identified meet these criteria.

Officials Referred (Selected)

- Brandon Johnson, Mayor of Chicago
- Karen Bass, Mayor of Los Angeles
- J.B. Pritzker, Governor of Illinois
- Gavin Newsom and the California Legislature
- San José City Council (CA)
- Alameda County Supervisors (CA)
- Sheriff Ed Gonzalez (Harris County, TX)
- Former Sheriff Gregory Tony (Broward County, FL)

- Sheriffs in Portland, Beaverton, and Corvallis, OR

Constitutional and Legal Grounds

These officials have violated:

- Article VI, Clause 2 (Supremacy Clause).
- Article VI, Clause 3 (Oath of Office).
- 8 U.S. Code § 1324 (Harboring).
- 18 U.S. Code §§ 1519, 1621, and related statutes.

Actions Requested

We call for:

- Immediate ethical or legislative inquiry.
- Public censure or official reprimand.
- Referral to appropriate disciplinary boards.
- Legislative safeguards to prevent further BOL violations.

Appendix: Briefs

Legal and Civic Brief (Formal Presentation)

Title: Breach of Ordered Liberty Framework: Upholding the Constitution Against Official Misconduct

Tagline: Defending the rule of law, preserving public trust.

Abstract:

The Breach of Ordered Liberty (BOL) Framework defines and identifies instances where elected officials subvert the rule of law by protecting or enabling criminal activity, especially through defiance of federal immigration enforcement. Rooted in natural law, constitutional duty, and equal justice, the Framework establishes objective criteria to assess violations of public trust and legal obligation.

Key Definitions:

- **Ordered Liberty:** The coexistence of individual freedom and legal authority, grounded in just law and moral responsibility.
- **Breach of Ordered Liberty:** A willful act by an elected official that shields or enables unlawful behavior in violation of their oath and constitutional duty.

Constitutional Foundations:

- **Article VI (Supremacy & Oath Clauses):** Federal law overrides state interference; all officials are bound by oath to uphold it.
- **Article I, Section 8:** Congress holds exclusive power over immigration.
- **Article II, Section 3:** The executive must ensure faithful execution of the law.
- **14th Amendment:** Requires equal protection and due process.

Legal Violations Common in BOL Cases:

- 8 U.S.C. § 1324: Harboring illegal aliens
- 18 U.S.C. § 1519: Destruction/concealment of enforcement records
- 18 U.S.C. § 1621: Perjury/oath violations
- 18 U.S.C. § 242: Deprivation of rights under color of law

Documented Patterns of Breach:

- Sanctuary policies obstructing federal enforcement.
- Use of public funds to shield or aid unlawful presence.
- Official directives ordering non-cooperation with ICE.
- Public rhetoric framing lawful enforcement as “terrorism” or injustice.

Case Evidence Examples:

- Brandon Johnson (Chicago): Ordered agencies to block ICE cooperation.
- Gavin Newsom & CA Legislature: Funded legal aid to obstruct deportation efforts.
- Alameda County (CA): Redirected \$1M to “rapid response” networks aiding evasion from federal authorities.

Conclusion:

The BOL Framework does not target ideology—it enforces oath-based conduct and accountability. It draws a line between compassion and corruption, mercy, and lawlessness. In a constitutional republic, no official is above the law. Liberty cannot endure if law is selectively applied or intentionally nullified.

Public Awareness Handout (Plain Language)

Title: What Is a Breach of Ordered Liberty—and Why It Matters

Tagline: No one should be above the law, especially not elected leaders.

What’s the Problem?

Some elected officials are using their power to block immigration enforcement, protect known criminals, and fund programs that help people break the law—all while ignoring their constitutional oaths.

Why It’s Wrong:

- Our Constitution says federal law is the supreme law of the land.
- All public officials swear an oath to follow and uphold it.
- When leaders protect criminals or stop law enforcement from doing its job, they’re not just being political—they’re breaking trust, violating their duty, and putting innocent people at risk.

What Is a Breach of Ordered Liberty (BOL)?

It's when an official uses their position to help people break the law or stop others from enforcing it. This includes:

- Blocking police from working with ICE
- Giving public money to help illegal immigrants avoid deportation
- Ordering government workers to ignore federal law
- Calling law enforcement “terrorists” to score political points

Why This Matters to You:

- Crime goes up when criminals aren't held accountable.
- Public money is wasted on protecting lawbreakers.
- Your rights mean less when the law isn't enforced fairly.

Real Examples:

- Chicago's mayor banned city workers from helping ICE.
- California gave \$50 million in taxpayer money to fight immigration enforcement.
- Local officials in some areas openly tell police to ignore federal law.

The Solution:

The BOL Framework creates a fair and clear way to hold these officials accountable. It doesn't care about party or politics—it cares about whether they did their job. If they used their power to help break the law, they should answer for it.

Bottom Line:

Ordered liberty means freedom with justice. If we don't enforce the law equally, liberty collapses. This framework is about restoring the trust we need to stay free—and safe.

Appendix: Public Awareness and Promotion Campaign for the BOL Framework

Because civic frameworks must not remain buried in academic or policy circles, the following section provides public-facing content for raising awareness, informing discussion, and promoting civic education across media platforms.

Facebook Posts

1. **Graphic + Caption:** "When public officials shield lawbreakers, they betray their oath. The BOL Framework demands accountability for every breach of duty."
2. **Carousel Post:** Slide 1: What is a Breach of Ordered Liberty? Slide 2: How do we identify it? Slide 3: What can citizens do? [link to document or explainer site]
3. **Testimonial Style:** "I thought sanctuary policies were harmless—until my community saw the consequences. Learn what the BOL Framework says about trust, law, and safety."
4. **Public Letter Promo:** "Our new Accountability Letter is live. Read who has violated their oath, and why it matters for ordered liberty. [link]"
5. **Engagement Question:** "Do you think public officials should face consequences for obstructing federal law? Comment below."

Twitter/X Posts

1. "No one is above the law. Not even mayors, governors, or sheriffs. The BOL Framework exposes breaches of public trust. #OrderedLiberty"
2. "The Supremacy Clause isn't optional. The Constitution must apply—even when it's inconvenient. #ConstitutionFirst"
3. "We don't need new laws. We need officials who follow the ones we already have. That's what the BOL Framework is about. #Accountability"
4. "Public funds used to shield lawbreakers? That's a Breach of Ordered Liberty. #TaxpayerTrust #RuleOfLaw"
5. "Read. Remember. Respond. Our public accountability report is now live. #BOL #CivicDuty"

Truth Social Posts

1. "They swore an oath. They broke it. Now they're exposed. The BOL Framework shows who betrayed their duty."
2. "Liberty without law is lawlessness. The BOL Framework restores order.
#TruthMatters"
3. "Sanctuary cities are not safe cities. They're legally and morally compromised.
#OrderedLibertyNow"
4. "We will not tolerate double standards. Federal law applies to everyone.
#EqualJustice"
5. "New report just released: Find out which officials are using your tax dollars to fight your laws."

Appendix: Glossary

For clarity and reference, the glossary defines key terms used throughout this document, and the citation appendix provides source support for all referenced constitutional clauses and public statements.

Accountability

The civic and legal requirement that public officials be held responsible for their actions in office, especially when they violate constitutional or statutory duties.

Breach of Duty

A failure by an elected official to fulfill the legal, constitutional, or moral obligations of their office, including refusal to enforce law or misuse of authority.

Breach of Oath

The violation of the sworn pledge to uphold the Constitution and faithfully execute the duties of public office.

Breach of Ordered Liberty (BOL)

A provable act by a public official who uses their position to shield, enable, or fail to act against unlawful activity in defiance of statutory or constitutional obligations.

Civil Liability

Legal responsibility for harm caused by dereliction of public duty, enabling harmed parties to seek redress through the courts.

CPoR (Concord Principle of Resistance)

A moral, legal, and civic doctrine asserting that resistance to public authority becomes justified when that authority persistently violates the Constitution, undermines natural law, or protects unlawful conduct through ideological obstruction. The CPoR affirms that liberty is not preserved through passive obedience to corrupted institutions but through principled, proportional resistance when the social contract is broken by those in power. It is grounded in the belief that allegiance belongs to ordered liberty, not to those who betray it.

Conditional Constitution

A term describing the trend of applying constitutional protections selectively based on ideology, identity, or political expedience.

Constitutional Duty

An elected official's binding obligation, by oath, to uphold and execute the Constitution faithfully.

Due Process

A constitutional guarantee under the 5th and 14th Amendments requiring fair procedures before depriving individuals of life, liberty, or property.

Equal Protection

The legal principle that laws must be applied uniformly to all individuals.

Evidence Requirements

The standard that only objective, verifiable documentation can be used to demonstrate a BOL violation.

Federal Supremacy

The principle that federal law takes precedence over conflicting state or local laws.

Fiduciary Trust

The moral and legal responsibility public officials have to act in the public's interest.

Harboring (8 U.S.C. § 1324)

Illegally shielding or assisting individuals who are in violation of immigration laws.

Ideological Noncompliance

Refusal to execute constitutional duties due to personal or political belief.

Institutional Obstruction

When a government policy or official act interferes with lawful federal mandates or investigations.

Lawful Authority

Legitimate power conferred by law to enforce justice and protect the public.

Material Aid

Use of public resources to directly benefit individuals engaged in criminal behavior.

Natural Law

The moral order that informs just governance and asserts universal human rights.

Nullification

The unauthorized act of voiding or defying federal law.

Obstruction

Any act that interferes with the enforcement of lawful authority, especially federal mandates.

Oath of Office

The sworn pledge taken by officials to uphold the Constitution and laws of the United States.

Obstruction of Justice

Acts that interfere with law enforcement, including policy obstruction or delay.

Ordered Liberty

A state where freedoms are protected within a framework of just and moral law.

Partisan Enforcement

Applying laws selectively based on political ideology.

Perjury (18 U.S.C. § 1621)

Knowingly making a false statement under oath.

Policy Obstruction

Using administrative tools to hinder the execution of federal law.

Public Trust

The belief that officials will act in the public's interest and uphold their duties.

Remedies

Mechanisms like impeachment or civil liability for addressing breaches of duty.

Sanctuary Policy

Municipal or state directives that limit cooperation with federal immigration authorities.

Separation of Powers

The division of government responsibilities across the legislative, executive, and judicial branches.

Statutory Obligation

Legal duty defined by codified federal law.

Supremacy Clause (Article VI, Clause 2)

Declares federal law as the highest law of the land.

Sworn Duty

Responsibility of an official to carry out obligations after taking the oath of office.

Unlawful Presence

Status of residing in the U.S. in violation of immigration laws.

Willful Defiance

Intentional refusal to uphold or execute the law based on ideology.

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Keywords

Ordered liberty, constitutional duty, sanctuary policies, federal supremacy, oath of office, public trust, ideological obstruction, harboring statutes, immigration enforcement, civic accountability, federalism, due process, public safety, legal integrity, rule of law

Description

The *Breach of Ordered Liberty Framework* is a formal civic accountability tool designed to identify violations of constitutional and statutory duty by public officials, particularly in cases involving ideological interference with law enforcement. Rooted in the Constitution, federal code, and natural law, the framework sets forth evidence-based criteria for defining a Breach of Ordered Liberty (BOL). It includes legal briefs, historical precedents, checklists, confirmed case examples, and a glossary of foundational terms. It is intended for use by oversight committees, civic coalitions, legislatures, media watchdogs, and concerned citizens seeking to defend the integrity of public office and uphold the rule of law.

