

PETITION FOR THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS

SECTION I. INFORMATION ON THE ALLEGED VICTIM AND PETITIONER

1. INFORMATION ON THE ALLEGED VICTIM(S)

Please provide the information about the person or group affected by the violation(s) of human rights.

It is important to notify the Commission immediately and in writing if the alleged victim(s) wish/wishes to change representation or become the petitioner in his/her/their own petition. If there is more than one victim, please add the data in the "Additional Information" Section.

Name and Address of Victim:

Don Hamrick (male)
322 Rouse Street
Kensett, AR 72082
USA
Phone: (501) 742-1340
Email: ki5ss@yahoo.com

Date of Birth: 15 September 1955 (age 64).

I was the falsely jailed & falsely convicted of misdemeanors **Multiple times.**

I submitted my federal complaint as my Petition No. P-330-20. But now, I am submitting this official Petition Form

2. INFORMATION ON THE FAMILY MEMBERS

Please provide information regarding the close family members of the alleged victim(s) who are likely to have suffered harm as a result of the alleged violation of human rights.

Name of my Mother: **Patsy Hays (age 86)**

Address/Phone: **SAME AS ABOVE. I am my mother's live-in caregiver 24/7/365.**

THE IMMEDIATE HARDSHIP IS CAUSED BY ARKANSAS STATE OFFICIALS:

In the United States there is the policy, "*If you see something, say something.*" That policy puts poor people at risk of *false arrest, malicious prosecution, and misdemeanor false conviction* when a corrupt police department and a corrupt court and judicial system are involved as it exists in the State of Arkansas as happened to me multiple times just because I ran for Mayor of Kensett, Arkansas on my campaign agenda to make Kensett a CORRUPTION FREE ZONE. The federal court system of the United States is equally prejudiced against the poor filing and appealing their constitutional rights as has also happened to me.

My most recent false arrest caused my mother's 2013 Toyota Sienna to get repossessed, towed to Little Rock, and transported to Tennessee for Auction.

I am demanding **IMMEDIATE \$1 MILLION RESTITUTION** in accordance with the **RESTITUTION** provision (Paragraphs 8, 9, & 11) in the **DECLARATION OF BASIC PRINCIPLES OF JUSTICE FOR VICTIMS OF CRIME AND ABUSE OF POWER** adopted by General Assembly resolution 40/34 of 29 November 1985.

If the IACHR Commission or Court cannot enforce the Restitution provision of the **DECLARATION OF BASIC PRINCIPLES OF JUSTICE FOR VICTIMS OF CRIME AND ABUSE OF POWER** then can the IACHR recommend to the **OFFICE OF HIGH COMMISSIONER OF THE UNITED NATIONS HUMAN RIGHTS** to impose the Immediate Restitution of \$1 Million on the State of Arkansas through the United States?

3. DATA ON THE PETITIONER

Name and Address of the Petitioner:

Don Hamrick (male)
322 Rouse Street
Kensett, AR 72082
USA
Phone: (501) 742-1340
Email: ki5ss@yahoo.com

Date of Birth: 15 September 1955 (age 64).

Do you want the your identity kept confidential.? **NO**

All the requisite additional information is contained in the 220-page United States FEDERAL COURT COMPLAINT that I submitted as my Petition No. P-330-20.

4. IS YOUR PETITION RELATED TO A PREVIOUS PETITION?

My **PETITION NO. P-330-20** is NOT directly related to my **PETITION NO. P-1142-06**.

My Petition today is not confined to the **UNITED STATES SECOND AMENDMENT** right to keep and bear arms in P-1142-06 but is now expanded to the **PREAMBLE OF UNITED STATES CONSTITUTION AND THE BILL OF RIGHTS**.

I have not submitted a previous Petition on these same facts to IACHR.

I have not submitted a request for precautionary measures to the Commission concerning these same facts.

SECTION II. FACTS ALLEGED

1. MEMBER STATE OF THE OAS AGAINST WHICH THE COMPLAINT IS

SUBMITTED:

UNITED STATES

2. THE FACTS

Provide, in chronological order, an account of the facts that is as thorough and detailed as possible. This information is included in my 220-page federal complaint as my Petition No. P-330-20.

3. AUTHORITIES ALLEGEDLY RESPONSIBLE

This information is included in my 220-page federal complaint as my Petition No. P-330-20.

4. HUMAN RIGHTS ALLEGEDLY VIOLATED

AMERICAN DECLARATION OF THE RIGHTS AND DUTIES OF MAN

CHAPTER ONE: RIGHTS

ARTICLE I. Every human being has the right to life, liberty and the security of his person.

ARTICLE II. All persons are equal before the law and have the rights and duties established in this Declaration, without distinction as to race, sex, language, creed or any other factor.

ARTICLE IV. Every person has the right to freedom of investigation, of opinion, and of the expression and dissemination of ideas, by any medium whatsoever.

ARTICLE V. Every person has the right to the protection of the law against abusive attacks upon his honor, his reputation, and his private and family life.

ARTICLE XVII. Every person has the right to be recognized everywhere as a person having rights and obligations, and to enjoy the basic civil rights.

ARTICLE XVIII. Every person may resort to the courts to ensure respect for his legal rights. There should likewise be available to him a simple, brief procedure whereby the courts will protect him from acts of authority that, to his prejudice, violate any fundamental constitutional rights.

Article XX. Every person having legal capacity is entitled to participate in the government of his country, directly or through his representatives, and to take part in popular elections, which shall be by secret ballot, and shall be honest, periodic and free.

ARTICLE XXIV. Every person has the right to submit respectful petitions to any competent authority, for reasons of either general or private interest, and the right to obtain a prompt decision thereon.

Article XXV. No person may be deprived of his liberty except in the cases and according to the procedures established by pre-existing law.

Every individual who has been deprived of his liberty has the right to have the legality of his detention ascertained without delay by a court, and the right to be tried without undue delay or, otherwise, to be released. He also has the right to humane treatment during the time he is in custody.

Article XXVI. Every accused person is presumed to be innocent until proved guilty.

CHAPTER TWO: Duties

Article XXXIV. ... It is likewise his **duty to hold any public office to which he may be elected by popular vote** in the state of which he is a national.

AMERICAN CONVENTION ON HUMAN RIGHTS

PART I - STATE OBLIGATIONS AND RIGHTS PROTECTED

CHAPTER I - GENERAL OBLIGATIONS

ARTICLE 1. Obligation to Respect Rights

ARTICLE 2. Domestic Legal Effects

CHAPTER II - CIVIL AND POLITICAL RIGHTS

ARTICLE 3. RIGHT TO JURIDICAL PERSONALITY (Every person has the right to recognition as a person before the law.)

I have filed civil lawsuits in the federal district courts of the United States in Washington, DC and in Little Rock, Arkansas (all dismissed), appealed to the DC Circuit & the Eighth Circuit Court of Appeals respectively, and ultimately to the United States Supreme Court (all appeals denied). This fact can be verified by the PACER Database.

For the State of Arkansas, I appealed my multiple misdemeanor False Convictions. In one instance, I appealed to the White County Circuit Court. Judge Robert Edwards refused to place my appeal on the Docket because I was, and I still am, a poor man. I could not afford the cost of the filing fee. I appealed to the Arkansas Supreme Court. That Court put my appeal on the Docket but denied my appeal because I could not afford the cost of the filing fee.

Article 6. FREEDOM FROM SLAVERY; ARTICLE 7. RIGHT TO PERSONAL LIBERTY; AND ARTICLE 8. RIGHT TO A FAIR TRIAL

The **FEDERAL PACER DATABASE** verified fact combined with the **STATE OF ARKANSAS** both denying my **CONSTITUTIONAL AND HUMAN RIGHT TO A REMEDY** in defiance of the **FIRST AMENDMENT, THIRTEENTH AND FOURTEENTH AMENDMENTS** of the **UNITED STATES CONSTITUTION** means that under **CONSTITUTIONAL LAW** I am unconstitutionally but unofficially stripped of my status as a United States Citizen with no enforceable rights in the State or Federal Courts.

That means because I am a poor man I am unofficially a SLAVE.

That is the methodology now in play for the last few years with the resurrection of unconstitutional **DEBTORS' PRISONS & KANGAROO COURTS** all across the country because of former U.S. Attorney General Jeff Sessions' response to President Trump's **EXECUTIVE ORDER 13777**. (The details are in my Federal Complaint.)

Article 10. Right to Compensation

"Every person has the right to be compensated in accordance with the law in the event has been sentenced by a final judgment through a miscarriage of justice."

Inter-American Convention Against All Forms of Discrimination and Intolerance (A-69)

This treaty was adopted at La Antigua, Guatemala, Wednesday, June 5, 2013 at the Forty-third regular session of the ORGANIZATION OF AMERICAN STATES GENERAL ASSEMBLY. This treaty ENTERED INTO FORCE Thursday, February 20, 2020. The UNITED STATES has not yet SIGNED, RATIFIED, ACCEPTED, or made ACCESSION to this treaty.

This treaty defines DISCRIMINATION as “*any distinction, exclusion, restriction, or preference, in any area of public or private life, the purpose or effect of which is **to nullify or curtail the equal recognition, enjoyment, or exercise of one or more human rights and fundamental freedoms** enshrined in the international instruments applicable to the States Parties.*”

For the United States, my question to the INTER-AMERICAN COMMISSION ON HUMAN RIGHTS is this: “Does the Definition of **human rights & fundamental freedoms** include (1) *a more perfect Union*, (2) *establish Justice*, (3) *insure domestic Tranquility*, (4) *provide for the common defence*, (5) *promote the general Welfare*, and (6) *secure the Blessings of Liberty to ourselves and our Posterity* as stated in the PREAMBLE to the UNITED STATES CONSTITUTION. And are the BILL OF RIGHTS (the first ten Amendments in the UNITED STATES CONSTITUTION), the THIRTEENTH & FOURTEENTH AMENDMENTS included in the definition of *human rights & fundamental freedoms*?

Although this treaty is relatively new it is, nevertheless, the perfect vehicle to provide a human rights remedy against discrimination against the poor exercising constitutional rights. Associating constitutional with human rights is the perfect cure for discrimination against constitutional rights. That’s the psychology of enforcement of rights.

SECTION III. LEGAL REMEDIES PURSUED TO RESOLVE

THE FACTS ALLEGED

The federal laws of the United States and the laws of the State of Arkansas do not ensure due process for the protection of my rights. I exhausted all available remedies at the State of Arkansas and at the United States level. That is why I filed my Petition with IACHR. See my federal lawsuit I filed as Petition No. P-330-20.

SECTION IV. AVAILABLE EVIDENCE

1. Evidence

All the evidence is in my 220 page federal complaint filed As my Petition No. P-330-20.

2. Witnesses

All the named defendants are the witnesses for this Petition.

SECTION V. OTHER COMPLAINTS LODGED

There are no other complaints.

SECTION VI. PRECAUTIONARY MEASURES

Article 25. Precautionary Measures

There is a serious and urgent situation of risk of irreparable harm to persons or to the subject matter of the proceedings.

It is a proven fact that history repeats itself.

GEORGE SANTAYANA QUOTATION

THE LIFE OF REASON OR THE PHASES OF HUMAN PROGRESS

A book published in five volumes from 1905 to 1906, by Spanish-born American philosopher, essayist, poet and novelist, George Santayana. The volumes are titled (1) **REASON IN COMMON SENSE**, (2) **REASON IN SOCIETY**, (3) **REASON IN RELIGION**, (4) **REASON IN ART**, and (5) **REASON IN SCIENCE**.

Source: https://en.wikiquote.org/wiki/George_Santayana

From Volume I—REASON IN COMMON SENSE

*“Progress, far from consisting in change, depends on retentiveness. When change is absolute there remains no being to improve and no direction is set for possible improvement: and when experience is not retained, as among savages, infancy is perpetual. **Those who cannot remember the past are condemned to repeat it.**”*

This famous statement has produced many paraphrases and variants.

- Those who cannot learn from history are doomed to repeat it.
- Those who do not remember their past are condemned to repeat their mistakes.
- Those who do not read history are doomed to repeat it.
- Those who fail to learn from the mistakes of their predecessors are destined to repeat them.
- Those who do not know history’s mistakes are doomed to repeat them.
- There is a similar quote by Edmund Burke (in *REVOLUTION IN FRANCE*) that often leads to misattribution: *“People will not look forward to posterity, who never look backward to their ancestors.”*

APPLIES TO GUN CONTROL LEADING TO GENOCIDE.

See Pages 18–26 in my federal complaint Petition No. P-330-20.

In the Constitution's Second Amendment's right to keep and bear arms was intended to be the principle means of providing for the **COMMON DEFENCE CLAUSE** in the PREAMBLE to the UNITED STATES CONSTITUTION and in Article I, Section 8, Clause 1, which is protected by the **PRIVILEGES AND IMMUNITIES CLAUSE** in Article IV, Section 2, Clause 1 and in the FOURTEENTH AMENDMENT, Clause 1; and if further protected by the **TENTH AMENDMENT POWERS RESERVED TO THE PEOPLE THEMSELVES** and is further protected by the **NINTH AMENDMENT'S "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people."**

That means NATIONAL OPEN CARRY is an embedded right in the United States Constitution.

The United States Congress and the States have throughout the history of the United States from 1930 to the present have passed and continue to pass endless gun control laws to the extent that gun control serves only to destroy the Common Defence. On that basis all gun control laws in their individual and collective intent is TREASON against the CONSTITUTION OF THE UNITED STATES and the CONSTITUTIONS OF THE STATES.

The original text of the Nazi Weapons Law became the Gun Control Act of 1968. Th put the United States on the same genocidal path that caused the Jewish Holocaust. On that basis another holocaust is inevitable because history repeats itself.

The compels IACHR to issue a Precautionary Measure against the United States to protect the Second Amendment and the Common Defence as human rights.

Submitted

A handwritten signature in black ink, appearing to read "Don Hamrick", written in a cursive style.

Don Hamrick